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YOUTH FREED, BUT SHOOTING STILL ECHOES TWO YEARS AFTER EAU CLAIRE KILLING, BROWN GOES HOME

LISA GREENE, Staff Writer

Floyd Brown flashed a smile at his family, but there was no excitement Thursday as he left the Richland County jail where he had been held for nearly two years.

While the family is glad to have him home, Brown's father made it clear that they have not forgotten he shot and killed another student at Eau Claire High School in January 1994. "We're glad he's getting out," his father, also named Floyd, said as the family waited for their oldest child to appear. "But we've still got to try to encourage what's right and what's wrong."

Said Annette Brown, Floyd Brown's mother, "We have to make sure he stays on the right path."

Brown, 20, had little to say as he left.

"I thank God," he said, clutching the same Bible that saw him through his murder trial. "And my lawyer and my family for sticking with me."

Brown said he was glad to be free. His only immediate plan, he said, was "just to be home with my family."

Brown's father echoed his son. "We won't be celebrating," he said. "But we thank God and we're glad he's home."

Brown's father said the family's goals were "to continue his education and to continue to pray."

The Browns waited quietly in the jail lobby for their son to be released.

Last October, a jury acquitted Brown, accepting his claim of self-defense for killing Earnest Dunlap.

Dunlap was unarmed when he was killed, but Brown said Dunlap had pulled a gun and threatened to kill him the day before the shooting. He said that he believed his life was in danger when he pulled the trigger.

Brown was not released from jail immediately because he had been convicted of a federal weapons charge and sentenced to five years in prison. The U.S. Supreme Court overturned

the law under which Brown was convicted last year, but it took some time to get Brown's conviction dismissed.

But Brown's legal troubles may not be over. Fifth Circuit Solicitor Barney Giese said Thursday that he'll decide next week about filing state weapons charges against Brown.

"Our goal is to get a felony conviction on his record, so that he can't own a handgun again," Giese said.

Brown's lawyer, **Jack Swerling**, said he hopes Giese won't file charges. "We have to take it one step at a time," he said.

Even if Brown is convicted, he is likely to remain free.

Each state charge carries a maximum five-year sentence, but a judge probably would give Brown credit for the two years he has served.

With that credit, even if Brown were convicted of two charges and sentenced to five years on each count, he would be eligible for parole immediately.

Floyd Brown, left, leaves the Richland County Detention Center Thursday afternoon, accompanied by his lawyer, **Jack Swerling**, and members of his family. At right, his sister, Tammy, carries some of Brown's things. **TIM DOMINICK/THE STATE**



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