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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Edgefield County

Honorable Courtney Clyburn-Pope, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

GABRIEL DANTRAY CURRY,

APPELLANT

APPELLATE CASE NO. 2022-000966

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
STATE’S EXHIBIT #122 (LIST OF ADDRESSES POSTER)**

1 favorable to their positions, but it is not evidence.
2 You've already heard all of the evidence. The testimony
3 and the exhibits are where you will make your decision.
4 However, I implore you to pay very close attention to
5 their arguments and once they have completed it, I will
6 instruct you on the law and then it will be in your hands
7 for deliberation.

8 The State.

9 MR. DRYLIE: Thank you, Your Honor. May it please
10 the Court.

11 The defendant, that man over there, killed his
12 cousin, shot him in the back of the head. He did it in
13 secret and he hoped no one who find out about it. We
14 have this picture here which we've been showing you
15 throughout the trial. At this point Dakota Calhoun is a
16 missing person. The only person in the world who knows
17 he's dead is Gabriel Curry and he knows he's dead because
18 he did it. He's looking off right where they found the
19 body. He's staring in that direction. He killed his
20 cousin. He took the car. He drove around and then the
21 next morning he ditched the car in the woods right by
22 where the body was. He did this in secret and he hoped
23 no one would know.

24 We've gone through a lot of evidence in this case.
25 I know some of it has been technical. I know some of it

1 has been boring, but all of it has been important. All
2 the circumstances that we've seen point to the
3 defendant's guilt. He shot him in the head and he left
4 him lying face down in the woods in the same clothes that
5 we see Dakota wearing throughout these videos. He hoped
6 no one who find out and he hoped he would get away with
7 it. However, what gave him away more than anything else
8 was his guilty conscious and his actions.

9 You know, we started this case around exit 5. We've
10 got the Dollar General and we've got Dakota walking in at
11 1:15. We know he's walking in to get his mother's cell
12 phone and to get her car. We know he leaves there at
13 1:19. Think about the testimony. What did his mother
14 say? His mother said he was gonna drop some stuff off at
15 Sabrina Curry's house and he wanted to go check on little
16 Gabe. That's how Dakota knew him. He knew him as little
17 Gabe. They were cousins. He thought he was with someone
18 safe. He didn't think there was any danger coming from
19 that man over there, but there was.

20 He picks up Gabe and they drive down to Augusta.
21 Now, I want you to think about it. Every video we
22 watched with Dakota, Dakota is driving the car. He's
23 getting in the driver side of that car right there and I
24 don't know exactly what happened in that room. I don't
25 know if Dakota gave Danarius \$20.00, I don't know if

1 Danarius gave Dakota something, but I do know that when
2 he gets in that car, Gabriel Curry is in the passenger
3 seat and Dakota is driving. The next stop on our day is
4 at the Greg's Gas Plus on Martintown Road. Here we see
5 around 3:15 Dakota and Gabe driving in. In a minute
6 we're gonna see them both get out of the car. Gabe's
7 over by the pump. Dakota walks into the store.

8 Law enforcement had to meticulously reconstruct this
9 day and we have reconstructed as much as humanly
10 possible. There's Dakota and there's Gabe. We know he's
11 trying to get gas and we know that his card declined.
12 Here, and I want to point your attention to this, we see
13 Gabe in that car right there. He's taking off the gray
14 over shirt we've been seeing him wearing. Look at the
15 white. He is wearing a white shirt underneath. We know
16 they leave the Greg's Gas Plus around 3:30.

17 Jordan Thomas testified that she passed them on
18 Country Club Hills Drive right by the residence. They
19 stopped by the residence and then they leave. We know
20 that the next time they're caught on camera is at the
21 Dollar General back by exit 5 in North Augusta. And we
22 see Dakota walk in. And then we see his mother. She
23 didn't know at that point that this was going to be the
24 last time that she would ever see her son alive, and she
25 testified that she gave him a \$20.00 bill. He told her

1 he was going to take little Gabe home. He was supposed
2 to be back by five. He was gonna help her clean up the
3 store and he was gonna do some work for her. 5:00 is
4 when he was planning to be back. He never made it back
5 and she would never see her son alive again.

6 He goes to the Circle K and this is the absolute
7 last place where we ever have Dakota on video alive. He
8 walks in and he gets \$3.00 worth of gas. But I need to
9 point this out to you and you have it in evidence, you
10 can see it on the picture, he paid for that gas with a
11 \$5.00 bill, not a \$20.00 bill. He still had the \$20.00
12 bill that his mother gave him from Dollar General. They
13 leave there at 4:02.

14 Now, we heard testimony this morning about what we
15 have just watched and I want to point out that the
16 defendant's cell phone and Angela's cell phone, they're
17 traveling together all day. From 1:50 onward they go
18 down to Augusta, they come back and they stop at the
19 places where we have video of them stopping. That's Gabe
20 in the car. There's no other explanation for it. That's
21 the defendant in the car with his cousin. Here they're
22 down by the Country Hearth Inn, then they go up to the
23 video we just saw at Greg's Gas Plus, and go back up by
24 the Dollar General and the Circle K.

25 From there, and you heard testimony to this, it's

1 about a 13 minute drive to the crime scene at Sandy
2 Springs Road and that's driving slow. That was law
3 enforcement, not speeding, driving in normal conditions
4 and if you're familiar with that area, it is built up a
5 lot more now than it was in 2018, but it only took them
6 13 minutes to get there. I don't know what Gabe said to
7 convince Dakota to go there with him. I don't know if he
8 had said he had something to show him. I don't know if
9 they were going to smoke. I don't know what they were
10 going to do, but I do know when Dakota left that Circle
11 K, the next stop he made would be his final resting place
12 where his body was found on Sandy Springs Road in Trenton
13 off in a wooded area.

14 I want you to think about the crime scene photos
15 that we saw. Dakota is in the woods. He's shot in the
16 back of the head. He's not in the woods with someone he
17 doesn't know. He's not in the woods with someone he
18 doesn't trust. He's in the woods with that man over
19 there and that man pulled a gun and shot him in the back
20 of the head and left him there. His sunglasses were on
21 top of his head and as his body is falling, they fell
22 down his face. You have pictures in evidence. You can
23 look at them when you get back to the jury room, but that
24 is where Gabe leaves him.

25 From there the next time we see the car is at that

1 Burger King -- assuming technology cooperates -- I want
2 you to remember what he said. You have the car at that
3 Burger King. We've all seen the video during the trial
4 when Investigator Smith is questioning him around 4:30.

5 (Playing video.)

6 He didn't eat no Burger King yesterday. There is no
7 doubt that that is Gabe in that car. There is no doubt
8 that Dakota never would have let him drive that car.
9 He's there wearing the white shirt paying with cash, the
10 white shirt that we just saw on the video at Greg's Gas
11 Plus. There's no one else in that car. He leans over
12 the seat. You see the receipt that he's getting from the
13 Burger King that he didn't go to? And you're gonna see
14 the cup. That's the defendant right there in that car
15 after he killed his cousin.

16 And from there he goes over to the Circle K. We
17 know he walks inside for a total of 43 seconds, or 47
18 seconds and he goes in the restroom for 23 seconds. We
19 believe he's in there washing his hands. 23 seconds is
20 really quick to go to the bathroom and wash your hands.
21 He's in there washing his hands trying to wash off the
22 stain of his guilty conscious, but he's unable to do it.
23 We see him when he's there in the parking lot and he gets
24 out of that car and he's holding that Burger King cup
25 that he just got and he walks around the front of the car

1 and he looks to see if there's any damage.

2 Now, I don't think the car right there was as
3 damaged as they would find it the next day, but I think
4 when he was pulling out of Sandy Springs Road, he bumped
5 something or he hit something and he was trying to see
6 how the car was working. He gets out and looks at that
7 front end twice, that car he was never driving and he
8 said he was never driving, and the cell phone maps
9 confirm that it's Gabe in that area. And if you have any
10 questions about any of these videos, they will be back in
11 the jury room for you to watch.

12 These are the maps that we saw this morning. 3:52,
13 they're down around by the Dollar General and the Circle
14 K, goes up by the crime scene and Mount Zion and then
15 we've got Gabe. Gabe's driving along by himself up the
16 road up to Bettis Academy to the Burger King that he
17 didn't eat. Then look at this. Look at the amount of
18 area he's covering. He's in a car. He's driving around.
19 You can't walk from where that Circle K is on Bettis
20 Academy Road and be down here in North Augusta from 4:41
21 to 4:45, and I realize that these cell phone towers are a
22 range, but there's no way you can cover anywhere near
23 that amount of ground in four minutes. It defies common
24 sense.

25 And then we see him driving all around North Augusta

1 that night. You know, Dakota dropped him off at 5:00,
2 that's what he said, as he's moving all around and we
3 know from his uncle who is also Dakota's uncle, that he
4 came by his house that night. Now, I want you to use
5 common sense. If Dakota had brought him by the house,
6 Dakota would have seen his uncle too. He's in that car.
7 He's using it for his own personal use. He's killed his
8 cousin and he's trying to cover it up. He gets the boots
9 and then he keeps driving. 6:31, he's down at this tower
10 in North Augusta the same tower where Angela Barger's
11 phone was that was never recovered. You know why he's
12 driving all around? He's trying to get rid of the
13 evidence. He's hoping that we never find out. He drives
14 on back.

15 Now, some of these calls are really, really
16 important and I hope you caught it this morning. A
17 majority of them he's talking to his girlfriend so he's
18 not at her house. They wouldn't be on the phone if they
19 were in the same house. Later his mom calls him so he's
20 not at her house. What is he doing? He's trying to
21 think of a way to cover up the evidence of what he just
22 did. Then the next morning at 5:18 a.m. he's on the
23 phone with his girlfriend. That doesn't make any sense
24 if he was dropped off and stayed there all night. And
25 then he's on the phone with her at 5:21, 6:01, and he's

1 driving all around. Gabe's trying to cover up his crime
2 at that point and he ends up back down by that tower
3 where Angela Barger's phone was that was never
4 recovered.

5 One thing I want to point out on the map we saw a
6 little bit ago was at 4:18 his mom called him and he
7 didn't pick up the phone. He didn't pick up the phone
8 because he was doing something that he shouldn't have
9 been doing. He killed his cousin in that short time
10 frame, took the car and tried to dispose of the evidence
11 and he ends up back by where her phone was.

12 Now, use your common sense. If Dakota was alive
13 after 4:15, at some point he would have used that phone,
14 but as you heard from the testimony, the only thing on
15 that phone was incoming calls or an incoming text. He
16 never communicated with anyone ever again. Going back to
17 the crime scene, the crime scene agent testified Dakota
18 died where he was shot. He wasn't killed some place else
19 and moved there. There's no blood in the car. He was
20 killed there and then Gabe took the car and he used the
21 car. And then he goes back home and he thinks about ways
22 to cover it up.

23 We heard from Officer Rauton way back on Tuesday.
24 He was the first officer that testified in this case. He
25 went by Kirtrina's house. He went by [REDACTED] Mount Zion

1 where Sabrina Curry and his dad lived. Went by both
2 those places looking for him. This is about Dakota is
3 missing, his first cousin that he was with the whole day
4 before, missing. He was with him and he wouldn't talk to
5 the police. He had his girlfriend lie saying he wasn't
6 there. She went running inside the house and closed both
7 the doors and at this point no one knows Dakota is dead
8 other than Gabe. He's the only one that knows and he's
9 trying to hide, but he can't hide forever.

10 During this point from 12:08 until about 1:42
11 there's five missed calls from Kahlo. Kahlo is trying to
12 get in touch with Gabe. Where is my brother? Where is
13 my brother? He's trying to find out where he's at. And
14 he's lying to his family. He's not helping look. We're
15 gonna go over some of the guilty knowledge that Gabe had
16 during this case. He would not help find his cousin, the
17 man he was with the entire day before. You know, he
18 never called - and this is in evidence, you can look at
19 the phone record - Angela's phone while Dakota was
20 missing. If you're with someone and then you find out
21 their missing, what's the first thing you're gonna do?
22 You're gonna pick up the phone and try to call that
23 person and see if they maybe pick up for you. Maybe
24 there was someone else they didn't want to talk to, but
25 you've just been with them. He didn't call. He didn't

1 do anything. He's avoiding the police and telling
2 Kirtrina to lie. He's got those five missed calls from
3 Kahlo at 12:25 to 1:42 when Kahlo is just desperately
4 trying to find his brother.

5 At 2:33 he finally showed up. He finally showed up
6 and talked to the police. And what did he do? He lies
7 to them about everything. He lies to them about Burger
8 King. He tells them Dakota was high. That he snorted
9 heroin. Those were his words. His toxicology report was
10 completely clean. He didn't have any drugs in his system
11 when he died. He lied about where he lived. The
12 testimony in this case is that he lived at [REDACTED] Mount Zion
13 Road with his mother or stayed at [REDACTED] with his
14 girlfriend. He wasn't living at [REDACTED] Beulah Avenue which
15 is on the other side of exit 5. He lied about where he
16 was. Dakota dropped me off at five. We know that's not
17 true. We have the cell phone records. He lied about
18 everything in this case from the beginning because he
19 didn't want you all to find out what he did.

20 And with law enforcement, instead of trying to help,
21 in the video he goes, well, how do you know I was the
22 last person to see my cousin alive? What kind of answer
23 is that? Your first cousin's missing and you're not
24 trying to find him. You're saying no, no. It wasn't me.
25 It's like a child trying to deflect. He tries to shift

1 blame by saying, well, Dakota really shouldn't have been
2 driving. What the officer says back to him, he says,
3 we're not worried about that. He's missing. But he
4 keeps going, well, Dakota shouldn't have been driving.
5 Dakota shouldn't have been driving. You know, he's
6 trying to make it seem like Dakota was doing something
7 wrong. Maybe Dakota shouldn't have been driving, but one
8 thing we know for sure is that Gabe wasn't allowed to
9 drive that car. Even if Dakota didn't have a license,
10 that's not a reason to be shot in the back of the head.

11 And then he leaves. He doesn't help find his
12 cousin. Everyone else who's out there, they're looking,
13 they're looking. And you heard the testimony. The car's
14 on one side of the road, the body's on the other, there's
15 cars parked in front of the body which is how they didn't
16 see him. And it just so happened that Vanessa Boulware,
17 she's sitting right out there, the mother of Dakota's
18 child, and looked over in the direction and saw the pink,
19 saw the pink shirt, the same direction Gabe is looking in
20 all those times. Watch him here. You know, technology
21 is not helping me out right now. And it didn't help Gabe
22 out either, because that's how we found out where he was.
23 We're gonna watch this video here in a minute.

24 (Playing video.)

25 See on the video, you will see the officer ask him,

1 do you have any idea where your cousin could be? And he
2 looks and he thinks and he knows, but he doesn't want to
3 say. He looks right off where the body was found.

4 Again, I remind you, you will have all of these
5 videos back in the jury room if you need to re-watch them
6 again. You can watch them when you get back in the jury
7 room. He asks him, do you have any idea where your
8 cousin could be. He looks off and he says, uhm, uhm, he
9 mentioned something about Edgefield. He's trying to
10 deflect anywhere so that the blame is not on him.

11 And here, I want to walk you through that afternoon
12 one more time. Here we have Gabe. He's in the car with
13 the white shirt when we see him at Burger King. A little
14 while later he's at Sandy Springs Road. And I'm not a
15 hundred percent certain what was in that pocket, but
16 whatever it was, that pocket was left lying out, that man
17 over there took it from him when he shot him in the back
18 of the head and then he goes.

19 Now, we all saw Dakota trying to buy \$3.00 worth of
20 gas. If he had that much money on him at the beginning,
21 don't you think you would have offered to pay the \$3.00
22 worth of gas as Dakota is driving Gabe around all
23 afternoon? And we know that Angela gave him a 20 and we
24 have a 20 right there. We know that he paid with \$5.00,
25 with a five dollar bill and here, here we see that man

1 getting the receipt that was found in the car the next
2 day to the Burger King he didn't go to. And here's the
3 cup that we see on the next video right there. He's out
4 of the car. He's looking at the front-end for damage and
5 he's holding that cup in his hand. All the circumstances
6 point to him.

7 I'm gonna talk to you about the law for just a
8 minute. I want to tell you that in every case in
9 criminal courts the State has the burden of proof and
10 what that means is that we have to prove beyond a
11 reasonable doubt that Gabe killed his cousin and what
12 that means is that we have to prove beyond a doubt that
13 leaves you firmly convinced that he killed his cousin.
14 In this case we have circumstantial evidence, and it's
15 substantial circumstantial evidence. In fact, you will
16 be instructed that the circumstances have to work
17 together. Everything we've pointed out points towards
18 Gabe shooting his cousin in the back of the head.

19 South Carolina Code of laws 16-3-10 defines murder.
20 Murder is the killing of another person with malice
21 aforethought either express or implied. I submit to you
22 that he killed his cousin and he had malice when he
23 pulled out that gun and shot him in the back of the head.
24 He may not have started the day planning to kill him. I
25 do believe that. However, when he was in the woods with

1 him, he pulled out that gun and he shot him in the back
2 of the head.

3 Let's talk about the guilty actions. He shot him in
4 the back of the head and he left him in the woods lying
5 face down. That's where the malice comes from. He
6 transferred gunshot primer residue to the steering wheel
7 of the car. Think back on that testimony. And I know
8 they're gonna get up here and they're gonna say, well,
9 his DNA wasn't in that car. We know Gabe was in the car.
10 We know. He admitted it at the crime scene. He said I
11 was in the car. Dakota dropped me off at 5:00. Now, all
12 of that was a lie about Dakota dropping him off at 5:00.
13 His DNA may not have been in there, but after he shot
14 that man and left the gunshot primer residue in the car,
15 that was in there. That could only have come from one of
16 two ways, either you fired a gun and it's on your hands
17 where it goes from your hands to your clothes after you
18 fire a gun onto something else. He fired that gun and he
19 left that gunshot primer residue on the steering wheel
20 cover of Angela Barger's car. He denied driving the
21 car and going to Burger King.

22 You will hear a call he made to his uncle. You'll
23 hear all four of those clips real quick. I just want you
24 to listen to what he says, the lies that he tells.

25 (Playing video.)

1 He tells his uncle that he has to go to trial to
2 prove that he wasn't driving Ms. Angie's car. That's
3 what he says. He says, I don't know nothing about no
4 Burger King and I never drove that car, then he makes
5 this call in 2019.

6 (Playing audio.)

7 That I was not driving that car. I'm not on camera.
8 I don't know nothing about that damn machine. I don't
9 know nothing about driving that car. I don't know
10 nothing about no Burger King. I wasn't driving no damn
11 car, bro. All he does is lie. That's all he's done from
12 the beginning. He's lied because he's trying to cover up
13 his actions. And you will have this back there with a
14 computer back there and it will work better then.

15 What's going on out there? Like we've talked about
16 before, Dakota wouldn't have been in the woods, he
17 wouldn't have been in there, he wouldn't have turned his
18 back on some unknown person. He wasn't snuck up on from
19 behind. He was walking out of the woods with his head
20 facing towards the road when he was shot in the back of
21 the head.

22 He wouldn't have let him drive the car. Everyone
23 testified to that. That he was responsible because he
24 wanted to use the car again. And he knew his brother
25 wasn't allowed to use the car anymore. He wanted to make

1 sure that he took care of it so that he could use it
2 again. The car and the body were found near Kirtrina's
3 house and near his parents' house less than a mile
4 through the woods to [REDACTED] Mount Zion. He shot him and he
5 used the car and then he later dumped the car there
6 thinking that he wouldn't be found out. You've seen the
7 gun report, a small black pistol and we have testimony
8 that he threw away a small black pistol after the murder.

9 And I want to focus on something real quick. There
10 have been some questions in this case about another
11 firearm. It was not the firearm that was used to kill
12 Dakota and it was not that man's firearm over there. It
13 was accidentally mislogged. Now, law enforcement did
14 what they should in the sense that they sent it for
15 comparison because if they arrested the wrong guy, they
16 wanted to find out about it, but they accidentally
17 mislogged it. It was not his gun and it was not the gun
18 used to kill Dakota. It was a .380 shell casing at the
19 scene. A .380 as you heard from the expert would be a
20 small black pistol. And just all the lies that we've
21 heard over and over and over. And remember, when he's
22 telling all these lies, his cousin's missing and he's not
23 helping to find him.

24 Here's where Dakota died. Here's where the car was
25 wrecked. And here is where Gabe went to. He walked

1 through the woods and he went back to Kirtrina's house
2 sometime after 8:23 that night and then he went back and
3 used the car and then dumped it the next day.

4 When Angie was giving Dakota money in this scene,
5 she had no idea that it was gonna be the last time that
6 she would ever see her son alive. The only person who
7 knew that is Gabe. He walked out of that store. He was
8 supposed to be back by five. Look at the pictures up
9 here. It's brighter. You can see. There's no doubt
10 that that's Gabe driving that car. We heard about the
11 drive time, that it took from Circle K to Sandy Springs
12 Road to Burger King where they stopped in the woods for
13 just a couple minutes, and for whatever reason he shot
14 his cousin in the back of the head, took whatever he had
15 on him and figured he was gonna get away with it.

16 Now, in a little bit you will go back to your jury
17 room and you're going to deliberate and all we're asking
18 you to do is to return a verdict that speaks the truth.
19 We're asking you to return a verdict of guilty for
20 murder. He killed his cousin in secret. He thought he
21 would get away with it. We don't have cameras everywhere
22 in the world. There's no camera in the woods, but what
23 they were able to do was reconstruct what happened that
24 day, catch him in his lies and catch him for killing his
25 cousin, for shooting him in the back of the head. Return

1 a verdict of guilty in this case. Thank you.

2 MR. CHEHOSKI: May it please the Court.

3 THE COURT: Yes.

4 MR. CHEHOSKI: Give me one moment to rearrange the
5 courtroom.

6 Good afternoon. With slight of hand, distraction
7 and diversion, this is how the State is trying to prove
8 their case. They're using the slight of hand, the
9 distraction and diversion to try and compensate the lack
10 of motive for their careless investigation and for the
11 complete absence of evidence.

12 Dakota Calhoun's death is a tragedy. No one here is
13 questioning that. Don't compound it and find, you need
14 to find Gabe Curry not guilty. The State has told you
15 this is a timeline case. They just spent the better part
16 of the last half hour going through the timeline. They
17 have to rely on that because that's all they have. They
18 have not provided you with any testimony or evidence of
19 any conflict between Gabe and Dakota. Neither Angela nor
20 anyone else that took that witness stand gave you one
21 reason why anyone, why Gabe would want to hurt Dakota or
22 Dakota would want to hurt Gabe.

23 In a timeline case much like a knitted sweater
24 requires everything to be perfectly in place. Pull on
25 one thread and it falls apart. In this case there are

1 many threads and a close inspection of any one of them, a
2 tug on any one of them unravels the case completely. My
3 biggest problem, biggest problem is that, with the
4 State's case, is that they have no evidence to show that
5 Dakota Calhoun is anything but alive and well when they
6 say that Gabe is driving. They rely on his love of
7 driving and they rely on saying that Gabe did not have
8 permission to use the car, but that does not make a
9 murder. It's a diversion. Just because they cannot
10 account for where he is, doesn't mean he's dead.

11 The State cannot determine a time of death. The
12 forensic pathologist told you they don't know, and that
13 means you cannot dismiss the possibility that Dakota is
14 walking and breathing during that part of the timeline.
15 The State's careless investigation goes beyond a failure
16 to look for a motive. To look to see who might have
17 wanted to hurt Dakota, but that's a great place to start.
18 To be human is to have conflict in your life. Some
19 conflicts run deeper than others, but when a person dies,
20 the State is tasked with finding out who did this. They
21 told you on the stand that learning who would have a
22 conflict and who would want to hurt, it's always the best
23 place to start developing a investigation and while it
24 appears the State did ask that initial question, there
25 was no follow up and there was no follow through.

1 Instead, they just jumped to a conclusion that Gabe
2 did this solely, solely because they were the last
3 person, he was the last person that they were able to
4 determine to be with him. What upsets me is that even
5 with that conclusion they jump to, they did not look for
6 any evidence that would support their theory. We've
7 heard testimony that Gabe was wearing two shirts on that
8 day. Where are they? Did they look for them? We heard
9 about the State conducting a search warrant looking high
10 and wide at [REDACTED] Mount Zion Road where Kirtrina Dixon
11 lived and they were able to get six cell phones, six cell
12 phones, but nothing else. No clothing. I don't see any
13 evidence that they looked for clothes. Worse, I don't
14 even see any evidence that they looked anywhere else.

15 And there was a bunch of primer residue, and their
16 expert says there's no time line for gunshot residue on
17 clothing or on shoes. They could have found it a day
18 later, two days later, three days later, or a week later.
19 It would still be there. They didn't look for it.

20 While I have a huge problem for that, I have an even
21 bigger problem with the - there is foreign third party
22 DNA underneath Dakota's fingernails. Who does that
23 belong to? They didn't even try to answer that question.
24 Under his fingernails could have come from scratching
25 someone, could have come from may not have been a

1 struggle, but just kind of, you know, a wrestling move or
2 just kind of a jostling. I am bothered because we don't
3 know whose DNA that is. And I'm even further bothered
4 because the State tries to explain it away as some
5 harmless factoid when it's not only evidence of
6 innocence, it's possibly evidence that there is somebody
7 else out there who's the killer.

8 The same is true with the fingerprints. They found
9 eight fingerprints in the car. We don't know whose they
10 are and in this courtroom we cannot make assumptions. We
11 cannot. Especially when it comes to the State's burden
12 of proof and the evidence that they had. We cannot
13 assume that those fingerprints belonged to anyone. We
14 cannot assume they just belong to one person. All we
15 know is that they did not belong to Gabe. They did not
16 belong to Dakota. That's what we know. That's what's
17 been proven. And my last complaint about their
18 investigation, not so much with what they didn't look for
19 or what they had and didn't search, what they did - what
20 they - with what they did with what they had. I'm
21 astounded that they lost the clothes that Dakota had on
22 him at the scene. They could have checked those clothing
23 for more foreign DNA. Maybe find more clues of who the
24 real killer is. And they had it. They had it from the
25 autopsy. They logged it in and then poof, it disappears.

1 Much like my co-counsel's magic trick at the beginning.

2 The fact that they cannot account for it is simply
3 inexcusable. This is a murder case. Someone died and
4 they're losing evidence. Completely inexcusable. The
5 bottom line is they really don't have any evidence. They
6 have no gun. They go out of their way to show that the
7 one gun they actually had that was logged into this
8 case is actually not related to this case, is not the
9 gun. No other gun was ever found and we still don't
10 know where the gun they had, where that gun was on
11 October 9th. There's no testimony. They found it in
12 December two months later.

13 And then the State tried to use Kirtrina to tell you
14 that Gabe threw a gun in the woods, but nothing was ever
15 found. And it would be difficult not to question her
16 testimony, A, given her disability but, B, the way the
17 police treated her. She is a vulnerable adult being
18 threatened with being charged with a crime, with having
19 her kid taken away. I wonder, it's not too much of a
20 stretch to say she just told them what she thought she
21 wanted them to hear. She was telling the very people who
22 were threatening, who had the very power to do what
23 they were threatening to do, what they wanted to hear.
24 Is that too much of a stretch?

25 And as for Mr. Nipper, how much weight can you

1 really give someone who tells you that some months, not
2 exactly how many, just sometime, that Gabe may have had a
3 gun. Even if you discount his checkered history which
4 you are under no obligation to do, does that, does that
5 really add anything?

6 And lastly we cannot rule out that the person who
7 actually shot Dakota was shorter than he was. The
8 forensic pathologist told you that Dakota Calhoun who is
9 60 inches long, five feet tall, was shot from the back to
10 front and slightly upwards. Can we really rule out the
11 possibility that the person who shot him was roughly the
12 same size, maybe even a little shorter? It's going
13 slightly upwards, looking straight ahead. That is
14 consistent with Gabe Curry's innocence.

15 Now, they never found Angela's cell phone. It's not
16 in evidence. The cell phone evidence that we have spent
17 all this morning on really doesn't show you anything.
18 Just because you are connecting to the tower that's
19 closest to the suspected location does not really put you
20 in a particular place. As you heard, there are many
21 factors that go into how that happens and location is
22 just one of them. It's the cell phone that chooses and
23 it chooses whatever is the strongest signal. We don't
24 have GPS coordinates which would give longitude and
25 latitude to within probably a couple of feet. We don't

1 have range to tower which can put the cell phone within a
2 certain amount of feet to the signal. The only thing
3 they can say is that's what the cell phone is not able to
4 connect to.

5 Now, in a moment you're gonna hear about the law and
6 everything that the Judge says is important so pay
7 attention. Pay particular attention to what reasonable
8 doubt is. Pay close attention to how you are to resolve
9 any uncertainties, who gets the benefit of the doubt.
10 The presumption of innocence requires you by the oath you
11 have taken to resolve each and every one of those doubts
12 in favor of Gabe Curry.

13 Dakota Calhoun's death is tragic and the State's
14 story about how they think it happened is just that.
15 It's a story. It's slight of hand. It's distraction and
16 diversion, a diversion from what they don't have and
17 they're not able to pull a rabbit out of their hat. They
18 don't have a motive. They don't have a thorough
19 investigation and they don't have evidence. There is
20 evidence that shows that Gabe Curry is not guilty. I'm
21 asking you don't compound this tragedy. Find Gabe Curry
22 not guilty.

23 THE COURT: Ladies and gentlemen of the jury, I want
24 you to stand up and take a stretch break. Move around if
25 you need to to get the blood flowing. All right. Once

1 you've done that, please take your seat for me.

2 Foreman and members of the jury, you have heard the
3 testimony and evidence and arguments of the State and the
4 defendant. I will now explain to you the law that
5 applies to this case.

6 Under the Constitution and laws of South Carolina,
7 you are the finders of the facts in this case. I do not
8 have any right - excuse me - I do not have the right to
9 pass upon the facts or even to express any opinion I
10 might have as to them. This is a matter solely for you,
11 the jury, to determine. As jurors, then, it is your duty
12 to determine the effect, the value, the weight, and the
13 truth of the evidence presented during this trial.

14 As the trial Judge, it is my responsibility to
15 preside over the trial of this case, and I also have the
16 duty to rule upon the admissibility of the evidence
17 offered during this trial. You are to consider only the
18 evidence which has been presented from this witness stand
19 together with any exhibits which may have been made
20 a part of the record in this case and any stipulations of
21 counsel made into the record.

22 I have the additional duty to charge you the law
23 applicable to this case, and as the presiding Judge, I am
24 the sole Judge of the law in this case. It is your duty
25 as jurors to accept and apply the law as I state it to

1 you and then reach your verdict. And finally, I charge
2 you in this regard that you should not be concerned with
3 what you think the law ought to be, but what I charge you
4 the law to be.

5 You are also the judges, the sole judges of the
6 credibility, that is the believability, of the witnesses
7 who have testified in this case. And in passing upon
8 their credibility you may take into consideration many
9 things, such as: Their demeanor or manner of testifying,
10 whether the witness had reason to be biased or
11 prejudiced, whether a witness' testimony was
12 contradicted, on the one hand, or supported and
13 corroborated, on the other hand: Or whether you believe
14 the witness has made prior inconsistent statements.

15 You may believe a small portion of a witness'
16 testimony and disregard the larger, or vice versa. You
17 may believe one witness against many, or many against
18 one. All of these things you will consider, bearing in
19 mind that you should give the defendant the benefit of
20 any reasonable doubt. It becomes your duty as jurors to
21 analyze and to evaluate the evidence and determine that
22 evidence which convinces you of its truth.

23 The rules of evidence ordinarily do not permit
24 witnesses to testify to opinions or conclusions. An
25 exception to this rule exists for witnesses that we call

1 "expert witnesses". A witness who, by education and
2 experience, has become an expert in some art, science,
3 profession, or calling may state an opinion as to
4 relevant and material matter in which the witness claims
5 to be an expert, and may also state the reasons for the
6 opinion.

7 You should consider any expert opinion received in
8 evidence in this case and, like any other evidence, give
9 it the weight you think it deserves. If you decide that
10 the opinion of an expert witness is not based on
11 sufficient education and experience, or if you conclude
12 that the reasons given in support of the opinion are not
13 sound, or that the opinion is outweighed by other
14 evidence, you may disregard the opinion entirely.

15 An expert witness' testimony is to be given no
16 greater weight than that of other witnesses simply
17 because the witness is an expert. Further, you are not
18 required to accept an expert's opinion, even though it is
19 not contradicted.

20 A stipulation is an agreement, admission or
21 concession made in judicial proceedings by the parties
22 thereto or their attorneys. Stipulations are binding
23 upon those who make them. A stipulation is an agreement,
24 an understanding. The Court and jury must accept
25 stipulations as binding upon the parties. If counsel for

1 the parties have stipulated to any fact, or any fact has
2 been admitted by counsel, you will regard that fact as
3 being conclusively proved as to the party or parties
4 making the stipulation or admission.

5 There are two types of evidence which are generally
6 presented during a trial, direct evidence and
7 circumstantial evidence.

8 Direction evidence is the testimony of a person who
9 claims to have actual knowledge of a fact, such as an
10 eyewitness.

11 Circumstantial evidence is proof of a chain of facts
12 and circumstances indicating the existence of a fact.

13 The law makes absolutely no distinction between the
14 weight or value to be given to either direct or
15 circumstantial evidence. Nor is a greater degree of
16 certainty required of circumstantial evidence than of
17 direct evidence. You should weigh all of the evidence in
18 the case. After weighing all the evidence, if you are
19 not convinced of the guilt of the defendant beyond a
20 reasonable doubt, you must find the defendant not guilty.

21 The fact that the defendant was arrested, charged,
22 and indicted in this case is not evidence and cannot be
23 considered by you as evidence of guilt in this case, nor
24 does it create any presumption or inference of guilt.
25 This document is simply the formal written instrument

1 which contains the charge made against the defendant. It
2 is the formal document by which this case is brought into
3 this courtroom.

4 The defendant has pled not guilty to this
5 indictment, and that places the burden on the State to
6 prove the defendant guilty. A person charged with
7 committing a criminal offense in South Carolina is never
8 required to prove himself innocent.

9 I charge you that it is an important rule of the law
10 that the defendant in a criminal trial, no matter what
11 the seriousness of the charge may be, will always be
12 presumed to be innocent for the crime for which the
13 indictment was issued unless guilt has been proven by
14 evidence satisfying you, the jury, of that guilt beyond a
15 reasonable doubt. This presumption of innocence does not
16 end when you begin your deliberations, but it accompanies
17 the defendant throughout the trial until you reach a
18 verdict of guilt based on evidence satisfying you of that
19 guilt beyond a reasonable doubt.

20 The presumption of innocence is like a robe of
21 righteousness placed about the shoulders of the defendant
22 which remains with the defendant until it has been
23 stripped from the defendant by evidence satisfying you of
24 the defendant's guilt beyond a reasonable doubt. The
25 presumption of innocence is not a mere legal theory. It

1 is not just a legal phrase. It is a substantial right to
2 which every defendant is entitled unless you, the jury,
3 are satisfied from the evidence of the defendant's guilt
4 beyond a reasonable doubt.

5 The State has the burden of proving the defendant
6 guilty beyond a reasonable doubt. Some of you may have
7 served as jurors in civil cases, where you were told that
8 it is only necessary to prove that a fact is more likely
9 true than not true such as by the greater weight or
10 preponderance of the evidence. In criminal cases the
11 State's proof must be more powerful than that. It must
12 be beyond a reasonable doubt.

13 Proof beyond a reasonable doubt is proof that leaves
14 you firmly convinced of the defendant's guilt. There are
15 very few things in this world that we know with absolute
16 certainty, and in criminal cases the law does not require
17 proof that overcomes every possible doubt. If, based on
18 your consideration of the evidence, you are firmly
19 convinced that the defendant is guilty of the crime
20 charged, you must find the defendant guilty. If on the
21 other hand, you think there is a possibility that the
22 defendant is not guilty, you must give the defendant the
23 benefit of the doubt and find him not guilty.

24 The indictment in this case alleges one offense
25 against the defendant. The charge is: Murder.

1 The defendant is charged with murder. The State
2 must prove beyond a reasonable doubt that the defendant
3 killed another person with malice aforethought.

4 Malice is hatred, ill will, or hostility toward
5 another person. It is the intentional doing of a
6 wrongful act without just cause or excuse and with an
7 intent to inflict an injury or under circumstances that
8 the law will infer as evil intent.

9 Malice aforethought does not require that malice
10 exists for any particular time before the act is
11 committed, but malice must exist in the mind of the
12 defendant just before and at the time of when the act is
13 committed. Therefore, there must be a combination of the
14 previous evil intent and the act.

15 Malice aforethought may be express or inferred.
16 These terms, "express" and "inferred" do not mean a
17 different kind of malice, but merely the manner in which
18 malice may be shown to exist. That is either by direct
19 evidence or by inference from the facts and circumstances
20 which are proved. Express malice is shown when a person
21 speaks words which express hatred or ill will for another
22 or when a person prepared beforehand to do the act which
23 was later accomplished; for example, lying in wait for a
24 person or any other acts of preparation going to show
25 that the deed was within the defendant's mind would be

1 express malice.

2 Malice may be inferred from conduct showing a total
3 disregard for human life.

4 I instruct you and emphasize that the fact the
5 defendant did not testify is not a factor to be
6 considered by you in any way in your deliberation and in
7 your consideration on the question of the guilt or
8 innocence of the defendant. It must not be considered by
9 you in any manner whatsoever. A defendant has the
10 Constitutional right to remain silent, and the assertion
11 of this right must not be considered by you in your
12 deliberations. I repeat, under your oath, you are to
13 draw no conclusion whatsoever from the fact that the
14 defendant in this case did not testify. The fact that
15 this defendant did not testify should not even be
16 discussed in the jury room. The burden of proof, as I
17 have stated to you, is on the State. The defendant is
18 not required to prove his innocence. The burden of proof
19 remains on the State to prove guilt beyond a reasonable
20 doubt.

21 Now, you have been chosen and sworn to give the
22 parties a fair and impartial trial. When you have done
23 so, you will have complied with your oath and no one will
24 have the right to criticize your verdict. You must not
25 be influenced by opinions or expressions of opinions you

1 may have heard outside of the courtroom, but rather
2 should base your verdict solely on the testimony of the
3 sworn witnesses who took the stand, the exhibits received
4 into evidence, and the law which I have stated. Caprice,
5 passion, prejudice, or improper sympathy for or against
6 anyone should not sway you. Remember, you have no
7 friends to reward or enemies to punish and all parties
8 are entitled to a fair and impartial trial.

9 It is your duty as jurors to consult with one
10 another and to deliberate in an effort to reach an
11 agreement. Each of you must decide this case for
12 yourself but only after the impartial consideration of
13 all the evidence with your fellow jurors.

14 In the course of your deliberations, do not hesitate
15 to re-examine your own views and change your opinion if
16 you become convinced it is erroneous. However, do not
17 surrender your honest conviction as to the weight or
18 effect of the evidence solely because of the opinion of
19 your fellow jurors or for the mere purpose of returning a
20 verdict.

21 All right. I want y'all to stand up real quick.
22 Get another stretch. We're almost done. All right.
23 Please have a seat for me.

24 As I stated earlier, you are the judges, the judges
25 of the facts. Your verdict must represent the considered

1 judgment of each juror. In other words, your verdict
2 must be unanimous.

3 Now you may have noticed that I have read these
4 instructions. I do so to give you the law as accurately
5 as possible. I will give you a copy of these
6 instructions as a whole. Excuse me. I will give you a
7 copy of these instructions to have in the jury room. You
8 may refer to these instructions as a whole and may not
9 follow some and ignore others.

10 Mr. Foreman, it will be your duty to preside over
11 the deliberations of the jury. If, during your
12 deliberations, you should desire to communicate with the
13 Court, please reduce your message or question to writing
14 signed by you and you only, and pass the note to the
15 bailiff who will bring it to my attention. I will then
16 respond as promptly as possible, either in writing or by
17 having you return to the courtroom. I caution you,
18 however, with regard to any message or question that you
19 might send, that you should never state or specify your
20 numeral division at that time.

21 Now, you have heard the evidence and you have heard
22 the law. Whatever your verdict, Mr. Foreman, you will
23 indicate the verdict on the verdict form and you will
24 sign and you will date the verdict form.

25 Remember that although the foreman is the only juror

1 who writes the verdict, it is not his alone. The verdict
2 has to be unanimous. Mr. Foreman, you are not authorized
3 to write the verdict until all of you have agreed on the
4 verdict.

5 Now, ladies and gentlemen, I will send you to your
6 jury room, but do not begin discussing this case until
7 you receive a copy of this jury charge as well as the
8 exhibits. Once you receive these things, that will be
9 your signal to begin your deliberations.

10 Once you begin deliberations, you will deliberate
11 until you have reached a verdict, at which time you will
12 knock on the door, advise the bailiff, and we will bring
13 you out to receive your verdict.

14 Mr. Foreman, here is a copy of the verdict form
15 which I will also send back with the jury instructions.
16 You will see the verdict form reads, we, the jury, by
17 unanimous consent find the defendant, Gabriel Curry, on
18 the charge of murder, and your choices are down below,
19 not guilty or guilty. There is no preference as to
20 putting not guilty first or guilty first. It's simply a
21 form where we have to put two choices.

22 All right. At this time I'll make my way back up
23 and we will excuse the jury. If you will bring them out
24 when I get back. All right. Please excuse the jury. Do
25 not begin deliberations until I instruct you to do so.

1 (Whereupon, the jury entered the jury room at 2:27
2 p.m.)

3 THE COURT: Before I remove the alternates, I will
4 give you all a chance to object to anything I have said
5 in the charge and the instructions. Does the State
6 object to anything at this time?

7 MR. DRYLIE: No, Your Honor.

8 THE COURT: Does the defense object to anything?

9 MR. CHEHOSKI: No, Your Honor.

10 THE COURT: All right. Mr. Bailiff, at this time
11 can you pull the three alternates.

12 (Whereupon, deliberations by the jury started at
13 2:40 p.m.)

14 (Deliberations break.)

15 THE COURT: We'll go back on the record briefly.

16 MR. MADSEN: We probably need him. I think they're
17 getting him, right? I'm sorry.

18 THE COURT: Okay. All right. Briefly back on the
19 record, we have received a request from the jury and I'll
20 mark it as a Court's Exhibit once I'm done. Can we get a
21 list of witnesses for the full three days. The second
22 request, can we be given a computer for viewing the
23 videos. It's my understanding that a laptop will be
24 provided to them and we are compiling a list of the
25 witnesses that actually gave testimony and we will send

1 that back with the computer to the jury.

2 Mr. Chehoski, Ms. Fuller, Mr. Drylie, or Mr. Madsen,
3 we will just confirm with you that those are, in fact,
4 the witnesses that did testify and that this is an
5 exhaustive list. We will stand down until we get another
6 question.

7 (Whereupon, Court's Exhibit #12 marked for
8 identification.)

9 (Deliberations break.)

10 THE COURT: We have a question from the jury. We
11 have a question from the jury about the jury charges.
12 How does a fact play into circumstantial evidence,
13 existence of a fact? Page 6, sentence 3. I believe that
14 the jury wants to know, wants a simpler definition of
15 what circumstantial evidence is. The jury instructions
16 -- Do you have a copy?

17 THE CLERK: Yes. I do. Let me pull it up.

18 THE COURT: I believe the sentence is,
19 circumstantial evidence is proof of a chain of facts and
20 circumstances that lead indicating the existence of a
21 fact and I think that is -- Well, I believe that is where
22 the jury is having some questions so I can offer another,
23 a simpler definition of circumstantial evidence.
24 Circumstantial evidence is, circumstantial evidence can
25 be a number of facts and circumstances that point to the

1 presence of a fact. It's just indicating, it's a very
2 direct sentence. I'm not quite -- Circumstantial
3 evidence is proof of a chain of facts and circumstances
4 indicating the existence of a fact.

5 MS. FULLER: Your Honor, you're saying you have to
6 have something simpler than that?

7 THE COURT: No. I was attempting to come up with
8 something simpler than this.

9 MR. DRYLIE: Circumstantial is a chain of
10 circumstances that tend to indicate the existence of a
11 fact.

12 MR. MADSEN: Seems pretty simple.

13 THE COURT: I don't know an alternative definition
14 that is simpler than this one.

15 MS. FULLER: There's one other, it gives rise to a
16 logical inference that a fact exists.

17 MR. CHEHOSKI: It's indirect evidence that does not
18 on its face prove a factual issue but gives rise to a
19 logical inference the fact exists. Same website.

20 MS. FULLER: The Court has one, right?

21 THE COURT: Gives rise to a logical -- One more
22 time?

23 MR. CHEHOSKI: Does not on its face prove a fact in
24 issue but gives rise to a logical inference that the fact
25 exists.

1 MS. FULLER: You want me to email it to you?

2 THE COURT: I'm just going to give it back to them
3 in writing. Circumstantial evidence is a set of facts or
4 circumstances that give rise to a logical inference that
5 the fact exists.

6 MS. FULLER: Again, that's a modified version of
7 what we both just read, but I think we're okay with that.
8 Can you say it one more time, Judge?

9 THE COURT: Circumstantial evidence is a set of
10 facts or circumstances that gives rise to a logical
11 inference that a fact exists.

12 MS. FULLER: Okay. Yeah. I'm fine with that.

13 MR. CHEHOSKI: Yeah. I'm okay with it, Judge.

14 THE COURT: If you have something that you think
15 would be possibly easier.

16 MR. CHEHOSKI: I guess my concern is that in what
17 you're saying it gives rise to a logical inference a fact
18 exists. I feel like it's incomplete. I mean, the whole
19 sentence says circumstantial evidence is indirect
20 evidence that does not on its face prove a fact at issue,
21 but gives rise to a logical inference that the fact
22 exists.

23 THE COURT: Correct.

24 MS. FULLER: Judge, I was going to email it to you
25 so you can see it.

1 THE COURT: Yes, ma'am. That will work for me.

2 MS. FULLER: Does your email work?

3 THE COURT: Yes. I just cannot send email.

4 MR. MADSEN: I would say, Judge, what you charged is
5 actually the identical instruction in the Anderson
6 charge.

7 THE COURT: Say that one more time.

8 MR. MADSEN: It's the identical instruction.
9 Circumstantial evidence is a proof of facts and
10 circumstances indicating the existence of a fact, and
11 that is from Judge Anderson's charge book.

12 THE COURT: The intent is not to confuse the jury
13 further. Thank you. Ms. Fuller, I'll go with the
14 complete definition and if there is another question --

15 MS. FULLER: I copied and pasted the whole thing,
16 the one that Jason wanted on circumstantial evidence
17 requires drawing intentional or reasonable -- I don't
18 think that's what we're talking about. I just copied the
19 whole thing, but it's just that first sentence.

20 THE CLERK: That was the one off Cornel. I've
21 copied and pasted them onto a word document so I can
22 print it up.

23 THE COURT: Thank you. We will make this a Court's
24 Exhibit. This will be Court's Exhibit 13.
25 Circumstantial evidence is indirect evidence that does

1 not on its face prove a fact in issue, but gives rise to
2 a logical inference that the fact exists. I'm gonna take
3 out the last sentence. We don't need that.

4 THE CLERK: Okay. You can trash that one then.

5 THE COURT: All right. We will send this back to
6 the jury.

7 MR. MADSEN: Judge, can you just read it so that we
8 can hear it, just the final version.

9 THE COURT: Absolutely. Circumstantial evidence is
10 indirect evidence that does not on its face prove a fact
11 at issue, but gives rise to a logical inference that the
12 fact exists.

13 MR. MADSEN: Thank you.

14 (Whereupon, Court's Exhibit #13 marked for
15 identification.)

16 THE COURT: All right. We will stand down unless
17 there's another question.

18 (Verdict at 5:20 p.m.)

19 THE COURT: It has been brought to my attention we
20 have a verdict so I will bring the jury out and we will
21 hear the verdict.

22 (Whereupon, the jury entered the courtroom at 5:25
23 p.m.)

24 THE COURT: Mr. Foreman, it is my understanding that
25 you have reached a verdict?

1 FOREPERSON: Yes, ma'am. We have.
2 THE COURT: Is that verdict unanimous?
3 FOREPERSON: Yes, ma'am.
4 THE COURT: Have you signed the verdict form?
5 FOREPERSON: Yes, ma'am. I have.
6 THE COURT: Have you dated the verdict form?
7 FOREPERSON: Yes, ma'am. I have.
8 THE COURT: Please hand the verdict to the bailiff
9 please.
10 FOREPERSON: (Complies.)
11 THE COURT: You may publish.
12 THE CLERK: Will the defendant please stand.
13 DEFENDANT: (Complies.)
14 THE CLERK: The State of South Carolina, County of
15 Edgefield, State of South Carolina versus Gabriel Curry
16 in the Court of General Sessions, indictment number
17 2019-GS-19-00034, verdict form, we, the jury, by
18 unanimous consent find the defendant, Gabriel Curry, on
19 the charge of murder guilty.
20 THE COURT: Does anyone wish to poll the jury?
21 MR. CHEHOSKI: Yes, Your Honor.
22 THE COURT: Please poll the jury.
23 THE CLERK: Yes, ma'am. The verdict of the jury
24 reported to this court was guilty. Was this your verdict
25 in the jury room and is this still your verdict, Lesley

1 gentlemen of the jury, I want to thank you for your jury
2 service this week and we appreciate everything you have
3 done for us in taking the time with the trial. At this
4 time I will have the bailiff to escort you out. If you
5 need a work excuse or school excuse, that will be
6 provided to you. Thank you again. Bailiff, please
7 escort the jury out.

8 THE CLERK: I'm just going to get the foreperson to
9 sign the indictment real quick too.

10 THE COURT: Yes, sir. All right. Please be seated.
11 Mr. Drylie, is the State ready to enter the sentencing
12 portion?

13 MR. DRYLIE: In just one minute, Your Honor. We're
14 gonna go generate a sentencing sheet.

15 MR. MADSEN: And, Judge, I think I need to put some
16 motions on the record.

17 THE COURT: Absolutely.

18 MR. MADSEN: Judge, we would move for a new trial at
19 this point in time. We would renew all objections, our
20 directed verdict motion, request for suppression of the
21 search warrant and items in violation of due process,
22 Rule 5. We do not believe that there was substantial
23 circumstantial evidence in this case sufficient for a
24 jury to find Gabe guilty beyond a reasonable doubt, so we
25 renew all those motions, Your Honor.

1 THE COURT: Any response?

2 MS. FULLER: Your Honor, the same arguments that I
3 made at the directed verdict stage, Your Honor, there was
4 substantial circumstantial evidence and I think the
5 jury's verdict is appropriate.

6 THE COURT: All right. Your motion for a new trial
7 at this time is denied. Thank you. All right. Are
8 there any other motions from the defense?

9 MR. MADSEN: No, Your Honor.

10 THE COURT: Thank you. Is defense ready to enter
11 into the sentencing phase?

12 MR. CHEHOSKI: Yes, Your Honor.

13 THE COURT: All right. Does the State have any
14 recommendations or any other presentation?

15 MR. DRYLIE: Judge, I believe the brother of the
16 victim Dallas Calhoun would like to address the Court.

17 THE COURT: Mr. Calhoun.

18 MR. DRYLIE: I'll just say for the record Dakota's
19 mom, Angela, has been here the entire week supporting
20 this.

21 THE COURT: Mr. Calhoun.

22 DALLAS CALHOUN: Yeah. I mean, well, I just wanted
23 to let you know how what you did affected our family,
24 man, a lot and your family too and we love your whole
25 family still, but you deserve to be punished for it

1 THE COURT: Mr. Madsen, let me say to you that any
2 additional investigation of Mr. Curry is not a
3 consideration for the Court at this time.

4 MR. MADSEN: Thank you, Your Honor.

5 MS. FULLER: And, Your Honor, I just wanted to be
6 clear, I wasn't asking you to consider it, just usually
7 when a case is wrapped up, I always state on the record
8 if there is something still pending.

9 THE COURT: All right. And so that is noted for the
10 record, but I do want to make sure that it is reflected
11 that I am not taking into consideration the information
12 that you gave me regarding any pending charges. I am
13 here to sentence Mr. Curry on this charge alone.

14 MR. MADSEN: Thank you, Your Honor.

15 THE COURT: Mr. Curry has credit for 1343 days; is
16 that correct, sir?

17 MR. CHEHOSKI: That's correct.

18 THE COURT: All right, Mr. Curry. Let me first say
19 that I'm sorry to the family as a whole for the loss of
20 Dakota and I have had an opportunity to listen to all of
21 the evidence that was presented and taking that into
22 consideration along with the jury's verdict of guilty, I
23 am sentencing Mr. Curry to the State Department of
24 Corrections for a term of 38 years. He will receive
25 credit for the time that he served in the amount of 1343

1 days. Good luck to you, Mr. Curry. Thank you.

2 MS. FULLER: Thank you, Your Honor.

3 MR. DRYLIE: Thank you, Your Honor.

4 MR. MADSEN: Thank you, Your Honor.

5 MR. CHEHOSKI: Thank you, Your Honor.

6 (Whereupon, the trial was concluded.)

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25

WITNESSES

Edgefield County Sheriff's Department

James C Smith

Law Enforcement Case #: 1810158

REM

ARREST WARRANT NUMBER

2018A1910100448

ACTION OF GRAND JURY

RUE BILL

Foreperson of Grand Jury

Date:

JAN 2 8 2019

VERDICT

Guilty

Foreperson of Petit Jury

Date:

DOCKET NO. 2019GS1900034

The State of South Carolina

County of Edgefield

COURT OF GENERAL SESSIONS

JANUARY TERM 2019

THE STATE

vs.

Gabriel Dantray Curry

CDR #: 0116

Indictment for

MURDER

§ 16-03-0010

S.R. Hubbard III, SOLICITOR

RECEIVED
JUL 12 2022
SC Court of Appeals

THE ABOVE IS A TRUE COPY OF THE ORIGINAL
WHICH IS ON FILE IN THE OFFICE OF THE
CLERK OF COURT OF EDGEFIELD COUNTY, SC

Charles L. Reel

CHARLES L. REEL, CLERK OF COURT
OF GENERAL SESSIONS AND
COMMON PLEAS, E.C.S.C.

7/18/2022
DATED

STATE OF SOUTH CAROLINA)
)
COUNTY OF EDGEFIELD)
)

INDICTMENT FOR
MURDER

§ 16-03-0010

At a Court of General Sessions, convened on JANUARY 2019, the Grand Jurors of Edgefield County present upon their oath:

That **Gabriel Dantray Curry** did in Edgefield County on or about October 9, 2018, willfully, feloniously and with malice aforethought kill one Dakota Calhoun by shooting him in the head with a firearm, in violation of § 16-3-10, Code of Laws of South Carolina, 1976, as amended.

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



ASSISTANT SOLICITOR

FBI CELLULAR ANALYSIS SURVEY TEAM



SA Mathew J. Wilde
FBI Headquarters
State vs Gabriel Curry
(803) 624-8898 – T-Mobile
(803) 221-5170 – T-Mobile
June 20, 2022

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1. Background

The Federal Bureau of Investigation (FBI) Cellular Analysis Survey Team (CAST) was requested by the 11th Circuit Solicitor's Office to analyze cell phone records for (803) 624-8898 and (803) 221-5170 ("target cell phones"). The target cell phones are believed to be associated with a homicide which occurred on October 9, 2018.

2. Methodology

An analysis was performed on the call detail records obtained for the target cell phones. The call detail records documented the network interaction to and from the target cell phones. Additionally, the records documented the cell tower and cell sector ("cell site") which served the cell phone during this activity. Used in conjunction, the call detail records and a list of cell site locations illustrate an approximate location of the target cell phones when they initiated contact with the network.

2.1 Cell Site Locations

Cell sites in existence during the time of the incident were input into mapping software using latitude/longitude coordinates of the cell sites provided by the service provider. The cell sites associated with the target cell phones were located utilizing the mapping software and the plotted cell site data.

3. Conclusions

A historical cell site analysis was performed on the call detail records for the target cell phones. The methods detailed in Sections 2 and 2.1 were used to produce the attached historical cell site analysis maps.

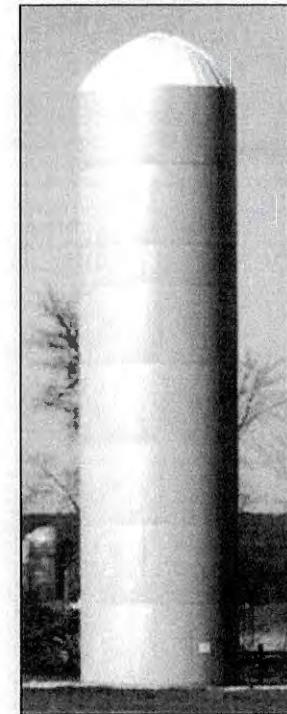
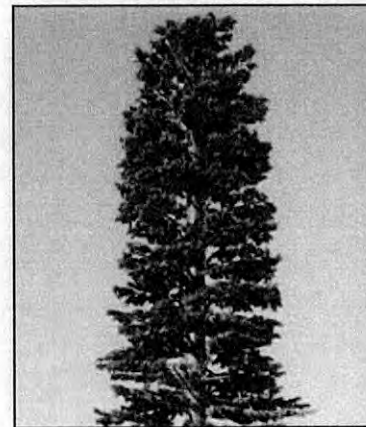
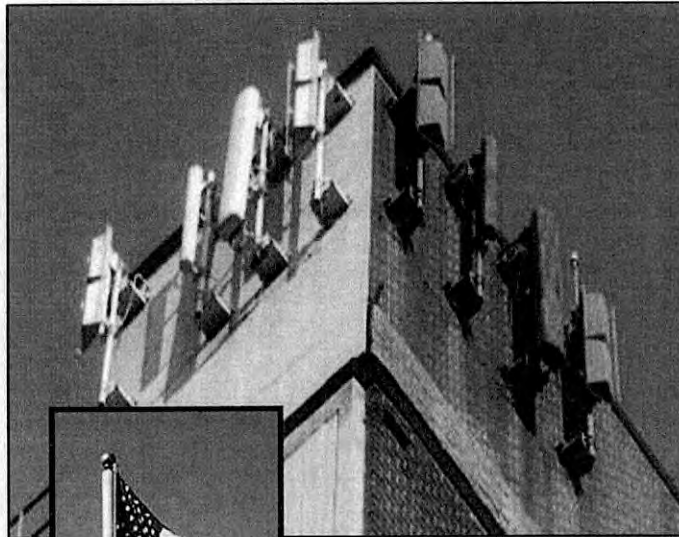
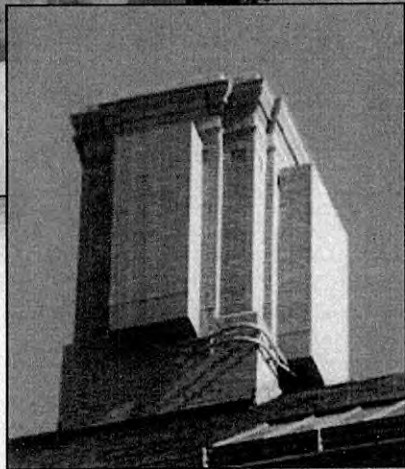
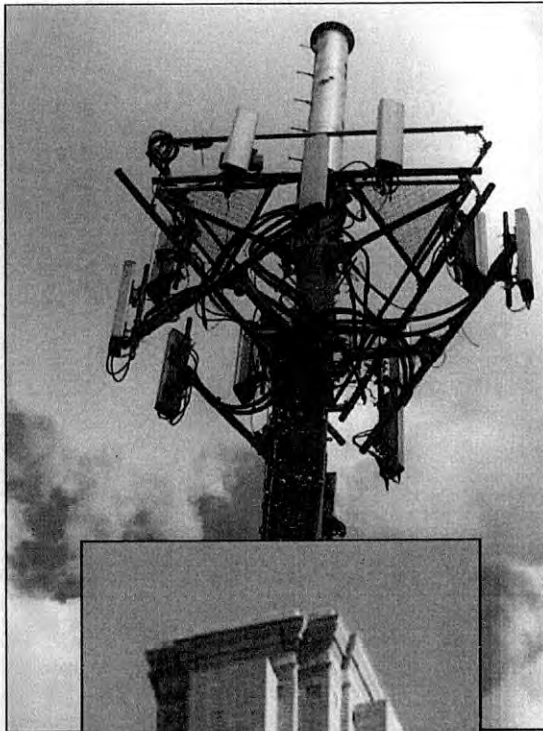
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CELL TOWER EXAMPLES



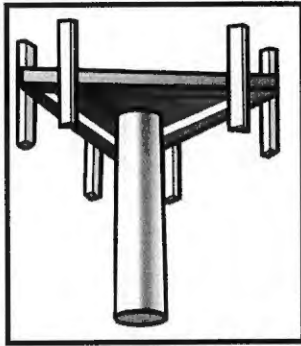
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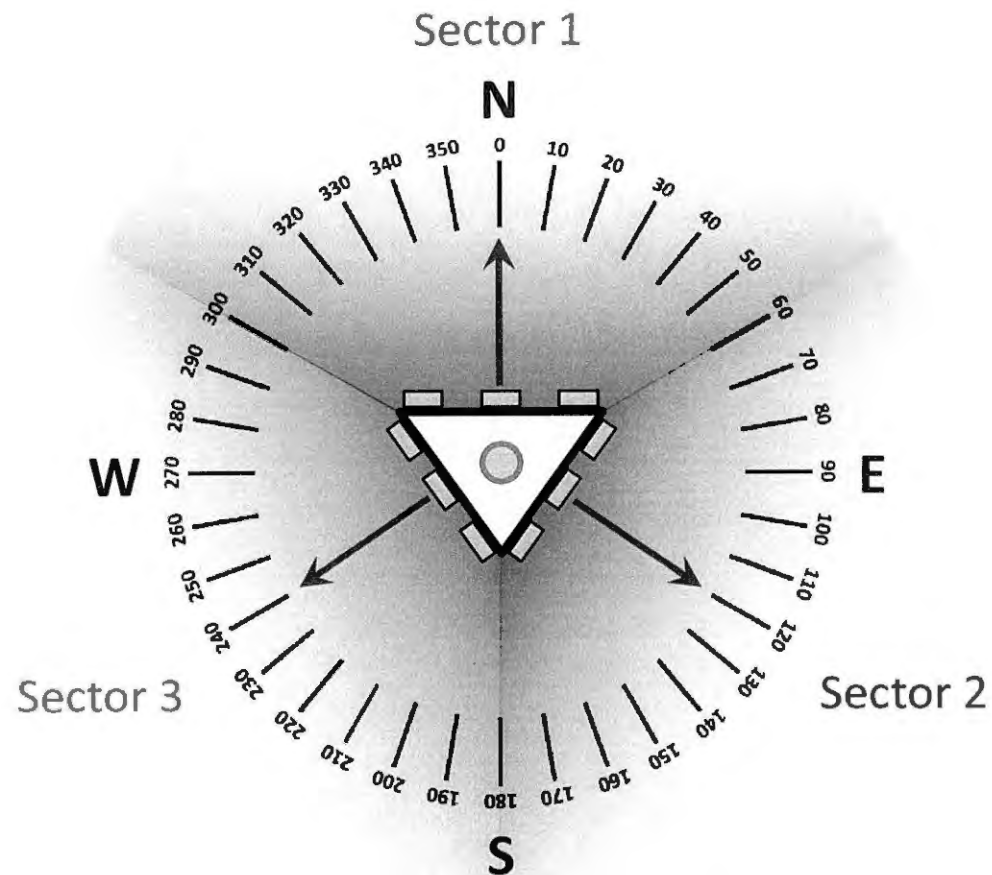
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SECTORS AND ORIENTATION



- Typical towers are configured with 3 sectors
- The center of each sector is identified by an azimuth
- Unless otherwise noted, each sector covers approximately 120°



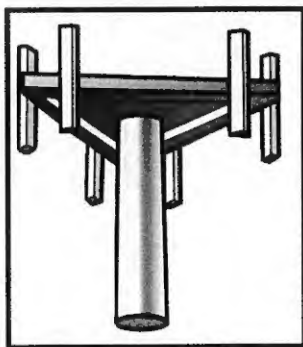
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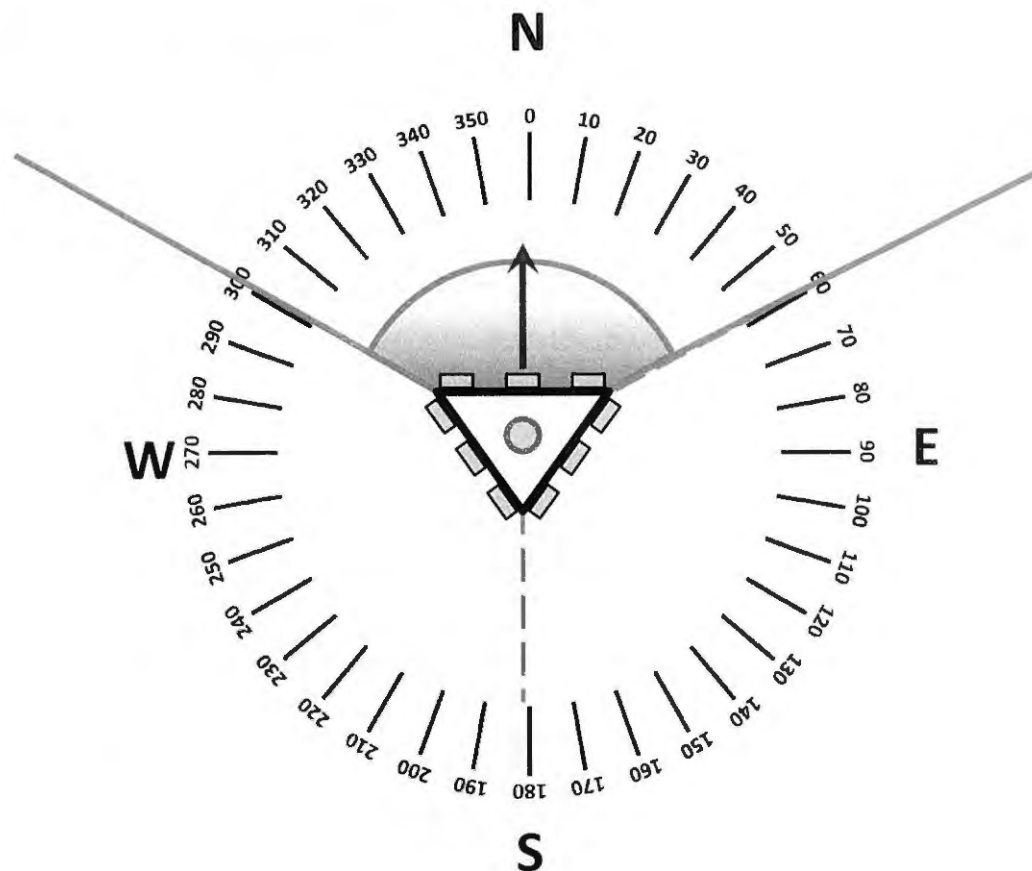
SECTOR ILLUSTRATION



554



- Displayed as a wedge with a shaded arc
- The shaded arc solely indicates the general direction of radio frequency signal
- Sector orientation will vary by cell site and service provider



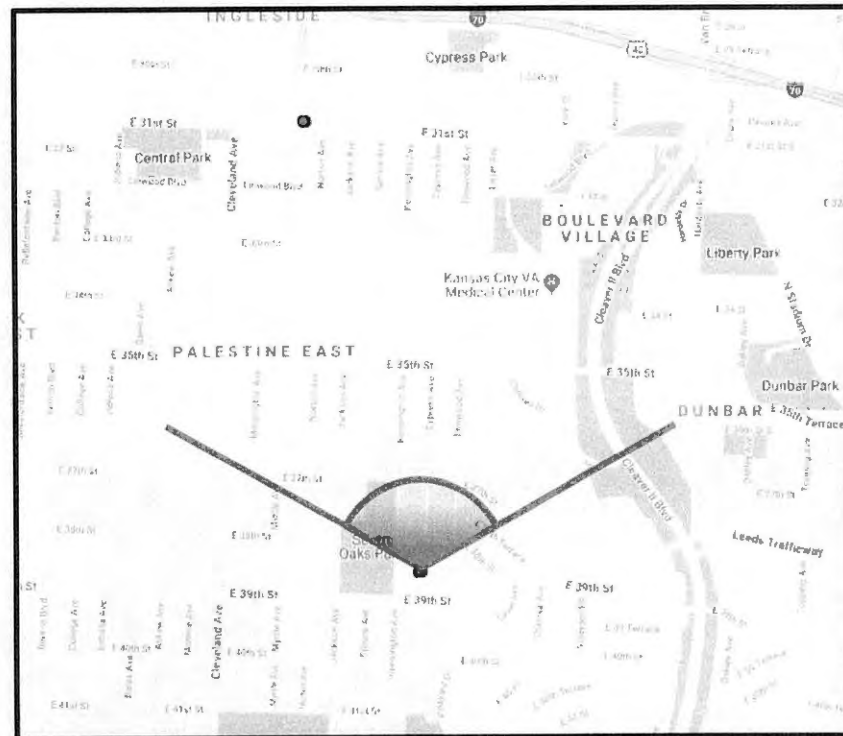
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SECTOR MAPPING ILLUSTRATION



- When displayed on a map, a sector illustration shows the general area of coverage as it relates to a specific geographic area and indicates incoming or outgoing call activity



Intellectual property of the FBI Cellular Analysis Survey Team, reproduction in whole or in part is prohibited

COPY

Legend

Crime Scene
243 Sandy Springs Road,
Trenton, SC 29847

Angela Barger's Home
2880 Country Club Hills Dr,
N. Augusta, SC 29860

Kirtrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

Marcus Robinson's Home
110 Culley Street,
North Augusta, SC 29841

Dollar General
195 Market Plaza Drive,
North Augusta, SC 29860

Greg's Gas Plus
1295 W. Martintown Rd,
North Augusta, SC 29841

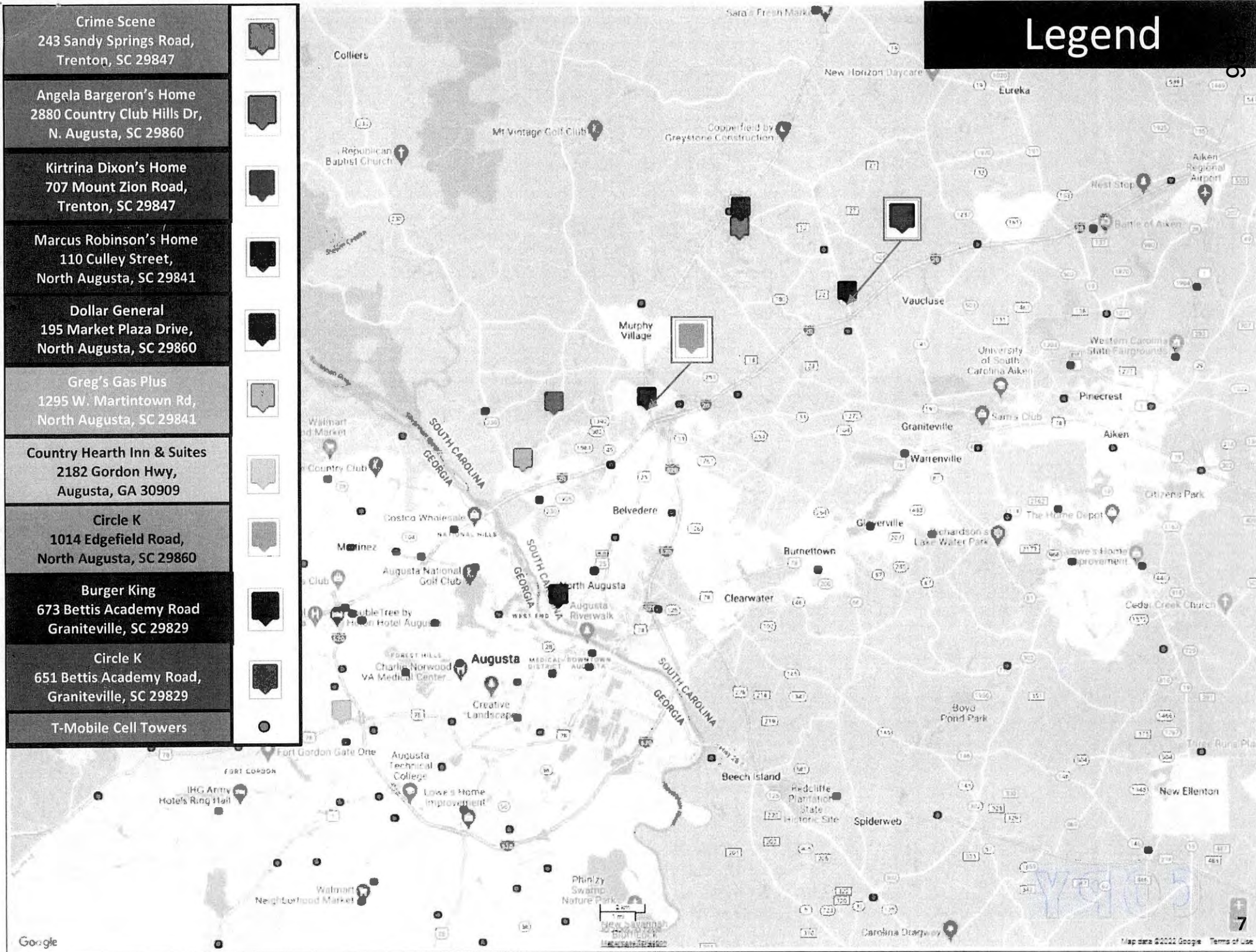
Country Hearth Inn & Suites
2182 Gordon Hwy,
Augusta, GA 30909

Circle K
1014 Edgefield Road,
North Augusta, SC 29860

Burger King
673 Bettis Academy Road
Graniteville, SC 29829

Circle K
651 Bettis Academy Road,
Graniteville, SC 29829

T-Mobile Cell Towers



Kirtrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

Dollar General
195 Market Plaza Drive,
North Augusta, SC 29860

T-Mobile Cell Towers

(803) 624-8898

(803) 221-5170

ENB: 73945

10/09/2018
12:17:17 PM
12:30:40 PM
12:41:53 PM
12:43:13 PM
12:45:30 PM
12:45:57 PM
1:14:36 PM
1:50:58 PM

ENB: 70838

10/09/2018
1:24:21 PM -1
1:25:58 PM -1
1:32:53 PM -1
1:40:29 PM -1
1:43:23 PM -2

ENB: 72811

10/09/2018
12:09:22 PM
1:11:30 PM
1:12:11 PM
1:13:28 PM
1:13:36 PM
1:15:03 PM

October 9, 2018 12:09 PM – 1:50 PM

Dollar General
195 Market Plaza Drive,
North Augusta, SC 29860

Kirtrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

T-Mobile Cell Towers

(803) 624-8898

558

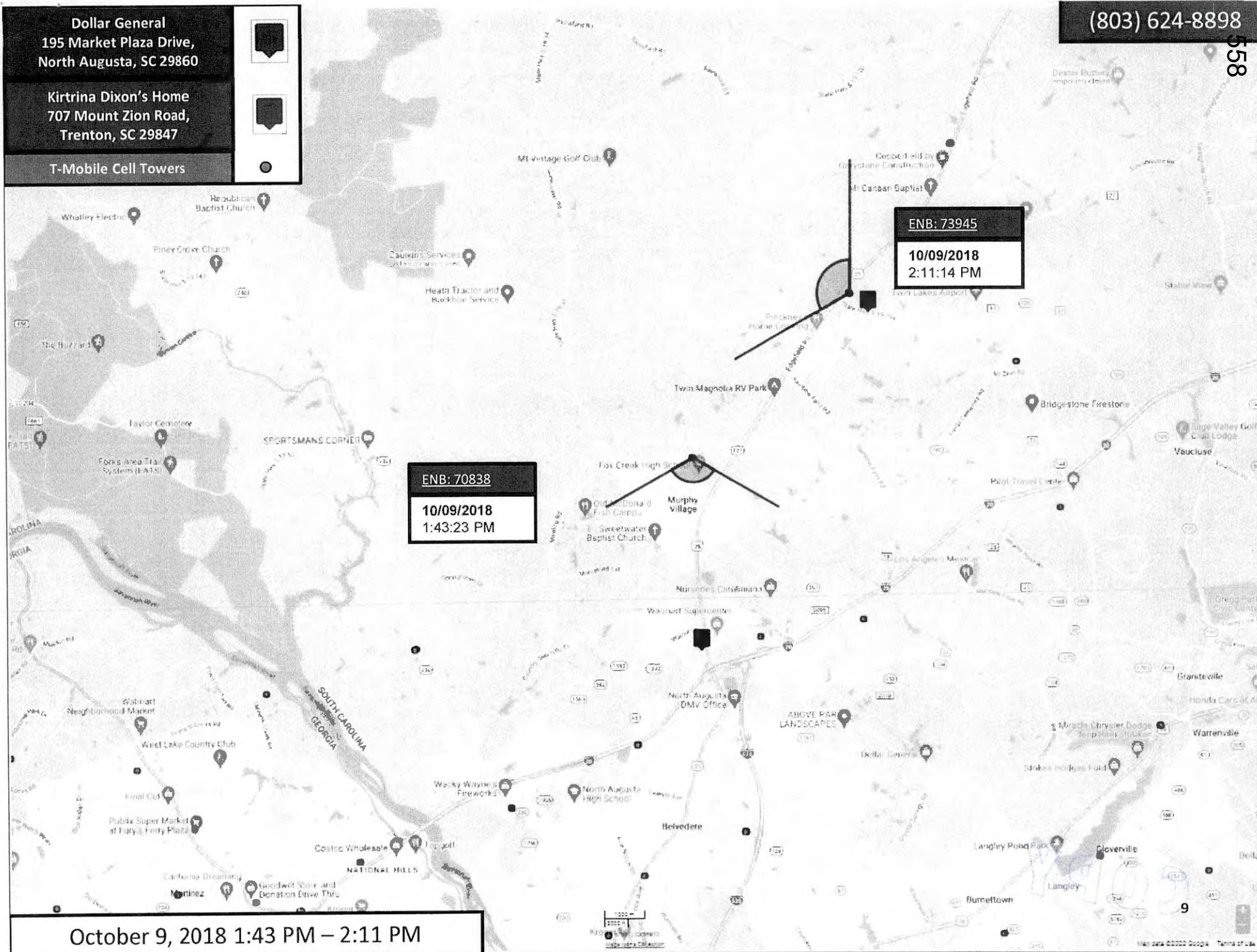
ENB: 73945

10/09/2018
2:11:14 PM

ENB: 70838

10/09/2018
1:43:23 PM

October 9, 2018 1:43 PM – 2:11 PM



9

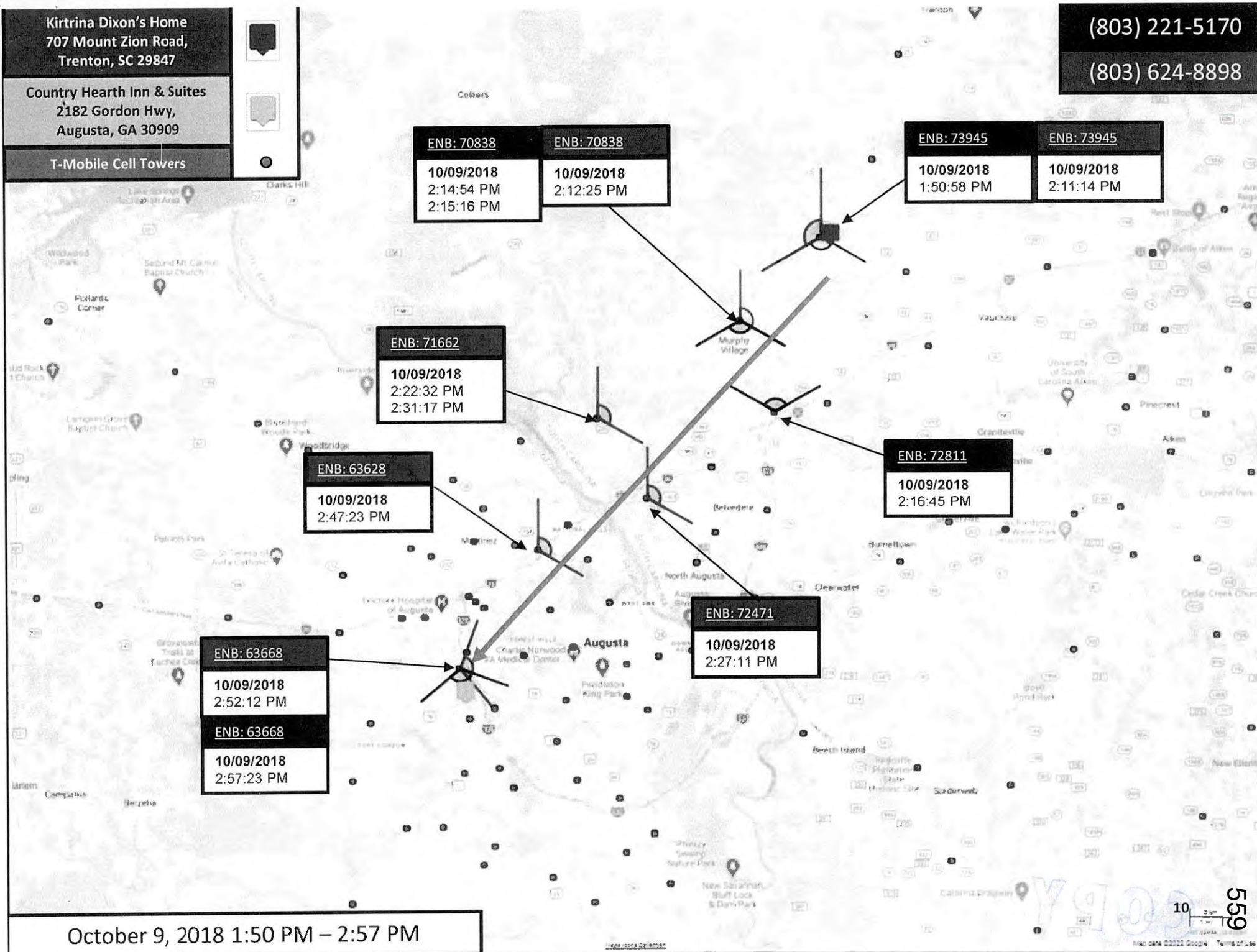
Kirtrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

Country Hearth Inn & Suites
2182 Gordon Hwy,
Augusta, GA 30909

T-Mobile Cell Towers

(803) 221-5170

(803) 624-8898



Country Hearth Inn & Suites
2182 Gordon Hwy,
Augusta, GA 30909

Angela Barger's Home
2880 Country Club Hills Dr,
N. Augusta, SC 29860

Greg's Gas Plus
1295 W. Martintown Rd,
North Augusta, SC 29841

Dollar General
195 Market Plaza Drive,
North Augusta, SC 29860

Circle K
1014 Edgefield Road,
North Augusta, SC 29860

T-Mobile Cell Towers

(803) 624-8898

(803) 221-5170

ENB: 72811

10/09/2018
3:52:28 PM

ENB: 72471

10/09/2018
3:30:08 PM

ENB: 72471

10/09/2018
3:17:33 PM

ENB: 63668

10/09/2018
2:57:23 PM

ENB: 63668

10/09/2018
2:52:12 PM

ENB: 63626

10/09/2018
3:02:01 PM

October 9, 2018 2:52 PM – 3:52 PM

3:17 PM is the last cell tower activity for (803) 624-8898 until 9:12 PM

Dollar General
195 Market Plaza Drive,
North Augusta, SC 29860

Circle K
1014 Edgefield Road,
North Augusta, SC 29860

Crime Scene
243 Sandy Springs Road,
Trenton, SC 29847

Kirtrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

Circle K
651 Bettis Academy Road,
Graniteville, SC 29829

Burger King
673 Bettis Academy Road
Graniteville, SC 29829

T-Mobile Cell Towers

ENB: 73945

10/09/2018
4:18:46 PM

(803) 221-5170

ENB: 73209

10/09/2018
4:23:59 PM

ENB: 70850

10/09/2018
4:36:56 PM
4:37:35 PM

ENB: 72811

10/09/2018
3:52:28 PM

October 9, 2018 3:52 PM – 4:37 PM
No Activity for (803) 624-8898

561

Marcus Robinson's Home
110 Culley Street,
North Augusta, SC 29841

Circle K
651 Bettis Academy Road,
Graniteville, SC 29829

T-Mobile Cell Towers



(803) 221-5170

562

ENB: 70850

10/09/2018
4:37:35 PM -3
4:41:33 PM -2

ENB: 63703

10/09/2018
5:03:46 PM

ENB: 70844

10/09/2018
4:45:53 PM

October 9, 2018 4:37 PM – 5:03 PM
No Activity for (803) 628-8898

Marcus Robinson's Home
110 Culley Street,
North Augusta, SC 29841

T-Mobile Cell Towers

(803) 221-5170



ENB: 70844

10/09/2018
5:47:32 PM

ENB: 63703

10/09/2018
5:21:57 PM
6:31:35 PM

ENB: 64837

10/09/2018
6:08:31 PM

ENB: 63667

10/09/2018
5:56:10 PM

October 9, 2018 5:21 PM – 6:31 PM
No Activity for (803) 628-8898

14 563

Map data ©2020 Google Terms of Use

Marcus Robinson's Home
110 Culley Street,
North Augusta, SC 29841

Crime Scene
243 Sandy Springs Road,
Trenton, SC 29847

Kirtrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

T-Mobile Cell Towers



ENB: 73945

10/09/2018	9:36:37 PM -2
7:05:18 PM -1	9:37:03 PM -2
7:29:38 PM -2	9:46:53 PM -2
7:47:29 PM -2	9:57:33 PM -2
7:48:31 PM -2	9:58:26 PM -2
8:23:52 PM -2	10:31:57 PM -2
9:21:26 PM -2	10:39:13 PM -2
9:22:32 PM -2	

ENB: 73575

10/09/2018
7:09:06 PM
7:10:06 PM

(803) 221-5170

(803) 624-8898

ENB: 70838

10/09/2018
6:41:03 PM

ENB: 73209

10/09/2018
7:08:33 PM

ENB: 63703-1

10/09/2018 9:12:56 PM – 10/10/2018 12:40:04 AM
22 Incoming calls

ENB: 63703-2

10/09/2018
6:31:35 PM

October 9, 2018 6:31 PM – October 10, 2018 12:40 AM

(803) 624-8898 9:12 PM -12:40 AM

all calls incoming and routed to voicemail

Crime Scene
243 Sandy Springs Road,
Trenton, SC 29847

Kirtrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

Circle K
651 Bettis Academy Road,
Graniteville, SC 29829

T-Mobile Cell Towers



ENB: 73945

10/10/2018
5:18:30 AM

ENB: 73209

10/10/2018
5:21:45 AM

ENB: 70850

10/10/2018
5:25:27 AM -1
6:01:53 AM -2

ENB: 63703

10/10/2018
6:44:28 AM

ENB: 64858

10/10/2018
5:53:57 AM

October 10, 2018 5:18 AM – 6:44 AM

No activity for (803) 624-8898, last utilized tower 63703 at 12:40 AM

(803) 221-5170

Kirtrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

Crime Scene
243 Sandy Springs Road,
Trenton, SC 29847

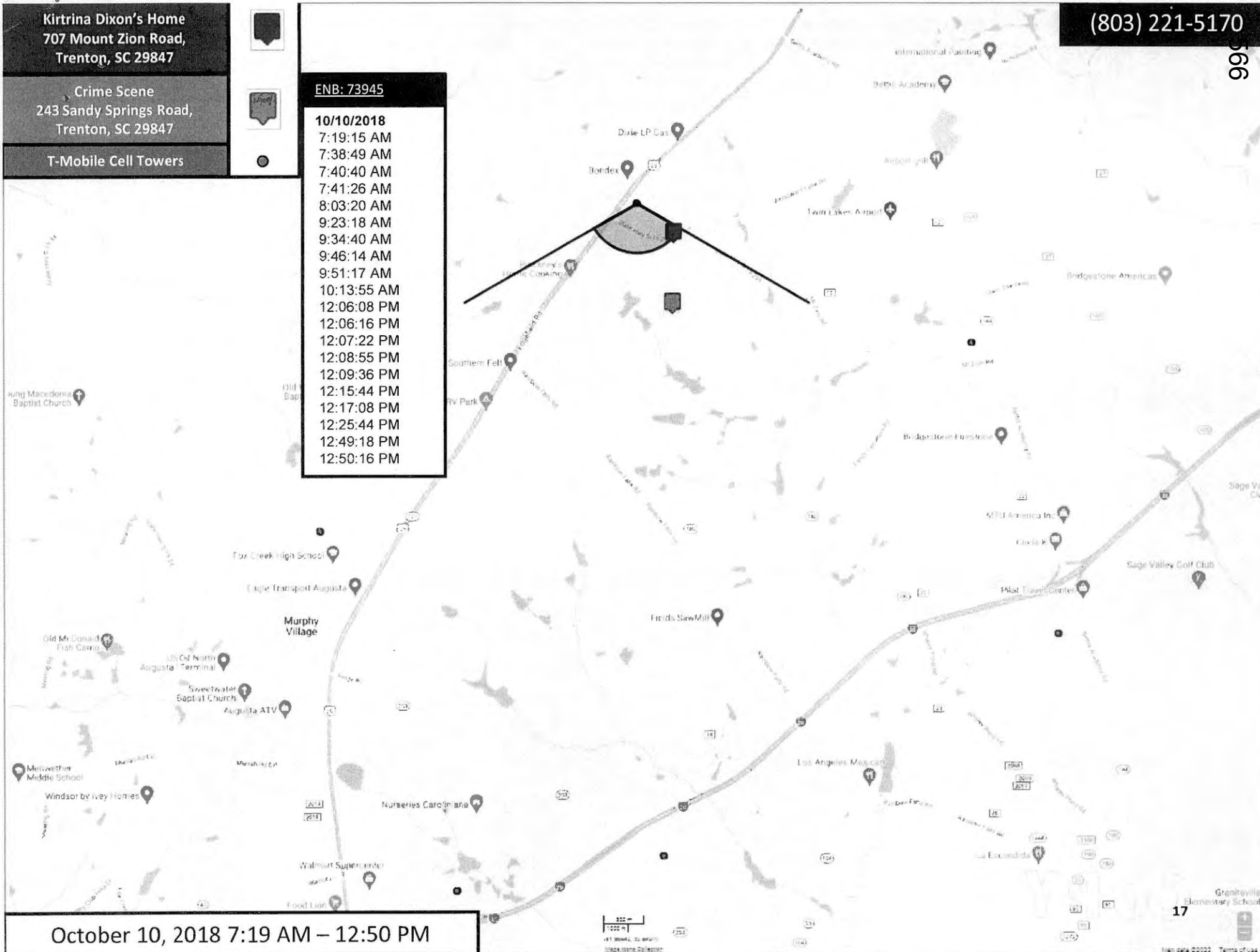
T-Mobile Cell Towers

(803) 221-5170

ENB: 73945

10/10/2018

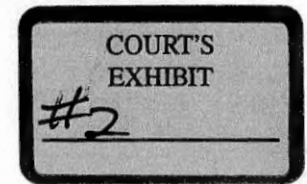
7:19:15 AM
7:38:49 AM
7:40:40 AM
7:41:26 AM
8:03:20 AM
9:23:18 AM
9:34:40 AM
9:46:14 AM
9:51:17 AM
10:13:55 AM
12:06:08 PM
12:06:16 PM
12:07:22 PM
12:08:55 PM
12:09:36 PM
12:15:44 PM
12:17:08 PM
12:25:44 PM
12:49:18 PM
12:50:16 PM



October 10, 2018 7:19 AM – 12:50 PM

STATE OF SOUTH CAROLINA

County of EDGEFIELD



SEARCH WARRANT

WARRANT SUPPLEMENTED BY ORAL TESTIMONY OF JAMES SMITH

SW 35-18

Date : October 12TH , 2018

Officer:

INV. JAMES SMITH

SCCA 513
(3-1978)

COPY

ORIGINAL

I certify this to be a true copy of the
original SW 35-18
Edgefield County, South Carolina

6-24-22 KB Wmatt
Date Magistrate/Clerk

STATE OF SOUTH CAROLINA

COUNTY OF EDGEFIELD

AFFIDAVIT

Personally appeared before me, one J.W. Smith, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of S.C. Code Ann. § 17-13-140, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

INCLUDING BUT NOT LIMITED TO CLOTHING, KEYS, PHONES, FIREARMS, BULLETS, SHELL CASINGS ANY ILLEGAL DRUGS OR NARCOTICS, AND ANY OTHER ITEMS INVOLVED IN CRIMINAL ENTERPRISE

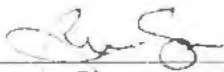
DESCRIPTION OF PREMISES (PERSON OR THING) TO BE SEARCHED

TO BE SEARCHED IS THE RESIDENCE LOCATED AT [REDACTED] MT. ZION LOCATED IN TRENTON, SC. THE RESIDENCE IS A WHITE AND BRICK RESIDENCE WITH BROWN SHUTTERS AND A BROWN ROOF. THE REIDENCE IS WHERE GABRIEL DANTRAY CURRY RESIDES WITH HIS GIRLFRIEND. ALSO TO BE SEARCHED ALL VEHICLES, OUT BUILDINGS AND SURROUNDING GROUNDS.

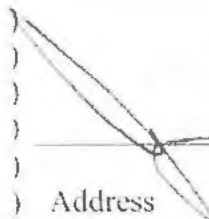
REASON FOR AFFIANT'S BELIEF THAT THE PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

SEE ATTACHMENT 1

Sworn to and Subscribed before me
12 day of Oct, 2018.



Signature of Judge



Affiant

Address

200 RAILROAD STREET,
EDGEFIELD SC, 29824

Phone

(803) 637-5337

I certify this to be a true copy of the
 original SW 35-18
 Edgefield County, South Carolina

6-24-22

Date

KBurnett

Magistrate/Clerk

SCCA 513

(13-1978)

COPY

ATTACHMENT 1

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

ON OCTOBER 10th 2018 DAKOTA MICHAEL CALHOUN WAS REPORTED MISSING BY HIS FAMILY. WITH THE USE OF GPS TRACKING PROVIDED BY DISCOUNT AUTOMOTIVE USED CARS SALES IN AUGUSTA GA THE 2012 GRAY FORD FORCUS GA TAG#RLR1480 WAS SHOWING BEING LOCATED ON SANDY SPRINGS RD, IN EDGEFIELD COUNTY. IT WAS REPORTED BY THE FAMILY THAT DAKOTA WAS WEARING A PINK SHIRT LAST TIME HE WAS SEEN. THE CAR WAS LOCATED AND WAS NOT OCCUPIED. THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED) WAS CALLED TO ASSIST IN A AIR SEARCH OF THE WOODED AREA AROUND THE CAR. PRIOR TO THE ARRIVAL OF SLED HELICOPTER A PINK OBJECT WAS LOCATED IN A WOODED AREA ON SANDY SPRINGS RD. ABOUT 100 FEET OFF THE ROADWAY. THE PINK OBJECT FOUND WAS THE DECEASED BODY OF DAKOTA MICHAEL CALHOUN. A HOLE WAS OBSERVED ON THE REAR OF THE HEAD OF DAKOTA THAT APPEARED TO BE A BULLET HOLE. A AUTOPSY THAT WAS PERFORMED ON 11/12/18 IN NEWBERRY CONFIRMED THAT DAKOTA WAS MURDERED.

10/11/18 *gmc*

THROUGH WITNESS STATEMENTS AND VIDEO SURVEILLANCE IT WAS DISCOVERED THAT GABRIEL DANTRAY CURRY WAS WITH DAKOTA JUST PRIOR TO HIS MURDER. WHEN DEPUTIES WENT 707 MT. ZION RD. TO LOCATE GABRIEL CURRY TO ASK HIM ABOUT DAKOTA MISSING, HIS GIRLFRIEND STATED HE WAS NOT THERE. A SHORT TIME LATER THE FAMILY DAKOTA ARRIVED WITH GABRIEL WHO TOLD AFFIANT THAT HE AND DAKOTA HAD WENT TO OBTAIN AND USE MARIJUANA AND HEROIN. KHALO CALHOUN BROTHER OF DAKOTA TOLD I/O THAT HE LOCATED GABRIEL AT HIS GIRLFRIENDS RESIDENCE ON MT. ZION RD.

AFFIANT HAS BEEN A INVESTIGATOR WITH THE EDGEFIELD COUNTY SHERIFF'S OFFICE FOR APPROXIMATELY 12 YEARS AND A LAW ENFORCEMENT OFFICER FOR APPROXIMATELY 20 YEARS AND BELIEVES THAT ITEMS CONTAINED IN THE RESIDENCE AT 707 MT. ZION WILL ASSIST IN THE INVESTIGATION OF THE MURDER OF DAKOTA MICHAEL CALHOUN.

- over text.*
- multiple witnesses state that Gabriel Curry and Dakota Calhoun were together in the time leading up to Calhoun's murder.
 - Curry was at the residence when officers were looking for him, to question him re: missing person (Calhoun). Curry's girlfriend stated that he was not and officers have evidence that this was not true
 - items were taken from the vehicle Curry and Calhoun were riding in
 - autopsy date 10.11.18

[Signature]

I certify this to be a true copy of the
original SW 35-18
Edgefield County, South Carolina

6-24-22
Date

KB Warrall
Magistrate/Clerk

COPY

STATE OF SOUTH CAROLINA)

SEARCH WARRANT

Form Approved by

SC Attorney General

Section 19-13-160

March 15, 1978

COUNTY OF EDGEFIELD)

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE
MUNICIPALITY OF EDGEFIELD:

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON OR THING)

TO BE SEARCHED

TO BE SEARCHED IS THE RESIDENCE LOCATED AT [REDACTED] MT. ZION LOCATED IN TRENTON, SC. THE RESIDENCE IS A WHITE AND BRICK RESIDENCE WITH BROWN SHUTTERS AND A BROWN ROOF. THE REIDENCE IS WHERE GABRIEL DANTRAY CURRY RESIDES WITH HIS GIRLFRIEND. ALSO TO BE SEARCHED ALL VEHICLES, OUT BUILDINGS AND SURROUNDING GROUNDS.

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

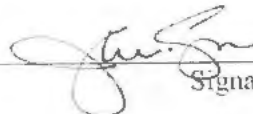
INCLUDING BUT NOT LIMITED TO CLOTHING, KEYS, PHONES, FIREARMS, BULLETS, SHELL CASINGS ANY ILLEGAL DRUGS OR NARCOTICS, AND ANY OTHER ITEMS INVOLVED IN CRIMINAL ENTERPRISE.

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to Judge Brenda Carpenter or Judge James Melaurin within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

EDGEFIELD, South Carolina

Dated: 10-12-80


Signature of Judge

I certify this to be a true copy of the
original OW-35-18
Edgefield County, South Carolina

6-24-22

Date

K. Burnett

Magistrate/Clerk

SCCA 513
(73-1978)

COPY

I received the attached Search Warrant SW 35-18, and have executed it as follows:

On 10/12/18, at 1145 o'clock AM, I searched (the person) described in the warrant and (the premises)

I left a copy of the warrant with RESIDENCE

Name of person searched or "at the place of search" with.

Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

- (1) BLACK LG CELL PHONE B#403CYSF226954 - DAUGHTERS BEDROOM
- (1) BLACK LG CELL PHONE B#410CEKJ0631845 - DAUGHTERS BEDROOM
- (1) BLACK LG CELL PHONE S#606CQVU0577527 - DAUGHTERS BEDROOM
- (1) BLACK LG CELL PHONE S#710VTAK1811328 - DAUGHTERS BEDROOM
- (1) BLACK VERIZON ZTE PHONE S#320477276034 - LIVING ROOM, (1) OLD SAMSUNG PHONE S#R28K40EFTRP - LIVING ROOM

This inventory was made in the presence of INV. SMITH AND BRICE PUTLAND.

I swear that the inventory is a true and detailed account of all the property taken by me on the warrant.

Sworn to and Subscribed before me
this 15 day of oct, 2018

Signature of Judge

(Signature of Officer Executing Warrant)

I certify this to be a true copy of the
original SW 35-18
Edgefield County, South Carolina

6-24-22 KBurnett
Date Magistrate/Clerk

RETURN

I received the attached Search Warrant SW 35-18, and have executed it as follows:

On 10/12/18, at 1145 o'clock AM, I searched (the person) described in the warrant and (the premises)

I left a copy of the warrant with RESIDENCE

Name of person searched or "at the place of search" with.

Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

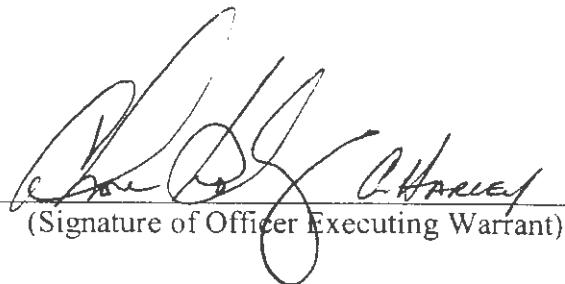
- (1) BLACK LG CELL PHONE #403C/SF220954 - DAUGHTERS BEDROOM
- (1) BLACK LG CELL PHONE #410CCKJ0631845 - DAUGHTERS BEDROOM
- (1) BLACK LG CELL PHONE #606CQVU0577527 - DAUGHTERS BEDROOM
- (1) BLACK LG CELL PHONE #710VTAX1811328 - DAUGHTERS BED ROOM
- (1) BLACK VERIZON ZTE PHONE #320477276034 - LIVING ROOM, (1) OLD SAMSUNG PHONE #R28K40EFTRP - LIVING ROOM

This inventory was made in the presence of INV. SMITH AND BRUCE RUTLAND

I swear that the inventory is a true and detailed account of all the property taken by me on the warrant.

Sworn to and Subscribed before me
this 15 day of OCT, 2018


Signature of Judge

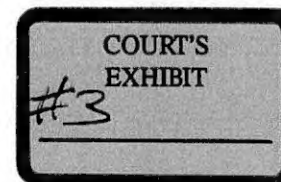

(Signature of Officer Executing Warrant)

Certify this to be a true copy of the
original SW 35-18
Edgefield County, South Carolina

6-24-22 KBurnett
Date Magistrate/Clerk

COPY

STATE OF SOUTH CAROLINA



County of EDGEFIELD

SEARCH WARRANT

WARRANT SUPPLEMENTED BY ORAL TESTIMONY OF JAMES SMITH

36-18

Date : October 15TH, 2018

Officer:

INV. JAMES SMITH

COPY

A handwritten signature in black ink, followed by a bold, black, sans-serif stamp that reads "ORIGINAL".

I certify this to be a true copy of the
original SW 36-18
Edgefield County, South Carolina

6-24-22
Date

KBurnett
Magistrate/Clerk

STATE OF SOUTH CAROLINA

AFFIDAVIT

COUNTY OF EDGEFIELD

Personally appeared before me, one _____, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of S.C. Code Ann. § 17-13-140, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

INCLUDING BUT NOT LIMITED TO CELLPHONE CONTACT LIST, PHOTOGRAPHS, TEXT MESSAGES, INCOMING / OUTGOING CALL HISTORY, AND OR GEOGRAPHICAL LOCATION HISTORY.

DESCRIPTION OF PREMISES (PERSON OR THING) TO BE SEARCHED

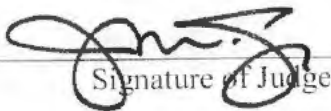
SAMSUNG SMART PHONE MODEL SM J727T AND BEARING SERIAL # R28K40EFTRP THIS IS THE PERSONAL CELLPHONE OF GABRIEL DANTRAY CURRY AND WAS SIEZED DURING EXECUTION OF SEARCH SW 35-18 THAT WAS EXECUTED ON 7/12/18 AT [REDACTED] MT. ZION WHICH IS IN EDGEFIELD COUNTY, SC.

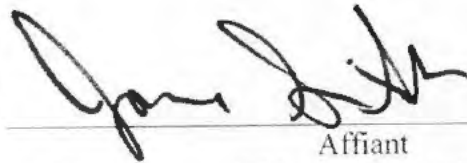
REASON FOR AFFIANT'S BELIEF THAT THE PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

SEE ATTACHMENT 1

Sworn to and Subscribed before me

15 day of Oct, 2018


Signature of Judge


Affiant

Address 200 RAILROAD STREET,
EDGEFIELD SC, 29824
Phone (803) 637-5337

I certify this to be a true copy of the original SW 36-18
Edgefield County, South Carolina

6-24-22 KBurnett
Date Magistrate/Clerk

COPY

ATTACHMENT 1

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

ON OCTOBER 10th 2018 DAKOTA MICHAEL CALHOUN WAS REPORTED MISSING BY HIS FAMILY. WITH THE USE OF GPS TRACKING PROVIDED BY DISCOUNT AUTOMOTIVE USED CARS IN AUGUSTA, GA THE 2012 GRAY FORD FOCUS GA TAG# RLR1480 WAS SHOWING BEING LOCATED ON SANDY SPRINGS RD. IN EDGEFIELD COUNTY. IT WAS REPORTED BY THE FAMILY THAT DAKOTA WAS LAST SEEN WEARING A PINK SHIRT. THE CAR WAS LOCATED UNOCCUPIED ON SANDY SPRINGS RD. AFTER AN EXTENSIVE SEARCH THE DECEASE BODY OF DAKOTA WAS DISCOVERED IN A WOODED AREA ABOUT 100 FEET OFF THE ROADWAY AND ACROSS SANDY SPRINGS RD. FROM WHERE THE CAR WAS LOCATED. AFFIANT DID OBSERVE A WOUND TO THE REAR OF THE HEAD OF DAKOTA THAT APPEARED TO AFFIANT TO BE A GUNSHOT WOUND. A AUTOPSY PERFORMED ON 10/11/18 IN NEWBERRY CONFIRMED THAT DAKOTA MICHAEL CALHOUN WAS MURDERED. THE KEYS TO THE 2012 FORD FOCUS AND THE CELLPHONE DAKOTA WAS USING WERE NOT LOCATED AT CRIME SCENES.

THROUGH MULTIPLE WITNESS STATEMENTS IT WAS DISCOVERED THAT GABRIEL DANTRAY CURRY WAS WITH DAKOTA PRIOR TO HIS MURDER. DEPUTES RESPONDED TO 707 MT. ZION RD. TO LOCATE GABRIEL CURRY TO QUESTION HIM ABOUT DAKOTA MISSING HIS GIRLFRIEND KIRTRINA DIXON STATED HE WAS NOT THERE. A SHORT TIME LATER THE FAMILY OF DAKOTA ARRIVED WITH GABRIEL WHO TOLD AFFIANT THAT HE AND DAKOTA HAD WENT TO OBTAIN DRUGS AND HAD USED SOME OF THR DRUGS INCLUDING MARIJUANA AND HEROIN AND XANAX. KHALO CALHOUN WHO IS THE BROTHER OF DAKOTA TOLD AFFIANT THAT HE LOCATED GABRIEL AT HIS GIRLFRIENDS RESIDENCE AT 707 MT. ZION RD.

AFFIANT HAS BEEN A INVESTIGATOR WITH THE EDGEFIELD COUNTY SHERIFF'S OFFICE FOR APPROXIMATELY 12 YEARS AND A LAW ENFORCEMENT OFFICER FOR APPROXIMATELY 20 YEARS AND THAT INFORMATION CONTAINED IN THE PERSONAL CELLPHONE OF GABRIEL DANTRAY CURRY WILL ASSIST IN THE INVESTIGATION OF THE MURDER OF DAKOTA MICHAEL CALHOUN.

I certify this to be a true copy of the
original SW 36-18
Edgefield County, South Carolina
6-24-22 K. Brown
Date Magistrate/Clerk

COPY

STATE OF SOUTH CAROLINA)

SEARCH WARRANT

COUNTY OF EDGEFIELD)

Form Approved by

SC Attorney General

Section 19-13-160

March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE
MUNICIPALITY OF EDGEFIELD:

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON OR THING)

TO BE SEARCHED

. SAMSUNG SMART PHONE MODEL SM J727T AND BEARING SERIAL # R28K40EFTRP THIS IS THE PERSONAL CELLPHONE OF GABRIEL DANTRAY CURRY AND WAS SIEZED DURING EXECUTION OF SEARCH SW 35-18 THAT WAS EXECUTED ON 7/12/18 AT [REDACTED] MT. ZION WHICH IS IN EDGEFIELD COUNTY,

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

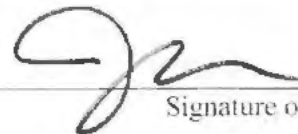
INCLUDING BUT NOT LIMITED TO CELLPHONE CONTACT LIST, PHOTOGRAPHS, TEXT MESSAGES, INCOMING / OUTGOING CALL HISTORY, AND OR GEOGRAPHICAL LOCATION HISTORY.

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to Judge Brenda Carpenter or Judge James McLaurin within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

EDGEFIELD, South Carolina



Signature of Judge

Dated: 10-15-19

SCCA 513
(3-1978)

COPY

I certify this to be a true copy of the
original SW 36-18
Edgefield County, South Carolina

6-24-22
Date

K. Burnett
Magistrate/Clerk

I received the attached Search Warrant 36-18, and have executed it as follows:

On 10/15/18, at 2 o'clock P.M., I searched (the person) described in the warrant and (the premises)

I left a copy of the warrant with US Secret Service

Name of person searched or "at the place of search" with.

Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

2 Computer Disc of Data From
T-Mobile Cell phone of Gabriel Curry

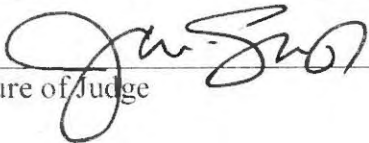
This inventory was made in the presence of Tru. Smith AND Jon Vanhookton

I swear that the inventory is a true and detailed account of all the property taken by me on the warrant.

Sworn to and Subscribed before me

this 18 day of OCT, 2018

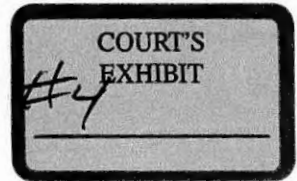
Signature of Judge



(Signature of Officer Executing Warrant)

I certify this to be a true copy of the
original SW 36-18
Edgefield County, South Carolina

6-24-22 KB Wrenett
Date Magistrate/Clerk



STATE OF SOUTH CAROLINA

County of EDGEFIELD

SEARCH WARRANT

WARRANT SUPPLEMENTED BY ORAL TESTIMONY OF JAMES SMITH

Date : October 19th , 2018

Officer:

INV. JAMES SMITH

SW- 46-18

COPY

 ORIGINAL

I certify this to be a true copy of the
original SW 46-18
Edgefield County, South Carolina
6-24-22 KBurnett
Date Magistrate/Clerk

ATTACHMENT 1

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

ON OCTOBER 10th 2018 DAKOTA MICHAEL CALHOUN WAS REPORTED MISSING BY HIS FAMILY. WITH THE USE OF GPS TRACKING PROVIDED BY DISCOUNT AUTOMITIVE USED CARS IN AUGUSTA, GA THE 2012 GRAY FORD FOCUS GA TAG# RLR1480 WAS SHOWING BEING LOCATED ON SANDY SPRINGS RD. IN EDGEFIELD COUNTY. IT WAS REPORTED BY THE FAMILY THAT DAKOTA WAS LAST SEEN WEARING A PINK SHIRT. THE CAR WAS LOCATED UNOCCUPIED ON SANDY SPRINGS RD. AFTER AN EXTENSIVE SEARCH THE DECEASE BODY OF DAKOTA WAS DISCOVERED IN A WOODED AREA ABOUT 100 FEET OFF THE ROADWAY AND ACROSS SANDY SPRINGS RD. FROM WHERE THE CAR WAS LOCATED. AFFIANT DID OBSERVE A WOUND TO THE REAR OF THE HEAD OF DAKOTA THAT APPEARED TO AFFIANT TO BE A GUNSHOT WOUND. A AUTOPSY PERFORMED ON 10/11/18 IN NEWBERRY CONFIRMED THAT DAKOTA MICHAEL CALHOUN WAS MURDERED THE KEYS TO THE 2012 FORD FOCUS AND THE CELLPHONE DAKOTA WAS USING WERE NOT LOCATED AT CRIME SCENES.

THROUGH MULTIPLE WITNESS STATEMENTS IT WAS DISCOVERED THAT GABRIEL DANTRAY CURRY WAS WITH DAKOTA PRIOR TO HIS MURDER. DEPUTES RESPONDED TO [REDACTED] MT. ZION RD. TO LOCATE GABRIEL CURRY TO QUESTION HIM ABOUT DAKOTA MISSING HIS GIRLFRIEND KIRTRINA DIXON STATED HE WAS NOT THERE. A SHORT TIME LATER THE FAMILY OF DAKOTA ARRIVED WITH GABRIEL WHO TOLD AFFIANT THAT HE AND DAKOTA HAD WENT TO OBTAIN DRUGS AND HAD USED SOME OF THR DRUGS INCLUDING MARIJUANA AND HEROIN AND XANAX. KHALO CALHOUN WHO IS THE BROTHER OF DAKOTA TOLD AFFIANT THAT HE LOCATED GABRIEL AT HIS GIRLFRIENDS RESIDENCE AT [REDACTED] MT. ZION RD.

AFFIANT HAS BEEN A INVESTIGATOR WITH THE EDGEFIELD COUNTY SHERIFF'S OFFICE FOR APPROXIMATELY 12 YEARS AND A LAW ENFORCEMENT OFFICER FOR APPROXIMATELY 20 YEARS AND THAT INFORMATION CONTAINED IN THE PERSONAL CELLPHONE OF GABRIEL DANTRAY CURRY WILL ASSIST IN THE INVESTIGATION OF THE MURDER OF DAKOTA MICHAEL CALHOUN.

COPY

I certify this to be a true copy of the
original SW 46-13
Edgefield County, South Carolina

Date

6.24.22

Magistrate Clerk

1336
10-11-18

STATE OF SOUTH CAROLINA)

SEARCH WARRANT

COUNTY OF EDGEFIELD)

Form Approved by

SC Attorney General

Section 19-13-160

March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE
MUNICIPALITY OF EDGEFIELD:

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON OR THING)

TO BE SEARCHED

T-MOBILE RECORDS FOR THE CELLULAR PHONE INFORMATION OF GABERIAL CURRY
[REDACTED] 5170

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

INCLUDING BUT NOT LIMITED TO CELLPHONE CONTACT LIST, PHOTOGRAPHS, TEXT MESSAGES, INCOMING / OUTGOING CALL HISTORY, AND OR GEOGRAPHICAL LOCATION HISTORY AND CELL SITE LOCATION INFORMATION. FOR THE DATES OF 10/9/18 AND 10/10/18.

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to Judge Brenda Carpenter or Judge James McLaurin within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

EDGEFIELD, South Carolina

Brenda B. Carpenter
Signature of Judge

Dated: Oct. 19-18

SCCA 513

(3-1978)

COPY

I certify this to be a true copy of the
original SW 46-18

Edgefield County, South Carolina

6-24-22 KBW
Date Magistrate/Clerk

STATE OF SOUTH CAROLINA

AFFIDAVIT

COUNTY OF EDGEFIELD

Personally appeared before me, one _____, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of S.C. Code Ann. § 17-13-140, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

INCLUDING BUT NOT LIMITED TO CELLPHONE CONTACT LIST, PHOTOGRAPHS, TEXT MESSAGES, INCOMING / OUTGOING CALL HISTORY, AND OR GEOGRAPHICAL LOCATION HISTORY AND CELL SITE LOCATION INFORMATION, FOR THE DATES OF 10/9/18 AND 10/10/18.

DESCRIPTION OF PREMISES (PERSON OR THING) TO BE SEARCHED

T-MOBILE RECORDS FOR THE CELLULAR PHONE INFORMATION OF GABERIAL CURRY
 [REDACTED]-5170

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

SEE ATTACHMENT 1

Sworn to and Subscribed before me

19 day of Oct. 2018

Brian B. Carpenter
 Signature of Judge

[Signature]
 Affiant
 Address 200 RAILROAD STREET,
 EDGEFIELD SC, 29824
 Phone (803) 637-5337

I certify this to be a true copy of the
 original SW 46-18
 Edgefield County, South Carolina

6-24-22 K. Burnett
 Date Magistrate (Clerk)

COPY

RETURN

I received the attached Search Warrant SW-46-18, and have executed it as follows:
 On 06/18 at 10:30 o'clock A, I searched (the person) described in the warrant and (the premises)

I left a copy of the warrant with Case Folder

Name of person searched or "at the place of search" with.

Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

E-mail message of Data From
cellphone of Gabriel Curry

This inventory was made in the presence of Inv. Smith AND _____.

I swear that the inventory is a true and detailed account of all the property taken by me on the warrant.

Sworn to and Subscribed before me
 this 30 day of October, 2018

Bruce B. Carpenter
 Signature of Judge

[Signature]
 (Signature of Officer Executing Warrant)

I certify this to be a true copy of the
 original SW 46-18
 Edgefield County, South Carolina

6-24-22

Date

KBurrett
 Magistrate/Clerk

STATE OF SOUTH CAROLINA

County of EDGEFIELD

SEARCH WARRANT

WARRANT SUPPLEMENTED BY ORAL TESTIMONY OF JAMES SMITH

Sw 47-18

Date : November 5, 2018

Officer:

INV. JAMES SMITH

 ORIGINALSCCA 513
(3-1978)I certify this to be a true copy of the
original Sw 47-18
Edgefield County, South Carolina6.24.22
DateKB W. [signature]
Magistrate/Clerk

COPY

STATE OF SOUTH CAROLINA

SEARCH WARRANT

Form Approved by
SC Attorney General
Section 19-13-160
March 15, 1978

COUNTY OF EDGEFIELD

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE
MUNICIPALITY OF EDGEFIELD:

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON OR THING)

TO BE SEARCHED

T-MOBILE METRO PCS RECORDS FOR THE CELLULAR PHONE INFORMATION OF
ANGELA BARGERON [REDACTED] 8898

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

INCLUDING BUT NOT LIMITED TO CELLPHONE CONTACT LIST, PHOTOGRAPHS, TEXT MESSAGES, INCOMING / OUTGOING CALL HISTORY, AND OR GEOGRAPHICAL LOCATION HISTORY AND CELL SITE LOCATION INFORMATION. FOR THE DATES OF 10/9/18 TO 10/30/18. IN EASTERN STANDARD TIMES FORMAT.

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to Judge Brenda Carpenter or Judge James Mclaurin within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

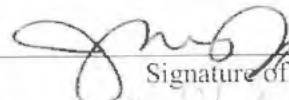
A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

EDGEFIELD, South Carolina

Dated: 11-5-18

SCCA 513
(3-1978)

COPY



Signature of Judge

I certify this to be a true copy of the
original SW 47-18

Edgefield County, South Carolina

6-24-22

Date



Magistrate/Clerk

STATE OF SOUTH CAROLINA

AFFIDAVIT

COUNTY OF EDGEFIELD

Personally appeared before me, one James Smith, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of S.C. Code Ann. § 17-13-140, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

INCLUDING BUT NOT LIMITED TO CELLPHONE CONTACT LIST, PHOTOGRAPHS, TEXT MESSAGES, INCOMING / OUTGOING CALL HISTORY, AND OR GEOGRAPHICAL LOCATION HISTORY AND CELL SITE LOCATION INFORMATION. FOR THE DATES OF 10/9/18 TO 10/30/18. IN EASTERN STANDARD TIME FROMAT

DESCRIPTION OF PREMISES (PERSON OR THING) TO BE SEARCHED

T-MOBILE METRO PCS RECORDS FOR THE CELLULAR PHONE INFORMATION OF ANGELA BARGERON [REDACTED] 8898

REASON FOR AFFIANT'S BELIEF THAT THE PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

SEE ATTACHMENT 1

Sworn to and Subscribed before me
 5 day of Nov, 2018.


 Signature of Judge


 Affiant
 Address 200 RAILROAD STREET,
 EDGEFIELD SC, 29824
 Phone (803) 637-5337

I certify this to be a true copy of the
 original SW 47-18
 Edgefield County, South Carolina

6-24-22
KBurnett
 Date Magistrate/Clerk

SCCA 513
 (3-1978)

COPY

ATTACHMENT 1

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

ON OCTOBER 10th 2018 DAKOTA MICHAEL CALHOUN WAS REPORTED MISSING BY HIS FAMILY. WITH THE USE OF GPS TRACKING PROVIDED BY DISCOUNT AUTOMOTIVE USED CARS IN AUGUSTA, GA THE 2012 GRAY FORD FOCUS GA TAG# RLR1480 WAS SHOWING BEING LOCATED ON SANDY SPRINGS RD. IN EDGEFIELD COUNTY. IT WAS REPORTED BY THE FAMILY THAT DAKOTA WAS LAST SEEN WEARING A PINK SHIRT. THE CAR WAS LOCATED UNOCCUPIED ON SANDY SPRINGS RD. AFTER AN EXTENSIVE SEARCH THE DECEASE BODY OF DAKOTA WAS DISCOVERED IN A WOODED AREA ABOUT 100 FEET OFF THE ROADWAY AND ACROSS SANDY SPRINGS RD. FROM WHERE THE CAR WAS LOCATED. AFFIANT DID OBSERVE A WOUND TO THE REAR OF THE HEAD OF DAKOTA THAT APPEARED TO AFFIANT TO BE A GUNSHOT WOUND. A AUTOPSY PERFORMED ON 10/11/18 IN NEWBERRY CONFIRMED THAT DAKOTA MICHAEL CALHOUN WAS MURDERED. THE KEYS TO THE 2012 FORD FOCUS AND THE CELLPHONE DAKOTA WAS USING WHICH BELONGED TO HIS MOTHER ANGELA BARGERON WERE NOT LOCATED AT CRIME SCENES.

AFFIANT HAS BEEN A INVESTIGATOR WITH THE EDGEFIELD COUNTY SHERIFF'S OFFICE FOR APPROXIMATELY 12 YEARS AND A LAW ENFORCEMENT OFFICER FOR APPROXIMATELY 20 YEARS AND BELIEVED THAT INFORMATION CONTAINED IN THE PERSONAL CELLPHONE OF ANGELA BARGERON WILL ASSIST IN THE INVESTIGATION OF THE MURDER OF DAKOTA MICHAEL CALHOUN.

I certify this to be a true copy of the
original SW 47-18
Edgefield County, South Carolina
6-24-22 K. Burnett
Date Magistrate/Clerk

COPY

I received the attached Search Warrant 47-18, and have executed it as follows:

On 11/5/18 at 1:49 o'clock PM, I searched (the person) described in the warrant and (the premises)

I left a copy of the warrant with Case Folder

Name of person searched or "at the place of search" with.

Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

Data Containing Phone records of Phone used
By Dakota Calhoun belonging to His Mother,
Angela Bergeron.

This inventory was made in the presence of Tav. Smith AND _____

I swear that the inventory is a true and detailed account of all the property taken by me on the warrant.

Sworn to and Subscribed before me
this 13 day of Nov, 2018

[Signature]
Signature of Judge

[Signature]
(Signature of Officer Executing Warrant)

I certify this to be a true copy of the
original SW 47-18
Edgefield County, South Carolina
6-24-22 K. Bennett
Date Magistrate Clerk

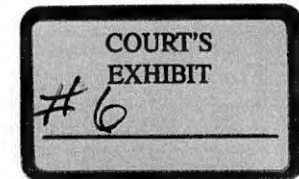
STATE OF SOUTH CAROLINA

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. REEL
2022 JUN 13 PM 2:04

County of Edgefield

SEARCH WARRANT

SW: 21-88



ORIGINAL

Date 12.10.2021

Officer Ireland

THE ABOVE IS A TRUE COPY OF THE ORIGINAL
WHICH IS ON FILE IN THE OFFICE OF THE
CLERK OF COURT OF EDGEFIELD COUNTY, SC

Charles L. Reel

CHARLES L. REEL, CLERK OF COURT
OF GENERAL SESSIONS AND
COMMON PLEAS E.C.S.C.

6/13/2022
DATED

COPY

E18-0527

June 14, 2022 Page 4 of 29

STATE OF SOUTH CAROLINA }
COUNTY OF Edgefield

Search Warrant

Form approved by
S.C. Attorney General
Section 17-13-160
March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF
Edgefield County

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure, under the provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)

A gold in color, Samsung Smart Phone, model, SMJ727T, and bearing the serial number R28K4EFTRP. This is the personal cell phone of Gabriel Dantray Curry and was seized during the execution of search warrant SW 35-18 on 10-12-2018 at [REDACTED] Mt. Zion Rd., Trenton SC 29847.

Now, therefore, you are hereby authorized to search the subject premises described below and to seize such property if found:

DESCRIPTION OF PROPERTY

The following historical data captured and stored for the owner and user of this phone: subscriber information to include name, address, types of service utilized by subscriber E.S.N. Also, detailed call records to include dialed digits, incoming and outgoing calls, and incoming and outgoing SMS, MMS messages. Also sought are incoming and outgoing call cell sector, telemetry, tower location and RTT data. Also requested is an affidavit certifying the records. The above requested data is sought as it pertains to the ongoing investigation for the crime of murder.

This Search Warrant shall not be valid for more than ten days from the date of issuance

A written inventory of all property seized pursuant to this Search Warrant shall be made to

on or within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such persona as soon thereafter as is practicable. In the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

EDGEFIELD

SCCA/513
(3-78)

Signature of Judge 12-10-2021

(LS)

2022 JUN 13 PM 2:06
EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. REEL

COPY

State v. Gabriel Curry

Additional Discovery

STATE OF SOUTH CAROLINA }
COUNTY OF Edgefield }

AFFIDAVIT

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. REEL

2022 JUN 13 PM 2:04

Personally appeared before me, Inv. Ireland
one

who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

The following historical data captured and stored for the owner and user of this phone: subscriber information to include name, address, types of service utilized by subscriber E.S.N. Also, detailed call records to include dialed digits, incoming and outgoing calls, and incoming and outgoing SMS/MMS messages. Also sought are incoming and outgoing call cell sector, telemetry, tower location, and RTT data. Also requested is an affidavit certifying the records. The above requested data is sought as it pertains to the ongoing investigation for the crime of murder.

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

A gold in color, Samsung Smart Phone model, SM J727T, and bearing the serial number R28K40EFTRP. This is the personal cellphone of Gabriel Dantray Curry and was seized during the execution of search warrant SW 35-18 that was executed on 10-12-2018 at Mt. Zion Rd., Trenton SC 29847.

COPY

E18-0527

June 14, 2022 Page 6 of 29

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. REEL

DW D0133 wav

2022 JUN 13 PM 2:05

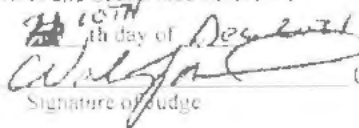
REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

On October 10th, 2018 Dakota Michael Calhoun was reported missing by his family. With the use of gps tracking provided by Discount Automotive Used Cars in Augusta Ga, the 2012 gray ford focus, ga tag# rlr1480, was showing being located on Sandy Springs Rd. in Edgefield County. It was reported by the family, that Dakota was last seen wearing a pink shirt. The car was located unoccupied on Sandy Springs Rd. After an extensive search, the deceased body of Dakota was discovered in a wooded area about 100 feet off the roadway and across Sandy Springs Rd. from where the car was located. Inv. Smith did observe a wound to the rear of the head of Dakota that appeared to Inv. Smith to be a gunshot wound. An Autopsy performed on 10/11/2018 in Newberry confirmed that Dakota Michael Calhoun was murdered. The keys to the 2012 Ford Focus and the cellphone Dakota was using was not located at the crime scene.

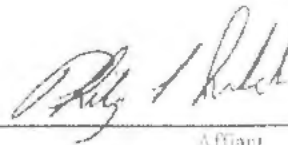
Through multiple witness statements it was discovered that Gabriel Dantray Curry was with Dakota Prior to his murder. Deputies responded to [REDACTED] Mt. Zion Rd. to locate Gabriel Curry to question him about Dakota being missing. Gabriel Curry's girlfriend, Kirtrina Dixon stated that he was not at the residence. A short time later, the family of Dakota arrived with Gabriel Curry who told Inv. Smith that he and Dakota had gone to obtain drugs and had used some of the drugs including marijuana, heroin and zanax. Khale Calhoun, who is the brother of Dakota, told Inv. Smith that he located Gabriel at his girlfriend, Kirtrina's residence at [REDACTED] Mt. Zion Rd. Due to the fact that Kirtrina lied about the whereabouts of Gabriel Curry and that Kirtrina is Gabriel's girlfriend, this Investigator believes that certain information on Gabriel Dantray Curry's phone will lead this investigation to what happened on that day. This phone was seized during a search warrant (SW- 35-18) on 7-12-2021 of Kirtrina's residence at [REDACTED] Mt. Zion Rd. Trenton SC 29847.

Sworn to and Subscribed before me

this

10th day of December 2021

 Signature of Judge (I.S.)

}


 Affiant

Address 200 RAILROAD ST

EDGEFIELD, SC

Phone 803-637-5337

COPY

Return

I received the attached Search Warrant 21-88 . 21 . And have executed it as follows:
 On 1-31 . 20 at 11:00 o'clock A M . I searched
 (the person) described in the warrant and (the premises)

I left a copy of the warrant with _____

Name of the person searched or "at the place of search" with _____

Together with a receipt for the items seized

2022 JUN 13 PM 2:06

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. REEL

The following is an inventory of property taken pursuant to the warrant:
 Due to the intense nature and exhaustive amount of information that may be stored in the device(s) seized and the necessary amount of time required to complete the search of these device(s), the results of the forensic analysis will be forwarded to the originating agency after the analysis has been completed.

Disks Containing information from a cell phone from the secret service

This inventory was made in the presence of _____

AN
D

I swear that this inventory is a true and detailed account of all property taken by me on the warrant.

SWORN to before me this 13
 day of JUNE 2022
Walter M. [Signature] (L.S.)
 Signature of Judge

[Signature]
 (Signature of Officer Executing Warrant)

COPY

STATE OF SOUTH CAROLINA

County of Edgefield

SEARCH WARRANT

SW. 21-90

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. REEL
2022 JUN 13 PM 2:05

A stamp featuring a magnifying glass icon over the word "ORIGINAL" in a bold, sans-serif font.

Date 12-13-2021Officer Ireland

THE ABOVE IS A TRUE COPY OF THE ORIGINAL
WHICH IS ON FILE IN THE OFFICE OF THE
CLERK OF COURT OF EDGEFIELD COUNTY, SC

Charles L. Reel

CHARLES L. REEL, CLERK OF COURT
OF GENERAL SESSIONS AND
COMMON PLEAS, E.C.S.C.

6/13/2022
DATED

COPY

State v. Gabriel Curry

Additional Discovery

STATE OF SOUTH CAROLINA
COUNTY OF Edgefield

Search Warrant

Form approved by
S.C. Attorney General
Section 17-13-160
March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNICIPALITY OF
Edgefield County

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure, under the provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)

A cell phone operated by Kirtrina Dixon. A black Verizon ZTE, model z839, serial number 320477276034. The operator of the phone lives at [REDACTED] Mt. Zion Rd. Trenton Sc 29847.

Now, therefore, you are hereby authorized to search the subject premises described below and to seize such property if found.

DESCRIPTION OF PROPERTY

The following historical data captured and stored for the owner and user of this phone: subscriber information to include name, address, types of service utilized by subscriber E.S.N. Also, detailed call records to include dialed digits, incoming and outgoing calls, and incoming and outgoing SMS, MMS messages. Also sought are incoming and outgoing call cell sector, telemetry, tower location and RTT data. Also requested is an affidavit certifying the records. The above requested data is sought as it pertains to the ongoing investigation for the crime of murder..

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to

on or within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached in prominent place on such premises

EDGEFIELD

S.C.

Signature of Judge

(I.S.)

SCCA/513
(3-78)

12-17-2021

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. REEL
JUN 13 PM 2:06

COPY

State v. Gabriel Curry

Additional Discovery

STATE OF SOUTH CAROLINA }
COUNTY OF Edgefield

AFFIDAVIT

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. REEL

2022 JUN 13 PM 2:06

Personally appeared before me, Inv. Ireland
one

who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

The following historical data captured and stored for the owner and user of this phone: subscriber information to include name, address, types of service utilized by subscriber E.S.N. Also, detailed call records to include dialed digits, incoming and outgoing calls, and incoming and outgoing SMS/MMS messages. Also sought are incoming and outgoing call cell sector, telemetry, tower location, and RTT data. Also requested is an affidavit certifying the records. The above requested data is sought as it pertains to the ongoing investigation for the crime of murder.

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED

A cell phone belonging to and operated by Kirtrina Dixon. A black Verizon ZTE, model z839, serial number 320477276034 The owner of the phone lives at Mt. Zion Rd. Trenton SC 29847.

COPY

wav
DW 00133.wav

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. REEL

2022 JUN 13 PM 2: 06

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

On October 10th, 2018 Dakota Michael Calhoun was reported missing by his family. With the use of gps tracking provided by Discount Automotive Used Cars in Augusta Ga, the 2012 gray ford focus, ga tag# rlr1480, was showing being located on Sandy Springs Rd. in Edgefield county. It was reported by the family, that Dakota was last seen wearing a pink shirt. The car was located unoccupied on Sandy Springs Rd. After an extensive search, the deceased body of Dakota was discovered in a wooded area about 100 feet off the roadway and across Sandy Springs Rd. from where the car was located. Inv. Smith did observe a wound to the rear of the head of Dakota that appeared to Inv. Smith to be a gunshot wound. An Autopsy performed on 10/11/2018 in Newberry confirmed that Dakota Michael Calhoun was murdered. The keys to the 2012 Ford Focus and the cellphone Dakota was using was not located at the crime scene.

Through multiple witness statements it was discovered that Gabriel Dantray Curry was with Dakota Prior to his murder. Deputies responded to [REDACTED] Mt. Zion Rd. to locate Gabriel Curry to question him about Dakota being missing. Gabriel Curry's girlfriend, Kirtrina Dixon stated that he was not at the residence. A short time later, the family of Dakota arrived with Gabriel Curry who told Inv. Smith that he and Dakota had gone to obtain drugs and had used some of the drugs including marijuana, heroin and zanax. Khale Calhoun, who is the brother of Dakota, told Inv. Smith that he located Gabriel at his Girlfriend, Kirtrina's residence at [REDACTED] Mt. Zion Rd. Due to the fact that Kirtrina lied about the whereabouts of Gabriel Curry and that Kirtrina is Gabriel's girlfriend, this Investigator believes that certain information on Kirtrina Dixon's phone will lead this investigation to what happened on that day. This phone was seized during a search warrant (sw 35-18) of Kirtrina's residence at [REDACTED] Mt. Zion Rd. Trenton SC 29847.

Sworn to and Subscribed before me

this 13 th day of DEC 2021

Signature of Judge

(I.S.)

28 DEC 2021

[Signature]

}

[Signature]

Affiant

Address 200 RAILROAD ST

EDGEFIELD, SC

Phone 803-637-5337

COPY

Return

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. REEL

I received the attached Search Warrant 21-90 . 21 . And have executed it as follows:
On 1-31 . 21 22 at 11:00 o'clock A M . I searched 2022 JUN 13 PM 2:0
(the person) described in the warrant and (the premises)

I left a copy of the warrant with _____

Name of the person searched or "at the place of search" with. _____

Together with a receipt for the items seized _____

The following is an inventory of property taken pursuant to the warrant:

Due to the intense nature and exhaustive amount of information that may be stored in the device(s) seized and the necessary amount of time required to complete the search of these device(s), the results of the forensic analysis will be forwarded to the originating agency after the analysis has been completed

Disk Containing Cell Phone information from secret service

This inventory was made in the presence of _____

AN
D

I swear that this Inventory is a true and detailed account of all property taken by me on the warrant.

SWORN to before me this 13

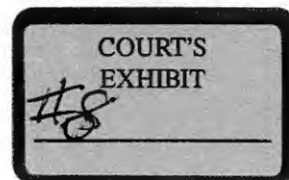
day of JUNE , 2022

Wolfe
Signature of Judge

(U.S.)

[Signature]
(Signature of Officer Executing Warrant)

COPY



US Secret Service Cyber Crimes Task Force Columbia (SC) Field Office

Electronic Evidence Chain of Custody

Date: 12/13/2021 Case #: 1810158
 Incident Type: MURDER
 Requesting Agency: EDGEFIELD COUNTY SHERIFFS OFFICE
 Requesting Agent / Officer: SGT IRELAND
 Contact Number: 803-384-0284 Email:

<u>Evidence</u>	<u>Quantity</u>	<u>Description</u>	<u>Notes</u>
1	1	SAMSUNG ANDROID (REPROCESS)	PASSWORD: godd
2	1	ZTE ANDROID	UNKNOWN CODE

<u>Date</u>	<u>Evidence #</u>	<u>From</u>	<u>To</u>
12/13/2021	1, 2	SGT IRELAND (IRELAND)	J. VANHOUTEN

<u>Date</u>	<u>Evidence #</u>	<u>From</u>	<u>To</u>
01/31/22	1, 2	J. VANHOUTEN	Zachary Starn

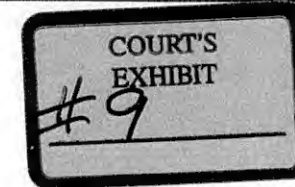
<u>Date</u>	<u>Evidence #</u>	<u>From</u>	<u>To</u>

<u>Date</u>	<u>Evidence #</u>	<u>From</u>	<u>To</u>

COPY

Madsen, Robert

From: Chehoski, Jason
Sent: Saturday, June 25, 2022 10:33 AM
To: Madsen, Robert
Subject: FW: Additional Discovery -- State v. Gabriel Curry
Attachments: Additional Redacted Discovery 6-24-221.pdf



From: Wilkinson, Brittany <BWilkinson@lex-co.com>
Sent: Friday, June 24, 2022 5:12 PM
To: Chehoski, Jason <JChehoski@lex-co.com>
Cc: Fuller, Sutania <SFuller@lex-co.com>; Drylie, Erik <EDrylie@lex-co.com>
Subject: Additional Discovery -- State v. Gabriel Curry

Good Afternoon,

Per Senior Assistant Solicitor Sutania Fuller and Assistant Solicitor Erik Drylie, attached please find additional discovery regarding the above-referenced case. Please let me know if you have any questions.

Thank You,

Brittany Wilkinson
Senior Paralegal
11th Judicial Circuit Solicitor's Office
205 East Main Street, Suite 309
Lexington, SC 29072
Telephone: (803) 785-8717

COPY

STATE OF SOUTH CAROLINA



S.R. HUBBARD III

SOLICITOR, ELEVENTH JUDICIAL CIRCUIT

June 24, 2022

Jason Chehoski, Esquire
202 East Main St.
Lexington, SC 29072

Re: State v. Gabriel Dantray Curry

Dear Defense Counsel:

Please find an attached PDF file containing additional discovery date stamped June 24, 2022 and consecutively numbered from 1-24 on the above referenced case.

Personal identifying information may be redacted to include: social security numbers, victim/witness addresses, and/or phone numbers.

If you have any questions regarding this matter, please do not hesitate to contact me. I look forward to working with you towards a conclusion to this matter.

Sincerely,

/s

Erik J Drylie

Enclosures
/blw

COPY

COPY



Edgefield County Sheriff's Office

Supplemental for Incident # 1810158

DATE CREATED	CREATED BY	STATUS	DATE APPROVED	APPROVED BY
06-23-2022 08:30 am	562 Harley, Chase	open	-	

SUPPLEMENTAL TEXT

ON JUNE 22, 2022 I, LT. CHASE HARLEY WENT TO THE CIRCLE K GAS STATION ON EDGEFIELD RD AND TRACKED THE TIME IT TOOK TO TRAVEL VIA VEHICLE FROM THIS LOCATION TO THE ROADWAY OF SANDY SPRINGS RD, TRENTON SC 29847 WHERE THE BODY OF DAKOTA CALHOUN WAS LOCATED IN THE WOODS:

- * CIRCLE K GAS STATION - EDGEFIELD RD (LAST KNOWN LOCATION VICTIM WAS SEEN ALIVE)
- * TRAVEL TIME - 13 MINS 10 SECONDS (START TIME 4:10 PM, NORMAL DRIVING CONDITIONS)
- * ROUTE - TOOK A LEFT ONTO EDGEFIELD RD, TRAVELED ON EDGEFIELD RD TO MT. ZION RD, TURNED RIGHT ONTO MT. ZION RD, TRAVELED ON MT. ZION RD TO SANDY SPRINGS RD, TURNED RIGHT ONTO SANDY SPRINGS RD. I THEN PROCEEDED TO THE ROADWAY OF THE LOCATION WHERE THE INCIDENT OCCURRED ON SANDY SPRINGS RD.

ON JUNE 22, 2022 I, LT. CHASE HARLEY THEN TRACKED THE TIME IT TOOK TO TRAVEL VIA VEHICLE FROM THE INCIDENT LOCATION ON SANDY SPRINGS RD TO THE BURGER KING THAT IS LOCATED ON BETTIS ACADEMY RD.

- * INCIDENT LOCATION - SANDY SPRINGS RD (LOCATION VICTIM WAS FOUND DECEASED)
- * TRAVEL TIME - 8 MINS 20 SECONDS (START TIME 4:27 PM, NORMAL DRIVING CONDITIONS)
- * ROUTE - TRAVELED ON SANDY SPRINGS RD TO MT. ZION RD, TURNED RIGHT ON MT. ZION RD, TRAVELED ON MT. ZION RD AND TURNED LEFT ON FIELDS CEMETERY RD, TRAVELED ON FIELDS CEMETERY RD, TURNED RIGHT ONTO BETTIS ACADEMY RD AND TRAVELED ON BETTIS ACADEMY RD UNTIL TURNING INTO THE PARKING LOT OF BURGER KING LOCATED ON BETTIS ACADEMY RD AND I-20.

Supplemental Printed: 06-23-2022 08:31 am GMT -5.00



INVESTIGATIVE REPORT

Chief Investigator James P. Sullivan
11th Circuit Solicitor's Office



As background: On June 24, 2022 at 9:00, Angelia Barger on was interviewed at the Edgefield county Court House. Present during the interview were Assistant Solicitor Erik Drylie, Victim Advocate Perrin Bryan and I/O. During the interview, Angelia stated the following

- On October 9th, 2018, Dakota called her and asked if he could use her car and phone to go check on Gabe.
- Angelia told Dakota to drop some items off at Sabrina Curry's residence for a birthday party.
- Angelia stated her car was not damaged when Dakota took her car.
- Around 3:55 Dakota came by to get gas money before taking Gabe home. Angelia remembers giving Dakota a \$20 bill.
- Dakota said he would come back and help her clean up the store after he dropped off Gabe. He planned to be back by 5 pm.
- Dakota never showed back up.
- She called Sabrina Curry who stated she did not know Dakota was with Gabe but that she would call Gabe and find out where Dakota was.
- Gabe called her that night.
- During the call with Gabe, he told her that Dakota had dropped him off on the road in front of his house before 5:00.
- Gabe said he does not know where Dakota is.
- Gabe said he thought Dakota might have gone to Edgefield to meet a girl.
- Angelia asked Vanessa, Dakota's girlfriend, to go make a report.
- After speaking to the police, Angelia decided to go to the auto dealership, Prestige Auto lot, off Gordon highway, where she purchased the car.
- The employee explained that her car was in a wooded area, and she is unsure how long it had been there.
- Angelia stated she called the Edgefield County Sheriff's Department.
- While they were searching for Dakota, Gabe came up and talked to the police and he kept apologizing to Angelia about her phone. He repeatedly said, "I'm sorry about your phone."
- Gabe said you cannot drive the car because it had a flat tire.
- After they found Dakota, I took the kids to Sabrina's house and Gabe kept saying, "they found Dakota?"

COPY

FBI CELLULAR ANALYSIS SURVEY TEAM



SA Mathew J. Wilde
FBI Headquarters
State vs Gabriel Curry
(803) 624-8898 – T-Mobile
(803) 221-5170 – T-Mobile
June 20, 2022

COPY

Intellectual property of the FBI Cellular Analysis Survey Team, reproduction in whole or in part is prohibited

1. Background

The Federal Bureau of Investigation (FBI) Cellular Analysis Survey Team (CAST) was requested by the 11th Circuit Solicitor's Office to analyze cell phone records for (803) 624-8898 and (803) 221-5170 ("target cell phones"). The target cell phones are believed to be associated with a homicide which occurred on October 9, 2018.

2. Methodology

An analysis was performed on the call detail records obtained for the target cell phones. The call detail records documented the network interaction to and from the target cell phones. Additionally, the records documented the cell tower and cell sector ("cell site") which served the cell phone during this activity. Used in conjunction, the call detail records and a list of cell site locations illustrate an approximate location of the target cell phones when they initiated contact with the network.

2.1 Cell Site Locations

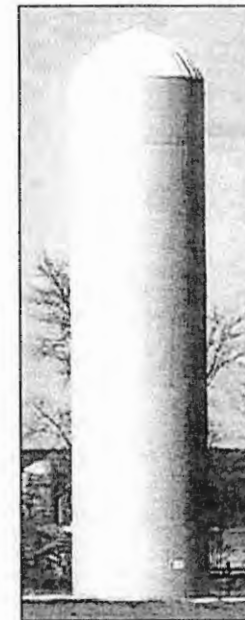
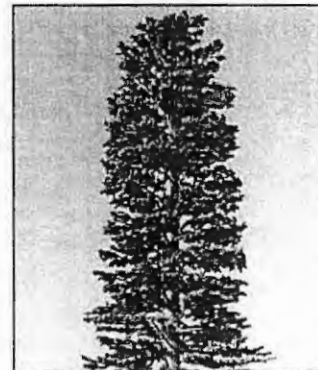
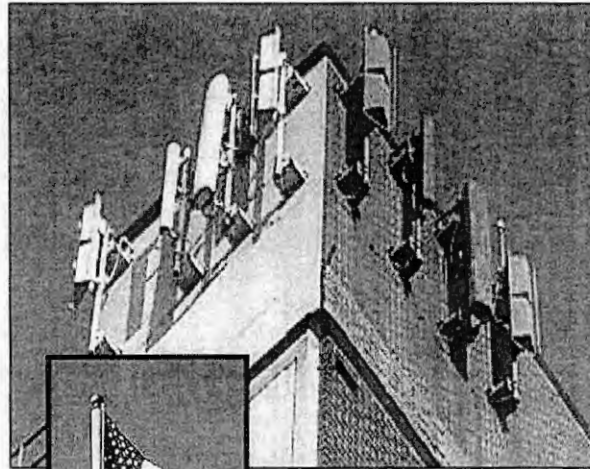
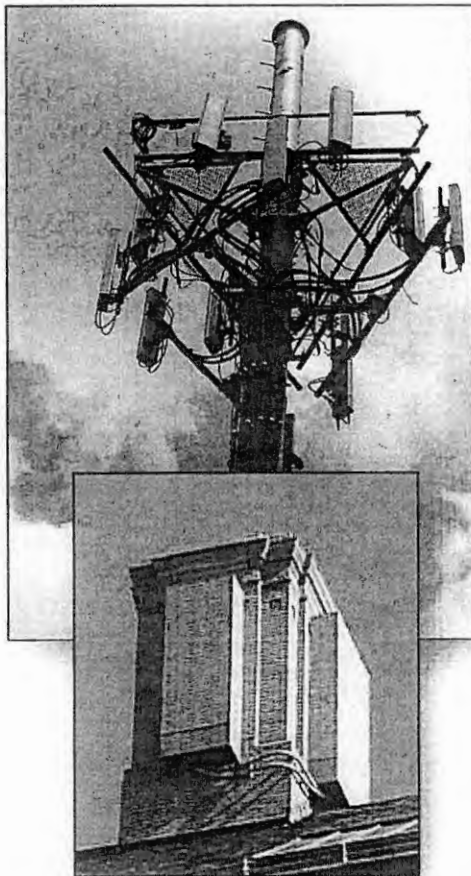
Cell sites in existence during the time of the incident were input into mapping software using latitude/longitude coordinates of the cell sites provided by the service provider. The cell sites associated with the target cell phones were located utilizing the mapping software and the plotted cell site data.

3. Conclusions

A historical cell site analysis was performed on the call detail records for the target cell phones. The methods detailed in Sections 2 and 2.1 were used to produce the attached historical cell site analysis maps.

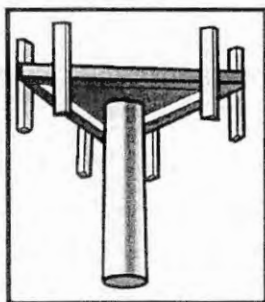
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CELL TOWER EXAMPLES

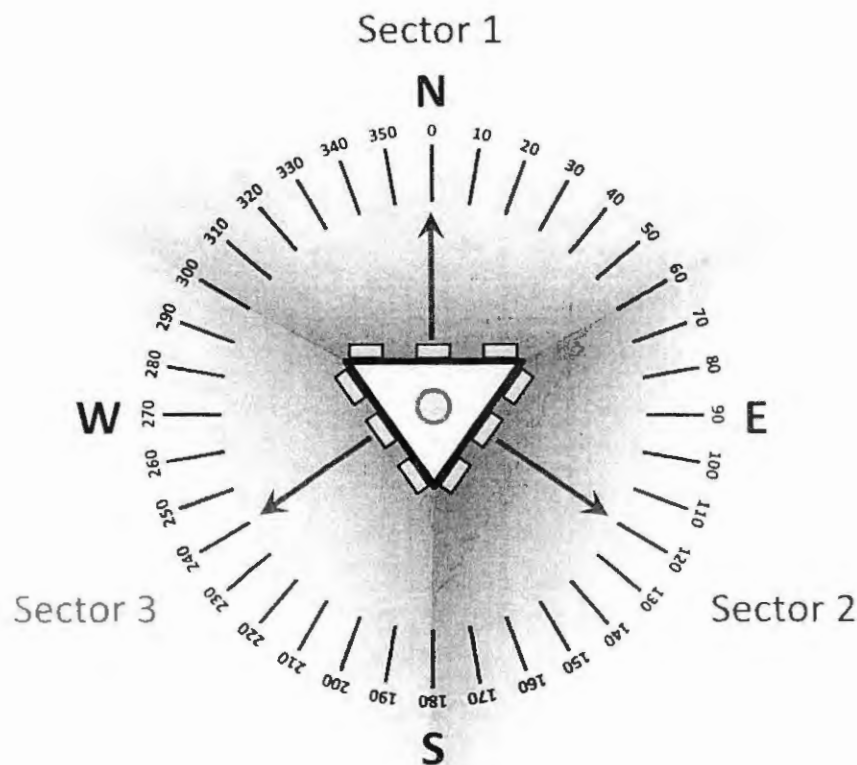


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SECTORS AND ORIENTATION



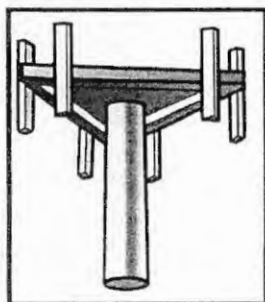
- Typical towers are configured with 3 sectors
- The center of each sector is identified by an azimuth
- Unless otherwise noted, each sector covers approximately 120°



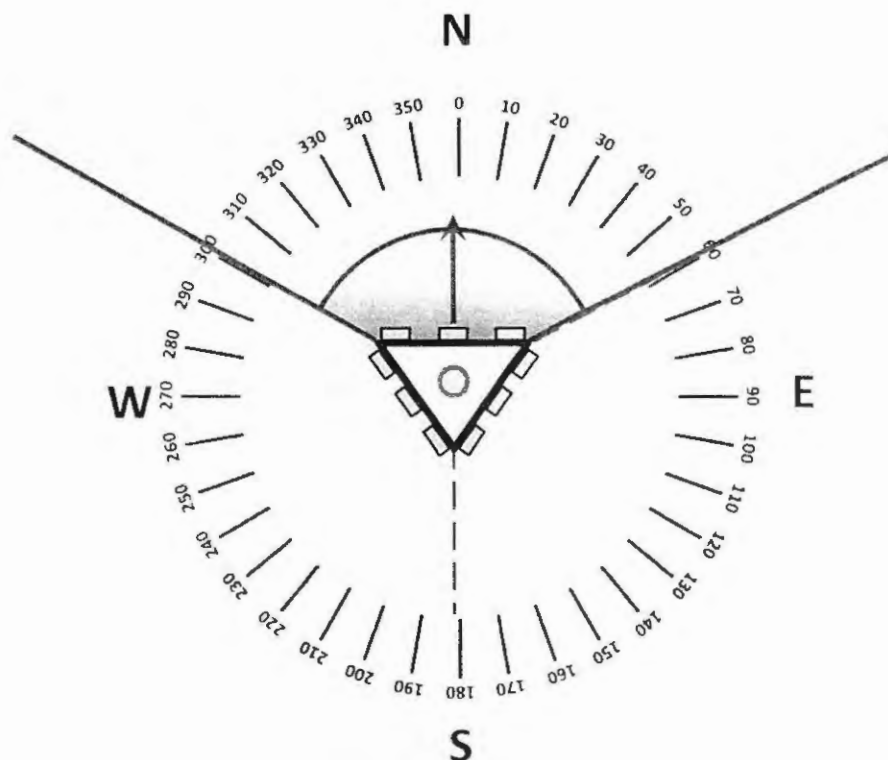
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SECTOR ILLUSTRATION



- Displayed as a wedge with a shaded arc
- The shaded arc solely indicates the general direction of radio frequency signal
- Sector orientation will vary by cell site and service provider



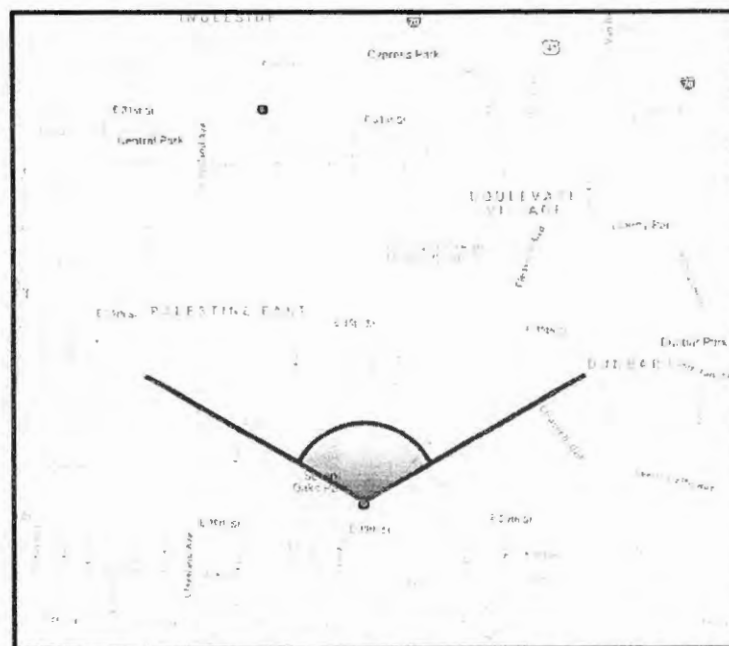
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SECTOR MAPPING ILLUSTRATION



- When displayed on a map, a sector illustration shows the general area of coverage as it relates to a specific geographic area and indicates incoming or outgoing call activity



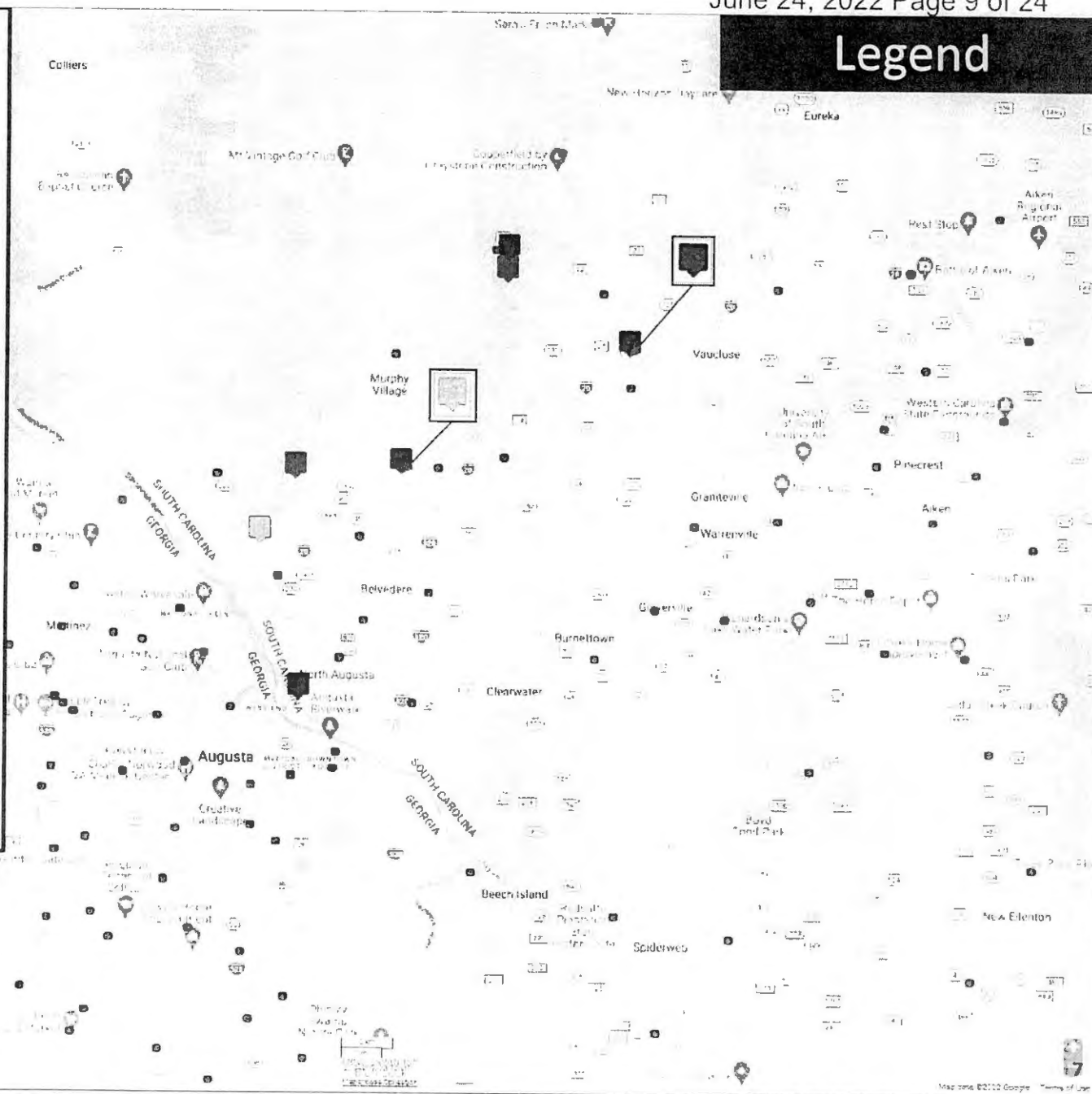
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E18-0527

June 24, 2022 Page 9 of 24

Crime Scene 243 Sandy Springs Road, Trenton, SC 29847
Angela Barger's Home 2880 Country Club Hills Dr, N. Augusta, SC 29860
Kirtrina Dixon's Home 707 Mount Zion Road, Trenton, SC 29847
Marcus Robinson's Home 110 Culley Street, North Augusta, SC 29841
Dollar General 195 Market Plaza Drive, North Augusta, SC 29860
Greco's Gas Plus 1295 W. Main Street, North Augusta, SC 29841
Country Hearth Inn & Suites 2182 Gordon Hwy, Augusta, GA 30909
Circle K 1014 Edgefield Road, North Augusta, SC 29860
Burger King 673 Bettis Academy Road Graniteville, SC 29829
Circle K 651 Bettis Academy Road, Graniteville, SC 29829
T-Mobile Cell Towers



Legend

COPY

E18-0527

Kirtrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

Dollar General
195 Market Plaza Drive,
North Augusta, SC 29860

T-Mobile Cell Towers

June 24, 2022 Page 10 of 24

(803) 624-8898

(803) 221-5170

ENB: 73945

10/09/2018
12:17:17 PM
12:30:40 PM
12:41:53 PM
12:43:13 PM
12:45:30 PM
12:45:57 PM
1:14:36 PM
1:50:58 PM

ENB: 70338

10/09/2018
1:24:21 PM -1
1:25:58 PM -1
1:32:53 PM -1
1:40:29 PM -1
1:43:23 PM -2

ENB: 72811

10/09/2018
12:09:22 PM
1:11:30 PM
1:12:11 PM
1:13:28 PM
1:13:36 PM
1:15:03 PM

October 9, 2018 12:09 PM – 1:50 PM

State v. Gabriel Curry

Additional Discovery

COPY
611

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(803) 624-8898

Dollar General
195 Market Plaza Drive,
North Augusta, SC 29860

Kirtrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

T-Mobile Cell Towers



ENB: 73945
10/09/2018
2:11:14 PM

ENB: 70838
10/09/2018
1:43:23 PM

October 9, 2018 1:43 PM – 2:11 PM

State v. Gabriel Curry

Additional Discovery

COPY

E18-0527

Kirtrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

Country Hearth Inn & Suites
2182 Gordon Hwy,
Augusta, GA 30909

T-Mobile Cell Towers

June 24, 2022 Page 12 of 24

(803) 221-5170

(803) 624-8898

ENB: 70838

10/09/2018
2:14:54 PM
2:15:16 PM

ENB: 70838

10/09/2018
2:12:25 PM

ENB: 73945

10/09/2018
1:50:58 PM

ENB: 73945

10/09/2018
2:11:14 PM

ENB: 71662

10/09/2018
2:22:32 PM
2:31:17 PM

ENB: 63628

10/09/2018
2:47:23 PM

ENB: 72811

10/09/2018
2:16:45 PM

ENB: 63668

10/09/2018
2:52:12 PM

ENB: 63668

10/09/2018
2:57:23 PM

ENB: 72471

10/09/2018
2:27:11 PM

October 9, 2018 1:50 PM – 2:57 PM

State v. Gabriel Curry

Additional Discovery

COPY 613

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June 24, 2022 Page 13 of 24

Country Hearth Inn & Suites
2182 Gordon Hwy,
Augusta, GA 30909

Angela Barger's Home
2880 Country Club Hills Dr,
N. Augusta, SC 29860

Greg's Gas Plus
1295 W. Martintown Rd,
North Augusta, SC 29841

Dollar General
195 Market Plaza Drive,
North Augusta, SC 29860

Circle K
1014 Edgefield Road,
North Augusta, SC 29860

T-Mobile Cell Towers

(803) 624-8898

(803) 221-5170

ENB: 72811

10/09/2018
3:52:28 PM

ENB: 72471

10/09/2018
3:30:08 PM

ENB: 72471

10/09/2018
3:17:33 PM

ENB: 63668

10/09/2018
2:57:23 PM

ENB: 63668

10/09/2018
2:52:12 PM

ENB: 63626

10/09/2018
3:02:01 PM

Augusta

October 9, 2018 2:52 PM – 3:52 PM

3:17 PM is the last cell tower activity for (803) 624-8898 until 9:12 PM

State v. Gabriel Curry

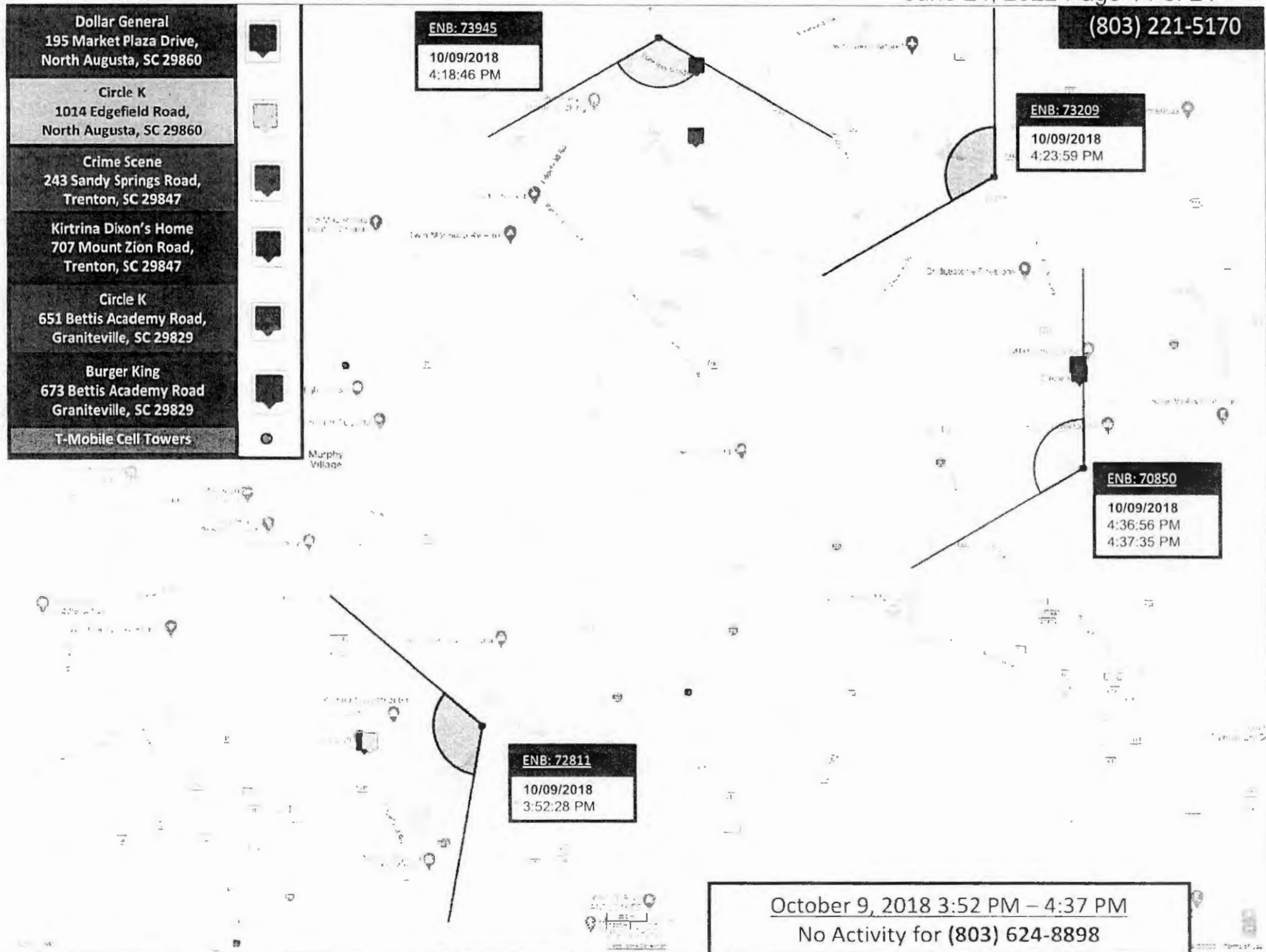
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Additional Discovery

COPY

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Marcus Robinson's Home
110 Culley Street,
North Augusta, SC 29841

Circle K
651 Bettis Academy Road,
Graniteville, SC 29829

T-Mobile Cell Towers

(803) 221-5170

ENB: 70850
10/09/2018
4:37:35 PM -3
4:41:33 PM -2

ENB: 63703
10/09/2018
5:03:46 PM

ENB: 70844
10/09/2018
4:45:53 PM

October 9, 2018 4:37 PM – 5:03 PM
No Activity for (803) 628-8898
State v. Gabriel Curry

COPY

E18-0527

June 24, 2022 Page 16 of 24

Marcus Robinson's Home
110 Culley Street,
North Augusta, SC 29841

(803) 221-5170

T-Mobile Cell Towers



ENB: 63703

10/09/2018
5:21:57 PM
6:31:35 PM

ENB: 70844

10/09/2018
5:47:32 PM

ENB: 64837

10/09/2018
6:08:31 PM

ENB: 63667

10/09/2018
5:56:10 PM

Augusta

October 9, 2018 5:21 PM – 6:31 PM

No Activity for (803) 628-8898
State v. Gabriel Curry

14

Additional Discovery

COPY

617

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June 24, 2022 Page 17 of 24

Marcus Robinson's Home
110 Culley Street,
North Augusta, SC 29841

Crime Scene
243 Sandy Springs Road,
Trenton, SC 29847

Kirrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

T-Mobile Cell Towers

ENB: 73945

10/09/2018	9:36:37 PM -2
7:05:18 PM -1	9:37:03 PM -2
7:29:38 PM -2	9:46:53 PM -2
7:47:29 PM -2	9:57:33 PM -2
7:48:31 PM -2	9:58:26 PM -2
8:23:52 PM -2	10:31:57 PM -2
9:21:26 PM -2	10:39:13 PM -2
9:22:32 PM -2	

(803) 221-5170

(803) 624-8898

ENB: 73575

10/09/2018
7:09:06 PM
7:10:06 PM

ENB: 70838

10/09/2018
6:41:03 PM

ENB: 73209

10/09/2018
7:08:33 PM

ENB: 63703-1

10/09/2018 9:12:56 PM – 10/10/2018 12:40:04 AM
22 Incoming calls

ENB: 63703-2

10/09/2018
6:31:35 PM

October 9, 2018 6:31 PM – October 10, 2018 12:40 AM

(803) 624-8898 9:12 PM -12:40 AM

all calls incoming and routed to voicemail

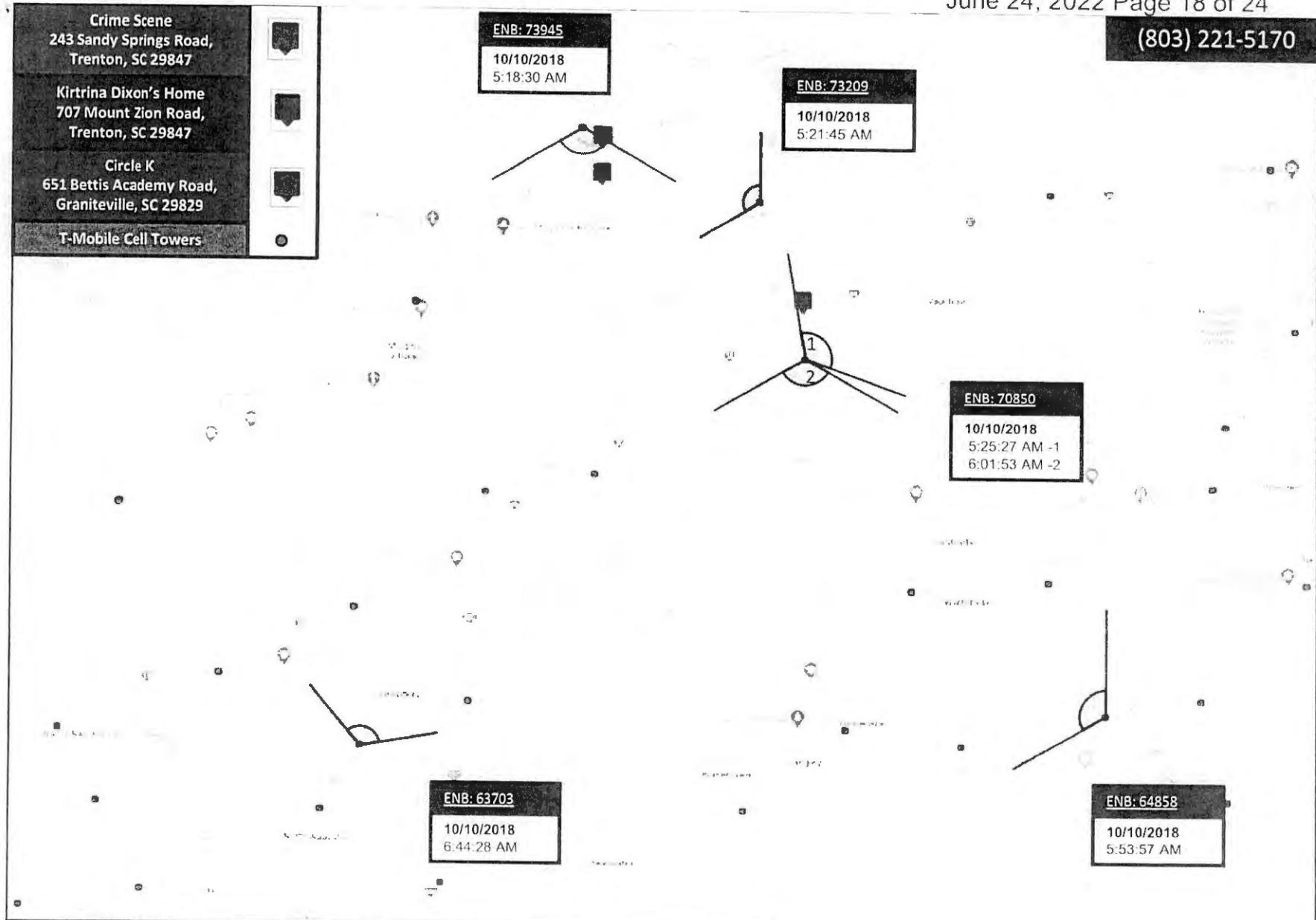
15

COPY

E18-0527

June 24, 2022 Page 18 of 24

(803) 221-5170



October 10, 2018 5:18 AM – 6:44 AM
No activity for (803) 624-8898, last utilized tower 63703 at 12:40 AM
State v. Gabriel Curry

Additional Discovery

COPY

619

E18-0527

June 24, 2022 Page 19 of 24

(803) 221-5170

Kirtrina Dixon's Home
707 Mount Zion Road,
Trenton, SC 29847

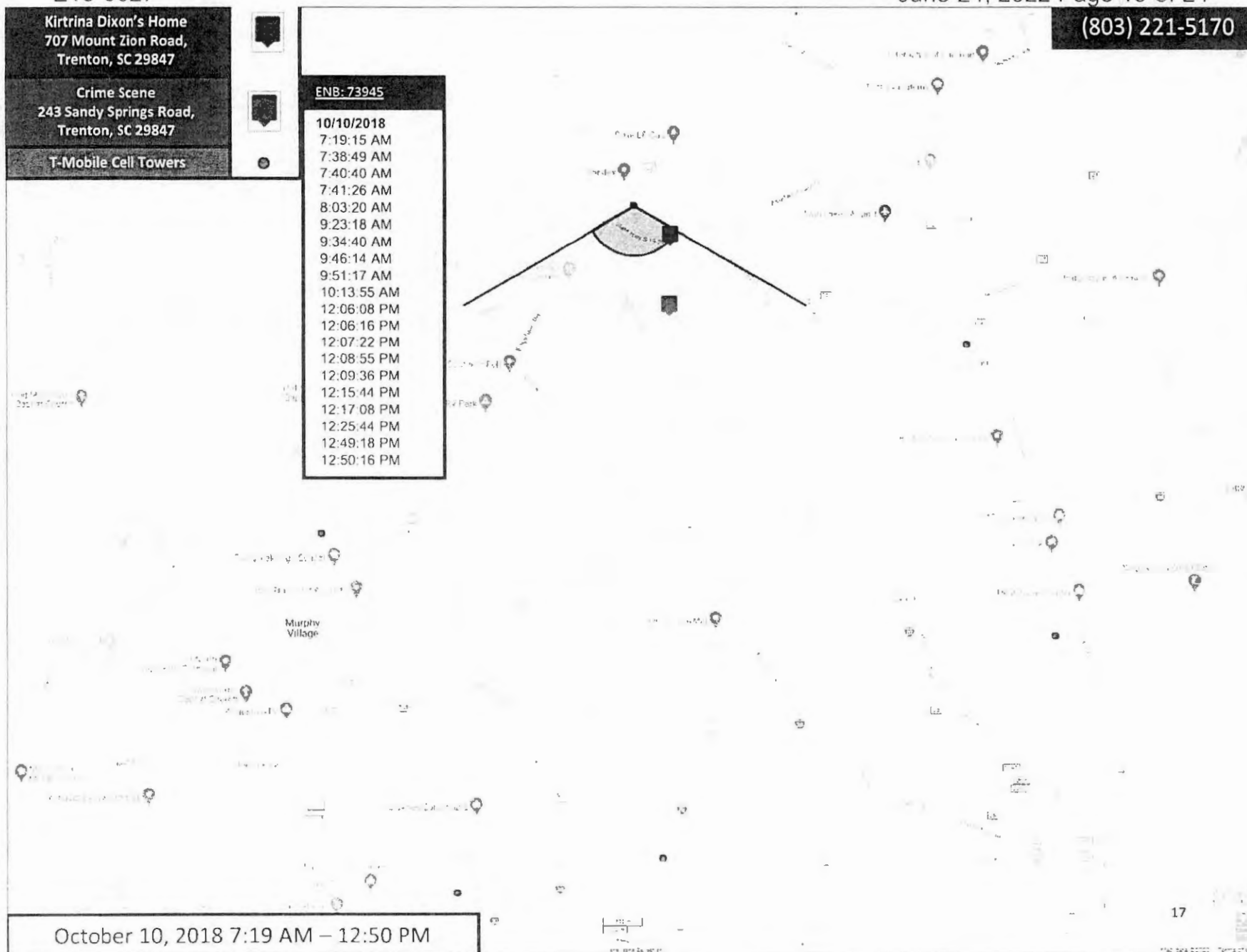
Crime Scene
243 Sandy Springs Road,
Trenton, SC 29847

T-Mobile Cell Towers

ENB: 73945

10/10/2018

7:19:15 AM
7:38:49 AM
7:40:40 AM
7:41:26 AM
8:03:20 AM
9:23:18 AM
9:34:40 AM
9:46:14 AM
9:51:17 AM
10:13:55 AM
12:06:08 PM
12:06:16 PM
12:07:22 PM
12:08:55 PM
12:09:36 PM
12:15:44 PM
12:17:08 PM
12:25:44 PM
12:49:18 PM
12:50:16 PM



October 10, 2018 7:19 AM – 12:50 PM

State v. Gabriel Curry

Additional Discovery

COPY

Jon VanHouten
NIFA / Computer Forensic Examiner
 United States Secret Service
 107 Westpark Blvd. Suite 301
 Columbia, SC 29210

Telephone: 803-772-4015 / jonathan.vanhouten@uss.s.dhs.gov

EDUCATION

08/1996 - 05/1998 Florence-Darlington Technical College Florence, SC
Criminal Justice

CERTIFICATIONS

06/1999	South Carolina Criminal Justice Academy Basic Law Enforcement Training
03/2001	South Carolina Criminal Justice Academy 16 Hour Criminal Justice Information Computer Operator
04/2001	South Carolina Criminal Justice Academy DataMaster Breath Test Operator
09/2001	South Carolina Law Enforcement Officers Association Grade Crossing Collision Management
03/2002	South Carolina Criminal Justice Academy Radar Speed Measuring Device
03/2005	Columbia Police Department Law Enforcement Response to Active Shooter
12/2005	South Carolina Criminal Justice Academy Advanced DUI Detection
04/2008	South Carolina Criminal Justice Academy At Scene Traffic Collision Investigation
05/2008	South Carolina Criminal Justice Academy Technical Traffic Collision Investigation
02/2009	International Association of Chiefs of Police Drug Evaluation and Classification Program (DRE Pre-Training)
02/2009	International Association of Chiefs of Police Drug Evaluation and Classification Program (DRE Certification)

05/2010	National Computer Forensics Institute Basic Investigation of Computers and Electronic Crimes
01/2011	National White Collar Crime Center Basic Computer Skills for Law Enforcement
02/2011	National White Collar Crime Center Cyber-Investigation / Secure Techniques for Onsite Preview
04/2011	US Department of Justice / Drug Enforcement Agency Basic Telecommunications Exploitation Program
04/2011	South Carolina Law Enforcement Division Basic Cell Phone Data Extraction
05/2011	Mississippi State University Center for Computer Security Research Introduction to Cyber Crime and Computer Forensics
05/2011	Mississippi State University Center for Computer Security Research Advanced Digital Forensics Workshop
05/2010	National Computer Forensics Institute Basic Computer Evidence Recovery Training
03/2012	Department of Homeland Security / Federal Law Enforcement Training Macintosh Forensics Training
07/2013	National Computer Forensics Institute Advanced Computer Forensics Training
07/2013	National Computer Forensics Institute ACE Certification (Access-Data Computer Forensic Software Certification)
08/2013	National Computer Forensics Institute Advanced Mobile Device Examiner Program
03/2015	National Computer Forensics Institute Python Scripting Training
05/2016	Cellebrite Training Center Cellebrite Mobile Forensic Fundamentals
05/2016	Cellebrite Training Center Cellebrite Certified Logical Operator
05/2016	Cellebrite Training Center Cellebrite Certified Physical Analyst
05/2016	National Computer Forensic Institute XRY Cell Phone Certification
09/2016	National Computer Forensic Institute NITRO Certification (Network Intrusion Response)

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12/2017	GetData Forensic Explorer Forensic Explorer Certification
10/2020	Cellebrite Advanced Smartphone Analysis (CASA) Celebrite Certified CASA
04/2021	Field Based Trainers Course Rowley Training Center
04/2021	Point of Sale Training Course US Secret Service Headquarters (Virtual)
10/2021	Ransomware Incident Response Training National Computer Forensic Institute, Hoover, AL
10/2021	NCFI Virtual Incident Response Competition Hoover, AL
10/2021	Oxygen Forensic Extraction (Oxygen Forensics) Virtual

PROFESSIONAL APPOINTMENTS

04/1999 – 08/2009	Columbia Police Department, Columbia SC Patrol Officer / Police Officer
08/2009 – 10/2010	Columbia Police Department, Columbia SC Investigator / White Collar Crimes
10/2010 – 04/2020	United States Secret Service, Columbia SC Task Force Agent / Computer Forensic Examiner (Retired)
04/2022 – present	United States Secret Service, Columbia SC Network Intrusion Forensic Examiner / Digital Forensics

COMMITTEE APPOINTMENTS

03/2006 – 03/2009	Southern States Police Benevolent Association, McDonough, GA Vice President, South Carolina Chapter
-------------------	---

CONFERENCES

06/2011	Techno Security & Forensics Investigations, Myrtle Beach SC
06/2012	Techno Security & Forensics Investigations, Myrtle Beach SC
06/2013	Techno Security & Forensics Investigations, Myrtle Beach SC
06/2015	Techno Security & Forensics Investigations, Myrtle Beach SC

06/2016	Techno Security & Forensics Investigations, Myrtle Beach SC
06/2017	Techno Security & Forensics Investigations, Myrtle Beach SC
06/2021	Techno Security & Forensics Investigations, Myrtle Beach SC
05/2022	Techno Security & Forensics Investigations, Myrtle Beach SC

PROFESSIONAL PRESENTATIONS

07/2013	South Carolina Solicitors Conference, Myrtle Beach SC Presenter, Media Evidence
08/2014	Kershaw County School District Annual Training, Lugoff SC Presenter, Cyber-Security, Keeping Yourself Safe
12/2014	City of Columbia Teen Retreat Program, Columbia SC Presenter, Internet Safety for Kids
06/2015	McBee County School District Annual Training, McBee SC Presenter, Cyber-Security, Keeping Yourself Safe
11/2015	National Computer Forensic Institute, Hoover AL Assistant Instructor, Cell Phone Forensics for Prosecutors
04/2016	NUCOR Steel Company, Florence SC Presenter, Cyber-Security for Industries
05/2016	National Computer Forensic Institute, Hoover AL Assistant Instructor, Mobile Device Examiner for Law Enforcement
12/30/17	National Computer Forensic Institute, Hoover AL Assistant Instructor, Online Social Networking for Law Enforcement
02/23/17	University of South Carolina School of Law Presenter, Cyber-Security, Keeping Yourself Safe
07/11/17	Orangeburg Department of Social Services (DSS) Presenter, Cyberbullying, Internet Safety for Kids
07/24/17	National Computer Forensics Institute, Hoover AL Assistant Instructor, Computer Forensics for Prosecutors
08/12/17	Richland County Department of Social Services (DSS) Presenter, Cyberbullying, Internet Safety for Kids
04/18/18	University of South Carolina School of Law Presenter, Cyber-Security
07/01/18	National Computer Forensics Institute, Hoover AL Assistant Instructor, BCERT (Basic Computer Evidence Recovery Training)
02/26/19	SYNNEX Corporation / Annual Company Retreat, Charleston SC Presenter, Cyber-Security
10/05/20	Network Intrusion Responder Course Proctor / Assistant Instructor

04/18/2022

University of South Carolina Darla Moore School of Business
Presenter, Cyber Security Incident Response

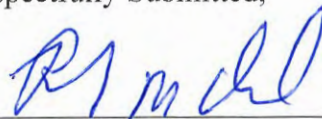
COPY

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

RECEIVED**Dec 15 2023****SC Court of Appeals**

Respectfully Submitted,



Robert M. Dudek

Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

This 15th day of December, 2023.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Dec 15 2023

SC Court of Appeals

Appeal from Edgefield County

Honorable Courtney Clyburn-Pope, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

GABRIEL DANTRAY CURRY,

APPELLANT

APPELLATE CASE NO. 2022-000966

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 15th day of December, 2023.



Robert M. Dudek
Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

From: [Pollard, Shelby](#)
To: [SC - BROWN MELODY; Angela Brown](#)
Cc: [Dudek, Robert](#)
Subject: 2022-000996 The State v. Gabriel Dantray Curry - Record on Appeal Volume II and Transportation Order
Date: Friday, December 15, 2023 2:07:00 PM
Attachments: [2022-000966 The State v. Gabriel D. Curry - Record on Appeal - Volume II.pdf](#)
[Proposed Transportation Order - G. Curry.pdf](#)

Good afternoon,

Please find attached for service in the above-referenced case the Record on Appeal Volume II and the Proposed Transportation Order. These will be filed today, December 15, 2023, with the Court of Appeals via email filing.

Thank you,
Shelby

Shelby Pollard

Administrative Assistant
South Carolina Commission on Indigent Defense
Appellate Division
1330 Lady Street, Suite 401
PO Box 11589
Columbia, SC 29201-1589
(803) 734-1330 – Telephone
(803) 734-1397 - Fax