

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County

Honorable D. Craig Brown, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CRAIG ANTONIO GEORGE,

APPELLANT

APPELLATE CASE NO. 2021-000581

RECORD ON APPEAL

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**THE FOLLOWING EXHIBIT IS ON FILE WITH THIS COURT:
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	)	Twelfth Judicial Circuit
County of Florence	)	Case No. 2019-GS-21-01673
	)	
State of South Carolina,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	Transcript of Record
	)	
Craig Antonio George,	)	
	)	
Defendant.	)	
	)	

May 14 & 17-19, 2021
 Florence, South Carolina

B E F O R E:

The Honorable D. Craig Brown, Judge; and a jury

A P P E A R A N C E S:

David Richardson, Esquire
 John Jepertinger, Esquire
 Attorneys for the State

William Vickery Meetze, Esquire
 Attorney for the Defendant

Krystal J. Smith
 Official Circuit Court Reporter

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20	dashes --	intentional or purposeful interruption		
21		or change in thought		
22	ellipses . . .	trailing off		
23	[ph]	phonetically written		
24	[sic]	written as said		
25				

1 MAY 14, 2021

2 (WHEREUPON, the proceedings began at 2:06 p.m.)

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

4 MR. RICHARDSON: Yes, sir, Your Honor.

5 THE COURT: Defense counsel?

6 MR. MEETZE: Yes, Your Honor.

7 THE COURT: All right. Did you file any motions, Mr.

8 Meetze?

9 MR. MEETZE: I haven't filed any written motions. I'm
10 going to make an oral one at some point.

11 THE COURT: Okay.

12 MR. MEETZE: It won't be anything that's going to be
13 very difficult to resolve.

14 THE COURT: Okay. Well, I know Mr. Richardson filed
15 some motions. Let's address, I guess, his first motion
16 concerning the religious beliefs and/or opinions. Have y'all
17 talked about that?

18 MR. MEETZE: Not particularly. Just a little bit.

19 THE COURT: Any objection to that motion?

20 MR. MEETZE: Yes, sir, Your Honor. I don't have any
21 intention on questioning her with regards to any kind of
22 religious beliefs or opinions. Obviously, that's a rule. I
23 mean I agree with the rule as it's written.

24 I think to question somebody as to whether or not
25 they're a Christian or not a Christian or whatever and then

1 impress upon a jury that somebody is either telling the truth
2 or not telling the truth based on a religious belief or
3 opinion would be inappropriate, but what I would want to
4 question her about would be a book or books that she wrote
5 that are non-fiction books of things that she claimed to be
6 absolute one hundred percent facts, and I think that's
7 different from a belief or an opinion on religion.

8 So that would be my position, and I think it's a case
9 that credibility is largely at issue in this case, and I
10 think from that standpoint it's certainly very probative for
11 the jury to hear. And again, I don't intend to ask anything
12 with regards to any opinion or belief, just things that she
13 has stated are absolute facts.

14 THE COURT: All right. Mr. Richardson?

15 MR. RICHARDSON: Judge, the basis or the books in
16 question are religious in nature. They have to do with
17 angels and the like and are premised upon, I guess, Dr.
18 George's Christian faith and her experiences and the
19 experiences of other people primarily with respect to
20 encounters with angels or the divine in some capacity.

21 And I believe based on that it falls within the scope of
22 her belief system and would tend to be overly prejudicial
23 toward her and I think would fall under Rule 610 in its
24 application.

25 I mean I think if you look at people who subscribe to

1 the Christian faith or any particular religious faith, those
2 people do believe it to be one hundred percent truth, and I
3 guess in the factual and in the traditional sense the
4 Christian belief system, one who believes that believes that
5 in the words of the Bible and that those are literally true
6 and that the supernatural or the divine was present here on
7 earth, you know, a couple thousand years ago and interacted
8 with human beings.

9 And there's basically -- the difference here is to just
10 basically say, well, if you believe the traditional
11 Christianity that all these things in the Bible happened,
12 then that's normal, but if you believe that those things are
13 possible to happen this day and age, that that's abnormal,
14 and I think that that gets into an area that 610 is designed
15 to prohibit because she believes a certain way and believes
16 that certain things have happened to her in her life are
17 factual and based on her Christian belief, and I think it
18 would be inappropriate to question her about those things.

19 THE COURT: Mr. Meetze?

20 MR. MEETZE: Judge, in just reading from the
21 introduction, it says the information I give you is fact and
22 fiction gathered from original sources. The fictitious parts
23 of this information center on the people who were involved,
24 meaning she changed the names to protect some identities.

25 Even with that, many facts regarding them are included.

1 Every word written from the angels is an absolute fact.

2 Every word written as a quote from them is a word that they
3 said exactly as they said in correct English -- incorrect
4 English and all. I'm only camouflaging people with respect
5 and to protect their privacy.

6 I don't intend to ask her if she's a Christian or not a
7 Christian or if she believes in Jesus or doesn't believe in
8 Jesus or any of that, but, you know, she writes in this book
9 that these things happened in the mid-90s, that angels came
10 down, visited them, and inhabited a host body on this earth,
11 spoke to them through this host body. That host body's mouth
12 was moving, but it was somebody else's voice coming out, and
13 she says all of this happened as a fact and that to me is not
14 asking about her religion. It's asking about an experience
15 that she and other people that she knows had and she wrote
16 about it.

17 THE COURT: I mean what's the purpose in you asking
18 those questions though?

19 MR. MEETZE: I think it goes to her credibility.

20 THE COURT: Because you think it's -- because you think
21 or your opinion is is that that in no way could have happened
22 and she's lying about it and, therefore, she's not telling
23 the truth in the court here today? I mean is that what is
24 boils down to?

25 MR. MEETZE: I think that it certainly goes to -- well,

1 I think it goes to however a jury wants to --

2 THE COURT: I mean I'm not asking -- I'm not asking what
3 --

4 MR. MEETZE: I think it goes to a very active
5 imagination and I think that that I think is -- I think it
6 goes to her credibility and I think that's the primary issue
7 in this case. And I think from that standpoint it should be
8 admissible to ask her questions about that.

9 You know, in her book, for example, as an example of an
10 opinion, she's got a glossary section where she gives
11 definitions. She defines a church as a place of deception,
12 controlled by the illegal lords, Satan, the devil, so man may
13 not know the truth that operates on -- that it operates on, a
14 pride of envy and greed.

15 To me, that's an opinion. I wouldn't ask about what her
16 definition of a church is, but the things that she says
17 happened as an absolute fact that she -- you know, I think
18 would be admissible.

19 THE COURT: All right. Well, pursuant to Rule 610,
20 which reads as follows:

21 Evidence of the beliefs or opinions of a witness on
22 matters of religion is not admissible for the purpose of
23 showing that by reason of their nature the witness's
24 credibility is impaired or enhanced.

25 I do believe that such questioning would be prohibited

1 under the rule. However, at the appropriate time, if you
2 feel necessary, I'll allow you to proffer whatever testimony
3 you need, but I do not believe that it would be permissible
4 under Rule 610.

5 But your objection, so to speak, at this point is noted
6 for the record and I certainly will allow you to proffer that
7 testimony if and when you believe is necessary. All right?

8 MR. MEETZE: Okay. Thank you, Your Honor.

9 THE COURT: Thank you.

10 All right. The next matter, I guess, was motion for
11 admission of other bad acts, to include the robbery or the
12 taking of money for purposes of paying a bondsman, as well as
13 the fact that the defendant was wearing a GPS monitor.

14 If I recall correctly, I think Mr. Richardson said that
15 he was not going to put anything up with regards to GPS and,
16 therefore, that was, in essence, withdrawn.

17 Is that right, Mr. Richardson?

18 MR. RICHARDSON: That portion, that's correct, yes, sir.
19 We're not -- we're not going to get into the GPS monitor and
20 all because what we -- the purpose for getting into that can
21 be accomplished in another way, and I don't want to risk
22 problems with prejudicial effect on the GPS monitor.

23 THE COURT: All right.

24 MR. RICHARDSON: With the other -- the bad acts of --
25 that goes to motive, the fact that he was out on bond when

1 this took place and needed money to pay a bondsman. Mr.
2 Meetze and I have spoken about this one before our hearing
3 today. I think we're in agreement that we can go into that.

4 The State's position is it goes to motive, and I did not
5 have an intention to tell the jury or ask a witness what he
6 was out on bond for at the time, and I believe Mr. Meetze
7 indicated to me that if the jury is made aware that he was
8 out on bond that he would like for them to know what offense,
9 which was a leaving the scene of an accident.

10 MR. MEETZE: You know, I just wouldn't want the jury
11 left to speculate as to what the possibility of him being out
12 on bond, what the charge would be or whatever. So I think if
13 the Court is going to allow it, I don't have any objection.
14 I think that to the issue that he was out on bond on a
15 current pending charge, I don't have any objection to that,
16 but I do think that if they're going to know that much, they
17 should know that he was out on bond for leaving the scene of
18 an accident.

19 THE COURT: Okay. So you have no objection to the State
20 putting up testimony that he was seeking money for the
21 purposes of paying a bondsman?

22 MR. MEETZE: I mean -- I mean I reserve the right to
23 rethink that.

24 THE COURT: Okay.

25 MR. MEETZE: And I --

1 THE COURT: I just want the record clear.

2 MR. MEETZE: Sure.

3 THE COURT: That's why I'm asking that.

4 MR. MEETZE: I mean I -- and I understand how the State
5 -- I mean I don't think the State can ask an opinion of a
6 witness, you know, do you think they were -- he was asking
7 for money, you know robbing her for money. I think that's
8 something that can be argued, but I think it can be argued in
9 a number of different ways.

10 MR. RICHARDSON: Judge, just to kind of clarify what we
11 intend to put up with respect to that issue, we have the
12 bondsman on the leaving the scene charge, who would testify
13 that he communicated with the defendant and the gist of that
14 communication was you owe me this money and if I don't get
15 paid, I'm putting you back in jail, like, quickly. And that
16 would be the testimony of the bondsman.

17 And we also -- it's also mentioned in the defendant's
18 statement that he was interacting with this bondsman trying
19 to get him paid. And also in his interactions with the
20 victim in the case, that she was aware that there was a bond
21 or he owed money to a bondsman, I believe. So it goes to
22 motive and that's -- those are the sources from the stand
23 where it would be discussed.

24 THE COURT: Any objection to that, Mr. Meetze?

25 MR. MEETZE: No, Your Honor.

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 THE COURT: Okay. What else?

2 MR. RICHARDSON: We have a *Jackson v. Denno* hearing. I
3 think we already gave you a copy of the redacted version and,
4 at this point, Mr. Meetze indicated to me that he's listened
5 to it and doesn't have an issue with it at this time, but I
6 do have Inv. Cantey here with the City that we would put up
7 to go over the *Jackson v. Denno* issues.

8 THE COURT: All right. Let's do it.

9 MR. RICHARDSON: All right. The State would call Jimmy
10 Cantey.

11 THE CLERK: Please place your left hand on the Bible and
12 raise your right hand.

13 Do you swear or affirm that the testimony you give in
14 this case will be the truth, the whole truth, and nothing but
15 the truth, so help you God?

16 THE WITNESS: I do.

17 THE CLERK: Please be seated and state your full name
18 for the record.

19 THE WITNESS: Jimmy Cantey.

20 MR. RICHARDSON: All right. Thank you, Your Honor.

21 JIMMY CANTEY, being first duly
22 sworn, testified as follows:

23 DIRECT EXAMINATION

24 BY MR. RICHARDSON:

25 Q: Inv. Cantey, are you the lead investigator on this case

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 involving Craig George?

2 A: I am.

3 Q: And did you, as part of your investigation in this case,
4 have an opportunity to speak with Craig George?

5 A: Yes, I did.

6 Q: All right. Do you recall when you spoke with him?

7 A: About the time I arrived on the scene, he was there as
8 well. So it was pretty simultaneous to me getting there.

9 Q: And where was the scene?

10 A: At the IGA in Quinby.

11 Q: Okay. And that's --

12 A: Florence County.

13 Q: -- in Florence County? All right. When you met with
14 him, where -- where was he located in the store?

15 A: In the manager's office.

16 Q: Okay. I want to show you -- this item has been pre-
17 marked already as a State's exhibit. I think for this
18 hearing it needs to be a Court's exhibit, but this is State's
19 3 for identification. Do you recognize that?

20 A: I do. It's the manager's office in the IGA.

21 Q: All right. And is that a fair and accurate
22 representation of the scene for where you took the statement
23 from the defendant?

24 A: It is.

25 Q: Okay. And when you interview someone who is in custody

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 -- well, I'll ask you first was he in -- was he free to leave
2 at this time?

3 A: At that time, he was, yes.

4 Q: All right. Would you later put him under arrest at that
5 scene?

6 A: Yes, sir.

7 Q: All right. While he was there and you were talking to
8 him, did you go over his Miranda rights with him?

9 A: I did.

10 Q: All right. I'm going to show you what's been pre-marked
11 as State's 1. Take a look at that and see if you recognize
12 it.

13 A: It is a Florence Police Department Waiver of Rights
14 form.

15 Q: All right. And is that what you presented to Mr. George
16 at the scene there?

17 A: It is.

18 Q: And could you tell us what -- how that document
19 communicates a person's rights?

20 A: Do you want me to read the whole thing?

21 Q: Sure.

22 A: We present it to them. It says before we ask you any
23 questions, you must understand your rights. You have the
24 right to remain silent. Anything you can say -- anything you
25 say can and will be used against you in a court of law. You

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 have the right to talk to a lawyer and have him present with
2 you while you're being questioned. If you cannot afford to
3 hire a lawyer, one will be appointed to represent you before
4 any questions, if you wish. You can decide at any time to
5 exercise these rights and answer any questions or make any
6 statements.

7 And then there's another line here that says I -- and it
8 has Mr. George's name -- Craig George, voluntarily without
9 threats, duress, force, promises of immunity or reward agree
10 to be questioned by the Florence Police Department. There's
11 also an important notice in bold that says if you do not
12 understand any part of this form, do not sign until you do.

13 Q: All right. And did Mr. George sign the form?

14 A: He did.

15 Q: All right. And during your interview, did you have an
16 audio recorder on?

17 A: Yes, sir.

18 Q: And was the complete interaction with you and Mr. George
19 caught on the audio recorder?

20 A: Yes, it was.

21 Q: All right. I'll show you what's been marked as State's
22 2. Have you had an opportunity to take a look at the content
23 of that disk?

24 A: Yes, sir.

25 Q: And what is that?

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 A: It's a -- I believe this is the redacted version of the
2 interview with Mr. George.

3 Q: All right. And that's -- other than the redacted
4 portions, that's your audio conversation there at the scene
5 in that room?

6 A: It is, yes, sir.

7 Q: All right. And is the Miranda portion captured on the
8 audio as well?

9 A: Yes, it is.

10 Q: Okay. Approximately how long, if you recall, did the --
11 your interaction with Mr. George last?

12 A: I want to say it was about an hour. If I can look, then
13 I can tell you probably about exactly how long it was.

14 Q: Sure.

15 A: It went from 1748, which is 5:48 p.m., until 1826, which
16 is 6:26 p.m. So it was a little less than an hour.

17 Q: Okay. While you were speaking with him, did he appear
18 in any way to be under the influence or suffering from some
19 sort of mental or physical impairment that would have kept
20 him from understanding what he was doing?

21 A: No, sir.

22 Q: All right. Did he ever ask for water or food or a
23 bathroom break or anything that was denied to him?

24 A: No, sir.

25 Q: No issue in your mind when you were interacting with

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 him, no cause for concern about his ability to respond in an
2 appropriate manner to your questions?

3 A: No, sir.

4 Q: The information that's been redacted out of the
5 statement, was that inadmissible things dealing with
6 polygraph examinations and prior records and all that sort of
7 business?

8 A: Yes, sir.

9 Q: All right. But the content of the audio statement is
10 still -- still encompasses the discussion about the incident
11 that this trial is about; is that correct?

12 A: Yes, sir.

13 Q: Okay.

14 MR. RICHARDSON: Please answer any questions that Mr.
15 Meetze may have.

16 THE COURT: Mr. Meetze?

17 MR. MEETZE: Thank you, Your Honor.

18 CROSS-EXAMINATION

19 BY MR. MEETZE:

20 Q: Inv. Cantey, you indicated you read him his Miranda
21 rights prior to questioning him?

22 A: Yes, sir.

23 Q: And immediately following that, he indicated that he
24 would waive his rights and speak with you?

25 A: Yes, sir.

JIMMY CANTEY - CROSS BY MR. MEETZE

1 Q: At any point in time during the conversation that you
2 had with him, did he at any time ask for an attorney or in
3 any other way indicate he wished to exercise his right to
4 remain silent?

5 A: No, sir.

6 MR. MEETZE: Judge, I don't -- I don't have any further
7 questions in regards to this witness. I would have just one
8 motion that I think Mr. Richardson and I would sort of go in
9 together on, even though I haven't talked to him about it.

10 THE COURT: Anything? Any redirect?

11 MR. RICHARDSON: I don't have any redirect.

12 THE COURT: Sir, you may step down. Thank you.

13 THE WITNESS: Thank you.

14 MR. RICHARDSON: And no further witnesses on this issue.

15 THE COURT: Anything by way of argument from defense
16 counsel?

17 MR. MEETZE: Judge, in all candor, nothing jumped out at
18 me in reviewing this video or evidence or statement that Mr.
19 George made that anything about it was done outside the law.
20 I think it was all done appropriately. I think that under
21 our law that the statement would be admissible through the
22 State in their case and so I don't have any objection to the
23 redacted copy being introduced as evidence in the case.

24 The only thing I would say is there's obvious parts
25 where -- where there was some redaction, that you can tell

1 there's been some parts cut out. So we would just ask for a
2 --

3 THE COURT: For an instruction?

4 MR. MEETZE: -- an instruction from the Court saying --
5 letting them know that neither side is trying to hide
6 anything from anybody, but we've gotten together to determine
7 that there were certain parts of it that were not relevant or
8 admissible to them and that we all agree, that basically we
9 didn't want to muddy the waters for them, just so they don't
10 think we're hiding anything from them if the Court would give
11 them an instruction.

12 MR. RICHARDSON: I agree with all that.

13 THE COURT: All right. All right. Based upon what I've
14 heard here today, I think the State has provided sufficient
15 evidence to establish by a preponderance of the evidence that
16 the statement was given voluntarily, freely, knowingly, and
17 intelligently. That it was not under any circumstances of
18 duress. Therefore, the Court will allow the statement to
19 come in.

20 MR. MEETZE: Judge, the only motion I would have would
21 be there's been a few bond hearings for Mr. George over the
22 course of this case, and I've got transcripts of a couple of
23 them. And Ms. Bernetha George, she addressed the Court in
24 each of those.

25 Just out of an abundance of caution, Judge, I don't know

1 or necessarily even suspect that anything like this would
2 happen, but just -- I mean she would address the Court in
3 those bond hearings, which is certainly appropriate at that
4 setting. She talked a good bit and all and had a lot to say,
5 which would be things that included that he had just recently
6 got out of prison and things like that.

7 I just want to make sure that when she's testifying as a
8 witness that those are the kind of things that she can avoid
9 saying, as well as she referred to him in those bond hearings
10 as a psychopath and things like that, and I don't think
11 that's appropriate testimony either. So I just want to make
12 sure that the questioning and all and the answers -- and I
13 know Mr. Richardson wouldn't be -- sometimes you can't always
14 control your witness and it's not anybody's fault that stuff
15 like that comes out. I just want to make a motion that that
16 stuff be inadmissible, and we do the best we can to avoid it.

17 THE COURT: All right.

18 MR. RICHARDSON: Yes, sir. I've discussed with Dr.
19 George things that we need to avoid in the courtroom so, you
20 know, such as things Mr. Meetze mentioned and, hopefully,
21 that won't be an issue.

22 THE COURT: Well, you know, and I know you've conveyed
23 this to her as well, and she's sitting in the courtroom here
24 today, you know, that if she were to say some of that stuff,
25 it certainly could result in a mistrial and -- and which

1 would require or necessitate having to do all of this over
2 again.

3 So some of those statements would certainly be beliefs
4 and opinions, not facts, and which would be more prejudicial
5 than probative, and those are certainly things that need to
6 be -- need to -- witnesses need to stay away from. All
7 right?

8 MR. RICHARDSON: Yes, sir. And I also have and will
9 talk to the other particularly law enforcement witnesses
10 ahead of time to stay away because there was a fairly large
11 component of this case where they were actively tracking his
12 GPS monitor trying to locate him. And it ended up being all
13 for nothing because he was brought back by his family to the
14 grocery store, but I've instructed the officers and will
15 continue to do so to avoid talking about the GPS monitor and
16 all that issue as well.

17 THE COURT: All right. How -- and I know I've asked you
18 all this before and I probably have it in my notes somewhere,
19 but it seems like I had asked you all how long you all
20 anticipated this case being tried. Maybe two or three days?

21 MR. RICHARDSON: Judge, I think if all goes well, the
22 State can have its case up and down on Tuesday, at the very
23 -- at the very latest Wednesday morning. I would think
24 argument and charge Wednesday morning.

25 THE COURT: Okay. Do you agree with that, Mr. Meetze?

1 THE COURT: Right.

2 MR. JEPERTINGER: So I'll have an answer for you, Judge.

3 THE COURT: Okay. I mean that's fine. I'm just trying
4 to figure it out. Just let me know. That's fine.

5 (WHEREUPON, the proceedings adjourned for the day at
6 2:30 p.m.)

7 MAY 17, 2021

8 (WHEREUPON, the proceedings began at 3:38 p.m.)

9 THE COURT: Good afternoon, ladies and gentlemen. My
10 name is Craig Brown. I hope you all are doing well today. I
11 know you all have been here periodically for extended periods
12 of time. We will get through this process as quickly as we
13 can and get a jury selected in this case and move forward.
14 Bear with me just a minute, please.

15 Has the State reviewed the defense counsel's requested
16 voir dire?

17 MR. RICHARDSON: Yes, sir.

18 THE COURT: Any objection or exception?

19 MR. RICHARDSON: No.

20 THE COURT: Okay. Can they hear me over there?

21 THE CLERK IN COURTROOM B: Yes.

22 THE CLERK IN COURTROOM A: Now they can, yes, but we
23 cannot see. The video is not working. So what we did just a
24 few minutes ago is we're just having them come -- if they're
25 in that courtroom, we're having them come into this courtroom

1 to have the what say the State, da da da da da.

2 THE COURT: Okay. All right. Is the State ready to
3 proceed?

4 MR. RICHARDSON: Yes, sir.

5 THE COURT: Defense counsel?

6 MR. MEETZE: Yes, Your Honor.

7 THE COURT: All right. Do you want to call the case,
8 please?

9 MR. RICHARDSON: Yes, sir, Your Honor. Before the Court
10 is Indictment 2019-GS-21-1673, State of South Carolina versus
11 Craig Antonio George.

12 THE COURT: Excuse me. What's the indictment number
13 again, Mr. Assistant Solicitor?

14 Mr. Richardson: 19-1673.

15 THE COURT: Okay. All right. Ladies and gentlemen, the
16 State has called the case of the State of South Carolina
17 versus Craig Antonio George.

18 Mr. George is charged by indictment with two separate
19 offenses, the first being kidnapping. The indictment reads
20 as follows.

21 That Craig Antonio George did in Florence County on or
22 about July 13, 2019, unlawfully seize, confine, inveigle,
23 decoy, kidnap, abduct or carry away one Bernetha George
24 without authority of law in violation of Section 16-3-910 of
25 the South Carolina Code of Laws.

1 The second charge in this indictment, ladies and
2 gentlemen, is a charge of criminal sexual conduct in the
3 first degree. That charge reads as follows.

4 That Craig Antonio George did in Florence on or about
5 July 13, 2019, engage in sexual battery with Bernetha George
6 while the victim was also the victim of forcible confinement,
7 kidnapping, robbery, extortion, burglary, housebreaking or
8 any other similar offense or act in violation of Section
9 16-3-652.

10 Now, ladies and gentlemen, in this case the defendant,
11 Mr. Craig Antonio George, has pled not guilty. Therefore,
12 the State of South Carolina bears the burden of proving his
13 guilt beyond a reasonable doubt.

14 Now, the indictment that I just read to you, ladies and
15 gentlemen, is not evidence in this case. It is simply the
16 charging document which brings this case into this court.
17 Again, Mr. George has pled not guilty and, therefore, the
18 burden of proof is on the State of South Carolina beyond a
19 reasonable doubt.

20 Now, before we move forward with selecting a jury, there
21 are several questions that I must ask of you. Is there any
22 member of the jury panel that has ever been related by blood,
23 connected by marriage, had a close personal, business or
24 social relationship with Mr. Craig Antonio George or with Ms.
25 Bernetha George? If so, please stand.

1 MR. JEPERTINGER: He's on it? Good.

2 THE COURT: Okay. All right. Tomorrow morning at 9:30.
3 Thank you.

4 (WHEREUPON, the proceedings adjourned for the day at
5 4:39 p.m.)

6 MAY 18, 2021

7 (WHEREUPON, the proceedings resumed at 9:28 a.m.)

8 THE COURT: All right. The lawyers came back in
9 chambers and told me that they -- the State intends to call
10 Dr. Dozier first, I believe, to testify.

11 MR. RICHARDSON: Dr. George.

12 THE COURT: Dr. George. I'm sorry. And I had told them
13 Friday during pretrial hearing or pretrial motions hearings
14 that, based upon a ruling of mine, that I would allow defense
15 counsel to proffer some testimony, if they so desired, and
16 they've indicated that they do wish to do so. So let's go
17 ahead and do that. Dr. George could, I guess, come around.

18 MR. RICHARDSON: Okay. Dr. George, come on up.

19 THE CLERK: Ma'am, please place your left hand on the
20 Bible and raise your right hand.

21 THE COURT: Place your left hand on the Bible and raise
22 your right hand, please, ma'am.

23 THE COURT: Do you swear or affirm that the testimony
24 you will give will be the truth, the whole truth, and nothing
25 but the truth, so help you God?

DR. BERNETHA GEORGE - PROFFERED DIRECT BY MR. MEETZE

1 THE WITNESS: I do.

2 THE CLERK: Please be seated and state your full name
3 for the record.

4 THE COURT: All right. You can take -- and you can take
5 your mask off while you're testifying. Okay?

6 THE WITNESS: Okay.

7 THE COURT: Mr. Meetze?

8 THE WITNESS: Dr. Bernetha George.

9 MR. MEETZE: Thank you, Dr. George.

10 DR. BERNETHA GEORGE, being
11 first duly sworn, testified as follows:

12 DIRECT EXAMINATION

13 BY MR. MEETZE:

14 Q: Dr. George, as you just indicated, you are a medical
15 doctor?

16 A: I am.

17 Q: But in the past you've also been an author; correct?

18 A: I still am.

19 Q: You still are? Okay. And in that capacity, you wrote a
20 book called *Words From Awaki, the Third and Final Covenant*;
21 is that correct?

22 A: *Words From Awaki, the Third and Final Covenant*, yes.

23 Q: Gotcha. I appreciate you correcting my pronunciation.
24 And there's two volumes of that book; correct?

25 A: That's correct.

DR. BERNETHA GEORGE - PROFFERED DIRECT BY MR. MEETZE

- 1 Q: And they were written some years apart?
- 2 A: Seven years apart.
- 3 Q: Okay.
- 4 A: Excuse me.
- 5 Q: And these books talk about a period of time back in the
- 6 mid-90s where the universe was visited by angels?
- 7 A: 1995, yes.
- 8 Q: Right. And it continued into 1996; right?
- 9 A: Yes.
- 10 Q: Okay. And you stated these visits -- they visited
- 11 places throughout the universe; correct?
- 12 A: They said that. I did not.
- 13 Q: Okay. But you also say they visited Baltimore,
- 14 Maryland; correct?
- 15 A: Yes.
- 16 Q: And that's where you were living at the time?
- 17 A: Yes.
- 18 Q: And when the angels would come down, they would
- 19 communicate with a certain group of people; correct? And
- 20 when I -- when I say a certain group of people, you indicated
- 21 in the book that I think there were about 40 to -- or about
- 22 50 to 70 folks that may have been involved in some of these
- 23 sessions with the angels; is that right?
- 24 A: That's correct.
- 25 Q: Okay. And I think you indicated in your book that there

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1 were somewhere around 40 to 45 sessions?

2 A: That's correct.

3 Q: Okay. When one of these sessions would take place, the
4 angel would come down and use somebody as a host, so to
5 speak, to be able to communicate; correct?

6 A: That's correct.

7 Q: All right. And Awaki, who is in the title of the book,
8 is one of the angels that you refer to?

9 A: Yes.

10 Q: Okay. And you actually indicate that you were present
11 for one of the sessions, and I think it was March the 30th of
12 2000 -- excuse me -- of 1996; is that right?

13 A: That's correct.

14 Q: All right. Now, one of the people that seem to have
15 been involved in multiple sessions was a colleague of yours
16 that in the book you refer to as Thomas; is that right?

17 A: I've almost forgotten. Yes.

18 Q: Okay. And like I said, Thomas was also a physician in
19 Baltimore; correct?

20 A: In the book, yes.

21 Q: Okay. And -- and you indicate in your book that the
22 sessions with the angels and what they say are 100 percent
23 fact; correct?

24 A: Yes.

25 Q: All right. And that the only parts with regards to the

DR. BERNETHA GEORGE - PROFFERED DIRECT BY MR. MEETZE

1 book that are fiction, so to speak, are maybe names of some
2 of the people to protect their identity or for whatever other
3 reason you would change names; correct?

4 A: Yes.

5 Q: Okay. And in your book, Thomas was at that time in 1995
6 was 49 years old; is that right?

7 A: I don't remember --

8 Q: Okay.

9 A: -- specifically.

10 Q: But may have been?

11 A: May have been.

12 Q: Okay. And he had a nephew named Nathaniel in the book;
13 correct?

14 A: Yes.

15 Q: Is that right? And Nathaniel was at that time in 1995
16 28 years old; is that right?

17 A: That's correct.

18 Q: And Nathaniel's age of being 28 years old in 1995 is
19 significant; is that right?

20 A: Yes.

21 Q: All right. And the reason it's significant is because
22 of what you refer to as 12 and 40; is that right?

23 A: That's correct.

24 Q: Okay. And 12 means the number of years between 1995 and
25 2007; correct?

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1 A: Correct.

2 Q: And 40 refers to the age someone would be in 2007?

3 A: That specific person, yes.

4 Q: That specific person? And folks that fell into this 12
5 and 40 designation qualified, so to speak, to be a host for
6 an angel; correct?

7 A: No.

8 Q: No? Okay. But in 1995, Nathaniel's cousin, Thomas,
9 gave Nathaniel, according to your book, a pinky ring;
10 correct?

11 A: Yes.

12 Q: And Nathaniel wore that pinky ring home and when he got
13 home, he heard -- he started hearing some chanting; is that
14 right?

15 A: That's correct.

16 Q: And the more he heard the chanting, he realized that it
17 was the ring that was chanting; correct?

18 A: That's correct.

19 Q: And it sort of frightened him and so in his fright he
20 put the ring in the freezer and called Thomas; is that right?

21 A: That's correct.

22 Q: And Thomas came over and at first he did not hear the
23 chanting; is that right?

24 A: That's correct.

25 Q: But eventually he did start hearing the chanting as

1 well; is that right?

2 A: That's correct.

3 Q: And it started out sort of faint; is that right?

4 A: No.

5 Q: Well, eventually it got to a point where not only could
6 he hear the chanting, he could understand what they were
7 saying; is that right?

8 A: I did not write that.

9 Q: Okay. At some point in time when Thomas was over there
10 investigating the chanting, Nathaniel fainted; is that right?

11 A: That's correct.

12 Q: Okay. But what was actually happening when he fainted
13 was he had been, I guess -- I don't want to use an incorrect
14 word, so I apologize, but he was sort of an angel -- and
15 you're going to have to help with this pronunciation as well
16 -- named Shakardak?

17 A: Shakardak.

18 Q: Shakardak -- excuse me -- had entered Nathaniel or
19 whatever they do to be able to use Nathaniel's body as a
20 host; is that right?

21 A: Invaded.

22 Q: Invaded? Okay. So Nathaniel, in his mind, felt like he
23 had gone, like fallen down a corridor, so to speak, and into
24 a white room; is that right?

25 A: No.

DR. BERNETHA GEORGE - PROFFERED DIRECT BY MR. MEETZE

1 Q: Okay. But he was not aware of what was going on when
2 Shakardak had invaded him to speak to Thomas; is that right?

3 A: That's correct.

4 Q: All right. And that was, at least in your books, the
5 first session that you make a record of; is that right?

6 A: That's correct.

7 Q: Okay. And whenever an angel would invade a host to
8 conduct one of these sessions or at least in this session,
9 the host's mouth would be moving; is that right? I think you
10 write in your book that the host's mouth would be moving, but
11 it would not be their voice that was coming out of it when
12 the -- when the angel would be speaking; is that right?

13 A: There was only one host. So it was not as though it was
14 a variety of people --

15 Q: Okay.

16 A: -- being invaded.

17 Q: Okay.

18 A: So during the invasion of this one host, yes, that --
19 Nathaniel's mouth would be moving, yes.

20 Q: Gotcha. I appreciate you clarifying that, but it would
21 not be Nathaniel's voice that they were hearing?

22 A: Correct.

23 Q: Okay. And that is sort of how -- and like you said,
24 there were anywhere from 50 to 70 of these sessions; correct?

25 A: Correct.

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1 Q: And you -- and I think in your book you indicate that
2 they happened throughout the universe; is that right?

3 A: I did not say that.

4 Q: Okay.

5 A: They said that.

6 Q: I gotcha. Correct. Thank you. And I think that there
7 were about seven or so different angels that visited during
8 that period of time?

9 A: Correct.

10 Q: All right. And the two different volumes of this book,
11 the first book sort of tells the stories and the second book
12 is largely, not a hundred percent, but largely is just sort
13 of transcripts of a lot of the sessions; is that right?

14 A: That's correct.

15 Q: Okay.

16 MR. MEETZE: Judge, that would be the line of
17 questioning.

18 THE COURT: Anything in -- any other questioning, Mr.
19 Richardson?

20 MR. RICHARDSON: Well, just one.

21 CROSS-EXAMINATION

22 BY MR. RICHARDSON:

23 Q: Dr. George, the vast majority of this information that's
24 in your book, did that information come from what you
25 personally observed or what others observed and told you

DR. BERNETHA GEORGE - PROFFERED CROSS BY MR. RICHARDSON

1 about?

2 A: Others observed and told me about it or what others
3 experienced that was recorded, taped by either audiotape and
4 then eventually by videotape from December 25th forward.

5 Q: Okay.

6 A: And the -- so it was a combination of people saying it
7 and the actual by recordings.

8 Q: And in preparation for your book, to write your book,
9 did you review these recordings?

10 A: Numerous times, yes.

11 Q: All right. And your -- does your writing come from what
12 you received on these recordings?

13 A: Yes.

14 Q: Okay. So not what you personally saw or observed, but
15 what was communicated to you through people talking to you
16 and these recordings that were supplied to you that you used
17 for basically documentation purposes?

18 A: I documented. I had one experience personally for about
19 30 or 45 minutes.

20 Q: Okay.

21 A: But the others were those various tapes.

22 Q: Okay.

23 MR. RICHARDSON: That's all I have. Thank you.

24 THE COURT: All right. Anything else?

25 MR. MEETZE: No, sir.

1 THE COURT: Doctor, you may step down. Thank you.

2 THE WITNESS: Thank you.

3 THE COURT: Can the lawyers -- well, hold on a second.
4 All right. Anything else, Mr. Meetze?

5 MR. MEETZE: Judge, I'll just reiterate that I think
6 that the rule -- what the rule encompasses and keeps you from
7 doing is asking anyone about their religious beliefs or
8 opinions, and I don't think anywhere in any of that line of
9 questioning did I ask anybody's beliefs or opinion. So I
10 don't think that this line of questioning with regards to the
11 books that she wrote applied to that rule or that rule should
12 apply to this -- to this line of questioning. So based on
13 that, I'm just going to renew my motion.

14 THE COURT: All right. Anything in response?

15 MR. RICHARDSON: Judge, I think it's clear that the crux
16 of the book is of a spiritual nature with angels and, you
17 know, Dr. George wrote predominantly about the experiences of
18 other people that communicated to her through in-person
19 communication or tapes, but she also indicated that she had
20 one of these experiences which she believed, and I think it
21 goes to her faith that this was what it was purported to be.
22 So I think it does fall under the purview of Rule 610 and
23 should be excluded as not relevant or not appropriate for
24 trial.

25 (WHEREUPON, there was a pause in the proceedings, after

1 which the proceedings resumed as follows.)

2 THE COURT: All right. Rule 610 says evidence of the
3 beliefs or opinions of a witness on matters of religion is
4 not admissible -- is not admissible for the purpose of
5 showing that by reason of their nature the witness's
6 credibility is impaired or enhanced.

7 In this particular situation, Dr. George has testified
8 as to beliefs or opinions. She also testified as to fact.
9 She said they were fact, but there's also evidence in the
10 record that this information was conveyed to her by others,
11 albeit she did have one experience. That she did have one
12 experience. So evidence of -- and she believed it. She
13 believed it.

14 So I think it is evidence of belief. Although defense
15 counsel argues they are facts, they are still beliefs. She
16 believes that those facts did, in fact, occur.

17 On matters of religion, we're talking about angels here,
18 which the Court believes angels go hand-in-hand, so to speak,
19 with religion. Certainly, in the Bible that everyone comes
20 in here, places their hand on, and swears to tell the truth,
21 the whole truth, and nothing but the truth, there are many
22 references throughout that Bible to angels. I'm not sure
23 about other religions and their reference to angels, but do
24 know that that Bible of which everyone comes in here and
25 places their left hand on, raises their right hand, and

1 swears to tell the truth, that there are a multitude of
2 references throughout of angels in that Bible.

3 The Court further believes that the sole purpose in
4 defense counsel's desire to bring this out is to show that by
5 reason of their nature, their beliefs, their opinions, that
6 the witness's credibility is impaired in this particular
7 situation, which the rule prohibits.

8 Therefore, the Court's ruling remains the same, but with
9 all due respect, the Court has allowed Mr. Meetze to proffer
10 whatever testimony he felt like he needed to proffer to
11 ensure that his client's interest was protected as it relates
12 to that particular issue. So your objection is so noted.

13 MR. MEETZE: Thank you, Your Honor.

14 THE COURT: All right. Anything else, Mr. Richardson?

15 MR. RICHARDSON: Your Honor, when we get started, Mr.
16 Jepertinger will be doing the opening.

17 THE COURT: Okay.

18 MR. RICHARDSON: I'll let you know that, and I think
19 that's all I have.

20 THE COURT: Mr. Meetze?

21 MR. MEETZE: No, sir.

22 THE COURT: All right. I've been informed that one of
23 our jurors had a little coffee incident and has requested, of
24 which I've allowed, to go change. So we'll be kind of down
25 until that is rectified, which may give Keith some time to

1 the law by the Court, you will then be in a position to
2 determine what the facts are and to apply the law to those
3 facts and thus render a verdict.

4 Now, later in the case, a foreperson will be selected to
5 preside over deliberations in the jury room. It will be the
6 foreperson's added responsibility to be the foreperson's
7 spokesperson here in court. It will also be the foreperson's
8 duty to write the verdict, but I will give the foreperson
9 further instructions at the conclusion of the trial.

10 Now, in order to preserve everyone's rights, I will give
11 the parties an opportunity to object to anything that I have
12 said.

13 Any exception or objection to anything that I have said
14 to the jury from the State?

15 MR. RICHARDSON: No, Your Honor.

16 THE COURT: Defense counsel?

17 MR. MEETZE: No, Your Honor.

18 THE COURT: All right. Ladies and gentlemen, we will
19 now begin the trial of this case. The State will open with
20 opening statements.

21 MR. JEPERTINGER: Your Honor. Mr. Meetze. Ms. Lawson.

22 OPENING STATEMENT ON BEHALF OF THE STATE

23 MR. JEPERTINGER: My name is John Jepertinger. I'm a
24 deputy solicitor here. David Richardson is assistant
25 solicitor. He will be the primary prosecutor in this case.

1 First of all, good morning.

2 Folks, sometimes some cases are harder than others.

3 This is one of them. You know, it's something to be put in a
4 chokehold when you are 75 years old and have a broken back
5 and told you are being paid back for a slight or a perceived
6 offense against the person's mother who was choking you.

7 It's something altogether more serious when the person
8 who puts you in that chokehold is your nephew. It's
9 something when you are thereafter forced into a bedroom, made
10 to strip and are 75 years old and the perpetrator inserts his
11 fingers into your vagina. And it's something altogether else
12 when that sexual assailant is your nephew.

13 It's something when you are told at 75 years of age
14 either you come up with \$2,000 or you will be killed, and it
15 is something altogether more serious when the person who has
16 confined you to that bedroom and just sexually assaulted you
17 and is extorting you for that money and then takes you on a
18 trip to get that money is your nephew.

19 But that is exactly what happened on Saturday, July the
20 13th, 2019, right here in Florence County. How did it start?

21 It started with a text message that Craig George, the
22 accused in this case, sent to his aunt, Dr. Bernetha George,
23 a retired medical doctor and educator. He asked if she had
24 any work. She texted him back, yes, I do. She had some
25 rental property there on the corner of Layton and Malloy

1 Street. The address of the place was 1000 Layton Street
2 [sic], which is off of Oakland Avenue.

3 She told him to come on over. I have some cleaning to
4 do. I will meet you at noon over there. She drives up after
5 noon and in that house is both this defendant and his father,
6 her brother. The father shortly leaves thereafter. They get
7 busy cleaning. They go to the kitchen, general cleanup work,
8 mopping, that type of thing. They begin talking about family
9 issues, family problems.

10 The next thing you know, she goes from that kitchen to
11 check on the thermostat because she has a broken air-
12 conditioner. At that thermostat, he grabs a hold of her,
13 accuses her of doing ill by his mother and says he's going to
14 -- for lack of a better term and I'll clean it up -- F her
15 up. He drags her into the bedroom, makes her strip, and he
16 does the sexual things we've just talked about, all the time
17 telling her he needs money.

18 Now, she's a medical doctor. She has rental property.
19 She has means and ability to get money and he wants it from
20 her. And what is his motivation for getting this money? Why
21 does he need this money? You will hear from this witness
22 stand that he is out on bond for another charge. He needs to
23 pay his bondsman X amount of dollars and he needs that money.

24 After the sexual stuff takes place, he has her get
25 dressed. He forces her into her car, makes her drive, and

1 they begin an odyssey through Florence County, first driving
2 to the South State Bank there on the corner of Palmetto and
3 Irby Street. Then ultimately, they wind up in Quinby at the
4 IGA because they have a Western Union at that IGA.

5 Now, I want you to consider in this case what I call the
6 three M's: the motive for him doing what he did to her, a
7 perceived slight towards his mother, the wanting of the money
8 to pay the bondsman; I want you to consider the means or the
9 method in which he did this, he waited until they were alone,
10 he knew she had money; and then I want you to consider
11 mindset. In this case you will hear evidence from Dr. George
12 what her mindset was, how she was going to survive this whole
13 ordeal.

14 Now, in every criminal case the State, as the judge told
15 you, is tasked with proving that guilt of the accused beyond
16 a reasonable doubt. A reasonable doubt is a doubt that
17 leaves you firmly convinced of one of two things, either the
18 defendant did it or there's a real possibility that he didn't
19 do it. You're not going to have any physical evidence of a
20 77 -- now 77-year-old woman, but 75 at the time, of any sperm
21 or semen because he didn't use another body part when he
22 sexually assaulted her.

23 You're not going to have any eyewitness to the assault,
24 but what you will have is the people she dealt all along the
25 way, the people at the IGA in Quinby, who saw her, who can

1 testify what her emotional state was, how she acted at that
2 place. And that is both direct and circumstantial evidence
3 which will substantiate Dr. George's credibility of both the
4 assault and the kidnapping that took place in this instance.

5 Now, let me just discuss kidnapping with you for a
6 second, if I might. Kidnapping is a crime where most of us
7 because of Robert Louis Stevenson and past authors think that
8 you have to be hit over the head, tied up, and thrown in the
9 trunk of a car. It includes something like that, but it also
10 includes someone being confined to a given area, and in this
11 case she was confined in that bedroom. And for a lady with a
12 broken back and 75 years of age at the time, she was confined
13 to that car when he dictated that they were going to go get
14 the money to help pay his bondsman.

15 The criminal sexual conduct, of course, a sexual battery
16 took place against Dr. George, and it was elevated to a
17 criminal sexual conduct first because this was happening
18 while she was being kidnapped or while an extortion was
19 taking place.

20 That is what the evidence is going to show, and I ask
21 you to, as the judge said, keep an open mind, but listen very
22 carefully. Listen to Dr. George's testimony to you, the
23 other witnesses, the police witnesses, what they have to
24 offer.

25 Now, I'm going to end with a small aphorism, small

1 saying. On July the 13th, 2019, Dr. George offered a job and
2 kindness to her nephew, and he paid her back with scorn.
3 Today is May the 18th, 2021. The State is offering up to you
4 the testimony and the evidence in this case. We ask that you
5 repay this offer with justice today. Thank you.

6 THE COURT: Mr. Meetze?

7 MR. MEETZE: Thank you, Your Honor.

8 Mr. Jepertinger, Mr. Richardson.

9 OPENING STATEMENT ON BEHALF OF THE DEFENDANT

10 MR. MEETZE: As I told you yesterday when I introduced
11 myself, I am Vick Meetze and I work in the Public Defender's
12 Office. And it is my pleasure to stand here before you today
13 representing Craig George in this case.

14 And a lot of what I'm going to tell you here is sort of
15 a reiteration of a lot of things you've already heard, and I
16 don't do that to -- for any other reason other than it's just
17 that important. I think it's sometimes necessary to
18 reiterate the things that are the most important.

19 One of those things -- well, first of all, what I also
20 think is important is, certainly, we all thank you for your
21 service and the responsibility that you've all undertaken in
22 this -- in this matter because jury service is really an
23 awesome, enormous responsibility. And the fact that you are
24 all here paying attention, giving everybody the respect and
25 the attention that everybody deserves, it certainly means a

1 lot to everybody and, certainly, our justice system could not
2 and would not work without folks like yourselves. So we
3 certainly greatly appreciate that.

4 But this is General Sessions court, also known as
5 criminal court, and in criminal court we deal with extremely
6 important matters. And in criminal court, there are certain
7 principles that are a part of our law, and they are as solid
8 as concrete. They're not just sayings. They are absolute
9 principles of law that are as solid as concrete.

10 One of those is the presumption of innocence, and we've
11 all heard that from time to time, but what that means is as
12 Craig George sits right here, he is as innocent as anybody
13 else in this courtroom, and he will be cloaked in that
14 innocence until such time as the State can prove his guilt
15 beyond a reasonable doubt.

16 Reasonable doubt, beyond a reasonable doubt, something
17 you all have heard already here today, and you're going to
18 hear it throughout the trial and the reason is, again, is
19 because it's just that important. All right? Proof beyond a
20 reasonable doubt.

21 Now, what does that mean? And the judge, as he's told
22 you, will give you instructions on the law at the close of
23 the case. And whatever his instructions are in that regard
24 is obviously what you go with when you apply his law to the
25 facts as you deem them to be, but proof beyond a reasonable

1 doubt is a substantial burden.

2 We're in -- I said we're in General Sessions court.
3 General Sessions court is one of two branches of Circuit
4 Court. You've got General Sessions, which is criminal court,
5 and you've got Common Pleas, which is civil court, and there
6 are similarities between those two courts. Both of them have
7 jury trials. Both of them have twelve jurors to determine a
8 case. Both verdicts in both branches of Circuit Court have
9 to be unanimous.

10 But there's one primary big difference between the two.
11 In civil court, the burden of proof is called by a
12 preponderance of the evidence or more likely than not,
13 essentially a 51 percent to 49 percent situation, and in
14 civil court you deal with important things. You deal with
15 folks. If somebody is charged with having a breach of duty,
16 somebody may be injured from that breach of duty and out some
17 money or whatever else, and they have to file a lawsuit to
18 try to get back what they feel like they are out of as a
19 result of that and, certainly, I don't intend to and would
20 never put down that as not being important, because it
21 certainly -- it certainly is.

22 But in General Sessions court you're dealing with
23 people's lives. Here in criminal court, you're dealing with
24 people's very liberties, and the stakes just don't get any
25 higher than that, and that's why the burden of proof in

1 General Sessions, in criminal court, is so strong, beyond a
2 reasonable doubt.

3 If you think of it as the scales of justice and Lady
4 Justice is standing there, in civil court each side would
5 present their evidence and after that was presented, if the
6 scales tilted just ever so slightly in one side's favor, then
7 that would be the side that the judge -- that the jury would
8 rule in favor of.

9 In General Sessions with beyond a reasonable doubt being
10 the burden, that evidence the State has to present would have
11 to tilt those scales extremely in the State's favor in order
12 for a jury to return a verdict of guilty. And again, the
13 difference in the burden of proof is because of the
14 difference in what we're dealing with. We're dealing with
15 people's lives. We're dealing with people's very liberties.

16 Now, like the judge told you, what I say here, what Mr.
17 Jepertinger got through saying just a little bit ago, none of
18 this is evidence. The evidence you will receive will come
19 from that witness stand, maybe some exhibits to look at.

20 And as has been said, I certainly implore you to pay
21 attention to the evidence. Pay attention to what is said.
22 Pay attention to what you hear, but you can pay attention to
23 what you don't hear. There's a lot that goes into decisions
24 in these matters.

25 I certainly appreciate you once again, appreciate your

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1 service. I will have an opportunity to come back and speak
2 to you at the close of the case in closing arguments. At
3 that point in time, I will be asking you to bring back the
4 only verdict in this case that speaks the truth, and that's
5 going to be a verdict of not guilty.

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

7 MR. RICHARDSON: Thank you, Your Honor. The State would
8 call Dr. Bernetha George.

9 THE CLERK: Ma'am?

10 THE WITNESS: I'm sorry.

11 THE COURT: Place your left hand on the Bible and raise
12 your right hand, please.

13 THE CLERK: Do you swear to tell the truth, the whole
14 truth, and nothing but the truth, so help you God?

15 THE WITNESS: I do.

16 THE CLERK: Please be seated on the witness stand and
17 state your full name for the record.

18 THE WITNESS: I'm Dr. Bernetha George.

19 DR. BERNETHA GEORGE, being
20 first duly sworn, testified as follows:

21 DIRECT EXAMINATION

22 BY MR. RICHARDSON:

23 Q: All right. Dr. George, could you tell us first some
24 background information on yourself, like where you're from
25 and what your educational and professional background is?

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1 A: I'm from South Carolina, Florence, raised in Pamplico
2 down the road. I went to Benedict College in Columbia, South
3 Carolina, majored in education to become a schoolteacher,
4 which I did.

5 After becoming a schoolteacher, I went to the north to
6 Connecticut area, taught school there for a few years, too
7 cold, decided to come back southward to New York. Got a
8 degree, another degree, a master's degree from NYU in
9 biology, and with that I took it back to the schools. I
10 didn't want to go to the college level to teach. I still
11 wanted to teach those young ones that were coming up.

12 So I went to the high schools and taught there for a few
13 years. Teaching changed in terms of what was being given to
14 children and how children were being treated, and I needed to
15 go to another area where I felt that I was really making a
16 difference in being of service to people.

17 So then I went to medical school, went to New Jersey
18 Medical to train as a physician, became a physician, and had
19 to find an area that I could, again, be of the most service.
20 My family members were in Baltimore, Maryland, two young
21 niece and nephew were growing up there. So I chose that
22 place to go to help in their lives.

23 So I moved to Maryland and that's where I established my
24 practice. I practiced medicine for a number of years and,
25 again, as I aged, I looked to retire and I looked to retire

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1 in a warmer area. That brought me back to South Carolina.

2 When I came back to South Carolina, I applied to the VA
3 system here and was hired as a physician with the Veterans
4 Administration, where I worked until I retired. It's on
5 Sally Hill Farms Boulevard over in the Five Points area, over
6 in that area. That's it.

7 Q: All right. Dr. George, how long in total have you
8 practiced as a physician?

9 A: Since 1981.

10 Q: All right. And what was your area of practice?

11 A: Internal medicine, general medicine, high blood
12 pressure, heart disease, diabetes, that type of thing.

13 Q: All right. And have you since retired from the -- from
14 the Veterans Affairs or Veterans Administration?

15 A: Yes, I have.

16 Q: All right. When did you leave there?

17 A: I left there in August of 2013.

18 Q: All right. And since that time have you worked anywhere
19 else or just lived the retired life?

20 A: I live the retired life, but it's once a physician,
21 always a physician. There are certain patients that I still
22 care for even today, by phone or whatever way. So -- but in
23 terms of a formal job since leaving the VA, I have not had
24 one.

25 Q: Have you maintained your credentials?

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1 A: I have. Even as of now, all of my credentials are
2 intact.

3 Q: Okay. And forgive me for asking, but what is your
4 current age?

5 A: Seventy-seven.

6 Q: Okay. Now, you were -- you mentioned that you were born
7 in this area and grew up in this county. What was your
8 family situation? Like, how many siblings did you have and
9 so forth?

10 A: There are nine of us, and thank we're all here still.
11 There's still nine of us, and we lived in Pamplico. I was
12 raised there as sharecroppers. I didn't move to the big city
13 of Florence until high school, and I was here for a year
14 before I went to an even bigger city, Columbia, for
15 undergraduate and it was four years of learning new life the
16 first time ever.

17 Q: Now, after you moved back here and since retired from
18 formal practice, you -- what -- what do you do to occupy your
19 time or do you own any property?

20 A: I own properties. As it turned out, we have a homestead
21 where the nine of us lived when we came to Florence that
22 through a process ultimately became my own personal property,
23 and that I do. And the other in terms of responsibilities,
24 things that I must get up and take care such as that
25 property, just my own dwelling and other than that, I loaf.

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1 Q: Okay. What is the address of the property that you
2 mentioned that was your home here in Florence when you were
3 younger?

4 A: 1009, 1009 Layton Street, Florence, South Carolina.

5 Q: All right. Is that in Florence County as well?

6 A: It's in Florence County, yes.

7 Q: Okay. Back in the summer of 2019, what was the state of
8 that structure on 1009 Layton Street?

9 A: It was in a state of actual shut down. For some reason
10 during that year -- actually, I guess 2018, I had -- that
11 property was rented and there were renters there, folks lived
12 in it. I was away out of town taking care of a sick brother
13 in Maryland, and Aiken Company was renting the property. And
14 the house became infested with rodents, huge rodents, just
15 that property. There are other properties there, but that
16 one such that the tenants had to move out.

17 And because I was away, I was unable to look at it. And
18 Aiken and I agreed that we would just shut it down and when I
19 was able to get back to town I would reopen it, look at it,
20 and get something done about it.

21 In the meantime, I called an exterminator and they told
22 me there was some things that I needed to do to get it
23 secure, first of all to begin fighting the problem and,
24 secondly, to make certain that it was not able to be
25 repeated, get them out. Get them out and keep them out.

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1 So that meant that the property had to be shut off from
2 them. Any entryway to the house around the openings had to
3 be closed up. And so talking with the exterminator, even
4 though I was out of town, that those were things that I could
5 begin doing.

6 So I started doing those things and because the house
7 was open empty now, the house had to be boarded up. All the
8 windows and all entryways for adults had to be shut off. So
9 I was able to contact a carpenter, still out of town, not
10 here. The carpenter came and closed everything up. So the
11 house was literally shut down, closed up, boarded up, no
12 entryway for anyone to get into it, and that was the status
13 of it.

14 Q: All right. So in the summer of 2019, what was the
15 process that you were underway to get things back going with
16 that house?

17 A: When I came home May or June, the end of May, first of
18 June, I came back to South Carolina and found the -- and
19 found that the house needed just to be cleaned up, the
20 floors, the cabinets, and from those rats having been in
21 there, all of that had to be cleaned and those things needed
22 to have been done. So that's where I was in -- I guess after
23 looking at it, June, then July, that's when I got started
24 with trying to get it cleaned up.

25 Q: Okay. Let me take you to July 13th of 2019, which I

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1 believe, if I recall, was that a -- was that a Saturday?

2 A: That's a Saturday, yes.

3 Q: All right. Who communicated with you that day regarding
4 work at that house?

5 A: My nephew sent me a text around 9 o'clock that morning
6 asking if I had something that he could do, if he could do
7 some yardwork or something, and I was happy for him to come
8 because I said yes. I sent him a text back saying, yes, I
9 absolutely have something for you to do. I would like for
10 you to clean the stove and mop the floors, clean the
11 cabinets, because at the time my back was broken and I was
12 not able to bend, stoop, and do those kinds of things that
13 were needed to clean the house.

14 So he said, yes, he would. I asked him could he do
15 those kinds of things. I didn't have any yardwork, but I had
16 inside work that he could do, and he said yes. And so I
17 agreed to meet him there at noon. He wanted to know what
18 time should I come. I says I'll be there at noon. He said
19 okay. So we met at noon there.

20 Q: Okay. And what is your nephew's name?

21 A: Craig George.

22 Q: All right. And do you see him here in the courtroom?

23 A: Yes. He's seated there.

24 Q: Okay.

25 A: Between the defense attorneys.

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1 Q: Okay. Thank you, ma'am. I want to show you --

2 MR. RICHARDSON: And if I may approach?

3 BY MR. RICHARDSON:

4 Q: Two items.

5 A: Let me get my glasses on. I didn't bring my glasses.

6 Q: Oh, you need glasses?

7 A: Yes. My glasses are on the seat. I didn't bring them.

8 Sorry.

9 Q: There you go.

10 A: Thank you.

11 Q: And, Dr. George, I'm going to show you two items that

12 have been marked as State's Exhibit 20 and 21 for

13 identification only. Can you take a look at these items and

14 see if you recognize those?

15 A: Yes.

16 Q: And what are they?

17 A: These are the copies of the text messages that I

18 received from Craig.

19 Q: All right. And are those true and accurate

20 representations of the text message conversation you had with

21 him --

22 A: Yes.

23 Q: -- on July 13th?

24 A: Yes. This is it.

25 Q: Okay.

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1 MR. RICHARDSON: Your Honor, at this time, I'd ask that
2 items 20 and 21, State's Exhibit 20 and 21, be entered into
3 evidence.

4 THE COURT: Any objection?

5 MR. MEETZE: No, Your Honor.

6 THE COURT: Without objection, so admitted.

7 (WHEREUPON, State's Exhibit No, 20, photograph, and
8 State's Exhibit No. 21, photograph, were admitted into
9 evidence.)

10 MR. RICHARDSON: Your Honor, may I publish?

11 THE COURT: Yes, sir.

12 MR. RICHARDSON: And, Your Honor, based on the
13 circumstances of the seating, it may be difficult for some
14 folks to see. So I don't know if they can see a screen
15 somewhere, but we can work it out best we can.

16 THE COURT: Is this monitor here not working still?

17 MR. RICHARDSON: It does not. No, sir.

18 THE COURT: Ladies and gentlemen, technology is a
19 wonderful thing when it's working and, unfortunately, we've
20 been -- before we got started this working, we were working
21 on technology issues in here and, hopefully, you can see it
22 on the screen, although if you can't, these items have
23 already been admitted into evidence and you will be able to
24 view them at some point here in the very near future Okay?

25 Go ahead, Mr. Richardson.

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1 MR. RICHARDSON: Yes, Your Honor. Since this is texts,
2 I may just ask the witness to read it into the record, if
3 that's --

4 THE COURT: All right.

5 MR. RICHARDSON: -- sufficient.

6 BY MR. RICHARDSON:

7 Q: Dr. George, would you mind reading that as just as it's
8 stated in the pictures?

9 A: Okay.

10 THE COURT: Please reference what exhibit you're reading
11 from, Doctor.

12 THE WITNESS: Exhibit 20.

13 THE COURT: Okay.

14 BY MR. RICHARDSON:

15 A: State's Exhibit 20. Text message today, 9:16 a.m. Good
16 morning, Aunt Bernetha. This is Craig. I'm texting you to
17 see if you need any yardwork done today. I don't have
18 nothing to do or you need something done around the house,
19 the grass cut, please, Aunt Bernetha, text or call me.
20 Craig.

21 Hey, Craig, I absolutely do. I need the inside mopped
22 and cleaned and I need the refrigerator and stove cleaned.
23 Can you do them today?

24 Yes, I can. What time you coming?

25 How about noon?

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1 Q: Now, is this No. 21?

2 A: This is State's Exhibit 21. This starts -- the top of
3 it is:

4 Hey, Craig. I absolutely do. I need the inside mopped
5 and cleaned and I need the refrigerator and stove cleaned.
6 Can you do them today?

7 Yes, I can. What time you coming?

8 How about noon?

9 Okay. I'll go to the house on Layton and wait for you.

10 Okay. I'll bring everything you need to clean with.

11 See you when I get there. Thanks, Craig.

12 Q: Okay. Prior to this communication from your nephew, had
13 you any plans that morning to interact with him or to go to
14 the Layton Street property at all?

15 A: No, not that day. Not at all that Saturday, and I had
16 no -- no intentions whatsoever of either going there or going
17 with him.

18 Q: Okay. Based on this request that he made, what did you
19 then do that morning?

20 A: I got up, got the necessary cleaning products for him
21 that we would need to clean the cabinets and the stove, and
22 took a mop, pail with some cleaner to clean the floor, and
23 drove over. On my way I think I gave him a call to let him
24 know that I was coming, I was on my way, and came to -- and
25 went over to the house.

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1 Q: All right. When you got to the house on Layton, who all
2 was present?

3 A: When I got there, my brother was there and Craig was
4 there. They were both inside.

5 Q: All right. How is your brother related to Craig?

6 A: My brother is Craig's father.

7 Q: All right. What did the three of you do first when you
8 all were there?

9 A: We were just -- just a little chatting and almost within
10 minutes my brother left and that just left me and Craig
11 there, and right away we started putting things together. I
12 started saying to him what I needed him to do, showing him
13 what I needed him to do in terms of pointing.

14 What I did actually was I took a seat near the
15 refrigerator because I was not able to interact and do the
16 things that I needed him to do. So I sat by the refrigerator
17 and had him do the stove, do the cabinets, point to him what
18 it was that I needed him to do.

19 Q: Okay. I'm going to show you State's Exhibit 5. Dr.
20 George, this is State's Exhibit 5 for identification only at
21 this time. Could you take a look at this and see if you
22 recognize it?

23 A: Yes, I do.

24 Q: And what is it?

25 A: This is -- this is the property at 1009 Layton Street.

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1 Q: All right.

2 A: This is the front entrance.

3 Q: And is this an accurate representation of the front of
4 it?

5 A: Yes.

6 Q: At the time?

7 A: Yes.

8 Q: All right.

9 MR. RICHARDSON: I'd ask that State's 5 be put into
10 evidence.

11 THE COURT: Any objection?

12 MR. MEETZE: No objection, Your Honor.

13 THE COURT: Without objection, so admitted.

14 (WHEREUPON, State's Exhibit No. 5, photograph, was
15 admitted into evidence.)

16 MR. RICHARDSON: All right.

17 BY MR. RICHARDSON:

18 Q: Also, Dr. George, State's No. 6?

19 A: Yes. This is the same property. It's the back of it
20 and it's boarded. This is exactly the way it was.

21 Q: Okay.

22 MR. RICHARDSON: Your Honor, I'd ask for State's 6 to be
23 entered into evidence.

24 THE COURT: Any objection?

25 MR. MEETZE: Let me look at it. No objection, Your

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1 Honor.

2 THE COURT: All right. Without objection, so admitted.

3 (WHEREUPON, State's Exhibit No. 6, photograph, was

4 admitted into evidence.)

5 BY MR. RICHARDSON:

6 Q: Dr. George, I'll show you State's 7 and 8. If you could
7 take a look at these and tell us if you recognize what those
8 are?

9 A: Yes. These -- this is the inside. State's 7, this is
10 the inside of the house, the back entrance to the -- from the
11 kitchen coming from the back door into the kitchen. And this
12 is the kitchen. This is the refrigerator. There's the chair
13 I sat on the side of.

14 THE COURT: And what exhibit is that?

15 THE WITNESS: I'm sorry. Exhibit 8.

16 THE COURT: Thank you.

17 BY MR. RICHARDSON:

18 A: That's the chair that I sat in beside the refrigerator
19 as I was pointing to him what it was that I needed him to do.

20 Q: Okay.

21 MR. RICHARDSON: Your Honor, I'd move 7 and 8 into
22 evidence.

23 THE COURT: Any objection?

24 MR. MEETZE: Judge, may we approach?

25 (WHEREUPON, a bench conference was held in the presence

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1 of the jury but out of the hearing of the jury as
2 follows.)

3 MR. MEETZE: I don't have any objection, but I don't
4 want to -- these are not, like, pictures from an
5 investigation of what happened. I don't want the jury to
6 think that, like, these were taken July the 13th, 2019. They
7 were taken in, like, August of 2020 or something like that.

8 THE COURT: When were they taken?

9 MR. RICHARDSON: They were taken last year in
10 preparation for trial.

11 MR. MEETZE: Like, a year after the incident.

12 THE COURT: Well, I mean if she can testify to this.

13 MR. MEETZE: She can testify that's her house.

14 THE COURT: Yeah. But I mean she can testify to the
15 representations of her house. And if it gets to that --

16 MR. MEETZE: If it gets to that --

17 THE COURT: I mean she's already testified they're fair
18 and accurate depictions.

19 MR. MEETZE: Sure. Yeah. And I mean I don't -- that's
20 not the reason the pictures were took, to prove anything. So
21 anyway, I'll object.

22 THE COURT: All right.

23 (WHEREUPON, the bench conference ended, and the
24 proceedings resumed as follows.)

25 THE COURT: All right. Without objection, so admitted.

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1 (WHEREUPON, State's Exhibit No. 7, photograph, and
2 State's Exhibit No. 8, photograph, were admitted into
3 evidence.)

4 MR. RICHARDSON: All right. If I may briefly publish
5 some of these photos that we have?

6 THE COURT: That's State's Exhibit what?

7 MR. RICHARDSON: This is State's Exhibit 5.

8 THE COURT: All right. And I believe that the screens
9 on the solicitor's table, as well as -- mainly, the
10 solicitor's table is turned in the direction of the jurors,
11 and I think everyone can see them, although it may be at a
12 distance for some of them.

13 All right. What State -- what exhibit is that?

14 MR. RICHARDSON: This is State's Exhibit 6.

15 THE COURT: All right.

16 MR. RICHARDSON: This is State's 7 that was described as
17 the entrance. And State's 8.

18 THE COURT: All right.

19 BY MR. RICHARDSON:

20 Q: Now, Dr. George, you described this item, State's 8, as
21 the kitchen area?

22 A: Yes, that's the kitchen.

23 Q: All right. Can you tell us kind of where the two of you
24 were located here in the kitchen?

25 A: That refrigerator, I was sitting beside the -- between

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1 the door -- the door going into the other room. On that side
2 of the refrigerator, that's where I sat in a chair.

3 Q: All right. And what --

4 A: And he was on -- the area that he was cleaning was
5 across the room, which was -- the refrigerator was -- the
6 stove was on that side and the cabinets, which are not seen,
7 were at the end of that area.

8 Q: All right. So how long would you estimate the two of
9 you were in this kitchen doing this work?

10 A: About an hour, maybe an hour. I'd say about an hour,
11 between an hour and a half.

12 Q: Were you predominantly seated for this time?

13 A: Throughout the time, yes. We were talking and I was
14 seated and we were talking.

15 Q: What -- what sort of conversation did you have there in
16 the kitchen?

17 A: We were talking about family matters. He was telling me
18 about his -- a conversation that he and his parents had had
19 the night before and asking me some questions about things
20 pertaining to that and just general kinds of conversations.
21 They centered basically on his father, his mother, my
22 interactions with them in terms of this property.

23 When I arrived, my brother was there, but he was there
24 without permission, and that was a part of the conversation
25 that we were having, that my brother was using the house

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1 without my permission and that it was problematic because it
2 was causing problems. He was not only using it. The house,
3 as you see, is boarded up and not supposed to be inhabited.

4 I had already been instructed by the police that if
5 anything were to happen to anyone in that property, it would
6 be my -- I would be liable for it. It would be my
7 responsibility and because the property was uninhabitable by
8 way of the rats and it being poisoned by exterminators, no
9 one was to have been in there in that house, but my brother
10 took upon himself to go in it whenever he got ready. If he
11 needed a place to stay, he would just break in the house and
12 go and stay.

13 And this is what was happening and that was the
14 conversation. That was what they had talked -- he and his --
15 what he told me that they had spoken of the night before. So
16 I had asked if he understood why I did not want my brother in
17 the property. I explained that and he said he understood
18 that.

19 I also asked if he knew that my brother was not well,
20 that his daddy was not well and that he was doing these
21 things because he was not well, and that I was going to take
22 care of that, but because of the house being in the condition
23 that it was and the kind of processing that it would need to
24 get my brother the help that he needed -- he has to be on
25 particular kinds of medication to keep him straight is the

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1 best word I can use, but I could not see to that and get that
2 house taken care of as well.

3 And this was the conversation that we were having as we
4 were -- as he was doing the property, cleaning the house. So
5 I wanted to make one hundred percent sure that he understood
6 the process because the process involves courts and police --

7 MR. MEETZE: Objection, Your Honor.

8 A: -- to have someone --

9 THE COURT: Hold on.

10 MR. MEETZE: As to relevance.

11 THE COURT: Mr. Richardson?

12 MR. RICHARDSON: Your Honor, I think she's just talking
13 about the nature of their conversation.

14 THE COURT: I'll allow it. Go ahead.

15 THE WITNESS: Yeah.

16 BY MR. RICHARDSON:

17 Q: Now, Dr. George, all the time -- you've talked about
18 things with respect to your brother, his father, and the
19 nature of that conversation. What -- what about his mother,
20 your sister-in-law?

21 A: When -- when we got to that part of having to involve
22 others, he then asked me specifically about his mother
23 because in that conversation that they had had the night
24 before he told me that his mother had told him, the things
25 that his mother had told him, and one was that I had evicted

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1 her and my brother from that house years earlier and had
2 taken them to court and had them put out.

3 And I explained to him that that had happened because as
4 was happening then, his mother and his father had broken into
5 the house without my permission and when I asked them to
6 move, they refused to. I said to them I need to fix the
7 house. The house had been vandalized. This was years prior
8 to this. I said I have to fix the house.

9 So they said they didn't have anywhere to stay. So I
10 said, well, the house is not habitable. It's been
11 vandalized, but if you want to stay there, you can stay, but
12 come January -- this was November or December, and I
13 explained this to him. November, December, you stay, but
14 January I'm having to fix the house -- this was four or five
15 years prior to that -- and they said okay.

16 January came and they said we want to stay here anyway,
17 but I says I'm going to fix the house and I'm going to charge
18 \$600 a month for you to stay here. That's what I'm going to
19 charge for staying in the house, and they said, well, we'll
20 stay here and we will pay and I said, well, I'm going to need
21 to get the house fixed.

22 All of this I'm explaining to him and I explained to him
23 that they would not -- they would not pay the rent and they
24 would not allow anyone to come into the house to fix it, and
25 it was because of that that I had to have them removed from

1 the house.

2 And he questioned me as to did my -- did my mother stay
3 in the house? I said, yes, your mother was in the house. He
4 says my mother said she paid you, and I asked him
5 specifically. I said did your mother say that she gave me
6 the money or did your mother say she gave the money to your
7 daddy and he was supposed to give it to me?

8 And there he was some -- he was confused. He said I
9 don't know. I think she gave it to daddy for him to pay you.
10 I said, well, knowing your daddy as you do and I know him, do
11 you think he gave me the money? He really did not answer me
12 and, to me, that was he understood. We both know the father
13 did not -- his daddy, my brother, did not give me the money.

14 And because of that, as I explained to him, I had to
15 have them evicted because the house -- I had to have the
16 house repaired, I had to have the house rented, and I could
17 not. They would not allow any repair people to come in.

18 So the money was one thing, but not being able to repair
19 the house was another thing. So they had to be removed from
20 the house, and that's what I explained to him. That's why I
21 had to remove his mother from that house. That was what --
22 that was the explanation, and he was not happy about that
23 because, first of all, he didn't -- he didn't know. He told
24 me his mother said that she was evicted, and he didn't accept
25 my explanation.

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1 Q: So for the hour plus that the two of you are in the
2 kitchen, this is the nature of the conversation?

3 A: That was the conversation.

4 Q: These deeply personal and intense family situations?

5 A: Yes.

6 Q: Okay. At the time -- at the end of your time in the
7 kitchen, what took place?

8 A: As a part of my explanation for what was happening with
9 his father in terms of what I was doing relative to his
10 father, his father breaking into the house, knowing that he
11 wasn't supposed to be there, I needed to clarify to him that
12 his father was sick. I had to do some things.

13 And by bringing other people into the house during the
14 summer, the light bill was going up, the air conditioner had
15 been broken. They ran the air conditioner broken 24/7 and at
16 the -- I -- as we were finishing, I said to him I will show
17 you the thermostats. There are two thermostats. So one
18 thermostat was in the front where we were. The second
19 thermostat was out of there and into a bedroom area.

20 So I went to take him to the thermostat for him to see
21 that the thermostat was set for the summer at a very low
22 level, which would cause a broken air conditioner to
23 continually, continually run, and I explained to him that the
24 bills were so high I could not afford to pay the light bills
25 in this property that was not being rented, that's not

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1 supposed to be inhabited, that's being inhabited by my
2 brother and people that he was bringing in to stay in there
3 with him. So that was a part of the conversation that I was
4 having with him and that's what led me to that thermostat in
5 the back.

6 Q: All right. Dr. George, I'm going to show you what's
7 been marked as State's Exhibit 9 for identification. If you
8 could take a look at that and see if you recognize it?

9 A: Yes.

10 Q: And what is it?

11 A: This is State's Exhibit 9. This is the thermostat in
12 that -- heading into that back area that had that -- and
13 that's the air -- that's the unit there beside it that was
14 broken.

15 Q: Okay. And I'll show you State's 10.

16 A: Yes.

17 Q: Is that just an alternate view?

18 A: This is -- this is another view of -- yes, this is a
19 direct view of that thermostat -- of that unit and the
20 thermostat is on the wall, but this is the doorway into the
21 room that he dragged me into.

22 Q: Okay.

23 MR. RICHARDSON: I'd ask for State's 9 and 10 to be
24 entered in evidence.

25 THE COURT: Any objection?

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1 MR. MEETZE: No, Your Honor.

2 THE COURT: Without objection, so admitted.

3 (WHEREUPON, State's Exhibit No. 9, photograph, and
4 State's Exhibit No. 10, photograph, were admitted into
5 evidence.)

6 MR. RICHARDSON: If I may publish?

7 THE COURT: Yes, sir.

8 MR. RICHARDSON: This is State's 9 and State's 10.

9 BY MR. RICHARDSON:

10 Q: All right. Now, Dr. George, is this the thermostat that
11 you were taking him to?

12 A: Yes.

13 Q: And could you take us through that move?

14 A: Okay. Looking at the -- looking at this picture
15 straight on, the thermostat is on my left, the unit is on my
16 right. He was standing where the unit is. He was standing
17 to my right on the right near where the unit is. I was
18 standing at the thermostat, and I asked him -- I asked him to
19 come to let me show him where the thermostat was set. It was
20 set so low, running on -- a constant run and running 24 hours
21 at that low level -- at that low level, which caused the bill
22 to be so high.

23 When I said to him, come, let me show you, in an instant
24 he had moved from that space behind me and had me in a
25 chokehold. I call it a killer chokehold because having been

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1 at the VA when that happened, immediately I knew. I didn't
2 know why, but I knew that my life was in danger. I was in
3 serious trouble because a chokehold of that nature and my
4 throat -- he was literally choking me.

5 When I went to the -- when I trained to treat the
6 veterans, that was one of the main things that they taught
7 us. They told us to be careful of because that was a move
8 that if you got into that position, your life was theirs, if
9 they wanted to take it, and they tried to show us maneuvers
10 to help with the situation, but the key thing that they said,
11 do not panic, do not become afraid, do not agitate them. Do
12 not aggravate them anymore because if they move to that
13 point, then you're in danger.

14 So the best thing to try and do is bring the situation
15 down, try to calm it down, and that's my job. That was my
16 job, calm the situation down because your life is his if he
17 wants it. And when that happened and I realized it, it took
18 me a minute to realize, and a minute is a long time when
19 you're in a situation like that, but it took me a minute to
20 put together what was happening.

21 And so I began immediately to stop talking, listen to
22 him, and he was very angry. He said two things -- and choked
23 me like this. Two things are going to happen in here today.
24 You're going to die or you're going to get me some money.
25 This is your last day. Calling the cops on people, locking

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1 people up, calling people crazy. I'm the one that's crazy.

2 You're going to see that. And I said, okay, okay, okay. So
3 he held me, dragged me from that space into that room.

4 Q: Hang on one second. Okay.

5 A: Pushed me up against the wall in the room. Once he got
6 me into the bedroom, he pushed me up against the wall and was
7 saying to me continuously this is your last day, this is your
8 last day. You're going to get me some money. This is your
9 last day. You're going to get these credit cards. I know
10 you have the money. You have these three houses. You have
11 money. I know you have some money. I need \$2,000.

12 So as he said that, my mind realized he's giving me two
13 options, die or get him some money. I couldn't control the
14 dying, but I could possibly control getting the money. But
15 he wanted me to get the money off of my -- he said to me get
16 your credit cards. I know you have credit cards. Get your
17 credit cards. Call Western Union and Western Union -- and
18 wire me -- what did he say? \$2,000. Only he said the money
19 has to come to you. You wire \$2,000.

20 And I said, first of all, my credit cards are maxed out.
21 I don't have any money on my credit cards, and I was telling
22 the truth. My credit cards were maxed out. And when -- and
23 that was why he was repeating, yes, you do, you have money.
24 You have these three houses. I know you have money. I says
25 I have some money in the bank, but I don't have any money on

1 my credit cards.

2 Well, how can we get the money out of your banks? I
3 don't know how to get money out of the bank for Western
4 Union, and I need this money. I need this money. I need
5 this money right away. I said you need money right away? I
6 can't -- the best that I can do is probably try to get you
7 some money through the bank, but I don't know how we can get
8 money. It's a Saturday. It's after 1 o'clock. My bank is
9 in Conway. Bank of America is in Conway. We can't go there.

10 My credit cards don't work. I don't have a credit card
11 for my bank to do it. I don't know how to do this. I don't
12 know how to get money out of my bank account through Western
13 Union. He said, well, again, this is your last day. You're
14 going to get me \$2,000 and I need this money right away
15 because I've got to have this money right now.

16 So then I began -- once I -- once I was able to get him
17 to converse -- to talk with me about the money, getting it,
18 the process of getting it, I then started questioning him
19 about, well, why do you need the money right now? And I says
20 if you knew you needed this money, why didn't you tell me
21 earlier because had you told me before 1 o'clock, we could
22 have gotten this money. Why are you trying to get money?

23 This was the conversation that we were having about the
24 money that I can have some input in while the whole time he's
25 choking me and asking me as he's saying these things,

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1 talking, to get undressed, take off your clothes. And so I'm
2 realizing now that not only am I in a chokehold, now he --
3 I'm at the point I'm probably going to get assaulted because
4 for him to have me strip while in this room -- and he closed
5 the door so during that whole process, he closes the door in
6 a room where there's no one there, the house is all boarded
7 up, there's no one, no traveling of people in the area on
8 that end of the street.

9 So I'm now realizing that I'm being stripped, being
10 asked for money. Two things that I can control, money and
11 stripping. Take off your clothes. Don't antagonize him.
12 Take off your clothes. So I'm taking off my clothes. As I'm
13 taking off my clothes, I'm thinking how am I going to get out
14 of this. I've got to get out of this alive because he never
15 took his hand from my throat. He constantly had me confined
16 in that way, pinned down, his hand to my throat in that
17 manner.

18 When I stripped, he moved me over to the closet. The
19 whole time I'm talking to him. I'm trying to reach that
20 person in him that would say there's another way to do this.
21 Why did you not let me help you earlier? Or let's see, I
22 don't have -- I don't have the credit cards, but I do have
23 money in my bank, Bank of America. It's too far to go.

24 This is my talking to him as he's saying to me how this
25 is my last day, and I said to him that there is a second bank

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1 that I deal with, but I have no credit cards or anything
2 from. But I could probably use a credit card to get into
3 that bank.

4 Well, he's still has me stripping. He moves me over to
5 the closet. Now, I'm naked and still talking to him, still
6 trying to give him a way to get money, and he -- once I'm
7 stripped, I say to him -- when he gets me over to the closet
8 from the door, off the wall and to the closet, I said to him,
9 you know, if you touch me in that way, I have not had sex
10 since 1995 -- 1997 I told him. I've had no sex since 1997.
11 I'm 75 years old and if you touch me in that way, you're
12 going to hurt me and if you hurt me, you're not going to get
13 any money because I'm not going to be able to get you any
14 money.

15 So he took his two fingers when I said that and he put
16 them into my vagina, and as I was saying those things to him,
17 he stopped, and he was not -- he was behind me at the closet
18 and he said -- he put his hands on my buttocks, but what
19 about the butt, what about the butt? I said if you touch me
20 there, you're going to hurt me. I says I'm 75 and if you
21 touch me there, you're going to hurt me and if you hurt me,
22 you're not going to be able to get any money. Because he had
23 explained to me clearly how desperate he was for that money
24 because he had to have it from someone. He had to have it
25 for a bail bondsman. That's what he said.

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1 So he stopped at that point because I certainly had that
2 conversation about the second bank. I could go and get -- I
3 can't get it out of my bank, why didn't you tell me earlier,
4 those things I had talked with him. I was talking him down
5 when he had me up against the wall.

6 And then he said, well, get dressed. So I started
7 putting my clothes back on. Hurry up. Hurry up. And I got
8 dressed. Well, let's -- we'll go to the bank. So I was
9 looking for my purse. Okay. I got your purse. I got your
10 purse. So we had my purse, and he had the keys. He had
11 everything in the purse. So after he got me dressed, we went
12 out that back door, that exit. We went out that door to the
13 car.

14 Q: Dr. George, before we get any further, I want to show
15 you a few items and ask you some follow-up questions. I'm
16 going to show you State's 11 for identification.

17 A: This State's 11, that's the -- this is -- this is the
18 empty room and this is the -- this is the -- this looks like
19 the front. Oh, no, I'm sorry. I can see this, but I can't
20 see. I got my glasses and I still can't see. This is the
21 room that I was in. This is the little bedroom off of the
22 room that I was in and to the -- on my right here, that's
23 where the closet is that he had taken me. So this is that
24 bedroom, that empty bedroom. Here's the closet. This is it.

25 Q: That's State's 12.

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1 A: Okay. State's Exhibit 12, this is the closet. He had
2 taken me over and had me at that closet door.

3 Q: Okay. And State's 13?

4 A: Yes. This is the entryway to that bedroom and on the
5 opposite side of the door, that wall, that's where he had me
6 pinned up against the wall with -- and that's that thermostat
7 there. He moved from that hallway, that little hall into
8 that bedroom, pinned me up against the wall, and had me
9 undress there and moved me from there over to that closet,
10 which is over here where this State's Exhibit 13 stamp is,
11 and that's when he penetrated me with his two fingers.

12 Q: Okay.

13 MR. RICHARDSON: Your Honor, I'd ask for State's 11, 12,
14 and 13 to be entered into evidence.

15 THE COURT: Any objection?

16 MR. MEETZE: No, Your Honor.

17 THE COURT: State's Exhibit 11, 12, and 13 admitted
18 without objection.

19 (WHEREUPON, State's Exhibits 11, 12, and 13,
20 photographs, were admitted into evidence.)

21 MR. RICHARDSON: And if I may publish this? This is
22 State's 11.

23 THE COURT: Yes, sir.

24 BY MR. RICHARDSON:

25 Q: And, Dr. George, this is the bedroom where the -- this

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1 incident occurred?

2 A: Yes.

3 Q: Okay. And State's 12?

4 A: That's the closet.

5 Q: And what is -- what happened at this closet?

6 A: This is where -- where he dragged me over to that closet
7 door and had me strip. Where that plaque is on that wall, I
8 was standing right underneath that and that's where he
9 inserted his two fingers into my vagina and that's when he
10 moved to -- I was facing that little room and he moved behind
11 me and was touching my rear end, saying what about the butt,
12 what about the butt, and that's when I said to him if you
13 touch me there, you're going to hurt me and I'm not going to
14 be able to get any money. That's the places -- those are the
15 two places where I told him repeatedly that if you hurt me,
16 you're not going to get any money because no sex since I was
17 -- since 1997, and I'm 75 and this was 2019, you know.

18 Q: All right. Dr. George, I'm going to ask you a couple of
19 logistical, I guess, follow-up questions based on what you've
20 said. Now, you mentioned that for most of this time that he
21 was behind you and had you in the chokehold position; right?

22 A: Yes.

23 Q: Now, when -- when he told you to remove your clothing,
24 how were you able to accomplish that with him still, you
25 know, having you in that position?

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1 A: That was -- that was when he was telling me to hurry up
2 because I was having difficulty trying to undress with him
3 having me choked. So he -- he did not unchoke me. He kept
4 me choked and how I got out of my bottoms and how I got out
5 of my top, I don't recall. I don't know how I got out of my
6 top, to tell you the honest to God truth. I do know I came
7 out of my bottoms and how I got out of my top I don't know,
8 but I do know that at no time did he take his hand from my
9 neck.

10 Q: Now, was your top completely removed and on the floor or
11 was it still hanging on you?

12 A: Here. I was -- it was up in here around me. I had on a
13 -- something that I had to put -- something like this. It
14 was a T-shirt type thing. I had to pull it over my head. So
15 I was not able to get it over my head because he never let me
16 loose. So I was naked from here down.

17 Q: And when he penetrated you with his fingers, where was
18 he standing in relation to you?

19 A: Okay.

20 Q: Was he behind you? Was he in front of you?

21 A: He was -- he was in front of me. He was in front of me.
22 He was -- he was -- he had come to -- he held me. He had me
23 like this and he was around the side. He had his -- he took
24 his -- he had me up here against this little panel here with
25 the plaque on it. I was standing there. He had me and he

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1 came around and took his fingers and put them in my vagina.

2 Q: All right. Now, I know this will sound like a
3 ridiculous question to anybody, much less a medical doctor,
4 but did his fingers just go on your vagina or did they go
5 inside?

6 A: No, inside. He put his fingers inside my vagina.

7 Q: Okay. And did this last --

8 A: Not very long.

9 Q: -- very long?

10 A: If I may say, what it sounds -- what it seemed to me at
11 the time was he was really trying to see if it was open
12 because I had said to him I haven't had sex since 1997. Is
13 it even open? Because that's exactly what he did. He put
14 his fingers in to see. That's what it -- that's what I -- the
15 explanation --

16 Q: The explanation?

17 A: -- that I would have given. And when I say --

18 MR. MEETZE: Objection.

19 A: -- he was in front --

20 MR. RICHARDSON: Hold on a second. I think he --

21 MR. MEETZE: I object to that because it's speculation.

22 THE COURT: Sustained.

23 MR. RICHARDSON: All right. Well, we can move on from
24 that.

25 BY MR. RICHARDSON:

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1 Q: Dr. George, let me -- this is State's 13 I've yet to
2 publish. I believe you said this is the entryway to that
3 bedroom?

4 A: Yes.

5 Q: Okay.

6 A: That's it.

7 Q: All right. So you've got to the point where you've got
8 your clothes back on and y'all went to exit the house?

9 A: Yes.

10 Q: Okay. Take us from that point.

11 A: When we -- we got outside. I'm dressed. I'm outside.
12 He has my purse. He has the keys. He goes -- I'm standing
13 outside the driver's side. He goes around to the passenger
14 side and he gets in. Then he lets me in. He said you wait
15 until I get in because I don't want you driving off and
16 leaving me kind of thing. So he didn't -- he didn't give me
17 the keys. He didn't allow me to get into the car until he
18 was seated in the car on the passenger side. Then he opened
19 the door and allowed me to get in and then he gave me the
20 keys for me to back out.

21 Q: All right. So you're in the driver's seat and this is
22 your car?

23 A: It's my car.

24 Q: All right. Now, when you turn the car on to go
25 somewhere, what's the conversation? What are the

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1 instructions?

2 A: Oh. He didn't know where I was going; so I told him we
3 were going to go to South State Bank. I told him I was going
4 to go to South State Bank and get money from there. And in
5 the meantime, I would also try to figure out what I could get
6 from Bank of America because I told him I honestly did not
7 know how to process money from Bank of America from my
8 banking account through Western Union. I didn't know how to
9 make that work.

10 Q: Now, why were you -- what was your purpose in going to
11 the South State Bank?

12 A: He said you're going to give me \$2,000 or I'm going to
13 kill you, in essence, and I was taking him to South State
14 Bank to give myself more time to talk with this man to try to
15 reach the nephew that I thought I knew in him to ask him why
16 would you be going through this process when all you had to
17 do was ask me for money. If you needed help and if you're in
18 this kind of trouble, why wouldn't you ask me?

19 So my thing was always keep him calm. Do not allow him
20 to feel that you're a danger to him, he needs to kill you
21 because you're here fighting him. You're not cooperating.
22 Give him no reason. Get his trust. Let him know that you're
23 here for him. That's what you do. So that conversation and
24 taking him to the bank and all of that, any amount of time
25 that I could use to talk to him to find the person that I

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1 thought I knew in him, to connect with that person to see if
2 I could talk him down from this because I certainly couldn't
3 battle him out of it. I couldn't jump and run from him.

4 So I had to get him on my side, so to speak. So that's
5 when I had that conversation with him. What's your problem?
6 What do you need to have done? Why are you in trouble? Let
7 me help you. Continuously. So that's why I took that --
8 that drive and that was my intent to do that, but he -- for
9 him, that was my intent. He saw me taking him to South State
10 Bank to get the money that he needed, and that's what --
11 that's what that was about.

12 Q: And do you recall the route that you took to get from
13 Layton Street to South State Bank?

14 A: I went up Layton Street, went down Maxwell Street, over
15 to Oakland Avenue. I went back up Oakland because I came
16 down Layton -- went out Layton onto Malloy, up Malloy to
17 Maxwell, over to Oakland, made a left on Oakland, and went
18 all the way across Darlington. Went from Darlington to Irby
19 and made a left on Irby to go out to South State.

20 Q: This bank, South State Bank, is on Irby?

21 A: South State Bank is on Irby.

22 Q: It's on Irby Street?

23 A: Yes.

24 Q: Okay.

25 A: On the right.

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1 Q: All right. And I'll show you, while we're talking about
2 that, State's No. 4. One second. Take a look at State's 4
3 and see if you recognize that.

4 A: Yes. This is the bank.

5 Q: All right.

6 A: This is the -- this is the back of -- this -- this is it
7 here.

8 Q: Is that an accurate representation of the way the bank
9 looked when you were there?

10 A: Yes. Uh-huh.

11 Q: Okay.

12 A: This is it.

13 MR. RICHARDSON: I'd move State's 4 into evidence.

14 THE COURT: Any objection?

15 MR. MEETZE: No objection, Your Honor.

16 MR. RICHARDSON: Okay.

17 THE COURT: Without objection, so admitted.

18 (WHEREUPON, State's Exhibit No. 4, photograph, was
19 admitted into evidence.)

20 MR. RICHARDSON: And I'll publish this.

21 BY MR. RICHARDSON:

22 Q: All right. Dr. George, does this photograph show the
23 area in which you went there in the bank parking lot?

24 A: Yes.

25 Q: Okay. Could you kind of the best you can kind of show

1 us where you were?

2 A: The -- this is the back of the bank. Those -- that
3 extension there, that's -- that's where the tellers are, the
4 ATM tellers.

5 Q: Right.

6 A: Well, I did not -- I didn't stop at the tellers because
7 I told him that we could not -- it was a Saturday. I could
8 not get the money that he needed from that bank. I couldn't
9 get enough money. I says we probably need to go through the
10 Western Union.

11 So I had to pull around in front of the tellers. Since
12 I wasn't going to stop at it, I pulled around between where
13 the tellers are that faces Irby Street. So traffic was
14 moving on Irby Street. I was parked between Irby, moving
15 traffic, the parking lot in front of the tellers, and the
16 tellers were behind me, so to speak. So that's where I was.
17 And during that time I was sitting there talking with him
18 during that period of time.

19 Q: All right. So the bank would have been closed?

20 A: The bank was closed. It was a Saturday, and that's what
21 I was explaining to him.

22 Q: All right.

23 A: The teller is not going to give us very much money. You
24 aren't going to be able to get -- and because this is -- this
25 is not my bank where my account is, my money that I could get

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1 out of that place was very limited. I didn't want him to
2 think that I was lying to him. I didn't want to do anything
3 to have him not trust me. He had to trust me.

4 Q: So at this point you're sitting in this parking lot
5 having further conversation with him about where to get
6 money?

7 A: Yes. And to convince him that I had the money, I was
8 going -- I was doing everything I could possibly do to get
9 him the money, I called my bank, Bank of America, on the
10 speakerphone so he could hear me talk to them for them to
11 tell me what I had in my account. So he could hear all of
12 that.

13 So he heard what I heard, and so he heard what I heard
14 was that I had the amount of money that he needed in my
15 account. So now it was just a process of how do we get it
16 from here to you and when I was unable to get -- even going
17 through Bank of America, it was already clear I wasn't going
18 to get it out of South State Bank. We're at Bank of America.
19 I'm on the phone with them. They aren't cooperating in terms
20 of saying, okay, we'll transfer this money to Western Union.
21 That didn't happen.

22 So when it was realized that we weren't going to get the
23 money out of Western Union from my bank because they weren't
24 sending it, the teller -- the bank said you could probably --
25 I'm sorry. I had to call Western Union. When my bank

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1 refused to make the process, that's when we had to -- I had
2 to call Western Union to say, you know, how do I get money
3 from Bank of America to you and they said, well, if your bank
4 is not transferring it, you have to find a Western Union, a
5 literal Western Union. Go to an actual site. I didn't know
6 any.

7 And he said -- he asked me do you -- I says I don't know
8 where there's a Western Union to send the money. He says
9 I'll call my mom. And he called her and when -- after he
10 spoke with her, he told me there was a Western Union at IGA,
11 and I said I know where IGA is. I said so let's go there
12 because we aren't going to be able to get enough money out of
13 South State.

14 Q: Okay.

15 A: So then I left. But while I was there, all of this was
16 going on and I realized that I was not getting out of that
17 and I'm thinking and I'm thinking. I became so desperate I
18 looked at that traffic on Irby Street. I said I should just
19 drive out into that traffic. If I drive out into that
20 traffic, that's going to get me out of this car. But then I
21 also said if I drive out into that traffic, I might kill me,
22 him, and everybody else that runs into this car. So I had to
23 let that go, and I did.

24 So I had to come back to thinking how am I going to get
25 out of this. So he needed money. So we're still back to get

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1 him the money. Once he told me to go to -- that he had been
2 told to go to IGA, I then went to IGA. I left. We drove out
3 of the parking lot there at South State bank, back onto Irby,
4 went back up to Darlington, went Darlington back over to
5 Oakland and took Oakland all the way down because I knew how
6 to get to that IGA up in Quinby.

7 So I took Oakland all the way down to the street that
8 the IGA is on, made a right onto that street, and then made a
9 right into the Western Union parking lot and parked the car.
10 During this entire time, I'm still talking to him. I'm still
11 offering him let me help you. Let me get you out of this.
12 You don't have to do this. Whatever -- whoever this is
13 that's trying to get you, this bail bondsman, we can work
14 this out where you don't have to do this. You don't have to
15 go this way. We can get the money, get you out of this. Let
16 me help you with all of this. Let me help you with your
17 problem.

18 I could not reach him. So we got to the parking lot.
19 When I got to the parking lot, I parked. Maybe a couple of
20 minutes, again I made that plea. Let me help you. I could
21 not -- I had talked him down from harming me, but I could not
22 talk him out of getting the money, going that far.

23 So I went into the IGA and found -- I did not know where
24 the Western Union was, but I went into the IGA and the
25 Western Union was just up the way and to the left. So once

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1 you come into the IGA, if you look around, you'll -- it's a
2 sign there. So it wasn't that difficult to find.

3 So when I came in, we went to the Western Union and I
4 asked -- I engaged the clerk. She gave me the paperwork to
5 fill out and as I'm talking to her and saying to her what it
6 was that I needed, what I wanted, it came to my asking her
7 for \$2,000 and having it sent to me. That's when the process
8 sort of stopped because I said I want \$2,000, I want you to
9 mail it -- I mean have it wired to me.

10 So she put that in and it kicked it back and I says,
11 well, why are they kicking it back because I had checked with
12 my bank. The money was there. And she explained to me that
13 on a situation such as this, it's a Saturday, I'm an older
14 woman, I'm having money wired to myself at a Western Union,
15 Western Union had put in place a cap on such money because it
16 could have been a situation where the person was being
17 extorted, their lives are being threatened, and they had to
18 get the money.

19 So as she was saying that, I was going, wow, Western
20 Union is on top of this, and they were because that's exactly
21 what was happening to me. So when -- she got the \$1,000
22 because that's all they would give me, \$1,000. So when they
23 got -- when she got the \$1,000, I said to her give it to him.
24 It was mailed to me, but it's going to him, and I did that
25 deliberately. I did not want her to give me the money. I

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1 wanted her to know that the money was going to him, and she
2 asked me, you know, who's getting the money and I told her it
3 goes to him. So she gave him the money.

4 And then I said to her that I could get the other --
5 there was an ATM that I can get more money from. In her
6 conversation with me, she did say that Western Union -- there
7 was another Western Union at Food Lion, that I could go there
8 and get some additional money, but he had walked away enough
9 that he couldn't hear that. He was still within the area
10 close enough --

11 MR. MEETZE: Judge, I'll --

12 A: -- that I couldn't run --

13 MR. MEETZE: -- object to hearsay.

14 A: But --

15 THE COURT: Excuse me? Hold on. What's your objection?

16 MR. MEETZE: Hearsay to the things that the Western
17 Union person was saying to her.

18 THE WITNESS: Oh.

19 THE COURT: Sustained.

20 THE WITNESS: Well --

21 BY MR. RICHARDSON:

22 Q: Without saying what the Western person was telling you.

23 A: Okay. I heard that. That's -- she told me that. I
24 can't say that.

25 Q: Right.

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1 A: Okay. So she did tell me that there was an ATM.

2 MR. MEETZE: Objection.

3 THE WITNESS: Okay. So as I --

4 THE COURT: Can y'all approach for a second?

5 Hold on a second, Dr. George.

6 (WHEREUPON, a bench conference was held in the presence
7 of the jury but out of the hearing of the jury off the
8 record, after which the proceedings resumed as follows.)

9 THE COURT: Objection overruled. You may continue.

10 BY MR. RICHARDSON:

11 Q: All right. Dr. George, so you said you were pointed in
12 the direction of an ATM?

13 A: Yes. The ATM was -- the Western Union was right here,
14 the ATM was over, like, near the outside. I mean --

15 Q: While we're talking --

16 A: -- at the exit.

17 Q: While we're talking about those things, if I can show
18 you State's 15 -- 14 and 15.

19 THE COURT: While he's doing that, I know we've been
20 going about two hours. Is everybody on the jury okay? Okay.

21 BY MR. RICHARDSON:

22 Q: I'll show you -- first I'll show you State's 15 and see
23 if you can identify that?

24 A: Yes.

25 Q: What is it?

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1 A: This is the Western Union station at the IGA.

2 Q: Okay.

3 A: This is where I was.

4 Q: And is that how it looked --

5 A: Yes.

6 Q: -- on that day?

7 A: Uh-huh.

8 Q: All right. And State's 14, if you could take a look?

9 A: Oh, yes. This is the entry, and right beside that door
10 coming in is the ATM back there.

11 Q: And that's at the IGA as well?

12 A: That's the IGA ATM. Uh-huh.

13 MR. RICHARDSON: Your Honor, I'd ask for State's 14 and
14 15 to be entered into evidence.

15 THE COURT: Any objection?

16 MR. MEETZE: No, Your Honor.

17 THE COURT: So admitted without objection.

18 (WHEREUPON, State's Exhibits No. 14 and 15, photographs,
19 were admitted into evidence.)

20 MR. RICHARDSON: And if I may publish State's 15 first.

21 BY MR. RICHARDSON:

22 Q: So, Dr. George, this is where you did the Western Union
23 transaction?

24 A: Yes.

25 Q: Okay. And State's 14. And I believe you were at this

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1 point where you were pointed in the direction of an ATM
2 machine?

3 A: Right. Yes. That's it. Uh-huh. That's correct.

4 Q: Okay.

5 A: And when I went there and got an additional -- she'd
6 given him the \$1,000. I went to the ATM and I got the
7 additional \$500 and as I'm going to the ATM to get the
8 additional \$500 and walking away, he's walking towards the
9 exit going towards the door. I'm walking back away from the
10 ATM and there's a person whom I don't remember, but someone
11 who knew me spoke to me and had a brief conversation. We
12 exchanged hellos to some extent, something, and he then --
13 he's moved away, but he's -- we're still close enough. It's
14 not like I can jet. I couldn't.

15 So I have the money. I'm going to give it to him, and
16 he was a bit reluctant to take the money, but I was sort of
17 grateful that the person was there so he could see me giving
18 him the money. So I gave him the money. So now he had the
19 \$1,000 from the Western Union, he had the \$500, and now it
20 was time to leave the store. And when we got to the door to
21 leave the store or got through the door and walked outside,
22 it was raining. I said it's raining and I can't get wet.

23 So he had the keys and I said to him, you know, just get
24 the car. He had the keys, he had the -- and when he --
25 whenever we got to that point of his going out that door,

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1 going out that door, it's raining. Go get the car. I'm
2 thinking you send him for the car. Maybe you could get
3 9-1-1. I said, no, if I do that -- I processed if I do that,
4 I've got to dial and I've got to wait and then I've got to go
5 hide. I says no. It's not time. So I didn't.

6 I get outside. He goes. He gets the car. When he's
7 coming back, I'm saying I cannot get back in that car.
8 That's what I'm thinking. You cannot get back in that car.
9 He has the money now. Now the only thing left is your life.
10 If you want your life, don't get back in the car.

11 So I said, okay, let's see. Park -- I said to him park
12 along -- park alongside here. I directed him to do that and
13 he parked it with the driver's side -- the passenger side
14 towards the store where I would've gotten in. I didn't move
15 towards the car to get in. I told him to let the window
16 down. He let the window down.

17 I said to him I've got to run back in the store to get
18 some Fantastik. He knew that was the truth because we had
19 run out of it. So when I -- and I said to him park the car
20 right here and wait, and I'll go in and get the Fantastik and
21 I'll be back. He said, well, it was a no parking zone. So
22 he said, no, I'll park it. I'll park it back. I says, well,
23 okay, and he says I'll bring the umbrella in to get you, and
24 I said okay.

25 So as soon as I entered that door, I dialed 9-1-1 and

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1 made a beeline for the back of the store. You know in those
2 grocery stores there's an unauthorized area that you're not
3 to go through. That's just where I headed, to that
4 unauthorized area because the butchers were there. So I
5 headed through there, came into that area, and I started
6 saying to them hide me, hide me, my nephew is trying to kill
7 me. You've got to hide me, and he's robbing me and he's
8 trying to kill me, you've got to hide me.

9 And they stoned, just went stone-faced on me. So I just
10 had to look and I kept looking. I kept walking, I kept
11 walking, and I saw a doorway. So I just walked right through
12 and went on into this doorway and got into a little room that
13 was away from the store, even more secluded than the butcher
14 area, and that's where I took a seat and sat. And I had said
15 to them my nephew is trying to kill me. He's coming back
16 into the store to get me. Don't -- don't let him know where
17 I am.

18 Within a few minutes, someone who identified -- who was
19 identified as the manager came in and I told him the story
20 and I was made safe. I didn't have to leave. Stay here.
21 And that's -- and I told him that the police were coming and
22 that -- asked him to please show them to where I was.

23 And so -- and I had the phone in my hand because I was
24 talking to the policeman the whole time. I'm talking to the
25 people in the butcher shop in the butcher area. I'm talking

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1 to the police on the phone, telling them where I was, what
2 was going to come on, and they were saying to me stay where
3 you are, we'll have someone there immediately. And within a
4 very short time, two officers showed up.

5 Q: I want to show you what's marked State's Exhibit 16 and
6 17 for identification.

7 A: Yes.

8 Q: Do you recognize this?

9 A: Yes. This is -- this is the doorway that I went
10 straight through.

11 THE COURT: What number was that?

12 THE WITNESS: That's State's Exhibit 16.

13 MR. RICHARDSON: 16.

14 BY MR. RICHARDSON:

15 Q: So that's the doorway of the unauthorized entry door?

16 A: Yes. Uh-huh. I went straight through there.

17 Q: Okay.

18 MR. RICHARDSON: Your Honor, I'd ask to put State's 16
19 into evidence.

20 THE COURT: Any objection?

21 MR. MEETZE: No, Your Honor.

22 THE COURT: So admitted without objection.

23 (WHEREUPON, State's Exhibit No. 16, photograph, was
24 admitted into evidence.)

25 BY MR. RICHARDSON:

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1 Q: And this is State's 17 for identification. Do you
2 recognize this?

3 A: Yes.

4 Q: And --

5 A: This is the -- this is the little area in which I hid.
6 State's Exhibit 17.

7 Q: So this is -- this is where the manager found you?

8 A: Yes.

9 Q: All right.

10 MR. RICHARDSON: And I'd ask to move State's Exhibit 17
11 into evidence.

12 THE COURT: Any objection?

13 MR. MEETZE: No, Your Honor.

14 THE COURT: Without objection, so admitted.

15 (WHEREUPON, State's Exhibit No. 17, photograph, was
16 admitted into evidence.)

17 BY MR. RICHARDSON:

18 Q: And I'm going to show you State's 18 for identification.
19 Do you recognize this --

20 A: Yes.

21 Q: -- situation?

22 A: This is when the -- the police got there. They brought
23 him back to me and they brought me up to the front and took
24 me into another area to question me, and that's -- this is
25 that second area that they had taken me into.

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1 Q: And is this what you were wearing this whole day?

2 A: Yes. That's what I was wearing the whole day.

3 Q: Okay.

4 MR. RICHARDSON: And I'd ask for State's 18 to go into
5 evidence.

6 THE COURT: Any objection?

7 MR. MEETZE: No, Your Honor.

8 THE COURT: Without objection, so admitted.

9 (WHEREUPON, State's Exhibit No. 18, photograph, was
10 admitted into evidence.)

11 MR. RICHARDSON: And if I may publish these.

12 BY MR. RICHARDSON:

13 Q: This is State's 16. Dr. George, if you could just
14 briefly tell us what we're looking at?

15 A: That looks -- that's -- that looks like the -- that's a
16 doorway and that's a doorway into the unauthorized area.
17 That's what it looks like.

18 Q: Okay. And is that the area where you went in the back
19 of the store?

20 A: Yes.

21 Q: Okay.

22 A: That's the area that I went into.

23 Q: All right. And then State's 17?

24 A: That's that area that I was hiding in.

25 Q: Okay. So this is in --

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1 A: In the IGA in the back off from the food, from the
2 butcher area.

3 Q: So in order to get here, you went through that
4 unauthorized door, past the butchers?

5 A: Into a little doorway, a little room.

6 Q: Another door?

7 A: Yes.

8 Q: And into this area?

9 A: Yes.

10 Q: So this would be kind of at the very back of the
11 building?

12 A: Yes.

13 Q: Okay. And then State's 18?

14 A: That's the area that -- after every -- after I had been
15 rescued, the policemen took me to this area, which is the
16 front of the store or another area within the store and
17 questioned me as to what had happened.

18 Q: All right. So let me ask you some follow-up questions
19 based on what you've told us. Now, you have testified that
20 y'all went on this journey from Layton Street to South State
21 Bank up to the IGA and this whole time you were driving the
22 car?

23 A: Yes.

24 Q: All right. And he's next to you in the front passenger
25 seat?

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1 A: Yes.

2 Q: What kept you from at any point at a stop sign or a
3 stoplight or anywhere along the way from just opening that
4 door and getting out and making a break?

5 A: A broke back. I was waiting for -- I was -- my back was
6 broken, L4/L5 broke, and I was waiting for surgery within a
7 month to fix that. I could not -- that's why I had to have
8 him over there in the first place. I couldn't stoop,
9 couldn't run. That's why I had to sit the entire time that
10 he was doing the cleaning, and I was directing him because I
11 could not maneuver. I couldn't run. I couldn't -- I
12 couldn't -- I couldn't get into a tussle. I couldn't try to
13 free myself or fight my way out of that. That's why.

14 Q: How about when you were in the IGA? I mean there was
15 people there; right?

16 A: Uh-huh.

17 Q: What keeps you from just hollering at the top of your
18 lungs this is happening to me, help me?

19 A: The same thing. I could not engage in being, you know,
20 grabbed again or pushed or pulled or being used as, you know,
21 a shield or being struck because I'm trying to resist him. I
22 couldn't engage in a fight. I could not engage in a physical
23 situation.

24 I had -- my thing -- my only weapon that I had on my
25 body was my mouth. I had to talk myself out of all of that.

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1 I could not engage him. If he -- if I annoyed him, if he had
2 lost my trust, if he -- if I had put myself in a position to
3 antagonize, annoy or escalate the situation and had it become
4 physical, I had no defense. I had no offense. I had nothing
5 to offer because my back was broken and I couldn't physically
6 do anything. So to put -- to antagonize the situation, to
7 escalate it to the point that it became physical was not in
8 my best interest.

9 Q: Now, when you made it to the back part of that grocery
10 store, did you see Craig anymore that day?

11 A: Not until the police -- until this picture whenever they
12 brought me from that room back. I didn't see him anymore
13 until they brought me from that back room up to the front and
14 the police had him at that time.

15 Q: All right. Now, I want to show you this exhibit here,
16 which is State's 23. Dr. George, do you know what this is?
17 This is State's 23 for identification only.

18 A: Yes, sir. A map of the Florence area, near to Florence.

19 Q: Okay. And does it have some labels on there?

20 A: Yes. Yes. This is the house on Layton Street and
21 there's the bank, South State Bank, the house at 1009 Layton
22 Street is there. There's the bank, South State Bank, and
23 there's the IGA up there.

24 Q: Okay. And is this an accurate representation of what
25 your personal knowledge of these locations are?

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1 A: Yes.

2 Q: Okay.

3 MR. RICHARDSON: Your Honor, I'd ask for State's 23 to
4 be entered into evidence.

5 THE COURT: Any objection?

6 MR. MEETZE: No, Your Honor.

7 THE COURT: Without objection, so admitted.

8 (WHEREUPON, State's Exhibit No. 23, large overhead
9 photograph map, was admitted into evidence.)

10 MR. RICHARDSON: And just for the folks' edification to
11 publish it, the kind of pink banner or sticky down there is
12 South State Bank, the green sticker is the house on Layton,
13 and the orange sticker is the IGA store in Quinby.

14 BY MR. RICHARDSON:

15 Q: All right. Dr. George, you met with police officers
16 there at the scene there at the IGA; is that right?

17 A: Yes.

18 Q: And after you met with them, what did you do when you
19 left the IGA?

20 A: I went home.

21 Q: And what did you do or contemplate when you got home?

22 A: Decompressing, trying to bring myself down from that
23 situation. The -- I had been given the phone number for
24 someone to call. I was offered that, and I said I was -- I
25 didn't -- I was going to be okay.

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1 And when I got home and tried to decompress and being
2 thankful that I was alive, I realized that I needed help once
3 I was out of it. It's like being in it, the adrenaline, I
4 was able to maintain, but once I got home and started
5 decompressing, I needed -- later as time went on, I needed
6 some help.

7 So I called my doctor and asked her if -- I told her
8 what had happened and asked her if -- well, actually, when I
9 first called her, that was my intent, but she wasn't able to
10 get back to me. So that gave me more time on my own to have
11 to work through this, but ultimately, she got back to me and
12 gave me some references. So I was able to talk with someone
13 about it, but in addition I made some calls to find out who
14 could I talk to and ended up talking with someone from the
15 Pee Dee Coalition, that phone number, and they referred me to
16 the Solicitor's Office.

17 Q: Okay. So you called your doctor. What's your doctor's
18 name?

19 A: Dr. Focell Jackson.

20 Q: All right. And that was within a day or so?

21 A: I called her. This was Saturday. I called her. It
22 wasn't that same day. It was the very next day, but I did
23 call her and she was out of town. And when she got back to
24 town -- it was the next day I think it was I called her and
25 because I wasn't settling with it, and the next day when she

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1 called -- she was out of town. When she called me back, I
2 was able to tell her what had happened.

3 Q: Okay. And based on what you disclosed to her, she
4 referred you to some resources?

5 A: Yeah. She gave me some resources, but by then I had
6 made contact with the Solicitor's Office, and I had been
7 given another referral to the Pee Dee Coalition, and they had
8 a person there who spoke with me and set up some appointments
9 for me to interact with their counselor.

10 And because I was going to be leaving, I had to, you
11 know, go back to have my back fixed, I -- that time was cut
12 short because I had -- I had to be out by the 10th of August.
13 So from -- I had less than a month, but I did have a couple
14 of times that I was able to interact with that -- with that
15 counselor.

16 Q: Okay. Hang on one second for me.

17 MR. RICHARDSON: I beg the Court's indulgence.

18 Thank you, Dr. George. Please answer any questions
19 defense counsel may have for you.

20 THE COURT: Can the lawyers approach, please?

21 (WHEREUPON, a bench conference was held in the presence
22 of the jury but out of the hearing of the jury off the
23 record, after which the proceedings resumed as follows.)

24 THE COURT: All right. Ladies and gentlemen of the
25 jury, we've been going about right at two and a half hours.

1 What I'm going to do, I'm going to go ahead and I'm going to
2 let you go to lunch now. I'm going to ask that you be back
3 here at 2 o'clock. Be back here at 2 o'clock.

4 As I've said from the outset, do not discuss this case
5 with anyone. Do not do any independent investigation.
6 You're to decide this case based solely upon the evidence and
7 testimony presented in this courtroom and nowhere else.

8 When you all return from lunch, if you would --

9 Mr. Johnny, if you'd make sure they have some pencils or
10 pen and paper in the jury room.

11 I want you all to go ahead and select a foreperson. I
12 will tell you that your foreperson cannot be Mr. Bazen, nor
13 Mr. Carter, but if you would select a foreperson, reduce that
14 to writing as to who your foreperson is and your juror
15 number, and give that to Mr. Johnny and he'll give it to me
16 when you all come back in.

17 And the foreperson will sit where this young lady is
18 seated closest at the end here -- okay? -- on the front row.
19 Everybody else can come -- when you come back in, you can sit
20 in your same seat, other than those two individuals will
21 switch those out. I would encourage you in your jury room as
22 well to sit in your same seats back there too. Okay?

23 All right. You all are free to go. Have a nice lunch.
24 I'll see you back here at 2 o'clock.

25 Doctor, if you'd remain seated, please, ma'am.

1 THE WITNESS: Sure.

2 (WHEREUPON, the jury exited the courtroom at 12:42 p.m.)

3 THE COURT: All right. Anything from the State at this
4 time?

5 MR. RICHARDSON: That's it, Your Honor. That's all we
6 have.

7 THE COURT: Defense counsel?

8 MR. MEETZE: Nothing further.

9 THE COURT: All right. Doctor, I'm going to let you
10 step down from the witness stand. Listen to me very
11 carefully --

12 THE WITNESS: Okay.

13 THE COURT: -- before you step down. Okay?

14 THE WITNESS: Uh-huh.

15 THE COURT: During this break, you're not allowed to
16 discuss your testimony at all with anyone. Okay? You cannot
17 discuss your testimony at all with anyone. Do you understand
18 that?

19 THE WITNESS: Yes, I do.

20 THE COURT: Okay. When we come back from lunch, before
21 I bring the jury back out, I'll have you come up here and sit
22 back in that witness stand and I will remind you that you're
23 still under oath and then I'll bring that jury out and we'll
24 resume the trial of this case, but I want to make sure you
25 understand not to discuss your testimony with anyone during

1 the break. Okay?

2 THE WITNESS: Okay.

3 THE COURT: You may step down. Thank you.

4 THE WITNESS: You're welcome.

5 THE COURT: All right. As Dr. George is stepping down,
6 we'll break until 2 o'clock. Okay?

7 MR. RICHARDSON: Thank you, Your Honor.

8 THE COURT: Thank you.

9 (WHEREUPON, there was a break in the proceedings from
10 12:44 p.m. until 2:04 p.m., after which the proceedings
11 resumed as follows.)

12 (WHEREUPON, the jury note regarding the foreperson was
13 marked as Court's Exhibit No. 1.)

14 THE COURT: All right. Juror Number 117, Jordan
15 Hutchinson, has been designated as the foreperson, forelady
16 of this jury. Okay?

17 All right. Anything from the State before I bring the
18 jury out?

19 MR. RICHARDSON: No, sir.

20 THE COURT: Defense counsel?

21 MR. MEETZE: No, Your Honor.

22 THE COURT: All right. Bring me the jury, please, sir.

23 (WHEREUPON, the jury entered the courtroom at 2:05 p.m.)

24 THE COURT: All right. We have all the jurors present.

25 Ms. Hutchinson, I see that you've been elected, so to

1 speak, as the foreperson, forelady of this jury. So that'll
2 be your assigned seat throughout the rest of this trial, as
3 well as the rest of you, as I told you before, I'd asked you
4 to sit in the same seats that you've sat in before. Okay?

5 What we're going to do right now, we're going to
6 continue the trial of this case. I've been advised by the
7 lawyers. What typically happens, ladies and gentlemen, is
8 Dr. George was on the stand when we broke for lunch and what
9 would typically happen is that defense counsel at that point
10 would cross-examine, have any questions that they may have of
11 Dr. George at that time, but due to some scheduling issues,
12 we're going to do things a little bit out of order here.

13 So the State is going to call a witness and they're
14 going to question that witness. Defense counsel will have a
15 right to cross-examine that witness, and after that is
16 concluded, then Dr. George will come back up and defense
17 counsel at that time will have a right to cross-examine Dr.
18 George.

19 Anything from the State before I -- we proceed?

20 MR. RICHARDSON: No, sir.

21 THE COURT: Defense counsel?

22 MR. MEETZE: No, Your Honor.

23 THE COURT: Call your next witness, please.

24 MR. RICHARDSON: We'd call Dr. Focell Jackson Dozier.

25 THE COURT: All right.

DR. FOCCELL JACKSON DOZIER - DIRECT BY MR. RICHARDSON

1 THE CLERK: Ma'am, please place your left hand on the
2 Bible and raise your right hand.

3 Do you swear that the testimony you will give in this
4 case will be the truth, the whole truth, and nothing but the
5 truth, so help you God?

6 THE WITNESS: Yes, I do.

7 THE CLERK: Please be seated on the witness stand and
8 state your full name for the record.

9 THE WITNESS: My name is Focell Jackson Dozier.

10 DR. FOCCELL JACKSON DOZIER,
11 being first duly sworn, testified as follows:

12 DIRECT EXAMINATION

13 BY MR. RICHARDSON:

14 Q: All right. Doctor, you -- can you tell us what you do
15 for a living?

16 A: I'm a family practice physician with McLeod practicing
17 in Timmonsville.

18 Q: So you're in Timmonsville?

19 A: Yes.

20 THE COURT: Doctor, if you want to take your mask down
21 while --

22 THE WITNESS: I can do that.

23 THE COURT: -- you're talking, you're free to do so.

24 THE WITNESS: Okay.

25 THE COURT: All right. Go ahead. I'm sorry.

DR. FOCCELL JACKSON DOZIER - DIRECT BY MR. RICHARDSON

1 MR. RICHARDSON: That's all right.

2 BY MR. RICHARDSON:

3 Q: So you work at the McLeod facility in Timmonsville?

4 A: That's correct.

5 Q: Okay. So you're a family practitioner?

6 A: I'm a family practitioner, yes.

7 Q: How long have you been working in that capacity?

8 A: For 25 years.

9 Q: All right. Do you know Dr. Bernetha George?

10 A: Yes, I do.

11 Q: And how do you know her?

12 A: I know her as a patient, but I also know her from
13 community activities.

14 Q: All right. And how long has she been coming to you as a
15 patient?

16 A: Since 2012.

17 Q: All right. Do you recall in July of 2019 receiving
18 communication from Dr. George?

19 A: Yes, I do.

20 Q: All right. And can you describe kind of how that
21 started or how that came to you?

22 A: Well, she texted me and wanted to talk, but I could not
23 talk at the time because I was with my family. So I texted
24 her a little bit later to find out if she could talk and she
25 said yes, and so, you know, she called and talked to me.

DR. FOCCELL JACKSON DOZIER - DIRECT BY MR. RICHARDSON

1 Q: And what did she disclose to you?

2 A: I can't remember word for word, but I do know she
3 reported that at that time she was sexually assaulted by a
4 family member, that he was over there to help her with some
5 things and he assaulted her, and she was very upset. She was
6 anxious and nervous.

7 And so I can't remember the extent of the conversation,
8 but I know when I talked to her, I thought to myself she's
9 going to need counseling. So I referred her. I told her
10 when I could get back to the office, I would make a referral
11 for a counselor.

12 Q: Okay. And you -- you did that as a part -- for
13 treatment purposes?

14 A: Yes, it was. As a matter of fact, I think I forgot when
15 I got to the office because usually I don't like taking calls
16 outside of the office because I'll forget when the time
17 comes, and so she called. She called. She called back to
18 remind me. She called the office to remind me that I needed
19 to refer her because she really needed to see someone and
20 talk with someone.

21 Q: Okay.

22 MR. RICHARDSON: I beg the Court's indulgence.

23 Please answer any question defense counsel may have.

24 THE WITNESS: Okay.

25 THE COURT: Cross-examination.

DR. BERNETHA GEORGE - CROSS BY MR. MEETZE

1 MR. MEETZE: I don't have any questions, Your Honor.

2 THE COURT: All right. Doctor, you may step down.

3 Thank you.

4 THE WITNESS: You're welcome.

5 THE COURT: And you're free to go.

6 THE WITNESS: Thank you.

7 MR. RICHARDSON: I'd ask if she can be released from her
8 subpoena.

9 THE COURT: Any objection?

10 MR. MEETZE: No, Your Honor.

11 THE COURT: Doctor, you're released from your subpoena.
12 You have no further responsibility here. Have a nice day.

13 THE WITNESS: Thank you so much. Appreciate it.

14 THE COURT: Mr. Richardson?

15 MR. RICHARDSON: All right. If Dr. George could come
16 back up.

17 THE COURT: Dr. George, if you'd come back up, please,
18 ma'am? Dr. George, I remind you that you're still under
19 oath. Okay?

20 THE WITNESS: Yes, sir.

21 THE COURT: Mr. Meetze, you may continue, sir.

22 MR. MEETZE: Thank you, Your Honor.

23 THE COURT: Or proceed.

24 CROSS-EXAMINATION

25 BY MR. MEETZE:

DR. BERNETHA GEORGE - CROSS BY MR. MEETZE

1 Q: Now, Dr. George, the house on Layton Street, which is
2 1009 Layton Street; is that correct?

3 A: Correct.

4 Q: But you turned onto Oakland -- excuse me -- off of
5 Oakland onto Layton Street? That puts that house basically
6 being the last house on the left?

7 A: When you leave Oakland?

8 Q: Yes, ma'am.

9 A: Coming from downtown?

10 Q: From whichever direction.

11 A: Oh, I missed your question. I'm sorry. Would you
12 repeat your question because I didn't know what you were
13 asking me. You're asking me when I turned onto Oakland?

14 Q: No, ma'am. I'm not asking about a specific thing.

15 A: Yes, that's what I thought. Okay. Say it again.

16 Q: I'm just asking you the location of your house on Layton
17 Street. It's basically if you turn off of Oakland onto
18 Layton Street -- if anybody does, not just you, but if I did
19 or anybody did, that house is the last house on the left;
20 correct?

21 A: Yes.

22 Q: All right. And the road turns around and turns into a
23 street called Malloy Street. Not around, but it goes to the
24 left. But that's a different street once you get on there,
25 that's Malloy Street; correct?

DR. BERNETHA GEORGE - CROSS BY MR. MEETZE

1 A: That's correct.

2 Q: Okay. And there's other houses on Layton Street, not
3 just yours?

4 THE COURT: We need a verbal --

5 A: That's correct.

6 Q: That's correct? Okay. And there's a house right across
7 the street; correct?

8 A: There's a house there, yes.

9 Q: And there's houses to the side and there's other houses
10 all up and down Layton Street; is that right?

11 A: There are houses there, yes, but uninhabited.

12 Q: Okay. Now, you indicate that -- or not indicate. When
13 you got to the IGA and when y'all left and you said you
14 needed to go back inside, you told Craig George that you
15 needed to go back inside because you needed to buy Fantastik.
16 When you went back inside, you called 9-1-1; is that right?

17 A: That's correct.

18 Q: Okay. And law enforcement officers came; is that
19 correct?

20 A: That's correct.

21 Q: And you spoke to -- and I don't know if this was the
22 first officer you spoke to or in what order, but you spoke
23 with a member of the Florence County Sheriff's Department
24 named Joshua Dean; is that correct?

25 A: I do not know their divisions. I do not know. All I

1 know is they are officers.

2 Q: Okay. So you're not sure who was who?

3 A: Exactly.

4 Q: Okay. Now -- and again, I'm just clarifying your
5 testimony. You are not sure whether who you talked to was
6 with Florence County Sheriff's Office or Florence Police
7 Department or whoever. You just know that you talked to
8 officers?

9 A: I spoke to the two who arrived from 9-1-1. They told me
10 that someone would be arriving.

11 Q: Okay.

12 A: And that I should stay where I am until they arrive, and
13 that's what I did.

14 Q: Okay. And that was the first officer you spoke to?

15 A: The first one. Two arrived. I spoke to the two and one
16 stayed and one left.

17 Q: Okay. And then -- so eventually you spoke to a
18 different officer as well; correct?

19 A: Other than the two, the initial two?

20 Q: Yes, ma'am.

21 A: I'm not sure. I don't know. I don't know that. I
22 can't tell you who they were. I do know that the first two
23 officers that came, one left and one stayed. One stayed with
24 me the entire time, and when another officer -- when I spoke
25 with another officer, it was when that officer took me out.

DR. BERNETHA GEORGE - CROSS BY MR. MEETZE

1 This is my recollection. When that officer took me out of
2 the safe space into the store, then there were several
3 officers around.

4 Q: Okay.

5 A: A number of them.

6 Q: That's my -- that was my question. That was my point.
7 So you spoke with the first set of officers back in what
8 you're calling your safe space; correct?

9 A: Yes.

10 Q: And then those officers moved you to a -- to a different
11 area of the store?

12 A: That officer moved me to a different area.

13 Q: That officer?

14 A: That officer. I was with one officer who was with me
15 the entire time.

16 Q: And then once they moved you to the different area of
17 the store, you spoke with other officers?

18 A: Yes.

19 Q: Okay. So the first officer you spoke to in the safe
20 place. Okay. When you spoke to that officer, you spoke to
21 him on this afternoon, July 19th, 2019. Excuse me. July
22 13th, 2019; correct?

23 A: Correct.

24 Q: And that was at the IGA, KJ's in Quinby; correct?

25 A: Correct.

DR. BERNETHA GEORGE - CROSS BY MR. MEETZE

1 Q: And it was that afternoon between four and five
2 probably?

3 A: I am not certain.

4 Q: But it was definitely afternoon; correct?

5 A: It was afternoon.

6 Q: Sure. And when you spoke with that officer, you did not
7 tell that officer that -- you didn't mention anything to that
8 officer about taking Craig back to show him the thermostat;
9 correct?

10 A: The very first officer?

11 Q: Yes, ma'am.

12 A: That I spoke with? I'm not certain.

13 Q: In fact, you didn't say anything to that officer at all
14 about the air conditioner being broken?

15 A: I'm not certain. I told the story numerous times. I
16 would -- my recollection is that I spoke to every person who
17 spoke to me and I told every person what had happened to me
18 and --

19 Q: But you're not certain about that?

20 A: I can't -- I will not say that 100 percent I gave them
21 those intimate details, but I do recall the feeling of having
22 to repeat it so many times after I had already told it so
23 many times.

24 Q: You also told him, that first officer -- this is again
25 the officer that spoke to you in your safe area -- that once

DR. BERNETHA GEORGE - CROSS BY MR. MEETZE

1 he made you undress, he began fondling your breasts?

2 A: Fondling my breast?

3 Q: Yes, ma'am.

4 A: At no time did I say to anyone that he fondled my
5 breast.

6 Q: You did not mention to that first officer anything about
7 him fondling your backside?

8 A: My breast or my backside? What's your question?

9 Q: I'm done with the question about the breast.

10 A: Okay.

11 Q: All right. Then my next question is you did not speak
12 -- or excuse me. You did not mention to that first officer
13 anything about him fondling your backside or butt, as you
14 testified earlier? You did not tell them that?

15 A: I told that story to every officer that asked me about
16 what happened. I told them exactly what had happened. To
17 the extent that they had me clarify, the first officer that I
18 spoke with had me clarify exactly what I said, what I said
19 about I had been touched.

20 Q: Okay.

21 A: He wanted to know exactly how, and I described it to
22 him.

23 Q: The --

24 A: That he had inserted his two fingers into my vagina.

25 Q: Okay. That was my next question. The first officer you

DR. BERNETHA GEORGE - CROSS BY MR. MEETZE

1 spoke to, you did not mention anything to that officer about
2 him touching your vagina?

3 A: That's exactly who I spoke it to.

4 Q: So you say you did tell him?

5 A: That's the first officer that I told it to, the officer
6 that came into the room and stayed with me and questioned me.
7 Now, there were two officers. As I said to you before, two
8 officers arrived. One elected to stay, one left.

9 Q: All right.

10 A: And I was told that this one would stay with you the
11 entire time, and he did.

12 Q: All right.

13 A: And that's the officer that questioned me.

14 Q: This -- these questions are all in regards to what you
15 told that first officer that stayed with you. Okay? You did
16 not tell that officer anything about him digitally
17 penetrating your vagina?

18 A: I did. Again, he clarified for me. He distinguished
19 for me the difference between touching and penetrating, and I
20 explained to him what he had done. He had taken his two
21 fingers and inserted them into my vagina.

22 Q: In fact, you didn't make any comments to Deputy Dean,
23 the first officer that you spoke with, about him raping you
24 or sexually assaulting you. Excuse me. I'll rephrase that
25 question. I'm -- you mentioned to Deputy Dean and you made

DR. BERNETHA GEORGE - CROSS BY MR. MEETZE

1 comments -- you told Deputy Dean that he made comments about
2 raping you, but that you talked him out of it?

3 A: I never used the term raping to anyone.

4 Q: I understand. That he was going to sexually assault
5 you?

6 A: I didn't use the term sexually assault.

7 Q: Okay. However you worded it, you worded it to the
8 officer that he was going to do this act that you've
9 previously testified about, but then you talked him out of it
10 before he had the opportunity to, before he actually did
11 anything like that?

12 A: No.

13 Q: You told that first officer that you spoke to -- you
14 testified here today that you drove to South State Bank;
15 correct?

16 A: Yes.

17 Q: You told Deputy Dean -- excuse me. He's the first
18 officer that you spoke to that you did not drive to South
19 State Bank; correct?

20 A: No.

21 Q: That Craig drove?

22 A: No, sir, I did not. At no time did Craig drive my car.
23 At no time was Craig in the driver's seat.

24 Q: And you told the first officer you spoke to that you
25 withdrew the \$500 from the ATM at the South State Bank?

DR. BERNETHA GEORGE - CROSS BY MR. MEETZE

1 A: No, I did not.

2 Q: You did not mention anything to the first officer that
3 you spoke with about running back in to -- when you went back
4 in to -- excuse me. Let me start over. When you came back
5 into the IGA, you testified earlier you called 9-1-1 and you
6 began running through the store saying my nephew -- help, my
7 nephew is trying to kill me; is that right?

8 A: No, that's not correct.

9 Q: You didn't testify to that earlier?

10 A: No, I didn't.

11 Q: Okay.

12 A: I testified to the fact that I went through the store
13 through the authorization -- non-authorized area where the
14 butchers were, an enclosed area. Not yelling through the
15 store. Into that area, spoke to those gentlemen there, said
16 -- and I said to them hide me, you must hide me because my
17 nephew is trying to -- is going to come in here. He's trying
18 to kill me. My nephew is trying to kill me and he's going to
19 come back in this store looking for me. So hide me.

20 Q: Okay.

21 A: And they said nothing. I found my own way to that small
22 little area and hid, and then from what I had said to them,
23 someone appeared who was identified as the manager in the
24 little safe space.

25 Q: But you did not tell any of that to the first officer

DR. BERNETHA GEORGE - CROSS BY MR. MEETZE

1 you spoke with; correct?

2 A: I told the exact -- the story to the first officer who
3 sat with me, to the officer who sat with me. Two of them
4 came. The officer who sat with me, I told him the complete
5 story.

6 Q: Okay.

7 A: The entire story.

8 Q: Now, you testified that when they moved you from the
9 safe space to another area of the store, different officers
10 came and spoke with you; is that right?

11 A: Additional officers, I should say. I don't know that
12 they were different.

13 Q: So a different person though, not the same person?

14 A: As I said, there -- I was spoken to by more than one
15 person when I went into the little -- into the front area,
16 and there was more than -- I spoke to at least two or three
17 people.

18 Q: Right.

19 A: When I went into that area.

20 Q: Okay. Now, have you talked -- do you recall talking to
21 -- since this date, have you spoken to any of these officers
22 since then that you spoke to that day?

23 A: I don't recall.

24 Q: Okay. And do you recall whether one of the officer's
25 name that you spoke with was Inv. Cantey with the Florence

1 Police Department?

2 A: I do recall that name.

3 Q: Okay. So when you spoke with Inv. Cantey, it was the
4 same day, July the 13th, 2019; correct?

5 A: That's the day that it happened, yes.

6 Q: Right. And that's the day you spoke with Inv. Cantey?

7 A: There were several officers' names I do not remember and
8 I do not know. That's a name that I remember because I've
9 heard it more than once.

10 Q: Okay.

11 A: The other officers I could not tell you who they are.
12 Although they were a lifesaver for me, I do not know who they
13 were, unfortunately.

14 Q: All right. And again, you spoke with them at the KJ's
15 in Quinby; correct?

16 A: I spoke with them at the IGA. I spoke with some
17 officers in the -- in the parking lot after it was over,
18 after they had taken him, after they were taking him away,
19 and who they were I don't know, but they were reassuring me
20 that I would be safe and that I could go home.

21 Q: Okay.

22 A: And that I should be careful and not to come outside.
23 So I spoke with many people. They said do not come outside.
24 They've threatened you. You should not come outside tonight.
25 If anyone comes --

DR. BERNETHA GEORGE - CROSS BY MR. MEETZE

- 1 Q: I'm not --
- 2 A: -- to your door --
- 3 Q: Hold on just a second.
- 4 A: -- do not open it. That's just -- that's my memory.
- 5 Q: All right. Well, I'm not asking you any questions about
- 6 any of that.
- 7 A: Okay. I'm sorry.
- 8 Q: Only questions about folks you talked to inside the
- 9 store. Okay?
- 10 A: Okay. I thought you meant after I had left the store.
- 11 Q: No, ma'am.
- 12 A: I talked with several after the store.
- 13 Q: You had testified earlier that after they -- you left
- 14 your safe area --
- 15 A: Yes.
- 16 Q: -- and you spoke to the first officer?
- 17 A: Yes.
- 18 Q: They took you to another area of the store?
- 19 A: Yes.
- 20 Q: And you talked to multiple officers?
- 21 A: At least two.
- 22 Q: Correct.
- 23 A: Maybe two or three.
- 24 Q: When you were talking to those officers, it was, again,
- 25 at the KJ's in Quinby?

1 A: Yes.

2 Q: That same afternoon, July the 13th, 2019?

3 A: That's correct.

4 Q: Okay. When you spoke with those officers, they --
5 basically, they gave you an opportunity to tell them what
6 happened; correct?

7 A: Yes. Each person that I spoke with --

8 Q: That's all I need, a yes or no.

9 A: -- they interviewed and asked me --

10 Q: Yes or no?

11 A: -- what was happening. Yes.

12 Q: And they let you tell your side of the story
13 uninterrupted; is that correct?

14 A: Yes.

15 Q: Okay.

16 A: I would say yes.

17 Q: And once you were done telling your side of the story,
18 they had some follow-up questions for you; is that correct?

19 A: I don't recall total details, but I would think so, yes.

20 Q: Okay. But during the period of time where they were
21 letting you tell your side of the story, like I said, they
22 let you tell your story until you had told it all; correct?
23 Or had told it?

24 A: They asked me questions. I answered their questions in
25 detail. I don't recall it being just telling a story, so to

DR. BERNETHA GEORGE - CROSS BY MR. MEETZE

1 speak. They asked me what happened and I told them, and then
2 they asked me questions about individual things. That's my
3 recollection of what happened.

4 Q: Okay. One of the follow-up questions they asked you was
5 did he -- he being Craig George. Did he penetrate you in any
6 way; is that correct? That was a follow-up question that
7 they asked you?

8 A: Yes.

9 Q: When -- and you answered that question when they asked
10 it, yes, with his fingers; is that correct?

11 A: Yes.

12 Q: Prior to that period of time, you had not mentioned --
13 until they specifically asked you the question, you had not
14 mentioned to those officers that he had digitally penetrated
15 your vagina with his fingers?

16 A: In my safe place, I made it very clear that the assault
17 had taken place, that he had -- my -- he had put his fingers
18 in my vagina. That's the way I described it in the space
19 with the first officer. That is how I described it.

20 It was -- and I ended up describing it that way
21 specifically because when I said to him that he had -- he was
22 touching my vagina, he said what happened, what do you mean?
23 I said he put his two fingers in my vagina because he asked
24 me that specifically. And that was the very first gentleman
25 that I spoke with --

1 Q: Okay.

2 A: -- in the room because that is what I am saying that I
3 thought it much having to say it over and over and over to
4 different people.

5 Q: Okay.

6 MR. MEETZE: I don't have any further questions.

7 THE COURT: Any redirect?

8 MR. RICHARDSON: None, Your Honor.

9 THE COURT: Doctor, you may step down. Thank you.

10 THE WITNESS: Okay.

11 THE COURT: Call your next witness, please.

12 MR. RICHARDSON: Your Honor, the next witness is Adrian
13 Bradley.

14 THE CLERK: Sir, please place your left hand on the
15 Bible and raise your right hand.

16 Do you swear that the testimony you will give in this
17 case will be the truth, the whole truth, and nothing but the
18 truth, so help you God?

19 THE WITNESS: Yes.

20 THE CLERK: Please be seated on the witness stand and
21 state your full name for the record.

22 ADRIAN BRADLEY, being first
23 duly sworn, testified as follows:

24 DIRECT EXAMINATION

25 BY MR. RICHARDSON:

ADRIAN BRADLEY - DIRECT BY MR. RICHARDSON

- 1 Q: What's your full name, sir?
- 2 A: Adrian Bradley.
- 3 Q: All right. Mr. Bradley, what is your occupation?
- 4 A: I'm a bail bondsman.
- 5 Q: All right. How long have you been doing that?
- 6 A: Thirteen years.
- 7 Q: All right. So you were doing that back in July of 2019?
- 8 A: Yes, sir.
- 9 Q: Okay. Did you have occasion around that time period or,
- 10 I guess, maybe around the first part of July, somewhere in
- 11 there, to have a professional agreement with Craig George?
- 12 A: Yes.
- 13 Q: All right. What was the situation there?
- 14 A: Well, his brother called me and told me he needed a
- 15 favor. He wanted me to get his brother out of jail. He paid
- 16 me a portion of the money and he told me that his brother
- 17 would be responsible for the other portion of the money.
- 18 Q: Him meaning -- him meaning Mr. Craig George?
- 19 A: Yes.
- 20 Q: Would be responsible for the other money?
- 21 A: Uh-huh.
- 22 Q: All right. So did you proceed to --
- 23 A: Yes.
- 24 Q: -- get Mr. George out?
- 25 A: Yes.

ADRIAN BRADLEY - DIRECT BY MR. RICHARDSON

1 Q: All right. And what communication did you have with him
2 about payment of the rest of the fee?

3 A: I told him that his brother paid the first portion and
4 that he was going to be responsible for the other portion and
5 if he couldn't come up with the money in 7 to 10 days, I
6 would put him back in jail.

7 Q: All right. When did -- 7 to 10 days he had to come up
8 with the rest?

9 A: Yes.

10 Q: All right. When did you next communicate with Craig
11 George?

12 A: On the 13th. He called me and told me that he had the
13 money.

14 Q: All right. And what did you do in response?

15 A: I went to his house on Coker Street, 612 Coker.

16 Q: All right. Was he there to give you the money?

17 A: When I called him, I couldn't get him on the phone. So
18 I knocked on the door and his brother told me that he was at
19 the Western Union at the IGA.

20 Q: All right. And did you go that way?

21 A: I went that way.

22 Q: All right. When you got there, who all did you see?

23 A: I see a lot of sheriff SUVs leaving the location.

24 Q: All right. So at that point you didn't have any
25 communication with Craig George then?

ADRIAN BRADLEY - DIRECT BY MR. RICHARDSON

1 A: No. I went in the store and someone was telling me
2 something that they thought happened or whatnot.

3 Q: Okay. So you had given him 7 to 10 days to come up with
4 the balance that he owed you, and this -- the 13th of July
5 was seven or so days after?

6 A: I can't remember the exact amount of days, but somewhere
7 close to it.

8 Q: But it was getting there?

9 A: Uh-huh.

10 Q: All right.

11 THE COURT: Is that a yes?

12 THE WITNESS: Yes, sir.

13 THE COURT: Thank you.

14 BY MR. RICHARDSON:

15 Q: All right. And you had told -- you had told him that if
16 he didn't get this money back to you that he would be placed
17 back in jail?

18 A: Yes.

19 Q: All right.

20 MR. RICHARDSON: I beg the Court's indulgence.

21 BY MR. RICHARDSON:

22 Q: Do you recall -- I know it's been about a couple of
23 years, but do you recall the amount of money approximately
24 that was owed to you still?

25 A: I think it was -- I think his brother gave me 350. I

ADRIAN BRADLEY - DIRECT BY MR. RICHARDSON

1 think it was, like, \$650 maybe that been left.

2 Q: Somewhere in that neighborhood?

3 A: Yeah.

4 Q: All right.

5 MR. RICHARDSON: Please answer any questions the defense
6 counsel may have for you.

7 THE COURT: Cross-examination?

8 MR. MEETZE: Thank you, Your Honor.

9 CROSS-EXAMINATION

10 BY MR. MEETZE:

11 Q: Mr. Bradley, you had been -- and I know it's been a long
12 time and memories can fade as time passes by, but you had
13 been in touch one way or another, either him calling you or
14 texting you, with Craig George that day; correct?

15 A: Yes.

16 Q: And those conversations were an effort to set up a --

17 A: Time to meet.

18 Q: -- time and place for you to be paid; correct?

19 A: Yes.

20 Q: And so the original plan, so to speak, was for you to
21 meet at his mother's house?

22 A: Coker Street, yes.

23 Q: On Coker Street --

24 A: Uh-huh.

25 Q: -- to get the money. Now, you had told Craig, by your

ADRIAN BRADLEY - CROSS BY MR. MEETZE

1 testimony, that he had a certain amount of time to pay or
2 else he was going to get locked back up; is that correct?

3 A: Yes.

4 Q: And you are aware that the law says that you can't lock
5 somebody up for failure to pay?

6 A: It's just a scare tactic that we use.

7 Q: Okay. Obviously, when you got there, he was not --
8 Craig was not at Coker Street; correct?

9 A: He wasn't.

10 Q: Okay. But that was the plan?

11 A: Yes.

12 Q: Okay.

13 MR. MEETZE: Thank you. I have no further questions,
14 Your Honor.

15 THE COURT: Any redirect?

16 MR. RICHARDSON: Briefly.

17 REDIRECT EXAMINATION

18 BY MR. RICHARDSON:

19 Q: Mr. Bradley, do you remember about what time of day on
20 the 13th of July that -- this day that you communicated with
21 Mr. George?

22 A: I don't know the exact time. I don't know the exact
23 time.

24 Q: Was it -- do you recall if it was in the morning time or
25 in the afternoon?

ADRIAN BRADLEY - REDIRECT BY MR. RICHARDSON

1 A: Somewhere afternoon, should be close to the afternoon.

2 Q: Okay. So it was? Very good.

3 A: Uh-huh.

4 MR. RICHARDSON: That's all I have for you. Thank you.

5 THE COURT: Any recross?

6 MR. MEETZE: No, Your Honor.

7 THE COURT: Sir, you may step down. Thank you.

8 THE WITNESS: All right.

9 MR. RICHARDSON: I'd ask that he be excused from his
10 subpoena as well.

11 THE COURT: Any objection?

12 MR. MEETZE: No objection, Your Honor, and we had
13 actually given him a subpoena and he's excused from that as
14 well.

15 THE COURT: All right. Sir, you're free to go.

16 THE WITNESS: All right.

17 THE COURT: Have a nice day.

18 MR. JEPERTINGER: We'd call Teresa Breeden to the stand.

19 THE CLERK: Ma'am, could you place your left hand on the
20 Bible and raise your right hand?

21 THE WITNESS: Do I have to go over there?

22 THE BAILIFF: No, ma'am. You can stand right there.

23 THE WITNESS: Oh. I can't hear you.

24 THE CLERK: Okay. Do you swear to tell the truth, the
25 whole truth, and nothing but the truth, so help you God?

TERESA BREEDEN - DIRECT BY MR. RICHARDSON

1 THE WITNESS: Can you repeat it? I couldn't --

2 THE COURT: I'll repeat it for you.

3 THE WITNESS: Okay.

4 THE COURT: Do you swear to tell the truth, the whole
5 truth, and nothing but the truth, so help you God?

6 THE WITNESS: Yes.

7 THE COURT: Thank you, ma'am. You may be seated.

8 THE WITNESS: Okay.

9 THE COURT: State your full name for the record, spell
10 your last, please. Okay?

11 THE WITNESS: Okay. Teresa Breeden, B-r-e-e-d-e-n.

12 THE COURT: Thank you, ma'am. If you'll come around
13 here and have a seat, please.

14 TERESA BREEDEN, being first
15 duly sworn, testified as follows:

16 DIRECT EXAMINATION

17 BY MR. JEPERTINGER:

18 Q: Okay. Good afternoon, Ms. Breeden. I'm going to keep
19 my voice up. Ma'am, back on July 13th, 2019, where were you
20 employed?

21 A: KJ's Market IGA in Quinby.

22 Q: Okay. And what did you do for KJ's IGA in Quinby?

23 A: I was a bookkeeper/cashier.

24 Q: All right. Were part of your responsibilities dealing
25 with Western Union transactions?

TERESA BREEDEN - DIRECT BY MR. RICHARDSON

1 A: I did all the Western Union transactions when I was on
2 duty.

3 Q: And you were on duty on July the 13th?

4 A: Yes.

5 Q: 2019?

6 A: Yes.

7 Q: All right. Now, I know with the passage of time things
8 -- have things got a little murky in terms of recollection of
9 the events --

10 A: Right.

11 Q: -- of July the 13th, 2019?

12 A: Yes. I've had a mini stroke since then. So yes.

13 Q: Okay. But did something unusual happen on that
14 particular day for you to write down your recollections while
15 they were fresh in your memory?

16 A: The police came in.

17 Q: And did you write something down?

18 A: I wrote everything down that happened.

19 Q: Okay. And did you bring a copy today of what you had
20 written down?

21 A: Yes, I did.

22 Q: Okay. And could you read that to the jury, please?

23 A: Okay. On July 13th, 2019, an elderly gentle -- an
24 elderly lady accompanied by a younger gentleman came to the
25 service counter and asked to send a Western Union. The lady

TERESA BREEDEN - DIRECT BY MR. RICHARDSON

1 did all the talking. She wanted to send \$2,000. I informed
2 her that our limit was only less than 1,000, which would be
3 \$999. She looked at the gentleman with her and it seemed
4 that both agreed to send \$999. I told her I needed to see
5 her ID, which she gave me. She then told me she was sending
6 the Western Union to herself. I proceeded with her request.

7 She paid with a debit card. She then asked me to pay
8 out the transaction, which I did. I told her if she went to
9 any other -- anywhere else to get more money, she might be
10 turned down because of her age and two large transactions,
11 one right after the other. I then cashed her request for
12 \$999. I asked if she wanted something to put the money in
13 instead of carrying it in her hand. She said to give it to
14 the gentleman. I gave the money to her, and she gave it to
15 the gentleman.

16 About a minute or two later, the gentleman asked if I
17 knew where the lady was. He seemed to be concerned. I no
18 longer saw him. However, a few minutes later, law
19 enforcement asked if I could give the information about the
20 transactions. I gave them copies of the transactions.

21 Q: Okay. And let me show you what has been marked for
22 identification as State's Exhibit 22. Would you recognize
23 this transaction, ma'am?

24 A: Yes.

25 Q: And what is that -- the transaction of, ma'am?

TERESA BREEDEN - DIRECT BY MR. RICHARDSON

1 A: Okay. One is where I put in that she paid to have it
2 sent.

3 Q: And when you say she --

4 A: Okay. The lady at the window.

5 Q: Okay. And do you see a name on that form?

6 A: I don't have my glasses with me. I really can't see it
7 very well.

8 Q: Well, can -- if I give you --

9 A: It was Ms. George.

10 Q: It was Ms. George?

11 A: Yes. I knew because I have to look at the ID if you put
12 it in twice on each transaction.

13 A: Okay.

14 A: So I knew it was Ms. George.

15 Q: All right. And is this Western Union receipt a fair and
16 accurate copy of that transaction?

17 A: Absolutely.

18 Q: Okay.

19 MR. JEPERTINGER: At this time, I would move State's
20 Exhibit 22 into evidence.

21 THE COURT: Any objection?

22 MR. MEETZE: No, Your Honor.

23 THE COURT: Without objection, State's Exhibit 22
24 admitted into evidence.

25 (WHEREUPON, State's Exhibit No. 22, Western Union

TERESA BREEDEN - DIRECT BY MR. RICHARDSON

1 receipt, was admitted into evidence.)

2 MR. JEPERTINGER: Okay. And I'm going to try this, and
3 Lord help me. If I can publish this to the jury?

4 THE WITNESS: Okay. I can see it.

5 BY MR. JEPERTINGER:

6 Q: All right. And that -- that is the transaction we've
7 just talked about?

8 A: Yes.

9 Q: Okay. And after you -- you wrote this down afterwards
10 -- after --

11 A: Oh, absolutely, yes.

12 Q: And it was on that -- on that date; correct, ma'am?

13 A: Yes. As soon as the police came and left. When they
14 left, I wrote it down.

15 Q: Okay. And was it filed with the store?

16 A: Yes.

17 Q: All right.

18 A: Yes.

19 Q: And that is a copy that you brought with you?

20 A: This is a copy. The original is in my folder at the
21 store.

22 Q: Okay.

23 MR. JEPERTINGER: Thank you so much. Answer any
24 questions that the defense attorney may have for you.

25 THE COURT: All right.

1 MR. MEETZE: Thank you, Ms. Breedon.

2 THE COURT: Mr. Meetze?

3 MR. MEETZE: Thank you, Your Honor. I apologize.

4 Ms. Breedon, we appreciate it, and I don't have any
5 questions.

6 THE COURT: All right. Ma'am, you may step down. Thank
7 you.

8 THE WITNESS: Thank you.

9 MR. JEPERTINGER: Your Honor, if she may be released
10 from her subpoena?

11 THE COURT: Any objection?

12 MR. MEETZE: No, Your Honor.

13 THE COURT: Ms. Breedon, you're released from your
14 subpoena. You're free to go. Have a nice day.

15 THE WITNESS: Thank you.

16 THE COURT: Call your next witness.

17 MR. RICHARDSON: Kenneth Robinson, Your Honor.

18 THE CLERK: Sir, please place your left hand on the
19 Bible and raise your right hand.

20 Do you swear that the testimony you will give in this
21 case will be the truth, the whole truth, and nothing but the
22 truth, so help you God?

23 THE WITNESS: I do.

24 THE CLERK: Be seated on the witness stand and state
25 your full name for the record.

KENNETH ROBINSON - DIRECT BY MR. RICHARDSON

1 THE WITNESS: Kenneth Robinson.

2 KENNETH ROBINSON, being first
3 duly sworn, testified as follows:

4 DIRECT EXAMINATION

5 BY MR. RICHARDSON:

6 Q: All right. Mr. Robinson, back in July of 2019, where
7 were you employed?

8 A: At KJ's IGA in Quinby.

9 Q: All right. And what were your job duties there?

10 A: My job duties?

11 Q: Yes, sir.

12 A: Pretty much a little bit of everything because I was an
13 assistant manager.

14 Q: All right. You were the assistant manager for the
15 store?

16 A: Not the co-manager, but the assistant. There was the
17 store manager, the co-manager, assistant manager.

18 Q: All right.

19 A: So I was third in charge.

20 Q: All right. So you were part of the administration
21 there?

22 A: Right.

23 Q: Making sure everything was working the way it was
24 supposed to work?

25 A: Correct.

KENNETH ROBINSON - DIRECT BY MR. RICHARDSON

1 Q: Okay. Were you on the job during the afternoon of July
2 13th of 2019?

3 A: I was.

4 Q: All right. Did anything unusual happen there at the
5 store while you were working that day?

6 A: Yes, sir.

7 Q: All right. Tell us what you remember?

8 A: We were actually putting up a truck. So we were
9 stocking, and I was down stocking on an aisle and a gentleman
10 come and asked if I had seen his grandmother or his aunt, I
11 can't remember which, and I told him, no, what did she look
12 like and what did she have on. And I believe he told me she
13 had on white.

14 So I walked around the store. I didn't see her
15 anywhere, and then he disappeared. I don't know where he
16 went. So I went back to work and a couple minutes later one
17 of my butchers come out the meat department and said there
18 was a young lady standing in the back hallway of the store
19 and I needed to go check on her.

20 So I got up and I went through the little break area
21 through the door, and I opened the other door to the little
22 hallway where we keep supplies, trays, and stuff, and there
23 was a young lady standing there on her phone and she was
24 shaking. You could tell there was something wrong. She was
25 either nervous or scared, and she said she was trying to call

KENNETH ROBINSON - DIRECT BY MR. RICHARDSON

1 the police and she needed to stay where she was at. So I
2 told her to stay there, and I closed the door back and within
3 minutes the police pulled up and I took the officer back and
4 showed where she was at.

5 Q: All right. I want to show you a couple of photographs.
6 They'll come up on the screen here.

7 A: Okay.

8 Q: This is Exhibit 16, State's Exhibit 16 already in
9 evidence.

10 A: That's the doorway to the meat department.

11 Q: All right. Is this where the butcher would have exited
12 to come get you? That goes back to where the butchers are?

13 A: It does.

14 Q: Okay. And then State's 17, do you recognize this area?

15 A: Yeah, that's the hallway. That's the hallway in the
16 back of the store where we keep the supplies, trays, racks.

17 Q: Those are the trays you described just a minute ago?

18 A: Correct.

19 Q: Where she was standing?

20 A: Uh-huh.

21 THE COURT: Is that a yes?

22 THE WITNESS: Yes.

23 THE COURT: Thank you.

24 THE WITNESS: I'm sorry.

25 BY MR. RICHARDSON:

KENNETH ROBINSON - DIRECT BY MR. RICHARDSON

1 Q: So is this the area where you located her?

2 A: I did. Because when you open the door, there's a -- the
3 rack where the trays are, there's just like two racks
4 together, but it's not. It's the opening. So you can
5 actually go through there and out the door onto the sales
6 floor. She was standing in that opening.

7 Q: All right. Now, was she kind of secreted away from the
8 part of the store where the customers are?

9 A: Yeah. I mean unless we actually showed somebody where
10 she was at, nobody would have found her without walking
11 through the entire store front to back.

12 Q: So how do you get to where she was found? Like, what
13 are -- what are all the steps to get to this spot in the
14 store?

15 A: Well, you can get back there through the meat
16 department. You can go through the meat department into the
17 hallway. Actually, when you're looking at this picture, that
18 would be coming out of the meat department.

19 That door I was just telling you, the opening where she
20 was standing, there's a door there. You can go into a little
21 break room where the employees took breaks or if you go down
22 to where the buggy is at the very back of the picture and
23 make a right, you go into deli bakery. So you can get in
24 three ways right there.

25 Q: Okay. Now, you mentioned that when you came upon her

KENNETH ROBINSON - DIRECT BY MR. RICHARDSON

1 that she was shaking and appeared to be nervous or scared?

2 A: Yeah. You could tell something was wrong with her.

3 Q: Did she say anything to you?

4 A: She was -- she was trying to call the police.

5 Q: Okay. And that's the extent of what she said to you?

6 A: To me, correct.

7 Q: All right.

8 A: So I shut -- I told her to stay there, shut the door
9 back, and I told her I would let the cops know where she was
10 at.

11 Q: All right. And what did you do after that?

12 A: When the cops got there, I showed the officer where she
13 was standing at and that was it.

14 MR. RICHARDSON: I beg the Court's indulgence.

15 All right. Please answer any questions defense counsel
16 may have.

17 THE COURT: Cross-examination?

18 MR. MEETZE: Thank you, Your Honor.

19 CROSS-EXAMINATION

20 BY MR. MEETZE:

21 Q: Mr. Robinson, you testified that you saw a gentleman in
22 the store looking for his aunt?

23 A: Correct.

24 Q: Is that right?

25 A: Right.

KENNETH ROBINSON - CROSS BY MR. MEETZE

1 Q: You had never seen him before?

2 A: No, sir.

3 Q: You didn't know him at all?

4 A: Not a clue.

5 Q: And later on, some -- another employee that worked in
6 the meat department in the butcher section of KJ's came and
7 got you?

8 A: Jimmy.

9 Q: About the lady?

10 A: Correct.

11 Q: That was in the back; correct?

12 A: Uh-huh.

13 Q: You went back there to check on her to see what was --
14 what that was all about; correct?

15 A: Yes, sir.

16 Q: And you had never seen or met or didn't know that lady
17 at all; correct?

18 A: No.

19 Q: Okay. And outside of what you were involved with, what
20 you testified here today to, you don't have no -- know
21 anything else about what was going on in this situation that
22 brings us here today; correct?

23 A: I had not a clue --

24 Q: Okay.

25 A: -- of what was taking place.

KENNETH ROBINSON - REDIRECT BY MR. RICHARDSON

1 Q: Okay.

2 MR. MEETZE: Thank you. I don't have any further
3 questions.

4 MR. RICHARDSON: Brief redirect, Judge.

5 REDIRECT EXAMINATION

6 BY MR. RICHARDSON:

7 Q: I know it's been a couple of years, but do you have any
8 recollection at all about when the -- when the guy came up to
9 you when you were stocking --

10 A: Right.

11 Q: -- and asked you if you had seen the aunt --

12 A: Uh-huh.

13 Q: -- what his demeanor or personality was like in that
14 conversation?

15 A: He just said he was looking for his aunt. He didn't
16 seem -- he seemed like he was anxious wanting to find her.

17 Q: Okay.

18 A: So --

19 Q: All right.

20 MR. RICHARDSON: Thank you, sir.

21 THE WITNESS: You're welcome.

22 THE COURT: Mr. Meetze, anything else?

23 MR. MEETZE: To follow up on that.

24 RECROSS-EXAMINATION

25 BY MR. MEETZE:

KENNETH ROBINSON - RECROSS BY MR. MEETZE

1 Q: At any time between July the 13th, 2019, and now, did
2 you meet with anyone from the Solicitor's Office?

3 A: Ms. Loveless and I think I met with Mr. Thomas.

4 Q: Okay.

5 MR. MEETZE: All right. Judge, I don't have any further
6 questions. I'm good.

7 THE COURT: All right. Sir, you may step down. Thank
8 you.

9 THE WITNESS: You're welcome.

10 MR. RICHARDSON: I'd ask that he be excused from his
11 subpoena as well.

12 THE COURT: Any objection?

13 MR. MEETZE: No, Your Honor.

14 THE COURT: Sir, you're released from your subpoena.
15 You're free to go. Have a nice day.

16 THE WITNESS: Thank you, sir.

17 THE COURT: Call your next witness.

18 MR. RICHARDSON: Your Honor, we'd call Joshua Dean.

19 THE CLERK: Sir, please place your left hand on the
20 Bible and raise your right hand.

21 Do you swear that the testimony you will give in this
22 case will be the truth, the whole truth, and nothing but the
23 truth, so help you God?

24 THE WITNESS: I do.

25 THE CLERK: Please be seated on the witness stand and

JOSHUA DEAN - DIRECT BY MR. RICHARDSON

1 state your full name for the record.

2 THE WITNESS: Sgt. Joshua Dean with the Florence County
3 Sheriff's Office.

4 JOSHUA DEAN, being first duly
5 sworn, testified as follows:

6 DIRECT EXAMINATION

7 BY MR. RICHARDSON:

8 Q: All right. Sgt. Dean, how long have you been with the
9 Sheriff's Office?

10 A: Eight and a half years now.

11 Q: All right. What are your job responsibilities?

12 A: Currently, it's patrol shift sergeant supervisor.

13 Q: All right. Were you also on patrol back in July of
14 2019?

15 A: I was.

16 Q: Did you receive a call that day to respond to the IGA in
17 Quinby?

18 A: I did.

19 Q: All right. What information led you to the IGA?

20 A: Dispatch advised that a female caller had called from
21 the IGA, advised that she had been held against her will and
22 was hiding from a nondescript family member and that she may
23 have been located in the back. Dispatch also advised that --

24 MR. MEETZE: Objection, Your Honor.

25 MR. RICHARDSON: Your Honor, this wouldn't be for the

JOSHUA DEAN - DIRECT BY MR. RICHARDSON

1 truth of the matter asserted. It's just where he responded
2 and why.

3 THE COURT: Overruled.

4 BY MR. RICHARDSON:

5 Q: Go ahead.

6 A: Dispatch mentioned something about a white Cadillac
7 being the victim's car, and we were also on the lookout for
8 that responding to the location.

9 Q: Okay. Were you the first responding officer to get to
10 the IGA?

11 A: Yes, sir, followed very closely by Deputy Justin Taylor.

12 Q: Okay. And what did you guys do when you arrived?

13 A: The first thing I noticed was a white Cadillac in the
14 parking lot of the IGA. It matched closely what dispatch had
15 described. It was possible that a suspect could have been
16 located in it. So we cleared the vehicle, found it
17 unoccupied. We then proceeded into the store to search for
18 the complainant.

19 Q: All right. Where did you go or who did you meet with
20 first?

21 A: I remember looking around a little bit and not seeing an
22 obvious disturbance or someone hiding, and I think I was
23 approached by an employee who said the person I was looking
24 for was in the back.

25 Q: All right. Did you make your way back there?

JOSHUA DEAN - DIRECT BY MR. RICHARDSON

1 A: We did. I remember it was at the very back of the store
2 in a storage -- a dry storage type place and located the
3 complainant hid.

4 Q: This is State's 17. Does that look familiar?

5 A: That does look familiar.

6 Q: Okay. What is it? What is this?

7 A: It looks like a storage room to me for some type of
8 goods.

9 Q: Is this the scene where you would have come upon Dr.
10 George?

11 A: Yes, sir.

12 Q: Okay. And so you get back into the back of the store
13 and what happened?

14 A: There was a lot of information I obtained. I observed
15 Dr. George, and she to me looked nervous and upset. I
16 started to get a lot of information. There was a lot of
17 information coming at me at one time.

18 I also remember in this back storage room I didn't have
19 very good cellular communication, which I had to relay a lot
20 of information to responding units, description details,
21 other such things, and I remember getting a lot of details
22 and one of those details being that Dr. George -- at the time
23 I only knew her as Ms. George, I didn't even know she was a
24 doctor -- had been cleaning a house or --

25 MR. MEETZE: Objection, Your Honor.

JOSHUA DEAN - DIRECT BY MR. RICHARDSON

1 MR. RICHARDSON: Your Honor, this is still, I guess, the
2 information he's receiving to figure out what to do next.

3 THE COURT: I'm going to allow it. Go ahead.

4 BY MR. RICHARDSON:

5 A: I just remember her telling me briefly that a family
6 member held her against her will after she had been attacked
7 at a housecleaning type situation. That she had been over
8 town and arrived at this location when she finally got away
9 and hid from the subject.

10 Q: All right. And you mentioned you were having some
11 difficulty with your cell reception in that part of the
12 store. Did you try to get Dr. George to leave that area of
13 the store with you so you could relay this information
14 better?

15 A: A couple times. I was trying to get the information out
16 to other units and where -- even my body camera and body mic,
17 which I was trying to record, was too far away from my
18 vehicle. So I was trying to get out of that storage room to
19 relay some of this information, text and otherwise, put out a
20 description and I couldn't get it.

21 My main primary was to make sure Dr. George was all
22 right because she seemed shaken and upset. I remember there
23 was a couple times other officers would come in the back to
24 check and she would get startled. She did not want to go out
25 there because she was afraid that her nephew or the subject

JOSHUA DEAN - DIRECT BY MR. RICHARDSON

1 was still around. She refused to come out until I finally
2 got word over the radio that he had been located and placed
3 in custody. That's when she finally come out.

4 Q: All right. When she agreed to come out, what did you do
5 next?

6 A: I think I brought her to the front of the store. I
7 think -- I think it was closer to the manager's office at the
8 front of the store. I believe some of the city units'
9 investigators were on scene at that point and we had finally
10 determined that a brunt of the incident happened within the
11 Florence City's jurisdiction, which wasn't immediately known
12 at the time we got the initial call. So --

13 Q: You responded because the IGA is in Florence County, not
14 in the city limits, but in Florence County?

15 A: That's right. And we only have one Quinby officer that
16 never does anything. So we take care of it.

17 Q: There you go. So you learned that the origin of this
18 was in Florence city limits, which is also technically in the
19 county, but there's a police department that covers the city?

20 A: That's right.

21 Q: All right. So the city units were notified?

22 A: So that -- yeah. I had received word that they were up
23 front and so I brought the complainant to them so they could
24 conduct further investigation.

25 Q: Okay.

JOSHUA DEAN - CROSS BY MR. MEETZE

1 MR. RICHARDSON: Please answer any questions Mr. Meetze
2 may have for you.

3 THE COURT: Cross-examination?

4 MR. MEETZE: Thank you, Your Honor. I had no idea I
5 still had these around my neck. I apologize.

6 CROSS-EXAMINATION

7 BY MR. MEETZE:

8 Q: Deputy Dean, you were essentially the first or one of
9 the first couple responders to KJ's in Quinby on July 13th,
10 2019; is that correct?

11 A: That's correct, sir.

12 Q: And you testified earlier that you've been in law
13 enforcement for eight years?

14 A: Eight and a half now, yes, sir.

15 Q: And that's all been with Florence County?

16 A: About nine months with Greenville County, but pretty
17 much the brunt of it with Florence.

18 Q: Okay. And law enforcement is a job that there's a lot
19 going on; correct?

20 A: A lot thrown at you, yes, sir.

21 Q: And it's a job that requires a lot of training; correct?

22 A: Yes, sir.

23 Q: In fact, you've got to go through a lot of training just
24 to be a police officer or a sheriff's officer or whatever the
25 case may be; correct?

JOSHUA DEAN - CROSS BY MR. MEETZE

1 A: Yes sir.

2 Q: You go through the Police Academy; correct?

3 A: Yes, sir.

4 Q: And you get trained on -- they can't train you on
5 everything, I would imagine, but you get trained on a lot of
6 responsibilities that a police officer will have; correct?

7 A: Yes, sir.

8 Q: And that training can include taking statements from
9 witnesses; correct?

10 A: That's right.

11 Q: Preserving evidence?

12 A: Yes, sir.

13 Q: Marking evidence?

14 A: Yes, sir.

15 Q: One of the ways you preserve evidence is by making a --
16 by memorializing it in an incident report; correct?

17 A: That's correct.

18 Q: In fact, that may be the main way people preserve
19 evidence is through doing incident reports; correct?

20 A: That's correct.

21 Q: And the reason for that is because you know that cases
22 that you investigate or deal with that you need to do an
23 incident report on, they're not going to case -- they're not
24 going to court the next week; correct?

25 A: That's right.

JOSHUA DEAN - CROSS BY MR. MEETZE

1 Q: It's normally a good while down the road; correct?

2 A: Yes, sir.

3 Q: And as our memory -- as time goes by, our memories --
4 they don't get better, they generally get worse; correct?

5 A: That's right.

6 Q: So it's good to have a detailed account of what happened
7 at the time it happened so that you can either keep your
8 memory fresh or be able to refresh your recollection down the
9 road; is that correct?

10 A: That's correct. Yes, sir.

11 Q: Okay. And of course, law enforcement is a job like a
12 lot of jobs, like my job, once you go to the Academy and they
13 put you out on the street doing your job, your training is
14 not over; correct?

15 A: That's right.

16 Q: You've got to continually go to different training
17 situations as a law enforcement officer; correct?

18 A: Constantly learning.

19 Q: Constantly learning and not just being sent off places
20 to be trained, but you've got on-the-job training. You learn
21 things. Just by doing your job, you learn --

22 A: Yes.

23 Q: -- different things; correct? Okay. Now, in this case,
24 you did an incident report; correct?

25 A: Yes, sir.

JOSHUA DEAN - CROSS BY MR. MEETZE

1 Q: And have you reviewed that incident report prior to
2 testifying today?

3 A: Briefly, yes, sir.

4 Q: Briefly? Do you have a copy of your incident report
5 with you today?

6 A: Not at the moment.

7 MR. MEETZE: Your Honor, excuse me. I'm sorry. May I
8 approach the witness?

9 THE COURT: Yes, sir. Yes, sir.

10 BY MR. MEETZE:

11 Q: I'm going to hand you this and I'm going to ask you if
12 you recognize that?

13 A: Yes, sir, I do recognize this incident report.

14 Q: And that is the incident report that you did in this
15 case?

16 A: It appears so. Yes, sir.

17 Q: Okay. And like you testified, it's important that
18 incident reports that you do are very detailed; correct?

19 A: I would agree, yes, sir.

20 Q: All right. And certainly, you don't have to write down
21 or type down every single word somebody utters; correct?

22 A: Yes, sir. I mean you try to do your best.

23 Q: You try to do your best, but you definitely try to get
24 the important things in the incident report; correct?

25 A: Yes, sir.

1 Q: Because you know once you do this incident report other
2 people are going to have to look at it; correct?

3 A: I would agree with that.

4 Q: Supervisors of yours would maybe need to look at it;
5 correct?

6 A: Yes, sir.

7 Q: It's going to get sent over to the Solicitor's Office
8 and they're going to need to review it; correct?

9 A: That's correct.

10 Q: And all these people need a good picture of what went
11 on; correct?

12 A: That's correct.

13 Q: All right. So in that incident report that I just
14 handed you that you did, that is an incident report, not the
15 entire incident report, but I just want to focus on the part
16 that involved your conversation with Bernetha George. Okay?
17 And you did speak with her on that day; correct?

18 A: I did, yes, sir.

19 Q: All right. In your incident report, there's nowhere in
20 there that indicates anything about her taking her nephew,
21 Craig George, back to show him the thermostat; correct?

22 A: I do not see any specific information about a
23 thermostat.

24 Q: Okay. In fact, there's nothing in that incident report
25 that indicates that she told you that the air-conditioning

JOSHUA DEAN - CROSS BY MR. MEETZE

1 was broken at the Layton Street house; is that correct?

2 A: I do not see any specific information about a broken air
3 conditioner.

4 Q: Your incident report indicates that she told you that
5 once he made her undress that he began fondling her breasts;
6 is that correct?

7 A: I do -- I see that. My incident report did state that.

8 Q: That -- that she says that he fondled her breasts once
9 she was undressed?

10 A: That's what it says, yes, sir.

11 Q: Okay. And your incident report does not say anything
12 about him fondling her backside; is that correct?

13 A: I do not see that specific information in there.

14 Q: And your incident report does not say anything about him
15 fondling her vagina?

16 A: Not specifically vaginal penetration, no, sir.

17 Q: Okay. Or any --

18 A: I see it says attempted to sexually assault her.

19 Q: Right. But actually touching anything takes it out of
20 the attempt realm; correct?

21 A: Yeah. Absolutely. I agree with you.

22 Q: Okay. In fact, what you just referenced she says that
23 he attempted to sexually -- your incident report reflects

24 that she had said he attempted to sexually assault or --

25 excuse me. Let me make sure I'm right. Made comments about

JOSHUA DEAN - CROSS BY MR. MEETZE

1 sexually assaulting her, but that she talked him out of it.

2 Isn't that what your incident report indicates?

3 A: Repeat the exact question?

4 A: Your incident report indicates that she told you that
5 Craig George made comments about sexually assaulting her, but
6 that she talked her -- talked him out of doing that?

7 A: That's -- that's what I remember to some degree. Yes,
8 sir.

9 Q: Okay. Now, your incident report also indicates that she
10 told you that Craig George is the one that actually drove to
11 South State Bank; correct?

12 A: Where can you direct me to look at that? Would that be
13 on page 3?

14 Q: Unfortunately, you've got my only copy.

15 MR. MEETZE: May I approach again, Your Honor?

16 BY MR. MEETZE:

17 Q: Do you mind if I look at that real quick?

18 A: I think I'm about to find it.

19 Q: I think it may be closer to the front.

20 A: There you go. Yes, sir.

21 Q: All right. And the last of this at the top of the last
22 page. So my question is does your incident report reflect
23 that Ms. George told you that Craig George drove to South
24 State Bank?

25 A: I'm still looking for that part.

JOSHUA DEAN - CROSS BY MR. MEETZE

1 Q: Second page. The very last word on there is M-S,
2 period?

3 A: Uh-huh.

4 Q: All right. And then carry over to the next page.

5 A: Oh, okay. My report reflects that.

6 Q: Okay. And your report also reflects that she told you
7 that she withdrew \$500 from the ATM at South State Bank?

8 A: It does.

9 MR. MEETZE: May I approach one more time?

10 THE COURT: Yes, sir.

11 MR. MEETZE: Thank you, Deputy Dean.

12 Judge, I don't have any further questions.

13 THE COURT: Any redirect?

14 MR. RICHARDSON: Yes, Your Honor.

15 REDIRECT EXAMINATION

16 BY MR. RICHARDSON:

17 Q: Sgt. Dean, you testified earlier that when you got back
18 there with Dr. George that she was shaking and started
19 throwing a bunch of information at you in a hurry?

20 A: That's correct.

21 Q: Is that right? At this point, you're also dealing with
22 trying to get your cell reception resolved and relay
23 information about a possible suspect to dispatch?

24 A: That's right. And hopefully, while recording it all on
25 my body mic, which I can then review for accuracy purposes.

1 Q: And your body mic would not work because you were too
2 far away from your car?

3 A: Inside of a blocked room.

4 Q: Now, when you were taking this wall of information
5 coming from Dr. George, did you have the capacity to
6 simultaneously type this information into an incident report?

7 A: No, sir, I did not.

8 Q: All right. Were you speed handwriting all of this as
9 you spoke?

10 A: I was trying to keep up the best I could.

11 Q: All right. How long after -- now, you testified that
12 you stayed back there with her. Eventually, when you got
13 word from the City that the suspect was in custody, you got
14 her to come out. You went back up front. Did you remain
15 there at the store for a while at that point?

16 A: I believe it was a Saturday in July, which would have
17 been very busy. I probably had a mountain of other
18 paperwork. I probably didn't stick around too long so I
19 could get my other reports in.

20 Q: All right. So eventually, do you happen to recall when
21 you were able to sit down and from your memory type out this
22 incident report?

23 A: I do not recall. It would've had to have been a couple
24 hours later.

25 Q: All right. So you sat down with no recording of this,

JOSHUA DEAN - REDIRECT BY MR. RICHARDSON

1 just using your memory to type down the best that you could?

2 A: I checked my camera, and it didn't record anything. It
3 was too far out of range. It had video of just a blank
4 screen, but there was no audio recorded on there.

5 Q: So could you have gotten some of these details that were
6 thrown at you in a hurry wrong in your report --

7 A: Oh, absolutely.

8 Q: -- because of all these factors?

9 A: Absolutely. Trying to reconstruct it in my mind.

10 Q: All right.

11 MR. RICHARDSON: Thank you, Judge. That's all the
12 questions I have.

13 THE COURT: Any recross?

14 MR. MEETZE: No, Your Honor.

15 THE COURT: Sir, you may step down. Thank you.

16 THE WITNESS: Thank you.

17 MR. RICHARDSON: Your Honor, we'd ask he be excused from
18 his subpoena.

19 THE COURT: Any objection?

20 MR. MEETZE: No, Your Honor.

21 THE COURT: Sir, you're excused from your subpoena.

22 You're free to go. Have a nice day.

23 THE WITNESS: Thank you, sir.

24 THE COURT: All right. Does anyone on the jury need a
25 break? If so, just raise your right hand.

1 All right. We'll take a few minutes break. I'm going
2 to ask you to step to the jury room. Do not discuss the
3 case. I'll get you back out here as quickly as possible.
4 Okay?

5 (WHEREUPON, the jury exited the courtroom at 3:12 p.m.)

6 THE COURT: All right. Anything from the State before
7 we stand down for a few minutes?

8 MR. RICHARDSON: No, sir.

9 THE COURT: Defense counsel?

10 MR. MEETZE: No, Your Honor.

11 THE COURT: All right. We'll stand at ease for a few
12 minutes.

13 (WHEREUPON, there was a break in the proceedings from
14 3:12 p.m. until 3:27 p.m., after which the proceedings
15 resumed as follows.)

16 THE COURT: All right. Anything from the State before I
17 bring the jury back out?

18 MR. RICHARDSON: Just for scheduling purposes, Judge.

19 THE COURT: Hold on a minute. Hold on a minute.

20 MR. RICHARDSON: Okay.

21 THE COURT: I'm sorry.

22 All right. The defendant is back in the courtroom now.
23 Let me hear from you, please.

24 MR. RICHARDSON: Yes, sir. By way of scheduling kind of
25 what we have left, I have two witnesses left here. My

1 original intent was to call Officer Steven Martin, who was
2 one of the first responding officers on the scene.

3 I've told Mr. Meetze that Officer Martin's wife is
4 having some difficulties. She's great with child and having
5 some issues and they were at the doctor today. So I'm trying
6 to work around having him testify and I may be able to get
7 through it without needing him, but I have two witnesses
8 left.

9 Inv. Chatlosh will be next. He'll be pretty brief, and
10 then Inv. Cantey, who we'll have the audio played through.
11 And that's what we've got.

12 THE COURT: How long do you anticipate his testimony?

13 MR. RICHARDSON: My portion, Judge, will probably be --
14 I think will take around 25 minutes. So I would say 35 to 40
15 minutes tops.

16 MR. MEETZE: I don't -- certainly, I don't think my
17 cross-examination of Inv. Cantey will be certainly not any
18 longer than Officer Cantey.

19 THE COURT: Well, let's just kind of see where we are.
20 I've got a meeting at 5:45 I've got to be at.

21 MR. MEETZE: Sounds good.

22 THE COURT: Okay.

23 MR. MEETZE: I mean I don't -- I don't think I'm going
24 to have much cross-examination timewise.

25 THE COURT: Okay. Bring me the jury, please, sir.

JUSTIN CHATLOSH - DIRECT BY MR. RICHARDSON

1 (WHEREUPON, the jury entered the courtroom at 3:29 p.m.)

2 THE COURT: All right. We have all the jurors back in
3 the courtroom.

4 Mr. Richardson, call your next witness, please.

5 MR. RICHARDSON: Yes, Your Honor. We'd call Justin
6 Chatlosh.

7 THE CLERK: Sir, please place your left hand on the
8 Bible and raise your right hand.

9 Do you swear that the testimony you will give in this
10 case will be the truth, the whole truth, and nothing but the
11 truth, so help you God?

12 THE WITNESS: I do.

13 THE CLERK: Please be seated on the witness stand and
14 state your full name for the record.

15 THE WITNESS: Inv. Justin Chatlosh.

16 JUSTIN CHATLOSH, being first
17 duly sworn, testified as follows:

18 DIRECT EXAMINATION

19 BY MR. RICHARDSON:

20 Q: All right. Inv. Chatlosh, where are you employed?

21 A: Florence Police Department.

22 Q: And what do you do there?

23 A: I'm an investigator at the Florence Police Department.

24 Q: Okay. And how long have you been in that job?

25 A: I've been with the City for a little over eight --

JUSTIN CHATLOSH - DIRECT BY MR. RICHARDSON

1 probably about eight and a half years now. I've been an
2 investigator for almost two now.

3 Q: All right. And back in July of 2019, what were your job
4 duties with the City?

5 A: At that point, I had just gotten moved to
6 investigations. I was -- I had been on the street for a
7 while. I had just gotten moved to investigations probably
8 about a month prior.

9 Q: All right. And on July 13th of 2019, did you have an
10 opportunity to accompany Inv. Cantey or meet him at the
11 Quinby IGA in Florence County?

12 A: I did.

13 Q: All right. What did you do when you got there?

14 A: I spoke with Inv. Cantey and he ended up going and he
15 interviewed the suspect.

16 Q: All right. Were you present for that?

17 A: I was present during part of it.

18 Q: Okay. During the -- during that conversation with the
19 suspect at the time, did the topic of the location of money
20 come up?

21 A: Yes, it did.

22 Q: All right. And where was this money supposedly located?

23 A: 612 Coker Street.

24 Q: All right. And what was significant about that address?

25 A: That was the residence of the mother of the suspect.

JUSTIN CHATLOSH - DIRECT BY MR. RICHARDSON

1 Q: Okay. What did you do when that information came to
2 light?

3 A: I followed the mother of the suspect to the residence
4 where she located the money and showed me the money, and then
5 she took the money back to the IGA, which I followed her.

6 Q: Okay. And so you followed her in a separate vehicle to
7 612 Coker Street?

8 A: Yes.

9 Q: Is that right? And when you got there, did she struggle
10 to find the money or did she go right to it or how did it
11 work?

12 A: She walked straight in the door to the residence and
13 found the money right away. She knew exactly where it was
14 inside the residence.

15 Q: Did you have an opportunity to see that location or she
16 just went and got it?

17 A: It was underneath one of the beds in the bedrooms.

18 Q: Okay. I want to show you what's been marked as State's
19 Exhibit 19 and ask you if you recognize this?

20 A: Yes. That's the residence on -- at 612 Coker Street.

21 Q: Okay. And is that an accurate representation of what
22 that house looked like when you went there?

23 A: Yes.

24 Q: All right.

25 MR. RICHARDSON: Your Honor, I'd ask to move State's 19

JUSTIN CHATLOSH - DIRECT BY MR. RICHARDSON

1 into evidence.

2 THE COURT: Any objection?

3 MR. MEETZE: No, Your Honor.

4 THE COURT: Without objection, so admitted.

5 (WHEREUPON, State's Exhibit No. 19, photograph, was
6 admitted into evidence.)

7 MR. RICHARDSON: And I'll publish State's 19.

8 BY MR. RICHARDSON:

9 Q: You said she tried to give you the money?

10 A: Correct.

11 Q: Is that right? And you didn't -- you didn't take it?

12 A: No. I told her to hold on to it and I would follow her
13 back to the IGA.

14 Q: Okay. Are you aware of how much money that she had in
15 her possession?

16 A: She had \$700.

17 Q: 700?

18 A: Uh-huh.

19 Q: All right. So you followed her from the house there
20 back to the IGA?

21 A: Yes.

22 Q: And what happened when y'all got back?

23 A: When we got back to the location, the money was turned
24 over to Inv. Cantey and we counted it while we were inside of
25 the office where he was interviewing the suspect.

JUSTIN CHATLOSH - CROSS BY MR. MEETZE

1 Q: Okay.

2 MR. RICHARDSON: Please answer any questions defense
3 counsel may have for you.

4 THE COURT: Cross-examination?

5 MR. MEETZE: Thank you, Your Honor.

6 CROSS-EXAMINATION

7 BY MR. MEETZE:

8 Q: Inv. Chatlosh, this picture that you just identified,
9 you didn't take this picture; correct?

10 A: No, I did not.

11 Q: You didn't have anybody take any pictures in this case;
12 correct?

13 A: Not that I remember.

14 Q: Okay. In fact, with regards to this case -- well, let
15 me ask you this first. You said you've been in
16 investigations now should be right close to two years?

17 A: Just under it, yes.

18 Q: Okay. And before then you were on patrol?

19 A: Yes.

20 Q: How long were you on patrol?

21 A: I was on patrol for probably about six or six and a half
22 years.

23 Q: Okay. Has all of your law enforcement experience been
24 with Florence Police Department?

25 A: Yes.

JUSTIN CHATLOSH - CROSS BY MR. MEETZE

1 Q: Okay. Now, law enforcement is a job that involves a lot
2 of training; correct?

3 A: Yes.

4 Q: You've got to go through training to even become a
5 police officer; correct?

6 A: Yes.

7 Q: You go to the Police Academy for a period of time?

8 A: Yes.

9 Q: And if you're fortunate enough to graduate from there,
10 then you can operate as a law enforcement officer; correct?

11 A: Yes.

12 Q: And there's -- but your training doesn't end there;
13 correct?

14 A: No.

15 Q: You'll continue to have updates and various training
16 programs?

17 A: Yes.

18 Q: Throughout your career; correct?

19 A: Yes.

20 Q: And law enforcement is a job to where you train on the
21 job, so to speak; correct?

22 A: Yes.

23 Q: You learn by doing, so to speak? Do you understand?

24 A: Yes.

25 Q: You agree? All right. And training can include how to

1 collect evidence; correct?

2 A: Yes.

3 Q: How to preserve evidence; correct?

4 A: Yes.

5 Q: How to memorialize things you did or things you saw with
6 regards to a particular investigation; correct?

7 A: Yes.

8 Q: All right. Now, you've testified here today with
9 regards to what your involvement in the case was; is that
10 correct?

11 A: Yes.

12 Q: You were in the same vehicle that arrove [sic] with Inv.
13 Cantey or y'all came in separate vehicles?

14 A: When we originally arrived on scene?

15 Q: Yes, sir.

16 A: We were in two separate vehicles.

17 Q: Separate vehicles? Okay. Did y'all get there roughly
18 the same -- close to the same?

19 A: I think it was close to about the same time.

20 Q: The same time? Okay. And so you were around for part
21 of what was going on in the IGA?

22 A: Yes.

23 Q: But left to go retrieve the money --

24 A: Yes.

25 Q: -- that you've testified to? You didn't do any incident

JUSTIN CHATLOSH - CROSS BY MR. MEETZE

1 report in this case?

2 A: No.

3 Q: Correct? You didn't take any photographs or anything
4 like that?

5 A: I believe I took photographs of the text messages.

6 Q: Text messages. That's right.

7 A: Yes.

8 Q: Okay. And I apologize. Outside of that, I was speaking
9 specifically of anything, any investigation done at the
10 Layton Street house?

11 A: No.

12 Q: You never even went there?

13 A: No.

14 Q: Okay. Not aware of anyone with Florence Police
15 Department going to 1009 Layton Street?

16 A: Not that I'm aware of.

17 Q: Okay.

18 MR. MEETZE: I don't have anything further, Your Honor.

19 THE COURT: Any redirect?

20 MR. RICHARDSON: No, sir.

21 THE COURT: Sir, you may step down. Thank you.

22 THE WITNESS: Thank you.

23 MR. RICHARDSON: I'd ask that he be excused.

24 THE COURT: Any objection?

25 MR. MEETZE: No. I'm sorry. No, Your Honor.

1 THE COURT: Sir, you're released from your subpoena.
2 You're free to go. Have a nice day.

3 THE WITNESS: Thank you, sir.

4 THE COURT: All right. Next witness, please.

5 MR. RICHARDSON: We would call Jimmy Cantey.

6 THE CLERK: Sir, please place your left hand on the
7 Bible and raise your right hand.

8 Do you swear that the testimony you will give in this
9 case will be the truth, the whole truth, and nothing but the
10 truth, so help you God?

11 THE WITNESS: I do.

12 THE CLERK: You may be seated on the witness stand and
13 please state your full name for the record.

14 THE WITNESS: Jimmy Cantey.

15 MR. RICHARDSON: I beg the Court's indulgence one
16 moment, Your Honor. I'm looking for State's 3.

17 May we approach, Your Honor?

18 THE COURT: Yes.

19 (WHEREUPON, a bench conference was held in the presence
20 of the jury but out of the hearing of the jury as
21 follows.)

22 THE COURT: Mr. Richardson?

23 MR. RICHARDSON: Yes, sir.

24 MR. MEETZE: We just wanted to remind you about the
25 instruction to the jury before they play the video with

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 regards to the choppiness of it and all that kind of thing.

2 THE COURT: Okay.

3 (WHEREUPON, the bench conference ended, and the
4 proceedings resumed as follows.)

5 JIMMY CANTEY, being first duly
6 sworn, testified as follows:

7 DIRECT EXAMINATION

8 BY MR. RICHARDSON:

9 Q: All right. Inv. Cantey, can you tell us where you work?

10 A: I work for the Florence City Police Department.

11 Q: And what do you do there?

12 A: I am currently a sergeant in the criminal investigations
13 division. I'm responsible for the everyday supervisory
14 duties in investigations and also responsible for
15 investigating crimes involving special victims, such as child
16 abuse and sexual assaults.

17 Q: All right. Were you in such capacity back in July of
18 2019?

19 A: With the exception of supervisory duties, I was.

20 Q: All right. Back on July 13th of 2019, did you get
21 called out to the IGA in Quinby?

22 A: Yes, sir, I did.

23 Q: And what did you do when you got out there?

24 A: I was asked to respond by the street supervisor in
25 reference to a sexual assault and a kidnapping that occurred

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 at a different location, but the victim was currently at the
2 IGA. I responded to the IGA, where I was informed that the
3 victim was Dr. George and she was -- I was originally told
4 she was at the back of the store, but she had since been
5 moved to the front of the store, where I then met with her to
6 interview her.

7 Q: Okay. And you talked with her for a while there in the
8 store?

9 A: Yes, I did.

10 Q: All right. And after you met with her, what did you do
11 next?

12 A: After interviewing Ms. George, I then went and
13 interviewed who was identified as the suspect at the time was
14 Mr. George.

15 Q: All right. That would be Craig George?

16 A: Yes.

17 Q: Okay. And was he there at the location?

18 A: When I originally arrived, he was not there. Mr. Craig
19 George did not arrive until I was already inside the IGA and
20 I was notified by someone else that he had shown back up.

21 Q: Okay. And where did you meet with him?

22 A: It was in the -- I believe it was the manager's office
23 right at the front of the store.

24 Q: All right. And at the time, he was a suspect?

25 A: Yes, sir.

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 Q: Okay. Is it commonplace when you are talking to a
2 suspect in a case that you would give that individual what we
3 know as Miranda warnings?

4 A: Yes, it is very common.

5 Q: All right. And I want to show you what's been marked as
6 State's Exhibit No. 1. It's identification only. Do you
7 recognize that?

8 A: Yes. It's a Florence Police Department Waiver of Rights
9 form.

10 Q: Okay. Is -- do you recognize it as far as the specifics
11 of it?

12 A: It is. It was the one that was read to and signed by
13 Mr. Craig George.

14 Q: Okay.

15 MR. RICHARDSON: Your Honor, I'd move State's Exhibit
16 No. 1 into evidence.

17 THE COURT: Any objection?

18 MR. MEETZE: No, Your Honor.

19 THE COURT: Without objection, so admitted.

20 (WHEREUPON, State's Exhibit No. 1, Waiver of Rights
21 form, was admitted into evidence.)

22 MR. RICHARDSON: All right. And I'll publish it.

23 BY MR. RICHARDSON:

24 Q: And, Inv. Cantey, while I put this here where you can
25 see it, can you take us through the process that you use with

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 this form when you're talking to a suspect?

2 A: Yes. So we go through and we -- we'll fill out the case
3 number at that top, the date, the person's name that we're
4 talking to, where is the location that we are, which was in
5 this case 900 East Ashby Road, which was the IGA, Mr.
6 George's date of birth, his age, the time we began. It says
7 1748, which is 5:48 p.m., and the end time is 1826, which is
8 6:26 p.m.

9 Then what I'll do is I'll take the form and I'll turn it
10 around so they can read while I read to them. It says before
11 we ask you any questions, you must understand your rights.

12 You have the right to remain silent. Anything you say
13 can and will be used against you in a court of law.

14 You have the right to talk to a lawyer and have him
15 present with you while you're being questioned. If you
16 cannot afford to hire a lawyer, one will be appointed to
17 represent you for any questions if you wish. You can decide
18 at any time to exercise these rights and not answer any
19 questions or make any statements.

20 And then at the bottom here is a note. It says I -- and
21 it's Mr. George's name -- voluntarily without threats,
22 duress, force, promises of immunity or reward agree to be
23 questioned by the Florence Police Department. And there's an
24 important notice here in bold that says if you do not
25 understand any part of this form, do not sign until you do.

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 And at that time, Mr. George indicated he understood and
2 signed the form and dated it, which I also signed and Inv.
3 Chatlosh signed.

4 Q: All right. And where did this talk take place?

5 A: It was in the manager's office at 900 E. Ashby Road at
6 the IGA in Quinby in Florence County.

7 Q: I'm going to show you what's marked as State's Exhibit 3
8 for identification. Can you take a look at that and see if
9 that looks familiar?

10 A: That is. That's the manager's office.

11 Q: Okay. And is this a shot of your talk with Mr. George?

12 A: Yes, it is.

13 Q: All right.

14 MR. RICHARDSON: We'd move State's 3 into evidence.

15 THE COURT: Any objection?

16 MR. MEETZE: No, Your Honor.

17 THE COURT: Without objection, so admitted.

18 (WHEREUPON, State's Exhibit No. 3, photograph, was
19 admitted into evidence.)

20 MR. RICHARDSON: And I'll go ahead and publish.

21 BY MR. RICHARDSON:

22 Q: So this is not in a police office or an investigation
23 room, interrogation room or whatever you call them. This is
24 just in the IGA over in Quinby?

25 A: That's correct.

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 Q: Okay. Now, when you gave Mr. George his Miranda
2 warnings, you indicated he understood that; correct?

3 A: Yes, sir.

4 Q: Did he appear to you to be under the influence of
5 anything or to be suffering from any mental or physical
6 impairment that would have prevented his ability to
7 understand what was going on?

8 A: No, sir.

9 Q: All right. He gave you logical responses to the
10 questions that you asked him?

11 A: Yes, sir.

12 Q: Was there any point in time where he was denied food,
13 water, bathroom break or anything of that nature?

14 A: No, sir.

15 Q: Did you or any other law enforcement officer there do
16 anything to threaten him or in any way pressure him to make
17 him give up these rights and talk to you?

18 A: No, sir.

19 Q: Okay. During your conversation with suspects, is it
20 routine that you would record these?

21 A: Yes, sir.

22 Q: All right. Do you have a recording device that you
23 carry around with you as an investigator?

24 A: I did. At that time, I had a digital voice recorder, a
25 little small recorder.

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 Q: And did you utilize that in this situation?

2 A: I did.

3 Q: Okay.

4 Q: I want to show you State's Exhibit 2 and see if you
5 recognize that.

6 A: It's a copy of the audio recording with the conversation
7 with Mr. George.

8 Q: All right. And you reviewed this as the conversation --

9 A: Yes, sir.

10 Q: -- that you had subject to Court rulings --

11 A: Yes, sir.

12 Q: -- that we'll get into? All right.

13 MR. RICHARDSON: Your Honor, I'd move State's 2 into
14 evidence.

15 THE COURT: Any objection?

16 MR. MEETZE: No, Your Honor.

17 THE COURT: Without objection, so admitted.

18 (WHEREUPON, State's Exhibit No. 2, audio recording of
19 redacted statement of defendant on disk, was admitted
20 into evidence.)

21 MR. RICHARDSON: And, Your Honor, if I may attempt to
22 publish this.

23 THE COURT: All right. Before you do so, ladies and
24 gentlemen, the State's getting ready to publish a recorded
25 statement purported to be that of Mr. George, the defendant

JIMMY CANTEY - DIRECT BY MR. RICHARDSON

1 Craig George.

2 Let me tell you there are certain parts of the recording
3 that may seem somewhat choppy to you. Okay? The attorneys,
4 along with the Court -- the Court's prior rulings are playing
5 those portions that are relevant to the case. The attorneys,
6 again, have agreed to this as well. They are going to be
7 playing the pertinent parts to this conversation. No one is
8 trying to hide anything from you. Those are just based upon
9 agreements and Court's rulings. Okay?

10 Any exception or objection to what I've said to the jury
11 from the State?

12 MR. RICHARDSON: No, sir.

13 THE COURT: Defense counsel?

14 MR. MEETZE: No, Your Honor.

15 THE COURT: All right.

16 (WHEREUPON, State's Exhibit No. 2, audio statement, was
17 played and then stopped, after which the proceedings
18 resumed as follows.)

19 BY MR. RICHARDSON:

20 Q: All right. Inv. Cantey, after you had the initial
21 conversation with Dr. George and then the conversation with
22 Craig George, what did you do after that?

23 A: After evaluating the whole situation, it was decided at
24 that point to place Mr. George under arrest for criminal
25 sexual conduct, first degree, and kidnapping.

JIMMY CANTEY - CROSS BY MR. MEETZE

1 Q: All right.

2 MR. RICHARDSON: Please answer any questions that Mr.
3 Meetze may have.

4 THE COURT: Cross-examination?

5 MR. MEETZE: Thank you, Your Honor.

6 CROSS-EXAMINATION

7 BY MR. MEETZE:

8 Q: Inv. Cantey, how long have you been with the Florence
9 Police Department?

10 A: Fourteen years and eight months.

11 Q: All right. And is that -- were you with any other law
12 enforcement agencies prior to --

13 A: No, sir.

14 Q: -- the City of Florence? Okay. So your whole career
15 right here?

16 A: Yes, sir.

17 Q: Okay. Now, so in 14 years, you've seen a lot and done a
18 lot as a police officer, I would imagine; correct?

19 A: Yes, sir.

20 Q: And there's a lot that goes into being a police officer;
21 correct?

22 A: Yes, sir.

23 Q: A lot of responsibility; correct?

24 A: Yes, sir.

25 Q: And you are what would be, I guess, referred to for this

JIMMY CANTEY - CROSS BY MR. MEETZE

1 case as the lead investigator?

2 A: Yes, sir.

3 Q: That means you're in charge of this case; correct?

4 A: Yes, sir.

5 Q: You -- generally, if anybody -- you as the lead
6 investigator may or may not be a first responder; correct?

7 A: Yes, sir.

8 Q: I would say most of the time you would not be a first
9 responder; is that correct?

10 A: Not usually. No, sir.

11 Q: Okay. So usually somebody is there before you and
12 they're doing investigating or closing out scenes or areas or
13 whatever, keeping -- setting up a perimeter or doing
14 something a lot of times before you get there; correct?

15 A: Yes, sir.

16 Q: And people that get there before you will memorialize
17 what they do?

18 A: Yes, sir.

19 Q: Correct? And when I say memorialize, I mean a lot of
20 times is doing an incident report; correct?

21 A: Yes, sir.

22 Q: And anybody that does an incident report will end up
23 submitting that to the lead investigator; correct?
24 Eventually?

25 A: They won't submit it to me, but I can obtain it.

JIMMY CANTEY - CROSS BY MR. MEETZE

1 Q: Okay. And if you're building a file on a case, you like
2 to obtain whatever information there is on the case; correct?

3 A: Yes, sir.

4 Q: Because, you know, not just you is going to be needing
5 to see that information; correct?

6 A: Yes, sir.

7 Q: You're going to need to send it to the Solicitor's
8 Office; is that right?

9 A: Yes, sir.

10 Q: And an individual that's been charged has an attorney.
11 The Solicitor's Office is going to need to send it all to an
12 attorney; correct?

13 A: Yes, sir.

14 Q: And it's important that you try to be as thorough as
15 possible with regards to doing an incident report so all
16 these people who weren't there get a good idea of what went
17 on; correct?

18 A: Yes, sir.

19 Q: Now, one thing you always -- you haven't always been in
20 investigations; is that right?

21 A: Not always. No, sir.

22 Q: You were on patrol at one point in time?

23 A: Yes, sir.

24 Q: All right. It's been mentioned that Craig George had
25 bonded out for a leaving the scene of an accident?

JIMMY CANTEY - CROSS BY MR. MEETZE

1 A: Yes, sir.

2 Q: Okay. That's a misdemeanor traffic violation?

3 A: It could be, depending on the circumstances, yes, sir.

4 Q: Minor personal injury?

5 A: Yes, sir.

6 Q: Misdemeanor?

7 A: Yes, sir.

8 Q: Okay. And -- and you work -- y'all used to work in this

9 building years ago or not this building, across the street,

10 but y'all work at what's called the City Center now?

11 A: Yes, sir.

12 Q: Okay. And that's on Evans Street?

13 A: Yes, sir.

14 Q: Okay. And it's kind of hard. I don't know if you can

15 see the location of your office on this.

16 (WHEREUPON, State's Exhibit No. 23, large overhead map

17 photo, was displayed for the witness and jury.)

18 A: It would be probably somewhere up in here. Well, right

19 here at this corner.

20 Q: Okay.

21 A: Coit and Evans.

22 Q: Corner of Coit and Evans? Okay.

23 A: Yes, sir.

24 Q: Now, in this case you did not do any investigation at

25 1009 Layton Street; is that correct?

JIMMY CANTEY - CROSS BY MR. MEETZE

1 A: I did not. No, sir.

2 Q: You didn't go there at all?

3 A: No, sir.

4 Q: So there's no pictures from Florence County -- from
5 Florence Police Department as part of this case; correct?

6 A: No, sir.

7 Q: And no pictures as far as from Ms. George as far as any
8 pictures of her neck or anything like that from this case?

9 A: No, sir. No photographs.

10 Q: No photographs whatsoever? Now, you did speak with Dr.
11 George at the KJ's?

12 A: Yes, sir.

13 Q: Is that correct? And when you spoke to her, you spoke
14 to her for 25 minutes? Thirty minutes?

15 A: I don't know for sure.

16 Q: Somewhere in that range?

17 A: It was for a good little while. Yes, sir.

18 Q: Okay. And when you spoke with her, you -- basically,
19 the first part of the conversation was giving her an
20 opportunity to tell you her side of things?

21 A: Yes, sir.

22 Q: Correct? And you let her do that and gave her all the
23 time she needed to tell you what -- her side of things, so to
24 speak; correct?

25 A: Yes, sir.

JIMMY CANTEY - CROSS BY MR. MEETZE

1 Q: You did that uninterrupted?

2 A: Yes, sir.

3 Q: Correct? And after she got finished telling you her
4 side of things, you told her you had some follow-up
5 questions; is that right?

6 A: I don't recall exactly what I said, but I probably did
7 have some follow-up questions. Yes, sir.

8 Q: Okay. One of those follow-up questions was a specific
9 question, did he penetrate you; is that correct?

10 A: I don't recall the exact question, but I possibly did
11 ask that question. I usually do. Yes, sir.

12 Q: Okay. And she said with his fingers?

13 A: Yes, sir.

14 Q: Prior to you asking the question, she had not mentioned
15 him penetrating with his fingers, just fondling; correct?

16 A: I don't recall.

17 Q: All right.

18 MR. MEETZE: I don't have anything further, Your Honor.

19 THE COURT: Any redirect?

20 MR. RICHARDSON: No, sir, Your Honor.

21 THE COURT: All right. Sir, you may step down. Thank
22 you.

23 MR. RICHARDSON: The State rests, Judge.

24 THE COURT: All right. All right. Ladies and
25 gentlemen, the State has rested its case. What we are going

1 to do now is there's some matters of law that I need to take
2 up with regards to the case. It's pushing on 4:30 now.

3 What I'm going to do is I'm going to let you go home for
4 the balance of the day. My instructions remain the same. Do
5 not discuss the case at all with anyone. As I've said from
6 the outset, you're to decide this case based solely upon the
7 evidence and testimony that's in this -- occurred in this
8 courtroom and nowhere else.

9 Anything from the State before I release the jury?

10 MR. RICHARDSON: No, sir.

11 THE COURT: Defense counsel?

12 MR. MEETZE: No, Your Honor.

13 THE COURT: Let me see the lawyers over here for just a
14 minute, please.

15 (WHEREUPON, a bench conference was held in the presence
16 of the jury but out of the hearing of the jury off the
17 record, after which the proceedings resumed as follows.)

18 THE COURT: All right. Ladies and gentlemen, I wanted
19 to talk with the lawyers briefly just for scheduling
20 purposes.

21 I'm going to ask you to be back here tomorrow morning at
22 10 o'clock. Be back here at 10 o'clock tomorrow morning.
23 That should give us sufficient time to deal with what we need
24 to deal with this afternoon and in the morning before we
25 resume the trial of this case.

1 Again, do not discuss the case. Have a good evening.
2 I'll see you in the morning, 10 o'clock.

3 (WHEREUPON, the jury exited the courtroom at 4:26 p.m.)

4 THE COURT: All right. Anything from the defense at
5 this time?

6 MR. MEETZE: Judge, not right this second. If you want
7 to question Mr. George.

8 THE COURT: Well, I didn't know if you had any motions
9 at this time.

10 MR. MEETZE: Oh, I apologize. Yes, sir, Judge.

11 At this point in time, Judge, I would make a motion for
12 a directed verdict based on evidence presented by the State
13 that is not correct nor sufficient circumstantial enough to
14 where a reasonable jury could find Mr. George guilty and,
15 based on that, we would make a motion for a directed verdict.

16 THE COURT: All right. Anything in reply from the
17 State?

18 MR. RICHARDSON: Your Honor, we have direct testimony
19 from Dr. George, and under the law in this state testimony of
20 a victim need not be corroborated in a sexual assault case
21 for a conviction to take place. That's black letter law in
22 this state, and I believe based on the direct testimony as
23 well as the circumstantial evidence of other witnesses that
24 testified how they -- how she acted when they came upon her,
25 I believe there's sufficient evidence to reach the jury.

1 THE COURT: All right. Based upon what I've heard in
2 the testimony throughout today, if there's any direct or
3 substantial circumstantial evidence reasonably tending to
4 prove the guilt of the accused, then the Court is required by
5 law to submit the case to the jury.

6 A trial court is concerned with the existence of
7 evidence, the existence of evidence, not its weight. Based
8 upon the testimony of Dr. George, I believe that there is
9 sufficient evidence for the case as to the charge of
10 kidnapping as well as criminal sexual conduct in the first
11 degree to go to the jury.

12 Therefore, defense counsel's motions for directed
13 verdict at this stage are respectfully denied, but they are
14 so noted for the record. All right?

15 All right. At this time, Mr. George, would you stand
16 please, sir? If you'd raise your right hand to be sworn.

17 Do you swear to tell the truth, the whole truth, and
18 nothing but the truth, so help you God?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: All right. You can put your hand down. You
21 are Craig Antonio George?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: All right. I need you to speak up. Okay?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: All right. At this time, I'm going to

1 explain to you certain of your rights. If you do not
2 understand anything that I say, please let me know. If you
3 want me to explain anything in more detail, please let me
4 know. Do you understand that?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: All right. We've now reached the stage of
7 the trial where you may present your defense. You have the
8 right to claim the protections given to you by the Fifth
9 Amendment to the Constitution of the United States, and that
10 amendment states in part that no person -- no person shall be
11 compelled in any criminal case to be a witness against
12 himself. This means that you cannot be required to testify
13 in this case.

14 Now, you have the right to testify on your own behalf.
15 However, no one can make you testify. This is a personal
16 right, and no one can waive this right except you. Now, if
17 you decide to testify, you will be subject to the same rules
18 that govern other witnesses, and you may be examined and
19 cross-examined on any relevant issue in this case.

20 In addition, if you have any convictions involving
21 dishonesty or false statement or for crimes punishable by
22 imprisonment for more than a year and this Court determines
23 that the probative value of admitting this evidence outweighs
24 its prejudicial effect to you, the prosecutor will be able to
25 introduce your record to attack your ability.

1 Now, if you decide to testify, this decision on your
2 part must be freely, voluntarily, knowingly, and
3 intelligently made with knowledge of the protections given to
4 you by the Fifth Amendment and the consequences of your
5 decision to testify. Now, if you decide not to testify, I
6 will instruct the jury that they cannot -- that they cannot
7 give the fact that you did not testify any consideration
8 whatsoever and that there is to be absolutely no prejudice to
9 you because you did not testify.

10 Now, it is left entirely up to you whether or not you
11 testify. You may talk with your attorney, your family, your
12 friends or anyone else, but the final decision will be left
13 entirely up to you. Do you understand, sir, what I have
14 explained to you?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Do you have any questions about what I have
17 explained to you?

18 THE DEFENDANT: No, sir.

19 THE COURT: Have you discussed with your lawyer whether
20 or not you should testify?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: All right. Well, even with you indicating
23 to me that you've discussed it with your lawyer, I'm going to
24 give you the overnight to further discuss, if you so desire,
25 with your lawyer whether or not you intend to testify.

1 Now, when we resume here tomorrow morning, I will expect
2 an answer from you at that time. Okay?

3 THE DEFENDANT: Okay.

4 THE COURT: All right. Anything further, Mr. Meetze?

5 MR. MEETZE: No, Your Honor.

6 THE COURT: Mr. George, you may be seated, sir.

7 All right. Anything before we break for the day, Mr.
8 Meetze?

9 MR. MEETZE: No, Your Honor.

10 THE COURT: All right. I've told the jury to be back
11 tomorrow at 10. If you all would be back say around 9:15,
12 the lawyers. Hopefully, by then -- I don't know where Ross
13 is on a charge. He's been working on it, I know, but
14 hopefully can get at least a draft out to you tonight. If
15 not, we'll have a copy for you first thing in the morning to
16 give you some time to look at it.

17 Let me ask this question. And I've kind of started
18 doing this, but I kind of like to hear the -- what the
19 attorneys' position is on it. Would there be any objection
20 by the State or defense counsel if I charge the jury before
21 you all argue from the State?

22 MR. RICHARDSON: No, sir.

23 THE COURT: Mr. Meetze?

24 MR. MEETZE: No, Your Honor.

25 THE COURT: All right. Would there be any objection to

1 me sending a copy of the charge back to the jury from the
2 State?

3 MR. RICHARDSON: Judge, our experience in that -- you
4 know, the charge is long and has, you know, verbiage in it
5 that folks don't run into every day, and I've just seen in
6 the past where juries can get a copy of that thing back there
7 and go down ten rabbit trails that really aren't in the
8 purview of what we're doing and I -- ultimately, I'm fine
9 with whatever you decide to do, but I'd probably rather not
10 --

11 THE COURT: Mr. Meetze?

12 MR. RICHARDSON: -- send it back just to avoid problems.

13 MR. MEETZE: Judge, I don't -- I don't have any
14 objection to the charge going back, and I don't know that we
15 can avoid going down the rabbit trails. I think that happens
16 in every deliberation.

17 THE COURT: And I agree with you 110 percent. You know,
18 they're going to decide the case based on what they decide it
19 on, but I agree with you.

20 You know, I won't make a definitive answer or decision
21 today on it. You know, I've certainly sent it back. When I
22 first got on the bench, I didn't send it back and then it
23 seemed like every time the jury would come back with a
24 question, and I'd have to charge them one little portion of
25 the charge.

1 And then I started sending it back, and I especially do
2 send it back when you have, say for instance, a charge of
3 attempted murder and it goes down to an ABHAN, assault and
4 battery first, assault and battery second, and on down the
5 line, which is required by statute, or any other charge
6 wherein there are multiple lesser-included offenses.

7 You know, we don't have that in this situation here. I
8 mean I think it's either straight up.

9 MR. JEPERTINGER: You have the word inveigle, which
10 everybody uses every day, Judge.

11 THE COURT: Yeah. Well, you know, if they decide they
12 want a definition of it, they can come back out and ask me
13 and we'll give them a definition of it, if necessary or if
14 need be.

15 But I'll make a decision on that in the morning. Okay?
16 I just wanted y'all's -- y'all's thoughts on that.

17 And certainly, if I send it back, I mean part of those
18 instructions say that you're not to, you know, look at
19 certain portions and ignore the remainder of it. You're to
20 consider them as a whole.

21 So all right. I'll see you all at 9:15 in the morning.

22 Krystal, 9:30. They'll need a few minutes to look over
23 the charge.

24 (WHEREUPON, the proceedings adjourned for the day at
25 4:35 p.m.)

1 MAY 19, 2021

2 (WHEREUPON, the proceedings resumed at 9:45 a.m.)

3 THE COURT: All right. We're back on the record in the
4 State of South Carolina versus Craig Antonio George.

5 Mr. George, I'm going to ask that you stand, please,
6 sir. Yesterday -- and I'll remind you that you're still
7 under oath. Okay?

8 Yesterday when we broke or prior to us breaking for the
9 day, I advised you of your right to testify, as well as the
10 consequences if you chose to testify. I also advised you if
11 you chose not to testify that I would certainly tell the jury
12 -- instruct the jury that they certainly could not hold that
13 against you. I asked you whether or not you had spoken to
14 your attorney about whether or not you should testify and, if
15 I recall correctly, you indicated that you had spoken to your
16 attorney.

17 THE DEFENDANT: Yes, sir.

18 THE COURT: All right. I told you, furthermore, that
19 when we reconvened this morning that I would expect an answer
20 from you as to whether or not you intended to testify.

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Therefore, after having advised you
23 yesterday afternoon of your constitutional rights pursuant to
24 the Fifth Amendment to the U.S. Constitution and after having
25 given you an opportunity overnight to further consider

1 whether or not you intended to testify or to talk to anyone
2 concerning this issue, do you intend to testify in the trial
3 of your case?

4 THE DEFENDANT: No, sir.

5 THE COURT: All right. Very well.

6 Anything further, Mr. Meetze?

7 MR. MEETZE: No, Your Honor.

8 THE COURT: All right. You can be seated, Mr. George.

9 Now, this morning my law clerk emailed you all a copy of
10 the proposed charge. I came in earlier this morning and
11 reviewed the charge and then once I came in here there were a
12 couple of additions that I felt like needed to be added to
13 the charge, one of which I drafted.

14 Let me get to it here. It was a portion as it relates
15 to a prior charge of the defendant. I drafted something and
16 allowed Mr. Meetze to look at it and Mr. Jepertinger looked
17 at it as well. That which I drafted reads as follows.

18 During the course of the trial, you heard testimony
19 regarding a prior charge against the defendant. This
20 evidence was offered by the State for purposes of an alleged
21 motive. It is not to be considered by you as evidence of
22 guilt for the charges upon which the defendant is currently
23 on trial.

24 Also subsequent to my law clerk forwarding you all a
25 copy of the charge, I also added in there language pertaining

1 to a statement of the defendant, of which a copy was provided
2 to defense counsel and to the State for them to review. Both
3 of them indicated that there was no objection to that being
4 added to the charge as well.

5 Now, as it relates to the remainder of the charge, other
6 than what I've spoken here -- spoken of here this morning
7 which was added after that copy was forwarded to you via
8 email, were there any exceptions or objections to the charge
9 from the State?

10 MR. RICHARDSON: No, sir.

11 THE COURT: Defense counsel?

12 MR. RICHARDSON: No, Your Honor.

13 THE COURT: All right. Did you all -- where's the
14 verdict form? -- have a chance to look at the verdict form?

15 MR. MEETZE: I did, Judge.

16 THE COURT: Any objection to the verdict form?

17 MR. MEETZE: No, Your Honor.

18 THE COURT: From the State?

19 MR. RICHARDSON: No objection.

20 THE COURT: Okay. All right. The -- what I will plan
21 to do -- your client, Mr. Meetze, has indicated that he is
22 not testifying. Does the State [sic] intend to put up any
23 evidence?

24 MR. MEETZE: We do not, Judge.

25 THE COURT: Okay. Well, pursuant to that, when the jury

1 comes back out, Mr. Meetze, I will recognize you and you can
2 rest at that point and simply renew all prior motions and
3 objections, and then we'll move right into -- I'll make a
4 ruling on that and we'll move right into -- I'll charge the
5 jury and then the State will argue, followed by defense
6 counsel. All right? And I'll give some concluding remarks
7 to the jury, and it'll be sent back for them to begin their
8 deliberations.

9 I'm not sure how much you all may intend to use the
10 items of evidence that were introduced in the trial during
11 your closing arguments, but if you all would -- and I guess
12 you can do this after your closing arguments and my
13 concluding remarks to the jury. You know, you all will need
14 to come up here and review the items of evidence to make sure
15 everything is there. Okay?

16 All right. Anything else before -- I mean I told the
17 jury to be back here at 10. It's not quite 10 yet. Anything
18 before --

19 MR. RICHARDSON: Not from the State, Judge.

20 THE COURT: Defense counsel?

21 MR. MEETZE: No, Your Honor.

22 THE COURT: Okay.

23 (WHEREUPON, there was a break in the proceedings, after
24 which the proceedings resumed as follows.)

25 THE COURT: All right. Anything from the State before I

1 bring the jury out?

2 MR. RICHARDSON: No, sir.

3 THE COURT: Defense counsel?

4 MR. MEETZE: No, Your Honor.

5 THE COURT: All right. Bring me the jury, please, sir.

6 (WHEREUPON, the jury entered the courtroom at 10:18
7 a.m.)

8 THE COURT: All right. Madam Forelady, ladies and
9 gentlemen of the jury, I hope you all had a nice evening last
10 night and are ready to proceed here today.

11 When we broke yesterday, the State had rested its case.
12 At this time, I'll recognize defense counsel.

13 MR. MEETZE: Thank you, Your Honor. Your Honor, at this
14 time, the defense would rest as well.

15 THE COURT: All right.

16 MR. MEETZE: And pursuant to that, Judge, I would just
17 renew all the previous motions and objections.

18 THE COURT: All right. All right. Very well.

19 Ladies and gentlemen, the defense has rested its case as
20 well. Therefore, you have heard all of the testimony and
21 evidence that you're going to hear in this case.

22 The Court's rulings remain the same as to all prior
23 motions and objections.

24 At this time, ladies and gentlemen, what we're going to
25 do is I am going to give you the charge on the law in this

1 case. Once I finish giving you the charge on the law,
2 closing arguments will take place. The State will go first,
3 followed by defense counsel, and then I will have some
4 conclusory remarks to you before I send you to the jury room
5 and ask you to begin your deliberations. Okay?

6 What I am going to do is, as I said, charge you on the
7 law. This is what I have to read to you. So please listen
8 very carefully as we go through this. This is probably one
9 of my least favorite things to do, but it's necessary and
10 required to make sure that it is -- that we have an
11 abundantly clear record on what's going on in here. Okay?

12 CHARGE ON THE LAW

13 THE COURT: All right. Ladies and gentlemen, it's now
14 my duty as the trial judge under the Constitution of this
15 state to charge and instruct you on the law applicable to
16 this case. It is your duty as jurors to accept and apply the
17 law as I will now state it to you.

18 Furthermore, it is your exclusive duty to decide all the
19 issues of fact in this case and to determine the effect,
20 value, and weight of the evidence. Both the State and the
21 defendant have a right to expect that you will carefully
22 consider and evaluate the evidence and apply the law of this
23 case to it so that in the end both the State of South
24 Carolina and the defendant will receive a fair and impartial
25 trial.

1 I want you to understand that when I use the word
2 defendant, I refer to Mr. Craig Antonio George. Furthermore,
3 it is important to understand that the State of South
4 Carolina charges the defendant with the offenses known as
5 kidnapping and first-degree criminal sexual conduct.

6 Now, to these charges, the defendant has entered a plea
7 of not guilty. This plea of not guilty places the burden of
8 proof on the State to prove the guilt of the defendant to
9 you, the jury, beyond a reasonable doubt.

10 I remind you that the fact that the defendant was
11 arrested, charged, and indicted in this case is not evidence
12 in this case and cannot be considered by you as evidence of
13 guilt in this case, nor does it create any presumption or
14 inference of guilt. An indictment is simply the formal
15 written instrument which contains the charges made against
16 this defendant. It is the formal document by which this case
17 is brought into this court.

18 The indictment in this case alleges several different
19 offenses against the defendant. The charges are kidnapping
20 and first-degree criminal sexual conduct. Each charge is a
21 separate and distinct offense. You must decide each charge
22 separately on the evidence and the law applicable to it,
23 uninfluenced by your decision as to any other charge.

24 The defendant may be convicted or acquitted on any or
25 all of the offenses charged. You will be asked to write a

1 separate verdict of guilty or not guilty for each offense.

2 Now, ladies and gentlemen, during the trial, you and I
3 have had separate duties to perform. As the trial judge, it
4 is my responsibility to preside over this trial and I also
5 have the duty to rule upon the admissibility of the evidence
6 offered during the process of the trial.

7 In that regard, you are to consider only the competent
8 evidence before you and you are to disregard from your mind
9 any testimony ordered stricken from the record during the
10 progress of the trial, if there was any, and you are to
11 consider only the testimony which has been presented from
12 this witness stand, together with any exhibits admitted into
13 the record of the case and any stipulations of counsel made
14 into the record, if there were any.

15 Furthermore, I have the additional duty to charge you on
16 the applicable law of this case and, in that regard, I am the
17 sole judge of the law in this case. It is your duty to
18 accept and apply the law as I state it to you. If you have
19 any preconceived ideas as to what the law is or what the law
20 ought to be and it does not agree with what I tell you the
21 law is, you are obligated under your oath to abandon these
22 preconceptions because you are sworn to accept the law
23 precisely as I state it to you.

24 Ladies and gentlemen, in this trial, you -- you are the
25 sole and exclusive judge of the facts, and I am the judge of

1 the law. Do not infer that I have any opinion about the
2 facts of this case from anything that I have said during the
3 course of this trial in ruling upon the admissibility of
4 evidence or otherwise or from anything that I say during the
5 course of this charge to you. In this regard, the law simply
6 does not permit me to have an opinion about the facts. As
7 jurors, it is your duty alone to determine the effect, value,
8 and weight of the evidence presented during the course of
9 this trial.

10 Now, in determining what the facts in this case are, you
11 must judge the credibility, which simply means the
12 believability of the witnesses, and the value of weight to be
13 given to their testimony. You alone must decide the force
14 and effect of the testimony. In making this decision, there
15 are many things that you should and may take into
16 consideration, such as the appearance and manner of the
17 witness on the witness stand, a characteristic often referred
18 to as the demeanor of the witness.

19 Was the witness forthright or hesitant?

20 Was the witness's testimony consistent or did it contain
21 discrepancies?

22 What was the ability of the witness to know the facts
23 about which he or she testified?

24 Did the witness have a cause or reason to be biased and
25 prejudiced in favor of the testimony that he or she gave?

1 Was the testimony of the witness corroborated or made
2 stronger by other testimony and evidence or was it made
3 weaker or impeached by such other testimony and evidence?

4 As jurors, please understand that you have the right to
5 believe a small portion of a witness's testimony and discard
6 the larger portion or vice versa. You may believe all of a
7 witness's testimony or none. You may believe the testimony
8 of a single witness against that of many witnesses or the
9 other way around.

10 In exercising your mental processes in attempting to
11 decide the verdict, the law simply requires that you exercise
12 your good judgment, your common sense, your sense of logic
13 and reason, and your experiences in life. You then apply
14 these attributes to the evidence and apply the law as I state
15 it to you and thus arrive at a verdict.

16 Now, it is vital to understand, ladies and gentlemen,
17 that a defendant is presumed under the law to be innocent of
18 the charges. The defendant has no obligation to prove his
19 innocence. It is a fundamental rule of our law that a
20 defendant, irrespective of the seriousness of the charge or
21 charges against him, is always presumed innocent of the
22 crimes for which he is charged unless and until his guilt has
23 been proven by evidence that satisfies you, the jury, beyond
24 a reasonable doubt.

25 The presumption of innocence is not a mere legal theory

1 or a legal phrase. The presumption of innocence is very
2 important, and you need to understand that this presumption
3 accompanies the defendant from the time of his arrest and
4 appearance in this court and continues with the defendant
5 even after you retire to the jury room to deliberate. In
6 other words, the defendant receives the benefit of the
7 presumption of innocence until the very end of this trial
8 when you, the jury, will deliberate upon the evidence and
9 decide whether the State has proven his guilt beyond a
10 reasonable doubt.

11 Now, ladies and gentlemen, what is a reasonable doubt?
12 A reasonable doubt is the kind of doubt that would cause a
13 reasonable person to hesitate to act. Proof beyond a
14 reasonable doubt is proof that leaves you firmly convinced of
15 the defendant's guilt.

16 Now, there are very few things in this world that we
17 know with absolute certainty. So even in criminal cases, the
18 law does not require proof that overcomes every possible
19 doubt. However, if based on your consideration of the
20 evidence you are firmly convinced that the defendant is
21 guilty of the crimes charged, you must find him guilty. If,
22 on the other hand, you think there is a real possibility that
23 he is not guilty, you must give him the benefit of the doubt
24 and find him not guilty.

25 Jurors, please understand -- (coughs) excuse me -- that

1 reasonable doubt may arise from evidence which has been
2 presented in the case or from the lack of evidence in the
3 case. It is your responsibility to determine whether or not
4 reasonable doubt exists as to the guilt of the defendant.

5 I charge you that the defendant is entitled to every
6 reasonable doubt arising in the -- in the whole case. If
7 upon any issues of fact essential to conviction and a verdict
8 of guilty you have a reasonable doubt as to how that issue
9 should be resolved, it would be your duty to resolve that
10 doubt or that reasonable doubt in favor of the defendant.

11 Thus, in summary, it is important to understand that a
12 defendant is not required to prove his innocence. Instead,
13 the State is required by law to prove every essential element
14 of the offense charged against the defendant by evidence
15 which satisfies you of his guilt beyond a reasonable doubt.
16 Only then can you convict the defendant and find him guilty.

17 Now, there are two types of evidence which are generally
18 presented during a trial: direct evidence and circumstantial
19 evidence.

20 Direct evidence is the testimony of a person who claims
21 to have actual knowledge of a fact, such as an eyewitness.
22 It is evidence which immediately establishes the main fact to
23 be proved.

24 Circumstantial evidence is proof of a chain of facts and
25 circumstances indicating the existence of a fact. It is

1 evidence which immediately establishes collateral facts from
2 which the main fact may be inferred. Circumstantial evidence
3 is based on inference and not on personal knowledge or
4 observation.

5 The law makes absolutely no distinction between the
6 weight or value to be given to either direct or
7 circumstantial evidence, nor is a greater degree of certainty
8 required of circumstantial evidence than of direct evidence.
9 You should weigh all of the evidence in the case. If after
10 weighing all of the evidence you are not convinced of the
11 guilt of the defendant beyond a reasonable doubt, you must
12 find the defendant not guilty.

13 Now, during the course of the trial, ladies and
14 gentlemen, you heard testimony regarding a prior charge
15 against the defendant. This evidence was offered by the
16 State for purposes of an alleged motive, and it is not to be
17 considered by you as evidence of guilt for the charges upon
18 which the defendant is currently on trial.

19 You also heard testimony that a statement was alleged to
20 have made by the defendant, and it was admitted into
21 evidence. While the Court determined that the statement was
22 admissible, I instruct you that you make the ultimate
23 decision of whether or not the defendant made the statement.

24 If the defendant did make the statement, you must
25 determine whether the statement was made by the defendant

1 voluntarily and of his own free will. This means that the
2 statement was not caused by pressure, force, fear, threats,
3 coercion or intimidation or by hope or a promise of leniency
4 or a reward of any kind.

5 In determining whether the statement was voluntary, you
6 should consider both the characteristics of the defendant and
7 the details of the questioning. Some of the factors that you
8 must consider are the age of the defendant, the defendant's
9 education or lack of education, the defendant's mental
10 ability or capacity, the defendant's IQ or intelligence, the
11 defendant's background and environment, the place and length
12 of detention, the nature of the questioning, and the advice
13 or lack thereof to the defendant of his constitutional
14 rights, including but not limited to the right to remain
15 silent, that any statement could be used against him in a
16 court of law, the right to have a lawyer present, that if he
17 could not afford a lawyer, a lawyer would be appointed to
18 represent him without any cost, and that he could stop making
19 a statement at any time.

20 You must carefully consider all of the surrounding
21 circumstances before you give any weight to an alleged
22 statement. The State has the burden of proving beyond a
23 reasonable doubt that the alleged statement was voluntary.
24 If you determine it was, you may give the statement any
25 further consideration that you deem proper.

1 You must decide what weight, if any, should be given to
2 the alleged statement. If you determine the alleged
3 statement was not the free and voluntary statement of the
4 defendant, you should not consider the statement at all.

5 Now, ladies and gentlemen, I instruct you and I
6 emphasize to you that the defendant's choice not to testify
7 in this case is not a factor to be considered by you in any
8 way in your deliberation and in your consideration on the
9 question of the guilt or the innocence of the defendant. It
10 must not be considered by you in any manner whatsoever. A
11 defendant, ladies and gentlemen, has the constitutional right
12 to remain silent and the assertion of this right must not be
13 considered by you in your deliberations.

14 I repeat, under your oath you are to draw no conclusion
15 whatsoever from the fact that the defendant in this case
16 chose not to testify. The fact that the defendant chose not
17 to testify should not even be discussed in the jury room.

18 The burden of proof, as I have stated to you, is on the
19 State. The defendant is not required to prove his innocence.
20 The burden of proof remains on the State to prove guilt
21 beyond a reasonable doubt.

22 Now, in order to establish criminal liability, criminal
23 intent is required. For example, the mental state required
24 to be proven by the State for a particular crime might be
25 purpose, intent, knowledge, recklessness, or criminal

1 negligence. Criminal intent must be proven by the State
2 beyond a reasonable doubt. Criminal intent is always a
3 matter that must be determined by the jury from the
4 circumstances surrounding the situation.

5 Now, there is no way, ladies and gentlemen, to prove
6 intent to a mathematical certainty. There is no way that
7 medical science can dissect a person's brain and determine
8 what the person had in mind. So the law says that criminal
9 intent may be inferred from the circumstances shown to have
10 existed. This is how you make a determination of whether or
11 not the element requiring intent was present.

12 It is not necessary to establish intent by direct and
13 positive evidence, but intent may be established by inference
14 in the same way as any other fact by taking into
15 consideration the acts of the parties and all the facts and
16 circumstances of the case.

17 Criminal intent is a mental state, a conscious
18 wrongdoing. It is up to you to determine what the defendant
19 intended to do based on the circumstances shown to have
20 existed.

21 Criminal intent can arise from action or a failure to
22 act. It may arise from negligence, recklessness, or an
23 indifference to duty or to consequences that is considered by
24 the law to be the equivalent of criminal intent.

25 Now, the defendant, ladies and gentlemen, is charged

1 with kidnapping. The State must prove beyond a reasonable
2 doubt that the defendant knowingly and unlawfully seized,
3 confined, inveigled, decoyed, kidnapped, abducted, or carried
4 away another person without authority of law.

5 To do a thing unlawfully is to do it willfully against
6 the law.

7 Knowingly means with knowledge, consciously, not
8 accidentally.

9 Seize means to take hold of suddenly or forcibly.

10 Confine means to limit, restrict, or enclose within
11 bounds, imprison, or shut or keep in.

12 Inveigle means to lure, entice, or lead astray by false
13 representations, promises, or other deceitful means.

14 Decoy means to lure by or as if by decoy. A decoy is
15 something to entice a person into a trap.

16 Kidnap is to remove a person against his will by
17 unlawful force or by fraud.

18 Abduct means to carry off secretly or by force for an
19 illegal purpose.

20 Carry away means to remove.

21 Now, the State, ladies and gentlemen, does not have to
22 prove that the defendant did all of these things. Instead,
23 if you find beyond a reasonable doubt that the defendant did
24 any of these things, you may find the defendant guilty of
25 kidnapping.

1 Something done without authority of law is something
2 which the law does not sanction, permit, allow, condone, or
3 provide justification for. The kidnapping does not have to
4 be for any personal or monetary gain for any illegal purpose,
5 but may be for any reason whatsoever.

6 Now, the defendant, ladies and gentlemen, is also
7 charged with criminal sexual conduct in the first degree or
8 first-degree criminal sexual conduct. The first element
9 which the State must prove beyond a reasonable doubt is that
10 the defendant engaged in a sexual battery with the victim.

11 A sexual battery is sexual intercourse, cunnilingus,
12 fellatio, anal intercourse, or any intrusion, however slight,
13 of any part of a person's body or of any object into the
14 genital or anal openings of another person's body except when
15 the intrusion is accomplished for medically recognized
16 treatment or diagnostic purposes.

17 If you find that the State has not shown beyond a
18 reasonable doubt that a sexual battery occurred, you would
19 stop deliberating and your verdict would have to be not
20 guilty. If you find that a sexual battery did occur, you
21 must then decide whether the State has proven beyond a
22 reasonable doubt that the defendant used aggravated force to
23 accomplish the sexual battery.

24 Aggravated force means the use of physical force or
25 physical violence of a high and aggravated nature to overcome

1 the victim. This includes the threat of using a deadly
2 weapon or the victim submitted to the sexual battery while
3 the victim was also the victim of forcible confinement,
4 kidnapping, robbery, extortion, burglary, housebreaking or
5 any other similar act or offense.

6 Now, ladies and gentlemen, I have given you a charge on
7 the law in this case and what we're now going to do is the
8 State is going to give its closing arguments, followed by
9 defense counsel. After they conclude their closing
10 arguments, I am going to give you some conclusory remarks
11 before giving the case to you. I will remind you, ladies and
12 gentlemen, that closing arguments of counsel is not evidence
13 in this case.

14 So at this time the State is so recognized for closing
15 arguments.

16 MR. RICHARDSON: Thank you, Your Honor.

17 THE COURT: Now, before you begin, let me just do this.

18 Any objection from the State as to anything I've said to
19 the jury at this point?

20 MR. RICHARDSON: No, sir.

21 THE COURT: Defense counsel?

22 MR. MEETZE: No, sir.

23 THE COURT: All right. Mr. Richardson, you may proceed.

24 MR. RICHARDSON: Thank you, Your Honor.

25 Mr. Meetze. Ms. Lawson.

CLOSING ARGUMENT ON BEHALF OF THE STATE

MR. RICHARDSON: He resented her, but he needed her. He resented her because she is a principled person who did things in an orderly fashion by the book and that he perceived caused a slight toward his family.

Dr. George is a fascinating individual. She explained to you a little bit of her background. Born into a family of sharecroppers in Pamplico, she overcame the Jim Crow South at a very difficult time, obtained a bachelor's degree, became an educator, obtained a Master's degree from NYU, transitioned her career into the medical field, obtained an M.D. and practiced medicine for now some 40 years.

She accomplished all these things because of the strengths of her personality. She operates with an analytical mind, reasons her way through situations, and little did she know that her whole life's work would lead her to a situation where she had to put it all to the test to adapt and survive at the hands of a loved one, a relative, her nephew.

Craig George, on the other hand, was in a bind. He needed money. He needed it quickly. And even though he resented his aunt, she was a means. She had the resources. He had the motive, she had the means, and he saw an opportunity.

Now, you heard how this began. Craig George reaches out

1 to Dr. George on this Saturday morning, July 13th, two years
2 ago, asking for work at this house on Layton Street. She had
3 no plans to contact him. She had no plans to go to that
4 house that day, but she goes along with it. Sure, we can do
5 these things. It works for her because she's suffering from
6 a broken back waiting on surgery the next month and she can't
7 accomplish the stuff at the house that she wants to do. So
8 it seems like a good idea at the time.

9 Meanwhile, Craig George has this resentment floating
10 around in his head because he'd had this conversation with
11 his parents the night before which becomes a topic of
12 conversation in the kitchen of that house on Layton Street.
13 Dr. George was in the position of power, I guess, in his
14 mind.

15 She had ownership of this property. His parents had
16 lived in the house, and you heard the story of, you know, she
17 couldn't get -- they wouldn't let people in to fix it and all
18 these things transpired, and she ended up having to go
19 through the process of getting them out of the house in order
20 for things to be done that had to be done.

21 This did not compute. This was a slight in his mind
22 that at that time at least was not forgivable. And as they
23 talked in the kitchen, the seed that had been planted the
24 night before grew, and for that hour, hour and a half, Dr.
25 George had no idea what was happening in his mind.

1 Things took a turn for a worse at the thermostat.
2 That's when she testified that she was placed in the head
3 lock or the chokehold and this immediately made her
4 analytical mind kick in, her life's training. She mentioned
5 to you that when she worked for the Veterans Affairs in the
6 hospital there treating veterans that she had training on
7 this very issue. That popped into her mind.

8 Her ability to reason her way through situations may
9 have ultimately saved her life in that moment because think
10 of what anybody -- your average person would do. I know what
11 I would do. If I got put in a chokehold, the first instinct
12 would be panic, but impulse gets you in trouble. Acting
13 impulsively gets you in trouble. She knew that and she knew
14 that she had to de-escalate. She had to try to talk. She
15 had to try to calm him down.

16 She put that into motion and that initial horror turns
17 even worse moments later when she gets the command to strip.
18 This takes things to a whole new level. This is no longer
19 just a physical assault out of anger. This is no longer just
20 a physical assault to intimidate someone to provide money.
21 This is personal. To force a 75-year-old close relative to
22 strip naked so that you can insert fingers into her vagina in
23 some incestuous sexual assault is deeply personal. That is
24 hatred. That is contempt.

25 He had a "two birds with one stone" moment. He was

1 going to get that money that he needed for his own reasons,
2 and he was going to get that revenge that in his mind his
3 parents deserved and that Dr. Bernetha George deserved.

4 Dr. George in this moment sticks with reason. She
5 sticks with analysis. She does her best to reason with him.
6 If you hurt me, I can't get you this money. Because
7 meanwhile while this is -- while she's saying these things,
8 he's saying words like this is your last day. You know,
9 you're going to die today. You're going to give me money.
10 You're going to die.

11 Her life is in the balance. Those are the things she's
12 hearing. So she's trying to talk her way anyway she can out
13 of this situation and, ultimately, you know, even though she
14 gets sexually assaulted in the process, instead of it going
15 further and her life ending in that room underneath that
16 plaque on the wall, she survives. She convinces him in that
17 moment that the money for his own selfish needs is more
18 important than that revenge in his mind.

19 She'd been confined in that room, chokehold, pushed up
20 against the wall, held the whole time, sexually assaulted as
21 part of that confinement, also as part of an extortion to try
22 to get money out of her later, and even though she left that
23 room on her own two feet, the confinement did not end because
24 she didn't go the rest of her day doing her own thing of her
25 own free will. She was restricted. She was tethered,

1 metaphorically, to Craig George. He was in control for the
2 balance of that afternoon.

3 He had her purse. He had her keys. He takes her out to
4 the car after he allows her to get dressed. He gets in the
5 car first to make sure she can't get in first and leave him.
6 She is not in control. She is still confined. She drives
7 the car, but he is the dominant physical presence inches
8 away.

9 She's 75 years old. It's a physical mismatch. He's
10 younger, stronger. She's got a broken back. All these
11 things are going through her mind. Not only, you know, how
12 -- not only must I survive this, but what is the best way to
13 survive this.

14 She told you things ran through her mind that on any
15 given day would seem completely irrational, like driving out
16 into traffic. You know, she's parked in the South State Bank
17 parking lot, knowing she can't get money out of there, but
18 she's trying to bide time. And she -- the thought goes
19 through her mind, what if I just pull on out, you know, and
20 take the risk that somebody hits me and at least that gets us
21 out of this situation, but, you know, she reasoned her way
22 through that and thought, well, this is going to -- this
23 could kill the two of us or could kill some innocent person
24 who doesn't know anything about what's going on. So she
25 keeps going, trying to bide time, trying to find the right

1 moment.

2 Now, he demands of her \$2,000. We know this not only
3 because Dr. George says it, but because the lady, Ms.
4 Breeden, from Western Union, when she read you the statement
5 you wrote the day of this incident, she noted that there was
6 a \$2,000 request. Some arbitrary figure, you know. Why
7 \$2,000? You know, it only makes sense that that's what he
8 asked for.

9 So they go on this journey to find this money. The bank
10 is closed. It's a Saturday. They find, you know, the
11 Western Union at the IGA in Quinby, and we've got the map
12 here that you can look at in the jury room that shows where
13 these places are located here in Florence County.

14 They go into the IGA. The Western Union transaction is
15 completed, but it's odd because why would she have money that
16 she's already got wired to herself? And then why would she
17 instruct the Western Union folks to give it to him, hand it
18 to him? That's unusual, and I think it struck Ms. Breeden
19 that way because she ended up writing about that situation
20 that same day.

21 So \$999 is the maximum they could get. They're short of
22 that 2,000. There's an ATM sort -- ATM machine in the store.
23 They go to that and get \$500 more, and that's about the
24 extent of what can be accomplished in this window of time
25 that they have, 1,500 bucks.

1 At this point, Dr. George begins -- begins to
2 rationalize further. We're leaving this store now. He's got
3 the money. What does that mean for me? At this point, his
4 financial motive is satisfied, but she didn't know the status
5 of his revenge motive. It would be a risky proposition at
6 that point for him to just drop her back off somewhere and
7 him take off with this money.

8 So she sees that moment as fight or flight. It's time
9 to make the move. So she uses the one tool that she does
10 have an advantage in in this situation, that dynamic between
11 the two of them, her wits. She basically dupes him and says,
12 you know, oh, it's raining, you get the car, I don't want to
13 get wet, and she stands there and waits for him to be in a
14 position of vulnerability where he's in the car and says I've
15 got to go back in the store and get a bottle of Fantastick
16 for our cleaning, leaving him in a situation where he's just
17 sitting out in the road in the car that gives her just enough
18 time to get separation.

19 She gets back in that store, gets to the back, goes
20 through the unauthorized entry, and you heard the testimony
21 about that. You saw the photographs of it. She hides back
22 in the back, you know, storage area of this grocery store
23 with metal shelves all around her, and she's found her safe
24 place. That's what she referred to it as, that safe place.

25 You heard Kenneth Robinson, who was the assistant

1 manager of the store. He's approached by somebody from the
2 meat department that she had gone past. He is given
3 information about it. He goes back there to see what's going
4 on and he finds Dr. George hiding, and this was after he's
5 been approached by Craig George trying to find her. Kenneth
6 Robinson testified that he saw her and that she seemed
7 nervous or scared or shaken in that moment.

8 Law enforcement arrives based on her calling them. The
9 first officer on scene, Sgt. Dean, he gets back there and he
10 observes similar things. That she's hiding in this place and
11 that she seems upset, scared, etc.

12 Now, Craig George is not there when the police arrive,
13 and we don't find out why until we hear his statement. He
14 was in the grocery store frantically looking for his aunt,
15 and he sees a deputy vehicle pull in the parking lot. That's
16 not, you know, an unusual circumstance. Deputies buy
17 groceries.

18 But in that instance -- in that instant, consciousness
19 of guilt struck him. He had no way of knowing that that
20 deputy was coming because she had called 9-1-1. He assumed
21 it because he was guilty, and he knew he did it and he ran
22 like a scalded dog through the woods behind that store.

23 He had her keys. If he had nothing to hide, he could
24 have calmly just walked out of the store to the Cadillac and
25 cranked it up and headed out, but he knew what he had done

1 and he assumed that the time was up. So you hear in his
2 statement he takes off running behind the store, loses his
3 shoes in the woods, goes all the way back to his house on
4 Coker Street, and he's got part of this money. He's got the
5 money.

6 Ultimately, folks, this case comes down to credibility.
7 This is not a case that you see on television that gets
8 resolved in an hour through all these scientific means. You
9 know, a question was asked of Inv. Cantey about, you know,
10 did you go the house, did you photograph the house where this
11 happened, blah, blah, blah. Well, the police had nothing to
12 gain in this investigation by going to that house and
13 processing the scene for DNA or anything like that that you
14 would see on television because there's no allegation that
15 would involve DNA.

16 One, we know from both Craig George and Dr. George that
17 both of them were in that house and rightfully so that day.
18 And Dr. George told law enforcement that she was penetrated
19 digitally with two fingers. Now, there's no ejaculation,
20 there's no DNA that would come from that, so there's no need
21 for some great scientific analysis of this house.

22 These type cases come down to credibility because people
23 who perpetrate these sorts of acts don't do them in front of
24 other people. Nobody rapes anybody in front of a crowd. You
25 don't want witnesses. So ultimately, when you have

1 situations like this, sexual assaults in particular, you have
2 to critique the credibility of those involved, and that comes
3 down to a multitude of things really.

4 What do you know about this person's motives? Level of
5 detail, because this is an altogether different thing if
6 somebody just rolls up to the police department and says, you
7 know, so and so raped me and that's the end of it. But we
8 sat here for two and a half hours yesterday morning with
9 detail, detail, detail, little things, little teeny things.

10 Now, in order for Craig George to not be guilty of these
11 two charges, Dr. Bernetha George would have had to have
12 concocted this entire thing on the fly that day. And if she
13 accomplished that, she wasted her life as an educator and a
14 medical doctor because she could've done a whole lot better
15 in Hollywood writing movie -- you know, movies and plays and
16 what have you because the level of detail that comes out of
17 this story from this witness stand is crazy.

18 And if she wanted to set him up, that would have been
19 simple enough. She could have, you know, for whatever
20 reason, said I'm going to get Craig. All right? I'm going
21 to lure him over here where it's just the two of us and then
22 when I leave here, I'm going to call the police and I'm going
23 to accuse him of doing something to me. I'm going to ruin
24 his life.

25 But that doesn't really jive. A couple of things.

1 Think about the details in this case, the uncontroverted
2 details in this case. She's sitting at home on a Saturday
3 morning minding her own business and who initiates contact?
4 Not her. If she's going to set him up, you know, that line
5 of thinking is DOA from the start. She didn't initiate this
6 process, he did.

7 Second, why allege the sexual assault? And it seems
8 easy enough to do something like that on the front end, but
9 think of the follow-through. You know, it would have been
10 way easier just to say, you know, he robbed me or, you know,
11 he threatened me, he put me in a chokehold or he put a gun on
12 me or whatever and he said give me this money or else, and
13 that's it, you know.

14 People can sympathize with that and anybody that happens
15 to you're not going to, you know, look at in any sort of way,
16 but why allege basically incest, what would be a humiliating
17 situation not only to say it to a multitude of police
18 officers, but also to get up here, you know. Somebody who's
19 accomplished everything in life, who had to basically climb
20 Mount Everest from the time she was born from where she was
21 born to get to where she's at, now to come in here in front
22 of a courtroom full of strangers and talk about this
23 humiliating violation. Why go through that if it's not true?
24 What is her motive to take such lengths to destroy a family
25 member, her nephew?

1 You know, according to them, the worst she ever did to
2 the parents was evict them, you know. Why accuse her nephew
3 of such things to where she has to come in here and go
4 through this humiliation? Credibility. It doesn't make
5 sense any other way except that it's true.

6 The kidnapping. If the sexual assault is true, then the
7 kidnapping must also be true there in that room because the
8 sexual assault occurred during a chokehold. And she
9 mentioned -- she went through the -- you know, the detail of,
10 well, he never took his arm from around me. So in order to
11 get my shirt up, I basically had to just like pull it up.
12 You know, it was hanging around my head or pulling, you know,
13 over my head, and talks about how he walks around to the side
14 and uses his fingers from the front. He does that and then
15 asks her about being able to touch her butt or do things to
16 her butt that luckily did not take place. She tells you the
17 exact places in the room, the exact movements, the exact
18 conversations, all of these things that occurred, and why if
19 it's not true?

20 We have, other than just her testimony, the -- the
21 circumstantial evidence of the folks that you heard from from
22 that grocery store and law enforcement. If it's not true,
23 why is she cowering in the bowels of a grocery store on this
24 Saturday afternoon, visibly shaken to other people? Why
25 would she fake such emotion well enough or how could she fake

1 such emotion to dupe all these people on this day? Why would
2 she get \$2,000 or try to get \$2,000 and fail under those
3 circumstances the way that she did to where Ms. Breeden
4 thought enough of it to write it down afterwards?

5 The thought that this was just some conjured-up thing
6 makes no sense whatsoever from the outset. He initiated the
7 contact. He had the motive. He had the anger. He ran like
8 a scalded dog when a police car happened to pull in the
9 parking lot.

10 All of those little details add together. It's the
11 totality of the circumstances sort of thing. Put that all
12 together and you have the picture of what happened in this
13 case, and you also have the picture of the credibility of
14 these witnesses. Now, let's look at the credibility of Craig
15 George.

16 He flees the scene. He's brought back to the store, I
17 think he said by his mother. He tells the police -- and you
18 can listen to this statement as many times as you want. I
19 know it may have been difficult to hear yesterday, but it's
20 in evidence and I think we've got stuff fixed so you can hear
21 it as many times as you need to hear it.

22 He tells the police I've got a certain amount of money
23 on me. The police say where's the rest of it. Oh, I gave it
24 to the bondsman. I gave it to my bondsman. And Inv. Cantey
25 seemed sort of in disbelief. Like, how did you have time

1 when you left here to meet up with this bondsman? And he
2 said I met him at the house and gave him this money. So a
3 few more questions go, and then Cantey says show me in your
4 phone where you talked to the bondsman, and that's where the
5 jig was up because that had not taken place.

6 There's awkward silence and some fumbling through the
7 phone and, finally, Craig George comes out with, well, he
8 doesn't have the money yet, after having just told them
9 minutes ago that the transaction had been made. So now he
10 does not have the money and they go down that line of
11 questioning and we figure out that the money is hidden back
12 at the house under a bed or it's under a mattress or
13 something. Inv. Chatlosh follows Craig George's mother back
14 to the house where she immediately retrieved the remainder of
15 the money and brought it back, and the total that was there,
16 sure enough 1,500 bucks.

17 We also have the situation in the statement where, you
18 know, he says he'd been working there for the last, you know,
19 three weeks or whatever it was, and then comes out that he
20 had been in jail the prior two weeks and it's just, you know,
21 one thing after another that doesn't add up with it. No
22 credibility in that statement.

23 So these are the things you must compare when you reach
24 your decision as to whether these crimes occurred. Now,
25 these crimes, although they are linked, they are separate and

1 distinct offenses. The kidnapping is its own thing and in
2 order to have the kidnapping, you have to -- you know, you
3 heard from the judge's charge there is a number of different
4 things that can happen that results in a kidnapping charge.

5 In this particular case, Dr. George was confined first
6 in that house and then later, you know, basically until she
7 makes a break for it to get to the back of that grocery
8 store, she was not free. Her will was overborne. She did
9 not want to be in his presence and her confinement ended when
10 she got through the halls of that grocery store into the
11 back. That's when she became a free person yet again. So
12 the kidnapping lasts hours, basically.

13 The sexual assault, criminal sexual conduct in the first
14 grade, the first thing you've got to have is a sexual
15 battery. Now, Judge Brown in his charge listed several
16 things that that could be, but in our case here, what we're
17 talking about is the insertion of the two figures into the
18 vagina of Dr. George.

19 Now, she testified specifically that the fingers went
20 into her vagina. So there was penetration. That is the
21 sexual battery. So basically, any object going into the
22 genital area of another person is a sexual battery, and that
23 is that element of that crime, the insertion of the two
24 figures.

25 Also for the first degree, to meet that particular

1 criminal sexual conduct statute, you have to have the sexual
2 battery occur during the course of a kidnapping or some other
3 event. In this case, we have a kidnapping going on and we
4 also have some extortion going on because part of why he's
5 doing this is to get money out of her in order to pay his
6 bondsman. So those are the two crimes and, while linked, you
7 have to evaluate them on their own merit.

8 Now, I ask you folks as you go back in the jury room,
9 you'll have all these exhibits with you. Go through them.
10 Examine them. Listen to that tape again if you need to and
11 think about what I have laid out for you here in terms of the
12 motive.

13 Who in this case has motive? Who in this case had
14 means? And who in this case had the mindset to do certain
15 things? Both of these people on this day faced desperate
16 times. Both of these people took desperate measures to
17 accomplish their goals. One was revenge and money, one was
18 survival.

19 Dr. George did everything you're supposed to do in a
20 civilized society to get to this point. She lived her life
21 well. She accomplished a lot of things. She did jobs that
22 helped people, and that was the goal. She provided her
23 nephew an opportunity to do some work to make some money.
24 She was victimized. She was attacked. She was kidnapped and
25 raped.

1 She did not act impulsively. She survived that
2 situation, notified the police, and put her trust in the
3 court system, put her trust in you. She's done things the
4 way they're supposed to be done, but she's done all she can
5 do. It now lies with you. So I ask you when you go back in
6 that jury room you consider all of these things and you find
7 this defendant guilty. Thank you.

8 THE COURT: Mr. Meetze?

9 MR. MEETZE: Thank you, Your Honor. May it please the
10 Court.

11 THE COURT: Yes, sir.

12 MR. MEETZE: Mr. Jepertinger. Mr. Richardson.

13 CLOSING ARGUMENT ON BEHALF OF THE DEFENDANT

14 MR. MEETZE: Just a little bit more, almost at the end.
15 All of the evidence and testimony was presented yesterday.
16 Now we're delivering our closing arguments.

17 As the judge said, what we tell you now is not evidence,
18 but things that we would like for you to consider during your
19 deliberations and, certainly, would like to thank you for
20 your service in this case and for the attention that you've
21 paid. Certainly, you all have done an excellent job of
22 upholding the oath that y'all took to well and truly try this
23 case and, certainly, everybody appreciates that.

24 You know, the judge told you in his opening remarks to
25 you that it's often been said that our system of justice is

1 widely considered the greatest system of justice ever
2 created, and one of the reasons or several of the reasons are
3 because of the jury system that we have and also because of
4 our burden of proof in criminal cases, proof beyond a
5 reasonable doubt, and you've heard that a lot and that's not
6 by accident. You've heard that a lot because it's just that
7 important.

8 You've heard presumption of innocence multiple times
9 and, again, you've heard that because it's that important.
10 Mr. George is as innocent as anybody else in here and he is
11 that until the State can prove him guilty beyond a reasonable
12 doubt, and that burden of proof requires that the State
13 present sufficient evidence to you to convince each of you
14 beyond a reasonable doubt.

15 And our system of justice is considered the greatest
16 system of justice ever created because we don't convict
17 people on supposition, we don't convict people on
18 speculation, we don't convict people on one person's word and
19 allegations against another, particularly when that person's
20 word that's making these allegations can't be trusted and the
21 word is -- lacks credibility.

22 As Mr. Richardson said and I will agree, this case is
23 all about credibility and it's got to be found, it's got to
24 be presented to you, and there's just not sufficient evidence
25 to show that Ms. George has the requisite credibility, that

1 her words should be taken any more than over Craig George's
2 word. I mean we can certainly cut to the chase in this case.

3 Criminal sexual conduct in the first degree requires a
4 sexual battery. As Mr. Richardson indicated, the allegation
5 of digital penetration would be that sexual battery. If that
6 didn't happen, there's no criminal sexual conduct. All
7 right?

8 If there's no inveigling or restraining of somebody's
9 liberties, then there's no kidnapping for any length of time.
10 The allegation here is it started at Layton Street and
11 continued on until after KJ's. If that didn't happen, there
12 is no kidnapping.

13 Now, when you're looking for credibility and you're
14 looking for reasonable doubt or where reasonable doubt can be
15 found, as the judge told you, reasonable doubt can be found
16 from evidence that you have been able to see and consider and
17 hear or the lack of evidence. Okay?

18 Now, I certainly asked Inv. Cantey and I think I asked
19 Inv. Chatlosh if they did any other investigation other than
20 the interviews they did there at the KJ's, and they did not.
21 No pictures were taken anywhere. Nobody went and visited the
22 crime scene.

23 Now, Mr. Richardson said, oh, there wouldn't have been
24 anything to be found at the crime scene. There was no need
25 to go there. Well, how do you know that? The answer is you

1 don't know that and the reason you don't know that is because
2 nobody went there to see what was there.

3 Credibility is huge in this case. It is everything. It
4 is vital. Could something to bolster the credibility of one
5 witness have been there? It's possible, but we don't know,
6 and we don't know because nobody went. Certainly, you've got
7 pictures here from the house. Those weren't pictures taken
8 as part of any investigation from law enforcement. Those
9 aren't pictures that were taken to represent the state of
10 that house at the time on the date that these allegations
11 occurred. There wasn't any investigation done at that house,
12 none.

13 And I'm not saying that there could have been anything
14 crazy, huge smoking gun types of evidence found, but I'm
15 saying we don't know because it wasn't done. Lack of
16 evidence. You can find reasonable doubt based on the lack of
17 evidence, and you have a right to demand that the State live
18 up to their burden. It's their burden to bring y'all this
19 evidence, and it hasn't in that regard. All right?

20 It's the little things. Again, we're talking about
21 credibility, but little things can add up. You'll see in
22 these pictures the floors in that house are hard wood floors.
23 The testimony was that they needed mopping. That was part of
24 what Craig George was supposed to do that day. No testimony
25 as to how long it had been since the last time they had been

1 mopped, but they needed mopping.

2 The testimony was that the only place that was cleaned
3 at all was the kitchen. So they didn't get to the mopping.
4 So you've got hard wood floors that I would submit to you
5 where they're dirty, they can get mighty dirty, they get
6 mighty dusty.

7 She testified that she had to -- she was forced to take
8 her pants off. All right? There was no -- by her
9 description, there's no other place for any pants to go off
10 and go anywhere but on that floor. There was testimony that
11 she was wearing white pants. If she had white pants that she
12 had to take off and were laying on a dirty hard wood floor
13 that potentially had dust or anything like that, there could
14 be evidence on those pants. Okay?

15 Of course, they wouldn't have had to go to Layton Street
16 to see that. They were with her at the IGA. They didn't
17 observe her in any way like that to see if there was any kind
18 of evidence like that. They all have cameras. They took
19 pictures of the -- of the text messages. They could've taken
20 pictures right there. They didn't do it. They didn't make
21 any effort.

22 Ms. George tells you that she was put in a chokehold,
23 but not just any chokehold, a killer chokehold for a minute.
24 Now, the way she testified, it sounded like it could have
25 been more than a minute because she said that the whole time

1 he never took his hands from her neck and they were having
2 this conversation and she was trying to reason with him and
3 all this kind of stuff, and she went on and on and on about
4 all this that he did supposedly while he had her in this
5 killer chokehold, but we'll go with a minute or at least a
6 minute.

7 Now, you've got somebody being choked for that length of
8 time, I submit to you there's going to be some sort of
9 evidence of that, some sort of marks around the neck,
10 anything. Did they try to make any observations in regard to
11 that to try to corroborate whether or not she had been
12 choked? They did not. Again, she was right there. Easy to
13 take pictures, to bring them in here and show them to y'all.
14 She either had marks or she wouldn't have, but that wasn't
15 done and you have a right to ask why. You deserve to be able
16 to see that kind of evidence, but you don't and it's because
17 they didn't even make an effort, and that creates a
18 reasonable doubt.

19 The State says that Craig George's motives to do this
20 were, one, he needed money to pay his bondsman. He had been
21 bonded out a few weeks earlier or a little while earlier from
22 a misdemeanor leaving the scene of an accident charge and
23 still owed his bondsman some money.

24 Folks, I submit to you that that doesn't make sense that
25 he would commit these crimes because he was afraid that he

1 might have to go back to jail on a bondsman -- you know, the
2 bondsman threatening him for not having paid him the money
3 that he owed him. So you'll do some things that will
4 certainly put you back in jail to try to avoid going back to
5 jail for not paying your bondsman?

6 Folks, that doesn't make sense. It just doesn't make
7 sense and it's all speculation. It's all speculation. It's
8 not facts. The facts that were testified to was, yes, he was
9 bonded out, he did owe his bondsman some money. The bondsman
10 had given him a time frame to pay that money or else he would
11 lock him back up. He also testified that he really can't do
12 that, but that it's a scare tactic, I guess, to try to get
13 him to pay him the money that's owed him. But all of that
14 was testified to.

15 So -- I beg the Court's indulgence.

16 THE COURT: Yes, sir.

17 MR. MEETZE: He had, like I said, had conversations with
18 the bondsman to meet the bondsman at the house. The State
19 wants you to think that, again, all of this happened -- well,
20 not all of it, part of it, the money part to pay the bondsman
21 and that -- but it's all, like I said, that he did this in
22 order to pay the bondsman. It's all speculation. It's all
23 supposition. Okay? He did have to pay his bondsman. That
24 part is not speculation, but that he would commit these
25 crimes to get that money, that is. That is. We don't

1 convict people on speculation. We don't convict people on
2 supposition.

3 They want you to think that consciousness of guilt made
4 him run or leave the IGA. Well, he saw a sheriff's deputy
5 car show up. Okay? Again, to think that that's
6 consciousness of guilt that he left when he was supposed to
7 meet his bondsman -- and Mr. Richardson indicates that
8 there's a back-and-forth on the recording of Mr. George's
9 statement with regards to showing Inv. Cantey where he had
10 called his bondsman. And like he said, y'all can listen to
11 it all you want to and determine what's on that recording,
12 but he does show him where he called Mr. Bradley in the
13 morning and is looking for a place where he called him in the
14 afternoon.

15 And he's -- Mr. George is saying on the statement that
16 he's not a hundred percent familiar how to work the phone,
17 but eventually he gets to the part where he says, see, and
18 you can't see what's going on. You can just figure he's
19 showing him the phone at that point in time because it's just
20 audio, but it does appear that he's showing him where he had,
21 indeed, called Mr. Bradley that afternoon.

22 So he sees the sheriff's office car come in there. He
23 hasn't paid his bondsman yet. For all he knew, that was a
24 sheriff to pick him up to go to jail on not paying his
25 bondsman. He didn't know, and he certainly wasn't running

1 because he thought, oh, my, they're here because my aunt has
2 called 9-1-1. Again, all of that is speculation.

3 Plus, that officer came back. He didn't know what Craig
4 George looked like. Craig George -- he left on foot to go to
5 his mother's house. He had the keys to the car. If he
6 thought, oh, my goodness, I've been doing all this violent
7 stuff to my aunt all day and now the police are here and they
8 might be looking for me for that, he's got the keys to the
9 car. He can drive off in the car. There's nothing to stop
10 him from doing that, but he doesn't do that.

11 He goes, he leaves money with his mother to pay the
12 bondsman, which it was an arrangement that had been made
13 earlier, and then he indicates he walked over to the Layton
14 Street house. In the intervening time, law enforcement came
15 by there looking for him. The mother went and picked him up
16 and brought him back. He wasn't running from anything
17 because he hadn't done anything. That's the point. He
18 wasn't running from anything because he hadn't done anything.

19 Now, there's three sides to every story. There's one
20 person's side, there's another person's side, and then
21 there's the truth. Those aren't my words. Those are words
22 from the officer, one of the officers that was talking to
23 Craig George on that tape.

24 Now, he was talking about -- that was in response to the
25 conversation with Craig where he was talking about what his

1 parents were saying in regards to the aunt, but he uses the
2 word every. There's three sides to every story is what he
3 said. I think he said, but anyway, there's three sides to
4 every story: one person's side, another person's side, and
5 then there's the truth. Again, not my side of things.
6 That's what the officer said.

7 Now, I don't know how many sides there are to this
8 story, but Bernetha George told at least two because the
9 first officer she talked to was Deputy Dean, and Deputy
10 Dean's report didn't have anything about a thermostat, it
11 didn't have anything about an air conditioner being broken or
12 showing the thermostat to Craig George, talking to him about
13 the air conditioner being broken. It says that he touched --
14 fondled her breasts, didn't mention anything about talking
15 about her backside or touching her backside in any way. It
16 does not mention touching her vagina. It does not mention
17 penetrating her vagina in any way.

18 None of that is in there, and those are major details,
19 major differences in what was testified to here by Bernetha
20 George. And the State would have you believe that, well, his
21 recorder wasn't working well, the wi-fi wasn't good in there,
22 and he just didn't remember things the way he should.

23 Well, he testified that he probably wrote the report up
24 maybe a couple hours later. So we're not talking about a
25 very long time. So they want you to believe that his memory

1 is just that bad that he would miss those kind of details in
2 a case like this. Talk about not making sense. That does
3 not make sense. The fact that you've got testimony from an
4 officer that did a little bit of the investigation in this
5 case that's that vastly different from what was testified to
6 here, that creates a reasonable doubt. That goes straight to
7 credibility.

8 And like the judge told you when he was charging you, in
9 judging credibility you can go by how forthright a witness is
10 or how hesitant they are. Well, I know when I questioned
11 Bernetha George, she was extremely hesitant. She was
12 hesitant even with where the Layton Street house was located,
13 which there's no reason to be hesitant or evasive or anything
14 in regards to that kind of just basic question, but she
15 certainly was.

16 Again, it's the little things. In cases like this, it's
17 the little things that can make a difference.

18 Also in Deputy Dean's statement, he indicated that she
19 had told him that Craig George drove to South State Bank,
20 totally different. That she got the \$500 from the ATM at
21 South State Bank. Totally different. Completely different
22 than what she testified to. That creates a reasonable doubt.

23 I asked Inv. Cantey if the first time that she had
24 mentioned to him that there was digital penetration involved
25 in this case, I asked him if that was first said in response

1 to him specifically asking that question. I asked Bernetha
2 George the same thing, and she wasn't certain. I asked Inv.
3 Cantey, and he said he couldn't recall. Well, that, folks,
4 is just not good enough. It's his job to recall. That kind
5 of stuff is important. And "I don't recall" isn't good
6 enough and "I don't recall" creates a reasonable doubt.

7 Now, I told you earlier a lot of things in this case
8 don't make sense. One of those things is the killer
9 chokehold for a minute. She said a minute. The testimony
10 could lead you to believe that it could've been more than
11 that because, like I said, she testified to a lot of things
12 happening while she was in this chokehold, moving her from
13 one part of the house into a bedroom, one part of the bedroom
14 to another, a lot of conversation going on. Hands never left
15 the throat. A killer chokehold, yet she's able to have a
16 conversation with him.

17 We talked about -- Mr. Richardson wanted to talk about
18 the details and how much detail there was in what she had to
19 say. There was no detail as to how her neck felt afterwards.
20 There was no testimony that she had a sore neck. At the very
21 least, you're going to have something like that, I would
22 submit, if you'd been choked for a minute. A minute, folks,
23 is a long time to be choked without stopping, a long time,
24 particularly if it's a killer chokehold, which is what the
25 testimony was. There's going to be other evidence of that

1 besides her testimony, if that indeed happened, but there's
2 not and the reason there's not is because it didn't happen.

3 If it didn't happen, there's no kidnapping. If there's
4 no digital penetration, there's no first-degree criminal
5 sexual conduct. You've got testimony of one officer that
6 spoke with Ms. George that mentions nothing about digital
7 penetration and then, all of a sudden, here she's mentioning
8 that. That creates a reasonable doubt.

9 Ms. George indicates or -- excuse me. Dr. George,
10 Bernetha George, indicated that all this time he had her in
11 this chokehold and he's moving her from place to place and
12 doing all these things to her, that this whole time she was
13 talking to him to try to reason with him. I'm 75 years old.
14 If you do this to me, it's going to hurt, and all that kind
15 of -- and all of that.

16 And, folks, let me tell you, violent criminals do not
17 care about whether they're going to hurt their victim or not.
18 Violent criminals do not listen to reason. It's just not
19 going to happen. All of this just did not happen.

20 Now, with regards to the kidnapping -- and certainly,
21 you see the evidence how you want to see it, that's your job,
22 that's your purview. I would submit to you, however, that
23 giving the person you're supposedly kidnapping the keys to
24 the car to drive that car is relinquishing control, and a
25 kidnapper is not going to relinquish control. The fact that

1 Bernetha George was the one driving this car everywhere
2 creates unbelievable doubt with regards to this kidnapping.
3 A kidnapper is not going to do that.

4 There's no testimony as to what -- any sort of threats
5 he was making in that car. You do this or I'm going to do
6 this. You do that. You know, he didn't have a weapon.
7 Where's his control when she's behind the wheel and has that
8 car? She drove a block and a half from the police station on
9 the way to South State Bank. She could have driven straight
10 to the Florence Police Department, but she didn't.

11 And certainly, Mr. Richardson actually said on here
12 these kind of crimes aren't going to be done in public.
13 Well, they want you to think this kidnapping was done in
14 public. They went to KJ's in Quinby, walked in with her,
15 people all over the place. That was certainly in public, but
16 I agree with him it doesn't make sense. You're not going to
17 kidnap somebody and take them to KJ's and walk in with them
18 and all of that and text message them in the morning. That's
19 just not going to happen. It doesn't make any sense.

20 And you're not going to relinquish control. I mean if
21 she wasn't in control when she was driving the car, she
22 certainly was in control when she -- when they walked outside
23 and she says, oh, I forgot the Fantastik, I'm going to go
24 back inside, and he said, okay, and got the keys from her and
25 went to the car. Certainly, she was in complete control

1 then.

2 What kidnapper is going to say -- is going to agree to
3 that? They're not. And no kidnapper agreed to it this time
4 because there wasn't a kidnapping involved in this. It just
5 did not happen. It was Mr. George and his aunt at the Layton
6 Street house, got into the conversation they had. It
7 progressed to her finding out that he owed a bondsmen some
8 money, and she agreed to help him pay for it, just like he
9 says.

10 You know, obviously, these allegations are terrible
11 allegations, but it's also extremely terrible to be falsely
12 accused of stuff like this, and Craig George has been telling
13 people from the day this happened that he did not do these
14 things. And he hasn't been able to find anybody to listen,
15 but he is glad that y'all are here and that y'all are
16 listening.

17 She testified that she didn't know -- she didn't really
18 remember how she got her clothes off, for one. But she's in
19 this chokehold and she's able to get her clothes off somehow
20 or another, but that was one detail she didn't have either.
21 But somehow she got her pants off, being able to somehow
22 wriggle around with a broken back while being in this killer
23 chokehold and to get her shirt over her head while in a
24 chokehold. I submit to you that's not reasonable. If hands
25 never left the neck, it would be difficult to get a shirt

1 over the head. I submit to you that none of it happened.

2 She testified -- Mr. Richardson asked her when y'all
3 went into KJ's, why didn't you just walk up to somebody and
4 say I need help? I thought that was a good question. Her
5 answer was because of her broken back. Again, talk about
6 something that doesn't make sense. What does having a broken
7 back -- you can drive and you can walk and you can do all the
8 other things she had done during the day. What's a broken
9 back going to do to stop you from walking up to somebody in
10 KJ's and saying, hey, I'm in trouble here, my nephew is
11 committing these violent acts against me and trying to get me
12 to give him money that I don't want to give him? There's
13 nothing at that point to stop her from doing that.

14 I mean Craig George beside her or not beside her, he
15 doesn't have any weapons. He's got nothing to do. She's
16 safe at that point if she just walks up to any one person in
17 that store and tells her that that's the situation she's in,
18 but she didn't do that. It certainly would have made sense
19 to do that if she was in that situation, but she didn't do
20 that because she wasn't in that situation.

21 She even said she bumped into somebody she knew there
22 and sort of at that time she indicated that Craig had walked
23 away a little bit. She still didn't tell that person that
24 she knew any of this was going on.

25 Mr. Richardson is right. There's a lot about this case

1 that doesn't make sense, a lot about this case that doesn't
2 make sense, and all of this that doesn't make sense does
3 nothing but create a reasonable doubt in this case.

4 The State is supposed to bring you a mountain of
5 evidence. All they've done is bring you a mountain of doubt,
6 and in that circumstance, there is only one verdict that
7 speaks the truth, and that is a verdict of not guilty. That
8 is what we are asking you to return in this case. Thank you.

9 THE COURT: All right. Ladies and gentlemen, you've now
10 heard closing arguments in this case, and I have a few more
11 remarks for you, as I told you earlier.

12 Ladies and gentlemen, I want you to clearly understand
13 that you are not partisans or advocates for the State of
14 South Carolina or the defendant. It is your duty by your
15 joint deliberations to determine the facts in this case,
16 giving to the defendant the benefit of every reasonable doubt
17 on each and every issue. Then to the facts which you
18 determine to be true, you should take and apply the law which
19 has been given to you by this Court and thus arrive at a
20 verdict in this case. Thus, when you have accomplished these
21 responsibilities, you will have satisfied your oath as jurors
22 and you will have discharged your duty to this Court.

23 Now, once you retire to the jury room, the bailiff will
24 give the verdict form to you, Madam Forelady. When you, the
25 jury, arrive at a verdict as to the offenses charged in this

1 case, you, Madam Forelady, will select the verdict as to that
2 particular offense on the verdict form.

3 If the State has failed to prove the guilt of the
4 defendant beyond a reasonable doubt, your verdict will be not
5 guilty. Likewise, if the State has proven the guilt of the
6 defendant beyond a reasonable doubt, your verdict will be
7 guilty.

8 Now, once the decision has been made, you, Madam
9 Forelady, will check whichever choice is the verdict of the
10 jury as to the offense charged. The verdict that you render
11 in this case, ladies and gentlemen, must be the verdict of
12 each and every juror. It must be your unanimous verdict.
13 All twelve jurors must agree on the verdict that you
14 authorize the forelady to write for the jury.

15 Now, ladies and gentlemen, I want you to further
16 understand that the order in which the choices of verdict
17 appear on the verdict form are not suggestive of any verdict
18 on the part of the Court. The verdict in this case is to be
19 determined by you, the jury, not the Court.

20 Furthermore, please understand that even though I will
21 give the verdict form to you, Madam Forelady, it is not her
22 verdict alone. It is the verdict of all twelve of you, and I
23 emphasize again that it must be unanimous.

24 I am also going to give you all a copy of these
25 instructions in written form. Now, during your

1 deliberations, you may refer to the instructions to guide
2 your decision-making. You must consider the instructions as
3 a whole and not follow some and ignore others. Please, Madam
4 Forelady, return these instructions to the Court at the time
5 that your verdict is rendered.

6 Now, before I ask you step to the jury room, let me ask
7 this question. Does anyone on the jury not feel well?
8 Everyone feeling okay? Okay.

9 When I ask you to go to the jury room, do not begin your
10 deliberations at this time. The law requires that I consult
11 with the attorneys to make sure that I have not left anything
12 out of these instructions. Now, after I consult with the
13 attorneys, the items of evidence along with a copy of these
14 instructions and the verdict form will be brought back to you
15 all in the jury room and you'll be instructed to begin your
16 deliberations.

17 Now, during your deliberations, if you all have a
18 question, Madam Forelady, it will be your responsibility to
19 reduce that question to writing, knock on the door, let my
20 bailiff know that you have a question, and he'll get it to me
21 and I will answer it however the Court deems appropriate.
22 Okay?

23 Likewise, once you all have reached a verdict in the
24 case, a unanimous verdict, and you, Madam Forelady, have
25 filled out the verdict form, signed and dated the verdict

1 form, knock on the door, let my bailiff know that you all
2 have a verdict, and we will get you back in the courtroom as
3 quickly as possible.

4 Now, at this time I am going to ask you to step to the
5 jury room, but once again, do not -- do not begin
6 deliberations until you're instructed to do so. Okay?

7 (WHEREUPON, the jury exited the courtroom at 11:54 a.m.)

8 THE COURT: All right. Any exceptions or objections to
9 anything that I've said to the jury from the State?

10 MR. RICHARDSON: No, sir.

11 THE COURT: Defense counsel?

12 MR. MEETZE: No, sir.

13 THE COURT: All right. You all want to come up here and
14 look at these items of evidence? There's the verdict form
15 and my instructions.

16 (WHEREUPON, there was a pause in the proceedings, after
17 which the proceedings resumed as follows.)

18 THE COURT: All right.

19 MR. MEETZE: All here, Judge. And I've reviewed these.

20 THE COURT: Do you want to put that over there?

21 MR. MEETZE: Yeah.

22 THE COURT: Any objection to me excusing the alternates
23 in the hall?

24 MR. RICHARDSON: No, sir.

25 MR. MEETZE: No, Your Honor.

1 THE COURT: Okay.

2 MR. JEPERTINGER: They're no longer needed, Judge.

3 THE COURT: Mr. Johnny, you want to grab these items of
4 evidence?

5 (WHEREUPON, the jury deliberations began at 11:57 a.m.)

6 (WHEREUPON, the alternate jurors were released off the
7 record.)

8 (WHEREUPON, there was a break in the proceedings from
9 11:57 a.m. until 1:19 p.m., after which the proceedings
10 resumed as follows.)

11 (WHEREUPON, two jury notes were marked as Court's
12 Exhibit No. 1 and Court's Exhibit No. 2.)

13 THE COURT: All right. Before I bring -- first of all,
14 I've been told that the jury has reached a verdict, but
15 before I bring the jury back in, let me put this on the
16 record.

17 When we sent the case to the jury, I got a note out
18 pretty quickly that they wanted to hear or listen to the tape
19 again. Okay? We had -- everyone had just received their
20 lunch at the time, and I instructed Mr. Johnny to convey to
21 the jury for them to go ahead and eat lunch and then I'd
22 bring them back in after they were finished eating lunch.

23 In the meantime -- having said that, there was a note
24 given to me requesting permission to listen to the tape.
25 That's been marked as Court's Exhibit 2. Okay? That

1 particular note.

2 In the meantime within a matter of minutes, if that,
3 while I was getting my lunch, Ms. Elaine conveyed to me and
4 I'm assuming she -- Mr. Johnny told her that the jury no
5 longer wished to hear the tape. All right?

6 So my instruction at that point was that they needed to
7 put that in writing that they no longer wished to hear the
8 tape. So that was reduced to writing and that note reads:
9 We no longer would like to listen to the audio. And I have
10 that in my hand and it has been marked as Court's Exhibit No.
11 3. Okay? So I'll give those both to my court reporter.

12 Having said that, anything from the State?

13 MR. RICHARDSON: No, sir.

14 THE COURT: Defense counsel?

15 MR. MEETZE: No, sir.

16 THE COURT: All right. As I said, the jury -- I've been
17 informed that the jury has reached a verdict in this case. I
18 will remind everyone that no matter what the verdict is to
19 keep your emotions in check. Failure to do so could result
20 in you being held in contempt of court, which could mean a
21 fine and/or incarceration. If you do not believe that you
22 can keep your emotions in check, now is your time to leave
23 the courtroom.

24 All right. Bring me the jury, please, sir.

25 (WHEREUPON, the jury entered the courtroom at 1:24 p.m.)

1 THE CLERK: Madam Forelady, has the jury reached a
2 verdict?

3 THE FORELADY: Yes, ma'am.

4 THE CLERK: Thank you.

5 THE COURT: All right. The verdict appears to be in
6 order. I will publish the verdict.

7 VERDICT

8 THE COURT: As to the State of South Carolina versus
9 Craig Antonio George, under Indictment Number 2019-GS-21-
10 1673, as to the charge of kidnapping, we, the jury,
11 unanimously find beyond a reasonable doubt defendant, Craig
12 Antonio George, guilty.

13 As to the charge of first-degree criminal sexual
14 conduct, we, the jury, unanimously find beyond a reasonable
15 doubt defendant, Craig Antonio George, guilty.

16 Signed by Madam Forelady, Ms. Jordan Hutchinson, dated
17 May 19, 2021.

18 Madam Forelady and ladies and gentlemen of the jury, if
19 this is your unanimous verdict, please raise your right hand.

20 (WHEREUPON, all jurors complied.)

21 THE COURT: Let the record reflect that all twelve
22 jurors raised their right -- right hand affirming that this
23 is, in fact, their verdict.

24 Anything from defense counsel at this point?

25 MR. MEETZE: Nothing with regard to polling, Your Honor.

1 THE COURT: Okay. Anything from the State?

2 MR. RICHARDSON: No, sir.

3 THE COURT: Is the State and defense counsel ready to
4 proceed with sentencing?

5 MR. RICHARDSON: Yes, sir.

6 MR. MEETZE: Judge, prior to sentencing, we'd just make
7 a motion to renew -- again, renew all of my previous motions,
8 and I would add a motion for a new trial in this matter based
9 on the verdict, the evidence not being satisfactory to
10 support the verdict.

11 THE COURT: All right. The Court's rulings as to all
12 prior motions and objections are the rulings remain the same.
13 The Court believes that there has been sufficient evidence
14 for the case to go -- certainly to go to the jury and
15 sufficient for the verdict that's been rendered here in this
16 case.

17 Now, before we go into sentencing, let me do this, Mr.
18 Richardson.

19 Ladies and gentlemen of the jury, you all have fulfilled
20 your responsibilities and obligations as jurors. What we are
21 getting ready to do is move straight into sentencing. Okay?
22 You're free to stay here for that. You're not required to,
23 but you certainly may stay for sentencing, if you so desire.

24 I've told you throughout the trial of this case not to
25 talk about the case. When I release you here today, you can

1 talk about it as much as you want to or as little as you want
2 to, but no one can make you talk about it if you do not want
3 to talk about it. Okay? If anyone tries to talk to you
4 about the case and you convey to them or tell them that you
5 do not want to talk about it and they do not respect your
6 wishes, you contact the Court here and it will be taken care
7 of. Okay?

8 Now, when I release you here today, you are done for the
9 week. You do not have to call back. You don't have to come
10 back this week. Okay?

11 I want to thank you for your service here this week. I
12 know that jury service never ever comes at a convenient time,
13 but I can't stress to you the importance of your service as
14 jurors to this county, to this state, and to this country.
15 Jury service is really the only remaining service that we
16 have as citizens of this country anymore. It's not a
17 situation where individuals are drafted into the military and
18 have to go away for a certain period of time. Jury service
19 is really the only remaining service that you have as
20 citizens in this country.

21 If you're summoned for jury duty again, I hope that each
22 of you will willingly serve like you've done this week. If
23 you're summonsed up here over the next three years and you
24 wish to be excused, you certainly may be excused. However,
25 if you're summoned for jury duty in city court, magistrate's

1 court or federal court, there's not a thing I can do to help
2 you there. You're going to have to serve. Okay?

3 It's my understanding they've kind of changed the method
4 and manner in which they pay jurors now. It's my
5 understanding they gave you a card of some sort. It used to
6 be that they'd mail you a check, and technology has allowed
7 for the handing out of kind of like a debit card or a gift
8 card or something along those lines.

9 I'm not sure if you were told how much you would get on
10 that card per day and, to be honest, I don't know what the
11 pay is on it now, but I will forewarn you not to go lay any
12 large ticket items aside for the pay that you're going to get
13 from being up here.

14 I was able to make sure that you were provided with a
15 free lunch this week while you were up here, but the truth of
16 the matter is you can't be paid for what the value of your
17 service is. You just can't be. It's invaluable.

18 So I guess it's a token, so to speak, if you want to
19 call it that, but it is -- your service to this community, to
20 this state and this country is greatly appreciated and, once
21 again, I would hope that if you're summoned again that you'll
22 willingly serve like you did this time.

23 Now, if you all wish to leave, if any of you all wish to
24 leave at this time, you're certainly free to do so. I see
25 that Madam Forelady has my jury instructions. If you'll hand

1 those? But as I said, if you wish to stay for sentencing,
2 you certainly may do so. All right.

3 (WHEREUPON, the jury was released and several exited the
4 courtroom at 1:30 p.m.)

5 THE COURT: All right. Mr. Richardson?

6 MR. RICHARDSON: Thank you, Your Honor. I'll hand up --
7 I have two sentencing sheets.

8 THE COURT: Okay.

9 MR. RICHARDSON: And, Your Honor, in addition to the
10 sentencing sheets, this defendant was served on August the
11 12th of 2020 with notice of intention to seek life without
12 parole based on prior convictions, and I have a copy of that
13 notice that was served upon him and the affidavit of service.
14 And I think you've already talked about this on the record at
15 a previous bond hearing, but I do have that.

16 In terms of prior record, Your Honor, he has in 1996 a
17 burglary second degree. In 1998, an armed robbery with
18 deadly weapon, a criminal sexual conduct first-degree, and a
19 kidnapping. He received a 25-year no-parole sentence on
20 that. He served about 23 years of that and committed the
21 offense here within a couple of months of being released on
22 that sentence.

23 The crime for which he served the 25-year sentence was
24 eerily similar to this event wherein a woman was attacked and
25 digitally penetrated by him and was robbed. I think she

1 worked at a store, and he was later caught with her keys in
2 his pocket and ultimately confessed to that one.

3 That's a tough thing to know as a prosecutor when you
4 know that the jury can't know that and I just -- for those
5 who are left, you know, that's a tough burden to bear when
6 you're a prosecutor trying to prosecute a case with that in
7 the back of your mind and knowing that they can't know these
8 very relevant facts, but I understand why they can't know
9 that.

10 In any event, Dr. George did indicate to us that she
11 does wish to address you.

12 THE COURT: All right. Thank you, Mr. Richardson.

13 Dr. George, I'll be happy to hear from you.

14 DR. GEORGE: Thank you, Your Honor. At the beginning of
15 -- well, after the trial is over, I said to the -- to
16 Harriett, who is the advocate on my behalf and thank God for
17 her, that there would be no good outcome, regardless of what
18 happened. Whatever the jury decided, it would not be a good
19 outcome. If they decided to charge him with these crimes,
20 find him guilty, that was not a good outcome. If they freed
21 him, it was not a good outcome.

22 Finding him guilty confines him again after 23 years of
23 being confined. Without even three months of freedom, he
24 goes back. He was confined at 17. For 23 years he was
25 placed in the system. And within three months of leaving

1 that system, pretty much the exact same thing for why he was
2 detained was -- happened again to him.

3 Going back through that system is not a good thing for
4 him. To free him and to have found him innocent of all
5 charges, with myself having been the victim of it, knowing
6 that it's true, I would have no reason to lie on him. I
7 would have no reason to do anything wrong to him, say one
8 negative thing about him.

9 His freedom would mean that another person such as
10 myself, my age, my condition at the time, is susceptible to
11 being attacked by him because that's what he does. That's
12 who he is. That has nothing to do with something he made
13 himself or he perhaps -- if he had had the choice to make
14 himself, he wouldn't have made himself that way. That's who
15 he is. That's what he does.

16 And as a result of that, it does not make for a good
17 life. It does not make for a good life for him. It does not
18 make for a good life for people around him, his world.
19 Confinement to him does not change that. If he's confined in
20 an institution because that's not a normal behavior, but it's
21 his behavior. But it's not normal.

22 How do you treat abnormal behavior? You do your best.
23 Medicine has nothing to offer my nephew in terms of treating
24 him. Institutionalization does not help, be it in a mental
25 institution or a penal institution. That won't change him,

1 but it will change the environment.

2 He has to be removed from society because if he is not,
3 he's going to do the same thing again. The next person that
4 he attacks may not be a me, may not be a person who knows not
5 to antagonize him, knows not to harm him, knows not to harm
6 him in the sense of putting him in a position where he's
7 going to harm himself.

8 I just know given what I do know of what is going on
9 with him, what his condition is, it is going to happen again
10 if he is left in the society, and that could very well mean
11 the death of someone, the person he attacks or his because he
12 attacks someone. He's in a controlled environment, be it in
13 the penal system because that's really all you can offer, his
14 life hopefully is guaranteed.

15 He's guaranteed to live to the extent that you can
16 guarantee a person's life. Outside in society, that's not
17 the case. So outside in society, two lives are at stake, the
18 person whom he attacks and even his own. Inside the captive
19 situation, one may be at stake and that can be protected
20 against.

21 So I beg the Court separate Craig from this society
22 where he's able to inflict this kind of trauma on another
23 person and even worse killing them in an effort to save
24 himself. That's why I would not get back into that car
25 because I knew what else could he do. He had to be free. He

1 felt he was free. He had a -- we could not say this to the
2 jury. He had a GPS on his ankle. Part of the money was to
3 take that off, and he kept using the term I'm going to go on
4 through.

5 I'm going to go on through, meaning that he was going to
6 run. He was going to take that money and try and run with it
7 because he knew what he had done was going to cause a lot of
8 trouble for himself.

9 While we were at the court -- at the jail -- at the
10 bank, he literally himself counted up the charges and the
11 years and he was saying kidnapping and sexual assault, and
12 I'm sitting there because by now his trust in me was high.
13 My sense of knowing that I had his trust was high enough for
14 me to continue to talk with him.

15 What are you doing, I asked him. Why are you -- what
16 are you talking about? He said I'm counting up the charges
17 that I'm getting and counting up the years that go with these
18 charges. So he's well aware of the system that he's in and
19 the penalties for the actions that he commits. That alone
20 should be a deterrent, but it's not.

21 You cannot change who you are just by thinking in your
22 head I'm going to change. If you're overweight, if that were
23 possible, if we were -- if you were overweight or if you had
24 diabetes or if you had a medical problem, think it and it's
25 gone. It doesn't happen that way.

1 What's wrong with him cannot be changed with a thought
2 because had it -- if it were able, he would have changed at
3 that moment when he counted up the years, the charges. I was
4 there saying to him the entire time, Craig, let me help you
5 with this. There are things that we can do. There has to be
6 some way that we can communicate. There has to be something
7 that can be done to change this system so that you don't have
8 to go back through this anymore.

9 He did not. He would not go with any of it. So that's
10 why I'm standing here today saying to you please put him in a
11 safe place and give society safety from him.

12 THE COURT: Thank you, ma'am.

13 Yes, sir?

14 MR. PROBATION OFFICER: May I approach?

15 THE COURT: Yes.

16 THE PROBATION OFFICER: Mr. Craig George is currently on
17 the community supervision program with Probation and Parole.
18 He was sentenced up under Indictment 98-GS-21-0084 for the
19 offense of kidnapping and criminal sexual conduct first
20 degree up under 98-GS-21-0084 as well.

21 Now, his -- his guilty -- him being found guilty today
22 is a violation of that community supervision. He was -- a
23 warrant was issued. W-21190105 was issued for the offense of
24 without conviction there's probable cause to believe Mr.
25 George did on or about 7/13/19 commit the offense of sexual

1 criminal conduct -- criminal sexual conduct first degree and
2 kidnapping.

3 So him being found guilty today is a violation of that
4 community supervision. Now, I would like to note for the
5 record that the community supervision is set to expire on May
6 30th, 2021.

7 THE COURT: This year?

8 THE PROBATION OFFICER: So in about -- in a few days.

9 THE COURT: Okay.

10 THE PROBATION OFFICER: In a few weeks.

11 THE COURT: All right.

12 All right. Anything else from the State?

13 MR. RICHARDSON: No, sir.

14 THE COURT: Mr. Meetze?

15 MR. MEETZE: Thank you, Your Honor.

16 Judge, at this time I know it's already been placed on
17 the record, but I'll renew all previous motions. Also,
18 Judge, the sentencing is no discretion with regards to the
19 Court with regards to sentencing, and we understand that and
20 Mr. George understands that.

21 For what it's worth, he has done 677 days. I think
22 today is the 19th, so I guess that would be 12 days left on
23 the community supervision because they have to be run that --
24 that be run concurrent, I suppose. Otherwise, Judge, I
25 understand the sentencing is already dictated, so to speak.

1 So --

2 THE COURT: Okay.

3 MR. MEETZE: Judge, his parents are here. I think his
4 mother may wish to speak or his father. His mother or
5 father. His father's name George.

6 UNIDENTIFIED FEMALE: James.

7 MR. MEETZE: It's James George.

8 THE COURT: Sir, if you'd come to that microphone. Tell
9 me your name for the record, please, sir.

10 MR. JAMES GEORGE: James George.

11 THE COURT: Yes, sir.

12 MR. JAMES GEORGE: Yes. What I would like to say, the
13 way I see it, until this country or the world be able to
14 control or make decent decisions for outcomes that are fair
15 and honest, we have to start in the home because in the home
16 is everything else. If we don't control the house itself and
17 make good rules on the house itself because the house is the
18 building block of the world.

19 THE COURT REPORTER: The house is what?

20 THE COURT: The house is what? I'm sorry?

21 MR. JEPERTINGER: He said the building block of the
22 world.

23 MR. JAMES GEORGE: Yes. The house itself is the basis
24 of the world. And if the house isn't running straight, the
25 world is not running straight. It's just that simple, what I

1 say.

2 And me saying things like -- maybe I'm getting a little
3 out of context or whatever, but when decisions -- when we
4 have disruption in a home with a spouse or whatever it is, it
5 should be to the best of our abilities, which at this point I
6 don't see that it is, but to the best of our abilities we
7 should be able to solve it right then and there is all I'm
8 saying.

9 In other words, we say -- say, for instance, we have a
10 dispute basically between a husband and wife, that's simple.
11 But the bottom line is what I'm saying is this. God said
12 this. We're going to have wars and rumors or wars, we'll
13 have nations against nations, we'll have cities against
14 cities, we'll have counties against counties, and then you
15 have broke it down as simple as this. The enemy is even in
16 your house, and we'll have to straighten that out. We'll
17 have to straighten it out. We'll have to straighten it out.

18 THE COURT: Thank you, sir.

19 MRS. JAMES GEORGE: May I say a few words, Your Honor?

20 THE COURT: Yes, ma'am.

21 MRS. JAMES GEORGE: Thanks to the Court for the
22 procedure that we went through today. It was good. It was
23 clear cut, but I truly love my son. And my husband is saying
24 that if it's not controlled in the house and in the family --
25 and nobody is better than the next person. I don't care what

1 credentials you carry in your wallet. You're no better than
2 anybody else.

3 I may not be a graduate with a master or a doctorate
4 degree, but I do have a son that is. I may not be apt to
5 know what's going on in the court system, but I know right
6 from wrong, and I know that I raised Craig the right way. I
7 know I raised Craig with love and understanding, but he left
8 home not at 17, but at 18. At 18 on my birthday, on my
9 birthday, and he -- God knows the truth.

10 The bottom line, nobody knows what happened on July 13th
11 but God, Craig, and Bernetha George. Hate can grow in a
12 person so much for another person for some selfish reasons.
13 I never done anything to Dr. George, never. She don't even
14 know Craig as she speaks so eloquent about us, so
15 downgrading.

16 This is your nephew. This is your bloodline.

17 THE COURT: Ma'am, address your -- ma'am, address your
18 comments to me, please.

19 MRS. JAMES GEORGE: Okay. This is her bloodline. This
20 is her brother. That house belonged to all of them at one
21 time.

22 But, Craig, I love you. God know what your destination
23 is going to be, and I'm praying and I pray for you to stay
24 strong and be who you're supposed to be. I love you.

25 THE COURT: Thank you, ma'am.

1 (WHEREUPON, there was a pause in the proceedings, after
2 which the proceedings resumed as follows.)

3 THE COURT: Anything further, Mr. Meetze?

4 MR. MEETZE: No, Your Honor.

5 THE COURT: Does your client wish to say anything?

6 THE DEFENDANT: No, sir.

7 THE COURT: Okay.

8 SENTENCE

9 THE COURT: All right. On the community supervision, I
10 do find the defendant has willfully violated the terms and
11 conditions of his community supervision pursuant to his
12 conviction for these offenses for which he was on trial for
13 this week. Pursuant to such, I'll revoke whatever remaining
14 time is on that and just run it concurrent.

15 As to the charges and conviction under 2019-GS-21-01673,
16 as to the criminal sexual conduct first degree, the defendant
17 is hereby committed to the State Department of Corrections
18 for life. That is -- well, let me say this. On the
19 kidnapping conviction as well under that same indictment
20 number, the defendant is committed to the State Department of
21 Corrections for life.

22 And I've written on these sentence sheets that the life
23 sentence is pursuant to Section 17-25-45, in that the
24 defendant was previously convicted of a most serious offense
25 under Indictment 1998-GS-21-00084. He's given credit for the

1 677 days that he's done, and they're to run concurrent.

2 MR. MEETZE: Thank you, Your Honor.

3 THE COURT: All right. Thank you.

4 (WHEREUPON, the proceedings ended at 1:51 p.m.)

5

6 --- END REQUESTED TRANSCRIPT ---

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5/17/21

**Florence Co. Judicial Center
RANDOM STRIKE SHEET**

JUDGE NAME : Craig Brown
TRIAL TYPE : Criminal
PANEL ID : 2019GS2101673
COURTROOM CTRM

DESCRIPTION : State VS Craig Antonio George

Sorted by: Random Nbr
Trial

NAME	JUROR NBR	RACE	SEX	ST/PLTFF	DEF	CRT	REMARKS
1 Allen, William A	4	~~W~~	M	(✓)	()	()	
2 Paul, Allen R	169	W	M	()	()	()	1
3 Haselden, Tommy C	106	W	M	()	(✓)	()	
4 Burkemper, Kami L	30	W	F	()	(✓)	()	
5 Richardson, James A	226	W	M	()	(✓)	()	
6 Crawford, Catherine A	48	B	F	()	()	()	2
7 Hardee, Jerri L	101	W	F	(✓)	()	()	
8 Gary, Evrik T	81	B	M	()	()	()	3
9 Silverthorn, Prather R	188	W	M	()	()	()	4
10 Coleman, Brittany N	42	B (M)	F	(✓)	()	()	
11 Haney, Steven K	98	W	M	()	()	()	5
12 Hughes, Karin M	115	B	F	(✓)	()	()	
13 Rodriguez, Noelia	183	H	F	()	(✓)	()	
14 Menon, Santosh	154	A	M	()	()	()	6
15 Smith, Garrett L	196	W	M	()	(✓)	()	
16 Baum, Alona L	229	W	F	()	()	()	7
17 Alfone, Nancy V	2	W	F	()	()	()	8
18 Gaskins, Robert F	83	W	M	()	(✓)	()	
19 Brown, Robert L	27	W	M	()	(✓)	()	
20 Lane, Joseph L	133	W	M	()	(✓)	()	
21 Cade, Patricia W	32	B	F	()	()	()	9
22 Hutchinson, Jordan A	117	W	F	()	()	()	10
23 Drayton, Laura S	63	W	F	()	(✓)	()	
24 Gaskin, Charles B	82	W	M	()	(✓)	()	

**Florence Co. Judicial Center
RANDOM STRIKE SHEET**

JUDGE NAME : Craig Brown

TRIAL TYPE : Criminal

PANEL ID : 2019GS2101673

COURTROOM CTRM

DESCRIPTION : State VS Craig Antonio George

Sorted by: Random Nbr

Trial

NAME	JUROR NBR	RACE	SEX	ST/PLTFF	DEF	CRT	REMARKS
25 Driscoll, John P	64	W	M	()	()	()	11
26 Brown, Larry J	25	B	M	()	()	()	12
27 Bazen, Sidney M	230	W	M	()	()	()	alt 1
28 Carter, Harry L III	39	W	M	()	()	()	alt 2
29 Kemmerlin, Kayla R	128	W	F	()	()	()	
30 Grubb, Kaitlin M	95	W	F	()	()	()	
31 McBride, Natalie B	143	W	F	()	()	()	
32 Lewis, Jacinta A	135	B	F	()	()	()	
33 Dowling, Tia M	61	W	F	()	()	()	
34 Cagle, Lance M	33	W	M	()	()	()	
35 Washington, Randolph	214	B	M	()	()	()	
36 Jokisch, Kelly M	126	W	F	()	()	()	
37 Coletrain, Larue L	44	B	M	()	()	()	
38 Martin, Tarsha L	141	B	F	()	()	()	
39 Barr, Gwendolyn L	12	B	F	()	()	()	
40 Maistros, Brian D I	139	W	M	()	()	()	

Total Number of Jurors: 40

** END OF REPORT **

State of South Carolina	)	
	)	Certificate
County of Florence	)	

I, the undersigned, Krystal J. Smith, Notary Public and Official Court Reporter for the Twelfth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing pages, numbered 1 through 316, constitute a true, accurate, and complete Transcript of Record of all the proceedings had and evidence introduced in the hearing of the above captioned case, relative to appeal, in the Court of General Sessions for Florence County, South Carolina, on the 14th and 17th through 19th days of May, 2021.

I do further certify that I am neither of kin, counsel,
nor interest to any party hereto.

s/ Krystal J. Smith

Court Reporter

Florence, South Carolina

October 7, 2021

WITNESSES

Jimmy Cantey Florence Police Department

David A Richardson

ARREST WARRANT NUMBER

2019A2120201298 2019A2120201299

ACTION OF GRAND JURY

TRUE BILL

Monique McLeod
Foreperson of Grand Jury
Date: *11-26-19*

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. **2019-GS-21-01673**

The State of South Carolina

County of

FLORENCE

COURT OF GENERAL SESSIONS

DECEMBER TERM 2019

THE STATE

vs.

CRAIG ANTONIO GEORGE

Indictment for

**KIDNAPPING &
CRIMINAL SEXUAL CONDUCT FIRST
DEGREE**

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

INDICTMENT FOR
KIDNAPPING &
CRIMINAL SEXUAL CONDUCT FIRST DEGREE

At a Court of General Sessions, convened on NOVEMBER 26, 2019 the Grand Jurors of FLORENCE County present upon their oath:

COUNT ONE- KIDNAPPING

CDR: 0095 16-03-0910

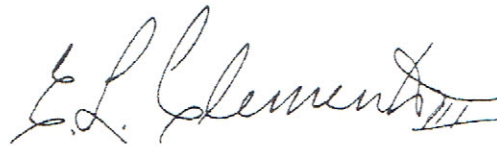
That Craig Antonio George did in Florence County on or about July 13, 2019, unlawfully seize, confine, inveigle, decoy, kidnap, abduct or carry away one Bernetha George, without authority of law, in violation of Section 16-03-0910, S. C. Code of Laws, 1976, as amended.

COUNT TWO- CRIMINAL SEXUAL CONDUCT FIRST DEGREE

CDR: 0160 16-03-0652

That Craig Antonio George did in Florence on or about July 13, 2019, engage in sexual battery with Bernetha George, while the victim was also the victim of forcible confinement, kidnapping, robbery, extortion, burglary, housebreaking, or any other similar offense or act, in violation of Section 16-03-0652, 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.



E.L. Clements, III
TWELFTH CIRCUIT SOLICITOR

COUNTY OF Florence
 STATE VS.
Craig Antonio George

AKA:

Race: ASIAN Sex: M Age: 42DOB: [REDACTED] SS#: [REDACTED]Address: 612 Coker StCity, State, Zip: Florence, SC 29506DL#: [REDACTED] SID#: [REDACTED]*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
 TO: Kidnapping / Kidnapping

INDICTMENT/CASE#: 2019-GS-21-01673A/W#: 2019A2120201298Date of Offense: 7/13/2019S.C. Code § : 16-03-0910CDR Code #: 0095

SENTENCE SHEET

☒ CONVICTED OF or ☐ PLEADSin violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45

(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

[Signature]
Solicitor74742
SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,for a determinate term of Life days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years 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.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: All convictions of 5-19-21☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the SCDoc.677 days
☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS _____

Recipient: _____

*Fine:

§ 14-1-206 (Assessments 107.5 %)

§ 14-1-211(A)(1) (Conv. Surcharge)

§ 14-1-211(A)(2) (DUI Surcharge)

§ 56-5-2995 (DUI Assessment)

§ 56-1-286 (DUI Breath Test)

Proviso (Public Def/Probation)

§ 14-1-212 (Law Enforce. Funding)

§ 14-1-213 (Drug Court Surcharge)

§ 50-21-114 (BUI Breath Test Fee)

§ 56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

TOTAL

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (04/2018)

PTUP

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: Pursuant to Section17-25-45 in that Defendant was
previously convicted of a most serious
offense under indictment☐ Appointed PD or appointed other counsel, 1993-GS-21-00084§ Proviso requires \$500 be paid to Clerk
during probation and shall be collected before
any other fees.Presiding Judge D. [Signature]Judge Code: 2160Sentence Date: 5-19-21

Pay \$ 40 PD fee

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Florence
STATE VS.
Craig Antonio George

INDICTMENT/CASE#: 2019-GS-21-01673

AKA:
Race: Black Sex: M Age: 42
DOB: [REDACTED] SS#: [REDACTED]

A/W#: 2019A2120201299

Date of Offense: 7/13/2019

S.C. Code §: 16-03-0652

CDR Code #: 0160

Address: 612 Coker St
City, State, Zip: Florence, SC 29506

DL#: [REDACTED] SID#: [REDACTED]

SENTENCE SHEET

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
TO: Sex / Criminal sexual conduct - First degree

☒ CONVICTED OF or ☐ PLEADS

in violation of § 16-03-0652 of the S.C. Code of Laws, bearing CDR Code # 0160

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45

(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury, (defendant's initials)

The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

[Signature] Solicitor 74742 SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
for a determinate term of Life days/months/years or ☐ under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years 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.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: All convictions of 5-19-21
☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the SCDOC.

677 days
☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic
Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

PTUP

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:	\$	
§ 14-1-206 (Assessments 107.5 %)	\$	
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso (Public Def/Probation)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114 (BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$

3% to County (if paid in installments) \$ 375

TOTAL

Clerk of Court/ Deputy Clerk K. Smith

Court Reporter:

SCCA/217 (04/2018)

 days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning

Substance Abuse Counseling ☐

Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning

\$ paid to Public Defender Fund

Other: Pursuant to Section 17-25-45 in that
defendant was previously convicted of a
most serious offense under indictment
1773-35-21-00084

☐ Appointed PD or appointed other counsel,

§Proviso requires \$500 be paid to Clerk
during probation and shall be collected before
any other fees.

Presiding Judge D. Smith

Judge Code: 250

Sentence Date: 5-19-21

ARREST WARRANT

2019A2120201298

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of

FLORENCE

THE STATE

against

CRAIG ANTONIO GEORGE

Address: 612 COKER ST

FLORENCE SC 29506

Phone: (843) 229-4486 SSN: [REDACTED]

Sex: [REDACTED] Race: B Height: 6-3 Weight: 180

DL State: SC DL#: [REDACTED]

DOB: [REDACTED] Agency ORI#: SC0210100

Prosecuting Agency: FLORENCE MUNICIPAL COURT

Prosecuting Officer: JIMMY CANTEY

Offense: KIDNAPPING

Offense Code: 0095

Code/Ordinance Sec. 16-03-0910

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality ofThe accused
is to be arrested and brought before me to be
dealt with according to law.

Signature of Judge

(L.S.)

Date _____ Time _____

RETURN

A copy of this arrest warrant was delivered to
defendant CRAIG ANTONIO GEORGE
on 07-14-19

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

ORIGINAL

MUST BE RETURNED TO

FLORENCE MUNICIPAL COURT

ORIGINAL

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of

FLORENCE

AFFIDAVIT

Personally appeared before me the affiant JIMMY CANTEY

who

being duly sworn deposes and says that defendant CRAIG ANTONIO GEORGE

did within this county and state on 07/13/2019

violate the criminal laws of the

State of South Carolina (or ordinance of ☐ County/ ☒ Municipality of FLORENCE)

in the following particulars:

DESCRIPTION OF OFFENSE: 16-03-0910 / KIDNAPPING

I further state that there is probable cause to believe that the defendant named above did commit
the crime set forth and that probable cause is based on the following facts:

ON 07/13/2019, THE DEF DID COMMIT THE OFFENSE OF KIDNAPPING WHILE AT 1009 LAYTON ST, IN THE CITY OF FLORENCE. THE DEF WAS HELPING THE VICTIM, WHOM IS HIS AUNT, CLEAN THE RESIDENCE. WHILE THE VICTIM WAS SHOWING THE DEF AN A/C UNIT IN THE BACK BEDROOM, THE DEF WALKED UP BEHIND HER AND PLACE HIS ARM AROUND HER NECK. THE DEF BEGAN TO CHOKER THE VICTIM AND ADVISED HER SHE HAD TWO OPTIONS AND THEY WERE TO DIE OR GIVE HIM MONEY. THE VICTIM PRETENDED TO AGREE TO GET THE DEF SOME MONEY, HOWEVER HE STAYED WITH HER EVERY MOVE SHE MADE. THE DEF MADE THE VICTIM TAKE OFF HER CLOTHING BEFORE THEY LEFT THE HOUSE AND THEN PLACED HIS FINGERS INSIDE HER VAGINA. THE DEF THEN MADE THE VICTIM TURN AROUND AND BEGAN TO FONDLE HER BUTTOCKS. THE DEF MADE THE VICTIM GET DRESSED AND DEMANDED SHE DRIVE HIM TO GET MONEY FROM AN ATM AND WESTERN UNION. THE DEF MADE THE VICTIM DRIVE TO SEVERAL LOCATIONS IN THE CITY OF FLORENCE AND COUNTY OF FLORENCE. THE DEF AND VICTIM ENDED UP AT 900 E ASHBY RD (IGA) IN THE COUNTY OF FLORENCE WHERE HE MADE HER GET A MONEY ORDER FOR \$1000 FROM WESTERN UNION AND THEN TOOK \$500 OUT OF THE ATM. THE VICTIM WAS ABLE TO FOOL THE DEF INTO THINKING SHE HAD TO GET AN ITEM FROM THE STORE AND WAS ABLE TO GET AWAY LONG ENOUGH TO CALL 911. THE VICTIM ADVISED SHE DID NOT FEEL AS IF SHE COULD LEAVE AWAY FROM THE DEF AND SHE FEARED IF SHE DID HE WOULD HARM HER.

Signature of Affiant

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of

FLORENCE

Affiant's Address FLORENCE POLICE DEPT 324 W. EVANS

FLORENCE SC 29501

Affiant's Telephone 843-665-3191

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that
on 07/13/2019 defendant CRAIG ANTONIO GEORGE

did violate the criminal laws of the State of South Carolina (or ordinance of

☐ County/ ☒ Municipality of FLORENCE) as set forth below:

DESCRIPTION OF OFFENSE: KIDNAPPING / KIDNAPPING

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to the law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me

on 07/14/2019

Date _____ Time _____ (L.S.)

RANGELEY C. BAILEY

Judge Code: 8099

Judge's Address 324 W. EVANS STREET, ROOM 103

FLORENCE SC 29501

Judge's Telephone 843-665-3148

Issuing Court: ☐ Magistrate ☒ Municipal ☐ Circuit

Case: 2019-006370

ORIGINAL

279

BAIL set by

Judge

on

Type and Amount:

Name of Surety:

PRELIMINARY HEARING held by

Judge

on

Defense Attorney:

Decision:

DISPOSITION before

Judge

on

by

(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition:

Sentence:

JURORS

WITNESSES

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

CODEFENDANTS

ARREST WARRANT

2019A2120201299

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of
FLORENCE

THE STATE

against

CRAIG ANTONIO GEORGE

Address: 612 COKER ST

FLORENCE SC 29506

Phone: (843) 229-4486 SSN: [REDACTED]

Sex: M Race: B Height: 6-3 Weight: 180

DL State: SC DL#: [REDACTED]

DOB: [REDACTED] Agency ORI#: SC0210100

Prosecuting Agency: FLORENCE MUNICIPAL COURT

Prosecuting Officer: JIMMY CANTEY

Offense: CRIMINAL SEXUAL CONDUCT 1ST

DEGREE Offense Code: 0160

Code/Ordinance Sec. 16-03-0652

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused
is to be arrested and brought before me to be
dealt with according to law.

Signature of Judge

(L.S.)

Date _____ Time _____

RETURN

A copy of this arrest warrant was delivered to
defendant CRAIG ANTONIO GEORGE
on 07-14-19

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

ORIGINAL

MUST BE RETURNED TO

FLORENCE MUNICIPAL COURT

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of
FLORENCE

AFFIDAVIT

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 618

Personally appeared before me the affiant JIMMY CANTEY

who

being duly sworn deposes and says that defendant CRAIG ANTONIO GEORGE

did within this county and state on 07/13/2019

violate the criminal laws of the

State of South Carolina (or ordinance of ☐ County/ ☒ Municipality of FLORENCE)

in the following particulars:

DESCRIPTION OF OFFENSE: 16-03-0652 / CRIMINAL SEXUAL CONDUCT 1ST DEGREE

I further state that there is probable cause to believe that the defendant named above did commit
the crime set forth and that probable cause is based on the following facts:

ON 07/13/2019, THE DEF DID COMMIT THE OFFENSE OF KIDNAPPING WHILE AT 1009 LAYTON ST, IN THE CITY OF FLORENCE. THE DEF WAS HELPING THE VICTIM, WHOM IS HIS AUNT, CLEAN THE RESIDENCE. WHILE THE VICTIM WAS SHOWING THE DEF AN A/C UNIT IN THE BACK BEDROOM, THE DEF WALKED UP BEHIND HER AND PLACE HIS ARM AROUND HER NECK. THE DEF BEGAN TO CHOKO THE VICTIM AND ADVISED HER SHE HAD TWO OPTIONS AND THEY WERE TO DIE OR GIVE HIM MONEY. THE VICTIM PRETENDED TO AGREE TO GET THE DEF SOME MONEY, HOWEVER HE STAYED WITH HER EVERY MOVE SHE MADE. THE DEF MADE THE VICTIM TAKE OFF HER CLOTHING BEFORE THEY LEFT THE HOUSE AND THEN PLACED HIS FINGERS INSIDE HER VAGINA. THE DEF THEN MADE THE VICTIM TURN AROUND AND BEGAN TO FONDLE HER BUTTOCKS. THE DEF MADE THE VICTIM GET DRESSED AND DEMANDED SHE DRIVE HIM TO GET MONEY FROM AN ATM AND WESTERN UNION. THE DEF MADE THE VICTIM DRIVE TO SEVERAL LOCATIONS IN THE CITY OF FLORENCE AND COUNTY OF FLORENCE. THE DEF AND VICTIM ENDED UP AT 900 E ASHBY RD (IGA) IN THE COUNTY OF FLORENCE WHERE HE MADE HER GET A MONEY ORDER FOR \$1000 FROM WESTERN UNION AND THEN TOOK \$500 OUT OF THE ATM. THE VICTIM WAS ABLE TO FOOL THE DEF INTO THINKING SHE HAD TO GET AN ITEM FROM THE STORE AND WAS ABLE TO GET AWAY LONG ENOUGH TO CALL 911. THE VICTIM ADVISED SHE DID NOT FEEL AS IF SHE COULD LEAVE AWAY FROM THE DEF AND SHE FEARED IF SHE DID HE WOULD HARM HER.

Signature of Affiant

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of
FLORENCE

Affiant's Address FLORENCE POLICE DEPT 324 W. EVANS

FLORENCE SC 29501

Affiant's Telephone 843-665-3191

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that
on 07/13/2019 defendant CRAIG ANTONIO GEORGE

did violate the criminal laws of the State of South Carolina (or ordinance of

☐ County/ ☒ Municipality of FLORENCE) as set forth below:

DESCRIPTION OF OFFENSE: SEX / CRIMINAL SEXUAL CONDUCT - FIRST DEGREE

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said
defendant and bring him or her before me forthwith to be dealt with according to the law. A copy of this Arrest Warrant shall be delivered
to the defendant at the time of its execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me

on 07/14/2019

Date _____ Time _____

(L.S.)

Judge's Address 324 W. EVANS STREET, ROOM 103

FLORENCE SC 29501

Judge's Telephone 843-665-3148

Judge Code: B099

Issuing Court:

☐ Magistrate☒ Municipal☐ Circuit

ORIGINAL

Case: 2019-006370

Case: 2019-006370

281

BAIL set by

Judge Bailey
on 7-14-19
Type and Amount: CCJ
Name of Surety: _____

PRELIMINARY HEARING held by

Judge _____
on _____
Defense Attorney: _____
Decision: _____

DISPOSITION before

Judge [Signature]
on _____
by _____
(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition: _____
Sentence: _____

JURORS

WITNESSES

Name: _____
Address: _____

Telephone: _____
Name: _____
Address: _____

Telephone: _____
Name: _____
Address: _____

Telephone: _____
Name: _____
Address: _____

Telephone: _____
Name: _____
Address: _____

Telephone: _____
Name: _____
Address: _____

Telephone: _____

CODEFENDANTS

_____ [Signature]

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

INDICTMENT NO: 2019-GS-21-01673

The State,)

Petitioner,)

vs.)

Craig Antonio George,)

Defendant.)

Motion to Exclude Testimony Concerning

Religious Beliefs

2021 APR - 1 AM 11:36
DORIS POULOS O'HARA
CCCP & GS
FLORENCE COUNTY, SC

FILED

The above-named defendant is charged in the above-referenced indictment with Criminal Sexual Conduct First Degree and Kidnapping. This case was scheduled for trial in December of 2020, but was continued due to COVID-19 restrictions placed upon Circuit Courts by the South Carolina Supreme Court. Now comes the State with a motion to be heard in *limine* to prevent the Defense from cross-examining the victim concerning her religious beliefs and/or experiences or examining any other witness concerning the same.

The victim in this case is the defendant's aunt. She is a medical doctor who practiced medicine for approximately forty (40) years prior to retirement, though she still maintains her credentials. Her last place of employment was with Veteran's Affairs in Florence County. The victim has written several books on the topic of her Christian faith, including personal experiences and the experiences of others concerning interactions with angels. Counsel for the defendant at the time of the first trial notified the State of her intent to cross examine the victim on the victim's religious beliefs and experiences, particularly those described in books written by the victim. This intent to cross-examine, as described to the State, was specifically intended to attack the credibility of the victim, as the victim's religious beliefs have nothing to do with the facts of the case itself.

After the continuance in December of 2020, Defense Counsel moved out of state, and the case was reassigned within the Florence County Public Defender's Office to Deputy Public Defender Vick Meetze. To this point, there has been no discussion with Mr. Meetze about his intentions to cross-examine the victim on her religious beliefs or examine any other witness as to the victim's beliefs, so the State is simply filing this motion out of an abundance of caution based upon the amount of effort devoted to the endeavor by prior counsel, including procuring copies of the victim's books for use at trial.

The legal basis the State relies upon to prevent cross-examination of the victim concerning her religious beliefs or experiences is Rule 610 of the South Carolina Rules of

 10/2

Evidence. This rule states, "Evidence of the beliefs or opinions of a witness on matters of religion is not admissible for the purpose of showing that by reason of their nature the witness' credibility is impaired or enhanced." This rule is identical to the federal rule, and the State has found no examples within or without South Carolina where such inquiry has been permitted by a court since the rule's inception.

In the November 2002 edition of South Carolina Lawyer, an article was published entitled, "Beyond the Bar – Religion in the Courtroom," authored by Warren Moise. This article provides a history of the use of religion in a court setting and details the rationale behind Rule 610 and its liberal application. This article, in conjunction with case law research and the plain meaning of Rule 610 (and its nexus with Rule 403), highlights the strict prohibition of bringing up a witness' religious beliefs to attack credibility.

Based upon the foregoing, the State moves before the Court for a ruling prohibiting the Defense from mentioning the victim's religious beliefs, her writings concerning religious experiences and/or beliefs, and/or questioning her or any other witness about the same.

I SO MOVE!



David A. Richardson, Jr.
Assistant Solicitor
Twelfth Judicial

April 1, 2021

2021 APR - 1 AM 11:36
DORIS POULOS O'HARA
CCCP & GS
FLORENCE COUNTY, SC

FILED



STATE OF SOUTH CAROLINA)
)
 COUNTY OF FLORENCE)

IN THE COURT OF GENERAL SESSIONS
 TWELFTH JUDICIAL CIRCUIT
 INDICTMENT NUMBER: 2019-GS-21-1673

The State,)
)
 vs.)
)
)
 CRAIG ANTONIO GEORGE,)
)
 Defendant.)
 _____)

NOTICE OF INTENTION TO SEEK A
 SENTENCE OF LIFE WITHOUT PAROLE

TO: CRAIG ANTONIO GEORGE, DEFENDANT, AND TAMARA GREER, ATTORNEY FOR THE
 DEFENDANT:

PLEASE TAKE NOTICE that at the trial of the above-entitled action to be scheduled on a date at least ten (10) days hence, by which you will be timely notified, the State will seek to have the defendant sentenced to a term of imprisonment for life without a possibility of parole, pursuant to South Carolina Code of Laws, Section 17-25-45 (1995), as amended. The State intends to rely upon the defendant's prior conviction for the crimes of Armed Robbery, Criminal Sexual Conduct First Degree and Kidnapping on Indictment Number 1998-GS-21-00084 to statutorily enhance his punishment.


 DAVID A. RICHARDSON, JR.
 ASSISTANT SOLICITOR
 TWELFTH JUDICIAL CIRCUIT

DORIS POULOS O'HARA
 CCCP & GS
 FLORENCE COUNTY, SC

Florence, South Carolina

2020 AUG 12 P 2:05

August 12, 2020

FILED

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,

RECEIVED

Aug 30 2022

SC Court of Appeals


Kathrine H. Hudgins
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 30th day of August, 2022.