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**Charlotte Observer, The (NC)**

September 2, 1994  
Edition: THREE  
Section: YORK OBSERVER  
Page: 3Y

**STORE OPERATOR CLEARED OF MANSLAUGHTER CHARGE**  
Author: *TONYA JAMESON, Staff Writer*

Dateline: YORK

Article Text:

A York County jury Thursday found Morris Robinson innocent of involuntary manslaughter in the 1990 death of Travis McCarter Clarke.

Clarke, 17, died when his truck struck another pickup on Old Limestone Road. Passenger Kenneth Robinson Nivens Jr., 29, was thrown into the woods; the other driver and a 4-year-old were also injured.

Sixteenth Circuit Assistant Solicitor Mike Matthews argued that Robinson, 52, of Clover, sold beer to Clarke the day of the accident.

"Even though this particular jury came back with a not-guilty verdict, the store owners still need to be aware of who they sell alcohol to," Matthews said after the trial.

Officials said the store sold two teenagers a six-pack of beer the afternoon of March 4 and then a 12-pack and two more six-packs later that day.

Robinson, who operated Morris' Grocery Store on S.C. 55 from 1971-90, denied selling alcohol to Clarke. His attorney, **Jack Swerling** of Columbia, argued that Clarke and friends bought the alcohol at the South Main Street Exxon.

**Swerling** almost got Circuit Court Judge Don Rushing of Lancaster to dismiss the case Wednesday. **Swerling** argued that the prosecution did not prove that Clarke drank any beer purchased from Robinson's store.

Clarke's blood-alcohol level was higher than South Carolina's legal limit of 0.10 to operate a vehicle. However, because of a technicality, Rushing did not allow testimony regarding the blood-alcohol level.

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