

BRIEFLY

MIDLANDS [COLUMBIA]

Court overturns imprisoned man's manslaughter conviction — A former Cornell Arms security guard who has served five years of a 16-year prison sentence on voluntary manslaughter had his guilty verdict overturned Monday by the S.C. Supreme Court.

In a 4-1 decision written by Chief Justice Jean Toal, the court majority said Jason Dickey, who was scheduled to be released in 2020, should have the jury's guilty finding overturned because "the evidence establishes that (Dickey) shot and killed Boot in self-defense."

Dickey shot to death Joshua Boot, 24, of West Columbia, on April 29, 2004. Boot was struck once in the chest and twice in the stomach.

Dickey, who carried a concealed pistol, "was faced with a situation where two younger, intoxicated and physically superior men were advancing toward him, one with the clear intent to assault him and who was undeterred at the sight of (Dickey's) gun," Toal wrote.

Dickey, who ran unsuccessfully for the S.C. House in 1999, was found guilty by a Richland County jury that deliberated 2 and one-half hours. Cornell Arms at 1230 Pendleton Street is a popular place for University of South Carolina students.

Efforts to reach two of Dickey's attorneys, Jack Swerling and Lourie Salley, were unsuccessful Monday.

Associate justices John Kittredge, Kaye Hearn and Costa Pleiçones concurred with Toal. Associate Justice Donald Beatty dissented, saying evidence existed that Dickey could have avoided the contradiction and, as he was outside the Cornell Arms at the time, he was not defending his home, vehicle or property.

— John Monk