



March 18, 2020

Braxton County BOE  
Sutton, WV

ORAL ARGUMENTS BEGIN AT 10:00 AM

### Case No. 3

**State of West Virginia vs.) Oscar Chapman**, No. 18-0406

#### **Background:**

On November 17, 2016, three armed men entered the home of the victim to rob him of drugs and money. During the course of this crime, the victim was shot and killed. Oscar Chapman is one of the three men charged with a crime resulting from this incident. Following a five-day jury trial, Chapman was convicted of first-degree murder, first-degree robbery, nighttime burglary and conspiracy to commit a felony, and he was sentenced to life in prison with the possibility of parole.

#### **Argument of Petitioner (Oscar Chapman):**

The circuit court improperly prohibited the use of audio recorded statements in trial. The statements were made by key prosecution witnesses to police and could have been used to discredit these witnesses' trial testimony. The circuit court improperly permitted trial testimony from a witness after the prosecution failed to provide proper pre-trial notice of the identity of the witness. The circuit court improperly denied Chapman's motion for a new trial despite evidence that the prosecution failed to provide Chapman with complete and proper pre-trial discovery information.

#### **Argument of Respondent (State of West Virginia):**

The State agrees that the circuit court improperly prohibited the use of audio recordings for the purpose of impeaching witnesses at trial. On the second issue, the State argues that because Chapman refused an offer to postpone his trial due to delays in the discovery process he waived any right to argue that an error occurred at trial because of the State's late disclosure of relevant information.