FEATURED, SURVEILLANCE

The Shooter in the Video

When TV crews from six stations pressured forever-you basketball player James Richardson for a drive-by shooter murder in 2011, he showed them surveillance footage that had been overlooked. Now, a new quality video helps crack the wrong case of 2 Photos by Nicole Sirotka.

BY TOM ROBBINS · JUNE 14, 2020

In recent years, Greenville, N.C., like many American cities, has added security cameras to its crime-fighting arsenal. The city, 49 miles east of Raleigh, installed its first electronic surveillance equipment in 2007. Today, 94 cameras watch the comings and goings of people and vehicles.

On the summer of 2009, when James Richardson was charged with murder, Greenville had no surveillance cameras. Nevertheless, in the hunt for the shooter, cameras, the city promoted video, including downtown footage from outside nine East Carolina University (the Lions, 30, just about 2 a.m., one of these cameras captured a car heading west on Fifth Street.

The silent footage of a white BMW on a dark street would have been unremarkable, except that someone in that car had just fired a crack rocket a mile-and-a-half-long. The shooter was in the car, and the car was in the video, but the footage was too grainy to see the license plate or the image of a passenger-siting place. Both of clear seconds.

Within hours, seven witnesses were issued for the man police said drove the BMW that night. The name was James Richardson. Witnesses said he played basketball.

In 2011, Richardson was on trial for his life. The County District Attorney Clark Everett argued that he acted alone, stretching across the car from the driver's seat and firing out the passenger window.

But three witnesses testified they saw more than one person in the car. They put the shooter in a passenger seat. Two said he was standing outside and a hat, and one thought the driver might have had dreadlocks. These descriptions didn't match Richardson.

During closing arguments, Everett displayed an image of the BMW from the surveillance camera. The focus picture revealed a white car on an unidentifiable street.

Images of the BMW from the surveillance camera. Top: Enumerated 3D photo of the BMW on Fifth Street, after the shooting. Bottom: Clear-up from the photo.

"And how nearly people are in that vehicle, that nearly?" Everett asked jurors. "There's no one else in there, folks. No one else."

That was the moment that Tammy Moore, one of Richardson's attorneys, recalls having a sinking feeling. "I really believe ultimately it was the most important piece of evidence," he told The Assembly.

Deliberations stretched to four days, until a holdout juror changed his vote to guilty. With the conviction in hand, Everett announced he would try to hang with the death penalty. Richardson automatically got two life sentences without parole.

Afterward, James Richardson always offered a consistent, if unbelievable, explanation for his innocence. "I was in the wrong place at the wrong time, and I know what the families are going through," he said. "But what I'm trying to say is I have been in prison for a long time saying that since day one. You get the wrong guy. You get the wrong guy."

For the past 9 years, as Richardson has appealed his conviction, doubts about the guilt have multiplied. That's in part because they were bolted into voting guilty. Only one witness who identified Richardson as the shooter has backpedaled. It seems that could have identified other suspects who murdered police officer Jason Brown.

And in 2019, Richardson's post-conviction lawyer found an SD-reporter that seem unmentioned during the trial: a second video that by chance the prosecutor used was a lower-quality copy of the original. Everett, the DA, knew that. Jurors didn't. Richardson's lawyers say they didn't either.

Richardson's lawyer says the car held as many as four people, and Richardson wasn't one of them.

James Earl Richardson tentatively stand out in a crowd. He was 6-foot-7 inches tall, 300 pounds, with a receding hairline, a Black man with light skin, green eyes and a disarming smile.

Until his arrest, he'd been a Greenville guy who'd made good. The fifth of nine children, he'd grown up in Kearney Park, the city's oldest public housing project. At 18, from Hugh, he was a basketball star. He went to on Pennsylvania's Slippery Rock University, where he led the team in scoring for two seasons. Then he played in several European countries and for the Albany Patroons in an NBA developmental league.

In his early 30s, Richardson lived in Atlanta but made regular business and pleasure trips back home to Greenville. He had a few misdemeanor and felony contacts in the 1990s and 2010s, but no prison time. Friends and former girlfriends attracted attendees. He had money, he liked, he enjoyed buying drinks for others, even strangers.

Early in the morning of June 19, 2009, he was buying drinks at The Other Place, a nightclub on Fifth Street known locally as The OP.

The site of the shooting on Greenville's Fifth Street, formerly a nightclub called The Other Place and now offices for East Carolina University.

He'd began the evening with his brother, Andre Richardson, and two friends at a nearby restaurant and bar called Dr. Jeffs. By the time they arrived at the nightclub it was busy, around midnight. Richardson drove them to a white BMW he'd borrowed from a friend.

The place was packed. Patrons were drunk. Richardson was at the bar when a man bumped him, according to the trial transcript. In reporting this article, The Assembly tracked down the man, Richard Hardy, and interviewed more than two dozen people, including witnesses and others involved in the case.

At the trial, Darren Kennedy, the ECU student who bumped Richardson, testified that Richardson nudged him and told him to stop. He said he apologized for that time, but the second time, he nudged Richardson back. Richardson pulled him to the floor, then he shoved Richardson and "we got into an altercation."

Friends of both men began arguing. Bouncers ushered the parties out. At trial, Kennedy testified that he was pushed out the front door and Richardson followed. Pushed his money, free minutes, a Nationwide who and shirt around Richardson's pitbull, testified that he was "jumpman and a jerk and very rude to everybody." Another said Richardson was throwing his hands up and refusing to leave.

Club co-owner Mart Blackman got involved, telling Richardson's group they were permanently banned. Outside the club, smack talking turned into a brawl.

Richardson got the worst of it. When someone pushed him, the situation became "kind of pandemonium," one bouncer testified. Richardson's friend Andre said, "I'm sure he was hit from behind, because he didn't know how everyone" and "they all jumped on him like they were a pack of wolves." Andre said he left his forehead on the pavement.

Bleeding, Richardson walked himself and left. The fighting stopped. Kennedy testified that he was standing on the sidewalk when he noticed a parking area around the block. Some said they heard either Richardson or men around him making threats, warning that they'd be back.

Minutes later, a white BMW turned onto Fifth Street, toward the club, slowing as it approached. Someone fired at least two shots from a passenger window, then it sped off.

Blackley, a 21-year-old ECU senior from Oxford, N.C., was hit foot. A bullet pierced his left chest and exited his back. Another bullet hit Kelly, 29, manager of a Richardson's Pizza restaurant. It ripped through his left arm, chest, and aorta.

Left: Nicole Edgar-Lassiter Blackley, a 21-year-old ECU senior from Oxford, N.C.—Photo from trial exhibit. Right: Vicram Charles Andrew Kelly, 29-year-old manager at a local restaurant. Photo courtesy of Winston-Salem Journal.

Richardson had no criminal record, unlike some men around him that night. But he'd driven the BMW to the club, his gun had been in the trunk, and police later found the car near his mother's home.

In less than seven hours, arrest warrants were signed. Four days later, Greenville police arrested Richardson and declared the case solved.

"We know we have the individual responsible in custody," Police Chief William Anderson said at a press conference.

When the trial began 22 months later in March 2011, Everett, the prosecutor, described the shooter's car as "a white Chevrolet Impala" and said it had stopped, was or angry when he left that he returned and opened fire.

Police found Richardson's fingerprints on the outside of the BMW and his DNA inside. But Richardson had driven the car for several days.

Canadian resident, friend on the interior handle of the front passenger door and the exterior right window support, suggested that a gun had been fired out the car's front passenger side. If residue had been in the vehicle, it would have bolstered Everett's contention that the driver had also been the shooter. But there was no testimony about samples collected from the steering wheel.

A forensic expert found that bullets from the scene could have come from Richardson's registered .45 caliber pistol. But even if it was the murder weapon, Everett argued, it was Richard who set the shooting the prime could have had the pistol. It was never recovered.

The Indian Lamp was a dive, a place where people carried. The OP. A dark was found at the base of the car's back window. Moore, Richardson's lawyer, argued that it was "more likely than not" that a passenger window chose cartridge should have fallen inside the car.

The physical evidence wasn't conclusive. Eyewitness testimony, therefore, became critical.

Top: James Richardson stays as the jury returns a guilty verdict during his murder trial. Bottom: Richardson's attorney, Tammy Moore, and District Attorney Clark Everett. Photo courtesy Daily Reflector. Everett, the District Attorney, Clark Everett, is the opponent in the case-crime series "Not the Right."

No one disputed that Richardson was in a fight, and that an argument turned into a brawl. There was also agreement about what Richardson wore that night: a white T-shirt, a pair of jeans, and Air Jordan sneakers. Witnesses said he carried a dark shirt with the crowd's attention.

Front that point forward, however, witness accounts conflicted.

One eyewitness for the state, Rachel Burke, said she'd seen a tall man wearing a white shirt and "bullet" shorts (cutoffs between, falling to the waist "and saying something as he ran. I'll be back." The witness testified that the man ran to a white car, pulled a gun from the waistband of his shorts, "pointed it over his mirror and was a man to a white shirt stuck into the cracked BMW and retrieve a gun. "Had it actually sorts him crack back and get back into the vehicle and get the opposite way. And that's what I called the."

Burke said she'd had between four and six liquor drinks that night and agreed she was "on the injury side." When she was asked to look at a photo lineup and pick the man involved in the fight, she chose another man, not Richardson.

Jeff Stanley, Andrew Kelly's friend and roommate, also testified he'd seen a man open the BMW driver's side door, grab the crack, pull out a pistol, and crack it. He said it was Richardson.

Stanley had met Richardson at Dr. Jeffs earlier that evening. Richardson had been "bragging about his basketball career," he said. Stanley said he was "kind of hanging walking behind Richardson and two other men when he was. Richardson got into the BMW. "He did was the words, 'Fuck this shit,' and jump back into his car and put it in reverse and drove the wrong way down the street and then turned right onto Fifth Street," Stanley testified, "and that's where I started meeting. Seconds later I heard multiple gunshots."

Stanley testified that he saw Richardson's photo on a local television website, and "there was no doubt in my mind about I saw that person, you know."

But Stanley said the Black man he saw wore long, dark pants—not basketball shorts. He'd told police that the man had medium-dark to dark skin, then, in a pre-trial hearing, agreed that Richardson was light-skinned.

Only one person identified Richardson as the shooter. Vidal Thorpe, a serious who prosecutors found less than two weeks before the trial. Thorpe testified that he was "hanging around" Dr. Jeffs that night, "just minding my business" and an investigator contacted him. "I thought they had enough witnesses that they didn't need me," he said.

Thorpe, a personal fitness trainer in Greenville, also coached a soccer team that included the child of Kimberly Rolfe, an assistant district attorney. Under Rolfe's questioning at trial, Thorpe testified he'd been inside the club, had after his friend Jacob Gewarch, one of the club's bouncers.

Once outside, he "saw the white BMW driving by, the defendant's arm in the window, coming out the passenger side."

He knew it was Richardson, he said, because he wore a white shirt or jacket. He'd played basketball with Richardson before, he said, and he recognized the side of Richardson's face as the car drove away. He said Richardson was in the passenger seat, and he was sure he was two people in the car, in the back. He'd only had one drink that night.

"Vidal, is there any doubt in your mind the person you saw in the BMW shooting at the OP was the defendant?" Rolfe asked.

"No," Thorpe told him. "There is no doubt in my mind."

Two people who witnessed the shootings that night would have been closer to the BMW than defense witnesses Nicholas Golden and Brian Nichols.

They ran towards were outside the club when the shooting started. Golden described to jurors watching Kelly fall to the sidewalk a few feet away from him. Then he saw the BMW. A Black man hanging out the front passenger window up to his ribs cage. After he shot Kelly, "the shooter pulled himself and jumped back in the passenger seat," Golden said. He said he was standing "two and a half feet" from the car. He was sure the shooter was Richard Hardy.

Golden testified there were at least two people in the car, maybe three. He thought the shooter wore a black shirt, though when he replayed the scene in his mind the shirt was sometimes a different color. He testified he was never in fit from from the car, and that the driver might have had dreadlocks.

Richards, an East Carolina student, had been next to Golden. He gave similar testimony, though he recalled the shooter in the back passenger seat. The shooter's face was dark. He was sure he had seen him before. He said he was "not sure, but obviously. He might have been wearing sunglasses. Richards said, but he probably wasn't wearing them at that time."

Golden had arrived at the club around 1:30 a.m. Following a production shift at a nearby restaurant, he had been drinking with friends since 10 p.m. Richards testified he had between five and eight beers, and that he went back inside the club after the shooting, got a piece of paper from the bartender and wrote down what he saw. He gave the paper to one of the first officers on the scene.

A few hours later, both men wrote statements for the police. Neither looked at a lineup.

"What's said didn't matter," Golden, now a Ph.D. student in Greensboro, said in a recent interview. Police "wanted me to back up what everybody else had said."

Top: Richardson's mother, Dorenda Richardson, collecting signatures in support of her son. Bottom: Collecting signatures.

The surveillance video of the white BMW made two appearances during the trial.

First, Greenville Police Corporal John Jenkins testified that he'd retrieved the video from the surveillance camera system and put it on a CD, which he passes Exhibit 10.

The CD also contained still pictures "which are the individual frames from that video," he testified. He didn't say how many, and no one asked.

On a video monitor, jurors watched a black SUV with headlights on Third Street, followed by a white car, which was visible for about 12 seconds. At Everett's request, the video was played a second time.

Then, during closing arguments, Everett played the video several more times. He said the lens began in the driver's seat was light-skinned and wearing a white shirt. He pointed out what he said was an air freshener hanging from the rear-view mirror. He said, "he looks like a man." There's nothing else to show.

Richardson's supporters at a Free People's Campaign rally in Raleigh

In 2018, on the day that Hunter Richardson, Richardson's post-conviction attorney, found him at the cabin "like smoking gun" the Raleigh lawyer was doing what she always does when she takes a post-conviction case: combing through the state's files.

Richardson was incarcerated in Roanoke River Correctional Institution, a state prison in Halifax County, about an hour north of Greenville. His appeals had been exhausted. Time'd elapsed, among other things, that his trial counsel had been ineffective and that the judge had erred when he excluded testimony from an expert on eyewitness identification.

Now, in Raleigh worked on a new appeal, she searched for little or misleading evidence. She found exculpatory evidence that police or prosecutors didn't share with defense attorneys.

Ratwitsch recalled that she was making her way through thousands of documents when she discovered something she hadn't seen in Johnston County's State Bureau of Investigation lab report and communication log.

The SBI report said the surveillance video found had been destroyed wasn't its original format and that it had "compression artifacts," digital noise that reduces image quality. Police no longer had the original video. The communication log revealed that an SBI analyst had explained this to Everett.

Log entries earlier what happened: About a month before trial, Connie Ellis, the head detective, gave the crime lab a DVD containing both the video and 25 photos taken from it. Everett had asked for the photos because he was trying to find an alibi that he wanted to "show the video family to Verne" and he would like the subject in the white car enhanced when he reaches the street light."

But Terrillian was the SBI forensic analyst assigned the task, he telephoned Everett and said he was seeing compression artifacts.

The SBI report doesn't explain how the lower-quality video was created and Ellis, the detective, couldn't remember. But Terrillian, the forensic analyst, answered answer questions without the notes and turned down. The analyst's office no provide him the report with the communication log so he could review them. "I'm retired," he said.

So the Assembly contracted a video forensics expert, Bryan Neumeister, who has worked about digital forensics in high-profile trials, that he could take a video with compression artifacts may look plausibly, especially if it's taken at night.

Neumeister also offered a theory that might explain what happened to the video: The quality of surveillance camera footage can be compromised if "the data is transmitted over a network." He said that the video was probably the hard drive in its a forensic extraction. "Very low-tech, very low-tech of the 1984 and expect the video."

This happens often enough that he includes a material on proper SBI extraction procedures on his company's website. He said he's seen videos thrown out of court because they weren't extracted correctly. The expected video is a different video," he said. "It doesn't always represent what actually happened."

The surveillance camera had also recorded about 355 JPG photos, however. These captured the same 36 seconds as the video. Most of them were of very poor quality. Even at around 320 a.m. but about 35 included all or part of the BMW. In a few images, the car's driver is partially visible.

According to the SBI report, Terrillian tried his wonderful he able to pull images from the video that would be of "comparable quality" to the JPG images.

Richardson's supporters, including Pastor Trevor Darden, meet in Greenville.

Four days before the trial began, Everett visited the Fortson lab in Raleigh. Terrillian showed the district attorney a table by side comparison of the video and JPG photos of the same scene. Everett "could see the quality difference," the communication log says.

But instead of asking Terrillian to enhance the higher-quality JPG images of the BMW, Everett requested still from the lower-quality video. The forensic analyst complied, producing 25 images. Ellis, the detective, said Everett submitted not being an original recording." Ellis said, says, "the reproduction yielded limited results."

Cable and Brown, Richardson's trial attorneys, say in affidavits that they never received the full report or communication log. If they had, they said they would have challenged the video and called for a material error that was the fault of the DNA and expect the video."

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James Richardson's mother, Dorothy Richardson.

While the prosecution presented testimony from Decarus, Bogington, and Jackson-Gaines, no expert testified putting about the video. Neumeister, who testified in Darden's trial, said he could "clean up" the video "if he was directing. But by cleaning one of the JPG's I've both simply passed the video" Everett said he thought he doomed individual pictures, but doesn't know for sure.

Ratwitsch argues that if jurors had seen the JPG images on the video recording, "it would have been plain as day they were multiple people in the car."

A dark form outside the back right passenger window appears in several frames, and changes shape from image to image. Ratwitsch believes the changes reflect movements: a man sticking his head and upper torso out the window, then pulling back.

Before she filed Richardson's motion, Ratwitsch shared with Everett several JPG images that she had enhanced. Ratwitsch said Everett told her he didn't have an idea what Rashiba allowed you, how she got that, what she did to it. It hate no idea,"he said.

Neumeister, the video forensic expert, agreed to briefly examine several JPG of the BMW for The Assembly. He said he could neither rule out nor confirm there were others in the car. It is impossible the fuzzy shapes are people. It's also possible they are reflections or compression artifacts, he said.

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Richardson's mother also charges that Hilda Thorpe's testimony is a lie. Thorpe, the only person who identified Richardson as the shooter, testified at trial that there was "no doubt" in his mind that he saw Richardson holding a gun out the BMW passenger window after the shooting.

But when an investigator for Richardson interviewed Thorpe again in 2017, he backpedaled. Asked if he recalled testifying, Thorpe replied "I don't know why they had me to testify in that."

Asked what he saw the night of the murders, Thorpe said he remembered "the arm come out, the gun showing. You know, that's what I saw." In this telling, he didn't say he saw Richardson's face.

He said the shooter's arm came from the back passenger window and there were three or four people in the car. Previously, he'd said the arm came out the front passenger window and he saw two people in the car.

"So you couldn't see who was shooting? You just had you there because you saw the shooting?" the investigator asked.

"Yeah," Thorpe said. "He judge gun to the arm around. And it's just, I was just, I told you what I what I saw."

Thorpe didn't explain how he knew what he said the judge gun from the tomorrow, and the investigator didn't ask. I left voicemail messages for Thorpe and sent a letter to his business address in Greenville requesting an interview. but got no response.

Pitka had a witness who contradicted a key part of Thorpe's story. Thorpe said that when he heard shots he'd went outside to look for Gonecky, one of the victims. But Gonecky's girlfriend, Tonya Bullock, said she was in the car when Richardson's fear as the car was driving away.

But Gonecky told Ellis, the detective, that he'd been standing at the club's doorstep when he heard gunfire. He can insist "and I jumped behind the bar," he said in a January 2011 interview. He didn't mention Thorpe.

Neither the prosecution nor defense called Gonecky to testify.

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Until now, Richardson had told few people what happened the night of the shootings. He wanted to testify at trial, he told The Assembly, but his attorneys advised him not to. Cable and Brown, his attorneys, say the decision was reluctant.

In a four-hour interview in March, Richardson gave his side of the story. I met with him and Ratwitsch in a visitation room in the Roanoke River Correctional Institution in Halifax County. Richardson, now 35, wrote his lectures Prison and talk on his 1-year anniversary.

Richardson's supporters at a Free People's Campaign rally in Raleigh

Richardson says he can't answer the court's most important question. He says he doesn't know who was in the BMW. He just knows it wasn't him.

His story begins a few days before the shootings, when he got a ride with a friend from Arizona to Charlotte. Richardson didn't own a car and planned to rent one in Charlotte to go to Raleigh. Instead, a Charlotte friend loaned him a white 1993 BMW.

Once in Raleigh, he checked into the Renaissance Hotel at North Hills Mall. He was planning several parties, he said.

He also had a new lover. Two months earlier, he'd met Shiah Elstead, who lived outside Washington, D.C. She joined him in Raleigh for the weekend and Pitka and Monday morning. They ate at Sheetz for breakfast, then at Chick-Fil-A. Strolling Downtown afterwards. They went to see a movie, The Hangover.

On Sunday, June 29, 2008, Richardson got a call from Jahdon Belcher, a close childhood friend who lived outside Atlanta. Belcher, who'd served time for drug trafficking and cocaine, asked Richardson if he could give a ride to Greenville. Belcher had business in Greenville, about 90 minutes east. Richardson agreed.

The near afternoon, two men arrived outside his hotel. He'd previously met one, called G, at an Atlanta restaurant. He doesn't remember the other's name.

The men put their bags in Richardson's car trunk, which contained the registered gun Richardson kept for protection.

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Once in Greenville, Richardson had the most drug time off at the home of his friend Ducel Powell while they took the BMW to complete their business. "I don't know what exactly they had to do, but it's something I didn't want to be part of," he said.

During Richardson's trial, Powell corroborated this. He'd testified that Richardson "had nothing to do with what happened." Powell said Richardson "had something to do with this" because "James did a secret thing a couple of he was ever capable of doing something. He never got in a fight, for God's sake."

After the men left in the BMW, Richardson hung out with Powell, then Kavonnad Powell's lessee Cadillac, to meet his brother Marlo and friends at Dr. Usko. The Atlanta men also appeared at Dr. Usko. They told Richardson they had some different co-to-North their business, so he handed over the keys to the Cadillac.

Around midnight, Richardson's group decided to go to The Off. He wasn't dressed for a club, but he reluctantly agreed. With the Cadillac in use, he took the BMW.

Richardson hadn't been at The Off long when the Atlanta men returned. The Cadillac was fine, they told him. He dropped it to the rock-bottom block of projects.

Richardson's account of what happened next—Kennedy bumping into him at the bar, much exchanged between interviewing—generally tracks with trial testimony.

Where witnesses demanded both groups leave, Richardson argued that he'd done nothing wrong. But an irrepressible man, "I say, Forget it, let's leave." When he cursed, he held his cohort. The BMW keys were on the bar.

Outside, the heated argument, with bouncers focused on Richardson and his group. "You gotta let or something people against this," he said. He drove to punches. He dropped the phrase. Where he got this, "I just left."

He was alone when he headed toward parking spaces on Reade Street, he said. He wasn't thinking about his new stereo. He didn't notice if the BMW was there, and he heard no gunfire. "I was just walking," he said. Then he saw his car in his sack, and he remembered the Cadillac.

He drove it back to Powell's house, parked on Powell's drive, and returned the keys. At trial, Powell corroborated this. He'd testified that Richardson's face looked "scuffed up" and he had blood on his shirt.

Richardson had flagged down a cab driver named Little Bob, who drove him to Marlo's house. Marlo was home with his girlfriend Kennedy, standard with their three. They headed to Raleigh to spend the night.

Years later, acting on a tip, police found the BMW parked near his mother's house. Richardson said it wasn't there when he was there. At trial, his friend testified that he saw the car in the same place the day and others arrived to pick Richardson up.

Richardson suspects whoever parked the BMW drove also carjacked and ripped down off Richardson's mother, and, and various accessories inside.

After the shooting, Richardson headed to the D.C. area to visit Elstead. During the trial, Assistant District Attorney Keith Bell emphasized this weekendtour. Richardson was partying with two fashion-seeks hanging from cars.

His behavior did look suspicious. He not only left town, he left behind the Kavonnad car with his belongings inside. Since he wasn't charged with murder, however, he didn't behave so much like a man on the lam, but as a man making his coffee to hide.

He told Elstead he'd gotten into a fight but didn't elaborate; she suspected the fracas was about his pride. He didn't mention a shooting. she said, and he seemed normal, not anxious or frightened. "If I had done up a child," I would be feeling," she said. "I wouldn't be going to that one restaurant."

By then, Richardson had made the first of several calls to a friend. Greenville Police had asked the friend to contact him. The friend, who testified at trial, said, and, said, you know, I don't understand why you left the scene of the situation. I think you need to come down and talk to, you know, the detectives and you need to turn yourself in."

Richardson told Bowen he'd return to Greenville on July 4, and he kept his word. Bowen placed him under arrest in front of a crowd in his old Downey Park neighborhood.

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Richardson's motion points to other possible suspects who police chased or ignored, a man involved in the vigilante altercation who matched descriptions of the man who got into the BMW.

Richardson's brother, Jodin, for instance, was wearing a white shirt and jeans that evening, and his skin was darker that Richardson's. Another man, D.J. Godley, was described as wearing a white shirt and jeans. Godley's lawyer in Sanauro following the fight. Their clothing matched the prosecution witness' description of the man who got into the BMW.

There has long been talk in Greenville that police arrested the wrong person. Rumors have circulated that Jodin Richardson, Jamal Anderson, Jerrell Anderson, and Jerrell Anderson's brother, Dr. Jeff Anderson, shot the victims. The Anderson family matched the prosecution witness' description of the man who got into the BMW.

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leaders questioning Richardson's guilt to tell him who did the shooting if not Richardson, and he could never get a name.

Richardson won't speculate about possible suspects. He says he doesn't know.

But an affidavit that Richardson's brother Andre signed in 2014, five years after the murders, lends weight to the theory that others were involved. Andre said he's the one who grabbed the BMW keys from the bar as bouncers herded Richardson's group out of the nightclub.

On his way out, he said one of the Atlanta men, who he understood to be named "B," asked for the keys. Andre handed them over. When he got to the parking area, he saw that the BMW was gone. He also saw his brother get into a Cadillac "that looked like the car that belonged to Dearl Powell."

Andre said in the affidavit that he talked to investigators working on his brother's defense before the trial, but "I was scared, so I did not tell them what I knew."

In a recent interview, Andre said he was worried if he talked, he could be a target. "I was afraid for my life. I was afraid for my family's life." I asked Andre if he was still afraid. He responded: "All I care about—I just want my brother to be free."

One person who likely could have identified the Atlanta men was Juhahn Belcher. According to Richardson, it was Belcher who'd asked him to give the men a ride.

About six weeks after Richardson was convicted, Belcher was found dead in his home, south of Atlanta. He'd been shot in the head, according to news reports.

The case remains unsolved. Dearl Powell theorizes that Belcher "didn't take it well" when the Greenville nightclub murders were pinned on Richardson, his lifelong friend. "The word was he was going to talk," Powell said in an interview. "That's why he got killed."

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The Other Place nightclub murders were big news in Greenville, and online stories about Richardson's arrest drew hundreds of furious comments. People called him a thug, an evil man, a piece of trash. Some commenters argued he should be executed without a trial. Some made racist remarks. Every time you hear about a shooting, "you can be sure its a black man," one commenter wrote.

But Richardson had no criminal record and no history of violence. Friends and family were shocked. The Rev. Carnell Burney, who coached Richardson for years in Greenville's parks and recreation and public-housing basketball leagues, couldn't believe it. He'd remained close to Richardson, who often helped him with basketball camps when he returned home.

"Anything I needed him to do, he would volunteer. He wanted to give back to the community. He was real good with kids," said Burney, who's recreation supervisor for Pitt County schools. His first thought when he heard Richardson was wanted for murder was that police had the wrong man. "I still don't believe it," he said.

Local justice activists were also skeptical. Don Cavellini, co-chair of the Pitt County Coalition Against Racism, said he's talked to no one who believes Richardson got a fair trial. "There's a pattern and practice of deep and profound corruption in the law enforcement here in Pitt County," Cavellini said.

As proof, Cavellini and others point to the wrongful conviction of Dontae Sharpe, who spent 25 years in prison for a 1994 murder that he didn't commit.

The state had evidence absolving Sharpe of the crime before he was ever charged, according to Duke University's Wrongful Convictions Clinic, which represented him. The state's case relied on testimony from a 15-year-old girl who said Sharpe shot the victim while they were arguing in the street. But an autopsy showed the bullet that killed the victim entered through the side of his left arm, not the front of his body. He was found in the driver's seat of his pickup truck.

Gov. Roy Cooper granted Sharpe a pardon of innocence last year, declaring him innocent of the murder charge.

Clark Everett prosecuted that case. The girl recanted weeks after the trial, but Judge Duke, who also presided in Richardson's case, ruled her recantation, not her original testimony, was false, and later dismissed Sharpe's motion for appropriate relief without holding an evidentiary hearing.

Duke, now retired, also dismissed Richardson's first motion for appropriate relief without a hearing.

Richardson's second motion for appropriate relief, filed in September, awaits a response from Pitt County District Attorney Faris Dixon. He declined comment because the case is ongoing.

Dixon pledged during his 2018 election campaign to increase public trust by establishing a conviction integrity unit in the DA's office to review closed cases. That hasn't happened. When I asked why, his administrative assistant emailed a statement saying that N.C. Supreme Court Chief Justice Paul Newby's focus "is to reduce the state backlog of criminal matters and he has tasked Prosecutorial offices throughout North Carolina with disposing of current pending matters expeditiously."

Perhaps no one remains more certain of James Richardson's innocence than Hibah Elawad, now his fiancée. Elawad, a financial project manager, never questioned his innocence "because of the person I knew him to be," she said. She told Richardson early on that she was determined to find out the truth.

After spending more than a decade studying the case, Elawad has facts at her fingertips. When I texted recently to ask where police got the tip about the BMW's location, she replied: "Try Transcript Page 2376." The more she investigated the case, she said, "the more I realized how distant he was from the shooting."

Elawad has organized a Free James Richardson campaign, and in March, about 20 people met at a Greenville church to discuss strategies. Attendees included leaders from Pitt County's NAACP and the Coalition Against Racism.

Also attending were friends and family members, including 21-year-old James Richardson Jr., one of Richardson's three children. Incarceration often fractures family relationships, but James Junior said he and his father talk on the phone daily. "I was already close to my dad when I was young. But when he was incarcerated, it made us even closer," James Junior told me. "We really tight."

James Richardson Jr. and James Richardson Sr.'s fiancée, Hibah Elawad.

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Downtown Greenville looks different today than it did the night of the shootings. Bars and restaurants have come and gone. A burger joint replaced Dr. Unks. The building that once housed The Other Place became home to East Carolina University offices.

But Andrew Kirby, who was 29, never turned 30. Landon Blackley, who'd just finished an ECU summer school class and lined up a roommate for the fall, never started his senior year.

I tried to contact members of the Kirby and Blackley families, but got no response. Miranda Hairston Dunn, however, agreed to talk. She was a close friend of Kirby's, known to his friends as Drew. She's administrator of the Charles Andrew Kirby Memorial Group on Facebook, which has more than 400 members.

"He was one of the best people that I ever knew," she said, her voice breaking. "He's the guy who'd give you the shirt off his back." As a restaurant manager, Kirby greeted customers by name and treated employees with respect. "Everyone loved him."

Dunn didn't attend the trial, but her understanding was that police had photos of Richardson in the BMW and that eyewitnesses had identified him. She assumed he was guilty.

I shared with her some allegations in Rattelade's motion and described evidence suggesting there were multiple people in the car. I told her that Thorpe, the only person who identified Richardson as the shooter, didn't confirm that identification in 2017 when Richardson's investigator specifically asked him about it.

Dunn listened. She didn't speculate about Richardson's guilt or innocence, but said, "We need the right person behind bars. There needs to be justice for Drew and Landon. I would hate that, if James had nothing to do with it."

Everett maintains that he prosecuted the right man, that James Richardson, wearing a white shirt, was sitting in the driver's seat. If Richardson was driving, it doesn't matter if someone else was the shooter. He would still be culpable for first-degree murder because he was acting in concert with the shooter.

But what if Richardson is telling the truth, and the descriptions that Brian Richards and Nicholas Golden gave police were correct? They saw a man with a gun who wore a hat and sunglasses. He was leaning out one of the passenger windows.

In a recent interview, Golden told me that after he testified in 2011, he tried to put the night of the shootings out of his mind. But he had looked right into the shooter's face, and he couldn't forget what he saw.

"The person definitely smiled, then leaned back into the car," Golden said. "What I remembered was the person smiled."

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Pam Kelley, a Charlotte journalist, is the author of Money Rock: A Family's Story of Cocaine, Race, and Ambition in the New South.

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