

October 28, 2016

William David Yarborough  
SCDC#334712 B.R.C.I.  
Murray 163  
4460 Broad River Road  
Columbia, South Carolina 29210

The Honorable Nikki Haley  
Governor of South Carolina  
Office of the Governor  
State House 1<sup>st</sup> Floor  
Post Office Box 12267  
Columbia, South Carolina 292111

Dear Governor Haley:

I was accused of Burglary First Degree and Criminal Sexual Conduct First Degree in January 2007. I willingly gave a D.N.A. sample to the Williamsburg County Sheriff's Department wherein it was sent to S.L.E.D. to be analyzed. In July of 2008, I was arrested on an alleged unsolved rape case that occurred in June of 2002. June of 2002 was just a couple of weeks before I went to Parris Island for boot camp for the Marine Corps. After boot camp, I served in the Marine Corps until my honorable discharge in 2006 after serving in Afghanistan. I am now a disabled veteran suffering from physical injuries and PTSD from my service.

I stayed in Williamsburg County Detention Center for ten (10) months. My mother paid for an independent D.N.A. test to be sent directly to my attorney, Steven S. McKenzie with the understanding that the only way I would plead guilty is if both the D.N.A. test and the rape kit came back positive. Mr. McKenzie told my mother and me that my D.N.A. matched and that the rape kit showed positive for rape and not consensual sex. Mr. McKenzie told me and my family that he had already talked with the presiding Judge and the Solicitor and that I would receive a sentence of no less than a life sentence plus thirty (30) years if we went forward with a trial. He adamantly said the best possible outcome I could have would be to plead guilty to avoid a life sentence plus thirty (30) years.

I wish to be pardoned because I am not guilty of Burglary First Degree or of Criminal Sexual Conduct First Degree. I have never entered into anyone's home without their consent or invitation nor have I ever forced anyone to have sex with me. In both cases, the sex was consensual. If my attorney had properly investigated my cases and the facts of my cases, he would have had the proper evidence in which to advise me. After my sentencing, my mother asked for a copy of my case file and discovered

that Mr. McKenzie had not acquired or ever seen positive rape kit results from either case. He never did any form of investigation in which to defend me or so that I could defend myself. I knew my D.N.A. would be present and that is why I willingly gave D.N.A. because I knew we had had consensual sex. I would have never agreed plead or pled guilty if he had not convinced me that he had the results of the rape kits indicating the signs of rape and not consensual sex and that I would certainly receive life in prison plus thirty years.

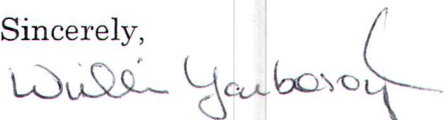
After being sentenced in 2009, I was sent to Perry Correctional institution for my first year. At Perry, I was assigned as a dormitory custodian worker as well as a teacher's assistant assisting fellow inmates in obtaining their G.E.D.'s.

In 2010, I was shipped to Broad River Correctional Institution. Over the past six years, I have participated and completed a wide variety of programs that range from spiritual, educational, behavioral, and work programs. I am a member of Kairos. I have completed Men's Fraternity and now have been assigned to be a mentor. I have completed the Horticulture program and have been assigned as a teacher's assistant to help teach all of the upcoming classes. I am half-way through the State Certified Bee Keepers Course. I have taken and passed the written certification test and will soon take the practical exam so that I may receive the full certification. I am currently in the Jump Start Program. I am in the Honor/Character Dormitory here at Broad River Correctional. I have also been assigned as a mentor/tier leader in the Honor/Character Dormitory. I have a lot of other programs that I have taken and completed such as Alcoholic Anonymous, Anger Management, Medication Management, and etc. I am also over the Alcoholic Anonymous group in the Honor/Character Dormitory.

Since my incarceration, I have spent time reflecting upon myself and with all the classes that I have had the opportunity to complete and participate in, I feel that I have grown significantly. I have opened my eyes to what a mess my life was before. Even though, I did not commit the crimes that I was accused of, I am very sorry for some of the choices that I made and the way that I lived my life in the past. I am proud of my military service and the time I spent serving my country.

I am asking to be pardoned because I am not guilty of Burglary First Degree or Criminal Sexual Conduct First Degree. Governor Haley, I want to sincerely thank you for your service to our country, your time, and your consideration in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "William Yarborough", with a stylized flourish at the end.

William David Yarborough



5 November 2016

Mr. Robert Zauzmer  
Office of the Pardon Attorney  
145 N Street N.E.  
Room 5E.508  
Washington, D.C. 20530  
(by email) *at 1348*

RE: CLEMENCY PETITION FOR WILLIAM DAVID YARBOROUGH, JR.

Dear Attorney Zauzmer,

I am writing in support of William Yarborough's clemency petition. I firmly believe a pardon of William will be, considering all factors, in the best interest of our society and taxpayers, as well as his very loving family and many friends who continue to suffer each day that William remains incarcerated and separated from them. He has served almost one-half of his twenty-two year sentence (nine years and five months served). He is now thirty-eight years old.

I am a retired U.S. Navy Judge Advocate. My practice now only involves the *pro bono* assistance to veterans with issues related to their status as veterans, not normally criminal matters. William has been a client for over five years.

William is a U.S. Marine Corps combat veteran with service in Afghanistan. His honorable discharge reflects he earned the following medals, badges, and awards: Combat Action Ribbon, Marine Corps Good Conduct Medal, Global War on Terrorism Service Medal, Sea Service Deployment Ribbon, Global War on Terrorism Expeditionary Medal, National Defense Service Medal, Navy Unit Commendation, and Rifle Qualification Badge (Expert, 2<sup>nd</sup> award).

He is a rated service connected disabled veteran and was entitled to the very best legal representation. As with many of my *pro bono* veteran clients, the legal system often consumed them without effective assistance of counsel at the trial level. In William's case, although suffering from diagnosed combat related Post Traumatic Stress, he was not afforded the assistance of what is now called a "Veterans Court." A "Veterans Court" was not in existence at the time in the jurisdiction of his prosecution and subsequent conviction.

In conclusion, Attorney Zauzmer, please give strong consideration to William's request for clemency. I know William can become a productive member of society.

/s/ Burton J Waltman  
Burton J. Waltman  
Connecticut Juris No. 301738  
109 Reedy Cove Court  
Greenwood, SC 29649

CC: President Barack Obama (Attn: Neil Eggleston,  
Senior White Counsel)  
Governor Nikki R. Haley, State of South Carolina  
Director Jerry B. Adger, South Carolina Department of Probation, Parole, and  
Pardon Services



In conclusion, Attorney Zauzmer, please give strong consideration to William's request for clemency. I know William can become a productive member of society.

/s/ Burton J Waltman  
Burton J. Waltman  
Connecticut Juris No. 301738  
109 Reedy Cove Court  
Greenwood, SC 29649

CC: President Barack Obama (Attn: Neil Eggleston,  
Senior White Counsel)



Attorney Burton J. Waltman  
19 Airy Hall  
Kiawah Island, SC 29455  
forhelpingavet@aol.com  
(843) 367-4450

13 May 2014

Dear Family and Friends of Mr. William David Yarborough:

I am a retired military judge advocate licensed to practice law in the State of Connecticut. Since I retired in 2004 my practice has solely involved the *pro bono* representation of our disabled veterans with claims against the Veterans Administration or Department of Defense. Mr. W. David Yarborough is one of my clients. He is a rated service connected disabled combat veteran entitled to the very best legal representation. As with many of my *pro bono* clients, the legal system often consumes them without a fair trial and effective counsel at the trial level. In Mr. Yarborough's case, although suffering from diagnosed combat related Post Traumatic Stress, he was not afforded the assistance of what is now called a "Veterans Court" as they were not in existence at the time of his conviction. Regrettably, as I am not licensed in South Carolina, I cannot assist him.

Mr. Yarborough is a U.S. Marine Corps combat veteran with service in Afghanistan. His honorable discharge reflects he earned the following medals, badges, and awards: Combat Action Ribbon, Marine Corps Good Conduct Medal, Global War on Terrorism Service Medal, Sea Service Deployment Ribbon, Global War on Terrorism Expeditionary Medal, National Defense Service Medal, Navy Unit Commendation, and Rifle Qualification Badge (Expert, 2<sup>nd</sup> award).

Mr. Yarborough wants to be certain the legal and factual issues in his conviction are fully reviewed so he can prove his innocence. I support him in his request one hundred percent!

Sincerely,



Burton J. Waltman

To whom it may concern,

My name is Katherine Haase. I have known William Yarborough for around five years. I worked with him at a convenience store for a year. He was always polite to co-workers and customers. William is very knowledgeable when it comes to fixing vehicles. On several occasion you would find William working on friends vehicles for free. William is always there for you when you need him. I have seen people call on him for help and never return the help when William needed help, and that never stopped him from continuing to help them. William has always went above and beyond to help me out. William and I were in a relationship for a time and done things, more things for me than any other man I have ever dated. During our romantic relationship never was he violent or disrespectful to me. There were times when things heated sexually between us and I stopped him, I told him no, he stopped and never kept tring. Other guys I have dated would have been atleast mad or still continued to try to get me to have sex with them after I have said no. William is the friendliest most outgoing person I know. Someone you can count on no matter what. He never has the attitude like so many people I know, well I will help you now what are you gonna do for me.

Sincerely,

Katherine Haase  
1173 c.c.c. Rd  
Sneads ferry  
N.C. 28460

*Katherine Haase*

To whom it may concern,

I met David ( William Yarborough ) years ago while he was still in the Marine Corps and also working at the Trade Mart not far from our home. At the time our daughter Katie, was also an employee at Trade Mart. She had worked there long enough to see a wide variety of different workers. David was an exception to a normal employee for those type of places. He was a real hard worker. Conscientious about his responsibilities. He always showed up on time and sometimes came in on his day off. He was always willing to help the others to make their load easier. He was always polite so much that I felt comfortable enough to send an extra supper plate or treat up there with my daughter for him. After a short time I actually trusted David (William ) enough to come to our house and do odd jobs for us. He was always gracious and well mannered. He did quality workmanship with what ever we had for him to do. Even to this day we would trust David ( William ) to be able to be in our home working at repairing things. We trusted him with our daughter and grandson as he repaired things there also. David ( william ) was always respectful and well spoken around all of us. David ( William ) has a determination about himself to be a very hard quality worker not like so many of the young men today. Once he knew what job we needed done he got right on it and his workmanship was great. While around our daughter and grandson he respected them enough to refrain from smoking around them since our grandson has had major heart surgeries and cannot be around smoke. Most of todays young men could care less. Even though at this stage of my life I am handicap from a stoke and a broken hip I was not back then I would still feel comfortable with David ( William ) around in and outside of our home.

If you have any questions for me please feel free to contact me at

retirementsucks@Yahoo.com or  
Mr. & Mrs. James Haase P.O. 176  
Sneads ferry N.C. 28460

Thanks for your time and consideration to find him to be a decent hardworker respectful adult.

Patricia Haase

To whom it may concern,

I'm writing on behalf of William Yarborough. I met Dave (is what I call him) at the beginning of 2005. He worked at the Trade Mart here in Sneads ferry N.C., he was working there at night and as a marine during the day. I have been around Dave many of times to consider him as a good friend. I know what Dave has been charged with and if this helps in anyway I don't know. But the person he was when he was around me was a good man. I have been out drinking with Dave on many occasions and many nights he made sure I made it home safe. Dave and I never had any kind of relationship of any kind other than a wonderful friendship. This was a shock to me when he got charged because around me he never seemed like that kind of person. I never saw any kind of aggression or a mean streak in him. I have been around Dave drunk many of times and he never tried to force me to do anything, he always watched out for me and made sure no one harmed me. I was in a bad wreck after I met Dave and had to have rides to my Dr. apt. . He has slept on my couch to take me to them early in the morning and then again he never tried to sneak in my room or try anything sneaky. I don't know if this will help him in anyway but I am here to say that Dave was a good person anytime he was around me and as long as I have known him. If any questions you can contact me at the following address or number. Thank you for your time.

Jennifer Ice  
112 Sand hill Rd.  
Sneads ferry N.C. 28460  
910-741-0278

Jennifer Ice