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SCARLETT A. WILSON

Solicitor, Ninth Judicial Circuit

For Immediate Release
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Jury Convicts Derrick Porter of Attempted Murder Following Shooting in Convenient Store Parking Lot

April 12, 2018- Solicitor Scarlett A. Wilson announced that a Charleston County jury has found Derrick Porter (DOB 10/19/1987) guilty of attempted murder and possession of a firearm during a violent crime. The jury reached its verdict Thursday afternoon following a two-day trial. Upon a conviction of attempted murder, Porter faced a sentencing range of zero to 30 years. The Honorable Judge Markley Dennis, who presided over the trial, sentenced Porter to the maximum and imposed a consecutive sentence of 5 years on the gun charge. Solicitor Wilson stated, "Vigilant business owners who use video surveillance and recording equipment are playing a major role in helping us solve crimes and convict dangerous criminals. I encourage businesses to invest in a system. In today's market, equipment is reasonably priced. This case may not have been solved and a callous killer may have walked free without it and the cooperation of the business owners."

Assistant Solicitors Chad Simpson and Daniel Cooper prosecuted the case. Simpson recounted that the incident occurred around 3:40 p.m. on April 16, 2016, a Saturday. After what seemed to be a chance encounter at the entrance of a convenient store, Defendant Derrick Porter waited for the victim, 29-year-old Fitzgerald Byas, to exit the store. Once outside, the two spoke within view of two business surveillance cameras. The conversation became heated, and Byas quickly attempted to walk to his car and leave. Porter followed him and the confrontation continued at the open driver's side door of Byas' vehicle. As the volume and intensity of the conversation escalated, video clearly showed Porter pulling a handgun from his pocket and firing it into the forehead of the seated Byas. Following the shooting, Porter casually walked away and left in his vehicle. After being located by store employees, Byas was taken to MUSC where the heroic efforts of Dr. Alejandro M. Spiotto and fellow medical professionals at the Medical University saved his life.

At trial, the defendant asserted a self-defense claim, alleging that he fired in response to the victim reaching for his gun. Although a gun was located in the victim's rear waistband, the testimonial and video evidence contradicted Porter's claim of self-defense and the jury was not convinced. The Ninth Circuit Solicitor's office is appreciative of the North Charleston Police

Department, Charleston County EMS, MUSC, the members of the jury, and Judge Dennis for their time and attention to the this case.

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