

Det. James Bowman : Proof of Perjury

D.A. Richard Panosh : Proof of Perjury

: Early Release of William W. Stewart

(Summary)

Detective James Bowman testified inmate William Stewart was serving a prison sentence of 10 to 12 months for an auto larceny conviction. Det Bowman said Stewart had less than a month left of his sentence to serve (TTP 10.18-25). Det. Bowman acknowledged William Stewart's sentence was amended, and that he was released early from prison. Det Bowman said, "Probably five days prior to his predicted release date." (TTP 11.1-9) Stewart didn't receive any money, but was released early (TTP 11.23-25).

D.A. Richard Panosh spoke up and stated, the state would stipulate it was involved in the early release of William Stewart. D.A. Panosh also said, he had presented a motion to Judge Freeman to reduce Stewart's sentence by a short period of time. D.A. Panosh claim this action was taken so Stewart wouldn't be in prison at the time the warrant was served (TTP 12.1-10).

In closing arguments D.A. Panosh said Stewart was released about two weeks early for the sole purpose of allowing law enforcement to execute the search warrant, that no promises were made to Stewart (TTP 217.5-15).

(FACTS)

First, Det James Bowman lied about why Stewart was in prison, and the length of his sentence. Then both Det. Bowman and D.A. Panosh lied about how much time was cut from Stewart's prison sentence.

Second, William Stewart lied when he wrote the Guilford County District Attorney's Office making the claim that Theodore (Ted) Kimble had solicited him as a hit-man. Stewart claimed he was offered \$100,000 dollars, yet Ted couldn't afford his own Defense Counsel. "Stewart made these claims so he could get out of prison early."

The follow Exhibit is a copy of William W. Stewart's N.C. Dept. of Corrections Criminal Record. Page 4 of 9, clearly shows Stewart was in prison for Larceny (over \$200), serving 8 months minimum to 10 months maximum sentence. This document also shows Stewart's sentence began on 7/22/1998, was AMENDED, and Stewart was released on 12/17/1998. Now, Twelve minus seven equals five. That means Stewart served only five months on an eight month minimum sentence. This evidence proves Stewart had at least 3 MONTHS left to serve, and that D.A. Panosh and Det Bowman lied to the Court.

The actions taken by the State were illegal and against policy. The policy is that William Stewart was to be placed on "Protective Custody" control status, and moved to another institution, for his protection. NOT to be released from prison 3 months early! During the Sentence Hearing Det Bowman testified that he didn't even know where Stewart was at.

Michael Hollman, Jamie Gayles, Gary Durham, and Rodney Mclean were inmates also housed at Southern Correctional. They testified that Stewart was a habitual liar, and had bragged about robbing Ted's locker of stamps, and a radio, and legal papers.

Detective James Bowman

Transcript Testimony / Handwriting of William Stewart

TTp.64. 16Q. Show you now TK-3. what is that, please?

17.A. TK-3 is a document that was also provided by
18 Stewart. It was a document that Stewart stated was in
19 his handwriting where he made some notes during a
20 conversation with Kimble. And that was where he made the
21 notes where he referred to the potential ways of doing
22 the murders, electrical wiring, robbery motive, rape,
23 double suicide, murder/suicide, kidnapping, ransom gone
24 bad, and Satanic cult victims. And he also made two
25 notations of amounts of money. One was \$100,000 and one

TTp.65. 1 was \$50,000, which he stated was amounts of money that
2 was discussed in his conversations with Kimble.

(FACTS)

Defense Counsel never showed the Defendant any case discovery on these charges. Of all the exhibits, this was the only piece of evidence which spoke of any physical harm or violence, yet Det Bowman testified that William Stewart admitted he had written it himself.

Note Stewart's claim of payment was to be \$50,000 or \$100,000 dollars, but Kimble couldn't afford his own Defense Counsel.

Detective James Bowman Transcript Testimony Pages 56-74
District Attorney Richard Panosh Transcript

Tip. 70. 18-Q. What was Stewart incarcerated for, and how much
19 time was he to be there?

20-A. Stewart was incarcerated on an auto larceny
21 conviction, and he was serving a 10 to 12 month sentence.

22-Q. How much time did he have left to serve at the
23 particular time he reported this?

24-A. As I recall, less than a month.

25-Q. Did he -- was he released from prison at the time

Tip. 71. 1 of his release date, or before or after?

2-A. He was released before his release date.

3-Q. Why was he released early?

4-A. There was an amended order from his sentence, and
5 he was released a few days early. Probably five days
6 prior to his predicted release date.

7-Q. Do you have a copy of that order, and what was the
8 basis of amending an order releasing him early?

9-A. No, I don't.

(Cont.)

23-A. He didn't receive any money.

24-Q. But he did get out of prison early?

25-A. Yes, sir.

TTP. 12. 1-Q. Do you know whether or not the SBI was in any way
2 involved in him being released early?

3 Mr. Panosh: We'll stipulate it was. We'll
4 stipulate that I presented a motion to Judge Freeman.
5 Judge Freeman reduced his sentence by a short period of
6 time so the search warrant could be served on December
7 22nd, and Mr. Stewart would not be in prison at the time
8 the warrant was served.

9 The Court: Let the record show the State
10 stipulates to the facts enunciated by the prosecutor.

D.A. Richard Panosh closing statements pages 214-218

TTP. 217.5. Your Honor, Mr. Stewart did get early
6 release. He was released, all the evidence shows he was
7 released about two weeks early for the sole purpose of
8 allowing us to go down there and execute that search
9 warrant and getting him out of that prison facility.
10 There's not one shred of evidence to show that before he
11 made this statement he had any promises. And he
12 certainly had no promise of early release. And Your
13 Honor knows that the law requires that if there was a
14 promise, we would have had to disclose it to counsel. We
15 haven't done so because there was no promise.




North Carolina Department of Correction Public Access Information System

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Instructions: Here is the information you have requested for this offender.
(Note: Click here to view an Explanation of Terms and Data Elements used in the summary boxes.)

Data current as of 2:00 AM EST on: 11/02/2004

General Summary Information			
DOC Number: 0390846		Inmate Status: ACTIVE INACTIVE	
Name(s): STEWART, WILLIAM W.		P&P Status:	
Demographics			
Gender:	MALE	Race:	BLACK
Age:	31	Birth Date:	11/23/1972
			

Most Recent Incarceration Summary	
Conviction Date: 09/17/2001	Total Term: 17 YEARS 7 MONTHS
Projected Release Date: 07/11/2017	
Primary Offense: HABITUAL FELON (PRINCIPAL)	
Admission Date: 09/26/2001	Admitting Location: CENTRAL PRISON
Special Characteristics: REGULAR	
Custody Classification: MEDIUM	Next Custody Review Date: 11/30/2004

Control Status: REGULAR POPULATION	Next Control Review: UNKNOWN
Number of Infractions: 8	Last Infraction On: 06/02/2004
Current Location: NASH CI	
Previous Location: HYDE CC	
Last Movement: RECEIVED FROM HYDE CC	On: 10/21/2004
Prior Incarcerations? Y Detainers? Y Escapes? N	

Most Recent Probation and Parole Summary	
Status: CLOSED	
Office of Supervision: DISTRICT 21 UNIT F	
Crime: POSSESSING STOLEN GOODS (PRINCIPAL)	
Crime Type: MISD.	
Punishment Type: INTERMEDIATE SS	

**The sentence history for the offender follows.
Incarceration records are light blue; Supervision records are light green**

Incarceration Record for Sentence Number: BE-001					
Commitment Type:	INMATE				
Conviction Date:	09/17/2001	County of Conviction:	FORSYTH		
Service Status:	ACTIVE	Sentence Status:	ACTIVE		
Projected Release Date:	07/11/2017	Sentence Begin Date:	09/17/2001		
Actual Release Date:					
Punishment Type:	ACTIVE SS				
Sentence Type 1:	DEPT OF CORR DIV OF PRISONS				
Sentence Type 2:	HABITUAL FELON				
Minimum Term:	14 YEARS	Maximum Term:	17 YEARS 7 MONTHS		
Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
INITIAL	00040347	HABITUAL FELON (PRINCIPAL)	07/15/2000	FELON	CLASS C

Incarceration Record for Sentence Number: BE-002					
Commitment Type:	INMATE		County of Conviction:	FORSYTH	
Conviction Date:	09/17/2001		Sentence Status:	ACTIVE	
Service Status:	ACTIVE		Sentence Begin Date:	09/17/2001	
Projected Release Date:	07/11/2017		Actual Release Date:		
Punishment Type:	ACTIVE SS				
Sentence Type 1:	DEPT OF CORR DIV OF PRISONS				
Sentence Type 2:	HABITUAL FELON				
Minimum Term:	14 YEARS		Maximum Term:	17 YEARS 7 MONTHS	
Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
CONCURRENT TO SENTENCE NUMBER BE-001	00056714	HABITUAL FELON (PRINCIPAL)	07/15/2000	FELON	CLASS C

Incarceration Record for Sentence Number: BE-003					
Commitment Type:	INMATE		County of Conviction:	FORSYTH	
Conviction Date:	09/17/2001		Sentence Status:	ACTIVE	
Service Status:	ACTIVE		Sentence Begin Date:	09/17/2001	
Projected Release Date:	07/11/2017		Actual Release Date:		
Punishment Type:	ACTIVE SS				
Sentence Type 1:	DEPT OF CORR DIV OF PRISONS				
Sentence Type 2:	HABITUAL FELON				
Minimum Term:	14 YEARS		Maximum Term:	17 YEARS 7 MONTHS	
Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code

CONCURRENT TO SENTENCE NUMBER BE-001	01015634	HABITUAL FELON (ATTEMPTED)	07/15/2000	FELON	CLASS C
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Supervision Record for Sentence Number: 02-001					
Commitment Type: PROBATION/PAROLE					
Conviction Date: 09/16/1999			County of Conviction: DAVIE		
Punishment Type: INTERMEDIATE SS					
Sentence Type 1: PROBATION					
Sentence Type 2: SUSPENDED SENTENCE					
Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
INITIAL	99003435	POSSESSING STOLEN GOODS (PRINCIPAL)	04/21/1999	MISD.	CLASS 1 MISDEMEANOR SS

Incarceration Record for Sentence Number: BD-001					
Commitment Type: INMATE					
Conviction Date: 07/22/1998			County of Conviction: SURRY		
Service Status: EXPIRED			Sentence Status: AMENDED		
Projected Release Date: 12/17/1998			Sentence Begin Date: 07/22/1998		
Actual Release Date: 12/17/1998					
Punishment Type: ACTIVE SS					
Sentence Type 1: DEPT OF CORR DIV OF PRISONS					
Minimum Term: 8 MONTHS			Maximum Term: 10 MONTHS		
Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
INITIAL	98000523	LARCENY (OVER \$200) (PRINCIPAL)	01/17/1998	FELON	CLASS H

Incarceration Record for Sentence Number: BA-001					
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Commitment Type: INMATE
Conviction Date: 09/17/1990 **County of Conviction:** FORSYTH
Service Status: EXPIRED
Projected Release Date: 09/11/1995 **Sentence Begin Date:** 09/17/1990
Actual Release Date: 09/11/1995
Punishment Type: FAIR FELONS
Sentence Type 1: DEPT OF CORR DIV OF PRISONS
Sentence Type 3: REGULAR PAROLE
Sentence Type 4: COMMITTED YOUTHFUL OFFENDER
Minimum Term: **Maximum Term:** 10 YEARS

Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
INITIAL	90017248	RECEIVING STOLEN GOODS (PRINCIPAL)	04/29/1990	FELON	CLASS H

Incarceration Record for Sentence Number: BA-002

Commitment Type: INMATE
Conviction Date: 09/17/1990 **County of Conviction:** FORSYTH
Service Status: EXPIRED
Projected Release Date: 09/11/1995 **Sentence Begin Date:** 09/17/1990
Actual Release Date: 09/11/1995
Punishment Type: FAIR FELONS
Sentence Type 1: DEPT OF CORR DIV OF PRISONS
Minimum Term: **Maximum Term:** 10 YEARS

Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
CONCURRENT TO SENTENCE NUMBER BA-001	90016270	AUTO LARCENY (PRINCIPAL)	04/23/1990	FELON	CLASS H

Incarceration Record for Sentence Number: BA-003

Commitment Type: INMATE
Conviction Date: 01/18/1990 **County of Conviction:** FORSYTH

Conviction:

Service Status: EXPIRED
Projected Release Date: 03/29/1991
Actual Release Date: 03/29/1991
Punishment Type: FAIR FELONS
Sentence Type 1: DEPT OF CORR DIV OF PRISONS
Sentence Type 2: PROBATION REVOCATION
Sentence Type 3: REGULAR PAROLE
Sentence Type 4: COMMITTED YOUTHFUL OFFENDER
Minimum Term: **Maximum Term:** 2 YEARS

Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
CONCURRENT TO SENTENCE NUMBER BA-001	89038115	POSSESS SCHEDULE II (PRINCIPAL)	10/21/1989	FELON	CLASS I

Incarceration Record for Sentence Number: BA-004

Commitment Type: INMATE
Conviction Date: 10/30/1992
Service Status: EXPIRED
Projected Release Date: 09/19/1993
Actual Release Date: 09/19/1993
Punishment Type: FAIR MISDEMEAN
Sentence Type 1: DEPT OF CORR DIV OF PRISONS
Minimum Term: 2 YEARS **Maximum Term:** 2 YEARS
County of Conviction: DAVIDSON
Sentence Begin Date: 10/30/1992

Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
CONCURRENT TO SENTENCE NUMBER BA-001	92015181	LARCENY (OVER \$200) (PRINCIPAL)	10/06/1992	MISD.	MISD.(PRE-STRUCTURE)

Incarceration Record for Sentence Number: BA-005

Commitment Type: INMATE

Conviction Date: 10/30/1992 **County of Conviction:** DAVIDSON
Service Status: EXPIRED
Projected Release Date: 12/08/1994 **Sentence Begin Date:** 09/19/1993
Actual Release Date: 12/08/1994
Punishment Type: FAIR MISDEMEAN
Sentence Type 1: DEPT OF CORR DIV OF PRISONS
Minimum Term: 2 YEARS **Maximum Term:** 2 YEARS

Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
CONSECUTIV TO SENTENCE NUMBER BA-004	92015180	RECEIVING STOLEN GOODS (PRINCIPAL)	10/06/1992	MISD.	MISD.(PRE-STRUCTURE)

Incarceration Record for Sentence Number: BA-006

Commitment Type: INMATE
Conviction Date: 05/19/1993 **County of Conviction:** DAVIDSON
Service Status: EXPIRED
Projected Release Date: 10/11/1997 **Sentence Begin Date:** 12/08/1994
Actual Release Date: 10/11/1997
Punishment Type: FAIR FELONS
Sentence Type 1: DEPT OF CORR DIV OF PRISONS
Sentence Type 2: COMMITTED YOUTHFUL OFFENDER
Minimum Term: **Maximum Term:** 5 YEARS

Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
CONSECUTIV TO SENTENCE NUMBER BA-005	92016246	LARCENY (OVER \$200) (PRINCIPAL)	10/02/1992	FELON	CLASS H

Incarceration Record for Sentence Number: BA-007

Commitment Type: INMATE

Split Sentence Active 6 MONTHS
Term:

Commitment	Docket#	Offense (Qualifier)	Offense Date	Type	Sentencing Penalty Class Code
INITIAL	89013801	UNAUTHORIZED USE OF CONVEYANCE (PRINCIPAL)		MISD.	MISD.(PRE-STRUCTURE)

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