

Jury acquits man in death of his rival

By Bob Kudelka
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CONWAY — Timothy Ross Elliott walked away from the Horry County Courthouse a free man Wednesday instead of going to prison for life.

The jury found Elliott not guilty of murder in the June 1992 shooting death of Mullins pawn shop owner Roy Turner. Applause could be heard from inside the jury room after one hour and 20 minutes of deliberations, when they reached a verdict.

Elliott, 33, cried and hugged his girlfriend — the woman Turner had been married to at the time of his death. Victoria Turner had been separated from her husband for eight months when she began a relationship with Elliott in January 1992.

Defense attorneys portrayed Turner as a mean gambler known to carry a gun, and Victoria Turner testified that he threatened several times to kill her and Elliott.

Elliott admitted shooting Turner with a high-powered rifle after Turner drove his pickup truck into Elliott's driveway in the Pleasantview community. Elliott said he feared for his life, even though he never saw a weapon in Turner's possession.

"Jurors believe people have a right to defend themselves, particularly at their home," defense attorney Morgan Martin said. "Timmy Elliott had a great reputation. The bottom line is: He didn't go looking for trouble, it came looking for him."

Special prosecutor John Sweeny said he wasn't worried about the public getting the wrong message because of the verdict.

"Let the message be this: If somebody kills somebody else in Horry County, we're going to prosecute

the case, regardless of whatever the verdict was in this case," Sweeny said.

A juror interviewed after the trial said a key to the case was a tape-recording of Elliott's voice when he called Emergency 911 to report the shooting. On the tape, Elliott appears panic-stricken and tells a dispatcher he's afraid to check Turner to see if he's alive.

"The fear of God was in that man's voice," said the juror, who asked not to be identified.

The juror said the applause after reaching a verdict was not intended for Elliott, but was an "emotional release" after the jury weighed all sides.

In closing arguments, Elliott's attorneys reminded jurors that Elliott had never been in trouble with the law. Martin said Elliott acted out of fear, not premeditation, when he shot Turner.

"That boy ain't wicked and there ain't no malice of forethought," Martin said. "He's not a danger to a soul if they'd just leave him alone."

Sweeny, in closing arguments, used an egg timer set for one minute to demonstrate how long the time was between Elliott's first shot, which missed Turner, and the second one that struck his shoulder area and killed him.

"Isn't it convenient that Roy Turner can't be here to defend himself because he's dead, six feet under," Sweeny said. Defense attorneys said their case was bolstered by Elliott's repeated calls to Horry County police to ask for protection the night of the shooting. Elliott said he believed Turner was on his way to kill him, so he waited in his tobacco patch with a .223-caliber rifle loaded with 30 rounds.

A police officer sent to Elliott's house left 10 minutes before the shooting, despite Elliott begging him to stay.