

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

Appeal from Greenville County

Honorable Edward W. Miller, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

WILLIAM ARTHUR SINGLETON,

APPELLANT.

APPELLATE CASE NO. 2021-001248

RECORD ON APPEAL

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INDEX

INDEX	i
TRIAL TRANSCRIPT DATED OCTOBER 18-20, 2021	1
JURY VOIR DIRE	5
JURY SELECTION	11
OPENING REMARKS BY THE COURT	20
MOTION TO SUPPRESS	30
TESTIMONY	
JACOB WALTERS (IN-CAMERA).....	31
RULING BY THE COURT.....	44
OPENING STATEMENT BY THE SOLICITOR	46
OPENING STATEMENT BY DEFENSE COUNSEL.....	48
TESTIMONY	
JACOB WALTERS	49
AUSTIN FOWLER	78
KRISTEN MCCALL	90
STATE RESTS	98
MOTION FOR DIRECTED VERDICT.....	98
RULING BY THE COURT.....	99
TESTIMONY	
WILLIAM ARTHUR SINGLETON	100
DEFENSE RESTS	114
RENEWED MOTION FOR DIRECTED VERDICT	115

RULING BY THE COURT.....	115
CHARGE CONFERENCE.....	115
CLOSING ARGUMENTS BY THE SOLICITOR.....	118
CLOSING ARGUMENTS BY DEFENSE COUNSEL.....	127
REBUTTAL CLOSING ARGUMENT BY THE SOLICITOR	134
CHARGE ON THE LAW	136
JURY QUESTION.....	144
JURY QUESTION.....	148
VERDICT	150
SENTENCING	156

STATE OF SOUTH CAROLINA	)	COURT OF GENERAL SESSIONS
	)	2020-GS-23-03607
COUNTY OF GREENVILLE	)	2020-GS-23-03608
	)	2020-GS-23-03609
	)	2020-GS-23-03610
	)	
	)	
STATE OF SOUTH CAROLINA,	)	
PLAINTIFF,	)	
	)	
vs.	)	TRANSCRIPT OF RECORD
	)	
WILLIAM ARTHUR SINGLETON,	)	
DEFENDANT.	)	
_____	)	

October 18, 19, 20, 2021
Greenville, South Carolina

B E F O R E:

THE HONORABLE EDWARD W. MILLER, JUDGE; and a jury.

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

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CHERYL A. SMITH
Circuit Court Reporter

INDEX

(SW) - Denotes State's Witness
(DW) - Denotes Defense Witness
(IC) - Denotes In Camera

	<u>PAGE</u>
<u>Monday, October 18, 2021</u>	
Jury Qualification	5
Jury Selection	11
Jury Instructions	20
<u>Tuesday, October 19, 2021</u>	
Motion to Suppress:	30
<u>(IC) JACOB WALTERS:</u>	
Direct Examination by Mr. Blouin	31
Cross-Examination by Mr. Sanford	36
Redirect Examination by Mr. Blouin	43
Opening Statement by Mr. Blouin	46
Opening Statement by Mr. Sanford	48
<u>(SW) JACOB WALTERS:</u>	
Direct Examination by Mr. Blouin	49
Cross-Examination by Mr. Sanford	68
Defendant's Advisement of Rights	75
Stipulations	77, 89
<u>(SW) AUSTIN FOWLER:</u>	
Direct Examination by Mr. Blouin	78
Cross-Examination by Mr. Sanford	85
<u>(SW) KRISTEN McCALL:</u>	
Direct Examination by Mr. Blouin	90
Cross-Examination by Mr. Sanford	97
State Rests	98
Motion for a Directed Verdict	99

INDEX (Continued)

(SW) - Denotes State's Witness
(DW) - Denotes Defense Witness
(IC) - Denotes In Camera

PAGE(DW) WILLIAM ARTHUR SINGLETON:

Direct Examination by Mr. Sanford	101
Cross-Examination by Mr. Blouin	109
Defense Rests	114
Motion for a Directed Verdict	115
Jury Charge Conference	115

Wednesday, October 20, 2021

Closing Argument by Mr. Blouin	118
Closing Argument by Mr. Sanford	127
Rebuttal Closing Argument by Mr. Blouin	134
Charge on the Law	136
Jury Questions	144, 148
Verdict	150
Sentencing	156
Certificate of Reporter	157

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXHIBITS

<u>NO</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EVD</u>
(State's Exhibits)			
1	Jansport Backpack	60	61
2	Photo	60	62
3	Photo	60	62
4	Photo	60	61
5	Drugs	63	95
6	Drugs	63	95
7	Drugs	63	95
8	Drugs	63	95
9	Drugs	63	95
10	Drugs	63	95
11	Drugs	63	95
12	Digital Scale	64	65
13	Digital Scale	64	65
14	Photo	65	66
15	Deputy Walters' Body-Worn Camera Video Footage	66	67
16	Deputy Fowler's Body-Worn Camera Video Footage	77	79
17	Deputy Fowler's In-Car Video Footage	77	79
18	Drug Analysis Report	96	97
(Court's Exhibits)			
1	Jury Note	77	
2	Jury Note	148	
3	Resisting Arrest Jury Charge	148	

1 P R O C E E D I N G S

2 MONDAY, OCTOBER 18, 2021

3 (WHEREUPON, proceedings commenced at 2:36 PM.)

4 JURY QUALIFICATION

5 THE COURT: Ladies and gentlemen, welcome back.

6 We are going into the next step in the process. And
7 y'all have been qualified to serve generally this week as
8 jurors, and the next step in the process is to call an
9 individual case and then qualify you all to serve as
10 jurors for that particular case, which is the procedure
11 we're going to engage in currently. So in order for me to
12 do that, I need to announce the case to you. Sorry. I'm
13 getting a little scratchy throat. Fully inoculated. And
14 to do that, I will tell you that this is the case of the
15 State vs. William Arthur Singleton. It is a
16 four-indictment case.

17 The first indictment is for trafficking in
18 methamphetamine. And this indictment alleges that William
19 Arthur Singleton did, in Greenville County, on or about
20 the 19th day of February 2020, knowingly sell,
21 manufacture, deliver or bring into the State of South
22 Carolina, or did knowingly provide financial assistance,
23 or otherwise aid, abet, attempt or conspire to sell,
24 manufacture, deliver or bring into the state, or was
25 knowingly in actual constructive possession of 28 grams or

1 more but less than 100 grams of methamphetamine known as
2 crank.

3 The next indictment alleges that William Arthur
4 Singleton did, in Greenville County, on or about the 19th
5 day of February 2020, knowingly sell, manufacture, deliver
6 or bring into the State of South Carolina, or did
7 knowingly provide financial assistance, or otherwise aid,
8 abet, attempt or conspire to sell, manufacture, deliver or
9 bring into the state, or was knowingly in actual or
10 constructive possession of 28 grams or more but less than
11 100 grams of cocaine.

12 The next indictment alleges that William Arthur
13 Singleton did, in Greenville County, on or about the 19th
14 day of February 2020, willfully and unlawfully have in his
15 possession and under his control a quantity of heroin, a
16 schedule I controlled substance.

17 And the last indictment alleges that William Arthur
18 Singleton did, in Greenville County, on or about the 19th
19 day of February 2020, knowingly, willfully and unlawfully
20 oppose or resist an arrest made by Jacob A. Walters with
21 the Greenville County Sheriff's Office whom he knew or
22 reasonably should have known was a law-enforcement
23 officer, all these indictments being against the laws of
24 the State of South Carolina.

25 I will tell you that to these indictments,

1 Mr. Singleton has pled not guilty, and as such, certain
2 rights attach to him which belong to each and every person
3 in this country who is charged with a crime, and that is
4 he is presumed to be innocent unless and until the
5 charging body, in this case the State of South Carolina,
6 can prove to a jury beyond any reasonable doubt each and
7 every element of each offense that he is charged with.
8 Please keep that in mind throughout the course of these
9 proceedings.

10 I also would tell you that what I have read to you on
11 these indictments is not evidence. It's simply these
12 indictments contain the allegations made by the charging
13 body against Mr. Singleton, and you should make no
14 presumption or take any inference from the fact that these
15 indictments have issued. They are just the formal
16 documents which allow this case to wind its way through
17 our system to arrive in court for disposition. They are
18 not evidence.

19 Now, before I go forward, I'm going to ask the
20 attorneys involved in this case to stand and introduce
21 themselves and also their client. State -- from the
22 State.

23 MR. BLOUIN: My name is Hunter Blouin. I'm a
24 representative from the State and work in the 13th Circuit
25 Solicitor's Office.

1 THE COURT: Thank you.

2 MR. SANFORD: Hi. My name is Russell Sanford. I
3 work for the law firm of Richard Warder. And my client --
4 and I'm proud to represent Mr. Singleton.

5 THE COURT: Okay. Is he here?

6 MR. SANFORD: Your Honor, he is here. He is in the
7 restroom, so Mr. Warder went to go and get him. But he is
8 here, Your Honor.

9 THE COURT: Okay. All right. Well, when he gets
10 here, ladies and gentlemen, we'll have him stand up for
11 you.

12 At this time I would like to know whether or not any
13 member of the jury panel has any business, social or
14 personal relationship with either of the attorneys
15 involved in this case or with any member of the 13th
16 Circuit Solicitor's Office. If so, please stand.

17 (No response.)

18 THE COURT: Does any member of the jury panel have
19 any relationship with Mr. William Arthur Singleton, either
20 business, personal or social? If so, please stand.

21 (No response.)

22 THE COURT: Now I'm also going to read a list of
23 potential witnesses in this case, and I'll need to know
24 the same about them: Deputy Jacob A. Walters with the
25 sheriff's department; Deputy Austin Fowler with the

1 sheriff's department; Deputy Justin Lanford with the
2 sheriff's department; Deputy Coly, C-O-L-Y, Forrester with
3 the sheriff's department; Deputy Angela Reaves with the
4 sheriff's department; supervisor Kara Bennick with the
5 Greenville County Department of Public Safety; clerk Kathy
6 Lance with the Department of Public Safety; Kelley Rackley
7 with the Department of Public Safety; Melanie Watson with
8 the Department of Public Safety; the chemist Kristen
9 McCall with the Greenville County Department of Public
10 Safety laboratory; Timothy Alexander; and Jennifer
11 Williamson. Is there any member of the jury panel related
12 by blood or marriage or who has a business, personal or
13 social relationship with any of the potential witnesses
14 whose names I have just read? If so, please stand.

15 Yes, ma'am. Hang on one second. Please let me have
16 your name and number.

17 JUROR NUMBER 55: Christina Weiner, 55.

18 THE COURT: Okay. And what is your connection?

19 JUROR NUMBER 55: Jake Walters, Deputy Jake Walters.

20 THE COURT: Okay. Just a brief, what is the
21 connection?

22 JUROR NUMBER 55: He is a coworker with my husband
23 and a personal friend.

24 THE COURT: Okay. All right. Thank you very much.

25 Anyone else?

1 (No response.)

2 THE COURT: Okay. Is there any member of the jury
3 panel who has any knowledge about the events that have
4 been alleged in these indictments? If so, please stand.

5 (No response.)

6 THE COURT: All right. Is this Mr. Singleton?

7 DEFENDANT SINGLETON: Yes.

8 THE COURT: All right. Mr. Singleton, if you would,
9 stand and face the jury and pull the mask aside just for a
10 moment so we can -- all right. That's great.

11 All right. Is any member of the jury panel related
12 by blood or marriage or who have a business, personal or
13 social relationship with Mr. William Arthur Singleton? If
14 so, please stand.

15 (No response.)

16 THE COURT: Okay. All right. Is there any member of
17 the jury panel or a family member who has ever been a
18 victim of or charged with these type of offenses? If so,
19 please stand.

20 (No response.)

21 THE COURT: Is there any member of the jury panel who
22 is aware of any bias or prejudice towards either the State
23 or the defense? If so, please stand.

24 (No response.)

25 THE COURT: Is there any member of the jury panel who

1 is a member of or a contributor to a group whose primary
2 concern is the promotion of law enforcement or victims'
3 rights? Examples would be MADD, SAD or CAV. If so,
4 please stand.

5 (No response.)

6 THE COURT: Is there any juror who knows of any
7 reason whatsoever why they shouldn't serve in this case
8 with particular emphasis on your ability to be fair and
9 impartial to both the State and the defense and to judge
10 this case based solely on the merits of the evidence
11 presented in court and the law as I would give it to you?
12 If you can't do that, please let us know right now.

13 (No response.)

14 THE COURT: Okay. All right. Ladies and gentlemen,
15 hang on one second. Let me just talk to the lawyers up
16 here for one second.

17 (WHEREUPON, a bench conference was held off the record.)

18 THE COURT: All right. Ladies and gentlemen, if you
19 would, when your name -- if your name is called, please
20 stand in place and await further instructions.

21 Thank you.

22 JURY SELECTION

23 THE CLERK: Juror Number 56, Alonzo Woodall.

24 (WHEREUPON, Alonzo Woodall, a white male, stood.)

25 THE CLERK: What says the State?

1 MR. BLOUIN: Please seat the juror.

2 THE CLERK: What says the defendant?

3 MR. WARDER: Please swear the juror.

4 THE CLERK: Mr. Woodall, please bring your belongings
5 and step forward.

6 Juror Number 34, Kelly Maiato.

7 (WHEREUPON, Kelly Maiato, a white female, stood.)

8 THE CLERK: What says the State?

9 MR. BLOUIN: Please present this juror.

10 THE CLERK: What says the defendant?

11 MR. WARDER: Please excuse the juror from the trial
12 of this matter.

13 THE CLERK: You may be seated. You've been excused
14 from this case.

15 Juror Number 4, Quincis Chapman.

16 JUROR NUMBER 4: Do I stand?

17 THE CLERK: Yes, sir.

18 (WHEREUPON, Quincis Chapman, a black male, stood.)

19 THE CLERK: What says the State?

20 MR. BLOUIN: Please present the juror.

21 THE CLERK: What says the defendant?

22 MR. WARDER: Please swear the juror.

23 THE CLERK: Mr. Chapman, please bring your belongings
24 and step forward.

25 Juror Number 1, Terrence Beach.

1 (WHEREUPON, Terrence Beach, a white male, stood.)

2 THE CLERK: What says the State?

3 MR. BLOUIN: Please present the juror.

4 THE CLERK: What says the defendant?

5 MR. WARDER: Please excuse the juror from the trial
6 of this matter, Your Honor.

7 THE CLERK: Mr. Beach, you may be seated. You've
8 been excused from this case.

9 Juror Number 46, Joshua Riley.

10 (WHEREUPON, Joshua Riley, a white male, stood.)

11 THE CLERK: What says the State?

12 MR. BLOUIN: Please present this juror.

13 THE CLERK: What says the defendant?

14 MR. WARDER: Please swear the juror.

15 THE CLERK: Mr. Riley, please bring your belongings
16 and step forward.

17 Juror Number 53, Yolanda Walker.

18 (WHEREUPON, Yolanda Walker, a black female, stood.)

19 THE CLERK: What says the State?

20 MR. BLOUIN: Please present this juror.

21 THE CLERK: What says the defendant?

22 MR. WARDER: Please seat the juror.

23 THE CLERK: Ms. Walker, please bring your belongings
24 and step forward.

25 Juror Number 49, Xavier Sims.

1 (WHEREUPON, Xavier Sims, a black male, stood.)

2 THE CLERK: What says the State?

3 MR. BLOUIN: Please present the juror.

4 THE CLERK: What says the defendant?

5 MR. WARDER: Please seat the juror.

6 THE CLERK: Xavier, if you'll please step forward.

7 You've been chosen for this jury.

8 Juror Number 18, Virginia Suleyman.

9 (WHEREUPON, Virginia Suleyman, a white female, stood.)

10 THE CLERK: What says the State?

11 MR. BLOUIN: Please present the juror.

12 THE CLERK: What says the defendant?

13 MR. WARDER: Please swear the juror.

14 THE CLERK: Ms. Suleyman, if you'll please bring your
15 belongings and step forward.

16 Juror Number 2, Tamra Black.

17 (WHEREUPON, Tamra Black, a white female, stood.)

18 THE CLERK: What says the State?

19 MR. BLOUIN: Please present the juror.

20 THE CLERK: What says the defendant?

21 MR. WARDER: Please excuse the juror from the trial
22 of the case.

23 THE CLERK: Ms. Black, you may be seated. You've
24 been excused from this case.

25 Juror Number 21, Alison Hardtmann.

1 (WHEREUPON, Alison Hardtmann, a white female, stood.)

2 THE CLERK: What says the State?

3 MR. BLOUIN: Please present the juror.

4 THE CLERK: What says the defendant?

5 MR. WARDER: Please excuse the juror.

6 THE CLERK: Ms. Hardtmann, you may be seated. You've
7 been excused from this case.

8 Juror Number 25, Daniel Herndon-Lewis.

9 (WHEREUPON, Daniel Herndon-Lewis, a white male, stood.)

10 THE CLERK: What says the State?

11 MR. BLOUIN: Please present the juror.

12 THE CLERK: What says the defendant?

13 MR. WARDER: Please seat the juror.

14 THE CLERK: Mr. Lewis, if you'll please grab your
15 belongings and step forward.

16 Juror Number 48, Nyah Shell.

17 (WHEREUPON, Nyah Shell, a black female, stood.)

18 THE CLERK: What says the State?

19 MR. BLOUIN: Please present the juror.

20 THE CLERK: What says the defendant?

21 MR. WARDER: Please swear the juror.

22 THE CLERK: Ms. Shell, please gather your belongings
23 and step forward.

24 Juror Number 5, Anna Chasse.

25 (WHEREUPON, Anna Chasse, a white female, stood.)

1 THE CLERK: What says the State?

2 MR. BLOUIN: Please excuse this juror.

3 THE CLERK: Ms. Chasse, you may be seated. You've
4 been excused from this case.

5 Juror Number 41, Gerardo Ochoa.

6 (WHEREUPON, Gerardo Ochoa, an Hispanic male, stood.)

7 THE CLERK: What says the State?

8 MR. BLOUIN: Please excuse Mr. Ochoa.

9 THE CLERK: Mr. Ochoa, you may be seated. You've
10 been excused from this case.

11 Juror Number 30, Michael Julian.

12 (WHEREUPON, Michael Julian, a white male, stood.)

13 THE CLERK: What says the State?

14 MR. BLOUIN: Please present this juror.

15 THE CLERK: What says the defendant?

16 MR. WARDER: Please swear the juror.

17 MR. SANFORD: Mr. Julian, please bring your
18 belongings and step forward.

19 Juror Number 35, Justin Mann.

20 (WHEREUPON, Justin Mann, a white male, stood.)

21 THE CLERK: What says the State?

22 MR. BLOUIN: Please present the juror.

23 THE CLERK: What says the defendant?

24 MR. WARDER: Please swear the juror.

25 THE CLERK: Mr. Mann, please gather your belongings

1 and step forward.

2 Juror Number 16, Justin Forrester.

3 (WHEREUPON, Justin Forrester, a white male, stood.)

4 THE CLERK: What says the State?

5 MR. BLOUIN: Please present this juror.

6 THE CLERK: What says the defendant?

7 MR. WARDER: Please excuse the juror from the trial
8 of this matter.

9 THE CLERK: Mr. Forrester, you may be seated. You've
10 been excused from this case.

11 Juror Number 23, Arthur Harris.

12 (WHEREUPON, Arthur Harris, a black male, stood.)

13 THE CLERK: What says the State?

14 MR. BLOUIN: Please present the juror.

15 THE CLERK: What says the defendant?

16 MR. WARDER: Please swear the juror.

17 THE CLERK: Mr. Harris, please gather your belongings
18 and come forward.

19 Juror Number 28, Patrick Griggs.

20 (WHEREUPON, Patrick Jeter-Griggs, a black male, stood.)

21 THE CLERK: What says the State?

22 MR. BLOUIN: Please present the juror.

23 THE CLERK: What says the defendant?

24 MR. WARDER: Please swear the juror.

25 THE CLERK: Mr. Griggs, please gather your belongings

1 and come forward.

2 THE COURT: Two alternates, one and one on each.

3 THE CLERK: Juror Number 20, Robert Hamby.

4 (WHEREUPON, Robert Hamby, a white male, stood.)

5 MR. BLOUIN: Please present the juror.

6 THE CLERK: What says the defendant?

7 MR. WARDER: Please swear the juror.

8 THE CLERK: Mr. Hamby, please bring your belongings
9 and come forward.

10 Juror Number 13, Carrie Dunaway.

11 (WHEREUPON, Carrie Dunaway, a white female, stood.)

12 THE CLERK: What says the State?

13 MR. BLOUIN: Please present the juror.

14 THE CLERK: What says the defendant?

15 MR. WARDER: Please excuse the juror from the trial
16 in this matter.

17 THE CLERK: Ms. Dunaway, you may be seated. You've
18 been excused from this case.

19 Juror Number 9, Erica Cooke.

20 (WHEREUPON, Erica Cooke, a white female, stood.)

21 THE CLERK: What says the State?

22 MR. BLOUIN: Please present the juror.

23 THE CLERK: What says the defendant?

24 MR. WARDER: Please swear the juror.

25 THE CLERK: Ms. Cooke, please gather your belongings

1 and come forward.

2 THE COURT: All right. Any exception or objection to
3 that jury as empanelled pursuant to Batson or J.E.B. from
4 the State?

5 MR. BLOUIN: None from the State.

6 THE COURT: From the defense?

7 MR. WARDER: No objections, Your Honor.

8 THE COURT: All right. Great. All right.

9 Ladies and gentlemen, we'll ask you to -- I look out
10 among this sea of wonderful citizenry, and I see a lot of
11 disappointed faces that you didn't get picked. I hope
12 that you will get an opportunity to serve maybe this week.
13 If not, sometime in the future. It is a real honor,
14 privilege and responsibility to serve on a jury.

15 So we have the jury for the first case, and we will
16 ask you all to call back on the number that you have
17 tomorrow after 6:00 to determine either when to come back
18 or when to call back again.

19 With that, ladies and gentlemen, remain seated and
20 let us get out of here and then we'll look forward to
21 seeing you later in the week.

22 (WHEREUPON, a recess is taken at 3:04 PM.)

23 THE COURT: Okay. I'm going to bring the jury in,
24 give them a little speech, swear them, cut them loose. Is
25 there anything we can do today? We're going to start

1 tomorrow for the most part. Anything?

2 MR. BLOUIN: Your Honor, we would just -- the State
3 would just like to put on the record kind of that there
4 was an offer conveyed, make sure that the defendant knew
5 that an offer was conveyed, that he rejected that offer.

6 THE COURT: Yeah. We'll do all that kind of stuff.
7 Any motions that we can hear?

8 MR. BLOUIN: Your Honor, there was a potential
9 hearsay issue that may come up during the trial that I was
10 going to, depending on whether we get ahold of this
11 witness or not, get a ruling on now instead of logjamming
12 everything in the middle, if that was okay with Your
13 Honor.

14 THE COURT: Well ---

15 MR. SANFORD: I do have a suppression motion that I'm
16 going to make. But the solicitor has informed me that one
17 of his officers will not be here until tomorrow, so I
18 would rather wait until that officer is here just in case
19 we get in the middle of something and that officer needs
20 to be present.

21 THE COURT: All right. Okay. Well, let's bring the
22 jury in.

23 (WHEREUPON, the jury entered the courtroom at 3:24 PM.)

24 JURY INSTRUCTIONS

25 THE COURT: All right. Ladies and gentlemen, can you

1 hear me? Thank you all for being here again. I want to
2 just make a few brief comments to you. And then we've got
3 some other things we have to attend to, and we're going to
4 excuse you all for the day and ask you all to be back at
5 10:30 in the morning.

6 But what I wanted to tell you was that we have a
7 dispute about the facts in this case, and it's a dispute
8 that can't be resolved in any fashion other than to
9 impanel a jury to come up and listen to the evidence
10 presented in the courtroom and the law presented in the
11 courtroom and come to a decision at the conclusion of the
12 case which resolves that dispute. And that's your job and
13 what we are asking you to do.

14 Now, the indictments that I read to you are not
15 evidence, and you should make no presumption or take any
16 inference from the fact that those indictments issued. As
17 I told you, they are just the formal written documents
18 which contain the allegations against this defendant and
19 allows the case to wind its way through our system to
20 arrive in court for a resolution.

21 I also instruct you and remind you that every person
22 charged with a crime in this country is presumed to be
23 innocent unless and until the charging body, in this case
24 the State of South Carolina, can prove to you all beyond
25 any reasonable doubt each and every element of each

1 indictment. So please keep that in mind as well
2 throughout the course of the proceedings.

3 Now, for your benefit, to kind of create a general
4 procedural roadmap for you so that you know where we are
5 in the process of the trial, I divide a trial into five
6 parts. The first part of the trial, I guess it's kind of
7 starting now, but I call it the opening statements to you
8 by the attorneys where they will make a brief,
9 nonargumentative statement to you about their view of the
10 case.

11 The second part of a trial is the presentation of the
12 evidence in the case. That's really the meat and potatoes
13 of every case. And the evidence will come to you
14 generally in one of three ways. I think the most commonly
15 thought of way is through oral testimony that will be
16 presented from this witness stand. The second very common
17 way is through the introduction of material tangible
18 objects and perhaps documents. And the third most common
19 way is when the parties agree that some fact is so beyond
20 dispute that you should accept it as being true, and
21 that's what we call a stipulation of the parties. I don't
22 know how the evidence in this case will come to you, but
23 generally, it will be in one of those three ways.

24 The third part of the trial will be at the conclusion
25 of all of the evidence, when all of the evidence has been

1 presented, the lawyers will make their closing arguments
2 to you. So it's an opening statement and it's a closing
3 argument. And in their arguments, they will urge you to
4 resolve the case in their favor.

5 The fourth part of the trial will be when I charge
6 you the law, tell you what the law is as it applies to
7 this case.

8 And the fifth part of the trial will be when you all
9 retire to your jury room to deliberate the case and to
10 come to a conclusion which resolves the indictments.

11 Those are the five parts. They're not of equal
12 length, but if you can kind of remember that, you'll know
13 where you are and what's coming next.

14 I'm also sure that I'm going to ask you to do a
15 number of things throughout the course of the trial, but
16 there are three main things I ask you to do. The first
17 one is to keep an open mind. We go through the
18 questioning of the entire panel to ensure that we have a
19 jury that doesn't come into a trial with a predetermined
20 mindset about how the case should be resolved. We want
21 you to keep an open mind, be fair and impartial, judge the
22 evidence, and at the conclusion of the trial, you'll reach
23 a result based on just what you hear in this courtroom.

24 The second thing I'll ask you to do is not to discuss
25 this case with anyone until you are free to deliberate the

1 case. Don't talk about the facts of the case. And I will
2 tell you that you'll go home tonight, and whoever you see
3 tonight, family, friends, they'll be curious. They'll
4 want to know about this. You're not going to know much
5 about it, but you can't discuss the facts of the case.
6 Tomorrow when you come back and if you've heard evidence
7 and perhaps break for lunch, you may see someone at lunch
8 and they're going to want to know about it and you may
9 want to talk about it. But you can't do that, because
10 even an innocent comment from someone who you like and
11 trust or even someone who you don't like might impact your
12 state of mind with respect to how the case ought to be
13 resolved. And that wouldn't be fair to the parties
14 involved in this case, it wouldn't be fair to your fellow
15 jurors, and most importantly, it would not be fair to
16 yourself to allow someone who is not making the sacrifices
17 that each one of you are making to have any input in the
18 outcome of this trial. They're not in here, they're not
19 listening to the evidence, they're not watching the trial,
20 and they shouldn't have any input in how it is resolved.

21 Then I'm sure there are other things I'm going to ask
22 you to do. One other thing I'm going to ask you to do,
23 when you come back at 10:30 tomorrow, from among the first
24 12, I would like to see if you all could decide on who you
25 would like to be your foreperson. The foreperson is the

1 moderator of the discussions when you all are deliberating
2 at the end of the trial, and also the jury spokesperson in
3 the court should that become necessary. And I always like
4 to give you all an opportunity to make that decision on
5 your own. If you can't, then I'll help you out with that.

6 I would tell you also that you the jury are the sole
7 judges of the facts in this case. It is up to you to
8 determine who to believe, what to believe, what you find
9 the truth to be. And so please don't think by anything I
10 might say or do throughout the course of the trial that I
11 have such an opinion. I do not. And the law does not
12 allow it.

13 And that same law that makes you the sole judge of
14 the facts makes me the sole judge of the law. And so if
15 you have any idea as to what you think the law is or what
16 the law ought to be and it differs from what I tell you
17 the law is throughout the course of the trial and at the
18 conclusion of the trial, you're going to swear an oath in
19 just a second to set aside your own opinion and apply the
20 law precisely as I state it to you. That ensures that
21 everyone up here gets tried under the same law. We are a
22 nation governed by the rule of law, so let's keep that
23 going.

24 All right. Ladies and gentlemen, one other little
25 something I can tell you is that occasionally I may ask

1 the lawyers to come up and speak with me out of your
2 hearing or I may excuse you all to the jury room so we can
3 discuss a point of law or some other matter. We are not
4 trying to deceive you in any way, but we may very well be
5 trying to keep something from you. I want to make sure
6 that what you do here is appropriate and constitutionally
7 protected. So that's what we're doing, if you have some
8 question about that.

9 So, again, don't go -- after we've started the trial
10 and you've heard something about the facts of the case,
11 don't go visit some scene, don't look anything up on the
12 Internet, don't talk about it with anybody, and for
13 goodness sake, don't get on some social media platform
14 about this case. This is sacrosanct stuff here that goes
15 to the very heart of our democracy and our republic, and
16 let's protect it in this case as we do in all cases.

17 With that, ladies and gentlemen, I'll ask you to
18 stand and take the oath.

19 THE CLERK: Please raise your right hands. And the
20 correct answer to this oath is "I will."

21 (WHEREUPON, the jury is duly sworn.)

22 THE COURT: All right. Y'all don't have to sit down.
23 I'm an Episcopalian and I'm used to sitting down and
24 getting up and all that. But right now we're done with
25 you all and we'll ask you all to return in the morning at

1 10:30. We'll hopefully be done with all the motions that
2 we're going to deal with at that time. And hope y'all
3 have a pleasant evening. Thank you again.

4 (WHEREUPON, the jury exits the courtroom at 3:35 PM.)

5 THE COURT: Okay. Anything we can do?

6 MR. BLOUIN: Nothing from the State, Your Honor.

7 MR. SANFORD: Nothing, Your Honor.

8 THE COURT: All right. The jury is impaneled and
9 sworn. What about the issue of bond?

10 MR. WARDER: Your Honor, I certainly don't think
11 there's anything needs to change. My client's here today.
12 He's certainly prepared to go to trial. We're down here,
13 and it makes it so much easier to work with him if he's
14 out and talk to us.

15 THE COURT: Any position on the State with respect to
16 bond?

17 MR. BLOUIN: The State takes no position. No
18 position.

19 THE COURT: I'll tell you what, Mr. Singleton. I'm
20 going to leave you out.

21 DEFENDANT SINGLETON: Thank you.

22 THE COURT: Well, you make sure you come back.

23 DEFENDANT SINGLETON: I will be here.

24 THE COURT: Okay.

25 MR. BLOUIN: And, Your Honor, I just want to put on

1 the record just real quick that, like I said, the State
2 made an offer, a timely offer of, given all the charges,
3 seven years, which was the minimum for trafficking 28 to a
4 hundred for the methamphetamine and the cocaine. That
5 offer, as far as we're concerned, was rejected. This did
6 go through the pretrial docket phase and was extended
7 because Mr. Warder was in another trial in Pickens. And
8 that was to be the State's position that, you know, he has
9 -- he has gotten the offer and has rejected it.

10 THE COURT: You understand what he's saying,
11 Mr. Singleton?

12 DEFENDANT SINGLETON: Yes, sir.

13 THE COURT: Okay.

14 MR. WARDER: Your Honor, from information, I don't
15 think it makes any difference to the Court, but I'm going
16 to go to federal court tomorrow, and Mr. Sanford is going
17 to represent my client. We've discussed it with him, and
18 it's satisfactory to everybody.

19 THE COURT: You understand that, Mr. Singleton?

20 DEFENDANT SINGLETON: Yes, sir.

21 THE COURT: Okay. You good with it?

22 DEFENDANT SINGLETON: Yes, sir.

23 THE COURT: Okay.

24 MR. BLOUIN: And just one last thing. Just that we
25 had turned over some -- obviously, part of the evidence

1 that the State is going to produce is some video
2 recordings. The State doesn't plan to play every single
3 body cam to its conclusion. But I conferred with
4 Mr. Sanford about a week ago whether he had any objections
5 to anything that he needed to -- redacted. Asked him
6 again today. I haven't gotten any objections or any
7 proposed redactions. So, you know, the State's position
8 would be that they've seen those videos, obviously, in
9 preparation for trial and that those videos will be part
10 of their trial strategy moving forward.

11 MR. SANFORD: That's correct, Your Honor. I have
12 viewed the videos. Don't think there's anything in there
13 really worth redacting. Obviously, I'm not a hundred
14 percent sure what portions of the video Mr. Blouin is
15 going to show, but having looked through it, I don't think
16 that there's anything that needs to be redacted.

17 THE COURT: Okay. All right. We'll see you all at
18 10:00 in the morning.

19 (WHEREUPON, proceedings recessed at 3:38 PM.)
20
21
22
23
24
25

1 TUESDAY, OCTOBER 19, 2021

2 (WHEREUPON, proceedings reconvened at 10:48 AM.)

3 THE COURT: All right. Let's go. What have you got?

4 MR. SANFORD: Your Honor, defense has a motion to
5 suppress the contents of the book bag that was found by
6 the police.

7 THE COURT: Warrantless search?

8 MR. SANFORD: There was a search warrant, but, Your
9 Honor, we are challenging the probable cause for the stop
10 of the car. We don't believe that the officer had
11 probable cause to stop the car and that it was a ---

12 THE COURT: Wait a minute. You've got a search
13 warrant.

14 MR. SANFORD: That's a search warrant for the house.

15 THE COURT: Okay. Is that where the book bag was?

16 MR. SANFORD: The book bag was in the house, Your
17 Honor.

18 THE COURT: Okay.

19 MR. BLOUIN: I can clear this up. Basically, there's
20 a stop, there is what we believe is probable cause to
21 search the vehicle. The book bag was in the car at that
22 time. During the beginning of the search, the defendant
23 then lunged to get back in the car which caused a scuffle.
24 During that scuffle, three individuals who were on scene,
25 one of them ran, grabbed the backpack, took it into the

1 house. So we have the initial stop where the backpack
2 would be testified to being there. And then we eventually
3 get to a search warrant. I think he's challenging the
4 probable cause to search in the first place poststop.

5 MR. SANFORD: Yes, Your Honor.

6 THE COURT: So it's not a -- this is not about a --
7 this is a warrantless search, correct?

8 MR. SANFORD: That is correct, Your Honor.

9 THE COURT: All right. Burden shifts. Call your
10 witness.

11 MR. BLOUIN: Your Honor, The State calls Jake
12 Walters.

13 WHEREUPON,

14 JACOB WALTERS,

15 After having been duly sworn, testified as follows:

16 THE CLERK: Thank you. Please be seated.

17 DIRECT EXAMINATION

18 BY MR. BLOUIN:

19 Q Master Deputy Walters, can you state your name for
20 the record?

21 A My name is Jacob Walters.

22 Q Where are you employed?

23 A With the Greenville County Sheriff's Office.

24 Q And how long have you been employed there?

25 A 14 years.

1 Q What rank do you currently hold with the sheriff's
2 office?

3 A Sergeant.

4 Q Okay. And what rank were you on February 19, 2020?

5 A Master deputy.

6 Q Okay. How did you become involved with this
7 defendant?

8 A I initiated a traffic stop on the vehicle he was
9 operating.

10 Q Okay. Why did you initiate that traffic stop?

11 A He appeared to be speeding, and he was also swerving
12 in his lane.

13 Q All right. And where did you pull the defendant
14 over?

15 A The final stop was at ■ Gilbert Court.

16 Q And what county is that in?

17 A It's in Greenville County.

18 Q All right. What happened when you approached the
19 vehicle?

20 A I observed the defendant had some cash laying in his
21 lap.

22 Q Large amount or small amount of cash?

23 A It appeared to be a significant amount.

24 Q All right. Do you find that normal in your everyday
25 policing?

1 A It's very unusual.

2 Q Okay. Then what happened?

3 A I explained why I stopped him. He had been speeding
4 and swerving. And he told me that he was trying to miss
5 some bumps in the road.

6 Q Okay. So he did not deny the reasons to you why you
7 pulled him over?

8 A No, sir.

9 Q All right. What happened next?

10 A I asked for his driver's license.

11 Q All right. Did he have his driver's license directly
12 on him?

13 A He did not.

14 Q All right. What did he do?

15 A He started looking around throughout the vehicle
16 looking for his license.

17 Q Okay. Where all did he look for his license?

18 A He looked in the glove box, he looked around the
19 center console area, and he was looking around the
20 driver's seat also.

21 Q Okay. And then where did he look?

22 A He asked if he could get out to look underneath the
23 driver's seat, and I allowed him to do that.

24 Q Okay. And how did he look underneath the driver's
25 seat?

1 A First he looked at the driver's door, and then he
2 opened the back left passenger door to look under the back
3 of the driver's seat.

4 Q When he opened that door, did you notice anything?

5 A When he opened the back door, I could smell an odor
6 of marijuana coming from the vehicle.

7 Q All right. And did you ask the defendant at that
8 point where he was from?

9 A I did.

10 Q Or where he was staying?

11 A I did.

12 Q And what all did he tell you?

13 A He told me he was from Sumter County but he was
14 coming to this house where he had pulled in at to take a
15 friend to work, and then he was going to stay the night at
16 this house and that he stayed there every so often.

17 Q Did the defendant ever give you a definitive place of
18 where he was staying, living, that sort of situation?

19 A No. I asked him for his address where he was staying
20 in Greenville, and the only place he ever said he stayed
21 was this address.

22 Q Okay. Where did he say he was going to and from?

23 A He told me he had gone to a gas station to get some
24 cigarettes and that now he was coming to this house to
25 pick up his friend and take him to work.

1 Q All right. Were you able to get that driver
2 information eventually?

3 A He didn't find his ID. I just got his name and other
4 particulars to identify him.

5 Q All right. What did you do next?

6 A I checked his driving record to make sure that his
7 driving record was clear and to also try to verify that he
8 was who he said he was.

9 Q All right. At this point, did you believe, based on
10 everything going on, that you had probable cause to search
11 the vehicle?

12 A Yes.

13 Q All right. Did you tell the defendant -- or after
14 you ran his information, what did you do next?

15 A When I had backup on scene, I got the defendant out
16 of the car to speak with him again about what was going
17 on. I asked him if there was -- if there were any drugs
18 in the car. And he stated that he had just dropped
19 someone off who had smoked a blunt, and then later on he
20 told me that he might have lost a blunt in the car.

21 Q Okay. So he volunteered that information that he
22 might have lost a blunt in that car.

23 A Yes, sir.

24 Q And what was the purpose of that?

25 A It seemed like he was trying to make excuses or to

1 distract me from searching the car, make an excuse that it
2 was lost and couldn't be found.

3 Q And he told you all that information. Had you begun
4 searching the vehicle?

5 A No, I had not.

6 MR. BLOUIN: All right. Please answer any questions
7 the defense may have.

8 CROSS EXAMINATION

9 BY MR. SANFORD:

10 Q Sergeant Walker, correct?

11 A Yes, sir.

12 Q All right. When you first saw the car, where were
13 you located?

14 A I was in a church parking lot.

15 Q And what road was that on?

16 A On Crestfield Road.

17 Q Okay. About -- you said the car was going fast. How
18 could you tell he was going fast?

19 A I observed it.

20 Q So did you have any radar?

21 A No, sir.

22 Q Did you have any device that was telling you how fast
23 he was going?

24 A Just my own observations.

25 Q What time of day was it?

1 A It was nighttime.

2 Q Would you say that it's easier to tell speed in the
3 day or the nighttime?

4 A It would depend on where you're at and the lighting
5 and such.

6 Q So when you saw him driving fast, you just -- you
7 assumed that he was speeding.

8 A It was obvious he was speeding.

9 Q What's the speed limit on that road?

10 A 35 miles an hour.

11 Q And how fast do you think he was going?

12 A Approximately 50 miles an hour.

13 Q And is there any -- how do you determine that he's
14 going 50 miles an hour? Do you have training and
15 experience that tells you that or ---

16 A Just your own observation.

17 Q Can you tell the difference between somebody going 45
18 and 50?

19 A No, sir.

20 Q Can you tell the difference between somebody going 40
21 and 50?

22 A Probably, yes, sir.

23 Q So when you saw him do this, did he -- what did he
24 do?

25 A He slammed on the brakes.

1 Q Do you find that -- in your job, do you find that
2 pretty common, that when people see a police car and
3 they're going fast, that they slam on the brakes?

4 A They may slow down. You don't see the slamming on
5 the brakes like this, typically.

6 Q But people do slow down.

7 A If they're speeding, yes.

8 Q And did you pull out behind him?

9 A I did.

10 Q Was he speeding at that point?

11 A No. He had slowed down then.

12 Q And would you say that a lot of times officers are
13 out on the -- out to show themselves to make sure that
14 people that are potentially speeding comply with those
15 laws and they slow down and that kind of thing as more of
16 a deterrent than anything else?

17 A It can act as a deterrent just having a marked car
18 there.

19 Q And when you got behind him, you said he was weaving.

20 A Yes, sir.

21 Q Did he ever go outside of his lane?

22 A His left tires touched the middle line, yes.

23 Q It touched the line, but it did not go into the other
24 lane?

25 A I don't know that it went into the other lane, but he

1 definitely was swerving.

2 Q How many times do you think he touched the line?

3 A A couple times.

4 Q How far did you follow him until you turned on your
5 blue lights?

6 A Not very far.

7 Q About would you say it's less than a mile?

8 A I don't know.

9 Q Now, do you find that people usually drive in just a
10 straight line in the middle of the road?

11 A Most people are able to maintain their lane.

12 Q But do people move in and out of the lane, naturally
13 in and out of -- within the lane? They might touch a
14 centerline, they might touch a fog line?

15 A No. That's not very usually common.

16 Q So you see most people stay straight in the lane and
17 don't move ever. There's no general weaving.

18 A I think the majority of the people are able to
19 maintain their lane, yes, sir.

20 Q And you would say that he was looking like this was
21 not a normal occurrence.

22 A No, sir.

23 Q Now, why did you decide to turn on your blue lights
24 and stop him?

25 A For the traffic violations.

1 Q What traffic violations?

2 A The speeding and not being able to maintain his lane
3 correctly.

4 Q Did you say in your police report that you thought he
5 was impaired?

6 A Yes, sir.

7 Q Did you at that point also think he was impaired?

8 A It seemed likely.

9 Q And so did you stop him because you thought he was
10 impaired?

11 A Yes, sir. That was part of the reason.

12 Q Okay. Now, if you thought he was impaired, did you
13 turn on your dash cam when the blue lights came on?

14 A Yes, sir.

15 Q When you approached him, did you ask him if he had
16 been drinking that evening?

17 A I don't remember if I asked him that.

18 Q Did you ask him if he had -- where he'd been and had
19 he -- had he been out?

20 A I did ask him.

21 Q Okay. Did you ask him if he would perform any field
22 sobriety tests?

23 A I never got the opportunity.

24 Q Did you ever ask him if he would be willing to submit
25 any blood alcohol, blood, breath, blood, urine samples?

1 A No. We started fighting before I got the chance to
2 do that.

3 Q When you normally stop somebody for a potential
4 impairment stop, is that normal, your actions in this?

5 A To get their driver's license information, yes, sir.

6 Q And not to ask about any alcohol potentially?

7 A Well, when he opened the door, I smelled the odor of
8 marijuana, so I did not believe the alcohol was a factor
9 at that point.

10 Q When -- how long was it between when you stopped him
11 and you smelled marijuana?

12 A Maybe a minute.

13 Q But he was stopped and you were already starting your
14 contact with him before you smelled the marijuana,
15 correct?

16 A Yes, sir.

17 Q Now, did you tell him that he was speeding?

18 A Yes, sir.

19 Q Or did you say that you were going very fast?

20 A I told him he was going fast.

21 Q Would you say if you told somebody that you're going
22 very fast, is that the same as speeding?

23 A Yes, sir.

24 Q Could somebody make an assumption that that's not the
25 same?

1 A I don't think so.

2 Q So if I was going fast down the highway but it's
3 within the speed limit, am I speeding?

4 A No.

5 Q So I could be going very fast and not speeding,
6 correct?

7 A On a highway, yes. This is not a highway.

8 Q But just in general.

9 A You could drive very fast and speeding in a number of
10 places.

11 MR. BLOUIN: Your Honor, he's asking a lot of
12 speculative questions at this point.

13 THE COURT: Okay. Don't ask him to speculate.

14 MR. SANFORD: All right. Thank you, Your Honor.

15 BY MR. SANFORD:

16 Q Did you ever tell him how fast he was going?

17 A I don't recall.

18 Q Did you ever tell him about -- that he was weaving
19 inside his lane?

20 A I did. And he actually told me he was trying to miss
21 bumps in the road.

22 Q And just to be clear, there was a time in between the
23 stop and you smelling marijuana, there was time in between
24 that. You didn't instantly smell it when you came upon
25 the car, correct?

1 A Not until he opened the back door is when I smelled
2 the marijuana.

3 Q And weaving inside somebody's lane, would you stop
4 somebody for that?

5 A Yes, sir. It is a violation.

6 Q What's the statute?

7 A I don't have it in front of me.

8 MR. SANFORD: I have no further questions.

9 THE COURT: Any redirect?

10 MR. BLOUIN: Just quickly, Your Honor.

11 REDIRECT EXAMINATION

12 BY MR. BLOUIN:

13 Q So the defendant admitted -- or at least the
14 defendant gave you a reason of why he was swerving.

15 A Yes, sir.

16 Q And just for the purposes of this suppression hearing
17 only, the bag that is the subject of this whole
18 suppression hearing, ultimately, when that bag was
19 ultimately recovered, was there found a green leafy
20 substance that is consistent with your training and
21 experience is marijuana?

22 A Yes, sir.

23 MR. BLOUIN: All right. No further questions.

24 THE COURT: Okay. Anything else?

25 MR. SANFORD: Nothing further, Your Honor.

1 I do have a memorandum in support if the Court would
2 like to see it.

3 THE COURT: Just make an oral statement.

4 MR. SANFORD: Okay. Your Honor, we're asking to
5 suppress this. We believe that even though it was only a
6 minute between when he stopped the car and he smelled the
7 marijuana, that is still a seizure under the Fourth
8 Amendment. He had the pretext of stopping the car as a
9 potential DUI infraction, potential issue with him being
10 intoxicated by alcohol or another substance. The deputy
11 -- or the master deputy at the time, the actions after
12 that does not show that he was looking for any type of
13 impairment there. He was looking to stop him for another
14 reason. And, Your Honor, we believe that because he
15 didn't do anything that is common with a DUI stop, he
16 didn't ask about alcohol, he didn't do any -- ask for any
17 field sobriety tests, that he, you know, didn't smell
18 marijuana after that period of time. I also don't believe
19 that weaving within the lane is a violation in South
20 Carolina as he did not go outside the lane.

21 Your Honor, I would say that the stop was -- there
22 was no probable cause for the stop, and we would ask for
23 the bag to be suppressed.

24 THE COURT: Okay. Well, I'm going to deny your
25 motion.

1 Do we have anything else?

2 MR. BLOUIN: Nothing from the State, Your Honor.

3 MR. SANFORD: Nothing, Your Honor.

4 THE COURT: Okay. Thank you, officer. You can stand
5 down.

6 Any other pretrial motions?

7 MR. BLOUIN: None from the State.

8 MR. SANFORD: None for the defense.

9 THE COURT: All right. Let's get the jury.

10 MR. BLOUIN: Your Honor, as far as openings and
11 stuff, just because I haven't done this during the COVID,
12 are you okay with us removing our masks to do opening and
13 closings?

14 THE COURT: Yes. Just don't get too close.

15 MR. BLOUIN: Thank you, Your Honor.

16 (WHEREUPON, the jury entered the courtroom at 11:07 AM.)

17 THE COURT: Ms. Conley-Suleyman, thank you very much
18 for agreeing to serve as foreperson. And I thank all of
19 you all for your patience. We've disposed of some issues
20 pretrial. Took a little longer than I anticipated, but
21 we're ready now to begin the trial.

22 And if you'll remember my procedural roadmap
23 yesterday, the first part of the trial will be the brief,
24 nonargumentative opening statements from the attorneys.
25 All right.

OPENING STATEMENTS

MR. BLOUIN: Thank you, Your Honor.

Ladies and gentlemen of the jury, once again, my name is Hunter Blouin. I work with the 13th Circuit Solicitor's Office here in Greenville County, and I represent the State of South Carolina in the State vs. William Singleton.

Now, there are four indictments that are before you today, the first being trafficking in cocaine between 28 and 100 grams, the second is trafficking in methamphetamine between 28 and 100 grams, the third is possession of heroin, and the fourth is resisting arrest. The State must prove the elements of each of those indictments to find the defendant guilty.

The elements that we will prove is that on the night in question, there was a traffic stop. During that traffic stop, the defendant was the only individual in the vehicle. There were three other individuals that were standing outside of a residence where presumably the defendant was going when this traffic stop took place. That during the course of the traffic stop, there was located a bag in the front passenger's seat of that vehicle, that during a search of said vehicle, the defendant then ran back to his vehicle for what purposes we will get into, and was -- got into a scuffle, a fight

1 with two officers that were on scene, that that fight
2 lasted more than, you know, a little bit of time, that it
3 lasted a couple of minutes, and that during a period of
4 time, that one or more of the three individuals went
5 around the car, took the bag and brought it into a
6 residence.

7 Once the defendant was detained, a search warrant,
8 you will hear, was done for that residence. The bag was
9 recovered. And inside that bag the State will prove that
10 between 28 and 100 grams of methamphetamine was found, as
11 well as between 28 and 100 grams of cocaine, as well as a
12 quantity of heroin. We must prove that he possessed,
13 constructively or actually, and the judge will go over the
14 law on each of those, and that during this scuffle, the
15 defendant resisted arrest based on his actions going into
16 that scuffle.

17 So I would like you to hear all the evidence. I
18 would like you to really pay attention to the timing of
19 how everything happens. And once you hear all that
20 evidence, I would like you to return a guilty verdict
21 against Mr. Singleton for the charges that the State has
22 brought against him.

23 Thank you so much, and I appreciate your service,
24 especially during these very, very weird times. Thank
25 you.

1 THE COURT: All right.

2 MR. SANFORD: Thank you, Your Honor. May it please
3 the Court.

4 Mr. Blouin, ladies and gentlemen of the jury, my name
5 is Russell Sanford, and I'm proud to represent Mr. William
6 Singleton.

7 What the State just told you is true. They found a
8 bag, they found quantities of drugs in it, they did stop
9 my client, and they did search his car. There was a bag
10 in there. And all of a sudden it appeared missing while
11 he was in a scuffle with the police.

12 Now, they went into the house and they found a bag.
13 Is it the bag that was in the car? Is it another bag that
14 was in this house?

15 Did my client resist arrest or was there potential
16 for him to not be resisting based on the positions that
17 the police were putting him in and that he was not able to
18 comply based on that?

19 I believe that the facts will show that the police
20 wanted to find a bag with something in it. And they did.
21 But I don't believe that it was my client's. It was not
22 my client's. That they found a bag with things in it and
23 it was a different bag. You'll hear that there are
24 potential different bags, that they said it was one color
25 and not another, that there's no real clear idea of what

1 this bag was because it's dark, there's blue lights
2 flashing.

3 Now, I want you to pay attention to all the evidence.
4 I want you to keep your minds open. And I want you to
5 listen and think and take in everything that's presented.
6 And at the end, I believe that you will find my client not
7 guilty.

8 Thank you.

9 THE COURT: Okay. Thank you.

10 Please call your first witness.

11 MR. BLOUIN: Your Honor, the State calls Jake
12 Walters.

13 WHEREUPON,

14 JACOB WALTERS,

15 After having been duly sworn, testified as follows:

16 THE CLERK: Please be seated. Once you're seated,
17 state your name for the record.

18 THE WITNESS: My name is Jacob Walters.

19 DIRECT EXAMINATION

20 BY MR. BLOUIN:

21 Q Sergeant Walters, where are you employed?

22 A With the Greenville County Sheriff's Office.

23 Q And how long have you been employed there?

24 A 14 years.

25 Q What rank do you currently hold at the sheriff's

1 office?

2 A Sergeant.

3 Q And what rank did you hold on February 19, 2020?

4 A I was a master deputy.

5 Q All right. How did you become involved with this
6 defendant?

7 A I initiated a traffic stop for some traffic
8 violations, and the defendant was operating the vehicle.

9 Q Okay. And what were those traffic violations?

10 A Speeding and failure to maintain his lane.

11 Q And where did the defendant pull over?

12 A He pulled into a driveway at ■ Gilbert Court.

13 Q And what county is Gilbert Court in?

14 A It's in Greenville County.

15 Q All right. And what did you do next?

16 A I approached the driver's side of the vehicle. I
17 explained why I stopped him and asked him for his driver's
18 license.

19 Q Was there anyone else on scene?

20 A There was no one else in the vehicle. There were
21 some people standing outside at this house.

22 Q Do you remember how many people?

23 A There were three of them.

24 Q All right. And what did you say to Mr. Singleton?

25 A I told him he had been driving pretty fast and that I

1 saw him swerving.

2 Q All right. Did he deny that?

3 A No. He said he was swerving to miss some bumps in
4 the road.

5 Q All right. Then what happened?

6 A He started looking around for his driver's license.
7 He looked in the glove box, he looked around the center
8 console area, and he was looking around the driver's seat.

9 Q Now, let me back you up real quick. When you first
10 approached the vehicle, was there anything that you
11 noticed in regards to Mr. Singleton?

12 A He had a significant amount of cash money just laying
13 in his lap.

14 Q All right. So go ahead forward with the ID. Could
15 Mr. Singleton find his ID?

16 A He was not able to find his identification.

17 Q Where all did he look for his identification?

18 A Like I said, he was looking in the glove box, around
19 the center console, he was looking around the driver's
20 seat, and then he asked me if he could get out of the car
21 and look.

22 Q All right. What did he do then?

23 A He opened up the driver's door. I let him get out,
24 said he could look for his ID. He started looking under
25 the driver's seat. And then he opened up the back door to

1 look under the driver's seat through the back.

2 Q Okay. Did backup at this point show up?

3 A Yeah. At some point I had backup arrive on scene.

4 Q And did you notice anything -- did you notice
5 anything when you opened the back door of the vehicle?

6 A I could smell an odor of marijuana coming from the
7 vehicle when he opened the back door.

8 Q All right. And did Mr. Singleton ever discover his
9 license?

10 A At that point he never did find his ID. I asked him
11 to just sit back in the car and he could tell me his
12 information.

13 Q All right. So once you had that information, what
14 did you do next?

15 A I checked his driving record to make sure he did
16 actually have a driver's license and to make sure he was
17 who he said he was.

18 Q And was he?

19 A It all appeared correct.

20 Q All right. Then what did you do?

21 A At that point I got Mr. Singleton to step out of the
22 car to talk to him more about what was going on.

23 Q And did you ask him any specific questions regarding
24 the vehicle?

25 A I asked him if there were any firearms in the

1 vehicle. He told me no. And I asked if there were any
2 drugs in the vehicle.

3 Q And what was his response?

4 A His response was that he had just dropped someone off
5 who had smoked a blunt in the car, and then later on, he
6 told me that he might have lost a blunt in the car.

7 Q At that point what were you planning to do?

8 A There was probable cause to search the vehicle at
9 that point.

10 Q All right. And what did you do at that point?

11 A I opened up the driver's door to begin search of the
12 vehicle. I noticed there were some plastic sandwich bags
13 in the driver's door, like where there was like a pocket
14 had these sandwich bags in it.

15 Q Does that tell you anything, based on your training
16 and experience?

17 A Those are commonly used to package illegal drugs.

18 Q All right. Where was Mr. Singleton at this time?

19 A Mr. Singleton was standing in front of my patrol car
20 speaking with the backup that had arrived on scene.

21 Q And were the three individuals still present on that
22 scene?

23 A Yes. The people from the house were still standing
24 outside there in the yard.

25 Q Okay. Did you find anything of value in the front

1 driver's side?

2 A Like I said, I saw those sandwich bags. Beyond that,
3 I didn't see anything in the driver's seat. I could see
4 there was a backpack on the passenger floorboard up front.

5 Q Can you describe the backpack?

6 A It was a blue and gray Jansport backpack.

7 Q Okay. And what were your next actions going to be?

8 A Well, the backpack looked like it was pretty full,
9 and so I went around from the driver's seat around the
10 front of the car to the passenger's side to retrieve it.

11 Q All right. Was the driver's door open at this point?

12 A Yes. I left it standing open.

13 Q Okay. Did you ever close the door?

14 A No. When I walked around, I left it open.

15 Q Okay. Did -- was the car running or was the car shut
16 off at this point?

17 A I believe it was still running at this point.

18 Q What happened when you walked around the vehicle?

19 A When I walked around to the other side, the defendant
20 tried to lunge back into the driver's seat, and my backup
21 began to struggle with him.

22 Q And what did you do?

23 A I went over to help my backup and to detain the
24 defendant.

25 Q All right. Did the defendant submit to being

1 detained?

2 A No. I told him several times to stop resisting, to
3 put his hands behind his back, and he never would comply
4 with what we were telling him. We had quite a struggle
5 there.

6 Q And did you initially take the driver down to the
7 ground?

8 A We did. We went to the ground initially, and he was
9 strong enough that he was able to get back up with two of
10 us struggling with him.

11 Q And then where did you end up?

12 A We ended up going across the front of the hood of my
13 patrol car and then down the passenger's side of my patrol
14 car, end up almost behind my patrol car.

15 Q And did you eventually get the defendant detained and
16 under control?

17 A After about a minute and a half or two minutes, we
18 were finally able to secure him with handcuffs.

19 Q From your vantage point, were you able to see where
20 the other three individuals were who were present?

21 A No. I couldn't see the defense -- the front of the
22 vehicle or where the people were at.

23 Q All right. What happened after you got the defendant
24 detained?

25 A We seat him in my patrol car, and then I went back to

1 his vehicle to try to retrieve that bag.

2 Q Was the bag there?

3 A It wasn't there anymore.

4 Q Did you know where the bag had gone?

5 A I didn't know where it had gone at that point.

6 Q Were the three individuals still present?

7 A They were still standing outside there.

8 Q Okay. Were they in possession of the bag at that
9 point?

10 A No. No one outside was holding onto the bag.

11 Q All right. What happened -- what did you do next?

12 A Well, it seemed pretty obvious to me that someone on
13 scene had tampered with that bag, so everyone was
14 detained.

15 Q Okay. And kind of to skip back kind of to the
16 beginning of the traffic stop, did you ask the defendant
17 at the very beginning where he was staying?

18 A So I asked him where he was staying. And he said he
19 was coming to stay at this house.

20 Q All right. Did he say where he lived?

21 A He didn't give me a definitive answer. He said he
22 lived in Sumter County but that he was staying in
23 Greenville frequently.

24 Q All right. Were there any other cars present on that
25 scene?

1 A There was -- there was another car in the driveway.

2 Q All right. Were you able to determine who that
3 belonged to?

4 A It belonged to one of the other people on scene.

5 Q Was the bag in the car?

6 A I looked in the windows and I didn't see the bag in
7 that car.

8 Q Okay. Given -- was there a large area of places that
9 this bag could have gone off to?

10 A No. It was pretty limited as to where this bag could
11 go.

12 Q All right. And did you make a decision at that point
13 as to the house?

14 A Yes. It was apparent to me that the bag probably
15 made its way inside that house.

16 Q All right. So what happens next when you made that
17 determination?

18 A So we, like I said, secured everybody on scene. We
19 had them sit in patrol cars and you have to have a deputy
20 to monitor those people. I also sent someone to the back
21 door of the house because I didn't know if anyone else was
22 in the house or not.

23 Q All right. Was the front door open or locked?

24 A The front door was locked.

25 Q Okay. Before going into the house, what is that

1 process called when you go and clear a house?

2 A So I went to conduct what's called a protective sweep
3 of the residence.

4 Q Okay. And why would you conduct a protective sweep?

5 A The two main reasons in this case are, number one,
6 for officer safety, and number two, to preserve evidence.

7 Q Okay. So do you just bust in there? Or ---

8 A No. You have to have very good reason to go inside
9 somebody's house to conduct a protective sweep like that.

10 Q And did you -- were any callouts made?

11 A Yes. We had K-9s respond to the scene. They made
12 callouts over a public address system, and there was no
13 response from anybody inside.

14 Q Would anyone -- so then what did you do?

15 A At that point we kicked the door in.

16 Q All right. And what did you do next?

17 A We conducted a protective sweep which is where you go
18 through the house. And all it is is you are making sure
19 nobody's in there that can harm you or can destroy
20 evidence. So we went through the house to make sure no
21 one was in there doing any of those things.

22 Q So what type of places do you look for people?

23 A In the obvious places, the living room, bedroom, they
24 could be in a closet. If a person can fit in there, then
25 you can look in there and see whether or not someone's

1 there.

2 Q All right. During this security sweep, what did you
3 find?

4 A In one of the bedrooms in the closet I saw that the
5 backpack from the car was now in this closet.

6 Q Are you a hundred percent sure that was the same
7 backpack?

8 A There was no doubt in my mind.

9 Q All right. Did you at that point grab the backpack?

10 A No, I did not.

11 Q What did you do next?

12 A Then we secured a search warrant for the house.

13 Q All right. Explain how one gets a search warrant.

14 A So a deputy would need to fill out the search
15 warrant, the actual paperwork and take it to a judge and
16 present it. And then the judge would decide whether or
17 not there is sufficient probable cause to search the
18 residence.

19 Q All right. Were you able to secure said search
20 warrant?

21 A Yes.

22 Q And does that happen instantaneously or does that
23 take a good period of time?

24 A It takes several minutes for that to happen.

25 Q Okay. When you executed said search warrant, what

1 happened?

2 A Once we had the search warrant in hand and we started
3 serving it, I went through the contents of the backpack.

4 MR. BLOUIN: All right. Please the Court, Your
5 Honor. At this point, Your Honor, I would like this and
6 three -- or four items marked as State's Exhibits 1
7 through 4.

8 THE COURT: For identification only at this point,
9 unless there's an objection.

10 MR. BLOUIN: Identification only, yes, Your Honor.

11 THE COURT: Okay.

12 (WHEREUPON, State's Exhibit Numbers 1 through 4 were
13 marked for identification.)

14 BY MR. BLOUIN:

15 Q Sergeant Walters, at this point I'm going to show you
16 what's been marked as State's Exhibit Number 1. Do you
17 recognize what this is?

18 A Yes, sir, I do.

19 Q And could you please tell the Court what this is.

20 A That's the backpack that was in the defendant's car.

21 Q Has it been altered or changed in any way?

22 A No, sir.

23 MR. BLOUIN: At this point, Your Honor, the State
24 would move State's Exhibit 1 into evidence.

25 MR. SANFORD: No objection, Your Honor.

1 THE COURT: Okay.

2 (WHEREUPON, State's Exhibit Number 1 was admitted into
3 evidence.)

4 BY MR. BLOUIN:

5 Q And I'm going to show you what's marked as State's
6 Exhibit 4. Could you please identify this photo.

7 A This is a photo of the backpack in the closet as it
8 was found.

9 Q All right. And is that a fair and accurate
10 description -- depiction of exactly where you found the
11 backpack?

12 A That's exactly how it was.

13 MR. BLOUIN: All right. Your Honor, at this point
14 the State would move Exhibit 4 into evidence.

15 MR. SANFORD: No objection, Your Honor.

16 THE COURT: Okay.

17 (WHEREUPON, State's Exhibit Number 4 was admitted into
18 evidence.)

19 MR. BLOUIN: Your Honor, the State would request that
20 we publish this to the jury.

21 THE COURT: Yeah. Go ahead.

22 BY MR. BLOUIN:

23 Q And, Sergeant Walters, so that's showing the jury is
24 the backpack in the closet.

25 A Yes, sir.

1 Q All right. Sergeant Walters, pursuant to that search
2 warrant, did you go -- you searched that backpack.

3 A Yes, sir.

4 Q All right. I'm going to show you what's been marked
5 State's Exhibits 2 and 3. Could you identify those,
6 please.

7 A These are photos of what appears to be packages of
8 narcotics retrieved from the backpack.

9 Q Pursuant to that search warrant?

10 A Yes, sir.

11 Q And those came out of that bag.

12 A Yes, sir.

13 Q All right. And that's a fair and accurate
14 description of what happened?

15 A Yes.

16 MR. BLOUIN: Your Honor, at this time the State would
17 move for Exhibits 2 and 3 to be put into evidence.

18 MR. SANFORD: No objection.

19 THE COURT: Okay.

20 (WHEREUPON, State's Exhibit Numbers 2 and 3 were admitted
21 into evidence.)

22 MR. BLOUIN: And State requests to publish.

23 THE COURT: Okay.

24 BY MR. BLOUIN:

25 Q So these would be one set of baggies that was found

1 out of that backpack?

2 A Yes, sir.

3 Q And this would be the second set.

4 A Yes, sir.

5 MR. BLOUIN: All right. Your Honor, at this point
6 we're going to mark State's Exhibits 1, 2 -- or it would
7 be 5, 6, 7, 8, 9, 10 and 11 for identification purposes
8 only at this time.

9 (WHEREUPON, State's Exhibit Numbers 5 through 11 were
10 marked for identification.)

11 BY MR. BLOUIN:

12 Q Deputy Walters, can you identify what's been marked
13 as State's Exhibit 7 through, I believe, 11?

14 A (Reviews exhibits) So these are all packaged
15 narcotics retrieved from that backpack.

16 Q Okay. When you recovered these items, what did you
17 do with them?

18 A They get turned over to the scribe for the search
19 warrant, and then they go into Property and Evidence where
20 they are submitted for testing.

21 Q Okay. Who was the scribe of the search warrant?

22 A Master Deputy Lanford.

23 Q All right. And so you turned those narcotics over to
24 Master Deputy Lanford.

25 A Yes, sir.

1 THE COURT: Can I talk to the lawyers up here for
2 just one second, please.

3 (WHEREUPON, a bench conference was held off the record.)

4 MR. BLOUIN: Approach the witness, Your Honor?

5 THE COURT: Yes, sir.

6 MR. BLOUIN: Have these marked as State's Exhibits 12
7 and 13 for identification purposes.

8 (WHEREUPON, State's Exhibit Numbers 12 and 13 were marked
9 for identification.)

10 BY MR. BLOUIN:

11 Q Sergeant Walters, I'm going to show you what's been
12 marked as State's Exhibits 12 and 13. Do you recognize
13 what these are?

14 A Yes, sir, I do.

15 Q Could you tell the Court what those are?

16 A These are digital scales that were also recovered
17 from the defendant's backpack.

18 Q So these were recovered from the defendant's
19 backpack?

20 A Yes, sir.

21 MR. BLOUIN: All right. At this time, Your Honor,
22 the State would move 12 and 13 into evidence.

23 MR. SANFORD: I have no objection, Your Honor.

24 THE COURT: Okay. Thank you.

25 ///

1 (WHEREUPON, State's Exhibit Numbers 12 and 13 were
2 admitted into evidence.)

3 BY MR. BLOUIN:

4 Q Did you go back and have any sort of interaction with
5 the defendant after you had gone through the bag?

6 A We spoke a little bit afterwards, yes.

7 Q All right. Did you recover anything from the
8 defendant?

9 A He had about \$2,800 in cash on him.

10 MR. BLOUIN: All right. If I may approach.

11 (WHEREUPON, State's Exhibit Number 14 was marked for
12 identification.)

13 BY MR. BLOUIN:

14 Q Sergeant Walters, I'm going to show you what's marked
15 as State's Exhibit 14. Can you tell me what that is?

16 A It's a red cigarette lighter.

17 Q Okay. Do you know -- can you describe what is going
18 on there?

19 A So this would have been obtained from the defendant,
20 search incident to arrest.

21 Q All right. Is this a fair and accurate depiction of
22 this?

23 A Yes.

24 MR. BLOUIN: All right. At this point in time, we
25 would move State's 14 into evidence.

1 MR. SANFORD: No objection.

2 THE COURT: Okay.

3 (WHEREUPON, State's Exhibit Number 14 was admitted into
4 evidence.)

5 MR. BLOUIN: Permission to publish to the jury.

6 THE COURT: Yes.

7 BY MR. BLOUIN:

8 Q So that hand is your hand?

9 A Yes, sir.

10 Q And that is a red cigarette lighter in your hand?

11 A Yes, sir.

12 Q And that would be -- over here (indicating) would be
13 the defendant?

14 A Yes.

15 Q All right. Were you wearing your body-worn camera
16 during this encounter?

17 A Yes, sir, I was.

18 MR. BLOUIN: Okay. Approach, Your Honor?

19 THE COURT: Yes.

20 (WHEREUPON, State's Exhibit Number 15 was marked for
21 identification.)

22 BY MR. BLOUIN:

23 Q I'm showing you what's been marked State's
24 Exhibit 15. Do you recognize this?

25 A Yes, sir.

1 Q What is that?

2 A That's the video from my body-worn camera.

3 Q And how do you know that that's the video from your
4 body-worn camera?

5 A It has my initials on there.

6 Q You initialed?

7 A Yes, sir.

8 MR. BLOUIN: All right. At this time, Your Honor,
9 we'd move State's 15 into evidence.

10 MR. SANFORD: I have no objection.

11 THE COURT: Okay.

12 (WHEREUPON, State's Exhibit Number 15 was admitted into
13 evidence.)

14 BY MR. BLOUIN:

15 Q Your Honor, at this point in time, we would ask to
16 publish from the start of this until the 25:50 minute of
17 the body cam to the jury.

18 THE COURT: Okay.

19 (WHEREUPON, State's Exhibit 15, a video, was played in
20 open court.)

21 BY MR. BLOUIN:

22 Q Sergeant Walters, just a couple questions kind of
23 based off that. Did you find any cigarettes in the car?

24 A I did not find any cigarettes in the car.

25 MR. BLOUIN: All right. And, Your Honor, at this

1 point there's one more clip we'd like to play from
2 Sergeant Walters' video. It's only about five minutes
3 long.

4 THE COURT: Okay. Go ahead.

5 MR. BLOUIN: Play 27:40 through 32:50.

6 (WHEREUPON, State's Exhibit 15, a video, continued to play
7 in open court.)

8 BY MR. BLOUIN:

9 Q Sergeant Walters, as you earlier testified, you did
10 get a search warrant regarding this?

11 A Yes, sir.

12 Q During your search, did you find any similar bags
13 that looked like the one you saw in the car?

14 A That was the only bag like that.

15 MR. BLOUIN: Please answer any questions the defense
16 may have for you.

17 CROSS EXAMINATION

18 BY MR. SANFORD:

19 Q Sergeant Walters, how are you?

20 A I'm well. How are you?

21 Q Thank you. I'm doing well.

22 You said in your police report that Mr. Singleton
23 looked nervous when you approached him. Did he seem
24 nervous in the video?

25 A Yes, sir.

1 Q Did he answer all of your questions?

2 A No, sir.

3 Q What questions didn't he answer?

4 A He wouldn't give me a very good answer about where he
5 was staying at.

6 Q In the house, did he say that that was his house?

7 A No. He said he was going to stay the night there and
8 that he had stayed there on other occasions.

9 Q Did he say that he had stayed there that night, that
10 he was there that evening?

11 A No. But he stated his jacket was inside with his ID.

12 Q And what did he state his purpose was for going
13 there?

14 A He was going to pick up one of those subjects he saw
15 standing outside in the yard. He was going to take that
16 gentleman to work, and then he was going to return for the
17 night to that house.

18 Q Did he have a pleasant demeanor for most of the time?

19 A Just speaking he was fairly easy to get along with.

20 Q Did he ever mention that backpack to you?

21 A No, he did not.

22 Q Did you ever look at the backpack, inside the
23 backpack while it was in the car?

24 A No. I never got the chance to do that.

25 Q Did you ever mention the backpack to him?

1 A I did eventually mention the backpack to him.

2 Q Did you mention it to him before you searched the
3 house?

4 A I believe so, yes.

5 Q But you didn't have any opportunity to look in that
6 backpack before it went missing from the car.

7 A No. He -- when he lunged for the car and we started
8 struggling, I didn't have the opportunity to look in the
9 bag at that point.

10 Q Now, when you say "lunge," he said that he was going
11 for a lighter, correct?

12 A That's what he said at that time.

13 Q And when you engaged with him, how -- were his hands
14 up? were his hands down?

15 A No. He wouldn't give me his hands. He was trying to
16 escape, trying to get away.

17 Q But you had fairly decent control of him, you and the
18 other officer, correct?

19 A No. I don't think that was very good control. That
20 went on for over a minute of struggling. That's not good
21 control.

22 Q What was the time in between when you saw the bag
23 right when you were about to go around the corner and when
24 you found that the bag was no longer in the car?

25 A A couple of minutes, maybe.

1 Q And did you eventually find out who moved the bag
2 from the car to the house?

3 A Speaking with the individuals on scene and being able
4 to review video, it looked like we were able to determine
5 who did retrieve the bag.

6 Q And it was one of the individuals on scene?

7 A Yes.

8 Q And did you -- when you were speaking to
9 Mr. Singleton, he had mentioned that he had cashed in his
10 401(k), correct?

11 A Yes, sir.

12 Q Usually, when somebody cashes in their 401(k), it's a
13 fairly large amount of money, correct?

14 MR. BLOUIN: Objection. Speculation.

15 THE COURT: Yeah. Don't speculate.

16 BY MR. SANFORD:

17 Q Is it possible that that's where he got that \$2,800?

18 A There's maybe a possibility.

19 Q Now, when you went in the house, you were looking for
20 the bag, correct?

21 A At which point?

22 Q When -- sorry. The bag was the main purpose of the
23 search of the house, correct?

24 A Once we obtained the search warrant, yes.

25 Q And you did not write that search warrant.

1 A No. I believe Master Deputy Lanford wrote the search
2 warrant and obtained it from the judge.

3 Q So it was another deputy that had given the search
4 warrant -- allowed the search warrant to be issued?

5 A Another deputy on scene that had direct knowledge of
6 what was going on obtained the search warrant, yes.

7 Q Do you know who explained to him what was going on
8 scene?

9 A To?

10 Q To the deputy that gave the affidavit for the search
11 warrant.

12 A I don't know.

13 Q Do you know how long he had been on scene?

14 A I don't know that either.

15 Q Did you find anything else in the house?

16 A There were a number of items found in the house.

17 Q Did you find any other drugs in the same room?

18 A I don't believe so. I'd have to look and see. I'm
19 not sure.

20 Q Did you find any other drugs in the house?

21 A There was some green plant material that had the odor
22 and consistency of marijuana.

23 Q But that was not found in the bag.

24 A There was also some of that found in the bag.

25 MR. SANFORD: No further questions, Your Honor.

1 THE COURT: Any redirect?

2 MR. BLOUIN: No redirect, Your Honor.

3 THE COURT: All right. Thank you. You may step
4 down, sir.

5 All right. Ladies and gentlemen, we've been going a
6 pretty good while. Why don't we take a short break and
7 we'll get back to you in just a few minutes.

8 (WHEREUPON, the jury exits the courtroom at 12:19 PM.)

9 THE COURT: What's next for time frame logistics?

10 MR. BLOUIN: Your Honor, we have one more officer,
11 Mr. Fowler, with playing a few minutes from his in-car,
12 and then about 10 minutes or 20 minutes from his body cam.
13 So he'll take about 35, 40 minutes total to get through.

14 THE COURT: On direct?

15 MR. BLOUIN: On direct.

16 THE COURT: Okay.

17 MR. BLOUIN: And that's with the videos and all.

18 We have Deputy Lanford present. I talked to
19 Mr. Sanford about whether he was going to stipulate to the
20 chain sort of issues, because if that's the case, then I
21 don't really need to call Lanford because we've already
22 kind of gotten in that he carries the drugs to P&E and
23 then whether he wanted to stipulate to the expert on the
24 lab chemist. But not very much more beyond Mr. Fowler.

25 THE COURT: Okay. Are you going to stipulate to the

1 chain? Or what are you going to do?

2 MR. SANFORD: Your Honor, I need to discuss that with
3 my client. But that has not -- I have not decided either
4 way.

5 THE COURT: Okay. Well, we're going to take a few
6 minutes right now, ten. And he's in custody now.

7 MR. SANFORD: Okay.

8 THE COURT: And talk to him, see what you're going to
9 do, and then we'll decide about when -- I mean, is now a
10 good time to break for lunch?

11 MR. BLOUIN: Probably so there's not a break, a hard
12 break.

13 THE COURT: Okay. Well, we'll give them a couple of
14 minutes. Just take ten minutes. We'll come back and then
15 probably end up breaking for lunch. Okay.

16 (WHEREUPON, a recess is taken at 12:21 PM.)

17 THE COURT: Let me see the lawyers up here for a
18 second.

19 (WHEREUPON, a bench conference was held off the record.)

20 THE COURT: All right. Let's bring them.

21 You have how many witnesses?

22 What did you decide about the stipulation?

23 Just bring the jury.

24 MR. SANFORD: Judge, I think we will go along with
25 the stipulation.

1 MR. BLOUIN: We have two: Mr. Fowler and then the
2 chemist.

3 THE COURT: Okay.

4 (WHEREUPON, the jury entered the courtroom at 12:39 PM.)

5 THE COURT: Those little Plexiglas things are a pain,
6 aren't they?

7 As I told you, like any Episcopalian church, there's
8 a lot of up and down in here.

9 After discussing the next witness, it's probably good
10 to go ahead and break right now. So we're going to ask
11 you all to be back at 2:15. That will give you an hour
12 and a half for lunch.

13 And I remind you that under your oath, you cannot
14 discuss this with anybody. Don't go visit the scene.
15 Don't look anything up on the Internet. Just make sure
16 everything that goes into your decision in how to resolve
17 this dispute you hear in this courtroom, okay?

18 Thank you all. We'll see you at 2:15.

19 (WHEREUPON, the jury exits the courtroom at 12:41 PM.)

20 THE COURT: All right. Mr. Singleton, there's only
21 two more witnesses, so I'm going to get you to start
22 thinking about whether or not you want to testify in this
23 case.

24 Does he have any impeachable offenses on his record?

25 MR. BLOUIN: None within the past ten years, Your

1 Honor. So we're not going to use any to impeach him.

2 THE COURT: Okay. Well, whether or not you testify
3 is a decision that you should discuss in detail with your
4 attorney. And it goes -- there's a lot of strategy
5 involved in it, a lot of issues that may or may not come
6 up. And I would advise you to listen carefully and give
7 great weight to the advice you receive from your attorney.
8 But I will tell you this. The right to testify or not
9 testify belongs to only one person, and that is you. So
10 in the end it's got to be your decision.

11 Do you have any questions you'd like to ask me about
12 that?

13 DEFENDANT SINGLETON: No, sir. Not on that subject.

14 THE COURT: All right. Well, what does all this
15 carry? I don't have the indictments.

16 MR. BLOUIN: Your Honor, the two traffickings carry
17 seven to 25 years; the possession of heroin, zero to two
18 years; and the resisting arrest, zero to one year.

19 THE COURT: You know, I tell this to a lot of people.
20 When I was a young lawyer doing criminal defense work, an
21 older lawyer, experienced, still practicing, told me there
22 are two reasons to go to trial: one, if you have a
23 dead-sure winner; two, if you have nothing to lose. You
24 need to think hard about where you're going from here on
25 out. Talk to your lawyer. We'll see you after lunch.

1 Okay.

2 (WHEREUPON, a recess is taken at 12:44 PM; State's Exhibit
3 Numbers 16 and 17 and Court's Exhibit Number 1 were marked
4 for identification.)

5 THE COURT: Are we ready to go?

6 MR. BLOUIN: The State is ready to go, Your Honor.
7 We just want to put on the record that, as well as the
8 chain -- complete chain being stipulated to, defense is
9 also stipulating to the chemist being an expert in
10 chemical analysis, so we don't have to go through that.

11 THE COURT: Is that correct?

12 MR. SANFORD: That is correct, Your Honor.

13 THE COURT: Okay. No other changes.

14 MR. SANFORD: No, Your Honor. We're ready to go
15 forward.

16 THE COURT: All right. Let's get them.

17 (WHEREUPON, the jury entered the courtroom at 2:24 PM.)

18 THE COURT: All right. Ladies and gentlemen, welcome
19 back. We are ready to resume.

20 Mr. Blouin.

21 MR. BLOUIN: May it please the Court, Your Honor.
22 The State would next call Deputy Austin Fowler.

23 THE CLERK: Mr. Fowler, please approach the witness
24 stand, and once you get there, place your left hand on the
25 Bible and raise your right hand.

1 WHEREUPON,

2 AUSTIN FOWLER,

3 After having been duly sworn, testified as follows:

4 THE CLERK: Please be seated, and once you're seated,
5 state your name for the record.

6 THE WITNESS: Austin Fowler.

7 DIRECT EXAMINATION

8 BY MR. BLOUIN:

9 Q Deputy Fowler, where are you employed?

10 A Greenville County Sheriff's Office.

11 Q And how long have you been employed there?

12 A Four years.

13 Q Okay. And what is your rank at the sheriff's office?

14 A I'm a deputy.

15 Q All right. And what was -- how did you come in
16 contact with the defendant on the night of February 19th?

17 A I arrived on scene as routine backup hearing my
18 partner call out a traffic stop.

19 Q So you were the second person on scene?

20 A Yes, sir.

21 Q All right. Can you -- was your body camera activated
22 during this time?

23 A Yes, it was.

24 Q And was your in-car camera activated during this
25 time?

1 A It was.

2 MR. BLOUIN: Your Honor, may I approach the witness,
3 please.

4 THE COURT: Yes.

5 BY MR. BLOUIN:

6 Q Deputy Fowler, I am showing you what's been
7 previously marked as State's Exhibit 16 and 17. Do you
8 recognize what those are?

9 A Yes.

10 Q Can you please say what those are.

11 A Copies of my body-worn camera and in-car camera.

12 Q And how do you know that those are what they say they
13 are?

14 A I have initialed them.

15 MR. BLOUIN: All right. Your Honor, at this time we
16 would move State's 16 and 17 into evidence.

17 MR. SANFORD: No objection, Your Honor.

18 THE COURT: All right.

19 (WHEREUPON, State's Exhibit Numbers 16 and 17 were
20 admitted into evidence.)

21 BY MR. BLOUIN:

22 Q So when you first arrived on scene, could you please
23 explain what was going on.

24 A Master Deputy Walters had initiated a traffic stop,
25 and when I got on scene, as he was investigating, I went

1 and kind of stood around. There were several other
2 subjects in front of the house, and I noticed
3 Mr. Singleton still sitting in the car.

4 Q All right. Was there any interactions that you
5 noticed between the individuals outside the car and inside
6 the car?

7 A I believe Mr. Singleton had said something to them
8 just briefly, but nothing major.

9 Q All right. When Deputy Walters asked the defendant
10 to speak with him, was the car engine still running?

11 A I believe so at the time.

12 Q And while Master Deputy Walters at the time was
13 speaking with the defendant, did he have any special
14 requests that he made?

15 A You're talking about Mr. Singleton or ---

16 Q That Mr. Singleton made, yes.

17 A I can't remember.

18 Q All right. When -- at some point Mr. Singleton made
19 an action. Okay. Where was now Sergeant Walters standing
20 at that time?

21 A He was searching the vehicle on the passenger's side.

22 Q Okay. And where were you?

23 A I was standing next to Mr. Singleton in front of the
24 -- his patrol car.

25 Q And what did Mr. Singleton do?

1 A He kept asking for cigarettes. And I believe he was
2 given one by one of the subjects in front of the house.
3 And he wanted to get a lighter out of the car. I told him
4 just to hold off. And he just slowly made his way to the
5 car, and he lunged in.

6 Q What did you do then?

7 A Not knowing what he was lunging for, I went to go
8 control him. I grabbed him, and we went to the ground.

9 Q All right. And during that -- do you remember how
10 long that scuffle lasted?

11 A Around a minute if not a minute and a half, two
12 minutes.

13 Q Okay. And where did you finally get control of
14 Mr. Singleton?

15 A We were in the road beside Master Deputy Walters'
16 patrol car.

17 Q And during the scuffle, did you hear anything
18 particular that the defendant may have said?

19 A Yes, sir. He continued to say "get it" or "do it for
20 me," "help me out."

21 Q All right. And after the defendant was detained,
22 what was your role during the rest of the investigation?

23 A Just to secure the scene, help investigate as best I
24 could. At that point we did conduct the protective sweep
25 of the house. So I went in the house just to do the

1 protective sweep and then after that stand by with some
2 subjects that were being detained.

3 Q To your knowledge, were any other bags that are
4 similar to State's Exhibit 1 found?

5 A No, sir.

6 MR. BLOUIN: Your Honor, at this time the State would
7 like to play the in-car -- part of the in-car camera from
8 minute, let's see, 17:15 to minute 19.

9 THE COURT: Okay.

10 THE BAILIFF: Your Honor, the monitors up here are
11 not working.

12 THE COURT: We're going to have to restart the
13 system.

14 Can everyone see the one monitor that is working?
15 Okay.

16 (WHEREUPON, State's Exhibit 17, a video, was played in
17 open court.)

18 BY MR. BLOUIN:

19 Q Okay. I know it's kind of tough to see, Deputy
20 Fowler, but can you kind of tell us what's going on at
21 this moment, if you can see?

22 A Yes, sir. That was when Mr. Singleton went to go try
23 to go back in the car, and we were pulling him out of the
24 car to control him.

25 Q Okay.

1 (WHEREUPON, State's Exhibit 17, a video, continued to play
2 in open court.)

3 BY MR. BLOUIN:

4 Q All right. Deputy Fowler, at this point can you kind
5 of describe where you and -- are during this struggle?

6 A Yes, sir. That's when it was coming to the end. We
7 were, again, in the road right beside Master Deputy
8 Walters' patrol car.

9 Q Okay. And can you see -- what is to the -- what do
10 you see to the left of the suspect vehicle?

11 A Two of the subjects that were standing in the yard.

12 Q All right.

13 (WHEREUPON, State's Exhibit 17, a video, continued to play
14 in open court.)

15 BY MR. BLOUIN:

16 Q Can you just describe what happened on the left near
17 the subject vehicle?

18 A Yes, sir. It looked like one of the subjects went to
19 the other side of the vehicle that Mr. Singleton got out
20 of.

21 Q All right.

22 (WHEREUPON, State's Exhibit 17, a video, continued to play
23 in open court.)

24 BY MR. BLOUIN:

25 Q And can you describe what's going on now?

A Yes, sir. It looks like that subject is leaving the passenger's side of the vehicle and walking towards the house.

(WHEREUPON, State's Exhibit 17, a video, continued to play
in open court.)

BY MR. BLOUIN:

Q And how many subjects do you see at this point?

A Two.

Q All right. Do you see the same subject that you previously spoke about?

A Yes, sir.

(WHEREUPON, State's Exhibit 17, a video, continued to play
in open court.)

BY MR. BLOUIN:

Q All right. And the -- that voice you heard on the in-car camera, was that what you had previously testified to?

A Yes, sir.

MR. BLOUIN: All right. Your Honor, at this time we would like to play a portion of Deputy Fowler's body camera from 7:25 to 21:01. That should be 7:27 to 18:01 -- or 21:01. I apologize.

(WHEREUPON, State's Exhibit 16, a video, was played in
open court.)

///

1 BY MR. BLOUIN:

2 Q Stop it right there, actually.

3 Your camera, Deputy Fowler, went stagnant. Why did
4 that happen?

5 A Body camera fell off my vest.

6 Q Okay. So it was on the ground while all this was
7 still going on.

8 A Yes, sir. It fell off halfway through.

9 THE COURT: Deputy Fowler, please answer any
10 questions the defense may have for you.

11 CROSS EXAMINATION

12 BY MR. SANFORD:

13 Q Deputy Fowler, how are you?

14 A Good. How are you?

15 Q I'm doing well. Thank you.

16 Did you ever search the car?

17 A No, sir.

18 Q The defendant, Mr. Singleton, when Mr. Singleton came
19 and spoke to you, did he seem nervous?

20 A A little bit.

21 Q Do people typically get nervous around police
22 officers when they're stopped?

23 A Yes, sir, they can.

24 Q Was he being helpful for a normal police stop?

25 A Yes, sir. He was cordial until he jumped in the car.

1 Q And he was given a cigarette prior to that.

2 A Yes, sir.

3 Q He never made it into the car, correct?

4 A He got, I would say, his upper body into the front
5 seat of the car.

6 Q And there was a car in front and behind of his
7 vehicle, correct?

8 A Yes, sir.

9 Q If he had happened to get in the car, would it -- it
10 would have been hard to get out of there?

11 A As far as driving?

12 Q Yes, sir.

13 A Yes.

14 Q When you first made contact with Mr. Singleton, where
15 were his hands?

16 A At first, when I first arrived on scene, he was still
17 in the car.

18 Q Let me rephrase that. When you first started getting
19 into a scuffle with Mr. Singleton, when he made the move
20 toward the car, where were his hands?

21 A They were out.

22 Q And there were -- you and Walters were both trying to
23 corral him?

24 A Yes, sir.

25 Q Did you go into the house on a protective sweep?

1 A Yes, sir.

2 Q What did you do while you were in the house?

3 A We made sure there was nobody else in the house. I
4 went into one of the bedrooms with another deputy.

5 Q Did you ever tell anybody else that they were looking
6 for a book bag?

7 A I don't remember.

8 Q Did you say that they were looking for a tan book
9 bag?

10 A I don't remember.

11 Q Did you help effect the search warrant?

12 A No, sir.

13 Q Did you see the book bag in the car?

14 A I don't believe so.

15 Q And you had nothing to do with the search of the car?

16 A No, sir.

17 Q Or the search warrant?

18 A No, sir.

19 Q And so you never saw the book bag until today? Or
20 when was the first time you saw the book bag?

21 A Yes, sir. I believe I saw it on scene. I just
22 didn't get close enough to the car while on scene before
23 everything to see it.

24 Q So you saw a book bag after they found it with the
25 search warrant?

1 A I believe so.

2 Q How many other subjects were out there when the
3 tussle happened?

4 A There were three in the yard.

5 Q And how many were out there when -- as the State
6 pointed out on the video, I believe you said there were
7 two subjects after one went to the car and went back?

8 A Yes, sir.

9 Q So there's another subject that is unknown at the
10 time.

11 A I don't remember seeing him. I don't know where he
12 went.

13 Q At some point when you had Mr. Singleton on the
14 ground, were people recording?

15 A I believe so.

16 Q And was he addressing them when he was saying, like
17 you said, "do it"?

18 MR. BLOUIN: Objection. Calls for speculation.

19 THE COURT: Yeah. You can ask what he observed, but
20 he doesn't know.

21 MR. SANFORD: Yes, sir.

22 BY MR. SANFORD:

23 Q Was him calling out before or after the individual
24 had gone to the car and gone to the house?

25 A I mean, we were tussling, so I don't really remember

1 the time frame. But we were on the ground.

2 MR. SANFORD: No further questions, Your Honor.

3 THE COURT: All right. Any redirect?

4 MR. BLOUIN: No redirect, Your Honor. We just ask
5 that Deputy Fowler be excused from his subpoena, released
6 from his subpoena.

7 THE COURT: Any objection?

8 MR. SANFORD: No objection.

9 THE COURT: All right. Thank you, sir. You can step
10 down.

11 MR. BLOUIN: Your Honor, pursuant to the stipulation
12 as to chain, at this point we would call Kristen McCall.

13 THE COURT: Just a second.

14 For the benefit of the jury, I want to tell you that
15 the parties have stipulated or agreed that it is a fact
16 beyond dispute that the chain of custody of the items that
17 they're going to be discussing has been established in an
18 appropriate fashion. Okay? Thank you.

19 All right. Now go ahead.

20 THE CLERK: Please step forward to the witness stand.
21 Once you're here, place your left hand on the Bible and
22 raise your right hand.

23 WHEREUPON,

24 KRISTEN McCALL,

25 After having been duly sworn, testified as follows:

1 THE CLERK: Thank you. Please be seated. Once
2 you're seated, state your name for the record.

3 THE WITNESS: Okay. Kristen Marie McCall.

4 MR. BLOUIN: And, Your Honor, per the second
5 stipulation, Ms. McCall be qualified as an expert in
6 chemical analysis.

7 THE COURT: All right. That's correct.

8 All right. Ladies and gentlemen, thank you.

9 DIRECT EXAMINATION

10 BY MR. BLOUIN:

11 Q Ms. McCall, where are you employed?

12 A Greenville County Department of Public Safety
13 Forensics Division.

14 Q And how long have you been employed there?

15 A I've been employed there a total of five years.

16 Q And what is your role there?

17 A I'm a forensic chemist.

18 Q Okay. And what does a forensic chemist do?

19 A A forensic chemist tested suspected controlled
20 substances.

21 Q All right. And what is the process you go by in
22 testing suspected controlled substances?

23 A Once the evidence is received by Property and
24 Evidence, I go down there and I sign out a bunch of cases.
25 I bring them in in their individual envelopes, and I do

1 chemical analysis on them to figure out if any of the
2 evidence has a controlled substance in them.

3 Q All right. When you get them into your office, what
4 is the first thing you do?

5 A The first thing I do is check the chain of custody in
6 it, that I have, in fact, the items that I received are in
7 my name. Once -- then I take them out of the envelope
8 that they're in. I remove all the packaging that they're
9 in, which I observe a net weight on them. Then I do a
10 spot test to figure out what I'm looking at, depending on
11 the color. And then from there I can figure out which
12 instrumentation I need to use, whether it's an FTIR or
13 it's a GCMS. And from there from my results, I write up
14 my report, and then I turn it in.

15 Q And what is an FTIR and the other?

16 A The Fourier-transform infrared spectroscopy shoots an
17 infrared light into the sample, and based on the vibration
18 patterns, it matches it to a library that we have in the
19 drug lab of what we're looking at. But if the substance
20 is cut with anything, we have to move it to the gas
21 chromatography-mass spectrometer, which is basically a
22 large oven that can separate all the different components
23 that is in a powder, tablet, whatever -- whatever evidence
24 we're looking at.

25 Q When testing evidence, if something isn't properly

1 sealed, will you test it?

2 A No. I take it directly back to Property and
3 Evidence, and I say, "I cannot proceed with this case
4 until it's properly sealed."

5 Q Did you happen to analyze certain substances in this
6 case?

7 A I did.

8 MR. BLOUIN: May I approach the witness, Your Honor?

9 THE COURT: Yes.

10 BY MR. BLOUIN:

11 Q Do you identify the substances -- or can you identify
12 the different things in this bag for me and tell me what
13 they are?

14 A Yes. So this is a rather large case, so consisting
15 -- would you want me to go show the item?

16 Q Just do you recognize those items?

17 A Yeah. Well, I do recognize these substances because
18 I have my initial, the date when I opened the bag.

19 Q Sure.

20 A And then also I have the item number on here. Also I
21 have the weight on here.

22 Q Okay. So are these consistent with what you analyzed
23 per this case?

24 A (Reviews exhibits) Yes, that's correct. I can go
25 through all of them if you need me to.

1 Q Take your time.

2 A Okay. (Reviews exhibits) Yes. And these were two
3 bags, which is correct. And then JL34, yes. And then
4 JL3b2, which is one bag. This is JL3b1, which is two
5 bags. And this is JL3b4, which is one bag. Yes, that's
6 correct. Uh-huh.

7 Q All right. And you performed tests on all those
8 items?

9 A Yes, sir.

10 Q All right. Let's start with the first item, JL3a.

11 A JL3 -- okay. I mean, do you want me to grab the
12 items since I've already verified that I have ---

13 Q We can just go through -- all right. What were the
14 results of your tests on those items?

15 A For JL3a, I had a bag containing crystal substance.
16 The results were found to be methamphetamine, 27.99 grams.

17 Q All right. What about JL3b1a?

18 A Bag containing tablet-like substance, methamphetamine
19 found, 33.94 grams.

20 Q All right. JL3b1b?

21 A Bag containing tablet-like substance, 26.45 grams.

22 Q JL3b3a?

23 A JL3b3 -- bag containing powder substance, cocaine
24 found, 21.74 grams.

25 Q JL3b3b?

1 A Bag containing powder substance, cocaine found,
2 19.19 grams.

3 Q JL3b4?

4 A JL3b4, bag containing powder substance,
5 methamphetamine found, 3.75 grams.

6 Q JL3b5?

7 A Bag containing powder substance, heroin found,
8 0.61 grams.

9 Q JL7b?

10 A Bag containing tablet-like substance, 1.11.

11 MR. BLOUIN: Your Honor, at this point we would like
12 to move State's Exhibit 7 through State's Exhibit 11 into
13 evidence.

14 MR. SANFORD: Your Honor, the only objection I have
15 is these items were shown to the jury prior to them being
16 -- shown into evidence when they were numbered for the
17 State.

18 THE COURT: Okay. Well, I'll caution the State to
19 make sure that these items are not displayed to a jury
20 until they're admitted into evidence.

21 So ladies and gentlemen -- any other objection?

22 MR. SANFORD: That's the only objection, Your Honor.

23 THE COURT: Okay. Well, I'm going to admit them into
24 evidence.

25 ///

1 (WHEREUPON, State's Exhibit Numbers 7 through 11 were
2 admitted into evidence.)

3 MR. BLOUIN: Your Honor, permission to publish to the
4 jury.

5 THE COURT: Yes.

6 MR. BLOUIN: To make sure that I am straight, JL3a,
7 so this would be State's Exhibit 5, State's Exhibit 6,
8 State's Exhibit 7, State's Exhibit 8. That's 8. I'm
9 sorry. That's 11. State's Exhibit 10, and State's
10 Exhibit 9.

11 When you -- Ms. McCall, when you . . .

12 Your Honor, we would also ask that 5 and 6 be
13 admitted into evidence under the same grounds as 6 [sic]
14 through 11.

15 THE COURT: Same objection?

16 MR. SANFORD: Same objection, Your Honor.

17 THE COURT: I'm going to admit them.

18 (WHEREUPON, State's Exhibit Numbers 5 and 6 were admitted
19 into evidence.)

20 BY MR. BLOUIN:

21 Q Ms. McCall, when you produce one of these reports --
22 or do you produce a report that shows your findings?

23 A Yes.

24 Q Okay. Is that your report?

25 A Yes. That's my report.

1 Q May I see that for a second?

2 A Uh-huh.

3 Q All right. You can hold onto that one.

4 A Okay.

5 MR. BLOUIN: May I approach, Your Honor?

6 THE COURT: Yep.

7 (WHEREUPON, State's Exhibit Number 18 was marked for
8 identification.)

9 BY MR. BLOUIN:

10 Q Ms. McCall, could you identify what State's Exhibit
11 18 is?

12 A This would be my -- this would be my drug analysis
13 report that is produced from the Greenville County
14 Forensics Division crime -- drug lab.

15 Q Is that an original or a copy?

16 A This would be the original that's sent up to records.
17 But it's a copy of it, yes.

18 Q Okay. Are there any changes to that from the
19 original?

20 A Looking at my worksheet, it does not look like it
21 did, but I just want to make sure I verify everything.
22 No. There have not been any changes to it.

23 MR. BLOUIN: At this point, Your Honor, the State
24 would move for State's Exhibit 15 -- or 18 to be admitted
25 into evidence.

1 MR. SANFORD: No objection, Your Honor.

2 THE COURT: All right. Without objection.

3 (WHEREUPON, State's Exhibit Number 18 was admitted into
4 evidence.)

5 BY MR. BLOUIN:

6 Q When you -- one last thing. When you analyze
7 substances, is it just you looking at those substances?

8 A After I create a report, needs to be sent out. All
9 of our reports are peer reviewed, so it goes through two
10 chemists before they get sent upstairs.

11 MR. BLOUIN: All right. Please answer any questions
12 the defense may have for you.

13 THE WITNESS: Uh-huh. Yes, sir.

14 CROSS EXAMINATION

15 BY MR. SANFORD:

16 Q Ms. McCall, how are you today?

17 A I'm doing good.

18 Q Tell me a little bit about how these substances are
19 stored prior to you testing.

20 A So Property and Evidence is basically our gatekeepers
21 to all evidence that comes in. For me, I don't work in
22 the storage. I work as just going down there, pulling out
23 the cases, say, "I need some cases." They give it to us.
24 But from my general knowledge of Property and Evidence is
25 that all evidence items go through Property and Evidence,

1 and they are stored down there.

2 Q And do you work on multiple cases at a time?

3 A No. I work on one case at one time, one time as I
4 sign out -- I'm going to sign out a lot of cases, but when
5 I go to work it, it's only one case on my bench at a time.

6 Q So there's not other things laying around.

7 A No. If it doesn't pertain to this case, no.

8 MR. SANFORD: Thank you, Your Honor. I have no
9 further questions.

10 THE COURT: Anything else?

11 MR. BLOUIN: Nothing from the State. We just ask
12 that she be released from her subpoena.

13 THE COURT: Any objection?

14 MR. SANFORD: No, your Honor.

15 THE COURT: All right. Thank you, ma'am.

16 THE WITNESS: All right. Thank you.

17 MR. BLOUIN: Your Honor, at this point the State
18 rests.

19 THE COURT: All right. Ladies and gentlemen, at this
20 time we have a couple of legal matters we need to discuss
21 out of your presence so we'll excuse you back to your jury
22 room. We'll get back with you in a few minutes.

23 (WHEREUPON, the jury exits the courtroom at 3:06 PM.)

24 THE COURT: All right. Any motions?

25 MR. SANFORD: Your Honor, at this time we would make

1 a motion for a directed verdict. We don't believe that
2 the State has met their burden of proof to show that my
3 defendant knowingly possessed the items that were found,
4 and we would ask for you to give us a directed verdict for
5 our case.

6 THE COURT: That would require me to make factual
7 findings that I think is better left to a jury, so I'm
8 going to deny that motion.

9 Mr. Singleton, if you would, please stand. Raise
10 your right hand.

11 (WHEREUPON, WILLIAM ARTHUR SINGLETON is duly sworn.)

12 THE COURT: You can put your hand down.

13 You've heard my discussion with you prior to lunch
14 about testimony; is that right?

15 DEFENDANT SINGLETON: Yes, sir.

16 THE COURT: Okay. I'm going to give you a few
17 minutes to talk to your attorneys and make a decision
18 about whether or not you're going to testify. So we're
19 going to get back with you in just a couple minutes, all
20 right? But you all go make that discussion, have that
21 discussion, and we'll need to know.

22 (WHEREUPON, a recess is taken at 3:08 PM.)

23 THE COURT: All right. Mr. Singleton?

24 DEFENDANT SINGLETON: Yes, sir.

25 THE COURT: Have you made a decision?

1 DEFENDANT SINGLETON: Yes, sir.

2 THE COURT: Okay. What is it?

3 DEFENDANT SINGLETON: I'm going to testify. I'm
4 going to testify.

5 THE COURT: Okay. All right. Well, does anybody
6 else need a break before we get the jury back and get
7 going?

8 MR. BLOUIN: None from the State, Your Honor.

9 MR. SANFORD: Not from defense, Your Honor.

10 THE COURT: Okay. All right. Let's get them.

11 (WHEREUPON, the jury entered the courtroom at 3:18 PM.)

12 THE COURT: All right. Ladies and gentlemen,
13 welcome back.

14 From the defense.

15 MR. SANFORD: Thank you, Your Honor. May it please
16 the Court. Your Honor, the defense calls William
17 Singleton to the stand.

18 THE COURT: All right. Come around and be sworn.

19 THE CLERK: Mr. Singleton, if you'll please place
20 your left hand on the Bible and raise your right hand.
21 WHEREUPON,

22 WILLIAM ARTHUR SINGLETON,

23 After having been duly sworn, testified as follows:

24 THE CLERK: Please be seated, and once you're seated,
25 state your name for the record.

1 THE WITNESS: My name is William Singleton.

2 THE COURT: All right. If you would, please remove
3 your mask as you speak. Thank you.

4 DIRECT EXAMINATION

5 BY MR. SANFORD:

6 Q Hi, Mr. Singleton.

7 A How are you doing?

8 Q Good.

9 Mr. Singleton, do you remember the night of
10 February 19, 2020?

11 A I do.

12 Q And what were you doing?

13 A I was on my way to pick my friend up to go to work,
14 take him to work.

15 Q Where had you been?

16 A I just left the store from getting some cigarettes.

17 Q And you said you were going to go pick up your friend
18 to take him to work?

19 A Yes.

20 Q Do you do this often?

21 A His car just went down maybe a week before, so I've
22 been -- they would either use my car or I'll take him.

23 Q And then did you see a police car sitting in a
24 parking lot?

25 A I did, sitting in a church as I passed it.

1 Q And what did that police car do?

2 A When I passed him, he pulled up behind me.

3 Q Okay. And did he eventually turn on his blue lights
4 and stop you?

5 A He waited until I turned in to the driveway of the
6 residence to hit the blue lights.

7 Q And when he approached your window, what were you
8 doing?

9 A I was smoking a cigarette.

10 Q Would that have been one of the ones that you just
11 picked up from the store?

12 A Yes.

13 Q Were you nervous when the officer approached?

14 A Not at all.

15 Q And what did the officer ask you to do?

16 A Nothing, I believe. I believe I asked him first. I
17 mentioned did he want to go ahead and get my license.

18 Q And did you try to find your license?

19 A I did.

20 Q And were you trying to be as cooperative with the
21 officer as possible?

22 A Yes. I offered even to pop my trunk. I let him know
23 even when we were discussing about searching the car that,
24 you know, I didn't really care about him searching the
25 car. I just wanted to see what some of my rights were so

1 far as, you know, him searching the car.

2 Q And were you worried about anything?

3 A Maybe a simple possession charge from where, you
4 know, a blunt or something might have got lost in the car.
5 That's it. Just -- just that. I mean, simple possession
6 charges are really high.

7 Q And then did they eventually search your car?

8 A I believe he started on the driver's side, and then
9 he went to the passenger's side and started searching.

10 Q And then at that time, what did you do?

11 A I was standing there talking to the other officer.
12 Somewhere out of one of the people that was out in front
13 already, they gave me a cigarette because they didn't --
14 the officer said that he didn't see my cigarettes in the
15 car.

16 Q And did you ask for a light?

17 A Yes.

18 Q And were you trying to get a lighter from your car?

19 A I usually keep my lighter in the -- right here in the
20 door. It's a little pocket right there by the handle. I
21 usually keep my lighters there so I don't have to -- while
22 I'm driving I won't have to look around and search for a
23 lighter.

24 Q And the State has an exhibit that shows a lighter
25 that they found in your pocket. So why would you be going

1 for a lighter in the car?

2 A When he pulled me over, I was smoking a cigarette,
3 you know, just paying attention to him and trying to be --
4 you know, talking to him. I must have slipped the lighter
5 in my pocket maybe and not back in the door, and, you
6 know, just never realized that it was in my pocket.

7 Q Now, at that point the officers rushed you, correct?

8 A Yes. I was going for the lighter in the door, just
9 showing them like the lighter is just right here. I just
10 wanted a light. I wanted to smoke a cigarette while y'all
11 sit here and, you know, have your business.

12 Q And the moment that they rushed you, what went
13 through your head?

14 A God, I don't know what's happening. I don't know
15 what they're about to do to me. I was afraid. I was
16 scared. The first thing I did was, you know, shoot my
17 hand in the air and got down in a crouching position just
18 to show them, you know, that I'm cooperative, I'm not
19 doing anything. And after a while, you know, of just, you
20 know, manhandling me and handling me, you know, I was
21 afraid. I didn't know what they were about to do, you
22 know. Just, you know, the community and the police now
23 has, you know, this kind of bad, you know, things you see
24 on TV and the things in the news so far as, you know,
25 black people and the police, you know.

1 So I got into a crouching position and just threw my
2 hands up like that and just telling them, you know, man,
3 I'm just trying to get a light. I'm not aggressive. I'm
4 not trying to fight you. I'm -- you know, I'm afraid, you
5 know, kind of manhandling me and trying to do this and
6 that. I kind of just stood up like, hey, you know, stop.
7 I'm not doing anything, you know. And somehow they end up
8 pushing me and getting me over in the road. That's when I
9 finally went down.

10 And I -- I went down on my back, and both of my hands
11 were behind my back. So as he has his knee and his weight
12 in my chest, he's telling me to give him my hand. But I'm
13 telling him how can I give you my hand when my hand is
14 pinned behind my back and I can't breathe. Like the way
15 you had me on the ground, I can't breathe you've got so
16 much weight on my chest.

17 Q And when they had you on the ground, were you
18 yelling?

19 A Yes. I was -- you know, I wanted somebody to get it
20 on video, you know, like record this like just in case,
21 you know -- you know, what happened in these situations.
22 So -- and, you know, so many things running in my mind so
23 quick, you know. I remember hollering "help." But, you
24 know, it wasn't the kind of help like come get the police
25 off of me. I didn't want to get nobody involved. It was

1 just more like, hey, get your phone. Record this, you
2 know, just in case something happens.

3 Q And were you trying to comply with the officer's
4 commands?

5 A Most definitely I was complying.

6 Q And why was it hard?

7 A Man, I mean, I was scared. It seemed like they were
8 scared. I mean, he already checked me. I didn't have any
9 weapons on me. Like I say, I wasn't violent towards him
10 or aggressive towards any of them. The whole time we sat
11 there and talked, laughed, you know, had conversation.

12 Q Mr. Singleton, let's talk about the book bag or
13 backpack. Was there a backpack in your car?

14 A Yes.

15 Q Did at some point that backpack vanish from your car?

16 A Yes. That's what they said.

17 Q And you don't know where that backpack went.

18 A No. I was -- the police had me in the back of their
19 car or either -- when we were scuffling or whatever.

20 Q And did the officers ask you anything about that
21 backpack ever?

22 A The only time he ever asked me was after he -- after
23 they put the handcuffs on me and put me in the back of the
24 car, he asked me, "What happened? Well, where's the book
25 bag."

1 I just asked him, "What book bag?" I mean, like you
2 just roughed me up just now and now you're asking me where
3 a book bag. I don't even know where that's coming from.

4 Q And, Mr. Singleton, were you worried that the
5 officers would find the book bag in your car?

6 A It didn't matter to me if they found no book bag or
7 not. I was -- the only thing that I was concerned about
8 was them maybe finding, you know, like a blunt or, you
9 know, like a little doobie or something that just got lost
10 in the car.

11 Q And why were you not worried about them finding the
12 backpack?

13 A The backpack was of no significance.

14 Q And, Mr. Singleton, just to be clear, the backpack
15 that the State has labeled as Exhibit 1 is not your
16 backpack.

17 A No.

18 Q And there was a different backpack in the car,
19 correct?

20 A Yes.

21 Q Now, Mr. Singleton, you've never seen any of these
22 substances before today, correct?

23 A No.

24 Q And, Mr. Singleton, you don't know where they found
25 the stuff in that backpack or anything like that other

1 than from the evidence of the discovery that's happened in
2 this case, correct?

3 A Yes.

4 Q Mr. Singleton, let me ask you this. The officers
5 said you were being a bit evasive about where you were
6 staying. Why would they say that?

7 A Because I really didn't have any residence of my own
8 at the time. Like I said, I stayed a couple nights at
9 that residence before. And I have a female friend that's
10 down here, and I -- sometimes I stay the night at her
11 sister house.

12 Q So you didn't have any real long-term residence here
13 to give him.

14 A No. That's why I stated what was on my license,
15 which is my mother's address. I use that as all of my
16 mailing address and everything.

17 Q Mr. Singleton, you know, you've been charged with
18 various serious crimes here, and I just want to ask you,
19 this book bag is not your book bag, correct?

20 A No.

21 Q You've never seen these drugs before.

22 A No.

23 Q And this has nothing to do with you.

24 A Not at all.

25 MR. SANFORD: Thank you. Please answer any questions

1 the State has.

2 CROSS EXAMINATION

3 BY MR. BLOUIN:

4 Q So, Mr. Singleton, you are not disputing that Deputy
5 Walters found a red lighter in your pocket that he took
6 out of your pocket.

7 A No. Not at all.

8 Q Okay. And you stated that you went to the store to
9 get cigarettes.

10 A Yes.

11 Q Now, let's start up until, obviously, the
12 confrontation -- or both Mr. -- or both Sergeant Walters
13 and Deputy Fowler, would you say they were pleasant to
14 you?

15 A Yes. They were -- they were decent.

16 Q Were they nice?

17 A I mean, decent. They wasn't rude.

18 Q Were they accommodating?

19 A I can't say that. Not when it comes to me trying to
20 get the lighter out of the pocket of the door.

21 Q Okay. But let's start back at the beginning.

22 A Yes.

23 Q When you stated that your -- or when you stated that
24 your license was underneath the seat, did master deputy
25 have any problems with you getting out of the car and

1 going into the backseat to look for it?

2 A I mean, I don't think he would have any problems. He
3 wanted to see my license so I would have to get it or find
4 it to get it to him.

5 Q Sure. Did -- when you first requested a cigarette,
6 did Sergeant/Master Deputy Walters look in the car for
7 your pack of cigarettes?

8 A It seemed like he glanced in the car. He was still
9 -- he was standing up outside the car and just looked in.

10 Q Now, you've been sitting here and you've heard
11 testimony that even after they searched the car, they
12 never did find any cigarettes.

13 A When he pulled me over it's clearly in the video that
14 I was smoking a cigarette.

15 Q Okay. Someone at the residence gave you a cigarette
16 during that time; is that correct?

17 A No. Not when I first got pulled over.

18 Q No, no, no. Later on.

19 A Yes.

20 Q Right before the confrontation.

21 A Yes.

22 Q And that person couldn't give you light?

23 A They didn't have one. You could hear it clearly on
24 the video.

25 Q Did you hear Deputy Fowler telling you to stop,

1 stop?

2 A I did. That was -- that was -- I just didn't think
3 it was that serious, just getting a lighter out the -- out
4 the door of the car. And I said -- and now I know now,
5 you know, just thinking about it, you know, I guess for
6 their safety or whatever issues or whatever, you know,
7 that I should have complied and stopped.

8 Q So, I mean, you've been here. You watched some of
9 the videos.

10 A Yes.

11 Q You wouldn't classify your move to that door as a
12 lunge?

13 A So I'm right here by the door. I just want to -- I
14 wanted to pick the lighter up and show him, hey, it's a
15 lighter. I just want to smoke a cigarette. It's a
16 lighter.

17 Q But you didn't tell him that.

18 A I didn't have a chance. When I -- when I -- when I
19 reached in there, he almost pushed me in the car when he
20 grabbed me.

21 Q Right. But at some point you asked them to look for
22 a cigarette for you, correct?

23 A And which the cigarettes were in the car, and he said
24 he didn't find them or he didn't see them.

25 Q But you never asked for a lighter.

1 A I mean, the -- the cigarette should have been, you
2 know, close to the lighters hopefully, you know.

3 Q But you never asked for a lighter.

4 A I asked for a lighter after I got the cigarette. I
5 mean, one comes with the other.

6 Q Okay. So there was a backpack in the front seat of
7 your car.

8 A Yes.

9 Q All right. And that was your backpack. So
10 Sergeant/Master Deputy Walters clearly saw a backpack in
11 your passenger's seat floorboard.

12 A Yes.

13 Q All right. And you happened to get the lighter when
14 Master Deputy Walters was about to open that passenger's
15 seat; isn't that about correct?

16 A State that one more time.

17 Q You went for the door at the same time or close to
18 the same time that Master Deputy/Sergeant Walters was
19 about to open the passenger's side door.

20 A He was already searching the passenger's side when I
21 went over there.

22 Q So he had made it all the ---

23 A Yeah. He was -- he was already crouching down
24 looking through the passenger's side.

25 MR. BLOUIN: Your Honor, if I may play one brief clip

1 of State's Exhibit 15 that was previously played in
2 evidence.

3 THE COURT: Okay.

4 MR. BLOUIN: I'm going to play this for you, again,
5 Mr. Singleton. If you could please watch.

6 (WHEREUPON, State's Exhibit 15, a video, was played in
7 open court.)

8 THE WITNESS: There's a lighter in the ashtray.

9 (WHEREUPON, State's Exhibit 15, a video, continues to play
10 in open court.)

11 BY MR. BLOUIN:

12 Q So, Mr. Singleton, was -- or Master Deputy/Sergeant
13 Walters was not at the passenger -- searching the
14 passenger's side seat at the point that you moved to the
15 door, was he?

16 A Yes. I was incorrect about that. It all happened so
17 fast. Like that's when everything happened. I thought he
18 was already on that side.

19 Q You also never asked for a lighter, did you?

20 A I mean, he said he didn't find my cigarettes.

21 Q Okay.

22 A So if he can't find my cigarettes, you know, someone
23 else gave me a cigarette, and that's when I asked them for
24 a lighter in the video. And they said they didn't have a
25 lighter.

1 Q And you don't know of any reason why anyone would
2 want to steal your bag.

3 A Not at all. It's my property.

4 MR. BLOUIN: Beg the Court's indulgence one moment.

5 No further questions, Your Honor.

6 THE COURT: Any redirect?

7 MR. SANFORD: No redirect, Your Honor.

8 THE COURT: All right. Thank you. You can step
9 down.

10 All right. Call your next witness.

11 MR. SANFORD: Your Honor, at this time the State
12 rests -- defense rests. Sorry.

13 THE COURT: All right. Any rebuttal?

14 MR. BLOUIN: No rebuttal, Your Honor.

15 THE COURT: All right. Let me just talk to the
16 lawyers up here for a quick second.

17 (WHEREUPON, a bench conference was held off the record.)

18 THE COURT: Ladies and gentlemen, thank you very
19 much. I tried a lot of cases when I was a lawyer, and we
20 had a long-time judge here who I greatly admire and
21 respect. And he said never give the case to a jury after
22 3:30.

23 So what I want to tell you is that we have finished
24 the first two parts of the case, first two parts of the
25 trial if you'll remember the procedural roadmap I gave you

1 about the openings, the evidence, the closing statements,
2 closing arguments, the charge on the law and then you all
3 deliberate. So it's close, but I think we'll wait until
4 tomorrow morning to argue and charge, as we say.

5 So we're going to excuse you for the evening, ask you
6 be back at 10:00 in the morning. And don't discuss the
7 case. Please don't go on the Internet, look anything up
8 or visit any scene that you may have heard about. Hope
9 you have a very, very pleasant evening.

10 Thank you.

11 (WHEREUPON, the jury exits the courtroom at 3:40 PM.)

12 THE COURT: Any motions?

13 MR. BLOUIN: Not from the State.

14 MR. SANFORD: Your Honor, I'm just going to renew my
15 motion for a directed verdict.

16 THE COURT: All right. Same ruling.

17 JURY CHARGE CONFERENCE

18 THE COURT: All right. Do y'all have any charges
19 that you think are appropriate in this case? Jury
20 charges.

21 MR. BLOUIN: The State doesn't have any specific ones
22 other than the normal.

23 THE COURT: All right. Well, I'll just go through
24 and -- this is what I propose, the subject matters:
25 duties of jury and the judge; charge, arrest, indictment

1 not evidence; multiple charges, each one has to stand on
2 its own; credibility of the witness.

3 Do you want something on expert witnesses? Short.
4 I'm just going to do it.

5 MR. BLOUIN: Sure.

6 THE COURT: All right. Presumption of innocence;
7 reasonable doubt.

8 Do you want a circumstantial evidence charge?

9 MR. SANFORD: I would, Your Honor.

10 THE COURT: Yeah. I think that's warranted.

11 And then the four charges, and that's it.

12 Okay. All right. Well, I hope you all have a
13 pleasant evening. We'll see you in the morning. Argue
14 and charge at 10:00.

15 MR. BLOUIN: Would that include the constructive
16 possession charge, actual versus constructive?

17 THE COURT: It's in the possession of heroin charge,
18 yeah.

19 MR. BLOUIN: Okay.

20 THE COURT: Okay.

21 DEFENDANT SINGLETON: Can I speak, sir?

22 THE COURT: Ask your lawyer.

23 MR. SANFORD: Your Honor, he just wanted to apologize
24 for being late this morning.

25 THE COURT: Okay. Well, that's all right. If he'd

1 been early I still would keep him tonight.

2 Okay. All right. Thank you very much. See you all
3 in the morning.

4 (WHEREUPON, proceedings recessed at 3:43 PM.)

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1 WEDNESDAY, OCTOBER 18, 2021

2 (WHEREUPON, proceedings commenced at 10:06 AM.)

3 THE COURT: Anything before we start?

4 MR. BLOUIN: Nothing from the State, Your Honor.

5 MR. SANFORD: Nothing from the defense.

6 THE COURT: Okay. Who's going first? What are we
7 doing?

8 MR. BLOUIN: So I believe that I would open first.

9 THE COURT: You open fully ---

10 MR. BLOUIN: And then I will reply if there's
11 something to rebut.

12 THE COURT: Okay.

13 (WHEREUPON, the jury entered the courtroom at 10:08 AM.)

14 THE COURT: All right. Ladies and gentlemen, welcome
15 back. Hope y'all had a pleasant evening.

16 As I told you yesterday, we've completed the first
17 two parts of the trial and we are ready to proceed to the
18 closing arguments of the attorneys. So please give them
19 your full attention.

20 Thank you.

21 CLOSING ARGUMENTS

22 MR. BLOUIN: May it please the Court.

23 Ladies and gentlemen of the jury, first of all, I
24 want to thank you for your service for the past few days.
25 I can't imagine what it's like sitting in plastic tubes

1 and wearing masks. These times, they are strange. But
2 thank you for being attentive while we've gone through the
3 first couple phases of this trial.

4 When I first came up and spoke with you, I said that
5 I was Hunter Blouin, I represented the State, and that we
6 were bringing four charges against the defendant that the
7 State would have to prove. Those charges were trafficking
8 in methamphetamine between 28 grams and 100 grams,
9 trafficking in cocaine between 28 grams and 100 grams,
10 possession of heroin and resisting arrest. Now, after
11 everything is done, your job will be to go and deliberate
12 on whether the State proved that. And I want to give you
13 some things that maybe you don't have to deliberate as
14 hard on because these are things that both the State and
15 the defense openly agree on.

16 The first thing that there is no dispute over is that
17 this bag, this blue and gray Jansport, was found in the
18 closet of a house during initially a safety sweep of that
19 home and then was opened during a search warrant.

20 There is no dispute that methamphetamine was found in
21 this bag. More methamphetamine was found in this bag.
22 Methamphetamine that's been pressed to look like tablets
23 were found in this bag. More meth was found in this bag.
24 And more powdered meth was found in this bag. Also found
25 in this bag were two baggies of cocaine as well as a

1 baggie of heroin.

2 What's also not disputed by either the State or the
3 defense is that the amount of methamphetamine weighed more
4 than 28 grams and less than 100 grams, that the amount of
5 cocaine found in that bag weighed more than 28 grams and
6 less than 100 grams, and that there was heroin in the bag.
7 It says it on the lab sheet.

8 The last thing that is absolutely undisputed is that
9 there were three individuals outside the residence when
10 the defendant was pulled over. No dispute. Everyone
11 agrees with it. And that the defendant knew at least one
12 of them. How do we know that? Because he said he was
13 taking one to work and that he was staying in the house
14 that evening.

15 So let's talk about really the one thing we disagree
16 about. The defendant states -- oh, I'm sorry. The last
17 thing we do, very important thing we agree about is that
18 both the State and the defense agree that when the
19 defendant was pulled over, there was a backpack in the
20 passenger's seat of that car, and that that backpack went
21 missing. No dispute. And that backpack belonged to the
22 defendant.

23 The only thing that we disagree on is whether the
24 backpack that was found in the house is the same backpack
25 that was sitting in the vehicle.

1 Now let's look at the actions of the defendant as
2 well as the evidence that's been presented to you and see
3 if the defendant's story that this was not his backpack
4 that was found makes sense. First, I'd like to point to
5 the fact that the defendant got kind of nervous when he
6 was told that the deputies were going to search his car.
7 You know, he asked questions about whether they could
8 legally do so. He asked questions and came up with
9 hypotheticals regarding, well, what happens if, you know,
10 someone was smoking a blunt that I was with beforehand and
11 that's the odor that you smell? Well, officers answered
12 the question and said, you know, if there's no marijuana
13 in here, we're not going to charge you with it. Not a big
14 deal.

15 Well, what happens if, you know, a blunt was lost in
16 the car? You know, we tore this car up. We couldn't find
17 the lost blunt and we find the lost blunt. Officer's nice
18 and respectfully said, you know, if that's all that we
19 have to worry about, it's not a big deal, you know.

20 Then, you know, once the search started, the
21 defendant said, "Well, hey, you know, why don't you pop
22 the trunk? Why don't you search the trunk?" Now, it
23 seems on its face like the defendant was being very
24 cooperative. But I'd also like to point out that the
25 trunk was the farthest point of that vehicle away from the

1 passenger's seat of that car where the bag that we all
2 agree was there was located.

3 Then the defendant started asking for cigarettes.
4 Officers oblige, said, "Where are they?"

5 Said, "Passenger's seat."

6 Sergeant Walters is doing the search of the front
7 seat, has got a flashlight, looks in the passenger's seat.
8 No cigarettes. He doesn't say no, not going to get the
9 cigarettes for you. He tries to get a cigarette for the
10 man. After a search of the car, they never find a pack of
11 cigarettes.

12 What the defendant doesn't do is he doesn't ask for a
13 lighter because he does ultimately get the cigarette. The
14 lady, one of the three people, walks over and gives him a
15 cigarette. Officers don't tell her no, don't say you
16 can't do that, and give him the cigarette. He doesn't ask
17 for a lighter.

18 He decides at that point to start walking toward the
19 front car door of a car that's still running, that was
20 testified to, and then while deputies are saying, "Hey,
21 man, stop, stop, stop," he then lunges into that front
22 seat starting the scuffle.

23 Now, what's strange about that? Well, one, the whole
24 time he had a lighter in his pocket. Doesn't make sense.
25 He also had \$2,840 in his pocket in cash. A man who

1 doesn't have a place really to stay, has been out of work
2 for two and a half months, driving back and forth from
3 Sumter just happens to have a whole lot of cash on him.

4 Now, I want to point out when the defendant lunged
5 toward that front door into the car, when Deputy Fowler
6 first tried to get him out, where was Sergeant Walters?
7 Sergeant Walters was on the other side of the vehicle, and
8 coincidentally, he was about to start searching the
9 passenger compartment with the bag.

10 A scuffle then breaks out, lasts a couple of minutes.
11 It starts at the door, ends up against Sergeant Walters'
12 car. And at some point they end up all the way on the
13 other side into the road. And when they do, this bag,
14 which we all admit is there and which the defendant
15 testified yesterday wasn't a big deal, one of the three
16 people that were there seen on the in-car camera we showed
17 you yesterday walking to the passenger's side of the door
18 while this man is scuffling, fighting with police to a car
19 that is being actively investigated and searched and then
20 is seen leaving going straight toward the house, all over
21 a bag that the defendant testified yesterday wasn't a big
22 deal. Nothing bad in it. You know, might have been -- I
23 believe the quote was "might have been a blunt or a doobie
24 in the car." Does that make sense?

25 When officers were finally -- or deputies were

1 finally able to detain Mr. Singleton, all three
2 individuals that were in the yard were in the yard. A lot
3 of time passed, like said maybe a minute, less than that
4 if you think about when the woman with the blonde hair
5 made her move to the car when they were already behind
6 Sergeant Walters' car in the street, they were all
7 standing there. Sergeant Walters realized very quickly
8 that there was no bag in the front seat of the car.
9 Where's the bag? Where's the bag? It wasn't on the --
10 the three individuals didn't have the bag.

11 There was another car parked in the driveway. They
12 looked in the car. No bag.

13 Well, Mr. Singleton said he was staying in the house.
14 He knew some people that were in the house. We're going
15 to get a search warrant for the house. But before we do
16 the search warrant, we have to do what's called a
17 protective sweep. Sergeant Walters testified why you have
18 to do a protective sweep: first off, for officer safety.
19 We don't know who's in the house. All we knew that there
20 were three people outside when we started, there were
21 three people outside when Mr. Singleton was detained and
22 Mr. Singleton, and now we have a piece of evidence that
23 someone has taken from the scene while there was a scuffle
24 in the street. Got to find it.

25 He also testified that the security sweep, while they

1 were looking for the bag, the purpose of the security
2 sweep was to look at places people might be hiding, rooms,
3 bathrooms, closets, people where people -- places where
4 people can hide. And Sergeant Walters himself walks into
5 the room, looks in the closet and says, "That's the bag."
6 The man who searched the car who, with a flashlight in the
7 front seat, was in the best position to see the bag said,
8 "That's the bag." He didn't say, "That might be the bag.
9 Hey, we need to check this out. This could be the bag."
10 Definitive, "That's it."

11 They then left, got the search warrant. Multiple
12 officers were on scene. You heard -- I think in one of
13 the videos saw one carrying a dog around, called out, you
14 know, "Greenville County Sheriff's Office, Greenville
15 County Sheriff's Office." They execute said search
16 warrant.

17 Did they find any bag that is fairly distinctive,
18 blue, gray, one strap, any bag that looked similar in the
19 entire house? No, they did not. The people that were
20 there were all on scene. They searched. They couldn't
21 find another bag. That was the bag.

22 And I'd like to point out two things. And, you know,
23 I can't imagine, you know, what will be said, but I think
24 it was suggested yesterday that this was just -- this was
25 pretextual, that they were going to try to just put drugs

1 on Mr. Singleton. Well, two things. One, Sergeant
2 Walters recognized the bag. He didn't know what was in
3 it. They didn't look in the bag and say, oh, that's the
4 drug bag. That's the one I saw. All he said was, "That's
5 the bag." Didn't know what was in it.

6 And, two, as far as the house, they never would have
7 gone into the house. They'd have completed their search.
8 There was nothing, as the defendant stated, that was in
9 the bag that was in the car, didn't -- you never get into
10 the house in the first place. The only reason officers go
11 into the house is because evidence, supposedly an
12 inconsequential bag, goes missing while he is actively
13 scuffling with police.

14 Like I said at the beginning, there's not a lot that
15 we disagree about. We have the drugs. They weigh the
16 statutory amounts. He's seen on video fighting for police
17 -- with police because he lunged into the vehicle. The
18 only thing that seems to be a real issue here is whether
19 the bag that we all agree was in the front was that same
20 bag. The only person saying that it's not was the
21 defendant. The evidence, the testimony from Sergeant
22 Walters seems to say otherwise. And that's your job to
23 judge the credibility of each witness and the evidence.

24 So I would ask that, after your deliberation, that
25 you come back and find Mr. Singleton guilty of trafficking

1 methamphetamine, 28 to 100, trafficking in cocaine, 28 to
2 100, possession of heroin and resisting arrest.

3 Thank you.

4 MR. SANFORD: Thank you, Your Honor. May it please
5 the Court.

6 Ladies and gentlemen of the jury, I want to thank you
7 like the State for your service here this week. I know
8 it's a crazy time with all of this, but we thank you for
9 being able to keep our judicial system running. I also
10 want to thank all the court staff for keeping everything
11 running and being so accommodating with everything going
12 on.

13 Do y'all like puzzles? I like puzzles. My
14 grandmother had a puzzle table in her house, and she had a
15 lamp that she took the shade off of so that way she could
16 see all the different colors and different little bits of
17 it. When I was in college, one of my roommates, he went
18 on to study abroad, and I turned his room into a puzzle
19 room. And I would sit there and I would do my puzzles.
20 My other roommates thought it was weird that you had a
21 twentysomething-year-old doing puzzles. But, you know, I
22 like what I like. I can't stop that.

23 What we have here is a puzzle. When you look at
24 puzzles, you have things that are easy. You have the edge
25 pieces. They're square. They've got lines on them. If

1 you're doing a farm scene, you might have a horse or a
2 barn or something. You can pick out those pieces pretty
3 easily. You can put them in an area. You can put them in
4 a shape, fix those up, see on the box where they go.

5 Sometimes you get into puzzles that have big areas of
6 the same color. They're all monochromatic. When you
7 start those areas, what do you have to do? You have to
8 look at the spaces that aren't there. You have to look at
9 what the pieces look like. You have to see the void. And
10 what I want to talk to you about today is the void, those
11 spaces, the holes in this case.

12 The State has presented a lot of evidence, but have
13 they presented the evidence that's needed to meet their
14 burden of proof?

15 Let's start with the backpack. And when we're
16 looking at this, I want you to think about what the
17 State's saying, what you just heard from Mr. Blouin, that
18 they're telling you what they want you to hear because
19 they want you to find for their side, and they're telling
20 that story. But what I want you to think of when you go
21 back to deliberate is what they're not telling you. What
22 did you not hear in evidence?

23 Let's talk about the backpack. Like the State said,
24 there's no disagreement that they found this backpack,
25 that the drugs were found in this backpack. But this

1 backpack was not my client's. You heard him say it on the
2 stand yesterday. He said, "That's not my backpack." You
3 heard Sergeant Walters say, "That is the backpack."

4 Now, the State didn't provide you any identifying
5 marks. There wasn't any identification of it being my
6 client's. They didn't give any evidence that they found
7 anything in it with my client's name on it. They didn't
8 find any determinative objects. All that they said that
9 they found in the backpack are the scales and the drugs.

10 Sergeant Walters on the video if you watched
11 yesterday, he doesn't mention the backpack during the
12 whole search of the car. It's sitting there. But you
13 don't ever hear him say, "Oh, there's a backpack. Let me
14 look at the backpack." He doesn't ask Mr. Singleton,
15 "What's in the backpack?" He doesn't mention it until he
16 moves away from the car during the scuffle and comes back
17 and sees that the backpack is missing.

18 Sergeant Walters also didn't search the bag in the
19 car. So while the bag was in the car, we don't know what
20 was in that bag. There could have been a lot of things,
21 there could have been nothing. I believe he testified
22 that the bag was full. Now you see what they have
23 presented to show that was in the bag. That doesn't
24 necessarily look like something that would fill up that
25 bag.

1 Deputy Fowler also testified, and he said he didn't
2 see the bag until after they found it during the search.
3 He never saw the bag in the car. He didn't look in the
4 car, so he doesn't know what that bag looked like.

5 The State claims that the bag was moved from the car,
6 which, you know, if you look at the video, that's
7 definitely an inference because there is a person who
8 moves to the car and moves back. But you won't see the
9 bag in that video. It's very hard to see in that video.
10 When y'all watched yesterday, those blue lights are
11 flashing. It's very hard to see any movement in there.
12 You won't see a bag in the lady's hand. There's not a bag
13 to be seen. So you're going to have to infer that that
14 bag was moved.

15 Now, the State also says and we also agree that there
16 were those three individuals. Now, you didn't hear
17 anything from those three individuals. You didn't hear
18 any testimony. You didn't have any statements from those
19 individuals. So let's talk about them for a second.

20 Yes, Mr. Singleton did know one. He was going to
21 pick him up. He was going to take him to work. He had
22 done this before. Mr. Singleton testified yesterday that
23 he had stayed at that house a few times, but he had been
24 staying multiple times in Greenville because he didn't
25 have a job.

1 Now, if you believe that this is the same bag that
2 was found in the car, owning the backpack is not a crime.
3 I'm sure we all own backpacks. That's not the crime here.
4 The crime here is the drugs. And like I said earlier, if
5 you believe that this is the backpack that was in the car,
6 that's not necessarily a crime to believe this is the
7 backpack. The backpack is the drugs. Sergeant Walters
8 didn't know what was in the backpack at that time. And if
9 you also believe the rest of the State's story, that that
10 backpack was moved from the car to the house, there's a
11 period of time there where the backpack is with somebody,
12 one of these three individuals allegedly. It's not
13 Mr. Singleton because he's on the ground. Did they take
14 it in the house? Now, we don't know what was in the
15 backpack before, but we know what was in it after.

16 Sergeant Walters also said that they found other
17 drugs in the house. Now, if you're living in that house
18 and you know that there are drugs in plain view and you
19 have cops outside and you take a bag from the car, what
20 are you going to do? Maybe you can put some drugs in the
21 bag. Maybe you can throw it in the closet, take whatever
22 is out, put it in there and throw it. Now, we don't know
23 if that happened. But we don't know what was in the bag
24 before, but we know what was in it after. So there is a
25 portion of time there that the bag is out of pocket. We

1 don't know what happened with it if you believe that that
2 bag in the car is the same bag.

3 Now, the State may say, well, they didn't have time
4 to clean all this up and throw it in the bag. Now, if
5 it's a minute, 30 seconds, something like that, it doesn't
6 take a whole lot of time to throw some stuff in a bag. I
7 could probably pick up all those drugs and throw them in
8 the bag right now and it will probably take me less than
9 ten seconds, and especially if they were sitting out very
10 easily to be seen.

11 So let's now talk about the resisting. You saw the
12 video. There's not a real clear video of the scuffle that
13 happened between the officers and Mr. Singleton. You have
14 some body-cam footage, but a lot of it is kind of here and
15 there based on the officers being close to Mr. Singleton,
16 being on top of Mr. Singleton. You can hear Mr. Singleton
17 saying, "I'm not resisting. I was going for a lighter. I
18 can't breathe."

19 On the dash-cam video with the blue lights are
20 flashing, you can see Mr. Singleton vaguely. It's hard to
21 make out exactly what's happening because of the strobing
22 lights, but you still can hear what Mr. Singleton is
23 saying.

24 Now, during this, the State also claims that my
25 client, Mr. Singleton, was crying out for the other

1 individuals there to do it, to get the bag to move it.
2 Now, if you watch the video that they showed yesterday,
3 you can see that they're recording. And the time when he
4 is crying out saying those things, the individual that the
5 State says moved the bag, she's already done her thing.
6 That bag is gone allegedly at that point. So there was
7 nothing to move when Mr. Singleton was crying out if
8 that's what he was doing. And he says he was asking them
9 to record to help them to make sure that nothing was going
10 wrong.

11 He was also flat on his back with his hands down.
12 How can you put your hands behind your back if you're flat
13 on your back? He testified that the officers, deputies
14 had knees to his chest.

15 The State also mentioned the cash that Mr. Singleton
16 had. And you heard him on the video say, "I cashed out my
17 401(k)." That's where the money came from. He didn't
18 have a job while he was living up here. He had to have
19 cash to pay his bills to find somewhere to stay, to pay
20 his food expenses and things like that. That's where that
21 cash came from.

22 Ladies and gentlemen of the jury, the judge here is
23 going to charge you in a little bit about evidence and
24 lack of evidence and whatnot. If you can see, the State
25 hasn't provided a whole lot of evidence about this bag.

1 There's no pictures of it in the car. There's no video of
2 it in the car. The only time that they ever had any
3 pictures or photos or video of this bag is after they find
4 it in the house.

5 When you're thinking about this, think about what the
6 State hasn't shown. Think about those missing pieces.
7 Think about what's not there.

8 Ladies and gentlemen of the jury, this is your
9 opportunity to hold the State, to hold the sheriff's
10 office accountable for their actions, to say that they
11 need more evidence than this, that they need evidence that
12 shows, that clearly states that Mr. Singleton did what he
13 did. I think that there's a lot of holes here. There's a
14 lot of pieces that don't fit.

15 And remember when we were talking about that puzzle,
16 I can look at the shapes here. There's a lot of missing
17 pieces. There may be pieces that are close, there may be
18 pieces that kind of fit there, but I don't think that
19 there's ones here that accurately fit in there.

20 I think that there is a lot that the State has not
21 given you. And I believe that there is reasonable doubt
22 here, and you should find my client not guilty.

23 Thank you.

24 MR. BLOUIN: Ladies and gentlemen, I'll be very brief
25 during this portion.

1 Basically, the defense stated that, you know,
2 Sergeant Walters didn't search the bag while he was in the
3 car. And the answer to that is obvious. He was on his
4 way to and he didn't have an opportunity to. He was
5 walking around the vehicle when the defendant lunged into
6 that vehicle and started the scuffle.

7 The defense then said, well, we're inferring that the
8 bag was taken by the individual toward the house.
9 Remember, there's no dispute that there was a bag in the
10 passenger's seat, and then during a period of time, a
11 minute or two, the bag was gone. And the bag didn't
12 vanish into thin air.

13 And thirdly, and the last point I'll make is that the
14 defendant -- the defense then states, well, maybe someone
15 grabbed the bag, went into the house, and then within less
16 than a minute shoved all the drugs into the bag and then
17 threw it in the closet. Ladies and gentlemen, I'm going
18 to ask you to just -- to believe that, to believe that
19 while this individual is in a scuffle that you saw with
20 the two police officers, an individual decided that it was
21 in the best interest to go into a vehicle that was under
22 active investigation, take a bag from that vehicle to
23 bring into their house to put their drugs into then to put
24 in a closet. As I stated earlier, officers were never
25 going into the house until the bag was missing. It wasn't

1 going to happen because everything they had was there
2 during the initial stop.

3 Thank you.

4 CHARGE ON THE LAW

5 THE COURT: All right. Ladies and gentlemen of the
6 jury, during this trial you and I have certain duties to
7 perform. As the trial judge, it is my responsibility to
8 preside over the trial of the case and to rule on the
9 admissibility of the evidence offered during the trial.
10 It is also my duty to charge you the law applicable to the
11 case, and it is your duty as jurors to accept and apply
12 the law as I now state it to you. If you think you have
13 any idea as to what the law is or what the law ought to be
14 and it disagrees with what I now tell you the law is, you
15 have sworn an oath to set aside your own opinion and apply
16 the law precisely as I state it to you.

17 I also remind you that in this court in every case
18 tried before a jury, the jury is the sole and exclusive
19 judge of the facts, and a trial court is not allowed by
20 law to have an opinion about the facts of the case. So
21 don't think from anything I may have said or done
22 throughout the course of the trial that I have such an
23 opinion. It is up to you all to decide what to believe
24 and what not to believe.

25 I instruct you, again, that the fact that the

1 defendant was arrested, charged and indicted in the case
2 is not evidence of guilt, nor does it create any
3 presumption or inference of guilt. These documents are
4 simply the written instruments which contain the charges
5 made against this defendant, and they serve as the formal
6 documents by which the case is processed and brought into
7 court for disposition.

8 Now, the indictments in this case allege several
9 different offenses against the defendant, and the charges
10 are: trafficking in cocaine, trafficking in
11 methamphetamine, possession of heroin, and resisting
12 arrest. Each indictment charges a separate and distinct
13 offense. You the jury must decide each indictment
14 separately on the evidence and the law applicable to that
15 indictment uninfluenced by your decision as to any other
16 indictment. So the defendant may be convicted or
17 acquitted on any or all of the offenses charged, and you
18 will be asked to write a separate verdict of guilty or not
19 guilty for each indictment.

20 Now, necessarily, you must determine the credibility
21 or believability of the witnesses who have testified. It
22 becomes your duty as jurors to evaluate the evidence and
23 determine which evidence convinces you it is true. And in
24 determining the believability of the witnesses, you may
25 believe one witness over several or several over one; you

1 may believe a part of the testimony of a witness and
2 reject the remaining part; you may believe the testimony
3 of a witness in its entirety or reject that same testimony
4 in its entirety; and you may consider whether the witness
5 has an interest in the result of the trial, whether that
6 witness is prejudiced towards either the State or the
7 defendant, the opportunity for the witness to have seen
8 the matters and things about which the witness has
9 testified, and the way the witness acts on the witness
10 stand or what we call a witness's demeanor.

11 Now, the rules of evidence ordinarily do not permit
12 witnesses to testify to opinions or conclusions. An
13 exception to this rule exists for witnesses we call expert
14 witnesses. So a witness who, by education and experience,
15 has become expert in some art, science or profession may
16 give an opinion to the subject that the witness has been
17 qualified as an expert in and may also give the reasons
18 for that opinion. And you should consider any expert
19 opinion given by a witness, and like any other evidence,
20 give it the weight that you think it deserves.

21 Now, the defendant has pled not guilty to these
22 indictments, and that plea puts the burden on the State to
23 prove the defendant guilty. A person charged with
24 committing a criminal offense in South Carolina is never
25 required to prove themselves innocent. So I charge you

1 that it is a cardinal and a signal rule of the law that
2 the defendant in a criminal trial will always be presumed
3 to be innocent of the crime for which an indictment has
4 been issued unless guilt has been proven by evidence
5 satisfying you the jury of guilt beyond a reasonable
6 doubt.

7 A reasonable doubt is the kind of doubt which would
8 cause a reasonable person to hesitate to act. And
9 reasonable doubt may arise from the evidence which is in
10 the case or from the lack or absence of evidence in the
11 case, and you the jury must determine whether or not
12 reasonable doubt exists as to the guilt of this defendant.

13 There are two types of evidence which are generally
14 presented during a trial: direct evidence and
15 circumstantial evidence. Direct evidence directly proves
16 the existence of a fact and does not require deduction.
17 Circumstantial evidence is proof of a chain of facts and
18 circumstances indicating the existence of a fact. And
19 crimes may be proven by circumstantial evidence.

20 The law makes no distinction between the weight or
21 value to be given to either direct evidence or
22 circumstantial evidence. However, to the extent the State
23 relies on circumstantial evidence, the circumstances must
24 be consistent with each other and when taken together
25 point conclusively to the guilt of the accused beyond a

1 reasonable doubt. If these circumstances merely portray
2 the defendant's behavior as suspicious, the proof has
3 failed.

4 The State has the burden of proving the defendant
5 guilty beyond a reasonable doubt, and the burden rests
6 with the State regardless of whether the State relies on
7 direct evidence, circumstantial evidence or some
8 combination of the two.

9 Now, the defendant is charged with trafficking in
10 methamphetamine. The State must prove beyond a reasonable
11 doubt that the defendant knowingly sold, manufactured,
12 cultivated, delivered, purchased, brought into this state,
13 provide financial assistance or otherwise aided, abetted,
14 attempted or conspired to sell, manufacture, cultivate,
15 deliver, purchase or bring into this state or was
16 knowingly in actual or constructive possession or
17 knowingly attempted to become in actual or constructive
18 possession of methamphetamine. The State must also prove
19 beyond a reasonable doubt that the amount of the
20 methamphetamine was 28 grams or more but less than
21 100 grams.

22 The defendant is also charged with trafficking in
23 cocaine. The State must prove beyond a reasonable doubt
24 that the defendant knowingly sold, manufactured,
25 cultivated, delivered, purchased, brought into the state,

1 provided financial assistance or otherwise aided, abetted,
2 attempted or conspired to sell, manufacture, cultivate,
3 deliver, purchase or bring into this state or was
4 knowingly in actual or constructive possession or
5 knowingly attempted to become in actual or constructive
6 possession of cocaine. And the State must also prove
7 beyond a reasonable doubt that the amount of the cocaine
8 or any mixture containing cocaine was 28 grams or more but
9 less than 100 grams.

10 The defendant is also charged with possession of
11 heroin. To prove possession, the State must prove beyond
12 a reasonable doubt that the defendant had both the power
13 and the intent to control the disposition or use of the
14 heroin. And possession may be either actual or
15 constructive.

16 Actual possession must -- actual possession means
17 that the possession was in the actual physical custody of
18 the defendant. Constructive possession means that the
19 defendant had dominion and control or the right to
20 exercise dominion or control over either the heroin itself
21 or the property on which the heroin was found.

22 I will tell you that mere presence at the scene where
23 the drugs were found is not enough to prove possession,
24 and the defendant's knowledge and possession may be
25 inferred when a subject is found on the property under the

1 defendant's control. However, this inference is simply an
2 evidentiary fact to be taken into consideration by you
3 along with all the other evidence in the case and be given
4 the weight that you think it should have. I would tell
5 you that two or more persons may have joint possession of
6 a drug.

7 The defendant is also charged or indicted for
8 resisting arrest. So -- and the State must prove beyond a
9 reasonable doubt that the defendant knowingly and
10 willfully assaulted, beat or wounded a law-enforcement
11 officer who was serving or executing or attempting to
12 serve or execute a legal writ or process, or that the
13 defendant assaulted, beat or wounded an officer when the
14 defendant was resisting arrest or reasonably should have
15 known was a law-enforcement officer.

16 "Knowingly" means with knowledge, consciously done.
17 "Willfully" means done intentionally and not done by
18 accident.

19 Okay. A law-enforcement officer means any duly
20 appointed or commissioned law-enforcement officer of the
21 state, county or municipality.

22 Now, ladies and gentlemen, there are, for each
23 indictment -- and as I told you, each indictment stands on
24 its own and must be considered individually. But for each
25 indictment, there are two possible verdicts, and there's

1 no importance to the order in which I state them. One has
2 to be stated first. And they are guilty or not guilty.
3 We have prepared a verdict form which we will send back
4 into the jury room with you that I think is very
5 straightforward, and you, I think, will fully understand
6 it. But if you have questions about the form, please let
7 me know and we'll straighten that out for you.

8 I want to tell you that your verdict must be
9 unanimous. You all must agree on the verdict for each
10 indictment. And your verdict cannot be based on sympathy,
11 passion, prejudice, emotion or any other consideration not
12 in evidence in the case. You have no friends to reward,
13 you have no enemies to punish.

14 Now, ladies and gentlemen, I'm going to ask you all
15 to retire to your jury room. I'm going to ask you to
16 retire to your jury room, and we will -- don't begin your
17 deliberations at this point. I need to go over my charge
18 on the law to you with the attorneys to make sure I
19 haven't misstated or omitted something. And when the
20 evidence comes back with the verdict form, then you can
21 begin your deliberations.

22 So please, everyone except Mr. Hamby and Ms. Cooke,
23 if you would please retire to the jury room.

24 (WHEREUPON, the jury exits the courtroom at 10:51 AM.)

25 THE COURT: All right. Any exception or objection to

1 the charge from the State or the defense?

2 MR. BLOUIN: None from the State, Your Honor.

3 MR. SANFORD: None from the defense, Your Honor.

4 THE COURT: Okay. Mr. Hamby and Ms. Cooke, you all
5 are just as qualified as the 12 who preceded you, and
6 you've paid the price and made the sacrifices. And I wish
7 I could allow you to go back in there and deliberate, but
8 the law only allows 12. And in these times, and knowing
9 this case would probably last into today, we asked you all
10 to serve. So thank you for your service. You can stay,
11 go as you please, talk about it, whatever you want to do.
12 And you've finished your service for the week. So thank
13 you very much. Okay.

14 Do y'all want to look at this verdict form and make
15 sure you're . . .

16 All right. Y'all make sure the evidence, you're
17 satisfied with the evidence and then . . .

18 (WHEREUPON, a recess is taken at 10:54 AM, and the jury
19 begins deliberations.)

20 JURY QUESTION

21 THE COURT: They want to watch the video. The only
22 thing that's in evidence is what was shown. So do you
23 have that written down?

24 MR. BLOUIN: I do.

25 THE COURT: Go, let him show you how to work it.

1 MR. BLOUIN: Is it his video or all video?

2 THE COURT: Well, just get all the videos. There are
3 only two of them, right?

4 MR. BLOUIN: Three of them, yes.

5 THE COURT: Three. Yeah. Body-worn -- okay.

6 (Pause in proceedings.)

7 MR. BLOUIN: Are we going to do it here?

8 THE COURT: We're going to do it here, clear the
9 courtroom. Caroline is going to stay.

10 (Pause in proceedings.)

11 THE COURT: What we're going to do, you have a list
12 of the -- what do you have, Hunter?

13 MR. BLOUIN: Body cam for Fowler was 7:25 ---

14 THE COURT: Wait a minute. What I'm asking, what's
15 in your hand?

16 MR. BLOUIN: Oh, this is just my question notes. And
17 then I put the times.

18 THE COURT: All right. Let's put it on the record
19 what exactly we're going to do. And, Caroline, you write
20 it down.

21 MR. BLOUIN: We play the original video. There was a
22 point at 1:44, and I heard it many times, but he basically
23 says, "I can't own a gun." He didn't object to it.

24 THE COURT: It is in evidence.

25 MR. BLOUIN: So it is what it is. Fair enough.

1 THE COURT: There's no reason -- there's no reason
2 given. Nobody -- you know, there could be a lot of -- it
3 could have been a personal preference. It would have been
4 anything.

5 MR. BLOUIN: He says he's a felon, is the problem.

6 THE COURT: He says it?

7 MR. BLOUIN: He says the word "felon."

8 THE COURT: Can you eliminate that?

9 MR. BLOUIN: I know the exact times in which it
10 happens, so I can -- I can skip around it.

11 THE COURT: Okay. Well, she's going to have to do
12 it.

13 MR. BLOUIN: Okay.

14 MR. SANFORD: That's fine, Your Honor.

15 MR. BLOUIN: So back to Jacob Walters, so it's
16 actually going to be 00 to 11:44, and 11:50 to whatever
17 that original, 32:50.

18 MS. DAVIS: 27:30. And then ---

19 MR. BLOUIN: Whatever ---

20 MS. DAVIS: 25:50 and then 27:30 to 32:50.

21 MR. SANFORD: I did have ---

22 MR. BLOUIN: And then with Fowler, his in-car was
23 17:15 to 19:00.

24 MS. DAVIS: Which is Exhibit 17 is what I have,
25 right?

1 MR. BLOUIN: Whatever Fowler that would be, yes.

2 MR. SANFORD: And then let me double-check.

3 MR. BLOUIN: His in-car is not long.

4 And then we had the body cam for Fowler was 7:25. We
5 stopped it a little early. And then we said we were going
6 to put in 21:01 but I think it was right at 19:30.

7 MR. SANFORD: Yeah. That seems right.

8 MR. BLOUIN: Because we actually did have a hard
9 redact we told you about beforehand that has already been
10 done and played through.

11 MS. DAVIS: So we don't know exactly which one they
12 want. We're just going to see?

13 THE COURT: Are you confident you've got what you
14 need?

15 MS. DAVIS: I can plug it in up at the bench, too.

16 THE CLERK: Sure.

17 (Pause in proceedings.)

18 THE COURT: All right. I'm going to bring the jury
19 back in, explain to them what's going on, and then
20 everyone is leaving except Caroline. Okay. All right.

21 And for the record, she has been instructed not to
22 speak when the jury is in here.

23 (WHEREUPON, the jury entered the courtroom at 11:15 AM.)

24 MR. SANFORD: Your Honor, can I approach real quick?

25 THE COURT: All right.

1 (WHEREUPON, a bench conference was held off the record.)

2 THE COURT: All right. Ladies and gentlemen, you see
3 all these TV screens? We have modernized our court system
4 with COVID funds. We are still trying to figure out how
5 to get it all organized.

6 What we're going to do is I'm going to excuse you all
7 back into the hallway. I'm going to clear the courtroom.
8 Everyone will leave with the exception of my law clerk.
9 She is an impartial -- she's not connected with anybody
10 else but the Court. She's going to operate the system and
11 play the parts of the discs that you've seen before. And
12 you can feel free to discuss it in front of her. She will
13 not divulge, she's not to participate in any way. So you
14 tell her what you want. She will technically hopefully
15 get it all right for you.

16 So at this time, I'm going to excuse you all into the
17 hallway for just a minute. We're going to clear the
18 courtroom, and then we're going to bring you back. Okay.

19 (WHEREUPON, the jury exits the courtroom at 11:17 AM;

20 Court's Exhibit Numbers 2 and 3 were marked for
21 identification.)

22 JURY QUESTION

23 (WHEREUPON, the jury enters the courtroom at 12:45 PM.)

24 THE COURT: Okay. Ladies and gentlemen, I've got
25 your question which reads, "May we have the definition of

1 'resisting arrest.'" What we've actually done, I've
2 conferred with everyone and I've got copies of it, but let
3 me just read it into the record for you.

4 "The defendant is charged with resisting arrest. The
5 State must prove beyond a reasonable doubt that the
6 defendant resisted a lawful arrest being made by a person
7 the defendant knew or reasonably should have known was a
8 law-enforcement officer.

9 "'Knowingly' means with knowledge, consciously done.
10 'Willfully' means intentionally and not done by accident.
11 'Resist' means to oppose, strive against or obstruct.
12 'Obstruct' means to impede, hinder or interfere with.
13 Even peaceful, nonviolent, indirect obstruction of an
14 arrest or the service or execution of process is
15 considered resisting arrest. If the means used are
16 sufficient enough to prevent the officer from making an
17 arrest, the defendant is guilty of resisting arrest."

18 I can leave some copies in here for you, and these
19 other two we'll make part of the record. I'm sorry you
20 had to wait. We have to make sure that everything is done
21 properly, and that means everybody's here and is aware of
22 what's going on, okay?

23 We're going to exit again and let Caroline -- you can
24 get back to watching the video.

25 Do you all want lunch? No? Okay. All right.

1 (WHEREUPON, a recess is taken at 12:47 PM.)

2 THE COURT: We have a verdict.

3 Let's go ahead and get them, Curt.

4 (WHEREUPON, the jury entered the courtroom at 1:37 PM.)

5 THE COURT: All right. Madam Forelady, I understand
6 you've reached a verdict?

7 JURY FOREPERSON: Yes, Your Honor, we have.

8 THE COURT: Okay. If you would, hand it to the
9 bailiff for me. Thank you.

10 Madam Clerk, if you'd publish.

11 VERDICT

12 THE CLERK: In the case of the State vs. William
13 Arthur Singleton, 2020-GS-23-3608 and 3607, 3609 and 36010
14 [sic], as to Indictment 2020-GS-23-3608, the charge of
15 trafficking in cocaine of 28 grams or more but less than
16 100 grams, we the jury find the defendant guilty.

17 As to Indictment 2020-GS-23-3607, the charge of
18 trafficking in methamphetamine of 28 grams or more but
19 less than 100 grams, we the jury find the defendant
20 guilty.

21 As to the Indictment 2020-GS-23-3609, the charge of
22 possession of heroin, we the jury find the defendant
23 guilty.

24 As to the Indictment 2020-GS-23-3610, the charge of
25 resisting arrest, we the jury find the defendant guilty.

1 Ladies and gentlemen of the jury, if this is the
2 decision that you came to in your deliberation room,
3 please raise your right hand.

4 (WHEREUPON, all jurors raised their right hand.)

5 THE CLERK: Thank you.

6 THE COURT: Thank you very much.

7 Anything further from the jury from the State?

8 MR. BLOUIN: Nothing from the State, Your Honor.

9 THE COURT: From the defense?

10 MR. SANFORD: Nothing, Your Honor.

11 THE COURT: All right. Ladies and gentlemen, I want
12 to thank you for your service. And I believe that when
13 you look back on your service, I think and I hope you will
14 feel a deep sense of satisfaction and reward from some
15 very difficult tasks that you performed.

16 I'm also happy to tell you that you're done for the
17 week, and you can talk about it with whoever you want to.
18 But if someone bothers you and persists, let the clerk's
19 office here at the courthouse know because we're not going
20 to have anyone be harassed because of their service on the
21 jury.

22 So thank you very much. We're going to need the
23 forelady to sign some other documents just on the
24 indictments themselves. And with that, ladies and
25 gentlemen, thank you again.

1 (WHEREUPON, the jury exits the courtroom at 1:40 PM; pause
2 in proceedings.)

3 THE COURT: Thank you, ma'am.

4 (Pause in proceedings.)

5 THE COURT: All right. Any motions?

6 MR. BLOUIN: None from the State, Your Honor.

7 MR. SANFORD: None, Your Honor.

8 THE COURT: All right.

9 (Pause in proceedings.)

10 THE COURT: All right. Come around.

11 All right. How many jail days does he have?

12 MR. BLOUIN: He has between HIP and jail 609.

13 THE COURT: 609. Okay.

14 All right. Anything from the State?

15 MR. BLOUIN: Your Honor, just that he has a prior
16 record of a 2005, simple possession of marijuana here in
17 South Carolina; 2013, simple possession of marijuana; and
18 then in Florida, 2009, armed bank robbery.

19 THE COURT: Okay. What do y'all want to tell me?

20 MR. SANFORD: Your Honor, you know, Mr. Singleton, he
21 tries to be a family man. He was up here because his
22 family lives up here. He was trying to help support them.
23 You know, he had been trying to look for a job, do what he
24 could to help them. I believe that they are in the court
25 today. And would you all like to -- I believe his father

1 would like to say something on his behalf, if you wouldn't
2 mind come standing up at the bar.

3 Your Honor, like the State said, he has no major drug
4 crimes on his -- other than these recent convictions on
5 his record. It's also possession of marijuana. These are
6 the first major drug crimes that he has been convicted of.

7 Your Honor, I don't believe that the max is what he
8 needs here.

9 And, Your Honor, if you would allow his father to
10 speak at this time.

11 THE COURT: Sure. State your name for the record,
12 please, sir.

13 MR. SINGLETON, SR.: William Arthur Singleton, Sr.

14 THE COURT: Yes, sir.

15 MR. SINGLETON, SR.: Yes, Your Honor. I clearly
16 think that where a lot of some of his ---

17 THE COURT: Speak up a little bit.

18 MR. SINGLETON, SR.: Do you have a mic?

19 THE COURT: No. We don't have a microphone. You've
20 just got to speak up.

21 MR. SINGLETON, SR.: I clearly think that some of his
22 problems that he might have encountered coming through as
23 he was coming up was kind of based on what was going on
24 with me with the VA, with the Veterans Administration, and
25 how I've been sick over the years that when -- you know,

1 for the last, what, 21, 25 years I was sick, open-heart
2 surgery and everything. And with the other two kids I
3 have -- with the one kid I have at home, now he's going
4 through some things right now because of the times I've
5 been in and out of the hospital and the time that they
6 have been, you know, treated the way they've been treated.
7 At the same time, you know, I've done what I could do to
8 help him.

9 And like the lawyer said, he's trying to do what he
10 could do, do the best thing he could do. But after he
11 made a few mistakes, he definitely tried to correct them.
12 And he went to correct the mistakes he did.

13 THE COURT: Okay. Thank you.

14 MR. SINGLETON, SR.: Yes, sir.

15 THE COURT: All right. Anything you want to tell me?

16 DEFENDANT SINGLETON: I try my best to do the right
17 thing, you know. My sister said she was having problems
18 with my nephews. They're getting up in age, 15 to 16, you
19 know. And I got them to come up here so I could help her
20 raise them. Their father passed about three or four years
21 ago. And, you know, either if it being mixed up with the
22 wrong people or whatever it may be, you know, I try -- I
23 try my best to strive right, you know. I looked at it
24 like, you know, even though I was found guilty, I looked
25 at it like, you know, there's no way I could have been

1 found guilty. I shouldn't have to, you know, plea to
2 something that, you know, wasn't really my fault or my --
3 so that's why I really took it to trial, you know.
4 Because I wanted to stay out here and help my sister now
5 that she's up here, you know. Because I told her to come
6 on up here and I'll -- I'll help her with the boys. And
7 now, you know, I figured taking it to trial was my best
8 thing, you know. And now I'm found guilty. I just -- I
9 really don't know what to say. I'm -- I really didn't
10 feel it's coming. I didn't see this coming.

11 THE COURT: I'm sorry. I couldn't hear you.

12 DEFENDANT SINGLETON: I didn't see this coming. I
13 thought I was going home.

14 THE COURT: Well, a lot of times it's better to pay
15 the up-front price. You had a great offer on the table.

16 DEFENDANT SINGLETON: But that was -- that was also
17 the thing. It was -- I didn't know what that was. It
18 didn't have a cap. It says seven to 25.

19 THE COURT: That was -- we put it on -- he put it on
20 the record that he offered you seven years and you turned
21 it down. That's the minimum for these charges.

22 DEFENDANT SINGLETON: Oh, no. I thought it was an
23 open -- open plea for seven to 25.

24 THE COURT: No. Uh-huh. That was clear. It was on
25 the record, no, in front of me before this trial started.

1 DEFENDANT SINGLETON: I'm sorry. I didn't understand
2 that. I just thought since the charges went from seven
3 to 25 I had to just ---

4 THE COURT: That's correct. That's -- that's the
5 sentence range. And Mr. Blouin on the record said you
6 turned down a seven-year offer. So that . . .

7 How old are you?

8 DEFENDANT SINGLETON: I'll be 37 in November.

9 SENTENCE

10 THE COURT: 15 years, 15 years, two years, one year.
11 Good luck.

12 You have ten days to file an appeal.

13 MR. SANFORD: Is that consecutive or concurrent?

14 THE COURT: No. It's concurrent. 15 years.

15 MR. SANFORD: Thank you, Your Honor.

16 (WHEREUPON, proceedings concluded at 1:52 PM.)
17
18
19
20
21
22
23
24
25

1 CERTIFICATE OF REPORTER

2
3 STATE OF SOUTH CAROLINA)

4 COUNTY OF GREENVILLE)

5
6
7 I, CHERYL A. SMITH, Official Court Reporter for the
8 Thirteenth Judicial Circuit of the State of South
9 Carolina, do hereby certify that the foregoing is a true,
10 accurate and complete Transcript of Record of the
11 proceedings had and evidence introduced in the trial of
12 the captioned case, relative to appeal, in the Court of
13 General Sessions for Greenville County, South Carolina, on
14 the 18th, 19th and 20th day of October, 2021.

15 I do further certify that I am neither of kin,
16 counsel, nor interest to any party hereto.

17
18 February 7, 2022

19
20
21 *Cheryl A. Smith*

22 Cheryl A. Smith, CVR-M

23 Court Reporter
24
25

WITNESSES

Jacob A Walters

JAW

Greenville County Sheriffs Office

2/20/2020

ARREST WARRANT NUMBER

2020A2330201666

ACTION OF GRAND JURY

TRUE BILL

Brian C. B.

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Guilty

Virginia Corley Sulphur
Foreperson of Petit Jury

Date:

10/20/2021

DOCKET NO. 2020-GS-23-

HCB

The State of South Carolina

County of Greenville

003607

COURT OF GENERAL SESSIONS

TERM 2020

November

THE STATE

vs.

WILLIAM ARTHUR SINGLETON

Indictment for

0392

TRAFFICKING METHAMPHETAMINE

VIOLATION § 44-53-0375

FILED

JUL 10 2020

Greenville County

JAW
ENCL
ACCT

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
TRAFFICKING METHAMPHETAMINE

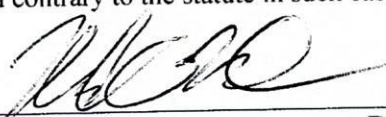
At a Court of General Sessions, convened on
County present upon their oath:

the Grand Jurors of Greenville

NOV 24 2020

That WILLIAM ARTHUR SINGLETON did in Greenville County, on or about the 19th day of February, 2020, knowingly sell, manufacture, deliver or bring into the State of South Carolina or did knowingly provide financial assistance or otherwise aid, abet, attempt or conspire to sell, manufacture, deliver or bring into the State or was knowingly in actual or constructive possession of 28 grams or more but less than 100 grams of Methamphetamine (Crank). This is in violation of §44-53-0375 of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR

BAR # 80145

WITNESSES

Jacob A Walters

JM

Greenville County Sheriffs Office

2/20/2020

ARREST WARRANT NUMBER

2020A2330201665

ACTION OF GRAND JURY

TRUE BILL

Brian C. Bell

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Guilty

Virginia Corley Sullivan

Foreperson of Petit Jury

Date:

10/20/21

DOCKET NO. 2020-GS-23-

HCB

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

November

TERM 2020

THE STATE

vs.

WILLIAM ARTHUR SINGLETON

Indictment for

2359

TRAFFICKING COCAINE

VIOLATION § 44-53-0370

[Signature]
ENTERED
ACCT.

003608

FILED

JUL 10 2020

Clerk of Court
Greenville County

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
TRAFFICKING COCAINE

NOV 24 2020

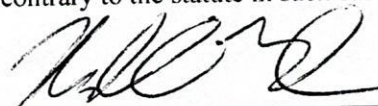
At a Court of General Sessions, convened on

the Grand Jurors of Greenville

County present upon their oath:

That WILLIAM ARTHUR SINGLETON did in Greenville County, on or about the 19th day of February, 2020, knowingly sell, manufacture, deliver or bring into the State of South Carolina, or did knowingly provide financial assistance or otherwise aid, abet, attempt, or conspire to sell, manufacture, deliver or bring into the State or was knowingly in actual or constructive possession of 28 grams or more but less than 100 grams of Cocaine. This is in violation of §44-53-0370 of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR

BAR # 80145

WITNESSES

Jacob A Walters

JAW

Greenville County Sheriffs Office

2/20/2020

ARREST WARRANT NUMBER

2020A2330201670

ACTION OF GRAND JURY

TRUE BILL

Bria C. B.

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Guilty

Virginia Corley-Sullivan

Foreperson of Petit Jury

Date: 10/20/21

DOCKET NO. 2020-GS-23-

HCB

003609

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

November TERM 2020

THE STATE

vs.

WILLIAM ARTHUR SINGLETON

Indictment for

0183

POSSESSION OF HEROIN

VIOLATION § 44-53-0370

ENTERED
JUL 10 2020

FILED

JUL 10 2020

Clerk of Court
Greenville County

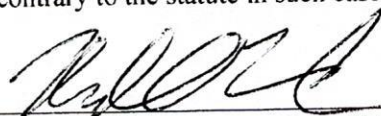
STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
POSSESSION OF HEROIN

At a Court of General Sessions, convened on **NOV 24 2020** the Grand Jurors of Greenville
County present upon their oath:

That WILLIAM ARTHUR SINGLETON did in Greenville County, on or about the 19th day of February, 2020,
willfully and unlawfully have in his possession and under his control a quantity of Heroin, a Schedule I controlled
substance. This is in violation of §44-53-0370 of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR

BAR # 80145

WITNESSES

Jacob A Walters

JAS

Greenville County Sheriffs Office

2/20/2020

ARREST WARRANT NUMBER

2020A2330201671

ACTION OF GRAND JURY

TRUE BILL

Brian C. Bell

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Guilty

Virginia Corley - Sulymon

Foreperson of Petit Jury

Date:

10/20/21

DOCKET NO. 2020-GS-23-

HCB

The State of South Carolina

County of Greenville

003610

COURT OF GENERAL SESSIONS

November

TERM 2020

THE STATE

vs.

WILLIAM ARTHUR SINGLETON

Indictment for

0326

RESISTING ARREST

VIOLATION § 16-09-0320(A)

FILED

JUL 10 2020

Clerk of Court
Greenville County

ENTERED
JUL 10 2021

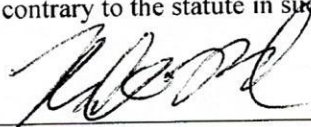
STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
RESISTING ARREST

At a Court of General Sessions, convened on **NOV 24 2020** the Grand Jurors of Greenville
County present upon their oath:

That WILLIAM ARTHUR SINGLETON did in Greenville County, on or about the 19th day of February, 2020,
knowingly, willfully and unlawfully oppose or resist an arrest being made by Jacob A Walters with the Greenville
County Sheriff's Office whom he knew or reasonably should have known was a law enforcement officer. This is
in violation of §16-09-0320(A) of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR

BAR # 80145

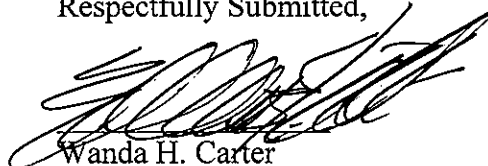
Apr 08 2022

CERTIFICATE OF COUNSEL FOR APPELLANT

SC Court of Appeals

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

Respectfully Submitted,



Wanda H. Carter
Deputy Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

This 8th day of April, 2022.