

VOLUME II OF II

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Appeal from Richland County
Honorable Jocelyn J. Newman, Circuit Court Judge

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DEMETRICK DOCTOR,

APPELLANT

APPELLATE CASE NO. 2022-000554

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THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
COURT’S EXHIBIT #3 (THUMB DRIVE - INTERROGATION CAMERAS 1 AND 2)
AND
STATE’S EXHIBIT #89 (INTERVIEW DISK)

1 that the audio portion relating to Sergeant Ulmer's video
2 capturing Mr. Telford should remain part of the record,
3 should remain admissible.

4 Lastly, as for the rest of Ulmer's video, Judge, I
5 can't tell you what should be redacted out of that. It
6 wasn't our job frankly to look at it at this point and
7 say what was objectionable. I didn't do that.
8 Mr. Martin and I were working late into the night on the
9 video and the interview. So their specific objections to
10 other parts that we'll call it background chatter which I
11 believe there was some later in Ulmer's body cam, I just
12 don't know what the time stamps are, so I need the Court
13 to allow the defense to let us know which parts those are
14 and we'll be happy to make those evidence, but I can't
15 say what it is.

16 THE COURT: It's my recollection that there was an
17 objection during the playing of Ulmer's body worn camera.
18 It didn't --

19 MS. GASTON: That's correct.

20 THE COURT: Right. It wasn't later during Hawkes's
21 camera.

22 MR. GOLDBERG: I'm sorry. I misspoke about that.
23 Thank you.

24 THE COURT: Yes. Now, it was a significant portion
25 of the video had played.

1 MR. GOLDBERG: Right. It was on the back end after
2 the Telford exchange and all that, correct?

3 THE COURT: Absolutely. And so there was no
4 contemporaneous objection as to Telford's comments.
5 They're really probably an excited utterance anyway so
6 that first portion I will allow and let's remember that
7 all of this is coming after the fact, after the video in
8 its entirety without redaction had been admitted without
9 objection from the defense. We're just trying to sort of
10 split the baby and clean things up on the front-end a
11 little bit, but what I would expect consistent with this
12 objection and the Court's revised ruling is that the
13 background chatter at the end of the video probably just
14 before that objection because, of course, you have to
15 hear some of it to be able to object to it, that that is
16 the part that would be muted from just before the
17 objection to the end of the video. I don't know what the
18 time stamp was then, Ms. Eigenbrot.

19 MS. EIGENBROT: Your Honor, I respect your ruling.
20 I just want to briefly respond to a few things.

21 THE COURT: Absolutely.

22 MS. EIGENBROT: As to the excited utterance, I
23 believe Mr. Goldberg had elicited testimony from Mr.
24 Telford suggesting that he's used to shootings and that
25 he's probably calmer than most individuals, maybe not as

1 excited as one may, you know, think others would be so
2 just responding to that. Your Honor, I do recognize
3 there was a late objection and in fairness part of what I
4 asked to be cut out of Mr. Telford's statement was when
5 Sergeant Ulmer said, well, what's the first name? I
6 don't know. I don't know. I also ask that that part be
7 redacted. It was not the just the bits and pieces that
8 was eventually given to us, it was the whole portion of
9 it. I do recognize it's already been played for the
10 jury, but I still would stand on the idea that that would
11 be hearsay and inadmissible.

12 And as far as time stamps, again, Your Honor, I
13 don't have a problem with the video as a whole. I mean,
14 Sergeant Ulmer is walking around the property and there's
15 bits and pieces with glances. I don't know if he ever
16 got as close to Ms. Hayes or Mr. Glenn as Deputy Hawkes
17 or anything like that. I'm just more concerned about the
18 information all being thrown around during the incident,
19 verbal information being thrown around during the
20 incident, and it's very difficult. I mean, it's rapid
21 paced talking and it's seconds we would have to be trying
22 to figure out how to parse it out of there.

23 THE COURT: Right. I think my ruling remains. The
24 truth is, I mean, we call them excited utterances.
25 That's what's in the rules. You've got to name it

1 something, but the whole point of most of those or all of
2 those hearsay exceptions is reliability and so even
3 though he may be accustomed to shootings, the idea is
4 those in the moment statements are inherently more
5 reliable because in the heat of the moment a person is
6 generally not thinking of lying or making something up or
7 naming the wrong person. Even in the heat of the moment
8 and he says, you know, Doctor, he's not thinking in that
9 two seconds as he's just heard gunfire probably to give
10 the name of someone who wasn't there or something like
11 that, so that's why we have those exceptions because the
12 courts deem those circumstances to enhance the
13 reliability of a person's statement so whether he was
14 actually excited or scared or whatever, you know, we call
15 it an excited utterance. It may not tie directly to the
16 emotion being felt in the moment, although I would guess
17 that maybe he hears gunfire all the time, but it's
18 probably not right, you know, feet from him that often.
19 So I think that fits within a hearsay exception and there
20 was no contemporaneous objection so what we need to talk
21 about is towards the end of the video. Mr. Goldberg.

22 MR. GOLDBERG: Just very briefly just to make the
23 record very clear whenever the record may be needed,
24 there was no follow up question to Mr. Telford in regards
25 to his previous exposure to gunshots and how that

1 affected him and whether it meant that he was stressed or
2 calm around gunshots. There was no questioning of him in
3 that regard. In fact, I mean, the point of the question
4 was in response to the phantom bullet in the trailer
5 that's been alluded to by Mr. Tate. So I just wanted to
6 point that out for the record that there was no follow up
7 asking, well, how did the fact that you hear gunshots
8 affect you. That has not been offered into the record.
9 Thank you. I'll let Ms. Gaston respond to your question.

10 THE COURT: Yes, ma'am.

11 MS. GASTON: Good morning, Your Honor.

12 THE COURT: Good morning.

13 MS. GASTON: I just wanted to make sure. From what
14 I remember the objection came towards the end of the
15 video when there was some background chatter about the
16 Doctors and where the family usually stays, around the
17 Slab Pile, and that's what I remember about the time for
18 the objection. I just want to make sure for the record
19 so I can go back and take a look at that, and then we did
20 approach Your Honor and then all agree that that was
21 certainly not relevant and prejudicial so we were happy
22 to mute that portion of the video.

23 MS. EIGENBROT: Your Honor, I trust the State knows
24 when or around about that time. If Ms. Gaston and I need
25 to get together and actually look at it with respect to

1 your ruling absolutely.

2 THE COURT: Okay.

3 MS. EIGENBROT: I don't know how much of the video
4 -- It's a whole 45 minute long video. I don't think you
5 guys played or introduced that whole 45 minutes.

6 MS. GASTON: I believe it was right around 13 or 14
7 minutes in total and I believe that objection came right
8 at the end and I was happy to mute it from that point on
9 after the objection, Your Honor.

10 THE COURT: The question is finding that moment so
11 we can get together and make our best effort to find when
12 that was. It was towards the end of the video because, I
13 mean, I walked down and sat in the chair down there and
14 watched the video, the objection came, we had a side bar
15 and from then on I actually stood behind the court
16 reporter for a moment and then sat up here, but I did not
17 end up watching the end of the video which is how I
18 recall it during that testimony, but y'all work on that
19 to substitute the exhibit.

20 MS. GASTON: Yes, Your Honor.

21 THE COURT: Anything else this morning?

22 MR. TATE: Really, really briefly, Your Honor, sort
23 of a housekeeping thing and perhaps the four of us can
24 get together before evidence goes to the jury because I
25 have noticed some other things marked that may have

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1 MS. GASTON: The State calls Investigator Amanda

2 Metz.

3 Thereupon,

4 AMANDA METZ

5 after having been first duly sworn, testified as follows,

6 THE CLERK: Please have a seat. Once you're seated,
7 state your full name for the record please.

8 THE WITNESS: My name is Amanda Metz.

9 DIRECT EXAMINATION

10 BY MS. GASTON:

11 Q. Good morning, Investigator Metz.

12 A. Good morning.

13 Q. Please tell the jury a little bit about what you do
14 and where you work?

15 A. Yes. I work at the Richland County Sheriff's
16 Department in the forensic sciences laboratory in the firearm
17 and tool mark section. As a member of the firearm and tool
18 mark section my job is to examine firearm and firearm related
19 evidence as well as other tools and then present my findings
20 to the Court.

21 Q. How long have you been doing that?

22 A. I have been with Richland County Sheriff's
23 Department for 12 years specifically in the role I'm in for
24 10.

25 Q. Can you tell us a little bit about your educational

1 background?

2 A. Yes. I have a bachelor of arts in anthropology and
3 art history from Oakland University, and then I have a
4 master's degree in forensic archeology and international crime
5 scene investigation from Fordham University, and then when I
6 was hired and moved to the forensic laboratory in the firearms
7 section, I underwent an extensive three year training program
8 because there is no schooling for my discipline and at that
9 time I did a year long training program with the ATF at their
10 National Firearm Examiners Academy, then completed the rest of
11 my two years at Richland County under the direct supervision
12 of a qualified firearm tool mark examiner and since then I've
13 done probably over a thousand cases and I'm a member of our
14 professional organization.

15 Q. Have you testified as an expert before?

16 A. I have.

17 Q. If you had to guess or estimate how many times do
18 you think?

19 A. I would say in the State of South Carolina
20 approximately eight times.

21 MS. GASTON: Your Honor, at this time the State
22 offers Investigator Amanda Metz as an expert in the area
23 of firearms and tool mark identification.

24 MR. TATE: Without objection, Your Honor. Thank
25 you.

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1 THE COURT: All right. Ladies and gentlemen of the
2 jury, Investigator Metz is an expert in the area of
3 firearm and tool mark identification. The same rules I
4 told you apply to the other experts apply to Investigator
5 Metz. Give her testimony the weight and credibility you
6 think it deserves. Continue, Ms. Gaston.

7 MS. GASTON: Thank you, Your Honor.

8 BY MS. GASTON:

9 Q. Investigator Metz, did you have occasion to analyze
10 any evidence in this particular case?

11 A. I did. Yes.

12 Q. How did you become involved with this case in
13 particular?

14 A. So this particular case especially with a lot of our
15 homicides we are directly contacted by our investigators and
16 asked to examine the evidence that they have either from the
17 scene or from autopsy or from a suspect and give them our
18 conclusions.

19 Q. I'm gonna hand you what's been marked as State's 5
20 for ID. Does this look familiar?

21 A. Yes.

22 Q. Is that the item that you analyzed in this
23 particular case?

24 A. It is.

25 Q. Does it have the same or substantially similar

1 conditions as when you analyzed it?

2 A. It is. Yes.

3 MS. GASTON: Your Honor, the State moves to enter
4 State's 5 into evidence.

5 THE COURT: Any objection?

6 MR. TATE: No objection, Your Honor.

7 THE COURT: State's 5 is admitted without
8 objection.

9 MS. GASTON: I believe this is also State's 5, Your
10 Honor.

11 BY MS. GASTON:

12 Q. Please remove that.

13 A. Yes. Correct. This is also going to be State's
14 evidence 5 as it was found inside the shotgun.

15 MS. GASTON: So, Your Honor, this is the casing that
16 was within the shotgun so they're both State's 5.

17 MR. TATE: No objection.

18 THE COURT: Understood.

19 BY MS. GASTON:

20 Q. And so going back to the firearm, is there anything
21 that you noticed that's unique about this particular
22 firearm?

23 A. So, yes. So this particular firearm is a 12 gauge
24 shotgun, very old, U.S. Arms Company and it's a single shot
25 which means only one unfired cartridge can go in there and so

1 you can only shoot one at a time and then you have to
2 physically remove it to shoot another one, as well as a
3 shotgun is known for having a stock at the end as well as a
4 much longer barrel. This particular firearm has been
5 shortened after manufacturer by removing or cutting down the
6 stock and cutting off the barrel to make it the length that
7 you currently see it.

8 Q. I'm holding up State's 57. So you just mentioned
9 the modification?

10 A. Yes.

11 Q. And what in particular does that mean?

12 A. So, like I was describing, normally you will have a
13 stock because a shotgun is designed to be fired from your
14 shoulder. That's the manufacturer design so you will have a
15 stock that will come and seat into your shoulder to make it
16 more comfortable for shooting as well as the legal length of
17 the barrel has to be a certain length and manufacturers will
18 design it as such. But you'll see is significantly shorter
19 and that's post manufacturing so this was done by the person
20 who had this firearm.

21 Q. What is the legal length of a shotgun?

22 A. So, the legal length of the overall shotgun is
23 different than the barrel, so there's the barrel length versus
24 the overall length and the barrel length for this particular
25 shotgun is significantly shorter. Your barrel length has to

1 be 18 inches and this one was found to be 11 and 1/32nd inch
2 so it's much shorter so it's by definition a sawed-off
3 shotgun.

4 Q. As far as the modifications go, were there
5 modifications to both the barrel and the stock?

6 A. Yes. Correct.

7 Q. And what sort of effect would that have on a fired
8 cartridge shortening the length?

9 A. So for this specific type of shotgun is designed to
10 fire a fairly large cartridge and that cartridge depending on
11 what cartridge you're using is designed to travel down the
12 length of that barrel and the length of that barrel is there
13 for a reason so that it slows the velocity and your pellet
14 pattern which is generally speaking what you have with a
15 shotgun is pellets versus a singular projectile, you have
16 multiple, and when you shorten that, you immediately start
17 getting a spread so its accuracy when it's shortened is not as
18 well as it should be if the legal length of the barrel were
19 still there so you start getting spread of those pellets much
20 sooner which means to have a tighter pattern you have to be at
21 a much closer range.

22 Q. Is there anything unique about this particular gun?
23 Does it have a safety?

24 A. It does not.

25 Q. And is there a particular way to load this gun?

1 A. So this is an older model and because it's a single
2 shot and a top break meaning you will see it's broken at the
3 top so that's how you put a new unfired cartridge in there,
4 there's a little lever here that you push and that's what
5 breaks it open, so you have to push it and break it open. I
6 wouldn't say it's unique to this specific firearm. It's
7 pretty common for top break shotguns so if you're familiar
8 with older models or single shotguns, that's pretty much how
9 you break it open to open it to put a cartridge in.

10 Q. And I'm holding up State's 59 and State's 60 that
11 have been entered. Is this the shotshell that you examined?

12 A. Let me see this.

13 Q. (Proffering.)

14 A. Yes. That appears to be -- I'm sorry. Yes. That
15 appears to be the shotshell, the fired shotshell that I
16 received in this envelope. I did not remove it from the
17 shotgun, but this is what was submitted with the shotgun.

18 Q. Did you perform any particular analysis on the
19 shotshell itself?

20 A. So other than a visual examination of the shotshell
21 I didn't do any microscopic comparisons which is what I
22 normally do and the reason for that and it's our protocol is
23 whether it's a single shot shotgun or a revolver where the
24 items stay inside that firearm, if it's removed by our crime
25 scene or our investigators, we don't microscopically examine

1 that because the association is assumed because it's found
2 inside of that firearm so for me to microscopically examine
3 it, unless there's a question from our investigators about,
4 they have some reason to suspect that that cartridge does not
5 belong to that firearm, we don't to do the microscopic
6 comparison.

7 Q. Can you tell us anything about the, based on your
8 expertise, can you tell us anything about the type of
9 ammunition that would be fired from this particular
10 shotshell?

11 A. Yes. So the visual examination of that particular
12 shotshell is a lot of shotgun ammunition manufacturers have
13 markings on the outside of their shotgun shells so that tells
14 you, you know, what line of ammunition it is, the caliber or
15 gauge, because shotguns are gauge versus caliber, and then,
16 you know, any other pertinent information such as the shot
17 size they loaded it with, the length of the shell because they
18 have different lengths so they fit in firearms differently and
19 so all of that is something that I observed and that
20 particular shotshell is designed by Winchester for their Super
21 X ammunition line. It's a 12 gauge with seven and a half size
22 birdshot. So birdshot is tiny, teenie little pellets and
23 hence the name is designed to shoot fowl or birds and the
24 reason for that is the smaller birdshot, the smaller pellets
25 don't damage the meat if you're hunting. And so that

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1 particular shotshell is designed for birdshot and seven and a
2 half is what they loaded it with.

3 Q. Were you able to examine any projectiles themselves
4 in this case?

5 A. Uhm, so projectiles are a wide term for us. That
6 means anything from a hole intact bullet to pellets to wadding
7 to jacket fragments, metal fragments, anything that was part
8 of an ammunition component that goes down and out the barrel
9 of the firearm and in this case I examined a few things. I'm
10 not sure which item you want to speak to first.

11 Q. I'm going to hand you State's 83 as well as State's
12 85 that have been entered.

13 A. Okay. So for me these are the same item.

14 Q. Got you.

15 A. So these are the pellets from the autopsy from one
16 victim and so these are actually one item for me.

17 Q. Got you. So did you have a chance to analyze these
18 particular pellets?

19 A. I did. Yes.

20 Q. And what can you tell us about the pellets
21 themselves?

22 A. So when we receive what we call metal fragments to
23 start because when we receive evidence, we do an inventory so
24 we're looking at it just visually, when we receive those metal
25 fragments, we start doing an examination so we'll weigh them,

1 we'll take their diameter, we'll do a scratch test, so we just
2 scratch it and see what happens to the metal, we do a magnetic
3 test, we do a crush test to see how it crushes and what
4 happens to that metal to determine what kind of metal or
5 projectile we're looking at.

6 In this particular instance those pellets were
7 determined to be pellet, shotgun pellets and consistent with
8 lead, being lead. So lead is a very soft metal and so when I
9 do my scratch test, it reveals a bright shiny inside. When
10 you compress it, it compresses very easily. When you do a
11 magnetic test, it's non ferrous meaning it does not attract
12 the magnet. Then we do a diameter of the most intact, the
13 ones that were the most intact and round versus deformed and
14 then we weigh them as a whole and divide it by how many we
15 have to get the weight and these particular pellets are
16 consistent with being seven and a half shot size pellets so
17 consistent with the markings on the cartridge that was found
18 inside the shotgun.

19 Q. Is this birdshot?

20 A. Birdshot, yes.

21 Q. So I'm showing you State's 60 and State's 83. These
22 pellets would be consistent with this fired shell?

23 A. Yes. So the pellets are consistent with being seven
24 and a half birdshot pellets and that's their shot size meaning
25 so that the manufacturer decides how big they want them to be,

1 how much they weigh, and then that's what they load inside of
2 the shotshell and so the seven and a half is consistent with
3 what the markings on this shotshell read which is also seven
4 and a half shot size.

5 Q. Are you able to do any microscopic comparison on
6 these particular items?

7 A. So, no. So for shotguns in general most shotguns
8 are what's called smooth bore so the barrel itself, so what
9 your projectiles go down and out is smooth, it has no cuts in
10 it, rifling that we would see in handguns or revolvers or
11 rifles, and so when we do microscopic comparison, that's what
12 we're looking at is the rifling and individual markings inside
13 that and because this shotgun is smooth bore as well as when
14 we receive pellets like that, they are encased in plastic
15 generally, a plastic wadding to help them maintain their shape
16 so that when they exit, they don't immediately go everywhere.
17 They kind of are all grouped together so it actually rarely
18 comes in contact with the inside of the barrel as it's going
19 down and out.

20 Q. I'm showing you what's been entered as State's 84.
21 If you can tell the jury what that is.

22 A. Yes. So this is plastic wad so that's that plastic
23 that I was just talking about that kind of acts as like a
24 little house that holds your pellets as it goes down and out
25 the barrel and a lot of manufacturers design their wadding

1 specifically or a line of ammunition, so they'll have a patent
2 on a wad that allows enough pressure to build up behind the
3 wad to keep the velocity as well as still maintain the pellets
4 kind of all together so they'll develop their own wadding.
5 This particular plastic wad is consistent with the wadding
6 that was developed by Winchester for their Super X line of
7 ammunition.

8 Q. I'm handing you State's 70. Just take that out of
9 the package.

10 A. So, State's exhibit 70 is actually two items for me.
11 It's the plastic wadding and the photo that you were shown
12 with the pellets.

13 Q. State's 83?

14 A. Yes.

15 Q. And State's 84?

16 A. Yes. So, for me it's different item numbers. They
17 came separately and we treat different projectile parts,
18 components as their own item because they stand alone so one
19 is the pellets in State's 83; is that correct?

20 Q. State's 83.

21 A. 83. That's the seven and a half birdshot that I had
22 examined and then this item is State's 84 which is that
23 plastic wadding that was designed by Winchester for their
24 Super X. The patent is they call it a one piece hinged wad,
25 so it's a very specific looking wad that they designed and I

1 think that it does what they want it to do which is to keep
2 that velocity and to keep the projectiles or the pellets in
3 that close pattern when it leaves the barrel.

4 Q. And would that wadding be consistent with the fired
5 shotshell that we talked about earlier?

6 A. Yes. So the fired shotshell from the shotgun is
7 Winchester Super X line of ammunition so I would expect to
8 find that one piece hinged wad inside of the fired, before it
9 was fired in that shotshell.

10 Q. Were you able to examine any other fired projectiles
11 in this case?

12 A. Yes.

13 Q. I'll show you State's 75 through 79. Would you
14 recognize what's in those photographs?

15 A. Yes. I do recognize what's in these photographs.
16 And these again for me each one, each envelope is considered a
17 separate item. I keep them separately.

18 Q. And did you have an opportunity to examine those
19 items.

20 A. I did. Yes. And they are most consistent with
21 double-aught buckshot and more specifically a manufacturer by
22 the name of HEVI-Shot. They have very specific pitting on the
23 buckshot that they do that's pretty specific to the buckshot
24 that they load in their unfired shotgun shells.

25 Q. Please tell the jury what's the difference between

1 buckshot and birdshot?

2 A. So buckshot is just, it's larger and it's also
3 designed for different purpose. Birdshot is meant for
4 shooting foul. Buckshot is for larger game such as deer,
5 hence the name buckshot so the pellets are a larger size,
6 larger diameter, generally speaking are a different material
7 whereas the birdshot is more lead, with buckshot you still
8 have some lead, but manufacturers are really trying to steer
9 away from lead in general. The HEVI-Shot is kind of its own
10 metallurgic mix that HEVI-Shot designed and patented so...

11 Q. Were you able to do any microscopic comparison on
12 these items?

13 A. No. Again, these are pellets so I would expect that
14 the unfired ammunition that housed that have a wad of some
15 sort or a casing to keep the pellets together as they go down
16 and out the barrel and also without a firearm I don't have
17 anything to compare it to, but more than likely it's not
18 touching the inside of the firearm, it's not touching the
19 inside of the barrel to leave any individual markings that I
20 would be looking at under the microscope.

21 Q. We talked about the shotgun. Did you have an
22 opportunity to look at and examine another firearm in this
23 case?

24 A. I did. Yes.

25 Q. I'm handing you State's 74. Is that the firearm

AMANDA METZ - DIRECT BY MS. GASTON

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1 that you analyzed in this case, an additional firearm?

2 A. Do you have a picture of its serial number?

3 Q. Probably. I am approaching with State's exhibit 56.
4 If you can just take a look in the box, but don't take it out
5 for the jury. Just take a look at it and see if you recognize
6 that firearm or tell us what it is.

7 A. I'm gonna have to kind of pick it up to see the
8 serial number.

9 Q. Okay.

10 A. Yes. I recognize that as a Sccy model CPX-1 nine
11 millimeter caliber pistol. That's a different item number for
12 me, but it's the firearm that I examined.

13 Q. Does the firearm in this photograph accurately
14 depict that one?

15 A. Yes. Again, it's similar, but again, without seeing
16 the serial number I can't tell if it's the same firearm as in
17 the box.

18 Q. Did you have a chance to take a look at this
19 particular firearm?

20 A. I did. Yes.

21 Q. What were you able to determine about it?

22 A. So with every firearm that comes into our laboratory
23 we first do a visual examination to make sure that it's safe,
24 make sure that there's no mechanical errors with it that would
25 cause me harm and look for any trace materials so that's the

1 biological materials, hairs, fibers that might be probative
2 for our investigators and then if there are biological
3 materials, I will clean it so that I can handle it safely
4 without contaminating myself, and then I'll start looking at
5 it for what I call class characteristics so its caliber, what
6 type of firearm is it, is it a long gun like the other item or
7 is it a handgun. In this case it's a handgun. I look at
8 whether there's any safeties present, again, whether those are
9 functioning correctly and then once I have evaluated it for
10 safety, trace and all its class characteristics, then I test
11 fire it.

12 The way that I do that is we have a big 500 gallon
13 water tank and what that does for us is that when we test fire
14 projectiles into it, no extraneous markings other than the
15 ones that are being made by the firearm are imparted on that
16 projectile. There's a little basket that catches the
17 cartridge cases in the case of pistols that eject cartridge
18 cases and then that way we have our standards that we know
19 come from that specific firearm. Once I do that and make sure
20 that it functions correctly while test firing, so there's the
21 check I do to make sure before I fire it that nothing seems
22 out of place, and as I'm firing it, is it functioning
23 correctly, and then once I do that, then if I need to, I'll
24 look at those known exemplars or those test fires for the
25 markings that that specific firearm makes on the cartridge

1 cases and the projectiles.

2 Q. And just so we get the right item numbers here, did
3 you also have an opportunity to examine three fired cartridge
4 casings in this case?

5 A. I did. Yes.

6 Q. Would that be items 8, 9 and 10 in your report?

7 A. Correct. Yes.

8 Q. What sort of analysis, if any, were you able to
9 perform on those?

10 A. So, much like the other fired components, we treat
11 everything as its own item, so each cartridge case is examined
12 for, again, what I call class characteristics, what caliber is
13 it, what shape is the firing pin impression, anything like
14 that that can help me. So in this case all three are .40
15 Smith and Wesson caliber. It can be confusing. It's not only
16 meant for, made for Smith and Wesson. They're just who
17 designed that cartridge, but it is a specific caliber and is
18 slightly larger of a caliber than the firearm we were just
19 talking about. Yes.

20 Q. So did all three of those cartridge casings come
21 from the same gun?

22 A. They did. So after I evaluate them for class
23 characteristics, I take my unknowns, because that's what they
24 are at this time, I don't know what firearm fired them, I take
25 them individually and put them up on the microscope and I use

1 a comparison microscope which is two ocular microscopes
2 combined with a bridge, an ocular bridge so that I can look at
3 two different items at the same time under the same
4 magnification and lighting, and so what that allows me to do
5 is look at the individual characteristics, the very small
6 microscopic markings that are left behind by the firearm and
7 look at them to each other to determine common origin. In
8 this instance all three were determined to be fired by the
9 same firearm.

10 Q. And could they have been fired by this firearm?

11 A. No.

12 Q. Why not?

13 A. So that particular firearm is a nine millimeter
14 Luger caliber firearm and what that means is it's a different
15 caliber. It's smaller. So if you attempted to try to put a
16 .40 Smith and Wesson caliber cartridge in that firearm, it
17 wouldn't close and it certainly wouldn't operate.

18 MS. GASTON: Thank you. No further questions from
19 the State, Your Honor.

20 THE COURT: Cross examination, Mr. Tate.

21 MR. TATE: Thank you, Your Honor.

22 CROSS EXAMINATION

23 BY MR. TATE:

24 Q. Investigator Metz, how are you?

25 A. Good. How are you?

1 Q. Good. Do you still have the little modified
2 shotgun?

3 A. I do. Yes.

4 Q. Would you do me a favor? Would you take a look at
5 that and would you take a look at this pistol and as an expert
6 tell us, before I touch them, that these things are rendered
7 safe.

8 A. Yes. So this shotgun is safe, I make it safe when
9 I'm finished with my examination so this zip tie here assuming
10 that a new one hasn't been put on, I also put a zip tie to
11 make sure that the breech stays open and that it is empty and
12 I know that because my initials are on here as well as the
13 case number and item number and before we turn it into our
14 evidence and property as our code of laws is to make sure that
15 the firearm itself is safe and in an open position. And still
16 don't show them this; is that correct?

17 Q. It's been entered into evidence.

18 A. Oh, okay.

19 Q. If you'd like to --

20 MS. GASTON: Objection, Your Honor. It's just for
21 ID.

22 THE COURT: Is that 66?

23 THE WITNESS: This is 86.

24 THE COURT: So 86 is not in. There was a 66 earlier
25 offered, but 86 is not.

1 MR. TATE: We won't touch it then, Judge. Thank
2 you.

3 BY THE WITNESS:

4 A. I can tell you though that it is safe. I just won't
5 show them how it is safe.

6 BY MR. TATE:

7 Q. Thank you very much. Turning your attention back to
8 shotguns for a minute, and you talked about short barrel.
9 There are weapons that fire shotgun shells that have short
10 barrels shorter than 12 inches that can be lawfully possessed,
11 aren't there?

12 A. So the shotgun shell itself or the ammunition itself
13 does not make anything a shotgun. So what a shotgun is, it's
14 designed to be fired from the shoulder and so that there are
15 what he's talking about are, there are revolvers that are
16 designed to be fired from the hand, that's what a revolver is
17 designed for and are designed to fire what would be termed a
18 shotgun gauge or in this case a bore. I think you're thinking
19 of probably the Judge which is a revolver that shoots the .410
20 bore, and so it's still the design of the firearm is what
21 matters. In this case this is designed to be a shotgun and to
22 be fired from the shoulder which does come with legal
23 lengths.

24 Q. So the Judge was exactly right, but that will also
25 fire a .44 special rifle cartridge?

1 A. Correct. Yes. It will then also fire what's termed
2 a revolver cartridge. It's just a different caliber, but the
3 firearm itself is just designed to fire different types of
4 cartridges, different calibers of cartridges, but the revolver
5 is still a revolver versus an actual shotgun.

6 Q. And it shoots a shotgun shell?

7 A. It shoots, it does shoot a small shotgun shell.
8 Yes, the .410 bore.

9 Q. And the whole thing ain't but about that long
10 (indicating)?

11 A. Well, it depends. So they actually have different
12 barrel lengths so you can get the Judge that's like the old
13 cowboy with a really long barrel. But yes, they are legally
14 allowed to be shorter length barrels and can shoot what is
15 called a shotgun shell. It's a smaller one. A .410 bore is,
16 I mean, this big (indicating) and has very interesting -- I
17 like it. I like the Judge so it's one of my favorite
18 revolvers. Yes.

19 Q. Do you recognize this?

20 A. I do. Yes.

21 Q. And it's a picture of a shotgun shell?

22 A. Yes. Of a 12 gauge.

23 Q. And when someone fires a shotgun, the firing pin
24 strikes the primer, correct?

25 A. Yes. Correct.

1 Q. The primer ignites the powder?

2 A. Correct.

3 Q. The powder compresses the wadding, in this case, the
4 wadding and the shell basket are all one?

5 A. Yes. Correct.

6 Q. It comes out of the barrel of the weapon as a single
7 unit. As it moves along, that wadding if it's far enough
8 away, that wadding would fall to the ground and then the
9 pellets start to come apart?

10 A. Yes.

11 Q. Fair?

12 A. Yes. Correct. So the design of the wad is
13 manufacturer specific. In this specific case you are thinking
14 of the compression because it's the one piece hinged wad and
15 so they have sort of what looks like, I guess would be like
16 suspension and there's like little plastic things that
17 compress and that's just to help take that powder and what
18 actually is happening is when the gun powder is ignited, you
19 have a solid turning into gas at a very rapid rate and the gas
20 is actually what's pushing everything down and out the barrel
21 and the design of the wad is to, yes, keep those pellets
22 together and as soon as it exits, you will start having that
23 separation.

24 Again, it depends on design. It depends on how the
25 manufacturer wants that ammunition to do, but generally

1 speaking ammunition manufacturers want the longer distance,
2 they want their pellets to stay together for a longer
3 distance, and so that's what the wad design is for is so that
4 it keeps your pellets together for a longer distance so that
5 you can hit a target further away.

6 Q. And how long that wadding stays with the pellets can
7 vary from weapon to weapon?

8 A. It can. Yes.

9 Q. And from load to load?

10 A. It can. Yes.

11 Q. And the spread of that pellets can vary as well,
12 can't they?

13 A. It can. Yes.

14 Q. And one of the things that determines that would
15 possibly be, this shotgun doesn't have one, but would be the
16 choke of a weapon?

17 A. Yes. Correct. So the choke, what he's talking
18 about is some shotgun manufacturers have an extra part of the
19 barrel that kind of compresses it at the end so that your
20 pellets or your projectile stay together longer. In this
21 particular case though the barrel has been shortened down
22 pretty short so you start to have that separation of wad and
23 pellets much sooner mainly because you not only don't have the
24 length of the barrel for those gases to start dissipating and
25 for everything to, for a better term it gets really hot. It's

1 really hot in there so everything, the plastic is expanding,
2 the plastic is melting, the metal is expanding and melting so
3 you don't have that length for the heat to disperse so it kind
4 of all just comes out and starts separating much quicker
5 because of the shortened length of the barrel.

6 Q. Also the choke of a shotgun makes a determination.
7 For example, a full choke would hold pellets together for
8 longer?

9 A. Yes.

10 Q. A modified, a bit less, and an improved cylinder,
11 even less?

12 A. Yes. Correct.

13 Q. There's a whole lot of factors we just don't know
14 about?

15 A. Correct. Yes.

16 Q. If you would pick up the safe weapon. I'm gonna
17 point. I'm gonna let you hold it, okay?

18 A. Okay.

19 Q. The thing's heavy, isn't it?

20 A. Yeah.

21 Q. Comparatively?

22 A. Not compared to when it's in its full state, but I
23 mean, yes, compared to the Sccy that's made.

24 MR. TATE: May I approach, Your Honor, the witness?

25 THE COURT: Yes.

AMANDA METZ - CROSS BY MR. TATE

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1 MR. TATE: I feel much better her holding it than me
2 holding it.

3 THE COURT: Yes, sir.

4 BY MR. TATE:

5 Q. That was manufactured I believe you testified on
6 direct examination by U.S. Arms?

7 A. Yes. The manufacturer is U.S. Arms Corporation.

8 Q. And the firing pin, I'm gonna step aside, would be
9 housed here?

10 A. It's actually -- I need to kind of see it.

11 Q. Is that a floating firing pin where it's housed?

12 A. I'm going to pull the hammer back, but it's safe so
13 it's not necessarily a floating, so it moves out of the way
14 when you close it and for a shotgun to fire, this hammer has
15 to be pulled forward and when you pull the trigger, it falls
16 forward and strikes the firing pin and bumps the firing pin
17 into the primer so that the primer is struck so that that
18 combustion starts happening.

19 Q. And that primer is filled with, I'm looking for the
20 word, it goes off on impact?

21 A. So what's happening is compression so because it's
22 in a tight space and when that firing pin strikes it, the
23 space gets smaller, the actual primer material is compressed
24 and it's that compression that sorts of like combustion like
25 in an engine, a car engine, and that's what kind of starts it

1 and then what actually is ignited and what starts the process
2 of the projectile being pushed down and out of the barrel is
3 the actual gun powder. The gun powder starts burning and
4 turns into a gas and the gases are what move everything.

5 Q. Would you mind dropping the hammer safely for us?
6 Thank you.

7 A. (Witness complies.)

8 Q. This little mechanism at the back, that is the
9 ejector, isn't it?

10 A. It's an extractor.

11 Q. Extractor?

12 A. Well, it's both. It's an extractor/ejector so
13 because this is a one single shot top break shotgun, the
14 cartridge, so all that expansion, that heat that I was talking
15 about, the cartridge case actually expands, it obturates so
16 it's kind of swollen in there and without this it would be
17 stuck inside the chamber. So what this does, it kind of hooks
18 it and that the extraction part and when you push this open,
19 it's got a spring like -- Well, it probably won't work now,
20 but this has a spring and it will pop it out so when you break
21 it open, it pulls it out of the chamber and it kind of pops it
22 out.

23 Q. And if that doesn't function, a person has to
24 manually remove it --

25 A. Yes. Good luck.

1 Q. -- with their fingers?

2 A. Yes. Or a screwdriver depending on how much it
3 obturates.

4 Q. We saw that in the video. You didn't actually test
5 fire this weapon into that 500 gallon tank?

6 A. No. Not into the tank, but at our range. So the
7 tank is only designed for rifles or handguns and really only
8 up to a certain caliber of rifles. Once it's over powered,
9 the tank can't handle it. And so for shotguns I take them out
10 to the range and yes, I did test fire this out at our range
11 and collected wadding.

12 Q. Do you remember the last time that weapon was
13 made?

14 A. I do not know that one. I would have to look it
15 up.

16 Q. Probably even older than me?

17 A. Definitely older than me and maybe older than you.
18 I don't actually know when they stopped manufacturing this.

19 Q. So you didn't, based on your earlier testimony, you
20 didn't compare the Winchester round found in the weapon with
21 the firing pin imprint?

22 A. So the Winchester Super X cartridge or shotshell
23 that was found inside the firearm I did not, no, because it
24 was removed. I believe my notes, I have our crime scene
25 investigator Yvonne Woods physically removed it so when she

1 found it, the firearm was closed with the shotshell inside and
2 then when she did her examination, I believe I have on my
3 notes that it was her who removed it from the firearm.

4 Q. And I believe you testified that based on the smooth
5 bore nature, no comparison can be done from any birdshot?

6 A. So for the pellets themselves because they're housed
7 in that plastic, I did not do any comparisons. I did,
8 however, so the wadding and due to the sawed-off nature so as
9 soon as you take anything to the barrel, you're now making
10 your own microscopic imperfections right here, so where
11 everything comes out, you have a bunch of microscopic
12 imperfections. So when I shot, I collected what I test fired,
13 this firearm, I collected wadding on that plastic because with
14 that heat and everything the plastic is a little melty when it
15 comes out, the hope and the theory is that the microscopic
16 imperfections, that's what firearm identification is, is that
17 heat and the obturation and the expansion and your
18 imperfections are imparted on that projectile or cartridge
19 case and so I compared the wadding, but there just wasn't
20 enough microscopic imperfections for me to say that this gun
21 did or did not shoot the wadding found.

22 Q. And you weren't asked to compare any double-aught
23 buckshot shell casings or shells to this weapon or any other
24 weapon, were you?

25 A. I did not receive any double-aught buck.

1 Q. And you weren't asked to compare any other known
2 shotguns to anything?

3 A. No. Correct. Yes.

4 Q. And you weren't asked, and from the buckshot round
5 you weren't provided any wadding or shotshells or anything
6 else?

7 A. No. The buckshot or the HEVI-Shot, the block buck
8 was strictly just the pellets.

9 Q. But you were provided three .40 caliber cartridge
10 casings?

11 A. Yes. Correct.

12 Q. And you were provided a .380 cartridge case?

13 A. Yes. Correct.

14 Q. And you were provided some nine millimeter
15 ammunition unfired cartridge cases?

16 A. Yes. Unfired cartridges.

17 Q. And some of those cartridges were still in a
18 magazine, were they not?

19 A. So when I received it, they were not. No.

20 Q. Okay. And you were also provided with a nine
21 millimeter pistol?

22 A. Yes. Correct.

23 Q. And you weren't asked to do any comparison with that
24 with any fired rounds?

25 A. No. Correct. Because nothing was of the correct

1 caliber.

2 Q. So the nine millimeter wasn't compared to
3 anything?

4 A. That's correct.

5 Q. Same for the .40 cal?

6 A. The .40 caliber cartridge cases?

7 Q. Cartridge cases, yes.

8 A. Yes. Correct. There was no correct caliber firearm
9 given to compare it to.

10 Q. And although we've learned a lot, you would agree
11 with me that nothing, no comparison had anything to do with
12 who might have owned this weapon?

13 A. Correct.

14 Q. And nothing had anything to do with who might have
15 touched this weapon?

16 A. Correct. Yes.

17 Q. And nothing had anything to do with who might have
18 fired this weapon?

19 A. Correct.

20 Q. As to the buckshot, the same thing, we simply don't
21 know, there's nothing in your examination that you know what
22 weapon fired it?

23 A. Correct.

24 Q. Who held that weapon?

25 A. Correct.

AMANDA METZ - REDIRECT BY MS. GASTON

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1 Q. Who pulled that trigger?

2 A. Correct.

3 MR. TATE: Investigator Metz, I don't have any
4 further questions. Thank you very much for coming today
5 and for your work.

6 THE COURT: Any redirect?

7 MS. GASTON: Verify briefly, Judge.

8 REDIRECT EXAMINATION

9 BY MS. GASTON:

10 Q. Investigator Metz, defense asked you about the
11 spread.

12 A. Yes.

13 Q. And for this firearm in particular, if you don't
14 mind just one more time showing the jury what we are talking
15 about, hypothetically if given the length of this particular
16 barrel, if birdshot as well as wadding was found inside of an
17 individual's skull and they were recovered, can you tell us
18 anything about the proximity of that shot?

19 A. So I can do a generalized speaking of. I can't
20 speak specifically to that brand of ammunition and this
21 firearm. I didn't do any muzzle to target distance, but
22 generally speaking to find wadding inside of a victim, the
23 shot has to be fairly close. That's not necessarily because
24 the wadding doesn't drop off. It could still be with the
25 pellets. What we would see generally would be, you can see an

1 impression sometimes of the actual wadding hitting the skin,
2 but when it actually goes inside of the victim, it speaks to
3 us as it's a fairly close shot. I can't give an exact
4 distance and that's just from training and experience that
5 you see wadding entering like skin or especially a skull would
6 be a harder object than let's say your stomach area and so
7 that's just, I can't speak specifically for this firearm and
8 this ammunition, but just training and experience when you
9 find wadding inside of a victim, it's of relatively close
10 proximity.

11 MS. GASTON: Thank you. Nothing further, Your
12 Honor.

13 MR. TATE: No further questions, Your Honor. Thank
14 you.

15 THE COURT: All right. Thank you. You may step
16 down. Call your next witness.

17 MR. GOLDBERG: Your Honor, the State calls
18 Investigator Bland.

19 Thereupon,

20 KEVIN BLAND

21 after having been first duly sworn, testified as follows,

22 THE CLERK: Please have a seat. Once you're seated,
23 state your full name for the record please.

24 THE WITNESS: Kevin Bland.

25 DIRECT EXAMINATION

KEVIN BLAND - DIRECT BY MR. GOLDBERG

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1 BY MR. GOLDBERG:

2 Q. Good morning, sir.

3 A. Good morning.

4 Q. Please tell this jury where you work and what you
5 do?

6 A. I'm a crime scene investigator with the Richland
7 County Sheriff's Department.

8 Q. How long have you been in law enforcement
9 altogether?

10 A. Including my corrections time about 22 years.

11 Q. How long have you been with the Sheriff's
12 Department?

13 A. 13.

14 Q. Tell the jury a little bit about your duties over
15 the 13 years with Richland County.

16 A. Started out on uniform patrol about five years, then
17 I got into investigations, started out with burglary and
18 property crimes. I did a year of narcotics and then an
19 additional two years with the DEA Task Force. I'm currently
20 with the business gang task force.

21 Q. Back in October of 2019, what was your role with the
22 department?

23 A. I was an investigator in major crimes.

24 Q. Did you have occasion to be notified about the case
25 at hand here today?

1 A. Correct.

2 Q. Tell us how you got involved in this case?

3 A. Uhm, I was out doing some investigation in reference
4 to some other cases when I heard the call go out. I was very
5 familiar with the area because part of that five years in
6 uniform patrol I covered that area. So once I heard the tone
7 out, I responded to the area because I was fairly close. I
8 think I was like the third officer to arrive on scene.

9 Q. That was to the Ballenton Road?

10 A. 129 Ballenton, correct.

11 Q. The dirt road they call it?

12 A. The dirt road.

13 Q. Upon your arrival, what did you observe when you got
14 there?

15 A. Upon my arrival, the first thing I noticed there was
16 two more deputies ahead of me. Once I exited my vehicle, I
17 saw the female victim laying face down in the dirt surrounded
18 with a puddle of blood. I noticed that Deputy Ulmer was in
19 the backyard sort of say in the woodline attending to a second
20 victim and I knew there was a third victim because I heard him
21 call out there was a third victim on the radio. So my first
22 thought was to go over and assist Deputy Ulmer with what was
23 going on. Very shortly after I approached, EMS was right in
24 back of me attending to the surviving victim as well. I then
25 left that area and walked around. I came in contact with

KEVIN BLAND - DIRECT BY MR. GOLDBERG

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1 Deputy Hawkes. He gave me a brief scenario so the next thing
2 for me to do was to check on the third victim. I didn't know
3 who had already checked on him previously. So I walked
4 around. I seen the third victim. I knew that they was - he
5 didn't have any - loss of life. I seen some individual
6 walking around so I just made contact.

7 Q. Let me ask you real quick, when you say the third
8 victim, that was which one in terms of where they were?

9 A. The third victim was inside of the SUV, that was
10 Mr., he was identified as Justin Glenn. The victim in the
11 woodline was identified as John Dickerson.

12 Q. Then, of course, you referenced Ms. Hayes in the
13 front yard?

14 A. Ms. Hayes. Yes. The first victim that I came
15 across was Ms. Hayes.

16 Q. After you observed Mr. Glenn in the driver's seat of
17 the SUV, what, if anything, else did you notice about the
18 inside of the Highlander?

19 A. I noticed that Mr. Glenn was slumped over at the
20 steering wheel. His left leg was partially out of the vehicle
21 as if he was trying to exit the vehicle. As I looked inside,
22 I seen the weapon to the right side of his thigh still in the
23 seat. I could see possibly crack cocaine on the console.
24 There was brain matter scattered throughout the vehicle. I
25 think it was some marijuana that was observed as well. All of

1 this was in plain view.

2 Q. I believe you were about to mention before I
3 interrupted you, did you then make contact with Mr. Nate
4 Telford?

5 A. I did. He was the first one that I came in contact
6 to as a witness.

7 Q. And based upon your conversation with him, who was
8 the suspect at this point?

9 A. From his mouth he named a Meke Doctor was the
10 suspect.

11 Q. And was your encounter with him that evening
12 recorded on body cam?

13 A. Yes. It was.

14 Q. Is it regular practice for you specifically to wear
15 body cam?

16 A. No. It's not. Most of the investigators do not
17 have body cams. At that particular time I worked a lot of
18 overtime so I thought it would be best for me to get a body
19 camera and coincidentally the first day that I got the body
20 camera was the first day that I had to use it with this
21 incident so I received it on that Thursday and my first time I
22 used it was when I came to the incident.

23 Q. So you had that activated when you spoke to Mr.
24 Telford?

25 A. I did. As soon as I exited my vehicle I activated

1 it.

2 Q. Let me ask you a little bit kind of generally about
3 body cameras. Those recordings, are you tasked with storing
4 them on your own computer? How does that work?

5 A. No. Once you take your body cam, we have docking
6 stations throughout the whole county that we can just go to
7 any docking station, you dock it, once you dock it, you label
8 it according to the case number and according to the type of
9 incident it is.

10 Q. Okay. And so would you have I guess passed along
11 for lack of a better word your camera to this type of
12 station?

13 A. I did.

14 Q. All right. What happened to that body camera
15 footage of you conversing with Mr. Telford?

16 A. Uhm, that actual footage that I had, I think it was
17 two different videos, one for 29 minutes, and then there was a
18 second one for about 15 minutes, I believe it was, that actual
19 footage, both footage was actually self deleted by the system
20 itself.

21 Q. By the recording system?

22 A. Correct. Exxon.

23 Q. And did you learn how, when you say self deleted,
24 did you learn how or why that occurred?

25 A. We was able to make contact with Exxon and what they

1 informed us was that because it was not categorized, because
2 there's a, there is a area for your case number and an area
3 for your type of incident, then there's an area for your
4 categorization, because the video was not categorized, the
5 system self deleted 90 days out.

6 Q. Is that feature, that self deletion feature still in
7 existence as part of Richland County's use of body camera?

8 A. I'm not sure. I believe it is.

9 Q. So just to be clear, it didn't involve any pressing
10 buttons?

11 A. It didn't. It wasn't because of any human went in
12 and self deleted it at any time. It was a system self
13 deletion and we was able to get in touch with Exxon that gave
14 us an explanation and they also gave us an audit trail showing
15 that everything from the deputy's hands was properly done.

16 Q. Let's go back out to the dirt road. As your
17 investigation proceeded, what, if anything, generally did you
18 learn that took place out there the night before this
19 shooting?

20 A. We was brought to the attention that there was an
21 incident or altercation that took place between at the time
22 the victim Justin and the defendant Mr. Doctor.

23 Q. All right. So at this point you've been given the
24 name Meke Doctor, right?

25 A. Correct.

KEVIN BLAND - DIRECT BY MR. GOLDBERG

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1 Q. As part of the investigation, tell me what role
2 developing the lineup plays in the early part of the
3 investigation?

4 A. Once we find out, given an idea who the suspect is,
5 we develop a six pack photo lineup to make sure that we don't
6 have any incorrect people in the lineup so we can possibly get
7 a possible hundred percent ID of who the suspect is.

8 Q. This jury has already heard about the lineups that
9 were provided and the witnesses, in fact, but the first lineup
10 that was generated had a Frankie Doctor in it; is that
11 correct?

12 A. That's correct.

13 Q. All right. And who is Frankie Doctor?

14 A. Frankie Doctor is Ferb Doctor's brother and Meke
15 Doctor's brother.

16 Q. Okay. Ferb is also known as Chris, correct?

17 A. Correct.

18 Q. Meke which is Demetrick?

19 A. Correct.

20 Q. And Frankie are all brothers?

21 A. All brothers.

22 MR. GOLDBERG: Your Honor, may we approach?

23 THE COURT: Yes.

24 (Side bar off the record.)

25 BY MR. GOLDBERG:

1 Q. All right. Sorry for that interruption. Ferb, Meke
2 and Frankie are all brothers, right?

3 A. Correct.

4 Q. After the initial lineup situation that we've heard
5 about where Mr. Telford and Ms. Melton were unable to pick
6 Meke, at what point after that did your investigation turn
7 towards Frankie Doctor as an actual suspect in the case?

8 A. It didn't.

9 Q. Were you able to confirm at some point during your
10 investigation that at the time of the shooting Frankie Doctor
11 was actually in Allendale County?

12 A. Correct. Correct.

13 Q. Thank you. And were you actually present for the
14 showing of the second lineup to Mr. Telford that night?

15 A. Myself and Sergeant Caldwell.

16 Q. We heard about that earlier. I'll ask you, what
17 kind of hesitation or certainty did Mr. Telford have in
18 identifying the suspect?

19 A. He was a hundred percent. He picked him out in a
20 few seconds.

21 Q. That was with reference to State's number 1,
22 correct?

23 A. Correct.

24 Q. Is it fair to say it was a long night that night
25 investigating?

KEVIN BLAND - DIRECT BY MR. GOLDBERG

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1 A. A long night and a long morning.

2 Q. The following morning, October the 4th, did you have
3 an opportunity to go to Prisma Health Hospital?

4 A. I did.

5 Q. What was your purpose of your visit there?

6 A. To check on the status of the surviving victim.

7 Q. Mr. Dickerson?

8 A. Yes.

9 Q. What was his status at that time?

10 A. We made contact with the nurse and the doctor who
11 advised us that Mr. Dickerson was heavily sedated and was on
12 a, I think on a breathing machine or ventilator at the time.

13 Q. Were you able to speak to him?

14 A. Negative.

15 Q. I want to turn your attention to October the 5th
16 which would two days after the shooting; is that right?

17 A. Correct.

18 Q. Did you come in contact with the defendant
19 Mr. Doctor?

20 A. We did. Myself and at the time Sergeant Dauway had
21 a phone call to us. We was aware that Mr. Doctor was en route
22 to headquarters for us to meet him so we could do some
23 questioning.

24 Q. So where exactly did you meet with Mr. Doctor?

25 A. At headquarters, 5623 Two Notch.

1 Q. Can you describe the setting, like the room that you
2 were in and all that when you were with him?

3 A. Uhm, small room, enough room to get a desk, three
4 chairs, computer and that's about it, one entry, one main
5 source of entry into the room entering and exiting.

6 Q. Who else was present in the room?

7 A. Sergeant Dauway.

8 Q. Is it fair to say at that time Mr. Doctor was in
9 custody?

10 A. He was.

11 Q. What's the purpose of that room? Is it used for a
12 particular purpose generally?

13 A. It's used to speak to suspects that we have in
14 custody once we apprehend them.

15 Q. Is that room wired up with audio or video?

16 A. It is.

17 Q. At the time that you made contact with Mr. Doctor,
18 did he appear to be coherent?

19 A. He was.

20 Q. Did he appear to be under the influence of any drugs
21 or alcohol?

22 A. Not to my knowledge.

23 Q. Did he appear to understand what you were talking
24 about with him?

25 A. He did.

KEVIN BLAND - DIRECT BY MR. GOLDBERG

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1 Q. Tell the jury when you have a suspect like that
2 about what your process is in terms of advising a suspect of
3 their rights?

4 A. One of our protocols with the Sheriff's Department
5 is once they get in custody, we take them to the interrogation
6 room. The first thing we do is read them their rights, their
7 advisement of rights is what our form is called. So we read
8 them those, make sure they understand what we actually are
9 saying to them. Sometimes or sometimes not we may get them to
10 initial if they want to, but at the end of reading them their
11 rights, they have the ability to sign or not to sign. It's
12 totally up to them.

13 Q. Okay. I'll show you what's been marked as State's
14 number 3 for identification only at this point. Do you
15 recognize that document?

16 A. Yes, sir. This is our Richland County Sheriff's
17 Department interrogation Advisement of Rights Form.

18 Q. Whose name and date and all that is on there?

19 A. Name is Demetrick Doctor, location is 6723 Two Notch
20 Road, myself and Sergeant Dauway are the officers, it was
21 dated for 10/5 of 2019 at 20:11 is the time. That's military
22 time which is like 11.

23 Q. Is that the form that you referenced that you
24 advised Mr. Doctor of his rights?

25 A. It is. And the second part of that is what we read

1 to the suspect which is your rights and at the end of it
2 there's a witness block for signature and then there's a sign
3 block for the defendant's signature.

4 Q. So after advising Mr. Doctor of his rights, did he,
5 in fact, sign that form?

6 A. He did. And it was witnessed by myself.

7 MS. GASTON: Your Honor, at this time we'd offer
8 State's 3 into evidence.

9 MR. TATE: Without objection, Your Honor.

10 THE COURT: State's 3 is admitted without objection.

11 BY MR. GOLDBERG:

12 Q. All right. You alluded to or said earlier that the
13 room is wired with video and audio?

14 A. It is.

15 Q. What's the purpose of doing that?

16 A. Just so there's no miscommunication about what we
17 ask the defendant or what he answered coming towards us.
18 Basically just to get a streamline of what conversation went
19 on while we was with the defendant.

20 Q. Was the audio and video activated during your time
21 with Mr. Doctor on October the 5th?

22 A. Yes. It was.

23 Q. Okay. During the time that you were with
24 Mr. Doctor, you said you went through the advisement of rights
25 with him, right?

KEVIN BLAND - DIRECT BY MR. GOLDBERG

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1 A. Correct.

2 Q. Did he appear to understand the rights that were
3 given to him?

4 A. Yes.

5 Q. And at any point throughout your time with him did
6 you make any promises to him?

7 A. No.

8 Q. Any offers of leniency?

9 A. No.

10 Q. Threats of violence?

11 A. No.

12 Q. And as you talked about, you did actually advise him
13 of those rights, correct?

14 A. I did.

15 (Playing State's #3.)

16 BY MR. GOLDBERG:

17 Q. I want to show you State' 89 marked for
18 identification only. Have you seen this before?

19 A. Yes.

20 Q. Is this a copy of the recording that we're showing
21 the jury currently?

22 A. Yes.

23 Q. Does this disk here fairly and accurately depict the
24 recording of the interview that occurred on October the 5th?

25 A. Yes.

1 Q. The recordings on the board are the same as on the
2 disk?

3 A. Yes.

4 MR. GOLDBERG: Your Honor, at this time we'd offer
5 State's 89.

6 MR. TATE: Your Honor, with our prior objection on
7 the record please.

8 THE COURT: Yes, sir. State's 89 is admitted over
9 the defendant's objections.

10 MR. GOLDBERG: Sorry, Judge. Thank you. All right.
11 Now may I continue to publish the exhibit?

12 THE COURT: Yes.

13 (Playing State's #3.)

14 BY MR. GOLDBERG:

15 Q. Now, so that part was the advisement of rights.
16 This form, State's 3 that's in evidence has a bottom part that
17 references a waiver of those rights. Can you tell the jury
18 about what that is and what that means?

19 A. Well, the second part is the waiver of rights and it
20 reads that I have read the statement of my rights and
21 understand what my rights are. I am willing to talk and
22 answer questions. I understand and know what I as doing. No
23 promises have been made to me and no pressure or coercion of
24 any kind has been used against me. So once we read that
25 second part, we ask the defendant or the suspect at the time

1 are they willing to talk to us and if they are, they will sign
2 it. If they're not, they will not sign.

3 Q. Is it uncommon for sometimes suspects to refuse to
4 sign?

5 A. Correct.

6 Q. Even if they want to talk?

7 A. Correct.

8 Q. In this particular instance did Mr. Doctor ever sign
9 the form?

10 A. He did not.

11 Q. Did he ever tell you however though until the end
12 that he expressly did not want to talk to you?

13 A. Correct.

14 Q. Did he ultimately talk to you?

15 A. He gave us bits and pieces of answers, but he did
16 talk to us.

17 Q. Okay. And during your exchanges with him, did he
18 ever mention the word lawyer?

19 A. Several times, but he was on the fence. He did and
20 he didn't. We clearly could not get a yes or a no from him
21 throughout the interview.

22 Q. About whether?

23 A. Whether he wanted a lawyer or not.

24 (Playing State's #3.)

25 BY MR. GOLDBERG:

1 Q. All right. Initially as you had this interview with
2 Mr. Doctor, what did he say about where he was on Thursday
3 night?

4 A. He didn't.

5 Q. As this goes on does he continue to be somewhat
6 unclear about whether he actually wants to talk to you at
7 all?

8 A. Correct.

9 Q. All right. So now we hear him talking about
10 Thursday and he was asked again about that?

11 A. Yes.

12 Q. Again, did he provide any details?

13 A. He did not. He didn't specify.

14 Q. He didn't specify?

15 A. Correct.

16 Q. Also did the word lawyer get mentioned once again?

17 A. Yes.

18 Q. Was it clear what his intention was in bringing that
19 up?

20 A. It was not.

21 (Playing State's #3.)

22 BY MR. GOLDBERG:

23 Q. At what point was Mr. Doctor able to give you
24 specific locations for where he was on Thursday?

25 A. For Thursday he couldn't give us a specific.

1 Q. Were there times when he, I guess, conversely
2 clearly stated that he would talk to you?

3 A. Yes.

4 Q. And did he?

5 A. He did.

6 (Playing State's #3.)

7 BY MR. GOLDBERG:

8 Q. The events that were being described right now,
9 which night was he talking about?

10 A. This was Wednesday night.

11 Q. All right. What did Mr. Doctor say he was driving
12 back then?

13 A. He didn't specify.

14 Q. How did he go on to describe in short the
15 altercation that had occurred on Wednesday night that he was
16 just talking about?

17 A. Uhm, he felt like, he was mad about it. He was very
18 mad like because how the weapon was pulled out on him.

19 Q. Was Mr. Doctor ultimately able to tell you, actually
20 said that they would kill him on sight?

21 A. He didn't say.

22 Q. And what details did he provide to you about being
23 down in the d-r on Thursday night?

24 A. He didn't.

25 Q. He did or did not?

1 A. Did not.

2 Q. What else specifically did he say to you about the
3 threats that he got, anything in specific?

4 A. Just that he was kind of mad.

5 (Playing State's #3.)

6 BY MR. GOLDBERG:

7 Q. Once again, did that issue of him clarifying whether
8 he was requesting a lawyer come up?

9 A. Yes.

10 Q. Was he clear about his request on that?

11 A. No. He wasn't.

12 (Playing State's #3.)

13 BY MR. GOLDBERG:

14 Q. All right. What did Mr. Doctor tell you that the
15 Wednesday night incident revolved around? What was the
16 subject of that altercation about?

17 A. He referenced that drugs was being sold in front of
18 his aunt's house.

19 (Playing State's #3.)

20 BY MR. GOLDBERG:

21 Q. All right. At some point during your interview with
22 Mr. Doctor did y'all take a break?

23 A. We did. We took a cigarette break. Well, he took a
24 cigarette break. We're not allowed to smoke.

25 Q. And can you describe how that took place? Like was

1 it in the room? Was it elsewhere? Where did you go?

2 A. It's the back door entry to the Sheriff's Department
3 where we bring all our suspects in. It's a secured parking
4 lot and right outside the back door is a table we can sit down
5 at and that's where we was at for about 35, 40 minutes.

6 Q. During that 35, 40 minutes, what did you discuss
7 with Mr. Doctor, if anything?

8 A. Nothing.

9 Q. Did you talk about the case at all?

10 A. No.

11 Q. Are there policies or procedures to that effect
12 within the department?

13 A. Correct.

14 Q. Once the cigarette break ended, where did y'all
15 go?

16 A. Back into the interrogation room.

17 Q. And the cameras were still on and rolling?

18 A. Correct. We don't pause it. It's generally
19 recording even if no one is in there.

20 Q. Upon your return and talking again, did Mr. Doctor
21 go into any further details about the Wednesday altercation
22 again?

23 A. It's unclear. I don't remember if he did or
24 didn't.

25 (Playing State's #3.)

1 BY MR. GOLDBERG:

2 Q. What, if anything, did he say to you with specifics
3 at this point about the threats he received?

4 A. He was unclear.

5 Q. And also about going to the d-r on Thursday?

6 A. He was unclear about that.

7 (Playing State' #3.)

8 BY MR. GOLDBERG:

9 Q. All right. You touched on it earlier, but what
10 emotions did Mr. Doctor talk about having during this
11 altercation on Wednesday?

12 A. He talked about being angry.

13 (Playing State's #3.)

14 BY MR. GOLDBERG:

15 Q. What, if anything, did Mr. Doctor tell you about
16 shooting a white girl?

17 A. He said he didn't.

18 (Playing State's #3.)

19 BY MR. GOLDBERG:

20 Q. All right. Shortly after this point in the
21 interview did y'all end the discussion?

22 A. Yes. We did.

23 Q. Why did you end the discussion?

24 A. We just wasn't getting anywhere, plus we never could
25 get a clear precise answer if he wanted a lawyer or not, but

1 he kept talking and conversing with us.

2 Q. Okay. Couple things we'll cover real quick after
3 this night. That was October the 5th, so let's move to
4 October the 7th. Did you return to the hospital?

5 A. I did.

6 Q. And that was to check on Mr. Dickerson?

7 A. Yes.

8 Q. What was his condition on the 7th?

9 A. I think he was due to have surgery.

10 Q. Were you able to speak to him?

11 A. No. I wasn't.

12 Q. And again, on October the 9th, did you return to the
13 hospital once again?

14 A. Yes. I did.

15 Q. What was Mr. Dickerson's status then?

16 A. He was due to have an additional surgery to repair
17 some of his eye sockets. I think it was one that was being
18 replaced at that time as well.

19 Q. In light of all of that, were you able to speak to
20 him about the incident?

21 A. No.

22 Q. Then once again on October the 15th, did you once
23 again return to the hospital to check on Mr. Dickerson?

24 A. Yes. I did.

25 Q. Were you able to speak to him then?

1 A. No. We spoke to the doctors and the nurses and I
2 believe that was the day that he actually fell in his room and
3 hit his head.

4 Q. Was he physically able to speak to you at that
5 point?

6 A. No.

7 Q. Let's fast forward. That was October the 15th of
8 2019. Let's go to February of this year 2022. What efforts
9 did you make then in February to try to speak to Mr.
10 Dickerson?

11 A. We went out to one of his registered addresses to
12 try to make contact with him. The house was being renovated.
13 I was able to make contact with Jasmine who I think is his
14 sister and we conversed through ringing the doorbell camera.
15 She knew who I was. We ended up talking via cell phone.

16 Q. Without saying what you and her talked about, during
17 that visit there, were you ultimately able to speak to Mr.
18 Dickerson?

19 A. No.

20 Q. Let's fast forward again to April just about a week
21 or so before this trial, did you make another attempt to speak
22 to Mr. Dickerson?

23 A. I did.

24 Q. Were you successful in talking to him?

25 A. No.

KEVIN BLAND - DIRECT BY MR. GOLDBERG

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1 Q. Did you even lay eyes on him?

2 A. No.

3 Q. Is that uncommon for a victim not to speak to you?

4 A. No. It's not uncommon. A lot of times victims for
5 whatever reason just don't want to do a report or go through
6 with the actual process.

7 Q. So the fact that a victim speaks to you or doesn't
8 speak to you, either way, does that have any, what bearing, if
9 any, does that have on your assessment of whether an incident
10 actually took place?

11 A. None.

12 MR. GOLDBERG: Investigator Bland, thank you.
13 Please answer any questions from the defense.

14 THE COURT: Let's take a short break before cross
15 examination. Please return to your jury room. Don't
16 discuss the case amongst yourselves. We'll bring you
17 back shortly.

18 (Whereupon, the jury entered the jury room at 12:25
19 p.m.)

20 THE COURT: Let's take 10 minutes.

21 (Short break.)

22 (Whereupon, the jury entered the courtroom at 12:35
23 p.m.)

24 THE COURT: Mr. Tate, cross examination.

25 MR. TATE: Thank you, Your Honor.

1 CROSS EXAMINATION

2 BY MR. TATE:

3 Q. Investigator Bland, how are you?

4 A. Good.

5 Q. Good. You've been with us all week?

6 A. Long week.

7 Q. Important week though, isn't it?

8 A. Critical.

9 Q. Investigator Bland, let me take you back. When you
10 first got there with Sergeant Ulmer, he was there, right?

11 A. Correct.

12 Q. Corporal Hawkes I believe was there?

13 A. Correct.

14 Q. And y'all were looking around making sure the scene
15 was safe?

16 A. Correct.

17 Q. Seeing what you could see?

18 A. Correct.

19 Q. Body camera running?

20 A. Yes, sir.

21 Q. The front seat of the Toyota, you saw -- And you've
22 been around what, 20 years plus almost?

23 A. 13 with Richland County.

24 Q. 13 with Richland. And you saw crack cocaine in the
25 car?

KEVIN BLAND - CROSS BY MR. TATE

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1 A. I'm familiar with it.

2 Q. And a couple digital scales?

3 A. Yes, sir.

4 Q. And a gun?

5 A. I did.

6 Q. That was a gun that wound up on top and Corporal
7 Hawkes made sure it was safe?

8 A. Correct.

9 Q. And we can't look at that body cam, can we?

10 A. No. We cannot.

11 Q. Because your system destroyed it?

12 A. Well, not our system, the Exxon system itself
13 deleted it.

14 Q. Your contractor?

15 A. However you want to put it.

16 Q. Thank you. Now, Mr. Doctor was arrested, I say
17 arrested, y'all were looking for him, wanted to talk to him,
18 fair?

19 A. That's correct.

20 Q. And he called you or his family called you and said
21 here's where he is?

22 A. We was contacted. I don't know who contacted, who
23 made the communication, but I know myself and Sergeant Dauway,
24 we was relayed that he was detained and on the way to
25 headquarters.

- 1 Q. He got picked up by the fugitive squad?
- 2 A. He did.
- 3 Q. And that's a tactical team?
- 4 A. I wouldn't say tactical.
- 5 Q. They don't dress like me and you?
- 6 A. They do. They're in plain clothes.
- 7 Q. Plain clothes?
- 8 A. Yes.
- 9 Q. Big gun?
- 10 A. Same as what I have on my hip.
- 11 Q. Okay. And through your training you've been trained
- 12 in -- You went to the Criminal Justice Academy?
- 13 A. I did.
- 14 Q. Graduated?
- 15 A. Yes, sir.
- 16 Q. Certified?
- 17 A. Certified.
- 18 Q. Lots of advanced training probably?
- 19 A. Just a few.
- 20 Q. Just a few?
- 21 A. Yes.
- 22 Q. Part of that training has been in interrogation,
- 23 isn't it?
- 24 A. It is.
- 25 Q. Ad you've been taught to observe body language?

KEVIN BLAND - CROSS BY MR. TATE

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1 A. Body language, eyesight.

2 Q. And you've been trained to interpret those in
3 clusters?

4 A. Yes.

5 Q. And taught to pay attention not only to what
6 somebody says, but what somebody does?

7 A. Correct.

8 Q. The fact is, one of those instructors probably told
9 you 60 to 70 percent of communication is non verbal; isn't
10 that correct?

11 A. I don't know the percentage, but yes.

12 Q. High percentage, fair?

13 A. (No response.)

14 Q. As an investigator it's not uncommon people not to
15 want to talk to you, is it?

16 A. It's not.

17 Q. And sometimes they don't want to talk about
18 themselves, fair?

19 A. Correct.

20 Q. Sometimes they don't want to talk about other
21 people?

22 A. Or the incident.

23 Q. But sometimes other people do?

24 A. True. True.

25 Q. They're hesitant to name names?

- 1 A. We get that a lot.
- 2 Q. Probably far too much in your business?
- 3 A. Makes our job a little bit tougher.
- 4 Q. But there's kind of a code, isn't there?
- 5 A. You've got the street code.
- 6 Q. During your interrogation, Mr. Doctor told you what
- 7 happened on Wednesday night?
- 8 A. He did.
- 9 Q. And that was more or less at the same location?
- 10 A. That was the dirt road.
- 11 Q. And we haven't, you know, we haven't really explored
- 12 that so let's do that. We're talking about a dirt road in
- 13 less than good repair?
- 14 A. A small portion. Yes.
- 15 Q. Yes. That goes from the interstate bridge down to
- 16 what looks like a group home, fair?
- 17 A. You could say that.
- 18 Q. And this trailer that all this happened at kind of
- 19 sits on the corner of El Hunter and Ballenton?
- 20 A. It's off the corner. Yes.
- 21 Q. There's a vacant lot?
- 22 A. Yes.
- 23 Q. And this is an old single wide trailer painted with
- 24 a brush?
- 25 A. It's a trailer.

KEVIN BLAND - CROSS BY MR. TATE

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1 Q. Single wide? Give me that?

2 A. I'm not from the county, so doublewide, single wide
3 doesn't really mean anything to me.

4 Q. Okay. And Mr. Doctor told you that the night before
5 he got a gun pulled on him?

6 A. He did.

7 Q. AR-15, I believe.

8 A. He said assault rifle.

9 Q. Assault rifle. Assault rifle is what soldiers carry
10 and SWAT team members?

11 A. True.

12 Q. Big gun, right?

13 A. If you want to call it that. There's bigger.

14 Q. Oh, yeah. And he took it away from him?

15 A. He did.

16 Q. He didn't shoot anybody, did he?

17 A. No.

18 Q. And he wiped it down and even told the boy he would
19 give it back to him?

20 A. Correct.

21 Q. And for his trouble he got told we'll kill you on
22 sight?

23 A. Okay.

24 Q. \$10,000.00 on your head?

25 MR. GOLDBERG: Objection.

1 THE COURT: Sustained. Ladies and gentlemen,
2 disregard that last question and response.

3 BY MR. TATE:

4 Q. And he made him mad. He told you he was mad?

5 A. Correct.

6 Q. And it's not unreasonable, is it?

7 A. To be mad?

8 Q. When somebody points a gun at you and threatens
9 you?

10 A. You can be upset.

11 Q. And during that conversation you had with him, he
12 used the word lawyer a fair amount, didn't he?

13 A. We used the word lawyer a fair amount in trying to
14 get clarification if he wanted a lawyer or not. It was
15 simple. If he said he wanted a lawyer, we would have stopped
16 our interrogation session, but he was on the fence. He said
17 maybe I do, maybe I don't.

18 Q. Maybe I need one?

19 A. Maybe I don't.

20 Q. Because he didn't have one, fair?

21 A. That's his statement.

22 MR. TATE: Mr. Bland, thank you for your time. I
23 don't have any further questions.

24 THE WITNESS: Appreciate it.

25 THE COURT: Any redirect?

KEVIN BLAND - REDIRECT BY MR. GOLDBERG / RECROSS BY MR. TATE

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1 MR. GOLDBERG: Just a couple, Your Honor.

2 REDIRECT EXAMINATION

3 BY MR. GOLDBERG:

4 Q. At what point did the Richland County Sheriff's
5 Department receive a report about Mr. Doctor being threatened
6 with a firearm on Wednesday night?

7 A. We didn't.

8 MR. GOLDBERG: Thank you.

9 RECROSS EXAMINATION

10 BY MR. TATE:

11 Q. Sometimes people don't talk to police, do they?

12 A. Self justice.

13 Q. You asked for a 911 tape, didn't you?

14 A. Say again.

15 Q. You requested a 911 tape?

16 MR. GOLDBERG: Objection.

17 THE COURT: Y'all approach.

18 (Side bar off the record.)

19 THE COURT: The objection is sustained.

20 MR. TATE: No further questions, Your Honor. Thank
21 you.

22 THE COURT: All right. Thank you, Investigator
23 Bland. You may step down.

24 THE WITNESS: Thank you, Judge.

25 THE COURT: Counsel approach.

1 A. No, ma'am.

2 THE COURT: Thank you. You may have a seat. All
3 right, folks, let us break until 2:00. At that point if
4 you have any proposed jury charges, I would like to have
5 them so that we can begin discussing them or I can at
6 least begin reviewing those. We can discuss them at the
7 end of testimony just depending on what time looks like.
8 Of course, I need to know what all the testimony is to
9 determine which charges are appropriate, but I'm sure
10 y'all have a better idea of where this is going than me
11 so if you will bring those proposed jury charges after
12 lunch, we will also revisit Ulmer's body worn camera.

13 MS. EIGENBROT: Your Honor, I think we can do that
14 right now. Ms. Gaston agreed after Ulmer walks away from
15 the cans to mute it from there so that small portion I
16 had an objection to is still there, but everything else
17 is okay.

18 MS. GASTON: Your Honor, just for the sake of
19 simplicity and just to make sure everything is as clean
20 as possible, I went ahead and muted the radio chatter
21 leading up to when Ulmer arrives on the scene and then
22 it's muted until he leaves the backyard away from the
23 cans.

24 THE COURT: Okay. That's the disk that in your
25 hand, correct?

1 MS. GASTON: Yes, Judge.

2 THE COURT: That was State's 6, I believe.

3 MS. GASTON: I believe so, Your Honor. Yes.

4 THE COURT: I'm going try to minimize any confusion.
5 I don't know if it helps or hurts to just switch out the
6 disk that's in the sleeve that's already marked.

7 MS. GASTON: That works for the State, Your Honor.

8 THE COURT: Let's do that. That way there aren't
9 two items with the same exhibit number floating around.

10 MS. GASTON: For the record, the amended one has a
11 star on it and the initial one does not.

12 THE COURT: Wonderful. Let's take the one without
13 the star out of that sleeve, put the one with the star in
14 the sleeve and, Ms. Gaston, you will take the unstarred
15 disk back with you and we're good to go. Wonderful.
16 Okay. Anything else we can do now? I'll see y'all at
17 2:00.

18 MR. GOLDBERG: Thank you, Your Honor.

19 MR. TATE: Thank you, your Honor.

20 (Lunch break.)

21 THE COURT: I forgot why I called you back early.

22 MS. EIGENBROT: The jury charge.

23 THE COURT: Thank you. Jury charges. Yes. You
24 have proposed jury charges from the State, from the
25 defense?

1 MS. EIGENBROT: Your Honor, I think the defense is
2 mostly okay with the standard jury charges as far as
3 related to the charges themselves with the exception of
4 maybe two things. There has been a fair amount of
5 circumstantial evidence produced in this case. At this
6 time we would request the Court to charge what's more
7 commonly referred to as the Logan jury charge on
8 circumstantial evidence and State v. Herndon suggested
9 that once defense makes the request, this charge should
10 be given. I do have a typed up little synopsis of it
11 if you would like to see a copy of it along with the case
12 law.

13 THE COURT: I don't need the case law. Let me see
14 just the charge to make sure if I have it. Any objection
15 from the State as to the Logan charge? I'm terrible with
16 case names so I know what language I have in here, but
17 Logan doesn't mean anything to me.

18 MR. GOLDBERG: Your Honor, I'm sorry. I'm trying to
19 think back to that case plus, but please correct me if
20 I'm wrong, but if I recall the point behind that charge
21 was that that case was pretty much all circumstantial
22 evidence, like that was the bulk of that case if I'm
23 remembering correctly which I may not be, but I think
24 that was the need for that particular charge because the
25 case was so reliant upon circumstantial evidence without

1 much direct evidence in that case, whereas here we do
2 have some direct evidence in terms of the witnesses
3 seeing Mr. Doctor with the guns in his hands, one of
4 which has testified that she told law enforcement that
5 night that he was shooting all around which I would argue
6 is direct evidence of the act occurring at that time.

7 MS. EIGENBROT: Your Honor, if I may.

8 THE COURT: Yeah.

9 MS. EIGENBROT: I also believe that same witness,
10 she only testified to that after Mr. Goldberg reminded
11 her of her first written statement. She had also said
12 other things about that night including not seeing who
13 the shooter was but, Your Honor, I think primarily the
14 evidence presented at this point is circumstantial, and
15 while I don't know that, I don't think this necessarily
16 speaks to the entire case having to be circumstantial
17 solely to obtain this particular jury charge. Again, I
18 think it's very instructive. The Court's moving forward
19 providing that as an instruction on circumstantial
20 evidence so we would contend it would be an appropriate
21 jury charge in this situation for circumstantial
22 evidence.

23 THE COURT: I will charge the language provided by
24 the defense over the State's objection.

25 MR. GOLDBERG: Thank you, Your Honor.

1 MS. EIGENBROT: And then, Your Honor, the second one
2 I have added is the implicit bias charge. I don't have
3 any case law related to that, a jury charge, however, I
4 know that there's been some resident Judges here in this
5 circuit that have issued that as a jury charges in other
6 cases. Primarily Judge Hood. I think it would apply in
7 this situation simply because there's been a lot of talk
8 about drug houses, drug use, things of that nature, and I
9 think it would be relevant. I mean, I know that the jury
10 is allowed to use their common sense to judge the
11 credibility of witnesses and take that into account, but
12 we don't want them simply deciding their decision based
13 on their biases so that's why I have included that in
14 here. I know it's been in the jury charge in my
15 previous, the last trial I did it was given to the
16 jury.

17 THE COURT: What says the State?

18 MR. GOLDBERG: Your Honor, I'm a little confused in
19 that I don't know how this implicit bias language really
20 would be applicable as far as it applies to the
21 defendant. There's no allegations of him selling drugs
22 or anything of that nature so I don't believe there would
23 be any potential bias that the jurors might have against
24 him for simply being at this location allegedly according
25 to witnesses when there's been no testimony about his

1 involvement with drugs other than the fact that according
2 to witnesses he was present that day at the scene and
3 also happens to be in a place where there's drug use. I
4 would also go back to the voir dire that Your Honor put
5 forth to the jurors one of which was asking them about
6 their, I don't know the exact language, but it was, I
7 think it was a family member or a friend or having
8 family, friends or otherwise had ever been accused of
9 drug possession. So, I mean, the drug issue was raised
10 in voir dire already, and now I don't believe anybody
11 actually responded to that question. I just don't feel
12 it's necessary in light of what has been presented.

13 THE COURT: So the defense wants to respond?

14 MS. EIGENBROT: Just briefly, Your Honor. I think
15 it's always good practice to remind the jury of the
16 information that was brought in before, what they agreed
17 to do in this case, essentially that is to put aside
18 their bias and judge the case solely on the evidence
19 presented. I don't think it causes any great harm and/or
20 directs them to any specific evidence necessarily that
21 would, is detrimental to either side. I think the jury
22 being reminded that they should decide the case on the
23 facts and not their personal biases and beliefs as Your
24 Honor has already instructed them to do would be
25 appropriate.

1 MR. GOLDBERG: The standard charge that you provide
2 just deciding the case based on the evidence presented,
3 doesn't it already cover this issue?

4 THE COURT: It does. It doesn't specifically
5 address implicit bias, but we always caution the jury,
6 instruct the jury that they cannot base their decision on
7 simply, passion, prejudice, or any other consideration
8 not in evidence which will include assumptions,
9 perceptions, fears and stereotypes. Is it in some way
10 prejudicial to the State?

11 MR. GOLDBERG: I don't see it being prejudicial, but
12 I guess my concern is just we know how jurors are in
13 general. These jury charges, no disrespect to the Court
14 or any member of the bench, but they have a hard time
15 keeping up with all of it and so I just think we're
16 adding stuff just to add it when it's essentially already
17 been covered. It creates the possibility that they're
18 going to be done now and miss something else that is not
19 mentionable in the case in all candor.

20 THE COURT: That's absolutely true and frankly I
21 don't take that comment disrespectfully. I have a hard
22 time -- I shouldn't say I have a hard time keeping up.
23 That misrepresents my position, but it gets lost and I
24 feel like I'm droning on and on so the less stuff I have
25 to read the better for me, but it's not about me, but

1 better for them, too. I see their eyes beginning to
2 glaze over. And it's happens in particular at the
3 beginning of the charge when I'm talking about direct and
4 circumstantial evidence, and the credibility of witnesses
5 and all of that, they start to get bored, and then when I
6 get to the crime charge, you can see them sit up in their
7 seats and after they hear the elements of the crime
8 charge, then they zone out again. I think it's not
9 necessary. I think it's covered by the standard charge
10 so I'm not going to add the additional language.
11 Anything else from the defense?

12 MS. EIGENBROT: No, Your Honor.

13 THE COURT: From the State?

14 MR. GOLDBERG: Your Honor, just not having seen what
15 you prepared, but I assume the Court would be going with
16 the standard malice and reasonable doubt, the reasonable
17 doubt of firmly convinced. Is it the one that has firmly
18 convinced and hesitate to act?

19 THE COURT: I'll check. Reasonable doubt would
20 cause a person, a reasonable person to hesitate to act.
21 It's greater than a preponderance of the evidence. It
22 leaves you firmly convinced of the defendant's guilt.
23 There are few things in this world we know with absolute
24 certainty.

25 MR. GOLDBERG: That's fine, Your Honor. I just

1 wanted to make sure both of those were in there. And
2 then my other question would be about malice. I'm
3 presuming it's the one we always hear but just rather
4 than being redundant about it.

5 THE COURT: It's so long since I tried a murder
6 case. Malice is hated, ill will, or hostility towards
7 another person, intentionally doing a wrongful act
8 without just cause or excuse and with an intent to
9 inflict an injury or under circumstances that the law
10 will infer any evil intent does not necessarily mean ill
11 will towards the individual injured, but signifies a
12 general malignant recklessness of the lives and the
13 safety of others or a condition of the mind which shows a
14 depraved heart regardless of social duty and fatally bent
15 on mischief.

16 MR. GOLDBERG: Yes, ma'am, that's the one I was
17 thinking of. Thank you.

18 MR. TATE: We'll just start a little shy of the
19 Adams case.

20 THE COURT: Again, case name?

21 MR. TATE: The only reason I remember, Judge, is I
22 had one on that that was already tried.

23 THE COURT: Got you. And then let's talk about
24 attempted murder just to make sure I've got it right.
25 When the defendant's acts are accompanied by malice

1 specific intent means that the defendant consciously
2 intended the completion of the killing of another, but
3 failed to do so.

4 MR. GOLDBERG: That's fine.

5 THE COURT: All right. Okay. I'm including mere
6 presence, not sufficient to prove someone guilty of a
7 crime. What about the jury having a copy of the charge?
8 What says the State?

9 MR. GOLDBERG: Fine with me, Your Honor.

10 THE COURT: What says the defense?

11 MR. TATE: No objection.

12 THE COURT: Wonderful.

13 MR. GOLDBERG: One other item I would bring up would
14 be, and I'm sorry, I did not print it out, I'm just
15 referencing the jury charge book, transferred intent
16 charge, Judge, we've got testimony in the record from Ms.
17 Melton not as it applies to the attempted murder because
18 I know that our court has made that clear that there's no
19 transferred intent as it pertains to attempted murder,
20 but as it pertains to the victim Ms. Hayes, there was
21 testimony in the record from Ms. Melton as I stated
22 before that Mr. Doctor was shooting all around. In light
23 of that we would seek an instruction on transferred
24 intent in that the State has shown that he went there
25 with some sort of, or arguably with some sort of malice,

1 firing all around and she is one of the ones that was
2 struck.

3 THE COURT: Yes, ma'am.

4 MS. EIGENBROT: Your Honor, I would object to that.
5 I think that testimony related, my understanding of the
6 testimony was that would have been around the back side
7 of the trailer when she would have alleged to have
8 witnessed that and the only individual that was harmed at
9 the back of the trailer was Mr. Dickerson, and that would
10 be the attempted murder charge, so I don't think
11 transferred attempt would apply in that situation. And
12 again, I don't think she would ever be able to provide
13 testimony about what happened in front of the trailer
14 where the two victims were shot and passed.

15 MR. GOLDBERG: I mean, we don't know what happened
16 in front. Nobody testified that they saw. We know that
17 there were gunshots, there was testimony that there were
18 gunshots before he made his way into the back, multiple
19 sets of gunshots and then there were also gunshots in the
20 back so with there being shots in the front and in the
21 back combined with her testimony that at least in the
22 back when she saw him he was shooting all around, I think
23 there's an inference that can be made that can be argued
24 to the jury by the State that he's shooting all around
25 while he's there based upon the evidence.

1 THE COURT: I will not charge transferred intent
2 because of Ms. Melton's testimony. There's no one who
3 saw what happened in the front so that would really just
4 be conjecture that he might have been shooting all around
5 in the front, might have intended to hit someone else,
6 but there's no testimony on that issue.

7 MR. GOLDBERG: Thank you, Judge. Last thing I would
8 bring up is just to be clear that there is no third party
9 guilt issues to address here?

10 MS. EIGENBROT: No.

11 MR. GOLDBERG: Okay. Just making sure.

12 THE COURT: Okay. Ready for the jury? The State
13 ready?

14 MR. GOLDBERG: Ms. Gaston raises a good point. I
15 presume no one is asking for any lesser included at this
16 point?

17 MS. EIGENBROT: No, ma'am.

18 THE COURT: Very good. Do we have all of the
19 jurors?

20 BAILIFF: I will check, Your Honor.

21 THE COURT: Thank you. You will rest and then I'll
22 put them right back in the jury room.

23 MR. GOLDBERG: Okay.

24 (Whereupon, the jury entered the courtroom at 2:35
25 p.m.)

1 THE COURT: The State can call its next witness.

2 MS. GASTON: Thank you, Your Honor. May it please
3 the Court.

4 THE COURT: Yes, sir.

5 MR. GOLDBERG: Your Honor, at this time the State of
6 South Carolina rests its case.

7 THE COURT: All right. Ladies and gentlemen, that
8 means that you've heard all the evidence that you're
9 going to hear from the State in this case. I have
10 certain matters of law which I need to discuss with the
11 attorneys outside of your presence, so please return to
12 your jury room. Don't discuss the case amongst
13 yourselves.

14 (Whereupon, the jury entered the jury room at 2:35
15 p.m.)

16 THE COURT: Any motions?

17 MR. TATE: May it please the Court. Your Honor, at
18 this time the defense moves the Court for a directed
19 verdict taking the evidence in a light most favorable to
20 the State. The State has failed to present evidence
21 beyond a reasonable doubt to sufficiently convince a
22 reasonable jury that the defendant is guilty of the first
23 murder, the second murder, or the attempted murder, and
24 specifically, Your Honor, the State must move forward
25 with sufficient evidence of two things: One is the crime

1 of murder, that a person was murdered; that a life was
2 feloniously taken, and they have done that, but the
3 second prong that we sometimes don't even talk about is,
4 is there sufficient evidence to convince a reasonable
5 juror that Mr. Doctor is responsible. Nobody saw
6 anything in the front yard. Somebody saw some shooting
7 in the backyard, but specifically said nobody saw who
8 shot Mr. Dickerson. Nobody saw who shot Mr. Glenn.
9 Nobody saw who shot Ms. Hayes. And we turn to the
10 forensics. We have a plethora of forensic evidence to go
11 to a jury on murder, we just don't have even a probable
12 cause standard that Mr. Doctor is responsible for that.

13 Someone has given the forensic evidence and the
14 physical evidence, but there's simply nothing tying this
15 defendant to these three accused crimes, and if there is,
16 there's only a scintilla. Thank you, Your Honor.

17 THE COURT: So what you have is everyone out there
18 hanging out peacefully, someone pulls up in the
19 defendant's car, starts shooting and then people see the
20 defendant with guns. There's also portions of his
21 statement to law enforcement. There is evidence from
22 which the jury could conclude that Mr. Doctor is guilty
23 of the crimes charged so your motion is respectfully
24 denied.

25 MR. TATE: Thank you, Your Honor.

1 THE COURT: Thank you. All right. Yes, sir.

2 MR. GOLDBERG: Your Honor, I was just gonna ask if
3 we could take a few extra moments before we move on.

4 THE COURT: Oh, yeah. We will.

5 MR. GOLDBERG: When we get to that.

6 THE COURT: Right.

7 MR. TATE: The second half, of course, we would
8 renew all motions and objections made prior to trial and
9 throughout the trial, specifically the objection as to
10 the admissibility of our client's statements based on
11 Miranda and admissible I believe is separate, but
12 co-joined motion dealing with the presentation of the
13 video of that statement, the objection as to the playing
14 of the body cam, and any others and all inclusive
15 objections we may have made during trial we renew those.
16 The defendant asks the Court to revisit its previous
17 rulings and reverse those and grant a directed verdict or
18 grant the defendant a new trial. In so doing the
19 defendant asks the Court to consider the cumulative
20 impact of all of these rulings.

21 THE COURT: Yes, sir. The Court's rulings remain
22 the same and I decline to grant the relief requested.

23 MR. TATE: Thank you, Your Honor.

24 THE COURT: Thank you. Anything else before we get
25 to the defendant's case if any?

1 MR. TATE: No, Your Honor.

2 THE COURT: Okay. Mr. Doctor, if you would stand.
3 You're still under oath, sir. We have now reached the
4 point where you may present your case and that is through
5 witnesses or through your own testimony. I advised you
6 of your right to testify, your right not to testify
7 before we took a lunch break. I know that I authorized
8 some family members to go down to the holding cell to
9 speak with you, friends or family members, some of your
10 people as it were and on my way out of the garage I saw a
11 group of folks walking down there, so I assume that you
12 had the opportunity to talk to your people; is that
13 right?

14 DEMETRICK DOCTOR: Yes, ma'am.

15 THE COURT: Do you need any additional time to talk
16 to anyone about your decision whether to testify?

17 DEMETRICK DOCTOR: No, Your Honor.

18 THE COURT: Do you wish to testify?

19 DEMETRICK DOCTOR: No, Your Honor. I decline.

20 THE COURT: Okay. Thank you. You may have a seat.
21 Does the defense have any witnesses or have you decided
22 on any witnesses?

23 MS. EIGENBROT: No, Your Honor.

24 THE COURT: No. And do you want to rest in front of
25 the jury?

1 MR. TATE: The defense rests, Your Honor.

2 THE COURT: Do you need to do it in front of the
3 jury?

4 MR. TATE: I don't think so, Your Honor.

5 THE COURT: I don't think so either. Okay.
6 Wonderful. Do you need a break right now or because I'm
7 thinking argument and charging in the morning if this is
8 it.

9 MR. GOLDBERG: If you're gonna do that, then I do
10 not need a break.

11 THE COURT: Wonderful. Let's bring the jury. I
12 don't want to be here all night. Also, today moved a
13 little faster than I anticipated.

14 (Whereupon, the jury entered the courtroom at 2:40
15 p.m.)

16 BAILIFF: The jury is seated, Your Honor.

17 THE COURT: Thank you, sir. Welcome back, folks.
18 So as it turns out you've heard everything that you're
19 going to hear from the State, and it turns out you've
20 heard all of the testimony and received all of the
21 evidence that will be received in this case so all that
22 remains are the closing arguments of the attorneys and my
23 charge to you on the law that applies to this case.

24 After that you will deliberate and continue to
25 deliberate until you have reached your verdict. I don't

1 important pieces of the trial and not single him out, but
2 talking generally to all jurors.

3 (Whereupon, the jury entered the courtroom at 10:10
4 a.m.)

5 THE COURT: Good morning, ladies and gentlemen. As
6 I told you yesterday, you've heard all the testimony
7 you're going to hear. You've received all of the
8 evidence, and now all that remains is the closing
9 arguments of the attorneys followed by my charge to you
10 on the law that applies to this case.

11 Now, throughout the trial I've told you as I tell
12 every jury you're not to discuss the case amongst
13 yourselves or with anyone else and not to do any research
14 about the case, et cetera. That's because you're not
15 permitted to begin deliberating until I tell you that you
16 can deliberate. Now, with that said, I know that each of
17 you has been listening, processing, thinking, and sort of
18 framing things up in your own mind and getting a sense of
19 where you think the trial is going or what you might
20 render as a verdict in the end, but I just want to remind
21 you that the closing arguments of the attorneys and my
22 charge to you on the law are very, very, very important
23 pieces of the puzzle. The trial is not yet complete and
24 so while you may within your mind have figured out what
25 you think the facts are, deliberations where you discuss

1 with your fellow jurors is very important and you cannot
2 determine whether the defendant is guilty or not guilty
3 until I have told you the law that applies to the case
4 and so because you need to apply the law to the facts as
5 you find them to render your verdict so I just want y'all
6 to keep an open mind and pay close attention because
7 these last pieces of the puzzle are very important pieces
8 of the puzzle. So with that said, give the attorneys
9 your full attention this morning and I call on the State
10 for closing argument. Mr. Goldberg.

11 MR. GOLDBERG: Thank you, Your Honor. May it please
12 the Court.

13 THE COURT: Yes, sir.

14 MR. GOLDBERG: When the anger gets right there, you
15 just move a little faster and see a little clearer.
16 Those were Demetrick Doctor's words, his words.
17 Demetrick Doctor was angry and his anger essentially
18 caused three people their lives. Justin Glenn will never
19 get to hug his family and his friends again. Christine
20 Hayes will never get to hug her family and her friends
21 again. John Dickerson literally will never be able to
22 see anyone again. Three people who paid the price for
23 one man's anger, one man's self justice.

24 Demetrick Doctor's anger resulted in Justin Glenn's
25 head, skull and brain being torn apart by birdshot

1 blasted out of a shotgun at close range. Demetrick
2 Doctor's anger resulted in Christine Hayes's head, skull
3 and brain being torn apart by buckshot. And Demetrick
4 Doctor's anger resulted in John Dickerson's face and
5 eyeballs being torn apart by gunshot. His anger cost
6 three people, cost three people essentially their lives.

7 Your job, ladies and gentlemen, is to take all of
8 the little pieces, everything you've heard this week, put
9 them all together, use your common sense, just try to see
10 the clear picture, to see a little clearer about what
11 occurred on October the 3rd, 2019. That picture will
12 show you that Demetrick Doctor must be held accountable.
13 He must be held responsible for his actions and they were
14 his actions mind you, his choices. Do not let yourselves
15 get distracted from the facts of this case. Demetrick
16 Doctor brutally murdered two people and he left a third
17 man lying on a pile of beer cans fighting for his life
18 like a piece of trash. It was cold. It was malicious.
19 It was intentional. He must be held responsible for his
20 actions.

21 Ladies and gentlemen, this case isn't about report
22 writing techniques. We know it's not about Frankie
23 Doctor. It's not about the guy who is hiding in the shed
24 over in the woods, and it certainly is not about Stacy
25 Melton's contacts. This case is about holding Mr. Doctor

1 responsible for the malicious and intentional acts that
2 he committed on October the 3rd, 2019 when he murdered
3 Justin Glenn, Christine Hayes, and he tried to kill John
4 Dickerson.

5 The Judge is gonna charge you at the end of the case
6 with the law in our state. I'm gonna give you a little
7 preview of what she's gonna tell you. If I tell you
8 something different than what she says, you take it as
9 she gives it to you, okay? As you know, Mr. Doctor is
10 charged with two counts of murder. Murder is quite
11 simply the unlawful killing of another with malice
12 aforethought. Simple as that. Attempted murder. He's
13 charged with one count of attempted murder, that is
14 attempting to kill another person with the specific
15 intent to do so with malice aforethought.

16 I keep saying that, malice. What is malice? Let's
17 talk about that for a minute. Malice is hatred, it's ill
18 will, it's been described as a heart devoid of social
19 decency fatally bent on mischief, a wicked or depraved
20 heart. It doesn't have to be ill will. This is
21 important. It doesn't have to be ill will towards the
22 person that was injured, but there's a general malignant
23 recklessness for the lives and safety of others. That's
24 malice.

25 The evidence of malice in this case is overwhelming.

1 It's overwhelming. Bringing three different weapons, two
2 of them being shotguns to the scene, a shotgun blast to
3 the head at close range, as close as two feet, a second
4 shotgun blast to a woman's face, and then a gunshot close
5 enough to travel through a man's eyeballs. Shooting all
6 around, reckless disregard and all of it, all of it
7 fueled by anger with as they say a heart fatally bent on
8 mischief. Ladies and gentlemen, it doesn't get much more
9 malicious than that.

10 You're gonna hear that the State of South Carolina
11 has the burden of proof in this case and in every
12 criminal case that requires us to prove our case to you
13 all beyond a reasonable doubt. It's important then for
14 you to know what that means. What is reasonable doubt?
15 Okay. Reasonable doubt does not mean that we have to
16 prove our case to y'all beyond any doubt or all doubt.
17 It means we have to prove the case to y'all within a
18 reasonable doubt.

19 How do you describe reasonable doubt? It's the kind
20 of doubt that would cause a reasonable person to hesitate
21 to act. Put it another way, proof beyond a reasonable
22 doubt is that which leaves you firmly convinced of the
23 defendant's guilt, firmly convinced. If at the end of
24 this you are firmly convinced of Mr. Doctor's guilt, then
25 you have to find him guilty, and that is the burden that

1 the State must meet and in this case perhaps more than
2 even any other not only does the State, of course,
3 welcome that burden, but we have met that burden in this
4 case and we have done so by showing you a combination of
5 both direct and circumstantial evidence. Two kinds of
6 evidence, direct evidence being someone who has actual
7 knowledge of a fact, they saw something, they heard
8 something. Folks like Ms. Melton and Mr. Telford.

9 Circumstantial evidence. Evidence that you can
10 infer from a series of facts that something happened.
11 Ms. Gaston in her opening told you about how you may not
12 have actually seen it rain outside, but when you walk
13 outside and there's water droplets on your car, the
14 ground is wet, the trees, the leaves, the bushes are all
15 wet, then you know it's rained. The law makes no
16 distinction whatsoever between the weight or value to be
17 given to these two types of evidence. They are to be
18 treated the same and the Judge is going to tell you that.

19 Now, it's up to you, it is up to you to decide if
20 the State has met our burden, okay? One way that you can
21 do that, one tool that you've got is to examine the
22 credibility of witnesses or the believability of
23 witnesses. So how do you do that? Y'all do that
24 everyday of your lives. You may not know it, but you do.
25 You could be at a water cooler, you could be on the

1 elevator, you could be in a grocery store, wherever, any
2 time you come in contact with somebody and they speak,
3 somewhere inside of you you are trying to decide do I
4 believe what this person is telling me? Are they
5 credible? Are they believable? A couple things you can
6 look at in conjunction with that, look at their demeanor
7 when they're talking. Were they forthright with what
8 they have to say? Are they forthcoming? Is their story
9 consistent? Is their testimony consistent? Is it
10 corroborated in any way? Do they have any reason for
11 bias or prejudice? Things of that nature.

12 Now, Ms. Eigenbrot told you in her opening statement
13 that she wanted some more reliable information. More
14 reliable information is what she told you. I could not
15 agree more. In a perfect world you would hear from
16 Justin Glenn or Christine Hayes or even John Dickerson.
17 The defendant made sure that that wasn't gonna happen.
18 Instead you heard from Nate Telford, Stacy Melton and you
19 heard from Demetrick Doctor himself. Now, I ask you to
20 consider which of those three had the most reliable
21 information? Which of those three have the least
22 reliable information? Which of those three are credible?
23 Which of those three were believable in the things that
24 they told you, Ms. Melton and Mr. Telford from the
25 witness stand and, of course, you heard from Mr. Doctor

1 on the video of his interview with Investigator Bland.

2 Judge Newman is the Judge of the law, but y'all are
3 the Judge of the facts, and what that means is that you
4 can believe all, some, or none of what these witnesses
5 tell you. That's up to you. That's part of your job.
6 That's gonna be part of your job as you wade through all
7 this and decide whether we've met our burden. The
8 defense has tried to draw your attention away from the
9 facts. They want to try to get you to think of anything
10 other than the credible evidence against their client.
11 Don't get distracted. Stay focused on the credible
12 evidence presented to you this week.

13 I want to go through some of the facts in the case.
14 I'm not gonna go back through all of it. Y'all were
15 paying attention. You heard the testimony, you watched
16 the videos, you looked at the evidence. You know what
17 you saw and heard but, of course, it's my job to give you
18 a reminder about what some of those things are, so I'm
19 gonna go through a little bit of that.

20 The initial scene right from the jump Meke Doctor,
21 Demetrick Doctor is a suspect. Nate Telford tells Ulmer
22 that Doctor did it and he tells Bland that Meke Doctor
23 did it. There's this confusion about Frankie Doctor
24 initially because of all these Doctor brothers, and
25 somehow Frankie Doctor ends up in this photo lineup and

1 Telford and Melton look at the lineup and said, no, no.
2 Meke's not in there. But that got cleared up.
3 Investigator Bland looked into that and saw that Frank
4 Doctor was in Allendale County when this happened. So
5 they wade through that and they figure out that's not
6 him. Meke Doctor is the suspect.

7 What's going on at the scene? Evidence is being
8 collected. The sawed-off shotgun is found in the
9 backyard and taken into evidence, there's pictures being
10 taken, these fired cartridge casings are marked for
11 collection, all this is going on, and meanwhile John
12 Dickerson is fighting for his life. He's laying on a
13 pile of beer cans getting treated by the fire department,
14 EMS guys. He can't see. He can't even hardly talk. The
15 EMS gentleman told you that he's not really alert. He's
16 not able to provide much information, basically just kind
17 of groaning and moaning. He's got a gunshot wound to
18 both of his eyes. He's got orbital fractures to the
19 bones of his face and he's got a brain bleed requiring
20 surgery. He's fighting for his life.

21 Meanwhile, Ms. Hayes is down in the front yard face
22 down in her own blood. Mr. Glenn also in his own blood
23 in the driver's seat of the Highlander. What's
24 interesting about the Highlander at this point also that
25 it didn't really dawn on me at first, what was found

1 there? What was found on Mr. Glenn? What was found
2 inside the car? There were drugs all over the car,
3 right? You heard that. What did the crime scene
4 investigator tell you that she found on Mr. Glenn? 220
5 some odd dollars in cash. Why is that significant?
6 Ladies and gentlemen, this wasn't a robbery. 200
7 something dollars and a boatload of drugs in the car. If
8 this was a robbery gone bad, that stuff wouldn't be
9 there. This was personal. This was personal. His anger
10 made it personal.

11 Nate Telford got on that witness stand and he told
12 you that Ballenton Road is Telford property and has been
13 for a long time. He talked about how many years ago
14 there was some Doctors that lived in the area, but it had
15 been a long time since that happened. He told you all
16 about how people go there to that area to party and hang
17 out. He minimized it a bit, but people go there to
18 party, they drink, they use drugs, they play cards, they
19 hang out. That's what they do down there at the d-r as
20 he called it, the dirt road.

21 So, he's in back when this happens. He says, he
22 tells you he hears gunshots in the front and people
23 scatter. He ultimately ends up laying on the ground
24 scared. And if you recall, what does he tell you he sees
25 as he was laying on the ground? He looks up and who does

1 he see? He sees Meke. He sees Meke Doctor standing over
2 him. He knew it was him. He told you. He was like, he
3 said something like I was kind of glad to see him because
4 I didn't know what was going out there and I saw somebody
5 I knew. And he hears Meke Doctor say something to the
6 effect of, I'm looking for the one who said they were
7 gonna shoot me on sight. That goes back to what
8 Mr. Doctor was talking about in his interview on the
9 altercation on Wednesday night. I'll get a lot further
10 into that in a minute.

11 But anyway, Mr. Doctor says, oh, Telford, Telford,
12 you all right, because they know each other. They've
13 known each other for years. I believe Mr. Telford even
14 said they're friends. He's friends with Mr. Doctor's
15 brother Chris, Christopher Doctor, also known as Ferb.
16 He said he's known these guys for years and that they
17 were friends. And what does he see? What does Nate
18 Telford see in Mr. Doctor's hands as he's standing above
19 him? He sees three weapons. He sees a shotgun in one
20 hand, a sawed-off shotgun in another hand, and a pistol
21 in his waistband.

22 Now, that is a pretty big piece of information. A
23 shotgun, a sawed-off shotgun, and a pistol in his
24 waistband. The victims in this case I argue to you were
25 shot with three different weapons. Mr. Telford has

1 described seeing three different weapons. Why do we
2 think that the victims were shot with three different
3 weapons? Mr. Glenn we know was shot with birdshot
4 pellets. They were taken out of his head at autopsy.
5 This weapon was found at the scene with a fired shotshell
6 in it consistent with being birdshot. Ms. Hayes was
7 struck and killed with buckshot. There was no buckshot
8 shotshell fired at the scene. There was no other shotgun
9 fired at the scene. This weapon didn't shoot buckshot at
10 Ms. Hayes. He wouldn't have shot Ms. Hayes first. He
11 would have gone up, caught Mr. Glenn by surprise, shoots
12 him with this weapon with the birdshot, then uses his
13 other shotgun that Mr. Telford told you he saw with
14 buckshot to shoot Ms. Hayes, and then when he goes around
15 the back, he's got the pistol, and we know that
16 Mr. Dickerson was shot with a pistol, or I would argue
17 that he was shot with a pistol because the bullet
18 traveled through his eyes. Three guns at the scene,
19 three different types of guns used on these victims.

20 Now, let's get back to what Mr. Telford saw. So he
21 sees him with these three guns, they have this exchange,
22 and then what does he see? He sees John Dickerson who he
23 says is his cousin run by in the backyard where they are.
24 And I'm not gonna put the map up and show you all the
25 photos. We went through that ad nauseam in front of you

1 all by showing a photo here, a photo there. Y'all were
2 paying attention. You saw it. You know the layout of
3 that trailer, and you'll have the photos with you if you
4 need them. But they're in the back and when he sees
5 talking to Meke, John Dickerson runs by him. He runs by
6 him and then Meke goes off. And what does he hear after
7 that? Shots ring out. He tells you he hears shots. And
8 the next thing you know, Meke's gone and Dickerson is
9 laying on a pile of cans not that far from where they
10 were. Not only that, the investigators told you they
11 find three fired cartridge casings over by that beer can
12 pile not very far away from where Mr. Dickerson was found
13 fleeing. Then he hears cars screech out of there and
14 he's the one that calls 911. And when law enforcement
15 gets there, he immediately says it's Doctor and he picks
16 the defendant out of a photo lineup.

17 Now, one question that's come up about this whole
18 thing I've just described to you about what Mr. Telford
19 saw, could he have actually seen enough? Is there enough
20 lighting out there for him to have seen that it truly was
21 Demetrick Doctor? Y'all heard, everybody in here heard
22 what he said to that. Counsel suggested that it may have
23 been too dark for him to really get a good look at the
24 man with the guns. Y'all remember what he said? He
25 said, it ain't that dark. You are not gonna tell Mr.

1 Telford something that he didn't see himself. I think he
2 was very clear about that. I think we all saw that. He
3 said, it ain't that dark.

4 Stacy Melton got up on the stand. Stacy's had a
5 rough go. She's got a drug problem and that was in full
6 effect in October of 2019. She told you. You could see
7 it. You could see it on her face and you could see it in
8 her emotions. She had a problem. She used to go down to
9 the dirt road or the d-r, Ballenton, everyday, everyday,
10 and she wasn't going there to play cards y'all, okay?
11 She was going down there to use. One of the people she
12 was spending a lot of time with back then was Ferb,
13 Christopher Doctor, the defendant's brother. And she
14 told you a little bit about the night before, this
15 Wednesday night altercation that Mr. Doctor talked about
16 in his interview. She was there. She was in the car
17 with Ms. Hayes who she referred to as Jules. They were
18 in the car. Julio, Justin Glenn, gets out of the car.
19 They don't see what happens. All they know is that when
20 Julio gets back in the car, something had happened out
21 there, some kind of exchange had happened and he wasn't
22 happy. They leave.

23 Well, the next night, Thursday, she, of course,
24 Stacy is going back to the d-r. She told you all about
25 how they had been partying, they had been using, they had

1 been hopping around from motel to friend to friend and
2 all this stuff, her and Jules, but then they finally
3 parted ways and they were going to meet back up at the
4 d-r, right? And so she went with a friend and Ms. Hayes
5 was with Mr. Glenn and they were going to meet there.
6 She actually gave her phone to Ms. Hayes because she
7 wanted to be able to stay in contact with Ms. Hayes with
8 that phone. So Ms. Melton tells you she gets down to the
9 d-r first and right as she's getting there who does she
10 see? She sees Ferb. So she starts hanging out with Ferb
11 while she's waiting for Julio and Jules to arrive.

12 I thought it was interesting that she talked about
13 the phone thing because what did she tell you about that?
14 She didn't have her phone. It had been a while and she
15 was concerned about why it was taking so long so she
16 borrowed the phone, comes back over with Ferb, and she's
17 gonna call Jules to check on her. But now Ferb wants to
18 use the phone so she talked about how she gave him the
19 phone to use, but that he needed help. He had trouble
20 figuring out how to get to the home screen or something
21 so she showed him how to use it, and then he gets out of
22 the car, he's gone for a couple minutes with the phone,
23 then he comes back to the car and they continue to wait
24 for Julio and Jules to arrive. I doubt he was surfing
25 the Internet. She had to show him how to get back to the

1 home screen.

2 So, Julio and Jules arrive not too much later. Ms.
3 Melton goes over to the car and, I mean, let's just call
4 it what it is, she goes over there to get some drugs from
5 Julio. She went to buy some drugs from Julio. She gets
6 in the car, she gets the drugs, she gets back out to go
7 give Ferb five bucks that he wanted to borrow and as
8 she's handing Ferb that five bucks a white Crown Vic, a
9 white Crown Vic that folks know the defendant to drive
10 pulls up. It's not even been 30 minutes since Ferb took
11 possession of that phone and now all of a sudden Meke is
12 here pulling up coming in hot, driving in fast in the
13 Crown Vic.

14 When he pulls up, Ferb gives her some kind of
15 warning. She told law enforcement that night that he
16 told her to take cover, and whatever it was that he
17 exactly said, she knew that danger was coming based on
18 what Ferb said and that they took off running and then
19 boom, shots ring out. She's in the back. Shots ring out
20 in the front. All hell is breaking loose. Nobody knows
21 what's going on. She even admitted she got nosey, which
22 is kind of an odd thing to say, and she comes back around
23 the front to see what was going on and what had happened
24 and it's at this point that she's looking from her
25 perspective which would be on the side of the trailer

1 back towards the Highlander over there where she sees
2 coming from the direction of the Highlander what looks
3 like gunshots coming right at her. She sees the flashes.

4 The interesting thing about that is between where
5 she is, where she describes and between where she sees
6 those flashes, right in between there, that's where Jules
7 was found laying in her own blood. I submit to you she
8 saw Jules being shot and she just didn't know that's what
9 was happening. She didn't realize it. After that she
10 panics and runs back around to the back, tried to escape
11 and then she comes in contact with Meke Doctor. And how
12 does she describe his demeanor at that point in time?
13 She said he's upset. He's angry. She told law
14 enforcement that night he was shooting all round in a
15 rage, like he was in a rage. Guns in both hands is what
16 she says. She can't describe what the guns are, but she
17 put guns in both of his hands consistent with what Mr.
18 Telford told you about guns in both hands. And she hears
19 him say something about Meke killers or something to that
20 effect, and then the sequence, Meke walks away. She then
21 hears more gunshots just like Mr. Telford said. Again,
22 she's provided lineups and when she's shown the lineup
23 with the defendant in it, she identifies him right away
24 without suggestion from law enforcement or anything like
25 that.

1 We called a number of witnesses to you in front of
2 you. If you want to talk about credibility and
3 believability, you go back and think about those two.
4 Do you believe what they told you? There were a number
5 of crime scene investigators and evidence technicians and
6 the like that you heard from in this case. They were
7 thorough. They collected the evidence that they could.
8 They processed items. I know y'all have heard that word
9 process a lot which we now know for the most part means
10 like they're trying to get fingerprints and things of
11 that nature off of items of evidence. There were no
12 fingerprints found on any of the firearms evidence in
13 this case. No prints on this. No prints on the fired
14 cartridge casings that were found on the ground, whether
15 the .40 caliber or the .380. It's not surprising for a
16 lot of reasons. I mean, you were told some of them,
17 about some of the ways that the fingerprints can end up
18 on the firearms evidence and some of the reasons why they
19 wouldn't be found.

20 One of the things I think you were told had to do
21 with like how hot it gets and then how long it is between
22 the time that the fired casing ends up on the ground and
23 just that it's unlikely to get prints off of that. But I
24 also go back to the fact that, think back to what
25 Mr. Doctor was talking about in his interview with law

1 enforcement. What's one of the things he told them about
2 the Wednesday night encounter where he took this weapon
3 from, who we later believe to be Justin Glenn? He said
4 he wiped it down. He wiped it down. So would you expect
5 to find fingerprints on anything else related to him?

6 You heard from the DNA analyst and y'all know by now
7 that this is the world, okay? This isn't CSI television
8 shows as much as we want it to be. The better that it
9 would be for everyone involved, for Mr. Doctor, the
10 State, for everybody, if we had that kind of immediate
11 automatic guaranteed technology on everything that
12 happened. The reality is sometimes you just don't get
13 DNA off of evidence. You try, but it just doesn't always
14 work that way. Ms. Lee told you about how the items she
15 tested in this case, the fired casings, the shotgun, the
16 projectiles that were taken from Ms. Hayes and
17 Mr. Glenn's head, too weak. The DNA samples, the swabs
18 that were taken from those items were too weak for her to
19 get any kind of identifying information.

20 Another category of items, she had insufficient data
21 and then still others she just said there's just no DNA
22 present on them. She told you about some of the reasons
23 why there might not be DNA on there. She told you about
24 shedding. Some people have skin cells that come off more
25 easily than others. There was questions from the defense

1 about bodily fluids and things of that nature, how more
2 likely it is to see DNA on something that has some blood
3 or semen or things like that. There was no evidence in
4 this case submitted to her that had anything like that,
5 nothing like that for her to test.

6 Another point that was raised by the defense in
7 questioning her was about Mr. Doctor and whether she
8 actually took his DNA sample to compare it to any of the
9 items that she tested which she did not. It doesn't
10 matter. What she told you is those items she tested, it
11 was those items that did not have enough DNA or are too
12 weak or whatever it was to get a profile. She could have
13 had Mr. Doctor's blood, sweat, a piece of his finger,
14 whatever, to compare to those items and it still would
15 not change the outcome because it's the evidence themselves
16 that did not have enough DNA on them to make any sort of
17 match or conclusion.

18 Agent Fletcher from SLED came and talked to you
19 about the gunshot residue. She told you that gunshot
20 residue is essentially something that is expelled out of
21 the weapon when it's fired every single time and that it
22 can be transferred. You can get it from firing a weapon,
23 it can be on you, or it can be transferred from me to you
24 or from me to a surface. There's a number of ways that
25 it can happen, but one thing that it does is that it

1 travels with a projectile. There's also some limitations
2 on testing for gunshot residue. She told you that. She
3 told you that you cannot test for gunshot residue on a
4 person if it's been more than six hours since they fire
5 the weapon.

6 Well, let's go back. This occurred on October the
7 3rd late that night. Mr. Doctor was not taken into the
8 Sheriff's Department until two days later on October the
9 5th. Clearly more than six hours had passed so they
10 could not test him to see if he had gunshot residue on
11 his hands. Scientifically they can't do it. But what
12 they did find was there was gunshot residue on the
13 interior of the driver's door of the white Crown Vic and
14 as we talked about, that doesn't mean that a gun was
15 fired in the Crown Vic, it could have gotten there from
16 transfer. Someone who fires a weapon can transfer it
17 from their hand to the inside of their car. Can't time
18 stamp it. We know that. But the fact is it's on the
19 inside of the driver's door.

20 There were a number of questions raised about the
21 victims and why the victims were not tested for gunshot
22 residue which is a very valid question. Agent Fletcher
23 told you all about that. First of all, it's against
24 policy for them to do it. It's against their protocol,
25 and the reason was, the reason that she explained it --

1 Let me back up. She did say that the coroner requested
2 that the victim GSR analysis not be done. It didn't
3 matter. They weren't going to do it anyway. She sold
4 you that their policy is not to test the victim GSR, and
5 the reason for that as we talked about was when you fire
6 a weapon, the GSR travels with the bullet and so if you
7 get struck with a bullet, she told you that in the sample
8 size that they looked at 75 to 80 percent of people who
9 have been shot with a gun has gunshot residue on them and
10 that tells you nothing about whether it's there because
11 they got shot or because they fired a weapon. There's no
12 value in doing it. They don't do it.

13 Dr. Durso, the pathologist, she came and talked to
14 you a little bit about the nature of the injuries
15 sustained by the victims. She told you that Justin Glenn
16 was shot with that birdshot as close as two feet away.
17 She said between two and four feet; that there was a
18 little bit of scalloping on the side of his head, and if
19 you recall what that means is that the pellets that are
20 expelled are just starting to separate so there's not
21 like this smooth perfect circle. They're starting to
22 separate so it makes this uneven ridges around the wound.
23 But the pellets and the wadding were both found inside of
24 his skull. He had skull fractures. He had a giant hole
25 in the side of his head and it was not survivable in any

1 way whatsoever.

2 She told you about Christine Hayes and in her
3 opinion she had to have been shot from at least nine feet
4 away, and that was based upon the fact there was this
5 buckshot projectiles that were removed from her head
6 coming in from the right side on her, but that the
7 projectiles separated. And you can see in the drawing
8 that she did, somewhat crude drawing, but those pellets
9 were kind of separated. They all kind of came in
10 in different places, but there were four pellets that
11 went through her face across her frontal lobe and into
12 the side of her head.

13 So we were talking about this separation of pellets.
14 There was a lot of discussion about that and you heard
15 probably more detail than anyone ever has from
16 Investigator Metz about shotguns and how shotguns work
17 and how shotguns spread and that's important. It's
18 important for her to tell you about that. She told you
19 first of all that, an important thing she said, she
20 actually test fired this weapon herself and it works. It
21 might be old, it might be really old, but it works. She
22 verified that herself. What she told you about a weapon
23 like that that has the barrel sawed-off and cut down and
24 shortened is that that results in a quicker spread of the
25 pellets, right, regardless of whether it's birdshot or

1 buckshot, it spreads faster and so if there's a tighter
2 pattern on the victim, in other words, like Mr. Glenn's
3 injuries where it's tight, everything is kind of in one
4 place wound wise, and the wadding is also found inside of
5 his skull, that that would signify to her that the shot
6 would have had to have been in pretty close range
7 corroborating what Dr. Durso said about two to four feet.

8 The fired shotshell was collected inside of the
9 weapon, inside the sawed-off shotgun. It was birdshot.
10 It was from the Winchester Super X line. The pellets and
11 wadding removed from Mr. Glenn's head consistent with
12 being birdshot Winchester Super X line. Of course, the
13 fragments from Ms. Hayes were consistent with buckshot,
14 but there was no weapon or any other shells to compare
15 that to.

16 The last thing she told you was that these other
17 fired cartridge casings, the three fired casings, the .40
18 caliber found by the can pile as well as the one .380
19 caliber shell casing that was found kind of over by the
20 Herby Curby, she looked at those. Those cannot be fired
21 by that. They can't be fired by a shotgun nor can they
22 be fired by the pistol found underneath Justin Glenn.
23 The size doesn't work. That gun did not fire those
24 casings found in the yard.

25 All right. Let me talk about one more part of the

1 facts and then we're gonna wrap this thing up. You heard
2 from Investigator Bland. He talked about his role in the
3 case investigating this matter. First he was on scene.
4 He made contact with Mr. Telford and that he had body cam
5 on and that was the first time he had ever worn a body
6 cam and it ended up being deleted. He didn't delete it.
7 The system deleted it. Obviously extremely unfortunate
8 to have that happen. It would have been nice to have
9 that recording, however, you've got Mr. Telford himself.
10 He was here. He sat in this chair. He looked at you, he
11 looked at me, he looked at Mr. Doctor and said that's the
12 man and he told you himself what he saw that night, so
13 you can judge his credibility based on what you saw up
14 here for yourself.

15 Investigator Bland tried six times, six different
16 occasions to talk to John Dickerson. He was unsuccessful
17 with all six. He told you that most of the time that has
18 no bearing on whether an act actually occurred. There's
19 a lot of reason why maybe somebody won't talk to you.
20 Most of the ones that involve Mr. Dickerson he was still
21 in the hospital. He couldn't talk to Mr. Dickerson, but
22 he did talk to Mr. Doctor. He talked to Mr. Doctor, and
23 y'all watched part of it for yourselves. You watched the
24 part where he was advised of his rights. He was told
25 about his Miranda Rights, his right to remain silent and

1 everything else, and it was clear that Mr. Doctor
2 understood his rights. He acknowledged that. He signed
3 the form, said he understood his rights, but what he
4 would not be clear with them about was anything hardly
5 other than what occurred on Wednesday night. He was
6 clear with them about Wednesday night. He talked a lot
7 about that, went into pretty good detail about it.
8 Everything else though, I don't know.

9 When he talked about Wednesday, he said that he
10 confronted this younger guy we later believe to be Julio
11 about selling drugs down there in the d-r, something
12 about around his aunt's house. That's got nothing to do
13 with him. That's Telford property. Be that as it may,
14 he confronted Julio about selling drugs over there and
15 they had this altercation and Julio leaves and he comes
16 back and he's got some kind of, he's got some kind of
17 rifle or something like that and there's a bunch of other
18 guys there with him, too. So Mr. Doctor goes into, he's
19 talking about how this whole exchange went down and he
20 said that he even took the weapon from him at some point
21 and that before he went to get rid of it, he wiped it
22 down which we talked about, right?

23 Now, we know that this made him mad. He told
24 Investigator Bland that this whole exchange made him mad.
25 It wasn't some cause for him. He didn't go there to

1 defend his people. He didn't go there to defend his
2 aunt. He doesn't have an aunt that lives over there. He
3 tried, Meke Doctor tried to tell Justin Glenn and these
4 other guys, tried to tell them what they should or
5 shouldn't be doing and they told him to fuck off. That's
6 what he said. They told him to fuck off. He got mad.
7 He felt disrespected. I get it. He felt disrespected by
8 that, but that disrespect turned to anger. It turned to
9 anger. They can't just come down there and challenge him
10 like that. He got made about it. Did he report any of
11 this to the Richland County Sheriff's Department? No.
12 He did not.

13 Mr. Tate asked Investigator Bland about that, said
14 sometimes, sometimes people don't call the police. What
15 did Bland say? He said, yeah. That's self justice when
16 people don't call the police. It's self justice.
17 Demetrick Doctor took matters into his own hands. Self
18 justice. He was mad about what happened that night. He
19 was mad about what he perceived to be disrespect. And
20 everything else that he talked about that night or
21 everything else that he talked about with Bland was
22 unclear, all of it. Think about it. Go back and watch
23 the video. Watch it. Do you want to talk? Maybe. Do
24 you want a lawyer? I might. I might not. You got
25 threatened, right? Tell us about these threats that you

1 got specifically. We want specifics about these threats.
2 Well, I can't really say specifically who threatened me.
3 A simple question, were you in the d-r on Thursday? I
4 don't know. I got to think about it. They asked him
5 what kind of car he was driving. He didn't even give
6 them a straight answer on that. He said something like a
7 rather large vehicle. But why do you think he didn't
8 tell them that? The white Crown Vic. He's not gonna
9 tell them that he's driving a white Crown Vic. That's
10 the car that was seen pulling up right before all this
11 happened, and he cannot give them a straight answer on
12 that.

13 Perhaps the most important question of all though
14 that was asked at that point was this: Do you remember
15 shooting anyone? Do you remember shooting anyone? He
16 can't even give a straight answer to that. No straight
17 answer to, do you remember shooting anyone? Is credible?
18 Is it believable to think that somebody would not be able
19 to remember that or answer that question? Is that
20 reasonable? Use your common sense, okay? You have to
21 take the facts as you see them, apply the law and make a
22 decision, but nobody said you can't use your common sense
23 when you do that. Think about it. You would have to
24 believe, in order to believe that someone else did this,
25 you would have to believe that some other person was

1 driving a white Crown Vic. You would have to believe
2 that that other person had a sawed-off shotgun with a
3 duct taped handle just like the one seen at the Doctor's
4 house by Ms. Melton, and you would have to believe that
5 that person just so happened to shoot the very person
6 that Demetrick Doctor had been arguing with the night
7 before in the head at close range. And even if you
8 believe that, you would still have to believe that this
9 other person did those shootings moments, moments after
10 Christopher Doctor, his own brother, issued this warning
11 to Stacy to get down, to take cover. Is it reasonable to
12 believe any of that? No. None of that makes any sense.

13 There is only one person that the credible evidence
14 points to in this case and that is the defendant. The
15 defense has tried to draw your attention to anything and
16 everything except the evidence that points towards him.
17 There were questions about, oh, well, law enforcement
18 didn't clear the trailer and they look for suspects in
19 the trailer or in the building behind. Well, they
20 already knew that Meke was the shooter. They had already
21 been told that by the witnesses. Mr. Telford already
22 said it was Doctor, and then he told Bland it was Meke
23 Doctor. The victim gunshot residue kits weren't tested.
24 We already talked about that. No value in it. Ms.
25 Hayes's nail scrapings weren't checked. Nobody is

1 alleging there was a struggle. She was shot from nine
2 feet away. What value is there in checking under her
3 nails?

4 Stacy didn't have her contacts in. Well, what did
5 she tell you about that? She said, I can't see far away,
6 but I can close up, and she described from being here to
7 here between her and the defendant with the guns in his
8 hands. Justin Glenn had a gun. Yeah. The gun was found
9 on the seat of his car underneath it with no spent shell
10 casings anywhere related to that. Well, Wednesday night,
11 you know, Demetrick himself said, you know, I could have
12 smacked them right then, could have smacked Justin and
13 all those guys right then. Well, no, he didn't. He got
14 angry though. And remember what he told you about what
15 happens when he gets angry? He said he starts seeing a
16 little clearer. He starts seeing a little clearer. And
17 what he saw was that he was outnumbered. He told you a
18 car full of guys came there. He was outnumbered. That
19 wasn't the time to take his anger out on anybody. He was
20 outnumbered. Well, yeah, but he took the gun from Justin
21 so, you know, he could have used that. We don't know
22 that he even knew how to use that gun. It was an assault
23 rifle, probably a lot newer than this. We don't know
24 that he knew how to use that.

25 If he was gonna smack them as he put it, he was

1 gonna do it on his own terms, his own way and he was
2 gonna do it when Julio was there, when he's sitting in
3 the driver's seat of the car doing whatever he does with
4 these drugs, he's gonna come up and shoot him right in
5 the head from two feet away when he ain't ready for it
6 and he's gonna do it with a weapon that he's really
7 familiar with, because we know this weapon or a weapon
8 just like it with a duct taped handle has been seen at
9 his house.

10 I'm gonna wrap up with this. Please, y'all, you got
11 to stay focused. I told you before it's your job to take
12 all these little pieces, right, all these little facts,
13 put them together, use your common sense to see a little
14 clearer about what happened on October 3rd, 2019. Ms.
15 Eigenbrot told you in her opening that Mr. Doctor sits
16 over there an innocent man and that he is cloaked in a
17 robe of righteousness. Ladies and gentlemen, the
18 evidence in this case has blown that robe completely off
19 of him. It has exposed him and it is allowing you to see
20 a little clearer and what you can clearly see is there is
21 only one reasonable conclusion supported by the evidence
22 in this case. Demetrick Doctor is guilty. He was angry.
23 His anger led to self justice. That self justice cost
24 three people their lives. That self Justice caused John
25 Dickerson his eyesight. That self justice cost Christine

1 Hayes her life. And that self Justice cost Justin Glenn
2 his life. Those three people paid the price for his
3 anger. Hold Demetrick Doctor responsible for his
4 actions. Find him guilty for the murder of Justin Glenn,
5 the murder of Christine Hayes, and the attempted murder
6 of John Dickerson. Thank you.

7 THE COURT: Mr. Tate.

8 MR. TATE: Thank you, Your Honor.

9 Ladies and gentlemen, not too long ago, may be a
10 long time ago when I was a little younger, there was a
11 radio show before the Internet and all the things we use
12 now for information hosted by a gentleman named Paul
13 Harvey and it was called "The Rest Of The Story" and he
14 would talk to you about something that happened in the
15 world that we sort of knew about and then he would have a
16 couple of commercials and then he would tell you the rest
17 of the story. Ladies and gentlemen, this is the rest of
18 the story. I heard a car coming fast, heard gunshots,
19 saw flashes. I didn't see anybody shooting. I didn't
20 see anybody shooting.

21 There's so much unfinished business, so much, and
22 who had the opportunity to finish business is just as
23 important. This case like so many cases in General
24 Sessions Court are tragedies. As Mr. Goldberg said many
25 times, two people lost their lives and one person lost

1 their sight and we don't take anything away from that,
2 but this is unfinished business. This is half a story.

3 Sometimes in the mornings I come here to this
4 courthouse, drive down Main Street, hang a right, turn in
5 the parking garage, and I come in the building, ride the
6 elevator. I do the things I do everyday, but about twice
7 a year I have to stop and I know that they keep jurors
8 pretty much in back, but sometimes I stop and I walk out
9 front. Right out by Main Street we've got a little
10 fountain, it's got a statute in the middle of the water,
11 and I sit over there and I look at this building and I
12 go, wow, this is so different and I've worked, I'm old,
13 you may have figured that out, I've worked in different
14 buildings in my life, I have never been in a place like
15 this because this building is so, so incredibly special.

16 In this building this week, and I'm guessing a
17 little, somebody made an insurance claim that paid them
18 money that they have been owing for a long time.
19 Somebody was hurt in a wreck was made as whole as they
20 can. Down in Probate Court a young couple got a marriage
21 license or maybe they closed the last chapter in
22 somebody's life by probating their estate. And today is
23 Friday and in this building Fridays are special on the
24 third floor. That's where Family Court is. Two things
25 happen in Family Court on Fridays, ladies and gentlemen,

1 uncontested divorces where both people walk out with
2 exactly what they wanted, and adoptions, a family gets
3 children that they want. And something else happens.
4 Some people, someone may gain their liberty and that is
5 so critical. That is so critical.

6 The dirt road is a place you may not have heard
7 about. It's a place where people go to buy drugs, to
8 sell drugs. I think somebody used an expression
9 everybody is strapped. That means everybody has a gun
10 and this night in October a couple years ago, something,
11 something went south. There are probably a hundred dirt
12 roads in this sense in our county. Demetrick Doctor, the
13 gentleman that grew up on Ballenton Road, turned right
14 off of El Hunter, or if you turn left off of El Hunter
15 onto Ballenton, his family's home was on the right, a
16 little blue house, grew up there with his family. Lives
17 out in the north part of the county now. His family is
18 here with him. They've sit here every day this week.
19 He's a simple man. Ran a clothing store with his long
20 time girlfriend up off of Park Lane Drive.

21 MR. GOLDBERG: Your Honor, I apologize.

22 THE COURT: Y'all approach.

23 (Side bar off the record.)

24 THE COURT: The objection was sustained.

25 MR. TATE: Unfinished business. A job half done.

1 Do you remember Mr. Oates, crime scene investigator, 25
2 years experience, been around forever, and he told me, he
3 said we have complete control of that scene and we take
4 control of it. But sometimes, unfortunately, an
5 investigation becomes focused very early and in that
6 investigation sometimes mistakes are made and they become
7 very suspect centered and all of these things don't
8 matter but only this, and the rest of that story is today
9 and mistakes are why pencils have erasers and mistakes is
10 why the United States of America has jurors. What
11 mistakes? Just arrest somebody and move on. From the
12 beginning only the government had a chance to get it
13 right. I'm not there, Mr. Goldberg's not there, the
14 Judge isn't there. Collect evidence, collect it
15 properly, bring it into a courtroom, give it to
16 scientists and then let's have a conversation.

17 What didn't you hear? What didn't you see? Oates
18 told you he's got total control of the scene. Law
19 enforcement has absolute total control over what they do.
20 Who to talk to. What evidence to collect. Search
21 warrants. Go look at somebody's stuff whether they want
22 you to or not. Anywhere you want to if you can convince
23 a Judge it's legal. You've seen how big that scene is.
24 Go get evidence, analyze evidence. How many folks have
25 you met, working hard, scientists, investigators, DNA

1 experts, firearms experts, fingerprint experts, three or
2 four crime scene investigators, untold numbers of
3 government employees, untold resources, unfinished
4 business.

5 What wasn't done? And if you will remember, the
6 picture on the jumbotron, the big TV, right in the middle
7 of that picture, the biggest thing in that picture is a
8 mobile home, single wide. Unlike Investigator Bland, I
9 am from the country and it's a single wide mobile home.
10 A motorhome sitting in front of it, you know, the kind
11 that musicians drive around in, big class A. It's in the
12 pictures. A Mercedes, little sheds out in the backyard.
13 Nobody looked in the mobile home.

14 Ms. Hayes is in the front yard. Mr. Glenn is in the
15 side yard. Mr. Dickerson is in the backyard and nobody
16 looked in the trailer. Who was in there? What was in
17 there? Nobody looked. And this is the first case in a
18 long career that I've ever heard of a crime scene
19 technician testifying that you found somebody asleep in
20 the crime scene. What were they thinking? Who is Donna?
21 Remember Nathan Telford? Mr. Goldberg brought him live.
22 Nathan Telford playing cards with Donna. Who's Donna?
23 Has anybody seen a Donna? There's no Donna. What might
24 she have seen? What might she know? We don't know.

25 What about the guns? Well, we've heard there was a

1 .380. The gentleman, Mr. Bouknight, Lieutenant Bouknight
2 came and told you he went out there the next morning,
3 looked around, found the .380 cartridge. It doesn't seem
4 to mean anything. There was a .40. Where did that come
5 from? Folks shooting, everybody strapped. It's the d-r.
6 Telford tells us that he saw Demetrick with two or three
7 guns, but he admitted he might have been mistaken.

8 Now, I believe you'll have, when we finish today
9 after the Judge has charged you, when you go to your jury
10 room for deliberation, you will have anything that's been
11 entered into evidence. Pick this up. It's hard enough
12 to hold by itself. Three guns? And what does this mean
13 anyway? If you remember, there's no way to tell if a
14 particular shotgun fired a particular shotgun round.
15 They simply don't know, and there's nothing here, no DNA
16 that says Demetrick Doctor, no fingerprints, no nothing.
17 The State would have you dismiss that. I tell you it's
18 very, very important. No nothing. No DNA.

19 Ladies and gentlemen, the shotgun wasn't even
20 useable where it was lying. Why would anybody even carry
21 it around. A shotgun without a live round is called a
22 stick and not much more. And why is all this important?
23 Why is the rest of the story so important? Let me use an
24 example. I got a cousin who's a character. Every
25 family's got one. Couple Thanksgivings ago we were up at

1 his house in Virginia, cattle rancher. One of the barn
2 cats had come in the garage, had kittens, his kids are
3 all out looking at them. We're walking out, and as I
4 walk into the garage, a brick is coming straight at my
5 face. Wow. What am I thinking. Why in the heck is
6 would Robbie throw a brick at me. I got to do something.
7 Well, I reached my hand up, I guess I could have dove to
8 the floor, but I reached my hand up and I catch a sponge
9 and it's painted to look like a brick. That's why the
10 rest of the story is so important because now I have
11 enough information to make a good decision. This is
12 nothing more than a joke, a prank.

13 He's focused on the investigation and they study
14 this over at the College of Criminal Justice. They're
15 called suspect centered investigations, as if, looks like
16 if you go to Charleston, looks like a Charleston carriage
17 horse. If you look at the horse, our eyes are in front
18 of our head. A horse, their eyes are on the side of
19 their head. They see way out here. What do they do to
20 keep them from wandering out in the traffic and paying
21 attention to the sidewalk going to try to eat apples or
22 something, they put blinder on them. This investigation
23 had blinders.

24 Why do I say that? Look at what was ignored. Two
25 shotgun blasts quickly in the front yard. Do you

1 remember, I believe it was Corporal Hawkes, firearms
2 training officer, 10, 12 year veteran, do you remember
3 how much trouble he had even getting the shotgun shell
4 out of the shotgun? Two shots from this? I don't think
5 so. We don't know who fired it. We don't know who shot
6 it. We don't know what round came out of it. We know a
7 couple things for sure. There was nothing tying, there
8 is no physical evidence tying that to Mr. Doctor. And
9 once they focused on Demetrick, they didn't look anywhere
10 else. So much unfinished business.

11 Remember Stacy Melton? Very sad, rough life, who
12 told you so much more than she probably ever wanted to
13 tell a friend much less a room full of people she's never
14 met before, that she had a drug addiction; that she was
15 smoking crack, and bless her heart, she wasn't wearing
16 her contacts and she said she didn't see anybody shoot.
17 She saw some flashes. And you've only met two folks.
18 Where is everybody else? All these conversations about
19 all these people running, all these people there. Why
20 didn't somebody talk to them? It's a dead-end dirt road.
21 Do you know what an unfinished, suspect focused
22 investigation looks like, ladies and gentlemen? It looks
23 like North Main Street. That's the best example I can
24 think of. It's unfinished business. Right at North Main
25 they've done a beautiful job. You go across Elmwood,

1 they got new antique streetlights, they've got your
2 asphalt, they've got new businesses and restaurants,
3 coffee shops. When you get up towards Seminary, the
4 bottom falls out. Somebody two, a couple years ago ran
5 one of them tractors over the road where they churned up
6 the asphalt and they never came back to repave it. North
7 Main Street is unfinished business, still full of
8 potholes after millions of dollars.

9 But let's look at the forensics in this case. The
10 stuff that doesn't change. The stuff done that we don't
11 need glasses, that's done in quiet sterile laboratories
12 by scientists. Maybe we can learn something. Let's try
13 to patch a few pots holes. These folks all work for SLED
14 and the Sheriff's Office, but what was so important was
15 these folks only do what they are asked to do. My
16 computer friends have an expression. They call it gigo,
17 garbage in, garbage out, and that simply means good stuff
18 in, good stuff out, bad stuff in, bad stuff out, and even
19 Mr. Goldberg reminded you a moment ago about fingernail
20 scrapings taken from Ms. Hayes. Ms. Lee was told, if you
21 remember Ms. Lee, the DNA analyst, Ms. Lee was told not
22 to look at it. Oh, we don't do that. Another piece of
23 evidence that went where?

24 See, evidence doesn't - some evidence goes to
25 convict, some goes to acquit. But in this case, ladies

1 and gentlemen, if the evidence don't convict, it ain't
2 spit. What might we have learned? We don't know.
3 Ms. Lee also told you a couple of other things. There
4 was no DNA from Demetrick Doctor on the fired cartridge
5 cases, the .40 cal's on the ground at the feet of Nathan
6 Telford. There was none of Demetrick Doctor's DNA on the
7 shotgun, not on the Highlander, not on the nine
8 millimeter, not on the Crown Vic and we'll get to that in
9 a minute, ain't nobody got no idea who that car belongs
10 to.

11 Remember Ms. Fletcher? Mr. Goldberg mentioned her
12 to you. She was a GSR, she was the GSR analyst and she
13 talked about gunshot residue and we learned a lot from
14 her and we learned that GSR gunshot residue are little
15 old bitty particles, four of them will fit on the width
16 of a human hair and then she threw some math out there
17 that went totally over my head, but it meant they were
18 really, really small. A particle so small four of them
19 fit on a hair. Wow. But what value is that? Oh, yeah,
20 one other thing, it's transferable, isn't it? Wow. The
21 bailiff here could have shot a gun this morning, I can
22 shake his hand, and I get gunshot on my hand, I could go
23 over here and touch this and there might be gunshot
24 particles on it, using something called a scanning
25 electron microscope. I bet you that thing don't miss

1 much. And one particle? A good bit less and it would
2 have been none.

3 Then we started to ask not what could this mean, but
4 what does this mean. And I asked a series of very
5 narrowly defined questions. And I said, and Ms. Fletcher
6 said, I don't know if it came from a shotgun. I don't
7 know if it came from a rifle. I can't tell if it came
8 from a pistol. I can't tell you who put it there. I
9 can't tell when it got there. What does this DNA report
10 mean, ladies and gentlemen? Absolutely nothing.

11 And how about all that GSR evidence. Mr. Goldberg
12 mentioned that to you. Ms. Holt said she took the GSR
13 swabs from Hayes's hands. What happened to them? Oh, we
14 don't run those. If they don't convict, it ain't spit.
15 Oh, we don't test those. We expect them to be positive,
16 but couldn't it have been information to talk about? No.
17 Just more potholes. More potholes on Main Street. Or
18 maybe Nathan Telford.

19 Think about Sergeant Ulmer, 15 year veteran, shift
20 supervising sergeant who's done such a good job he's now
21 been entrusted with our children in schools as a school
22 resource officer. He finds Mr. Telford standing in a
23 backyard with two deceased people in the front yard, a
24 man shot through the face on a stack of beer cans so big
25 it shows up on Google Earth and he finds a shotgun and

1 nearby are .40 caliber projectiles and nobody is curious
2 whether he's fired a weapon. Nobody takes GSR from
3 Nathan Telford. Why doesn't make sense if an
4 investigation is truly about finding out what happened?
5 And what name popped up? And the blinders went on,
6 everything else was discounted.

7 And the Crown Vic. Again, ladies and gentlemen, the
8 rest of the story. Investigator Hinson who I've known
9 forever, nice young man, he drug it out of the woods
10 somewhere. Who is it registered to? A couple pictures I
11 think showed a paper tag from the dealership. Who is
12 this car registered to? Wouldn't you like to know that?
13 Whose car is this? I bet they told you it's register to
14 Mr. Doctor. Okay. Paper tag. I go along with that.
15 Anybody go to the car lot and talk to them? Who bought
16 this car like soon, recently? Go talk to that person.
17 It's evidence, ladies and gentlemen, but in this case
18 those blinders were on. Nobody cared.

19 And, you know, sometimes things aren't as they seem.
20 Mr. Goldberg, Ms. Gaston talked to you in opening, Mr.
21 Goldberg a few moments ago and talked to you about
22 circumstantial evidence. Why is the rest of the story,
23 why is a complete, a complete investigation so important?
24 They told you a minute ago about the sprinklers in the
25 front yard. You go out and your car is wet, the grass is

1 wet, and water is everywhere, and with circumstantial
2 evidence circumstantially you could reasonably infer that
3 it rained. If you stopped right now and suppose I walk
4 over to Mr. Kelly and say, Mr. Kelly, we sure must have
5 had a gully washer, everything's wet. And he looks at me
6 and he says, no, Tate. Sprinklers been on all morning.
7 If you look for the truth, you may actually find it.

8 As to anger from Mr. Doctor, to say when Mr. Doctor
9 was angry when another person, Mr. Glenn, points an
10 assault rifle, a rifle so powerful it's what the SWAT
11 team carries, it's what combat soldiers carry, and he
12 takes it away from him and leaves with it, what could
13 have happened the night before with this person, that's
14 the reason.

15 In just a moment the Judge is gonna charge you on
16 the law. That means she's gonna tell you what the law is
17 in this case. She's in charge of that. I'm not gonna
18 stand here and tell you what she's gonna tell you because
19 she's gonna tell you, okay? I'm not gonna go down that
20 road, but the word she's gonna use, the one thing I will
21 talk about is called reasonable doubt. In South Carolina
22 we've got a pretty good definition. Reasonable doubt is
23 that doubt which would cause a reasonable person to
24 hesitate to act. What's that act in this case? If
25 you're not sure, that's not guilty. If you're confused,

1 because the burden is always theirs, if you're confused,
2 that's not guilty. Possibly could have happened, not
3 guilty. Likely? I don't know. Not guilty. Possibly?
4 Not guilty.

5 Reasonable doubt can be created by facts, ladies and
6 gentlemen, or reasonable doubt can be created by what
7 didn't happen which is the case here. No one saw who
8 shot Justin Glenn. No one saw who shot Christina Hayes.
9 No one saw Mr. Dickerson get shot in the backyard. Who
10 fired the .380? What sort of bullet hit Mr. Dickerson?
11 Where is the .40 cal? What was in the trailer in the
12 middle of this thing? Who was in the trailer? Where are
13 all these other guns? Where did they come from? Where
14 did they go? Why didn't somebody go look?

15 As to Mr. Doctor's statement from Mr. Bland and from
16 the video, we sort of started in the middle of things
17 when we come into the interview room. You will see the
18 first part of the video, and it's kind of clean looking,
19 you know? And if you notice, the camera just shows one
20 investigator, but if you listen closely you realize there
21 are two people in there. That room is about the size of
22 a closet. I used to say phone booth, but we don't even
23 know what those are anymore. We don't have them. About
24 the size of a closet. And how did Mr. Doctor get in that
25 closet? You heard the police were looking for him. He

1 called them or a family member called and the next thing
2 he knows the fugitive apprehension team is around the
3 house. I would suggest to you, ladies and gentlemen,
4 they don't wear coats and ties and knock politely, and
5 placed in a car and handcuffed and shackled and brought
6 to the Sheriff's Department and dumped in this room with
7 these two big guys who tell him, and it's on video, we
8 are charging you with two counts of murder and one count
9 of attempted murder and he was confused. Who wouldn't
10 be. And watch. Investigator Bland, I asked him, trained
11 in body language? Yes. Pay attention to that? Yes.
12 Lot of information comes from that? Yes. Wouldn't tell
13 me much else, but he would give me that.

14 When you get back to the jury room, you'll have all
15 this stuff with you, anything that's been introduced into
16 evidence. Look at that form. Look at that advisement of
17 rights, two parts of it. The first part is the first
18 part of the story. The second part is the second part of
19 the story, the rest of the story. The second part is
20 that waiver of rights. I'm not signing it. Don't
21 you want to talk to us? And do what Investigator Bland
22 is trained to do, watch. Watch. And this is what you'll
23 see, exactly what you'll see. Shakes that head. But any
24 normal person, and Mr. Doctor, any reasonable person
25 would think, what in the heck is going on here? How do

1 they think I fit into this puzzle? A man who tells about
2 the night before when a gun was pointed at him and he
3 told the fellows when everybody calms down, I'll give it
4 back to you.

5 So much unfinished business, too many potholes in
6 this road. And the double aught buckshot shell, maybe
7 they had found that maybe if they looked. I would
8 suggest to you if they looked - they didn't look in the
9 trailer or in the motorhome or in the Mercedes, they
10 probably didn't look under it, might it have been
11 somewhere? And they want to tell you all about the, uhm,
12 and I think you get the shotgun shell, too, in the box,
13 we don't expect to find fingerprints on those because of
14 our DNA because of the pressure and the temperature in
15 the chamber of the weapon when the round is fired. Okay.
16 I'll give you that. You know, if the gunless theory is
17 correct, that maybe that buckshot went off first, that
18 shell would have had to been removed. Remember how slow
19 that process was? A trained firearms instructor with the
20 Sheriff's Office couldn't even pop it out of there
21 without having to mess with it a lot, but if there's some
22 DNA there, maybe we would have known who shot it.

23 Even firearms expert Ms. Metz, we learned a lot
24 about shotguns and barrel lengths and shot spread and
25 shot baskets and all sorts of things. The most important

1 thing she said from my perspective is was there a single
2 thing from all this examination and all these tests that
3 in any way implicated Mr. Doctor. And she told me no.
4 She told you no more importantly.

5 Shortcuts, half complete investigations, and a man
6 on trial. An investigation with a focus. If it don't
7 convict, it ain't spit. Ladies and gentlemen, sometimes
8 we just don't know because we weren't given an
9 opportunity to know. This case has more holes than an
10 old pine tree attacked by a family of woodpeckers,
11 completed through a suspect centered investigation, the
12 view of a Charleston carriage horse with blinders, blind
13 evidence that doesn't fit the theory. And that, ladies
14 and gentlemen, is called reasonable doubt. If there is
15 reasonable doubt, your verdict must be not guilty.

16 You're the eraser. Erase this mistake. The only
17 reasonable verdict in this case is not guilty. Not
18 guilty. Thank you and thank you so much for being in
19 this incredibly special place.

20 THE COURT: Does anybody need a break? Raise your
21 hand if you need a break. No. Okay.

22 Ladies and gentlemen, it is now time for me to
23 charge you on the law that applies to this case. I
24 remind that during this trial you and I have certain
25 duties to perform. As the trial Judge, it is my

1 door, they will bring you this binder that includes the
2 jury instructions and the indictments. They will also
3 bring you the evidence. When you get all of that stuff,
4 that will be your signal to begin deliberations. You
5 will continue to deliberate until you have reached a
6 verdict.

7 As you know, we have ordered lunch for you and that
8 lunch should be here. Whether you eat while you
9 deliberate or eat first and then deliberate, it's totally
10 up to you, but when you return to the jury room, don't
11 begin to discuss the case yet. Just decide who the
12 foreperson is, write that juror number on a piece of
13 paper and hand it out to the bailiff and they will let me
14 know. So please return to your jury room. The
15 alternates can stay actually.

16 (Whereupon, the jury entered the jury room at 12:05
17 p.m.)

18 THE COURT: Any objection as to the jury charge from
19 the State?

20 MR. GOLDBERG: No, Your Honor.

21 THE COURT: From the defense?

22 MR. TATE: No, Your Honor. Thank you.

23 THE COURT: All right. Were we able to fix the
24 laptop issue and get sound playing?

25 MR. GOLDBERG: Yes, ma'am.

1 THE COURT: So we have a laptop to send back there.
2 Also, if y'all, I'm about to dismiss the alternates.
3 Y'all can come forward and begin to check the evidence.
4 I don't want - either the firearm can go back or the
5 ammunition, not both at the same time. I know with the
6 shotgun there's at least a casing. I know it's a spent
7 casing, but I rather it stay here. In fact, we can
8 probably just leave the firearms out here until they
9 request it and we'll send the ammunition back or do you
10 want it the other way? Okay. We'll send the firearms
11 back and not the ammunition.

12 MR. GOLDBERG: There's only one firearm.

13 THE COURT: Right. The other one was shown. All
14 right. Okay. Y'all go ahead and do that. Alternates,
15 y'all can come forward. Thank you for your service. You
16 are our backup jurors in the case, you know, if one of
17 the other 12 didn't make it to the finish line, but they
18 all did so we thank you for your time, for your
19 attention, for your service. You are now done with jury
20 service this week. You're done with jury service this
21 year. You're not eligible to serve on a jury, let me
22 clarify, in the Circuit Court for the remainder of 2022.
23 If you're summoned to Magistrate Court, Municipal Court,
24 I can't help you with that. Federal Court, can't help
25 you.

1 Also, if you are summoned in 2023 or 2024 you can
2 exercise an exemption. You'll have to appear, but tell
3 that Judge that you served on a jury this week and they
4 should let you go. If you need a work excuse, you can go
5 back down to the jury assembly room. I'm gonna excuse
6 you out the back so you can grab your lunch because we
7 ordered lunch for you as well, you can get your cell
8 phones, you can turn in your badges and all of that.

9 You're now free to discuss the case with whoever
10 you want to discuss it with. If you want to come back in
11 the courtroom and talk to the lawyers or talk to anyone,
12 whoever, you're welcome to do that, you can post it on
13 social media, I don't care. Do whatever you want at this
14 point. If you don't want to talk to anybody or don't
15 want them to talk to you, you'll go out the same way you
16 came in. It's very non confrontational that way. You
17 can go about your week. Y'all have a good weekend.
18 Thank you.

19 (Whereupon, the jury instructions, verdict form, and
20 evidence sent back to the jury room and deliberations
21 began at 12:15 p.m.)

22 (Jury deliberation recess.)

23 (Jury question.)

24 (Whereupon, Court's Exhibit #5 and #6 marked for
25 identification.)

1 THE COURT: Okay. Do we know why we're here?

2 MR. GOLDBERG: No.

3 THE COURT: I don't even remember. They want to
4 rehear testimony. I forget which witness though. Ms.
5 Melton. So the delay has been getting that cued up and
6 ready for them, but that's what we're gonna do. Bring
7 the jury please.

8 (Whereupon, Court's Exhibit #7 marked for
9 identification.)

10 (Whereupon, the jury entered the courtroom at 2:45
11 p.m.)

12 (Whereupon, the testimony of Stacy Melton was played
13 for the jury.)

14 THE COURT: All right. Ladies and gentlemen, please
15 return to your jury room and continue to deliberate.
16 Thank you.

17 (Whereupon, the jury entered the jury room at 3:45
18 p.m. and continued deliberations.)

19 THE COURT: Okay. We'll break until we hear further
20 from the jury.

21 MR. GOLDBERG: Thank you, Your Honor.

22 MR. TATE: Thank you, Your Honor.

23 (Jury deliberations recess.)

24 BAILIFF: Remain seated. Court come to order.

25 THE COURT: All right. We've got another note from

1 the jury that says, the jury cannot come to a unanimous
2 verdict. What says the State?

3 MR. GOLDBERG: Your Honor, we would ask for the
4 Allen charge.

5 THE COURT: What says the defense?

6 MR. TATE: Your Honor, I've been back looking at the
7 Taylor decision and it's only been three hours, I
8 believe, since they began deliberations. I would like
9 them to work a little bit.

10 THE COURT: Say that again.

11 MR. TATE: I would like for them to maybe
12 reconsider, but I don't think it's time for an Allen
13 Charge. An Allen charge is dangerous.

14 THE COURT: What would you suggest that I do, just
15 leave them in there, hold them captive?

16 MR. TATE: At least tell them to keep working. Let
17 me check with co-counsel here. Your Honor, I'm looking
18 at page 5 of Taylor.

19 THE COURT: You will have to give me a citation.

20 MR. TATE: I think we have a copy. I have a copy
21 for Mr. Goldberg, one that I haven't put my pencil all
22 over. South Carolina has approved a modified Allen
23 charge.

24 THE COURT: You need to give me a copy or a
25 citation.

1 MR. TATE: A citation, Your Honor.

2 THE COURT: I have my laptop. The citation is fine.

3 MR. TATE: (Proffering.) Thank you. I didn't want
4 to hand up one that I had already colored on. Your
5 Honor, what is disfavored is coercion. It's so easy to
6 have a coercive charge that authority of both -- I'm
7 sorry. Both the majority and the minority can't be
8 singled out and cannot be directed to jurors in minority.
9 South Carolina has approved use of a modified Allen
10 Charge which must be neutral and even handed. The trial
11 Judge has the duty to urge jurors to reach a verdict, but
12 must do so in a way that that does not coerce them
13 eroding their independent impartiality. I also read in
14 the opinion to you that possibly the most important thing
15 is that the charge should in no way encourage a hesitant
16 juror to give up their convictions to merely concur, and
17 I'm paraphrasing the headnotes.

18 And, of course, the procedure laid out is 14-7-1330,
19 when a jury after due and thorough deliberation on any
20 cause, returns to court without having agreed upon a
21 verdict, the Court may state anew the evidence or any
22 part of it, we've done that, and explain to it anew the
23 law applicable to the case. You gave them a set of
24 charges I believe to take with them. If it returns a
25 second time without having agreed upon the verdict, it

1 shall not be sent out again without its own consent it
2 shall ask from the Court some further explanation of the
3 law.

4 What I'm a little unclear on is where in one and two
5 the Allen Charge would actually be given, the first
6 instance or the second. We can't send them out after the
7 second without their consent and I assume their consent
8 would be after some sort of colloquy with the Court as to
9 we think we may be able to do something, but if Your
10 Honor does choose to deliver the Allen Charge, we would
11 ask it be consistent with Taylor. Your Honor, I think
12 this is probably the quickest I've ever had this.

13 THE COURT: Well, South Carolina code section
14 14-7-1330 has been interpreted as not, or barring the
15 Court from giving the Allen Charge twice. Generally if
16 there's an Allen Charge given, they're sent back out, and
17 if they are still at an impasse, then the Court could
18 inquire of the jury as to whether some further
19 explanation of the law would benefit them and it is only
20 with their consent after first receiving the first Allen
21 Charge that they can be sent back a second time,
22 otherwise the Court should declare a mistrial. I do have
23 an Allen Charge that I believe is consistent with State
24 v. Taylor that is not in my mind coercive and so I plan
25 to give the Allen Charge to the jury.

1 MR. TATE: Thank you, Your Honor.

2 THE COURT: Bring the jury please.

3 BAILIFF: Yes, Your Honor.

4 THE COURT: I'm sorry. Did you have something else,
5 Mr. Tate?

6 MR. TATE: I'm sorry.

7 THE COURT: Did you have something else? You stood
8 up.

9 MR. TATE: No. I said thank you. I'm sorry.

10 THE COURT: Okay. Bring the jury.

11 BAILIFF: Yes, Your Honor.

12 (Whereupon, the jury entered the courtroom at 4:35
13 p.m.)

14 THE COURT: All right, folks, I've received your
15 most recent note and the Court's response is as follows:
16 Ladies and gentlemen of the jury, when any matter is in
17 dispute, it is not always easy for even two persons to
18 agree. Therefore, I understand when 12 persons must
19 agree, it becomes much more difficult, but it is
20 important that this case be ended, if it can be ended
21 without a single one of you doing violence to your
22 conscious.

23 It is your duty as jurors to consult with one
24 another and to deliberate with a view toward reaching
25 toward reaching an agreement, if you can do so without

1 violence to your individual judgment. Each of you must
2 decide the case for himself or herself, but do so only
3 after impartial consideration of the evidence in the case
4 with your fellow jurors. In the course of your
5 deliberations do not hesitate to re-examine your own
6 views and change your opinions if convinced that your
7 opinion is erroneous. No juror is expected to give up
8 his or her opinion based on reasoning satisfactory to
9 yourself merely for the purpose of being in agreement and
10 I want you to understand that and do not surrender your
11 honest convictions as to the weight or the effect of the
12 evidence solely because the opinion of your fellow jurors
13 is contrary to your opinion or for the mere purpose of
14 returning a verdict.

15 It has never been intended that the verdict of the
16 jury should be the verdict of any one person. On the
17 other hand, the verdict of the jury is the collective
18 reasoning of all persons put together. The reason we
19 have a jury is so that we might have the benefit of the
20 collective thought and collective reasoning of the jury.
21 It may help to tell the other jurors how you feel about
22 the case and why you think as you do and I'm sure you've
23 been doing that. On the other hand, it may help if the
24 other jurors exchange views with you and I ask that you
25 listen to each other and give to the others thoughts such

1 meanings as you think they should have.

2 A mistrial of this case is a very unfortunate thing.
3 If you as a jury do not agree on the verdict, it does not
4 mean that the case is over. It just means that at some
5 future time in another term of court before me or some
6 other Judge that some other jury will sit where you are.
7 In the trial of that case, the same participants will
8 come, the same lawyers will probably come, and they will
9 basically ask the same questions and presumably will get
10 the same answers. We will go through the entire process
11 again. Now, I have no reason to believe that any other
12 12 jurors from Richland County will represent more or a
13 better cross section of the county, will be more
14 intelligent, or will be more capable of deciding this
15 matter than you are. And one day this matter will have
16 to be decided.

17 So, I'm going to ask that you return to your jury
18 room now for further deliberations and see if you can
19 reach a verdict in this case. Let me close by reminding
20 you again, that while it's important that this case be
21 ended, it should be ended in the form of a verdict
22 without any juror doing violence to his or her own
23 conscious. No juror is expected to give up an opinion
24 based on reasoning satisfactory to himself merely for the
25 purpose of being in agreement.

1 With these added instructions I'm now going to ask
2 that you retire to your jury room and deliberate further.
3 Thank you.

4 (Whereupon, the jury entered the jury room at 4:40
5 p.m. to continue deliberations.)

6 THE COURT: Any objection to that charge from the
7 State?

8 MR. GOLDBERG: No, Your Honor.

9 THE COURT: From the defense?

10 MR. TATE: Nothing from the defense, Your Honor.

11 THE COURT: Okay. We'll be in recess while we wait
12 for the jury.

13 (Jury deliberation recess.)

14 BAILIFF: All rise. Please be seated.

15 THE COURT: I understand the jury has reached a
16 verdict. Please bring the jury.

17 (Whereupon, the jury entered the courtroom at 5:00
18 p.m.)

19 THE COURT: All right. Madam Foreperson, I
20 understand the jury has reached a verdict; is that
21 correct?

22 MADAM FOREPERSON: That's correct.

23 THE COURT: Is it unanimous?

24 MADAM FOREPERSON: That's correct.

25 THE COURT: On each of the indictments?

1 MADAM FOREPERSON: That's correct.

2 THE COURT: All right. Would you hand those
3 indictments to the bailiff who will bring it to the clerk
4 for me.

5 MADAM FOREPERSON: (Proffering.)

6 THE CLERK: Thank you.

7 THE COURT: All right. Madam Clerk, will you
8 publish the verdict.

9 THE CLERK: Yes, Your Honor. Indictment number
10 2020-GS-40-4195, the State of South Carolina versus
11 Demetrick Doctor, indictment for murder, we, the jury,
12 find the defendant guilty. Indictment number
13 2020-GS-40-4196, the State of South Carolina versus
14 Demetrick Doctor, we, the jury, find the defendant guilty
15 of murder. Indictment number 2020-GS-40-4197, the State
16 of South Carolina versus Demetrick Doctor, indictment for
17 attempted murder, we, the jury, find the defendant
18 guilty. Signed by number 306, the foreperson, April the
19 22nd, 2022. Madam Forelady, were these your verdicts and
20 the verdicts of the entire jury?

21 MADAM FORELADY: That is correct.

22 THE CLERK: Thank you.

23 THE COURT: Anything from the State before the jury
24 is released?

25 MR. GOLDBERG: No, Your Honor.

1 THE COURT: From the defense?

2 MR. TATE: We would ask the Court to poll the
3 jury.

4 THE COURT: Madam Clerk, will you please poll the
5 jury.

6 THE CLERK: Yes, Your Honor. Ladies and gentlemen
7 of the jury, I'm gonna ask you two questions related to
8 your verdicts. Please answer yes or no to both
9 questions. Number 306, were these your verdicts?

10 ANDREA D. SWEAT: Yes.

11 THE CLERK: Are they still your verdicts?

12 ANDREA D. SWEAT: Yes.

13 THE CLERK: Number 233, were these your verdicts?

14 TRAVIS J. NELSON: Yes.

15 THE CLERK: Are they still your verdicts?

16 TRAVIS J. NELSON: Yes.

17 THE CLERK: Number 351, were these your verdicts?

18 LISA D. BATTS: Yes.

19 THE CLERK: Are they still your verdicts?

20 LISA D. BATTS: Yes.

21 THE CLERK: Number 108, were these your verdicts?

22 ANN M. GAYLE: Yes.

23 THE CLERK: Are they still your verdicts?

24 ANN M. GAYLE: Yes.

25 THE CLERK: Number 80, were these your verdicts?

1 DIANNA L. DEADERICK: Yes, ma'am.
2 THE CLERK: Are they still your verdicts?
3 DIANNA L. DEADERICK: Yes, ma'am.
4 THE CLERK: Number 348, were these your verdicts?
5 WILLIE C. WISE: Yes.
6 THE CLERK: Are they still your verdicts?
7 WILLIE C. WISE: Yes.
8 THE CLERK: Number 253 are these your verdicts?
9 COURTNEY J. QUEEN: Yes.
10 THE CLERK: Are they still your verdicts?
11 COURTNEY J. QUEEN: Yes.
12 THE CLERK: Number 160, were these your verdicts?
13 VICTORIA KELLY: Yes.
14 THE CLERK: Are they still your verdicts?
15 VICTORIA KELLY: Yes.
16 THE CLERK: Number 42, were these your verdicts?
17 DONNELL R. BYAS: Yes.
18 THE CLERK: Are they still your verdicts?
19 DONNELL R. BYAS: Yes.
20 THE CLERK: Number 90, were these your verdicts?
21 FRANKIN M. EKANEM, JUNIOR: Yes.
22 THE COURT: Are they still your verdicts.
23 FRANKIN M. EKANEM, JUNIOR: Yes.
24 THE CLERK: Number 171, were these your verdicts?
25 MARK E. KREUZ: Yes.

1 THE CLERK: Are they still your verdicts?

2 MARK E. KREUZ: Yes.

3 THE CLERK Number 288, were these your verdicts?

4 JANIE R. SIMS: Yes.

5 THE CLERK: Are they still your verdicts?

6 JANIE R. SIMS: Yes.

7 THE CLERK: The jury has been polled, Your Honor.

8 THE COURT: All right. Thank you. Anything further
9 from the defense before the jury is dismissed?

10 MR. TATE: I'm sorry. Not before the jury is
11 released, Your Honor.

12 THE COURT: Okay. Ladies and gentlemen of the jury,
13 thank you for your service. Thank you for your close
14 attention to the attorneys, to the evidence, to the
15 witnesses, to the testimony, and to the Court. We can't
16 do what we do without people like you willing to show up
17 and serve and do what you have done so as I told you in
18 my jury charge, now that you have reached a verdict and
19 have deliberated fully, no one has the right to criticize
20 your verdict. For better or worse it is what it is, and
21 so we absolutely thank you for that. I know this was not
22 an easy case, but we appreciate your patience and
23 attention to everything that went on.

24 As I told you, this was a very important matter for
25 Mr. Doctor, for the State, for the families of the

1 victims and everyone involved, so on behalf of everyone I
2 thank you. Your jury service is now complete, that means
3 you're free to talk to whomever you want to talk to about
4 this case. I will no longer tell you not to discuss the
5 case with anyone. You can talk to whoever you would like
6 to talk to about it. You are no longer eligible to serve
7 on a jury in Circuit Court for the remainder of 2022. If
8 you are summoned for jury duty in Circuit Court in 2023
9 or 2024, you will have to appear, but you can exercise an
10 exemption by telling the Judge that you served on a jury
11 this week in Richland County and they should let you go.

12 If you need a work excuse --

13 THE CLERK: I have them in the back.

14 THE COURT: Okay. Madam clerk is going to bring
15 them to you in the back so as you're filing out, getting
16 your cell phones and any leftovers you may have from
17 lunch or whatever your personal items, she will make sure
18 that you have work excuses. I assume the check is in the
19 mail or is the check with the work excuse?

20 THE CLERK: It's already loaded today on their card.

21 THE COURT: Okay. There you go. So that's taken
22 care of. So the next phase of this process will be to
23 sentence Mr. Doctor for the crimes for which he's now
24 been convicted. In some states that happens a number of
25 days, weeks or months after conviction. In South

1 Carolina we do it immediately generally speaking with
2 very few exceptions so this evening I will sentence
3 Mr. Doctor on the charges he has been convicted of. It
4 will start in about 10 minutes after you're released from
5 the courtroom. We just have to get some paperwork
6 together. I tell you that because although you will now
7 be free to go, if you are interested in the absolute
8 conclusion of this, the sentencing and all of that,
9 you're absolutely welcome to come back in the courtroom.
10 You will go back to the jury room, you'll get your
11 things, you'll get your work excuse, your cell phones and
12 all of that, you can file out the same way you came in,
13 but you can come back in this back door right here and
14 have a seat back here in the gallery where everyone else
15 is seated if you are interested in the sentencing
16 process. So with that, I thank you once again and you
17 are free to go.

18 (Whereupon, the jury was released from further jury
19 duty at 5:15 p.m.)

20 THE COURT: All right. Any motions from the
21 defense?

22 MR. TATE: Yes, Your Honor. The defense would move
23 first to renew all prior objections. We would renew our
24 motion for directed verdict and ask the Court to reverse
25 themself and grant that. Secondly, and probably most

1 important given the expediency of the return of the jury
2 after the Allen Charge, we believe the only suggestion
3 would be that the deliberation was coercive and we would
4 ask the Court to declare a mistrial at this time.

5 THE COURT: Respectfully denied, sir.

6 MR. TATE: Thank you.

7 THE COURT: Anything further before we move to
8 sentencing? Let's take just five or ten minutes. The
9 State needs to get some paperwork together and we'll come
10 back for sentencing in just a few minutes.

11 (Short break.)

12 THE COURT: Do we have some motions? Okay.

13 MR. TATE: Your Honor, if I may.

14 THE COURT: Yes, sir.

15 MR. TATE: On my prior motion for mistrial, I did,
16 and I realize the court reporter's transcript will
17 certainly have time stamps, but we came back in and Your
18 Honor did the Allen Charge at 4:34. I would note, of
19 course, it took about five minutes and then at 4:56 I
20 received a call from the clerk's office to come back to
21 the courtroom, that the jury was hung. I wanted to
22 develop that in the record because I was less than clear
23 previously.

24 THE COURT: Yes, sir. And, of course, the record
25 will reflect the time stamps. I think it was a little

1 longer than five minutes, but that is what it is.

2 MR. TATE: Thank you, Your Honor.

3 THE COURT: All right. Any reason we shouldn't do
4 sentencing this afternoon?

5 MR. TATE: Not from the defense.

6 THE COURT: Let me hear from the State.

7 MR. GOLDBERG: Thank you, Your Honor. May it please
8 the Court. Very quickly in terms of prior record,
9 there's a prior conviction in 1991 for grand larceny and
10 a second degree larceny and driving under the influence.
11 But most notably as I provided the Court with prior to
12 the trial, Mr. Doctor has a prior conviction on
13 indictment 1996-GS-40-7453 for voluntary manslaughter in
14 1996 in which he was sentenced to 24 years incarceration.
15 And on April the 6th serving Mr. Doctor with notice of
16 the State's intention of seeking life without parol and
17 so based upon that we believe that that would be the
18 appropriate sentence. At the appropriate time some
19 family members would like to address you.

20 THE COURT: I'm happy to hear from them now. Give
21 me your name please.

22 CAROLYN JONES: Judge, my name is Carolyn Jones.
23 First I want to start by saying thank you. Thank you,
24 the Solicitor's Office, members of this court, law
25 enforcement, everyone in their respective places thank

1 you for doing what it is that you actually do. It's a
2 confusing week. I would not want to waste any of your
3 time, but I feel compelled to say just a little bit about
4 my baby Justin. Justin was the youngest of four boys, a
5 preemie child labor, early in life because of a learning
6 disability, really typical boy, born in the era of 1995
7 children and later. But as a parent I held myself
8 accountable for not just Justin, but any of my children's
9 actions and I have always talked to them about doing the
10 right thing because it's the right thing to do. I make
11 no excuse for anything that Justin choose because they
12 get to decide what it is they want to do. But I will say
13 to the Court today that there is nothing that Justin
14 could have done that would have warranted the heinous
15 crime that was committed on October 3rd.

16 October 3rd changed my life forever. It will never
17 be the same. But I still don't -- I listen to God,
18 Judge. And I still live by his word and I give his word
19 back to him, so today I'm thankful, but I extend my words
20 to Mr. Doctor. My prayer is that Mr. Doctor will find
21 comfort, that he make peace with God. I can't give an
22 account for that, but I'll continue to pray for him
23 because somewhere along the line something just didn't go
24 right. He allowed what so many young people today allow
25 to take control, that thing called anger.

1 be a life sentence at his age.

2 THE COURT: Does the defense take the position that
3 the Court has discretion now that the notice for intent
4 to seek life without parol has been served apparently
5 evidently properly served, timely served on Mr. Doctor,
6 where does the Court have discretion?

7 MR. TATE: The Court still has discretion. The
8 notice is upon the State seeking. The Court here has
9 discretion to sentence at the statutory minimum of 30
10 years.

11 THE COURT: Mr. Doctor, is there anything that you
12 would like to say?

13 DEMETRICK DOCTOR: No, Your Honor.

14 THE COURT: Mr. Goldman.

15 MR. GOLDMAN: Thank you, Your Honor. May it please
16 the Court.

17 THE COURT: Yes, sir.

18 MR. GOLDBERG: Your Honor, correct me if I'm wrong,
19 but I believe the statute, for the record, 17-25-45
20 states notwithstanding any other provision of law except
21 in cases in which death penalty is imposed, upon a
22 conviction for a most serious offense as defined by this
23 section, for which murder would apply as a most serious
24 offense, a person must, must be sentenced to a term of
25 imprisonment for life without the possibility of parole

1 if that person has, among other things, a prior
2 conviction for a most serious offense and in this
3 scenario with Mr. Doctor's prior manslaughter conviction
4 is a most serious offense. We believe that it triggers
5 that must language to sentence him to life. Thank you.

6 THE COURT: Mr. Tate, any response?

7 MR. TATE: No response, Your Honor.

8 THE COURT: The statutory language requires that
9 this Court impose a sentence of life without the
10 possibility of parole for this conviction so
11 unfortunately, Mr. Doctor, I have some familiarity with
12 some of your family members. In fact, that familiarity
13 comes through the criminal justice system and so I don't
14 know if you just never knew any better or if crime is
15 just sort of a way of life or whether you actually
16 thought you were doing something good out there that
17 night.

18 I think Investigator Bland referred to it as self
19 justice, and maybe Mr. Goldman said street justice, and
20 maybe that's what it was. I don't know. Or maybe you
21 thought because there was some drug dealing going on that
22 not only was it the right thing, but that Justin didn't
23 matter to the world or to the people out there. I don't
24 know, but each of these people whose lives you have
25 impacted were someone's child or parent or sibling or

1 friend at least and you've not only changed, ended the
2 lives of two people, but permanently changed the life of
3 a third and all of their friends and family and that's a
4 very, very unfortunate thing so I don't know what the
5 thought process was. You didn't tell us. You didn't
6 have to tell us, of course, but it's a very unfortunate
7 thing that you have taken lives, permanently impacted
8 lives and for that you must give up your freedom for the
9 rest of your life. On the charge of attempted murder,
10 2020-GS-40-4197 the sentence is 30 -- No. That's an LWOP
11 too?

12 MR. GOLDBERG: Yes.

13 THE COURT: Exactly. Sorry. On all three charges,
14 convictions, the sentence, Mr. Doctor, is you be
15 committed to the State Department of Corrections for the
16 remainder of your life without the possibility of parole.
17 Good bless you, sir.

18 DEMETRICK DOCTOR: Excuse me, Your Honor. May I say
19 something to you?

20 THE COURT: Yes, sir.

21 DEMETRICK DOCTOR: And I don't know if it matters,
22 but if I told you, uhm, I got a history with your family
23 also. It was about my sentence that Mr. Newman, Your
24 Honor, Mr. Newman, he's your father, right.

25 THE COURT: My father's name is Mr. Newman, yes.

1 DEMETRICK DOCTOR: Is he a - is he a justice? Is he
2 a --

3 THE COURT: He is a Judge.

4 DEMETRICK DOCTOR: -- Judge. Uhm, I had a hearing
5 with your father before. He had a hearing where I had
6 charges with stabbing a correction officer. At the end
7 of the hearing he had a few words to say. He told me if
8 I ever came to the courtroom again, he would do, would
9 basically give me the maximum whatever it is, you know,
10 but when he did that, I asked, did disrespectful things
11 to him. I didn't know if it mattered when you was asking
12 the rest of the jurors in the courtroom if they had any
13 association with other people related to this case or,
14 you know, of any history with people involved with this
15 trial and you actually dismissed a few jurors because
16 they said they had, you know, various relation with
17 people and I was wondering, and I asked my counsel to
18 bring it to your attention earlier when I first found out

19 that you were indeed in relation with somebody that I
20 had, you know, dealings with in the past and they told me
21 it was against my best interest to mention that to you.

22 You know, I don't know if you had prior knowledge,
23 notice or have your father talk to you or explain to you
24 who I was in relation to him in the past. And I wouldn't
25 know if it had any bearing on your decisions or, you

1 know, to the fact that you overruled certain objections
2 and, you know, basically had a great influence over the
3 running of this hearing. Uhm, I just, you know, wanted
4 to let you know that we did have, you know, an incident
5 before. I do feel like it was prejudice -- you know what
6 I'm saying? -- between yourself and myself over that.
7 It may not be true. I'm not accusing you of anything,
8 you know, corrupt or anything because I respect you as
9 Your Honor. I wouldn't call you Your honor if I didn't
10 respect you. So in light of that, that's what I had to
11 say, you know, between me and you, but I wanted to wait
12 until you finished your job first.

13 THE COURT: Yes, sir. But this is the first I'm
14 hearing of that. I've not had a single conversation with
15 my father about any prior criminal history, any of his
16 dealings with you. I know nothing of what you're
17 speaking about. The first time I'm hearing any of that
18 is from your mouth as you stand here today and so I could
19 not have possibly been influenced by that because I was
20 not aware of that.

21 My job is to apply the law as fairly and impartially
22 as I know how to and I have done that throughout the
23 course of this trial, whether that's sustaining an
24 objection, overruling an objection, excluding evidence or
25 not. I believe that I've done my job and complied with

1 my oath uninfluenced by any history of hearing your
2 family name. Certainly uninfluenced by anything that my
3 father may have said to you or interactions that he had
4 with you because as I indicated I knew nothing of that
5 until you just told me and so that is what it is. The
6 jury has convicted you. I am required by law to impose
7 the sentence that I have imposed. There is absolutely no
8 discretion involved and that's why I asked Mr. Tate about
9 it and Mr. Goldberg was kind enough to pull the statute
10 and read the language for us. I have no discretion in
11 the sentencing in this matter, so your sentence on all
12 charges is life without the possibility of parole. Good
13 luck to you, sir.

14 MR. GOLDBERG: Thank you, Your Honor.

15 THE COURT: Thank you. And that concludes this
16 matter.

17 (Whereupon, Court's Exhibit #7 and #8 marked for
18 identification.)

19 WHEREUPON, THE TRIAL WAS CONCLUDED.

20

21

22

23

24

25

WITNESSES

(S) Kevin Bland
- Richland County Sheriff Dept

ARREST WARRANT NUMBER

2019A4010204096

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury OCT 14 2020
Date:

VERDICT

Guilty

Foreperson of Petit Jury

Date: 4/22/22

DOCKET NO. 2020GS4004195

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

October TERM 2020

74

THE STATE
vs.

Demetrick Doctor

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

Indictment for
MURDER

SC Code: 16-03-0010
CDR Code: 0116

COPIED

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on October 13, 2020,
 the Grand Jurors of Richland County present upon their oath:

MURDER

That Demetrick Doctor did in Richland County, on or about October 3, 2019, kill the victim, Christine Hayes, with malice aforethought, either express or implied, by means of a gun shot wound, and the victim did die as a proximate result thereof. All in violation of Section 16-03-0010, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



BYRON E. GIPSON, SOLICITOR

OCT 14 2020

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

INDICTMENT/CASE#: 2020GS4004195Demetrick DoctorA/W#: 2019A4010204096Date of Offense: 10/3/2019S.C. Code § : 16-03-0010CDR Code #: 0116

AKA:

Race: BLACK Sex: M Age: 48DOB: [REDACTED] SS#: [REDACTED]Address: Heyward Brockington RdCity, State, Zip: Columbia, SC 29203-1023DL#: [REDACTED] SID#: [REDACTED]

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 ☐ PLEADSTO: Murder / Murderin violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116☐ 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 [REDACTED] (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Goldberg, Dan72620
SC Bar#

Defendant

Tate, John William
Attorney for Defendant

SCB66065

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections ☐ County Detention Center,for a determinate term of LWOP 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:2020 GS 4004195, A-197 (April 22, 2022)☐ 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.

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 SCDBPDS

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	\$100
§14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$10	\$
§56-1-286 (DUI Breath Test)	\$25	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$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)	\$40	\$
§50-21-114(BUI Breath Test Fee)	\$20	\$
§56-5-2942(J) (Vehicle Assessment)	\$100	\$
3% to County (if paid in installments)		\$35
☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.	\$500	\$
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	\$10	\$
TOTAL		\$1238.75

Clerk of Court/ Deputy Clerk:

Jeannette Willard
DRK

Court Reporter:

Presiding Judge:

Judge Code:

Sentence Date:

Quincy Newman

WITNESSES
(S) Kevin Bland
- Richland County Sheriff Dept

DOCKET NO. 2020GS4004196
The State of South Carolina
County of
Richland

ARREST WARRANT NUMBER
2019A4010204097

COURT OF GENERAL SESSIONS
October TERM 2020
74

ACTION OF GRAND JURY
TRUE BILL

Foreperson of Grand Jury OCT 14 2020
Date:

VERDICT
Guilty

Foreperson of Petit Jury
Date: 4/22/22

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

I hereby appear in person and plead guilty to the within indictment or to

Defendant
Witness:
C.C.C. PLS. AND G.S.

Demetrick Doctor

THE STATE
vs.

Indictment for
MURDER

SC Code: 16-03-0010
CDR Code: 0116

SCANNED

FILED
OCT 13 2020
CLERK

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on October 13, 2020,
the Grand Jurors of Richland County present upon their oath:

MURDER

That Demetrick Doctor did in Richland County, on or about October 3, 2019, kill the victim, Justin Glenn, with malice aforethought, either express or implied, by means of a gun shot wound, and the victim did die as a proximate result thereof. All in violation of Section 16-3-0010, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



BYRON E. GILDON, Clerk

OCT 13 2020

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Demetrick Doctor

AKA:

Race: BLACK Sex: M Age: 48DOB: [REDACTED] SS# [REDACTED]Address: [REDACTED] Heyward Brockington RdCity, State, Zip: Columbia, SC 29203-1023DL#: [REDACTED] SID#: [REDACTED]INDICTMENT/CASE#: 2020GS4004196A/W#: 2019A4010204097Date of Offense: 10/3/2019S.C. Code § : 16-03-0010CDR Code #: 0116

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 ☐ PLEADSTO: Murder / Murderin violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116☐ 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 [REDACTED] (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Goldberg, Dan72620
SC Bar#

Defendant

Tate, John William
Attorney for Defendant

SCB66065

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections ☐ County Detention Center,for a determinate term of LWOP days/months/years/Time Served ☐ Youthful Offender Act not to exceed yearsand/or to pay a fine of \$; provided that upon the service of days/months/years/Time Served and or paymentof \$; 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: 2020GS4004196, 4197 (April 22, 2022)☐ 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

Demetrick Doctor

INDICTMENT/CASE#:

2020GS4004196

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	\$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	\$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)	\$175	\$
3% to County (if paid in installments)	TBD	\$25
☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.	\$500	\$
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$
	TOTAL	\$128.75

Clerk of Court/ Deputy Clerk:

Court Reporter:

Presiding Judge:

Judge Code:

Sentence Date:

WITNESSES

(S) Kevin Bland
- Richland County Sheriff Dept

ARREST WARRANT NUMBER

2019A4010204098

ACTION OF GRAND JURY
TRUE BILL

David C. Johnson
Foreperson of Grand Jury

Date: OCT 14 2020

VERDICT

Guilty

Andria C. Jones
Foreperson of Petit Jury

Date: 4/22/22

DOCKET NO. 2020GS4004197

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

October TERM 2020

74

THE STATE
vs.

Demetrick Doctor

Defendant

Witness:

C.C.C. PLS. AND G.S.

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and stand guilty to the within indictment or to

SCANNED

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

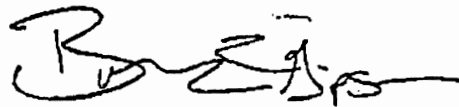
INDICTMENT

At a Court of General Sessions, convened on October 13, 2020,
the Grand Jurors of Richland County present upon their oath:

ATTEMPTED MURDER

That Demetrick Doctor did in Richland County on or about October 3, 2019, with the intent to kill, attempt to kill JOHN LEWIS DICKERSON with malice aforethought, either expressed or implied. All in violation of SC Code of Laws § 16-3-29 (1976, as amended).

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



BYRON E. GIPSON, SOLICITOR

2020 OCT 13

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland

STATE

VS.

Demetrick Doctor

AKA:

Race: BLACK Sex: M Age: 48DOB: [REDACTED] SS# [REDACTED]Address: Heyward Brockington RdCity, State, Zip: Columbia, SC 29203-1023DL#: [REDACTED] SID#: [REDACTED]INDICTMENT/CASE#: 2020GS4004197A/W#: 2019A4010204098Date of Offense: 10/4/2019S.C. Code § : 16-03-0029CDR Code #: 3410

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 ☐ PLEADSTO: Attempted MurderIn violation of § 16-03-0029 of the S.C. Code of Laws, bearing CDR Code # 3410☐ 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 [REDACTED] (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Goldberg, Dan72620
SC Bar#

Defendant

Tate John William
Attorney for Defendant

SCB66065

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections ☐ County Detention Center,for a determinate term of 90 ^{or LWOP} 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: 2020GS4004195, 496 (April 22, 2022)☒ 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.

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	\$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	\$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	\$3.75
☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.	\$500	\$
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$
	TOTAL	\$128.75

Clerk of Court/ Deputy Clerk:

Jeannette W. McBride
LeBlanc

Presiding Judge:

Judge Code:

Sentence Date:

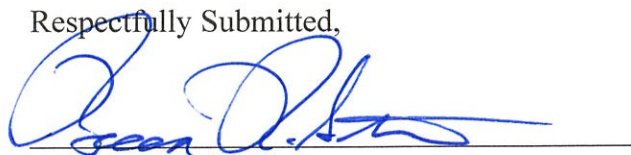
Joulyne Neuman
 2757
 April 22, 2022

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."

RECEIVED**Aug 24 2023****SC Court of Appeals**

Respectfully Submitted,



Breen Richard Stevens

Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 24th day of August, 2023.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Aug 24 2023

SC Court of Appeals

Appeal from Richland County

Honorable Jocelyn J. Newman, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DEMETRICK DOCTOR,

APPELLANT

APPELLATE CASE NO. 2022-000554

CERTIFICATE OF SERVICE

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 W. Joseph Maye, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 24th day of August, 2023.



Breen Richard Stevens
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT