

**RECEIVED**

**Mar 15 2023**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

---

Appeal from Spartanburg County

Honorable R. Lawton McIntosh, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

JERRY CECIL EDWARDS,

APPELLANT

APPELLATE CASE NO. 2022-000886

---

RECORD ON APPEAL

---

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ATTORNEYS FOR RESPONDENT

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Julie A. Cendroski,  
Circuit Court Reporter III  
Seventh Judicial Circuit

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| 4  | STATE'S EXHIBIT NO. 22,  |               |                |
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| 4  | STATE'S EXHIBIT NO. 36,  |               |                |
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| 1        | STATE'S EXHIBIT NO. 50,                                                                  |               |                |
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THE STATE VS. JERRY CECIL EDWARDS

(Court's Exhibit No. 1, LWOP notice, was marked for the record.)

(State's Exhibit No. 1, Piece of cinderblock, was marked for identification.)

(State's Exhibit No. 2, Clothes of defendant, was marked for identification.)

(State's Exhibit No. 3, Picture of Jerry Cecil on morning of arrest, was marked for identification.)

(State's Exhibit No. 4, Picture of Jerry Cecil Edward's driver's license, was marked for identification.)

(State's Exhibit No. 5, Picture of 2006 gray Mitsubishi Galant, was marked for identification.)

(State's Exhibit No. 6, Picture of back of 2006 Gray Mitsubishi, was marked for identification.)

(State's Exhibit No. 7, Picture of purse in trunk, was marked for identification.)

(State's Exhibit No. 8, Picture of items inside C.B.'s purse, was marked for identification.)

(State's Exhibit No. 9, Picture of C.B.'s wallet, was marked for identification.)

(State's Exhibit No. 10, Picture of C.B.'s SRMC ID card, was marked for identification.)

(State's Exhibit No. 11, Picture of the truck

1 release handle, was marked for identification.)

2 (State's Exhibit No. 12, Picture of driver's side  
3 floorboard of 2006 Gray Mitsubishi, was marked for  
4 identification.)

5 (State's Exhibit No. 13, Close up picture of  
6 items on floorboard, was marked for identification.)

7 (State's Exhibit No. 14, Close up picture of  
8 cinderblock, was marked for identification.)

9 (State's Exhibit No. 15, Picture of piece of  
10 cinderblock, was marked for identification.)

11 (State's Exhibit No. 16, Picture of [REDACTED] 's  
12 pants, was marked for identification.)

13 (State's Exhibit No. 17, Picture of shoes and  
14 pants, was marked for identification.)

15 (State's Exhibit No. 18, Picture of [REDACTED],  
16 was marked for identification.)

17 (State's Exhibit No. 19, video from QT, was  
18 marked for identification.)

19 (State's Exhibit No. 20, ap of QT, was marked for  
20 identification.)

21 (State's Exhibit No. 21, Picture at 10:53:32 p.m.  
22 on 6-10-2019 showing defendant walking on sidewalk, was  
23 marked for identification.)

24 (State's Exhibit No. 22, Picture at 10:56:14 p.m.  
25 on 6-10-2019 outside left showing defendant standing on

1 corner, was marked for identification.)

2 (State's Exhibit No. 23, Picture at 10:59:36 p.m.  
3 on 6-10-2019 showing defendant inside QT, was marked for  
4 identification.)

5 (State's Exhibit No. 24, Picture at 10:59:44 p.m.  
6 on 6-10-2019 showing defendant going through door at QT,  
7 was marked for identification.)

8 (State's Exhibit No. 25, Picture at 10:59:45 p.m.  
9 on 6-10-2019 showing the defendant in the QT, was marked  
10 for identification.)

11 (State's Exhibit No. 26, Picture at 11:02:32 p.m.  
12 on 6-10-2019 showing defendant on other end of QT, was  
13 marked for identification.)

14 (State's Exhibit No. 27, Picture at 11:04:14 p.m.  
15 on 6-10-2019 showing defendant back on left end of QT,  
16 was marked for identification.)

17 (State's Exhibit No. 28, Picture at 11:06:20 p.m.  
18 on 6-10-2019 showing defendant talking to someone  
19 putting air in their tires, was marked for  
20 identification.)

21 (State's Exhibit No. 29, Picture at 11:27:42 p.m.  
22 on 6-10-2019 showing defendant walking on the yellow  
23 center line area, was marked for identification.)

24 (State's Exhibit No. 30, Picture at 11:31:45 p.m.  
25 on 6-10-2019 showing the defendant talking to a

1 different person at the air pump while someone is  
2 putting air in their tires, was marked for  
3 identification.)

4 (State's Exhibit No. 31, Picture at 11:35:38 p.m.  
5 on 6-10-2019 showing the defendant still talking to the  
6 person at the air pump, was marked for identification.)

7 (State's Exhibit No. 32, picture at 11:39:10 p.m.  
8 on 6-10-2019 showing the defendant approaching a car in  
9 the parking lot, was marked for identification.)

10 (State's Exhibit No. 33, picture at 11:39:38 p.m.  
11 on 6-10-2019 showing the defendant talking to a driver  
12 of a parked car, was marked for identification.)

13 (State's Exhibit No. 34, Picture at 11:39:54  
14 p.m., was marked for identification.)

15 (State's Exhibit No. 35, Picture at 11:41:14  
16 p.m., was marked for identification.)

17 (State's Exhibit No. 36, Picture at 11:49:51  
18 p.m., was marked for identification.)

19 (State's Exhibit No. 37, Picture at 11:49:57  
20 p.m., was marked for identification.)

21 (State's Exhibit No. 38, Picture at 11:50:48  
22 p.m., was marked for identification.)

23 (State's Exhibit No. 39, Picture at 11:51:35  
24 p.m., was marked for identification.)

25 (State's Exhibit No. 40, Picture at 11:57:51

1 p.m., was marked for identification.)

2 (State's Exhibit No. 41, Picture at 11:59:16

3 p.m., was marked for identification.)

4 (State's Exhibit No. 42, Picture at 11:59:52

5 p.m., was marked for identification.)

6 (State's Exhibit No. 43, Picture at 12:00:23

7 a.m., was marked for identification.)

8 (State's Exhibit NO. 44, Picture at 12:13:27

9 a.m., was marked for identification.)

10 (State's Exhibit NO. 45, Picture at 12:13:39

11 a.m., was marked for identification.)

12 (State's Exhibit No. 46, Picture at 12:17:30

13 a.m., was marked for identification.)

14 (State's Exhibit No. 47, Picture at 12:18:11

15 a.m., was marked for identification.)

16 (State's Exhibit No. 48, Picture at 12:18:35

17 a.m., was marked for identification.)

18 (State's Exhibit No. 49, Picture at 12:19:14

19 a.m., was marked for identification.)

20 (State's Exhibit No. 50, picture at 12:19:30

21 a.m., was marked for identification.)

22 (State's Exhibit No. 51, Picture at 12:19:36

23 a.m., was marked for identification.)

24 (State's Exhibit no. 52, Picture at 12:21:44

25 a.m., was marked for identification.)

1           (State's Exhibit No. 53, Picture at 12:21:58  
2 a.m., was marked for identification.)

3           THE CLERK: Good morning again, ladies and  
4 gentlemen. As I mentioned earlier, I'm Amy Cox. I  
5 believe Judge McIntosh was already on the bench when you  
6 got here. He is a Seventh Circuit -- I mean he is a  
7 circuit court judge from?

8           THE COURT: Anderson County, South Carolina.

9           THE CLERK: I need to swear you in before we get  
10 started, so if I could have everyone stand and raise  
11 your right hands. (All comply.)

12           Do you all swear or affirm that the information  
13 you provide here today will be the truth, the whole  
14 truth, and nothing but the truth so help you God?

15           (All affirm.)

16           Thank you, you may be seated.

17           THE COURT: Good morning, ladies and gentlemen.  
18 I was just chatting with your clerk for a second.  
19 Everybody does things a little bit different from county  
20 to county. As I told you, I'm from Anderson County.  
21 It's my pleasure to be with you this week during the  
22 term of what is called the General Sessions court, which  
23 is the criminal side of the court.

24           Before we get started on questions involving  
25 whether or not you'll be qualified or exempt from jury

1 service this week, I'm gonna ask the clerk to call out  
2 the roll.

3 THE CLERK: Thank you, Your Honor.

4 SOLICITOR BARNETTE: May I approach the bench for  
5 one second, Your Honor?

6 (Bench conference was held off the record.)

7 (Roll call was conducted off the record.)

8 JURY QUALIFICATION

9 THE COURT: All right. Ladies and gentlemen, I  
10 travel all over South Carolina doing case, and typically  
11 on a Monday morning, such as this, and I look out and I  
12 see all your faces here, you look pretty glum and you  
13 don't really want to be here, and we understand that.  
14 And, hopefully, if you are selected this week, we'll  
15 make your experience an educational one for you. But  
16 I'll tell you that I think it was Winston Churchill who  
17 said that during peace time there's no higher service  
18 that a citizen can do for his country than sit on, sit  
19 on the jury. So I'll remind you of that.

20 We understand that it is inconvenient for you to  
21 be here and hauled away from your job or your families  
22 or just life in general, but without you, the system  
23 doesn't work. So I want to thank each and every one of  
24 you for being here today, for your willingness to do  
25 your civic duty. And, hopefully, we will make an

1 educational experience for you.

2 Ladies and gentlemen, this term is for a week, so  
3 we will end this term Friday. So just to let you know  
4 so that you can plan accordingly. This morning I have a  
5 series of questions that the statutes require that I ask  
6 of you to determine whether or not you're qualified to  
7 serve as a juror. Wanting to is not one of the  
8 questions, but we have some questions that are really  
9 quite personal, so if the question applies to you and  
10 you do not want to stand up and give the information in  
11 open court, that's quite all right. Just make a mental  
12 note of it and I'll speak to you in a more confidential  
13 setting at the end of this process.

14 On the other hand, if you do not mind standing  
15 up, give us your jury number and then give us the  
16 response being asked of you. And, again, we certainly  
17 don't want to cause anybody any embarrassment, but it's  
18 critical for both sides of the case and the Court that  
19 we give up-to-date honest and accurate information.

20 As I told you, the first set of questions have to  
21 do with your qualifications to serve. Can everybody  
22 hear me okay?

23 (Jurors nod heads.)

24 If at any time you cannot hear me, raise your  
25 hand. I will stop, I will repeat what I'm asking. It's

1 imperative that you understand and respond correctly to  
2 the questions being asked.

3 The first qualification question this morning,  
4 ladies and gentlemen is this: Is any member of the jury  
5 panel not a citizen of the United States? If so, would  
6 you please stand?

7 (No response.)

8 The next question: Is any member of the jury  
9 panel not a resident and citizen of Spartanburg County,  
10 South Carolina? If so, would you please stand.

11 (No response.)

12 Ladies and gentlemen, is there any member of the  
13 jury panel who is unable to read, write, speak or  
14 understand the English language? If so, would you  
15 please stand.

16 (No response.)

17 If you can't understand it, I'm not sure how you  
18 respond to that question. Ladies and gentlemen, the  
19 next question is this: Does any member of the jury  
20 panel have less than a sixth grade education or its  
21 equivalent? If so, would you please stand.

22 (No response.)

23 Ladies and gentlemen, is there any member of the  
24 jury panel who is unable because of an intellectual or  
25 physical infirmity from rendering efficient jury service

1 if you were selected to serve this week? By efficient  
2 jury service I mean that you need to be able to sit,  
3 stand, or some other reasonable combination, listen to  
4 the law as I give it to you; listen to the opening  
5 statements by the attorneys; the closing statements by  
6 the attorneys; the testimony that's elicited during this  
7 trial; the charge on the law at the end of the trial by  
8 myself; and then be able to engage in meaningful  
9 deliberations with your fellow jurors?

10 If there's anyone because of a physical or  
11 intellectual disability who is not able to render  
12 sufficient jury service, if you don't mind standing up,  
13 if you wouldn't mind doing so, or respond?

14 (No response.)

15 Very good. Has any member of the jury panel been  
16 convicted by a guilty plea or trial in a state or  
17 federal court of record of a crime punishable by more  
18 than, more than one year and your civil rights have not  
19 been restored by pardon or amnesty? Now, by more than  
20 one year, I mean that you could have received a sentence  
21 in excess of a year regardless of the actual sentence  
22 you may have received. If that applies to you and you  
23 don't mind standing, would you please do so?

24 (No response.)

25 Ladies and gentlemen of the jury panel, are any

1 of you a clerk or deputy clerk of court, a constable,  
2 sheriff, or other commissioned law enforcement officer,  
3 probate judge, county commissioner or a magistrate or  
4 other county officer or employed within the walls of any  
5 courthouse? If so, would you please stand?

6 (No response.)

7 Ladies and gentlemen, is there any member of the  
8 jury panel who has previously served here in circuit  
9 court during this calendar year, during 2022? And I  
10 mean by circuit court, that's opposed to federal court,  
11 city court, or magistrate court. But if you served here  
12 in circuit court during this calendar year, you're not  
13 eligible to serve twice in the same year. If that  
14 applies to you, would you please stand?

15 (No response.)

16 All right. Ladies and gentlemen, the last  
17 qualification question is this: Has any member of the  
18 jury panel served as a member of the Spartanburg County  
19 grand jury during the past several years? If so, would  
20 you please stand?

21 (No response.)

22 All right. Ladies and gentlemen, those were the  
23 questions that had to do with your qualifications.  
24 Remember, if a question pertained to you and you did not  
25 stand, just remember to come talk to me at the end of

1     this process when I ask you to do so.

2             We now move to questions that involve exemptions.  
3     An exemption is just what it sounds like it is.  If an  
4     exemption applies to you and you do not wish to serve,  
5     you just stand up and say I don't want to serve this  
6     week in General Sessions court.

7             The first exemption are for those of you who may  
8     have reached the age of 65 years or older.  If you're 65  
9     years or older, you have a right to say I do not wish to  
10    serve this week.  However, before any of you who may  
11    meet that description to exercise your exemption, let me  
12    urge you to stay with us.

13            If you're 65 or more years on this earth, you'd  
14    be a benefit to any jury that you may sit on.  However,  
15    with that being said, if you're 65 years or older, you  
16    have the absolute right to say I do not want to serve.  
17    If that applies to you and you wish to be excused, would  
18    you please stand?

19            (No response.)

20            All right.  Ladies and gentlemen, another  
21    exemption has to do with prior jury service, that if you  
22    notice in the qualification section, if you were served  
23    in circuit court, as opposed to federal court or city  
24    court or magistrate's court in the year 2022, you could  
25    not serve again in the same year.  In South Carolina,

1 you can only be required to serve in circuit court,  
2 again, as opposed to federal court, city court, or  
3 magistrate court once every three calendar years.

4 So this question wants to know whether or not you  
5 either served here in circuit court during the years  
6 2020 or 2021. If you served in either of those years,  
7 you have a right to say I choose not to serve again in  
8 2022. If that applies to you and you wish to be  
9 excused, would you please stand?

10 (No response.)

11 Very good. Also, ladies and gentlemen, anyone  
12 who has served as a grand juror in the last five  
13 calendar years, has the right to be exempt from jury  
14 duty this week. If this exemption applies to you and  
15 you wish to be excused, would you please stand?

16 (No response.)

17 Very good. Ladies and gentlemen, the next  
18 exemption is for those of you who maybe have small  
19 children or a child. There's four subparts, all of  
20 which must apply before you claim this exemption. But  
21 if you have a small child or children that is under the  
22 age of seven, you may be exempted, number one. If you  
23 have the legal custody of your child or your children.  
24 Number two, you are the primary caretaker of your child  
25 or children.

1           And, three, you'd be unable to make suitable  
2 arrangements for your child or children's care if you  
3 were required to serve this week. And number four, your  
4 child or children are seven -- are under the age of  
5 seven. If all four of those exemptions apply to you and  
6 you wish to be excused, would you please stand?

7           (No response.)

8           Very good. All right. Ladies and gentlemen, the  
9 next exemption has to do with those who may be going to  
10 school on a full-time basis or who may work at an  
11 educational institution. It applies whether or not it's  
12 a public, private, or technical school.

13           The only difference with this exemption is you  
14 will not be excused from jury service, but you'll be  
15 simply transferred to another term of court that does  
16 not interfere with your studies or your work at an  
17 educational institution.

18           Therefore, if we have any full-time students,  
19 teachers, crossing guards, certified personnel, school  
20 bus drivers or anyone who goes full time or works at a  
21 public, private or technical educational institution and  
22 wish to be transferred to another term of court, would  
23 you please stand?

24           (No response.)

25           Very good. Ladies and gentlemen, is there any

1 member of the jury panel who's employed with the  
2 Department of Corrections at a penitentiary who wish to  
3 be exempted from jury service? If so, would you please  
4 stand?

5 (No response.)

6 Ladies and gentlemen, is there any juror who  
7 performs services for a business, commercial, or  
8 agricultural enterprise whose services are so essential  
9 to the operation of that business, that if you were  
10 serving as a juror this week while you were performing  
11 your duties as a juror that business would have to shut  
12 its doors and not open? If that applies to you and  
13 you'd like to be excused, would you please stand?

14 (No response.)

15 Ladies and gentlemen, is there any juror who is  
16 the primary caretaker of a severely disabled person who  
17 is unable to care for himself or herself and cannot be  
18 left unattended or is the primary caretaker of a person  
19 who's aged 65 years or older? If either one of those  
20 apply to you, would you please stand if you wish to be  
21 excused?

22 (No response.)

23 All right. Ladies and gentlemen, that concludes  
24 the statutory questions that I'm required to ask. It  
25 may be that you are qualified and that no exemption

1 applies to you; however, having to serve this particular  
2 week may cause you a particular hardship because of your  
3 circumstances. I'm not allowed to excused qualified  
4 non-exempt jurors.

5           However, I can transfer you to another term of  
6 court that may not present you with such a hardship. Is  
7 there anyone out there that would like me to entertain a  
8 transfer request to another term of court? If so, would  
9 you please stand?

10           (No response.)

11           All right. Ladies and gentlemen, if you did not  
12 respond to the questions about your qualifications or  
13 your exemptions but you should have, or if you have a  
14 question of whether or not you are qualified, whether or  
15 not you're exempt, or we will need to entertain a  
16 transfer request, would you stand up there at the bar  
17 and I will talk to you on a more individualized basis.

18           (No response.)

19           Madam clerk, that might be the first time in 15  
20 years I've never seen anybody come up, and that's good.  
21 I'm proud of you.

22           THE CLERK: I've never seen that.

23           THE COURT: All right, good. Ladies and  
24 gentlemen, what we're gonna do, we're gonna take a brief  
25 break, then we'll bring you back in here and we'll call

1 the first case. Then I have some administrative duties  
2 to take up right now. If we could get the bailiff to  
3 take them back to the jury room, and then we'll bring  
4 you back in just a few minutes when we can. But if  
5 you'd go with the bailiff now, please.

6 (Jury panel leaves courtroom at 10:29 a.m.)

7 THE COURT: I'm going to ask the attorneys to  
8 come up here one second, please.

9 (Bench conference was held off the record.)

10 THE COURT: All right. Let's go on the record.  
11 This is State of South Carolina versus Jerry Cecil  
12 Edwards. Mr. Edwards has been indicted and charged for  
13 kidnapping and carjacking. My understanding,  
14 Mr. Snyder, is that you have a motion at this point in  
15 time.

16 MR. SNYDER: Yes, sir. It's actually his motion,  
17 but yes, sir.

18 THE COURT: Okay. So let me ask you, Mr. Snyder  
19 -- I mean, Mr. Edwards, my understanding is you have a  
20 motion to be allowed to represent yourself?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Okay. I'm gonna ask you, if you  
23 would, to raise your right hand. (Complies.)

24 Do you swear or affirm to tell the truth, the  
25 whole truth, and nothing but the truth?

1           THE DEFENDANT: I do.

2           THE COURT: Okay. You can go ahead and be  
3 seated. Let me go over a few things with you. These  
4 are called Faretta warnings from a case out of  
5 California. And I need to go over these to make sure  
6 that you're gonna be allowed to represent yourself or  
7 not be allowed to represent yourself, okay? If you  
8 don't understand the questions that I ask you, you tell  
9 me and I'll try to phrase it such as you do understand  
10 it, okay, Mr. Edwards?

11          THE DEFENDANT: Yes, sir.

12          THE COURT: And I need you to speak loud enough  
13 so I can hear you, and I'm bad of hearing, okay?

14          THE DEFENDANT: Yes, sir.

15          THE COURT: Mr. Edwards, you understand that you  
16 have a constitutional right to have a lawyer represent  
17 you?

18          THE DEFENDANT: Yes, sir.

19          THE COURT: If you cannot afford one, one will be  
20 appointed to you at no cost. Do you understand that?

21          THE DEFENDANT: Yes, sir.

22          THE COURT: How old are you?

23          THE DEFENDANT: Sixty-four.

24          THE COURT: Sixty-four?

25          THE DEFENDANT: Yes, sir.

1 THE COURT: How far did you go in school?

2 THE DEFENDANT: Eleventh.

3 THE COURT: Eleventh?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Do you have a GED?

6 THE DEFENDANT: I do.

7 THE COURT: Did you get it in prison or out of  
8 prison?

9 THE DEFENDANT: Out of prison.

10 THE COURT: And how long have you had your GED?

11 THE DEFENDANT: '77.

12 THE COURT: And I don't mean -- I have to ask  
13 these questions. I mean no insult by them, okay?

14 THE DEFENDANT: Uh-huh.

15 THE COURT: Can you read, write, and understand  
16 the English language?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: What kind of work have you done in  
19 the past?

20 THE DEFENDANT: I just completed my CDL, so I was  
21 getting ready to go to truck driving school. I work for  
22 -- I had worked for BMW, Magnum driving a forklift and  
23 machine operator. I work --

24 THE COURT: Have you ever ---

25 THE DEFENDANT: -- machines. And also, I served

1 my country, Your Honor, for four years and two years  
2 reserves.

3 THE COURT: And what branch were you in?

4 THE DEFENDANT: Army.

5 THE COURT: Were you honorably discharged?

6 THE DEFENDANT: Yes, sir, I was.

7 THE COURT: Okay, sir. Do you have any physical  
8 health problems?

9 THE DEFENDANT: I have a nervous condition, you  
10 know, where I do -- doing small things, I do.

11 THE COURT: Is that a physical health or is that  
12 an intellectual health problem?

13 THE DEFENDANT: They think it might be  
14 Parkinson's, but I had to have it checked recently.

15 THE COURT: Have you received a diagnosis of  
16 that?

17 THE DEFENDANT: No. The doctors told me several  
18 years ago it might be an early stage, so lately I've had  
19 it, had it ---

20 THE COURT: And how long ago have you been told  
21 that?

22 THE DEFENDANT: Give and take, probably 12 years  
23 or so ago.

24 THE COURT: Twelve years?

25 THE DEFENDANT: Yeah.

1           THE COURT: Well, have you been recently  
2 evaluated to see if it's advanced along the line, so  
3 that if may affect your ability to represent yourself?

4           THE DEFENDANT: No, sir, I haven't.

5           THE COURT: Do you know when your ailments that  
6 you have feel like your physical condition would impede  
7 or impair your ability to represent yourself?

8           THE DEFENANT: Could you repeat that, please?

9           THE COURT: Yes, sir, I'd be glad to. Do you  
10 feel like this condition, the tremors or the shaking of  
11 Parkinson's, whatever it may be, would impair your  
12 ability to represent yourself if I allowed you to  
13 represent yourself in this case?

14          THE DEFENDANT: No, sir.

15          THE COURT: Now, do you suffer, have you been  
16 diagnosed in the past with any intellectual or mental  
17 health problems?

18          THE DEFENDANT: I've been taking mental health  
19 treatment.

20          THE COURT: Okay. Let me ask this, my question  
21 was in the past, but have you in the past or are you  
22 currently diagnosed as having any intellectual or mental  
23 health problems or conditions?

24          THE DEFENDANT: No, sir.

25          THE COURT: And you said you've been -- you

1     seemed to answer that you have had some mental health  
2     treatment in the past?

3             THE DEFENDANT:   Yes.

4             THE COURT:   How long ago has it been?

5             THE DEFENDANT:   I guess I can say this, actually,  
6     when I was in the Department of Corrections, it was part  
7     of my release to take mental health treatment.

8             THE COURT:   That was part of the Court's order  
9     for you?

10            THE DEFENDANT:   Yes, sir.

11            THE COURT:   Okay.   And how long has that been?

12            THE DEFENDANT:   2016.

13            THE COURT:   2016?

14            THE DEFENDANT:   That's correct.

15            THE COURT:   And how long did you receive that  
16     treatment?

17            THE DEFENDANT:   Well, at the time when I tried to  
18     get the treatment, I was unable to get it, so I asked,  
19     could I do private counseling and they said yes.   But  
20     until I can get the mental health treatment.   So I never  
21     was able at the time able to get the mental health  
22     treatment.   So when I get up to the Spartanburg  
23     Detention Center I was able to receive somewhat mental  
24     health treatment from that.

25            THE COURT:   Well, and during that treatment did

1 anybody ever tell you that you had a diagnosable  
2 condition?

3 THE DEFENDANT: No, sir.

4 THE COURT: Well, and knowing your condition, do  
5 you feel like it would impair or interfere with your  
6 ability to represent yourself in this case?

7 THE DEFENDANT: No, sir.

8 THE COURT: Have you ever been involved in a  
9 criminal case in the past where you represented yourself  
10 in circuit court?

11 THE DEFENDANT: No, sir.

12 THE COURT: Have you ever been involved in a  
13 criminal case where you've represented yourself in any  
14 court?

15 THE DEFENDANT: No, sir.

16 THE COURT: Do you know the nature of the charges  
17 against you?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Mr. Barnette, for kidnapping, would  
20 you give us the range on that?

21 SOLICITOR BARNETTE: Yes, sir. Kidnapping is  
22 zero to 30 years, Your Honor.

23 THE COURT: Zero to 30? And the carjacking?

24 SOLICITOR BARNETTE: Zero to 20, Your Honor.

25 They're most serious and violent. And, Your Honor, for

1 the record, this is an LWOP case because of his prior  
2 record.

3 THE COURT: This is an LWOP case, okay. So the  
4 range on the carjacking is what?

5 SOLICITOR BARNETTE: Zero to 20 years, Your  
6 Honor.

7 THE COURT: Zero to 20. But do you understand,  
8 Mr. Edwards, when he said LWOP, what that means?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Tell me what it means.

11 THE DEFENDANT: It means that if found guilty I  
12 could receive life without parole.

13 THE COURT: Absolutely. So do you understand,  
14 number one, that the kidnapping carries up to 30 years?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: The carjacking is up to 20?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: And then regardless, if the jury  
19 finds you guilty then they've sentenced you for a life  
20 without the possibility of parole, and I have no choice  
21 but to do that? You understand it's not discretionary  
22 on my part, you have to go if you're found guilty?

23 THE DEFENDANT: Uh-huh.

24 THE COURT: You understand that?

25 THE DEFENDANT: Yes, sir.

1           THE COURT: And knowing that, do you still want  
2 to represent yourself?

3           THE DEFENDANT: (No response.)

4           THE COURT: Do you need to talk with Mr. Snyder  
5 for a couple more minutes?

6           THE DEFENDANT: Yes.

7           THE COURT: Let me do this. Is there a secure  
8 area, officer, that I can let them go talk to each other  
9 outside of our presence?

10          THE DEPUTY: I can either take him back to the  
11 jail room or just go straight across the hall. There's  
12 a little conference room in the back of Judge Knie's  
13 courtroom.

14          THE COURT: Let's go across the hall. And would  
15 you send word back when you're ready?

16          THE DEPUTY: Yes, sir.

17          THE DEFENDANT: Your Honor, I have another  
18 question.

19          THE COURT: Sure.

20          THE DEFENDANT: Also, I had a question. Would  
21 the jury -- and I'm just trying to figure out how this  
22 works. Without bringing my past record into play, would  
23 the jury understand that I would receive life for this?

24          THE COURT: No. No. That jury only determines  
25 your guilt or innocence. I'm the one that imposes

1 punishment.

2 THE DEFENDANT: Right.

3 THE COURT: So it's none of the jury's business.

4 THE DEFENDANT: Uh-huh. So my ---

5 THE COURT: Now, you asked me -- you mentioned  
6 something else.

7 THE DEFENDANT: Uh-huh.

8 THE COURT: That you have a prior record or  
9 obviously you wouldn't be under a notice of LWOP, but I  
10 will determine whether or not that's admissible. That  
11 would be only if you were to take the stand in this  
12 case, because none of the elements of either one of  
13 these charges involve any prior record, so that will not  
14 be a part of the State's case in chief.

15 THE DEFENDANT: Uh-huh.

16 THE COURT: So I would make a call at the time  
17 you -- and you'll be called upon whether or not you're  
18 gonna be representing yourself as to whether or not  
19 you're going to testify.

20 THE DEFENDANT: Uh-huh.

21 THE COURT: And then if you do testify, that's  
22 when that becomes relevant and whether or not I'll let  
23 that in. I would generally make the call prior to you  
24 testifying, but I don't necessarily have to do that,  
25 okay, sir?

1           THE DEFENDANT: Uh-huh.

2           THE COURT: So the answer to your question is no.

3           THE DEFENDANT: Uh-huh. Okay. Also, would my  
4 past record be a part of this trial?

5           THE COURT: Well, that's what I was just  
6 answering.

7           THE DEFENDANT: Yeah.

8           THE COURT: And since -- and I want anybody to  
9 correct me if I misstate something, but the elements of  
10 kidnapping, the elements of carjacking do not involve  
11 your prior record, okay?

12          THE DEFENDANT: Uh-huh.

13          THE COURT: So it would not be part of the  
14 State's case in meeting its burden and proving you  
15 guilty by proof beyond a reasonable doubt. It's not  
16 relevant to their case.

17          THE DEFENDANT: Uh-huh.

18          THE COURT: Now, if you were to take the stand --

19          THE DEFENDANT: Uh-huh.

20          THE COURT: -- I would first, before you do that,  
21 I will give you, explain to you your rights under the  
22 Fifth Amendment, to claim the protections of the Fifth  
23 Amendment or to take the stand. But if you were to take  
24 the stand, you would be subject to cross-examination by  
25 the State's attorney. And if I were to find that any of

1 your prior records would qualify for an impeachment,  
2 then they may go into it. Quite frankly, I've talked to  
3 the lawyers about it, and without making a final ruling,  
4 at this juncture I don't think that there is going to be  
5 any impeachable offenses in there that they'll be able  
6 to get -- to hit you with, but that's subject to me  
7 hearing further argument or me changing my mind on that.  
8 Okay, sir?

9 THE DEFENDANT: Uh-huh.

10 THE COURT: So does that answer your question?

11 THE DEFENDANT: Yes. Thank you. Thank you for  
12 that.

13 THE COURT: Yes, sir. Do you want to speak to  
14 Mr. Snyder?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Okay. Mr. Snyder, would you send  
17 word back to me once he -- y'all get through?

18 MR. SNYDER: Yes, sir.

19 THE COURT: Just, they'll come back and get me.

20 SOLICITOR BARNETTE: Your Honor, may I step next  
21 door and check on a plea next door?

22 THE COURT: Certainly.

23 SOLICITOR BARNETTE: Thank you, Your Honor.

24 (Recess was had from 10:44 a.m. - 11:03 a.m.)

25 THE COURT: All right. Mr. Edwards, have you had

1 sufficient time to talk with Mr. Snyder?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Do you still want to proceed with  
4 your motion to represent yourself or do you want Mr.  
5 Snyder to step up and go ahead and finish it up?

6 THE DEFENDANT: I'm prepared to go forward,  
7 Judge.

8 THE COURT: I don't understand. What do you  
9 mean, you want to go forward with representing yourself  
10 or do you want to just ---

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Okay. Well, let's -- we've got to  
13 continue on with these questions, okay?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Now, how long has Mr. Snyder been  
16 your attorney in this case?

17 THE DEFENDANT: Three years.

18 THE COURT: Three years?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Have you had any other attorneys?

21 THE DEFENDANT: No, sir.

22 THE COURT: Has Mr. Snyder or has anyone ever  
23 explained to you the dangers of self-representation?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: They have? He has?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: And do you know what Abraham Lincoln  
3 said about people who represent themselves?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: What did he say?

6 THE DEFENDANT: If I can quote it directly, I  
7 think it ---

8 THE COURT: I'll just tell you that he says that  
9 anybody who represents themselves has a fool for a  
10 lawyer.

11 THE DEFENDANT: Right. Right.

12 THE COURT: You understand that?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: First of all, you understand that  
15 Mr. Snyder or any lawyer is educated in substantive law,  
16 the procedural law, and the evidentiary law that applies  
17 in your case?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: That they can engage in discovery  
20 with the State? Meaning, that they can look at the  
21 State's file against you to determine whether their  
22 charges are valid or whether there are any defenses to  
23 those charges. Do you understand that?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Very likely, he'll be able to get a

1 more beneficial result for yourself than you can. Do  
2 you understand that?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Sir?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: And I need for you to give me verbal  
7 responses, if you would, so the record is clear, okay?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Attorneys can hire experts, if they  
10 think it's appropriate. They can subpoena people to  
11 come to court to testify for you. They basically know  
12 how to do what's necessary to get a case ready and up  
13 and tried. Do you understand that?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Now, do you understand that if I  
16 grant this motion, we're not delaying the trial, we're  
17 going forward today?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: And if I grant your motion I will  
20 alleviate Mr. Snyder of any further duties as your  
21 lawyer, okay?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: I would request him though, however,  
24 to be standby in that if you have a question, you can  
25 ask him a question. But he's not your lawyer, he's just

1 giving you legal answers as to the questions that you  
2 have. Do you understand that?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Do you know of any legal challenges  
5 or defenses you can raise in this case?

6 THE DEFENDANT: Not at the moment, sir.

7 THE COURT: Well, the moment is here. Mr.  
8 Snyder, let me ask you this, are there any affirmative  
9 defenses or challenges that you're aware of in this  
10 case?

11 MR. SNYDER: No, sir. Only that I believe that  
12 he said it was consensual.

13 THE COURT: Sir?

14 MR. SNYDER: He said it was consensual.

15 THE COURT: Okay. All right. And you've been  
16 his lawyer for three years?

17 MR. SNYDER: I think I was appointed in 2019.  
18 I'm not sure of the exact date.

19 THE COURT: Okay. But you've met with him a  
20 number of times?

21 MR. SNYDER: Yes, sir.

22 THE COURT: Have you gone over the State's  
23 discovery with him?

24 MR. SNYDER: Yes, sir. I've given him discovery  
25 at least once, probably more than once.

1           THE COURT: Do you agree with that, Mr. Edwards?

2           THE DEFENDANT: Yes, sir.

3           THE COURT: And is it still your desire to  
4 represent yourself today?

5           THE DEFENDANT: Yes, sir.

6           THE COURT: Now, you understand that it's gonna  
7 be no excuse from you that I'm not a lawyer. You're  
8 gonna be expected to know the evidence rules, the  
9 procedure rules, and to conduct yourself accordingly?  
10 You understand that?

11          THE DEFENDANT: Yes, sir.

12          THE COURT: And do you wish to waive your right,  
13 constitutional right to have a lawyer represent you  
14 today?

15          THE DEFENDANT: Yes, sir.

16          THE COURT: And are you doing so freely and  
17 voluntarily?

18          THE DEFENDANT: Yes, sir.

19          THE COURT: Nobody's forced, threatened, or  
20 promised you anything to get you to waive your right to  
21 counsel?

22          THE DEFENDANT: No, sir.

23          THE COURT: Are you under the influence of any  
24 medications, drugs, or alcohol today?

25          THE DEFENDANT: No, sir.

1           THE COURT: Mr. Snyder, since you have been with  
2 him this morning, do you feel like -- and you've been  
3 representing him since 2019, do you feel like Mr.  
4 Edwards is competent to waive his right to counsel in  
5 this matter?

6           MR. SNYDER: I believe he is. I've warned him  
7 that it's not a good idea, but he is competent in my  
8 opinion.

9           THE COURT: All right. So, Mr. Edwards, I'm  
10 gonna give you one last shot at it. Are you still sure  
11 that you want to waive your right to counsel?

12          THE DEFENDANT: The decision has to be made right  
13 now?

14          THE COURT: Yes, sir, it does. And let me just  
15 tell you something, Mr. Edwards. I've tried to explain  
16 to you in clear terms, and Mr. Snyder is telling me that  
17 he's told you in clear terms it's not a good idea for  
18 you to represent yourself. It's just a dangerous thing  
19 to happen. And you'd be better off having a qualified  
20 licensed, experienced lawyer represent you on these  
21 charges. You're looking at life without the possibility  
22 of parole.

23          THE DEFENDANT: Uh-huh.

24          THE COURT: Do you understand that?

25          THE DEFENDANT: Yes, sir.

1           THE COURT: So, I don't -- you know, we can let  
2 Mr. Snyder continue on representing you. If you decide  
3 later that you want to change your mind, then we could  
4 cross that bridge at a later date during this trial, but  
5 right now if you want to represent yourself, you've got  
6 to make that call. We've got a jury out there. We're  
7 getting ready to go to the jury selection process and  
8 you'll have to participate in that yourself. I'll grant  
9 that you will be responsible for selecting your own  
10 jury.

11           THE DEFENDANT: Yes, sir.

12           THE COURT: Okay. So, do you want to waive your  
13 right to counsel and go forward with representing  
14 yourself?

15           THE DEFENDANT: Yes, sir.

16           THE COURT: Are you sure?

17           THE DEFENDANT: Yes, sir.

18           THE COURT: I'm gonna ask Mr. Snyder, would you  
19 -- we have a -- this is South Carolina CA Form 684,  
20 which is the Faretta warnings in this case. Would you  
21 briefly go over those with him? I've done that already,  
22 but if -- you'll need to sign that form. I'm gonna make  
23 it a Court's exhibit to this case.

24           (Court's Exhibit Number 1, LWOP Notice, was  
25 marked for identification.)

1           (Court's Exhibit Number 2, Faretta Warnings, was  
2 marked for identification.)

3           SOLICITOR BARNETTE: And, Your Honor, if I could  
4 just say a few things on the record, just to cover the  
5 record?

6           THE COURT: Yes, sir, Solicitor, you may.

7           SOLICITOR BARNETTE: All right. Court's Exhibit  
8 1, Your Honor, I'll show this to Mr. Snyder, as well as  
9 Mr. Edwards. This is the notice of life notice that's  
10 been given to Mr. Snyder, as well as Mr. Edwards in this  
11 case. I'd like to make that Court's Exhibit 1, Your  
12 Honor, at this time.

13          THE COURT: All right. I'm gonna make the  
14 Faretta Court's Exhibit one and make that Court Exhibit  
15 2.

16          SOLICITOR BARNETTE: That's fine.

17          THE COURT: Have you already put the numbers?

18          COURT REPORTER: Yes, sir.

19          THE COURT: Okay. Then you can make that one.

20          SOLICITOR BARNETTE: I apologize, Your Honor.

21          THE COURT: That's fine. Whatever you want to  
22 do.

23          (Court's Exhibit Numbers 1 was entered into the  
24 record.)

25          SOLICITOR BARNETTE: And, Your Honor, also for

1 the record, also this is a -- I know you know this, a  
2 courtroom docket from that standpoint. Notice has been  
3 given to the defense well before this draft docket  
4 printed as well, the trial docket. This has been on the  
5 docket for at least 30 days, and was on the trial docket  
6 45 days. And we've discussed and everything to set up  
7 this court date. So this is not a surprise, it's been  
8 scheduled well in advance.

9 THE COURT: That's good. Thank you, sir.

10 SOLICITOR BARNETTE: Thank you, Your Honor.

11 MR. SNYDER: Judge, prior to -- prior to the  
12 selection, could you just advise Mr. Edwards how many  
13 strikes he gets for our jury selection?

14 THE COURT: Well, I was about to do that. And it  
15 looked to me in this case, and I'll go over that first.  
16 Although, let me say for the record that Mr. Snyder has  
17 reviewed and signed off on the Faretta warnings. Is  
18 that correct, Mr. Snyder?

19 MR. SNYDER: (Indicating.)

20 THE COURT: This sheet that you just signed your  
21 name to? I mean, Mr. Edwards, excuse me.

22 THE DEFENDANT: Yeah. Yes.

23 THE COURT: I'm sorry.

24 THE DEFENDANT: Yes.

25 THE COURT: And you understood the warnings that

1       were given to you in this form?

2               THE DEFENDANT:   Yes, sir.

3               THE COURT:   In addition to what I've given to  
4       you?

5               THE DEFENDANT:   Yes, sir.

6               THE COURT:   Do you have any questions about  
7       anything I've asked you?

8               THE DEFENDANT:   No, sir.

9               THE COURT:   Anything that's contained in this  
10       form?

11               THE DEFENDANT:   No, sir.

12               THE COURT:   What's the date, the 13th?

13               COURT REPORTER:   Yes, sir.

14               THE COURT:   I'm gonna make the Faretta warnings  
15       SC CA 684 the next court exhibit that we have on the  
16       record.

17               (Court's Exhibit Number 2 was entered into the  
18       record.)

19               Now, going back to your question -- let me, let  
20       me just say this first.   Mr. Snyder, you are no longer  
21       Mr. Edwards attorney.   I'm relieving you of that  
22       responsibility.   You need to make the file available to  
23       Mr. Edwards.   I'm gonna ask that you stay in the  
24       courtroom.

25               Mr. Edwards, his role is limited.   He's not your

1 lawyer.

2 THE DEFENDANT: All right.

3 THE COURT: I've granted your motion. And you,  
4 to that motion, you admit that motion freely and  
5 voluntarily. You weren't coerced in any fashion, and  
6 you weren't under the influence of any medications or  
7 drugs. We went over all the Faretta factors that I've  
8 clearly given them for you, so I think that you made a  
9 knowingly, intelligently, voluntary waiver of your  
10 constitutional right to an attorney.

11 So, he's no longer your attorney. He has no  
12 responsibility to you. He has a responsibility to me to  
13 sit by in the courtroom with you, and if you have any  
14 questions, you can ask him, okay? You don't ask him in  
15 front of the jury, or you can write it in front of the  
16 jury, but it needs to be quiet. You don't ask it out  
17 loud so the the jury can hear it. Do you understand?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Okay. Now, do you understand also,  
20 in just a few minutes we're going to pick a jury? And  
21 in this case, according to my view of 14-7-1010, the  
22 defendant has five and the State has five. I don't see  
23 kidnapping on the list.

24 SOLICITOR BARNETTE: I don't think it is, Your  
25 Honor. I know carjacking is not on the list.

1           THE COURT: No, it's not. And so, the way I read  
2 that, the legislature knows the charges. If they wanted  
3 to have it in there, they would. So, that means you'll  
4 have five strikes, okay? The State will have five  
5 strikes. We'll pick two alternates. Per alternate you  
6 will have two strikes, okay? The State will only have  
7 one. Do you agree with that, Mr. Barnette?

8           SOLICITOR BARNETTE: Yes, Your Honor.

9           THE COURT: Now, what's gonna happen, I'm gonna  
10 come back in, in just a few minutes and ask the jury  
11 some questions. They'll be sitting out there in the  
12 gallery. After we find that everybody's qualified,  
13 there might be some that are excused, there might not be  
14 any that's excused.

15           But once I determine that we have a qualified  
16 jury, then what's gonna happen is that the clerk is  
17 gonna put some random names in the computer. It will  
18 randomly call out or list names. You and I will be  
19 given a copy of that list, but the jury will be called  
20 by number and they'll come up in front of the State, in  
21 front of you and face y'all.

22           The State will go first and you'll go second.  
23 And they'll make a decision on whether they want to  
24 strike that juror, and then you'll have a right to say,  
25 I strike that juror.

1           After five, you have five that you can strike  
2 without cause, it's just for any reason, okay, unless  
3 it's required to go over the Batson requirements, if  
4 that applies. You can't base it on racial gender, okay?

5           After that, after you have exceeded five, you  
6 have to show cause. You have to have a good reason to  
7 excuse that juror, okay? Do you understand that?

8           THE DEFENDANT: Yes, sir.

9           THE COURT: For the record, I think they told me  
10 earlier that this number 170, may have some issues that  
11 they didn't tell us about, and I'm gonna get her to tell  
12 us that in a few minutes, okay?

13           Anything further you want to put on the record,  
14 Mr. Snyder?

15           MR. SNYDER: Well, yes, sir. And this is more of  
16 a question. You mentioned to make my file available.  
17 He has the discovery, but I prepared a trial notebook.  
18 Would you like me to ---

19           THE COURT: Anything -- yes, sir, I would like  
20 for you to give him that trial notebook.

21           MR. SNYDER: Okay.

22           THE COURT: And anything he may reasonably  
23 request. If there's something in there that you think  
24 that he's not entitled to, then y'all bring that up to  
25 me and I'll look at it and make that call. But to me,

1     that's his file.

2             MR. SNYDER:   It's his file, yes, sir.

3             THE COURT:   All right.   So everything in there  
4 goes to him.   And I know that's your work product, but  
5 if you wouldn't mind.

6             MR. SNYDER:   That's fine.   I just wanted to check  
7 with Your Honor.

8             THE COURT:   Do you feel like we've covered the  
9 record sufficiently for your cause?

10            THE DEFENDANT:  Yes, sir.

11            THE COURT:   All right.   Would y'all bring the  
12 jury in?

13            SOLICITOR BARNETTE:  Your Honor, may I get the  
14 victim real quick?

15            THE COURT:   Yes, sir.

16            SOLICITOR BARNETTE:  Thank you, Your Honor.   Your  
17 Honor, may I step out and get my computer real quick?

18            THE COURT:   Yes, sir.

19            SOLICITOR BARNETTE:  Thank you.

20            (Jury panel enters the courtroom at 11:19 a.m.)

21            (Solicitor Barnette enters the courtroom at 11:22  
22 a.m.)

23            THE COURT:   Mr. Snyder, would you do me a favor  
24 and confirm with Mr. Edwards that there's no voir dire  
25 or other lists?

1 MR. SNYDER: Yes, sir, he understands.

2 THE COURT: All right, thank you.

3 All right. Mr. Barnette, would you call your  
4 case, please?

5 SOLICITOR BARNETTE: Yes, sir. May it please the  
6 Court, Your Honor?

7 THE COURT: Yes, sir.

8 SOLICITOR BARNETTE: This is the case of  
9 State versus Jerry Cecil Edwards, Your Honor. He's  
10 being tried on two indictments, Your Honor. The first  
11 one is 20-GS-42-1334, Your Honor. That's for  
12 kidnapping. The other one is 20-GS-42-1335, carjacking,  
13 Your Honor. They both have been true billed. May I  
14 approach the bench, Your Honor?

15 THE COURT: Yes, sir.

16 SOLICITOR BARNETTE: Thank you, Your Honor.

17 THE COURT: Thank you.

18 All right. Ladies and gentlemen, can y'all still  
19 hear me okay? If you cannot, again, I want you to raise  
20 your hand and let me know that you can't hear me and I  
21 will make sure I go such as you do.

22 Ladies and gentlemen, the first case of the week  
23 is the State of South Carolina versus Jerry Cecil  
24 Edwards, who's been indicted and charged with the  
25 charges of kidnapping and carjacking. The solicitor

1 just passed me up these two documents. These are called  
2 indictments.

3 Ladies and gentlemen, let me point out to you,  
4 especially if you're selected to serve on this jury.  
5 The fact that Mr. Edwards has been arrested, charged,  
6 indicted is not evidence of guilt. It doesn't raise a  
7 presumption or inference of his guilt. These are the  
8 documents by which the State brings a person forward for  
9 a trial and a determination by the jury of guilt or  
10 innocence.

11 With that being said, ladies and gentlemen,  
12 you're still under oath. I have some questions that I  
13 need to go over with you about this case. These are not  
14 like the other ones. They're generally not as personal.  
15 So, generally, there's not a need for you to come  
16 forward and talk to me.

17 However, if you feel the need to come forward and  
18 talk to me, instead of giving the answer in open court,  
19 I'm gonna ask that you identify that right away and  
20 don't wait until the end of this process to say I need  
21 to come talk to you and we'll take care of it at that  
22 point in time, okay? Otherwise, I'm gonna ask that you  
23 stand up, give me your jury number and your response to  
24 the question being asked.

25 All right. Ladies and gentlemen, the first

1 question today is: Has anyone ever been related by  
2 blood or marriage to either Jerry Cecil Edwards or to  
3 C.B. [REDACTED]? Mr. Edwards, C.B. [REDACTED], would y'all stand up  
4 and face the gallery? (Complies.)

5 (No response.)

6 All right, thank you. Has any member of the jury  
7 panel ever been related by blood or marriage to either  
8 Mr. Edwards or C.B. [REDACTED]? If so, would you please stand?

9 (No response.)

10 Has any member of the jury panel ever had a close  
11 personal or social relationship either with Mr. Edwards,  
12 Jerry Cecil Edwards, or to Ms. C.B. [REDACTED]? If so, would  
13 you please stand?

14 (No response.)

15 All right. Ladies and gentlemen, the following  
16 are a list of people who may be called to testify in  
17 this case. It's 19 people, so I'm gonna go over all of  
18 the list, then I'm gonna ask you followup questions.  
19 Before I do, if you don't get all of the names, raise  
20 your hand and I'm gonna go back over them and make sure  
21 we do, okay?

22 First potential witness, it would be Nicole Nash,  
23 Spartanburg, South Carolina. Officer D. Shell,  
24 Spartanburg Police Department. Investigator Louis  
25 Nelson, Spartanburg Police Department. Investigator J.

1 Powell, Spartanburg Police Department. Investigator  
2 Shawn Cloran, Spartanburg Police Department.  
3 Investigator Christy Norkett, Spartanburg Police  
4 Department.

5 Officer A. Ault, Spartanburg Police Department.  
6 Officer A. Smith, Spartanburg Police Department.  
7 Officer M. Woodcock, Spartanburg Police Department.  
8 Officer C. Adams, Spartanburg Police Department. Agent  
9 Matt Davis, from the South Carolina law division or  
10 SLED.

11 Officer M.L. Broad, Greenville County Sheriff's  
12 Office. Officer J.D. Howard, Greenville County  
13 Sheriff's Office. Officer T. Hannon, Greenville County  
14 Sheriff's Office. Officer J. James, Greenville County  
15 Sheriff's Office.

16 Keith Lee or employee of 911 communications.  
17 Michael Garrett or other QT representative.  
18 Investigator Ed Guthro or evidence officer with the  
19 Spartanburg Police Department. And Maninder Kaur of  
20 Spartanburg County or Spartanburg, South Carolina.

21 Ladies and gentlemen, is there any member of the  
22 jury panel that did not get all those names? If so,  
23 raise your hand. Let the record reflect that nobody  
24 responded in the affirmative.

25 All right. Ladies and gentlemen, has any member

1 of the jury panel ever been related by blood or marriage  
2 to any of the potential witnesses I've just read to you?  
3 If so, would you please stand.

4 (No response.)

5 Has any member of the jury panel ever had a close  
6 personal or social relationship with any of the  
7 potential witnesses I've read to you? If so, would you  
8 please stand?

9 All right, sir. What is your jury number?

10 JUROR 113: 113.

11 THE COURT: 113? Give me one second. You are  
12 Mr. Patton?

13 JUROR 113: Yes, sir.

14 THE COURT: And you are the news photographer?

15 JUROR 113: Yes, sir.

16 THE COURT: All right. Mr. Patton, which witness  
17 or witnesses do you have a relationship with?

18 JUROR 113: Agent Matt Davis.

19 THE COURT: Sir?

20 JUROR 113: Agent Matt Davis.

21 THE COURT: And what is that relationship?

22 JUROR 113: Just social.

23 THE COURT: (Indicating.)

24 JUROR 113: Social.

25 THE COURT: Social?

1 JUROR 113: Yes.

2 THE COURT: Do you socialize with him often?

3 JUROR 113: Just when we run into each other. He  
4 lives in close vicinity. His wife and my wife were  
5 friends back in the day.

6 THE COURT: Well, if he's called to testify in  
7 this case, would you tend to believe his testimony over  
8 and above anyone else who may be called to testify in  
9 this case?

10 JUROR 113: No, sir. I would ---

11 THE COURT: The fact that your wife or you have  
12 this relationship with this person, make you unable to  
13 be fair and impartial to both the State and to the  
14 defense in this matter?

15 JUROR 113: No, sir.

16 THE COURT: You can be fair and impartial to both  
17 sides?

18 JUROR 113: Yes, sir.

19 THE COURT: Any additional voir dire from the  
20 State?

21 SOLICITOR BARNETTE: None from the State, Your  
22 Honor.

23 THE COURT: From the defense?

24 THE DEFENDANT: No, sir.

25 THE COURT: All right. Very good. Thank you,

1     sir.

2             Yes, ma'am, what is your jury number?

3             JUROR 96: 96.

4             THE COURT: 96?

5             JUROR 96: Yes, sir.

6             THE COURT: You're Ms. Miller?

7             JUROR 96: Yes, sir.

8             THE COURT: Okay. And which witnesses or  
9     witnesses -- witness or witnesses?

10            JUROR 96: Officer D. Shell.

11            THE COURT: And how do you know this officer?

12            JUROR 96: Social. We went to school together.

13            THE COURT: Ma'am?

14            JUROR 96: Social. We went to school together.

15            THE COURT: You went to school. How long ago has  
16     that been? And I know I shouldn't be asking that.

17            JUROR 96: It's fine. Graduated USC in 2018.

18            THE COURT: Do you socialize with him now?

19            JUROR 96: No, sir.

20            THE COURT: Well, if this witness appears in this  
21     courtroom and testifies, would you believe his or her  
22     testimony over any other witness who may come?

23            JUROR 96: No, sir.

24            THE COURT: So you -- can you give both sides in  
25     this case a fair and impartial trial?

1 JUROR 96: Yes, sir.

2 THE COURT: Thank you, ma'am. Any additional  
3 voir dire from the State?

4 SOLICITOR BARNETTE: Not from the State, Your  
5 Honor.

6 THE COURT: From the defense?

7 THE DEFENDANT: No, sir.

8 THE COURT: Thank you. Anyone else?

9 (No response.)

10 All right. Mr. Edwards, would you stand up and  
11 introduce yourself, please?

12 THE DEFENDANT: I'm the defendant, Jerry Cecil  
13 Edwards, from Greenville, South Carolina.

14 THE COURT: Mr. Barnette, would you introduce  
15 yourself?

16 SOLICITOR BARNETTE: Yes, sir. May it please the  
17 Court? My name is Barry Barnette. I'm the prosecutor  
18 here.

19 THE COURT: Now, ladies and gentlemen, Mr.  
20 Edwards is representing himself in this case. He has  
21 the right to do so under the constitution. But I have  
22 some questions to followup about Mr. Barnette and his  
23 firm or his office.

24 Has any member of the jury panel ever been  
25 represented by any attorneys who are employed by the

1 solicitor's office here in Spartanburg County or  
2 Cherokee County? Isn't that your two counties?

3 SOLICITOR BARNETTE: Yes, sir.

4 THE COURT: Anyone who's ever been employed by  
5 the solicitor's office in Spartanburg or Cherokee  
6 counties? And that would be in the past or current. If  
7 so, would you please stand?

8 (No response.)

9 Has any member of the jury panel ever been  
10 related by blood or marriage or have you ever had a  
11 close personal or social relationship with any attorney  
12 that is employed by the solicitor's office here in  
13 Spartanburg County or Cherokee County? If so, would you  
14 please stand?

15 (No response.)

16 All right. Ladies and gentlemen, as I've advised  
17 that this case involves charges of kidnapping,  
18 carjacking. It involves an incident that took place on  
19 or about June 11th, 2019. Ladies and gentlemen, has any  
20 member of the jury panel read, heard, or seen anything  
21 about the case of The State of South Carolina versus  
22 Jerry Cecil Edwards prior to coming to court today? If  
23 so, would you please stand.

24 (No response.)

25 And as a followup to that, has any member of the

1 jury panel formed or expressed an opinion about any  
2 issue or matter in the case of the State of South  
3 Carolina versus Jerry Cecil Edwards? If so, would you  
4 please stand.

5 (No response.)

6 Ladies and gentlemen, is any member of the jury  
7 panel aware of any bias or prejudice that they may  
8 harbor for or against the State of South Carolina or  
9 this defendant or the State's attorneys? If so, would  
10 you please stand.

11 (No response.)

12 Ladies and gentlemen, is there any member of the  
13 jury panel who is a member of the Spartanburg County  
14 grand jury that issued the indictments in this case? If  
15 so, would you please stand.

16 (No response.)

17 Ladies and gentlemen, is there any member of the  
18 jury panel who is a member of or a contributor to any  
19 group which has as its primary concern the promotion of  
20 law enforcement or victim's rights? Examples, but  
21 certainly not an exhaustive list of groups would be  
22 MADD, SADD, or CAVE. If you are a member of or a  
23 contributor to any group which has as its primary  
24 concern the promotion of law enforcement or victim's  
25 rights, would you please stand.

1 (No response.)

2 Ladies and gentlemen, does any member of the jury  
3 panel know of any reason whatsoever why he or she should  
4 not be selected to serve in the trial of this matter  
5 with particular emphasis being placed upon your ability  
6 to be fair and impartial to both the State of South  
7 Carolina and to Jerry Cecil Edwards? If you know of any  
8 reason why you should not serve, now is the time to  
9 stand. Please do so.

10 (No response.)

11 Ladies and gentlemen, has any member of the jury  
12 panel ever worked with Jerry Cecil Edwards? If you  
13 have, would you please stand.

14 (No response.)

15 Has any members of the jury panel or any members  
16 of their immediate family or close personal friends ever  
17 worked in the capacity as a defense lawyer, a  
18 prosecutor, an investigator for either one of those, a  
19 prosecutor or a defense lawyer? If so, would you please  
20 stand.

21 JUROR 113: What was the question, Your Honor?  
22 You said if any family member has been an investigator  
23 of any kind?

24 THE COURT: Say that again. Give me your juror  
25 number again.

1 JUROR 113: 113.

2 THE COURT: Okay. I'm gonna ask you every time.

3 JUROR 113: No, that's fine. I apologize.

4 THE COURT: That's all right. Go ahead.

5 JUROR 113: I must have missed it. Anybody's had  
6 an immediate family member investigator.

7 THE COURT: Let me, let me ask it again so you  
8 understand.

9 JUROR 113: Okay.

10 THE COURT: Have you or any members of your  
11 immediate family or close personal friends ever worked  
12 in the the capacity as a defense lawyer, a prosecutor,  
13 which is the prosecuting lawyer.

14 JUROR 113: Uh-huh.

15 THE COURT: Or any investigator employed by the  
16 defense lawyer or the prosecutor's office?

17 JUROR 113: Yes.

18 THE COURT: You have?

19 JUROR 113: My brother was an investigator with  
20 the city of Spartanburg.

21 THE COURT: With the city of Spartanburg?

22 JUROR 113: Yes, sir.

23 THE COURT: How long ago has that been?

24 JUROR 113: He's still an active officer.

25 Investigations, he left that division probably 10 years

1     ago.

2             THE COURT:    Okay.   Well, would the fact that your  
3     brother works in the capacity of law enforcement prevent  
4     you from being fair and impartial to both sides in this  
5     case?

6             JUROR 113:   No, sir.

7             THE COURT:    Any additional voir dire from the  
8     State?

9             SOLICITOR BARNETTE:   None from the State, Your  
10    Honor.

11            THE COURT:    From the defense?

12            THE DEFENDANT:   No, sir.

13            THE COURT:    Very good.   Thank you, sir.

14            Did I hear someone else?   Yes, ma'am, what's your  
15    jury number?

16            JUROR 72:    72.

17            THE COURT:    72?

18            JUROR 72:    Yes.

19            THE COURT:    Just one second.   You're Ms. Jenkins?

20            JUROR 72:    Yes.

21            THE COURT:    Okay, Ms. Jenkins.

22            JUROR 72:    My father-in-law is the investigator,  
23    Chris Jenkins, for Spartanburg County.

24            THE COURT:    For Spartanburg County?

25            JUROR 72:    Yes.

1           THE COURT:   Would the fact that your  
2   father-in-law is an investigator for Spartanburg County  
3   prevent you from giving the State and this defendant a  
4   fair and impartial trial?

5           JUROR 72:   No, sir.

6           THE COURT:   Ma'am?

7           JUROR 72:   No, sir.

8           THE COURT:   All right.   Any additional voir dire  
9   from the State?

10          SOLICITOR BARNETTE:   None from the State, Your  
11   Honor.

12          THE COURT:   From the defense?

13          THE DEFENDANT:   No, sir.

14          THE COURT:   All right.   Guys, I'm not gonna ask  
15   you each time when we have somebody stand up, but if you  
16   do want additional voir dire or questions, just let me  
17   know.

18          All right.   Ladies and gentlemen, has any member  
19   of the jury panel or any member of their immediate  
20   family or close personal friends ever been the subject  
21   of an investigation or a prosecution, ordered through  
22   administrative action by any agency of the state of  
23   South Carolina, any prosecutor's office in the state of  
24   South Carolina, the Spartanburg Police Department,  
25   Greenville County Sheriff's Office, or SLED, or any

1 other state, federal, or local law enforcement agency?

2 If so, would you please stand.

3 JUROR: Could you repeat the question? We  
4 couldn't hear it in the back.

5 THE COURT: I will, if I can. The question is:  
6 Has any member of the jury panel, meaning you, any  
7 member of your immediate family or close personal  
8 friends, ever been the subject of an investigation or  
9 prosecution or an administrative action that was brought  
10 by an law enforcement agency in the state of South  
11 Carolina, brought by any prosecutor's office in the  
12 state of South Carolina, brought by the Spartanburg  
13 Police Department, the Greenville County Sheriff's  
14 Office, brought by SLED, or any other state, federal, or  
15 local law enforcement agency? If you were the subject  
16 of an investigation, if so, would you please stand?

17 All right. What is your jury number here in the  
18 front?

19 JUROR 46: I'm number 46.

20 THE COURT: 46?

21 JUROR 46: Yes, sir.

22 THE COURT: You are Ms. George?

23 JUROR 46: Yes, sir.

24 THE COURT: Okay. Ms. George, do you mind  
25 telling me a little bit about it?

1 JUROR 46: Of course. My uncle was arrested,  
2 indicted, and charged in Spartanburg County. And that  
3 would have been approximately 13 years ago. He was  
4 released about three years ago.

5 THE COURT: So he was incarcerated as a result of  
6 that?

7 JUROR 46: Yes, sir.

8 THE COURT: Would that experience by your uncle  
9 cause you to be unable to give both the State of South  
10 Carolina and Mr. Edwards a fair and impartial trial?

11 JUROR 46: No.

12 THE COURT: Okay. Thank you, ma'am.

13 Yes, ma'am, your jury number?

14 JUROR 158: 158.

15 THE COURT: 158?

16 JUROR 158: Yes.

17 THE COURT: You're Ms. Washington?

18 JUROR 158: Correct.

19 THE COURT: Okay.

20 JUROR 158: My father, he had a SLED  
21 investigation done.

22 THE COURT: Your father?

23 JUROR 158: Yes.

24 THE COURT: Okay. Was there charges stemming  
25 from that?

1 JUROR 158: Yes.

2 THE COURT: Was there a trial or plea stemming  
3 from that?

4 JUROR 158: Yes.

5 THE COURT: And would that experience cause you  
6 to be unable to give both sides in this case a fair and  
7 impartial trial?

8 JUROR 158: No, sir.

9 THE COURT: Thank you, ma'am. Anyone else?

10 (No response.)

11 Ladies and gentlemen, has any member of the jury  
12 panel or any member of your immediate family ever been  
13 prosecuted by or you're currently prosecuted by the  
14 Seventh Circuit Solicitor's Office, which is Barry  
15 Barnette's office? If so, would you please stand.

16 (No response.)

17 Ladies and gentlemen, has any member of the jury  
18 panel ever posted or have you currently posted anything  
19 that would be critical of the Seventh Judicial Circuit  
20 Solicitor's Office, any member of the solicitor's office  
21 team, the Spartanburg Police Department, any member of  
22 the Spartanburg Police Department, Greenville County  
23 Sheriff's Office or any member of that office or for  
24 SLED? Anything that you've ever posted that would be  
25 critical of those groups? If so, would you please

1 stand.

2 (No response.)

3 Ladies and gentlemen, without going into your  
4 particular beliefs, does any member of the jury panel  
5 have a religious or moral philosophy -- religious belief  
6 or moral philosophy that would prevent him or her from  
7 sitting in judgment of another from rendering the  
8 verdict in this case, either guilty or not guilty based  
9 on the evidence presented in court or the law as I will  
10 give it to you? Does anybody have a religious or moral  
11 philosophy that prevents you from sitting in judgment of  
12 others? If so, would you please stand.

13 (No response.)

14 Ladies and gentlemen, is there any member of the  
15 jury panel or any members of your immediate family that  
16 is a member of any organization that does not recognize  
17 the government of the United States or the State of  
18 South Carolina? If so, would you please stand.

19 (No response.)

20 All right. Those conclude the written voir dire.  
21 Any additional from the State?

22 SOLICITOR BARNETTE: None from the State, Your  
23 Honor.

24 THE COURT: And any additional for the defense?

25 THE DEFENDANT: No, sir.

1           THE COURT:   Very good.

2           All right.   Ladies and gentlemen, back before my  
3   hair turned gray when we were selecting juries, what we  
4   would do, we would have somebody who couldn't read or  
5   write come up and there was a big spindle with  
6   everybody's names in it.   They would draw your names out  
7   and make sure that they didn't know who you were, so it  
8   made it fair and impartial.

9           Now, with the advent of technology, what happens  
10   is the clerk will run your names through there.   It's to  
11   be randomly selected.   They will print out a list for  
12   myself.   The State doesn't get it.   The defense does not  
13   get it, but then they're gonna call out the names as  
14   they've been randomly drawn.

15          If your name is called out, I'm gonna ask that  
16   you bring your personal belongings with you.   You come  
17   up and stand right here in front of me, in between the  
18   State and defense, and they will make a decision as to  
19   whether or not you'll be selected to serve in the trial  
20   of this matter.

21          Let me ask the bailiffs, when you do that, where  
22   do you want them to stand?   I mean, we've got everything  
23   kind of covered up in here.

24          THE BAILIFF:   Right there.

25          THE COURT:   Right.   I'm talking about if they are

1     selected. Usually I put them in the box.

2             THE BAILIFF: Yes, sir.

3             THE COURT: But we've got the box taken.

4             THE BAILIFF: We probably need to move some  
5 people out and put them over here.

6             THE COURT: Okay. I'm gonna ask everybody over  
7 here to step out. Bring your personal belongings with  
8 you. And for the record, ladies and gentlemen, this is  
9 for Mr. Barnette and Mr. Edwards. The State gets five  
10 strikes. The defense gets five strikes. And for each  
11 alternate, I want two alternates, the defense will have  
12 two and the State will have one. Anybody disagree with  
13 that, Mr. Barnette?

14            SOLICITOR BARNETTE: No, sir. I agree with it.

15            THE COURT: Mr. Edwards, do you agree with that?

16            THE DEFENDANT: Yes, sir.

17            THE COURT: All right, very good.

18            All right. Ladies and gentlemen, if your name is  
19 called, would you come up and stand next to our bailiff  
20 right here. We'll make a decision or they'll make a  
21 decision whether or not you'll be selected. The State  
22 will strike first.

23            Madam Clerk.

24            THE CLERK: Juror Number 51, Ashley Gosnell.

25            (White female comes forward.)

1           What says the State?

2           SOLICITOR BARNETTE: Please present the juror.

3           THE CLERK: What says the defense?

4           THE DEFENDANT: Yes.

5           THE CLERK: 142, Stephanie Simon.

6           (White female comes forward.)

7           What says the State?

8           SOLICITOR BARNETTE: Please present the juror.

9           THE CLERK: What says the defense?

10          THE DEFENDANT: Yes.

11          THE CLERK: 161, Summer Whitlock.

12          (White female comes forward.)

13          What says the State?

14          SOLICITOR BARNETTE: Please present the juror.

15          THE CLERK: What says the defense?

16          THE DEFENDANT: Yes.

17          THE CLERK: Number 23, Jacob Compton.

18          (White males comes forward.)

19          What says the State?

20          SOLICITOR BARNETTE: Please present the juror.

21          THE CLERK: What says the defense?

22          THE DEFENDANT: Yes.

23          THE CLERK: Number 46, Sharon George.

24          (White female comes forward.)

25          What says the State?

1 SOLICITOR BARNETTE: Please excuse this juror  
2 from service.

3 THE CLERK: Number 39, Tara Farmer.

4 SOLICITOR BARNETTE: Her number again, please?

5 THE CLERK: 39.

6 SOLICITOR BARNETTE: 39, thank you.

7 (White female comes forward.)

8 THE CLERK: What says the State?

9 SOLICITOR BARNETTE: Please present the juror.

10 THE CLERK: What says the defense?

11 THE DEFENDANT: Please excuse the juror.

12 THE CLERK: Number 48, Kinsley Gray.

13 (White female comes forward.)

14 What says the State?

15 SOLICITOR BARNETTE: Please present the juror.

16 THE CLERK: What says the defense?

17 THE DEFENDANT: Please present.

18 THE CLERK: Number 54, Amanda Greene.

19 (Black female comes forward.)

20 What says the State?

21 SOLICITOR BARNETTE: Please present the juror.

22 THE CLERK: What says the defense?

23 THE DEFENDANT: Present.

24 THE CLERK: 61, Adam Harvey.

25 (White male comes forward.)

1           What says the State?

2           SOLICITOR BARNETTE: Please present the juror.

3           THE CLERK: What says the defense?

4           THE DEFENDANT: Present.

5           THE CLERK: Number 27, Matthew Davidson.

6           (White male comes forward.)

7           What says the State?

8           SOLICITOR BARNETTE: Please present the juror.

9           THE CLERK: What says the defense?

10          THE DEFENDANT: Present.

11          THE CLERK: Number 75, David Jones.

12          (White male comes forward.)

13          What says the State?

14          SOLICITOR BARNETTE: Please present the juror.

15          THE CLERK: What says the defense?

16          THE DEFENDANT: Excuse the juror.

17          THE CLERK: Number 21, Jonathon Cobb.

18          (White male comes forward.)

19          What says the State?

20          SOLICITOR BARNETTE: Please seat the juror.

21          THE CLERK: What says defense?

22          THE DEFENDANT: Present.

23          THE CLERK: 133, Andrea Romanie.

24          (White female comes forward.)

25          What says the State?

1 SOLICITOR BARNETTE: Please present the juror.

2 THE CLERK: What says the defense?

3 THE DEFENDANT: Dismiss.

4 THE CLERK: Number 60, Lamonda Harris.

5 (White female comes forward.)

6 What says the State?

7 SOLICITOR BARNETTE: Please present the juror.

8 THE CLERK: What says the defense?

9 THE DEFENDANT: Present.

10 THE CLERK: 168, William Worley.

11 (White male comes forward.)

12 What says the State?

13 SOLICITOR BARNETTE: Please present the juror.

14 THE CLERK: What says the defense?

15 THE DEFENDANT: Present.

16 THE CLERK: Number 151, Sierra Thoreson.

17 (White female comes forward.)

18 What says the State?

19 SOLICITOR BARNETTE: Please present the juror.

20 THE CLERK: What says the defendant?

21 THE DEFENDANT: Present.

22 THE CLERK: This will be for the first alternate.

23 Number 58, Susan Hall.

24 (White female comes forward.)

25 What says the State?

1 SOLICITOR BARNETTE: Please present the juror.

2 THE CLERK: What says defense?

3 THE DEFENDANT: Present.

4 THE CLERK: Number 53, Andreau Green. Andrew,  
5 I'm sorry. Andreau?

6 JUROR 53: Yes.

7 THE CLERK: I'm sorry.

8 (Black female comes forward.)

9 What says the State?

10 SOLICITOR BARNETTE: Please present the juror.

11 TH CLERK: What says the defense?

12 THE DEFENDANT: Present.

13 THE COURT: All right. Any motions directed to  
14 the jury selection process from the State?

15 SOLICITOR BARNETTE: None from the State, Your  
16 Honor.

17 THE COURT: From the defense?

18 THE DEFENDANT: None from the defense.

19 THE COURT: Very good. All right. Ladies and  
20 gentlemen, those of you who were selected, I'm gonna  
21 talk to the lawyers about timing and our logistics, but  
22 before we do that, I'm gonna ask that you go back to the  
23 jury room. I want for you to pick a foreperson. The  
24 foreperson would be in charge of communicating to the  
25 Court any time there may be a need -- they need to.

1 They also preside over deliberations at the end of the  
2 case when you're told to begin your deliberations.

3 Who are our alternates?

4 (Two jurors raise their hands.)

5 Yes, ma'am. You two certainly have the right to  
6 vote on it, but you may not serve as the foreperson  
7 because you are our alternates. It doesn't have to be  
8 -- it can be just by a simple majority, whoever you want  
9 to select.

10 I want you to, once you get that person, you  
11 write your name down and your jury number and then ask  
12 your fellow jurors who would like to have pad and pen to  
13 take notes with during the course of this trial. If  
14 anybody does or more than one, just write the number,  
15 like six or eight or ten or whatever, of who would like  
16 to have pad and pen. Give that to our bailiff. He'll  
17 bring it back to us, then I'll bring you back in here  
18 for further instructions, okay? But if you'd go with  
19 the bailiff now and pick your foreperson.

20 (Jury leaves courtroom at 11:58 a.m.)

21 THE COURT: I can see the disappointment on your  
22 faces out there, but we're gonna give you other  
23 opportunities, I'm sure, this week. This is not gonna  
24 be our only trial.

25 Have we given out the phone number for them to

1 call in?

2 THE BAILIFF: They'll get one when they leave.

3 THE CLERK: Once they take them out, they'll give  
4 it to them in the jury assembly room.

5 THE COURT: Very good. All right. Ladies and  
6 gentlemen, you'll be given a number to call in after 6  
7 o'clock tonight. Make sure you wait until after six  
8 because a lot of times it takes a little time to get  
9 information uploaded for you. Then I'm gonna ask that  
10 you call in each night after six until you receive  
11 notice that you are excused from jury service this week.

12 I do anticipate that we probably have some other  
13 trials, so make sure you do that. And then you'll be  
14 told to report at a certain time and a certain day.  
15 Work excuses will be given out at the end of the week.  
16 However, if somebody has an immediate need, let us know  
17 and we can probably deal with that as well. Anything  
18 else that I need to let them know, Madam Clerk?

19 THE CLERK: No, sir, Your Honor. I think that  
20 covered it.

21 THE COURT: Thank you very much. All right.  
22 Ladies and gentlemen, I'm gonna excuse you. Make sure  
23 you call in after six tonight. Thank you very much for  
24 being here.

25 (Jury panel leaves courtroom at 11:59 a.m.)

1           THE COURT: All right. Let me go over a couple  
2 of my thoughts, and Mr. Edwards can join in with us. My  
3 thoughts would be, once we get this jury here, we'll get  
4 the foreperson selected, then we'll go ahead and break  
5 for lunch. Generally it's gonna be about an hour and  
6 15, hour-and-a-half. Then we'll come back and start  
7 with opening statements, okay? Any problems with the  
8 State at this point in time, or would you suggest  
9 another time we start up?

10           SOLICITOR BARNETTE: Your Honor, can we start at  
11 least at 1:45? I've got witnesses coming at 1:30. So,  
12 they should be here about 1:30.

13           THE COURT: Okay. Now, Mr. Edwards, any problems  
14 starting back at 1:30?

15           THE DEFENDANT: No, sir.

16           THE COURT: Now, Mr. Edwards, let me just tell  
17 you now, you have a right to make an opening statement  
18 in this matter if you want to. You do not have to. The  
19 State has the burden of proving its case against you by  
20 proof beyond a reasonable doubt. So I offer you, when  
21 the jury comes back, I give you at the beginning of the  
22 case an opportunity to make an opening statement in this  
23 case, if you want to. That's certainly you can. If you  
24 don't want to, just say I do not care to have an opening  
25 statement. Okay, sir?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: All right, very good.

3 Anything from the State before we break?

4 SOLICITOR BARNETTE: Your Honor, I just, I know  
5 I've had cases with pro se defendants before, and I know  
6 it's tough, but they can't testify during opening and  
7 closing. They have to testify on the stand. And I  
8 don't know how to explain that to him.

9 THE COURT: Well, yeah. At first, you will just  
10 need to object. I'll try to catch it, too.

11 SOLICITOR BARNETTE: Yes, sir.

12 THE COURT: But, as I went over the Faretta stuff  
13 with you, Mr. Edwards, you're gonna need to be expected  
14 to understand the rules and comply with them.

15 THE DEFENDANT: Yes, sir.

16 THE COURT: If you don't, you will object, or if  
17 I spot it ahead of time, then I'm gonna have to say, no,  
18 Mr. Edwards, that's not appropriate. I may call you up  
19 here, but you can't get up and say -- you can't testify  
20 like you're on the stand.

21 THE DEFENDANT: Right.

22 THE COURT: Later on, if you choose to testify,  
23 and we'll go over your Fifth Amendment, like I told you  
24 earlier, then you will get on the stand and say what you  
25 want to say and then you'd be subject to

1 cross-examination. But you can't do it in the opening  
2 statement. Okay, sir?

3 THE DEFENDANT: Uh-huh.

4 THE COURT: All right. I'm just gonna go over  
5 some basic rules, make sure you understand. When you're  
6 questioning a witness, you need to stand up, okay? If  
7 you want to have an objection, you need to stand up and  
8 say I have an objection. You'll state the basis of your  
9 objection, okay, as best as you can.

10 One thing I'm gonna ask you to do or not do, if  
11 the victim testifies, I'm gonna ask that you stay at  
12 your desk at that point. If you need to approach her,  
13 you need to ask me, may I approach the witness, okay?

14 THE DEFENDANT: Uh-huh.

15 THE COURT: Otherwise, I'm gonna ask you to stay  
16 back there. The other witnesses, you can move around  
17 the courtroom.

18 THE DEFENDANT: Okay.

19 THE COURT: If you want to, okay?

20 THE DEFENDANT: Uh-huh.

21 THE COURT: Now, exhibits, if you have any  
22 exhibits you want to have marked, you have to have  
23 identified, laid the proper foundation, and also ask  
24 that they be moved into evidence, okay?

25 I'm trying to think. Are there any other just

1 ground rules you think I need to go over with him and  
2 make sure we're okay?

3 SOLICITOR BARNETTE: Your Honor, I'll share my  
4 exhibits with him, because I've got -- I know Mr. Snyder  
5 has seen it. And I don't know -- he's probably shared  
6 some with Mr. Edwards, but I'll show him the exhibits I  
7 was planning to introduce, Your Honor, during the break.

8 And then, there will be video, Your Honor. We'll  
9 be showing them on these TVs where he's gonna be able to  
10 see them, so...

11 THE COURT: Do you have any questions about  
12 anything?

13 THE DEFENDANT: No, sir.

14 THE COURT: And at this juncture you still wish  
15 to proceed with your pro se representation in this case?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Okay, very good.

18 SOLICITOR BARNETTE: Your Honor, one other thing,  
19 Ms. Nash does have a record. I'll share that with him.  
20 And that may be something we have to discuss before she  
21 testifies. She'll probably be the second witness.

22 THE COURT: Yeah. I think when we start going  
23 over the Fifth Amendment, we'll go over all those  
24 records.

25 SOLICITOR BARNETTE: Yes, sir.

1           THE COURT: And we'll see which ones you can try  
2 to use for impeachment or opinion, okay?

3           SOLICITOR BARNETTE: And, Your Honor, this is our  
4 witness, actually. Ms. Nash is gonna be our witness.

5           THE COURT: Oh, oh, oh, oh. I'm sorry.

6           SOLICITOR BARNETTE: She has a record. And I  
7 provided it to Mr. Snyder but, like I said, I needed to  
8 provide it to the defendant in this case. And then we  
9 may need to have added discussion before she testifies,  
10 what comes in and what doesn't.

11          THE COURT: Okay. Do you understand that?

12          THE DEFENDANT: Yes, sir.

13          THE COURT: That doesn't mean you automatically  
14 get into her record when you cross-examine her. Do you  
15 understand that?

16          THE DEFENDANT: Yes, sir.

17          THE COURT: And, in fact, let's do this, let's  
18 have an understanding with the State and you, Mr.  
19 Edwards, that if you are intending to ask a question,  
20 Mr. Barnette and Mr. Edwards, about somebody's prior  
21 criminal record, say I have a matter to take up outside  
22 the presence of the jury. We can send the jury out. I  
23 can listen to it and make a determination on whether  
24 that's an appropriate question. That way it doesn't get  
25 in front of the jury. Fair enough?

1           SOLICITOR BARNETTE: Yes, sir. And C.B. does  
2 not have a record, just for the record. The victim.  
3 She's a lay witness or what have you.

4           THE COURT: Okay. Just be at ease, and as soon  
5 as they come back, I'm gonna give them a few basic  
6 charges and then we'll let them go.

7           (Jury enters the courtroom at 12:17 p.m.)

8           (Court's Exhibit Number 3, Foreperson Selection  
9 Note, was marked for identification.)

10          (Court's Exhibit Number 3 was entered into the  
11 record.)

12          THE COURT: All right. All right. Juror 142?

13          JUROR 142: (Indicating.)

14          THE COURT: Okay. There you are. If you will  
15 use that seat each time we come in and out of the  
16 courtroom, it'll help me keep up with some matters. Our  
17 two alternates, if you will keep those seats back there,  
18 that will also help me with some matters. All right,  
19 thank you.

20          Did anybody, Madam Foreperson, want to have a pen  
21 to take notes with? Just raise your hands now. Okay.  
22 1, 2, 3, 4, 5. If you could have five notepads and pen  
23 available?

24          THE BAILIFF: Yes, sir.

25          THE COURT: And if anybody else changes their

1 mind over lunch, we can get them, okay? Ladies and  
2 gentlemen, that's juror number 142 is the foreperson.  
3 Let me go over a few facts, then I'm gonna dismiss you  
4 for lunch. And we will come back and you be in your  
5 jury room about 1:55. So I hope to start probably  
6 around two, okay?

7 But before we get there, let me say this. From  
8 this point forward, you may not talk with anybody about  
9 this case. I can imagine that if you have spouses,  
10 friends, children, that they're gonna be interested  
11 about the fact that you're the jury. And you've  
12 acknowledged you're on the jury, but you can't talk to  
13 them about the case. You can't talk to one face-to-face  
14 or by email or Tweeter or Twitter or whatever that is.  
15 I've got gray hair, okay? Or some other form of  
16 communication.

17 From this point forward, until you've been  
18 released from the trial in this case, you cannot talk  
19 with anyone, and that includes yourselves. A lot of  
20 times I will hear jurors that will have an objection and  
21 then we will have a break and I've ruled on the  
22 objection, then they'll talk about the proceedings as  
23 they're on break. You can't do that. That's called  
24 early deliberations.

25 You'll be told at the end of the case after I

1 charge you on the law to begin your deliberations. So  
2 until that time you cannot speak amongst yourselves  
3 about anything going on in this case, okay?

4 Also, while we're on break or, or during the case  
5 while you're sitting there doing your duties as jurors  
6 and we break overnight, you can't engage in what we call  
7 independent jury research. You can't look up anything  
8 about any act or about myself, the solicitor, the  
9 defendant, the clerk of court, any witness that may come  
10 before you.

11 You can't look up an issue that you think would  
12 be helpful. And the reason that is, we want you to make  
13 your decision based solely on the testimony and evidence  
14 heard during the course of this trial and according to  
15 the law as I will give it to you at the end of this  
16 case.

17 Also, nobody else knows what you looked up and  
18 nobody knows if you can question anybody. So just don't  
19 engage in that kind of conduct at all. Quite frankly,  
20 I've had some back there with their cellphones, looking  
21 up issues and debating about them, and that's just means  
22 for us to come back and try this case again. That  
23 results in a mistrial.

24 So that being said, I'm done with my don't speech  
25 to you. I will excuse you for lunch. Again, if you'd

1 be back in your jury room at 1:55, I will try to start  
2 promptly at 2 o'clock. If you'll follow the bailiff,  
3 he'll show you where to go and where to come back.  
4 Thank you very much.

5 (Jury leaves courtroom at 12:21 p.m.)

6 THE COURT: Any additions or exceptions from my  
7 remarks from the State?

8 SOLICITOR BARNETTE: None from the State, Your  
9 Honor.

10 THE COURT: Any from the defense?

11 THE DEFENDANT: None from the defense, sir.

12 THE COURT: Very good. All right. We're gonna  
13 go ahead and take a break now. Be back here at 2  
14 o'clock. Mr. Snyder?

15 MR. SNYDER: Yes, sir.

16 THE COURT: You don't represent Mr. Edwards  
17 anymore, but I'm gonna ask that each day you kind of  
18 make sure your duty is to make sure that he gets  
19 clothes, appropriate clothing.

20 MR. SNYDER: Oh, yes, sir.

21 THE COURT: All right. Okay.

22 MR. SNYDER: Yes, sir.

23 THE COURT: Do you feel that you'll need to talk  
24 with Mr. Snyder over the lunch break? If so, let him --  
25 give him some time and he'll come back over. And just

1 give him time to go get some lunch, then he can come  
2 back and talk to you early.

3 THE DEFENDANT: All right.

4 THE COURT: Do you mind doing that?

5 MR. SNYDER: Yes, sir.

6 THE COURT: Okay, good. Understand, Mr. Edwards,  
7 he is not your lawyer --

8 THE DEFENDANT: Right.

9 THE COURT: -- he's just answering questions,  
10 okay?

11 THE DEFENDANT: Okay.

12 THE COURT: All right, guys, we're in recess.

13 MR. SNYDER: Yes, sir.

14 (Lunch recess was had from 12:23 p.m. - 2:02  
15 p.m.)

16 THE COURT: All right. For the record,  
17 Solicitor, I'm gonna ask that any witnesses be  
18 sequestered, if you don't mind.

19 SOLICITOR BARNETTE: Yes, sir.

20 THE COURT: I know the investigation officer is  
21 here, our victim is here. But I understood there were  
22 some witnesses in the back of the courtroom, so we're  
23 just gonna ask everybody to step out who had to be --  
24 unless they're the first one being called.

25 SOLICITOR BARNETTE: Your Honor, I'd be happy to.

1 The first two officers here, Investigator Nelson, the  
2 officer, signed the affidavit in this case. I do have  
3 the officer that worked the crime -- I mean, worked the  
4 -- processed the car, as well as the officer who was  
5 making the stop in Greenville.

6 THE COURT: Well, they'll need to be sequestered  
7 as well, if you don't mind.

8 SOLICITOR BARNETTE: Ms. Nash is in ---

9 THE COURT: I hated guys on the ---

10 SOLICITOR BARNETTE: It's fine, Judge. And Ms.  
11 Nash is in the back, Your Honor, with a kid being  
12 sequestered. She has someone to sit with him.

13 THE COURT: Mr. Edwards?

14 (Defendant and Mr. Snyder were having an  
15 off-the-record conversation.)

16 I'm sorry, go ahead.

17 MR. SNYDER: I'm sorry, Judge.

18 THE COURT: That's all right.

19 MR. SNYDER: Yes, sir.

20 SOLICITOR BARNETTE: Can you make this the next  
21 Court's exhibit?

22 (Court's Exhibit Number 4, Note From Defendant,  
23 was marked for identification.)

24 THE COURT: All right. Guys, I'm gonna go ahead  
25 and get started. Go ahead. Go ahead, Mr. Edwards.

1           SOLICITOR BARNETTE: May I approach the bench,  
2 Your Honor?

3           THE COURT: Yes, sir.

4           SOLICITOR BARNETTE: Your Honor, right before the  
5 break the defendant handed me a note. I want to make it  
6 Court's Exhibit 4. It says: Can we work a deal?

7           THE COURT: Okay.

8           SOLICITOR BARNETTE: And I can make that a part  
9 of the record. And I just told him all I can do is  
10 withdraw the life when he pleads to all charges straight  
11 up. That's all I can do.

12          THE COURT: All you can do is what?

13          SOLICITOR BARNETTE: On this case, what I would  
14 do or it would be likely for at this time to withdraw  
15 the life notice when he pleads to all charges straight  
16 up with no recommendation or negotiation.

17          (Court's Exhibit No. 4 was entered into the  
18 record.)

19          THE COURT: All right. Well, are you interested  
20 in entertaining that?

21          SOLICITOR BARNETTE: I don't know if you want to  
22 talk to Mr. Snyder any more about it. It's a straight  
23 up plea. I would just withdraw the life. That's all I  
24 could do.

25          THE DEFENDANT: Uh-huh.

1           THE COURT: Mr. Edwards, you understand the  
2 nature of the offer?

3           THE DEFENDANT: Yes, sir.

4           THE COURT: Okay. Do you want to consider that  
5 or do you want to just go forward with your trial?

6           THE DEFENDANT: I will go forward.

7           THE COURT: Okay. Very good. All right. Do you  
8 anticipate having any witnesses in this case?

9           THE DEFENDANT: No, sir.

10          THE COURT: All right, very good. I've been  
11 asked, and I think it's a fairly fair request, that when  
12 -- you know, I told you earlier, when you question the  
13 victim you have to stay behind the desk.

14          THE DEFENDANT: Yes, sir.

15          THE COURT: If you would, just stay behind the  
16 desk during all questioning unless you ask me, can I  
17 approach the witness stand with an exhibit or something,  
18 okay?

19          THE DEFENDANT: Okay.

20          THE COURT: All right. Is the State ready to  
21 proceed?

22          SOLICITOR BARNETTE: Yes, sir. Just for the  
23 record, I did give him Nicole Nash's record, like we  
24 talked about before the break, Your Honor.

25          THE COURT: Okay.

1 SOLICITOR BARNETTE: And he received a copy of  
2 that.

3 THE COURT: Is that correct, Mr. Edwards?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: All right. Mr. Edwards, are you  
6 ready to proceed?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: All right. Bring the jury in,  
9 please, ma'am. And you'll swear them, Madam Clerk?

10 THE CLERK: Yes, sir, I will.

11 (Jury enters the courtroom at 2:08 p.m.)

12 THE COURT: All right. Does everyone who have  
13 requested notes have their notepads and pen?

14 (All indicate in the affirmative.)

15 Very good. All right. Madam Clerk, would you  
16 swear in this jury, please, ma'am?

17 THE CLERK: Please stand and raise your right  
18 hand. (All comply.)

19 Do you swear or affirm in the case about to be  
20 tried to truly try the issues that are joined in this  
21 case and a true verdict rendered according to the law  
22 and evidence, so help you God?

23 (All answer in the affirmative.)

24 Thank you, you may be seated.

25 THE COURT: All right. Ladies and gentlemen, I

1 don't know if any of you have ever been involved in a  
2 trial before, whether it be criminal, like this case, or  
3 civil, which is the other side of the court, either as a  
4 witness or a participant, but I would suspect that every  
5 one of you have watched on the TV something that  
6 purports to be a criminal trial.

7 Let me quickly dispel you of any preconceived  
8 notions that you may have. Trials are not like they are  
9 on TV. Trials are slow. They're very methodical.  
10 They're very deliberate. They don't happen in  
11 five-minutes vignettes, like if you're gonna have them  
12 on the TV. They're certainly not entertainment, but  
13 they're a fundamental part of our democracy.

14 Now, ladies and gentlemen, these attorneys, when  
15 they're sworn in, they take an oath to zealously  
16 represent their client. In this case, you can expect  
17 the State's attorney to do just that, but he's also an  
18 officer of the court. You can expect him to be  
19 professional, competent, and ethical in his dealings  
20 with the defendant, with the witnesses coming forward  
21 before him and then he'd have a dealing with me.

22 Now, in this case the plaintiff requested -- I  
23 mean, defendant's requested and has a demonstrative  
24 right that he wanted to represent himself. And he has  
25 the constitutional right to do that. He will be

1 expected to show the same professionalism and competence  
2 and ethical treatment to anybody that comes before him,  
3 as well as myself and opposing counsel.

4 Now, in this case you've just taken an oath where  
5 you swore or affirmed that you would try to reach a just  
6 and fair verdict in this matter. That means that the  
7 State and the defendant, the Court, and all participants  
8 in this can expect that you will be fair, that you will  
9 be impartial and that you will be ethical in your  
10 dealings in this case.

11 Now, for those of you who are taking notes, let  
12 me give you a little brief caution. One of the  
13 functions that you'll be doing as jurors is being --  
14 finding credibility or making credibility  
15 determinations. Well, in other words, whether or not  
16 you are to believe all or part or none of any witness's  
17 testimony that comes before you.

18 But if you're so engrossed in making your notes,  
19 you might miss some subtle reaction they have on the  
20 witness stand that would be indicative to you as to  
21 whether or not you should or should not believe their  
22 testimony. So I'll caution you about that.

23 Also, Madam Forelady just because something  
24 appears in one of your jurors' notes, doesn't mean it  
25 jogs another juror's memory with that particular issue.

1 Some people are better note takers. Some people are  
2 better listeners. That's why they're called liberation  
3 churches that hash them out.

4 Those of you who are taking notes, when we take a  
5 break, like in the afternoon, I'm gonna ask you to leave  
6 your notepads here in the courtroom. Don't take them  
7 back to the jury room. If you go to a lunch break or  
8 overnight, we'll leave them in the jury room. I'll try  
9 to remember to tell you. We don't want you looking at  
10 your notes during the breaks, okay?

11 Now, ladies and gentlemen, what I'm telling you  
12 now is not the law. I will give that to you at the end  
13 of the case. I'm trying to give you basically a road  
14 map so you understand what you're doing, where you're  
15 going with this case, and pretty much where you are at  
16 any time during the course of this matter.

17 As I told you earlier, the defendant has been  
18 arrested and charged, and indicted for kidnapping and  
19 carjacking. These are the indictments. Again, these  
20 indictments raise a presumption or inference, but it's  
21 not proof of his guilt. It's simply the mechanisms by  
22 which the State of South Carolina brings the defendant  
23 before the court for a trial and a determination by you,  
24 the jury, of guilt or innocence.

25 The fact that this case, the defendant says I'm

1 not guilty. And, therefore, when he did that, the  
2 presumption of innocence attached to him, and that  
3 presumption of innocence will stay with him throughout  
4 the course of this trial.

5 And then two of his to deliberations. And unless  
6 and until you are satisfied that the State has proven  
7 each and every element of the charge against other  
8 charges against him by proof beyond a reasonable doubt.

9 And the chares are independent. You will  
10 consider each charge on a sum without relation to your  
11 verdict on the other charge. Of course, I'll tell you  
12 more about that into this case. Now, what - and it's up  
13 to you, your job, ladies and gentlemen, is to determine  
14 whether or not the State has met its burden of proving  
15 each and every element of the charges against this  
16 defendant by proof beyond a reasonable doubt.

17 Proof beyond a reasonable doubt is the highest  
18 burden that we recognize in our jurisprudence or in our  
19 law. Proof beyond a reasonable doubt is proof that  
20 would cause a reasonable, sincere, and conscientious  
21 person to hesitate to act in an important matter in  
22 their own affairs. It is proof that leaves you firmly  
23 convinced of the defendant's guilt.

24 Now, ladies and gentlemen, there are very few  
25 things in this world that we know with absolute

1     certainty. The law does not require the State to  
2     overcome every possible certainty or uncertainty that  
3     can occur in a case.

4             At the end of the case, when you begin your  
5     deliberations and you're told to do so, if you are  
6     firmly convinced of the defendant's guilt of the charge  
7     of the crime for which he's been charged, then it's your  
8     duty to find him guilty.

9             On the other hand, if you think there's a  
10    reasonable doubt, a real doubt that he may not be guilty  
11    or he's not guilty, then it's your duty to give him  
12    every possible doubt that may exist and find him not  
13    guilty.

14            Your sole purpose are to define facts. You're  
15    the sole judges of what the facts are. In other words,  
16    what your verdict is gonna be on this case. If I do or  
17    say anything throughout the course of this trial that  
18    indicates to you how I think you're supposed to find  
19    facts for your verdict, I'm gonna ask you, but I'm also  
20    gonna instruct you to disregard it. Our law does not  
21    allow a judge to have an opinion or to express an  
22    opinion about the facts of a case.

23            You and you alone will be the judges of the  
24    facts. And you are to determine what those facts are  
25    from the testimony you would hear from the witness stand

1 and any exhibits that I would allow into evidence.  
2 Certain things is the test -- certain things will be  
3 evidence and certain things will not be evidence.

4 The lawyers' opening statements and closing  
5 statements is not evidence. They're not sworn in.  
6 They're not subject to cross-examination. Their  
7 questions asked to a witness is not evidence. The  
8 witness's response to the question is evidence, and  
9 exhibits I'll allow into evidence is evidence. And,  
10 Madam Forelady, I'll remind you of that at the end of  
11 the case.

12 But you will determine what the facts are from  
13 the testimony in evidence you hear or hear in the  
14 courtroom. And you may not and shall not be influenced  
15 by anything that you see while court is not in session  
16 or anything outside of this courtroom.

17 Now, the law that makes you the sole judges of  
18 the facts, makes me the sole judge of the law. You must  
19 accept the law as I give it to you. You may not be  
20 concerned -- you may not concern yourselves with what  
21 you think it should be, but only what it is. I'll tell  
22 you that if I make a mistake, there's a Court of Appeals  
23 and a Supreme Court who will correct my errors of law.  
24 But it would be a miscarriage of your oath that you've  
25 just taken if you don't accept the law and apply it as I

1 give it to you in this case.

2 Now, in every case there are five phases. There  
3 will be an opening statement. The State will give you  
4 an opening statement in this case. The defendant may,  
5 but he is not required to because the burden remains on  
6 the State at all times.

7 Then there will be the presentation of the  
8 evidence, after which there'll be closing statements.  
9 I'll then charge you on the law. And finally, you'll be  
10 told to begin your deliberations. I'll tell you that so  
11 you will generally know where you are at any given time  
12 about this case.

13 Ladies and gentlemen, I expect that there will be  
14 objections raised in this case. A lawyer has an ethical  
15 obligation to object if he wants to preserve the record.  
16 So if there is an objection, I may have you sit in here  
17 and listen to my ruling or I may send you out.

18 Madam Forelady, the matter or the fact that there  
19 is an objection raised, and to the extent of it, and  
20 I'll let you listen to my ruling on it, may not and  
21 shall not be a part of the jury's deliberations at the  
22 end of this case. That's just the process that goes on  
23 in every single trial.

24 That being said, any omissions or exceptions or  
25 exceptions to my opening statements?

1 SOLICITOR BARNETTE: None from the State, Your  
2 Honor.

3 THE COURT: From the defense?

4 THE DEFENDANT: No, sir.

5 THE COURT: All right. Are you ready to open up  
6 with your statement?

7 SOLICITOR BARNETTE: Yes, Your Honor.

8 THE COURT: Okay, sir.

9 SOLICITOR BARNETTE: May it please the Court,  
10 Your Honor?

11 THE COURT: Yes, sir.

12 OPENING STATEMENT

13 SOLICITOR BARNETTE: Madam Forelady, ladies and  
14 gentlemen of the jury, I want to take you back to the  
15 late hours of June 10th, 2019, and the early hours of  
16 June 11th, 2019. That evening, C.B. , who you'll  
17 be hearing from here shortly, was with her mother that  
18 night and decides she wanted to go get some lottery  
19 tickets.

20 She went to the QT originally on Converse, near  
21 Converse College, if you know where that is, off Pine  
22 Street right there. Didn't have the kind of tickets  
23 that she wanted, so she went to the one on West Main,  
24 which is not too far from this courthouse, about a mile  
25 away. When you go towards the Beacon, in that

1 direction, that QT right there.

2 She went there, she parks her car, and you'll see  
3 this. Watching the video, the defendant had been there  
4 since 10:53. And you'll see him on the video. You can  
5 see him. We've got still shots we're gonna try and show  
6 you, but there's a lot of video. It would take a lot of  
7 time to watch all that, so we're gonna try to show you  
8 with the still pictures so that could help.

9 She got there at 12:17 p.m. on June 11th, 2019.  
10 He's been there for a period of time. And you'll see  
11 Mr. Edwards and how he was dressed. He's dressed in a  
12 white flannel-like shirt, dark pants and a white cap on  
13 top.

14 He is going from car to car to car. And we don't  
15 -- you know, I'm just assuming he's trying to get a ride  
16 or talking to somebody, but you'll see him going through  
17 the parking lot for a long period of time.

18 She gets there, she goes in. He's actually  
19 talking to somebody else when she pulled in. When she  
20 gets out of the car, he's actually at a car. And you'll  
21 see on the video he kind of looks at her as she goes  
22 into the QT. She goes into the QT. She goes in the QT  
23 and goes back to the, you know, goes back to get a  
24 lottery ticket or tickets.

25 She goes back to her car, she gets in her car and

1 Mr. Edwards approaches her car. Talks to her, actually  
2 got in the car at one point. She gets her lottery  
3 tickets and she had scratched them in the meantime. And  
4 he basically wants to have her give him a ride.

5 And she'll tell you, but basically it's a  
6 situation where she saw he was an older gentleman. Said  
7 he was from Greenville. Stated he needed a ride, and  
8 she felt like that she'd find him some help.

9 And what you'll find from Ms. C.B. through her  
10 testimony is she's worked 23 years at Spartanburg  
11 Regional Medical Center. She's worked over there  
12 helping people, trying to do her best.

13 So she goes and gets her lottery tickets cashed  
14 in. She goes back to the car. He had actually got out  
15 and walked around again, comes back into the car, drives  
16 off and she then asked him where to go. So he said,  
17 well, let's go, I've got friends that live here.

18 And if y'all know where the Haven is, Wofford  
19 Street, that area of the steel bridge. He directs her  
20 that way and goes down to some -- it's called the Ice  
21 House. If you're familiar with that area, it used to be  
22 where ice was given out, if you've been around  
23 Spartanburg long enough.

24 He tells her to pull over there. And he says,  
25 where's my money? And then she says, what? And he

1 says, where's the money? And you'll hear her testimony  
2 about this. She eventually gives him a dollar or  
3 whatever that she won.

4 Then he's got the cement cinderblock, a piece of  
5 a cinderblock. And you'll see that. He threatens her,  
6 takes the car keys out of her car and says -- makes her  
7 undress. He puts her in the trunk of her own car.

8 Driving down the road -- and thank God for her.  
9 And you'll see there's a latch inside the trunk where  
10 you can actually release it from the inside the trunk  
11 where you can actually release it from inside where you  
12 release it when you get trapped into the trunk.

13 He was there for a short period of time, stopped,  
14 she opens up and jumps out. She does grab her shirt and  
15 bra and she runs. She gets to one person's house in  
16 that area in that neighborhood, knocks on the door.  
17 Nobody answers there. She goes to the second one, which  
18 is Nicole Nash's house. She has no idea who this person  
19 is or what Ms. Nash is going to do or who she is.

20 But she's standing basically with her shirt, no  
21 pants on. No shoes, no underwear. So Ms. Nash gives  
22 her her phone to call 911 and then gets her a pair of  
23 pants.

24 When the police get there, she was basically  
25 barefooted with a pair of pants that Ms. Nash gave to

1 her, as well as the shirt. You'll see the shirt's the  
2 same and the pants are obviously different.

3 Obviously the police was called, they start  
4 searching. One thing, she owned a 2006 gray Mitsubishi  
5 Galant. She had bought it off of a car lot up on  
6 Asheville Highway. It had a low jack in them where they  
7 can track the GPS. And traffic later that morning, the  
8 Poinsett Highway up in Greenville, above it.

9 Greenville County Sheriff's department goes  
10 there. Goes on top, basically surrounds. I believe Mr.  
11 Edwards is there with another gentleman, you'll hear  
12 from Officer James. He's got some of her credit cards,  
13 some of her cards in his pocket. Inside in that car.  
14 He's got the car keys in his pocket. You'll hear from  
15 Officer James.

16 He's got some of her cards in his pocket. Inside  
17 the car is her purse, but all her ID's, everything, even  
18 her hospital ID were in that purse in the trunk of that  
19 car.

20 In the floorboard, and you'll see this.

21 (Indicating.) Spartanburg County Sheriff's Department  
22 went over to process the car in Greenville County. They  
23 got a search warrant. Finds the cinderblock on top of  
24 her pants and her shoes on the floor.

25 Ladies and gentlemen, this is not gonna be a long

1 case. This is very straight forward. What this man did  
2 is kidnap this woman and car jacked her car and took it  
3 all the way from here to the Poinsett Highway. If  
4 you're familiar with that Poinsett Highway, it's  
5 Greenville City, you go to Traveler's Rest, up in that  
6 direction, towards the north part of Greenville.

7 What I'm gonna do after you've heard all the  
8 evidence in this case, and like I said, it's gonna be  
9 very straightforward. Not a huge amount of witnesses  
10 from that standpoint, because you're gonna see the  
11 evidence. You're gonna see the video, the pictures,  
12 everything.

13 And I'm gonna return at the end of this case and  
14 ask you to find this man guilty of kidnapping and  
15 carjacking. That's what he did that night to Ms. C.B.  
16 Thank you very much.

17 Thank you, Your Honor.

18 THE COURT: Thank you. Mr. Edwards, do you wish  
19 to make an opening statement?

20 THE DEFENDANT: Yes. Yes.

21 OPENING STATEMENT

22 THE DEFENDANT: Good afternoon, ladies and  
23 gentlemen of the jury. My name's Jerry Edwards. I  
24 represent myself. And as the solicitor said, Mr.  
25 Barnette, you will hear different things throughout this

1 case. There only was two persons there, that was me and  
2 Ms. [REDACTED]. There are things that people will say will  
3 give her reason for whatever the reason may be, but it  
4 won't suffer, it will come out during trial.

5 But as Mr. Barnette says, during the closing I  
6 will come back and I will put the pieces together. So  
7 if you all will please pay attention. And if you found  
8 that if it's just a little bit of reasonable doubt, vote  
9 not guilty. Please pay attention. Thank you very much.

10 THE COURT: All right. Call your first witness,  
11 please.

12 SOLICITOR BARNETTE: Your Honor, we'd like to  
13 call Ms. [REDACTED] to the stand, please.

14 (Witness comes forward.)

15 THE CLERK: Do you swear or affirm the testimony  
16 you give will be the truth, whole truth, and nothing but  
17 the truth so help you God?

18 THE WITNESS: Yes.

19 [REDACTED] C.B.,

20 having been duly sworn, testified as follows:

21 DIRECT EXAMINATION

22 BY MR. BARNETTE:

23 Q. Ms. C.B., if you would speak loud enough so this  
24 lady right here can hear you, okay?

25 A. Yes.

1 Q. Could you give me your full name, please?

2 A. C.B. .

3 Q. And, Ms. C.B., what town do you live in, ma'am?

4 A. Spartanburg.

5 Q. And where do you work at, ma'am?

6 A. Spartanburg Regional.

7 Q. And what do you do there, ma'am?

8 A. Environmental services.

9 Q. And how long have you worked there, ma'am?

10 A. Twenty-three years.

11 Q. And do you work with different folks that are in  
12 the hospital?

13 A. Yes. Every single day I'm always working with  
14 patients. If they need anything, I get it for them.  
15 I'm always helping as an employee there.

16 Q. And do you work with the Heart Center too?

17 A. Yes.

18 Q. Is there times when patients need help or just  
19 somebody to talk to?

20 A. Most certainly.

21 Q. And do you do that, ma'am?

22 A. Yes, I do, every single day.

23 Q. And can you tell the jury a little bit about  
24 that, if you would?

25 A. Well, I deal with various people. We have people

1 coming in and out of the hospital. They might stop and  
2 ask me where is a certain location or department and I  
3 will assist them. And I deal with a lot of patients  
4 regularly every day.

5 And I deal with a lot of elder patients that I  
6 just love to death. And I'm just, I'm just there for,  
7 them. And I talk to them if they need someone to walk  
8 them down the hall. Even though my job consists of  
9 environmental services, still I do other things with the  
10 patients.

11 Q. And do you have any kind of criminal record  
12 whatsoever?

13 A. No.

14 Q. Let me take you back to June 10th, 2019. What  
15 kind of car did you own at that time, ma'am?

16 A. 2006 Mitsubishi.

17 Q. And that evening, where had you been that night  
18 before you went to the QT?

19 A. I was over at my mother house.

20 Q. Okay. And where did she live at, ma'am?

21 A. She lives in the same neighborhood that I do,  
22 Beaumont.

23 Q. Beaumont? Okay. Here in town, in Spartanburg  
24 County?

25 A. Yes.

1 Q. Did you decide to go get lottery tickets that  
2 night?

3 A. I did.

4 Q. Did you go to the first QT up near Converse  
5 College here off Pine Street originally?

6 A. Yes.

7 Q. And did they have the tickets that you get?

8 A. They didn't.

9 Q. What kind of tickets do you get? If you can tell  
10 the jury.

11 A. I would normally get three times of either Jumbo  
12 Bucks. That's what I like to play.

13 Q. Okay. So you went to the other QT; is that  
14 right?

15 A. Yes.

16 Q. And that -- and is that QT near the Beacon there  
17 off of John B. White.

18 A. Yes.

19 Q. By the courthouse?

20 A. Yes.

21 Q. And did you get there after midnight that night?

22 A. Yes.

23 Q. And did you pull up there?

24 A. Yes.

25 Q. Okay. And when you pulled up, did you

1 immediately get out of your car?

2 A. I went to go to the restroom when I pulled up.

3 Q. Okay. So you pulled up initially. You wait a  
4 little bit, then went to the restroom? Was that what  
5 happened?

6 A. Yes.

7 Q. And where do you keep items at on you a lot of  
8 times? Do you ---

9 A. I keep things locked up in my trunk.

10 Q. Okay. And so you kept your purse and things  
11 locked up in your trunk that night?

12 A. Yes. My personal items, I kept them in the  
13 trunk.

14 Q. Okay. And do you keep anything in an area like,  
15 for example, if you have a car, did you put your keys  
16 anywhere on you?

17 A. Yes, in my bra.

18 Q. Okay. I just wanted to make that clear. So when  
19 you went in that night, you went to the bathroom and  
20 then did you go get some lottery tickets?

21 A. Yes. I went to the restroom first, and then I  
22 went to the register to purchase some lottery tickets.

23 Q. Okay. And did you come back out to your car?

24 A. Yes.

25 Q. When you got in your car, did a man approach you?

1       A.   Yes.   When I got in my car, yes, a man did  
2 approach me.

3       Q.   Do you see that man in the courtroom here today?

4       A.   Right there, Mr. Edwards.   (Indicating.)

5       Q.   Can you describe what he's wearing, ma'am?

6       A.   He is wearing a blue shirt with a burgundy  
7 necktie, and, I believe, some black pants.

8       Q.   Is he the only gentleman sitting there?

9       A.   Yes.

10           SOLICITOR BARNETTE:   Your Honor, I'd like the  
11 record to reflect that she's identified the defendant in  
12 this case.

13           THE COURT:   Let the record reflect.

14           SOLICITOR BARNETTE:   Thank you, Your Honor.

15 BY SOLICITOR BARNETTE:

16       Q.   What did he tell you when he came up to the  
17 window to talk to you?

18       A.   He came up to my driver's window and he said,  
19 hey, do you know where a Bi-Lo or a Walmart or a Western  
20 Union is, because he said that he was trying to get back  
21 home to Greenville and he was stranded down here.   And I  
22 told him that I think all of that was closed for the  
23 night.

24       Q.   Did he eventually -- was there one point you was  
25 gonna pull off, at one point?

1 A. Yes.

2 Q. But did you stop and stay to listen to him?

3 A. I did.

4 Q. Why did you do that?

5 A. Because he was an older gentlemen, and when he  
6 said he was stranded and, me having a heart for helping  
7 people, I just decided that he might actually need help  
8 because he is of age. I thought he was like my  
9 grandfather age, and I wouldn't want to be stranded late  
10 at night. I, you know, I wouldn't want to be stranded.  
11 And I just tried to help him to get to a location where  
12 he needed to be.

13 Q. Did he eventually come into the passenger side of  
14 the car? Did y'all talk a little bit more inside the  
15 car?

16 A. Yes.

17 Q. And now, you had your lottery tickets. Did you  
18 actually win something?

19 A. I did.

20 Q. So did you leave the car and go back into the QT  
21 to cash out your tickets?

22 A. I did.

23 Q. Did you take your keys with you?

24 A. Yes, sir, I did.

25 Q. And where did you put them at, ma'am?

1 A. In my, in my bra there.

2 Q. Was he still in your car when you left?

3 A. No.

4 Q. And did he get out and start walking around after  
5 that?

6 A. Yes.

7 Q. Okay. So when you went in the QT, did you go to  
8 the bathroom again?

9 A. I did.

10 Q. Okay. And then did you go to cash out your  
11 tickets at the cash register?

12 A. Yes.

13 Q. You came back out. Was he outside in the parking  
14 lot when you came back out?

15 A. Yes.

16 Q. Did you get back in your car?

17 A. Yes.

18 Q. And did he get in the car?

19 A. Yes.

20 Q. What happened then?

21 A. After then, he asked me if I can take him over to  
22 his friend's house, and I told him that I would probably  
23 charge him like \$5, if he had it. And so he was  
24 basically commenting on how pretty I was. And then just  
25 talking about where I was from. And, meanwhile, I was

1 scratching my tickets off in the front seat while he was  
2 still talking.

3 Q. Now, was that before you went and cashed them in?  
4 Is that when you were talking to him there?

5 A. Yes.

6 Q. And did you take him -- did he tell you where to  
7 go after y'all left the parking lot?

8 A. Yes. He was basically giving me directions.  
9 When I got to the top of the hill, then that's when he  
10 started telling me which way to go.

11 Q. And which way did you go? Which way did you  
12 turn?

13 A. We made two lefts and then a right.

14 Q. And after you made that right, what happened  
15 then?

16 A. Okay. After I made the right, we went down the  
17 little steep road, and he told me to pull over. And I  
18 said, why? Why do you want me to pull over, sir? I'm  
19 trying to help you. And then he said, I'm not gonna ask  
20 you again. So, his voice changed, it just changed for  
21 the worse.

22 So when I pulled over, I put the car in park.  
23 When I put the car in park, he reached over and jerked  
24 my keys out of the ignition. And then he goes on to  
25 say, where's the money? And I said, sir, I don't have

1 any money. And then he asked me again, where's the  
2 money?

3 Well, from him saying it, because the sound of  
4 his voice was dangerous, I just knew something was  
5 wrong. So I reached down and got a dollar out of my  
6 driver's seat pocket. When I brought the dollar up, he  
7 reached over me and snatched the dollar out of my hand  
8 in mid-air. Do you want me to go on?

9 Q. Yes, ma'am.

10 A. Okay. So when he snatched the dollar, I just sat  
11 there and just didn't say nothing. And then he says,  
12 strip. Take off your clothes. And I said, sir. And he  
13 said, if I have to tell you one more time. So, I  
14 started taking my clothing off.

15 Q. Did he have anything in his hands or was there  
16 anything he was threatening you with at the time?

17 A. Yes, he did. He had a brick. So I'm taking my  
18 clothes off and taking my shirt off. I remember taking  
19 my shirt off over my head. And I said, sir, what are  
20 you gonna do to me? And he further said, I'm going to  
21 assault you. So, when I got done taking all my clothes  
22 off, he said, if you make a sound or move, I'm gonna  
23 bust your dumb head with this brick.

24 And so I sat there. And so he presented a brick  
25 like this (indicating.) And I seen a brick because

1    there was a street light a couple of feet away from us.  
2    So the way he -- the angle that he was holding it, I  
3    looked at it. So I didn't say nothing else.

4           So at this point I'm going through a range of  
5    emotion, anxiety and it was horrible. And so now he  
6    says, get in the trunk. So at this point I'm  
7    cooperating. I'm cooperating because I don't know what  
8    this man gonna do. All I thought about was him killing  
9    me and just banging my head in with a brick. That's all  
10   I thought about. I thought about not seeing my family.

11           So when he said to get in the trunk, I just  
12   reached down and I popped the lock and I exited out and  
13   he exited out and we met in the back at the same time.  
14   And then the trunk was lifted. I think I lifted the  
15   trunk and I got in.

16           So when I laid in, I laid in -- I had to lay in a  
17   fetal position. So when I laid there, I said, sir. I  
18   said, I have anxiety and I'm claustrophobic, I cannot be  
19   locked in this trunk. He just slammed the trunk down  
20   like this, like I was a dog. Like I was nothing.

21           And he was so close to the trunk, when he shut it  
22   down, I heard him say, if you make a move or a sound,  
23   I'm going to shoot you. So I was just, I was just  
24   laying there and I'm going through a range of emotions.

25           So after that, I heard the car crank. He got

1 back in the car and he crunk [sic] it up. So while I  
2 was back there, I found something like a latch. It was  
3 kind of dangling like towards my nose, so I decided to  
4 pull it. Didn't know what it was. I seen it, but  
5 didn't really know what it was.

6 So as he's cranking up the car, I pulled the  
7 latch and it popped the trunk. But the trunk was, was  
8 heavy, so it didn't like spring up really fast. So, as  
9 he's pulling out, I'm holding the trunk so that it  
10 wouldn't shut down, because I didn't want to pull it  
11 again and it made a noise and it popped.

12 So as he's driving off, I'm looking through the  
13 cracks and wondering where am I, where are we going?  
14 And so we drove for a few minutes and then we got to an  
15 unknown location and the car just stopped. So, he got  
16 out of the car and I just still had it, like I said, I  
17 wouldn't let it shut all the way down.

18 So was still looking out the cracks. And so, I  
19 waited for at least about five minutes. And made the  
20 biggest decision of my life, whether I wanted to stay in  
21 that trunk or whether I wanted to run. So, I waited  
22 five minutes, said a little prayer. I threw that trunk  
23 up and I just got out.

24 And then when I got out, I went around to the  
25 driver's, to the driver's door, and I looked for where

1 my shirt and my bra was. But I didn't know if it was  
2 there for sure or if he ruined it, but I just took a  
3 chance. I reached in, I got it, and I just started  
4 running.

5 And so, when I started running, I saw a house  
6 below. It was like trees and then a house set below it  
7 with a street light down below. And I just ran as fast  
8 as I could. I'm trying to put on my shirt. I ran  
9 through the bushes.

10 And I got to the first house, and I'm just  
11 banging on the door, banging on the door and no one  
12 came. So immediately I went to the next house where a  
13 lady came to the door and I told her that I've been  
14 kidnapped. I've been kidnapped. And I'm trying to use  
15 the phone. I need to call the police.

16 And she went back then and got her phone and she  
17 came back to the front door, and I told her I need a  
18 pair of pants because he stripped me naked and put me in  
19 the trunk. So, as I'm putting pants on in front of her,  
20 I seen the defendant get back in my car. And I know he  
21 had a white shirt on and he escaped, he drove past me  
22 and escaped and went on up the road.

23 Q. So did you wait for the police to meet with them,  
24 ma'am, after that?

25 A. Yes. The police came there in the home and he

1 took a report and I told my story.

2 Q. Now, were they able to track your car because the  
3 car dealership had a GPS on it or a low jack on it?

4 A. Yes.

5 Q. And they was able to find it in Greenville later;  
6 is that right, ma'am?

7 A. Yes.

8 Q. Did you ever give him permission to take your  
9 car?

10 A. No. Most certainly I did not.

11 Q. Did you ever give him permission to do what he  
12 did to you?

13 A. No.

14 Q. Ma'am, let me show you what's been marked as  
15 State Exhibits 5 and 6. Is that a picture of your car,  
16 ma'am?

17 A. Yes, it is.

18 SOLICITOR BARNETTE: Your Honor, may I show this  
19 to the defendant?

20 THE COURT: Yes, sir.

21 SOLICITOR BARNETTE: Your Honor, I'd like to  
22 enter these into the record at this time and publish  
23 them to the jury.

24 THE COURT: And what are they?

25 SOLICITOR BARNETTE: State Exhibits 5 and 6, Your

1 Honor. They're pictures of the front of the car and the  
2 back of the car when it was processed.

3 THE COURT: That's five and six?

4 SOLICITOR BARNETTE: Yes, sir.

5 THE COURT: Any objection, Mr. Edwards?

6 THE DEFENDANT: No, sir.

7 THE COURT: Those two will be admitted.

8 SOLICITOR BARNETTE: Thank you, Your Honor. May  
9 I publish it to the jury?

10 THE COURT: Yes, sir, you may.

11 SOLICITOR BARNETTE: Thank you.

12 (State's Exhibit Numbers 5 and 6 were entered  
13 into the record.)

14 BY SOLICITOR BARNETTE:

15 Q. Ms. C.B., is this the picture of the front of  
16 your car?

17 A. Yes.

18 Q. Let me show you State Exhibit Number 6, ma'am.  
19 Is that a picture of the back of your car?

20 A. Yes.

21 Q. Okay. Ma'am, I'm gonna show you what's been  
22 marked as State Exhibit 7, 8, 9, 10, 11. Is that a  
23 picture of your purse and everything in the trunk,  
24 ma'am?

25 A. Yes.

1 Q. That's State Exhibit 7. State Exhibit 8, is that  
2 a picture of the items inside your purse?

3 A. Yes.

4 Q. State Exhibit Number 9, is that a -- I call it a  
5 wallet. Maybe there's a -- is there another term for  
6 it? I'm sorry.

7 A. My wallet, yes.

8 Q. Your wallet, okay. State Exhibit Number 9,  
9 wallet, what was inside it?

10 A. Some credit cards and my work ID.

11 Q. And State Exhibit 10, is that a copy -- is that  
12 your work ID that was in the wallet?

13 A. Yes.

14 Q. And State Exhibit 11, what is that, ma'am?

15 A. That's the latch that I pulled.

16 SOLICITOR BARNETTE: Your Honor, may I show these  
17 to the defendant?

18 THE COURT: (Indicating.)

19 SOLICITOR BARNETTE: Your Honor, I've shown  
20 these. I'd like to introduce State Exhibit 7, 8, 9, 10,  
21 and 11, Your Honor.

22 THE COURT: Any objection?

23 THE DEFENDANT: No, sir.

24 THE COURT: 7 through 11 will be admitted.

25 (State's Exhibit Numbers 7, 8, 9, 10, and 11 were

1 entered into the record.)

2 SOLICITOR BARNETTE: Thank you, Your Honor. May  
3 I publish them to the jury?

4 THE COURT: Yes, sir, you may.

5 BY SOLICITOR BARNETTE:

6 Q. Ms. C.B., I'm gonna show you State Exhibit Number  
7 11. This item right here, is this your pocketbook?

8 A. Yes.

9 Q. And was that in the trunk of your car?

10 A. Yes.

11 Q. State Exhibit 8, is this the items in your  
12 pocketbook that was in, in the trunk?

13 A. Yes.

14 Q. And this was the car that was taken and then  
15 found in Greenville; is that right, ma'am?

16 A. That's correct.

17 Q. State Exhibit Number 9, is this -- I call it a  
18 wallet, but is this your wallet that was inside the  
19 purse?

20 A. Yes, that's my wallet, my pink wallet, yes.

21 Q. And what's these items inside of your wallet,  
22 ma'am?

23 A. They're credit cards and my work ID.

24 Q. I'll show you State Exhibit Number 10, what is  
25 that, ma'am?

1 A. That's my badge for work.

2 Q. That was your work ID?

3 A. Yes, my work ID, like what I have on now.

4 Q. At Spartanburg Regional?

5 A. Yes.

6 Q. And State Exhibit Number 11, was that the  
7 release, or the trunk release that you found inside of  
8 the trunk?

9 A. Yes, it was.

10 Q. Is that what you pulled to release the trunk?

11 A. Yes.

12 Q. Let me show you State Exhibit 12. Is that the  
13 floorboard of your car, ma'am?

14 A. Yes, it is.

15 Q. Okay. State Exhibit 13, was that the floorboard  
16 that had the brick on top of your pants and stuff?

17 A. Yes.

18 Q. State Exhibit 14, is that a picture of the items  
19 that was in your floorboard, ma'am?

20 A. Yes.

21 Q. And, again, those are the flower type or the  
22 pants ---

23 A. Yes. That's the pants I had on that night, yes.

24 Q. State Exhibit 15, is that a picture of a -- I  
25 call it a -- we call it a brick, but it's a piece of the

1 cinderblock?

2 A. Yes.

3 Q. State Exhibit 16, is that a picture of the pants  
4 that you was wearing that night?

5 A. Yes, sir, it is.

6 Q. Were they -- I guess they've been long ways so  
7 you can see them.

8 A. Yes, those are my pants.

9 Q. State Exhibit 17, was that the shoes you were  
10 wearing?

11 A. Yes.

12 SOLICITOR BARNETTE: Your Honor, may I show these  
13 to the defendant?

14 THE COURT: Yes, sir.

15 SOLICITOR BARNETTE: Your Honor, at this time I'd  
16 like to move State Exhibits 12, 13, 14, 15, 16, and 17  
17 into evidence at this time.

18 THE COURT: Any objection?

19 THE DEFENDANT: No, sir.

20 THE COURT: They will be admitted.

21 (State's Exhibit Numbers 12, 13, 14, 15, 16, and  
22 17 were entered into the record.)

23 SOLICITOR BARNETTE: May I publish them, Your  
24 Honor?

25 THE COURT: Yes, sir.

1 BY SOLICITOR BARNETTE:

2 Q. Now, this is when the police processed your car  
3 in Greenville, ma'am?

4 A. Yes.

5 Q. This is the floorboard of your -- the driver's  
6 side floorboard of your car, ma'am?

7 A. Yes.

8 Q. And this right here, is that your pants that you  
9 was wearing that night?

10 A. Yes.

11 Q. And is that the brick or the cinderblock, piece  
12 of the cinderblock?

13 A. It is, yes.

14 Q. State Exhibit 13. This is our picture from a  
15 different angle. Are those the pants you was wearing  
16 that night?

17 A. Yes.

18 Q. And is that the cinderblock that he had that  
19 night?

20 A. Yes.

21 Q. State Exhibit 14, is that just a close-up picture  
22 of what we just looked at, ma'am?

23 A. Yes, sir.

24 Q. State Exhibit 15, is that a picture of the  
25 cinderblock or brick we're talking about --

1 A. Yes.

2 Q. -- from inside your car? Is that what he used  
3 that night?

4 A. That's exactly what he used.

5 Q. State Exhibit 16, is those the pants that you  
6 were wearing that night that you had to take off?

7 A. Yes.

8 Q. And they were left in your car; is that right?

9 A. Yes.

10 Q. And when you ran, you had no pants, no under -- I  
11 mean, you had -- didn't have anything ---

12 A. I had nothing on.

13 Q. Okay. From the waist down. State Exhibit 17,  
14 was those the shoes that you was wearing that night?

15 A. Yes.

16 Q. And they were left in the car also?

17 A. Yes.

18 Q. Okay. You obviously didn't have those with you  
19 when you went to the neighbor, to the house nearby.

20 A. (No response.)

21 Q. Ma'am, I'm gonna show you what's been marked as  
22 State Exhibit 18. Is that a picture of you when the  
23 police arrived there?

24 A. Yes.

25 Q. And was that the shirt you was wearing that

1 night?

2 A. It is.

3 Q. But those pants was the ones that was given to  
4 you by the, the lady, right?

5 A. Right.

6 SOLICITOR BARNETTE: Your Honor, may I show State  
7 Exhibit 18 to the defendant?

8 THE COURT: Yes, sir.

9 SOLICITOR BARNETTE: Your Honor, I'd like to  
10 enter State Exhibit 18 into evidence at this time.

11 THE COURT: Any objection?

12 THE DEFENDANT: No, sir.

13 THE COURT: It's admitted.

14 (State's Exhibit Number 18 was entered into the  
15 record.)

16 SOLICITOR BARNETTE: May I publish it to the  
17 jury, Your Honor?

18 THE COURT: Yes, sir.

19 BY SOLICITOR BARNETTE:

20 Q. Ms. C.B., is this the -- this is the shirt you  
21 had on earlier; is that right?

22 A. Yes.

23 Q. And are those the pants that was given to you by  
24 Ms. Nash?

25 A. Yes.

1 Q. So she gave those pants, those weren't the pants  
2 you was wearing that night?

3 A. No.

4 Q. Let me just let you look at State Exhibits 24 and  
5 25, and these are from the QT that night.

6 A. Uh-huh.

7 Q. Was that Mr. Edwards and what he was wearing that  
8 night?

9 A. Yes.

10 SOLICITOR BARNETTE: Your Honor, I'd like to show  
11 State Exhibits 24 and 25 to the defendant at this time.

12 THE COURT: Yes, sir.

13 SOLICITOR BARNETTE: Your Honor, I'd like to  
14 enter State Exhibits 24 and 25 at this time.

15 THE COURT: Any objection?

16 THE DEFENDANT: No, sir.

17 THE COURT: Admitted.

18 SOLICITOR BARNETTE: Thank you, Your Honor.

19 (State's Exhibit Numbers 24 and 25 were entered  
20 into the record.)

21 BY SOLICITOR BARNETTE:

22 Q. I'm showing State Exhibit Number 24. Is that Mr.  
23 Edwards going to the QT that night?

24 A. Yes.

25 Q. And was that what he was wearing that night?

1 A. Yes.

2 Q. I'll show you State Exhibit 25. Is that him  
3 also, what he was wearing, the way he looked that night?

4 A. Yes.

5 SOLICITOR BARNETTE: Your Honor, if I can have  
6 one second. I know she's finishing marking certain  
7 ones.

8 (State's Exhibit No. 54, Picture at 12:45:43  
9 a.m., was marked for identification.)

10 (State's Exhibit No. 55, Picture at 12:45:55  
11 a.m., was marked for identification.)

12 (State's Exhibit No. 56, 911 Call From C.B.  
13 , was marked for identification.)

14 (State's Exhibit No. 57, BWC Video From The Scene  
15 at 114 Poinsett Highway, was marked for identification.)

16 (State's Exhibit No. 58, Cards found on the  
17 defendant, was marked for identification.)

18 (State's Exhibit No. 59, Map of 114 Poinsett  
19 Highway, Greenville, South Carolina, was marked for  
20 identification.)

21 (State's Exhibit No. 60, Map from 489 West Main  
22 Street, Spartanburg, South Carolina to 114 Poinsett  
23 Highway, Greenville, South Carolina, was marked for  
24 identification.)

25 Your Honor, may I show State Exhibit 54 to the

1 defendant?

2 THE COURT: Yes, sir.

3 SOLICITOR BARNETTE: Your Honor, I'd like to  
4 enter State Exhibit 54 into evidence at this time.

5 THE COURT: Any objections?

6 THE DEFENDANT: No, sir.

7 THE COURT: It'll be admitted.

8 (State's Exhibit Number 54 was entered into the  
9 record.)

10 SOLICITOR BARNETTE: May I publish it to the  
11 jury, Your Honor?

12 THE COURT: Yes, sir.

13 BY SOLICITOR BARNETTE:

14 Q. Ms. C.B., I'm showing State Exhibit 54. This is  
15 when he entered the QT at 10:59 p.m. on June the 10th,  
16 2019. And this is when you're leaving the QT, I think  
17 for the second time, on 12:45 p.m. on June 11th, 2019.  
18 Was that what you was wearing that night, ma'am?

19 A. Yes.

20 Q. And that's the same shirt you had, that you got  
21 out of your car after you ran away; is that right?

22 A. Yes.

23 Q. But the pants was the ones left inside the car;  
24 is that right?

25 A. Correct.

1 Q. And was these shoes what you left inside the car?

2 A. Correct.

3 Q. I know the jury will have this with them, but  
4 comparing State Exhibit 16 -- and this is the design on  
5 16, those are the same pants that was found in the car  
6 that you were wearing that night; is that right?

7 A. Yes.

8 Q. And those are the same shoes that was found  
9 inside the car; is that right?

10 A. Yes.

11 Q. That's what you were wearing. I'm showing State  
12 Exhibit 17 to the jury. And this occurred at the QT and  
13 where this occurred at is in Spartanburg County; is that  
14 right, ma'am?

15 A. Yes. Yes.

16 Q. And in the City of Spartanburg?

17 A. Yes.

18 Q. Let me show you State Exhibit 50, Ms. C.B. Is  
19 this where you parked at, at the QT that night?

20 A. Yes.

21 Q. And was that where Mr. Edwards were -- was when  
22 you pulled up?

23 A. Yes.

24 Q. Or one of the places he was?

25 A. Yes, one of the places.

1 SOLICITOR BARNETTE: Your Honor, may I show State  
2 Exhibit 50 to the defendant?

3 THE COURT: Okay.

4 SOLICITOR BARNETTE: Your Honor, I'd like to  
5 enter State Exhibit 50 into evidence at this time.

6 THE COURT: Any objection?

7 THE DEFENDANT: No, sir.

8 THE COURT: It's admitted.

9 SOLICITOR BARNETTE: Thank you, Your Honor.

10 (State Exhibit Number 50 was entered into the  
11 record.)

12 SOLICITOR BARNETTE: May I publish State Exhibit  
13 50, Your Honor?

14 THE COURT: Yes, sir.

15 BY SOLICITOR BARNETTE:

16 Q. I know we have other stills, but I want to show  
17 this one to give the jury context. Is this where you  
18 pulled up in your car, Ms. C.B., that night?

19 A. Yes.

20 Q. In this picture, this was where Mr. Edwards was  
21 that night, wasn't it?

22 A. Yes.

23 Q. And this is at June 11, 2019, at 12:19:30 a.m. in  
24 the morning; is that right?

25 A. Yes.

1 Q. We have other pictures. I could go through all  
2 of them, but I'm gonna use that with the gentleman that  
3 went in and printed these off, but I'd like to show you  
4 one more item, ma'am, or two more items. This is State  
5 Exhibit 2 at this point. I'll tell you what, I'll hold  
6 off on that.

7 THE COURT: Just one second.

8 SOLICITOR BARNETTE: Yes, sir.

9 THE COURT: On the back row, Mr. Juror, were you  
10 sleeping?

11 JUROR: Huh?

12 THE COURT: Were you asleep?

13 JUROR: I did fall asleep, sir. Sorry.

14 THE COURT: All right. Let's take about a  
15 five-minute break. Go back to the jury room.

16 SOLICITOR BARNETTE: Yes, sir.

17 THE COURT: Let's take them back to the jury  
18 room, please, sir.

19 THE BAILIFF: All right.

20 THE COURT: No, the whole jury, please, go.

21 (Jury leaves the courtroom at 2:56 p.m.)

22 THE COURT: All right. Let me ask either side,  
23 do you want to replace this juror? He was sleeping in  
24 the back.

25 SOLICITOR BARNETTE: Your Honor, I'll leave that

1 up to the Court's discretion.

2 THE COURT: Do you have a feeling about it, Mr.  
3 Edwards?

4 THE DEFENDANT: I'll agree with the solicitor.

5 THE COURT: All right. My inclination is let's  
6 just go ahead and remove him from this jury. He was  
7 asleep.

8 SOLICITOR BARNETTE: Yes, sir.

9 THE COURT: Let's put the first alternate, which  
10 would be -- my practice is I do the alternates based on  
11 the first one picked is the first one selected, or we  
12 could put the names in a hat and draw a name. It  
13 doesn't matter to me.

14 SOLICITOR BARNETTE: I'll leave it up to the  
15 discretion of the Court, Your Honor.

16 THE COURT: Any feeling about that, Mr. Edwards?

17 THE DEFENDANT: I agree.

18 THE COURT: Okay. And I'll put alternate number  
19 one, which would be Susan Hall. I'm gonna take off --  
20 take out this last juror and just bring you back into  
21 the panel with the others when they come back.

22 Would you bring the jury back in, please?

23 THE BAILIFF: Yes, sir.

24 THE CLERK: Your Honor, can you, please, say the  
25 juror number so I can know how to change it?

1 THE COURT: (Indicating.)

2 THE CLERK: Thank you.

3 SOLICITOR BARNETTE: Ms. C.B., would you like a  
4 drink?

5 THE WITNESS: What, sir?

6 SOLICITOR BARNETTE: Would you like a drink?

7 THE WITNESS: Of course, yeah.

8 SOLICITOR BARNETTE: May I approach the witness?

9 THE COURT: Yes, sir, you may.

10 THE WITNESS: Thank you.

11 SOLICITOR BARNETTE: You're welcome.

12 (Jury enters the courtroom at 2:58 p.m.)

13 THE COURT: What is your jury number, please,  
14 sir?

15 JUROR 168: 168.

16 THE COURT: What is it?

17 JUROR 168: 168.

18 THE COURT: 168? Okay, sir. Listen, I'm not  
19 trying to beat up on you. I know sometimes I've sat  
20 here and had to jab myself with a pen in my leg.  
21 Sometimes it's hard to keep awake. I understand.

22 JUROR 168: Yes, sir.

23 THE COURT: But you were asleep. You definitely  
24 were, so what I want to do, I'm gonna excuse you from  
25 this trial.

1 JUROR 168: Okay.

2 THE COURT: Okay. Our first alternate is Juror  
3 Number 58. I'm gonna move you over to the primary jury.  
4 You'll be the first alternate then. You'll need to call  
5 back tonight after 6 o'clock. They'll give you a  
6 number, and you'll fall back here with the rest of the  
7 jury panel. Again, I'm not trying to beat you up.

8 JUROR 168: That's all right.

9 THE COURT: It's right after lunch and I  
10 understand that, okay? But if you would, you can go  
11 ahead and -- were you taking notes?

12 JUROR 168: I was going to, but I did not.

13 THE COURT: But you didn't take notes?

14 JUROR 168: No, sir.

15 THE COURT: Okay. Then I'm gonna excuse you. Go  
16 ahead and get down for bailiff. And then if you'll just  
17 move over to his spot, please, madam, we'll go from  
18 there.

19 And, Madam Forelady, ladies and gentlemen, if you  
20 feel like you're dozing and you're starting to have a  
21 hard time controlling it, y'all wave your hand. I'll  
22 stop, okay? I'd rather you go throw some water on your  
23 face or something like that. Give you a break. Y'all  
24 try not to fall asleep, okay? All right.

25 (Juror 168 leaves the courtroom at 2:59 p.m.)

1 SOLICITOR BARNETTE: May it please the Court?

2 THE COURT: Yes, sir.

3 BY SOLICITOR BARNETTE:

4 Q. Let me show you what's been marked as State  
5 Exhibit Number 2, ma'am. And this was packaged by the  
6 Spartanburg Police Department. (Opens package.) Was  
7 this the shirt the defendant, Mr. Edwards, the  
8 defendant, was wearing that night?

9 A. Yes. Yes.

10 Q. Was these the pants that he was wearing that  
11 night?

12 A. Yes.

13 Q. Is this the cap he was wearing that night?

14 A. Most definitely, yes.

15 Q. I don't know if you saw his shoes or not. I'm  
16 not gonna ask you about that, but apparently it was his  
17 shoes.

18 Your Honor, I don't know if the defense has any  
19 objection to it. I'd like to move these into evidence  
20 at this time.

21 THE COURT: Any objection?

22 THE DEFENDANT: No, sir.

23 THE COURT: Okay. Those would be number what?

24 SOLICITOR BARNETTE: Number two, Your Honor.

25 THE COURT: Number two is admitted without

1 objection.

2 (State's Exhibit No. 2 was entered into the  
3 record.)

4 BY SOLICITOR BARNETTE:

5 Q. Let me show you State Exhibit Number 1, ma'am.

6 May I show this to the defense first, Your Honor?

7 THE COURT: Yes, sir.

8 SOLICITOR BARNETTE: Your Honor, this is State  
9 Exhibit Number 1. This is the cinderblock that was  
10 found in the car with the Spartanburg City Police  
11 Department out of Greenville County to process it. I'd  
12 like to move this into evidence at this time as State  
13 Exhibit 1, Your Honor.

14 THE COURT: Any objection?

15 THE DEFENDANT: No, sir.

16 THE COURT: Exhibit 1 is admitted.

17 (State's Exhibit Number 1 was entered into the  
18 record.)

19 SOLICITOR BARNETTE: Thank you, Your Honor. May  
20 I publish it to the jury?

21 THE COURT: Yes, sir.

22 BY SOLICITOR BARNETTE:

23 Q. This is the object that he used that night,  
24 ma'am?

25 A. Yes.

1 Q. And this is what he threatened to beat your  
2 brain ---

3 A. Yes, he did. Yes.

4 Q. Sorry, ma'am. I want to thank you for answering  
5 my questions. Please answer any questions the defense  
6 would have for you.

7 THE COURT: Just one second. Do you need a  
8 minute? Do you need a break?

9 SOLICITOR BARNETTE: Do you need a break, ma'am?

10 THE COURT: Do you need a break?

11 THE WITNESS: No, sir. I'm, I'm okay.

12 THE COURT: Okay. Cross-examination, Mr.  
13 Edwards. You need to stay out there.

14 CROSS-EXAMINATION

15 BY THE DEFENDANT:

16 Q. Yeah. Good afternoon, Ms. C.B.. I have a  
17 question, Ms. C.B.. What was the motive for the, for  
18 the defendant to put you in the trunk? Why would he put  
19 you in the trunk?

20 SOLICITOR BARNETTE: Objection, Your Honor.  
21 That's just speculation on the witnesses part.

22 THE COURT: If she knows, I'll let her answer.  
23 Go ahead.

24 THE WITNESS: You need to tell me because you're  
25 the one that put me in the trunk.

1 BY THE DEFENDANT:

2 Q. I didn't -- well, anyway. You said you was at  
3 QT, right?

4 A. Yes.

5 Q. You met the defendant at QT. And the defendant  
6 came up to your car; is that not correct?

7 A. Yes.

8 Q. And he asked you if you could take him to  
9 Greenville, correct?

10 A. No. You did not ask me if I can take you to  
11 Greenville. You told me that you were from Greenville  
12 and you were trying to get back home because you were  
13 stranded.

14 Q. But the first question was if you could take him  
15 to Greenville and you said no. And I said, well, could  
16 you take me over to a friend's and you said, yeah. So  
17 you said, well, give me the money up front. Did you not  
18 say that?

19 A. I said if you had \$5, at least \$5, I will take  
20 you over to your friend's house.

21 Q. And did I not give you the \$5?

22 A. No, you didn't.

23 Q. You -- okay. So anyway ---

24 A. What you said was you would give it to me when we  
25 get there.

1 Q. Right.

2 A. Later on.

3 Q. So anyway, will you tell the jury how the brick  
4 and the jack and all got there in the car?

5 A. I don't know how it get there. You need to tell  
6 me. You're the one with the brick.

7 Q. Did you not have a flat tire and got out the jack  
8 and the flat, brick, it all got there?

9 A. No. That was not in my car.

10 Q. Uh-huh. And, again, did you not -- my question  
11 is, was you drinking that night?

12 A. No, I was not.

13 Q. It is not on the tape as you're sitting in the QT  
14 parking lot where you was drinking in the QT parking  
15 lot?

16 A. No, I was not drinking in the QT parking lot.

17 Q. And the defender took beer out of your car and  
18 set it on the sidewalk because he was afraid that you  
19 was gonna wreck?

20 A. That's not true.

21 Q. Do you --- is that not ---

22 A. That is not true. I do not remember drinking at  
23 all, because I was not drinking that night.

24 Q. And did you not want to have sex with the  
25 defendant ---

1 A. Oh, my God, are you kidding me?

2 Q. And the defendant told you ---

3 THE COURT: Stop. Stop. Stop. Stop. Stop.

4 Stop. Just one second. You will ask a question.

5 THE DEFENDANT: Right.

6 THE COURT: And it has to be a question. You

7 can't sit there and argue, okay?

8 THE DEFENDANT: Right. I just asked a question.

9 THE COURT: Stop. Stop.

10 THE WITNESS: Oh, wow.

11 THE COURT: Ma'am, you cannot make an outburst.

12 THE WITNESS: Okay.

13 THE COURT: Listen to the question, suppress your  
14 outburst and then answer the question as best you can,  
15 okay?

16 THE WITNESS: Yes, sir.

17 THE COURT: Thank you.

18 Now, ask the question, please, sir.

19 BY THE DEFENDANT:

20 Q. Did you not want to have sex with the defendant?

21 A. No, sir.

22 Q. And the defendant told you that he had a lady and  
23 that he was bisexual, and you became highly upset,,  
24 didn't you?

25 A. No.

1 Q. Is that not the ---

2 A. No.

3 Q. And then when we got in the car, you went over to  
4 a Ms. Rice or Nash or whatever her name is, and -- which  
5 we'll come up a little bit later. We'll bring that up a  
6 little bit later why you was over there. And did you  
7 not want to go over and turn a trick?

8 A. Are you -- I'm sorry, sir. You are making a  
9 whole --

10 Q. No. No. No.

11 A. -- big lie.

12 Q. No. No.

13 A. I would never touch you with a 10-foot pole.

14 SOLICITOR BARNETTE: He needs to let her answer  
15 the question.

16 THE COURT: All right. Ask the question. And  
17 I'm gonna -- you need to ask appropriate questions too.

18 THE DEFENDANT: All right.

19 BY THE DEFENDANT:

20 Q. So you didn't know Ms. Nash period, you've never  
21 seen her before in your life?

22 A. No.

23 Q. Okay. So all of a sudden you just ended up over  
24 at her house?

25 A. No. I was over at Ms. Nash house because I got

1 out of the trunk, I ran, and that was the second house  
2 that I went to when she had me to -- when she let me use  
3 her phone.

4 Q. And let me ask you this: You, being a grown  
5 woman, and I'm a defendant, and I'm gonna take a little  
6 brick and hold you at bay and you don't put up a  
7 struggle or nothing? And he just made you get in the  
8 trunk with a little small brick and you don't, you don't  
9 make -- put up a struggle? I'm just asking a question.

10 A. How would I put up a struggle when you were  
11 sitting there threatening me? Your voice was in a high  
12 tone? Do you think I would actually be, like, okay?  
13 I'm gonna be --

14 Q. No more questions, Your Honor.

15 A. -- scared for my life. I'm gonna be scared for  
16 my life.

17 Q. No more questions.

18 THE COURT: Stop. Let her finish her answer. Go  
19 ahead. What were you saying, you have no more  
20 questions?

21 THE DEFENDANT: No further questions.

22 THE COURT: All right. Redirect.

23 SOLICITOR BARNETTE: I have no redirect, Your  
24 Honor. I'd ask that she be excused.

25 THE COURT: Okay. Ma'am, you may step down.

1 Thank you so much.

2 THE WITNESS: Yes, sir. Thank you.

3 (Witness leaves witness stand.)

4 SOLICITOR BARNETTE: Your Honor, I'd like to call  
5 Ms. Nicole Nash to the stand next, Your Honor. I  
6 believe the witness was sequestered so they went to get  
7 her.

8 THE COURT: Okay. Very good.

9 SOLICITOR BARNETTE: Ma'am, if you would, come up  
10 and be sworn in, if you would, please, ma'am.

11 (Witness comes forward.)

12 THE CLERK: Do you solemnly swear or affirm the  
13 testimony you give will be the truth, whole truth, and  
14 nothing but the truth so help you God?

15 THE WITNESS: Yes, ma'am.

16 THE CLERK: Have a seat. Do you want some water,  
17 ma'am?

18 THE WITNESS: Yes.

19 NICOLE NASH,  
20 having been duly sworn, testified as follows:

21 DIRECT EXAMINATION

22 BY SOLICITOR BARNETTE:

23 Q. Ms. Nash, if you would, give me your full name  
24 for the record, please.

25 A. Nicole Nash.

1           THE COURT:   Would you pull that microphone a  
2   little bit closer to you, ma'am?

3   BY SOLICITOR BARNETTE:

4           Q.   And, Ms. Nash, if you would, talk loud enough so  
5   that this lady right here can hear you, okay?

6           A.   Uh-huh.

7           Q.   Ms. Nash, back on June -- let me ask you this  
8   question.   Where do you work at, ma'am?

9           A.   I work at Spartanburg Steel.

10          Q.   And what do you do there, ma'am?

11          A.   I drive a forklift.

12          Q.   Back on June 11th, 2019, where was you living at  
13   that time, ma'am?

14          A.   337 Allen Street, Spartanburg, South Carolina.

15          Q.   Going back to 1 o'clock that morning, did -- tell  
16   the jury what happened, if you would, at your house.

17          A.   Someone had came knocking on my door, and I was  
18   home alone.   My kids or nobody was there, so I was kind  
19   of skeptical opening my door.   This is a home that I've  
20   been raised in about 20 years, so I'm familiar with the  
21   area.

22               And she was just beating on my door, crying and  
23   yelling.   And then she was asking could she please get  
24   in and use the phone.   And I -- she was like, I don't  
25   have to come in, just let me use your phone.

1           And I opened the door and she didn't have on any  
2 under garment or any pants. And I gave her my phone and  
3 I gave her a pair of pants out of my dresser.

4           Q. And did the police come, ma'am?

5           A. Yes, sir.

6           Q. Had you ever met this lady before that night?

7           A. Never seen her before.

8           Q. Okay. And is this Ms. C.B., the person who came  
9 up to your house that night?

10          A. Yes, sir.

11          Q. But you'd never known her that night before?

12          A. No. No, sir.

13          Q. And when she was telling you, she told you what  
14 happened to her or anything like that, or was she just  
15 scared?

16          A. She, she didn't quite tell me until the police  
17 got there and she was telling the police. She was  
18 historical [sic] the whole time, like crying and stuff.  
19 And she was saying something about somebody had took her  
20 car and put her in the backseat or the trunk and made  
21 her take off her clothes. And somehow she got away and  
22 she ran to my house to knock on the door.

23          Q. If you would, please answer any questions the  
24 defense has for you, ma'am. Thank you.

25               THE COURT: Cross-examination.

1 CROSS-EXAMINATION

2 BY THE DEFENDANT:

3 Q. Good afternoon, Ms. Nash.

4 A. Good afternoon.

5 Q. Ms. Nash, do you know the defendant?

6 A. Do I know the defendant?

7 Q. Yes.

8 A. I know of the defendant.

9 Q. Yeah. Has he ever been to your house before?

10 A. He's been on my porch.

11 Q. Uh-huh. And what was his reason of being there?

12 A. He was speaking, introducing himself, and he was  
13 talking to my spouse.

14 Q. And your spouse is a female?

15 A. Yes.

16 Q. Did it also ---

17 SOLICITOR BARNETTE: Your Honor, I just wanted to  
18 make sure, is he saying the defendant? Is that what  
19 he's saying?

20 THE DEFENDANT: I am the defendant.

21 SOLICITOR BARNETTE: Okay. I just wanted to make  
22 sure, so we're clear on that.

23 BY THE DEFENDANT:

24 Q. And your spouse is a female, right?

25 A. Correct.

1 Q. And you was very upset with the defendant because  
2 the defendant became between you and your spouse, is  
3 that not true?

4 A. Not true.

5 Q. It's not true? She even left you because she  
6 wanted to date me instead of being with you, and you got  
7 highly upset. Is that not true?

8 A. Not true. I was very ---

9 Q. And I also broke ---

10 THE COURT: Stop. Let her answer.

11 THE DEFENDANT: Yes, sir.

12 THE WITNESS: Not true. I was very upset because  
13 you were making very provocative remarks to my spouse.

14 BY THE DEFENDANT:

15 Q. And I have also bought drugs from there, right?

16 A. No.

17 Q. From your house?

18 A. You've bought them from the house behind me.

19 Q. No, it was your residence. But anyway, is -- do  
20 you have a record?

21 A. Yes, I do.

22 Q. You do have a record?

23 THE COURT: Just one second.

24 THE DEFENDANT: I'm not going to go forward with  
25 that.

1 THE COURT: You don't talk to me about it --

2 THE DEFENDANT: Yes, sir.

3 THE COURT: -- when I'm speaking, okay, sir?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: That's not the way we do it.

6 Would you, please, take the jury to the jury  
7 room, please? And those of you who have notepads,  
8 please leave those in here.

9 (Jury leaves courtroom at 3:14 p.m.)

10 All right. Mr. Edwards, if you recall at the  
11 pretrial that I asked both sides of the case and you  
12 acknowledged that if you were gonna try to bring up  
13 somebody's prior record ---

14 THE DEFENDANT: No, I wasn't gonna bring it up.

15 THE COURT: Mr. Edwards, do not interrupt me  
16 again.

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Do you understand me?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: All right. Please listen to me, it  
21 makes it a lot easier, okay? I asked you if you will  
22 bring up somebody's prior record, then do it outside the  
23 presence of the jury, and there you go and ask the  
24 question already in front of the jury, right? So, what  
25 -- are you planning on asking any ---

1 THE DEFENDANT: No, sir.

2 THE COURT: Stop and let me finish my questions.  
3 Are you asking any other records -- questions about her  
4 record?

5 THE DEFENDANT: No, sir.

6 THE COURT: If you do, I'm gonna hold you in  
7 contempt and this won't really matter.

8 All right. Mr. Barnette, anything about the fact  
9 that he brought that up?

10 SOLICITOR BARNETTE: No, sir. I'm not gonna --  
11 she does have a criminal record and we'll leave it at  
12 that.

13 THE COURT: Okay. All right. You understand my  
14 ruling, though, right?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Okay. I'm not trying to beat you up,  
17 this is just the rules we go by, okay?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: All right. Bring the jury back when  
20 they're ready. If they need a little bit of time, tell  
21 them they can take it, okay?

22 THE BAILIFF: Okay. I'll let you know, sir.

23 THE COURT: While we're waiting, one thing, it's  
24 really easy to do, I've done it myself, when you ask a  
25 question and she starts answering it another way, I

1 expect you want to interrupt her. You've got to let her  
2 finish before you interrupt her, okay?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: All right. Very good.

5 THE BAILIFF: Your Honor, they need a couple of  
6 minutes.

7 THE COURT: Yes, ma'am.

8 THE BAILIFF: Okay.

9 (Jury enters courtroom at 3:19 p.m.)

10 THE COURT: All right. Mr. Edwards, you may  
11 continue with your cross-examination.

12 THE DEFENDANT: Yes. I apologize to the jury.  
13 Just before you left out I ---

14 THE COURT: No, sir, you can't talk to the jury.

15 THE DEFENDANT: Oh, okay.

16 THE COURT: Ask questions to the witness, please,  
17 sir.

18 BY THE DEFENDANT:

19 Q. I was asking if you had a record just before the  
20 jury left out and your answer was?

21 A. Yes, sir.

22 Q. Okay. Thank you very much. No other questions.

23 THE COURT: Thank you, Mr. Edwards.

24 Redirect?

25 SOLICITOR BARNETTE: Yes, sir. Just a couple, if

1 I could. May it please the Court?

2 THE COURT: (Indicating.)

3 REDIRECT EXAMINATION

4 BY SOLICITOR BARNETTE:

5 Q. Ms. Nash, when did you first see the defendant in  
6 your neighborhood?

7 A. Probably about two weeks prior to this incident.  
8 And he had just been rumbling up and down the street.  
9 The house is actually close to a homeless shelter, so  
10 there's a lot of traffic with people just walking. And  
11 he was a new face, and that's how I recognized him when  
12 I first met him.

13 Q. And what comments did he make to your partner?

14 A. He was saying things as if he would love to, you  
15 know, have oral sex with her. And my partner is a  
16 transgender. She dresses like a man, look like a man,  
17 so it kind of throw her off and it offended her, because  
18 she do not deal with men at all and she brought it to my  
19 attention. And I said something to him to let him know  
20 to not come back on my property.

21 Q. And, like you said, you never saw Ms. [REDACTED] before  
22 this night?

23 A. Never.

24 Q. Thank you. That's all the questions I have for  
25 you.

1 THE COURT: Thank you, ma'am. May this witness  
2 be excused?

3 THE DEFENDANT: Your Honor, I'd like to  
4 cross-examination.

5 THE COURT: Only in response to the questions  
6 asked by Mr. Barnette.

7 THE DEFENDANT: Yes. Yes, sir.

8 THE COURT: Okay.

9 RE CROSS-EXAMINATION

10 BY THE DEFENDANT:

11 Q. Would it be fair to say that you're still highly  
12 upset with the defendant because he came between you and  
13 your lady friend?

14 A. No.

15 Q. In fact, did she not ---

16 THE COURT: Just one second. Let her answer.

17 THE DEFENDANT: Okay.

18 SOLICITOR BARNETTE: Thank you, Your Honor.

19 THE WITNESS: No, sir.

20 BY THE DEFENDANT:

21 Q. Did she not try to get you out of the house so me  
22 and her could be together, tried to send you to the  
23 store and you became highly upset and told me to get out  
24 of your yard?

25 A. No, sir.

1 THE DEFENDANT: No further questions, Your Honor.

2 THE COURT: All right. At this juncture ---

3 SOLICITOR BARNETTE: Yeah. I'd ask this witness  
4 be excused, Your Honor.

5 THE COURT: You are excused and free to go.  
6 Thank you, ma'am.

7 THE WITNESS: Uh-huh.

8 (Witness leaves witness stand.)

9 THE COURT: All right. Madame Forelady, ladies  
10 and gentlemen, I know we've been in and out, but let's  
11 take about a ten-minute break. If you need anything,  
12 let the bailiffs know, and then we'll come back for  
13 further testimony, okay?

14 MADAM FORELADY: Thank you, Your Honor.

15 THE COURT: Leave your pads here in the  
16 courtroom, please.

17 (Jury leaves the courtroom at 3:23 p.m.)

18 THE COURT: All right. We'll have about a  
19 ten-minute break.

20 (A recess was had from 3:23 p.m. - 3:36 p.m.)

21 THE COURT: All right. Anything from the State  
22 before we continue to the next witness?

23 SOLICITOR BARNETTE: Not from the State, Your  
24 Honor.

25 THE COURT: Anything from the defense?

1           THE DEFENDANT: No, sir.

2           THE COURT: Very good. All right. Will you  
3 bring the jury in, please, ma'am?

4           THE BAILIFF: Yes, sir.

5           (Jury enters the courtroom at 3:38 p.m.)

6           THE COURT: Madame Forelady, is the jury finding  
7 pretty much what it needs back there when you're on  
8 break?

9           MADAM FORELADY: Yes, Your Honor.

10          THE COURT: All right, thank you.  
11 Will you call your next witness?

12          SOLICITOR BARNETTE: Yes, sir. I call Officer  
13 James to the stand, please.

14          (Witness comes forward.)

15          One second. We're waiting for -- we've got our  
16 clerk we're waiting for.

17          (Clerk comes into the courtroom.)

18          THE CLERK: Sorry, Your Honor.

19          THE COURT: It's okay. Do you mind swearing in  
20 the witness for us, please, ma'am?

21          THE CLERK: Yes, sir. Officer, place your left  
22 hand on the bible and raise your right. (Complies.)

23          Do you swear or affirm the testimony you give  
24 will be the truth, whole truth, and nothing but the  
25 truth so help you God?

1 THE WITNESS: Yes, ma'am, I do.

2 MASTER DEPUTY JOHN JAMES,  
3 having been duly sworn, testified as follows:

4 DIRECT EXAMINATION

5 BY SOLICITOR BARNETTE:

6 Q. If you would, sir, please state your full name  
7 for the record, please.

8 A. Master Deputy John James.

9 Q. Where do you work at, sir?

10 A. Greenville County Sheriff's office.

11 Q. And what's your position there, sir?

12 A. I'm a Master Deputy and the director of the  
13 patrol unit.

14 Q. And how long have you been in law enforcement,  
15 sir?

16 A. A little over 11 years.

17 Q. Was you working back on June 11, 2019?

18 A. Yes, sir.

19 Q. Did y'all receive a call about a carjacking,  
20 kidnapping case out of Spartanburg County?

21 A. That's correct. Yes, sir, we did.

22 Q. And did you get a BOLO or did y'all get  
23 information, I guess they were tracking the car through  
24 GPS?

25 A. That's my understanding, it was a GPS track and

1 it -- that's correct, it was a radio BOLO that we  
2 received.

3 Q. And what kind of car was it, do you remember?

4 A. It was a silver sedan, I believe a Mitsubishi  
5 Galant.

6 Q. And did y'all locate that vehicle?

7 A. Yes, sir, my partner did.

8 Q. Okay. And was you riding with him at the same  
9 time basically?

10 A. Within seconds of arriving, yes, sir.

11 Q. And when y'all arrived there, what did you find,  
12 sir?

13 A. When I arrived in the parking lot --

14 Q. Yes, sir.

15 A. -- I found the silver sedan, like was described  
16 in the BOLO. And my partner had two subjects held down  
17 at gunpoint in the parking lot.

18 Q. And let me show you what's been already entered  
19 in as State Exhibits 5 and 6. Is this the vehicle that  
20 y'all located?

21 A. Yes, sir, that is it.

22 SOLICITOR BARNETTE: Your Honor, may I publish  
23 these to the jury? They're already entered into  
24 evidence, Your Honor.

25 THE COURT: Yes, sir, you certainly may.

1 BY SOLICITOR BARNETTE:

2 Q. That's actually State Exhibit 6, which is the  
3 back. And State exhibit number 7. That was the vehicle  
4 that y'all located; is that right, sir?

5 A. Yes, sir.

6 Q. And was one of those individuals the defendant in  
7 this case?

8 A. Yes, sir, Mr. Edwards.

9 Q. Do you see him here in the courtroom today, sir?

10 A. Yes, sir. He's right there. (Indicating.)

11 Q. Can you describe what he's wearing for us, sir?

12 A. What he's wearing right now?

13 Q. Yes, sir.

14 A. Yes, sir. He's got on a light blue shirt with a  
15 red tie.

16 SOLICITOR BARNETTE: Your Honor, I'd like the  
17 record to reflect that he identified the defendant in  
18 this case.

19 THE COURT: The record will so reflects.

20 BY SOLICITOR BARNETTE:

21 Q. And when you got there, did you actually search  
22 the defendant at some point, sir, if you would?

23 A. Yes, sir, I did.

24 Q. And what did you locate in his pockets?

25 A. In his right pants pocket I found some keys, car

1 keys.

2 Q. And were those keys later on, did they match to  
3 that car that we see in the picture right now?

4 A. Yes, sir, he did.

5 Q. And how do you know that?

6 A. The vehicle had to be sealed so that the  
7 Spartanburg Authorities could later search it. And our  
8 forensics unit came out. The windows in the vehicle  
9 were down, so we obviously had to roll the windows up,  
10 in order to seal the vehicle. And I did that with the  
11 key that I located out of his pocket.

12 Q. Okay. So the key you took out of Mr. Edward's --  
13 the defendant's pocket was the one that made the car  
14 turn on to where you turn the windows up or put the  
15 windows up?

16 A. Yes, sir. I did not crank the car all the way  
17 up, but I did have to utilize the keys to turn the  
18 ignition where you could roll the windows up.

19 Q. And did you also find some cards and things like  
20 that, sir?

21 A. In his -- yes, sir. He had a driver's license.

22 Q. Okay. Let me show you State Exhibits 3 and 4,  
23 sir. Is that a picture of the defendant when you found  
24 him that day?

25 A. Yes, sir. That's exactly what he was wearing.

1       Q.   And this is around 11:30 a.m. or somewhere around  
2 this time?

3       A.   Yes, sir.   Right before, right before noon.

4       Q.   And what location did y'all find him at?

5       A.   This was the Dollar General right there at  
6 Poinsett Highway on Rutherford right there.

7       Q.   114 Poinsett Highway, right there at the Dollar  
8 General?

9       A.   At the Dollar General, yes, sir.

10      Q.   That's in Greenville at that point?

11      A.   Yes, sir, Greenville County.

12      Q.   Greenville County.   And State Exhibit 4, was that  
13 a copy of his driver's license that y'all got from him  
14 too?

15      A.   Yes, sir.

16           SOLICITOR BARNETTE:   Your Honor, I'd like to show  
17 State Exhibits 3 and 4 to the defendant.   Your Honor,  
18 permission to -- well, I'd like to enter these into  
19 evidence at this time, Your Honor.

20           THE COURT:   Three and four?

21           SOLICITOR BARNETTE:   Three and four, yes, sir.

22           THE COURT:   Any objection?

23           THE DEFENDANT:   No, sir.

24           THE COURT:   Three and four admitted.

25           SOLICITOR BARNETTE:   Thank you, Your Honor.

1           (State's Exhibit Numbers 3 and 4 were entered  
2 into the record.)

3           SOLICITOR BARNETTE: Thank you, Your Honor. May  
4 I publish them to the jury?

5           THE COURT: Yes, sir.

6 BY SOLICITOR BARNETTE:

7           Q. State Exhibit 4, this is his driver's license; is  
8 that right, sir?

9           A. Yes, sir, that's correct.

10          Q. And that identified him as Jerry Cecil Edwards?

11          A. Yes, that is correct. That's actually an  
12 identification card, but it's issued by the South  
13 Carolina DMV.

14          Q. I got ya. And he lists his address at that time  
15 at [REDACTED] Rutherford Street in Greenville, South Carolina?

16          A. That's correct.

17          Q. Where is that exactly in Greenville?

18          A. I, I don't know exactly where the [REDACTED] block is,  
19 but Rutherford Street is not far from the Dollar  
20 General.

21          Q. Where y'all located him at?

22          A. Yes, sir.

23          Q. And this was actually issued on May 7th of 2019;  
24 is that right, sir?

25          A. Yes, sir, that's correct. May 7th of 2019.

1 Q. So a month before this, this was the address that  
2 he listed on his ID on May 7th, 2019?

3 A. That's correct.

4 Q. State's Exhibit 3, was that what he was wearing  
5 that day and how he looked?

6 A. Yes, sir. That's exactly what he was wearing.  
7 That's actually me in the right side of that photo.

8 Q. Okay. So -- and, like I said, you found the  
9 items like cards and things like that?

10 A. Yes, sir. There were several cards, that  
11 driver's license, the car keys in his pockets.

12 Q. Hold on one second. Let me show you what's been  
13 marked as State Exhibit 58. And I'll let you look on  
14 the front there first. This is where the Greenville  
15 County Sheriff's Department actually held these cards, I  
16 guess, that y'all took from him, and gave them to the  
17 Spartanburg County City Police Department.

18 A. Okay.

19 Q. Is that right, sir?

20 A. Yes, sir.

21 Q. And was these four of the cards that y'all had or  
22 that y'all found? Are these the different kinds of  
23 cards that he had?

24 A. Yes, sir, that looks correct.

25 SOLICITOR BARNETTE: Your Honor, may I show these

1 to the defendant?

2 THE COURT: Yes, sir. And that's Exhibit 8?

3 SOLICITOR BARNETTE: 58, Your Honor.

4 THE COURT: 58?

5 SOLICITOR BARNETTE: 58, yes, sir. Your Honor,  
6 I'd like to move these into evidence at this time.

7 THE COURT: Is there any objection?

8 THE DEFENDANT: No, sir.

9 THE COURT: 58 will be admitted.

10 (State's Exhibit Number 58 was entered into the  
11 record.)

12 SOLICITOR BARNETTE: May I publish them to the  
13 jury, Your Honor?

14 THE COURT: Yes, sir.

15 By SOLICITOR BARNETTE:

16 Q. One other card that was located on him. Was  
17 C.B. referred to on the credit card, a Visa card;  
18 is that right, sir?

19 A. Yes, sir.

20 Q. There was also a card that was found from a C.B.  
21 (phonetic), and that was in his pocket, a debit  
22 card?

23 A. Yes, sir, that's correct.

24 Q. And then there was a Chime card, a Visa card that  
25 was found?

1       A.   Yes, sir.

2       Q.   And there was also an Aldi card found; is that  
3 right, sir?

4       A.   Yes, sir.

5       Q.   Later on did Spartanburg City come over to  
6 Greenville County to process this car, sir?

7       A.   I do not know where the car was processed, but  
8 that is my, that is my understanding of what happened,  
9 yes, sir.

10      Q.   But y'all sealed it to make sure it could be  
11 processed?

12      A.   Yes, sir, absolutely. It was sealed at the scene  
13 before I left.

14      Q.   All right. I'm gonna show you State Exhibit 59.  
15 Is that the map around the area of Poinsett Highway 114  
16 where the car was located in Greenville, sir?

17      A.   Yes, sir, that's correct.

18           SOLICITOR BARNETTE: Your Honor, may I show State  
19 Exhibit 59 to the defendant?

20           THE COURT: Yes, sir.

21           SOLICITOR BARNETTE: Your Honor, I'd like to move  
22 this into evidence at this time.

23           THE COURT: Any objection to Exhibit 59?

24           THE DEFENDANT: No, sir.

25           THE COURT: It's admitted.

1 (State Exhibit 59 was entered into the record.)

2 BY SOLICITOR BARNETTE:

3 Q. I'm showing you what's been marked as State  
4 Exhibit 59. Is this a map of, I guess, the City of  
5 Greenville in this area; is that right, sir?

6 A. Yes, sir.

7 Q. And Poinsett Highway, where he was found, at 114  
8 Poinsett Highway in Greenville?

9 A. Yes, sir, that's correct.

10 Q. And if you take 276 up there, this is actually  
11 Traveler's Rest up in this area; is that right?

12 A. That's correct.

13 Q. But it is actually the northern part of the city,  
14 northern part of that area?

15 A. Northern part of the city, yes, sir, that would  
16 be correct.

17 SOLICITOR BARNETTE: One moment, Your Honor,  
18 please.

19 Please answer any questions the defendant may  
20 have for you, sir. Thank you.

21 THE DEFENDANT: No, sir.

22 THE COURT: No cross? No questions?

23 THE DEFENDANT: No, sir.

24 THE COURT: All right. May this witness be  
25 excused?

1 SOLICITOR BARNETTE: Yes, sir.

2 THE COURT: Thank you, sir. You are excused.

3 (Witness leaves witness stand.)

4 SOLICITOR BARNETTE: Your Honor, I'd like to call  
5 Investigator Cloran to the stand.

6 (Witness comes forward.)

7 THE CLERK: Do you swear or affirm the testimony  
8 you give will be the truth, whole truth, and nothing but  
9 the truth so help you God?

10 THE WITNESS: Yes.

11 INVESTIGATOR SHAWN MICHAEL CLORAN,  
12 having been duly sworn, testified as follows:

13 DIRECT EXAMINATION

14 BY SOLICITOR BARNETTE:

15 Q. If you would, sir, please state your full name  
16 for the record.

17 A. Shawn Michael Cloran.

18 Q. And, sir, back in June 11, 2019, where was you  
19 working at, sir?

20 A. I was working at the Spartanburg Police  
21 Department.

22 Q. And what was your position there, sir?

23 A. I was a forensic investigator.

24 Q. And how long was you in that position, sir?

25 A. Six-and-a-half years.

1 Q. And was you in law enforcement prior to that?

2 A. No, sir.

3 Q. At that time back then, did you receive a call  
4 about an incident that occurred, I guess, away from QT,  
5 back in the area behind off Wofford Street here in the  
6 City of Spartanburg in Spartanburg County?

7 A. Yes, sir.

8 Q. What was your duties in that case or what  
9 happened? What did you do once you got the call?

10 A. My supervisor contacted me and wanted us to -- me  
11 and the other forensic investigators to read the report,  
12 see what was going on, getting the details of it, and  
13 begin surveilling the area, and trying to find  
14 surveillance video.

15 Q. And one of the areas you went to was the QT; is  
16 that right?

17 A. Yes, sir.

18 Q. And did you get video from the QT?

19 A. I eventually did, yes, sir.

20 Q. Okay. Let me show you what's been marked as  
21 State Exhibit 19. Have you had a chance to review this  
22 video, sir?

23 A. Yes, sir, I did review the video.

24 Q. And does this video have what the QT had that, I  
25 guess, late night June the 10th, 2019, as well as the

1 early morning hours of June 11th, 2019?

2 A. Yes, sir. There was multiple videos gathered  
3 throughout the process.

4 Q. Okay. And you actually did two different ones.  
5 You used their system, plus some of them had to be  
6 converted; is that right?

7 A. Yes, sir.

8 Q. And did you download this from their system there  
9 at the QT?

10 A. Yes, sir.

11 SOLICITOR BARNETTE: Your Honor, this is a -- we  
12 had to use a thumb drive. It's too big for a DVD. I'd  
13 like to enter this into evidence at this time.

14 THE COURT: Any objections?

15 THE DEFENDANT: No, sir.

16 THE COURT: Then that's admitted.

17 (State's Exhibit No. 19 was entered into the  
18 record.)

19 SOLICITOR BARNETTE: I'd like to publish it to  
20 the jury at this time.

21 THE COURT: Yes, sir.

22 BY SOLICITOR BARNETTE:

23 Q. Let me move on from there. Obviously it was a  
24 video. If I can get somebody ---

25 THE COURT: Let me -- can I say something? I

1 asked my law clerk to cut on this TV and I don't know if  
2 it's a relationship with this here, but you can  
3 certainly try this and maybe it'll cut on, I don't know.

4 SOLICITOR BARNETTE: I don't know. I think it's  
5 the source, Your Honor. For some reason it's not going  
6 to the TV or the TV up there, so I'm gonna get a tech.  
7 I'm gonna keep moving, Your Honor.

8 THE COURT: Okay.

9 SOLICITOR BARNETTE: I've got some stills to  
10 show.

11 THE COURT: Okay.

12 BY SOLICITOR BARNETTE:

13 Q. Did you develop some -- was there some stills  
14 developed off those videos, sir?

15 A. Yes, sir.

16 Q. Let me show you what's been marked as State  
17 Exhibits 21, 22, 23, 24, 25 -- 24 and 25 is already  
18 admitted. 26, 27. It needs to be as I'm doing them,  
19 sir. 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39,  
20 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53,  
21 54, 55. See if those all fairly represent what you saw  
22 on the video from what the stills are taken off of.

23 A. Yes, sir.

24 SOLICITOR BARNETTE: Your Honor, may I show these  
25 to the jury -- to the defendant, Your Honor?

1 THE COURT: Yes, sir.

2 SOLICITOR BARNETTE: Your Honor, I'd like to  
3 enter State Exhibit 21 through State Exhibit 55 into  
4 evidence. There's a couple of them that have already  
5 been entered into evidence, but I'd like to enter those  
6 that have not been entered into evidence.

7 THE COURT: Any objection?

8 THE DEFENDANT: No, sir.

9 THE COURT: Okay. 21 through 55 will be  
10 admitted.

11 (State's Exhibit Numbers 21-24 and 26-49, 51-53,  
12 and 55 were admitted into evidence.)

13 (State's Exhibit Numbers 24, 25, 50, and 54 were  
14 previously entered.)

15 SOLICITOR BARNETTE: Okay. Thank you, Your  
16 Honor. May I publish these to the jury, Your Honor?

17 THE COURT: Yes, sir, you may.

18 BY SOLICITOR BARNETTE:

19 Q. Can you see the TV okay?

20 A. Yes, sir.

21 Q. Okay. And on this one, Investigator Cloran, this  
22 is at 10:53 a -- p.m. on June the 10th, 2019, this  
23 person right here, who did you determine that to be,  
24 sir?

25 A. Throughout the investigation, in the beginning it

1 was the suspect. But after identifying, it was  
2 determined to be Mr. Edwards.

3 Q. And is he wearing the same outfit that he wore  
4 when he was captured in Greenville County?

5 A. Yes, sir.

6 Q. I'll show you State Exhibit 22, who's this  
7 gentleman right here?

8 A. Mr. Edwards.

9 Q. And let them do this. Let me give the jury  
10 some context of where this is at. Let me show you State  
11 Exhibit 20. Is this a, I guess, almost like a 3D map of  
12 the QT area?

13 A. Yes, sir.

14 SOLICITOR BARNETTE: Your Honor, may I show this  
15 to the defendant?

16 THE COURT: (Indicating.)

17 SOLICITOR BARNETTE: Any objection to it?

18 THE DEFENDANT: No.

19 SOLICITOR BARNETTE: Your Honor, I'd like to  
20 enter this into evidence at this time.

21 THE COURT: What's the number?

22 SOLICITOR BARNETTE: Number 20, Your Honor.

23 THE COURT: Any objections?

24 THE DEFENDANT: No, sir.

25 THE COURT: State Exhibit 20 is admitted and you

1 may publish.

2 SOLICITOR BARNETTE: Thank you, Your Honor.

3 (State Exhibit Number 20 is entered into the  
4 record.)

5 BY SOLICITOR BARNETTE:

6 Q. Before I go into all the pictures, let me show  
7 y'all this right here. The main area we're talking  
8 about, he actually started walking down this way, is  
9 that right, when you first saw him at 10:53?

10 A. Yes, sir.

11 Q. And out here, is this like an air pump for tires  
12 where you can fill up your tires right here?

13 A. Yes, sir.

14 Q. And is this what they call the left. I guess  
15 this is then facing the QT, and it's like this to the  
16 left of that, is what they call the left side of the QT;  
17 is that right?

18 A. Yes, sir.

19 Q. And then this is the right side as you were  
20 facing it; isn't that right, sir?

21 A. Yes, sir.

22 Q. And this is the front area?

23 A. Yes, sir.

24 Q. Okay. So this area right here we're talking  
25 about is right here actually; is that right? State

1 Exhibit 20?

2 A. Yes, sir.

3 Q. I'll show you State Exhibit 23, and this is at  
4 10:59 p.m. on June the 10th at 3 -- who's this gentleman  
5 right here?

6 A. That's Mr. Edwards.

7 Q. And did you get a video or a still shot of him  
8 going inside the store?

9 A. Yes, sir.

10 Q. Then State Exhibit Number 24, where he is walking  
11 into the QT at 10:59 p.m. and 44 seconds.

12 A. Yes, sir. I also recovered additional footage of  
13 them going to the exit on the other side of the store,  
14 which shows a pinhole camera, which gets another photo  
15 of his face.

16 Q. And does he have the white goatee that we see in  
17 that other picture?

18 A. Yes, sir.

19 Q. Okay. I'll show you State Exhibit 29. Is this  
20 another still shot that you took off of it?

21 A. Yes, sir.

22 Q. And does he have a goatee that you can see from  
23 the side, as well as the clothing that he wore that he  
24 still had on in Greenville?

25 A. Yes, sir.

1 Q. And did he walk through the store on video?

2 A. Yes, sir.

3 Q. This is State Exhibit 26. Is this him coming on  
4 the other side of the video?

5 A. Yes, sir.

6 Q. And that was at 11:02 p.m. on June 10th; is that  
7 right, sir?

8 A. I couldn't see the time.

9 Q. I'm sorry, I apologize.

10 A. Yes, sir.

11 Q. I'll show you State Exhibit 29 -- or 27. Is this  
12 Mr. Edwards again?

13 A. Yes, sir.

14 Q. And this is where he's back on the end towards  
15 where the air pump is?

16 A. To the -- on the left side of the store, yes,  
17 sir.

18 Q. State Exhibit 28, at 11:06 does he go out and  
19 talk to somebody getting air to their tires at that  
20 time?

21 A. Yes, sir.

22 Q. State Exhibit 29, at 11:27 p.m., is this him here  
23 at the end in the parking lot on the left side?

24 A. It appears to be, yes, sir.

25 Q. I'll show you State Exhibit 30. Is this him back

1 again talking to somebody else at the air pumps at 11:31  
2 p.m.?

3 A. Yes, sir.

4 Q. State Exhibit 31, is he still there talking to  
5 somebody else there?

6 A. At 11:35, yes, sir. And at different vehicles  
7 each time.

8 Q. Yeah. Is that him right there?

9 A. Yes, sir.

10 Q. State Exhibit 32, is this Mr. Edwards approaching  
11 another vehicle in the parking lot?

12 A. Yes, sir.

13 Q. And that's on the left side again?

14 A. Yes, sir.

15 Q. And I can go through all these pictures. Is he  
16 approaching numerous people throughout this  
17 hour-and-a-half, two-hour period?

18 A. Yes, sir.

19 Q. Okay. State Exhibit 33, is this him again at  
20 11:39 p.m. on June 10th approaching another car?

21 A. Yes, sir.

22 Q. State Exhibit 34, is this him again approaching  
23 another car?

24 A. Yes, sir.

25 Q. State Exhibit 35, is he approach -- back

1 approaching this car over here again?

2 A. Yes, sir.

3 Q. State Exhibit 36, is this him going back to the  
4 front to talk to somebody else on that front side?

5 A. Yes, sir.

6 Q. State Exhibit 37, is this him here talking to  
7 somebody there?

8 A. Yes, sir.

9 Q. And this is at 11:09 p.m. on June 10th?

10 A. 11:49?

11 Q. 11:49, I apologize. I need to read better. I  
12 apologize on that.

13 A. It's the glare.

14 Q. And then State Exhibit 39, is this him talking to  
15 another car in front of the QT?

16 A. Yes, sir.

17 Q. And that was at 11:50 p.m. on June 10th?

18 A. Yes, sir.

19 Q. This is State Exhibit 39. This is at 11:51 p.m.  
20 on June 10th. I'm sorry, the glare is not the greatest.  
21 Is this him talking to somebody else back on the other  
22 end of the QT?

23 A. Yes, sir.

24 Q. I'll show State Exhibit 40. This is June 10th,  
25 2019, at 11:58 or 57 p.m. Is this him here talking to

1 someone at the other end there at that car?

2 A. Yes, sir.

3 Q. State Exhibit 41, and this is at 11:59 p.m. June  
4 the 10th, was he talking to somebody in a car right  
5 there?

6 A. Yes, sir.

7 Q. State Exhibit 42 at 11:59 p.m. and 52 seconds.  
8 And this time right here, that's 11:59:52 and then it  
9 goes into, what, a thousand seconds?

10 A. Yes, sir.

11 Q. And is this him again talking to somebody else  
12 there?

13 A. Yes, sir.

14 Q. State Exhibit 44, this is in front of the QT. Is  
15 he talking to another car there in the parking lot?

16 A. Yes, sir.

17 Q. And that was at 12:13 a.m. on June the 10th?

18 A. Yes.

19 Q. State Exhibit 45, is this him talking to somebody  
20 across the car at this guy in the other car?

21 A. Yes, sir.

22 Q. And that was at 12:13:39 seconds on June the  
23 11th. I'm sure there's other pictures we can show them  
24 or whatever, instead of showing the whole video which is  
25 about, like I said, an hour-and-a-half to two hours, we

1 did these stills; is that right, sir?

2 A. Yes, sir.

3 Q. I'm showing you State Exhibit 46. Is this Ms.

4 **C.B.**'s car as she pulled up?

5 A. Yes, sir.

6 Q. And the defendant, Mr. Edwards, was over here  
7 talking to these two fellows at that time; is that  
8 right, sir?

9 A. Yes, sir.

10 Q. I'll show State Exhibit 47. At 12:18, Ms. **C.B.**'s  
11 still in her car?

12 A. Yes, sir.

13 Q. Mr. Edwards is over here talking to another  
14 couple over at this car; is that right?

15 A. Yes, sir.

16 Q. I'll show you State Exhibit 48. This is at 12:18  
17 a.m., June 11th. Ms. **C.B.**'s getting out of her car.  
18 Mr. Edwards is still talking to somebody over here?

19 A. Yes, sir.

20 Q. State Exhibit 49. This is at 12:19 a.m. This is  
21 Mr. Edwards talking right here to this car and Ms. **C.B.**  
22 is actually getting out of her car; is that right?

23 A. Yes, sir.

24 Q. State Exhibit 50, this is at 12:19 with 30  
25 seconds a.m. on June 11th. There's Mr. Edwards talking

1 to that car and kind of looking. Is that Ms. [C.B.] going  
2 into the QT?

3 A. Yes, sir.

4 Q. State Exhibit 51. This is at 12:19 and 36  
5 seconds on June the 11th. Is this Ms. [C.B.] going into  
6 the QT?

7 A. It is.

8 Q. And at 12:21 -- or State Exhibit 52 at 12:21  
9 a.m., does this show Ms. [C.B.] leaving the QT?

10 A. Yes, sir.

11 Q. On June 11th at 12:21 on State Exhibit 53, Ms.  
12 [C.B.]'s gotten back in her car and this is where the  
13 defendant approaches her car?

14 A. Yes, sir.

15 Q. Ms. [C.B.] later got out of her car and went back  
16 to QT; is that right?

17 A. Yes, sir.

18 Q. And Mr. Edwards walked through the parking lot --

19 A. Yes, sir.

20 Q. -- at that time? And when she came back out,  
21 State Exhibit 54, this was at 12:45 a.m., she came back  
22 out with those clothes on; is that right?

23 A. Yes, sir.

24 Q. Then State Exhibit 55, which is the 12:45 a.m.,  
25 shows Mr. Edwards coming around to her car and then she

1 had got in her car; is that right?

2 A. Yes, sir.

3 Q. And later on she pulls out and leaves at  
4 approximately 12:47:48 out of the parking lot?

5 A. Yes, sir.

6 Q. After you -- obviously you got this evidence  
7 later. Did you also go to Greenville to collect  
8 evidence?

9 A. Yes, sir, I did.

10 Q. If you would, tell the jury about that, sir.

11 A. Investigator Nelson, who was the main  
12 investigator on the case, requested I go with him to  
13 meet with the investigators in Greenville working the  
14 case there so I could recover the evidence from them  
15 doing a transfer of custody sheet.

16 First we met at the Greenville County impound  
17 where I -- well, the Greenville County investigator, he  
18 opened up the search warrant. That way I could start  
19 photographing the vehicle and recovering items of  
20 evidentiary value from Ms. C.B.'s vehicle. When I say  
21 items were photographed and recovered, transfer of  
22 custody was signed. Search warrant was closed. And a  
23 photograph was taken of the search warrant where it was  
24 left inside the vehicle.

25 From there we went to the Greenville County jail

1 and recovered the items of clothing that Mr. Edwards was  
2 wearing when he was arrested.

3 Q. Let me hold you up right there. This was State  
4 Exhibit 2. I apologize, I opened it up early. Sir, I'm  
5 gonna let you look at the bag. Was these the items that  
6 you've collected from Mr. Edwards? And I'll let you  
7 look inside and see it.

8 A. Yes, sir.

9 Q. Okay. And did you package it in this bag before  
10 us?

11 A. That's my handwriting, location, a recovery, and  
12 it shows the transfer from the investigator to myself.

13 Q. So you collect these items and that's what he was  
14 wearing that day?

15 A. Yes, sir.

16 Q. Okay. Including this hat?

17 A. Yes, sir.

18 Q. Please continue, sir.

19 A. Once everything was completed there, including  
20 paperwork to transfer custody. Investigator Nelson and  
21 myself went from there to the sheriff's department to  
22 recover video from the Dollar General that the  
23 investigator, they recovered and we did a transfer there  
24 as well.

25 Q. Okay. And going back to these, did you collect

1 items out of the car itself after you did that?

2 A. Yes, sir.

3 Q. And did you take pictures?

4 A. I did.

5 Q. And then, I believe, these all have been entered  
6 into evidence at this time. Let's do State Exhibit 7,  
7 8, 10 -- 9 and 10. I'm gonna let you look at all of  
8 those items, sir, and see if those are the pictures that  
9 you took and fairly represent what you saw.

10 A. Yes, sir.

11 Q. I believe the jury has already seen this, so I'll  
12 go through it quickly so you can explain what you saw.  
13 State Exhibit 7, what is this of?

14 A. That is the initial photograph of the trunk  
15 compartment.

16 Q. And when you opened up the trunk and everything,  
17 was the trunk heavy itself?

18 A. It had some weight to it. It wasn't like the  
19 ones you can press the button and it just flies up.

20 Q. So, but if the lights went off, it would barely  
21 go up, you'd have to push it or hold it, or raise it?

22 A. Yes, sir.

23 Q. And could a person easily fit into that trunk,  
24 sir?

25 A. Yes, sir.

1 Q. State Exhibit 8, was this the items or the items  
2 inside the pocketbook that you found inside the trunk?

3 A. Yes, sir.

4 Q. And that was the pocketbook, the items inside Ms.  
5 [REDACTED]'s pocketbook; is that right?

6 A. Yes, sir, the flowers.

7 Q. State Exhibit Number 9, was that her wallet with  
8 the items that belonged to Ms. [REDACTED] inside of it?

9 A. Yes, sir.

10 Q. And, like I said, this was found in Greenville  
11 County; is that right?

12 A. Yes, sir. It was in the vehicle at the impound.

13 Q. State Exhibit 10, what is that, sir?

14 A. That is Ms. [REDACTED]'s Spartanburg Regional badge, ID  
15 badge.

16 Q. And that was also found in the trunk of her car  
17 found in Greenville?

18 A. Yes, sir.

19 Q. State Exhibit 11, was that the latch that was  
20 used?

21 A. The emergency release trunk latch. If you are  
22 locked inside the trunk, you can pull it and it will  
23 unlatch from the inside.

24 Q. State Exhibit 12, is that the items that you  
25 found on the floorboard?

1 A. Yes, sir. The driver's side floorboard.

2 Q. And just showing another angle of it, State  
3 Exhibit 13, was that the items that you found in the  
4 floorboard?

5 A. Yes, sir.

6 Q. And was this part of the piece cinderblock or  
7 cinderblock or brick that she was frightened of?

8 A. Yes, sir.

9 Q. And was that the pants that was underneath it?

10 A. Yes, sir.

11 Q. And did that match the pants that Ms. C.B. was  
12 wearing at the QT?

13 A. Yes, sir.

14 Q. State Exhibit 14, is that just a close-up of that  
15 picture?

16 A. Yes, sir, it is.

17 Q. State Exhibit 15, did you obviously pick up and  
18 take a picture of the cinderblock or piece cinderblock  
19 or brick by itself?

20 A. Yes, sir.

21 Q. And that was found in the car, obviously, too?

22 A. Yes, sir. It was just a single picture of it  
23 moved from on top of the pants.

24 Q. And this was the pants, I guess, you spread it  
25 out to take a picture of them; is that right?

1 A. Yes, sir.

2 Q. That is the pants that Ms. C.B. was wearing in  
3 the QT video?

4 A. Yes, sir, it is.

5 Q. State Exhibit 17, was that also found -- I guess  
6 found underneath the pants or whatever, the cinderblock  
7 in the floorboard on the driver's side?

8 A. Yes, sir. And you can see it on the video. And  
9 in the still image as well from the QT.

10 Q. Was that a pair of shoes that she was wearing  
11 that day, Ms. C.B., or that night?

12 A. Yes, sir.

13 Q. I'm going to show you what's been entered as  
14 State Exhibit Number 1, sir. Was that the piece of  
15 cinderblock or brick that you recovered from the car  
16 there at Greenville?

17 A. Yes, sir.

18 Q. If you would, just pull it out there, sir, if you  
19 would, for a second. And Ms. C.B. had told law  
20 enforcement about the brick before; is that right?

21 A. She did.

22 Q. Thank you, sir.

23 A. Yes, sir.

24 Q. And did y'all receive cards that was collected?  
25 I guess the keys were actually returned back to Ms.

1     C.B., is that right, for her car?

2           A.   And maybe to Investigator Nelson or to her  
3   initially from Greenville.  I'm not sure of that.

4           Q.   But there was also a card that was found when  
5   they found the keys in his pocket; is that right?

6           A.   I believe so, yes.

7           Q.   I'm gonna let you look at, I think, it's 58.  If  
8   you would, open that, sir, if you would.  And are those  
9   the four cards that y'all received into evidence?

10          A.   Yes.

11          Q.   I believe I showed those cards to the jury  
12   already, so...

13                Let me show you what's been marked as State  
14   Exhibit Number 60.  This is a map of possible routes  
15   from the QT or Spartanburg to the location at Poinsett  
16   Highway that he was found or the car was found with Mr.  
17   Edwards?

18          A.   Yes, sir.

19          Q.   Is that like Google Maps?

20          A.   Yes, sir.

21                SOLICITOR BARNETTE:  Your Honor, may I show this  
22   to the defendant, please?

23                THE COURT:  Yes, sir.

24                SOLICITOR BARNETTE:  Your Honor, I'd move this  
25   into evidence at this time.

1 THE COURT: Okay. That's number 60?

2 SOLICITOR BARNETTE: Yes, sir.

3 THE COURT: Any objections?

4 THE DEFENDANT: No, sir.

5 THE COURT: 60 is admitted.

6 (State's Exhibit 60 is entered into the record.)

7 SOLICITOR BARNETTE: May I publish it to the  
8 jury, Your Honor?

9 THE COURT: Yes, sir.

10 BY SOLICITOR BARNETTE:

11 Q. At the QT where this started, where the crime  
12 occurred was in Spartanburg County; is that right?

13 A. In the city limits of Spartanburg, yes, sir.

14 Q. And in Spartanburg County and the City of  
15 Spartanburg?

16 A. Yes, sir.

17 Q. Okay. And these are the possible routes that  
18 could be droven [sic] from that area in Spartanburg; is  
19 that right?

20 A. Yes, sir.

21 Q. And maybe go I-85, different routes to get to  
22 Poinsett Highway in Greenville; is that right?

23 A. Yes, sir.

24 Q. And, sir, along those, 30 miles, 28 miles,  
25 different routes that could be taken?

1       A.   Yes, sir.

2       Q.   Because that's where the car and Mr. Edwards were  
3 found, over in that location?

4       A.   Yes, sir.

5           SOLICITOR BARNETTE:   Your Honor, all I have left  
6 is to try and check on the video so I can let the jury  
7 see how it works, you know, so they can see it. I don't  
8 know if you want to take a break at this time to see if  
9 I can fix it?

10          THE COURT:   Okay, let's do that. But he has the  
11 right to cross-examine.

12          SOLICITOR BARNETTE:   Can he stay on the stand and  
13 just not talk to anybody at this time, and then ---

14          THE COURT:   So you have not finished your direct,  
15 you want to do that?

16          SOLICITOR BARNETTE:   Right.

17          THE COURT:   Okay.

18          SOLICITOR BARNETTE:   I just want to show them the  
19 video, just to show them. I know we have the still  
20 photos.

21          THE COURT:   Gotcha, okay.

22          SOLICITOR BARNETTE:   That's actually why I did  
23 it.

24          THE COURT:   Madam Forelady, will you take the  
25 jury back to the jury room? If you have pads, leave

1       them in the courtroom, please.

2               THE BAILIFF:   Your Honor, this is to stay in?

3               THE COURT:    Would you leave your pad here,  
4       please?

5               MADAM FORELADY:  Oh, sorry, Your Honor.

6               THE COURT:    Thank you.

7               (Jury leaves the courtroom at 4:21 p.m.)

8               SOLICITOR BARNETTE:  Your Honor, may I step out  
9       and check on that real quick?

10              THE COURT:    Yes, sir.

11              (Solicitor Barnette leaves the courtroom.)

12              (Recess was had from 4:22 p.m. - 4:32 p.m.)

13              SOLICITOR BARNETTE:  Your Honor, I thank you for  
14       your patience.  We'll get it working now, so...  I think  
15       we have it working now, so...

16              THE COURT:    Okay, sounds good.  Do y'all need a  
17       quick break before we bring the jury in?  I just assume  
18       get it done.

19              SOLICITOR BARNETTE:  I'm ready to go, Judge.  I'm  
20       sorry about the slowness.

21              THE COURT:    Mr. Edwards, are you ready to keep  
22       going?

23              THE DEFENDANT:  Yes, sir.

24              THE COURT:    All right, thank you.

25              (Jury enters the courtroom at 4:33 p.m.)

1 THE COURT: Mr. Barnette?

2 SOLICITOR BARNETTE: May it please the Court,  
3 Your Honor. This is State Exhibit 19. This is the  
4 exhibit we were trying to get to play the video on. I'd  
5 like to publish it to the jury at this time.

6 THE COURT: Okay, sir.

7 (Plays video.)

8 BY SOLICITOR BARNETTE:

9 Q. And I think you talked about this a little bit,  
10 there were different camera angles that was there with  
11 the cameras system at the QT?

12 A. Yes, sir.

13 Q. And, for example, this is one -- this is where we  
14 first see him in; is that correct, sir?

15 A. Yes, sir.

16 Q. I think it's at 10:53. This is where we first  
17 see him. That's the air pump there out on the corner;  
18 is that right?

19 A. Yes, sir.

20 Q. And this is where he comes?

21 A. Yes, sir.

22 Q. And we get -- obviously there's an  
23 hour-and-a-half to two hours of video here.

24 A. Yes, sir.

25 Q. But I was being timely and you tracked into the

1 different videos to where Mr. Edwards is; is that right,  
2 sir?

3 A. Yes, sir.

4 Q. And I'm just showing the jury here this little  
5 bit, watching where he is. You can track him on the  
6 different videos. This is Mr. Edwards crossing to the  
7 QT?

8 A. Yes, sir.

9 Q. And we can track him all the way until he gets  
10 into the QT; is that right, sir?

11 A. Yes, sir.

12 Q. That's him right there; is that right?

13 A. Yes, sir.

14 Q. And this is when he goes in the side door; is  
15 that right, sir?

16 A. Yes, sir, on the left side.

17 Q. That's him coming into the store?

18 A. Yes, sir.

19 Q. And he goes all the way to the other side and to  
20 the back; is that right, sir?

21 A. Yes, sir, to the side where the men's restroom  
22 is.

23 Q. Can we slow it down? And you can pause on the  
24 different videos on the different ones; is that correct,  
25 sir?

1       A.   Yes, sir.

2       Q.   As a matter of fact, on the video itself you have  
3 other videos that you've had to convert to a different  
4 file.  Is this him coming back towards the exit from  
5 that direction to the other back, to the men's bathroom?

6       A.   Yes, sir.  That's the right side in hall camera.

7       Q.   And then he comes out of the bathroom; is that  
8 right, sir?

9       A.   Yes, sir.  That's where I was able to get a  
10 better image of the clothing and his face.

11      Q.   It shows his clothes and the cap; is that right,  
12 sir?

13      A.   Yes, sir.

14      Q.   As well as the goatee?

15      A.   Yes, sir.

16      Q.   Or the gray beard.  Just one other thing, and  
17 I'll show you State Exhibit 18.  That was a picture that  
18 was taken by the Spartanburg Police Department; is that  
19 right, sir?

20      A.   Yes, sir.

21      Q.   And in that, those are a different set of pants  
22 than she was wearing when she was at the QT?

23      A.   Yes, sir.

24           SOLICITOR BARNETTE:  Permission to post State  
25 Exhibit 18, Your Honor.

1 THE COURT: Yes, sir.

2 SOLICITOR BARNETTE: I'll show you this, it's a  
3 quick back and forth. I'll show you it. Sir, thank  
4 you, sir. Please answer any questions the defense has  
5 for you, sir.

6 THE COURT: Cross-examination.

7 CROSS-EXAMINATION

8 BY THE DEFENDANT:

9 Q. Good afternoon, sir.

10 A. Afternoon.

11 Q. Do you notice that the defendant is going from  
12 car to car at the QT? Did anyone ask any one of those  
13 peoples that was in one of the cars why he was going  
14 from car to car? Did anyone take the time out to ask?

15 A. We'd probably still be out there asking ---

16 Q. I meant just one person.

17 A. We would still be trying to find out all the  
18 people. There was too many people to count. For two,  
19 about two hours, every patron.

20 Q. So, sir, y'all couldn't take the time out to just  
21 ask one person why that defendant was going from car to  
22 car? You've got all for two hours of video that y'all  
23 couldn't ask just one person?

24 A. I'll ask. Mr. Edwards, why were you going from  
25 car to car to car?

1 Q. Right. Right.

2 THE COURT: No, sir. No, sir. That's not the  
3 question he was asking you. You need to answer the  
4 question he asked you, please, sir.

5 THE WITNESS: I was not a patrol officer at the  
6 time.

7 BY THE DEFENDANT:

8 Q. And is that not a known hang out place at QT  
9 where you see people hangout from all the time, going  
10 from here, here to there? As a matter of fact, I'm sure  
11 y'all get calls about peoples hanging out at the QT. Is  
12 that not true?

13 A. Again, I'm not a patrol -- I was not a patrol  
14 officer at the time.

15 Q. Well, the only reason I'm bringing that up,  
16 because you're showing the defendant going here or there  
17 or there or there.

18 SOLICITOR BARNETTE: Objection, Your Honor. Is  
19 there a question in there?

20 THE DEFENDANT: Yes, it is.

21 THE COURT: Okay. But ask a question, please,  
22 sir.

23 BY THE DEFENDANT:

24 Q. Yes, sir. The reason that I said that the  
25 defender came from Greenville, right? That he was at

1 the mission. He came to the mission to get better, to  
2 get off of drugs. And so we ---

3 THE COURT: Hang on. Just stop, stop, stop,  
4 stop.

5 THE DEFENDANT: Okay. Okay. Okay.

6 THE COURT: Ask a question.

7 THE DEFENDANT: Okay.

8 THE COURT: You can't editorialize.

9 THE DEFENDANT: Okay, I'll try.

10 BY THE DEFENDANT:

11 Q. So my question was that no one had a chance to  
12 ask why he was going from car to car?

13 A. I'm not sure. I wasn't on patrol at that time.  
14 My job was forensics.

15 Q. Thank you, sir.

16 A. Yes, sir.

17 THE COURT: Any redirect?

18 SOLICITOR BARNETTE: No redirect, Your Honor.

19 THE COURT: All right, very good. All right.

20 You may step down. You're excused.

21 THE WITNESS: Thank you, sir.

22 THE COURT: Yes, sir.

23 (Witness leaves the witness stand.)

24 Madam Forelady, ladies and gentlemen, it's a  
25 quarter 'til five. I'm gonna go ahead and call it a

1 break for the day. Any reason why y'all can't be in  
2 your jury room by 9:30 in the morning?

3 MADAM FORELADY: No, sir.

4 THE COURT: Okay, great. If you would, carry  
5 your pads with you. Leave them in the jury room and  
6 don't take them home. We'll see you at 9:30 in the  
7 morning. Take care.

8 (Jury leaves the courtroom at 4:43 p.m.)

9 THE COURT: All right. Anything from the State  
10 before we break for the day?

11 SOLICITOR BARNETTE: Not from the State, Your  
12 Honor.

13 THE COURT: From the defense?

14 MR. SNYDER: No, sir.

15 THE COURT: All right. See y'all in the morning.

16 (Court concluded at 4:43 p.m.)

17

18 --- THIS ENDS DAY ONE OF TRIAL ---

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1                   STATE OF SOUTH CAROLINA VS. JERRY CECIL EDWARDS

2                   DAY TWO OF TRIAL

3                   THE COURT: All right. Mr. Barnette, how many  
4 more witnesses do you anticipate?

5                   SOLICITOR BARNETTE: I have none at this point,  
6 Your Honor.

7                   THE COURT: None?

8                   SOLICITOR: No. I'm planning on resting, Your  
9 Honor.

10                  THE COURT: All right. Mr. Edwards, I'm gonna go  
11 on ahead and go over with you your rights under the  
12 Fifth Amendment, because in just a few moments you'll be  
13 called upon to decide whether or not you wish to testify  
14 in this case.

15                  THE DEFENDANT: Yes, sir.

16                  THE COURT: If you don't mind, would you raise  
17 your right hand. (Complies.)

18                  Do you swear or affirm to tell the truth, the  
19 whole truth, and nothing but the truth?

20                  THE DEFENDANT: Yes, sir.

21                  THE COURT: You can have a seat. Now, Mr.  
22 Edwards, I'm gonna explain to you your rights under the  
23 Fifth Amendment. If you don't understand something I'm  
24 going over with you, you let me know and I'll try to  
25 explain it such that you do understand, okay?

1           THE DEFENDANT:   Yes, sir.

2           THE COURT:   In just a moment, you heard Mr.  
3   Barnette say that he intends not to call any more  
4   witnesses.

5           THE DEFENDANT:   Yes, sir.

6           THE COURT:   So in just a few minutes we're gonna  
7   bring the jury in and I'm gonna ask him to call the next  
8   witness, he's gonna stand up and say the State rests,  
9   okay?  I'll send the jury back out.  At that point we  
10   have reached the point in the trial where you have a  
11   right to testify and you have a right to present  
12   evidence, okay?

13           You also have the right to claim the protections  
14   that are afford by you by the Fifth Amendment to the  
15   United States Constitution.  I'm gonna read to you just  
16   a small part of what that says, okay?

17           THE DEFENDANT:   Yes, sir.

18           THE COURT:   It says that no person shall be  
19   compelled in any criminal case to be a witness against  
20   himself.  What that means is, the State can't call you  
21   to make you testify.  I can't call you and make you  
22   testify.  Your attorney can't call you to make you  
23   testify or your former attorney.

24           The decision of whether or not to testify is  
25   yours and  yours alone.  You have to make that decision

1 freely, voluntarily, and knowing your rights under the  
2 Fifth Amendment, and also the rights to testify or the  
3 consequences if you testify.

4 Now, if you decide to testify, you'll be subject  
5 to cross-examination by Mr. Barnette, who will seek to  
6 impeach your testimony. If you had any criminal  
7 convictions involving dishonesty, that they would be  
8 allowed to get into those. The other convictions that  
9 you have, which I do know that you do have is I met with  
10 your attorneys beforehand, may be subject to  
11 impeachment.

12 At this point, I think that what I heard from  
13 when I had my meetings with Mr. Barnette and Mr. Snyder  
14 is that there's not anything that he'll be allowed to  
15 impeach you with, but that road will be crossed during  
16 the time of your cross-examination. We'll send the jury  
17 out and we'll hear testimony about it and I'll make a  
18 decision as to whether or not the jury will hear it,  
19 okay?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: So that is a possibility. Now, the  
22 decision to testify, has Mr. Snyder gone over with you,  
23 your Fifth Amendment rights before today?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Do you feel like you understand them?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: Okay. If you decide that you do not  
3 want to testify, I would tell the jury in my charge,  
4 they cannot consider your failure to testify whatsoever.  
5 That can't be a part of their deliberations, because  
6 that's your right, constitutional right under the Fifth  
7 Amendment to our United States Constitution, and because  
8 the State has the burden of proving you guilty.

9 Have you understood everything I've told you thus  
10 far?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Okay. Do you have any questions of  
13 me?

14 THE DEFENDANT: No, sir.

15 THE COURT: And you don't have to make the  
16 decision right now, but very shortly you're gonna have  
17 to make a decision as to whether or not you wish to  
18 testify, okay, sir?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: And at this juncture, you indicated  
21 that you have no witnesses. Is that still the case?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: All right. So with that being the  
24 case, anything from the State before I bring the jury  
25 in?

1 SOLICITOR BARNETTE: And, Your Honor, just to  
2 clarify, my understanding is we could not use his  
3 offenses to impeach him. He doesn't have any  
4 dishonesty.

5 THE COURT: He does not have any dishonesty?

6 SOLICITOR BARNETTE: So it would be the charges  
7 we discussed at this point.

8 THE COURT: Yeah. And I looked at those and you  
9 were arguing with Mr. Snyder under 404(b), I think under  
10 intent, and I just don't think that to be appropriate.  
11 So at this juncture, there should not be any charges  
12 they can impeach you with, okay?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Do you understand that?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Thank you, Mr. Barnette.

17 THE DEFENDANT: Thank you, sir.

18 THE COURT: So are you ready to go?

19 THE DEFENDANT: I am, Your Honor.

20 THE COURT: Mr. Edwards, are you ready?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: All right. Would you bring the jury  
23 in, please, ma'am?

24 (Jury entered courtroom at 9:43 a.m.)

25 All right. Good morning, ladies and gentlemen.

1 I hope you had a nice evening. Those who have had a pad  
2 and pen, do you have them with you?

3 MADAM FORELADY: We do.

4 THE COURT: Excellent. All right. Mr. Barnette,  
5 would you call your next witness, please, sir?

6 SOLICITOR BARNETTE: Your Honor, the State would  
7 rest at this point.

8 THE COURT: The State rests. Very good. All  
9 right. Madam Forelady --

10 MADAM FORELADY: Yes, Your Honor.

11 THE COURT: -- sometimes being a juror is like  
12 being like cattle. Once you come in, you've got to go  
13 right back out. This is one of those times you've got  
14 to go right back out. The State rests, which means they  
15 presented its case in chief. I have some administrative  
16 matters to take up right now, then we'll call you back,  
17 okay?

18 MADAM FORELADY: Thank you, Your Honor.

19 THE COURT: Go back to your jury room. Leave  
20 your notepads here in the courtroom.

21 Ma'am, leave your notepad.

22 MADAM FORELADY: Oh, of course.

23 THE COURT: Thank you.

24 (Jury leaves the courtroom at 9:52 a.m.)

25 Okay. Mr. Edwards, now is the time for you to

1 make a decision as to whether or not you wish to testify  
2 in this matter. Do you wish to testify?

3 THE DEFENDANT: No, Your Honor.

4 THE COURT: Are you making this decision knowing  
5 your rights under the Fifth Amendment and the  
6 consequences of your decision to testify, right?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: You're making this decision after  
9 speaking with your former attorney before he was  
10 relieved in this matter?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Do you have any questions whatsoever  
13 about your decision?

14 THE DEFENDANT: No, sir.

15 THE COURT: Very good. Have a seat, please, sir.  
16 For the record, guys, I think what I'm Gonna do, Mr.  
17 Edwards, is call the jury back in. I'm gonna ask you to  
18 call your first witness. You simply need to say the  
19 defense rests. And I'll send them back out, okay?

20 Then we will have a charge conference. Mr.  
21 Edwards did not put up any evidence in this case, so it  
22 looks like you open and close in full in your closing,  
23 right?

24 SOLICITOR BARNETTE: Yes, sir. And then ---

25 THE COURT: He goes last. Yes, sir?

1           THE DEFENDANT: Your Honor, I have a direct  
2 motion to move.

3           THE COURT: That's correct. Thank you for  
4 bringing that up. Go ahead and make your motion.

5           THE DEFENDANT: I'd like to make a motion that  
6 the State did not present their case and I ask for ---

7           THE COURT: Directed verdict?

8           THE DEFENDANT: Yes, sir.

9           THE COURT: Okay. Tell me the reason why you  
10 think that's correct.

11           THE DEFENDANT: Well, I feel like that the State  
12 did not prove the kidnapping or carjacking. They did  
13 not, they did not have enough evidence to prove the  
14 kidnapping or the carjacking.

15           THE COURT: All right, sir, anything else in your  
16 motion?

17           THE DEFENDANT: No, sir.

18           THE COURT: Mr. Barnette, I'd be glad to hear  
19 from you.

20           SOLICITOR BARNETTE: Thank you, Your Honor, may  
21 it please the Court? We heard from Ms. **C.B.** Her  
22 testimony alone where he took her and contained her and  
23 basically forced her into the trunk against her will,  
24 that can find as kidnapping alone. And, obviously,  
25 taking her car by force and the items in her car by

1 force, using the cinderblock would be more than enough  
2 for this case, Your Honor.

3 THE COURT: And then viewing it in the light most  
4 favorable to the State, which I have to do at this  
5 juncture, there is sufficient evidence to take it to the  
6 jury, I think, so I'm gonna deny your motion.

7 THE DEFENDANT: Yes, sir.

8 THE COURT: While we're here, I'm gonna give you  
9 my charge for kidnapping and carjacking to both of you  
10 so you will have it. She's working on the verdict form  
11 now. Sometimes law clerks should be given things when  
12 they're not, that's okay.

13 SOLICITOR BARNETTE: Your Honor, one other  
14 question I wanted to ask. I'm assuming I heard your  
15 charge to the jury before we started.

16 THE COURT: I will go over that with y'all.

17 SOLICITOR BARNETTE: Yes, sir.

18 THE COURT: Yeah. And I have them here. You're  
19 welcome to see mine. Have you tried cases with Judge  
20 Hill?

21 SOLICITOR BARNETTE: A long time ago.

22 THE COURT: A long time. Well, I've just  
23 shamelessly plagiarized his charge, I'll tell you.

24 SOLICITOR BARNETTE: Okay. I understand.

25 THE COURT: But I have it, the body and

1 structure. Both of you are more than welcome to look at  
2 it. I'll go over it all with you before I give it, if  
3 that's okay?

4 SOLICITOR BARNETTE: That's no problem. Thank  
5 you, Your Honor.

6 THE COURT: Yes, sir.

7 MR. SNYDER: Judge, may I first look at the  
8 exhibits real quick?

9 THE COURT: Yes, sir.

10 MR. SNYDER: Thank you.

11 SOLICITOR BARNETTE: Your Honor, may I step out  
12 for just one second? I'll be right back.

13 THE COURT: Oh, yeah, go right ahead.

14 SOLICITOR BARNETTE: Thank you, Your Honor.

15 (Solicitor Barnette briefly leaves the  
16 courtroom.)

17 Thank you, Your Honor.

18 THE COURT: You're welcome. Would you bring the  
19 jury in, please?

20 Mr. Edwards, I'm gonna say, call your first  
21 witness, then you'll stand up and say the defense rests.

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Okay?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Very good.

1           (Jury enters courtroom at 9:52 a.m.)

2           THE COURT: All right. Mr. Edwards, if you'll  
3 call your first witness, please, sir?

4           THE DEFENDANT: Your Honor, the defense rests.

5           THE COURT: The defense rests?

6           THE DEFENDANT: Yes, sir.

7           THE COURT: Okay. Very good.

8           Madam Forelady, ladies and gentlemen of the jury,  
9 if you remember the first part of this case when I was  
10 giving you the opening instructions, I told you there's  
11 five phases in every case. First would be the opening  
12 statements. The second would be the presentation of the  
13 evidence.

14           The State announced that they've rested, which  
15 means they've presented their case in chief. The  
16 defense says that they rest, which means they presented  
17 whatever they're going to present. That ends the  
18 presentation of the evidence phase of this case.

19           The next phase would be closing arguments.  
20 Before we get to closing arguments, I've gotta go over  
21 with everyone the law that I intend to charge and make  
22 sure that we're on the same page. Sometimes I might  
23 need to change it. Sometimes I may need to add to it.  
24 It takes a few minutes.

25           But we will bring you back in here and we'll have

1 closing statements. The State will go first, and they  
2 open in full because the defense did not present any  
3 evidence. And the defense will have the last argument,  
4 okay?

5 So if you will leave your pads here, go back to  
6 your jury room. This will take a couple minutes, and  
7 we'll get you back out here as soon as we can, okay?  
8 Thank you very much.

9 (Jury leaves courtroom at 9:55 a.m.)

10 THE COURT: All right. As to the substantive  
11 charge, the law of kidnapping and carjacking, Mr.  
12 Barnette, does the State have any additions or  
13 exceptions to the proposed charge?

14 SOLICITOR BARNETTE: None from the State, Your  
15 Honor.

16 THE COURT: Thank you, sir.

17 Mr. Edwards?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Have you read the proposed charge on  
20 the kidnapping and carjacking?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Do you have any additions or  
23 exceptions to that?

24 THE DEFENDANT: No, sir.

25 THE COURT: So you agree with that charge?

1           THE DEFENDANT:  Yes, sir.

2           THE COURT:  Okay.  Very good.  Now, my charge is  
3 in three parts.  The first part is the duties that  
4 confine and control the juror's duties as jurors.  The  
5 second would be the substantive law I've just given to  
6 you.  And then the third part would be some  
7 considerations about their deliberations.

8           Then I'll go over the verdict form, which was  
9 just handed to both of you.  I generally tell the jury  
10 in the first part of my instructions that it is their  
11 duty to find the facts from the evidence that's been  
12 presented in this case.  And to those facts as they find  
13 them, they must apply the law as I give it to them.  And  
14 they must follow the law as I give it to them.  And they  
15 may not be concerned with what they'd like it to be, but  
16 only what it is.

17           They're not to be influenced by anything I may  
18 have done throughout the course of this trial.  I'm not  
19 allowed to have any opinion or give any comments on the  
20 evidence.  And they also are not to be influenced by any  
21 personal likes, dislikes, opinions, prejudice, or undue  
22 sympathy to one side of this case from the other, which  
23 means that they are to decide the case solely on the  
24 evidence and the law.  And that they recall, that's what  
25 they swore or affirmed they would do in taking the

1 juror's oath.

2 And I tell them that upon the instructions now,  
3 they have to follow all of the instructions. They can't  
4 pick out some that they like and parts that they like  
5 and apply those, but not apply the other aspects of my  
6 charge. Consider all equally important.

7 And they will decide what the facts are by  
8 evaluating and weighing the evidence. And I'll tell  
9 them, you know, you can't weigh evidence in the literal  
10 sense, but this is a general process and they are to use  
11 their common sense and sound judgment in going through  
12 and discussing the evidence and, hopefully, reach a  
13 unanimous verdict.

14 I then explain to them what is evidence and what  
15 is not evidence. What is evidence is the sworn  
16 testimony from the witnesses, both on direct and  
17 cross-examination and any exhibits that I've allowed  
18 into evidence. Things that are not evidence are the  
19 arguments of the parties, the State and defense in this  
20 case. I explain that they have not been sworn in and  
21 not subjected to cross-examination. It's not evidence.

22 Questions and objections by attorneys and by you,  
23 Mr. Edwards, is not evidence. But responses to those  
24 questions is evidence in this case. I explain to them  
25 that the attorneys and you would have a duty to object

1 if they believe there's an improper procedure or  
2 evidence being proffered, and that I tell the forelady  
3 that they are not to allow the fact that an objection  
4 was made or my ruling on that objection to be a part of  
5 the jury's deliberation in this case. And there's  
6 certainly no stipulations in this matter, so that would  
7 be the only thing that would constitute evidence.

8 I then give the circumstantial evidence charge  
9 out of Clarence -- State versus Clarence Logan. And I'm  
10 gonna read it to you now, because it seems to me there  
11 was a case that added or subtracted from that, but let  
12 me read it for the record and see if everybody's in  
13 agreement with what this charge is.

14 It tells that there are two types of evidence  
15 which are generally presented during the trial, direct  
16 evidence and circumstantial evidence. Direct evidence  
17 directly proves the existence of a fact and does not  
18 require deduction. Circumstantial evidence is a proof  
19 of a chain of facts and circumstances indicating the  
20 existence of a fact.

21 I typically give examples, what is direct  
22 evidence and what is circumstantial evidence. The  
23 examples that I normally give, the issue as to whether  
24 or not I ran a stop sign, which is pretty direct. And  
25 my law clerk says she saw me run that stop sign, that

1 would be an example of direct evidence because it  
2 immediately establishes a fact.

3 All right. The example for circumstantial  
4 evidence would be that all the jurors go to bed with a  
5 fresh sheet of snow in their front yard. They wake up  
6 in the morning and there is tracks in the snow. They  
7 can confer or deduce that someone or something walked  
8 through the yard during the night, even though they  
9 didn't see it, because it takes an inference and they  
10 have deduced something from that.

11 And I tell them further the crimes may be proven  
12 by circumstantial evidence. The law makes no  
13 distinction between the weight or value to be given in  
14 either direct or circumstantial evidence; however, to  
15 the extent that the State relies on circumstantial  
16 evidence, the circumstances must be consistent with each  
17 other, and when taken together formed conclusively to  
18 the doubt -- excuse me, to the guilt of the accused  
19 beyond a reasonable doubt. If these circumstances  
20 merely portrayed the defendant's behavior as suspicious,  
21 the proof has failed.

22 The State has the burden of proving the defendant  
23 guilty beyond a reasonable doubt, and this burden rests  
24 with the State, regardless of whether or not the State  
25 relies on direct evidence, circumstantial evidence, or a

1 combination of the two.

2 Do you see any things that I need to admit or add  
3 to that direct or circumstantial evidence charge?

4 SOLICITOR BARNETTE: I do not, Your Honor.

5 THE COURT: Okay. Mr. Edwards, do you see  
6 anything I need to add or subtract from the direct or  
7 circumstantial evidence charge?

8 THE DEFENDANT: No.

9 THE COURT: Are you okay with it?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Thank you, sir.

12 All right. I next go to the credibility of the  
13 witnesses. I tell them that they can believe or  
14 disbelieve any part of a juror's -- I mean, a witness's  
15 testimony. They have a right to believe all or part or  
16 none of it. I go through a list of factors as to what  
17 they consider in making the decision of the credibility  
18 of the witnesses, which would include the ability to  
19 hear and see the things about which they testified and  
20 how well they were able to describe them during the  
21 testifying -- during their testimony, their demeanor on  
22 the witness stand.

23 Whether the witness would want to have, have any  
24 kind of bias or prejudice for one side of the case to  
25 the other. Do they have an interest in the outcome of

1 the case? If they have an interest in hurting one side  
2 of the case from the other. You can consider how  
3 reasonable the witness's testimony was in light of all  
4 the evidence, and whether that witness's testimony had  
5 been contradicted by what that witness has said or done  
6 another time by other witnesses in the case or other  
7 evidence in the case.

8 I also tell them that they don't check their  
9 common sense at the door when they become jurors and  
10 they shouldn't in this case. And they should use those  
11 things in their day-to-day lives. Did they find  
12 indicative of the truthfulness or lack of truthfulness  
13 in making this determination of what the credibility of  
14 the witness is?

15 One of the things they cannot do is add up the  
16 number of witnesses that appear on one side of the case  
17 or the other in making that determination.

18 We had no expert testimony in this case. I tell  
19 them that, again, that the indictment or indictments are  
20 not evidence and they can't consider it as evidence and  
21 not a presumption of innocence. And I also tell them  
22 that each indictment is separate and distinct, and they  
23 have to make the decision based on each indictment, but  
24 not irrespective of their decision on the other  
25 indictment. So if they decide one or they decide the

1 other, it shouldn't be influenced by the decision on the  
2 other indictment.

3 I go over the presumption of innocence. I give  
4 them the reasonable doubt charge, which would include  
5 what a conscientious person would hesitate to act in  
6 their own affairs and leaves them firmly convinced of  
7 guilt.

8 I go over intent. I'll go over the failure of  
9 you to testify, that they can't consider that in their  
10 deliberations. And I admonish the Forelady to keep that  
11 out of the jury's deliberations.

12 The question that I would have in this case, and  
13 I don't think it's really -- I don't think it  
14 necessarily is appropriate, but I would like to get the  
15 State's position of whether or not -- and your position,  
16 Mr. Edwards, as to whether or not I should charge the  
17 law on identification.

18 SOLICITOR BARNETTE: I don't think ID is an issue  
19 on this case, Your Honor.

20 THE COURT: I don't think it is either. I  
21 just ---

22 SOLICITOR BARNETTE: The defendant in the opening  
23 argument may have brought that up. I know it's not  
24 evidence, but I don't see ID being an issue. I'll leave  
25 that to the defendant.

1           THE COURT: I agree with you. Mr. Edwards, do  
2 you agree with that?

3           THE DEFENDANT: Yes, sir.

4           THE COURT: Okay. So that's not an issue. Your  
5 good character is not an issue. You didn't present any  
6 statements by the defendant in this case?

7           SOLICITOR BARNETTE: We did not, Your Honor.

8           THE COURT: So that would be the substantive, the  
9 first part of my charge. We've been over the  
10 substantive part of it, looked at it.

11           Then I'd go over my third and final part. I  
12 advise them that they are not -- they will serve as  
13 jurors to be partisans or advocates, that both sides  
14 chose them to be jurors because either they expressly or  
15 by their silence represented that they could be fair and  
16 impartial to both sides in this case.

17           And then when they go back and start discussing  
18 the evidence in the case, they're to use their  
19 experiences in life, their common sense, and their sense  
20 of logic and reasoning in coming to a decision in this  
21 matter. I could give them the definition of what  
22 deliberation is, which is a careful consideration right  
23 up to you have made your decision.

24           And I go over with them or remind them they're  
25 not advocates, but they're judges of the facts. I tell

1    them that they need to listen to everybody's points of  
2    view.  Let everybody explain their positions and they  
3    will do the same for you.

4           And then you will discuss all of the evidence and  
5    they shouldn't be in a hurry.  Each side is going to  
6    have their day in court and it's an important case to  
7    both the State and to the defendant in this matter.  And  
8    they're to ultimately, hopefully reach an agreement, but  
9    in order for me -- in order for their verdict to stand,  
10   it would have to be unanimous.

11           I also tell them, with that being said, you have  
12   to decide the case for yourself, but you should only do  
13   so after you impartially considered all of the evidence,  
14   you fully discussed it with your jurors and listened to  
15   their points and points of view.

16           I tell them don't be afraid to change your  
17   opinion if the discussion convinces you that's the right  
18   thing to do based on the weight of the evidence.  But on  
19   the other hand, do not come to a decision simply to  
20   appease your fellow jurors.

21           I will go over with the forelady if she has any  
22   questions, that she is to write it, you know, out and  
23   send it, you know, to the bailiff, to me and we'll  
24   respond in kind.  She's never to give me any kind of  
25   numerical standings where the jury is, 6-6 or in 8-4, or

1 any of that. Then I'll go over with her how to fill out  
2 the verdict form in this matter.

3 Do you have any questions, exceptions, or  
4 additions?

5 SOLICITOR BARNETTE: The State does not, Your  
6 Honor.

7 THE COURT: Mr. Edwards?

8 THE DEFENDANT: The defense does not.

9 THE COURT: Very good. Okay. So, do you  
10 understand what I told Mr. Barnette, that he opens in  
11 full?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: And that means you have the last  
14 argument.

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Okay. So any questions about any of  
17 this?

18 SOLICITOR BARNETTE: Your Honor, I know you've  
19 told him before but, obviously, he can't testify. He  
20 needs to talk about the evidence that's been presented  
21 in the case.

22 THE COURT: Do you understand that?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Okay. If he ventures, you just have  
25 to object. Do you intend to use any IT in your closing?

1           SOLICITOR BARNETTE: I do, Your Honor. I was  
2 gonna ask for the Court's permission to use that table  
3 over here, and I've got it, it's already set up over  
4 here.

5           THE COURT: Right. I'll tell you what, why don't  
6 you go ahead and set that up.

7           SOLICITOR BARNETTE: Yes, sir.

8           THE COURT: Do you need -- are you gonna use any  
9 IT or anything?

10          THE DEFENDANT: Yes, sir.

11          THE COURT: You do have IT?

12          THE DEFENDANT: Yes.

13          MR. SNYDER: He wants to show an exhibit, Your  
14 Honor, in his closing.

15          THE COURT: He does what?

16          MR. SNYDER: I'm sorry. He would like to show an  
17 exhibit during his closing.

18          THE COURT: Okay. The State's exhibit?

19          MR. SNYDER: Yes, sir. It's already entered.

20          THE COURT: All right. If it's in evidence,  
21 absolutely.

22          MR. SNYDER: Yes, sir. That's why I first sent  
23 it to you.

24          THE COURT: Okay.

25          SOLICITOR BARNETTE: And, Your Honor, I'll leave

1 the Elmo on, so if he wants to use that after I get  
2 done.

3 THE COURT: And let me ask y'all this, do y'all  
4 have clean computers?

5 SOLICITOR BARNETTE: Yes, sir, we do. We've got  
6 one right here.

7 THE COURT: So I can just tell them if they need  
8 help watching the video, we could send somebody back  
9 there, a representative from both sides to make sure  
10 that it's explained and they'll get it out and they can  
11 play it?

12 SOLICITOR BARNETTE: Yes, sir. We'll give that  
13 to them, and it's clean. We've used these before. I  
14 can go give it to the bailiff and let him hold on to it.

15 THE COURT: Sure. Well, I don't know, you might  
16 have to watch out for her.

17 THE BAILIFF: Yes, sir, I can take it.

18 SOLICITOR BARNETTE: Thank you, ma'am.

19 THE COURT: All right. Would you let me know  
20 when you're ready?

21 SOLICITOR BARNETTE: Yes, sir. I'm ready now.

22 THE COURT: Oh, you're ready?

23 SOLICITOR BARNETTE: Yes, sir.

24 THE COURT: Okay. Are you ready?

25 SOLICITOR BARNETTE: Yes, sir, we are.

1 THE COURT: Mr. Edwards, are you ready?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Bring the jury in.

4 THE BAILIFF: Okay.

5 THE COURT: Bailiff, don't let anybody in or out  
6 of the courtroom during closings or my charge, please,  
7 sir.

8 THE BAILIFF: Yes, sir.

9 THE COURT: Thank you very much.

10 (Jury enters courtroom at 10:11 a.m.)

11 All right. Madam Forelady, ladies and gentlemen  
12 of the jury, this is the closing argument phase. The  
13 State will open in full, close in full.

14 Mr. Barnette?

15 SOLICITOR BARNETTE: May it please the Court,  
16 Your Honor?

17 THE COURT: Yes, sir.

18 CLOSING ARGUMENT

19 SOLICITOR BARNETTE: Ladies and gentlemen of the  
20 jury, you'll have this evidence with you back in the  
21 courtroom -- I mean, back in the jury room, from that  
22 standpoint.

23 The evidence shows, ladies and gentlemen, that  
24 Ms. C.B. was driving her car to the QT that night. And  
25 she went to go get the lottery tickets. And you saw,

1 and you're gonna have the pictures back there with you.  
2 I'm probably gonna go through a few of these pictures  
3 with you. The defendant, Mr. Edwards, was there that  
4 night. And he had talked to several different people,  
5 then came up and talked to her.

6 And here's a lady that's worked 23 years of her  
7 life at Spartanburg Regional Medical Center helping  
8 people, working with people, caring for people. And he  
9 told her that he was stranded that night from  
10 Greenville. And you remember in his opening the first  
11 thing he told you, he was from Greenville.

12 And she wanted to help him to get where he needed  
13 to get to. He told her where to go. He told her where  
14 to pull off at. And you've heard from her own words, he  
15 said, where's the money? He took her money, he took her  
16 car keys. He told her to take her clothes off.

17 And you'll have this back there with you, too.  
18 He had his brick with him or his piece, piece of  
19 cinderblock, is what it is. Made her get in the trunk  
20 of her car. And only by the grace of God -- and you'll  
21 have this back in the evidence with you too [sic] -- was  
22 a trunk release. She felt it hit her head and she  
23 pulled it. The trunk was heavy. And you heard  
24 Investigator Cloran talk about it.

25 And when she stopped, she made the choice of her

1 life. And so many people -- and the one thing you bring  
2 to this courtroom is your common sense. And she made a  
3 decision she's gonna run for her life, and she did.  
4 Then not wanting to be out there completely naked, she  
5 grabbed the shirt and bra to help take care of her, but  
6 she still didn't have any pants on, didn't have any  
7 shoes on.

8 She knocks on one door. She knocks on another  
9 door and it wound up being Ms. Nash. They never met  
10 before this. He had met her, but they had never met.  
11 And she's frantic. She's panicking.

12 The police come to the scene. He takes her car.  
13 He drives over 30 miles, at least, to Greenville, to  
14 Poinsett Street, where he's found shortly before noon  
15 that same day with that car. And in that car, ladies  
16 and gentlemen, is her pants on the driver's side where  
17 he's driving it, with the piece of cinderblock right on  
18 top of it. And her sandals are also in there too.  
19 Plus ---

20 And, like I said, this is where your common sense  
21 comes in. Do you think she'd let him take her car,  
22 number one, and leave her everything in her life,  
23 basically in that car voluntarily? For this lady came  
24 into the courtroom to tell you what happened to her,  
25 took a lot.

1           And what's really bad, Ms. Nash cam in this  
2 courtroom too, and he attacked her with his questions.  
3 Said that her partner is the reason why she's here to  
4 testify. No, she testified because this lady ran for  
5 help to her. And she told you what happened and what  
6 she saw, Ms. Nash did.

7           And what's interesting, Ms. Nash testified, and  
8 the evidence will show, that he was there at least a  
9 week before, maybe two weeks before, walking around that  
10 neighborhood. Had approached her partner and made  
11 comments to her about oral sex and things of that  
12 nature.

13           You'll have this evidence, ladies and gentlemen,  
14 and it all points to one thing, that this man here  
15 forced her to do those things, which is part of  
16 kidnapping. When you confine somebody, you tell them to  
17 do [sic], to where they go, where he placed her, what he  
18 made her do.

19           Carjacking is where you use the force of  
20 something to take your car, a person when they're in  
21 their car, from them. And the judge will give you that  
22 instruction. He'll be telling you about that. There's  
23 no question that Mr. Edwards was the man that did this  
24 to her.

25           One thing the judge is gonna talk to you is

1   beyond a reasonable doubt. And part of the definition  
2   is what leaves you firmly convinced of a person's guilt  
3   and you must find him guilty of that offense.

4           I submit to you, all the evidence that you have  
5   here, and I can go over every piece of it with you, but  
6   I think you've seen it already. We went through it. It  
7   should leave you firmly convinced of this guilt of this  
8   man, what he did to her that night.

9           No woman should go through what she went through  
10   that night. And luckily, she's here today to tell her  
11   story, and she did tell you the story. She looked right  
12   at you and told you what happened to her that night.

13           And remember, the evidence that we presented here  
14   is what you'd consider in this case. And all the  
15   evidence points to just these -- the collusion he's  
16   given to these offenses. Now, one person might argue,  
17   well, you don't have every piece of the puzzle. Well,  
18   you don't need to have every -- I wish I could give you  
19   a video of what happened to her and you could see what  
20   happened to the car and everything. I can't do that.

21           I can just present the evidence that we have here  
22   to show you and give to you. Like the officers found in  
23   Greenville what was in the car, what was there.

24           One thing else I wanted to show you too, one  
25   thing I did when I was a kid, I did puzzles. And with a

1 puzzle, sometimes you'd lose pieces. But the thing  
2 about puzzles is, you could still see without all the  
3 pieces what it is. And I submit to you, when you look  
4 at this puzzle, you definitely see it's still a puppy.

5 Well, ladies and gentlemen, I submit to you that  
6 all the pieces adds up to one conclusion, that this man  
7 car jacked her that night and kidnapped her that night,  
8 and that he's guilty of those offenses. Now, I'm not  
9 gonna be able to stand back up and this is the only time  
10 I get to talk to you. And I wanted to make sure how  
11 important this is to Ms. C.B., how important this is to  
12 the State.

13 And go through this evidence and look at it.  
14 Look at all the pieces. Look what he took from her that  
15 night, including her dignity that night, where she had  
16 to borrow another person's pants in order to do -- to  
17 get away. In order to see police officers. Thank God  
18 Ms. Nash was there that night.

19 One other thing I wanted to show you real  
20 quickly, too. I believe it's State Exhibit Number 4.  
21 He went and got an ID card. It was issued on May 7th,  
22 2019. This happened on June 11th, 2019. He told them  
23 his address at that time was [REDACTED] Rutherford Street in  
24 Greenville, South Carolina. That was his address just a  
25 little over a month before this happened. Then he was

1 up in Spartanburg doing this to this lady right here.

2 And there's a picture from the QT that night, as  
3 he's walking around for a long period of time. Wearing  
4 the same outfit the next day, not having a care in the  
5 world. Then he left her like that with somebody else's  
6 pants on.

7 And in Greenville, you've got that, sitting in  
8 the driver's side where he was where the brick was. Her  
9 shoes, her purse with all the items left in the trunk.  
10 I'm sure at some point that I will want to stand up back  
11 and talk to you, ladies and gentlemen, about this, but  
12 you have all the pieces.

13 You don't have to have every piece. Like I said,  
14 I wish I could have a video that night, so I could  
15 record what happened, but she did the next best thing,  
16 she told you what happened that night. Nicole Nash told  
17 you what happened that night.

18 The officer in Greenville told you what he saw a  
19 moment ago. Investigator Cloran told you what they  
20 found at the QT and what they found in her car that he  
21 took to Greenville.

22 I'm gonna ask you, ladies and gentlemen, on  
23 behalf of Ms. C.B., on behalf of the State, I'm gonna  
24 ask you for a guilty verdict on both counts. Thank you  
25 very much for listening to me.

1 THE COURT: Mr. Edwards, closing arguments?

2 THE DEFENDANT: Yes.

3 CLOSING ARGUMENT

4 BY THE DEFENDANT: Thank you, Solicitor. Thank  
5 you, you did a fine job. Ladies and gentlemen of the  
6 jury, I don't know how to begin but I want to thank  
7 y'all for taking the time out to serve. I did, I served  
8 my country in the United States Army for four years and  
9 two years in the reserves.

10 SOLICITOR BARNETTE: Your Honor, I'm gonna  
11 object.

12 THE DEFENDANT: And also -- what's wrong, sir?

13 THE COURT: Stop. Stop. When he objects, stop  
14 for me, okay? I was having a hard time hearing what he  
15 was saying actually, so I didn't hear what he said.  
16 What's the objection?

17 SOLICITOR BARNETTE: The objection is he's  
18 testifying, Your Honor.

19 THE COURT: I'm sorry?

20 SOLICITOR BARNETTE: He's testifying?

21 THE COURT: What did he say?

22 SOLICITOR BARNETTE: He said he served in the  
23 U.S. Army for how many years.

24 THE COURT: I'll sustain that. If you'll  
25 withdraw that. Go ahead, please, sir.

1           THE DEFENDANT: Yes, sir. I apologize. First of  
2 all, I am from Greenville. I was in Spartanburg to get  
3 help. I was at a program, so that's what ---

4           SOLICITOR BARNETTE: Objection, Your Honor. He's  
5 testifying again.

6           THE COURT: Just -- I'll tell you what, Madam  
7 Forelady, let me take up a few things with them outside  
8 of your presence. If you will leave your pads here, go  
9 back to your jury room, we'll get you back out here  
10 shortly.

11           (Jury left the courtroom at 10:28 a.m.)

12           All right. Mr. Barnette, I'll be glad to hear  
13 you.

14           SOLICITOR BARNETTE: Your Honor, I don't -- I've  
15 got to be careful, because he did not testify, although  
16 it was his right to testify, but obviously, he's already  
17 went one time he told about his U.S. -- being in the  
18 U.S. Army, serving for four years. I objected at that  
19 point, and the Court sustained, which I think is  
20 definitely correct.

21           But anyway, then he went on to tell why he was in  
22 Spartanburg needing help. He could have testified, but  
23 he decided not to, so I don't think he has a right to be  
24 able to testify in closing, and in the interest of time  
25 I object to it, Your Honor.

1           THE COURT: I agree. And, Mr. Edwards, the Court  
2 will give you an opportunity to hear your response.

3           THE DEFENDANT: Your Honor, that was part of my  
4 closing to pick up on what Mr. Barnette was using by me  
5 being not from Spartanburg, but being from Greenville,  
6 so I was including that to show that I was down here for  
7 a program. And right here at the QT is where we we come  
8 down. So that's where I was going with it.

9           THE COURT: Well, let me go over something with  
10 you. And sometimes it's not clear. Lawyers and judges,  
11 and I know with you not being a lawyer or a judge, it  
12 may not be as clear, but you can argue what the facts  
13 are in evidence or reasonable inferences from the facts  
14 that are in evidence, okay?

15           Remember when I told you earlier that questions  
16 are not -- is not evidence. Not your questions, not Mr.  
17 Barnette's questions. And what Mr. Barnette is saying  
18 is that some questions you had, that you tried to  
19 indicate I was having trouble and I was trying to get a  
20 ride because I was stuck over in Spartanburg, but you  
21 didn't testify to that. You asked questions about it,  
22 and that's not in evidence because nobody responded in  
23 the affirmative.

24           THE DEFENDANT: Uh-huh.

25           THE COURT: So, you're gonna have to limit your

1 argument to facts that are already in evidence and any  
2 reasonable inferences from that, okay?

3 THE DEFENDANT: Okay.

4 THE COURT: So, sometimes it may be a little bit  
5 difficult to differentiate between the two. Try keeping  
6 in mind, your questions when you ask them, does not  
7 constitute evidence in this case. The responses to your  
8 questions does, is evidence, okay?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: All right. Do you think you're clear  
11 on that?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: All right. Thank you, Mr. Edwards.  
14 All right. Would you bring the jury back,  
15 please, ma'am.

16 Mr. Edwards?

17 THE DEFENDANT: Yes?

18 THE COURT: The court reporter is asking that you  
19 speak louder. And I'm having a hard time hearing you,  
20 too.

21 THE DEFENDANT: Okay.

22 THE COURT: If you don't mind?

23 THE DEFENDANT: Yes.

24 THE COURT: Thank you.

25 (Jury enters courtroom at 10:31 a.m.)

1 All right. Mr. Edwards, you may continue.

2 CONTINUED CLOSING ARGUMENT

3 THE DEFENDANT: Yes. Again, good morning, ladies  
4 and gentlemen of the jury. I'm not a lawyer, so I'm  
5 gonna have to ask you to interpret what I say the best  
6 way you can.

7 During the night of July the 11th, I was at QT,  
8 and I did meet Ms. C.B. there. I don't have the  
9 resource and didn't have the resource to show some of  
10 this stuff that took place. Like, I did mention that  
11 she was -- we was sitting in the car drinking beer. And  
12 she was a little intoxicated. She went in the store.

13 SOLICITOR BARNETTE: Your Honor, I have to object  
14 at this point. He's testifying.

15 THE COURT: I'll sustain that objection. It has  
16 to be in evidence, okay, sir?

17 THE DEFENDANT: Okay. But anyway, as I  
18 mentioned, we was drinking. And I will show you on the  
19 tape where there was beer in the car. As you will see,  
20 I took one out, which I can't show it on the video.  
21 Took a beer out and set it on the side because I didn't  
22 want her drinking and driving.

23 And there was no kidnapping. There was no  
24 carjacking. The State have not proved that there was a  
25 carjacking or kidnapping. You heard her testify. Her

1 word is just like my word. There's no evidence that I  
2 kidnapped her or car, you know, did the carjacking.  
3 There's no evidence. There was only two peoples there,  
4 myself and her.

5 And as y'all know the great president, president  
6 Trump, how witnesses accused him of doing certain  
7 things. I mean, y'all know that. Not only, you know,  
8 there's other great mens in America that have been  
9 accused by a witness of doing certain things because  
10 they couldn't get their way. Well, I happen to be the  
11 victim of one of those.

12 The lady did testify yesterday. She wasn't even  
13 gonna let y'all know that I knew her, but I did. I know  
14 her. I've been at her house several times. But, as I  
15 brought up yesterday, there was somewhat a relationship  
16 with her friend by her being bisexual. And, like I  
17 said, I was bisexual and I am bisexual. She get upset  
18 because I said I'm bisexual, I have a lady. I didn't  
19 want to be with her that night, so she get upset.

20 But, again, please, I want you to understand that  
21 kidnapping, that's a very serious charge, have not been  
22 proven. Carjacking have not been proven. Did I drive  
23 away in the car with consent or without consent? This  
24 may be what you're looking at, consent of what I  
25 consent. Yes, I did drive away with the car. She went

1 and turned a trick. Then she have her picks on ---

2 SOLICITOR BARNETTE: Objection, Your Honor. That  
3 is testifying.

4 THE DEFENDANT: Question withdrawn.

5 THE COURT: Okay. Well, I sustain the objection.  
6 And, again, you need to argue facts or inferences from  
7 facts in evidence, please, sir.

8 THE DEFENDANT: Yes, sir. Yes, sir.

9 But, again, I just ask y'all to please look at  
10 the evidence that have been presented. That's all I  
11 ask, just look at the evidence. Have carjacking been  
12 proven? Have kidnapping been proven? There's no  
13 evidence there. There's nothing to show that she was  
14 kidnapped.

15 You think about it, as you females exit. You get  
16 out of the car and you put your keys in your -- I mean,  
17 that's gonna scratch. Why would you want to put your  
18 keys here? (Indicating.) I'm like, come on. You're  
19 just going in the store and you're gonna put your keys  
20 -- she said twice she put her keys here, just going in  
21 the store. (Indicating.) Keys are rough, you know?  
22 And for there she's got her keys. Most females got a  
23 whole lot of stuff on their keys, and you're gonna stick  
24 that in there? Come on now.

25 Again, if she was kidnapped and put in the truck

1 and she said her pocketbook and the phone was in the  
2 trunk, then the female, the first thing I'm gonna do is  
3 grab your pocketbook. I mean, she left her -- she said  
4 she left her pocketbook in there, but she said she was  
5 in the trunk with her pocketbook and she gonna leave her  
6 pocketbook? Come on. Come on.

7           There was no kidnapping. So I ask when y'all go  
8 back, please, please, as Mr. Barnette said, use your own  
9 judgment. I'm asking you, please. It could be your  
10 brother. It could be your niece, your nephew, your  
11 father, your uncle standing right here where I am today.

12           SOLICITOR BARNETTE: Your Honor, I object.

13           THE DEFENDANT: So I ask that y'all please ---

14           THE COURT: Mr. Edwards, stop. Stop. Stop. I  
15 sustain that.

16           THE DEFENDANT: All right.

17           THE COURT: That's not an appropriate argument.

18           THE DEFENDANT: But anyway, I ask when you go  
19 back, please, if you have any doubt that the State did  
20 not prove their case, please vote not guilty. Thank  
21 y'all for your service and may God bless you.

22           THE COURT: Thank you, sir.

23                           JURY CHARGE

24           THE COURT: All right. Madam Forelady and ladies  
25 and gentlemen of the jury, that concludes closing

1 arguments. It is now my duty as the trial judge to give  
2 you the law that applies in this case. I will tell you  
3 in advance that I'm not articulate enough or intelligent  
4 enough to do it off the top of my head, so I'll read a  
5 good portion of this to you. I apologize in advance,  
6 but these are very important points of law, and I'm  
7 afraid that if I try to do it off the top of my head I'd  
8 get it wrong.

9 With that being said, a lot of times juries will  
10 ask for, once they start deliberations, they'll send  
11 word back, we'd like to see this, we'd like to see this.  
12 Something that's not in evidence. All of the evidence  
13 that is going to be admitted in this case has been. No  
14 more evidence is going to be admitted at this juncture.

15 From the evidence that has been admitted, it  
16 would be up to you to determine what the facts are based  
17 on that evidence and inferences from that evidence, and  
18 according to the law as I give it to you now.

19 Now, these instructions will be in three parts.  
20 The first part of my instructions will be the general  
21 rules that define and control your duties as jurors.

22 Can y'all hear me okay?

23 (Jurors nod heads up and down.)

24 Good. All right. The second part will be the  
25 substantive law that applies in this case, and that is

1 the law of kidnapping and carjacking. I'll then go over  
2 some final points about your deliberations.

3 Madam Forelady, I'll go over the verdict form  
4 with you and explain to you how to fill it out. It's  
5 pretty much self-explanatory, but I'll go over it  
6 nonetheless, and give you some instructions about any  
7 questions you may have, okay?

8 Now, ladies and gentlemen, if you remember at the  
9 beginning of this case I told you, you are the judges of  
10 the facts in this case. You and you alone are the  
11 judges of the facts, and it is your duty to find the  
12 facts from the evidence that's been presented during the  
13 course of this trial.

14 To those facts and reasonable inferences from  
15 those facts, you must apply the law as I give it to you  
16 now. And you must follow the law, as I give it to you  
17 now. You may not and shall not be concerned with what  
18 you think the law should be, but only what it is.

19 Again, I will tell you that if I'm incorrect, as  
20 to on the law that I give it to you, as I give it to  
21 you, there are the Court of Appeals and the Supreme  
22 Court that will correct my legal errors of law.

23 Also, ladies and gentlemen, you may not and must  
24 not be influenced by any personal likes, dislikes,  
25 opinions, prejudice, or undue sympathy that you may have

1     for one side of this case or the other. What that  
2     simply means is, you are to decide this case based  
3     solely on the evidence presented and according to the  
4     law as I give it to you now.

5             And if you'll recall at the beginning of this  
6     case when you took your oath, you swore or affirmed to  
7     do just that. Now, in following my instructions now,  
8     you can't pick out certain aspects of my charge and say  
9     we agree with that and we're gonna follow that, but  
10    there may be certain aspects that you don't agree with  
11    and you think that you do not follow that aspect.

12            All of my instructions are equally important.  
13    You must follow all of my instructions now. It would be  
14    improper for you to say we're not going to apply certain  
15    aspects of my charge.

16            Now, ladies and gentlemen, that leads me to  
17    another thing, and that is, if I said or done anything  
18    through the course of this trial that indicates to you  
19    how you are to define facts; in other words, your  
20    verdict in this case, I'm gonna ask you to disregard it.  
21    Our constitution does not allow a trial judge to have an  
22    opinion or make a comment about the facts of the case.  
23    You and you alone will be the judges of what the facts  
24    are. In other words, what your verdict is going to be.

25            And you will decide those facts by evaluating and

1 weighing the evidence that you've heard during this  
2 trial. Now, obviously, you can't weigh evidence in the  
3 literal sense. Weighing the evidence is a mental  
4 process. And when you do that, use your good sense and  
5 your sound judgment when you walk through and talk about  
6 the evidence that has been presented in this case.

7 Now, certain things are considered evidence and  
8 certain things are not evidence. I'm gonna go over that  
9 with you. The sworn testimony by a witness from this  
10 witness stand, their answers is evidence. It doesn't  
11 matter if it came out in the direct examination or  
12 cross-examination, but their responses to the questions  
13 being asked is evidence.

14 The exhibits that I've allowed into evidence in  
15 this case is also evidence. And that's the only thing  
16 that you may consider as evidence in this case. So that  
17 leads me to what is not evidence. First, the arguments  
18 and statements by the State's attorney or by Mr. Edwards  
19 in their opening and closing statements is not evidence.  
20 They were not sworn, they were not subjected to  
21 cross-examination. What they told you is helpful and  
22 it's a guide to help you understand what their  
23 intentions are, but it is not evidence.

24 Also, the State attorney's questions and Mr.  
25 Edwards' questions to the witnesses, the questions

1 themselves is not evidence. The responses that were  
2 elicited from the questions is evidence. And sometimes  
3 that's a little difficult to traverse at. But the  
4 responses alone is evidence. And, obviously, the  
5 exhibits that I've allowed into evidence is also  
6 evidence.

7 Now, I'll remind you that attorneys and Mr.  
8 Edwards, since he represented himself, have a duty to  
9 object any time they feel that there's improper  
10 procedure being followed, improper evidence that's being  
11 proffered before the court. Madam Forelady, the fact  
12 that there was an objection raised and the extent that I  
13 let you stay in here and see my rulings on that, may not  
14 and shall not be the subject of your jury's  
15 deliberation. Suffice it to say, that is the process  
16 that goes on in every single case.

17 I know sometimes you might have felt like you  
18 were cattle coming in and out of the courtroom, but  
19 suffice it, that's just the way it works. So that -- if  
20 somebody tries to interject that in the deliberations,  
21 you are to stop it. And if they will not stop it, you  
22 will send word back to me and I will, okay?

23 And, ladies and gentlemen, those are the only  
24 kind of evidence that you may -- that's the only  
25 evidence that you may consider. Now, we have two types

1 of evidence that we follow. It's direct evidence and  
2 circumstantial evidence. I'm gonna give you a  
3 definition of both and examples of both.

4 Now, direct evidence is evidence that directly  
5 proves the existence of a fact and does not require  
6 deduction nor an inference. For example, an issue in a  
7 case was whether or not I ran a stop sign. And my law  
8 clerk testifies that she saw me run that stop sign.  
9 That would immediately establish that question or that  
10 issue and it doesn't require deduction, nor inference.  
11 That is direct evidence.

12 Circumstantial evidence is a little trickier, but  
13 it's just as equally important in cases. This is what  
14 circumstantial is. Circumstantial evidence is. It's  
15 proof of a chain of facts and circumstances indicating  
16 the existence of a fact. In other words, it does  
17 require inference. It does require deduction.

18 An example would be, if all of you were to go to  
19 bed at night and you had a fresh sheet of snow in your  
20 front yard, and you wake up in the morning you see  
21 tracks in that snow, you can reasonably infer or deduce  
22 that someone or some thing walked through your yard  
23 during the night, although you did not see it.

24 Now, the deduction that is reached or the  
25 conclusion that is reached can't be placed on conjecture

1 or surmise, but it must be with reasonable certainty.  
2 And I'll tell you that crimes may be proven by  
3 circumstantial evidence, and the law makes no  
4 distinction between the weight or value to be given to  
5 either direct evidence or circumstantial evidence.

6         However, to the extent that the State relies on  
7 circumstantial evidence, the circumstances must be  
8 consistent with each other, and when taken together  
9 point conclusively to the guilt of the accused beyond a  
10 reasonable doubt. If these circumstances merely portray  
11 the defendant's behavior as suspicious, then their  
12 proof would have failed.

13         Ladies and gentlemen, the State has the burden of  
14 proving the defendant guilty beyond a reasonable doubt,  
15 and that burden rests with the State regardless of  
16 whether the State uses direct evidence, circumstantial  
17 evidence, or a combination of the two.

18         Now, in deciding what the facts are in this case,  
19 you have to go over and consider all the evidence that's  
20 been presented. In doing this, you must decide which  
21 testimony you wish to believe and whether or not there's  
22 any testimony you wish not to believe. You,  
23 collectively as a jury, have a right to disbelieve all  
24 or part or none of any witness's testimony that's come  
25 before you. You have a right to believe all of their

1 witness's testimony.

2 In making this decision, is what we call  
3 credibility of the evidence. I'm gonna give you some  
4 factors, which is not an exclusive list, that you may  
5 consider in making the determination as to whether or  
6 not you wish to believe or disbelieve any evidence  
7 that's been presented.

8 You can ask yourself, was the witness able to  
9 hear or see or know the things about which they  
10 testified? You can ask yourself, how well was, was the  
11 witness able to recall and describe the subject of their  
12 testimony?

13 You can ask yourself, how did they act while they  
14 were on the witness stand? What was their demeanor  
15 like? You can ask, was there some reason a witness  
16 would want to give testimony that would help or hurt one  
17 side or the other. Does the witness have an interest in  
18 the outcome of the case or any bias or prejudice towards  
19 any party or issue involved in the case?

20 You can consider how reasonable the witness's  
21 testimony was in light of all the evidence in the case,  
22 and whether that witness's testimony had been  
23 contradicted by what that witness had said or had done  
24 at another time, or contradicted by other witnesses in  
25 the case or contradicted by other evidence in this case.

1           Now, Madam Forelady, ladies and gentlemen, those  
2   are just some of the factors that you can consider in  
3   deciding which case, which testimony you wish to believe  
4   and whether or not there's any testimony you wish not to  
5   believe. But one thing I'd point out to you, you don't  
6   check your common sense when you swore in as a juror,  
7   and you should use those things in your day-to-day lives  
8   that you find indicative of truthfulness, as well as  
9   indicative of lack of truthfulness in making this  
10   determination of whether or not you wish to believe all  
11   or part or none of any of the testimony before you. One  
12   the thing you may not do, though, is add up the number  
13   of witnesses who appear for one side or the other in  
14   making this determination.

15           Now, Madam Forelady and ladies and gentlemen, I  
16   will remind you once again that these indictments, which  
17   will not go back to the jury, are simply the charging  
18   mechanisms by which the State has brought this defendant  
19   before the court for a trial in the determination of his  
20   guilt or innocence.

21           The fact that he has been indicted and charged,  
22   does not raise an inference or a presumption of his  
23   guilt and is not evidence of his guilt. These are  
24   simply charging mechanisms.

25           Also, Madam Forelady, there are two charges.

1 Each charge stands on its own. So your jury will make a  
2 decision based on each charge, without consideration of  
3 your finding of the other charge. They are freestanding  
4 charges, okay?

5 You have a right to find the defendant guilty on  
6 one or both of the charges. Not guilty of one or both  
7 of the charges, or some other combination of those,  
8 okay?

9 Now, in this case the defendant has pled not  
10 guilty to both indictments. And that plea, therefore,  
11 puts the burden on the State to prove him guilty. I'll  
12 charge you, ladies and gentlemen, that the person who  
13 was charged with committing a criminal offense in South  
14 Carolina is never required to prove himself or herself  
15 innocent. The State always has that burden of proof.

16 And I charge you that it is an important rule of  
17 law that the defendant in a criminal trial, no matter  
18 what the seriousness of the charge may be, will always  
19 be presumed innocent of the crime for which he has been  
20 indicted, unless that guilt has been proven by evidence  
21 satisfying you, the jury, of guilt beyond a reasonable  
22 doubt.

23 Now, this presumption of innocence, ladies and  
24 gentlemen, does not end when you begin your  
25 deliberations, but it accompanies the defendant

1 throughout the trial unless and until you, the jury,  
2 reach a verdict based on guilt satisfying you of guilt  
3 beyond a reasonable doubt.

4 It is said that the presumption of innocence is  
5 like a robe of righteousness that's been placed upon the  
6 shoulders of the defendant where it remains until it has  
7 been stripped from his shoulders by evidence satisfying  
8 you of guilt beyond a reasonable doubt.

9 The presumption of innocence, ladies and  
10 gentlemen, is not a mere theory. It's not just a nice  
11 little phrase. It is a substantial right to which every  
12 defendant is entitled, unless you, the jury, are  
13 satisfied from the evidence of the defendant's guilt  
14 beyond a reasonable doubt.

15 So that leads me to what is a definition of  
16 reasonable doubt? Ladies and gentlemen, a reasonable  
17 doubt is the kind of doubt that would cause a sincere,  
18 honest, and conscientious person to hesitate to act in  
19 an important matter in their own affairs. Proof beyond  
20 a reasonable doubt is proof that leaves you firmly  
21 convinced of the defendant's guilt.

22 Now, ladies and gentlemen, there are very few  
23 things in this world that we know with an absolute  
24 certainty, and in criminal cases the law does not  
25 require proof that overcomes every possible doubt. If,

1 in your deliberations, based on your consideration of  
2 the evidence, you are firmly convinced that the  
3 defendant is guilty of a crime or crimes for which he  
4 has been charged, it is your duty to find him guilty.

5 On the other hand, if you think there is a real  
6 possibility that the defendant is not guilty, it is your  
7 duty that you must give the defendant the benefit of the  
8 doubt and find him not guilty.

9 A reasonable doubt may arise from the evidence or  
10 from the lack of evidence. And I further instruct you,  
11 the defendant is entitled to every reasonable doubt that  
12 may arise in the case. And what that simply means,  
13 ladies and gentlemen, is this, that upon any issue of  
14 fact essential to a conviction and a verdict of guilty  
15 or confess, if you have any reasonable doubt as to how  
16 that issue should be resolved, it is your duty to  
17 resolve it in favor of the defendant.

18 Ladies and gentlemen, in order to establish  
19 criminal liability, criminal intent is required. For  
20 example, the mental state required to be proven by the  
21 State for a particular crime may be intent, purpose,  
22 knowledge, recklessness, or criminal negligence.  
23 Criminal intent must be proven by the State beyond a  
24 reasonable -- beyond a reasonable doubt.

25 Criminal intent is always a matter that must be

1 determined by you, the jury, from the circumstances  
2 surrounding the situation. There's no way to prove  
3 intent to a mathematical certainty. There's no way that  
4 medical science can dissect a person's brain and  
5 determine what the person had in mind, so the law says  
6 that criminal intent may be inferred from the  
7 circumstances shown to have been having existed. And  
8 that is how you make a determination of whether or not  
9 the element requiring intent is present.

10 It is not necessary to establish intent by direct  
11 and positive evidence, but intent may be established by  
12 an inference in the same way it's in here for fact by  
13 taking into consideration the acts of the parties, and  
14 all the facts and circumstances of the case.

15 Criminal intent is a mental state. It is a  
16 conscious wrongdoing, and it's up to you to determine  
17 what the defendant intended to do based on the  
18 circumstances shown to have existed. Criminal intent  
19 can arise from action or a failure to act. It may arise  
20 from negligence, recklessness, or indifference to duty  
21 or to the consequences that is considered by law to be  
22 the equivalent of criminal intent.

23 Excuse me one second. (Coughs) Madam Forelady,  
24 excuse me one second. I hate it when I do that.  
25 (Coughs.) Okay. The defendant -- one second. Let me

1 try this one more time. Okay. I think we're there.  
2 I'm sorry.

3 I want to emphasize to you that the fact that the  
4 defendant did not testify may not and shall not be part  
5 of your deliberations. That is, that is his right under  
6 the Fifth Amendment to the United States constitution,  
7 and because the State always has the burden of proving  
8 his guilt by proof beyond a reasonable doubt.

9 (Coughs.) I may take a break in just one second,  
10 if I can't get beyond this.

11 Madam Forelady, if any of your jurors seems  
12 intent to try to bring that up in your deliberations, it  
13 is your duty to stop it. And if they don't stop, send  
14 word back and I will, okay?

15 All right. Ladies and gentlemen, those are the  
16 general rules that define and control your duties as  
17 jurors. We'll next go to the substantive law that  
18 applies in this case. The first charge is kidnapping.  
19 This is the law of kidnapping. It is found in Code  
20 Section 16-3-910 of our code of laws.

21 Ladies and gentlemen, the defendant is charged  
22 with kidnapping. The State must prove beyond a  
23 reasonable doubt that the defendant knowingly and  
24 unlawfully seized, confined, inveigled, decoyed,  
25 kidnapped, abducted, or carried away another person

1 without authority of law.

2 To do a thing unlawfully is to do it willfully  
3 against the law. Knowingly means with knowledge  
4 consciously, not accidentally. To seize means to hold  
5 -- excuse me. Seize means to take hold of suddenly or  
6 forcedly.

7 Confines means to limit, restrict, or enclose  
8 within bounds in prison or shut or keep in. Inveigle  
9 means to lure, entice or lead astray by false  
10 representations by promises or other deceitful means.  
11 Decoy means to lure by or is as if by decoy. A decoy is  
12 something to entice a person into a trap.

13 Kidnap is to remove a person against her will by  
14 unlawful force or by flaw. Abduct means to carry off  
15 secretly or by force for an illegal person -- purpose.  
16 Carry away means to remove.

17 Now, ladies and gentlemen, the State does not  
18 have to prove that the defendant didn't follow these  
19 things. Instead, if you find beyond a reasonable doubt  
20 that the defendant did any of these things, you may  
21 find, you may find the defendant guilty of kidnapping.

22 Something done without authority of law is  
23 something which the law does not sanction or permit,  
24 allow, condone or provide justification. Kidnapping  
25 does not have to be for any personal or monetary gain,

1 for any illegal purpose, but may be for any reason  
2 whatsoever.

3 Ladies and gentlemen, this is the law of the  
4 carjacking. This is found in sections 16-3-1075(b) of  
5 our code of laws. The defendant is charged with  
6 carjacking. In order to prove carjacking, the State  
7 must prove beyond a reasonable doubt that the defendant  
8 took or attempted to take a motor vehicle from another  
9 person by force or violence or by intimidation while the  
10 person was operating the vehicle or while the person was  
11 in the vehicle.

12 Those are the -- that is the law of the two  
13 substantive charges. Madam Forelady, I do not send my  
14 charge back to the jury because I want you focusing on  
15 the facts and not the law. If you want to hear all or  
16 any of my charge again, let me know and I'll go over it  
17 as many times as you'd like me to.

18 So that leads me to, ladies and gentlemen, some  
19 thoughts about your deliberations. If you'll recall,  
20 during jury qualifications, by your silence or maybe by  
21 your expressed word, you represent to both the State and  
22 to this defendant that you can be fair and impartial and  
23 base your decision based on the testimony and the  
24 evidence and according to the law as I give it to you  
25 now. The State and the defendant in this case have a

1 right to insist that's what you do. They can go ahead  
2 and have the right to hold you to that.

3 In other words, you're not partisans. You're not  
4 advocates for one side of this case or the other. You  
5 were chosen because both sides felt like you could be  
6 fair and impartial. You're the judges of the facts in  
7 this case.

8 Now, when you go back and begin your  
9 deliberations, you should call upon your experiences in  
10 life, your common sense, and your sense of logic and  
11 reasoning when you come to a conclusion about your  
12 decision in this matter.

13 Deliberation is defined as this: A careful  
14 consideration weighing up with a view to a decision.  
15 Now, regardless of what any of you may think about our  
16 criminal justice system, I would submit to you that the  
17 genius of the system is that it allows 12 good men and  
18 women like yourselves who come from different  
19 backgrounds, who have different perspectives and  
20 different life experiences to listen to the evidence and  
21 the law in the case, and to ultimately reach a unanimous  
22 verdict.

23 We call them deliberations for a reason. You  
24 should not be in a hurry. This is the State's and this  
25 Defendant's only day in court. They don't get a second

1 bite at the apple, and this case is very important to  
2 both the State and this Defendant. Remember, you're not  
3 partisans or advocates, you're the judges of the facts.

4 I'm gonna ask you, but I'm gonna also instruct  
5 you, when you begin your deliberations, that you listen  
6 to your fellow jurors. Use their points and let them  
7 tell you why they think the way they do. They will do  
8 the same thing for you. You should talk through and  
9 walk through all of the evidence and, hopefully, reach a  
10 unanimous decision. In order for your verdict to stand,  
11 it will be required to be unanimous. In other words,  
12 all 12 of you would have to agree on it.

13 With that being said, each of you must decide  
14 this case for yourself, but if you should do so only  
15 after you have impartially considered all the evidence,  
16 after you have discussed it fully with your fellow  
17 jurors and listened to their views and their points of  
18 view. Do not be afraid to change your belief as to the  
19 weight of the evidence if your deliberations convinces  
20 you that's the right thing to do.

21 On the other hand, do not change a firmly held  
22 belief as to the facts in this case just solely to  
23 satisfy your fellow jurors so you can reach a unanimous  
24 verdict.

25 Now, Madam Forelady, if at any time you need to

1 have any kind of discussion with the Court, questions of  
2 the Court, of the process or the procedure, I'm gonna  
3 ask you to follow this. Write down what you're needing,  
4 your question on a piece of paper. You'll fold it up  
5 and you will sign your name. You will fold it over and  
6 knock on the door and give it to the bailiff. He will  
7 bring it in here to me, and I'll meet with the attorneys  
8 and we'll decide on the proper course of action that  
9 we'll follow.

10 In making communications with me or the Court,  
11 you never, ever tell us where the jury stands  
12 numerically. And what I mean by that, there's gonna be  
13 12 of you back there. Don't tell me we're 6 and 6 or 8  
14 and 4 or 11 and 1. Never say any of that. It's none of  
15 our business, and it has some adverse consequences that  
16 accompany it, okay?

17 Once the jury is ready to decide and they've  
18 reached a decision, it'll be your job to fill out the  
19 verdict form. The orders that the charges appear is  
20 based on the, actually the numeric number or the  
21 indictment, but the options for each one has to be in  
22 some order, so the order in which those options appear  
23 is of no consequence to you.

24 But the first charge will be kidnapping. And  
25 your options are under A: As to the charge of

1 kidnapping under indictment 2020-GS-42-1334, we, the  
2 jury, unanimously find the defendant not guilty. If  
3 that's your decision, you'll simply make an X by that  
4 spot. Then you'll go down to the charge of carjacking.

5 The other option is under B: As to the charge of  
6 kidnapping under indictment 2020-GS-42-1334, we, the  
7 jury, unanimously find the defendant guilty. Again, if  
8 that's your option, you will check that.

9 Then you'll go down and you'll have the same two  
10 options for carjacking. Once you have decided on both  
11 these charges, then you will sign your name, okay? What  
12 I'm gonna ask you to do is fold this over and crease it.  
13 You tell -- and keep it with yourself. You tell a  
14 bailiff that you have reached a verdict. We will get it  
15 from you here in the courtroom. It'll be brought to me  
16 and it'll get published here in the courtroom, okay?

17 Finally, ladies and gentlemen, I think there's  
18 been a clean computer that is sent back so y'all can  
19 look at the evidence that has been presented. If you  
20 need any assistance in the operation of that computer,  
21 let us know. What we'll do is send somebody who's  
22 qualified back there, along with representatives of both  
23 sides so that everything is fair and we'd make sure that  
24 it's taken care of in a good way.

25 Now, when you're doing your deliberations, all 12

1 of you must be present. You can't, if somebody's  
2 excused themselves for a reason, you've got to stop,  
3 okay?

4 With that being said, I'm gonna send you back to  
5 your jury room. I'm gonna question both sides as to  
6 whether or not I've made a mistake in my charge or I  
7 need to subtract or add anything to it. Don't start  
8 your deliberations now, okay? I'm gonna ask that our  
9 two alternates come out, stand in the hallway. Get your  
10 personal belongings from the jury room.

11 If you took notes, you can tear those up and  
12 bring them with you or we will take them from you or you  
13 can taken them with yourselves. It's up to you. But if  
14 you'd go back to your jury room and carry your pads with  
15 you now, okay? Oh, there's just one of you. Thank you.

16 (Jury leaves the courtroom at 11:06 a.m.)

17 All right. Any additions or exceptions to my  
18 charge from the State?

19 SOLICITOR BARNETTE: None from the State, Your  
20 Honor.

21 THE COURT: Any additions or exceptions of my  
22 charge from the defendant?

23 THE DEFENDANT: Not from the defendant.

24 THE COURT: All right. Thank you, sir. I  
25 appreciate both of you. Y'all fought this case hard.

1 If y'all would go over the exhibits in this case. Mr.  
2 Edwards, just consult with Mr. Barnette and make sure  
3 y'all agree that these are all the exhibits. Then I'm  
4 gonna send those back with the bailiff with the verdict  
5 form and instructions to begin their deliberations.

6 Didn't you already send that computer back there?

7 SOLICITOR BARNETTE: Yes, sir, we did.

8 THE COURT: All right, thank you. So Mr.  
9 Edwards, you need to go with Mr. Barnette and make sure  
10 that y'all have -- y'all agree to all the exhibits,  
11 okay, sir?

12 Do you agree to all that, Mr. Edwards?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: That's all the evidence?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Okay. Good, sir.

17 Madam Forelady [si], would you go in and -- do we  
18 have our alternate in the hallway?

19 THE BAILIFF: Yes, sir, she's right here.

20 THE COURT: Okay. She can come in the courtroom  
21 now, but you tell the other 12 to begin with  
22 deliberations.

23 THE BAILIFF: Yes, sir, I will.

24 THE COURT: Thank you so much.

25 (Alternate enters the courtroom at 11:12 a.m.)

1 Hey.

2 ALTERNATE JUROR: Hey.

3 THE COURT: I'd like to tell you, you're done for  
4 the week, but we're having the jury panel come in at  
5 2 o'clock to pick another jury on another case, so I'm  
6 gonna ask that you come back.

7 Where do they meet down there, the jury?

8 COURT REPORTER: Jury assembly room.

9 THE COURT: You go to the jury assembly room. Do  
10 you know where that is?

11 ALTERNATE JUROR: I think so.

12 THE COURT: It's back here.

13 ALTERNATE JUROR: Okay.

14 THE COURT: You'll need to be there at 2 o'clock.  
15 Is that all right?

16 ALTERNATE JUROR: Yes, sir.

17 THE COURT: Are you sure?

18 ALTERNATE JUROR: Uh-huh.

19 (Off-the-record discussion occurred.)

20 (Alternate Juror leaves the courtroom at 11:13  
21 a.m.)

22 THE COURT: All right. We're at ease.

23 (Recess occurred from 11:13 a.m. to. 11:32 a.m. )

24 THE COURT: Okay. Ladies and gentlemen, we have  
25 a verdict. And I'm gonna ask anyone in the gallery not

1 to respond or have any outburst, regardless of what the  
2 verdict may be. Would you bring the jury in, please,  
3 sir?

4 (Jury enters the courtroom at 11:33 a.m.)

5 All right. Madam Forelady, my understanding is  
6 the jury has reached a verdict; is that correct?

7 MADAM FORELADY: Yes, Your Honor.

8 THE COURT: And is it unanimous?

9 MADAM FORELADY: It is, Yes, Your Honor.

10 THE COURT: And have you signed off on the  
11 verdict form?

12 MADAM FORELADY: Yes, sir, I have.

13 THE COURT: Would you pass it to the bailiff,  
14 please, ma'am?

15 MADAM FORELADY: Yes, Your Honor.

16 THE COURT: Madam Clerk, will you publish the  
17 verdict for us?

18 THE CLERK: Yes, sir.

19 In the state of South Carolina in the court of  
20 General Sessions, the defendant, Cecil -- Jerry Cecil  
21 Edwards, as to indictment numbers 2020-GS-42-1334 and  
22 1335 for kidnapping, as to the charge of kidnapping, we,  
23 the jury, unanimously find the defendant guilty.

24 Carjacking, indictment number 2020-GS-42-1335, we  
25 the defendant [sic] unanimously find the defendant

1 guilty. Signed by the foreperson, June the 14th, 2022.

2 Ladies and gentlemen of the jury, is this your  
3 verdict and still your verdict? If so, please raise  
4 your right hand.

5 THE COURT: Let the record reflect that all 12  
6 raised their hands.

7 All right. The Court's never concerned with your  
8 verdict, but that you listened to the instructions and  
9 you listened to the case. I've watched all of you at  
10 various points in the trial, and you did just that. I  
11 want to thank you not for your verdict, but for your  
12 civic duty.

13 I'd like to say today that you're done, but  
14 you're not. We're bringing back the people at 2 o'clock  
15 because we're gonna do it all over again. So I want to  
16 thank you right now for what you've done so far, but I'm  
17 gonna ask that you go back to the jury assembly room at  
18 2 o'clock, and then we'll see if you get selected again.

19 Before we do that, Madam Forelady, I'm gonna ask  
20 you to step over here. I need you to sign this  
21 indictment for me. And I'm gonna go over something else  
22 once you do that. If you could step up here, please,  
23 ma'am.

24 SOLICITOR BARNETTE: Your Honor, could I ask to  
25 allow them to come back and watch the sentencing?

1           THE COURT:   Sir?

2           SOLICITOR BARNETTE:   Do they have the ability to  
3 watch the sentencing?

4           THE COURT:   Yeah.   I'm gonna do that after I go  
5 over this with her.

6           (Madam Forelady signs papers.)

7           All right.   Ladies and gentlemen, the State's  
8 requested and it's normally my practice.   Some people  
9 want to see the sentence of the defendant after the  
10 verdict of guilt.   Some people don't.   If you do not  
11 want to see the sentence, it's gonna take place in just  
12 a few moments, you can get up and leave and you'll be  
13 escorted out.   If you want to watch the sentencing, you  
14 can stay here and it'll take place.

15           Will you give me the sentencing papers, please,  
16 sir?

17           SOLICITOR BARNETTE:   Yes, sir.

18           THE COURT:   Mr. Edwards, while he's doing that,  
19 you know the sentence I have to do.   You have ten days  
20 to appeal.

21           THE DEFENDANT:   Yes, sir.

22           THE COURT:   You understand that?

23           THE DEFENDANT:   Yes, sir.

24           SOLICITOR BARNETTE:   I didn't know if he had any  
25 motions.

1           THE COURT:   Sir?

2           SOLICITOR BARNETTE:   I didn't know if he had any  
3 motions he needed to make.

4           THE COURT:   Yeah.   Do you have any post-trial  
5 motions at all?

6           THE DEFENDANT:   No, sir.

7           THE COURT:   Okay.   You wanted to renew your  
8 directed verdict motion that you had earlier for the  
9 record?

10          SOLICITOR BARNETTE:   Mr. Edwards, the judge is  
11 talking to you.

12          THE COURT:   Do you want to renew your directed  
13 verdict motion earlier?   You probably want to do that.  
14 Talk to your former lawyer right quick.

15          And, ladies and gentlemen, just so you know,  
16 based on his prior record, the State gave him notice  
17 before this hearing that they intend to seek life  
18 without a possibility of parole.   They call it LWOP.  
19 Based on his prior record, he is subject to that, so  
20 that's really the only thing I can do.

21          The sentence for kidnapping is up to 30 years.  
22 The carjacking is up to 20, but in this case, my only  
23 option is to do life without possibility of parole.

24          SOLICITOR BARNETTE:   Your Honor, can I mark some  
25 of these for exhibits?

1 THE COURT: Yes, sir.

2 SOLICITOR BARNETTE: Court exhibits.

3 THE COURT: Yes, sir.

4 SOLICITOR BARNETTE: This one will be court  
5 exhibit.

6 (Court's Exhibit Number 5, Affidavit of Service  
7 Notice of LWOP, was marked for identification.)

8 (Court's Exhibit Number 6, Affidavit of Service,  
9 Notice of LWOP, was marked for identification.)

10 (Court's Exhibit Number 7, Indictment Number  
11 1999-GS-04-1604, was marked for identification.)

12 (Court's Exhibit Number 8, Indictment Number  
13 1999-GS-04-1603, was marked for identification.)

14 (Court's Exhibit Number 9, Indictment Number  
15 2000-GS-04-04910, was marked for identification.)

16 (Court's Exhibit Number 10, Indictment Number  
17 2000-GS-23-04911, was marked for identification.)

18 (Court's Exhibit Number 11, Indictment Number  
19 Sentencing Prior Record 1985-GS-04-246

20 (Court's Exhibit Number 12, Sentencing Prior  
21 Record 1985-GS-04-245, was marked for identification.)

22 (Court's Exhibit Number 13, Sentencing Prior  
23 Record 1982-GS-04-478, was marked for identification.)

24 (Court's Exhibit Number 14, Sentencing Prior  
25 Record 1982-GS-04-477, was marked for identification.)

1           (Court's Exhibit Number 15, Sentencing Prior  
2 Record 1982-GS-04-476, was marked for identification.)

3           (Court's Exhibit Number 16, Sentencing Prior  
4 Record 1982-GS-04-475, was marked for identification.)

5           THE DEFENDANT: Your Honor, there's a couple of  
6 things but it would probably be unwise.

7           THE COURT: I want you to make your post-trial  
8 motions. I want you to preserve the record, so do you  
9 have post-trial motions?

10          THE DEFENDANT: Yes.

11          THE COURT: Okay, sir.

12          THE DEFENDANT: I'd like to make a motion for a  
13 directed verdict that the State cannot prove their  
14 elements of the case.

15          THE COURT: Okay, sir. I'm gonna deny that  
16 motion. Any other motions?

17          THE DEFENDANT: No, sir.

18          THE COURT: Turn around and double check it right  
19 quick.

20          THE DEFENDANT: Yes, Your Honor, I'd like to make  
21 a motion for a new trial on inconsistencies and for a  
22 stay verdict.

23          THE COURT: I'll tell you what I'm gonna do. I'm  
24 gonna give you ten days to make your post-trial motion.  
25 Now, let me ask, just so we don't have the problem on

1 appeal, you have ten days to appeal, but that would be  
2 ten days from my rule from the post-trial motion. Do  
3 you agree or disagree with that?

4 SOLICITOR BARNETTE: I agree with that, Your  
5 Honor.

6 THE COURT: So, when I tell you that you have ten  
7 days to appeal, it doesn't run from today, it runs from  
8 my ruling on the post-trial motions. So you need to get  
9 that. You have ten days to get them in. If you don't  
10 get them in, in ten days, then I'm gonna go ahead and  
11 deny it, okay?

12 THE DEFENDANT: Okay.

13 THE COURT: All right. Thank you, sir. All  
14 right. Do you mind coming around, please, sir?

15 SOLICITOR BARNETTE: Your Honor, there's a prior  
16 record I can put on the record.

17 THE COURT: I want you to. I want to hear his  
18 prior record. I don't know if the victim has anything  
19 else to say other than what she's already testified to.

20 SOLICITOR BARNETTE: No, sir. She -- I spoke to  
21 her and she's present, but she did not want to address  
22 the Court.

23 THE COURT: All right, sir.

24 SOLICITOR BARNETTE: Your Honor, before I get  
25 into that. State [sic] Exhibit 1, he was given life

1 notice served on him, as well as his attorney at the  
2 time, Chad Snyder. And that's already been put into the  
3 record earlier, obviously, from there.

4 Your Honor, State Exhibits [sic] 5 and 6 -- or  
5 not State exhibits, Court Exhibits 5 and 6, Your Honor,  
6 is the affidavit that was done by Investigator Rick  
7 Gregory in our office, Your Honor, where it was served  
8 on Mr. Edwards personally, as well as served on Mr.  
9 Snyder, at the time his lawyer. I'd like him just to  
10 testify for a second, Your Honor, concerning the service  
11 to just make sure that record's clear.

12 THE COURT: Come around, please, sir.

13 (Witness comes forward.)

14 Raise your right hand. (Complies.) Do you swear  
15 or affirm to tell the truth, the whole truth, and  
16 nothing but the truth?

17 THE WITNESS: I do, sir.

18 THE COURT: All right.

19 SOLICITOR BARNETTE: Thank you, sir.

20 INVESTIGATOR RICK GREGORY,  
21 having been duly sworn, testified as follows:

22 DIRECT EXAMINATION

23 BY SOLICITOR BARNETTE:

24 Q. Let me show you Court Exhibit Number 5. Did you  
25 personally serve the life notice that is Court Exhibit 1

1 on Mr. Edwards?

2 A. Yes, sir, I did.

3 Q. What date did you serve that on, sir?

4 A. May 26th, 2022.

5 Q. Okay. And is that your affidavit that you  
6 submitted for the Court?

7 A. Yes, sir, it is.

8 Q. And State exhibits -- or Court Exhibit 6, is that  
9 the -- did you serve the life notice, also a copy on his  
10 attorney at the time, Charles Snyder?

11 A. It was actually served on his investigator Curtis  
12 Jones for Charles Snyder, yes, sir.

13 Q. Okay. And what date was that on?

14 A. That's on May the 26th, 2022.

15 SOLICITOR BARNETTE: Your Honor, I'd like to  
16 submit those and make those a part of the record also,  
17 Your Honor.

18 THE COURT: All right. Is that a court exhibit?

19 SOLICITOR BARNETTE: Your Honor, I do have ---

20 THE COURT: Hang on. Hang on.

21 Mr. Edwards, do you want to question this  
22 gentleman?

23 THE DEFENDANT: No, sir.

24 THE COURT: All right, thank you. All right.

25 SOLICITOR BARNETTE: I apologize, Your Honor.

1 Your Honor, his prior record includes, and I've marked  
2 all these indictments. He have certified copies on ---

3 THE COURT: I'd like to make those Court exhibits  
4 as well.

5 SOLICITOR BARNETTE: Yes, sir, I am. Yes, sir.

6 All right. Court Exhibit 7, Your Honor, he was  
7 convicted of kidnapping in Anderson County on  
8 99-GS-04-1604, Your Honor, and he was given a 20-year  
9 sentence on that, Your Honor, at the time.

10 99-GS-04-1603, Your Honor, which is Court Exhibit  
11 3, he was convicted of assault and battery of a high and  
12 aggravated nature at that time, Your Honor. He pled  
13 guilty to those two charges in Anderson County, Your  
14 Honor. Was sentenced by Judge Joe Watson at the time.

15 Your Honor, in Greenville County, on  
16 2000-GS-23-4910, Your Honor, he pled guilty to ABHAN.

17 THE COURT: That's assault and battery of a high  
18 and aggravated nature?

19 SOLICITOR BARNETTE: Yes, sir. And he was  
20 sentenced, I believe, it must have been Dean Hall at the  
21 time.

22 THE COURT: Who?

23 SOLICITOR BARNETTE: Dean Hall.

24 THE COURT: Okay.

25 SOLICITOR BARNETTE: From Anderson County, I

1 believe, at the time. He was sentenced to ABHAN on  
2 that. And then he was 2000-GS-23-4910, which is Court  
3 Exhibit Number 10, Your Honor. He also pled guilty to  
4 strong armed robbery at that time and was sentenced ---

5 THE COURT: That's also in Anderson County?

6 SOLICITOR BARNETTE: No. These two was in  
7 Greenville County, Your Honor.

8 THE COURT: Greenville.

9 SOLICITOR BARNETTE: Both of them in Greenville  
10 County.

11 Then, Court Exhibit 11, Your Honor, he went to  
12 trial in front of Judge Epps, of all people, in Anderson  
13 County, and was convicted of burglary in the  
14 first-degree, Your Honor, and was given a life sentence  
15 at that time, but it was parole eligible at that time.  
16 I believe he is on parole for that at this point.

17 And Court Exhibit 12, Your Honor, he was also  
18 convicted of assault and battery of a high and  
19 aggravated nature, Your Honor, in that case. And he was  
20 sentenced to ten years by Judge Epps on that. And he  
21 also went to trial and was found guilty on it, Your  
22 Honor.

23 Court Exhibit 13, Your Honor, was 82-GS-04 -- and  
24 those numbers, Your Honor, was 85-GS-04-246, which is  
25 Court Exhibit 11. 85-GS-04-245, Your Honor, which is

1 Court Exhibit 12. And Court Exhibit 13, Your Honor, he  
2 pled guilty, Your Honor, on 82-GS-04-7 -- 478, Your  
3 Honor, which was attempted kidnapping. He was sentenced  
4 to six years, and I cannot read the judge's signature on  
5 that one, Your Honor. That was back when they did the  
6 sentencing on the indictment itself.

7 Court Exhibit 14, Your Honor, he pled guilty also  
8 to attempted kidnapping on 82-GS-04-477. Sentenced to  
9 six years on that.

10 82-GS-04-476, assault and battery of a high and  
11 aggravated nature, is what he pled guilty to. Got six  
12 years on that, Your Honor.

13 And then Court Exhibit 16, Your Honor, was  
14 82-GS-04-475, breach of peace of a high and aggravated  
15 nature, Your Honor. Pled guilty on it and received a  
16 six-year sentence on that also, Your Honor.

17 If I can, I'd like to make those all a part of  
18 the record in this case, which is an essential basis for  
19 the LWOP notice or for the LWOP sentence, Your Honor.

20 THE COURT: Absolutely.

21 (Court's Exhibit Numbers 3-16 were entered into  
22 the record.)

23 SOLICITOR BARNETTE: Thank you.

24 THE COURT: Thank you. All right. Anything  
25 further from the State, Your Honor.

1 THE COURT: Mr. Edwards?

2 THE DEFENDANT: Yes, sir?

3 THE COURT: Do you have anything you want to say?

4 THE DEFENDANT: No, sir.

5 THE COURT: You understood when I told you at the  
6 beginning of this trial if you were found guilty I only  
7 have one choice? You understand that?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Are you from Anderson?

10 THE DEFENDANT: I'm from Greenville.

11 THE COURT: From Greenville?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: All right, sir. Well, under  
14 indictment 2020-GS-42-01335, carjacking, it's life  
15 without a possibility of parole.

16 Under indictment 2020-GS-42-01334, kidnapping,  
17 it's life without a possibility of parole.

18 For what it's worth, I made it concurrent, gave  
19 you credit for time served, but that's not gonna make a  
20 difference. Good luck to you, sir.

21 THE DEFENDANT: Thank you, sir.

22 THE COURT: All right. Take care.

23 SOLICITOR BARNETTE: Thank you, Your Honor.

24 THE COURT: All right. Ladies and gentlemen,  
25 I'll see y'all back at 2 o'clock. Those of you who took

1 notes, if you want to take them with you, you're  
2 certainly free to do so. If not, you can leave them in  
3 the jury room and the bailiffs will dispose of them for  
4 you. Thank you. We'll see you at 2 o'clock.

5 (Jury leaves courtroom at).

6 (Trial concluded at.)

7

8 --- THIS ENDS REQUESTED TRANSCRIPT ---

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## 1 COURT REPORTER CERTIFICATE

2  
3 I, the undersigned Julie A. Cendroski, Court  
4 Reporter for the Seventh Judicial Circuit Court of the  
5 State of South Carolina, do hereby certify that to the  
6 best of my ability the foregoing is a true, accurate,  
7 and complete transcript of record of all the proceedings  
8 and evidence introduced in the hearing and/or trial of  
9 the captioned case, relative to appeal, in the Court of  
10 General Sessions for Spartanburg County, South Carolina,  
11 on the 13th and 14th day of June, 2022.

12 I do further certify that I am neither of kin,  
13 counsel, nor interest to any party hereto.

14  
15  
16  
17  
18  
19 s/o Julie A Cendroski

20 Julie A. Cendroski  
21 Circuit Court Reporter III  
22 Seventh Judicial Circuit  
23  
24  
25

STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS  
COUNTY OF SPARTANBURG ) FOR THE SEVENTH JUDICIAL CIRCUIT

State of South Carolina,

vs.

Jerry Cecil Edwards,

Defendant.

**NOTICE OF LIFE SENTENCE PURSUANT  
TO SECTION 17-25-45(A)**

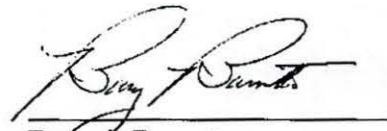
Indictment Nos.: 2020-GS-42-1334 thru  
2020-GS-42-1337

2019 A4210101745 - 1746

2019 A4310101816 + 1818

To: The Defendant and his attorney, Charles W. Snyder, III., Esq.:

YOU WILL PLEASE TAKE NOTICE that pursuant to Section 17-25-45(A) & (H) of the South Carolina Code of Laws, 1976, as amended, the Defendant will receive a life sentence if he is convicted of one of the charges on the above listed indictments, based on his prior criminal record including but not limited to his prior convictions for Kidnapping in 2000 on Indictment No.: 99-GS-04-1604 (Exhibit #1) and/or Burglary First (1<sup>st</sup>) Degree in 1985 per his NCIC Rap Sheet (Exhibit #2).



Barry J. Barnette  
Solicitor  
Seventh Judicial Circuit  
Spartanburg County Courthouse  
180 Magnolia Street  
Spartanburg, South Carolina 29306  
(864)-596-2575

May 26, 2022  
Spartanburg, South Carolina

FILED  
2022 MAY 26 PM 2:18  
CLERK OF COURT  
SPARTANBURG COUNTY  
AMY W. COX

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

INDICTMENT

FEB 21 2020

At a Court of General Sessions, convened on \_\_\_\_\_, the

Grand Jurors of Spartanburg County present upon their oath:

**KIDNAPPING**

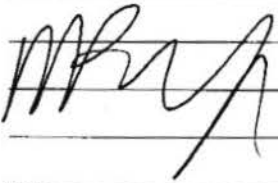
That Jerry Cecil Edwards, did, in Spartanburg County on or about June 11, 2019, willfully and unlawfully with criminal intent seize, confine, inveigle, decoy, kidnap, abduct or carry away the victim, [REDACTED] without authority of law, all in violation of Section 16-03-910, *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976, as amended).

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

J. J. - ENULLO  
Assistant Solicitor

WITNESSES

Spartanburg Police Department

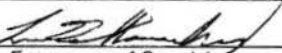


ARREST WARRANT NUMBER

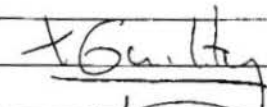
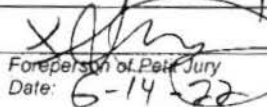
2019A4210101745

ACTION OF GRAND JURY

**True Bill**

  
Foreperson of Grand Jury  
Date: FEB 21 2020

VERDICT

  
  
Foreperson of Petit Jury  
Date: 6-14-22

DOCKET NO. **20-GS-42-1334**

The State of South Carolina  
County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

FEB 24 2020

TERM

THE STATE  
vs.

Jerry Cecil Edwards

Indictment for  
KIDNAPPING

SC Code: 16-03-910  
CDR Code: 0095  
Class FEL-A

FILED

2020 FEB 27 AM 9:52

CLERK OF COURT  
SPARTANBURG COUNTY  
JIMMY L. COX



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

INDICTMENT

FEB 21 2020

At a Court of General Sessions, convened on \_\_\_\_\_ the

Grand Jurors of Spartanburg County present upon their oath:

**CARJACKING**

That the defendant, Jerry Cecil Edwards, did, in Spartanburg County on or about June 11, 2019, take, or attempt to take, a motor vehicle from [REDACTED] by force and violence, or by intimidation of the victim while she was in the vehicle or operating the vehicle, all in violation of §16-3-1075 (B) (1), *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

J. H. Ennis  
Assistant Solicitor

STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )

INDICTMENT

FEB 21 2020

At a Court of General Sessions, convened on \_\_\_\_\_ the

Grand Jurors of Spartanburg County present upon their oath:

**CARJACKING**

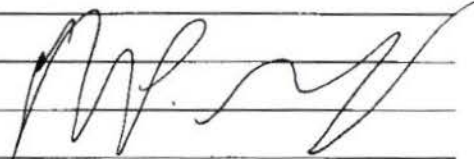
That the defendant, Jerry Cecil Edwards, did, in Spartanburg County on or about June 11, 2019, take, or attempt to take, a motor vehicle from [REDACTED] by force and violence, or by intimidation of the victim while she was in the vehicle or operating the vehicle, all in violation of §16-3-1075 (B) (1), *THE CODE OF LAWS OF SOUTH CAROLINA*, (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

J. J. Ennis  
Assistant Solicitor

WITNESSES

Spartanburg Police Department



ARREST WARRANT NUMBER

2019A4210101746

ACTION OF GRAND JURY

True Bill

Foreperson of Grand Jury

Date: FEB 21 2020

VERDICT

Guilty

Foreperson of Petit Jury

Date: 6-14-20

DOCKET NO.

20-GS-42-1335

The State of South Carolina

County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

FEB 24 2020

TERM

THE STATE

vs.

Jerry Cecil Edwards

Indictment for

CARJACKING

SC Code: 16-3-1075 (B) (1)

CDR Code: 2599

Class: FEL/UNC

FILED

2020 FEB 27 AM 9:52

CLERK OF COURT  
SPARTANBURG COUNTY  
JERRY W. COX



STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

STATE

VS.

Jerry Cecil Edwards

AKA:

Race: BLACK Sex: M Age: 63

DOB: [REDACTED] SS#: [REDACTED]

Address: 222 Rutherford St

City, State, Zip: Greenville, SC 296095308

DL#: [REDACTED] SID# [REDACTED]

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2020 - GS - 42 - 01334

A/W#: 2019A4210101745

Date of Offense: 6/11/2019

S.C. Code § 16-03-0910

CDR Code #: 0095

SENTENCE SHEET

*Lwop [Signature]*

\*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the above indictment comes now the Defendant who was

☒ CONVICTED OF or ☐ PLEADS

TO: Kidnapping / Kidnapping

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☒ §17-25-45  
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)

The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

*[Signature]*  
BARNETTE, BARRY J

SCB13039

SC Bar #

Defendant

*[Signature]*  
Snyder III, Charles W.

SCB79961

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction, ☐ County Detention Center,

for a determinate term of Life without possibility of parole days/months/years/Time Served ☐ Youthful Offender Act not to exceed        years

and/or to pay a fine of \$       ; provided that upon the service of        days/months/years/Time Served and or payment

of \$       ; plus costs and assessments as applicable\*; the balance is suspended with probation for       

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:       

☒ The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDoc.        days/months

☐ To include time spent on monitored house arrest prior to trial and sentencing.

☐ The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS. Jerry Cecil Edwards INDICTMENT/CASE#: 2020 - GS - 42 - 01334

**SPECIAL CONDITIONS:**

☐ **PTUP** after \_\_\_\_\_ months/years

**And Other Terms Listed Below:**

- ☐ Substance Abuse Counseling      ☐ Completion of GED      ☐ Random Drug/Alcohol Testing
- ☐ Attend Voc. Rehab. or Job Corp      ☐ No Contact with Victim      ☐ Domestic Violence Intervention Program
- ☐ Mental Health Counseling      ☐ May serve W/E beginning: \_\_\_\_\_
- ☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430      ☐ Public Service Employment \_\_\_\_\_ days/hours
- ☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- ☐ Other: \_\_\_\_\_

☐ **RESTITUTION:**      ☐ Deferred      ☐ Def. Waives Hearing      ☐ Ordered

Total: \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_ ☐ Set by SCDPPPS

Recipient: \_\_\_\_\_

**\*Fine:**

|                                                                                                                                                                          | \$ | Beginning | \$      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----------|---------|
| Fine may be pd. in equal, consecutive weekly/monthly pmts. of                                                                                                            | \$ |           |         |
| §14-1-206 (Assessments 107.5 %)                                                                                                                                          |    |           | \$      |
| §14-1-211(A)(1) (Conv. Surcharge)                                                                                                                                        |    |           | \$100   |
| §14-1-211(A)(2) (DUI Surcharge)                                                                                                                                          |    |           | \$100   |
| §56-5-2995 (DUI Assessment)                                                                                                                                              |    |           | \$12    |
| §56-1-286 (DUI Breath Test)                                                                                                                                              |    |           | \$25    |
| §14-1-212 (Law Enforce. Funding)                                                                                                                                         |    |           | \$25    |
| §14-1-213 (Drug Court Surcharge)                                                                                                                                         |    |           | \$150   |
| §34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)                                                                                                |    |           | \$41    |
| §50-21-114(BUI Breath Test Fee)                                                                                                                                          |    |           | \$50    |
| §56-5-2942(J) (Vehicle Assessment)                                                                                                                                       |    |           | \$40/ea |
| 3% to County (if paid in installments)                                                                                                                                   |    |           | TBD     |
| <input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees. |    |           | \$500   |
| <input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund                                                                      |    |           | TBD     |

Clerk of Court/ Deputy Clerk:  
Court Reporter:

Camp  
Condroski

Presiding Judge:  
Judge Code:  
Sentence Date:

**TOTAL** \$ 1287.50  
2155  
6-14-22

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

STATE

VS.

Jerry Cecil Edwards

AKA:

Race: BLACK Sex: M Age: 63

DOB: [REDACTED] SS#: [REDACTED]

Address: [REDACTED] Rutherford St

City, State, Zip: Greenville, SC 296095308

DL#: [REDACTED] SID#: [REDACTED]

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2020 - GS - 42 - 01335

A/W#: 2019A4210101746

Date of Offense: 6/11/2019

S.C. Code § 16-03-1075(B)(1)

CDR Code #: 2599

SENTENCE SHEET

\*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the above indictment comes now the Defendant who was

☒ CONVICTED OF or ☐ PLEADS

TO: Carjacking / Take or attempt a vehicle from person by force without great bodily harm

in violation of § 16-03-1075(B)(1) of the S.C. Code of Laws, bearing CDR Code # 2599

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☒ §17-25-45

(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)

The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

BARNETTE, BARRY J

SCB13039

SC Bar #

Defendant

Snyder III, Charles W.

SCB79961

SC Bar #

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction, ☐ County Detention Center,

for a determinate term of Life without possibility of parole days/months/years/Time Served ☐ Youthful Offender Act not to exceed        years

and/or to pay a fine of \$       ; provided that upon the service of        days/months/years/Time Served and or payment

of \$       ; plus costs and assessments as applicable\*; the balance is suspended with probation for       

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:       

☒ The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC.        days/months

☐ To include time spent on monitored house arrest prior to trial and sentencing.

☐ The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS. Jerry Cecili Edwards INDICTMENT/CASE# 2020 - GS - 42 - 01335

**SPECIAL CONDITIONS:**

☐ **PTUP** after \_\_\_\_\_ months/years

**And Other Terms Listed Below:**

- ☐ Substance Abuse Counseling      ☐ Completion of GED      ☐ Random Drug/Alcohol Testing
- ☐ Attend Voc. Rehab. or Job Corp      ☐ No Contact with Victim      ☐ Domestic Violence Intervention Program
- ☐ Mental Health Counseling      ☐ May serve W/E beginning: \_\_\_\_\_
- ☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430      ☐ Public Service Employment \_\_\_\_\_ days/hours
- ☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- ☐ Other: \_\_\_\_\_

☐ **RESTITUTION:**      ☐ Deferred      ☐ Def. Waives Hearing      ☐ Ordered

Total: \$ \_\_\_\_\_ plus 20% fee: \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_ ☐ Set by SCDPPPS

Recipient: \_\_\_\_\_

**\*Fine:**

| Fine may be pd. in equal, consecutive weekly/monthly pmts. of                                                                                                            | \$ | Beginning | \$               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----------|------------------|
| §14-1-206 (Assessments 107.5 %)                                                                                                                                          |    |           | \$               |
| §14-1-211(A)(1) (Conv. Surcharge)                                                                                                                                        |    | \$100     | \$               |
| §14-1-211(A)(2) (DUI Surcharge)                                                                                                                                          |    | \$100     | \$               |
| §56-5-2995 (DUI Assessment)                                                                                                                                              |    | \$12      | \$               |
| §56-1-286 (DUI Breath Test)                                                                                                                                              |    | \$25      | \$               |
| §14-1-212 (Law Enforce. Funding)                                                                                                                                         |    | \$25      | \$               |
| §14-1-213 (Drug Court Surcharge)                                                                                                                                         |    | \$150     | \$               |
| §34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)                                                                                                |    | \$41      | \$               |
| §50-21-114(BUI Breath Test Fee)                                                                                                                                          |    | \$50      | \$               |
| §56-5-2942(J) (Vehicle Assessment)                                                                                                                                       |    | \$40/ea   | \$               |
| 3% to County (if paid in installments)                                                                                                                                   |    | TBD       | \$               |
| <input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees. |    | \$500     | \$               |
| <input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund                                                                      |    | TBD       | \$               |
| <b>TOTAL</b>                                                                                                                                                             |    |           | <b>\$ 1287.5</b> |

Clerk of Court/ Deputy Clerk:  
Court Reporter:

Camp  
Bendraski

Presiding Judge:  
Judge Code:  
Sentence Date:

6-11-20

## CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled “Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings.”

Respectfully Submitted,

**RECEIVED**

**Mar 15 2023**

**SC Court of Appeals**

s/ Jessica M. Saxon

Jessica M. Saxon

Appellate Defender

South Carolina Commission on Indigent Defense

Division of Appellate Defense

PO Box 11589

Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 15th day of March, 2023.

**RECEIVED**  
**Mar 15 2023**  
**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Spartanburg County

Honorable R. Lawton McIntosh, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

JERRY CECIL EDWARDS,

APPELLANT

APPELLATE CASE NO. 2022-000886

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon William M. Blich, Jr., Esquire, at the primary email address listed within the Attorney Information System (AIS), this 15th day of March, 2023.

s/ Jessica M. Saxon

Jessica M. Saxon

Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT