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Trial set to begin for accused murderer

by CHARLES L WARNER

12.05.09 - 12:23 am

The trial of a Union man charged with the murder of a nurse whose skeletal remains were found in a remote area near Carlisle will begin Monday.

Sixteenth Circuit Solicitor Kevin Brackett said Friday afternoon jury selection will begin Monday morning in the trial of Jamel Good. Brackett said he expects the jury to be empaneled and opening arguments heard that afternoon. Judge James Williams of Orangeburg will preside over the trial which Brackett said will probably last most of the week.

Good, 28, 389 Blue Ridge Road, is charged with murder in the death of 31 year old Maria Fernandez who disappeared Sept. 3, 2008 after finishing her shift at Ellen Sagar Nursing Home. At the time of his arrest on Feb. 9 of this year, authorities said Good picked up Fernandez at Ellen Sagar. In his statement after being arrested, Good admitted he'd last seen Fernandez at his home that afternoon. The arrest warrant stated a neighbor reported hearing gunshots coming from Good's house the evening of Fernandez's disappearance.

Fernandez's skeletal remains were found by a utility worker in a remote area near Carlisle. Investigators believe Fernandez was killed the day of her disappearance but forensic pathologists were not able to determine the cause of her death and deputies have not recovered a firearm in the case.

Good's arrest warrant also states after Fernandez was last seen, a witness reported hearing Good destroy an item on the side of a road in Union County. Pieces of her cell phone cover were found at the location the witness heard Good destroying it. In announcing Good's arrest, Sheriff David Taylor said cell phone records showed Good using a phone on the night of Sept. 3, 2008, and that the call was activated off a tower in the Carlisle area.

Deputies took Good into custody on the morning of Feb. 9. Taylor said Good had hidden from deputies when they'd went to his home on previous occasions and had instructed his children to hide from authorities. He said Good was not cooperating and had said nothing since his initial statement following his arrest.

Good has a criminal record dating back to 1998 that includes arrests for possession of crack cocaine and marijuana and writing a fraudulent check. He has been held in the Union County Jail since his arrest.

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Trial Begins: Mostly female jury to decide fate of murder suspect Jamel Good

by CHARLES L. WARNER

12.08.09 - 09:03 am



An overwhelmingly female jury will decide the fate of murder suspect Jamel Good.

Jury selection took most of Monday before a jury composed of nine women and three men with two alternates — one male and one female — was empaneled. Jurors will decide whether or not Good, 28, 389 Blue Ridge Road, is guilty of murder in the death of 31-year-old Maria Fernandez who disappeared Sept. 3, 2008, after finishing her shift at Ellen Sagar Nursing Home.

Opening arguments were presented Monday evening with John Anthony, deputy solicitor for Union County, presenting the jury with an overview of the state's case. Anthony touched on the relationship between Good and Fernandez whom he said had been involved for several years and had a son together. Good picked up Fernandez at the end of her shift the day she disappeared but Anthony said he never reported her missing. He said it was her mother who reported her missing two days later.

Anthony said that Fernandez remained missing until Jan. 7 when a utility worker found a human skull beneath some powerlines off Highpoint Road in the Carlisle area. He said the skull and other bones recovered from the scene by the Union County Sheriff's Office were tested and determined to be Fernandez's.

Fernandez was a nurse and Anthony told the jury that, like nurses, doctors and other medical personnel, they would evaluate the "symptoms" surrounding her death and make a "diagnosis" that she'd been murdered by Good. He said the state would present the symptoms — or circumstances — surrounding Fernandez's death, including testimony by a neighbor of Good's and a friend that they'd heard three gunshots coming from his home the evening Fernandez disappeared. The state would also present evidence Good was familiar with the area where Fernandez's remains were found as he had a friend who lived at the end of Highpoint Road and that grass planted beneath the powerlines where the skeleton was found was in the grill of Good's car.

Anthony also pointed out cellphone records show Good using a phone on the night of Sept. 3, 2008, and the call was activated off a tower in the Carlisle area. He said Good destroyed

Fernandez's cellphone while on his way to Spartanburg, with pieces of it recovered by the sheriff's office.

The state, Anthony said, would also present evidence Good had purchased rubbing alcohol to help clean his car, had disposed of a floor mat and that the lining of the trunk in his car had been removed. He said it would also present evidence a burnt pile behind Good's house contained what was left of an iPod that had belonged to Fernandez.

Defense attorney Doug Brannon, however, pointed out Fernandez and her son had lived with Good. Brannon also pointed out it was Good who not only picked Fernandez up from work but also drove her to Ellen Sagar that morning. He also said contrary to the state's claim she was never seen again shortly after leaving Ellen Sagar, it is one of the state's witnesses who said he'd seen her on the porch of Good's house later that evening.

As for the state's other evidence, Brannon pointed out Good purchased the rubbing alcohol because he was working with varnish. He said Good was trying to remove white paint from his car.

Brannon said just because a cellphone signal bounces off a tower in Carlise doesn't mean the call was made from there. He pointed out the cellphone, which had been purchased by Good's mother and put in his name, actually belonged to Good's daughter Jasmine.

As for the evidence that Good destroyed Fernandez's cellphone, Brannon said this amounts to only six pieces of broken plastic and the testimony of a single witness who said he'd heard it being done. As for the burnt iPod, Brannon said it wasn't until a month ago that authorities even began talking about the device.

Concerning the grass found in Good's car, Brannon pointed out the grass is planted throughout the state and the amount found was just one sprig of grass. He said the state was trying to tie Good to Fernandez's death with a single sprig of grass.

Brannon reminded the jury the pathologist who examined Fernandez's remains could find no sign of traumatic stress and could not determine the cause of her death. He said all this adds up to the state's failure to meet the burden of proof needed to eliminate reasonable doubt and convict Good of Fernandez's death.

Following opening statements, Sixteenth Circuit Solicitor Kevin Brackett called the state's first witnesses including three former coworkers of Fernandez — Marlo Murray, Janice Goforth and Dorothy Smith. Murray and Goforth worked with Fernandez at Spartanburg Regional Medical Center while Smith worked with her at Ellen Sagar. The three testified as to their relationships with Fernandez and to what she'd told them about her relationship with Good.

Murray said Fernandez said she didn't want to marry Good because he didn't like to work, leaving her to do most of the work; that she would like to get a house for herself and son;

and that she wanted to date other people.

Goforth said Fernandez also told her Good would not work and that she wanted to get her own house. She also said Fernandez told her she wanted to leave Good but was afraid.

Smith said Fernandez was working at both Spartanburg Regional and Ellen Sagar to get a house for her and her son; that she'd moved back with her mother; that she'd gotten a loan for a house for her and her son because she wanted something of her own. She said Fernandez had also talked about Good not working and that she was tired of having to foot all the bills.

Under cross-examination by Brannon, Murray said Fernandez had never expressed her feelings to Good. In questioning Goforth on Fernandez being afraid to leave Good, Brannon pointed out she didn't seem to have a problem leaving her son in his care. Brannon asked Smith if Fernandez had ever said what bills she was having to pay and she no.

The final witnesses of the day were Robert L. Beaty, Good's neighbor, and Miranda Sims, who was at Beaty's house having dinner with him the day Fernandez disappeared. They both testified to hearing three gunshots fired in quick succession from around the back of Good's house that evening. Beaty, who is Fernandez's great-uncle, said he later saw Good's car drive around from the back of his house but, while being questioned by Brackett, said he did not see who was driving.

Under questioning from Brannon, both Beaty and Sims said they did not call the police after hearing the shots but went inside his house and had dinner. They also said they did not hear any screams or loud voices or see anyone at the time the shots were fired.

The trial was scheduled to resume today at 9:30 a.m.

Union County Jail Administrator Cpt. Jeff Lawson walks accused murderer Jamel Good into the Union County Courthouse on Monday morning. Good's trial began later that afternoon after the jury was selected

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Good's 6-year-old son takes the stand

by CHARLES L. WARNER

12.09.09 - 09:40 am

The second day of Jamel Good's murder trial took a dramatic turn Tuesday when his son testified that his father had killed his mother, Maria Fernandez.

Good, 28, 389 Blue Ridge Road, is charged with murder in the death of 31-year-old Maria Fernandez who disappeared Sept. 3, 2008, after finishing her shift at Ellen Sagar Nursing Home. Fernandez's skeletal remains were found Jan. 7 by a utility worker beneath some power lines off Highpoint Road in the Carlisle area.

At the time of Fernandez's disappearance, she and Good were the parents of a 5-year-old son. The child, now 6, took the stand Tuesday afternoon and told the court about the last day of his mother's life. According to reports he said they'd played together and then he'd went to his room and his parents to theirs. There was what he said was a camera flash that left his father smiling and his mother dead. He said his father buried his mother in their backyard.

The child was the latest in a series of witnesses called by the state over the past two days to testify against Good. As in the case of the other witnesses, Good's son was cross-examined by defense attorney Doug Brannon who asked him how he could have seen the flash if he'd been in his room and his parents in theirs. The child said he'd heard the sound of the flash going off.

Few questions were asked of the child by either the state or the defense but that was not the case with other witnesses called Tuesday.

Among those testifying was Union Count Coroner William Holcombe who described how he was given custody of Fernandez's remains before sending them to the pathologist for examination in Newberry. The pathologist was unable to determine the cause of Fernandez's death and, under cross-examination by Brannon, Holcombe admitted the cause of her death is still unknown.

Brannon's questioning of Holcombe was an island of calm in midst of the often stormy exchanges he had with two of the state's other witnesses — Dennis Bruce Talley Jr. and Exzain Dornell Fernandez. When questioned by deputy solicitor John Anthony, Talley said on the night of Fernandez's disappearance Good had picked him up at his home to go up to Spartanburg to do some work on Dornell Fernandez's house. He said they stopped by Good's home then proceeded on up to Jonesville.

It was the stop at Good's home that helped start up the day's fireworks as Talley testified he saw no one there. Brannon, however, pointed out that in his original statement to the sheriff's office, he'd seen Maria Fernandez on the porch then changed his story to that it was someone who looked like her and now was saying he'd seen no one. Talley said he'd

originally told Maria's brother, Dornell, and her cousins he'd seen her on the porch at the request of Good and Good's mother. He insisted, however, that everything else he'd testified to had been accurate.

Another issue Brannon confronted Talley over was the time that Good came and got him. Brannon said while Talley had testified it was a little after 10 p.m. his statement to deputies had been that Good had come to get him earlier that evening between 8-8:30 p.m. Also, Brannon pointed out Talley said Good had called him shortly before 11:30 p.m. He asked why Good would have called him at that time if they'd been together.

Talley appeared to become flustered at several points during Brannon's cross-examination and admitted he didn't know the exact times involved.

Another issue was Talley's testimony about Good's purchase of some rubbing alcohol, his cleaning his car and his disposal of a floor mat from the vehicle. The defense contends the cleaning and the disposal of mat was because white paint Good and Talley had used at Darnell Fernandez's house had spilled in the car. Under questioning from Brannon, Talley admitted that some paint had spilled out of a spray gun they'd used onto the mat in question.

Talley has also testified he heard Good destroying Fernandez's cellphone. He said Tuesday that Good had got out of the car in Jonesville, got something out of the trunk and started slamming it into the pavement. When Good got back in the car, Talley said he had pieces of a broken cellphone he put into a door panel. He said he did not know what Good did with the pieces.

Later, when visited by Fernandez's brother and cousins, Talley told them where Good had destroyed the phone. They went there and found what remained of it and notified the sheriff's office.

Brannon, however, contends this evidence amounts to just six pieces of broken plastic.

The fireworks continued when Brannon cross-examined Dornell Fernandez who described Good's behavior the day of his sister's disappearance. Fernandez said while normally he had to call Good to come and work on his house, the day of his sister's disappearance he said Good called him repeatedly wanting to know when he would be at home and that he would be there. When Good arrived, Fernandez said he behaved strangely, saying little and constantly looking at him as he changed into his work clothes in the driveway. He said Good was at his home around midnight with Talley.

In the aftermath of his sister's disappearance, Fernandez said he began searching for her and it was during this time he learned of the destruction of her cellphone from Talley. He said after finding the pieces of his sister's cellphone he spoke with Good who told him Maria still had it. Knowing that wasn't true, Fernandez said he called Good an "(expletive deleted) liar."

Brannon confronted Fernandez about his mother's claim she hadn't heard from Maria following her disappearance. He produced a phone log that he said showed Maria's phone had received a call from her mother later that evening. Fernandez, however, said just because the phone received a call didn't mean his sister had answered it.

Brannon then pointed to a line on the log that said "duration" with the number 13 beside it. Fernandez repeated his statement that his mother did not speak to his sister following her disappearance. He also said his mother wouldn't have lied about speaking to his sister or the 13 minutes in question.

When allowed to again question Fernandez, Anthony pointed out that while the log gave 13 for the duration it does not state whether it was 13 minutes or 13 seconds.

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State continues pressing case in murder trial

by By CHARLES L. WARNER

12.10.09 - 10:15 am

More than a year after she died authorities still don't know what caused Maria Fernandez's death.

Fernandez, 31, disappeared Sept. 3, 2008, after finishing her shift at Ellen Sagar Nursing Home. Her fate remained a mystery until Jan. 7 when a utility worker stumbled across a human skull beneath some power lines off Highpoint Road in the Carlisle area. The majority of a human skeleton recovered from the site turned out to be the mortal remains of Fernandez.

Even though forensic tests were able to reveal the identity of the skeleton, they have not been able to determine the exact cause of Fernandez's death. This has been an issue in the trial of Fernandez's boyfriend, Jamel Good. Good, 29, 389 Blue Ridge Road, is charged with murder in Fernandez's death.

Wednesday was the third day of Good's trial with the state continuing to press its case that Good murdered Fernandez. The bulk of the testimony Wednesday was from law enforcement personnel who detailed their roles and their findings in the investigation. Although Fernandez's mother, Susan; Grady Fuller, the utility worker who found her remains; and Tommy Gist, a man who lives on Highpoint Road and knows Good, also testified Wednesday.

Among those testifying Wednesday was forensic pathologist Dr. Michael Panella who conducted the autopsy on Fernandez's remains. Panella said approximately 85 percent of the skeleton had been retrieved from the site. Among the sections missing were the upper spine, the left kneecap and bones from the hands and feet.

Panella testified based on his examination there did not appear to be any injuries to the bones caused by a bullet. He did say, however, that it was possible for a person to die from a gunshot wound without their being any damage to the bones. He said gunshot wounds to the abdomen and to the neck could be inflicted so no damage would be made to any bones but still result in death.

Witnesses testified earlier in the week they heard three gunshots from behind Good's house the evening Fernandez disappeared. His 6-year-old son with Fernandez testified Tuesday there was what he called a camera flash that left his father smiling and his mother dead. Authorities have also testified they found three spent bullet casings in a burn pile behind Good's house.

In his initial report, Panella stated a cause of death could not be determined but subsequently reported the death as a homicide. Panella explained while, medically, a cause of death could not be determined the circumstances surrounding the death — such as sudden disappearance — the remains being found far from home suggested homicide.

Defense attorney Doug Brannon homed in on this issue and during cross-examination Panella said he did not know what caused Fernandez to die. Panella repeated his examination revealed no signs of gunshot or knife wounds and the cause of Fernandez's death could not be determined based on the information gleaned from her skeleton. He said it was information provided by law enforcement about the circumstances surrounding Fernandez's death that lead him to amend his report to read homicide.

SLED Agent Melissa Skipper, a crime scene processing expert, also testified Wednesday, reviewing the evidence she'd gathered at the site where Fernandez's remains were found including bones, teeth and an earring. She also said there was a strong odor of decomposition at the site from where the body had decayed and been absorbed into the ground.

Under Brannon's cross-examination, Skipper said she'd found no evidence linking Good to the site. Brannon also raised the possibility that Fernandez might have went there of her own volition and then expired. He asked Skipper if she found any evidence that would rule out that possibility and she said no.

Skipper also admitted, beyond finding the skeleton, not much had been learned from the site.

BREAKING NEWS: Jury to get case Friday

by By CHARLES L. WARNER

12.10.09 - 04:04 pm

Jamel Good could learn his fate as early as Friday afternoon.

Good, 28, 389 Blue Ridge Road, is charged with murder in the death of 31-year-old Maria Fernandez who disappeared Sept. 3, 2008, after finishing her shift at Ellen Sagar Nursing Home. Fernandez's skeletal remains were found Jan. 7 by a utility worker beneath some power lines off Highpoint Road in the Carlisle area.

The fourth day of Good's trial saw the defense both begin and rest its case within the space of less than six hours. Among those testifying on the defense's behalf were botanist Dr. Karen Hall; Sharon Campbell, guardian ad litem of Good's and Fernandez's 6-year-old son; Good's grandfather, Raymond Whiteside; Jasmine Land, Good's daughter; Linda Whiteside, Good's mother; and private detective Phillip Rice.

The state began its case late Monday afternoon and did not rest until 9:45 a.m. Thursday.

Just after the state rested its case, defense attorney Doug Brannon asked Judge James Williams for a directed verdict of not guilty on the grounds the state could not produce evidence of how Fernandez had died; how her remains ended up in Carlisle; and did not have a murder weapon.

Williams denied Brannon's motion saying he believed there was sufficient basis for continuing the trial.

Testifying on behalf of the defense Thursday was botanist Hall who testified the grass found in the undercarriage of Good's car is found in 43 of South Carolina's 46 counties. The grass, which grows beneath the power lines where Fernandez's remains were found has been presented as evidence by the state.

Another piece of the state's case was Good's cleaning out his car the night of Fernandez's death. The defense contends he was cleaning up white paint that had spilled out of a paint gun. Good's grandfather, Raymond Whiteside, testified Thursday this is indeed what happened because he'd been the one to spill it.

The state also introduced as evidence a signal from a cellphone owned by Good bounced off a tower in Carlisle the night of Fernandez's disappearance. Good's daughter, Jasmine, testified the phone was hers and that the night of Fernandez's disappearance it was in the possession of her aunt who lives in Carlisle.

Once the defense rested its case, Brannon renewed his motion for a directed motive of not guilty. Williams again denied saying he felt there still was sufficient evidence to turn the

matter over to the jury.

In adjourning the trial until 9:30 a.m. Friday, Williams told the jurors the state and the defense would present their closing arguments. After the closing arguments are presented, Williams will charge the jury to its responsibilities under the law. Once the charge is presented, the jury will begin deliberations.

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Good found guilty

by CHARLES L. WARNER

12.12.09 - 12:04 am

Jamel Good will spend the rest of his life in prison for the murder of Maria Fernandez.

After five days of opening and closing statements and testimony and cross examination of witnesses by the state and the defense, it took the jury just 30 minutes to find Good guilty. Once the verdict was in Judge James Williams sentenced Good to life imprisonment without the possibility of parole. Good was scheduled to be transported Friday afternoon to Kirkland Correctional Institute, the reception and evaluation center for the S.C. Department of Corrections. A determination will then be made as to where Good will serve his sentence.

Good, 29, was charged killing Fernandez who disappeared Sept. 3, 2008 after finishing her shift at Ellen Sagar Nursing. Her skeletal remains were found Jan. 7 by a utility worker beneath some power lines off Highpoint Road in the Carlisle area.

The state's case against Good was a largely circumstantial one that included a phone log that showed that a signal from a cell phone he owned had bounced off a tower in the Carlisle area the night of Fernandez's disappearance; two witnesses who said they heard three gunshots from the back of Good's house the night Fernandez disappeared; three spent bullet casings from a burn pile behind his home; a witness who said he heard Good destroy Fernandez's cell phone in Jonesville and pieces of the cell phone cover recovered from the roadside; the same witness testified about Good cleaning his car that evening and disposing of a floor mat. The timing of Good's movements from the time he picked up Fernandez was also the subject of much contention between the state and the defense.

The circumstantial nature of the case against Good was constantly hammered on by the defense which pointed to the inability of the state to produce a cause of Fernandez's; definitive evidence linking Good to the site where her remains were found; and the lack of a murder weapon. The defense sought to provide other explanations for the circumstantial evidence against Good including testimony that Good's cell phone was in the possession of a relative who lived in Carlisle and that he was cleaning paint that had been spilled in his car.

Twice during the trial the defense moved for direct verdict of not guilty based what it said was the lack of evidence against Good. Williams rejected both motions.

The most dramatic and powerful moment of the trial came when Good's and Fernandez's 6-year-old son took the stand told the court that his father had killed his mother. The child said that the day of his mother's disappearance they'd played together and then he'd went to his room and his parents to theirs. Then there was what he said was a camera flash that left his father smiling and his mother dead. He said his father then buried his mother in their

backyard.

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