Vol. II of III

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED
Feb 26 2024
S.C. SUPREME COURT

On Writ of Certiorari to the Court of Appeals
Appeal from Horry County
Honorable Steven H. John, Circuit Court Judge
Appellate Case No. 2021-000677

THE STATE,

Petitioner,

vs.

DONNIELLE K. MATTHEWS,

Respondent.

APPENDIX

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Q: When you processed the vehicle.

A: Correct.

Q: Thank you. No further questions.

MR. WILSON: Nothing further, Your Honor.

THE COURT: All right. Do you wish the witness to be excused?

MR. SPRATLIN: I would ask so, Your Honor.

MR. WILSON: No objection, Your Honor.

THE COURT: All right, sir. You're released from your subpoena; you may go back to your regular duties. Thank you.

MR. BELLAMY: Thank you.

THE COURT: Can y'all come up and talk to me for a second, please?

(REPORTER'S NOTE: Bench conference is held off the record in the presence of but outside the hearing of the jury.)

BY THE COURT:

THE COURT: All right. Ladies and gentlemen, I apologize to you. There is some other duties that the Court has to attend to this afternoon. Something that's come up that I must attend to. So, it won't happen again during the course of this trial, but we're gonna have to stop for the day. We will come back tomorrow morning just as you did this morning, so we can come in the courtroom at 9:30. The bailiff will tell you when to actually arrive. Please leave your pads and pens in your seats.

Remember, don't talk about the case; don't talk about it at home or with anyone or among yourselves.

See you back tomorrow morning at 9:30.

Thank you.

(REPORTER'S NOTE: Jury exits courtroom @ 3:08 p.m. The following takes place outside the presence of the jury.)

THE COURT: All right. Anything from the state at this time?

MR. SPRATLIN: Nothing further, Your Honor.

THE COURT: From the defense?

MR. WILSON: Nothing, Your Honor.

THE COURT: Gentlemen, since you do have a little bit of time this afternoon because of me stopping early, if you have exhibits that you have not yet marked with the court reporter, how about take some time this afternoon and get all those marked and the state so that can be -- at least speed that process a little bit.

MR. SPRATLIN: Yes, sir, and I apologize.

THE COURT: No, that's all right. Just if we -- if we can do that for the state and the defense. Okay?

MR. WILSON: Yes, sir.

MR. SPRATLIN: Yes, sir.

THE COURT: Thank you. Y'all see y'all back tomorrow morning at 9:30. Please be back by 9:15.

MR. WILSON: Yes, sir.

MR. SPRATLIN: Yes, sir.

THE COURT: Thank you.

MR. SPRATLIN: Thank you.

RECESS - 3:10 P.M. - END OF DAY TWO

*******OFF THE RECORD*******

JUNE 16, 2021 - DAY THREE

ON THE RECORD - 9:28 A.M.

THE COURT: Is the state ready?

MR. SPRATLIN: Your Honor, there's actually on matter that Mr. Wilson just brought to my attention.

THE COURT: Okay.

MR. SPRATLIN: As we discussed earlier, I prepared redactions on the interview Detective Lynch did with the -- that -- that Greg Lent did with the defendant in this case in accordance with the motion that he filed. I believe I've complied substantially with it. There was one portion that he didn't realize until he was looking through it last night, I believe, that he wanted redacted. It's at the beginning of the interview. I do not have the equipment with me to redact it at this point in time. However, what I can do is I can silence the recording during the playing of that portion if we can just get the exact times he wants me to stop it, and then before we send it back to the jury when they receive the case, I will prepare another redaction taking that portion out. It's all of about ten seconds I would imagine.

MR. WILSON: That is correct. It shouldn't be a big deal, Your Honor. It's actually just before the reading of the rights.

THE COURT: All right.

MR. WILSON: So, it's pretty easy to get to it.

MR. SPRATLIN: If you just want to tell me the times.

MR. WILSON: I don't know the exact time. I can tell you it's within the first five minutes of the conversation.

THE COURT: All right. Are we gonna do that -- is that coming up right now?

MR. SPRATLIN: This will be the third witness today.

THE COURT: Okay. All right. So, if you need time before that witness comes up to get all that accomplished, let me know.

MR. SPRATLIN: Yes, sir.

THE COURT: Okay. Just indicate somehow and we'll take a break or whatever we need to do. All right.

MR. SPRATLIN: All the other redactions are fine?

MR. WILSON: Everybody -- everything else is fine.

THE COURT: All right. So, with that then, is the state ready for the jury then?

MR. SPRATLIN: The state is ready, Your Honor.

THE COURT: And defense?

MR. WILSON: We're ready, Your Honor.

THE COURT: All right. Ask the jury to come in, please.

(REPORTER'S NOTE: Jury enters courtroom @ 9:31 a.m.)

THE COURT: All right, Solicitor, your next witness, please.

MR. SPRATLIN: The state would call Officer James Jernigan to the stand.

THE COURT: All right. Very good. All right, sir, come all the way around up front please, sir.

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

JAMIE JERNIGAN, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE CLERK: Be seated. Please state your name and spell your name for the Court.

MR. JERNIGAN: Jamie Jernigan. J-A-M-I-E; Last name, Jernigan, J-E-R-N-I-G-A-N.

DIRECT EXAMINATION OF JAMIE JERNIGAN BY MR. SPRATLIN:

Q: Officer Jernigan, I'm not sure if the microphone is picking you up. We might be having technical difficulties. Will you try it again?

A: Jamie Jernigan. J-A-M-I-E; Last name, Jernigan, J-E-R-N-I-G-A-N.

Q: All right. I just WAS having a little trouble hearing you, so I thought maybe the jury might be.

Mr. Jernigan, what is your current employment?

A: I'm a sergeant with the Horry County Sheriff's Office,

the Office of Professional Standards and Internal Affairs.
Q: So, you're currently with the Horry County Sheriff's Office?
A: I am.
Q: And that's different than the Horry County Police Department, correct?
A: Yes, sir.
Q: And what were you -- where were you working back on July of 2017?
A: I was a detective with the Horry County Police Department. I was assigned to the Criminal Investigative Division's homicide unit.
Q: When did you switch over from the County Police to the County Sheriff?
A: September of last year.
Q: All right. Both are law enforcement agencies, correct?
A: Yes, sir.
Q: All right. So, you were a detective with the Horry County Police Department in July of 2017?
A: Yes, sir.
Q: Did you have a chance to assist another detective regarding the case against Donnielle Matthews?
A: Yes, sir.
Q: If I can, what sort of assistance did you provide at first?

A: Initially, I was called to a meeting by our Sergeant John Martin at the time. He provided a briefing on an incident that occurred the early morning hours of July 7th, 2017. At the conclusion of that briefing, I was assigned to assist lead detective, Jack Johnson with the investigation to, at the time, a stabbing of Mr. Dennis Green. My initial assignment was to do the background victimology, if you will, all the involved parties that were known at the time, to pull up what I could as far as background histories and things of that nature.

Q: Okay. In addition to that, at some point during your assistance, were you requested to do a search warrant?

A: I was.

MR. SPRATLIN: Your Honor, permission to approach?

THE COURT: Yes, sir.

MR. WILSON: No objection, Your Honor.

THE COURT: All right.

STATE'S EXHIBIT NUMBER 88

MARKED FOR IDENTIFICATION

BY MR. SPRATLIN:

Q: Detective, let me show you what's been marked for identification purposes at this time, State's Exhibit Number 88. Do you recognize that document? Take a couple of seconds to look through it.

A: I do.

Q: What is it?
A: It's a search warrant for a cell phone.
Q: Whose cell phone was it a search warrant for?
A: It was the defendant, Ms. Donnielle Matthews Green.
Q: Okay. And does that search warrant say who got the -- or who got ---
A: I'm sorry?
Q: Does it say it's Donnielle Matthews Greens phone?
A: Yes, sir.
Q: Okay. Sorry. With a search warrant, do you have to present it to a magistrate?
A: You do.
Q: And were you the one that presented it to the magistrate?
A: I was.
Q: And did the Magistrate Judge agree that a search warrant was appropriate?
A: He did.
Q: And did he sign that search warrant?
A: Yes, sir.
Q: All right. And like I said, I'm not tendering into evidence, but let me ask you about the return. Is there a return on that search warrant?
A: There is.
Q: What's the purpose of a return on a search warrant?
A: To make notification with the court of any evidence that

was collected and to return the original copies back to the issuing judge.

Q: And does that return state that digital extraction of the phone was done?

A: It does.

Q: Thank you. If you will, please sit that aside. Detective Jernigan, was that the end of your assistance in this case?

A: No, sir.

Q: Did you have a chance to go and see if you could obtain any sort of surveillance footage in this matter?

A: We did. Later that same day, the latter part of the afternoon, Sergeant Martin and myself teamed up and went back out to the area of Highway 57 -- well, between Highway 9 on Highway 57 and Sunny Heights Road. Myself and other detectives canvassed the area for any items of potential evidence from the case that may've been thrown from a moving vehicle. After completing that search of the area -- well, during the canvas, we had begun to look for buildings or structures with potential video cameras and things of that nature. After completing the canvas, we tried to start doing follow-ups in attempts to obtain video surveillance. And then even later in the evening, Sergeant Martin and myself did a route; we timed that route from Denny's restaurant in North Myrtle Beach back to an address on Sunny Heights.

Q: Okay. Well, let me ask you first about the looking for cameras. In your entire -- your involvement looking for surveillance footage, were you able to find any additional surveillance footage that was of any value?
A: Not that was of any value to the case; no, sir.
Q: Nothing that would call out the car traveling on the road, to your knowledge?
A: No, sir.
Q: Now, you stated that y'all -- you and Detective Martin, I should say -- and just real quickly, Detective Martin, is he with the Horry County Police Department any longer?
A: It was Sergeant John Martin, and he's no longer with the Horry County Police Department. He's in, I think, Pennsylvania policing somewhere.
Q: So, he's still in law enforcement, just in Pennsylvania?
A: Yes, sir.
Q: Okay. You stated that you all did a drive from where to where?
A: It was an address on Sunny Heights Road. I believe the numeric was [redacted]. It was a location where an individual had been dropped off at some point in the early morning hours prior to the victim arriving at the hospital there in Little River, and we -- we left that location and went to the Denny's in North Myrtle Beach, which was also a location that we had learned at some point in the investigation that the victim had

patronized and -- and developed a time from the Denny's restaurant to that location, the drive time.

Q: Okay. So, you drove from a house on Sunny Heights to the Denny's, and just for clarification purposes, was that the Denny's in North Myrtle Beach?

A: It was.

Q: And you drove from Sunny Heights to the Denny's, and how long did it take you to do that?

A: It was just under nine minutes, I believe. It was actually -- what I documented was eight minutes and 45 seconds.

Q: And the purpose of this was to establish a timeline?

A: The amount of time that it would take to drive from the restaurant to that location; yes, sir.

Q: While you were at the Denny's did you also obtain the video footage that had been previously requested?

A: We did. I believe we got a call while we were in route timing the drive from Detective Hardwick that she had received a call that the video that had previously been requested was available for pickup. So, while we were there, we retrieved a copy of the video.

Q: Thank you, Detective Jernigan, that's all the questions I have. Please answer any questions Mr. Wilson may have.

THE COURT: Cross-examination?

MR. WILSON: I just have a couple of questions. This is

State's Exhibit Number 88 for identification purposes; is that correct?

MR. SPRATLIN: Yes.

CROSS-EXAMINATION OF JAMIE JERNIGAN BY MR. WILSON:

Q: Let me have you look at that second page. Tell us what it was that you were looking for and why you got the search warrant?

A: The purpose of the search warrant?

Q: Well, let me back up and ask you. First, were you the officer who actually presented the search warrant to the Magistrate in order to get the search warrant signed?

A: Yes, sir.

Q: All right. And so, you were what we call the affiant?

A: Yes, sir.

Q: What was it that you were telling the Magistrate that you wanted to get in this particular -- with this particular warrant?

A: What we were asking for was to be able to do a forensic download of the phone, a Cellebrite, and to also have the ability to do a manual search of the phone.

Q: Okay. Would that include -- what would that include for the phone?

A: Well, as far as the Cellebrite is concerned, it would -- it would essentially you hook the phone to a device, there would be a data transfer, and it would pull things such as

photographs, text messages, phone calls, call logs, you know, information ---

Q: How about Facebook?

A: Not to my knowledge.

Q: Okay. Did you ask for that in this warrant?

A: I'm sorry?

Q: Did you ask for Facebook information in this warrant?

A: I'd have to review it.

Q: Would you look at it?

A: Yes, sir.

Q: Okay. So, you asked for Facebook information. Did you -- and that Facebook information would come from where?

A: It could be a part of the Cellebrite download.

Q: Okay. So, that Facebook information would be a part of Cellebrite. So, any information on Facebook that's on that phone, you would be able to retrieve it -- is that fair -- from the Cellebrite?

A: Possibly, I'm not a Cellebrite expert. I mean, I know there is some phones that are compatible, some that aren't. There's some phones that are compatible; you get certain things that others don't. It depends on the device. There are phones, there are instances where that is part of the results, part of the things that are available in the report; yes, sir.

Q: Okay. But -- but my point simply is, you were trying to

get Facebook account from -- you said this is -- you were seeking the phone records of this defendant, correct?
A: Well, the information from the physical phone itself; yes, sir.
Q: All right. And -- and you wanted all information including Facebook account records that might be helpful to you in this case, right?
A: That's correct; yes, sir.
Q: All right. And having that phone, gave you -- and Cellebrite would give you access to all of that information, right?
A: It sometimes does; yes, sir.
Q: Phone calls that might be in there, right?
A: Yes.
Q: Facebook messages that might be in there, right?
A: Yes, sir.
Q: So, if somebody messaged her on Facebook, you would be able to get that from your -- from that Cellebrite account, unless somebody deleted it, right?
A: Well, in some cases you can; yes, sir.
Q: All right. Same thing with phone calls, and even if they're deleted sometimes, you can still get it, right?
A: In some cases; yes, sir.
Q: All right. And the purpose of getting this information was so that you could find out what she had been doing up to

that period, right; that's why you want to know what's in her phone, so you can know what she was doing, who was calling her, who she was calling, what was being said, right?

A: Is that a question?

Q: Yes, sir; that's a question.

A: Well, the purpose of doing the Cellebrite and the manual manipulation of the cell phone, sir, was to do a number of things. One is because she was the person who drove the victim to the hospital, she was an involved party. Initially, there was limited information that was made available to the investigation itself. So, anytime we get a statement from anyone in a case, the first thing we try to do is either rule them in or out of a person of interest as far as any wrongdoing. So, obviously, in this instance, it was confirmed that she had the phone with her through the evening the night before during the time she was with the victim. We were trying to extract as much information as possible from the phone to, one, corroborate her whereabouts, details of the statements that she had provided, and of course any other information that may have been pertinent to furthering the investigation.

Q: That's right. In order to prove or disprove something that she may say or not say, right?

A: Yes, sir.

Q: That's what you're looking for. That's the whole purpose

of doing the search warrant, was to get information, which might be either consistent with what she says or inconsistent with what she says, right?

A: Yes, sir.

Q: Right. One last thing, you said that you went back to do a time travel, I guess, from Denny's to Sunny Heights?

A: Yes, sir; that's correct.

Q: And -- and -- and it took you, you say nine minutes?

A: I believe it was eight minutes, 45 seconds, yes, sir.

Q: Eight minutes and 45 seconds. Are you in a police vehicle or are you in a regular passenger personal vehicle or what?

A: It was a police vehicle. It was an unmarked Impala, if I recall correctly.

Q: Okay. And did you make this trip alone or were you with someone else?

A: Sergeant Martin.

Q: All right. Did you make any stops between that nine-minute or eight-minute-and-45-second interval?

A: Only like a stop sign or stop light or, you know, not a stop as far as putting the car in park and getting out somewhere.

Q: Do you know whether or not you had to stop for more than one stop sign or more than stop light in that eight-and-a-half, nine minutes?

A: Yes, sir.
Q: All right. Yes, sir, you did or yes, sir, you didn't?
A: Yes, sir; there was multiple traffic lights and intersections.
Q: Okay. How many of them caught you, the traffic lights I'm talking about?
A: I don't recall.
Q: You don't recall. All right. Now, you also said, as I understand it, that you went to -- you were looking at this route from -- from -- from Sunny Heights to or from, I guess from -- I apologize -- from Sunny Heights to wherever, the hospital, I guess, looking to see where the car might have stopped or if there was some kind of debris or something that would help you determine where this event happened?
A: Correct, evidence of a crime scene or -- or evidence pertinent to the crime itself; yes, sir.
Q: Okay. And in your travel from Sunny Heights to -- did you go to Seacoast? Is that where you went from Sunny Heights to Seacoast?
A: Yes, sir.
Q: Okay. And going from Sunny Heights to Seacoast, is this daytime or nighttime that you guys are looking ---
A: Daytime.
Q: All right. Did you find anything?
A: No, sir.

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Appeal from Horry County

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THE STATE,

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THE FOLLING EXHIBITS ARE ON FILE WITH THIS COURT:

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Q: Did you find a knife?
A: We did not.
Q: Did you find any beer cans or anything else that might've been thrown out of the car, any identification from the ---
A: We didn't recover anything as far as evidence that we thought were relevant or potentially related to the crime; no, sir.
Q: Okay. Nothing that you would think that was relevant to the crime?
A: Yes, sir.
Q: Were you a part of the processing of the victim's car?
A: No, sir; I wasn't a part of that process.
Q: All right. Did you obtain the search warrant to do that search?
A: The processing of the vehicle?
Q: Yes, sir.
A: No, sir.
Q: So, your -- your -- the extent of your involvement then would've been the obtaining of this particular search warrant, right?
A: Yes, sir.
Q: And going, measuring the distance or a timeframe. Do you know how many miles it is from -- from Sunny Heights to Seacoast?
A: I'd have to -- I'm not sure; I don't recall.

Q: Do you know how many miles it is from Denny's to Sunny Heights?
A: I don't recall; no, sir.
Q: All right. I don't have any further questions. Thank you, sir.
THE COURT: Redirect?
MR. SPRATLIN: Briefly, Your Honor.
REDIRECT EXAMINATION OF JAMIE JERNIGAN BY MR. SPRATLIN:
Q: Detective Jernigan, regarding Cellebrite, did you perform the actual extraction on the phone?
A: I did not.
Q: So, you're not sure what limits there were to that phone?
A: No, sir.
Q: And you have no idea what the actual contents were on that phone?
A: I do not.
Q: That would be a question for whoever performed the Cellebrite?
A: It would.
Q: Let me show you ---
MR. SPRATLIN: Permission to approach, Your Honor?
THE COURT: Yes, sir.
BY MR. SPRATLIN:
Q: What has been marked and introduced into evidence as State's Exhibit Number 2. The part that is circled up here;

is that the Sunny Heights area?
A: I can't see it. Oh, yes, sir.
Q: All right. And from leaving the Denny's Restaurant, it took you eight minutes and 45 seconds to get there?
A: Yes, sir.
Q: What do you believe, based on your training and experience as an officer -- were you a patrol officer before you were a detective?
A: Yes, sir.
Q: What's the shortest amount of time that you think you could've done that drive, even if you were in traffic?

MR. WILSON: Your Honor?

THE COURT: Yes, sir.

MR. WILSON: I object to him speculating about what he thinks might be the shortest. He testified that it was eight minutes and 45 seconds.

THE COURT: All right. You're asking him to answer a question that he can't know the answer to. So, I'll allow -- agree with the objection.

BY MR. SPRATLIN:

Q: It took you eight minutes and 45 seconds?
A: Yes, sir.
Q: It didn't take you three minutes?
A: No, sir.
Q: It didn't take you four minutes?

A: No, sir.
Q: It didn't take you five minutes?
A: No, sir.
Q: Six minutes?
A: No.
Q: It took you eight minutes and 45 seconds?
A: Yes, sir.
Q: Thank you. No further questions.

MR. WILSON: No other questions, Your Honor.

THE COURT: All right. Do you wish the witness to be excused?

MR. SPRATLIN: I would ask so, Your Honor.

MR. WILSON: No objections, Your Honor.

THE COURT: All right, sir, you're released from your subpoena and may go back to your regular duties. Thank you.

All right. Next witness, Solicitor.

MR. SPRATLIN: The state would call Mr. Will Lynch to the stand.

THE COURT: All right. Please come around up to the front, sir.

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

WILL LYNCH, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE CLERK: Please be seated.

MR. LYNCH: Thank you.

THE CLERK: Please state your name and spell your name for the Court.

MR. LYNCH: Will Lynch, L-Y-N-C-H.

DIRECT EXAMINATION OF WILL LYNCH BY MR. SPRATLIN:

Q: Mr. Lynch, where were you employed back in July of 2017?

A: I was employed with the City of North Myrtle Beach.

Q: And what was your job there?

A: I was assigned to the Investigations Division.

Q: Are you familiar with a device or system or software called Cellebrite?

A: Yes, I am.

Q: Can you tell the Court briefly what it is?

A: Cellebrite is the name of a company that manufactures a couple of devices that are used for the extraction of data from cell phones. And when they originally came on the market, it was the same device basically that when you took your phone to your cell provider, such as T-Mobile or AT&T and you say you wanted to upgrade your phone, they would use that device to actually transfer your contacts from your older phone to a newer phone. So, that's the same device, but they make a device that's a little more -- gets into a little more in depth for law enforcement. So, that's it in a nutshell.

Q: How much experience and training do you have with this Cellebrite equipment?

A: I've been certified with the use of Cellebrite for approximately ten years. I've testified in court on the use of Cellebrite, and I've probably done up to 500 extractions on different cell phones.
Q: I'm sorry. How many extractions did you say you've done?
A: Probably up to 500. I was assigned to a drug task force at one time, and we would typically do a lot of extractions on cell phones during that time I was with the drug task force.
Q: All right. When you say you've been certified, what does it take to get certified in Cellebrite?
A: So, originally, when I was certified the first time, it was through a third-party vendor, and it was a one-week course that was held up in Virginia. And then since then, the company itself, Cellebrite, does their own in-house training and I've been -- I went through another week long class that was actually hosted by Cellebrite here in Myrtle Beach, and then I've done a refresher course as well through Cellebrite. That was an online class.
Q: Regarding the extractions that you have done, in your experience with Cellebrite, does it -- does it extract the actual contents of what's on the phone?
A: Yes, it does.
Q: Does it change or add anything to those contents, to your knowledge?
A: No, the way Cellebrite works, it's -- you plug the phone

into basically the machine and then you have a storage device of some sort, and it just basically communicates with the phone saying, hey, give me this or give me that it takes that and puts it on to the storage device. It's basically a one-way street. You can't add stuff to the phone; it just pulls stuff off of the phone.

Q: Let me show you what has already been marked for identification purposes as State's Exhibit 88.

MR. SPRATLIN: May I approach, Your Honor?

THE COURT: Yes, sir.

BY MR. SPRATLIN:

Q: If you would, just take a look at that item briefly?

A: Okay.

Q: Is that the search warrant that you used to process or Cellebrite a cell phone in this case?

A: Yes, it is.

Q: All right. Was that sent to you before you did the extraction on the phone?

A: Yes.

Q: Is that in every way a fair and accurate copy of the search warrant that you relied upon?

A: It is.

MR. SPRATLIN: Your Honor, I would tender State's 88 into evidence.

THE COURT: Any objection?

MR. WILSON: Subject to cross-examination, Your Honor.

THE COURT: All right. But as far as State's 88, do you want to object to it or do you want to ask him some questions about it right now?

MR. WILSON: Yes, sir.

THE COURT: Go ahead.

MR. WILSON: May I -- I think if I'm not mistaken, 88 is the search warrant?

THE COURT: Right.

MR. WILSON: I object to it, the introduction of the search warrant.

THE COURT: All right. Let me see the document, please?

MR. SPRATLIN: Your Honor, and I'll offer to remove my tendering of it into evidence. I'll just keep it marked for identification purposes.

THE COURT: All right. Very good.

MR. SPRATLIN: That'll be sufficient.

THE COURT: All right.

BY MR. SPRATLIN:

Q: Detective Lynch, based on that search warrant that you received, did you actually hook up a cell phone in this case to a Cellebrite machine?

A: I did.

Q: And were you able to do an extraction on that?

A: I was.

Q: Let me show you what's been marked State's Exhibit Number 96.

MR. SPRATLIN: Permission to approach, Your Honor?

THE COURT: Yes, sir.

MR. SPRATLIN: Let the record reflect I'm showing the witness what's been marked for identification purposes as State's 96.

BY MR. SPRATLIN:

Q: Would you take a couple of seconds and look through that?

A: All right.

Q: Does that appear to be the report that you generated in this case?

A: It is not the, obviously, the complete report. It's just parts of the complete report, but the first page of it -- of any report that I generate, basically has the type of cell phone and, of course, it has my name as the examiner on here. It's a -- you have to input your name as the examiner before Cellebrite will actually generate the report. So, this is an accurate representation of the first page and a couple of other pages of my report, yes.

Q: All right. Your entire report is fairly voluminous; is that fair to say?

A: It is, yeah, depending on what type of cell phone you may have. Some of the newer smart phones that have a large amount of storage, you can generate tens of thousands of pages in

these reports, because it takes the pictures, videos, social media, anything that's really on that phone. Some of the older phones, like a flip phone, it may only get the contacts and a couple of dialed phone numbers. So, it can vary between hundreds of pages to ten-thousands of pages.

Q: So, a lot of what you can get depends on the phone?

A: Correct.

MR. SPRATLIN: Your Honor, I will tender State's 96 into evidence.

THE COURT: Objection?

MR. WILSON: No objection, subject to cross-examination, Your Honor.

THE COURT: All right, sir, so State's 96 is in evidence without objection.

STATE'S EXHIBIT NUMBER 96

ADMITTED INTO EVIDENCE

MR. SPRATLIN: Your Honor, permission of the witness to step down off the stand briefly?

THE COURT: Yes, sir.

MR. WILSON: May I come forward, Your Honor?

THE COURT: Yes, sir, please.

BY MR. SPRATLIN:

Q: All right. Move it up just a little bit. Is this the first page of your report?

A: Yes, it is.

Q: Let me ask you, is the phone number of the phone that you're processing reported anywhere on here?

THE COURT: Hold on a second. Very good. Thank you.

BY MR. SPRATLIN:

Q: Is the phone number on here recorded anywhere on here?

A: So, in this particular extraction, when you see this acronym here, MSISDN, this would be the actual phone number to the phone [redacted].

Q: Let me show you what's been introduced as Exhibit Number 23. Let me just ask you, are you familiar with what that document is in general?

A: It's a voluntary statement.

Q: And that's at the City of North Myrtle Beach?

A: Correct.

Q: It has already been introduced into evidence as Donnielle Matthews Green's statement, correct?

A: Correct.

Q: Why would you -- what is the phone number listed on that document by Ms. Green?

A: It's the same that's listed here. It is [redacted].

Q: So, the phone that you processed is the phone number that was given on this voluntary statement?

A: That's correct.

Q: All right. Could you -- and so, explain to the jury what this is.

A: This appears to be part of the timeline report. When Cellebrite does phone extractions or data extractions, it generally will put it in different categories. It will categorize all the text messages and all the phone calls, browser history, things like that. It puts all those in groups. It also does a sub-report of that group called a timeline report, and what the timeline report does, basically, shows what happened on the phone minute-by-minute, date-by-day. So, if you're looking for a certain date what someone may've done or some type of communication or anything that was done on a phone during a certain date, you would go to the timeline report. And as you can tell, there is text messages and there's also phone numbers. So, this tells me that this is probably part of the timeline report. If it was all text messages or all phone calls, then it would be the categories, the individual categories. So, based on what I'm seeing here, this is part of the timeline report. So, and of course it goes, if you're looking at the dates and times, everything is in chronological order. So, it makes -- if you're looking for a specific event that happened on a specific day, it kind of makes it a little bit easier to go to that day and then you can see what happened on the cell phone that particular day.
Q: Let me ask you, the words SMS message, what does that mean?
A: That's just a text message; that's all that means, simple

message.
Q: Regarding number 2995, it says call log, outgoing. Would July 7, 2017 be the date that it was from?
A: Yes; that is correct.
Q: And at 4:55:03 a.m. time?
A: That's correct.
Q: What does the UTC-4 mean?
A: So, UTC-4, if you've heard of what they used to call Greenwich Mean Time. It's kind of like a standard zero and depending on where you're at in the world, you can add or subtract to get the time of where you're at. Cellebrite used to put everything in UTC codes. So, this would actually be a different time -- you know, back before say 2012, 2013, this may be a UTC time, but then you'd either have to subtract or add to get the actual east coast time. So, that's all that's saying it's just this is the actual time this phone call took place, and if you wanted to actually know what the UTC time was, you would subtract four hours.
Q: So, if you know what a standard time code is, you would actually add four hours?
A: Correct. Right.
Q: All right. And so, this says to [redacted], Big Donny?
A: Correct.
Q: Big Donny, what would that be?
A: That would just be -- this phone number would be a phone

number that the -- the owner of the phone would've included into contacts and that would be just the name for a contact of a person, Big Donny, you know, they could be named Donald something and they just were labeled Big Donny by the user of the phone.

Q: And this 00:00:22; what would that mean?

A: That means it was a 22-second phone call.

Q: Now, let's move on to 2996. You already explained what SMS message. Outgoing, what does that mean?

A: It's a text message that the user sent outgoing to this person over here, which again is Big Donny or Donny Big, however they had it in their phone.

Q: And what time was that text message sent?

A: 5:06 in the morning.

Q: And if you could, please read for the jury the contents of that text message?

A: The text message states, "He showing off for somebody else.. I told him he ain't no man and called him a bitch.. He says my daddy is a bitch.. So I called you do he could say it to go himself.. He hangs up the phone. The next time I bring this muthafucker to Baltimore to better beat his ass.."

Q: Thank you. Let me show you the next page of the excerpt. Scoot it up a little bit more. All right. Let me ask you, regarding Number 260 on your report?

A: Okay.

Q: Does that appear to be a text message?
A: Yes, it does.
Q: Does it appear to be outgoing?
A: Correct.
Q: What's the date and time on that?
A: Date and time is May 4th, 2017 at 11:45 a.m.
Q: And who is that text message to?
A: To someone named Lafayette or Lafayette.
Q: And what does that text message say?
A: It says, "Yep..lol I just get super irritated and when I drink I start speaking on things I've been holding back..this guy gets mad and then we argue when I tell him to kiss my ass and stop lying.."
Q: Okay. Message Number 261, is that also a text message?
A: It is.
Q: And is that also an outgoing?
A: It is.
Q: Where is that from?
A: That is from the same date, 5/4/2017, it's just shortly after this one; it's at 11:45 in the morning as well and it's to the same person, Lafayette or Lafeyette.
Q: And what's the contents of that text message?
A: It says. "He got mad and left at 1am and I was contemplating shooting his ass when I got back."
Q: Let me show you the back page of your report. Could you

move it a little bit over that way. All right. Number 266?
A: It's an outgoing text message again May 4th, excuse me, yeah, May 4th, 2017, 11:59 a.m., same person. The contents of that text message is, "I tell him all" -- "I tell him all the time if I could kill him and bring him back, his ass would b dying five times a week!! He makes me sick. I know I get on his nerves but that's only because he's not used to a female jumping in his face like I do.. I'm not scared of his ass. Lmao"
Q: I'm gonna also get you to read the text message up here, which will be Number 265, although I think it's covered up by the staple.
A: Yeah, and this would be just a prior text message. If you look at the time, this was about seven seconds before this one.
Q: Yes, sir.
A: It's outgoing as well to the same person in the phone that says, "Yo I've been quiet about a lot of things throughout our entire relationship..six years in I just can't find it in me to just shut up..Dennis gets away with a lot I just don't tell anybody the things he does it let him know that I know what he does..it pisses me off so bad when he tried to play" -- I'm assuming it's innocent -- "or make me seem like I'm being crazy OR STUPID!! I can overlook a lot but after a while I just snap..he knows this and still plays with

me like I want fuck him up..but then I go back to being quiet lmao"

Q: Thank you, Detective Lynch. I'd ask you to return to the witness stand.

MR. SPRATLIN: Your Honor, I'd ask to be able to keep the television set up, because I'm gonna be using it again in a couple of minutes.

THE COURT: All right. Very good. All right. Very good.

BY MR. SPRATLIN:

Q: Now, Detective Lynch, in addition to that, and just bear in mind, this is your entire report on that phone?

A: Correct.

Q: Regarding another phone in this case, did you have a chance to process a phone that was brought to you by Detective Chris Bellamy with the North Myrtle Beach Police Department?

A: Yes.

Q: Let me show you what's been marked already for identification purposes as State's 87. If you would please just take a couple of seconds to look over that.

A: Okay.

Q: Does that appear to be the search warrant that you executed on the phone that was recovered from the vehicle during processing?

A: Yes.

Q: Please set that to the side. Let me show you what's been marked ---

MR. SPRATLIN: Permission to approach, Your Honor?

THE COURT: Yes, sir.

BY MR. SPRATLIN:

Q: Let me show you what's been marked as State's Exhibit Number 95. Please take a couple of seconds to look through that.

A: All right.

Q: Does that appear to be a copy or excerpts of your report that you ran on the phone that was found in the vehicle?

A: It does.

MR. SPRATLIN: Your Honor, I would tender State's ---

MR. OSKIN: 95.

MR. SPRATLIN: --- 95 into evidence at this time.

MR. WILSON: No objections to 95.

THE COURT: All right, sir. So, it's in evidence without objection.

STATE'S EXHIBIT NUMBER 95

ADMITTED INTO EVIDENCE

MR. SPRATLIN: Your Honor, I would ask for the witness to be able to come down off the stand again?

THE COURT: You may do so.

MR. SPRATLIN: Mr. Oskin, move it down a little bit like further towards and over towards me a very little bit. Thank

you.

BY MR. SPRATLIN:

Q: This appears to be the front page of your report; is that right?

A: Correct.

Q: Let me show you page 18 of that report.

(To Mr. Oskin.) Move it further over that way; a little bit more; a little more. All right, pull it up a little bit; a little bit more. All right. That's it.

Does this appear to be from the timeline as well?

A: It does because again, this has the mixture of text messages and phone calls.

Q: Let me ask you about Number 235. Does that appear to be a text message?

A: It does. It's a text message that was actually incoming from someone to the -- to the holder of the phone.

Q: What time did that text message come in?

A: 5:13 a.m.

Q: And what day did it come in?

A: July 7th, 2017.

Q: All right. And again, that's the accurate time or Eastern Standard Time?

A: That is correct.

Q: Can you tell who that text message was from?

A: It's from someone that has been labeled in the phone

under contacts as Ant.
Q: And can you tell me is that Aunt, A-U-N-T, or Ant, A-N-T.
A: It just says A-N-T.
Q: Can you tell me the contents of that text message?
A: It says, "I still love you regardless of what. So know that shit"
Q: Let me ask you about 236; when was that message sent?
A: That was ---
Q: Or received, I'm sorry?
A: --- yeah. It was incoming. It was received about 3 minutes, a little less than 3 minutes, 5:16 a.m.
Q: All right. And who?
A: Again, it's from the same person in contacts is Ant.
Q: And what was the contents of that text message?
A: The content is, "Just wish it would have ended differently because you know I don't be with the dumb shit..."
Q: Let me ask you about Number 237; is that an incoming text message as well?
A: Incoming text message as well. It's approximately four minutes after this one at 5:20 a.m. from the same contact, Ant, and it just says "Smh"
Q: Number 238?
A: 238, incoming text message again, 5:22 a.m. from Ant again, "Call me whenever you get a chance alone..."
Q: Number 239?

A: Incoming text message again. It's about 20 seconds afterwards, 5:22 a.m. from the same number and contact, "Love you"

Q: Number 240?

A: 240, incoming text message, seven minutes, approximately seven minutes, 5:29 a.m., from Ant, same contact, and the content says "I can't even sleep, up thinking"

Q: Number 241?

A: 241 incoming at 5:44 a.m. same date, July 7th from the same contact, Ant, that says, "I miss you already daddy"

Q: Thank you. Please return to the stand.

Detective Lynch, the processing of the phone was the essential scope of your involvement in this case; is that correct?

A: That's correct.

Q: And there's two phones, actually?

A: Correct.

Q: Okay. I have no further questions. Please answer any questions that Mr. Wilson may have.

THE COURT: Cross-examination?

MR. WILSON: Thank you, Your Honor. Bear with me just one second, Your Honor.

THE COURT: Yes, sir.

CROSS-EXAMINATION OF WILL LYNCH BY MR. WILSON:

Q: Now, are you still employed with North Myrtle Beach,

Myrtle Beach?
A: I'm still employed with the city; yes, sir.
Q: And now, in order to get a download for Cellebrite, you must have the phone, the personal phone of the individual that you're trying to get the download from, right?
A: Yes, sir.
Q: So, when you got the search warrant, the search warrant took away the cell phone from the person who owned it, so you could take it and use it to get their information?
A: Correct.
Q: So, you're in control of all their information that's contained in that phone without question, right?
A: Correct.
Q: All right. And you -- your job in doing the extraction, is to do what? To get what you think might be helpful to the state, or to get any information that you think might be relevant and helpful in general?
A: Yes.
Q: Yes what?
A: Well, any information that may be helpful in general.
Q: Okay. So, in being a law enforcement officer, part of your responsibility is to be fair, right, not just to try to find things that might be negative, but if there is something that might be positive, to find that, too, right?
A: Yeah, that -- the machine itself is -- it has no bias.

Q: Okay. Well, I'm not talking about the machine now, I'm talking about the person who is operating the machine, because you have to get certain information into the machine and you request what you want from the machine, right?
A: Well, the machine actually recognizes the phone.
Q: Okay.
A: So, it will tell you, hey, this is what kind of phone you're using, and this is what the machine can tell you; this is what I can take off the phone.
Q: Okay. Now, what about Facebook accounts, would that -- if a person has a Facebook account on their phone, and when you're doing your download, wouldn't you be able to download their Facebook account?
A: Sometimes. Again, it depends on the phone, what it can and can't get. It does support some types of Facebook Messenger every now and then. It -- it really depends on the make and model of the phone.
Q: Well, let's be more specific. Let's talk specifically about this particular case, because that's what we're interested in. Did you make an attempt to download the Facebook account of Donnielle Matthews in this case?
A: I only attempted to download the phone. That's all I did. If there was a Facebook account attached to it and Cellebrite says we can get it, it would've gotten it. I didn't do anything extra or anything less than what the

machine actually said it could do.
Q: Well, let me ask you this, in doing investigations, isn't it fairly -- nowadays common practice of law enforcement, one of the first things you want to do is look at a person's Facebook account so you can see kind of what they've generally been up to, right?
A: Yes, they will do that; that is correct.
Q: That's a pretty accepted practice now in law enforcement, and what I'm asking you is did you take the time, the effort, the energy, to look at her Facebook to see what was on there?
A: We were not the investigating agency for that, so I was tasked with one task and that was to download the contents of the phone.
Q: I understand, but that wasn't my question. My question is did you do it or not?
A: No, I did not.
Q: Okay. All right. And to your knowledge, nobody else has done it, right?
A: To my knowledge, no; I can't answer that.
Q: Okay.
A: I don't know what they did.
Q: All right. Now, let's talk about these -- the solicitor had you get up and read some excerpts from this, what, 500-page download that you did, right?
A: Yes, sir.

Q: Look at this for me and tell me if this is your Cellebrite report that you gave to the solicitor?
A: So, again, if you look at the very first page, in order to generate a report, the examiner has to put their name in there or it will not go any further after that. It's a required field. So, with my name being on the front of this and the date, and then looking at all the pages this would be my report.
Q: Okay. That's your entire report?
A: Yes.
Q: And what you read standing up here, was what, three, four messages from that 500 pages of phone calls; is that right?
A: Well, I wouldn't say it's 500 pages of phone calls.
Q: How many, how many pages?
A: Oh, yeah, it's 500 pages, but I mean, you're talking about pictures, videos, text messages, but yes, I read -- what you're getting at is I read excerpts of this long report; that is correct.
Q: But you didn't read the entirety of those excerpts, did you; he had you read just specific ones without the responses or without the questions that were asked which led to those responses?
A: That is correct.
Q: That is correct. Because there was more in that conversation than what was said by the solicitor. In fact,

well, and let me ask you one other thing, because you read that, too. After one reading you said it's LAMO or LOMA; what does that mean anyway?
A: Typically, it means laugh my ass off.
Q: Okay. So, whatever was being said, was being said with followed by that, which would suggest that it's being said in jest in the first place; wouldn't you agree with that, because that's what that means when you say I'm laughing about what I just told you? Same thing is true when -- you want to answer that first?
A: You go right ahead.
Q: Go ahead?
A: You can take it however you want to. I mean laugh my ass off, obviously laugh my ass off, yes, it could be taken in a not so serious content.
Q: Okay. What does LOL mean then?
A: Laugh out loud.
Q: Laugh out loud, does that mean that you're serious if you say I did such and such LOL; what does that mean?
A: LOL means laugh out loud and I can't -- obviously, I can't answer to whether they were being serious or not.
Q: All right. Now, you said that there was a message to somebody named Big Donny, right?
A: Yes, sir.
Q: So, do you know who Big Donny is?

A: I have no idea.
Q: You know even if he's big?
A: I do not.
Q: Okay. Let me show you what I have had marked for or what has been marked as Defendant's Exhibits 17, 18, and 19. I ask you to take a look at these for me; see if those are portions of the same excerpts that you read off for the solicitor with the additions that y'all left out?
A: These appear to be more pages from the actual complete extraction.
Q: Okay. Now, is there any question about whether or not those are a part of what you extracted from the Cellebrite download?
A: I mean, obviously I could go into the complete report and match them up, but I take your word for it, that they are from the same report, and they appear to have the same contacts as far as names that were assigned to text messages and phone calls.
Q: And they also have the page number of the pages that you provided to the state, right?
A: Yes, sir.
Q: All right. No. So, now, what I want to do is this, let me have those back.
A: Yes, sir.
MR. WILSON: Your Honor, I would like to offer

Defendant's 17, 18, and 19?

THE COURT: Any objection?

MR. SPRATLIN: One second, Your Honor. No objection, Your Honor.

THE COURT: All right. They're in evidence without objection.

DEFENDANT'S EXHIBIT NUMBERS 17, 18, AND 19

ADMITTED INTO EVIDENCE

BY MR. WILSON:

Q: All right. Now, the solicitor had you read a portion --

MR. WILSON: But Your Honor, if I might, I'd like for him to come down and read this?

THE COURT: All right. Just stand next to the microphone right there, please. Right here in front of the court reporter there's a microphone. Just go ahead.

BY MR. WILSON:

Q: I want you to start and I want you to read what's on 18 and 19 for me, if you would, please sir?

A: Yes, sir.

Q: And you can start out by telling us whose calling and who is responding?

A: Okay. You want me to start at the top and just go down?

Q: Yes, sir.

A: Okay. So, there is an outgoing text message on May 4th, 2017 at 11:23 a.m. and it's to a contact that I had previously

mentioned, Lafayette or Lafayette, and it just says the content of the text message it says, "Just waking up..Hello."

And then right below that it looks like Lafayette has responded, because it's an incoming text message at 11:31 a.m. and it says, "Lol, Heyyy girrrl! I didn't want nothing. I just wanted to start out by saying wyd? Lol!!"

And then the next one is an incoming text message from the same person at 11:32, just shortly after that previous one from the same contact and it says, "It sounds like some real important shit is about to come behind it."

Another incoming text message again from the same contact, 11:32, just a few seconds after that previous one and it says, "N I knew u wasn't up! Hahahaha!!!"

And then there's an outgoing text message about 40 seconds later after that previous one to the same contact, Lafayette, it says Lol..about to go to the store..it's supposed to b some kind of storm and Dennis is about to leave so I might as well get up and go now..AND get ready for my lonely weekend"

Another outgoing ---

Q: What's the date on that?

A: Those are all on May 4th, 2017.

Q: May 4th.

A: Okay. There's another one, same date, outgoing again shortly thereafter, about 30 seconds after that previous one I

just read to the same contact, Lafayette and it says, "Not too lonely cuz my dog had her puppies so I have a bunch of little guys to kiss and play with lol"

There is another outgoing text message right after that previous one to the same contact; this is at 11:34 in the morning on May 4th and the content of that message says, "Didn't go to sleep til after 2am"

And then there's an incoming text message from Lafayette at 11:37 a.m. same date, May 4th, and the content of that text message says, "Dang y'all stay getting storms! It's nice over here... lol! Send me pics of the puppies when you get back. He'd better beat the weather. Girl, I was knocked out by 10. And I still didn't want to get up, but I had to let the damn dogs out then the people knocking on the door to let me know I can move the cars back on the driveway. I was like damn man just Hotwire them bitches and move them for me! Lmfao! I was too damn hill and sleepy. But I got my coffee now, and I'm cleaning and going thru clothes"

Again, right after that, there is an incoming text message from the same contact, Lafayette, 11:37 a.m., same date, May 4th. It says, "Y you went to bed late" and then they respond with an outgoing text message at 11:41 to Lafayette, "you really didn't feel like getting up huh" Another outgoing text message 11:41 to Lafayette. I'll send you some..and I think I have a video or two.."

Right after that, there's an outgoing text message at 11:41, same date to the same contact, Lafayette, "..but yeah I was up last night being mean" And then there's an incoming text message from the same contact, Lafayette, 11:42 a.m., same date, "O ok. Lmfao!! Well sounds like the usual! So that means u r doing well! Lol"

Then there's an outgoing text message again to the same contact at 11:45 a.m., "Yep..lol I just get super irritated and when I drink I start speaking on things I've been holding back.. this guy gets mad and then we argue when I tell him to kiss my ass and stop lying.."

Then there's an outgoing text message again, 11:45 a.m. to the same contact, Lafayette, "He got mad and left at 1am and I was contemplating shooting his ass when I got back"

Then there's an incoming text message, 11:49 a.m. from Lafayette, it says, "I know -- "I know oh too well!! Lmfao! As long as u don't kill him bc u gonna miss him if U can't argue with his ass no more! Lol! His black ass shouldn't have left tho! I know he was riding around just mad asf. Lol!"

And then there's an outgoing phone call and it says to -- the contact is the husband, and that's at 11:52 a.m. And then after that, there's an incoming text message at 11:55 from the same contact, Lafayette, "He gonna have to deal with ur arguments because" because "he caused the shit on hisself. I been working on letting go of the past with Mitch, but

sometimes shit be happening that reminds me of shit he did n just get so fucking angry. N there I go... I'm on a warpath until I get tired... but I always tell his ass that he should've just been straight up in the beginning and most of my arguments wouldn't ever happen because" because "I wouldn't know. So he just gonna have to deal with the shit. No love lost but just know, he will never catch me slipping with being too 'comfortable'..."

Q: Now, who is that from?

A: That's from Lafayette as well.

Q: That's from Lafayette?

A: Yeah. So, there's an outgoing text message, still the same date, May 4th at 11:58 a.m. to Lafayette, "Yo I've been quiet about a lot of things throughout our entire relationship..six years in I just can't find it in me to just shut up.. Dennis gets away with a lot I just don't tell anybody the things he does it let him know that I know what he does.. it pisses me off so bad when he tried to play innocent or make ne seem like I'm being crazy OR STUPID!! I can overlook a lot but after a while, I just snap.. he knows this and still plays with me like I won't fuck him up.. but then I go back to being quiet lmao?

Right after that is another outgoing text message at 11:59 a.m., same date to the same contact, Lafayette. "I tell him all the tine if I could kill him and bring him back his

ass would b dying five times a week!! He makes me sick!! I know I get on his nerves, but that's only because he's not used to a female jumping in his face like I do.. I'm not scared of his ass lmao"

There's another outgoing text message again, it's now 12 o'clock in the afternoon, same date, to the same contact, Lafayette.

Q: May 4th?

A: May 4th, correct. "I try to chill though, because we'll fight" And then right after that, there's a picture of some sort either she's looking at a picture or she takes a picture or someone takes a picture.

And then after that, there is a incoming text message, May 4th, still the same date at 12:06 p.m. from the same contact, Lafayette, "Lol! It's the truth tho! I'm quiet a lot too and it hasn't been that long for me. Lol. But I told him before he put this ring on my finger (and reminded him before we said I DO) that I'm not the same Laffy he met in the beginning me I'm not holding my tongue like I used too and I'm that 'crazy girlfriend or wife' now. It's up to him to accept it or move on. And he accepted it So that's on them. We quiet, but that's not good" because "we will snap and shit is all bad. I'm like u... all these other niggas and bitches may be scared of u but not me. Plus u can never beat someone who holds the key to that damn heart. And like we said before we

don't be telling people because" because "they just don't understand. I guess it's growing pains. As long as they showing improvement and handling situations differently over the years then our 'work on these idiots' isn't in vein! Lol! N u right, we get on their nerves too but our shit is just in reaction to things they do or have done."

Then there is another incoming text message ---

Q: Before you go to that, that last statement that you just read, that's from Lafayette?

A: That is from Lafayette; yes, sir.

Q: All right. Go ahead. There is another text message right after that one a couple of minutes later, 12:09 p.m. incoming from Lafayette, "And we only overlook stuff to see if they gonna correct there actions or just say fuck it.. we let their actions speak for them so fuck whatever comes out of their mouths. But they have the habit of doing shit and expecting to just 'apologize or make up' for shit and then they think everything is all peachy! No, sir.. not until I get everything off my chest and it could take weeks bc" because "we deal with shit in moderation. Lol!!"

Then there's an incoming text message at 12:11 p.m., right after this one on the same date, May 4th, from a contact by the name of Ghost and it says, "Good afternoon Queen"

And there is an outgoing text message right after the previous incoming text message to Lafayette at 12:11 p.m., it

says, "Yep.. I explained to his mother and mine that when you get two mean children together and they're tryna have a relationship, they're gonna b a lot of hard times. Lots of fight, physical or verbal.. but like you said growing pains. We can b really mean to each other sometimes tho.. then we feel bad abd go back to being nice but you know it all comes with the territory..it's ultimately up to us to make it work"

And then there's another outgoing text message right after that at 12:12 p.m. to Lafayette, same date, May 4th, "Yes.. he has this thing like it hasn't happened in the past 5 minutes all should b forgiven.. he says I'm petty because I don't forget anything lmao"

Outgoing text message after that, at 12:13, same date, to Ghost and the reply -- and the message is "Oh really!!"

And then there's an outgoing -- another outgoing text message at 12:14 p.m. on the same date to Ghost again and the content says, "Swear to God Imma fight you!!"

And then there's another outgoing text message at 12:14, again to Ghost that says, "Hey my Baby"

And then there's an incoming text message at 12:25 p.m., same date, from Ghost it says, "Call me"

And there's an outgoing text message at 12:24 to Ghost that says, "NO"

And there's an outgoing text message, or excuse me, an outgoing phone call at 12:24. It doesn't -- it just says to

and it has the phone number, and the phone number is the same phone number as Ghost on the text message, and it's a 21 minute 48 second phone call outgoing to Ghost.

Then there is an incoming text message again same date, May 4th, 2017 at 12:38 p.m. from Lafayette that says "Lol!! Same here! And I save certain things for certain times. Lol. We so petty"

Then there's an outgoing phone call, same date, May 4th, 2017, 12:47 p.m. to the Husband, lasts for 35 seconds.

Then there's an outgoing text message at 12:48 p.m. to Lafayette and it says, Lmao!! Yep..I'll hold onto something forever and then BAM..lol"

And then there's an incoming text message from Lafayette at 12:51 p.m. again on May 4th that says, Lmao!! Yea we r one in the same!!"

Q: Thank you so much. You can take the stand.

A: You're welcome.

Q: Now, that was -- well, let me ask you this question. Is that a complete record of what occurred as far as phone calls on May 4th of 2017, based on your records that you have?

A: Yes, sir.

Q: All right. And -- and -- and this was a conversation primarily with somebody named Lafayette?

A: That is correct.

Q: And you don't know who that is?

A: I do not.
Q: All right. But we know that the phone, that the other phone number belonged to Donnielle Matthews?
A: Correct.
Q: All right. Now, let me ask you this, and I think I broached it with you earlier, and I'm not sure how we ended up. We have these phone records, we have text messages, do we have Facebook or Snapchat or any of those records that existed between this timeframe, it seems between May and July 7th; do we have any of that for that period that you know about?
A: If it's not on that phone report, then I don't know about it.
Q: Very well. All right. And when you did this download for Cellebrite, that ended your responsibility?
A: Yes, sir; that's correct.
Q: All right. And, well let me ask you this. Did -- did -- did the state, the solicitor's office, whoever, chief investigating officer, did any of them ask you to do a download from Facebook, Snapcat, Instagram, any of those things where people message people back and forth?
A: No.
Q: But you know that that can be done?
A: Yes.
Q: But you don't know why it wasn't done in this particular case or if it was done?

A: I don't know if it was done. So, I can't really say why it wasn't. I don't know if it ---
Q: You just can say that you didn't do it?
A: Correct. Yes, sir.
Q: And you weren't asked to do it?
A: That is correct.
MR. WILSON: All right. If the Court will bear with me for just one second, please?
THE COURT: Yes, sir.
BY MR. WILSON:
Q: And I'm not gonna belabor this, but I just want to be clear. You did not download Facebook?
A: Correct.
Q: All right. I don't have any other questions.
THE COURT: All right. Redirect?
MR. SPRATLIN: Real briefly, Your Honor.
REDIRECT EXAMINATION OF WILL LYNCH BY MR. SPRATLIN:
Q: Detective Lynch, you testified that this -- in Mr. Wilson's direct examination that this is -- or cross-examination, excuse me, that this is a full copy of your report?
A: Yes.
Q: And this includes 381 pages, give or take?
A: I believe so, yes.
Q: A lot of this is images?

A: I would have to look at it, but typically, images takes up a lot of pages in an actual printed out report, because they could be shared images that you send through text messages or different things like that.

Q: In your experience with Cellebrite, does it -- it doesn't just -- what you asked for, what you tell it to look for, again, it's everything off the phone -- isn't that right -- that it can?

A: Everything that it can, yeah, I wouldn't say everything, but everything it can, yes.

Q: All right. And as far as that goes, if it pulls anything relevant to the case or not?

A: Correct, it doesn't know anything about the case, it's just saying, hey, I'm a machine, give me what's on the phone and that's it.

Q: So, 381 pages of a report does not mean there's 381 pages of relevant information on this case?

A: Correct.

Q: Thank you. No further questions.

MR. WILSON: Just one follow-up.

THE COURT: Yes, sir. Sure. Sure.

RECROSS-EXAMINATION OF WILL LYNCH BY MR. WILSON:

Q: You do know and agree with me that you can get a subpoena, a search warrant for Facebook?

A: Yes, sir.

Q: Directly?
A: Yes, sir.
Q: And you don't have to go through the phone to get that?
A: Correct.
THE COURT: All right. Do you wish the witness to be excused?
MR. SPRATLIN: I would ask he be excused from my subpoena, Your Honor.
MR. WILSON: No objection.
THE COURT: All right. Detective, you can be released from your subpoena and go back to your regular duties. If you don't mind, stay in the courtroom for just one second. Okay?
MR. LYNCH: Yes, sir.
BY THE COURT:
THE COURT: Thank you. Ladies and gentlemen, we're gonna take a short break at this time. Go back to your jury room. Remember, don't talk about the case. We'll call you back out shortly. Thank you.
(REPORTER'S NOTE: Jury exits courtroom @ 10:50 a.m.)
THE COURT: All right. Anything further from the state at this point in time?
MR. SPRATLIN: No, Your Honor.
THE COURT: From the defense?
MR. WILSON: No, sir.
THE COURT: All right. Mr. Lynch, please come up and

talk to the Court for a second.

RECESS - 10:51 A.M.

*******OFF THE RECORD*******

ON THE RECORD - 11:06 A.M.

THE COURT: Ask the jury to come in. Anything from the state?

MR. SPRATLIN: No, Your Honor.

THE COURT: From the defense?

MR. WILSON: Nothing, Your Honor.

THE COURT: Ask the jury to come in, please.

(REPORTER'S NOTE: Jury enters courtroom @ 11:07 a.m.)

THE COURT: All right. Solicitor, your next witness, please.

MR. OSKIN: Yes, Your Honor. The state would next call Alethia Price.

THE COURT: Okay.

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

ALETHIA PRICE, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE CLERK: State your name and spell your name for the Court.

MS. PRICE: It's Alethia Price. A-L-E-T-H-I-A. Last name, P-R-I-C-E.

THE COURT: Go ahead, Solicitor.

DIRECT EXAMINATION OF ALETHIA PRICE BY MR. OSKIN:

Q: Good morning, Ms. Price. Are you currently employed?
A: Yes.
Q: Where do you currently work?
A: At Lowes Food.
Q: All right. And what town do you live in?
A: Shallotte.
Q: Did you ever know a man named Dennis Green?
A: Yes.
Q: How did you meet him?
A: I was working at a strip club.
Q: Were you working as a stripper?
A: Yes.
Q: Okay. About how long did you do that line of work?
A: Between like four or five years.
Q: And what year did that begin?
A: 2008.
Q: Okay. What year did you meet Dennis Green?
A: 2008.
Q: Did you become romantically involved with him?
A: Yes.
Q: Do you share any children in common with him?
A: Two.
Q: How old are your children now?
A: Eleven and ten.

Q: About how long did you date Dennis for?
A: I would say about four years on and off.
Q: Beginning in 2008?
A: Yes.
Q: Did you ever argue with him, and your relationship just consisted of you and him?
A: Yeah.
Q: Is that just verbally arguing?
A: Yes.
Q: Is it common to argue in any relationship depending on -- regardless of the dynamics?
A: Of course.
Q: All right. Were you ever physically assaulted by him during that time?
A: No.
Q: Were you ever in fear for your life during that time?
A: No.
Q: At some point in your relationship, did Dennis start seeing the defendant?
A: Yes.
Q: Donnielle Matthews.
A: Yeah, at the end.
Q: Okay. To your knowledge did they become romantically or sexually involved with one another?
A: Yes.

Q: Did that occur while you were still dating him?
A: Yes.
Q: Were you living with Dennis at the time that he and the defendant met?
A: Yes.
Q: Where were you guys living at?
A: We were living with his mother.
Q: Okay. In Horry County?
A: Yes.
Q: All right. So, was Dennis cheating on you with the defendant at that time?
A: Not -- yeah, I think so, at the end, yeah.
Q: Was that the reason for your breakup?
A: Yes.
Q: Was that the sole reason?
A: There was multiples; she was just one.
Q: You say multiples, do you mean that ---
A: Multiple women.
Q: Okay. That he had cheated on you with; is that what you're saying?
A: Yes.
Q: You stated that you never met the defendant?
A: Yeah, later on when they continued to keep the kids on his three days, I eventually met her after a while.
Q: Okay. So, you met her due to your custody arrangement

with the father of your children?
A: Yeah.
Q: And that's Dennis. Okay. Did you get along with her when you first met?
A: Yeah.
Q: In fact, did you engage or attempt to engage in a three-way partnership with her and Dennis?
A: Yes.
Q: Did that involve sexual activities?
A: Yes.
Q: Where were you living when that was going on?
A: I was back at my mom's house that time.
Q: Okay. Where did they live, that is the defendant and Dennis?
A: In Cherry Grove at a condo.
Q: Okay. And would the children still go back and forth between you and Dennis?
A: Yes.
Q: Okay. Did that living arrangement change in regards to yourself, the defendant, and Dennis after you lived at your momma's house?
A: Yes, we moved into an apartment.
Q: You moved into an apartment with who?
A: Dennis and Donnielle.
Q: And where was that apartment at?

A: In Poplar.
Q: Okay. About how long did you live in Poplar with the defendant and Dennis?
A: It lasted like 20 days.
Q: Okay. During that time together, did Dennis ever physically assault you?
A: No.
Q: Did he ever make you fear for your life?
A: No.
Q: Did you ever see him argue with the defendant or anything at that time?
A: They argued; she was loud, you know.
Q: Did you ever see him hit or physically harm her during that time living together?
A: No.
Q: Did you ever see him to do anything to her that would put you in fear for her life?
A: No.
Q: Did she ever talk or confide to you or tell you that he was beating her?
A: No.
Q: You said that you had lived with them for just short of a month; is that correct?
A: Yes.
Q: Why did you -- did you decide to move out?

A: Yes.
Q: And why did you decide to move out?
A: Because I was usually in the middle, like of their arguments or whatever. Both of them were jealous if I got too close the other one.
Q: Okay. So, if you were spending too much time with Dennis, the defendant would get upset?
A: Yes.
Q: And vice versa?
A: Yeah.
Q: And about when was that year-wise?
A: I want to say maybe 2011, right after Minor 1 was born. Like he was probably a year or two old. So, he was born in 2010.
Q: Okay. And is that your second child?
A: Yes.
Q: That's your second child with Dennis?
A: Yes.
Q: So, you're telling this jury that the reason for the move is you got tired of being around that?
A: Yes, and my kids didn't need to see it either.
Q: You felt like -- did you feel like you were the source of their jealousy?
A: Yes.
Q: So, that's why you left the relationship -- is that why

you left the relationship at that time?
A: Yes.
Q: Did you leave the relationship at that time or the previous time because Dennis was ever physically harming you or assaulting you?
A: No.
Q: If anybody stood up here and said that that was the reason, what would that be?
A: A lie.
Q: Was anybody ever physically aggressive to you in that relationship?
A: No.
Q: Please answer any questions for Mr. Wilson.
THE COURT: Cross-examination?
MR. WILSON: Thank you, Your Honor.

CROSS-EXAMINATION OF ALETHIA PRICE BY MR. WILSON:

Q: Is it Pride or Price?
A: Price.
Q: Price. Ms. Price, you'd known Donnielle for how long before Dennis' death?
A: Maybe three years, four.
Q: Okay. And tell me about your relationship with Dennis before Donnielle came into the picture; what kind of relationship did y'all have? Y'all had a kid at some point, right?

A: Uh-huh, (affirmative response).
Q: How old is your oldest kid?
A: He's 11.
Q: He's 11. And tell me about that. What kind of relationship did y'all have prior to Donnielle coming into the picture?
A: Normal relationship.
Q: Well, were you living together?
A: Yes.
Q: Okay. And where were you living together?
A: At his mom's house.
Q: All right. Were you living together prior to having the first child?
A: No.
Q: Okay. So, after the child was born, y'all moved in with mom?
A: Yeah.
Q: Okay. And how long did y'all stay with mom?
A: Maybe a year, maybe two.
Q: All right. And during this time -- and what year would that have been, say when you moved in with mom; you said it was before your oldest child was born and that oldest child is what, 11?
A: Uh-huh, (affirmative response).
Q: Okay. So, we're talking 2010, '09, somewhere there

abouts?
A: Yes. Uh-huh, (affirmative response).
Q: Okay. Now, so tell us what that relationship was like in 2009, '10, when you and Dennis are dating?
A: Normal relationship.
Q: Like what? I mean, did y'all go to the movies, did you go to strip clubs, did you hang out at bars, did you go to church every Sunday; I just want to know a little about what your relationship was like?
A: We did it all. We went to church, we hung out, we, you know, a normal relationship.
Q: Were you still working at the strip bar then?
A: Yes.
Q: All right. So, did you work at the strip bar the entire time that you were dating Dennis up until you met Donnielle?
A: Yes, except for when I was pregnant.
Q: Okay. So, the only time you didn't work at the strip club was when you were pregnant. When did you stop working at the strip club?
A: I didn't stop until maybe 2013, '12.
Q: Okay. Did you know -- do you know when or about when it was that you moved out of Dennis' mother's home?
A: Probably a little after Minor 1 was born.
Q: Okay. Now, let's talk for a minute about Dennis. Did y'all keep in close contact after you moved out of his mom's

home?
A: Yes.
Q: All right. And did y'all maintain a sexual relationship?
A: Up until they got married.
Q: Okay. So, y'all maintained a sexual relationship up until they got married?
A: Uh-huh, (affirmative response).
Q: All right. Now, at some point in time, you moved in with them?
A: Uh-huh, (affirmative response).
Q: You said 20 days or 21 days I believe you said, right?
A: Uh-huh, (affirmative response).
THE COURT: Is that a yes, ma'am?
A: Yes.
THE COURT: The court reporter has to take it down.
A: I'm sorry.
THE COURT: That's all right.
BY MR. WILSON:
Q: So, sometimes 21 days, 20 days, you lived with them. And where did y'all live when the two couples or however you call it; where did y'all live?
A: In Poplar.
Q: All right. And was this the marital home for Dennis and his -- and Donnielle or was this a ---
A: That was pre-marriage.

Q: I'm sorry?
A: They weren't married.
Q: Okay. You never lived with them after they got married?
A: No.
Q: You lived with them before they got married?
A: Yes.
Q: Did you have both your kids at that point?
A: Yes.
Q: All right. And you and both the kids moved in with them?
A: Yes.
Q: All right. And you stayed there 20 days, 21 days?
A: Yeah.
Q: All right. Now, during that 21 days, I think you told the solicitor, yeah, they argued, but you never saw any physical contact?
A: No.
Q: All right. And you said that you didn't have any physical contact?
A: No.
Q: All right. And that Donnielle was not physical with you in any way?
A: No.
Q: All right. Now, when y'all were having this threesome kind of deal here, where are the children?
A: Asleep.

Q: All right.
A: Or at my mom's.
Q: All right. So, in the daytime, how did y'all explain to these children, who were however old they are ---
A: One and two.
Q: Okay.
MR. OSKIN: Objection.
THE COURT: Ask the question, then I'll hear the objection.
BY MR. WILSON:
Q: My question was how did you explain to the children this relationship?
A: I didn't, they were one and two.
Q: All right. Now, you ever been in trouble with the law?
A: Yes.
Q: And when was that?
A: Maybe 2015, '14, I'm not sure. It was a while ago.
Q: What was that?
A: What was it?
Q: Yes, ma'am.
A: A DUI.
Q: All right. But did you have something before that?
A: No.
Q: You sure?
A: Yeah.

MR. OSKIN: Your Honor I would object to under Rule 609 to anything more than ten ---

THE COURT: How about y'all come up here and let me look at it.

(REPORTER'S NOTE: Bench conference is held off the record in the presence of but outside the hearing of the jury.)

BY MR. WILSON:

Q: I had asked you and you said that you didn't have anything except a DUI or something, but that's not really true, right, you did have something else, right?

A: When I got pulled over, I got pulled over for a DUI. That came with the resisting arrest.

Q: Well ---

A: The same time.

MR. WILSON: Your Honor, may we approach again?

THE COURT: Yes, sir.

MR. WILSON: I apologize.

(REPORTER'S NOTE: Bench conference is held off the record in the presence of but outside the hearing of the jury.)

BY MR. WILSON:

Q: Were you arrested for resisting arrest back on July the 6th, 2011?

A: Yes.

Q: Now, let me ask you this. You said that during that 21 days that you stayed at Dennis' and -- and Donnielle's house,

that you didn't have any physical contact with any of them in a -- in a threatening manner of sorts, right?

A: Yes.

Q: But there was arguments?

A: Yeah.

Q: Right. And arguments were about you?

A: Not necessarily, no.

Q: Well, I think you told the solicitor that they were jealous of you.

A: Right.

Q: That both of them were jealous of you and that as a result of that, it put you in the middle between them?

A: Right.

Q: Right; is that correct?

A: Yes.

Q: Yeah. And -- and that got to the point with you that you felt like you needed to leave?

A: Yes.

Q: And then as a result of that, you took the kids and you left?

A: Right.

Q: Right. Now, the truth is you and Donnielle got along pretty well, right, and Dennis was the one who was jealous, because you had developed a really good relationship with her and y'all were getting along, and he wasn't happy about that?

A: Not true.
Q: So, he was happy that y'all were getting along great?
A: He had his moments, but mostly, yeah.
Q: Okay. All right. So, if he was happy, so then if he's happy that y'all are getting along great, where is the jealousy? Why would there be any jealousy on his part if he's happy that y'all are getting along great, because you told the solicitor, did you not?
A: Yeah, because he was. He was jealous of both of us.
Q: Right. So, he was jealous, right?
A: Yes.
Q: Okay. And -- and that jealousy that he had is why you moved out, because you didn't want to have to deal with that, right?
A: The jealousy that both of them had is why I moved out.
Q: All right. All right. But now who invited you into the relationship?
A: Both of them.
Q: All right. Did they both -- you sat down with both of them, and they said, well, look, as a couple, we want you to come in and be with us?
A: Yes.
Q: All right. And tell me when it was that y'all had that conversation?
A: I don't know, maybe like a month before.

Q: Okay. Tell me about the conversation. Tell me about the conversation that the two of y'all had where -- the three of y'all had where y'all sat down and made the arrangement that you were gonna move in with Dennis and his wife?
A: I don't recall. I don't remember that conversation.
Q: You don't remember that conversation?
A: Huh-uh, (negative response).
Q: Do you remember the conversation that you had about -- with Dennis and with Donnielle about your wanting to leave or going to leave?
A: No, I didn't have that conversation.
Q: Okay. How did that come about, you just left?
A: Yeah.
Q: Okay. So, what did you do, you just come in one day and packed your stuff and take the kids and go?
A: Yeah.
Q: Is that what you did?
A: Uh-huh, (affirmative response).
Q: Did you -- did you ever -- did Dennis ever ask you about why you left?
A: After the fact.
Q: I'm sorry?
A: After the fact.
Q: After the fact. So, was he upset with you because you left?

A: No.
Q: No. Now during that time, were you still stripping when you moved out?
A: Yes.
Q: All right. And where were you stripping?
A: I think was at Secrets then.
Q: Is that how you met Dennis?
A: Yes.
Q: All right. So, you met him at a strip bar?
A: Uh-huh, (affirmative response).
Q: And then the relationship continued and while it continued, you continued to strip at that bar?
A: Uh-huh, (affirmative response).
Q: Now, stripping -- now, does that automatically mean that if you strip that you're gonna have sex with people for money?
A: No.
Q: It does not?
A: No.
Q: All right. So, the two don't go together?
A: No.
Q: All right. Now, let me ask you, after you moved out, did you leave your children from time to time with Donnielle to look after?
A: Yes.
Q: To take care of?

A: Uh-huh, (affirmative response).
Q: In fact, the very weekend that this happened, that this incident occurred, she had possession of your kids?
A: Yes.
Q: And you and her were getting along famously, right?
A: Yes.
Q: Y'all had phone conversations about her taking care of the children that very day before, right?
A: Yeah, about her taking them to the pool.
Q: Right. She was taking them to the pool. In fact, most of the time, when Dennis got the kids, it was Donnielle who actually stayed with them and took care of them?
A: Yeah.
Q: Yeah. And you didn't have a problem with that all these years, right?
A: Yes.
Q: Yes, you did have a problem with it?
A: Yes.
Q: So, you didn't want her to take care of them or be with them?
A: I did, I mean, yeah, it was fine, but at the beginning, I definitely didn't want that.
Q: Okay. All right. Well, in -- in -- you recall the conversation or text message that you had with Donnielle the day before this happened about taking the children to the pool

and how you were gonna get some rest and how much you appreciated the fact that she was taking the time with them, because Dennis is always gone and never with them; do you recall that?

A: Yes.

Q: Yeah. That happened, didn't it?

A: Yeah.

Q: Okay. And let me ask you, in the times that -- that Donnielle had possession or custody or however you want to -- not custody, possession I guess is a better word, of your children, did you have any issues with trusting her with them?

A: Yes.

Q: Okay. You did?

A: Uh-huh, (affirmative response).

Q: So much so that the week that this happened, that you allowed her to have them for the weekend and take them over there and take them to the pool and take them shopping and do all these things with them, and you didn't say a word?

A: It was two days after my son's birthday. He wanted to go with his father. So, he went.

Q: Okay. All right. Well, did you ever say to Dennis, hey look, I don't want her around my kids?

A: Yes.

Q: All right. And what did he say to you; he said okay, fine, I'll keep them from around her?

A: No, he didn't.
Q: No, what did he say?
A: He didn't really say much.
Q: Right. He just ignored you, didn't he?
A: Uh-huh, (affirmative response).
Q: Which is what he did all the time, right? He just did what Dennis wanted to do; is there any question about that?
A: No.
Q: All right. But let's talk about something else. Now, you -- you know Dennis well, right?
A: Uh-huh, (affirmative response).
Q: Do you know what business he was in?
A: Yeah.
Q: What -- what business was he in?
A: He was a landscaper.
Q: He was a landscaper. Who did he work for as a landscaper?
A: I can't remember the name; it was in Atlanta.
Q: All right. Now, Dennis came down here every Thursday, didn't he?
A: Yes.
Q: Or every Thursday evening. So, the only time he was available for landscaping work would've been Monday through what?
A: Friday.

Q: No.
A: Or Thursday.
Q: Well, did he come here on Thursday afternoons or Thursday evenings?
A: At night.
Q: So, Monday through Thursday he was a landscaper and he worked for a company landscaping, right?
A: Uh-huh, (affirmative response).
Q: And did he pay you child support to you for the kids?
A: No, he just bought them what they needed.
Q: All right. Now, what kind of business was he in when he came here?
A: He saw his kids.
Q: Was he selling drugs down here?
A: I have no idea.
Q: Well, now you know that he was involved with drugs in the past; you know that, right?
A: No.
Q: You don't know that?
A: I was seeing him at a landscaping business, and then when he came home, he came and saw his kids; that's it, he left. I didn't see him the whole weekend.
Q: I thought you said that you dated Dennis back in 2009 and 2010?
A: I did.

Q: And you don't know that he was convicted back then in 2009 or '10 of selling drugs?
A: He wasn't.
Q: He wasn't what?
A: Convicted.
Q: You deny that?
A: In 2009 and 2010, he was not convicted of drugs.
Q: And when was he convicted?
A: I don't know, before my time, that's for sure.
Q: Before your time. Okay. So, let's talk about something else then with Dennis. How many cars did Dennis have?
A: Three.
Q: Three. What kind of cars were they?
A: He had a Trailblazer, a Mercedes and a Pontiac, and then he bought a new one closer to ---
Q: So, he had four?
A: Uh-huh, (affirmative response).
Q: And he paid for them how?
A: He got in a wreck when he bought the Trailblazer. So, that paid for that. I don't know about the rest of the stuff, I wasn't with him then.
Q: Okay. All right. But he was cutting lawns and he lived in an apartment in Atlanta, right?
A: Covington, but yeah.
Q: Yeah. Did you ever go to the apartment in Atlanta?

A: No, never.
Q: All right. Do you know whether or not Dennis belonged to any gangs?
A: No.
Q: You don't know or no?
A: Not that I know of.
Q: Not that you know of. In regards to, again, your relationship with Dennis, did the police come and talk to you immediately after this event occurred?
A: No. They talked to the kids at the hospital, but no.
Q: When is the first time that anybody approached you about coming to testify?
A: I don't know.
Q: Well, I mean, somebody had to approach you and ask you to come and testify?
A: It's been four years.
Q: I'm sorry?
A: It's been four years. I don't remember the exact day.
Q: I'm not asking you the exact day. So, are you saying that you talked to somebody three or four years ago?
A: Yes.
Q: Who?
A: Seth.
Q: All right. Seth, this fellow right here?
A: Yes.

Q: He called you when was this, you said three or four years ago?
A: Four, it's almost four in July.
Q: Okay. So, he called you. Did anybody from the police department ever come to you before you talked with Seth?
A: No.
Q: All right. So, that was the first person you talked to. When did you talk to Seth again?
A: I guess when your hearing was coming up, I don't know -- we've been up here about four or five times already for court.
Q: Well, when is the last time that you talked to him other than today?
A: When the stand your ground trial.
Q: Okay. All right. Now, let me ask you, if at some point in time, you gave them a written statement?
A: I did not.
Q: You did not?
A: Not that I know of.
Q: Did you give a voice-recorded statement?
A: No.
Q: All right. At no point in time in the whole four years did anybody take a written statement from you or a voice recorded statement from you about anything related to this; is that what you're saying?
A: Yes.

Q: All right. I don't have any other questions. Thank you, ma'am.

THE COURT: Any redirect?

MR. OSKIN: Briefly, Your Honor.

THE COURT: All right.

REDIRECT EXAMINATION OF ALETHIA PRICE BY MR. OSKIN:

Q: Just a few questions, Ms. Price?

A: Okay.

Q: Let's talk about, you indicated to this jury that you sensed jealousy from both Dennis and the defendant; is that correct?

A: Yes.

Q: Okay. Did you feel like that jealousy came when you were spending time with just one or the other?

A: Yes.

Q: Okay. At any point, throughout your relationship with Dennis, did you wish that there was a closer relationship between yourself, Dennis, and your children in common with him?

A: Yes.

Q: Is that why you would -- is that the reason that you wouldn't want Ms. Donnielle with your kids?

A: Yes.

Q: You said any of his prior situations would before you -- you said you met him in 2007, correct?

A: 2008.
Q: Okay. So, if he got convicted of anything drug related in 2006, you wouldn't have known of that, correct?
A: No.
Q: Okay. You lived with him; was he doing anything -- were there a lot of drugs in the house at any of those times?
A: No, not at all.
Q: People coming to your house all hours of the night?
A: No.
Q: Did he have any -- did you see him have any violence or anything he was working on or just acting violent?
A: No.
Q: Was -- and he never acted violent towards you?
A: No, never towards me, no.
Q: Okay. Let's talk about your involvement in this case just briefly. You began -- you stated you were the mother of his children, correct?
A: Yes.
Q: As part of the victim's family, you're in contact with the solicitor's office, correct?
A: Yes.
Q: And I think you indicated that we met about four years ago, right?
A: Yeah.
Q: During that time, did we have meetings with the entire

family about Dennis and the situation and his death?
A: Yes.
Q: So, it makes sense -- wouldn't that make sense to you?
A: Yes. I mean, that's what we were here to do.
Q: And these meetings we had, was it just you and me or was there a table full of people?
A: A table full of people.
Q: Okay. And based off of that, is that how you came to be a witness in this case?
A: Yes.
Q: I didn't tell you what to say or how to answer these questions; that's correct?
A: No. Right.

MR. OSKIN: Nothing further from the state, Your Honor.

MR. WILSON: Nothing further, Your Honor.

THE COURT: All right. Do you wish the witness to be excused?

MR. OSKIN: The state would subject to maybe a rebuttal witness, Your Honor.

MR. WILSON: Your Honor, and I would ask for the Court to allow me to keep her for a later time.

THE COURT: All right. All right. So, Ms. Price, you're still under subpoena. You're free to go at this point in time, but you may be called back. Okay?

MS. PRICE: Okay.

THE COURT: Thank you, ma'am.

All right. Next witness, please?

MR. SPRATLIN: The state would call Mr. Maurice Campbell to the stand.

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

TAURENCE MAURICE CAMPBELL, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE CLERK: Please state your name and spell your name for the Court.

MR. CAMPBELL: Taurence Maurice Campbell, T-A-U-R-E-N-C-E, M-A-U-R-I-C-E, C-A-M-P-B-E-L-L.

THE COURT: All right, Solicitor.

MR. SPRATLIN: Thank you.

DIRECT EXAMINATION OF TAURENCE MAURICE CAMPBELL BY MR. SPRATLIN:

Q: Mr. Campbell, do you go by Taurence or some people call you Maurice?

A: Everyone calls me Maurice.

Q: Everyone calls you Maurice?

A: Yes, sir.

Q: Okay. Where do you currently live?

A: I live in Georgia, Woodstock, Georgia.

Q: Woodstock, Georgia. Where in relation to Atlanta is that?

A: It's north of Atlanta, about 20 miles north of Atlanta.
Q: Northeast, northwest?
A: Northwest.
Q: Okay. You say about 20 miles outside of downtown Atlanta ---
A: Correct.
Q: --- on the northwest side?
A: Correct.
Q: All right. How long have you lived in Atlanta?
A: I've been in Georgia now since 2011.
Q: What brought you to Atlanta?
A: Military.
Q: Military?
A: Yes, sir.
Q: All right. What type of work do you currently do in Atlanta?
A: I'm in the Air Force.
Q: Air Force?
A: Yes, sir.
Q: And that's what kind of brought you to Atlanta in 2011?
A: Correct.
Q: All right. Are you any relation or kinship to Dennis Green?
A: I am.
Q: What kind of -- what relationship, familial relationship

do you have with him?
A: That is my first cousin. We called each other brothers, but first cousins.
Q: Is he -- is he a first cousin on your mother's side, your father's side, or ---
A: Mother's side.
Q: Mother's side?
A: Yes, sir.
Q: So, you're related to his mother, Ms. Hettie (spelled phonetically)?
A: Correct.
Q: Right. All right. Where did Dennis live before his passing?
A: He was in Covington, Georgia.
Q: Covington, Georgia, and where is that in relation to you?
A: That is south of me.
Q: A car ride through Atlanta traffic, how long would it take you to get there?
A: About 50 minutes.
Q: Fifty minutes?
A: Yes, sir.
Q: Okay. When Dennis first moved -- well, first of all, did Dennis live alone in Covington?
A: He did not; he lived with his wife.
Q: Who else lived with him?

A: His wife, Donnielle.
Q: Do you see Ms. Matthews or Donnielle; Donnielle's last name is Matthews?
A: Yes.
Q: Do you see Ms. Matthews here in the courtroom?
A: I do.
Q: Would you point her out or identify an article of clothing she's wearing?
A: She is wearing a black mask, a striped shirt.
Q: All right. Please let the record reflect the witness has identified the defendant. When Dennis -- when did Dennis first move to Atlanta?
A: The beginning of 2013.
Q: All right. And who did he first live with?
A: He lived with me. I lived in Stone Mountain at the time.
Q: Stone Mountain?
A: Yes, sir.
Q: All right. Did anybody else live with y'all?
A: It was just -- when he initially moved in, it was just me and my daughter.
Q: All right. What about Donnielle, was she with him at this point?
A: Initially, no.
Q: At some point, did she come to move in with you?
A: She did.

Q: Do you recall when that was?
A: Around mid-2013. So, close to the summer, I would say.
Q: So, not long after Dennis moved in?
A: Correct.
Q: How long did you all -- now, there's been some questions asked, I just want to make this clear. Were you engaged in any sort of sexual relations with either one of them?
A: No.
Q: Okay. All right. Just for clarification, I wanted to make sure what the relationship between y'all was. How long did you, Dennis and Donnielle live together?
A: Nine, ten months.
Q: Nine, ten months?
A: Yes, sir.
Q: All right. And did you move out or did they move out?
A: They moved out.
Q: Why?
A: They found an apartment in the Covington area. So ---
Q: So, it wasn't because of any problems or anything like that; it was just they found a place to live on their own?
A: Correct.
Q: Even after they moved out, would you continue to see Dennis somewhat regularly?
A: Yes, sir.
Q: How often do you think you would see Dennis?

A: I would see Dennis -- he would just pop up at the house randomly every couple of weeks.
Q: And what about Donnielle, how often would you see her?
A: Not very, not very often. I think I saw her more in South Carolina than in Georgia.
Q: All right. When you would have -- when you lived with them, that would've been towards the mid of 2014, give or take?
A: '13.
Q: Well, I know '13 is when y'all started living together?
A: Correct.
Q: But the nine months you lived together -- was it 2014 they moved our or 2013?
A: I think it was the end of '13.
Q: End of '13?
A: Yes, sir.
Q: Okay. When you lived with them, did you ever see any sort of violence or aggression on the part of Dennis towards Donnielle?
A: No.
Q: The times that you would see Donnielle in either Georgia or South Carolina, did you notice any marks or bruises on her?
A: No.
Q: Did you ever see her with a black eye?
A: No.

Q: Did you ever see her with any serious injuries?
A: No.
Q: To your knowledge, to the best of your knowledge, was she ever in the hospital?
A: No.
Q: When you say you would see Donnielle at family functions or when you said you would see Donnielle in South Carolina, what type of situations would it be that you saw her?
A: Just what you said, family functions.
Q: Family function, I would assume that, I just wanted to make sure.
A: Correct.
Q: So, at these family functions, was there any sort of hostility that you saw between Donnielle and anyone?
A: No.
Q: Thank you, Mr. Campbell. Please answer any questions that Mr. Wilson may have?
A: Sure.
THE COURT: Cross-examination?

CROSS-EXAMINATION OF TAURENCE MAURICE CAMPBELL BY MR. WILSON:

Q: Now, my understanding is that you lived with Dennis for several months ---
A: Correct.
Q: --- according to you, right? And you say you think that they left sometime towards the end of 2013?

A: Correct.
Q: All right. And you don't know exactly when it was that they moved in, but that it would have been sometime around the middle or so of 2013?
A: The beginning. He moved in initially at the beginning of '13.
Q: All right. So, he moved in in the beginning?
A: Correct.
Q: When did Donnielle come in to live with you?
A: Towards the middle.
Q: Towards the middle?
A: Correct.
Q: May, June, do you know?
A: I don't.
Q: Okay. Could it have been June or July for that matter?
A: It could have, the middle of the year.
Q: You just honestly don't know?
A: Right.
Q: It was sometime during the that part of the year?
A: Correct.
Q: And sometime before the end of the year, they were gone?
A: Correct.
Q: All right. Fair enough. Now, what kind of work was Dennis doing when he came to live with you?
A: He wasn't working at the time.

Q: He wasn't working?
A: Correct.
Q: How was he living if he wasn't working?
A: That's why he left South Carolina, to start finding a job. So, he started -- initially he found a job selling Kirby vacuum cleaners. He was just ready to make -- to start over, have a new beginning. So, that's why he moved in with me.
Q: All right. So, you say that he found a job selling vacuum cleaners?
A: Correct.
Q: Who was he -- who was he selling vacuum cleaners for, what company?
A: I have no idea.
Q: Well, did any of them vacuum cleaners to your house?
A: He did. I actually bought one from him.
Q: Okay. What kind of vacuum cleaner was it?
A: Kirby.
Q: A what?
A: Kirby.
Q: Kirby?
A: Yes, sir.
Q: All right. And -- and he sold it to you for how much?
A: The vacuum cleaner was $1700.
Q: $1700 vacuum cleaner?
A: Yes, sir.

Q: I'm in the wrong business. Listen, you say he sold you a $1700 vacuum cleaner.
A: Correct.
Q: And did he sell anybody else any of them vacuum cleaners?
A: He was selling. I don't know who they are, but he was going around door to door, knocking on doors, selling vacuum cleaners.
Q: Okay. All right. And so, how long had he been living with you before he started selling these top of the line vacuum cleaners?
A: A couple weeks.
Q: A couple weeks?
A: Yes, sir.
Q: All right. And did he do any other kind of work other than sell vacuum cleaners?
A: He got into landscaping with our cousin.
Q: Got into landscaping with your cousin?
A: Yes, sir.
Q: All right. And now do you do any landscaping?
A: I used to.
Q: All right. You used to do it for the same cousin?
A: No. No. On my own; I had my own company.
Q: Okay. Now, Dennis was working for -- what was the name of the individual that he was working for doing landscaping?
A: Steven Bromell.

Q: Steven Bromell?
A: Yes, sir.
Q: Now, is Steven related to y'all?
A: He is a cousin.
Q: All right. He's a cousin, too?
A: Yes.
Q: All right. And before he left your house at the end of 2013, was he working for Steven?
A: He was.
Q: All right. And up until his death in 2013 until 2017, when he passed, he was still working for Steven as far as you know?
A: Correct. Yes, sir.
Q: All right. And still landscaping?
A: Correct.
Q: Now, you knew he came home every Thursday evening, right ---
A: I did.
Q: --- back from Atlanta to Myrtle Beach?
A: I did.
Q: All right. And he was here from Thursday night till Sunday night, and then go back to Atlanta?
A: Yes, sir.
Q: And that was -- was it that way when he was in with you?
A: It was.

Q: I'm sorry?
A: It was.
Q: It was?
A: Yes, sir.
Q: All right. So, even then he would do that and come back?
A: Correct.
Q: Now, did you ever go to his apartment in Atlanta?
A: His apartment?
Q: Yeah?
A: I did.
Q: All right. How many times would you say you went there?
A: Three, four.
Q: Three, four, all right. And how many employees did this Steven fellow have for the landscaping business?
A: Maybe 30.
Q: Maybe 30?
A: A big company, yes, sir.
Q: Okay. 30. All right. And so, his people were paid an hourly wage?
A: Correct.
Q: All right. And -- and that's four days a week for an hourly wage. Now, many vehicles did he have?
A: He who?
Q: He, meaning Dennis.
A: Three.

Q: What about four?
A: So, yeah, he did get one more. I -- I've never seen -- I've seen three.
Q: Four vehicles?
A: Okay.
Q: An apartment, right?
A: Okay. Right.
Q: All right. What else did he have?
A: I'm not sure what you're ---
Q: I'm just asking, did he own any other material things other than four vehicles and an apartment on the salary that he got from cutting lawns?
A: Not that I know of.
Q: All right. But now you knew about Dennis' drug record, right, you knew about that?
A: I did.
Q: You're his cousin?
A: Yes, sir.
Q: All right. And knew he'd been in trouble for that?
A: I did.
Q: All right. And you knew that before he came up there to live with you?
A: Correct.
Q: All right. Now, and to be fair, you don't know what he was doing when left Atlanta on Thursday evening and came to

Myrtle Beach and stayed until Sunday night; you have no idea what he was doing when he was here?

A: Correct. No, sir.

Q: Now, you ever have any difficulty with Donnielle, you and her?

A: No.

Q: Okay. She ever do anything to you, fight you, shoot you, cut you, stab you, anything?

A: No. No.

Q: All right. Now, did you -- were you aware that she actually left him on two separate occasions while he was in Atlanta?

A: I did not know that.

Q: You did not know that?

A: No; while he was in Atlanta, I did not know that.

Q: So, you would be surprised to know that, right?

A: I would, yes.

Q: Okay. All right. Now, you said that you never seen him strike her, right?

A: Correct.

Q: All right. Now, is there -- is there a period of time when -- when Dennis is in Atlanta that -- that you know about his relationship -- well, let me ask you this way. I can rephrase that. Did you know that he was having his ex-baby-momma and his wife all living together; were you aware of all

that?
A: I was.
Q: Okay. You were aware of that?
A: Not in Atlanta, but I was aware that it happened, yes.
Q: Okay. All right. Did you ever come visit them while all that was going on?
A: No.
Q: All right. What about all these other women, were there bunches of other women that Dennis was seeing while he was in Atlanta ---
A: No.
Q: --- other than Donnielle?
A: No, not to my knowledge.
Q: All right. What about when he was here?
A: Not to my knowledge.
Q: Okay. So, if he was, you didn't know about it?
A: Correct.
Q: That's what you're saying?
A: Correct.
Q: All right. I don't think I have any other questions. Thank you, so much, sir.
A: No problem.
THE COURT: Redirect?
MR. SPRATLIN: Just real briefly.

REDIRECT EXAMINATION OF TAURENCE MAURICE CAMPBELL BY MR.

SPRATLIN:

Q: So, the landscape company Dennis worked for wasn't just like a day labor company; his cousin owned it?

A: Correct.

Q: All right. Thank you. No further questions.

THE COURT: You wish the witness to be excused?

MR. SPRATLIN: I would ask so, Your Honor.

THE COURT: Any objection?

MR. WILSON: No objection, Your Honor.

THE COURT: All right. You are released from subpoena; you can go back to your regular activities. Thank you.

MR. SPRATLIN: Your Honor, if we could approach?

THE COURT: Sure.

(REPORTER'S NOTE: Bench conference is held off the record in the presence of but outside the hearing of the jury.)

BY THE COURT:

THE COURT: All right. To accommodate the presentation of witnesses, we're gonna stop at this point in time. We'll come back at 1:30. So, we'll resume at 1:30, so you'll need to come back a little bit before that. All right. Leave your pads and pens. Don't talk about the case.

Thank you very much.

(REPORTER'S NOTE: Jury exits courtroom @ 11:58 a.m.)

THE COURT: Anything else from the state at this point in time?

MR. SPRATLIN: No, Your Honor, I would just request that Mr. Wilson provide me with the times or we can agree to look at the video together to see what portions on my redacted version he wants to removed.

THE COURT: Y'all -- y'all look at that and take care of that. Okay?

MR. WILSON: Yes, sir.

THE COURT: Anything else, Mr. Wilson?

MR. WILSON: No, sir.

THE COURT: All right. We'll see y'all at 1:30 then. Thank you.

RECESS - 11:59 A.M.

*******OFF THE RECORD*******

ON THE RECORD - 1:33 P.M.

THE COURT: All right. Solicitor, you ready for the jury to come in?

MR. SPRATLIN: Judge, just prior to the jury coming in, I want to put something on the record. Me and Mr. Wilson have discussed the autopsy photos that were taken by Investigator Jill Domogauer in this case. He had objected to two of the ones or three of the ones that I was seeking to introduce. He has agreed to stipulate, however, to State's Number 100, 101, and 103 -- 102, and 103, picture -- photos of the hands. The state is not seeking to introduce any other autopsy photos. Specifically, the state will not be seeking to introduce

State's -- what's been marked previously or ahead of time as State's 99, 98, and 97. So ---

THE COURT: Okay. So, 97, 98, and 99 are not coming in?

MR. SPRATLIN: No, Your Honor. It will be 103 -- 100 through 103 are stipulated to.

STATE'S EXHIBIT NUMBER 97, 98, AND 99

MARKED FOR IDENTIFICATION

THE COURT: All right. Is that correct, Mr. Wilson?

MR. WILSON: Yes, sir, that is correct.

THE COURT: All right, sir. So, State's 100, and 101, 102, and 103 are in evidence without objection and the state is not introducing 97, 98, and 99?

MR. SPRATLIN: That's correct, Your Honor.

STATE'S EXHIBIT NUMBER 100, 101, 102, AND 103

ADMITTED INTO EVIDENCE

THE COURT: All right. Very good.

All right. Anything else?

MR. SPRATLIN: No, Your Honor, we're ready for the jury.

THE COURT: All right. Defense?

MR. WILSON: We're ready, Your Honor.

THE COURT: Absolutely. All right. Bring the jury in. Thank you.

THE COURT REPORTER: Mr. Spratlin, I'm gonna need those that have the sticker on them, the 97 ---

MR. SPRATLIN: Yes, ma'am, I have them here.

THE COURT: You need to give those to the court reporter.

MR. SPRATLIN: Kay, can I give them to you at a break?

THE COURT REPORTER: Yeah. Yeah. Yeah.

(REPORTER'S NOTE: Jury enters courtroom @ 1:35 p.m.)

THE COURT: All right. Solicitor, your next witness, please?

MR. SPRATLIN: The state would call Dr. Eric Eason to the stand, Your Honor.

THE COURT: All right. All right, sir, please come around all the way up front, please. Thank you.

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

DR. ERIC EASON, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE CLERK: Please state your name and spell your name for the Court.

DR. EASON: First name Eric, E-R-I-C; last name, Eason, E-A-S-O-N.

THE COURT: Go ahead, Solicitor.

MR. SPRATLIN: Thank you.

DIRECT EXAMINATION OF DR. ERIC EASON BY MR. SPRATLIN:

Q: Dr. Eason, what is your occupation?

A: I am a physician specializing in forensic pathology. I conduct autopsies on individuals who die suddenly or unexpectedly in order to determine the cause of death.

Q: Okay. Does that make you a duly licensed -- I mean, what sort of license do you have?
A: I have a medical license in South Carolina and Illinois.
Q: All right. You said South Carolina and Illinois?
A: That's right.
Q: All right. How long have you been licensed in the State of South Carolina?
A: Since 1998.
Q: And how long have you been licensed in the State of Illinois?
A: 2013.
Q: What sort of educational background did you have to have for your position?
A: I received my degree in Biology from Clemson University; that was in 1994. I then received my medical degree from the Medical University of South Carolina in Charleston; that was in 1998. I then spent a year in Columbia, South Carolina at the University of South Carolina and completed an internship in family medicine. During that year, I decided to transfer into a different specialty of medicine called pathology. And so, when that year was complete, I then moved back to Charleston, South Carolina and from 1999 until 2003, completed my pathology residency training. When that was over, I then moved to Atlanta, Georgia, and through Emory University and Fulton County Medical Examiner's Officer, I completed my

forensic pathology fellowship and that was from 2003 until 2004.

Q: Okay. So, fill us if you can, what exactly is forensic pathology?

A: It's a subspecialty of pathology. Pathology is a specialty of medicine where the doctors work more behind the scenes. We don't actually see patients, but we will look at body tissues and bodily fluids to help diagnose diseases. A subspecialty of pathology is forensic pathology, in which we will conduct an autopsy on someone who has died, usually suddenly or unexpectedly, or if the death is suspicious and the point of a autopsy is to determine the cause of death and the manner of death.

Q: So, basically if someone dies unexpectedly, the typical thing is to do an autopsy to determine why they died?

A: That's right.

Q: How many autopsies do you believe, in your experience, you have conducted?

A: I've conducted around at least 4,000 post-mortem examinations of which most of those were autopsies, so probably at least 3,000 autopsies.

Q: Three thousand autopsies, okay. Are you a member of any sort of special groups related to forensic pathology?

A: Yes. There's the College of American Pathologists, which is a national organization that consists of doctors like

myself, who practice pathology, with a section that focuses on forensic pathology. And then the American Academy of Forensic Sciences includes other branches of forensic science including ballistics and firearms testing, but it also has a forensic pathology branch as well.

Q: Were you required to take any examinations or anything for any of these boards?

A: Yes. So, I'm board certified in anatomic pathology, clinical pathology, and forensic pathology and that's through the American Board of Pathology. And what happens is you complete the training and apply it to the test and then you take the test and pass it and then you're known as board certified.

Q: And did you take that test?

A: Yes.

Q: And did you pass it?

A: Yes.

Q: Okay. All right. Have you testified in court previously?

A: Yes.

Q: Can you estimate about how many times you've testified in court?

A: At least 150 times.

Q: All right. And in those times you've testified, have you been qualified as an expert witness?

A: Yes.
Q: Are those -- are those courts in the State of South Carolina?
A: South Carolina, Illinois, and Georgia.
MR. SPRATLIN: Your Honor, at this time, I would tender Dr. Eric Eason into -- as an expert witness in the area of forensic pathology.
THE COURT: Do you wish to voir dire the witness or challenge his qualifications?
MR. WILSON: I do not, Your Honor, and I would stipulate that he's eminently qualified to testify.
THE COURT: All right. So, he's qualified to give his opinion in the field of forensic pathology. You may proceed.
MR. SPRATLIN: Thank you, Your Honor.
BY MR. SPRATLIN:
Q: Dr. Eason, if you can, tell us a little bit what surrogate testimony is?
A: Surrogate testimony is what I'm doing currently right now. It's where a pathologist will review an autopsy report, possibly photographs, toxicology report, et cetera, the entire case file on a case and testify for a pathologist who actually did the autopsy, but is currently unavailable to testify for health reasons, or possibly death or retirement, or just may not be available.
Q: And do you know who performed the autopsy of Dennis Green

in this case?
A: Yes, Dr. Proctor.
Q: Do you know if Dr. Proctor is available to testify?
A: He is not.
Q: Have you testified as a surrogate before?
A: Yes.
Q: How many times do you think you've done that?
A: At least 15 times, either me testifying as a surrogate or someone testifying as a surrogate for me.
Q: In this case, what all did you review and in reviewing if you agreed with Dr. Proctor's findings?
A: I reviewed the autopsy report, the autopsy photographs, and the toxicology report. I also briefly went through the medical records from the first hospital he went to and then the hospital where he was pronounced. I think that's it.
Q: Okay. In regards to this case, did Dr. Proctor prepare a report?
A: Yes.
Q: And you agree with his report?
A: Yes.
Q: Do you agree with it, in your expert opinion, that Dr. Proctor was correct as to the cause and manner of death?
A: Yes.
Q: If you can, please tell this Court what the cause death of Dennis Green was?

A: The cause of death as listed by Dr. Proctor, was stab wounds to chest with massive hemorrhage.
Q: And what was that manner of death?
A: Manner of death is homicide. Do I need to explain the different types of manner of death?
Q: Yes, please?
A: Can I do that; sure. So, cause of death is what actually took the individual's life and, as I discussed, it was the stab wounds to the chest. The manner of death is actually the circumstances under which the death occurred. And there are generally five categories for manner of death: natural is death due to disease or old age; accident in which the death was unintentional, preventable, and usually due to trauma or drug toxicity; suicide, in which the death is due to someone's own actions trying to take his or her own life; homicide in which the death is to the action of another individual or individuals; and then the fifth category is called undetermined and that's where we just can't figure it out.
Q: Thank you very much for that, Doctor. Regarding Mr. Dennis Green, if you could, and you can feel free to demonstrate on me if you think it would be beneficial. Can you show the jury where the stab wounds were on him?
A: Yes.
MR. SPRATLIN: Your Honor, may the witness come down?
THE COURT: Yes, sir.

BY MR. SPRATLIN:

Q: I'll offer myself up as exhibit.

A: So, there were two stab wounds described in the autopsy report, and they were both on the right chest, and they were located roughly around this part (indicating) ---

MR. WILSON: May I approach, Your Honor?

THE COURT: Yes, sir, you may. Go ahead.

A: You have one wound located roughly right here and then a lower wound that was located right there.

BY MR. SPRATLIN:

Q: Thank you, sir. Let me go ahead and ask you, in Dr. Proctor's report, was there a typo?

A: Yes.

Q: What was that typo?

A: The pictures showed the wounds on the right chest and the medical records confirmed that, and in his report he said they were on the left chest.

Q: Is that something that you've seen in your experience before happens?

A: Yes, especially on busy days that can happen.

Q: People get their left and right confused?

A: All the time.

Q: But there were photographs to document this?

A: Yes.

Q: And those photographs clearly show the right side?

A: Correct.
Q: All right. How exactly did those two stab wounds lead to the death of Dennis Green?
A: The most superior wound I have that the -- that the wound tract ended up entering into the heart, his right atrium, which is one of the small chambers of the heart. And it also made its way into the inferior vena cava, which is the vein that returns blood back from the lower half of the body. That would've resulted in a lot of blood -- blood loss.

The lower stab wound made its way into the liver, but that was not as severe as the first stab wound. It would've caused some injury and some bleeding, but the most superior wound was more lethal.
Q: Is it possible he would've survived the lower stab wound?
A: It's tough to say. He probably would've had a better chance if that's the only one that he had.
Q: But the top one, that would be ---
A: Right. It went into the heart and into a large blood vessel. So, that resulted in massive blood loss, yes.
Q: In addition to the two stab wounds on the side, was there also any other injuries noted on him?
A: Yes, there was a wound on the left thumb that was described -- it's a cut and it was described as a defense wound. And basically in forensic pathology, a defense wound is best described as -- its basic human nature, if someone

comes at you with a knife to try and grab the knife or block the knife, and so anytime when you have a stab wound case, we're gonna look on the hands or on the feet to see if someone tried to grab the knife or block the knife, and if we find cuts we will consider those defense wounds, because the individual is trying to defend himself by blocking the knife or grabbing the knife.

MR. SPRATLIN: Your Honor, I would ask that the witness be able to come off the witness stand one more time to show some exhibits that I have.

THE COURT: All right. Very good. You can step down, sir.

MR. WILSON: May I, again, Your Honor?

THE COURT: Yes, sir, please.

BY MR. SPRATLIN:

Q: Dr. Eason, let me show you what's been marked and entered by stipulation as State's Exhibit Number 100, a photo from the autopsy of Dennis Green. Can you tell us what we are looking at here?

A: That's his left hand and we're looking at his left thumb, and that's a cut consistent with a sharp object, such as a knife. And since it's on the hand and we have an individual who died from stab wounds, this is consistent with a defense wound.

Q: Can you tell this from the photo and Dr. Proctor's report

how severe that cut was?
A: No.
Q: No. Let me show you what's been entered by stipulation as State's Exhibit Number 101; does that have a scale on that same photo?
A: Yes; it's a millimeter scale. I have that the wound measures 2.5 centimeters in width.
Q: Thank you. Let me show you what's been entered by stipulation as State's 102; what does that appear to be a photo of?
A: That is going to be his right hand.
Q: Okay.
A: And we have a cut on the right hand as well, which would be consistent with a defense wound.
Q: Well, let me ask you, is it possible that could be just dried blood or is that a defense wound?
A: I'm pretty sure that's a defense wound.
Q: Let me show you what's been marked and entered by stipulation as State's 103?
A: I'm not sure what that's showing there. I mean it's his left hand, but I'm not sure; it looks like it's his right hand. I'm not sure what it's trying to demonstrate there.
Q: All right. Thank you. Please return to the witness stand. As I stated, to a reasonable degree of medical certainty, what was the cause of Dennis Green's death again?

A: I have that the cause of death was -- let me find it. Stab wounds to chest with massive hemorrhage.
Q: And the manner of death one more time?
A: Homicide.
Q: The last thing I'm gonna ask you about is the defendant or the victim's pathology or, excuse me, toxicology report?
A: Yes.
Q: Is that something that's often relied upon by forensic pathologists to determine cause of death?
A: Yes.
Q: What, if any, substances as it lists are in the victim's blood at the time of his death?
A: I have the blood was obtained from autopsy. It was sent to a private toxicology lab. Testing was run and they found fentanyl at 1.1 nanograms per milliliter. Fentanyl is a powerful opioid pain killer. If you compare that to the medical records, it indicates that that was given to him by the hospital, probably during surgery.
Q: Were there any, to your knowledge, alcohol or anything like that found in his system?
A: No.
Q: At the hospital, if you can recall from the medical records, or even a situation like this, would he have been given lots of blood?
A: Probably, yes.

Q: And would that possibly have diluted any alcohol?
A: Sure, it could have.
Q: All right. Thank you, Doctor. I have no further questions. Please answer any questions Mr. Wilson may have.
THE COURT: Cross-examination?
MR. WILSON: Thank you very much, Your Honor.

CROSS-EXAMINATION OF DR. ERIC EASON BY MR. WILSON:

Q: Doctor, let me show you exhibit -- State's Exhibit 102. Let me show you that.
A: Yes.
Q: State's Exhibit 102, can you look at that for me?
A: Yes.
Q: And in the hand, you will see some red or reddish substance of some -- I'm sorry? Do you see some type of reddish substance?
A: Yes.
Q: Is that correct?
A: That's correct.
Q: And you're saying that that's a cut, not blood?
A: Well, some of the red stuff is blood. Like that's blood right there. I mean, I'm thinking that's a cut right there. It sure looks like it.
Q: Could it be this line in his hand, like this line is in my hand with blood on it?
A: It could be.

Q: Okay. So, you're not ---
A: Oh, I'm sorry.
Q: --- go ahead.
A: I can't remember what I was gonna say.
Q: What I was gonna say was, you're not -- you're not absolutely certain that that's a cut?
A: Correct.
Q: All right.
A: And the report had that the cut was to the left thumb, so I'm not -- maybe he was taking this photograph as a negative photograph is what I'm thinking.
Q: Okay.
A: To show that there was no cut on his hand.
Q: Okay.
A: But he just didn't wipe the hand off?
Q: All right. Not a problem. Thank you. Now, let me ask you, in regards to this individual, Mr. Green, what was his weight?
A: I have that he weighed 225 pounds.
Q: And how tall was he or how long was he, I guess at this point?
A: Right, 71 inches in length.
Q: And that would be what, 5'11"?
A: Correct, almost six feet.
Q: Almost six-foot. All right. And the solicitor asked you

about the fact that there's no -- in the report that you got from the lab shows no alcohol in his system at the time the autopsy was conducted; is that fair?

A: Correct.

Q: All right. And the -- your explanation for that is that he had blood transfusions while he was in the hospital, which would have diluted that?

A: True. I mean, that's not the only explanation. The other explanation would be that he was actually in the hospital for some time. And so, if he was on alcohol when the incident occurred, he would've gone to surgery, and it would've been time for the alcohol to metabolize and disappear.

Q: Okay.

A: He actually survived for a while.

Q: How long would that take?

A: It depends on the person. It depends on each person, depends on their liver function. Typically, I think the average is that alcohol tends to -- one drink takes around two hours to clear from the body, but that's gonna be different for every person.

Q: So, what if he had three or four over a period of three hours or four hours?

A: It's, again, it's gonna depend on how quickly they were taken, whether it was liquor or beer or wine. There's just so

many factors.
Q: Okay. And it would depend on how much he had to drink?
A: That's right.
Q: But there is no question that if you get blood transfusions that would or could possibly dilute or even eliminate the amount of blood or -- I'm sorry -- the amount of alcohol that would be in your blood?
A: That's right.
Q: What about drugs?
A: Same thing.
Q: Same thing. So, if I had had cocaine in my system or crack or whatever, and I had the blood transfusions, then that would eliminate it from there?
A: Perhaps.
Q: So, by the time you get to draw my blood at the autopsy, then you wouldn't find it or may not find it?
A: Correct.
Q: All right. Now, and you said that there was fentanyl found in his system, but that was clearly from the hospital?
A: That's the best explanation.
Q: The best. Now, the hospital records also showed that they gave him morphine?
A: Really?
Q: Yeah. Did you know that?
A: I did not know that.

Q: And did you find any morphine in his system?
A: The tox lab did not.
Q: Okay. Now, let me ask you if -- the stab wounds that are there, you said that they are -- the report says that they are from left to right; is that a fair statement?
A: You mean the direction?
Q: Yes, sir.
A: All right. They were on the right side of the body, but I think he got his left and rights confused, but wound track direction is based on the actual ---
Q: Hold on for one second, I apologize. Okay. Who got there -- who got it confused?
A: Proctor -- Dr. Proctor.
Q: So, you're saying the report is wrong?
A: I'm saying that there were probably some proofreading errors that occurred, yes.
Q: All right. Explain that to us, cause I'm a little baffled.
A: Well, the photos show the wound is on the right side of the body, but the report is saying that they're on the left. So, I think it was just a mistake that -- that he made.
Q: Well, that's a pretty big mistake, wouldn't you agree?
A: Well, it happens.
Q: When did you -- when did you find that?
A: When I was reviewing the photos compared to the autopsy

report.
Q: Okay. All right. So, you say that was an error. Now, the wounds themselves, I think that there's a place that he talked about this wounds being one, being 2-and-a-half centimeters in length and the other being I think three centimeters in length; is that fair?
A: I think the only length of a wound I described was the one to the thumb.
Q: No, I'm asking you about the report?
A: Oh, the report. Right, there's one to the -- the upper wound I have as 2.5 centimeters in length to the chest. The second stab wound, I have that measured as 3 centimeters.
Q: Okay. Now, is there any place in there where they talk about the depth of the wound?
A: No.
Q: Well, in an autopsy, generally, wouldn't you do that? Wouldn't you say the wound is two-and-a-half centimeters in diameter and three centimeters in depth or whatever the medical term is?
A: Sure. When describing a stab wound, you usually measure the length the wound, the width of the wound, and then you try to measure an approximation of the depth, but it's always gonna be an approximation, because the body is very compressible, but you will at least try to approximate how deep the knife would've gone into the body, yes.

Q: Okay. And being an expert, having looked at the records, do you have an opinion as to how deep the stab wounds were?
A: I cannot form an opinion on that.
Q: Okay. If you saw a weapon of some type, would you be able to look at that weapon, based on your reading of the -- of the report and of the information that you have available to you, and tell whether that knife would've been consistent or inconsistent with having committed the act?
A: I should be able to.
Q: All right.

MR. WILSON: Your Honor, may I have this marked for identification purposes only?

THE COURT: Yes, sir. All right, sir. You might as well, before you do that, come over here and talk to me a minute.

(REPORTER'S NOTE: Bench conference is held off the record in the presence of but outside the hearing of the jury.)

DEFENDANT'S EXHIBIT NUMBER 20

MARKED FOR IDENTIFICATION

BY MR. WILSON:

Q: All right. Doctor, if I could, let me show you what's marked now as Defense Exhibit, for identification purposes, 20 and ask you if you would take a look at that, and you can open it if you need to?

THE COURT: You may not show it to the jury.

BY MR. WILSON:

Q: I just want you to look at it.

A: Okay. I'll have to leave it up here, I don't know how to close it; there's a safety on it, I think.

Q: Having looked at that, would you say that that's consistent or inconsistent with what you think the wounds are?

A: I would say based on the report and the photos, I cannot exclude it as a possibility.

Q: Could not exclude it. All right. That's fair. Fair enough. I don't have anything further.

THE COURT: Why don't you just leave it there for right now.

DR. EASON: Thank you.

THE COURT: Before someone hurts themselves.

BY MR. WILSON:

Q: All right. The other thing I wanted to ask you was, you said that they're basically five delineations or causes that you assign death to, and you named them: natural, accident, suicide, homicide and undetermined. And you determined that this was a homicide; is that fair?

A: It is the five manners of death, not cause of death.

Q: Manners ---

A: And homicide, yes.

Q: Okay. And -- and -- and homicide does not mean that -- well, you explain to me what it means.

A: It just means death due to the actions of another individual or individuals. It does not imply -- it's not murder.
Q: Okay.
A: Homicide and murder are not the same thing.
Q: Okay. All right. All right. Did you find in the report that there was any physical deformity with this individual in any way whatsoever?
A: I do not see anything.
Q: Based on the report that you have before you, as far as you can tell, he would've been an active, healthy, male prior to the stabbing?
A: Probably, yes.
Q: All right. I don't think I have anything else. Thank you so much, Doctor.
THE COURT: Redirect?
MR. SPRATLIN: Just real quickly, one question.
REDIRECT EXAMINATION OF DR. ERIC EASON BY MR. SPRATLIN:
Q: Mr. Wilson asked you, Doctor, about homicide and murder being two separate things.
A: Right.
Q: But murder can be a homicide?
A: Correct.
Q: Thank you.
THE COURT: All right. Anything else?

MR. WILSON: Nothing further, Your Honor.

THE COURT: You wish the witness to be excused?

MR. SPRATLIN: I would ask so.

THE COURT: All right, sir, you're released from your subpoena; you can go back to your regular duties. Thank you.

All right. Solicitor, next witness, please?

MR. SPRATLIN: The state would call Officer Greg Lent to the stand.

THE COURT: All right. Very good.

All right, sir, come right up here and be sworn.

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

GREGORY LENT, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE CLERK: Please state your name and spell your name for the record.

MR. LENT: Gregory Lent, L-E-N-T.

THE COURT: Go ahead, Solicitor.

MR. SPRATLIN: Thank you, Your Honor.

DIRECT EXAMINATION OF GREGORY LENT BY MR. SPRATLIN:

Q: Mr. Lent, where are you currently employed?

A: Horry County Police Department.

Q: How long have you been at the Horry County Police Department?

A: Since October of 2007, almost 14 years.

Q: Thank you for doing the math for me. Was Horry County Police Department your first experience in law enforcement?
A: It was.
Q: What did you start out at?
A: Patrol officer.
Q: And when did you become a detective?
A: In the fall of 2012.
Q: Fall of 2012. And what's your current title?
A: I'm a sergeant, and I supervise the homicide unit for Horry County Police Department.
Q: All right. What was your job back in July of 2017?
A: I was a senior detective assigned to the homicide unit.
Q: What's kind of your job as a senior detective in the homicide unit?
A: I was responsible for conducting investigations, any death-related investigations, to include homicides, overdoses, suicides, any unequivocal death. And in my role as senior detective, I acted as a training detective for other detectives newly assigned to the unit, and I helped to supervise the investigations that occurred.
Q: At some point in July -- or on July 7th, 2017, did you become involved in a case of the death of Dennis Green?
A: I did.
Q: Who was that case originally -- or who was the primary on that case?

A: Detective Jack Johnson.
Q: All right. Were you there to assist Jack Johnson?
A: I was.
Q: Were you with him on many, many of the steps that he took in the investigation?
A: Yes.
Q: When you got this case, what is the first thing you did?
A: One of the first things that I did was respond to Grand Strand Hospital with Detective Jack Johnson to meet with Ms. Matthews.
Q: What was the purpose of -- well, first of all, when was it that you went to Grand Strand to be with them?
A: I would have been on July 7th.
Q: All right. And what was the purpose of you going to Grand Strand to meet with her?
A: To obtain as much information as we could at that time.
Q: At the time that you went to meet with her, did you go ahead and take her into custody or what did you do?
A: No. From the brief interaction that I had with her, we knew that she had been out the night before. This incident occurred during the early morning hours. She'd been up at the hospital for some time between Seacoast and Grand Strand. So, I had spoken with her and explained to her that we were gonna let her go and get some rest before she came back and spoke to us or before we went and spoke to her. Just, you

know, she had gone through a traumatic experience, and we wanted to make sure that when we spoke to her that she was rested and calm.

Q: So, she -- to your knowledge, did she leave Grand Strand?

A: Yes, she did.

Q: After you had gone to Grand Strand and spoken with her and she had left, did you have a chance to go and try to speak to the potential witness, Antoinette Vereen?

A: Yes.

Q: Do you recall the address where Antoinette Vereen lived?

A: I believe it was [redacted] Sunny Heights.

Q: What if I told you it was [redacted], would that be possible?

A: Yes.

Q: All right. I understand. It's been how many years; four years?

A: It's been a long time.

Q: Okay. When you meet with Antionette Vereen at that residence, was she actually there?

A: No, she wasn't.

Q: Where was she?

A: She was actually at the police department. When I had -- when we had gotten out the area of Sunny Heights, we had received a phone call from our supervisor at the time which stated Ms. Vereen was at the M.L. Brown Building in Conway wanting to speak with us.

Q: What did you and Detective Johnson do after you received information that she was up at the M.L. Brown?
A: We drove back to the M.L. Brown.
Q: After -- were you able to meet with her at that time?
A: Yes.
Q: Okay. After you met with her and talked with her, did you and Detective Johnson have another chance to go out to her address, in regards to figuring out -- I'm sorry, get to figure out far it was away from Seacoast?
A: Yes.
Q: All right. What did you do to determine how far it was from Ms. Vereen's house to Seacoast Hospital?
A: Me and Detective Jack Johnson went to Ms. Vereen's house and drove our car from her house to Seacoast Hospital and timed it?
Q: How long did it take you?
A: Approximately six minutes.
Q: Now, along with Detective Johnson, you were aware of the timeline and the events of this case; is that right?
A: Yes.
Q: If -- and you've been with Horry County Police Department for 14 years?
A: Correct.
Q: In that time, have you become familiar with the north Little River Section of Horry County.

A: Yes, I was patrol officer up there for a short time.
Q: Okay. And you know it's a little bit of ways from North Carolina?
A: A little bit.
Q: In your time as a patrol officer, is there any way someone could've left Antionette Vereen's house at say 5:05 and gotten to Seacoast at 5:19 and left the confines of Horry County?
A: No, it would be extremely difficult to do that.
Q: Would it even be possible?
A: I don't believe that it would.
Q: Okay. And is that why you believe the crime occurred -- part of the reason why you believed the crime occurred in Horry County?
A: That was a part of the reason, yes.
Q: What else?
A: Well, one of the reasons why believe that that had occurred in Horry County were there were some medic units that had observed Ms. Matthews and her -- and the victim in this case, their car turned onto Highway 9 at head toward Seacoast Hospital. And from a direction that they had turned on the Highway 9 from was heading away from North Carolina, and deeper into Horry County.
Q: So, not kind of towards -- not heading from North Carolina.

A: They would've been on the other side of Highway 9.
Q: There's no way he could've gotten in any other county in the state?
A: No.
Q: All right. At this point, is it fair to say that the investigation had focused on the defendant as a suspect?
A: I would say that it was fair at that point. We were still trying to figure out what had occurred. There were some statements that were provided, things that were said at the hospital that didn't make a whole lot of sense to us that we had looked into and weren't able to find any evidence of. So, at that point, yes, I mean, we started to narrow it down.
Q: One of the things that has come up in this case is the North Myrtle Beach Police Department. Were you and Detective Johnson able to obtain the evidence that they had in this case?
A: Yes, I do know that we went to the North Myrtle Beach Police Department, and four years ago, I don't remember all the interaction that we had with at that time, but I do remember going to their investigative division and sitting with Detective Jack Johnson and their detectives.
Q: Thank you. So, how do you identify Ms. Vereen, I mean, Ms. Green, Matthews Green, as a suspect in this case; did you have a chance to go and speak with her?
A: Yes.

Q: Where did that interview take place?
A: Orangeburg, South Carolina.
Q: Why did you have to go to Orangeburg?
A: Well, we had attempted to try to speak with Ms. Matthews at the hotel that she was staying at and had sent some detectives there to make contact with her. When they arrived, they were informed that she had checked out and left. We made contact with her mother, who advised us that she was on her way back or had already arrived in Orangeburg, which is where, I believe, her mother stayed. So, we ended up traveling to Orangeburg in order to make contact with Ms. Matthews.
Q: Okay. And were you able to make contact with Ms. Matthews?
A: Yes.
Q: When you had a chance to interview, where did the interview take place?

MR. SPRATLIN: Your Honor, if I may, I believe Ms. Hettie Green is having a situation ---

THE COURT: All right. Let's -- ladies and gentlemen of the jury, go to the jury room right now.

(REPORTER'S NOTE: Jury exits courtroom @ 2:12 p.m.)

THE COURT: All right. We're gonna stand down for a few minutes and then resume. All right.

MR. SPRATLIN: Yes, Your Honor.

THE COURT: Thank you very much.

MR. SPRATLIN: I'm sorry, Your Honor, how long did you say?

THE COURT: A few minutes and we'll see what the situation is, then we'll come back out.

MR. SPRATLIN: Yes, sir. I'm just gonna run to the restroom.

THE COURT: You're gonna have time to do that.

MR. SPRATLIN: Thank you, Your Honor.

THE COURT: You can step down, you just can't talk to the state.

MR. LENT: Yes, sir.

RECESS - 2:13 P.M.

*******OFF THE RECORD*******

ON THE RECORD - 2:25 P.M.

THE COURT: All right. The state ready to proceed?

MR. SPRATLIN: Yes, Your honor.

THE COURT: Defense?

MR. WILSON: Ready, Your Honor.

THE COURT: Ask the jury to come in again.

(REPORTER'S NOTE: Jury enters courtroom @ 2:26 p.m.)

THE COURT: All right, Solicitor, you may resume.

MR. SPRATLIN: Thank you, Your Honor.

BY MR. SPRATLIN:

Q: Detective, let me kind of refresh myself on where we left off. You had gone to Orangeburg to interview the defendant,

correct?
A: Correct.
Q: And where were you going to interview her at?
A: We had asked for assistance from the Orangeburg County Sheriff's Office, I believe, or Orangeburg City.
Q: And were you able to get assistance from them?
A: Yes. They were able to provide us with an office that had a recorded interview room.
Q: So, the interview took place at either the Orangeburg Sheriff or Orangeburg Police Department station?
A: Correct.
Q: Now, prior to meeting with her and speaking with her, did you or anyone in your presence threaten her in any way?
A: No.
Q: Did she appear to be in sort of threat or harm when you spoke with her?
A: No.
Q: Did you or anyone in your presence promise any sort of leniency in exchange for speaking with her?
A: No.
Q: Any hope of benefit whatsoever that you can recall?
A: No.
Q: Now, when you spoke with her, this was the next day, correct?
A: Yes. It would've been on July 8th.

Q: Do you remember approximately what time it was?
A: I know it was in the afternoon, late evening. It was still daylight when we first got out there, but I don't remember the distance. Orangeburg is a bit away from here.
Q: All right. Did she appear to be under the influence of anything when you spoke with her?
A: No.
Q: Did she appear to have any trouble understanding your speaking to her?
A: No.
Q: Did she seem to comprehend what you were saying?
A: Absolutely.
Q: Before I play the interview, what are some common interview techniques that a detective might use in trying to get a suspect to admit to something?
A: Well, there's a number of different things that we do. It just depends on -- it depends on how things go when you first start speaking with the person. One of the things that we do and that was done in this case, you show some type of empathy or sympathy, understanding of a situation a person is in. I have sat -- I have interviewed hundred, hundreds of people and the interviews have consisted of, you know, all sorts of different crimes that have been committed, and it doesn't matter what my opinion is or what I might be speaking to that person about, but I show some understanding and

compassion for the situation that they happen to be in in that moment.

Q: Let me just ask you, Detective, if you went into an interview room and basically accused someone of being full of it, would they be more less likely to speak with you?

A: It doesn't usually go much further than that, if I were to walk in and say something like that.

Q: All right. Prior to speaking with Ms. Matthews, did you advise her of her Miranda rights?

A: Yes.

Q: Was that done on a form?

A: Yes.

MR. WILSON: No objections, Your Honor.

THE COURT: Permission to approach?

THE COURT: Yes, sir.

MR. SPRATLIN: Please let the record reflect I'm showing the witness what has been pre-marked as State's Exhibit Number 90.

BY MR. SPRATLIN:

Q: Do you recognize that form?

A: I do.

Q: What is it?

A: This is the form that we use at the Horry County Police Department to advise someone of their Miranda rights.

Q: And what exactly does it say? If you just want to read

the rights that you advised someone of, that would be fine?
A: Okay. I'm gonna do my best. I -- I wish I would've brought my glasses. You have the right to remain silent. Anything you can -- anything you say can and will be used against you in a court of law. You have the right to talk with a lawyer and have them present with you while you are being questioned. If you cannot afford to hire a lawyer, one will be appointed to represent you at no cost to you before any questioning, if you so desire. If you make a statement or answer any questions, you have the right to stop at any time.
Q: Thank you.
MR. SPRATLIN: If you would, I would tender that into evidence at this time, Your Honor.
THE COURT: Any objection?
MR. WILSON: No objections, Your Honor.
THE COURT: All right. State's 90 is in evidence without objection.

STATE'S EXHIBIT NUMBER 90

ADMITTED INTO EVIDENCE

BY MR. SPRATLIN:

Q: Now, detective, at any point prior to this interview or during this interview, do you recall the defendant invoking any of those rights you went over?
A: No.
Q: And if she had, what would you have done?

A: The interview would have stopped.
Q: Now, you said that this was in a recorded interview room; is that right?
A: Correct.
Q: Let me show you what's been pre-marked State's Exhibit Number 89.
MR. WILSON: No objections, Your Honor.
BY MR. SPRATLIN:
Q: Have you had a chance to observe state's 89 prior to court?
A: I have.
Q: Does it contain a fair and accurate copy of your interview?
A: It does.
Q: Have certain things had to be deleted or removed for court purposes?
A: Correct.
Q: Did any of those additions, or any of those deletions, excuse me, did they materially alter the questions you asked or the defendant's responses?
A: No.
MR. SPRATLIN: Your Honor, I would tender State's 89 into evidence?
THE COURT: As I understand, there's no objection, right?
MR. WILSON: No objections, Your Honor.

THE COURT: All right, sir, it's into evidence without objection.

STATE'S EXHIBIT NUMBER 89

ADMITTED INTO EVIDENCE

MR. SPRATLIN: At this time, Your Honor, I would seek to publish.

THE COURT: You may do so.

(REPORTER'S NOTE: State's 89 published to the jury. Audio not transcribed herein.)

BY MR. SPRATLIN:

Q: Officer Lent, did that pretty much include any of the relevant information?

A: Yes.

Q: All right. In that interview, excuse me, some photographs were taken of the defendant; is that correct?

A: Yes.

Q: And there were other photos taken as well, correct?

A: Correct.

Q: Okay. And you were present and saw the defendant on that day?

A: Correct.

Q: Let me show you what has been marked as State's 91, 92, 93, and blowup 94.

MR. SPRATLIN: Permission to approach, Your Honor?

THE COURT: Yes, sir.

BY MR. SPRATLIN:

Q: Let me show you those items. All right. Please take a look at those items, if you can. Are you familiar with those items?

A: I am.

Q: Did they appear to be a fair and accurate reflection of the defendant that you saw that day?

A: They are.

Q: Are they in every way a true and accurate and fair copy?

A: Yes.

MR. SPRATLIN: At this time I would tender state's exhibits into evidence.

THE COURT: All right. So, that's 91, 92, 93 ---

MR. SPRATLIN: And I believe, 94.

THE COURT: 94?

MR. SPRATLIN: Yes. Yes, Your Honor.

THE COURT: Any objection?

MR. WILSON: No objection, Your Honor.

THE COURT: All right. They are in evidence without objection.

STATE'S EXHIBIT NUMBERS 91, 92, 93, AND 94

ADMITTED INTO EVIDENCE

BY MR. SPRATLIN:

Q: Let me ask you, Detective Lent, about State's 92, first, State's Exhibit 92. What is that photo show?

A: A small mark on the face of Ms. Matthews.
Q: State's 93?
A: Again, a small mark.
Q: All right.
A: I believe it's actually the same mark. This one here has a measuring device with it.
Q: State's 91?
A: This is a picture of Ms. Matthews lip as she has pulled it down, so we could view the inside of the bottom lip.
Q: Do you notice any injury or trauma on that?
A: No.
Q: State's 94, does this appear to be a larger version of State's 91?
A: It does.
Q: Just in case we missed any, do you see any injuries on that one?
A: No.

MR. SPRATLIN: Your Honor, permission to publish to the jury?

THE COURT: You may do so.

BY MR. SPRATLIN:

Q: Detective, the woman you spoke to that day in Orangeburg, is she present here in the courtroom?
A: Yes.
Q: Please point her out and identify an article of clothing

she's wearing.
A: Ms. Matthews with a multi-colored striped shirt.
Q: Thank you, Detective. Please answer any questions Mr. Wilson may have.
THE COURT: Cross-examination.
MR. WILSON: Thank you very much, Your Honor.
CROSS-EXAMINATION OF GREGORY LENT BY MR. WILSON:
Q: Detective, let me go back first and ask you, you said that she'd left Horry County and went to Orangeburg, right, that was -- that would have been on the morning of the 7th or sometime of the morning of the 7th; is that fair?
A: Sometime on the 7th, yes, between the morning and the afternoon.
Q: All right. But you actually had spoken to her and to her mom at the hospital, had you not?
A: We had.
Q: All right. So, and you were the one who in fact told her it was okay for them to leave the hospital and go to their hotel, right?
A: Correct.
Q: All right. And the reason you did that was because you were concerned about the number of people that were gathering there at the hospital, right?
A: Our concern was more to the effect that Ms. Matthews had -- had been awake all night long.

Q: Okay.
A: And had gone through this.
Q: All right. And -- and so, you were concerned about her, and as a result you asked them to go back to their hotel where she could maybe get some rest?
A: Correct.
Q: All right. And they left?
A: Yes.
Q: And later -- what's her name -- Erica Vasquez, does she work with your department?
A: She did.
Q: All right. And later, Ms. Vasquez or Detective Vasquez or Officer Vasquez from your department, goes to the hotel where they are to inform them that Mr. Green had passed, right?
A: Yes. I do know that Ms. Vasquez had gone to the hotel to have a conversation with Ms. Matthews.
Q: Okay. So, when you say that they left and went back, it wasn't like she was absconding and running off to hide, you kind of knew that they were leaving, right, and you knew exactly where they were?
MR. SPRATLIN: Objection, Your Honor; ask counsel to let the witness answer the question.
THE COURT: Go ahead and answer the question.
A: Yes, Your Honor.

Correct, we told them to leave, and I didn't have an issue with them going back to Orangeburg.

Q: Okay. All right. Fair enough.

Now, when you go to Orangeburg, you have already obtained an arrest warrant at that point, right?

A: We did have an arrest warrant for Ms. Matthews.

Q: Had it before you went to Orangeburg. And then you went to Orangeburg, you went to their home, asked her to come to the station, but you didn't tell her she was under arrest, right, at that point?

A: We had asked her to go ahead and ride with us to the police station, and she had agreed to do so.

Q: Okay. She comes with you, put up any fight, argue with you, give you a hard time?

A: No.

Q: Gets in the car with you. How many officers did y'all take when you went to get her from her home?

A: Well, there was myself and Detective Jack Johnson, and there were a few deputies from Orange [sic] County; there might have been two or three of them.

Q: Five or six officers went to get her. She didn't have a gun and try to shoot you, and fight you, beat you up, or give you a hard time in any way whatsoever?

A: No, she did not.

Q: She got in the car, she went with you, you went down to

the station, you asked her if you could talk with her, and she talked with you?
A: Correct.
Q: Okay. You read her her rights. She indicated she understood those rights?
A: She did.
Q: And once she said that, then you started to ask her questions, which is what we've seen here for the last couple hours?
A: Correct.
Q: Fair enough? All right. Now, and -- and -- and to be fair, she has told you over and over she didn't remember every detail of everything; she said that to you, right?
A: She did. She did say there were things she couldn't remember.
Q: All right. And now, being the good investigator I know you to be, you knew before you even sat down and talked with her that something had happened in that car, right?
A: Correct.
Q: Right. I mean, you've been doing this for a long time?
A: Long enough.
Q: All right. And you've handled many, many cases?
A: Correct.
Q: And -- and -- and so, when you get a case, you can kind of look at the facts and circumstances and you kind of figure

out what happened really before the person tells you, right?
A: There are times when it occurs that way.
Q: Yeah. And that's because you're a good officer and you have a lot of training and a lot of experience, so you're able to fall back on that and figure things out, right?
A: At times.
Q: All right. And that's what you relied on in this particular case, you saw fingernails scattered all over the place, right? So, when she told you that she took the fingernails off in the hospital, you knew that wasn't true, right?
A: There were things that she had told us through the course of her interview that we knew to be incorrect from evidence we had seen through the course of the investigation.
Q: Okay. My question was -- my question was, she told you that she took the fingernails off in the hospital, and you knew that that was not true?
A: Correct, I knew that was incorrect.
Q: That's right; you knew that wasn't true. And she told you that she was in the passenger seat of the car leaving Denny's and you knew that wasn't true, right?
A: Yes, we knew that was a lie.
Q: All right. So, you had all this information before you ever questioned her, right, this time in Orangeburg I'm talking about?

A: Yes.
Q: Okay, fair enough. Now, when she is having this conversation with you, I noticed that you move in close to her. At first, you're having difficulty getting any information from her, right, as you were asking her questions, she's responding in some degree, but she's not really giving you what you want, right?
A: Correct.
Q: All right. So, then what you do is you go over to her and then you put your arms -- well, first you grab her, get close to her in her space and put your arm on her and then, you know, you kind of talk to her, right, on a more intimate and personal level; would you agree with that?
A: Well, I would -- what I would agree with is that at one point during that interview, it was evident to me that Ms. Matthews emotions were starting to come up, which is something that we see during the course of these types of interviews. I do know from my experience and training, when that occurs, sometimes human contact, just a slight touch or a rub of the arm can help the person as they're going through those emotions to help them open up and continue to speak to us.
Q: Okay. So, my question was, did you move in, touch her, and then get close to her in order to get her to continue to talk?
A: Yes.

Q: All right. Then, when that wasn't enough, you moved even closer to her and put your arms around her to talk to her, right?
A: Well, I don't know if I moved closer or not; I do know that during the course of the investigation or that interview, Ms. Matthews was becoming emotional, and I can't sit there and say that I would be -- I'm a human being. Regardless of what I speak to these people about or what's occurred, I do have some feelings for the people that I am talking with. Some of that is an interview tactic and some of it is just genuine feelings.
Q: Okay. All right. And -- and that is when she starts to break down and she starts to tell you what she thinks she remembers happened, right?
A: Yes, she tells us what happened.
Q: All right. All right. And you tried to get some details from her, but you were not really able to get, like what happened to the knife, or how it ended up -- what was the argument, or what was the fight; did you ever get any of that information?
A: Correct. You can see from the interview what we were able to -- what Ms. Matthews did tell us and the things she was not able to tell us.
Q: All right. Now, let me ask you if -- you said to the solicitor that you took some pictures of her face, and these

were pictures that had been taken the day before by other officers, right; you're aware of that, I'm sure?
A: Well, there were pictures that were taken at Orangeburg. I don't know -- I know that she had spoken with officers ---
Q: I'm sorry, go ahead?
A: --- from North Myrtle Beach, and that was at Seacoast Hospital. She spoke to me and Detective Johnson at Grand Strand shortly before we said, hey, why don't you go back to your hotel and get some rest.
Q: Now, you said she actually showed you a picture of her lip, and asked you about that, right?
A: No, I think what I had said was that she had showed -- we took a picture of her lip. We had seen photos on her phone of what I thought was a bump on her head, and she said no, that that's where she had burned herself and there was a bruise on her leg or something.
Q: Yeah. And when you touched her, you tried to touch her on the shoulder, and she flinched and said that hurts, because -- did she explain to you why that was hurting?
A: I don't remember -- I saw on the video where she moved away from me. I don't remember if she said that hurts or not; I think that if she had indicated that there was some amount of great pain, I would've probably stopped and said, well, then we need to get, you know, you need some type of help, or I would have asked her more about that.

Q: Did you ask her if that hurt was coming from the fight that had happened in the car?
A: Well, again, you're saying that she said that hurt. I don't recall exactly what she said. I do remember her moving away, but I don't know if it was because I was close to her or because she felt some type of physical discomfort.
Q: Very well. The video will speak for itself, right? Whatever is there is there.
A: Correct.
Q: All right. And the jury will have that, and they can look at it. All right. Now, you said that -- let's go back to my question about the photographs. You took pictures of her face again, right, because they had already been taken the day before, right?
A: You're asking again ---
Q: Yes, I'm asking you?
A: I -- I know that there were pictures taken in Orangeburg.
Q: Yeah.
A: She spoke with officers from North Myrtle Beach Police Department the day before. I did not take any pictures on the 7th. I don't know -- you know.
Q: Okay. Okay. All right. Now, let's talk about the photos that you did take. You were aware, because she told you, not only about her lip, but she told you about pictures that she had in her phone of bruises that he put on her,

right?
A: I told her about the pictures I had seen on her phone and, again, it was pictures of bruising and what I thought was a bump on her head, which she corrected me and said no, that was a burn. And the bruising, I don't think she ever really explained it. Never said that that was -- I don't recall her saying that that was from Mr. Green.
Q: All right. Let me show you what's marked as Defendant's Exhibit 12, I think this is for ID. Is that a copy of the picture that you saw when you looked at her phone, those bruises on her?
A: I don't recall. I remember from watching the video, saying that I had seen some pictures. To tell you if this was the picture that I saw, I don't remember it; it might be, it might not be.
Q: Well, you know what, let me ask you this. I'm a little baffled here. You're talking to a lady who you say was in a fight and maybe stabbed somebody, and that person shows you bruises on their phone, and you don't get them or take pictures of them or keep them so that you can have them as evidence?
A: Mr. Wilson, I did not say that she had shown me any pictures. I did not say that she had been in a fight. I did say that she had told us she had stabbed somebody. I had brought up some of these injuries, and she kind of waved them

off and, as she had them in the interview, said that her and Mr. Green were kind of always engaged in this type of behavior, and she certainly didn't seem to think it was very important while we were speaking to her. She didn't elaborate on it. She definitely didn't say I was -- he was beating me up and that's why I did this. I definitely gave her the opportunity to say to say that. I even had asked her, maybe something had occurred in the car. And again, she -- she never stated that something like that had happened.

Q: Now, Officer, you said that you asked her that on the video, what happened in the car, because you're trying to reconstruct what happened, right? That's part of what you want from her, so that you can try to reconstruct what happened, and she's -- you say that for whatever reason, you had her phone, you go through her phone, you find bruises on her, on her phone that she -- I don't know who took, but you don't save them and you don't keep them?

A: Her phone was -- I know her phone, I believe it was dumped through the forensic Cellebrite. So, I mean that -- that's how we save pictures from your phone. Again, at some point, we had asked her about some scratches; she mentioned a dog jumping up on her. The photos that were published to the jury there, there's a scratch; it might be the size of a fingernails, but I would not call that a significant injury. And the one bump on the head that I asked her about, she very

quickly said, oh, no, that was a burn that I had.

MR. WILSON: If the Court will bear with me for one second, I'm just trying to ---

THE COURT: Yes, sir.

BY MR. WILSON:

Q: Okay. Now, she's showing you -- I'm now referring to State's Exhibit Number 94. She actually shows you bruising, right, or what she says is bruising; is there any question about that?

A: I don't see any injury there on that picture, Mr. Wilson.

Q: Well, hold on just a second.

A: Sure.

Q: Just let me hand you Defendant's -- State's Exhibit 94 and ask you to take a look at it. Okay?

A: Yes, sir.

Q: Now, my question is she told you -- I'm not asking you what you saw -- she told you that her lip was busted, right, that she had gotten injured and her lip was busted, right?

A: I don't recall exactly how -- what she said. Obviously, we took a picture, so she mentioned something about her lip.

Q: Right. I mean, why else would she be pulling down her lip for her to take a picture if she wasn't saying to you that she was somehow injured with that lip; what sense would that make otherwise?

A: Well, I mean, I -- she could tell me that she was -- that

that lip had sustained some signs of injury, but I don't see an injury.

Q: Fair enough.

A: We ---

THE COURT: All right. You can finish your answer.

A: Not just in this interview, but in many interviews people will tell us, this here happened. We take a picture of it to prove it. Some people will tell us that they had gone to particular place; the best we can, we will go to all these places and confirm that they did not.

Q: Okay. You done now?

A: Yes, Mr. Wilson.

Q: All right. Just let me ask you this. When you're trying to do an investigation, and you're trying to make a determination of what happened, and who did what, isn't it important to gather all of the information that's available to you, including what a defendant might say or suspect might say or what a victim might say, in any kind of a case?

A: Yes. And I believe we did that in this case, and had asked Ms. Matthews multiple times about the interaction her and Mr. Green had and the physicality of it. And I mean, I think as you hear in that interview, I mean, she says she's not scared of him.

Q: So, why -- why would you tell her in the interview that I saw the bruises, I saw these things in your phone, before --

while you're talking to her. You tell her -- you tell her these things, do you not?
A: I did.
Q: All right.
A: I was trying to give her the opportunity that if this was some type of domestic violence situation, if she was in some type of danger -- if a man shot another man in a bar, I would ask him did you have good cause to do it, and that is what I was doing with Mrs. Matthews -- with Ms. Matthews. And at no time, did she turn around and say, well, yes, I was being abused, I did this in order to defend myself.
Q: Okay. She told you that they had fights, right? What do you interpret that to mean, fights?
A: Well, I mean, I'll use her description of them. She said that they would push each other back and forth, you know, that they were -- I remember her telling me that, you know, her mother or family members would tell her that, you know, y'all need to stop with that. I mean, she had told us that the police had never been called.
Q: And -- and -- and you know that Dennis was almost six-foot tall; how tall are you?
A: 6'2".
Q: 6'2". And he weighed 225. I'm not gonna ask you how much you weigh. But my point is, he was a big fellow, right?
A: I suppose. I don't know exactly what his height and

weight was, though.
Q: You're sort of a big fellow; you're six-foot tall or a little over?
A: Bigger than some; smaller than others.
Q: Okay. I'm a big fellow, right? My point simply is, that you knew this. You knew that there was a disparity in the size of these individuals and that she was claiming -- she's claiming at least a busted lip and bruises on her body -- and that was the other thing, when -- when that day when y'all were in Orangeburg, wouldn't you want to say, let us see these bruises on your thighs or on your arms because, obviously, they would be covered up ordinarily, because she has clothing on, right?
A: Correct, she had clothing on. It was July, I don't remember what she was wearing; a short sleeve shirt and she had pants or shorts on.
Q: Okay. Well, would it help you if I said she had on long black pants with holes in the knees ---
A: She very well might have.
Q: All right. And -- and so, you wouldn't -- police officers who came up wouldn't have seen the bruises on her legs or thighs at that time, because she had on clothing, right?
A: Correct. We did ask her at the very beginning while we gave her her Miranda rights if she was any type of physical

discomfort or if she had injuries; she stated no. To us, she actually went through a whole explanation of all her ailments ---

Q: All right.

A: --- how she is always in some type of pain.

Q: Very well. All right. Now, and I'm gonna be done in just a second. I just got a couple more things I want to cover with you. Did you or any other officer to your knowledge, go to -- go to the hospital, that is which would be Grand Strand, and take pictures? Did you do that -- well, let me back up and rephrase that. Did you go to Grand Strand Hospital before you allowed them to leave and go to Orangeburg or back to their hotel, did you take any pictures at Grand Strand Hospital of -- of Ms. Green?

A: I don't recall.

Q: Do you recall taking any kind of a oral statement from her at Grand Strand Hospital?

A: I know I spoke to her. I don't recall what the conversation was. I know my -- my overriding concern was, hey, get out of here and go get some sleep. We could tell that she was obviously had gone through a lot that night.

Q: Okay. And -- and -- and at that point, you were already aware of the nails issues and all that stuff; you were aware of the nails -- I say all that stuff -- you were aware of the issue with the nails and them being in the car and her saying

otherwise?
A: At Grand Strand?
Q: Yes.
A: I don't recall -- I don't remember -- I know after Grand Strand, we went to North Myrtle Beach Police Department. At some point, we became -- we did become aware of that her nails were in the car. Through other statements obtained, we knew that she had her nails -- her nails were on her hands the night prior when they were all out.
Q: Okay.
A: But I don't -- I don't remember exactly when it was that we were told, hey, the nails were in the car, you know, but I would've known at the hospital that she did not have -- that the nails had been removed.
Q: Did you ever see the body of the victim, that is Mr. Green, did you ever go to the hospital or to the morgue or wherever and actually see him?
A: I don't remember if I attended the autopsy in this case. I don't think that I would have.
Q: Okay.
MR. WILSON: If the Court will bear with me just one second, Your Honor?
THE COURT: Yes.
BY MR. WILSON:
Q: I just want to ask you one other thing about this, about

at some point when you were asking her about whether she's right-handed or left-handed, and then you asked her to kind of show you where he was stabbed; you were sitting next to her, correct?

A: Correct.

Q: You recall that, right? And you were sitting, what, to her right or left as y'all were seated?

A: I would've been sitting to her left.

Q: You'd have been sitting to her left. And what hand did she use to show you how she would do it, if it were that way?

A: I believe she used -- I know we just watched the video; it was a little hard for me to see the angle of it. I believe that she used her left hand.

Q: She used her left hand?

A: I do know that during the course of that interview, you will also hear her talk that she does do other things with her left hand.

Q: In fact, she said she can shoot a gun with her left hand?

A: She did.

Q: Right. That's the other question that I have. Did you take any photographs of her hands when -- now, you took two pictures, I think three that you showed the solicitor a second ago, that you say you took of her face the next day. Did you take pictures of her hands to show any scratches or bruises or whatever might be in her hands or on her hands?

A: I don't remember how many pictures were taken at Orangeburg. I know that I have reviewed the ones that were just published to the jury.

Q: My question was did you take any pictures of her hands in Orangeburg that day?

A: I don't recall taking any pictures, but I, I mean, as we all saw on that video, I was pretty close to her. If I'd have seen some type of injury, I think I would have photographed it.

Q: Okay. So, you were close enough to her. In fact, at some point, she actually opened the palm of her hands; did you look at them to see when she did them like that for you? Do you recall that in the video?

A: I don't recall it, but I know that if she had done like this or like that or anything else while I was sitting there, if I had seen some -- any injury that I thought was notable, I would have mentioned it and documented it.

Q: Okay. Well, so whatever the video says is what it says, right?

A: Correct.

Q: All right. I don't have any other questions. Thank you, sir.

THE COURT: Redirect?

MR. SPRATLIN: No redirect, Your Honor.

THE COURT: All right. You may step down.

MR. LENT: Thank you, Your Honor.

BY THE COURT:

THE COURT: All right. Ladies and gentlemen -- and I'm sorry. I probably ought to ask you this. Is there anything else from the state?

MR. SPRATLIN: Your Honor, we would just ask that Detective Lent be released from his subpoena.

MR. WILSON: No objections, Your Honor.

THE COURT: All right, sir, you're released from your subpoena; you may go back to your regular duties.

All right. Y'all come up and talk to me for one second, please.

(REPORTER'S NOTE: Bench conference is held off the record in the presence of but outside the hearing of the jury.)

THE COURT: What's the position of the state at this point in time?

MR. SPRATLIN: Your Honor, at this time, the state would rest.

THE COURT: All right. Very good. There's a matter of law I have to -- the defense has at this point in time, Mr. Wilson?

MR. WILSON: Yes, sir, Your Honor.

THE COURT: All right. Very good.

All right. Considering the time, ladies and gentlemen,

we're gonna stop for the evening. I just remind you as I have over and over, don't talk about the case, don't allow anybody to talk to you about it, whether you're here or at home.

Where we are in the proceedings are the state has rested. There are matters of law that I have to take up outside your presence. So, I'll send you home, have you come back tomorrow morning at 9:30 to come into the courtroom. The bailiff will tell you when to actually arrive. Again, the clerk's office will have something for you in the morning. But with that, you're excused until tomorrow morning at 9:30. Leave your pads and pens in your seats.

(REPORTER'S NOTE: Jury exits courtroom @ 5:19 p.m. The following takes place outside the presence of the jury.)

MOTIONS:

THE COURT: All right, Mr. Wilson, I'll be glad to hear from you.

MR. WILSON: Your Honor, my motion would be for a directed verdict on the issue of murder. I think that there is certainly some speculation in this case about what happened. There is absolutely, I would say to the Court, no evidence of malice. Now, I grant you that there was a phone call or a text message sent about somebody meeting somebody if they're coming to Baltimore, but that is not, I submit to the Court, malice, and that does not support malice. The only other thing in the record that I would suggest could

potentially or possibly be but is not because of the timeframe, is that you could argue, I guess, that well, you know, there was a witness that says he was slapped. And so that could provide malice. The problem for them with that is, at best, it happened 15 to 20 minutes earlier, and there is absolutely nothing -- so there would have been a period when nothing was going on 15 or 20 minutes later before anything happened, at least according to their own timeline. So, I would submit to the Court that that is not sufficient to -- to constitute malice.

The other thing is that the state has to also prove that it was an unlawful or felonious kind of a killing. There's no evidence of that. There is no evidence that this was a unlawful killing. In fact, the only thing that the officer says is that she says, according to her story, that he -- yes, he hit me and then says, yeah, I stabbed him. That is not murder. Even if that were true, that wouldn't be murder. If she -- if she's saying I hit him, he hit me, and I stabbed him; even if it happened that way, that would not constitute murder. So, my -- my point is that the state has failed to show both malice and/or a felonious killing, and I think that they have to do both.

The third thing, Your Honor, is is that the argument here has been self-defense. They have not disproven any element of self-defense. They have not disproven one single element of

self-defense of the four elements. One, that she was at fault for bringing on the difficulty. But again, the problem for them is this: the only evidence that they got of any difficulty whatsoever at this point is, is that at some point in time during the evening, Ms. -- Ant, whatever her name is, Vereen, says, oh, yeah, when we got in the car, she slapped him. Well, the problem is, nothing happens after that, absolutely nothing. They actually drive to Ms. Vereen's home, drop her off, nothing happens. She even says not a single word or deed was done or spoken the entire time that they were traveling to that house. So, there is -- I would submit to the Court that they've not disproven by any means or by any standard the elements of self-defense, and they certainly have not proven malice or a felonious killing. So, I would ask the Court to grant us a directed verdict as to murder.

THE COURT: All right.

Solicitor?

MR. SPRATLIN: Thank you, Your Honor, the state -- the directed verdict motion, the light is taken in -- the evidence is taken in the light most favorable to the state. The evidence presented in this case, I believe, does show malice. Malice can be shown in many ways; it can be shown either expressed or implied. Implied malice, I believe, can be shown through the circumstances and facts surrounding the killing, as well as the actions of the defendant after the fact.

In this case, the defendant, moments before the decedent died, sent a text to her father asking that bodily be harmed -- asking that bodily harm be done to him the next time that her father saw him. Within minutes, mere minutes of that text being sent, the decedent had two stab wounds in his side. The only person able to do that being the defendant. Following the stabbing, the decedent lied repeatedly to law enforcement. The decedent at the hospital initially acted in an aggressive manner towards the officer at the -- at Seacoast Hospital. Furthermore, she continued to show deceit towards any of the other officers that interviewed her. She did not tell any officer the truth, including even to the bitter end, the next day, where she continued to lie and show deceit to Officer Lent until she admitted that she actually stabbed him, although continued to say she did not remember anything else.

Regarding the unlawful killing, the killing of another unlawfully, there's been no reason for this stabbing shown. There is -- the stabbing occurred out of hatred, anger, malice, ill will, jealousy. There has been evidence shown -- there's been no evidence shown that the victim brought about his own demise in any way, shape, or form or caused the incident in any way, shape, or form. The evidence shows that the defendant was full of jealousy. The text to her father, showing off for somebody else, shows a jealous intent, shows anger, shows hatred, shows ill will, shows malice, shows an

intentional wrongful, unlawful act.

As far as the raising of self-defense, I do concede that the defense has raise self-defense through cross-examination. However, the state has disproven self-defense. There is no evidence of any injury on this woman, other than a scratch on her face, which the officer and security guard from Seacoast Hospital actually state wasn't there when she first came in.

Furthermore, there's no reason and no evidence in this record whatsoever to show that she was in any -- that she had any reasonable fear of great bodily injury or death, or that that fear was a reasonable fear. That is an element of self-defense along with bringing about the difficulty, which we do argue the evidence shows that she was at fault for bringing about the difficulty. The lady who testified that was on a date with both of them, Antoinette Vereen, testified that she was upset, she was angry, she punched the victim in the face. That is the definition of bringing about the difficulty. The fact that it occurred mere minutes before he got stabbed does not negate the bringing about the difficulty. We feel we have shown evidence if viewed in the light most favorable to the state, disproves self-defense. We believe that the evidence if viewed in the light most favorable to the state shows that there was -- that this crime was committed with malice aforethought, and that it was an unlawful killing. No justification given. No -- the evidence shows no

justification for this murder other than jealous rage, anger, and hatred on the part of this defendant towards her then husband. For those reasons, we would ask the Court to deny the motion for a directed verdict and allow this case to go forward.

THE COURT: All right. Any brief reply, Mr. Wilson?

MR. WILSON: Yes, sir. Just briefly, and I think, you know, the solicitor -- first of all, lying to the police is not evidence of malice. I mean, because one, it happened after the -- the incident allegedly occurred. So, it could not be evidence of malice because it happened afterwards. That's the first thing.

And the second thing, Your Honor, is -- is that the solicitor said, well, there has been no proof of -- of -- of -- of malice, I'm sorry. He says that there's been no proof that this was an unlawful killing. Well, the problem is for him is that it's his burden to prove that there is evidence proving that the killing was in fact unlawful. So, just to say it, does not make it read true. And -- and -- and they've just not -- they have not met those burdens. They've just not.

THE COURT: All right, sir. Thank you. All right. First, as to the issue for a directed verdict. In ruling on a motion for directed verdict, the Court is concerned with the existence or non-existence of evidence. I don't judge

credibility or believability. It's only whether or not the evidence exists. It's the jury's job to judge credibility and believability. I look at does the evidence exist and has it been placed in front of the jury. The Court would grant a directed verdict motion when evidence merely raises a suspicion that the accused is guilty. The Court has to view all the evidence in the light and the reasonable inferences therefrom in the light most favorable to the non-moving party, that is the state. The case is submitted to the jury when the -- when there is a, you know, substantial evidence, which reasonably tends to prove the guilt of the accused.

Here in dealing with the issue of self-defense, the issue has been brought forth by the opening statement of defense counsel, which is not evidence. Questions by the defense counsel -- but there may be some circumstances which might indicate it, but really there has been no testimony or evidence presented to this point that the defendant acted in self-defense. There is barely an admission from the defendant that she committed the crime in her statements, and no claim in those statements that she acted in self-defense.

Now, the testimony of Ms. Verlene Antoinette Vereen is evidence of the actions of the parties, and there is evidence from that particular witness that could lead the jury to believe malice or ill will. There's a statement from Ms. Vereen, when the parties were at the Dockside that the

defendant said she's been through so much, I'm ready to kill him. That's her statement; that's what the defendant said to her. There was testimony through the Cellebrite download through Detective Will Lynch about requests of the defendant to bring physical harm to the victim. She indicates in one of her messages or texts or recordings that she says she tells him all the time, I could kill him.

Now, what's the context? That's for the jury. Does the evidence exist? Evidence of malice exists. How it's to be interpreted by the jury? That's for them. But, malice, ill will, on behalf of the defendant towards the victim exists. So, I respectfully deny the request of the defendant for a directed verdict.

MR. WILSON: Thank you, Your Honor.

MR. SPRATLIN: Thank you, Your Honor.

THE COURT: All right. Further motions at this point in time by the defense?

MR. WILSON: Nothing further.

THE COURT: You'll be ready to proceed with your presentation of evidence in the morning?

MR. WILSON: I am ready, Your Honor.

THE COURT: And, you know, at some point in time, I need to question your client about her constitutional rights to testify?

MR. WILSON: Yes, sir.

THE COURT: So, before we get to that point -- I mean, if you want to call some witnesses before I ask her about that to give her an opportunity to see where you are in this stage of the proceedings, that's fine.

MR. WILSON: We can do that first thing in the morning if you want, Your Honor.

THE COURT: All right.

MR. WILSON: And get it out of the way before the jury comes in.

THE COURT: All right. Very good. Okay. Then we'll plan on doing that then before -- before the jury comes in.

All right. So, with that, anything else from the state at this point in time?

MR. SPRATLIN: No, Your Honor, I'll prepare the additional redactions on the audio recording for the video ---

THE COURT: So, that the exhibit going to the jury will take care of what y'all have agreed to?

MR. WILSON: Yes, sir.

MR. SPRATLIN: Yes, sir.

THE COURT: All right. Very good.

MR. OSKIN: Thank you, Your Honor.

THE COURT: Anything else, Mr. Wilson?

MR. WILSON: No, sir.

THE COURT: All right. I'll see y'all. Please be back by 9:15 tomorrow morning.

MR. SPRATLIN: Thank you, Your Honor.

THE COURT: Thank you.

MR. WILSON: Yes, sir.

RECESS - 5:35 P.M. - END OF DAY THREE

*******OFF THE RECORD*******

JUNE 17, 2021 - DAY FOUR

ON THE RECORD - 9:29 A.M.

(REPORTER'S NOTE: The following takes place outside the presence of the jury.)

BY THE COURT:

THE COURT: All right. Mr. Wilson, is your client ready for me to talk to her about her right to testify?

MR. WILSON: She is, Your Honor.

THE COURT: All right. Stand up, please, ma'am. Place her under oath.

THE CLERK: Please raise your right hand.

DONNIELLE MATTHEWS GREEN, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE COURT: All right. Ms. Matthews, I'm going to talk to you now about your constitutional rights regarding testifying. If at any point in time, you do not understand what we're talking about, if you have a question about it, if you need to ask a question, you need to indicate that to me. You can raise your hand, you can tell your attorney, but unless you do that, I don't know that you have a question; do

you understand that?

MS. MATTHEWS: Yes, sir.

THE COURT: We've reached the stage of the trial where you can present your defense. You have the right to claim the protection given to you by the Fifth Amendment of the Constitution of the United States of America, which states in part that no person can be compelled in any criminal case to be a witness against themselves. That means nobody can make you testify. You can testify if you want to; nobody can make you do that. Do you understand that?

MS. MATTHEWS: Yes, sir.

THE COURT: If you do so, you'll be subject to the rules that you've seen every other witness that's testified in this case. You'll be examined, questioned by your attorney, then you will be cross-examined by the state as to any matters the Court deems relevant or proper.

Any issues about prior record, Solicitor?

MR. OSKIN: No, sir, Your Honor.

THE COURT: All right. Very good.

If you decide to testify, that's got to be your decision. You talk to your attorney about it, but you understand you make that decision; you understand that?

MS. MATTHEWS: Yes, sir.

THE COURT: If you decided not to testify, I would tell the jury they cannot give that fact any consideration, they

can't talk about it, they can't think about it, they can't use it in making their decision in this case. Do you understand that?

MS. MATTHEWS: Yes, sir.

THE COURT: Before I ask you what you want to do, do you want to ask your attorney any questions?

MS. MATTHEWS: No, sir.

THE COURT: Do you wish to testify?

THE COURT: Yes, I do.

THE COURT: Very good. You can have a seat. Thank you.

MR. WILSON: Thank you, Your Honor.

BY THE COURT:

THE COURT: All right. The state ready for the jury to come in?

MR. SPRATLIN: Yes, sir, Your Honor.

THE COURT: Defense?

MR. WILSON: I'm ready, Your Honor.

THE COURT: Ask the jury to come in, please.

(REPORTER'S NOTE: Jury enters courtroom @ 9:33 a.m.)

THE COURT: All right. Mr. Wilson, your witnesses?

MR. WILSON: Yes, sir, Your Honor. We call Donnielle Matthews.

THE COURT: All right. Please come around and be sworn, ma'am.

THE CLERK: Please raise your right hand and place your

left hand on the Bible.

DONNIELLE MATTHEWS GREEN, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE CLERK: Please state your name and spell your name for the Court.

MS. MATTHEWS: My name is Donnielle Matthews. D-O-N-N-I-E-L-L-E; Matthews, M-A-T-T-H-E-W-S.

THE COURT: Go ahead, Mr. Wilson.

DIRECT EXAMINATION OF DONNIELLE MATTHEWS BY MR. WILSON:

Q: Donnielle, let me start out by asking you, how old are you?

A: I'm 36.

Q: And tell me a little bit about yourself. Let's start with where you are from, where you were born, and where you were raised?

A: I was born and raised in Baltimore, Maryland.

Q: All right. And do you have brothers and sisters?

A: I have two brothers and one sister.

Q: Okay. What about your mother and father; are they still alive?

A: Yes.

Q: All right. They're both alive?

A: Yes.

Q: All right. And where do they live now?

A: In Baltimore, Maryland.

Q: Okay. Now, have you -- when did you first come to South Carolina?
A: I think maybe 2011.
Q: Okay. And tell us what brought you here; how did you end up coming here to South Carolina?
A: I came to visit my grandmother in Orangeburg for the summer, and I guess I got bored there one weekend and wound up gonna to Myrtle Beach.
Q: Okay. So, your grandmother lived or lives in Orangeburg, South Carolina?
A: Yes.
Q: Now, has your grandmother lived there?
A: Her whole life.
Q: Okay. Now, is that where your mother and/or father are from?
A: My mom is from there.
Q: Okay. So, your mom is actually from Orangeburg?
A: Yes.
Q: All right. And your dad is from where?
A: Baltimore.
Q: All right. So, you ended up being born in Baltimore, but you actually have family here in South Carolina in Orangeburg?
A: Yes.
Q: All right. And the first time that you came to visit her, your grandmother, was in 2011?

A: No, not the first time. We've been coming our whole lives, but as an adult on my own.
Q: Okay. All right. So, you've been coming down to spend time with your grandmother from time to time over the years?
A: Yes.
Q: All right. Now, does your grandmother still live in Orangeburg?
A: Yes, she does.
Q: Okay. And now, do you live with her now, or have been living with her?
A: Yes, now.
Q: All right. How long now?
A: It'll be four years in August.
Q: Okay. So, you live with your grandmother in Orangeburg Just the two of you?
A: Yes.
Q: Okay. Now, let me ask you if at some point in time, after becoming an adult, if you met Dennis Green?
A: That weekend that I said I was in Orangeburg and I came to the beach.
Q: All right. And that would've been in 2011?
A: 2011.
Q: All right. Tell us what -- how you met him; where were you guys at; how did y'all meet?
A: We were at a strip club in Myrtle Beach.

Q: Okay. And what is the name of the strip club, if you recall, that y'all were at?
A: I think it was called Crush.
Q: Crush?
A: Uh-huh, (affirmative response).
Q: All right. So, you met him at the strip club called Crush in Myrtle Beach?
A: Yes.
Q: All right. And that was around 2011, as best you can recall?
A: June 2011.
Q: Very well. Now, tell us kind of how the relationship went from there. Once you met him at the club in 2011, just kind of give us a brief history of how your relationship developed with him.
A: We exchanged numbers that night. We went to eat breakfast the next day, and we kind of like were together ever since.
Q: Okay.
A: Even when I went back to Orangeburg, he would come sometimes on the weekend to pick me up and bring me back to Little River and spend the weekend with him, and then he would take me back to Orangeburg. We would still talk. And whenever he was free, he would come to Orangeburg and pick me up and bring me back up here.

Q: Okay. And -- and -- because you said that started in 2011, and how long did that continue before your relationship went further?

A: I went back to Baltimore, I think the end of July 2011, and we were still talking. I know he got in an accident or something maybe in August of that year, and I came -- we met in D.C. -- him and some of his friends came to Washington, D.C. in October, and I wound up coming back to Little River with him after that weekend.

Q: Okay.

A: And I stayed.

Q: All right. When you came to Little River with him, tell us kind of where -- when you say you came to Little River with him, at that point, where were y'all staying or where did you stay?

A: Hotels.

Q: Okay. So, y'all were just staying at hotels around the beach area?

A: Uh-huh, (affirmative response).

Q: And uh-huh, (affirmative response), you mean yes?

A: Yes.

Q: Okay. All right. You have to always say yes or no because she has to take down what you're saying?

A: Okay. Yes.

Q: All right. Now, so after -- after you got to know

Dennis, did y'all's relationship continue to grow?
A: Yes.
Q: Okay. Tell us about that, tell us kind of how it developed?
A: Like I say, from the first day that we got together, we were pretty much exclusive.
Q: Okay.
A: As far -- to my knowledge.
Q: All right.
A: We wound up, I think, maybe around Thanksgiving of that same year getting a condo in Cherry Grove, and we got engaged like maybe December.
Q: Of what year?
A: 2011.
Q: Okay. All right.
A: I think maybe my birthday, January of 2012, was like the first serious -- the first time he put his hands on me. Like he had planned like a dinner or something with his family, and he had stayed out that whole day. I didn't want to go, because he came in late, and I'm like, I'm not ready, you know, you've been gone all day, and he hit me, and we tussled, and so I cried for a little while, and he fussed, and I wound up getting dressed and doing my makeup and going out anyway.
Q: That was the first time that he had hit you?
A: That was the second time. The first time, we were like

out of peaches and he slapped me, and me, I'm just like, oh, I couldn't tell you why I didn't leave and don't come back, but I brushed that off, just like I did the first time. We went out to eat. We out to a bar, like everything was normal. I remember showing his sister and them like, I have scratches on my neck, you know, I have scratches on my face.

Q: You said you were showing his sister and them, who are you referring to?

A: His sisters, his family ---

Q: Who are his sisters?

A: --- his relatives. It was Denise, his sister, I was showing. And I was saying -- she was telling me like I could see it through your makeup.

MR. OSKIN: Objection to hearsay, Your Honor.

THE COURT: Sustained.

BY MR. WILSON:

Q: Don't tell me what his sister said to you, but you can tell me what you said to the sister.

A: I was telling her like we got into it right before we got here, and I was asking if she could see the scratches and cuts and stuff on my face and on my neck and everything.

Q: Okay. All right. Now, so, this is now we're in 2012 in your relationship ---

A: In January.

Q: --- With Dennis; is that fair?

A: Yes.
Q: Okay. So, let's go on. Tell me -- you told me about these two instances. Go ahead and tell me what happened after -- during 2012 and after in your relationship?
A: 2012, too, I think that's when I met that -- in February I met the babies' mom, Alethia.
Q: Okay. And Alethia is the lady who testified earlier?
A: Yesterday, yes.
Q: Okay. You met her you think in 2012?
A: It was 2012 in February.
Q: Okay. How did you come to meet Alethia?
A: I had said to Dennis about because he had -- he would have his children part of the week, and I was saying like his mom and them were telling me like, she doesn't like you, she doesn't want you to be around the children.
MR. OSKIN: Objection to hearsay, Your Honor, what the mother is telling her.
THE COURT: All right.
A: And they were ---
THE COURT: Ma'am, you cannot say what other people told you.
A: Okay.
THE COURT: You can only discuss that you talked to them about.
A: Okay.

THE COURT: Not their responses.

A: Okay.

THE COURT: Go ahead.

A: Well, we had had a conversation I said about, you know, I'm around her children; you would think that she would try to have a good relationship with me, because her children are in my care. So, he decided, he called her, and she and I spoke and he was like ---

MR. OSKIN: Objection.

MR. WILSON: She hadn't said ---

THE COURT: All right. But just -- gentlemen -- just remember now. Okay?

A: Okay.

THE COURT: Go ahead.

A: She and I spoke, and I said to her, you know, maybe let's go have some drinks or something and sit down and talk, you know, actually have a real face-to-face and get to know each other, because I have your children. She agreed and ---

BY MR. WILSON:

Q: Let me -- let me talk to you with that a little bit. She agreed to meet with you. Did y'all actually meet?

A: Yes, we did.

Q: Did you have a discussion?

A: Yes, we did.

Q: All right. And you can't tell me what that discussion

was other than what you said to her, but you can't tell me what she said to you?
A: Okay. Like I said, it was about the children. It was just the simple fact of I have your kids, you know.
Q: After that time, after having that meeting with her, did you have possession of the children more often?
A: Yeah, but that -- because there was an altercation that night.
Q: An altercation that night where?
A: That she witnessed at -- we went to a bar in North Myrtle Beach. I can't remember the name of it.
Q: All right. You said we went to a bar ---
A: Her, myself, and Dennis went to a bar in Myrtle Beach -- North Myrtle Beach.
Q: Okay.
A: And ---
Q: Now, is this the same night that you had the meeting with her to discuss the children?
A: Yes, yes.
Q: Very well. Go ahead.
A: That was the purpose of us going out was for us to meet and talk and just, like I said, break the ice, so to speak.
Q: Very well.
A: His boss was there at the landscaping company that he worked for in South Carolina, and he was there with his wife

and Dennis introduced myself and Alethia to his boss, and you know, saying like where is your wife. He introduced us to her, and we all sat down and we were talking, had some drinks. And I remember a guy had came and was like trying to talk to me and Alethia, and Dennis got mad, and we wound up arguing, because I'm like you don't have to act like that, it's not that serious. He spoke, you know what I mean?

Q: Right.

A: And ---

Q: The guy that came up, did he touch you in any way?

A: No, he didn't touch anybody, he just was saying, you know, like ---

Q: Don't tell me what he said.

A: He didn't touch anybody. He didn't threaten anybody. He wasn't nasty; he just -- he just spoke. You know, people are friendly, sometimes they start drinking, they go -- you're in a bar, people talk.

Q: Right.

A: And we wound up arguing.

Q: When you say we?

A: Me and Dennis wound up getting into an argument.

Q: In the club or outside?

A: Inside of the bar.

Q: All right.

A: And Alethia kinda was trying to like, you know, cool it

off before it got physical. And we wound up going to the car, he hit me, I'm trying to hit him back, and she's holding me, and I'm crying. She started crying, and is just like trying to console me, you know, like, it's okay, it's all right, you know. And we wound up going back to the condo and by the time we got there, everything was fine, everybody was cool, and all was forgiven.

Q: Okay.

A: And it went on like that for a while. So, I can't tell you every incident that I -- it was -- it was normal after a while. So, she wound up moving in with us.

Q: Okay. Now, let me ask you about that. How long had you and Dennis been together before Alethia moved in with you guys?

A: Maybe eight or nine months.

Q: Okay. Were y'all married at that point ---

A: No.

Q: --- or were you still engaged?

A: Engaged.

Q: You were just engaged?

A: Yes.

Q: All right. So, Alethia -- how did -- tell me how that came about. How did she come to live with y'all?

A: That night that went out to have that conversation, she spent the night. The three of us had sex and she stayed.

Q: Okay.
A: We went to pick the kids up the next day. The kids saw the three of us together. They were happy, and we -- she stayed, her and the children.
Q: How long did she stay in that house with y'all?
A: Well, we were still at the condo in Cherry Grove at first. And then it was like a seasonal thing, so maybe March, February, I don't know when the season ends or starts for the beach, but we had to leave. So, we wound up finding the apartment in Longs, and ---
Q: Now, when y'all moved to the apartment in Longs, did she move with you?
A: Yes.
Q: So, she actually left Cherry Grove with you and moved into the Longs apartment with you?
A: She actually moved all of her things into the apartment in Longs.
Q: Now, and that includes the children?
A: Yes.
Q: Okay. All right. Go ahead, tell me what happened after she moved in with y'all?
A: Well, the day that we were moving in, he was arguing with her about something, and he wound up -- the plan was for the three of us, the adults to be in one room and the children to be in another room, but -- I'm not sure exactly what it was

that happened, she said something he didn't like or something, and he wound up telling her like, you know ---

Q: You can't tell me what he told her.

A: Well, she wound up ---

Q: As a result of whatever conversation they had ---

A: As a result of that conversation, she wound up moving into the other room.

Q: Okay.

A: But we still were doing what we were doing, the three of us together, she just ---

Q: So, y'all would just -- the three of you would get together when the kids were asleep ---

A: Or gone.

Q: --- or gone?

A: Yeah.

Q: All right. All right. And -- and -- and how long would you say she stayed with you guys from the time she moved in when y'all were in Cherry Grove until the time y'all moved to, you said Little River or Longs?

A: Longs.

Q: Longs.

A: Maybe a month.

Q: Okay.

A: Maybe a month, because if it wasn't the two of them into it, it was him and me into it, and if it ---

Q: Let's talk about that for a minute. Tell me, the three of y'all got together for the purposes of being a threesome until -- what was the problem -- what -- what was the problem?
A: That we had to fight Dennis. That was the ---
Q: Explain that?
A: --- that was the only problem.
Q: All right.
A: We got along, the kids were taken care of.
Q: Hold on one second. I need you to explain that. You said you had to fight Dennis; what does that mean?
A: That means at any time -- you never knew what kind of mood he was in when he came in the house. You never knew what might set him off and he would slap you, punch you, throw you, something. And like I said, she -- she never got in the middle of it when it was me, but when it was the two of them, like I always tried to break it up, or I would, you know, take the kids in the other room, so that they didn't -- because they would -- it would -- he would do it right in front of them. And I don't know, I guess after a while, she got tired of it. I don't know.
Q: All right.
A: I'm not sure.
Q: But after some weeks or a month or so, she actually moved out?
A: She moved out. She had told him that she was late, that

she thought she was ---
Q: You can't -- you can't tell me what she said.
A: Something happened.
Q: Hold on.
A: All right.
Q: Hold on. I know you're anxious, but you can't tell me what she said or what he said; just tell me -- so, tell me what happened.
A: I guess something happened that or was said that she didn't like, and she said, you know -- I'm sorry.
Q: What did she do as a result of the conversation ---
A: She ---
Q: Listen, listen. As a result of the conversation that they had ---
A: Uh-huh, (affirmative response).
Q: --- what did she do?
A: She called her mom and -- we left. Dennis and me went probably to his mom's house or something, and she called her mom and when we got back home, they were in there packing up her stuff.
Q: Okay.
A: And I went and there was some things that she had forgotten to pack, and I'm like, do you want to take this with you, you wanna, you know -- and I said to her, I'm like you sure you want to leave? I don't want you to leave. And she's

just like Donni, I can't.

Q: Okay. You can't ---

A: I'm sorry.

Q: All right.

THE COURT: Why don't you just ask the questions and have her respond rather than just trying to have her tell a story. Okay?

MR. WILSON: Your Honor, I apologize. I'm trying not to lead and I ---

THE COURT: And I'll give you some leeway there.

MR. WILSON: Thank you, Your Honor.

BY MR. WILSON:

Q: All right. So, as a result of this conversation that they had, she left. She left?

A: She moved out.

Q: She moved out?

A: Yes.

Q: Let's -- let's go on. After she moved out, did that improve you and Dennis' relationship? Did it get better or worse or stay the same?

A: It didn't change. I mean, it didn't make a difference.

Q: Okay. All right.

A: Her leaving or being there didn't change anything in our relationship.

Q: All right. After she moved out, did you continuously get

hit, or were you being hit more or less after she moved out?
A: It was the same.
Q: Okay. About the same?
A: After she moved out, my sister came down.
Q: Okay.
A: And my sister moved in with us.
Q: Okay. Now, what's your sister's name?
A: Demetria Matthews.
Q: All right. How long did Demetria stay with y'all?
A: From maybe April to October or November of 2012.
Q: So, five or six months she was there with you and Dennis?
A: Yes.
Q: Okay. Now, tell me, during the time that Demetria was with y'all, were there still beatings during that time?
A: Yes.
Q: All right.
A: Because we were going out more and, like I said, with the drinking, and that was a person that was an angry drunk, and anything could set him off. Like a guy looked at me or I spoke to somebody or -- and it wouldn't be -- he wouldn't do it at the place where we were at, he would wait till we got home or till we got in the car or on the way home or -- he wouldn't, you know, outright in front of people, just ---
Q: So, he didn't beat you in front of people; it was always when you either were alone, the two of you guys were together?

A: Yes, there was one incident where he -- we were outside and they was a whole lot of people outside, and everybody just stood there like it was normal.
Q: Let me ask you, did you ever have an occasion to be in the presence of his family members when he either beat you or anyone else?
A: No.
Q: All right. All right. Now, tell me about -- so, his family was not around when -- when the beatings were going on. What about with Alethia?
A: They told me stories about ---
Q: No, you can't tell me about ---
A: I'm not saying -- about it happening.
Q: All right. You didn't see it?
A: I didn't see it myself.
Q: That's fair.
A: But I've heard stories.
Q: All right. Now, let me go on with you. Do you recall an occasion where Alethia was bringing the children and he was upset about it?
A: This was after she moved out. I didn't witness that; my sister did.
Q: Okay.
A: She came back and told me.
Q: All right. Don't tell me what your sister said. But as

a result -- let's move on to something else. Let me ask you, in regards to Dennis' family, what was your relationship with them?

A: We had a good relationship with all of them.

Q: Okay. Did you get along with ---

A: All of them.

Q: All right. Tell me the names of his sisters?

A: Denise, Wanda, Robin, and Sabrina.

Q: Okay. All right. And of those sisters, were you close to any of them?

A: All of them.

Q: All of them? Did you get along well with all of them?

A: All of them.

Q: Ever have any disagreements or fights or arguments with any of them?

A: I had an argument with one, and it was -- it was about us letting Alethia live with us.

Q: Okay. All right. Which one was that?

A: Denise.

Q: Denise?

A: The oldest one.

Q: She didn't want her to live with you?

A: No.

Q: Okay. All right. Now, did -- did Dennis have brothers?

A: He has one brother.

Q: Okay. And did you know his brother or knew his brother?
A: Yes.
Q: What's his brother's name?
A: Cedric.
Q: Okay. Did you have any kind of friendly relationship with him?
A: We weren't as close as the sisters, but -- I mean, we got along.
Q: Okay. Now, he was older or younger than ---
A: He was the oldest.
Q: Okay. He was the oldest of the children?
A: Of the children, yes.
Q: Okay. So, he would've been older than Dennis. Where did Dennis fall in line with the other children in terms of age?
A: He's the one right before the baby.
Q: Okay. When you met Dennis, what kind of work was he doing?
A: He wasn't working.
Q: He wasn't working?
A: No.
Q: So, y'all were living in a hotel; who was paying for that?
A: Him.
Q: All right. And y'all moved out of that into an apartment and a condo; who paid for that?

A: Him.
Q: All right. Now, did he have vehicles?
A: Yes.
Q: When you met him, what kind of vehicle did he have?
A: When I met him, he was driving, I don't remember what kind of car it was, but him and Alethia were sharing that car.
Q: Okay.
A: And that was a car he was in when he had the accident.
Q: Okay. Now, were you -- at any point in time, did you know Dennis to sell vacuum cleaners?
A: No.
Q: All right. Has he sold you or brought home to y'all one of those $1700 vacuum cleaners?
A: Not at all, no.
Q: All right. Now, let me ask you about these fights and things that -- or beatings, let's use that word, that Dennis gave you. Did you ever have conversations -- and you can't tell me what the conversations was except for your side of it. Did you ever have conversations with Dennis' family members about the fact that he was beating you?
A: Yes.
Q: All right. Tell me which family members you specifically had conversations with about the fact that he was beating you?
A: His mom and his sisters.
Q: His mom and his sisters?

A: Yes.
Q: All right. All right. When you say sisters, you said that there were several of them, so which ones specifically?
A: Three out of the four of them.
Q: I'm sorry?
A: I said three of them out of the four.
Q: Which three?
A: Denise, Robin, and Sabrina.
Q: Okay. All right. And did they actually send you text messages and/or Facebook messages acknowledging those beatings?
A: Yes.
Q: All right. And did you save those messages on your Facebook and text accounts?
A: Yes.
Q: All right. Let me ask you if -- if at some point in time, the beatings got bad enough that you decided to leave Dennis?
A: Yes, I left -- the first time I left was January 2013.
Q: Okay. Tell me about that. Tell me about the beating and tell me why you left?
A: Well, my sister, we ---
Q: You can't tell me what your sister said.
A: No. We were arguing, because I said to him, you made my sister leave, and later I did find out that her reason for

leaving was because we fought so -- because it was -- she had to breakup so many incidents between us. I don't remember which -- which thing it was that was the final straw that I was just like, I got to go; I'm leaving.

Q: So, you left him when -- my question though was when did you leave?

A: It was January 2013.

Q: Okay. And where did you go?

A: I went back home to Baltimore.

Q: All right. You went back home to Baltimore. All right. And how long did you stay in Baltimore before you came back, if you did?

A: Maybe like eight months.

Q: Okay. You stayed away eight months in Baltimore. All right. At some point in time after that seven or eight-month period, what happened to cause you to come back to him?

A: My dad was coming to the beach for that week, and like Dennis and I never -- we never stopped talking while I was gone. So, I wound up telling him ---

Q: Telling him what?

A: --- telling Dennis that we ---

Q: Okay. You can't tell me what you -- well, go ahead. You can tell me what you told him.

A: I wound up telling Dennis that we were coming down, and he met us when we -- when we pulled up at the hotel. I had

given him all the information and everything. He -- he pulled up while -- as soon as I pulled up, and I left with him and we went back to his hotel room.

Q: Now, is this in Baltimore?

A: This is in Myrtle Beach.

Q: This is in Myrtle Beach. So, you and your dad, you said?

A: Myself, my dad, my brother, my sister, and my nephew.

Q: Okay. Now, why were y'all here?

A: We come anyway, like that's something that we've done since we were children.

Q: All right. Y'all come to the beach or you go to Orangeburg?

A: Both.

Q: Both. All right. So, y'all were coming to the beach anyway?

A: Yes.

Q: And so, you and -- got with Dennis?

A: Yeah, and the next day ---

Q: That was a yes?

A: Yes.

Q: Okay. You then got with Dennis. All right. And once you got with him back at that time, what month would this have been?

A: Probably August.

Q: So, you got with him in August of '13?

A: Yes.
Q: All right. So, you got back with him like August of '13, and tell me about what happens after that?
A: We spent the next two days with my dad and my siblings. And that second night, we were arguing about something. We were drinking, and we were arguing about something in the truck, and I remember I was in his face, and he was like, get out of my face, and he hit me. He swung and he punched me in my mouth. All right, you can see -- I still have the cut on my lip where like it was -- it was literally a hole in my lip, and I was supposed to leave. I wasn't supposed to stay. I was just supposed to be spending the week.
Q: You were supposed to go back with your family when they left?
A: Yes.
Q: Did you go back with them?
A: I didn't go back, because my dad was looking for me, and because of the -- the -- my cut on my face, I was hiding from my dad. So, I wound up -- that's how I wound up staying.
Q: All right. So, they all went back and you ended up staying, because you had ---
A: Yes.
Q: --- the injuries. And you didn't want them to see it?
A: Yes.
Q: All right. So, go ahead, tell us what happened. You and

Dennis stayed together then for how long?
A: Until ---
Q: Well, let me ask you this way. Did you leave again?
A: Yeah, I left again that next year.
Q: All right. You left again and would that have been 2014 or '15?
A: That was '14.
Q: You left again in 2014?
A: Yes.
Q: And when you left in 2014, where did you go?
A: I went back to Baltimore.
Q: All right. And when you go to Orangeburg -- I'm sorry, you went to Orangeburg?
A: No, I went to Baltimore.
Q: To Baltimore, and who were you living with in Baltimore?
A: I probably stayed at my mom's house.
Q: Your mom's. Okay. Now, tell me what happened then, how did you end up coming back after 2014?
A: I think he came to get me. He came to get me. He ---
Q: How long did you stay before he came to get you?
A: Maybe three months that time.
Q: All right. So, you were gone for maybe three months, he comes to get you, and then you come back with him?
A: And by then, he was in Georgia.
Q: All right. So, in the interim, he had moved from Longs

to Georgia?
A: Yes.
Q: Okay. So, at that point, when he came and got you, when y'all came back here, y'all went to Georgia?
A: Yes.
Q: All right. To the Atlanta area?
A: In Covington.
Q: Covington. All right. So, when -- when you moved to Covington, were y'all living just the two of you alone or were you living with someone else?
A: It was just us alone. He was staying at his cousin, Maurice, that testified yesterday, he was staying here. He moved actually in 2013 while I was gone.
Q: Okay.
A: To his house.
Q: Okay.
A: In 2013, the end of 2013, I went to Maurice's house with him, and by January, I was gone again.
Q: Okay. All right. All right. So, did you ever stay at the house, Maurice's house?
A: Yeah, for like a month-and-a-half.
Q: A month-and-a-half?
A: Uh-huh, (affirmative response).
Q: And then you left again?
A: And went back to Baltimore.

Q: And why did you leave this time?
A: This time, I didn't want to be at Maurice's house.
Q: Okay.
A: Number one.
Q: Why was that?
A: He and his wife were going through a divorce, and, you know, I -- I just didn't want to be there.
Q: Okay.
A: Family stuff. His mom had, you know -- I just didn't want to be there.
Q: It was just family issues going on ---
A: And I didn't want to be involved.
Q: --- you weren't comfortable?
A: I didn't want to be around it. And my grandfather was sick at home back in Baltimore. So, if I'm gonna deal with family drama, it was like, why not my own.
Q: Okay. So, now what year would that have been?
A: That was in 2014.
Q: 2014?
A: Yeah.
Q: All right. Now, when you left in 2014, you went back to Baltimore again?
A: Yes.
Q: All right. Is that the last time you left or was there another time in 2016?

A: I don't remember. I can't remember.
Q: Okay. All right. And now, the apartment that you and Dennis were living in in -- in 2017, that's the same apartment that y'all moved into in 2014?
A: Yes.
Q: Okay. And y'all stayed there for the three years, right?
A: Yes.
Q: Now, let me ask you when -- about Dennis' travels. Y'all don't have children?
A: No.
Q: All right. You don't have children; Dennis has two, right?
A: He has three.
Q: He has three?
A: He has three boys.
Q: Three boys. Now, during that time that y'all were living together between 2014 and 2017, tell me about the work habits of Dennis; what kind of work was he doing?
A: He was doing landscaping.
Q: He was doing landscaping, and he was working for a landscaping company?
A: Yes.
Q: All right. Now, you know the name of the company?
A: Procutters.
Q: Procutters?

A: Yes.
Q: All right. And what was his normal hours?
A: Some days he would work 17 hours.
Q: All right.
A: But it was like Monday through Thursday, because Thursday when he got off, he would come home and eat. I would pack his bag, and he would be on the way to Little River until Sunday.
Q: All right. So, he would leave every Thursday night and come back when?
A: Sunday evening.
Q: Sunday evening?
A: Yes.
Q: All right. So, you would be alone every weekend from Thursday night till Sunday night?
A: I had six pit bulls, so I wasn't alone, but -- yeah, he was not home.
Q: Okay. Now, you were aware of Dennis' criminal history, right, with drugs?
A: Yeah.
Q: When did you become aware of that?
A: When we met.
Q: I'm sorry?
A: The first time that we met.
Q: All right. Tell me about that, why do you say the first time you met?

A: He just telling stories about different things that had happened, and it was that kind of stuff; drugs, guns.
Q: All right. So, you knew from the very beginning what he did?
A: Uh-huh, (affirmative response).
Q: And now, to your knowledge, did he ever stop doing it during the time that y'all were together?
A: Not to my knowledge.
Q: All right. Now, let me ask you about -- do you know what his income was from his job?
A: He might've made $700 a week.
Q: A week?
A: Yes.
Q: But y'all had four cars, right?
A: Yes.
Q: Tell us what the four cars were that you had?
A: He had a Trailblazer; he had Pontiac G-6; he had a Mercedes; and he had just gotten an Altima like a couple months before.
Q: Okay. All right. And do you know what y'all's rent was at your apartment?
A: I don't remember.
Q: Were you working?
A: No, I was not.
Q: Did you ever work during the entire number of years that

you guys were together?
A: No. He didn't want me to work.
Q: He didn't want you to work?
A: No.
Q: Why? Now, you say you had pit bulls; how many pit bulls did you have?
A: There was six of them.
Q: All right. Now, who purchased those pit bulls?
A: He did.
Q: All right. All right. What about y'all's food and stuff like that, I mean, who paid for that?
A: Dennis.
Q: Now, did you pay car insurance or anything like that for any of those vehicles you had?
A: Car insurance, car payments.
Q: He paid all of it?
A: He paid for everything.
Q: All right. Now, let me ask you, in regards to the times that -- that you and Dennis were together, did you have some good times as well?
A: Of course.
Q: Tell me about that. Tell me about the reasons that you stayed in the relationship after the abuse. Why would you stay?
A: Because I loved him. We were happy. And I feel like, I

think in my mind, it was like the good outweighed the bad. So, it was like all of the things that I had, and the trips that we would take, and the gifts that were purchased, and ---

Q: So, he would buy you things?

A: All the time.

Q: All right.

A: And I think it was to make up for the busted lips and black eyes and me having to hide in the house for the week until something healed. That's why I didn't come up here when he came on the weekend.

Q: Now, there is -- there is no question that there were times when he was good to you, right? You have to say yes or no.

A: Yes.

Q: All right. And he did really nice things for you, buy you gifts, buy you clothing, paid bills for you, get your nails done, all that stuff, right?

A: Yes.

Q: All right. And -- and -- and is that a part of why you stayed with him?

A: Yes.

Q: All right. Did you feel like you could make it on your own without him?

A: No.

Q: Tell us, try to help us understand why you felt like --

you're an intelligent soundings lady, why would you stay with a man who beat you regularly, gives you black eyes, busted lips, bruises; why would you stay with him?

A: I mean, he was, at the time that we were together, the sole provider for my entire existence, pretty much. And like I say, he didn't want me to work, so it got to a point to I was totally and completely dependent on him.

Q: Now, let's -- let's focus on Dennis' relationship with his children for a minute. Let's talk about that. During the -- and let's focus maybe on the last three or four years, from 2014 -- or '14, after you came back that last time till his death. Tell me about his relationship with the children and your relationship with his children?

A: I mean, I love them like they're mine, and I have since they were babies. He had a good relationship with his children. His children, even though they would see him do, you know, hit me, or hit their mom and stuff, they didn't think he was a bad person. You know, like all kids feel like their dad is superman. He had a good relationship with his kids and, I mean, I did, too. Like I say, they were -- I say my babies, my babies. I miss them now, you know.

Q: So, you grew to love his children. And tell me about what would happen with the children -- well, let me ask you this way. Did -- and I'll just be specific. Did Alethia, the mother of the children, ever express to you her gratitude for

your taking care of the children?
A: She has, on several occasions.
Q: All right. Did she in fact send you emails and text messages about how much she appreciated it?
A: She has.
Q: All right. And did you happen to save those text messages and emails?
A: I did.
Q: I'm sorry?
A: I did.
Q: Okay. Now, let's -- let's talk for a minute about on a typical weekend when he would get the children. Tell me what would happen when she would either drop them off or that y'all would pick them up; how did that work? Tell me how that worked?
A: She would either drop them off or -- I think when she first -- when we were still living in South Carolina, they would take turns. She would drop them off at his mom's house or -- excuse me -- I would go pick them up, or he would go pick them up. And once he moved, he didn't -- once we moved to Georgia, he didn't really have them. Like if I would come up with him, they might be at his mom's house or something like that or at his sister's house or something, but he didn't -- even when we were living there, he didn't have them. He might come pick them up, he might stay for a couple of hours,

and then he's gone and it's just me and the boys. That's been from the beginning.

Q: And did that pretty much the way it was the entire three, four years leading up to his death?

A: Yes.

Q: Now, let's -- let's move a little further and let's talk about the night -- or actually the night/morning of July 7th of 2017. You recall that day, I'm sure?

A: Yes.

Q: Now, tell us -- let's go back. This would've been the week of July 4th; is that correct?

A: Yes.

Q: All right. Tell us what was happening with your family in regards to that week?

A: My mom had come up to Myrtle Beach for 4th of July, and Dennis was already here. I wasn't coming. Minor 1 's birthday was the 5th of July, and I had told him, you know, since I didn't come to the beach, just bring them when you come back home Sunday and we would do something then. But my mom wound up coming to Myrtle Beach, and she's texting me. She said why don't you just come here. I had my nephew. So, she was like she wanted to see my nephew; just -- just come on. And then Dennis started calling me like, your mom's here, you might as well come on. I wound up -- I let the two of them talk me into coming to the beach.

Q: All right. So, as a result of that, you were not originally planning to come?
A: I had no intention of coming up here.
Q: And why weren't you coming?
A: Because I didn't want to.
Q: You just didn't want to come because you know -- you knew your family was here?
A: I just didn't want to.
Q: Okay.
A: I stopped -- after a while, I stopped coming up here, because that's where we would fight. When we would come here, that's when I would have to worry about him getting mad and punching me in the face, and then I got to go back into hiding. And I just started coming up here, because it was just like evil.
Q: All right. Now, a lot of these times when Dennis would punch you and stuff, it was when he's been drinking?
A: Not all the time; he didn't have to be drinking.
Q: All right.
A: But that's what, when we came here, there was nothing else to do besides whatever he came up here for. We would wind up going out and it would be some -- I would wind up being beat up eventually.
Q: Okay. So, anyway, you did decide ultimately to come to Myrtle Beach. Now, tell me about that. Once you -- what --

when did Dennis come to Myrtle Beach during that week?
A: He came the week before that. He was here, like he does on Thursdays. So, he left the Thursday before.
Q: So, how many days had he been to Myrtle Beach before you came?
A: Maybe five or six days before I came.
Q: He was already here five or six days before you arrived?
A: Yes.
Q: And you were in Atlanta the rest of that time?
A: Yes.
Q: Okay. So, you come down on what day?
A: The night of the 3rd.
Q: The night of the 3rd. So, you came the day before the July 4th?
A: Yes.
Q: All right. And you got down here that night. Where did you go to stay?
A: I met Dennis at his mom's house, and then we went to -- my mom had a condo, so we went and stayed in my mom's condo.
Q: Now, did you drive down?
A: I drove, yes.
Q: From Atlanta?
A: Yes.
Q: Okay. And so, when you got here, you went straight to Dennis' mom's house?

A: I went to meet him at his mom's house.
Q: Okay. And was he there when you got there?
A: Yeah.
Q: All right. And what did y'all do after you got there to his mom's house? You stayed for a while or ---
A: No, I didn't go in, we just -- he was in the yard.
Q: Okay.
A: We put the bags that were in the car that I had in the other car, and we drove the one car to my mom's condo.
Q: And you left your car at his house?
A: Yes. I left his car at his house.
Q: I'm sorry?
A: I mean, I left his car at his mom's house.
Q: Okay. Whose car did you put the bags in?
A: I put the bags in the Altima. I had driven the Mercedes up here.
Q: Okay.
A: And I -- that was part of the reason I didn't want to come, too, because I didn't want to drive that car.
Q: Okay. So, the Mercedes, y'all left at his mom's, got in the Altima that you were driving?
A: Yes.
Q: Oh, you drove the Mercedes here, but you got in the Altima that he was driving?
A: Yes.

Q: All right. And then where did y'all go once you got into the Altima, where did y'all go?
A: We went to my mom's condo.
Q: All right. All right. So, tell me about that. You get to your mom's condo, and this is July 3rd. So, what happens on July 3rd; tell me about that?
A: It was that night, so we wound up going -- we talked for a little bit, and we laid down and went to sleep. He got up in the morning like he does.
Q: Did y'all have y'all own room?
A: No, we stayed at her condo.
Q: No, I'm saying did you have your own room in the condo.
A: I let my nephew and my little cousin stay in the bedroom.
Q: Okay. Where did y'all sleep?
A: It was a sofa bed like in the living room.
Q: Okay.
A: Somewhere.
Q: All right. And there were a bunch of people here with your family? Who all came down from your family to this ---
A: It was my mom, my grandmother, my nephew, and my little cousin, and myself.
Q: Okay. All right. And then Dennis?
A: And Dennis.
Q: Okay. So, go ahead. This is the night y'all lay down -- y'all have anything to drink that night?

A: He was drinking anyway, because when he came to the car when he was at his mom's house, he had a -- a Bud Light.
Q: Okay.
A: And he had Hennessy; he had a bottle of Hennessy in the trunk.
Q: Okay. Did y'all get into any argument or disagreement between the time you left his mom's house to the time you got to the motel?
A: We fussed at his mom's house, because like I said, I didn't want to drive that car. So, he was mad, but ---
Q: But no -- no -- nothing of any serious nature?
A: Nothing. It didn't get physical.
Q: Okay. So, y'all left there and y'all went to ---
A: My mom's.
Q: --- the place where your family was staying?
A: Yes.
Q: And y'all went to bed. What time of night would you say y'all actually ended up at the condo where your family was staying?
A: It might have been 11:00 or 12:00 that night. It was late.
Q: Okay. And -- and -- and then y'all went to bed. So, then tell me what happened the next morning, which is now it would be what, July 4th?
A: Yes.

Q: Tell me what happened.
A: The next morning, he got up probably like 5:00, 6:00 and he left, and he went back to Little River. I got up and I cooked everybody breakfast. No, we went to eat breakfast that morning of the 4th, and he came back maybe 5:00 or 6:00, 7:00 that evening, a little bit before it got dark.
Q: So, he left early that morning?
A: Yes.
Q: Came back late in the evening of July 4th?
A: Yes.
Q: Do you know where he was during that period?
A: He went to Little River.
Q: Okay. Go ahead.
A: We got in the pool and played around in the pool for a little while. Like I say, when it started getting dark, mom was like, all right, come on y'all, you know.
Q: So, we went to the pool; now, who are we speaking of?
A: Dennis, my mom, my nephew, my cousin, myself, and my grandmother.
Q: All right. So, after he comes back in the evening, y'all all go to the pool and hang out?
A: Yes.
Q: All right. And this is you say after 7:00 p.m.?
A: It was a little bit before 7:00, because around 7:00 is when my mom reminded us, you know, about the fireworks. So,

we had to get out of the pool and wash and get dressed and go -- he was taking us like he knew, I guess, the spot. He's from here, so he knew where was a good place to go, and ---

Q: A good place to go to watch the fireworks?

A: Yes.

Q: Sure. All right. So, y'all all gather up to go watch the fireworks?

A: Yes.

Q: All right. And y'all ride together or in separate cars with your family or did y'all do that?

A: Me and Dennis rode together and the children were with my mom and my grandmother.

Q: Okay. Now, did you have Dennis' children with you during this time?

A: No, I didn't get them until the next day.

Q: Okay. We'll come to that in a minute then. All right. So, so y'all go to watch the fireworks, anything happen that eventful at the fireworks?

A: No.

Q: Okay. Y'all watched the fireworks?

A: We had a good time.

Q: What time did y'all go back, directly back home after the fireworks or did y'all stop anywhere?

A: We stayed out there for a while, and we went back to the condo. I can't tell you what time it was, I don't ---

Q: That's all right. All right. Y'all go back to the condo, are y'all drinking and partying or having a good time?
A: Yeah, we're playing the music and dancing and ---
Q: Okay.
A: --- drinking and we -- we had a good time.
Q: All right. So, everything went really well that night. Tell us about the morning of the 5th; what happens then?
A: He got up, and I had to drop him off that morning in Little River.
Q: Okay. So, now, does he have family in Little River?
A: His whole family is in Little River.
Q: Okay. So, you dropped him -- you take him to Little River and drop him off?
A: I dropped him off at his mom's house.
Q: What -- what -- what time of morning would you say that was?
A: It was early in the morning like maybe 6:00 or 7:00 in the morning.
Q: All right.
A: And I promised my momma that morning that I would cook them breakfast.
Q: Okay.
A: And I had to get my nails done because the baby's -- Minor 1 's party was later that afternoon. So?
Q: Whose party?

A: Minor 1 's, that's the baby boy. Dennis' youngest ---
Q: Dennis' son's birthday party ---
A: Youngest son.
Q: --- would have been that afternoon, which would have been July 5th?
A: The 5th. Okay. So, I went to the grocery store, because like I said, I promised my momma that I would cook them breakfast. I saw a nail place next to there, and I went in there and I made an appointment for maybe like an hour later; it would take me that long to fix the food. I went back to the condo, cooked them breakfast, I went and got my nails done. I think I talked to Alethia, and I was asking her, you know, what else do you need me to bring out there, and whatever, and she told me the stuff to get from the store. Dennis called me maybe about 4:00 or 5 o'clock to come get him so he could get ready, so we could go. And I went to the store and got the stuff that Alethia said she needed, and we came -- we went to the place that she was having a party. We had a good time; we were skating. I mean, we had a good time that day, too.
Q: Were all of Dennis' kids there, all three of them?
A: No, just the two boys.
Q: The two boys?
A: Yes.
Q: So, now, tell me about after the party, where did y'all

go; did y'all leave -- did you and Dennis leave the party together or ---

A: Yeah, we did, but the kids were with us, because like I said, I haven't seen them, I haven't been up here. So, they're like we going with you.

Q: Okay. You can't tell me what they said.

A: The kids wanted to go with me.

Q: All right. The kids, after the party ---

A: After the party ---

Q: --- the kids left with y'all?

A: --- we were in the parking lot. Yeah, they left with us.

Q: The kids left with you and Dennis and went back to your condo where you were at?

A: To my mom's condo.

Q: Okay. Your mom's condo. All right. And that was the boys?

A: Yeah.

Q: Including the birthday boy?

A: Yes.

Q: Okay. Now, so y'all get back to the condo, tell me what happens there?

A: Like I said, my nephew was there and my little cousin was there. So, the kids, everybody's getting along. I hear -- I remember laughing, because all of them, I hear them saying shut up, you shut up, you know the kids are bickering.

Q: They're playing and ---
A: So ---
Q: Does anything happen between you and Dennis that night or everything goes fine?
A: Nothing happened. Everything was fine.
Q: All right. Let's go to the morning of the 6th?
A: When I woke up on the 6th, he was gone.
Q: You woke up and he was gone?
A: He was gone.
Q: Okay. And what time do you think you woke up that night?
A: Maybe about 8:00, because the kids woke me up.
Q: Okay. So, you got up, Dennis was gone.
A: Uh-huh, (affirmative response).
Q: So, tell me what you and the kids did that day or what happened with you that day?
A: Went to eat breakfast, me and the kids, my mom, my nephew, my grandmother.
Q: Y'all went to eat; did y'all take the kids, too?
A: Yes, I had them with me; we went to eat breakfast. I can't -- I don't know where we were at.
Q: Okay. All right. So, y'all all went as a family, as a group?
A: Yes.
Q: Okay. And you had breakfast; what did you do after breakfast, what did you do?

A: The children wanted to go to the beach.
Q: Okay.
A: So, we had to go get swimming trunks and towels and all this stuff, so it was like an adventure that whole day with us and the kids, and going to the market and getting little stuff that they wanted and everything else. We wound up not going to the beach; they wound up getting the pool.
Q: Okay. So, when you came back after getting all those bathing suits and items, then they ended up gonna the pool instead of the ocean?
A: Yeah.
Q: All right. And did that go on for some hours?
A: It was a while, because I remember, I was fussing saying I didn't want them to get in the pool, and I called Alethia and she was like no ---
Q: You can't tell me what Alethia said.
A: Well, we both said no.
Q: All right.
A: And we wound up letting them get in -- go anyway. And Dennis called and he was reminding me, he said ---
Q: Okay. You can't tell me what Dennis said.
A: He was reminding me ---
Q: No, listen. Hold on. As a result of the conversation with Dennis, what did you do?
A: As a result of the conversation, I got the kids together,

and I went to meet him at his mom's house, so we could go to the store so I could get something to wear ---

Q: Okay.

A: --- to go met -- Antoinette?

Q: Yes, Antoinette.

A: Yes, okay. So, I met him at his mom's house.

Q: He took you shopping?

A: Yeah.

Q: All right.

A: We went shopping.

Q: And what did you buy, when y'all went shopping what did you buy?

A: Minor 1 and me got Converses.

Q: I'm sorry?

A: We got matching shoes.

Q: Your kid ---

A: Yeah, for his birthday.

Q: --- for his birthday?

A: Yeah.

Q: He got some Converses and you got some Converses, the two of y'all?

A: Uh-huh, (affirmative response).

Q: The two of y'all. Same color?

A: No. He got black, I got red.

Q: All right. And what about the other kids, did they get

anything?
A: No, Minor 2 stayed at Sabrina's house, because he wanted to play the game with her son.
Q: Okay. So, y'all go shopping together; you, Dennis, his son?
A: Uh-huh, (affirmative response).
Q: Anybody else?
A: His cousin, Deuce, went.
Q: His cousin, Deuce?
A: Uh-huh, (affirmative reponse). Yes.
Q: Is that Edward Campbell?
A: Yes.
Q: All right. So, y'all all go shopping. After you finish shopping, where do y'all go?
A: We went to pick Minor 2 up from Sabrina's house.
Q: Okay. That's the other kid?
A: Uh-huh, (affirmative response). I mean, yes.
Q: All right. And once y'all get him, where do y'all take -- where do y'all go?
A: Well, that's when Dennis started getting agitated because he didn't come straight out the house when he pulled up. So, he was blowing the horn and he's cussing and fussing at him. I'm like, can you give him a, you know, give him a chance to get up, cause she say he started falling asleep. So, I'm like can, you know, give him chance to get up and get his stuff on

and come out the door.
Q: So, what time of evening are we talking now when y'all went to pick up his second child?
A: Maybe about 9:00, because I texted Alethia.
Q: At night?
A: Yeah.
Q: Okay.
A: Yes, I had texted Alethia saying, you know, I know it's late, I know it's bedtime, we're on the way, whatever.
Q: Okay.
A: And ---
Q: Now, y'all pick up his child from Sabrina's house.
A: Yes.
Q: And this is around 9:00 p.m. on the evening of the 6th?
A: This is the 6th, yes.
Q: All right. Have y'all already made plans to go out that night to see Antionette?
A: Yeah, he -- earlier that day, it came up and I'm like all right, you know, my thing was we could wait and do it tomorrow, but for whatever reason, he wanted to do it that night.
Q: All right. Let me -- Let me stop you and ask you, now, prior to July the 6th, when is the first time you ever knew anything about Antionette?
A: Probably April.

Q: April?
A: Maybe March or April, May.
Q: Okay. And how -- how did you find out something about her?
A: It's actually she couldn't -- it was two girls, two light-skinned girls that had dreads. So, I didn't know for sure, which one was which. I know her name now, because it keeps, you know, I don't -- I didn't -- it was two, and I know now that she was the one that Bike Week, he wanted to drive all of the cars, so he brought her up. And he was like well she can drive the truck, and you can drive this one, and we can do this like this. I don't know what happened, but I didn't ---
Q: You say he brought up -- brought her where?
A: I mean, she came up. He was saying this girl that he was dealing with or talking to or ---
Q: Hold on. The talk came up, not she didn't come to Atlanta?
A: No, I didn't meet her. That was my first time. I heard about her. She has come up in conversation.
Q: All right.
A: I -- I -- like I said, I didn't know which one.
Q: So, you knew that there was somebody ---
A: There was two of them.
Q: Two girls. So, there were two girls that he was

interested in?
A: But come to find out, she was the one that was in South Carolina; the other one was like in Alabama or ---
Q: Okay. All right. So, and he told you about both of them?
A: Uh-huh, (affirmative response).
Q: And so, you were aware that both existed and that ---
A: He showed me pictures and everything.
Q: You just didn't know them?
A: I didn't.
Q: Had never met them?
A: I don't come outside; I'm home.
Q: All right. Now, has he had other women other than these two?
A: Yes.
Q: All right. I mean, how many would you think, just in the time that you've known him that you know about?
A: I couldn't tell you.
Q: More than six or eight?
A: Yeah.
Q: Okay. All right. So, this was not a novelty; this wasn't something unusual?
A: I mean, it was -- we met on those type of -- in that, like I say, at the strip club that night that we met, he didn't -- I didn't leave with him, he left with a friend of

mine.
Q: Okay.
A: So, that was -- we started off, you know, him and other women.
Q: Okay.
A: That was normal.
Q: All right. So -- so -- so, you had heard her name or saw her picture or something, but that was the extent of any knowledge you had?
A: Yes.
Q: The first time you actually met her would've been when you came down here in July and y'all went out the night of the 6th?
A: Yes. Because that's what I kept telling him ---
Q: Or the 7th.
A: --- I'll meet her, you know, whenever I decide to come to South Carolina. It just so happened that that -- I came because my mom was here. So, I guess he was like, you know, while you're here, let me get y'all together.
Q: All right. Have you met -- have you met other women other than Alethia, that ---
A: Yes.
Q: All right. Do you have any idea how many that he had?
A: I couldn't tell you all of them.
Q: More than five or six?

A: Absolutely.
Q: All right. And -- and so, that night, y'all dropped -- after you get the kids, you're gonna take them home and get them to bed; is that what the plan was?
A: Well, I was dropping them off to their mom.
Q: All right.
A: He was rushing because it was like, we got to hurry up and get rid of the kids. We got to get back to the condo, you got to change, you got to -- and he was gonna go pick her up and like he was just, you know, excited, I guess, about me -- us meeting.
Q: Okay. So, the two -- so, y'all dropped the kids off to their mother, Alethia, and then y'all go back to your condo to get dressed?
A: Yes.
Q: All right. And -- and, so, what time do you think y'all got back to your condo?
A: Maybe 9:30, 10 o'clock.
Q: Okay. And so, once you get there, tell me what happens to that point?
A: Poured some drinks, we were listening to music. I forgot what I cooked, but I made, you know, something to eat before we started drinking. We were having a good time.
Q: Okay.
A: Like every other night that we had been together down

here.
Q: All right. So, that night went well as well?
A: Yes.
Q: All right. Now, let me ask you, at some point in time, when y'all were starting to -- to get ready to go out, is your mom there?
A: Yes.
Q: All right. And had y'all been drinking at that point?
A: Yes.
Q: You as well?
A: Yes, I had a drink when I had the kids, because it was like, a day with, you know, ripping and running with them and everything. So, I had taken a drink before I even went to go meet Dennis at mom's house that evening.
Q: Because you had four kids all day?
A: Yes.
Q: All right. And so, let me ask you, after the kids are dropped off and you get back and cook some food, and then you start to get dressed to go out?
A: Yes.
Q: All right. And -- and -- and it's your understanding at that point, that y'all were going pick up this girl ---
A: Yes.
Q: --- that Dennis has been seeing and y'all were gonna go out on a date?

A: The agreement was that we weren't gonna be out long, because like I said, I, and I kept saying it to him, I have had your children all day, I'm tired, I really don't feel like doing anything, can't I meet this girl tomorrow; can't we do this tomorrow? And then my mom wanted me to get up in the morning and drive her to the airport in Charleston, back to Orangeburg, back to the beach, and it was just a lot of running around that I had done that day and that I would have had to have done the next morning. And I'm just like, can we put this off. You know, once I get my mom out the way and take my nephew, let me nephew go with my mom, I already dropped Minor 1 and Minor 2 off, like we got Saturday and Sunday, you know, to mess around with your girlfriend.

Q: The next morning, which would've been the morning of the 7th, you were supposed to take your mom to the airport?

A: Yes.

Q: And the airport was in Charleston?

A: Yes. So, the agreement was that we were not gonna be long because I just kept telling him, like I'm tired, baby, I'm tired. So, we weren't even supposed to be out as long as we were.

Q: All right. So, you agree to go; y'all went?

A: Yes.

Q: Okay. The two of you got dressed and left the condo to go pick up this lady?

A: Yes.
Q: All right. And so now, tell me what happens from that point, you get in the car and you're going to pick her up. Tell me what happens from that point.
A: We got to her house and she came outside and he and I were in the car talking about her legs, like she's tall and she had her legs out. And she came to the car and I got out and she reached like, you know, she was getting ready to get in the back seat, and I said to her, I said don't you want to get in the front with them legs, girl, and she smiled, you know. I got in the backseat; she got in the front seat. And he stopped at his mom's house for something.
Q: Okay. Now, prior to that point, had there been any anger that day between you and Dennis, any fights, any hostility at all prior to that?
A: No. He was irritated because, like I say, when dropping the kids off, he was trying to hurry up, you know, and drop them off so he could get hisself situated, I guess, to -- for the date that night.
Q: All right. Okay.
A: But no, we were fine. Everything was fine.
Q: All right. So, let's -- let's -- let's go on. You get to -- you get to this point where y'all are going to pick her up. Y'all are both dressed and you're going to pick her up. You get to her house. And how long do you think it takes you

to get from your hotel to her house, a guess, I know you don't know exactly?

A: I didn't ---

Q: You wasn't paying attention to that?

A: No. I couldn't tell you.

Q: Very well. So, anyway, you pick her up. And tell me, she gets in the car and where do y'all go from there?

A: We went to his mom's house and he got out.

Q: Why were you going to his mom's house?

A: I have no clue.

Q: All right. But he's got his girlfriend and you and him in the car, y'all go to his mom's house. Do y'all get out of the car; that is you and the girlfriend?

A: No, just Dennis got out.

Q: Okay. So, does he stay long in his mom's house?

A: He wasn't long. I don't know if he went inside; I don't know what he did. He pulled around to like the side where we couldn't see. So, I don't know what he -- I don't know what he got out and did.

Q: All right. So, anyway, then y'all get back in the -- he gets back in the car and then y'all go where?

A: To the Dockside bar.

Q: Okay. Now, the Dockside is a bar where, in North Myrtle Beach?

A: It's in Little River.

Q: Little River. So, y'all go there, the three of you?
A: Yes.
Q: All right. Tell me about that. Tell me what happens when you get to Dockside in Little River?
A: We sat down, me and Antoinette sat down at the bar. Dennis asked us what we wanted to drink and we told him. He got our drinks, he got his. He was back and forth like. I think they had pool tables, and some guys that he knew were in there and they all, you know, talking and everything. He played some music on the juke box, and she and I sat beside each other and were talking, and she was saying, you know ---
Q: You can't tell me what she said, but y'all talked?
A: We were talking about anxiety, and we don't drink, you know, like that. And I said to her, like, well, for all that, we could have just stayed at his mother's house, you know what I mean, and sat in the truck and smoked and watched T.V. Because it was about, his thing was us getting to know each other. That would've been the way for us to get to know each other, not being at the bar, you know, drinking and all of this, because that's not my thing, and we were in agreeance on that.
Q: Okay. So, all right. So, how long would you say y'all stayed at Dockside?
A: Maybe 45 minutes.
Q: Okay. Now, while you're at Dockside, was there any --

other than him being agitated about whatever the situation was, was there any argument between y'all ---

A: No.

Q: --- between you and her or between him and you ---

A: No.

0: --- at Dockside?

A: No.

Q: Was everybody getting along fabulously at Dockside?

A: (Indicates affirmatively.)

Q: All right. You have to say yes ---

A: I'm sorry.

Q: Were y'all drinking at Dockside?

A: Yes.

Q: How many drinks do you recall having at Dockside?

A: We probably a piece had two drinks.

Q: All right. You, Dennis, and ---

A: Each one of us.

Q: --- the tall girl?

A: (Indicates affirmatively.)

Q: All right. Yes?

A: Yes.

Q: All right. Now, let me ask you, y'all stayed at Dockside; do you have any idea how long?

A: Maybe 45 minutes ---

Q: Okay.

A: --- maybe an hour.
Q: All right. As you're leaving Dockside, do you run into anybody that y'all know?
A: We saw Kella, and I think Danielle, and Kella's brother-in-law and some other people. I don't remember who they was because I was just talking to Kella.
Q: Okay. So, you ran into them as y'all were leaving?
A: Yes.
Q: All right. Did y'all have a conversation for a few minutes?
A: Yeah, we talked.
Q: All right. After that conversation, did you, Dennis, and the tall girl leave together?
A: Yes.
Q: All right. And y'all -- tell me about that when y'all went to the car, who's driving, who's in the front passenger, and who's in the back?
A: I let her get in the front again.
Q: All right.
A: He was fussing because we were talking like, taking too long, I guess, to get in the car, because we were talking or I was talking to Kella. And we -- she got in the front, he was driving, I got in the back.
Q: Okay. So, y'all, at this point, still is there any untoward hostility?

A: No.
Q: Okay. Y'all leave the Dockside, and where are going to? Do you know where you're going at this point?
A: Thee DollHouse.
Q: Okay. You're going to Thee DollHouse. Now, how did -- how did -- how was it determined that you were gonna go to Thee DollHouse?
A: I don't know whose idea; I'm sure it was his, because it usually is his decision.
Q: All right. Now, so y'all go to Thee DollHouse or head out to Thee DollHouse. Do you actually make it there?
A: Yes.
Q: All right. So, tell us what happened once you got to Thee DollHouse?
A: We got our drink -- oh, we got there, I had asked Antoinette about taking a picture. I asked her would any of her other boyfriends be upset if I had taken a picture of her and Dennis and posted it on Facebook, and she was like, you know, no. So ---
Q: She didn't want you to take a picture?
A: No, she was okay with me taking a picture.
Q: Okay. Did you take a picture with her and Dennis?
A: Yes, I did, yes.
Q: Okay. And did you post it on the internet?
A: I didn't post it. I never posted it.

Q: But you took it?
A: Yeah, my intentions were to post it, but we wound up -- he asked us what we wanted to drink. One of us had to use the bathroom and he's like y'all go together. He does the same thing, no matter if it's me and another female; same thing with me and Alethia, like y'all go together.
Q: Okay.
A: So ---
Q: You and Alethia went to the bathroom together?
A: Me and Antionette.
Q: I'm sorry, Antoinette, I apologize?
A: Yes. So, we went to the bathroom and used the bathroom. I remember there was some other girls in there, like some dancers or something, and we were in there talking to them and laughing and I took -- we -- I still had pictures -- still had the phone and I took pictures then, too.
Q: Okay.
A: We came out -- by the time we came out, he had found a seat, and we went and sat down. He asked us what we were drinking, got our drinks. We were sitting down talking. Everything was fine.
Q: Okay.
A: And ---
Q: So, how many drinks would you think that you, Dennis, and Antoinette had at Thee DollHouse?

A: Probably two or three.
Q: Okay. Each of you?
A: Uh-huh, (affirmative response). At least, yes.
Q: All right. And how long would you say y'all stayed there at Thee DollHouse?
A: I don't know, but I know we were there longer than we were at ---
Q: Longer than you were at Dockside?
A: --- the first place, yes.
Q: Okay. Now, at some point you leave Thee DollHouse and you're gonna go where?
A: To get something to eat, but I remember I had said to him, I'm like, baby, it's 3 o'clock in the morning or whatever time it was, you know we got to go; you know I got to get up and -- that was whenever he started to get agitated again.
Q: Okay.
A: Because I had reminded him like, you promised that you wasn't keeping me out all night, because you know I got to get up in the morning.
Q: All right. Now, let me ask you, from the time you guys got in the car until you went to Dockside and the time you went to Thee DollHouse, were you and Antoinette getting along good?
A: Yes.
Q: All right. Did y'all have any personal discussions about

anything?
A: I think we were still at Thee DollHouse when she told me about her piercings.
Q: Okay.
A: And but I say, I was like, oh, I want to do that. I want to, you know, so I said, when we get in Denny's, you know, being devilish like show me when we get -- and we got to Denny's and we went straight in the bathroom.
Q: Okay.
A: And I could tell like he was kind of annoyed.
Q: Okay. So, when y'all got in Denny's, she had already told you about the piercings, but you hadn't seen them at that point?
A: No, that's why I said when we get -- when we stop, when we get inside of here, show me.
Q: Okay. And when y'all got out and went into Denny's, who led the way to the bathroom?
A: I don't remember, I just know we were giggling and laughing.
Q: Okay. All right. And y'all went straight to the bathroom?
A: Yeah, we went straight in the bathroom.
Q: All right. And do you know how long y'all were in the bathroom?
A: I have no idea. I know he came and knocked on the door.

Q: Dennis came and knocked on the door?
A: I guess it was Dennis, because when we came out, he was like what the F are y'all doing; you know, what's taking so long.
Q: Okay. So, when y'all came back and y'all sit there at the table when you come out?
A: Yes.
Q: Now, when you and Antoinette came out of the bathroom, are y'all holding hands or hugging?
A: Probably, because I know we were hugging and laughing going in, so I would think.
Q: Okay. All right. And so, now when y'all at Denny's, you are -- when you originally sit down, you're sitting beside Dennis; is that right?
A: Correct.
Q: At some point, you moved from beside Dennis over to the other side where Antoinette is sitting?
A: Yes.
Q: All right. Tell me why that was?
A: I don't remember what was said, but he just started -- I could tell, like, that he was in a mood at that point, and was being different, so I moved.
Q: Okay. All right. Was he wanting you and Antoinette to get along?
A: Yes.

Q: All right. Was there any plan that you know about for y'all to spend the night together or to ---
A: Not that night, because like I said, I wasn't even -- we weren't supposed to be out as long as we were.
Q: Okay. So, as y'all are leaving -- as y'all sit there, you move over to the side where Antoinette are, what are y'all doing; tell me kind of what's going on with you and Antoinette?
A: I don't know. Like I said, we were in each other's faces and laughing and talking and flirting and, I mean, that was the whole night, so I would assume it was the same thing once we got to Denny's.
Q: Let me ask you, who was doing the flirting; were you doing the flirting to her, was she doing the flirting with you, or was it a mutual flirt?
A: It was probably mutual, but I am sure she was more in my face than I was in hers.
Q: Okay. All right. Now, do you know how long y'all stay at Denny's?
A: No.
Q: All right. Do y'all actually order a meal at Denny's and eat?
A: They got -- I don't know what they got. I know I got a glass of water and they got whatever they got.
Q: You only had a glass of water?

A: Yes.
Q: All right. Were you just not hungry?
A: I wasn't. I had eaten before we went out, and then I'm like, I've got food in the house. I just -- I was ready to go.
Q: All right.
A: I was ready to lay it down, because like I said, I needed to get up at 6:00 in the morning.
Q: Okay.
A: And he was tired of me reminding him of what time it was and that I needed to go.
Q: All right. Now, at some point in time, you sent a text message from Denny's to your father?
A: Yes.
Q: All right. Tell us about that.
A: Again, I don't remember what was said, like what the exchange was, but he said something about me being disrespectful, and I said, you know, you're acting like B-I-T-C-H, and he called me one, and I said your mom is one, and he said, your dad is one. And he doesn't -- what I said to him is something that I say all the time whenever he says that to me, I say your mother, you know, but he's never made that remark about my dad.
Q: All right.
A: So, I'm like oh, okay. I got my phone, I called my dad.

I said, Daddy -- he answered, I said, Daddy, hold on. And I gave Dennis the phone and he just like mumbled, you know, something and then slid the phone back across the table.

Q: Okay.

A: So, I texted my dad just to let him know, you know, because I know he was probably like now why did she just call me, you know, that was weird. So, I text him to say, you know, he -- he's showing out, you know. He said this about you, because he doesn't -- that's -- that's -- not something that he would have normally done or said. So, it's like at this point, you -- you're being different. And I just texted my dad to let my dad know that that was why I called him. I didn't want him to think -- you know, because there have been times that I have called them like out of the blue in the middle of the night, and it was me trying to run away from Dennis or me crying saying he hit me or whatever. I just texted him to let him know, you know, like nothing happened.

Q: All right. Now, let's talk about that for a minute. Your dad is called Big Donny?

A: Yes.

Q: Is he big?

A: No, he -- he's Big -- my name is Donnielle.

Q: All right.

A: I'm named after my dad. So, he's Big Donny; I'm Little Donny.

Q: How tall would you say your dad is?
A: Probably 5'8" maybe. Maybe.
Q: And how much does he weigh?
A: I couldn't tell you right now.
Q: All right. Now, so after y'all leave Denny's, tell us kind of what's going on. You get ready to leave Denny's, you're walking, you leave the store, Denny's. Well, let me back up. Y'all had a waitress that night, correct?
A: Yes.
Q: Do you remember her at all?
A: I know she was white. I don't ---
Q: She was a white female?
A: Yes.
Q: All right. Do you remember the color of her hair or anything else?
A: I want to say blonde, but I don't -- I don't remember.
Q: That's okay.
A: I don't remember.
Q: If you don't know, you don't know. All right. But you know you had a waitress?
A: Yes.
Q: And she waited on y'all the entire time that y'all were at Denny's?
A: Yes.
Q: And she was back and forth to the table that night?

A: A lot, yes.
Q: Okay. Now, let's talk about when you leave Denny's. So, now you're leaving Denny's, the three of you. Who pays the bill for y'all to leave?
A: Dennis.
Q: He does. All right. Now, tell me about that. When he gets ready to leave, what does he do?
A: What do you mean?
Q: Dennis, when he got ready -- when y'all were at Denny's, y'all were all seated. How does it come that all of y'all get up and go out?
A: He said let's go. I mean, he got up, he stood up, and he was like -- he stood over top of me, but I think that was because, like I say, he was mad at that point that I had called my dad.
Q: All right.
A: For him to tell him, like repeat what you said. So, he kind of like, you know, but he's like y'all come on.
Q: Well, let me ask you this. Did you intend for your dad to beat him up when he got up there ---
A: My father wouldn't ---
Q: --- if he ever went to Baltimore?
A: No, my dad, like, when I finally spoke to him about it -- you know, we're children; that's a grown man. So, that's not even -- that's, no, not at all.

Q: Okay. All right. Has your dad ever had any fight with Dennis or argument with Dennis?
A: No, they got along fine. They got along fine. So, that's I think why, like I say, when he made that remark, I'm like, that was my thinking, well, say that to him, tell him that, because you don't ---
Q: Right.
A: --- show him that when you're around him, you know, like, like I say, you're being different now.
Q: Okay. Let's move on to y'all leaving Denny's. All right. And the three of you guys walk out of Denny's and tell me what happens as you leave Denny's?
A: He pushed the wrong button. He popped -- he pushed ---
Q: He?
A: Dennis pushed the trunk button instead of the unlock button on the keys, and ---
Q: He had one those automatic remotes?
A: (Indicates affirmatively.)
Q: Yes?
A: Yes, it's the lock button, unlock button, trunk button and the panic button, and he always pushed the trunk button instead of the unlock button. So, I would always have to go close the trunk, and that's the same thing he said, Tink, close the truck. I closed the trunk, got in the car, she got in the car, and he got in the car or he was already in the

car, and we went to take her home.
Q: Okay. So, do y'all make any stops from the time -- let me back up. When y'all get in the car, tell me how that happens?
A: I don't understand the question.
Q: You said you closed the trunk, then what?
A: And then I got in the backseat.
Q: Okay.
A: Where I had been the entire night.
Q: All right.
A: She got in the front, and Dennis probably was already in the car.
Q: Okay.
A: In the driver's seat.
Q: All right. And then the three of y'all pulled off. Tell me, did anything happen, was there any physical altercation, anybody hitting anybody, touching anybody, anything untoward happen while y'all were in that car in the parking lot at Denny's?
A: No.
Q: Did you strike Dennis ---
A: No, I did not.
Q: --- while were y'all in the parking lot?
A: No.
Q: All right. Why wouldn't you strike him?

A: I would not hit him because he would hit me back.
Q: All right.
A: And it doesn't matter who was there or where we were or I would never -- I would never swing on him first. Like I just wouldn't.
Q: And -- and -- and why wouldn't you?
A: Because I would get beat up.
Q: All right.
A: Or dragged or whatever he felt like he was gonna do.
Q: All right. And so, y'all get in the car and the three of y'all head out, right?
A: Yes.
Q: All right. So, now y'all get to take Antoinette to her home?
A: Yes.
Q: And when y'all get there, y'all drop her off, she gets out and goes into her house?
A: She got out. She got ready to lift the seat up, and she was like are you getting up here, and I said, no, I'm not getting up there with him. And like I say, I'm sitting with my back up against the door and I had my feet behind him and I'm like no, I'm not. I'm not getting up there with him, and she like shrugged her shoulders and put the seat back and said bye and closed the door.
Q: Okay. Were there any -- during the drive from -- from

Denny's to Antoinette's house, was there any argument, any blows, anything of any kind of tension nature occurring when y'all were driving from Denny's to Antoinette's house?

A: No.

Q: Okay.

A: We were listening to music. She was singing some song that -- no.

Q: All right. So, there was music playing in the car and singing as y'all were driving from Denny's to Antoinette's house?

A: As we were driving, everywhere that we were, every time we got in the car there was music.

Q: Okay. Now, let's talk about what happens after you leave, drop her off. Now, y'all are in the car alone when you drop her off, right?

A: Yes.

Q: And Dennis is driving, you are in the backseat of the vehicle?

A: Yes.

Q: Is that correct?

A: Yes.

Q: All right. Now, tell me how you are seated or positioned in the backseat?

A: I have my back up against the door, the window?

Q: Which window; do you know which one?

A: The passenger side.
Q: Okay.
A: And had my feet in the seat.
Q: Okay. So, your back is to the passenger window; your feet is in the seat of the vehicle?
A: Yes.
Q: All right. So, as y'all pull off and you're leaving her house, that is how you are positioned?
A: Yes.
Q: All right. And is that how you were positioned when she was in the car?
A: Yes.
Q: Okay. So, tell us what happens now that y'all are leaving her house, just the two of you, with you in the back and him driving; tell us what happened?
A: He started fussing and calling me names and saying stuff, and I'm like, yeah, yeah, whatever, you know, and I went to reach to get the aux cord so I could plug my phone up ---
Q: I'm sorry, I couldn't make out what you were saying?
A: I said, I went to reach for my aux cord, the aux cord was plugged up to the radio.
Q: The aux cord?
A: It's an auxiliary cord.
Q: Okay.
A: It's a white cord that goes from the radio to your phone

and you play the music from your phone, and it plays through the radio in the car.

Q: Okay. So, where was that white cord?

A: It was plugged up into the radio; it was in the front in the radio?

Q: Okay. So, one end of it was plugged into the radio?

A: Yes, and the other ---

Q: And you were trying to get the second end ---

A: Yes, to plug it up to my phone, yes.

Q: --- to hook to you phone?

A: To plug into my phone, yes.

Q: All right. So, tell me what happened.

A: So, while I'm -- he's saying whatever he's saying, and I'm like, yeah, yeah, you know, whatever, and I went to reach for the cord. He knew I was about to turn the music on and turn it up loud, like to ignore him, and he grabbed my arm and he hit the brake and pulled me up in the front, and I'm pretty much down on the floor.

Q: Hold on one second. So, when you reached from the back to try to get the cord, which is in the ---

A: In the radio.

Q: --- in the front?

A: Yes.

Q: He hits the brakes, pulls you forward by your arm?

A: Yes.

Q: All right. And is he using his right left hand?
A: I couldn't tell you.
Q: All right. But he pulls you forward and tell me now, once he pulls you forward, that car is hitting brakes, what happens to you; tell me what kind of what happens?
A: I just flew forward and my head hit the -- the dashboard, the glove compartment, and I'm -- my head is down on the floor, my shoulders basically down on the floor.
Q: Where are your feet?
A: My feet are in the back, like toward -- in between the two seats.
Q: Okay.
A: And he's hitting me and I'm trying to swing. I got one arm free.
Q: Where is he hitting you; you say he's hitting you?
A: Everywhere that's visible, like my shoulders, my legs, like -- as I'm trying to get up, he hit me in my head, sometimes, any part of my body that was available to be hit.
Q: So, when he hit the brakes, are y'all in the middle of the road; are y'all ---
A: We stopped in the middle of the street. I guess we were -- when we turned out of wherever she lived, like that street. It wasn't that far from where we just dropped her off at.
Q: Okay. And so, now you're face down towards the floorboard; is that correct?

A: Yes.
Q: All right. And do you have any idea how many times he was hitting you?
A: I have no idea.
Q: What -- as he was hitting you, tell me what was going on with you?
A: I was trying to get up. So, like I'm trying to push myself back with my right arm, which is like down on the floor underneath my body, and I'm trying to swing with my left arm, and every time I'd push myself up he would hit me in my head and it would like be black. And I don't even know how long that went on, but I'm reaching, at this point, because I'm trying to look for something, and I guess the knife was in the cupholder and I just took and like get off of me, stop hitting me or ---
Q: Now, the knife that was in the cupholder, is that a knife that he had given you?
A: Yes.
Q: All right. And how long had you had -- how long ago had he given you that knife?
A: I had it for a while.
Q: Now, had he given you other knives?
A: (Indicates affirmatively.)
Q: You need to say yes?
A: Yes.

Q: Now, how -- how many knives would you say you have in your collection?
A: Now, I don't have any.
Q: Well, I mean before ---
A: A lot. Like every time he would go somewhere, he would -- I don't know.
Q: Were you able to get any of your things from the apartment?
A: No.
Q: All right. Now, let me ask you, as you were reaching and grabbing for something, do you know how you lost your fingernails in the place?
A: No.
Q: Did you ever actually get the cord and were able to plug it in?
A: No, no.
Q: What you're saying, was Dennis -- and you can't tell me what he was saying, but let me ask you, was he saying anything to you as he was beating you in the head?
A: I don't know what he was saying. Like, I know I'm saying stop, you know. I don't remember.
Q: When you asked him to stop beating you in head, did he stop?
A: No, no.
Q: Do you know anything else you could've done to get him to

stop beating you ---
A: No.
Q: --- at that point?
A: No.
Q: Do you know any other way that you could've defended yourself other than getting that knife and sticking him with it to keep him from continuing to beat you?
A: No.
Q: Is that a no?
A: No.
Q: Did you have any way to get out of that car unmolested by him?
A: No.
Q: Were you in fear for your own safety and your own well-being while he's beating you in the car?
A: Yes.
Q: Did you love Dennis?
A: Yes.
Q: Let me ask you, if there was any other way that you could have avoided that beating than do what you did, would you have done that?
A: Yes, just like I did every other time. Every other time, I could get away or I would leave or I would walk away.
Q: There was nowhere for you to go on this night?
A: No.

Q: Let me ask you if -- let's go back and tell me how did -- how did it end? Just explain to us -- you told us how it happened. How did it end? How did you finally get up or what happened?

A: He was still hitting me after I had I guess poked him with ---

Q: I'm sorry, you need to speak up now so we can hear you.

A: I said he was still hitting me even after I had swung the knife, and I guess after a while, he realized that he -- he was stabbed and he stopped, and I was able to like get my balance in the back and get up in the front and he was like baby, I can't believe you stabbed me. And I'm crying and I'm saying I'm sorry, you know, I keep telling you to stop hitting me, stop putting your hands on me, and he's apologizing and he's telling me to calm down and ---

Q: So, tell me then once he realized he was stabbed, where is the knife? Do you know where the knife is at that point?

A: I still had it in my hand.

Q: All right. And what happens to the knife?

A: He took it, and he -- he's -- this whole time he was apologizing and he's telling me to calm down and saying he's sorry, and I guess I was still like, I guess, in shock but it even -- and then once I saw the blood, I was like panicked, and he ---

Q: So, after -- after he was stabbed, he was still able to

talk and have a conversation?
A: Yes.
Q: So, what happened at that point, after he was stabbed and he realized he was stabbed, tell me what happened with the two of you at that point?
A: Like I say, he was telling me calm down. He said I needed to take him to the hospital and ---
Q: All right. So, and he's asking you to take him to the hospital, and do you do that?
A: Yeah, and ---
Q: So, how do you get -- how do you get into the driver's seat ---
A: I don't remember.
Q: --- to take him to the hospital?
A: I don't remember.
Q: All right. So, now, when -- when -- by the time the stabbing is over and he is saying he recognizes that he's been stabbed, are y'all still in the middle of the road?
A: Yeah.
Q: So, what happens then? How do you get into the driver's seat to get him to the hospital?
A: I don't remember how we -- how were switching seats.
Q: All right. You don't know how you switched seats?
A: I don't remember.
Q: All right.

A: I just know that I drove him to the hospital. I don't ---

Q: All right. You drove him to the hospital. All right. And now, do you recall how fast you were going trying to get him to the hospital?

A: No.

Q: All right. Do you know ---

A: But ---

Q: I'm sorry?

A: I don't know. I don't know.

Q: All right. What was the nearest hospital to y'all that you knew about?

A: I just know there was a hospital on 9, like it was right around the corner. I don't know the name of the hospital.

Q: Okay. You ended up at Seacoast. Had you ever been to Seacoast before?

A: Probably. I knew that it was there. I knew where we were, so I -- I -- I knew the hospital was right there.

Q: So, you took him to Seacoast, which was the nearest hospital for y'all, as best you knew, knowing as little about the area as you do, right?

A: Yes.

Q: All right. So, when you get to Seacoast, tell me what happens?

A: We went in, and he like fell, and when they got him up,

he was telling me, he said come on. Come on, Tink, and I went to go follow him, I guess.

Q: You can't -- you can't really tell me what Dennis said.

A: Well, he reached for me, and then one of the nurses or somebody like, pushed me back and said you can't go in there, and they -- they separated us, I was like ---

Q: So, you drove him to the hospital, and both of y'all get out of the car and go into the emergency room at Seacoast, correct?

A: Yes.

Q: All right. Now, that -- all right. Let me ask you, at Seacoast, do y'all -- did you and Dennis have a conversation between the time of the incident and the time that y'all got to Seacoast; did y'all have a conversation?

A: We talked all the way to the hospital.

Q: All right. And as a result of that conversation, did y'all have a plan to tell the police?

A: Yes.

Q: All right. What was the story that you were to tell?

A: That he stopped somewhere and I don't know what happened. He stopped at a store or something and I don't know what happened.

Q: Okay. All right. And why was that; why were y'all telling a story to the police?

A: I guess because he didn't want me to get in trouble. I

mean, I guess, because it was like don't say anything and it went from don't say anything to just say this, and I mean -- I don't know.

Q: Now, and is that kind of the story that you were telling the police when -- when you had those first three conversations?

A: That's why I kept saying about a gas station or stopping at the gas station, because like I said, that was -- that was the agreement, like just say this, and then I just -- I just pretty much stuck with that.

Q: Well, let me ask you, were you under the impression that Dennis was gonna die?

A: No, I didn't think that -- we had a whole conversation on the way to the hospital, but he kept saying he was okay.

Q: Okay. And that night or that morning actually, you didn't find out really until much later in the day that he had actually passed; is that right?

A: Yes.

Q: You need to say yes for me?

A: Yes.

Q: All right. And how did you find out -- you were at Seacoast with him, right?

A: Yes.

Q: And then y'all left Seacoast and went to Grand Strand; how did you get from Seacoast to Grand Strand?

A: His mom came and got me from the first hospital. I don't ---

Q: So, his mom came and got you from Seacoast and took you to Grand Strand?

A: Yes.

Q: All right. And -- and when you got to Grand Strand, do you recall any of the events at Seacoast or at Grand Strand?

A: (Indicates negatively.)

Q: You're shaking your head; what does that mean?

A: No.

Q: No. All right.

A: I just remember the second hospital, one of the nurses or somebody came and said that he was stable.

Q: Okay. So, they told you at one point that he was stable?

A: Yes.

Q: And ---

A: And I thought he was okay.

Q: When you left --- when you left Grand Strand Hospital to go to your hotel, you thought he was okay?

A: Yes, yes.

Q: Okay.

MR. WILSON: Now, bear with me just one second, Your Honor?

BY MR. WILSON:

Q: Let me show you, Donnielle, what's been marked as State's

Exhibit Number 46, 45, 44, 47; just take a look at those pictures for me, please. Do you recognize what those pictures are?

A: Inside the car.

Q: Inside the car?

A: Yes.

Q: All right. And that white cord that's attached in State's Exhibit Number 47, is that the white cord that's plugged into the radio that you were reaching for?

A: Yes.

Q: All right. You'll see a scuff mark on what's marked as State's Exhibit Number 45. Is that where y'all were struggling in the car?

A: Yes, that's on the driver's side it looks like.

Q: When you got in the car that day, that night, you had all your fingernails intact, did you not?

A: Yes.

Q: All ten of them?

A: Yes.

Q: When you got to the hospital at Seacoast, they weren't there anymore?

A: No.

Q: They were there at Denny's, and they weren't there anymore when you got to the Seacoast, I'm sorry, to Seacoast; is that correct?

A: Yes.
Q: Now, do you know what happened to the knife that was involved?
A: No.
Q: What is the last thing you recall about the knife?
A: He just took it out of my hand.
Q: Now, let me show you -- let me show you what's been marked for ID, for identification.
THE COURT: What's the number?
MR. WILSON: 20, Your Honor.
THE COURT: All right. Thank you.
BY MR. WILSON:
Q: Defendant's Exhibit Number 20 for identification, take a look at that. Is the knife that Dennis had bought you, is that similar to that knife?
A: That's the exact same thing.
Q: The exact same knife? It's not the knife.
A: No, it isn't.
Q: But it's the same model and make of knife; is that correct?
A: Yes, yes.
Q: And this is a knife that was purchased by my office for you?
A: It is.
Mew Your Honor, I would offer this in unless the state

has an objection to it.

THE COURT: Is there any objection?

MR. OSKIN: No objection from the state.

THE COURT: All right, sir, Defendant's 20 is in evidence without objection.

MR. WILSON: Thank you, Your Honor.

DEFENDANT'S EXHIBIT NUMBER 20

ADMITTED INTO EVIDENCE

BY MR. WILSON:

Q: Let me show you this document. Take a look at that. Don't tell me anything about it. Do you recognize what it is?

A: Yes.

Q: And is that a part of something from your account on Facebook?

A: Yes.

MR. OSKIN: Your Honor, may the state see the exhibit, please?

THE COURT: Hold on. She needs to identify it.

MR. OSKIN: Yes, sir.

THE COURT: All right. Go ahead.

MR. WILSON: Your Honor, I would ask that this be marked for identifications purpose first, and then I'll ---

THE COURT: All right.

DEFENDANT'S EXHIBIT NUMBER 21

MARKED FOR IDENTIFICATION

BY MR. WILSON:

Q: Let me show you now what's marked as State's -- as Defendant's Exhibit Number 21 and ask you if you recognize what that is?

A: Yes.

Q: Okay. Tell us what it is?

A: Messages between me and Alethia.

Q: Message between you and Alethia?

A: Yes.

Q: And Alethia being the mother of your husband's children?

A: Yes.

MR. OSKIN: I would object to hearsay at this point, Your Honor.

THE COURT: Well, he hasn't asked to introduce it yet, and she hadn't said anything. She's just identified it, so...

BY MR. WILSON:

Q: All right. And let me ask you if these conversations that you had with her took place during the time that you were married to Dennis?

A: Yes.

Q: And were these conversations regarding the children?

A: Yes.

Q: And your relationship with these children?

A: Yes.

MR. WILSON: And, Your Honor, I would now offer it ---

THE COURT: All right. Any objection from the state?

MR. OSKIN: In regards to Defense Exhibit Number 21?

THE COURT: Yes, sir.

MR. OSKIN: The state would object to hearsay, a statement from an out-of-court opponent -- I mean, declarant, I apologize.

THE COURT: All right. Let me -- I'll need to look at them then. Do you have another copy, Mr. Wilson, that he can look at?

MR. WILSON: No, sir. That's the only one I have.

THE COURT: All right. Hold on, let me look through it and then I'll give it back to you.

I tell you what, ladies and gentlemen, how about go to the jury room for a little bit. I need to talk about this outside your presence. Thank you.

(REPORTER'S NOTE: Jury exits courtroom @ 11:33 a.m. The following takes place outside the presence of the jury.)

THE COURT: I'm gonna have the clerk make two copies of the document, so we can all be on the same page at the same time.

MR. OSKIN: Yes, sir, Your Honor.

THE COURT: All right.

MR. WILSON: Your Honor, while you're doing that, there are two other documents that are in a similar situation. So, while you're ruling, if you want ---

MR. WILSON: Thank you, Your Honor.

THE COURT: All right. Thank you very much.

RECESS - 12:00 P.M.

*******OFF THE RECORD*******

ON THE RECORD - 12:05 P.M.

THE COURT: You may be seated. Thank you.

MR. WILSON: Your Honor, just so I don't run afoul your ruling, am I permitted to ask her if she had email contact or Facebook contact with a particular individual on such-and-such a date regarding her relationship with Dennis?

THE COURT: Certainly, you can ask her about what she did.

MR. WILSON: Yes, sir.

THE COURT: Not the response, but what she did, certainly. So, that would be on all three of those documents.

MR. WILSON: Yes, sir. Thank you, Your Honor.

THE COURT: All right. All right.

Ask the jury to come back in, please.

(REPORTER'S NOTE: Jury enters courtroom @ 12:08 p.m.)

THE COURT: All right, Mr. Wilson, you may continue.

MR. WILSON: Thank you very much, Your Honor.

CONTINUATION OF DIRECT EXAMINATION OF DONNIELLE MATTHEWS GREEN BY MR. WILSON:

Q: Let me, if I might, and I think I already actually showed you one of these documents, but let me show you what's now

marked for identification purposes in this case and just ask you if you know what that is?

A: Yes.

Q: I can't hear you.

A: Yes.

Q: All right. And you recognize what it is?

A: Yes.

Q: All right. And let me ask you if -- if it's a copy of an email or Facebook contact that you had with an individual?

A: Yes.

Q: All right. And who is the individual that you had contact with on email, on this particular -- let me show it to you again, which is Defendant's Exhibit 23 for identification?

A: Robin

Q: I'm sorry?

A: Dennis' sister, Robin.

Q: Dennis' sister, Robin. All right. And let me show you what's marked as Defendant's Exhibit 22 for identification purposes and ask you if this an email or text message or Facebook message from ---

A: That's Sabrina.

Q: All right. And is that a message that was sent to you?

A: Yes.

Q: All right. From Sabrina?

A: Yes.

Q: And Sabrina is who?
A: Dennis' sister.
MR. OSKIN: Object to hearsay consistent with your prior ruling.
THE COURT: All right. As far as the conversation, she can say that she communicated with that person. I'm gonna allow that, not the contents.
MR. WILSON: Yes, sir.
MR. OSKIN: Thank you.
BY MR. WILSON:
Q: And this third document, which is Defendant's, for identification purposes, 21 is from who?
A: Those are messages between me and Alethia.
Q: I'm sorry. You've got to speak up.
A: I said those are messages between me and Alethia.
Q: Alethia, who is the mother of the children?
A: Yes.
Q: All right. And you received all of these here on email or Facebook, right?
A: Yes.
Q: All right. Now, let me show you this photograph, and just ask -- just tell me first of all if you can identify it?
A: That's my leg.
MR. WILSON: Your Honor, I handed her what's marked for identification purposes as Defendant's Exhibit Number 12?

THE COURT: Thank you.

BY MR. WILSON:

Q: All right. Now, you said that you can identify that?

A: Yes.

Q: All right. What is it a picture of?

A: Cuts and bruises it looks like on my thigh.

Q: On your thigh?

A: Yes.

Q: Do you know who took this picture?

A: I did.

Q: Okay.

MR. WILSON: Your Honor, I'd offer this as Defendant's Exhibit 12?

THE COURT: Any objection?

MR. OSKIN: No objection from the state, Your Honor.

THE COURT: All right. Into evidence without objection.

DEFENDANT'S EXHIBIT NUMBER 12

ADMITTED INTO EVIDENCE

BY MR. WILSON:

Q: Now, let me ask you, at any point in time, when you were meeting with the police in Orangeburg, did they ask you to look at your legs or your thighs or your back or your shoulders that were covered up during the fight to see if you had bruises on you?

A: No. But I remember showing, was it Detective Lent, after

the interview, I showed him some of the bruises on my leg.

Q: All right. All right. Did he take pictures of them?

A: No, he did not.

Q: All right. And your hand. Let me show you what's marked as Defendant's Exhibit Number 5 for identification purposes.

THE COURT REPORTER: 5 is in.

MR. WILSON: All right. I'm sorry.

MR. WILSON:

Q: All right. Let me show you what's marked as Defendant's Exhibit Number 5 for -- which is actually in evidence; let me show you that one. Do you recognize that?

A: That's my hand.

Q: All right. And do you notice two marks in your hand?

A: Yes.

Q: All right. And do you know what those marks are?

A: No.

Q: Huh?

A: No.

Q: Do you know how they got there?

A: No.

Q: And do you know which hand this is?

A: My left hand.

Q: Okay. Did the police take a picture of your left hand? You didn't take this picture?

A: No, I didn't take it.

Q: All right. Now, let me ask you again, and I know I've covered this with you, and I will be brief. Did you love Dennis?
A: Absolutely.
Q: And do you regret all of what has happened to this point?
A: Yes, I do.
Q: Do you know of any way that you could have avoided doing what you did and not protect yourself?
A: No.
Q: I don't have any other questions. Thank you.
THE COURT: Cross-examination?
MR. OSKIN: Thank you, Your Honor.

CROSS-EXAMINATION OF DONNIELLE MATTHEWS BY MR. OSKIN:

Q: Good afternoon, Ms. Matthews?
A: Good afternoon.
Q: It's good to get to talk to you. You stated that you were with Dennis since 2012; is that correct?
A: '11.
Q: 2011?
A: Yes.
Q: You sat here the entire week and as part of being on trial, you've been able to watch all witnesses and everybody that testifies against you; is that correct?
A: Yes.
Q: You're able to confront your witnesses. I'm sorry,

that's what you're doing by testifying. It's your right; so you're doing what you're allowed to do, correct?

A: Okay. Yes.

Q: And you've heard everybody testify?

A: Yes.

Q: You've heard Maurice testify?

A: Yes.

Q: You've heard him talk about expensive vacuum cleaners?

A: Yes.

Q: Like $2,000 vacuum cleaners?

A: Yes.

Q: But he said that Dennis sold them?

A: Yes.

Q: And you're saying never sold vacuums; is that correct?

A: Not to my knowledge.

Q: Not to your knowledge, or that he didn't?

A: Not to my knowledge.

Q: Okay. So, Maurice wasn't lying then?

MR. WILSON: Your Honor, I object.

THE COURT: All right, Solicitor, you can't ask witnesses to comment on the credibility of other witnesses; that's the jury's job to judge credibility and believability.

MR. OSKIN: Yes, sir, Your Honor.

BY MR. OSKIN:

Q: You stated that your family is from Baltimore?

A: Yes.
Q: Okay. And at one point, you stated that you moved back to Baltimore?
A: A few times.
Q: Okay. But you kept talking to Dennis each time?
A: Yes.
Q: You got back together with him each time?
A: Yes.
Q: Even one time you rode down here with your dad and then stayed with Dennis; is that correct?
A: Well, I stayed because, like I said, I was hiding from my dad. So, I couldn't go back home at that time.
Q: But your dad drove you dad down here and you went back up with Dennis then?
A: Yes.
Q: Okay. You stated that you lived in apartments with Dennis throughout the time of your relationship?
A: Yes.
Q: You also stated that he beat you continuously, nonstop?
A: Yes.
Q: And no one from any of those other apartments ever felt the need to call the police or get involved, or call on your behalf?
A: I don't know; I don't think, no.
Q: You stated that you had a lot of dogs. I think you said

you had six pit bulls?
A: Yes.
Q: Pit bulls are strong dogs; is that correct?
A: Yes.
Q: Are they excitable dogs; they would jump on you?
A: Some of them.
Q: When they're excited to see you?
A: Some of them.
Q: When a dog jumps up on you, can that bruise and scratch you?
A: Just different scratches from the nails of a dog than they'll be small scratches probably.
Q: But you agree with me, they can make markings on you?
A: They can make marks.
Q: You stated Dennis didn't want you to work?
A: Yes.
Q: That's not entirely true, is it?
A: That's absolutely true.
Q: All right. You had never told anybody that it was never your intention to work; you never told anybody that?
A: Not that I know of. He didn't want me to work and has said it on occasion.
Q: Do you remember making a statement to Williams Investigative Services March 29th of 2018?
A: Uh-huh, (affirmative response), yes.

Q: Do you remember telling him that you never had any intention of like actually having a real job. I'm not even gonna lie. And when, like I said, me being in these relationship with these guys, they made provisions. Do you remember saying that?
A: Yes, and that's true.
Q: Does provisions mean like to provide for you?
A: Yes.
Q: Take care of you?
A: Yes.
Q: And that's something you chose to allow to happen?
A: Yes.
Q: And that included your time with Dennis; is that correct?
A: Yes.
Q: And again, I think you talked about your family and you guys are a close family?
A: Yes.
Q: You were in contact with them often?
A: Yes.
Q: You told them about everything you were going through?
A: Not everything, no.
Q: But your sister lived with you, correct?
A: Yes.
Q: And she saw it?
A: She witnessed it.

Q: You claim she did?
A: She'll tell you herself that she did.
Q: But she never came and got you and made you move -- made you come back home?
A: She -- that's my baby sister. She wouldn't have been able to make me.
Q: Sometimes, I'm the oldest of three, sometimes the baby is more mature than the oldest; would you agree with me on that?
A: Yeah, but I wasn't leaving. I didn't -- I didn't have any intention of leaving.
Q: You didn't have any intention of leaving?
A: No.
Q: Okay. And you loved him?
A: Yes.
Q: Bear with me. While we're talking about your family, you know I got to ask about Defense Exhibit Number 15 [sic], but we have a correlating one, where you texted your dad at 5:06 a.m. on July 7th, you told your dad, "He's showing off for somebody else.. I told him he ain't no man and called him a bitch.. He says my daddy a bitch.. So I called you do he could say it to go himself.. He hangs up the phone. The next time I bring this" -- "to Baltimore to better beat his ass.."
A: Uh-huh, (affirmative response).
Q: You've heard about that text a lot throughout this trial?
A: Yes.

Q: Is that correct? And you sent that at 5:06, correct?
A: If that's what the timestamps says. I couldn't tell you what time it was.
Q: Okay. And earlier, well let's get there first, I apologize. You went -- this is a lengthy night out on July 7th with Antoinette and Dennis?
A: Yes.
Q: It started -- y'all picked Antoinette up?
A: Yes.
Q: You sat in the back; you said she had long legs?
A: Yes.
Q: She does have long legs; she's a little taller than you?
A: She's a lot taller than me.
Q: I think she's taller than me. So, you sat in the back, and then you went to Ricky's Dockside?
A: Yes.
Q: Met her, everything was going good?
A: Yes.
Q: You went to Thee DollHouse?
A: Yes.
Q: And then she rode with you to the Denny's, the little breakfast house, right?
A: Yes.
Q: All right. Earlier you said that you didn't want to go to Denny's, that you had -- your momma had to catch a flight

the next morning; is that correct?
A: Yes.
Q: But then you also said as soon as you got to the Denny's, you wanted to Antoinette's nipple piercings; is that correct?
A: Yes, we were talking about that on the way to Denny's.
Q: Okay. So, you kinda -- you weren't worried about momma missing her flight or anything like that?
A: We were already there, so it wouldn't have made a difference. Me seeing her piercings wasn't stopping me from ---
Q: Might as well get something out of it?
A: I guess, yes.
Q: Okay. Later when Detective Lent and Mr. Johnson talked with you, you didn't tell them anything about Antoinette being in that car with you or gonna Denny's with you; is that correct?
A: Correct.
Q: And again, we've all seen the Denny's video, you've seen going in there, and you know that you were there?
A: Yes.
Q: It appears that it reaches a point, and I think you've testified to it, finishing up with your dad, you called him or you were trying to talk to him for like 22 seconds; is that correct?
A: I don't, like I say, I don't know the time or -- it

wasn't that long. It was a couple of seconds because I called him, and I handed Dennis the phone.

Q: But you didn't text your dad from the table?

A: Yeah, I texted him from the table.

Q: Okay. And that's timestamped, correct?

A: Uh-huh, (affirmative response), yes.

Q: And it's timestamped on the Denny's video when you left the Denny's restaurant, correct?

A: Yes.

Q: Okay. And I think you testified to it, and I get it, you said -- somebody says that, and I'll call your momma a bitch; is that what you said?

A: Yes.

Q: Okay. And we've talked about some other texts with your friend, Lafayette, a text sent from you; is that correct?

A: Yes.

Q: Is Lafayette a close friend?

A: It's actually one of Dennis' ex-girlfriends.

Q: Okay. But someone you've come to ---

A: We've got close.

Q: Very close?

A: After a while.

Q: Okay. Do you remember texting her saying, "Yep.. I explained to his mother and mine, that when you get two mean children together and they're tryna have a relationship,

they're gonna be a lot of hard times. Lots of fights, physical or verbal.. but like you said, growing pains.. We can b really mean to each other sometimes tho..then we feel bad and go back to being nice but, you know, it all comes with the territory.. it's ultimately up to us to make it work"; do you remember texting that to her?

A: I mean, I heard it one of those days when you guys were reading the text out loud.

Q: Okay. And that's been since 2017?

A: Yeah.

Q: Okay. But you described yourself to Lafayette as a mean kid?

A: I mean, we joke about that all the time, and call each other mean girls and mean children and stuff like that.

Q: And you're certainly not a child, but would you still consider yourself a mean kid?

A: That's what -- that's something that we talked about.

Q: Okay. You still a mean girl?

A: I'm not mean; I don't think I'm mean.

Q: Okay. You say it depends on context?

A: Yeah, meaning in -- a lot of things have been taken out of context.

Q: I hear that.

A: In this situation.

Q: Okay. And context matters; is that correct?

A: Absolutely.
Q: It matters who you're talking to; it matters who you're in front of; and it matter -- is that correct?
A: Yeah.
Q: And it matters what situation is going on?
A: Yes.
Q: Okay. Would you agree with me that context matters when law enforcement is investigating you or asking you questions?
A: Yes.
Q: Okay. Would it be even more of a situation if they're asking you about your husband getting stabbed?
A: Yes.
Q: Okay. And law enforcement talked to you a lot, I guess, technically, you're still being asked about this, correct?
A: Yes.
Q: All right. The first -- do you remember the first officer -- the first time speaking to officers at Seacoast, Officer Mark Martin that testified?
A: No.
Q: Do you remember telling him that Dennis was going to buy cigarettes, and he got stabbed when he did that; do you remember that?
A: Now seeing the tapes and stuff, but all of that I don't remember. I didn't remember.
Q: But you remember that was your story, because you said

that to Mr. Wilson?
A: Yes.
Q: Correct?
A: Yes.
Q: Okay. And that wasn't true?
A: No.
Q: Okay. When you spoke with Officer Beaudoin, the little guy with glasses, a little nerdy -- he was a little eager when he met you, but it's been a while; you also told him that same story at Grand Strand Hospital, correct? You said, Dennis got stabbed by somebody at the gas station; is that correct?
A: That was the story that I said to each person that I spoke to. I couldn't tell you how many of them or ---
Q: I gotcha. I'm not asking about that, but so it's safe to say you tell a lot of stories?
A: I told that same story, pretty much.
Q: Okay. But that ---
A: Each time.
Q: --- and that wasn't the truth, though?
A: No, that was what ---
Q: In the context, it wasn't the truth. You'll agree, correct?
A: Yeah.
Q: Nobody stabbed Dennis at the gas station?
A: No.

Q: You stabbed Dennis?
A: Yes.
Q: You stabbed Dennis twice?
A: Yes.
Q: All right. And to finish up with the context, is it safe to say that you say a lot of stuff you don't mean sometimes?
A: Don't we all?
Q: But you do that as well; yes or no?
A: I have.
Q: Okay. And that's a nice way of saying that we all lie, right?
A: You said that.
Q: And that -- let's talk about the actual stabbing. Your last statement was with Detective Lent and, again, Jack Johnson down in Orangeburg?
A: Yes.
Q: When you began that conversation, you knew Dennis had died; is that correct?
A: Yes.
Q: He had died the day previously?
A: Yes.
Q: And you had been notified, I believe, was it by Erica Vasquez at victim's services or whoever it was?
A: No, I saw that on Facebook.
Q: Okay. But before that statement even began, you knew he

was dead?
A: Yes.
Q: Okay. And throughout that entire statement, through a lengthy portion of that statement, you claimed that you didn't know what happened?
A: I mean, part of that was true, me saying I didn't know.
Q: Well, you knew you stabbed him?
A: Yeah.
Q: Okay. All right.
MR. OSKIN: And Court's indulgence, Your Honor?
THE COURT: Yes, sir.
MR. OSKIN: I apologize, Your Honor.
BY MR. OSKIN:
Q: And when you told Detective Lent that you had stabbed him, you didn't say anything else about how you came to stab him; that's correct? You said that you kind of forgot all that part; that's correct?
A: I did.
Q: Okay. And then later, you stated that as you were changing the volume, that's when you were pulled into the front of the vehicle and then had to respond to Dennis by stabbing him; that's correct?
A: You mean today?
Q: Today, is that the first time you've told that story or is it the second time you've said it a situation like this?

A: I don't -- I haven't said it. Just today is my first time actually even saying what actually happened.
Q: You didn't say it July of 2020, last year?
A: I didn't get up and ---
Q: When Mr. Spratlin asked you those same questions, you didn't say that?
A: He said ---
Q: He might've said ---
A: I forgot what he asked me. He said, how did you get into the front seat ---
Q: Okay.
A: --- and I said I was pulled.
Q: Okay. That's what I mean, I apologize. I'm not as -- you know, I'm a little different than Mr. Spratlin.
A: That was the say he said it.
Q: Okay. So, you do remember saying this story last year?
A: I remember telling him. He asked me how I got in the front seat, and I said I was pulled.
Q: And you never said that to Detective Lent in Orangeburg?
A: No.
Q: And you never said that to Officer Franklin from North Myrtle Beach at Grand Strand Hospital?
A: No.
Q: You never said that to Officer Beaudoin?
A: No.

Q: And you never said that to Mark Martin at Seacoast Hospital.
A: No, because then I would've had to admit that my husband put his hands on me.
Q: You would have had to admit to it. I understand. And you remember everything in great detail, pretty much throughout your whole relationship with Dennis?
A: Most things, yeah.
Q: Okay. And you described the night that this all happened as being a great night and everything was cool with you, Antoinette, and Dennis for the most part; is that correct?
A: Cool, yeah, we were good, yes.
Q: Everything was good. So, you're aware that at 5:16 that same morning, pursuant to State's 95, that Antoinette texted Dennis and said I just wish it could have ended differently, because you know, I don't be with the dumb shit?
A: I heard somebody reading those messages here.
Q: And she texted it to him at the same time?
A: This week. I mean, I'm -- I'm aware of it now.
Q: And you've seen the discovery in this matter before the trial today, surely; is that correct?
A: Yes.
Q: You've seen all of it?
A: I mean, I've skimmed through some stuff.
Q: Okay. You've seen the photos of the car?

A: No.
Q: You haven't?
A: No.
Q: But earlier you told Mr. Wilson that the scuff marks on the car were from where you got pulled in the car?
A: I saw the photos in here today. I didn't -- no photos were included in my copy of the discovery.
Q: Okay. So, you never saw those photos before?
A: No.
Q: So, you don't know for sure then, if those scuff marks ---
A: I know what my car looks like.
Q: Right, but I'm talking about the scuff marks on the door; you don't know if those are from that night, correct?
A: That's my first time seeing -- it wasn't there before, I know that.
Q: But it's your first time seeing it?
A: It's my first time seeing it in those pictures.
Q: Okay. Earlier, I believe you stated that you were pulled into the floorboard, you said -- correct me if I'm wrong -- you told Mr. Wilson that you were face down in the front of that car? I believe that's what you said.
A: Head down.
Q: Head down?
A: Yes.

Q: Okay. So, you're looking up at the ceiling, or you're looking down at the ground?
A: I'm looking over at the, whatever that is.
Q: Okay. Help me out here, because it's a car. So, let's pretend the driver's side is right here?
A: Uh-huh, (affirmative response).
Q: Okay. Are you saying that you're ---
A: Just like that.
Q: And you're facing down under like where the glove box is?
A: Yes.
Q: Okay. So, you're facing ---
A: The very direction that you were going in.
Q: I gotcha, yeah, at that angle there.
A: Yes.
Q: Okay. And you stated that that was because he slammed on the brakes?
A: Yes.
Q: Okay. But you didn't have any bruises, markings, or anything on your face at the hospital at Seacoast?
A: I have no idea what was on my face. Like people took pictures. Like I say, my mom said they was something on my face.
Q: Officers were wearing their bodycams?
A: I mean, I don't -- how good are those videos?
Q: I gotcha.

A: I mean, I -- I didn't go and examine myself to see what was what or where, so I -- I don't know.
Q: And you stated this entire time that you're face down in that car, Dennis from the driver's seat is just pummeling, attacking you, and doing that; is that what you stated earlier?
A: That's correct; yes.
Q: And so at that point, facedown you grabbed a knife?
A: Yeah.
Q: Okay. Facedown in a two-door vehicle, you grabbed a knife; is that correct?
A: (No audible response.)
Q: I'm gonna show you what's been entered in evidence from your attorney as Exhibit Number 20; do you recognize that?
A: Yes.
Q: I'm gonna move this. What I want you to do, is I want you to take that knife out of that box and just extend the knife so the jury can see. And you're able to return it?
A: Uh-huh, (affirmative response).
Q: Okay. If you could show me. And you stated that you owned a lot of knives.
A: Yes.
Q: You stated that Dennis bought you a lot of knives as gifts?
A: Yes.

Q: So, you're telling this jury that a man that you beat consistently bought you knives?
A: That I beat?
Q: That he beat -- or he beat you is what I'm saying; I apologize. I tripped myself up. You're telling this jury that a man that beat you consistently bought you knives like this one?
A: Yeah, like that. He bought me guns, too. I don't think he was, I mean ---
Q: He bought a woman that he beats consistently a gun.
A: (No audible response.)
Q: I'm gonna show you Defense Exhibit Number 12. Do you recognize that?
A: Yes.
Q: Do you recall when you took that photo? It wouldn't say on there, but do you remember?
A: It was that year, because I remember those -- that comforter, that sheet.
Q: Okay. If I told you that text was sent on June 7th, 2017 at 1:13 p.m. would you believe me?
A: A text, you said?
Q: A picture text; you sent the photo of your leg there?
A: Oh. You said ---
Q: Would that be correct, on June 7th of 2017?
A: If that's what the timestamp says.

Q: And June 7th is approximately a month before July 7th?
A: Yes.
Q: And that's the morning that you stabbed Dennis? Yes?
A: Yes.
Q: He died as a result of those stabbings. You stated earlier that you still love him?
A: Yes.
Q: Do you miss him?
A: Absolutely.
Q: You miss the man that beat you daily?
A: Yes, I do.
Q: You did well with the knife here, so I won't test you on that again. But when you were face down in that car, what hand did you grab that knife with?
A: My left hand was the only hand that was free.
Q: Okay. And at that time, is that the position you were in when you stabbed Dennis?
A: Yes.
Q: Yes. And I will demonstrate again, but you -- you got him like that; is that accurate?
A: Swinging back behind me, yeah.
Q: Okay. Enough to penetrate his right rib cage?
A: I don't know what, I mean I ---
Q: You knew he'd been stabbed on the right side of his body; is that correct? I believe you demonstrated on the video, you

said that that's where he got stabbed?
A: Yes.
Q: Do you remember telling Sergeant Lent that his response was, Tink, I can't believe you stabbed me?
A: Yes.
Q: It sounds like he was surprised that he got stabbed?
A: Yes.
Q: You said Dennis was a thing -- if I misquote it, I'm sorry -- you said Dennis was a tough ass dude?
A: Yes.
Q: A strong dude, a bad dude -- and I don't mean bad in a bad -- I mean, he's just a tough dude. Dennis can handle his own.
A: Yes.
Q: Anything Dennis was doing, you knew about; that's correct?
A: Yes.
Q: You knew about any sort of activities he was or wasn't involved in; is that correct?
A: I would assume so.
Q: Okay. To the extent that you even lied for Dennis -- or you -- I'm sorry. You even told Sergeant Lent in Orangeburg that you weren't quite sure what his business was or what he was doing. But you were worried about his phone at the Grand Strand Hospital; is that correct? The bodycam would indicate

that you wanted to get his phone.
A: Yes.
Q: That's because you wanted to see the text messages that were on it?
A: No, I didn't want them to get the phone because ---
Q: They would see what's on it?
A: It's called the -- that same phone that you got the text from Antoinette.
Q: Right.
A: That's the trap phone. So, that's the phone with all the -- the ---
Q: It's not a flip phone, though?
A: I said trap.
Q: Okay. What's a flip phone, like a burner phone then?
A: Yeah.
Q: I'm just trying to keep it straight.
A: Yeah, that was the phone that I was trying to keep them from getting the phone that had all the ---
Q: The phone that had her text from ---
A: I don't know which phone had her text.
Q: Well, if it did, though, it's the one she was talking to him on; it could be that; you agree?
A: I don't know.
Q: Okay.
A: I mean, that wasn't my concern. I just didn't want them

to get the phone to see about, you know, the people that were buying drugs and stuff from him. I didn't want him to get in trouble. I wasn't worried about, you know, whatever you just said.

Q: I gotcha. And then you also told Sergeant Lent down in Orangeburg that you just wanted to get back to North Myrtle so you keep his family from running their mouth or from the streets talking; is that correct?

A: No.

Q: You didn't say that in the Lent's video?

A: That's not what I said. I heard the video; that's not what I said.

Q: Okay. But you said you wanted to keep the streets from talking; would I be right on that?

A: I said something about the streets talking, and they're not gonna anything or something. I can't make anybody shut up; I'm not a ---

Q: And you like to talk a lot?

A: (Indicates affirmatively.)

THE COURT REPORTER: Ma'am, I need you to say yes or no?

A: Oh, yes.

MR. OSKIN: Court's indulgence, Your Honor, I'm sorry.

THE COURT: That's all right.

BY MR. OSKIN:

Q: During Mr. Wilson's testimony, there was a point where

you became upset; is that fair to say?
A: Yes.
Q: All right. You were even crying?
A: Yes.
Q: Okay. Do you remember a Facebook status you posted on May 4th of 2017 that stated, NOTHING, in all caps, in this world worse than a mother close to you that tries their hardest to play on your intelligence #bitchIwillkillyouandcryatyourfuneral #stopfingplaying; do you remember stating that?
A: No, but Mr. Martin read it to me when we were here last here in July, I think.
Q: Okay. So, you also remember saying, mutating right, real tears, too?
A: Yes.
Q: Do you remember posting that?
A: Like I say, he read it to me when I came to court last year.
Q: Okay. So, you agree that you posted on the ---
A: If it's -- yeah.
Q: And I got to ask it, was it real tears earlier or was it about context?
A: No. It's not about context.
Q: It's not about because you're on trial for murder?
A: No.

MR. OSKIN: Nothing further from the state, Your Honor.

THE COURT: Redirect?

MR. WILSON: Just I have one question.

REDIRECT EXAMINATION OF DONNIELLE MATTHEWS BY MR. WILSON:

Q: Let me ask you about the phone and the records and why you were trying to keep the police from having that particular phone. Now, you said it was a trap phone. Tell us what that means; what is a trap phone?

A: The people that are buying and selling whatever drugs or whatever, that's the phone that they call instead of calling your regular phone.

Q: Okay.

A: And that's the phone that, you know, if you got to throw it away, it's cheap and you can go get another one tomorrow.

Q: Okay. So, why wouldn't you want the police to get the trap phone, which belonged to Dennis?

A: They already had like some stuff going on with the feds down there with them and, you know, investigating certain -- I didn't want him to get in trouble.

Q: Okay.

A: Which is the same thing with the whole gas station story.

Q: All right.

A: I didn't want him to get in trouble.

Q: All right. Thank you.

THE COURT: Anything else on those questions?

MR. OSKIN: Just one question.

RECROSS-EXAMINATION OF DONNIELLE MATTHEWS BY MR. OSKIN:

Q: So, is Dennis on trial right now for selling drugs?

A: No.

Q: Okay.

MR. OSKIN: If I could return the exhibits to the court reporter?

THE COURT: Please.

All right, ma'am, you may step down. Thank you.

BY THE COURT:

THE COURT: All right, ladies and gentlemen, we're gonna stop for lunch at this point in time. Just come back -- come back at 2 o'clock, if you would please.

Now, I know I instructed the bailiff to let you know that we're gonna finish the testimony today. There are other witnesses for the defense, and I believe at least one in reply from the state. So, we've got other work and we're gonna finish that today. So, that will leave the closing arguments, the charge on the law, and your deliberations for tomorrow.

So, with that, I'll see you back at 2 o'clock. Thank you very much.

(REPORTER'S NOTE: Jury exits courtroom @ 12:48 p.m.)

THE COURT: All right. Anything from the state at this point in time?

MR. OSKIN: Not at this time, Your Honor.

THE COURT: Mr. Wilson?

MR. WILSON: Nothing, Your Honor.

THE COURT: All right. Very good. We'll see y'all at 2 o'clock.

RECESS - 12:49 P.M.

*******OFF THE RECORD*******

ON THE RECORD - 2:04 P.M.

THE COURT: All right. The state ready for the jury to come in?

MR. SPRATLIN: State's ready, Your Honor.

THE COURT: And Defense?

MR. WILSON: We're ready.

THE COURT: Ask the jury to come in, please.

(REPORTER'S NOTE: Jury enters courtroom @ 2:04 p.m.)

THE COURT: All right. Mr. Wilson, your next witness, please.

MR. WILSON: Thank you, Your Honor. We would call Dr. Whitney Danso.

THE COURT: All right. Very good.

All right, ma'am, just come right around here and meet the clerk at the front over there. Thank you.

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

WHITNEY DANSO, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE CLERK: Please be seated. Please state your full name and spell your name for the Court.

DR. DANSO: Whitney Danso; W-H-I-T-N-E-Y, D-A-N-S-O.

THE COURT: Go ahead, Mr. Wilson.

MR. WILSON: Thank you, Your Honor.

DIRECT EXAMINATION OF WHITNEY DANSO BY MR. WILSON:

Q: Doctor, if you would, tell us where do you live?

A: I live in Fort Mill, South Carolina.

Q: All right. And have you always lived there, or is this a relatively new place that you live?

A: I relocated back to the area a couple of years ago.

Q: Okay. Now, let me ask you, what is your occupation?

A: I'm a clinical psychologist.

Q: All right. And before I ask you anything else, just kind of tell us what clinical psychologist is and what they do?

A: Clinical psychologists serve a number of different of roles, depending on where they work the functions and what's expected of them. Particularly we're involved in psychological assessment; we're involved in therapy treatment planning; sometimes we help manage care teams kind of as a whole to ensure that individuals get what they need.

Q: Okay.

A: Psychological well-being.

Q: Okay. All right. And what positions do you hold currently?

A: I am a licensed psychologist in private practice.
Q: Okay. And tell us a little bit about your education, your background, and training to this point?
A: Yes. So, I went to graduate school at Palo Alto University, which is Palo Alto, California, and from there I graduated with a PhD in clinical psychology. Just prior to graduation, I completed by pre-doc at West Palm VA working with primary care behavioral health, general application with veterans, and what they call the PRC, which had to do with severe mental illness. And then from there, I relocated back to South Carolina, where I started working under Dr. Lois Veronen, and through my training under her I further developed my expertise in trauma and domestic violence.
Q: All right. And if you would, tell us kind of what the nature of your expertise are or is?
A: Specifically trauma and domestic violence, and that involves assessment and evaluation of trauma as well as treatment planning and providing treatment.
Q: And when you say trauma, we're not talking about, excuse me, physical trauma or -- or mental trauma or both?
A: It can be both.
Q: Okay.
A: Everybody responds differently to trauma, and so my job is to look at the changes in functioning after a traumatic event or series of traumatic events and create a plan in order

to help the individual address those.
Q: Very well. Now, if you would, tell us what a battered woman or battered spouse or batter person syndrome is, if you can.
A: So, that is a legal term that was developed to help provide more understanding of what can happen to an individual when they have been abused by a partner that accounts for the changes that happen psychologically.
Q: Okay. Now, tell us, are you -- do you belong to any psychological organizations or are you credentialed by any agency or the government?
A: I'm not employed by the government, no. I provide testimony ---
Q: No, I apologize, I said credentialed?
A: So, I am licensed with the State of South Carolina; I'm licensed with the State of North Carolina; and I have a telehealth provider license in Florida.
Q: Okay. And in your practice, how many people would you say you see a year on average?
A: I probably work with anywhere from 50 to 100 people, depending on ---
Q: And how long have you been licensed in doing this?
A: My license 20 -- February 2019.
Q: Okay. All right. And have you been qualified as an expert in the field of clinical psychology prior to this time?

A: Really quick, 2020; I apologize, my dates get mixed up. February 2020 is when my license became active in South Carolina. And I have been qualified previously as an expert.
Q: Okay. And qualified as an expert in what field?
A: Trauma and domestic violence.
Q: I'm sorry; trauma and domestic violence?
A: Yes.
Q: Very well. And have you testified in a trial in the State of South Carolina?
A: Yes.
Q: Have you testified in more than one trial?
A: This is my second trial.
Q: All right. Your third?
A: Okay.
Q: And let me ask you, if I could, in your practice, how many battered women, or that you've diagnosed as being battered spouses or battered women, would you say you have seen in your practice, or that where you have been associated with another psychologist or psychiatrist and worked with those people?
A: The majority of my caseload is those who have been abused, whether it's by a partner or whether by a parent. And so, we're talking probably 85 percent.
MR. WILSON: Your Honor, at this time, I would offer this witness as an expert in the field of clinical psychology.

MR. SPRATLIN: No objection, Your Honor.

THE COURT: All right. Very good. Qualified her to give her opinion in the field of clinical psychology.

BY MR. WILSON:

Q: What I would ask you first, Doctor, is what is the relationship between a woman who has a history of violence assaults and the diagnosis of posttraumatic stress disorder, if you know, and how that's relevant in this matter?

A: Posttraumatic stress disorder is a diagnosis that we give whenever there's first a qualifying event that we count as traumatic, as we have criteria that falls into that, and you have to have either experienced it or a direct witness to it. And then from there, we look at specific criteria that we know time and time again that we see people who have experienced various trauma. With women who have been battered, the repeated experience of being victimized creates a change in the way that they perceive things. And in that, we see a difference in their -- the way they respond sometimes even everyday things. We see changes in their willingness to fight back or how they fight back. We see changes in their functioning overall, whether they're willing to participate socially, whether they are willing to participate academically, whether they're willing to participate career-wise. I can see these changes in functioning because of those traumatic experiences.

Q: All right. And -- and -- and, Doctor, in regards to physical violence against the woman or battered person, what is normally the purpose of the battering?
A: The control.
Q: The control?
A: Yes.
Q: Now, let me ask you specifically about Ms. Matthews Green, did you have an occasion to or occasions to meet with her, to talk with her at some point prior to today?
A: Yes.
Q: All right. And do you know when or about when it was that you first had contact with her?
A: I first had contact with her in my office. I believe it was the end of March we met for two -- we had two meetings in person, and we had one virtually.
Q: Okay. And -- and just so for the record, how did you become involved in this case?
A: I got a call from your office.
Q: Okay. And -- and as a result of that, you met with her?
A: Yes.
Q: All right. Now, explain to us, I guess, if you would, what procedures you use in order to evaluate a potential battered person or any person, I guess -- I guess, is the right way to answer the question -- ask the question?
A: Yes. So, we start with clinical interviews, and

specifically looking at developing a timeline and understanding of the person's experiences. And then from there, we bring in different measures depending on what kind of -- what information is gathered during a clinical interview. Typically, that involves objective measure, in this case a personality measure is what we talk about, and then we use specific tools that have been developed to help us guide our understanding of trauma symptoms. And in this case, there are structured interviews that guide questions to make sure that we're collecting information specifically as it relates to the diagnosis of PTSD.

Q: Okay. Are there any objective tests that you use that would help you in that evaluation process?

A: Yes, there are -- there's several tests that we use.

Q: Would you explain to us what tests you would normally use or that you used in this particular case, if you did?

A: Yes, so the MMPI, the Minnesota Multiphasic Personality Inventory is the one that I go to first. I use the personality assessment inventory as a backup. And then use the CASP, which is a clinician administered screen for PTSD and life events screener as well to help me get an understanding of trauma that may have happened in addition to whatever else we're talking about. I also use scheduled checklists that talk about intimate partner violence. So, when I'm interviewing someone, it can be really difficult

because it's usually very emotionally charged, so I'm able to specifically ask questions to get a full picture of what these events may have looked like.

Q: Okay. What -- what -- what are the -- what are the reactions then of women who are subject to or who are subjected to physical and emotional abuse at the hands of a friend or an intimate partner?

A: The reactions vary. For some women, they shut down completely. We see kind of a freeze response. They turn into a shell of themselves and they make themselves small or try to run away and remove themselves from the situation. Usually that is the initial response that we see, and then over time, we start to see when they try to find ways to prevent it or to stop it, and so maybe that looks like pacifying the abuser. Pacifying the abuser can range anywhere from sexually pacifying the abuser or doing whatever it is they want them to do without any pushback. And in this case, it was at times trying to physically stop him by fighting back.

Q: All right. Did you specifically make findings regarding Donnielle?

A: Yes, I did.

Q: Tell us about that?

A: So, I found that she meets diagnostic criteria for posttraumatic stress disorder. She was also evaluated using two cognitive measures, and she reported symptoms that could

be symptoms of trauma and stress, and also could have been symptoms of traumatic brain injury. That's why we used cognitive measures as well to try to see if there was any justification of continuing forward with that evaluation.

Q: I didn't catch the last part what you just said, I'm sorry.

A: That's okay.

Q: If you would, just go back for me and kind of repeat the last part of what you just said?

A: Yes. So, you were asking about measures, two measures that I used in evaluating Ms. Matthews, I was not able to discuss were two cognitive measures; one specifically looking at memory and the second one looking at cognitive functioning overall, intellectually -- intellectual abilities. And so, we use those measures whenever we -- for multiple reasons, but in this case using it as a reports of repeated head injury. And with repeated head injury, there can be changes and behavior changes and responses. When I spoke with Ms. Matthews, it was clear that no one had ever evaluated her before. She had not ever received any medical care and, given the symptoms that she was reporting, it made sense to also add those measures in.

Q: Okay. Now, did you evaluate, I guess, or diagnose the relationship between Donnielle and Dennis?

A: Yes.

Q: Tell me about that.
A: After extensive interviews with Ms. Matthews, it was clear that she had been a victim of domestic violence. She, for lack of clinical words, had held her own a lot of times in these instances. Earlier in her testimony this morning she talked about she ended up hitting back trying to fend off, stop and prevent and that seemed to be the trajectory of the relationship, they we would go through the ebbs and flows of things going really well and then something would set it off and there would be conflict between the two of them that would escalate to the point of her being physically attacked and then whether she'd have to either be able to remove herself or try to defend herself in order for the cycle to get back to that moment of peace.
Q: Do you have an opinion as to how the history of her relationship with Dennis influenced her perceptions and reactions?
A: Yes.
Q: Tell us about that.
A: So, from early on -- and this was with my interviews with Ms. Matthews, it was clear that Dennis slowly developed control over different aspects of her life. She describes being told kind of upfront that she's not supposed to work. And the first interaction that she and I discussed, she had with Dennis, resulted in her being taken to the beach, and he

later joked about how he intended to drown to her. And so, these were things, these kind of comments were like really made to her after situations where she was told, you know, oh, I had plans to do this to you or I had plans to do that to you. And so, these were things that she kept in the back of her mind, knowing that these situations -- this was his intention even though she may've been able to pacify him or redirect it in some way, or maybe he decided to redirect it in some way. So, those pieces of the relationship, and then the escalating violence. Over time, Ms. Matthews reports that things became increasingly more violent. So, blows started being directed to her head versus like kind of being slapped or smacked. The amount of humiliation being used during these events escalated as well. In front of people, she was being called names, she was, you know, kind of being drug around the ground and this was all normalized within Dennis' family dynamics.

Q: Okay. Now, let me ask you what impact did the early history play on Donnielle's reactions and perceptions in the relationship between her and Dennis, specifically, also to the abuse generally, both are in this particular case?

A: Just to clarify what you're asking me -- I'm sorry.

Q: What I'm asking you, I guess, is what impact did the early history that she and Dennis had, how did that impact on -- on Donnielle's reactions and perceptions during the

relationship?

A: Okay. So, even before -- I wanted to make sure we touch on, even before her relationship with Dennis, there were -- violence was normalized in the area that she grew up. When speaking with Ms. Matthews, it was very clear that she grew with the perception that police were not going to solve homicides in the area she grew up in. And so you have learned to defend yourself, you learn to stand up for yourself, and you keep things kind of within whoever the situation is with. When she was 16 years old, she got into a fight with another 16-year-old girl, and the girl pulled a gun on her and tried to hit her in the side of the head with it. And Ms. Matthews was able to grab the gun, the gun discharged, and she was shot in the shoulder. This was normal. To Ms. Matthews, this was a normal experience in her neighborhood. And so, when she entered into a relationship with Dennis, while the violence was -- did not mimic or mirror her experiences of her parents watching them when she was growing up, it was normal in the context of what's to be expected from others, from peers. So, she -- I think she did her best to try to function within that. During our conversation, she talked about how sad she was that on one hand Dennis would say very nice things about her, and on the other hand then he would hit her and brutalize her. So, those pieces played a part.

In the last incident that led to Dennis' death, Ms.

Matthews talks about being hit in the head repeatedly and not only is being hit in the head repeatedly, you know, and feeling like you're losing your vision is a life-threatening thing, it also plays back into Ms. Matthews' experience of being, you know, hit in the side of the head with a pistol at 16, and grabbing it because she's about to get shot with it. So, there's -- there's lots of different layers here that would make sense or justify cognitively how Ms. Matthews was thinking of the situation in the moment.

Q: Now, explain to us, if you can or help us understand why after these beatings, she would go leave him and then come back to him repeatedly over an extended period of time?

A: Well, as we heard her say earlier this morning and in my interviews as well, she loved him, and that's not uncommon for a victim of domestic violence to love the person that's abusing them. Oftentimes the blame is shifted to themselves. They try to find out -- figure out what can they do to stop it. Maybe if they say this or they do that, that that will be enough to, you know, for the person that very deeply love and care about to stop brutalizing them. There's period of time when things are good, and so a lot of times justification to return to a relationship comes back to, well, this was good this time, so maybe if I go back and I try this approach, or maybe this time when they say it will be different it really will be.

Q: Why wouldn't a woman or person who is being beaten report it to the police and try to get some help or try to get the police to intervene, why wouldn't they -- why wouldn't the victim do that?
A: A lot of it is the same reason we're sitting here listening to her cross-examination where she -- she's being questioned about the validity of the statements that she's making. It's common knowledge that domestic violence victims are not believed; they're dismissed. And those that do push forward and try to ask for help, we're able to give them temporary support; and we can put them in a shelter; we can, you know, we can lock up their abuser for a day or two, but then what happens? They're let out and the victimization begins again. And the chances of the victimization being more severe after something like that is reported is very high.
Q: Is that -- is that not reporting similar to women who don't report rape over a long period of time?
A: Absolutely.
Q: All right. Now, let me ask you after the incident, based on the police report and other information, Donnielle drove Dennis to the hospital to get treatment. Why would she do that?
A: From my opinion, Ms. Matthews was not intending to end Dennis' life; she just wanted him to stop hitting her in the head. And so, in the history that she and I talked about,

there were several times where if she was able to push back at him hard enough he would stop. And so, almost, it's a shame that I can't speak with Mr. Green because I imagine he also has pretty significant trauma history. And so, he may have been in kind of a state of his own, and if she -- it seems like if she was able to create a break from him, he would stop. And her testimony, where she's talking about how, you know, he's apologizing after she stabs him, going I'm so sorry, I'm so sorry, I'm so sorry. To me, that would reflect and support that idea if she can push back, he'll stop and then ---

Q: Let me ask you then, after the incident and they were at the hospital, Donnielle told the police things that were not true?

A: Uh-huh, (affirmative response).

Q: How -- how do you -- what's your opinion on that; how do you interpret that?

A: I have two lines for that, but I want to make sure that I'm able to speak on. One is that in my conversation with Ms. Matthews, Mr. Green coached her on what to say, because neither of them intended for him to die. This was just another incident between the two of them that was going to be kept between the two of them. And so, doing anything other than that, would have been negative for her, because assuming that he was gonna leave the hospital and be well, he would be

angry if she went against that -- pact between the two of them.

Also, when I watched bodycam footage of Ms. Matthews' interaction with police initially, I -- what I witnessed and what I was able to observe from a clinical perspective, is I watched Ms. Matthews almost kind of tiptoe to see how the police would respond to her. She made statements suggesting that maybe there was -- maybe there was something else, maybe there was something else. And while I don't fault the police officer at all because he was trying to gather facts, he dismissed her, and had he not dismissed her, she may have been much more forthcoming than that. We'd expect with domestic violence victims, you want to first make sure it's safe to share before sharing information about history of victimization, given the fact that it's common knowledge they're not believed.

Q: Now, let me ask you in regards to Donnielle, based on your evaluation of her, did she fear Dennis?

A: Yes.

Q: Can you explain that to us? I mean, how can you love somebody and be afraid of them at the same time; how can that be?

A: So, when things are really good, they're really good. And so, there's that kind of free flowing of love and -- and feeling connected and feeling like things are -- the

relationship is going well. But when -- when there's agitation or something that signals that at any moment, that's going to switch, you would expect the victim to be kind of fearful of that, and their reaction or their responses might change hoping that if they change those reactions, that will de-escalate the situation. So, fear and love can very much exist at the same time.

Q: All right. Doctor, the average -- and I use that word advisedly -- the average person a relationship, if they get beaten and they leave, would they come back ---

A: Absolutely.

Q: --- or is that ---

A: Yes, absolutely. That's one of the biggest issues in trying to intervene in domestic violence situations because it's hard to have a victim remove themselves and stay removed. On average, we -- statistics in the area that I practice in, it's seven hours -- seven hours -- seven times that they leave and come back before they stay ---

Q: Seven times?

A: --- seven times.

Q: Based on your expertise and evaluation, what is the psychological state of a woman who has been previously hit, struck, and abused?

A: It's -- it's definitely different than what you would expect of someone who doesn't have that experience. They're

more likely to either respond by shutting down, running away, or defending themselves. They're interpreting situations is much more threatening than they may be.

Q: Would it be typical or unusual for a battered spouse to want to lie to protect her batterer?

A: Absolutely, they love them, and so there's that hope that maybe they will be able to convince them to be different.

Q: When you -- and you say that they love them, does that love change after two or three or four or five beatings, or does it get stronger or does it -- and I know it's probably difficult for most of us to fully understand it. So, how -- how do we understand, that is the remainder of society, how do we understand the actions and reactions of a battered woman?

A: For victims, the experience of being beaten, being abused, happens in what feels like almost in a bubble. And so those situations happen and then once that bubble bursts, there's this kind of honeymoon period. And during that honeymoon period, relationships a lot of times look very similar to a healthy relationship or an average relationship might be a better word. So, there is -- is where everybody -- everything looks great on the outside. And so for victims, there's that self-blame; it must be them, it must be them, it must be them. And with Ms. Matthews, that was exactly what she was told repeatedly, it was her mouth that got her in trouble; it was, you know, her -- her willingness to advocate

for herself or share her opinion that he would use as a reason why she was being beaten.

Q: Okay. Because the batterer is trying to control the victim, the other person ---

A: Uh-huh, (affirmative response).

Q: --- and so, then in order to control them, you beat them?

A: Yes.

Q: Kind of like spanking your child for doing wrong?

A: When you beat them, you kind of level their self-esteem, so they have no sense of self. You remove their resources, you know, prevent them from working, you isolate them from others, all of which occurred for Ms. Matthews.

Q: Now, Doctor, let me show you two documents.

A: Okay.

Q: And I should've done this earlier and I apologize I didn't do it.

MR. WILSON: May I approach, Your Honor?

THE COURT: Yes, sir.

BY MR. WILSON:

Q: Let me show you these two documents and ask you if you recognize both of those?

A: Yes.

Q: All right. And tell me what they are?

A: One is my report, and the second one is my CV.

Q: All right.

MR. WILSON: Your Honor, I'd ask that these be entered for ID purposes, unless the solicitor wants to introduce them?

THE COURT: Well, okay, just -- let's get them marked first.

And which one is which?

MR. WILSON: Your Honor, her report is labeled Defendant's Exhibit Number 24 for ID?

THE COURT: 24?

MR. WILSON: Yes, sir.

THE COURT: Okay.

MR. WILSON: And her CV or resume is listed as Defendant's Exhibit 25 for ID?

THE COURT: All right. Are you offering them into evidence?

MR. WILSON: I am offering them, yes.

THE COURT: Objection?

MR. SPRATLIN: Your Honor, I object on the grounds of hearsay to the report. I have no objection to the CV.

THE COURT: All right.

MR. WILSON: That's fine.

THE COURT: Let me look at it.

MR. SPRATLIN: Your Honor, should I approach as well?

THE COURT: I'm just looking at the document, that's all I'm saying.

So, 25 is into evidence without objection.

DEFENDANT'S EXHIBIT NUMBER 25

ADMITTED INTO EVIDENCE

THE COURT: All right. I am not gonna allow the report to go into evidence. It either is as she has testified to or introduces matters which are not in evidence in this matter and cannot be considered by the jury. So, I'm not allowing 24 into evidence.

MR. WILSON: Thank you, Your Honor. Your Honor, we will leave ---

THE COURT: Just leave them with the Court Reporter. 25 goes to the jury; 24 does not.

MR. WILSON: Thank you, Your Honor.

DEFENDANT'S EXHIBIT NUMBER 24

MARKED FOR IDENTIFICATION

BY MR. WILSON:

Q: Now, let me ask you, Dr. Danso, in -- in your conversations with -- with Donnielle, has she expressed remorse for the attack?

A: Yes, sir.

Q: Explain that to us and what's been going on with that?

A: In my interviews with her, never did Ms. Matthews intent to cause any significant harm to Mr. Green; she just wanted him to stop hitting her in the head. She was scared that the next blow would be the last blow that she would feel because it would kill her.

Q: Now, did you do any actual testing testing, when I testing, I'm talking about standardized tests of any kind?
A: Yes, I did.
Q: How many standardized, if more than one, did you perform?
A: Five.
Q: Five?
A: Yes.
Q: All right. And did you provide those tests to an expert for the state?
A: Yes.
Q: All right. And so, he has those tests, copies of those tests, and a copy of your report?
A: He does.
Q: All right. I don't have any other questions. Thank you, Doctor.

THE COURT: All right. Cross-examination?

MR. SPRATLIN: Yes, sir, Your Honor.

CROSS-EXAMINATION OF WHITNEY DANSO BY MR. SPRATLIN:

Q: Good afternoon, Dr. Danso. How are you?
A: I'm fine, how are you?
Q: I introduced myself earlier, but I'm Martin Spratlin. I'm gonna have a couple of questions for you.
A: Okay.
Q: First, going over your training, I think you may have answered some of these questions. You said you've been in

clinical practice or licensed, I should say, since -- was it February of 2020?

A: Yes, independently licensed.

Q: I'm sorry?

A: Yes, independently licensed.

Q: Independently licensed, so a year and four months?

A: Sure.

Q: And when -- and you said you had treated maybe 50 to 100 people in that time period?

A: In that time period, yes. Ten years of clinical practice under supervision.

Q: And how many of the 50 to 100 people that you evaluated were for the purposes of court proceedings such as this?

A: Ten.

Q: Ten? I think you testified to this earlier that this is your second time actually testifying in court?

A: Yes.

Q: All right. And just to go ahead and get this out of the way, you are paid for your services, correct?

A: Yes, I'm paid for my services.

Q: All right. So, you are hired by the defense, paid by the defense to prepare an evaluation?

A: Yes, but I am a psychologist, which means I report on what I see, not what I'm told.

Q: Let's talk about what you see. What you see is what you

look at, right?
A: Yes.
Q: And in this case, what you looked at mostly was what she told you?
A: Mostly, yes.
Q: Pretty much entirely; isn't that true?
A: Sure.
Q: So, you didn't look at -- did you look at any medical records?
A: I did.
Q: Which medical records?
A: I looked at the autopsy report of Mr. Green; I looked at her history of counseling that she'd had in the past; that bodycam footage; looked at the messages.
Q: Now, let's talk about that counseling in the past. When was that counseling?
A: When she was an adolescent.
Q: An adolescent. So, well before she met Mr. Green?
A: Yes.
Q: Okay. And she had a diagnosis from that counseling, didn't she?
A: Yes, I believe so. I don't recall it off the top of my head.
Q: And this is ten years before she met Mr. Green?
A: Uh-huh, (affirmative response).

Q: Okay. As you stated, you looked at what Donnielle told you?
A: That was a part of it, yes.
Q: You took what she said as being the truth?
A: Within reason. Forensic interviewing is much different than sitting down for therapy.
Q: You didn't confront her with inconsistencies in the statements she previously provided, did you?
A: She and I had ten hours of conversation, where things were viewed over and over and over again, so I was able to make clarification on inconsistencies.
Q: Okay. The statements she gave to the police officers, did you question her on those inconsistencies?
A: Yes, we talked about the inconsistencies.
Q: So, the fact that she lied to the first officer that was called onto the scene, you questioned her on that?
A: We talked about that, and I watched the videos for that.
Q: Okay.
A: We talked about her story changed and her fears associated with that.
Q: You talked about the second time she lied to the police, didn't you?
A: Uh-huh, (affirmative response).
Q: The third time?
A: I'm sure we did.

Q: The fourth time?
A: I know she has had multiple stories.
Q: Okay. In fact, that fourth time, even when she admitted to stabbing Dennis, the day after, she told a different story than she told on the stand here?
A: Uh-huh, (affirmative response).
Q: Is that true?
A: Yes, it's not -- what I heard from her in the office is exactly what I heard on the stand.
Q: Okay. And you've met with her, not the day after this occurred, right?
A: No.
Q: You didn't meet with her the month after this occurred, correct?
A: Correct.
Q: The year after this occurred?
A: I met with her four weeks ago.
Q: Four weeks ago. So, after facing murder charges for four years, you met with her?
A: Uh-huh, (affirmative response).
Q: Okay.
A: I'm sure you're aware of why that's the case.
Q: You met with her four weeks ago?
A: Yes.
Q: And you have only been licensed for a year and a half?

A: Uh-huh, (affirmative response).

THE COURT: Is that a yes or no? The Court Reporter can't take down uh-huh.

A: Yes.

BY MR. SPRATLIN:

Q: And you are here today paid by Mr. Wilson to provide a diagnosis for this defendant?

A: Yes.

Q: All right. And domestic violence is kind of your bread and butter; isn't that true?

A: Domestic violence is where I find that I am most effective, yes.

Q: That's where you're most effective?

A: Bread and butter would be an understatement. Domestic violence are poor; they're on Medicaid; they can't afford my services. You don't see a high-dollar thing.

Q: And as you testified, that's partially because their husbands won't let them work, right?

A: That may be the case.

Q: Did you review a interview that Donnielle did with William's Investigative Services ---

A: No.

Q: On March 29th, 2018?

A: It's not ringing a bell.

Q: Okay. So, you're not aware that she stated to go to the

strip club and see, you know, because I never had any intention of actually having a real job. I'm not even gonna lie. And when, like I said, me being in these relationships with these guys, they make provisions. I got to the point, like, I want to do my own thing, you know.

A: I heard you read the statement earlier.

Q: I'm sorry?

A: I heard you read the statement earlier.

Q: Well, I didn't actually read it, Mr. Oskin did. If we look alike; I'll take that as a compliment. Trust me. He's about ten years younger.

So, is there even a possibility in your mind that Donnielle wasn't not working because Dennis made her not work, but because she didn't want to?

A: Ms. Matthews didn't have the opportunity to work given that she never had free access to her vehicle; given that, she was responsible for caring for his children when they were around.

Q: That's funny, free access to her vehicle. She testified that she would drive to Horry County by herself?

A: At his direction.

Q: At his direction?

A: Yes.

Q: But by herself in a car with the keys; is that correct?

A: Uh-huh, (affirmative response).

Q: Yes or no?
A: Yes.
Q: Okay. You said you looked at prior, I think psychological records of the defendant in this case?
A: Uh-huh, (affirmative response).
Q: Let's ask about some medical records from the injuries that she received; did you look at those?
A: I don't think I saw those.
Q: Is that because there are none?
A: Prior injuries from interactions with Mr. Green?
Q: Medical records from any injuries she received?
A: No. Of course there is none; she didn't report anything.
Q: Of course, there's none. That's convenient, isn't it? And when she starts reporting these domestic violences is when she's facing a murder charge?
A: That's not the story she told me.
Q: That's not the story she told you, but again, that's her fifth story by my count. Is that correct; yes or no?
A: You're the one telling the story here of how many times she's ---
Q: I'm just asking?
A: --- recounted, I haven't been keeping ---
THE COURT: All right. Stop. Both of you.
Solicitor, you ask the questions.
Ma'am, you answer them directly.

BY MR. SPRATLIN:

Q: Yes or no, your story -- the story that she told you was the fifth story?

A: I don't have a count on how many stories she has off the top of my head.

Q: Okay. You spoke about something regarding brain damage; is that right?

A: Traumatic brain injury.

Q: Traumatic brain injury, excuse me, sorry. I don't mean to use non-scientific terms, but -- so, traumatic brain injury, but you never did an -- you were never able to do anything to show that she even had that?

A: No. I was not able to show that.

Q: Okay.

A: But I think that should be taken into consideration.

Q: Taken into consideration even though you don't know she has it?

A: No, but she reports extensive trauma to her head.

Q: She says she had it, so it must be true?

A: No, it's not that it needs to be true, it needs to be evaluated.

Q: Aren't you the one that evaluates?

A: I'm not a neurologist.

Q: Okay. Now, you mentioned that you did not review any medical records showing that she'd been to the hospital or

even a doctor's office for any injuries. Did you review police reports from where the neighbors called the police when she got thrown into these walls, she tells you she got thrown into?

A: There are no police reports.

Q: There are no police reports. That's convenient, isn't it? Yes or no?

A: I don't think that's convenience.

Q: Okay. There's not a thing to document the abuse that she is saying she suffered other than what she told you?

A: I reviewed messages that she had where she talked about where other people were acknowledging that they were aware she was being victimized.

Q: You didn't go talk to those people though, did you?

A: I didn't have access to those people.

Q: Did you try?

A: Because it's my understanding that no one has been able to contact them.

Q: Okay. You didn't try, though?

A: I'm not given that information. My job is to evaluate.

Q: Yeah, because your job is not to verify it, it's to evaluate it?

A: Yes.

Q: All right. Now, that's a very important distinction, isn't it? Would you agree that's a very important

distinction?
A: Sure.
Q: All right. So, your job is not to verify what Ms. Matthews told you?
A: My job is to pull all the information together and come to a clinical conclusion about the experiences.
Q: Doctor, it's a yes or no question. Your job ---
THE COURT: All right. Solicitor, again, ask your questions. If you don't think she responds, you direct that to the Court.
MR. SPRATLIN: Yes, sir, Your Honor.
THE COURT: Thank you.
BY MR. SPRATLIN:
Q: Yes or no; did you verify your statement to you?
A: I verified with the information I had available as much as I could.
Q: No police reports, correct?
A: No police reports.
Q: No hospital records?
A: No.
Q: No witness statements?
A: No.
Q: Ms. Matthews told you and I think stated in court, that her family actually witnessed the abuse; isn't that true?
A: Yes.

Q: You didn't have access to her family either?
A: No. I didn't have time to contact family or all these other people.
Q: Didn't have time to contact the family, but had time to make a diagnosis?
A: Yes.
Q: All right. Now, you talked about an incident that happened back in -- when Ms. Matthews was 16 years old, where she got shot?
A: Yes.
Q: That also happened, by my count, seven years before she met Mr. Green, isn't that true?
A: Yes.
Q: All right. Regarding her not intending to end Mr. Green's life, you believe she didn't intend to do it that night, do you?
A: I do not believe that was her intention.
Q: It's almost as if she wanted to kill him and bring him back to life; isn't that true?
A: No.
Q: She stabbed him and then took him to the hospital, right?
A: Yes.
Q: All right. You said under testimony from Mr. Wilson, that it is common for a battered woman to not be honest with the police when they first respond, true?

A: Yes.
Q: All right. You've seen 50 to 100 people, done ten -- ten court evaluations?
A: Uh-huh, (affirmative response).
Q: Is it also common for murderers to not be honest with the police when they show up?
A: I'm sure.
Q: You're sure?
A: I'm sure that's the case. I couldn't speak to that.
Q: Okay. Okay. You said Ms. Matthews feared Dennis, correct?
A: Yes.
Q: And that's, again, from your testimony or her statements to you that she feared Dennis?
A: Not just her statements, but also the way she reports -- her responding, the history and cycles.
Q: Somebody who fears someone else, would they provoke that person?
A: It would depend on what stage of the cycle domestic violence we're in.
Q: Would they punch them in the face in the car?
A: No. They would not initiate that.
Q: I'm sorry?
A: No. I wouldn't expect them to initiate ---
Q: You wouldn't expect them to punch them in the car. Would

they put their finger in their face in a restaurant, like this and say you called my daddy a bitch?

A: I could see where that would be -- that would happen.

Q: Okay. So, punching them in the face, too far; handing a phone to them saying that daddy -- they called your daddy a bitch is right in that space? Is that a yes?

A: They're varying -- there's a varying type difference there between the amount of aggression behind those, agitation behind those two things.

Q: Because when you met with Ms. Matthews, she wasn't aggressive?

A: No.

Q: And she's been charged with murder for four years?

A: Uh-huh, (affirmative response).

Q: I'm sorry, is that a yes or no?

A: Yes.

Q: Would you agree that four years is a long time to get your story straight?

A: Four years is a long time to sit and wait, yes, for this process to take place.

Q: Is four years a long time to get your story straight, Doctor?

A: It could be.

Q: Could be.

THE COURT REPORTER: Ma'am, could I ask you to slide up

just a little bit. Thank you.

BY MR. SPRATLIN:

Q: I'm gonna ask you some questions about the tests that you did on Ms. Matthews. I want to make sure everybody understands what these are. So, the, I think it's commonly referred to as CAPS test; is that correct?

A: Yes.

Q: What is that?

A: A CAPS is a structured clinical interview to assess trauma symptoms and help leads to diagnosis of PTSD.

Q: And that's where you ask questions and the client in this case, Ms. Matthews, answers?

A: Yes.

Q: Again, that's -- her answers are what you're relying on?

A: Yes.

Q: All right. Let's ask you about the Minnesota, and I'm gonna butcher this word and I apologize?

A: MMPI.

Q: Multiphasic Personality Inventory or what we just call it the MMPI, and I think it's the second edition, so it's MMPI-2?

A: Yes.

Q: All right. That actually is self-administered by the patient, correct?

A: It's administered by me in the office, yes, but they answer it independently.

Q: But they answer it independently. So, they take that form and go fill it out?
A: Uh-huh, (affirmative response).
Q: The Personality Assessment Inventory, PAI, that's another similar test where you ask questions, she answers?
A: --- PAI, yeah.
Q: So, she actually takes that form and goes and fills it out?
A: Uh-huh, (affirmative response).
Q: The Wechsler Adult Intelligent Skill, WAIS-IV, that's essentially a IQ test?
A: Yes.
Q: The Wechsler Memory Scale, WMS IV, that's also -- what is that?
A: That's a test that looks at memory functioning.
Q: Okay.
A: Similar to the WAIS that requires direct administration by a psychologist.
Q: All right. Let me ask you about Ms. Matthews result on the PAI test. On the second page, I believe that's a list of what my expert tells me are domains; is that correct?
A: I'm sorry, what was the last thing you said? The second page is what?
Q: The second page is a list of domains; is that correct?
A: Yes.

Q: All right. And that carries on to I think the third page, right, or is that something different?
A: No.
Q: Subscale profile.
A: Subscale profile is, yeah, my third page.
Q: Okay. All right. Going back to the second page. Can you tell this jury what Ms. Matthews scored -- what clinically significant -- what's the correct language -- I beg the Court's indulgence? What domains were clinically significant given the test that you gave to Ms. Matthews?
A: A number of domains.
Q: Which ones?
A: Her anxiety, sematic symptoms, trauma response, depression, paranoia, need to deal with alcohol, aggression, suicidal ideation, difficulty in relationships. She also views herself in an incredibly negative way, so that was also elevated.
Q: I'm sorry, what was the last one?
A: She views herself in an incredibly negative way, and that was also elevated.
Q: So, a lot?
A: Yeah.
Q: And when we go to page 4 of that report, additional profile information; is that correct?
A: Yes.

Q: All right. The first one is malingering index, raw value 2, T score 71. What does malingering mean?
A: Malingering is when somebody lies for gain.
Q: Lies for gain?
A: Uh-huh, (affirmative response).
Q: And Ms. Matthews scored 71 on that?
A: Yes.
Q: All right. Not a zero?
A: Not a zero.
Q: Okay. The Hong malingering index -- malingering again means lying for gain, right?
A: Uh-huh, (affirmative response).
Q: Raw value 209. Ms. Matthews actually scored a 94 on that, right? Yes or no?
A: Yes.
Q: And that's out of 100?
A: So, am I allowed to give you additional information?
THE COURT: All right. Ma'am, so let me explain. If the question asks for yes or no, you can say yes or no, but then you may explain your answer.
A: Okay. Yes. The reason why Ms. Matthews was given both the MMPI and the PAI is that when you look at it at first glance, she invalidates both of them. I used both measures to match her clinical interview and pull apart her perceptions of herself.

Q: So, you again, when this test didn't work out, went back to what she told you?
A: No. I went and used two layers of objective measures and took the information as she saw herself and it matches with her descriptions of her experiences.
Q: Okay. So, you relied again on what she told you?
A: I relied on a combination of clinical measures in my interviews with Ms. Matthews.
Q: Exactly. Part of that combination was what she told you?
A: I'm not quite sure how else to make the diagnosis without the person who is experiencing the symptoms.
Q: Okay. Let's go to the next item, the Multiscale Feigning Index. Looks like she got an 87 on that one?
A: Uh-huh, (affirmative response).
Q: Feigning, what does that mean?
A: A higher level of experience of symptoms than we would expect.
Q: Basically exaggerating ---
A: Uh-huh, (affirmative response).
Q: --- being dishonest? Yes or no?
A: Yes, those are also experimental indicators. So ---
Q: Okay.
A: --- I wouldn't rely on those too heavily.
Q: You wouldn't rely on those?
A: No, not to -- not to make kind of these prose

accusations.
Q: But you gave her this test so you could tell what was wrong with her?
A: What we looked at when we looked at this test were individual reactions and responses, meaning we could ---
Q: Okay. Let's talk about the other test you did, the MMPI, the Minnesota Multiphasic Personality Inventory, Number 2. Do have you got a copy of that up there with you?
A: I do.
Q: Okay. The second page of that report, it says -- and correct me if I'm wrong -- this is an invalid profile because F is greater than 89?
A: Yes.
Q: All right. What does F stand for?
A: F has to do with the number of symptoms that are reported. And so, any good clinician will tell you that you cannot fully rely on just the way that these printouts read. These printouts are meant to speed up the process of scoring.
Q: Correct me if I'm wrong; F stands for faking bad?
A: That's where it breaks down into multiple levels, so, not necessarily faking bad. She reports more symptoms than we expected of a typical individual.
Q: More symptoms that than to be expected?
A: Uh-huh, (affirmative response).
Q: Exaggerated?

A: If that's what you'd like to call it.
Q: Why?
A: That's not how I view that scale; that's not how I was trained.
Q: Well, let's talk about that, because the profile validity on the third page says she responded to the MMPI items in an exaggerated manner?
A: Yes, but they were endorsed consistently, having matched the PAI profile.
Q: So, she consistently exaggerated?
A: Ms. Matthews reports a number of symptoms that you would not expect the average individual to experience. Sematic symptoms, she reports a lot of neurological symptoms, she reports trauma symptoms, depression, anxiety, difficulty with work, family relationship difficulties; all of which you would expect in a victim of domestic violence.
Q: But just not to the level that she has, right?
A: These profiles are not meant to be kind of one and done. They require clinical judgment to be added to them. We never take one measure at face value. We incorporate multiple sources of information, that's the PAI, the MMPI, the CAPS, clinical interviews.
Q: Well, let me ask you about taking multiple sources. Two of these, both agree that she's exaggerating or malingering?
A: That she reports a large number of symptoms, yes, but it

doesn't necessarily say that she's malingering.
Q: Page 4 of the PAI does, correct?
A: It takes clinical background to be able to interpret these reports.
Q: Okay. So, a common person can't understand what malingering means?
A: A common person can understand what malingering is, but a common person is not supposed to be using the PAI to make diagnoses that they are not qualified to make.
Q: The third page of the MIPP -- or fourth page, excuse me, of MMPI-2, again says, this is invalid profile because F is greater than 89?
A: Yes. She reports symptoms that were -- she reported more symptoms than we would expect ten percent of a normative population.
Q: What's one -- one potential reason for exaggerations or malingering or whatever it might be is that she was so abused that she is really suffering from all of this; isn't that true?
A: Yes.
Q: Okay. The other possible explanation could be that she's lying?
A: That has to be something that's considered.
Q: But you never considered that?
A: I did consider that.

Q: But you took her at her word?
A: No. I pooled all my information together and made an assessment.
Q: And your information was probably about 90 percent what she told you, wasn't it?
A: No. A portion of my assessment had to do with measures we used to gather information in various ways.
Q: Again, the measures you used are these tests? All right. was that a yes or no? I'm sorry.
A: Also the CAPS, the life experience checklist ---
Q: Life experience checklist, that's just the stuff that she's had happen in her life?
A: Uh-huh, (affirmative response).
Q: Okay. All right. Let me check with my expert and see if I have any further questions.

MR. SPRATLIN: Your Honor, I have no further questions for this witness.

THE COURT: All right. Redirect?

MR. WILSON: Thank you, Your Honor.

REDIRECT EXAMINATION OF WHITNEY DANSO BY MR. WILSON:

Q: Dr. Danso, let me ask you, if you have a professional clinical opinion as to whether or not Donnielle was malingering or lying to you; do you have an opinion?
A: I do have an opinion.
Q: What is your opinion?

A: I do not believe she was lying. I believe she's experiencing a number of symptoms which would fit with trauma, would fit with her experiences, and her ongoing anxiety.
Q: The solicitor asked you about, I forget what his exact question was, but you responded that you saw emails, which supported that others knew about her being abused; is that true or not true?
A: It is true; there were messages back and forth.
Q: All right. Is there any question in your mind, based on what you saw in those records that other people knew she was being abused?
A: No. I do believe other people knew.
Q: He also asked you if Mr. Wilson is paying you to be here. Is that correct; payment that he asked you?
A: He did ask me that, yes.
Q: Actually, you're being paid by the state, aren't you?
THE COURT: Solicitor and Mr. Wilson?
MR. WILSON: Yes, sir.
THE COURT: Those are matters for the Court, not this jury.
MR. WILSON: All right, sir.
THE COURT: Thank you.
MR. WILSOLN: All right.
BY MR. WILSON:
Q: Now, let me ask you -- he asked you about striking --

whether or not Dennis was struck by -- well, I think he asked you whether you believe that Dennis was struck by Donnielle as she got in the car. And do you recall what your response was?
A: I don't remember that being the specific question, but that's not -- not something that she shared with me.
Q: Okay. She never told you that she struck him when she got in the car?
A: No.
Q: All right. And until now, you didn't hear that?
A: No. I did not hear that.
Q: Let me ask you, would it be typical or would it be unusual for a battered person who is getting in the vehicle with the batterer to strike the batterer before the batterer strikes them?
A: No.
Q: And why -- why wouldn't they do that?
A: Because most people who are being abused, do not want to -- do not want to provoke any violence. They want to enjoy the calm periods of the relationship.
Q: I don't have any other questions. Thank you.
THE COURT: Anything on those questions?
MR. SPRATLIN: Yes, Your Honor.

RECROSS-EXAMINATION OF WHITNEY DANSO BY MR. SPRATLIN:

Q: The last question Mr. Wilson asked you, Doctor, you're making the assumption that that person was actually abused

when you answered, aren't you?
A: If we're talking in the context of abuse, yes, that would be my answer. Otherwise ---
Q: The messages you saw, those were provided to you by the defense?
A: Yes.
Q: All right. Didn't go talk to anybody yourself, right?
A: No.
Q: All right. And you talked about Donnielle having some sort of trauma. Would you agree that stabbing your husband to death in the car would be a trauma?
A: Yeah, it would be a trauma.
Q: Okay.
MR. SPRATLIN: No further questions, Your Honor. Thank you.
THE COURT: All right. Mr. Wilson, do you wish the witness to be excused?
MR. WILSON: Yes, sir, please.
THE COURT: Any objection from the state?
MR. SPRATLIN: No, Your Honor.
THE COURT: All right, ma'am, you're released from your subpoena; you may go back to your regular duties. Thank you.
DR. DANSO: Thank you.
THE COURT: All right. Mr. Wilson?
MR. WILSON: Yes, sir. I call Amy Jackson.

THE COURT: All right. She in one of the waiting rooms?

MR. WILSON: Yes, sir.

THE COURT: All right. Very good.

Can you call out Amy Jackson, please?

All right, ma'am, come all the way around up front right up here to where the clerk's representative is.

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

AMY JACKSON, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE CLERK: Please be seated. State your full name and spell your name for the Court.

MS. JACKSON: Amy Jackson; A-M-Y, J-A-C-K-S-O-N.

THE COURT: All right, Mr. Wilson.

MR. WILSON: Thank you, Your Honor.

DIRECT EXAMINATION OF AMY JACKSON BY MR. WILSON:

Q: Ms. Jackson, if you would, tell us back in 2017 where you were working?

A: At Denny's in North Myrtle Beach.

Q: You were working at Denny's in North Myrtle Beach?

A: Yes.

Q: And back on July, morning of July 7th of 2017, were you on duty working at the restaurant?

A: Yes.

Q: All right. Do you recall on that particular morning,

this group coming in with two ladies and a gentleman?
A: Yes, I do.
Q: Now, can you describe them as best you remember them?
A: They had been out -- it was early in the morning, so they had been out drinking; you could tell they had been out and came into to eat.
Q: Okay. Physically, can you tell whether one of the women were tall and one was short; both were tall; both were short?
A: I don't really recall, no.
Q: Okay. All right. So, tell me, during that time, do you know how long or think about how long they were there in the store -- in the restaurant?
A: Forty-five minutes.
Q: And you served them?
A: Yes.
Q: And you would've been back and forth to the table with them?
A: Yes.
Q: All right. And let me ask you, tell me about the interaction between the women that night?
A: They were just -- seemed to be -- a little bit about the restaurant before they actually sat down to eat. I think they went to the restroom and just around the restaurant. They were still having a good time it seemed to be.
Q: Okay. Were they getting along, the girls?

A: Yeah, it seemed to be.
Q: Okay. All right. And were they fighting or arguing that night, anybody?
A: No. He seemed tired and a little bit aggravated and was ready to leave.
Q: Okay. So, he seemed aggravated ---
A: Yes.
Q: --- and ready to leave. But the girls were still -- let me ask you this question. Did you notice any tension at all between the two girls or could you tell what was going on with them?
A: Not really, no.
Q: All right. Now, during the time that they were in there, did you hear anybody raise their voice or threaten anybody or curse anybody or be disrespectful in any way to anybody that you know of?
A: No.
Q: Okay. Now, when they left Denny's, when they were leaving, did you see them as they left the parking -- the door to go out into the parking lot?
A: Just vaguely, getting the car. They took a while to get into the car.
Q: Okay.
A: That's what I recall.
Q: All right.

A: I didn't see anything in the parking lot to ---
Q: Okay. All right. But there was no question, while they were in that restaurant, there was no fighting, no arguing, no problems whatsoever that you noticed or heard?
A: There didn't seem to be, no.
Q: Okay. And then they got up and they all left together?
A: Yes.
Q: All right. And as they were leaving, did they say anything to you or anything to give you any reason to believe that there was some animosity or hostility going on?
A: No.
Q: All right. And you said that the two girls went to the bathroom. Do you know how they long they stayed in the bathroom?
A: I don't recall.
Q: Okay. All right. But they went to the bathroom; did the gentleman go to the bathroom with them?
A: I don't remember. I don't recall that, no.
Q: It's been four years, right?
A: Yes.
Q: All right. And you don't remember all the details of everything, but you remember that there was nothing untoward said or going on that you can recall?
A: Right.
Q: All right. And that they all left together?

A: Right.
Q: And they all went out to one car and got in?
A: Correct.
Q: Now, do you know any of these people?
A: No. I sure don't.
Q: All right. Have you met me before today?
A: No.
Q: All right. Do you know, did the state ever call you, the solicitor's office or the police and ask you for what happened that night or what you saw and observed?
A: Well, the detectives came to my house the next day after the incident happened.
Q: Okay. And did you tell them what you just told us?
A: Yes.
Q: All right. And did they get back to you anymore after that?
A: Not until the state contacted me.
Q: And when was that?
A: It's been a -- just that I needed to come and appear by subpoena. That was about maybe a month ago.
Q: Okay. So, you got a subpoena from the state?
A: Correct.
Q: But you hadn't heard nothing from them from four years until now?
A: No, sir.

Q: No other questions.

THE COURT: All right. Cross-examination?

MR. SPRATLIN: Thank you, Your Honor.

CROSS-EXAMINATION OF AMY JACKSON BY MR. SPRATLIN:

Q: Good afternoon, Ms. Jackson, how are you?

A: Good afternoon. Hello.

Q: Do you remember meeting with me and Mr. Oskin?

A: I do.

Q: All right. And that was about a month ago?

A: Correct.

Q: Now, you were working at the Denny's parking lot back in -- I mean you were working, I'm sorry, not the Denny's parking lot. You were working the Denny's in North Myrtle Beach back in July of 2017, right?

A: Yes.

Q: What was your shift?

A: 10:00 to 6:00.

Q: 10:00 to 6:00, so graveyard?

A: Yes.

Q: So, I bet you got all kinds of people in the Denny's, didn't you?

A: Yes, we did.

Q: All right. You also, in addition to being a waiter or waitress at the restaurant, you had to help clean the restaurant, right?

A: Right.
Q: And so, while these people were in the restaurant eating, you were also cleaning, correct? I'm sorry, you have to answer yes or no?
A: Yes.
Q: Thank you.
A: Right.
Q: Thank you, Ms. Jackson. So, it wasn't like you were sitting there watching these people the entire time, were you?
A: No, I wasn't.
Q: And even when they left and were in the parking lot, you weren't sitting there in the window staring out at them, were you?
A: No.
Q: All right. In fact, you were not paying attention to the point that you remember telling the police that the -- the really tall one with braids got in the backseat; do you remember that?
A: I don't recall.
Q: Okay. But it could've been that you told the police that?
A: It could've been that, yes.
Q: All right. So, you really weren't paying a whole lot of attention to the people at all?
A: No, I mean like I said, it was 4 o'clock in the morning.

Q: I mean, obviously, you were taking care of them as a waitress ---

A: Yes.

Q: --- but you weren't like spying on them or anything?

A: No.

Q: All right. And you really don't recall a whole lot of that night, do you?

A: No, I don't.

Q: It's been four years? Yes or no, I'm sorry?

A: Yes, that's correct.

Q: Thank you. No further questions, Your Honor.

BY THE COURT:

THE COURT: Redirect?

MR. WILSON: I don't have any other questions.

THE COURT: All right. Do you wish the witness to be excused?

MR. WILSON: Yes, sir, Your Honor, I apologize.

THE COURT: Any objection?

MR. SPRATLIN: No, Your Honor.

THE COURT: All right, ma'am, you're released from your subpoena; you may go back to your regular duties. Thank you, ma'am.

MS. JACKSON: Thank you.

THE COURT: All right.

MR. WILSON: I would call Big Donnie.

THE COURT: All right. That's Donald Matthews?

MR. WILSON: Yes, sir.

THE COURT: Very good.

All right, sir, come all the way around, go around that way and come on up here to the clerk's representative, please.

MR. SPRATLIN: Your Honor, may me and Mr. Wilson approach on a matter of law?

THE COURT: sure.

THE CLERK: Please raise your right hand ---

THE COURT: Just a second, ma'am, please.

(REPORTER'S NOTE: Bench conference is held off the record in the presence of but outside the hearing of the jury.)

THE COURT: I'm sorry, sir, you can go back and sit down for a minute, please.

MR. WILSON: Your Honor, may we approach back again?

THE COURT: Sure.

(REPORTER'S NOTE: Bench conference is held off the record in the presence of but outside the hearing of the jury.)

THE COURT: All right, ladies and gentlemen, the parties have come to an agreement. You saw that individual; that's the defendant's father.

All right?

MR. WILSON: Thank you, Your Honor.

THE COURT: How about y'all come up here. I should have asked you this.

MR. WILSON: Thank you, Your Honor. We'd call Christopher Robinson.

THE COURT: All right, sir, please come around to be sworn.

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

CHRISTOPHER ROBINSON, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE CLERK: Please be seated. Please state your name and spell your name for the Court.

MR. ROBINSON: All right. My name is Christopher Robinson; C-H-R-I-S-T-O-P-H-E-R, R-O-B-I-N-S-O-N.

THE COURT: Go ahead, Mr. Wilson.

DIRECT EXAMINATION OF CHRISTOPHER ROBINSON BY MR. WILSON:

Q: Thank you, Your Honor. Mr. Robinson, if you would, tell us what your occupation and/or profession is?

A: I'm a forensic consultant.

Q: All right. And what does that mean?

A: I review cases, such as the one we're here today to discuss, review the materials, police reports, autopsy reports, photographs, and report my findings to you and then testify, if needed.

Q: Okay. Now, in order to do that, do you have certain education background and training, which qualifies you to do that?

A: Yes, sir.
Q: If you would, tell us about that?
A: Yes, sir. I received my Bachelors of Science Degree in Chemistry from Berry College in Rome, Georgia in May of 1995, and I began my career in the forensic field of the Georgia Bureau of Investigation, where I worked there for ten years as a firearm examiner. I then became the Director of the Crime Lab with the City of Atlanta Police Department and held that position for two-and-a-half years. And now I own my own company, Chris Robinson Forensics for the past 11 years.
Q: Okay.
A: During my -- hang on. During my career, I've logged over 15,000 hours on a comparison microscope and performed over 100,000 forensic examinations. I've been to eight armorer's courses. I've been to eight manufacturing plants, and I've currently worked over 11,000 actual cases. I'm certified there as a firearms and ballistics, gunshot residue analysis, blood spatter analysis, shooting and crime scene reconstruction, and wound analysis.
Q: And let me ask you with all that vast experience, have you ever testified in court?
A: Yes, sir, just a few.
Q: All right. Tell us about that?
A: Yes, sir. It will be 799 times today.
Q: You have testified 799 times?

A: As of today.
Q: As of today. All right. Have you testified in the courts of the State of South Carolina?
A: I have.
Q: All right. Have you testified in this very courthouse?
A: I have.
Q: All right. And how many times would you say you've testified as an expert in this courthouse?
A: This my third time.
Q: Here?
A: In this courthouse.
Q: Now, and those three times that you were here testifying, were you qualified as an expert witness in any particular field?
A: Yes, sir. I believe it was firearms and ballistics, and I think it may have been possibly reconstruction, I believe so.
Q: All right. And have you been qualified in any other states other than South Carolina in the area of reconstruction -- of crime scene reconstruction?
A: Yes, sir, I would say around I think it's 25 states, the last count.
Q: All right. And you've been doing this now for how long?
A: Twenty-three years in July.
Q: All right. Now, when you said that you were with the

Georgia Bureau of Investigation, that's like our SLED?
A: Yes, sir.
Q: All right. And how long were you with the Georgia Bureau of Investigation?
A: Ten years.
Q: All right. And what was your title while you were there with them?
A: Well, I started off as a Forensic Scientist I, II, III, and then a Senior Forensic Scientist.
Q: All right.

MR. WILSON: Your Honor, at this time, we'd offer this witness as an expert in the field of crime scene reconstruction

THE COURT: Do you wish to voir dire the witness or challenge his qualifications?

MR. SPRATLIN: I would ask voir dire a little bit, Your Honor.

THE COURT: You may do so.

VOIR DIRE OF CHRISTOPHER ROBINSON BY MR. SPRATLIN:

Q: Mr. Robinson, I may have missed it. How many accident reconstructions have you completed?
A: You mean crime scene reconstructions?
Q: Crime scene reconstructions, excuse me, yes.
A: Actually have been to the actual crime scenes or just do a crime scene reconstruction on cases like this?

Q: Just do a crime scene reconstruction on cases like this?
A: I would say around four to 500.
Q: Four to 500. All right. Were those in your private enterprise, or were those when you were working for the state?
A: It would be both.
Q: Both. How many in your private enterprise?
A: I would say vast majority of those with my private, so I would probably say around three to three-fifty private out of the 500.
Q: And how many times have you been qualified as an expert in crime scene reconstruction?
A: I would say about 150 to 200.
Q: What type of training and experience have you had specifically in crime scene reconstruction?
A: I got trained while at the Georgia Bureau of Investigation, as well as the Henry Lee Institute in Connecticut, where I took basic, intermediate, and advanced crime reconstruction, shooting reconstruction, and crime scene reconstruction courses.

MR. SPRATLIN: your Honor, I have no issues with this witnesses qualifications.

THE COURT: All right. I'm gonna -- and the field you're offering him in?

MR. WILSON: Crime scene reconstruction, Your Honor.

THE COURT: He's qualified to give his opinion in the

field of crime scene reconstruction.

MR. WILSON: Thank you very much.

CONTINUATION OF DIRECT EXAMINATION OF CHRISTOPHER ROBINSON BY MR. WILSON:

Q: Let me ask you, have you testified in court on behalf of the defense in the past?

A: Yes, sir; yes.

Q: All right. And have you testified in court on behalf of the state in the past?

A: Yes, sir. Let me quantify; 520 of the 799 times were for the state. It's a 199 times today for the defense.

Q: All right. Now, let me ask you -- well, let me show you this first before I get started.

MR. WILSON: May I approach, Your Honor?

THE COURT: Yes, sir.

BY MR. WILSON:

Q: Take a look -- well, let me have her mark it first. Let me show you what's marked as Defendant's Exhibit 26 for identification purposes and ask you to take a look at that and tell me if you can identify what it is?

A: Yes, sir, this is a copy of my curriculum vitae.

Q: Okay.

MR. SPRATLIN: No objection.

MR. WILSON: Your Honor, we'd offer what's previously marked as Defendant's Exhibit 26, 26 for ID, as 26.

THE COURT: All right. So, Defendant's 26, the CV is into evidence without objection.

DEFENDANT'S EXHIBIT NUMBER 26

ADMITTED INTO EVIDENCE

BY MR. WILSON:

Q: All right. Now, let me ask you if, at some point in time, you became involved in this particular case?

A: Yes, sir.

Q: All right. And tell us how that occurred?

A: I believe it was around between, I think it was five or six months ago you contacted me and asked me if I would be willing to review some material on a case.

Q: Okay. And did you agree to do that?

A: I did.

Q: All right. And are you a paid consultant on this case?

A: I am.

Q: All right. Now, let me ask you if you would to tell us what material, if any, you reviewed in order to reach any conclusions, if you did, or opinions, if you did, on this particular case?

A: Yes, sir. I reviewed the police reports; I reviewed the autopsy report; crime scene photos; autopsy photos; the depositions that had taken place; previous trial transcripts; basically, everything that was contained within the discovery, sir.

Q: All right. And did you have an opportunity to review any photos of -- of injuries to Ms. Matthews?
A: Yes, sir.
Q: Did you have an opportunity to view any photos from the autopsy?
A: Yes, sir.
Q: All right. And did that include some pictures of the hands of the deceased and the victim, Mr. Green?
A: Yes, sir.
Q: All right. Let me -- let me show you what I have in my hand, which is Defendant's Exhibit 16 and ask you if you would take a look at that?
A: Yes, sir. This is the picture of the right hand of Mr. Green.
Q: Okay. Now, looking at that, as a crime scene expert, tell me if there's anything noticeable about that to you?
A: Yes, sir. There's bruises that are apparent on the knuckles of the hand.
Q: On the knuckles of his hand?
A: Correct.
Q: All right. And which had would that be?
A: His right hand.
Q: His right hand. Let me show you what's marked as Defendant's Exhibit 3 and ask you to take a look at that for me.

A: This is a closeup of the scratches and abrasions that were observed on the left side or documented on the left side of Ms. Matthews' face.

Q: Okay. And let me show you what's marked as Defendant's Exhibit Number 4 in this particular case.

A: Again, this is an overall -- it's just zoomed out a little bit further indicating the injuries to the left side of Ms. Matthews' face.

Q: Okay. Now, let me also show you what's marked as Defendant's Exhibit Number 5 and tell us what that is.

A: This is bruises that were documented or apparent on the palm service of the left hand of Ms. Matthews.

Q: All right.

MR. WILSON: Your Honor, may I ask him to come down and show, point out these?

THE COURT: Certainly. He's just got to stand in front of the microphones, so the jury hears him.

MR. SPRATLIN: Your Honor, permission to move about the courtroom?

THE COURT: Yes, sir.

MR. SPRATLIN: Thank you.

A: It's gonna be difficult for them to see.

THE COURT: You're gonna have to stand right there.

THE COURT REPORTER: That's a microphone over there, too.

A: Can I walk over?

THE COURT: Yes, sir.

A: Stay here?

THE COURT: Yes, sir. Go ahead.

A: The bruises can be seen on the palm area of Ms. Matthews' hand.

BY MR. WILSON:

Q: All right. And that is -- you can take the stand back again. And that is which hand?

A: That's her left hand.

Q: That's her left hand. Now, let me ask you, seeing those abrasions in her left hand, what if any significance that had to you and -- and what did you do with that information, if anything?

A: In order to cause bruising to a hand like that, whatever was in her hand had to be gripped extremely tightly and it had to have a great deal of pressure to cause that type of bruising on your palm, because you use your hands all the time. So, in order to cause bruising like that, whatever she's gripping, had to be gripped extremely tight, like she was holding it for dear life, if you will.

Q: Okay. Let me show you what's marked as Defendant's Exhibit Number 20, and ask you if you've taken a look at that?

A: I did.

Q: All right. And have you seen that before?

A: I have.

Q: And did you form any opinion as to whether or not that particular knife, the size and dimensions are consistent with the bruises in her hand?
A: Yes, sir; they are. Actually, up on in the index area of a palm or surface, it has this nice little point that you see on this knife, and it can be seen in the palm or surface of her hand, if you overlay the knife with it. So, it is consistent with that type of holding a knife like that in your hand.
Q: Thank you. Now, did you form any other opinions and/or conclusions regarding this particular case?
A: Yes, sir.
Q: Tell us about those?
A: Along with the documentation of the bruising that you see on the left side of Ms. Matthews' face, you've already been notified about the fingernails being broken off. A vast majority of the fingernails were found by the police to be located around the driver's side area of the car, which indicates those fingernails to be broken off and in the position that they were in, Ms. Matthews had to be in the front area of the car for those nails to have been broken off in that way. They also indicate there was some kind of serious struggle to snap the fingernails off her hands the way that they were done.
Q: Let me show you what's marked as Defendant's Exhibit

Number 9. Let's do them one at the time. Let me show you what's marked as Defendant's Exhibit Number 9, and tell us what that is a photo of?

A: This is a fingernail that was found in the front area of the car.

Q: Okay. Was there anything else noticeable in that photo other than the fingernail?

A: Yes, sir. You can clearly see the auxiliary cord that Ms. Matthews mentioned earlier in the trial.

Q: Okay. You were in the courtroom when she testified?

A: I was.

Q: All right. And that cord is in the middle of the floor?

A: It is.

Q: All right. Let me show you another photograph, which is Defendant's Exhibit Number 8 and ask you if you'll take a look at that and tell us what that is.

A: This again is a closeup of another fingernail that's broken off in I believe it's the front area of the vehicle.

Q: Okay. And Defendant's Exhibit Number 7?

A: This is two separate fingernails in the driver's side floorboard of the vehicle.

Q: All right. Let me show you now what's marked as State's Exhibit Number 100 and State's Exhibit Number 101, and take a look at those for me. Tell us if you've seen those photographs before.

A: Yes, these are injuries to the left thumb area of Mr. Green.
Q: All right. All right. And would you tell us any significance that those injuries would -- would have?
A: The injuries indicate that there's a laceration. The depth of the wound is not that great. The length is about three quarters of an inch based on the autopsy report. It's caused by a cutting instrument such as the knife that was used -- reported knife that was used in this situation.
Q: All right. Did you have an opportunity to observe the -- the wounds that were on Mr. Green's body?
A: Yes, sir.
Q: All right. And -- and after having observed those wounds and having seen the -- the crime scene material that we've just discussed, did you form any opinion as to how those wounds may have been inflicted?
A: Yes, sir.
Q: All right. Would you explain that to us and tell us, one, how you came to that conclusion and why you came to that conclusion?
A: Can I have the knife back?
Q: Yes, sir.
A: Based on the autopsy report, the first wound that was on the T5 and T6 area, had a width of one inch. If you look at that blade at the widest point here, it's 1 3/8 inches, which

is 1.375 inches. So, I know that that blade didn't go in any more than an inch on that wound. So, if you come back to this far, it came in about that far into the body, but that wound, based on the dimensions of the wound identified in the autopsy report. Furthermore, the wound is nice and clean, which means it has this nice sharp blade on the front. The serration that you see in the back never touched the body, because when you see serrated wounds, the wound becomes really ragged, so I know the wound could not have went any further than about an inch, based on that particular wound.

The second wound was identified as having a width of 1.2 inches. Again, the maximum width of this blade is 1.375. Now, I could come in a little bit further with this wound, but again, it did not reach the serrations. This blade is 4 3/4 inches long; the width of the wound is only 1.2 inches and 1 inch. So, again I would classify these as kind of like, they are stab wounds but they're jab wounds; they're not deep by any means. This is a very sharp knife; it will go in you very easily. So, again these are like stop, get off of me, just like little poke wounds, if you will.

Q: Let me ask you, what, if anything, did you observe in the backseat area of the car that might be of interest to you?

A: There was a -- like shoe impression on the back seat as if someone were pushing off of the seat with their foot.

Q: Okay. And -- and explain to us how that might happen in

this particular situation.
A: Again, I was in the courtroom. Ms. Matthews said she was pulled to the front during a struggle. The fingernails are breaking off, you know, in any kind of struggle, you start pushing off with everything you have. So, her foot could've impressed itself into the backseat. Again, that's very plausible, sir.
Q: And let me ask you, if there is a -- well, let me find it. Well, I'll just ask you. Did you find any scuff marks in the vehicle or in the photos that you observed?
A: There appeared to be like marks on the door areas. I mean, I don't know when those occurred. But yeah, there were markings inside the door area of the door handle area as if there may have been part of struggle, but I can't speculate as to when those occurred.
Q: Okay. Let me show you what's marked as State's Exhibit Number 66 and ask you if you'd take a look at that for me, please, sir?
A: Yes, sir, these are like marks as if someone scratched along the seat and there's what may be apparent blood spatter.
Q: Okay. Let me show you what's marked as State's Exhibit Number 60 and show you that and ask you if that has any significance at all to you in your findings.
A: Again, this is another picture, I think it may be the one that you've already showed me, I believe. It's one of her

fingernails that's been broken off and it's in the floorboard area.

Q: Okay. Now, and let me show you what's marked as State's Exhibit Number 56, which has some striations in the floorboard of the car; do you see those?

A: Yes, sir.

Q: All right. Tell us what that is indicative of, if anything?

A: Again, it's impressions as if someone is pushing off or, you know, but they're shoe impressions. I can't speculate, but as to -- could it be as a result of someone applying a great deal of force or pressure; sure, yes, sir. I mean, it looks like there could be like a fingerprint areas, where they're moving down across the mat area; yes, sir.

Q: Let me show you what's marked as State's Exhibit Number 45 and you'll see some scuff marks on the edge of that?

A: Yes, sir, I do, and then I see the fingernail. Again, I see some blood, and there's a penny as well. But, yes, sir, again, there's marks that are along the actual cushion area of the seats; yes, sir.

Q: All right. Now, let me ask you, having gone through the autopsy photographs, having seen the knife, having seen the testimony of Ms. Green in this trial -- and you did say that you sat through her testimony?

A: I did.

Q: All right. Is your, what you find, consistent or inconsistent with what she says.

A: It is forensically plausible that the statement that she gave on the stand today is very plausible based on all the things that we've just talked about, about the fingernails, their location; about the push off on the back seat; about the little jab wounds to the side. I understand they're lethal, but I've just explained to you the depth of the blade. They were shallow in the sense that it only went in not even halfway up the blade.

Q: And you're not testifying here today that that's the only possible scenario; you're saying that that's certainly a plausible scenario?

A: It is.

Q: All right. Well, let me ask you this. Did you find anything, based on listening to her testimony today and what the physical evidence is that you have reviewed, did you find anything inconsistent with what she said?

A: On the stand today?

Q: Yes, sir.

A: No, sir.

Q: I don't have any other questions. Answer any questions the solicitor might have for you.

THE COURT: Cross-examination?

MR. SPRATLIN: Yes, sir, Your Honor. Thank you.

CROSS-EXAMINATION OF CHRISTOPHER ROBINSON BY MR. SPRATLIN:

Q: All right, Mr. Robinson. I believe ---

MR. SPRATLIN: May I approach, Your Honor?

THE COURT: Yes, sir.

BY MR. SPRATLIN:

Q: You're aware that this is not actually the murder weapon, right?

A: I am.

Q: The person who said that this knife was the exact copy of the murder weapon is Ms. Green?

A: Correct.

Q: Ms. Matthews, the defendant?

A: Correct.

Q: So, your testimony about the wounds on the autopsy and how the serrated end, the width of the blade, that's all based on this being the murder weapon?

A: That would be correct.

Q: But this isn't the murder weapon?

A: Correct.

Q: And in fact, the injuries to the victim were so -- were -- you said you didn't think they were that deep?

A: They were not that deep.

Q: Okay. It pierced his heart?

A: Yes, sir. It did, but it went in -- the one wound only went in -- it made a .394 inch wound to his liver, the hepatic

capsule there, but it was .394 inches. It barely nicked the liver and then it touched the atrium, but it only -- again, it only went it to that -- dimensions of that blade.

Q: Again, if this is in fact a duplicate of the murder weapon?

A: Correct.

Q: Which again, all we have to rely on for that is Donnielle Matthews Green?

A: Correct. But, we can also say that most tactical blades are 5 inches long. I carry one myself. Most blades are about 1 1/2 to 1.65 inches width, but yes, sir, that's correct.

Q: Who said it was a tactical blade?

A: That is a tactical knife; yes, sir.

Q: That is?

A: Yes.

Q: Who said the murder weapon was a tactical knife?

A: She identified that as the blade consistent that was the one given to her.

Q: All right. And that brings me back to kind of the stuff that you relied on to form your opinions. Reports from the police department; you relied on those, right?

A: Yes, sir.

Q: You relied on the photographic evidence from the police department and the autopsy of Dennis Green?

A: Yes, sir.

Q: You relied on the autopsy report of Dennis Green?
A: Yes, sir.
Q: You relied on materials obtained within discovery?
A: Yes, sir.
Q: You relied on a deposition of Ms. Donnielle Matthews?
A: Yes, sir.
Q: That was the one from Williams Investigating Service that was represented earlier?
A: Yes, sir.
Q: All right. And that was done in March 29th, 2018?
A: Yes, sir.
Q: You relied on -- now, let's go ahead and get this straight. You said you relied on previous trial transcripts. There has been no other trial in this case; are you aware of that?
A: There were other documents that were presented to me that had transcripts of whatever court proceedings that had went on.
Q: Okay. Court -- okay, I'm sorry.
A: Okay. Not -- not official trial, I'm sorry, not trial transcripts, yes, sir, I'm sorry. I'm sorry.
Q: I wanted to make that clear; there has been no other trial?
A: Correct, I'm sorry.
Q: This is the trial of Donnielle Matthews Green?

A: It is.
Q: And you relied on statements provided by various individuals?
A: Yes, sir.
Q: And what's consistent is her testimony here today -- or what's plausible, excuse me, not inconsistent -- what's plausible is her testimony here today?
A: Correct.
Q: It certainly wasn't that first statement she told the officers that he got stabbed at a gas station; that wasn't plausible, was it?
A: No, sir.
Q: Okay. That second statement to that same officer that he got stabbed at a gas station, that wasn't plausible?
A: No, sir.
Q: No officer worth his salt would believe that, would he?
A: No, sir.
Q: All right. That third statement to the detective with North Myrtle, that wasn't plausible either, was it?
A: No, sir.
Q: That fourth statement to Detective Lynch and Detective Johnson, her description of how the events happened, that wasn't really plausible either, was it?
A: Correct.
Q: But this story, she finally found one that was plausible,

didn't she?
A: Well, with the fingernails in the car and the way the car is positioned and the blood, yes, sir.
Q: The photos that you relied upon for the injuries to Ms. Green or Matthews, excuse me, those were taken at -- are you aware they were taken at Grand Strand Regional Hospital?
A: Yes, sir.
Q: And they were taken after she was at Seacoast?
A: Yes, sir.
Q: Were you aware that two witnesses did not identify any injuries on Ms. Green other than the broken fingernails, when she was at Seacoast Hospital?
A: I am aware.
Q: All right. So, the injury on her cheek, you can't say that was there at Seacoast?
A: I cannot say that.
Q: And in all respect, she had jagged fingernails at that point, didn't she?
A: She did.
Q: So, a scratch to her own face just as plausible?
A: I agree.
Q: That's a plausibility?
A: I agree.
Q: It's not what happened, but possibly could have happened; I don't know, but it's plausible?

A: It is.
Q: The bruising to the victim's hand, and you said you noticed it. You have no idea when it got there, do you?
A: I do not.
Q: Can't say, can't time a bruise?
A: I cannot.
Q: He was only alive though for several hours after he got stabbed, right?
A: Correct.
Q: Okay. And that bruise is formed?
A: It is.
Q: All right, sir. The bruise on Ms. Matthews Green's hand that you recognized, you can't say how that bruise got there, can you?
A: I cannot.
Q: Plausibly with her story today, but you can't say?
A: Correct.
Q: All right. The fingernails in the car, you can't say how they got there, correct?
A: Well, they're broken off. I mean, I cannot say -- I cannot say exactly how they got there;, no, sir, I cannot.
Q: Could've been Ms. Matthews story; could've been a million different stories?
A: As long as the nails are broken off, yes, sir.
Q: Okay. Even though we have identified that this is not in

fact the murder weapon, it's possible if you were gripping the knife the strength that you stated that Ms. Matthews was gripping this knife, that those nails could have been broken off that way?

A: Possibly.

Q: Possibly. And you said that she was gripping a knife in a manner that was consistent with her being basically holding on for her dear life?

A: Yes, sir.

Q: Could it have been with jealous rage? Plausible, isn't it?

A: It's plausible.

Q: You've done a whole lot of law enforcement investigations, correct?

A: I have.

Q: You've seen anger, you've seen hatred, you've seen jealousy, haven't you?

A: Yes, sir.

Q: And you've seen the sheer passion, with which people will stab another person?

A: I have.

Q: And this individual was stabbed in such a manner that it not only pierced through his ribs, it went and pierced his heart or a valve coming off of his heart?

A: The valve coming off of his heart; yes, sir.

Q: And it pierced his liver or nicked his liver, excuse me, it didn't actually pierce the liver, it nicked it; he probably would have survived that one?
A: Correct.
Q: And again, not the murder weapon?
A: No, sir.
Q: The scuff marks that were referenced on the car, that was actually on the passenger side door, wasn't it?
A: It was.
Q: So, a ways away from the driver's side?
A: It would be.
Q: But you had already said there was really no way to tell when they got there?
A: No, sir.
Q: Same thing with any other scuff marks?
A: Correct.
Q: Same thing really with the footprints?
A: That's true. I mean, as long as no one cleans the car or gets rid of that print, it can be there for any length of time, correct.
Q: So, if someone was stepping over the seat or stepping onto a seat, it could've gotten there that way?
A: Sure.
Q: Okay. If someone was stepping up on a seat, it could've gotten that way?

A: Sure.
Q: All right. In fact, let me ask you. All right. Let me show you what has been introduced into evidence as State's 75. Does that appear to be a shoe print close to the driver's side of the vehicle?
A: Yes, sir. That's on the rear passenger seat right behind the driver, correct.
Q: So, right behind the driver. So, let's play around a little bit. So, this is the car, this right here. The seat is right in front of me.
A: Okay.
Q: And I'm coming up over top.
A: Okay.
Q: It's that plausible how that footprint got there?
A: It could be possible, sure.
Q: All right. Thank you.

MR. SPRATLIN: Your Honor, permission to publish this to the jury again?

THE COURT: Yes, sir.

MR. SPRATLIN: All right. Your Honor, I have no further questions.

THE COURT: Redirect?

REDIRECT EXAMINATION OF CHRISTOPHER ROBINSON BY MR. WILSON:

Q: Let me ask you -- he asked you about the shoeprint. If your head is down under the dashboard, and your feet are still

in the back seat and you're kicking because you're trying to get away, would that footprint be consistent with somebody who's got their head down trying to get out from under the dashboard?

A: Absolutely, in a severe struggle, the legs will be flailing all over the place.

Q: All right.

MR. SPRATLIN: Your Honor, one follow-up question I have.

THE COURT: Yes, sir.

RECROSS-EXAMINATION OF CHRISTOPHER ROBINSON BY MR. SPRATLIN:

Q: Ms. Matthews Green said she was being pulled up through the two front seats.

A: Okay.

Q: That foot -- is that correct?

A: It is.

Q: All right. That footprint we referenced, if this is my car again, is on the very far side of the vehicle next to the driver's -- it's the middle of the car?

A: It is, I'm just saying during the struggle, I don't know how she moved, but, yes, sir, I understand where you're coming from, correct.

Q: Okay. All right. Thank you. I have no further questions.

MR. WILSON: Nothing further, Your Honor.

THE COURT: All right. And do you wish the witness to be

excused?

MR. WILSON: Please, Your Honor.

THE COURT: And any objection?

MR. SPRATLIN: No, Your Honor.

THE COURT: All right, sir, you're released from your subpoenas; you can go back to your regular duties.

The Court Reporter will take care of the exhibits. Thank you.

All right. Mr. Wilson, your next witness?

MR. WILSON: Demetria Gardner.

THE COURT: All right.

All the way around right up here, ma'am.

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

DEMETRIA MATTHEWS GARDNER, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE CLERK: Please be seated. State your name and spell your name for the Court.

MS. MATTHEWS GARDNER: Demetria Matthews, last name M-A-T-T-H-E-W-S.

DIRECT EXAMINATION OF DEMETRIA MATTHEWS GARDNER BY MR. WILSON:

Q: Demetria, where do you live?

A: Where do I live?

Q: Yes, ma'am.

A: In Maryland.

Q: All right. Baltimore?
A: Baltimore.
Q: And have you lived there all your life?
A: Yes.
Q: All right. Now, let me ask you, are you related by blood or marriage to Donnielle Matthews Green?
A: By blood.
Q: By blood, and what relationship is that?
A: That's my sister.
Q: She's your sister. All right. And let me ask you, and I'm just gonna cut to the chase to get straight to the heart of it. Did you come down to live with her for a period of time when she was married or living with Dennis?
A: Yes.
Q: All right. And when -- about when was that that you came down to live with her?
A: I think it was March or May 2012.
Q: Okay. And after you moved down here, did you meet her family, her sisters, and mom and other people?
A: Yes.
Q: His, I apologize.
A: Yes.
Q: All right. And did you get to know them?
A: Yes.
Q: All right. And how long would you say that you actually

lived with Dennis and your sister?
A: About eight months.
Q: About eight months?
A: Yes.
Q: And do you recall where y'all were actually living at that time?
A: We were living on Highway 90 in Longs, South Carolina; they called it Poplar.
Q: Okay. All right. Now, why were you living with them here?
A: Why?
Q: Yes, ma'am.
A: My sister asked me to just come down to stay with them for a little while.
Q: Okay. All right. So, you came down and you were living with them. Now, were you working anywhere during that time?
A: Yes, I got a job with his -- well, not with his mom, but she was working at the Olive Garden on Highway 17, and she told me they were hiring, and I got a job working there.
Q: Okay. So, you started working at the Olive Garden in North Myrtle Beach?
A: Yes.
Q: Very well. And did you work there most of the time that you were here with them?
A: Yes.

Q: Okay. Now, tell us about Dennis and your sister's relationship during the time that you were there with them; what did you observe?
A: They would go out all the time drinking, bringing women home, different women. Depending on what type of night they had, it would result in a fist fight. Just being around a lot of different people that I didn't know -- I'm not sure my sister knew them, but around a lot of gang members, and sometimes we would go to like his family's house if they were having like, you know, dinner or something like that, and they would fight.
Q: Okay. So, tell me about the first fight that you observed between them after you moved in with them?
A: The first time that they fought, probably was a month after I moved with them. Me, Dennis, and Donnielle, and one of Dennis' friends, we went out to a bar, and Dennis was getting like really agitated at the bar, and he was ready to leave, and me and Donnielle were like, well, we want to stay for a little while, you know. Eventually, he ended up getting us to leave. We left the bar, we get in the car, Dennis and Donnielle started arguing. Donnielle was in the driver's seat, Dennis is in the passenger seat, I'm in the back, his friend is in the back. They were arguing and I think Donnielle talked back to him. So, because she talked back to him, he punched her in the face while she was driving. Me and

his friend, you know, broke -- you know, told them like stop, you know, let's just go home. And they stopped and we ended up leaving, going home. I'm not sure -- yeah. You want to know about another fight?

Q: Yes, tell me about the fights that you observed?

A: There was another fight with them. We went out again, and I think we went to a strip club, and because Donnielle is like kind of like flirtatious, Dennis kind of was like, you know, you need to stop talking with people, stop flirting with people. We went from the strip club to somewhere else to somewhere else, and by the time we got home, it was like okay, I'm gonna slap you. So, he slaps her; she's, you know, trying to fight him back, of course, but unsuccessful. I tried to break them up, couldn't break them up.

There was another time that they fought. I had to go to work in the morning, and they -- they came home from wherever they went that night and I heard, when they -- because we had cameras where we lived on the apartment, and I heard on the camera inside of the house, them outside like yelling and screaming at each other, and we had like ceramic tile on the floor in the house. And when I, you know, came out my bedroom to come out, I just heard something like hit the floor real hard, and I knew that it was my sister being like thrown to the floor from him throwing her. I tried to break them up that time and, you know, he's pushing me, move, get out, you

know, whatever.

Then the very last time that I seen them fighting or that they got into it, we were at another one of his friend's house ---

MR. SPRATLIN: Your Honor, I'm gonna object to this line as narrative.

THE COURT: She's not responding to the question, Mr. Wilson. If you want to ask her a question, I'll be glad for you to do so.

BY MR. WILSON:

Q: Hold on a second. Let me ask you this. At some point in time, you decided to move out from there?

A: I moved out because me and him ended up getting into a fight.

Q: All right. Tell us about that. Tell us about why you moved out.

A: Because one night we were at one of his friend's house, and he was about to fight his cousin or his friend -- I'm not sure. They might be cousins, they might be friends, I'm not sure, but they were, you know, he was outside with him and they were like yelling and screaming and -- and Dennis had a gun in his hand, and Donnielle tried to go and, you know, break the fight up and take the gun from him, and he, you know, instantly turned on her. And he had another cousin that was there, it was a female, she, you know, was trying to break

the fight up, and she actually took the gun from, you know, because Donnielle took the gun from Dennis. Dennis -- I mean, and then the girl took the gun from Donnielle and was trying to break them up. But when I came outside, I ended up taking the gun from the girl and throwing the gun. So, after we all got in the car and were leaving, and Dennis is like, where is my gun, and I was like, I threw it. And he pulled over in the middle of the street and me and him started fighting. And then that night I called my dad and I was like, you ---

Q: When y'all pulled over and you said fighting, did he physically ---

A: He opened the car door -- I was sitting in the back seat. He opened the car door and pulled me out of the car and started like trying to like punch me.

Q: Okay.

A: So, after that I called my dad, and I was like you have to come get me, I can't do it.

Q: So, how long would you say you stayed after that incident when he tried to fight you?

A: Probably a month.

Q: All right. And then you went home?

A: Yes.

Q: Back to Baltimore?

A: Yes.

Q: All right. And did you ever come back to live with them

again?
A: Never.
Q: All right. Did -- let me ask you this. About -- did you ever have any -- and you can't tell me the nature of the conversation or the content -- did you ever have any conversations with Dennis' family about what was going on?
A: Yes.
Q: All right. Which ones of his family members you actually had conversations with about what was going on?
A: His sister, Sabrina.
Q: All right. I don't have any other questions. Answer any questions the solicitor might have for you.
THE COURT: Cross-examination?
MR. SPRATLIN: Yes, sir, Your Honor.

CROSS-EXAMINATION OF DEMETRIA MATTHEWS GARDNER BY MR. SPRATLIN:

Q: I have you down as Demetria Matthews, but what's your last name?
A: Gardner.
Q: Gardner. You got married?
A: Yes.
Q: All right. When did you get married?
A: A year ago.
Q: A year ago. Okay. All right. And I also kind of missed -- it's probably me not paying attention -- but when did you

live with your sister and Dennis?
A: 2012.
Q: 2012?
A: March 2012. March or May.
Q: March or May?
A: I believe it was March.
Q: 2012?
A: Yes.
Q: So, at least five years before Dennis passed and nine years from today, give or take?
A: Yes.
Q: All right. Okay. And you and Donnielle are blood sisters, right?
A: Yes; that's correct.
Q: Yeah, you have the same mother and father?
A: Yes, that's correct.
Q: Some people just say sisters and girlfriends or that, but y'all are actually blood sisters?
A: Yes.
Q: All right. You love your sister?
A: Of course.
Q: Of course, you grew up together, correct?
A: Correct.
Q: Okay. You have the same mother that would be suffering if her daughter went to prison? Yes or no?

A: Of course, yes.
Q: Okay. You have the same father that would be suffering if his daughter went to prison?
A: Yes.
Q: You love your sister?
A: Yes.
Q: You would do anything for your sister?
A: Not anything.
Q: Not anything. What wouldn't you do?
A: I wouldn't lie or something that -- well. and this is anybody, sister, brother, cousin, father, mother; wrong is wrong. So, I wouldn't lie, put my hand on the Bible to -- you understand what I'm saying.
Q: I understand. You're saying you wouldn't lie for your sister?
A: I wouldn't lie for anyone.
Q: But particularly, you're saying you wouldn't lie for your sister?
A: I wouldn't lie for anyone.
Q: Okay. So, you don't tell any lies?
A: No, I don't.
Q: All right. Never told a lie in my life?
A: I have when I was younger.
Q: Last year you told a lie.
A: Okay.

Q: Have you told a lie?
A: No, I haven't.
Q: Okay. Your husband never asked you if he looked good in a shirt and you told him yeah, no, you don't?
A: No.
Q: A hundred percent truth with you?
A: Okay.
Q: Yes or no?
A: Yes.
Q: All right. Not a single lie comes out of your mouth is what you're telling this jury; is that right?
A: It has, but it's not now, that's what I'm telling the jury.
Q: Okay. Well, okay. But you see, you just kind of said something to protect your sister, didn't you?
A: What do you mean?
Q: You said you had never lied?
A: No. I said I wouldn't lie for anyone; that's what I said.
Q: Okay. But then you said you did lie, a while ago, but you lied?
A: When I was younger, that's what I said.
Q: Well, you said you'd lied --
A: When I was younger. So, I'm talking ten, 15 years ago?
Q: You haven't told a single lie in ten or 15 years is what

you're telling this Court?
A: No, I haven't.
Q: Okay. And you're saying that with the same veracity and intensity that you're telling the story about how Dennis beat Donnielle, aren't you?
A: Yeah. I'm sorry; yes, sir.
Q: That's fine. I'm not offended, trust me. I've been called a lot worse.
When you -- how old were you when you lived with Dennis and Donnielle?
A: Probably 19, 20.
Q: Nineteen, and you were going out to bars and strip clubs?
A: Yes.
Q: Okay. So, you didn't lie about your age to get into a bar and a strip club?
A: No, I did not.
Q: So, 19 or 20, and you're living with Dennis and Donnielle at some apartments in Poplar; is that correct?
A: Yes.
Q: Okay. These apartments, how many stories are there?
A: It was one story.
Q: One story. Did you have side neighbors?
A: Yes.
Q: Did you have side neighbors over here?
A: No.

Q: No. So, one neighbor. All right. And you're saying that there was fighting regularly at that house, wasn't there?
A: I didn't say on the regular; I said the time that I was there, that there had been four.
Q: Four. Okay. That's a little different, because you told earlier, I think you said that they kept going out and getting in fights like regularly?
A: No, that's not what I said. I said every time that they would go out, there would be a fight.
Q: Okay. So, they only went out four times?
A: I'm sure how many times they went out.
Q: But you -- you just said there was only four fights, and you said that ---
A: That I witnessed, yes.
Q: Okay. But you said that every time they go out, they get in a fight?
A: That it's an argument or something. Honestly, I don't remember -- I don't think I said that. I'll just say that.
Q: You don't think you said every time they go out, they get in a fight?
A: I don't think I said that. I think I said every time they went out, that it was a fight, which I said like four times -- they got in four fights.
Q: So, they only went out on four -- okay. So, every time they got in a fight, they went out is what you're saying?

A: Every time they went out, it was a fight. If they -- if it was four times, then if they -- four times, then they went out four times.
Q: Okay.
A: I wasn't there all the time every time that they went out.
Q: Okay. But when you came home, Donnielle didn't have her head bashed in, did she?
A: She had bruises and busted lip, busted nose. Yes, she did.
Q: Pretty much every time she came home?
A: Not every -- no, not every time she home or every time I came home, no.
Q: So, you're saying -- so, your story or what you're saying now is four times?
A: That's what I said.
Q: Okay. I don't notice a whole lot of scars on your sister's face, do you?
A: Of course not now.
Q: So, scars go away?
A: Right.
Q: Bruises go away; scars are for life?
A: It depends on what you do to remove them.
Q: Has your sister had some sort of cosmetic procedure that we're unaware of?

A: You would have to ask her that.
Q: Okay. But you're not aware of any cosmetic procedures?
A: No.
Q: You also threw out a word about gang members in there, didn't you?
A: Yes.
Q: Okay. You're saying Dennis is in a gang is what you're representing to the Court at this point?
A: That's what I said.
Q: Okay. Donnielle was with Dennis all the time; is that correct?
A: No, not really.
Q: She wasn't with him all the time?
A: Not that I know of.
Q: So, he wasn't controlling her, making her go with him everywhere?
A: Not that I know of.
Q: So, Donnielle was kind of able to do her own thing while Dennis did his thing?
A: Not necessarily. She was to stay in the house. If he wanted her to go with him, then she went with him.
Q: Okay.
A: If he didn't want her to go, then she had to stay in the house. She didn't have freedom to roam around and do what she wanted to do.

Q: Did you ever take Donnielle out, because you were able to leave the house, weren't you?
A: I didn't have a license. So, no, I wasn't able to take her anywhere.
Q: How did you get to work every day?
A: Donnielle and Dennis.
Q: So, Donnielle and Dennis, every single day, took you to work?
A: Yep. Yes, that's correct.
Q: Never was just Donnielle?
A: No -- and picked me up.
Q: So, could Donnielle even drive a car as far as you know?
A: She can drive. I didn't say that she wasn't the one driving, I said her and him were taking me to work.
Q: Okay. You testified about a time that your sister got, I think you said, the equivalent of body slammed on a -- on a tile floor?
A: Yes.
Q: All right. Did you ever call an ambulance for your sister?
A: No, I did not.
Q: Did you ever call the police for your sister?
A: No, I did not.
Q: Did you ever try to help your sister in any way shape or form while she was getting body slammed?

A: Yes, I did.
Q: How?
A: Trying to grab him, pull his hair, scratch him, whatever I could do to get him off of her.
Q: No police were ever called?
A: No.
Q: No ambulance was ever called?
A: No.
Q: And this is all in 2012?
A: Yes.
Q: Correct?
A: Yes.
Q: Okay. So, you went back to Baltimore, when was it, the end of 2012?
A: Yes.
Q: All right. Do you remember, and you said you went back because you just couldn't take it anymore?
A: Because we didn't have -- and me and Dennis ended up getting into a fight.
Q: Yeah, and you told a story about him pulling over in a car, dragging you out and beating you in the middle of a road?
A: I didn't say he beat me; I said he punched me, that's what I said.
Q: Okay. So, he stopped in the middle of a road, drug you out of the car, and punched you?

A: Yes.
Q: Okay. Eerily similar, isn't it?
A: I'm sorry?
Q: Eerily similar, to what she's saying happened here, isn't it?
A: I don't know what she said.
Q: Okay. So, you don't know what your sister is saying happened to -- between her and Dennis that night?
A: I don't know what she said happened.
Q: You don't know what she said happened today is what you mean, isn't it?
A: I guess.
Q: Okay. Because you're not sure which one of her many stories she told today, are you?
A: What -- I never heard her story. I mean, I heard what was on the tape, but I -- I couldn't see or hear the interrogation, so I don't know what the story is; I never asked.
Q: It's fine. I'm not saying you were in here for the defense -- or the playing of the defendant's statement. That's fine. Don't worry about that.

What I want to know is, Donnielle, your sister that you love so very much, never told you what happened between her and Dennis ---
A: No.

Q: --- in that car that night?
A: No.
Q: The sister that you stayed with never told you; the sister that you drove you to work every day for eight months never told you?
A: That's why I was here to hear it, hoping that I was gonna hear it.
Q: All right. Now, you said that they would go out and they would bring women home; is that true?
A: Yes.
Q: All right. Are you aware that your sister was, in her own words, more into women than men?
A: Yes.
Q: So, was Dennis the only one bringing home, or was Donnielle bringing them home, too?
A: Both of them.
Q: Okay.
A: Whatever one found one that the other would like, then they would just come home.
Q: But sometimes Donnielle found them?
A: Pretty much.
Q: Okay. So, Donnielle was free to go out and find girls to bring home?
A: No. She couldn't go out and find them, but if she just happened to be somewhere and meet a girl, grocery store -- no,

she couldn't go to the club or to a bar by herself or certain places by herself to go and pick women up.

Q: Because Dennis is just so controlling, isn't he? Yes or no?

A: Yes.

Q: Okay. Are you aware that your sister, in that statement she gave, said that she had another boyfriend?

A: No. I'm not aware of anything that she said in her statement.

Q: Okay. Are you aware that your sister had another boyfriend?

A: No; I am not.

Q: Are you aware that there was some ex-boyfriend that she started talking to again up in Baltimore?

A: Yes.

Q: You're aware of that?

A: Yes.

Q: Okay. But you don't consider that a boyfriend?

A: No; I do not.

Q: If they had relations, would that make it a boyfriend/girlfriend?

A: No; it does not.

Q: Okay. So, Dennis was so controlling that she couldn't go to the club by herself, but she was able to go to Baltimore and have sex with other men?

A: Yes. She left. She -- she basically was running from him when she came to Baltimore.
Q: No, no, this is like right before they were -- she says recently in that interview, that she was dating him recently; are you aware of that?
A: Dating who recently?
Q: She said she was in a sexual relationship with another man recently in that interview that was played for this Court here?
A: I didn't hear that.
Q: Okay. Would you agree that a controlling man would have issues with his wife having relations with other men in other states?
A: I mean, yes, they would, but if you leave and they don't know where they are, how can you control what I'm doing with another man.
Q: Well, let's talk about leaving, because when did she -- when was the first time she left Dennis?
A: Probably a year after I left.
Q: A year after you left. Where did she go when she left Dennis?
A: She came to Baltimore.
Q: Okay. Who did she go live with?
A: She came to stay with me and my mom.
Q: You and your mom; did your dad live there, too?

A: No.
Q: No. Okay. Do you see your dad on a regular basis?
A: I guess you could say that.
Q: Like how often would you see your father?
A: Maybe once or twice a week.
Q: Okay. How often did Donnielle see her father?
A: I'm not sure.
Q: All right. Did you tell your family about what was going on while you were down here and looking at all this violence?
A: I told -- I told -- I ended up telling my dad when I told him to come get me, because he wanted to know what was so urgent, why I wanted him to come get me so bad.
Q: Okay.
A: But other than that, no; I did not.
Q: Okay. So, you did tell your dad?
A: Eventually.
Q: Okay. And were you aware that he was the one that brought Donnielle back down to be with Dennis?
A: Who brought Donnielle back down ---
Q: Your dad ---
A: --- to be with Dennis?
Q: Your dad gave her a ride back down here.
A: Oh, yeah, we were together.
Q: So, you took -- after witnessing all this violence, you -- and telling your dad about it, you, your dad, Donnielle,

all pile in the car and just come to Myrtle Beach where the perpetrator of all this violence lives?
A: Yeah, we came to come on vacation. We didn't come down to drop her off to Dennis. She called Dennis; we didn't have any control over that.
Q: Okay. But you left her down here?
A: She -- she stayed.
Q: She made her own choice and stayed?
A: Exactly.
Q: Okay. Did Donnielle ever tell you about Dennis having relations with other women?
A: Yes.
Q: It made her a little jealous, didn't it?
A: No.
Q: She was fine with it?
A: Yeah.
Q: No issues?
A: None.
Q: As far as you know, having never told a lie in the last 15 months -- 15 years, your sister never had a single issue with any woman that Dennis dated?
A: No.
MR. SPRATLIN: I have no further questions, Your Honor.
THE COURT: Redirect?
MR. WILSON: Nothing further, Your Honor.

THE COURT: You may step down, ma'am.

MR. WILSON: Your Honor, the defense would rest.

THE COURT: All right. Reply witnesses from the state?

MR. OSKIN: Yes, sir, Your Honor.

THE COURT: All right.

MR. OSKIN: The state would call Dr. Robert Nelson.

THE COURT: I'm sorry, hold on a second. Y'all come and talk to me for a minute.

(REPORTER'S NOTE: Bench conference is held off the record in the presence of but outside the hearing of the jury.)

THE COURT: All right. Are they gonna get your witness?

MR. OSKIN: He's been present, Your Honor.

THE COURT: Oh, okay. Great.

MR. OSKIN: He was not part of the ---

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

Come around, sir, and be sworn.

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

ROBERT CHARLES NELSON, HAVING BEEN DULY SWORN TESTIFIES AS FOLLOWS:

THE CLERK: Please state your name and spell your name for the Court.

MR. NELSON: Robert Charles Nelson. R-O-B-E-R-T; Charles, C-H-A-R-L-E-S; Nelson, N-E-L-S-O-N.

THE COURT: All right, Solicitor, go ahead.

DIRECT EXAMINATION OF ROBERT CHARLES NELSON BY MR. OSKIN:

Q: Dr. Nelson, who is your current employer, sir?

A: I am currently employed as a -- in the role of Regional Clinical Director for CHE Senior Behavioral Services. I also run a private practice, LLC, Upstate Diagnostics and Evaluation Center.

Q: Upstate, is that the Greenville area, sir?

A: Yes, sir.

Q: All right. And you touched on it, but what type of work do you do?

A: I'm a clinical psychologist and I have over the course of my career, done many aspects of school psychology, you know, psychological treatment, domestic violence treatment, a number of, you know, specialties within the field, general field of clinical psychology.

Q: All right. What states are licensed to practice psychology?

A: I am licensed in South Carolina.

Q: So, as part of your practice, do you do consultations with patients?

A: I do. I do consultations, I do treatment with patients, I do psychological evaluations on treatment -- on patients. I also didn't mean to leave out, but I also do criminal forensic psychological consulting with the Behavioral Sciences Unit at

SLED.
Q: We all got letters behind our name and they're confusing. What are the three letters behind your name?
A: It's Psy.D. It's a similar degree to a PhD. Probably 20 years ago, the field of psychology kind of moved away from making everyone a PhD, which was considered to be a research doctoral degree and they came up with the clinical doctoral degree, which was called a Psy.D. It's just a clinical psychology, rather than a research oriented psychologist.
Q: Yes, sir. Is that the same certification that Dr. Danso would have?
A: I believe Dr. Danso is a PhD, if I'm correct, yes.
Q: I apologize. What is your educational background?
A: Twenty-four years of education overall, I guess. A bachelor's degree and a triple major, theology, sociology, and psychology many years ago. Many years later, I went back and dual track a master's degree in marriage and family therapy, with a clinical doctorate in clinical psychology at a university in San Diego, and I got that degree in 2000. Shortly after that, I'm not sure why, but I went back and got two one-year licensure, extra credentials; one as a school psychologist and one as a school administrator.
Q: Okay. And based off of those -- that work experience, are you a member of any professional association?
A: Yes, sir. I am a member of the South Carolina

Psychological Association, two-time past president. I'm also the Federal Advocacy Coordinator for the American Psychological Association representing South Carolina on mental health reform issues, and I'm a member of several divisions of the APA, American Psychological Association.

Q: Do you have any published work?

A: My only published work is my doctoral dissertation, which is in the archives, and it was on Understanding Homicidal Adolescence; Why Kids Kill. I also have another publication that has been pending publication, you know, for a couple of years now, and that was co-authored with myself and Captain Mike Prodan of the Behavioral Sciences Unit on Event Driven Threats related to the Mother Emanuel Massacre and the state flag issue.

Q: Yes, sir. Have you ever testified in a court of law before as part of your work?

A: Yes, sir.

Q: How many times have you testified in court?

A: Lifetime, probably a hundred. As an expert, about ten.

Q: Were those ten times as a clinical psychologist?

A: I'm sorry, I should have been more clear. Lifetime over a hundred times testifying in court in a number of capacities, mostly law enforcement. Also, as an expert witness at that time in narcotics investigation, crime scene analysis, various elements of law enforcement. But, probably ten times

testifying as an expert witness here in South Carolina.
Q: Yes, sir.
MR. OSKIN: Your Honor, at this time, the state would seek to tender Dr. Nelson's testimony as an expert opinion in the field of clinical psychology.
THE COURT: Do you wish to voir dire the witness or challenge his qualifications?
MR. WILSON: Thank you, Your Honor.
THE COURT: Yes, sir.
VOIR DIRE OF ROBERT CHARLES NELSON BY MR. WILSON:
Q: Doctor, looking at your -- your CV, your resume, do you have any experience in dealing with battered women, period?
A: Yes, sir.
Q: All right. How many times have you testified in a battered spouse or battered person case?
A: Once.
Q: I'm sorry?
A: Once.
Q: Once?
A: Yes, sir.
Q: All right. And when was that?
A: It was two years ago.
Q: All right. And so, at that point in time, did you testify for the state, or did you testify for the defense?
A: I testified for the state.

Q: You testified for the state?
A: Yes, sir.
Q: So, that -- have you ever testified for the defense?
A: No, sir.
Q: In a battered spouse case?
A: No, sir.
Q: All right. And you -- in your clinical practice, do you actually -- well, let me ask it this way. Do you have a clinical practice?
A: Yes, sir.
Q: All right. So, you see patients regularly at your office for ---
A: I currently don't have an office. I'm doing telehealth for the last eight -- I'm currently telehealth, so it's virtual.
Q: All right.
A: I've -- for the last eight years, I was specializing as a geriatric clinical psychologist, and I have had a caseload of about 300 patients in nine different facilities. So, I was facility-based traveling to these different facilities to see patients every day and did not have a need for an on ground brick-and-mortar office.
Q: Okay. And so, when is the last time you had a clinical practice where you actually had clients or patients come and meet with them?

A: A year ago.
Q: I'm sorry?
A: A year ago.
Q: A year ago. Now, you said that you belonged to some organizations did you say you belonged to?
A: The South Carolina Psychological Association and the American Psychological Association.
Q: Okay. And how do you get to be a member, just by paying a fee to be a member?
A: Well, you have to be a -- you have to be a credentialed psychologist.
Q: Okay.
A: And yes, you pay a fee, an association membership fee, yes.
Q: So, if you are a licensed psychologist and you just pay a fee and you become a member?
A: Licensure is not necessary to be a member of a psychological association; most of us are. I shouldn't say most, many are, but licensure is not a requirement, but you must be a doctoral level psychologist.
Q: Okay. And once you become at that level, then you just pay a fee, and you can join that organization; is that what you're saying?
A: Yes, sir. You have to remain in good standing.
Q: There are no academic requirements for that?

A: Oh, there are, to be a member of the American Psychological Association, you have to have obtained a doctoral degree from an APA accredited school.
Q: Okay. So, as long as you have a doctorate degree and you pay a fee, you can join?
A: Yes.
Q: Is that what you're saying?
A: Yes, sir.
Q: All right. All right. And one last thing, in regards to your CV, tell me, I think it's -- you said that you were a contract psychologist from 1999 to 2001; is that right?
A: Yes, sir.
Q: All right. And -- and in any of your -- in any of your experience from the time you were licensed until now, involve treating, assessing, battered women?
A: Yes, sir.
Q: All right. And is that just the one case you told me about where you testified?
A: No, you asked me about testimony. No, I've seen -- I've treated numbers of individuals that have been battered spouses.
Q: All right. How many would you say you've seen?
A: Upwards to a hundred.
Q: I'm sorry?
A: Upwards to a hundred.

Q: Upwards to a hundred?
A: Yes, sir.
Q: And -- and you're saying that you've never testified in any case for a battered spouse except for one time?
A: Yes, sir.
Q: Okay.
MR. WILSON: I don't have any other questions, Your Honor, and I have no objections to his qualifications.
THE COURT: All right. Very good. He is qualified to give his opinion in the field of clinical psychology.
You may proceed.

DIRECT EXAMINATION OF ROBERT CHARLES NELSON BY MR. OSKIN:

Q: Within the field of clinical psychology, does that include such topics like posttraumatic stress syndrome, PTSD?
A: Yes, sir.
Q: Let's talk a little bit more about your qualifications. I didn't just pull you out of thin air, did I?
A: No, sir.
Q: I met you at South Carolina Law Enforcement Division; is that correct?
A: You did.
Q: This was years ago; is that correct?
A: Yes, sir.
Q: On a case that had nothing to do with this case; is that also correct?

A: That's correct.
Q: You're a contract -- were you at that time a contract clinical psychologist with their behavioral unit? Am I saying that correctly, please clarify.
A: No, I do want to clarify it, if I may?
Q: Yes, sir. So, I am an advanced -- I'm a State Law Enforcement Officer in the State of South Carolina, it's called an Advanced State Constable. It is an eligibility credential you can have by being former fulltime law enforcement, going through an academy, passing certain credentialing requirements. So, I'm an Advanced State Constable with the State of South Carolina State Law Enforcement, and as a result of my background in psychology and some of my forensic studies, I was approached by the captain of the Behavioral Sciences Unit and we have to volunteer consultation hours to maintain the status of the Advanced State Constable, and he has asked me to be permanently assigned as a consultant to his Behavioral Sciences Unit.
Q: Okay.
A: Did that clear it up?
Q: Yes, sir. You're wearing that badge today; is that correct?
A: Yes, sir.
Q: Okay.

A: But I'm not -- I'm not on a contract with SLED was my point.
Q: I understand, my apologies. And you stated you have a law enforcement background; is that correct?
A: Yes, sir; over 20 years.
Q: Okay. During your time in law enforcement, did you ever happen to come across circumstances that involved domestic violence?
A: All the time.
Q: Are you familiar with the term battered women syndrome?
A: Yes, sir; I am.
Q: Is that a clinical diagnosis?
A: It is not.
Q: Okay. What ---
A: It is -- pardon me.
Q: I even picked up you're saying it's a legal term; is that correct?
A: That's correct. It's a -- now it is -- it does have a clinical orientation. Many clinicians have chosen to, based off the work of Lenora Walker, to refer to battered spouse syndrome, battered wife syndrome, battered person syndrome as a constellation of symptoms that are related to individuals experiencing significant and often repeated traumas. But, it is not a diagnosis in the DISMISS-5, which is the Diagnostic and Statistical Manual of Mental Disorders. It is considered

as a possible inclusion under PTSD, posttraumatic stress disorder.

Q: And let me stop you there. What is and I think you just explained it, but what is the DSM-5?

A: The DSM series of books ---

Q: What does that stand for, I don't know?

A: Diagnostic and Statistical Manual of Mental Disorders. It's on Version 5, it's been around for many, many years. It's a document published by the American Psychiatric Association. It's similar to the ICD-9 or 10, if you've heard that term, International Classification of Diseases. That is a medical practices book that tries to get all the clinicians to agree on what we're going to call a broken arm, high blood pressure. They have a taxonomy of diagnoses so that everyone that is talking about the same thing is on the same page. We have a similar book in psychiatry and psychology called the Diagnostic and Statistical Manual of Mental Disorders. It gets revised every 10, 15, 20 years or so, and we're now on Version 5.

Q: Okay. And you can find -- can you find the criterion for PTSD in the DCM-5?

A: DSM-5, yes, you can.

Q: Okay.

A: It was also in the DSM-4.

Q: Okay.

A: Which was the predecessor.
Q: Right. And certainly, society has came a long way, but what did they use to call what we now call PTSD; what would be a layman's term for it?
A: Well, a lot of people, especially from the military, would have referred to this many years ago as shell shock or, you know, the kind of experiences that many soldiers that were deployed in battle and were having bombs going off around them had heard.
Q: Yes, sir. Now, as part of -- how long have you been involved in this particular matter, State v. Donnielle Matthews Green?
A: Over a year. I believe we had a consultation before, sometime about a year ago, maybe more.
Q: I had a previous matter; is that correct?
A: Yes.
Q: Okay. So, you have had the opportunity to review the complete discovery in this file?
A: Yes, sir.
Q: Okay. We're gonna get back to that. I want to focus on the criterion for PTSD. Would you be able -- did you prepare a PowerPoint that would assist in your testimony today in regards to PTSD?
A: Yes, in particular to the differences between the previous version and the current version because there were

some slight changes, yes.

MR. OSKIN: If I may approach the witness, Your Honor?

THE COURT: Yes, sir.

BY MR. OSKIN:

Q: I'm showing you what's marked as State's Exhibit Number 1-0 -- 104; do you recognize this?

A: Yes, I do; it's my flash drive.

Q: Okay. This is your personal flash drive?

A: No, it's the flash drive that was provided to me to transfer my PowerPoint onto today.

Q: Did you create it?

A: Yes.

Q: And that is the sole contents on this flash drive?

A: Yes, sir.

Q: There has been no material edits, deletions, alterations, changes; it is the PowerPoint as you made it?

A: Yes, sir.

MR. WILSON: I have no objections to the PowerPoint, Your Honor.

MR. OSKIN: Your Honor, at this time, the state would seek to admit into evidence, State's Exhibit Number 104?

THE COURT: Any objection?

MR. WILSON: No. No, sir.

THE COURT: All right. It's in evidence without objection.

STATE'S EXHIBIT NUMBER 104

ADMITTED INTO EVIDENCE

MR. OSKIN: Your Honor, at this time, the state would seek to publish.

THE COURT: You may do so.

MR. OSKIN: I beg the Court's indulgence to set up the technology.

THE COURT: Yes, sir.

MR. WILSON: Your Honor, may we approach before you?

THE COURT: Sure.

(REPORTER'S NOTE: Bench conference is held off the record in the presence of but outside the hearing of the jury.)

MR. OSKIN: Your Honor, at the appropriate time, I would ask that Dr. Nelson be able to stand closer to the television and microphone so he can address the jury.

THE COURT: Sure. You see where that microphone is?

A: Yes, sir.

THE COURT: Stand there and that will be fine.

A: Thank you.

BY MR. OSKIN:

Q: I'll have you respond to my questions; is that okay?

A: Yes, sir.

(REPORTER'S NOTE: State's 104 published to the jury. No audio.)

BY MR. OSKIN:

Q: And where does battered spouse syndrome fit in comparison to PTSD?
A: Well, it's not a diagnosis in the DSM-5 or the DMS-4. As I said earlier, it is a legal term, but it is -- it is believed by many clinicians to qualify under a subcategory of posttraumatic stress disorder.
Q: Does it have all the same criteria as PTSD with the exception of a spouse being the cause of it, or am I saying that incorrectly?
A: It doesn't have the same criteria, diagnostic criteria, because the posttraumatic stress disorder is actually a clinical diagnosis that has a strict set of clinical diagnoses. But the battered wife syndrome, battered spouse syndrome research believes that it is a form of the traumatic event qualifier or essential feature of PTSD.
Q: Okay. Would you please explain to this jury -- you don't have to read every word unless it's necessary -- but how many lettered criteria are in PTSD?
A: Well, we're gonna get to that in just a minute if I can explain the taxonomy -- explain the taxonomy.
Q: Yes, sir.
A: Of what these mean.
Q: What is the diagnostic criterion A?
A: The diagnostic criterion A for PTSD is also called the essential feature. Just as some background, in order to get

any diagnosis of a mental disorder out of the Diagnostic Statistical Manual of Mental Disorders, you have to meet the full diagnostic criteria for that disorder. We don't just slap a diagnosis on somebody and there's no such thing as being depressivish or anxietyish; you either have the diagnostic criteria of the diagnosis or you don't get it. The essential feature is usually called Criterion A or Criterion 1. And in this case, the essential feature for PTSD is exposure to an actual or threatened death, serious injury or sexual violence in one or more of the following ways. And then they give you some examples, some ways you can get that essential feature. It's important to know that if you don't qualify for the essential feature of the diagnosis, you stop counting. You may have several other symptoms and traits or behaviors to add to the diagnostic criteria, if you don't have the essential feature, that's kind of -- that's why it's called essential.

So, exposure to actual or threatened death, serious injury, sexual violence in one or more of the following ways: Directly experiencing the trauma; Witnessing in person the events, event or events as it occurred to others -- walking across the street with my colleague and watching him getting hit by a bus as we cross the street; Learning that the traumatic event occurred to a close family member or close friend and in cases of actual or threatened death of a family

member or friend, the events must have been violent or accidental -- opposed to death; and then last, but not least, Experiencing repeated or extreme exposure to aversive details of a traumatic event (first responders collecting human remains from disaster sites, 911 responders, you know, flood responders, or police officers that are repeatedly exposed to the details of child abuse and child sex crime investigations.)

So, the essential feature is you've got to have experienced actual -- exposure to actual or threatened death, serious injury, or violence and it's got to be one of those ways. Okay?

And now we can get on to the -- the other diagnostic criterion that have to be involved.

Q: What is the diagnostic Criterion B?

A: Well, this is referring to what symptom sets you would expect to see in a person who has posttraumatic stress disorder. They've got the traumatic event; now how is it gonna present itself; how do we know that it's troubling to them. And there will be the presence of one or more of the following what's called intrusion symptoms. These are associated with the traumatic event or events, and they have to begin after the traumatic event occurred. So, I experience a trauma, and now I start showing evidence of these intrusion symptoms, like recurrent, involuntary, and intrusive, and

distressing memories of the traumatic event, like reliving it.

Recurrent distressing dreams, in which the content and/or effect of the dream are related to the trauma, the traumatic event.

Dissociative reactions, this -- the example that the DSM gives is flashbacks, which is a form of dissociative response, but this -- this is what people refer to as having a flashback of a war time scenario. Dissociative reactions in which the individual feels or acts as if the traumatic events were recurring, happening again. Such reactions can occur on continuum with the most extreme expressions being a complete loss of awareness of your present surroundings. So, sometimes these dreams or these re-experiencing dissociative events can be so real that you don't even feel like you're in your same body or this is not a real thing.

4) Intense prolonged psychological distress on exposure to either internal or external cues that symbolize or resemble an aspect of the traumatic event. So, things that remind you of something that was essential in that traumatic event might cue you to have psychological distress.

Number 5, A marked physiological reaction to internal or external cues. Same thing as I just read before, but one is psychological distress and the other one is physiological.

So that's Criterion B. So, you've got to have the essential feature and then the presence of one or more of

these. You don't have to have all five, just one; one will get you in or more. Many people have multiple symptoms.

Q: Would you explain to this jury what diagnostic Criterion C is?

A: Yes, we're stepping through what used to be a cluster of three or four typical symptom responses in the DSM-4 before they kind of refined it for this newer version of the book. The diagnostic Criterion C is another symptom we're looking for in this disorder to qualify for the diagnosis, and that is persistent avoidance. So, the first criterion after you have a trauma is this intrusion. Okay? Intrusive thoughts about what happened. The second criterion is some sort of avoidance behavior, persistent avoidance of any stimuli that's associated with the traumatic event. This has to happen after the traumatic event has occurred and continue forward as evidence, but one or both of these two following methods. The avoidance of or efforts to avoid distressing memories, thoughts or feelings about or closely related with the trauma. So, I'm trying to avoid thinking about or anything that, you know, is gonna remind me of the event. Or, avoidance of or efforts to avoid external reminders. So, this is not internal memories; it's external events like people, places, conversations, activities. If you were with somebody that got killed in a bar, you don't want to go to bars. Maybe you don't want to go where drinking is happening. It's avoidance

efforts to avoid external reminders like people, places, conversations, objects, situations, that would arouse those distressing memories of the trauma, if that makes sense.

Q: Okay. Please tell this jury what criterion is for diagnostic Criterion D?

A: This is the third symptom set, behavioral or symptom set that must be present to indicate that you are suffering from posttraumatic stress disorder at that is called negative alterations in cognition or mood. Cognition is just our thoughts processes, how our brain works; it's our thinking. Some negative alterations in our cognition or mood that are associated with the traumatic event. Again, beginning or worsening after the traumatic event happens to us, and moving forward. As evidenced by one -- or by two or more of the following. So, this is a longer list and it's gonna spill over to the next line. So, we're looking for two or more negative alterations in cognition and mood.

The first one is an inability to remember an important aspect of the trauma, typically due to what they call dissociative amnesia. Okay? I just don't -- I can't remember that stuff. Typically due to dissociative amnesia and not to other factors, such as head injury, alcohol or drugs. So, this is a dissociative amnesia related just to the trauma, not to a brain injury or substances.

Number 2, remember we're looking for, what did I say, two

or more? Yes. So, we've got a list. The second one is persistent and exaggerated negative beliefs or expectations about oneself or the world. I'm bad; no one can be trust; the world is completely dangerous; I'm a failure and my nervous system is permanently ruined. So, that would be an example of exaggerated and persistent negative beliefs.

One of the things that you're gonna notice about most of these symptoms, is they were referred to significant and persistent; these are not things that just happen once and don't happen again. These are things that continue to trouble you.

Can we go ahead to the next -- we're still doing that list of the third or the fourth criterion. Oh, there we are. Thank you.

Or, Number 3, what you've got there is distant or distorted cognitions about the cause or consequences of the traumatic event that led the individual to blame himself, herself or others. So, again, distant and distorted thinking about what happened, how it happened and why it happened related to blame.

Or, persistent negative emotional state, just persistently in fear, experiencing things that seem like horror, anger, guilt, shame, persistent negative emotional state of horror, fear, anger, guilt.

Number 5 would be markedly diminished interest in

participation in significant activities. This is a person who used to love to go roller skating, go out dancing, go to bars, very, very active, and now they've had a complete marked and diminished interest in doing those significant activities that they were doing before. I could be going to church, it could be anything, but this is a mood symptom of loss of interest in doing those things that were so meaningful before.

Number 6, feelings of detachment or estrangement from others. Again, this is just, you know, not being yourself, not feeling the same way you did about relationships before.

And then the last one is persistent inability to experience positive emotions. And the example they use is inability to experience happiness, satisfaction of life, or loving feelings.

Q: Would you please explain to this jury the diagnostic Criterion E of PTSD?

A: Right. So, this is the fourth symptom set. Now, we're calling it E, because the essential feature was A. Marked alterations in arousal and reactivity associated with the traumatic events beginning or worsening after the traumatic events occurred, evidenced by two or more of the following.

What this -- what this symptom is referring to is the arousal of our fight or flight instinct. It's a part of the limbic system in the brain. It's a crude imprimitive, you know, part of the brain that is looking to make sure we get up

early morning, if anything, it looks like -- and so we're looking -- that's the arousal, the fight or flight that we feel sometimes.

So, marked alterations in arousal and the activity associated with traumatic events, irritable behavior and angry outbursts with little or no provocation, typically expressed as verbal or physical aggression towards people or objects.

It can also be present in reckless or self-destructive behavior.

Hypervigilance, always hyper, always on the lookout, walking on eggshells, looking for any potential threat or fear. This is the person -- you maybe know someone like this who is just always jumpy and just, you know, and just goes off on a trigger in terms of fear.

Exaggerated startle responses, similar in some ways to hypervigilance.

Or, problems with concentration. For some individuals with these marked alterations of arousal, they can't seem to concentrate. In some of my experience with patients, this has been because they keep triggered reminders of the trauma and that is interfering with their concentration.

And then last, but not least, sleep disturbance, difficulty falling asleep, staying asleep, or restless sleep.

Q: Are there additional criteria?

A: There are additional criteria, and I'm gonna -- I'm

sorry, I'm boring y'all to death, but I just got to explain a couple of those things about this. So, you've got the essential feature, you've got the required number of symptom sets that have to be present to get this diagnosis. Then, many of the diagnoses in the big book have some sort of duration requirement. The depressive episode has to be, you know, symptoms more than two weeks or less than, you know -- so, there -- the duration requirement. And, for this diagnosis of PTSD, the duration of a disturbance, that's the essential feature plus, B, C, D, and E that we just went over, have to be present together for a month -- for over a month.

So, you get the essential feature and those other diagnostic criteria present for over a month, then you now are on to your last step of giving somebody a diagnosis of posttraumatic stress disorder. And this is the one that, in my experience, a lot of psychology students struggle to remember, the disturbance must cause clinically significant distress or impairment in the individual's social, occupational, or other important areas of functioning. You can have all kinds of symptoms in different mental health disorders, but if it's not clinically impairing your function in your activities of daily living -- I mean, there are quite honestly, there are a lot of people walking around with all the diagnostic criteria for things that are quite functional and doing just fine. So, a disturbance must cause a clinical

significant distress or impairment in social, occupational, or other important areas of functioning.

And then this last one is a common disqualifier in a lot of the diagnoses in the big book and that is this disturbance is not better explained by the physiological effects of the substance, medication, alcohol, or other medical condition. So, this is kind of the rule-out clause in many of the things that you have to look at in the book. Once we think we've got the full diagnostic criteria met, is there some better other explanation for it. And so, all of that is what you've got to do to get to giving someone the diagnosis.

So, like I said, this is not something we do lightly. You know, we're not just slapping diagnoses on people; they have to meet the full criteria.

There are some specifiers in some of the diagnoses that are in the big book, and I didn't list all of the things for DSM-5 PTSD. But, one of the specifiers is, if you give the person this diagnosis, you can also append a specifier with the associative symptoms. And this is if the person is experiencing depersonalization or derealization and those are described there. So, if they also have that as well as they're symptomatic, you know, clusters of symptoms, you would specify with dissociative syndrome.

I think that's it. I'm sorry.

MR. OSKIN: I'll have him return, Your Honor.

BY MR. OSKIN:

Q: You can take a seat, Dr. Nelson. Thank you, sir.

While the solicitor is trying to remove that television, through your expertise, are you also aware of what's been described as the cycle of battered spouse syndrome in domestic violence?

A: Yes, and in fact, some of the language in some of the battered woman syndrome or battered person syndrome, some of the language there is referencing some of the language in traditional domestic violence treatment programs. It's called the cycle of abuse or the cycle of violence.

Q: And what is that cycle of abuse -- let me ask the question first, I'm sorry. What does that cycle of abuse -- what are those patterns?

A: The research goes back many, many years, but I was trained in my doctoral studies on the Duluth model of domestic violence perpetrator treatment programs, and I ran those programs for a couple of years. The cycle of violence has to do with some of the behaviors that an abuser, an abusive spouse, or partner will use to control and diminish and, basically, handicap their -- their partner. There are things like financial abuse, physical isolation, obvious -- clearly physical abuse, you know, shaming, there's a whole -- there's wheel called the cycle of abuse that talks about the numerous things that a batterer or an abusive spouse or partner will

use to gain control of their victim spouse. Typically, by beating them, you know, psychologically, emotionally, and maybe even physically beating them down to the point where they have this learned helplessness or some other form of just compliance.

Q: Can you please help me help this jury -- how does that fit in with PTSD for the purposes of the matter at hand? If that even -- does that make sense?

A: It does. I'm trying to think of a way to frame an answer sort of simply. So, battered wife syndrome research and study and what they call the pillars of battered wife, battered spouse syndrome, some of the things that go into kind of the legal understanding of the fact that many of these individuals who experience the same things, present with similar symptoms. Not all are always the same, but much of that is very similar to the common findings we see in domestic violence relationships where many of the spouses that are, you know, involved in domestic violence are being isolated; they're being controlled financially; they're being minimized; they're being physically abused; they're sexually abused; a lot of psychological and physiological abuse is going on. And, it's -- it's common among the perpetrator group and the victim group to report some of the same symptoms. So, that's -- sort of like I said, that's why the battered spouse syndrome research is very much akin to some of the things that we look

at and see in domestic violence treatment programs, the cycle of violence and abuse. And also, there's a counterpart cycle of healthy relationships that you're using to try and bring individuals and couples that are in this relationship to some point of healing.

Now, I think the last part of your question was how does that relate to PTSD?

Q: That's correct, sir. How's does that relate to PTSD?

A: Okay. Well, and this is one of the things that can be a difficult -- a difficult thing to kind of prove. My understanding of the PTSD requirement, essential feature of experiencing real or imagined death, or serious injury, or sexual violence. Those were -- those were pretty high bars originally set, and a lot of times people will misuse the diagnosis of PTSD. People, I should -- I didn't say this clearly. Many times, individuals will come looking for a diagnosis of PTSD for some secondary gain, some sort of benefit, like getting a disability finding for related to work, or something like that. And there are -- there's an array of different ways you can qualify for PTSD as we just -- as we just read. Traditionally, it has to be pretty serious traumatic event.

Q: Okay.

A: And -- and so that's why that sort of opens the door to, you know, is this kind of event that occurred to me qualifying

as a serious traumatic event similar to an imagined or real death or experiencing somebody else having that happen?

Q: And to be clear for this jury, you sat here when Dr. Danso testified; is that correct?

A: I did.

Q: And she is unable to diagnose Donnielle Matthews as battered woman spouse, or battered spouse; is that correct?

A: Well, I believe I heard testimony to that effect, but it's not a diagnosis.

Q: Right.

A: Okay, so ---

Q: So, you couldn't diagnose her with that either; is that correct?

A: That's correct. I mean, we can refer to it as a symptom that is concerning and needs treatment, and we can go on, but it's not a diagnosis that's in our book of diagnoses, unless you manage to qualify it as PTSD.

Q: Thank you. I think that was the simplification that I needed.

A: Yeah. Okay.

Q: Let's focus on the matter at hand now. You told this jury you became involved in the matter that we're here on, State v. Donnielle Matthews?

A: Yes, sir.

Q: Did you -- you reviewed all the discovery in this case?

A: I was.
Q: Did that include all the interviews by law enforcement with the defendant?
A: Yes.
Q: Did that include body-worn cameras from law enforcement officers?
A: Yes, sir.
Q: Did some of those go hand in hand?
A: They did.
Q: And did you review medical records in this matter?
A: I did.
Q: Did you review and actually view Denny's Restaurant surveillance footage?
A: I did.
Q: Did you listen to and hear other interviews from other people present the night of the incident?
A: Yes, sir, all of them.
Q: Okay. Did you view the autopsy photos?
A: I did.
Q: Did you view the crime scene photos?
A: Yes, sir.
Q: Did you view all other evidence photos?
A: Yes, sir.
Q: Did you even read the search warrants?
A: I did.

Q: Did you read the Cellebrite reports?
A: Yes.
Q: Did you see and read the contents on those Cellebrite reports?
A: I did.
Q: With regards to this defendant, based on your review of the discovery, did she show -- you stated that fear was a big part of PTSD; is that correct?
A: A fear response, yes, is very common, yes.
Q: Based off the evidence that you reviewed, did this defendant exhibit behaviors that were consistent with fear?
A: From what I've seen from the evidence, the interviews, the statements that were made, I don't see fear as much as I see other behaviors that seem a little inconsistent to me with a battering kind of response.
Q: And why is that? Or, how did you come to determine that?
A: Well, again, and I read numerous statements and numerous reports and seen different interviews, but there were several times where Ms. Matthews is -- has kind of a braggadocious statement or says things about not being afraid of anybody and I'd take a baseball bat to the people, and there have -- there's testimony and statements made of her growing up in a rough neighborhood and that's just how life is, and ---
Q: In fact, she told some -- the clinical psychologist that as well; is that correct?

A: Yes. I'm not afraid, and we fight like brothers and sisters do, and I'm not afraid of him. So, again, that, you know, may be a compensatory, you know, way of dealing with it, but that does not seem to me like the fear, intimidation. And again, I'm referring that to a stereotypical view of a battered spouse, but I'm talking about the person that's intimidated and kind of cowering in fear and afraid to speak up or afraid to do anything.

Q: Does that include the type of person that is forced to be in her home at all times?

A: Yes. That's the way they do.

Q: Does that include the type of person who is not allowed to go anywhere without her husband's permission?

A: Right.

Q: Are those the behaviors that you're representing?

A: Yes, doesn't have a check, is not allowed to have a bank account and money, can't go anywhere without my permission or me being present, yes.

Q: And you saw some inconsistencies with the typical battered spouse?

A: Well, I did. I saw what seemed to be contrary statements of not being afraid, and you know, I'll just do this, I'll do that.

Q: Okay. Would punching your abuser in the face, would that be inconsistent with being ---

A: It depends on the circumstance. And what I mean by that is if it's a self-defense punch in the face, that's one thing if you're in the midst of being attacked. If it's a provocation, a punch of somebody in the face, especially your abuser, highly unlikely.
Q: And you've heard testimony about her initiating that initial strike?
A: I have.
Q: Which -- what is that more consistent with; is that more consistent with provoking or self-defense?
A: To me it's more consistent with provoking, you know, your perpetrator.
Q: Okay. I believe even Dr. Danso said punching your abuser would be taking it pretty far?
A: Yes.
Q: Let's talk about the word malingering. Do you know what that means?
A: Yes.
Q: Okay. This part -- did you have an opportunity to review the objective tests that were done on the defendant in this matter?
A: I did.
Q: They were earlier testified to by Dr. Danso?
A: Yes, I did.
Q: Okay. I'm not trying to patronize you by any stretch,

but what does the word objective mean?
A: Objective is in contrast to subjective. An objective test means it will give an objective revelation of what it is you're trying to examine as opposed to a subjective test. If I ask you to tell me what color my tie is, I'm gonna get a subjective opinion from some of you, and some of you will say green, it may look black, though. So, an objective test is one where you're getting objective data back. Some psychological tests are projective, I'm not gonna get into that, though.
Q: Are you familiar the Minnesota Multiphasic Personality Inventory-2?
A: Yes, I am.
Q: Would that include validity patterns?
A: Yes. It's got a number of clinical -- it's got a number of validity scales, and the test also has a number of clinical diagnostic scales. It's a 567-item test with questions that repeat themselves throughout, and that's kind of how they get some of their validity findings. If you answer the question this way halfway through and not the same way at the end of the thing, then it starts to show there's an inconsistency in your answering. So, there are a number of validity scales that help you tell whether or not you can rely on the results of the examination.
Q: Okay. And what does it mean if the invalid, if the

profile is invalid because the F is greater than 89?
A: There can be a number of -- I'm not gonna go into all of them, but there can be a number of ways where you can get an invalid profile. For example, if a person that's taking this pamphlet with these 567 questions in there, if they get about halfway through and they just stop answering questions and turn it in; if there's a certain number of unanswered questions, it will invalidate the profile. There's also a way to tell if certain questions that were repeated throughout the test are -- were answered consistently at first and then all of a sudden, the answers just seem to be random, a, b, c, a, b, c, it will show an inconsistency on the back half of the test, which can invalidate the instrument, too, because you want the person to take the whole test with integrity. So, if they start bailing out, so to speak, at the end of the test, it can invalidate your profile. Some of the scales that are also included in the validity scales are a lie scale, where the person is answering questions that are clearly -- can only be answered obviously in a way and they answer them differently. There is also a faking good scale, which is a scale that identifies certain questions that indicate certain pathological conditions.
Q: Let me stop you right there.
A: Yes, sir.
Q: Are you still referring to the MMPI-2?

A: Yes, the MMPI, Minnesota Multiphasic Personality Inventory, yes.
Q: Proceed?
A: So, these -- these validity scales also include a scale called faking bad. That is typically showing an individual who is answering questions about having mental illness or mental illness symptoms, when they don't really have them. They're over endorsing things to make themselves look real bad.

There's also a faking good, avoiding, you know, questions that nobody can answer that way; I've never told a lie in my life, you know.
Q: I'm gonna try to make this a little easier for the jury. I apologize.
A: That's fine.
Q: Are you also aware of the Personality Assessment Inventory?
A: I am.
Q: And again, you reviewed both of those, or reports as given to you by Dr. Danso?
A: Yes.
Q: I guess simply asking, were there any concerns raised to you based off the defendant's testing results in comparison to what she said, not said, or what she's changed ---
A: Yes.

Q: --- from the beginning of the case till now?
A: Yes.
Q: And I appreciate you bearing with me through all this time. Would you please tell the jury what those concerns were?
A: I had about three concerns. And one is the CAPS test is an Clinician Administered Questionnaire Test, where I'm asking you questions and you're answering my questions, and I'm marking down your answers and I'm scoring it up. But, it's up to you to tell me what you want me to hear when I ask you this question. Obviously, that is dependent on the examinee's honesty and ability to understand the questions.

The Minnesota Multiphasic Personality Inventory is designed in such a way that the person may understand that it's a personality test, but the questions are not always so obvious as you know exactly what it's gonna mean if you say this or that to it. So, there's a degree of objectivity to it. But, again, when the profile is invalidated by a number of, you know, lie responses, faking good responses, or inconsistencies in answers, and that invalidates that profile, then you would typically as Dr. Danso said, you would typically go to your fall back measure of the PAI, a shorter and less robust personality test as the MMPI as your backup.
Q: Okay. Did you find any inconsistencies or concerns come from that testing method?

A: Yes, there were a number of ---
Q: I think you're getting ---
A: I'm sorry. I'm trying to talk shorter.
Q: That's all right.
A: There were a number -- there were a number of high score items on the PAI as well, as well as some inconsistencies with answers on some of the critical items. There are certain questions on the exam that are more meaningful and diagnostically relevant than others, and when those start to trigger, you start to look for an overall consistency.

So, the one personality test was invalidated because of problems with the response set that the examinee gave, Ms. Matthews gave, and the PAI also had inconsistencies in terms of many high pathological looking scores that you would want to see some sort of collaborative confirmation of. That's why we don't ever use just one instrument. We use multiple instruments to test a person and they need to kind of converge in order for you to feel like you're getting valid results.

I had a couple of other concerns and that is on the CAPS questionnaire and Ms. Matthews responses to reports of abuse. I was concerned that there did not appear to be any other human collateral collaboration event evidence to support her claims.

Q: Thank you. Does that mean -- does that mean that this doctor only heard from the defendant herself instead of

collateral sources?
A: I'm just going off of her testimony, but I believe she said she did not have access or time to get to some of the family members that Ms. Matthews said she told about or warned her about, or witnessed, or heard about, saw bruises.
Q: It purely came from her?
A: There was no -- there was no collateral corroboration.
Q: Right. And the objective test showed that she had a high tendency for malingering?
A: I'm not looking at it now, but that was in the report from her, yes.
Q: I guess just simplifying again, did those tests -- did those objective tests test for deception?
A: Well, yes, that's what -- that's what -- that's what malingering is, is deceptive answering to look a particular way with some secondary gain.
Q: Deceptions or lies?
A: Yes.
Q: As a clinical psychologist, do you want the best for your patients?
A: Absolutely.
Q: In your practice, have you had clients lie to you?
A: Often.
Q: If so, is it hard to properly diagnose them?
A: It depends on whether or not you have the opportunity to

administer, you know, valid assessment instruments and they can be properly scored. But, yeah, it can be hard to -- to make sense of and treat a patient that is lying, or not being honest, or is keeping -- is being deceitful, or keeping information from you.

Q: Do your client's motive affect that as well?

A: Yes.

Q: In your review of this evidence, is there -- is there any evidence of any situations or people that would cause jealousy on behalf of the defendant -- jealousy from the defendant?

A: I think there's evidence in the record of some real concerns for the potential of jealous rage, yes.

Q: Where does that jealousy stem from in regards to the evidence coming from that witness stand?

A: Well, it comes from some of Ms. Matthews reported statements made in an investigative report a couple of years ago about her early childhood, adolescence, young adulthood, and who she was hanging around with, and how she was valued by men. She talks about being, you know, a prize to these men who would make provisions for her, and she doesn't need to work. And there was a reference, and I believe it was to the victim about when he chose her, he took her out to strip clubs, bars, or whatever and was showing her off as his new number one.

Q: Okay. Let's stop. So, they were -- it was the new

number one?
A: She was the new number one, that's how I read it.
Q: That didn't mean she was the only person based off of what you read?
A: She's new and now she's number one.
Q: She knows there is potentially other women?
A: Yes.
Q: Okay.
A: And that's how I read it.
Q: Yes, sir.
A: But that's not why I was -- that's not the only reason I was concerned.
Q: I understand. What were some of the few other reasons?
A: Later, there is discussion about, I want to say the name is Alethia, being the girlfriend, who the wife and husband brought into the relationship, and was primary, had children with him, but now Ms. Matthews was the number one, and I'd assume displaced Alethia.
Q: Okay.
A: And there's a third reference.
Q: What's the third one?
A: The night of the event when Ms. Matthews is reported to have said to Antoinette, you're so beautiful, he should have married you instead of me. And I don't -- I don't know if she said you should be the new number one, but she did say or was

reported to have said, you're so beautiful, he should have married you instead of me. My concern with the history of the number ones was, was that a trigger of I'm about to be displaced.

Q: If she told Antoinette, why don't you make her your wife; would that be what you're referring to?

A: Yeah. Yes.

Q: Wrapping it up here, in reference to jealous rage, does that have anything to do with impulse control?

A: Absolutely.

Q: Or perhaps lack thereof?

A: I mean, it doesn't always have to be a lack of impulse control. Some jealous rage is carried about on what's called a pathway to targeted violence, where it's very methodical and planned out and -- and it's not just impulsive, but jealous rage can -- can often be an impulsive response related to lack of impulse control. Everybody loses their impulse control at times, one time or another.

Q: Did you see the video from her interview in Orangeburg; did you see that in its entirety?

A: Yes; I did.

Q: Was there a portion where there is a fly in the room there?

A: Yes.

Q: How did the defendant respond when she saw a fly?

A: Agitated.
Q: Last thing.
MR. SPRATLIN: If I can approach this witness, Your Honor?
THE COURT: Yes, sir.
MR. WILSON: I have no objections.
BY MR. OSKIN:
Q: I'll still have you authenticate it.
A: All right.
Q: Do you recognize what that is, Doctor?
A: This is a copy of my CV, my Curriculum Vitae.
Q: Did I edit that or delete that or change anything to it?
A: No, sir.
Q: So, that's an accurate copy of your CV?
A: Yes.
MR. OSKIN: Your Honor, at this time, I'd seek to admit into evidence State's Exhibit Number 105.
MR. WILSON: Without objection, Your Honor.
THE COURT: In evidence without objection.

STATE'S EXHIBIT NUMBER 105

ADMITTED INTO EVIDENCE

BY MR. OSKIN: May I have permission to publish this to the jury?
THE COURT: You may do so.
BY MR. OSKIN:

Q: Dr. Nelson, please answer any questions of Mr. Wilson?
A: Yes, sir.
THE COURT: Cross-examination?
MR. WILSON: Thank you, Your Honor.

CROSS-EXAMINATION OF ROBERT CHARLES NELSON BY MR. WILSON:

Q: Doctor, now, as I understand it, you're testifying here today as an expert for the state, right?
A: Yes, sir.
Q: All right. And you were hired by them to come in here and listen to whatever happened during the course of the trial and then give your message, dissertation, whatever you want to call it, right?
A: I was retained to come in and consult on the behavioral and psychological aspects of the case.
Q: Very well. Now, and you admit that you're employed or you worked very closely with law enforcement here in South Carolina, right?
A: I work with them, not as closely as I used to when I was actually in law enforcement fulltime, no.
Q: I understand, but -- but you still, didn't you tell the solicitor that the behavioral unit of SLED asked you to be their consultant and work with them?
A: That's true.
Q: All right. So, you do work closely with them, right?
A: At times, yes, sir.

Q: All right. And you came here -- let me ask you one thing. You're a psychologist, right?
A: I am.
Q: And you're making a diagnosis without ever having talked to the person that you're making the diagnosis about?
A: I did not make a diagnosis, sir.
Q: Well, you sitting here telling us that she didn't do this and she didn't do that, right?
A: I am making ---
Q: And there's a concern about x, y, and z.
A: I'm making observations about behaviors that I observed in the evidence. I did not make a diagnosis of her; I can't do that.
Q: Right. In fact, that's against the rules for you, as a psychiatrist or a psychologist or clinical psychologist, to try and diagnose somebody that you never met?
A: Correct, which is why I did not.
Q: Okay. Go ahead?
A: Well, that's my answer, which is why I did not offer a diagnosis of her. I can't do that, because I didn't evaluate her.
Q: Didn't you just sit here and tell us that you had concerns about things she said from the evidence that you say you saw?
A: I did, and I do.

Q: And -- and those concerns -- but not one time, have you ever met with her to hear her side of it before you made up your mind about what your concerns are?
A: I heard a variety of her sides of it in the evidence that was presented.
Q: When did you sit down and talk to her?
A: I did not sit down and talk to her. I was not given access to her.
Q: Did you ask for access to talk to her?
A: That was up to the solicitor to do.
Q: Well, my question was, did you ask for access to talk to her?
A: I believe early on I said I would appreciate getting a chance to evaluate her.
Q: You told the solicitor that?
A: I believe so.
Q: You didn't tell me that, did you?
A: No, sir.
Q: All right. Did you tell Donnielle that?
A: Again, I did not have access to the defendant.
Q: All right. Now, you -- you say you've went through these records that they showed you, right, and that when you went through these records -- and the solicitor named off all the records that you went through, right?
A: Say the last part ---

Q: He asked you, didn't you see all of these records that we have, and you said yeah, I went through them. I even went through the search warrants, I went through everything, right?
A: Yes, sir.
Q: Now, in going through all that stuff, did you see those statements, because one of the things you've said here is that she was punched in the face -- that Dennis was punched in the face and that she did it and that that caused you concern, right, about whether or not she's a battered spouse?
A: No, I did not say that. The question to me about being punched in the face was, is that a stereotypical provocation or is that stereotypically something that a battered spouse would do. I was asked about provocation?
Q: And how do you know that happened to make a judgment call that it's a problem, when you don't know that it happened?
A: There was evidence presented that it did.
Q: So, you took the word of somebody who said it, but you never asked her if she said it, right?
A: I heard her statements about it as well.
Q: At any point in time, did you or anybody else ask her if she punched him in the face?
A: Again, Counselor, I don't have access to the defendant and haven't.
Q: That wasn't what I asked you.
A: No, I did not ask her.

Q: But you made -- you made that opinion anyway, right?
A: I can have an opinion without making a diagnosis.
Q: Okay. All right. Yeah, everybody has got an opinion, right? Right, most people?
A: I can't speak for everybody.
Q: All right. Now, did you ever ask Dr. Danso for her clinical notes?
A: I didn't get to meet Dr. Danso until about four hours ago; so, no, I did not.
Q: That wasn't the question. My question was -- you said you had been on this case for over a year. My question was, did you ever ask Dr. Danso for her notes about her interviews and her consultation with Donnielle?
A: No, I did not. I believe she became involved in this case just a few months ago.
Q: Well, a few months ago. Did you ask a few months ago?
A: I did not.
Q: All right. You ain't never asked, to this day you never asked. So, you don't know what the responses were that she gave to her based on the notes that Dr. Danso created, right?
A: Correct, which is why she's here to testify.
Q: Now, you said that -- let me see, I want to get it right here. Well, let me ask you this. What is -- what is masking; do you know what that term means in -- in your profession? What does it mean?

A: It depends on the circumstance. If you're talking masking with dementia is one thing; if you're talking masking related to deceit and guilt, it means a different thing. Masking just means trying to cover up an underlying symptom or condition.

Q: All right. And does that ever happen where people can mask, where if they are actually afraid to try to act like they're not afraid? That happens all the time, doesn't it?

A: It happens.

Q: All right. It happens. All right. And you've never had any experiences with Donnielle, so you don't know if she's masking or if she's not masking or if she's -- or what's going on with her, right?

A: That's correct.

Q: All right. Now, your thing is that, and you went through this elaborate messaging on the screen with going through the DMS for us, right, that's DMS, what 5 or 2?

A: The DSM-5.

Q: Right. You went through that with us and explained to us what traumatic -- what posttraumatic stress disorder is, right?

A: Yes.

Q: All right. And you're not saying -- you're not saying that you've diagnosed her with or without posttraumatic stress disorder, because you can't do that, right?

A: Correct.
Q: All right. And you're not saying that she is not a battered spouse, because you can't say that either?
A: Correct.
Q: Right. So, all you can really tell us is, is is that well, you know, I know that I don't like some of the things that she said, which causes me some concern. That's what you said.
A: No. That was not my testimony.
Q: All right. No, I'm asking the question.
A: Repeat the question, please?
Q: Let me ask you something else. What does ---
MR. OSKIN: Objection, Your Honor.
THE COURT: Excuse me?
MR. OSKIN: He didn't -- he asked the question and didn't let him answer it.
THE COURT: Well, he's now ended the question and he's gone on to something else. He can do that. Just forget the question.
BY MR. WILSON:
Q: What does consistent reports of symptoms across measures typically mean; what does that mean?
A: I think it speaks for itself, consistent reports of symptoms across measures. If somebody has a symptom on one measure of a particular thing, like depression, and you give

them another equally valid assessment for depression, you would expect to see symptoms reported there as well. If you don't, then it could be the fact that the instrument is not as valid or content valid as the other instrument. But, yes, you would expect to see, if you're using multiple measures you would expect to see symptoms for what you're looking for come up on each.

Q: Would you agree with me that even with posttraumatic stress disorder, if a person has it, they're not gonna have every single one of those symptoms that you read on that chart. They may have one, they may have two, they may have five, they may have six, but very few have every last one of them?

A: That's correct, but that's also why they have a required number of symptoms that must be present with two or more of the following, one or more of the following, but all the diagnostic criteria must be met. You're right, they don't have to have every single symptom.

Q: All right. And -- and so -- and in Donnielle's case, for instance, since we're talking about her, if you had gotten Dr. Danso's clinical notes, then you would be privy to whatever other symptoms she might have had other than the tests themselves, right?

A: Perhaps. I don't know what I would have found in Dr. Danso's notes. I assume that's why she's here testifying.

Q: That's right. You don't know. You don't know, and you didn't know, and you still came in here and you made these statements without knowing those things. And you have sit here all week, did you not?
A: Yes, sir.
Q: You were here from Monday to Friday, sitting right there behind the solicitor's office making notes copiously throughout this process; were you not?
A: I was.
Q: All right. And anytime during this week, did you come to my table and say may I speak with your client, anytime?
A: No, I did not. I believe that would be unethical in this setting.
Q: Why? To ask the lawyer for the client, if you can speak to her. It's not like you're gonna go directly to her and ask her, right?
A: So, you're suggesting that's what I should've done?
Q: I'm asking you did you do it?
A: No.
Q: All right. Now, well let me ask you this. Do you believe -- because this may be where the issue is. Do you believe that there is something called battered spouse; do you even believe that that exists in your mind?
A: I believe that the term is used to describe a condition of symptoms that are common among women who are battered. I

absolutely believe it is a thing. I'm concerned that it can be a thing that gets misused.

Q: Okay. All right. You're concerned that it gets misused. Have you ever counseled a black female battered spouse?

A: Yes, I have.

Q: All right. How many would you think over the years?

A: 20, 30.

Q: 20 or 30. All right. Did you ever go to court and testify for a single one of them and say this is a battered person?

A: My role was not to testify for them or against them; my role was to be their therapist.

Q: That wasn't my question.

A: No, I did not go testify on behalf of them in court.

Q: All right.

A: They came to me for confidentiality and treatment.

Q: Because all of your experience or the vast majority has been with law enforcement?

A: No; that's not correct. My first two doctoral, pre-doctoral internships were working for a community mental health system treating victims of domestic violence.

Q: Didn't you tell the solicitor that you had been working for law enforcement for how many years? Indulge me. How many years?

A: I believe 22, 23.

Q: Twenty-two years. So, you're saying -- and how long have you been in practice total?
A: Pardon me?
Q: A licensed psychologist with a PhD?
A: I've been in practice 22 years. As a licensed psychologist in the State of South Carolina nine years.
Q: All right. And you've been with law enforcement 22 of those years, right?
A: Yes, including some years part-time, yes.
Q: Okay. All right. Now, I just want to ask you, I think, one more thing, and then I'm gonna sit down and leave you alone. You know what we call a blind witness; do you know?
A: Do I know what a blind witness?
Q: That term, yes, sir, does it have any meaning?
A: I'm not sure what you mean.
Q: Okay. All right. So, you don't have it. A witness who comes in and ---
THE COURT: Mr. Wilson, that's not a question; that's testifying.
MR. WILSON: All right. All right. I withdraw the question, Your Honor.
BY MR. WILSON:
Q: Now, I'm gonna ask you one last thing and then I'm gonna sit down for sure. I promise. You were hired by the state, right?

A: By the solicitor, yes.
Q: Okay. By the solicitor to come in here, right, and you've been here all week?
A: Yes, sir.
Q: All right. I don't have any other questions.
THE COURT: Any redirect?
MR. OSKIN: Very, very briefly, Your Honor.

REDIRECT EXAMINATION OF ROBERT CHARLES NELSON BY MR. OSKIN:

Q: Again, just for clarity, Dr. Nelson. You were asked if you were able to make an opinion in this matter, correct?
A: Yes.
Q: You were not asked if you could make a diagnosis by the state; is that correct?
A: Correct.
Q: You also indicated that you had been involved in this case since at least last year; is that right?
A: Yes, sir.
Q: All right. Did you previously testify that Dr. Danso just got involved in this matter last month?
A: I believe so. I'm not sure it was exactly last month, but yes.
Q: How about this, were you made aware that she was involved in this matter?
A: Yes.
Q: At that time, did you immediately request for me to get

any information about the testing methods and results that she would've done on the defendant?

A: Yes, sir.

Q: You don't have -- do you have any idea how many times I asked Mr. Wilson or his staff to get those methods for you?

A: I don't.

Q: Okay. But you did finally get them; is that correct?

A: Yes.

Q: Did you very politely email Dr. Danso?

A: I did.

Q: And did she promptly turn them over to you?

A: She did, yes.

Q: Those were those objective tests; is that correct?

A: They were the scoring protocols from the tests.

Q: Oh, I'm sorry. Okay. The test that said -- those tests indicated that she was, I get the words confused, malingering?

A: That was the reference in one of the protocols, yes.

Q: That she gave you?

A: That she provided, yes.

Q: Okay. Last two or three questions. I want lie and say it's just one. Did you previously tell Mr. Wilson that you had treated 20 to 30 African American females who had dealt with battered spouse syndrome?

A: Yes, sir, over the course of my career, yes.

Q: Okay. He asked you if you ever had to testify in court

for any of them; is that correct?
A: Yes.
Q: Did any of those 20 or 30 women kill their husband?
A: No.
MR. OSKIN: Nothing further, Your Honor.
THE COURT: Anything on those questions, Mr. Wilson?
MR. WILSON: Yes, sir.
RECROSS-EXAMINATION OF ROBERT CHARLES NELSON BY MR. WILSON:
Q: Were they beaten?
A: They were physically assaulted, yes. I don't know how you characterize beating, but yes.
Q: Thank you.
THE COURT: All right. Do you wish the witness to be excused?
MR. OSKIN: Yes, sir, Your Honor.
THE COURT: Any objection?
MR. WILSON: None, Your Honor.
THE COURT: All right, sir, you may step down and you are released from your subpoena.
DR. NELSON: Thank you, Your Honor.
THE COURT: Further witnesses from the state?
MR. SPRATLIN: Your Honor, the state would rest for rebuttals.
THE COURT: All right. Very good.
BY THE COURT:

THE COURT: All right, ladies and gentlemen, that concludes the testimony and evidentiary portion of this trial. There will be no other evidence presented to you in this case. What remains are the closing arguments, my giving you the law that you will apply to the facts and evidence you've heard in this case, and then your deliberations, and ultimately, your unanimous decision in this particular matter.

As at the end of the state's case, there are matters of law I have to take up outside your presence. We're gonna go into the closing arguments, charge on the law, your deliberations tomorrow morning. We'll start back again tomorrow morning at 9:30. So, I'll see you back tomorrow morning 9:30. Please report when the bailiff tells you to report.

Don't talk about the case. Don't allow anybody to talk to you about it. Leave your pads and pens. Thank you.

(REPORTER'S NOTE: Jury exits courtroom @ 6:05 p.m. The following takes place outside the presence of the jury.)

THE COURT: All right. We'll take a short break for five minutes and then we'll come back in and I'll hear the motions from the defense and we'll go over any other matters that we need to. All right.

MR. WILSON: Thank you, Your Honor.

THE COURT: Thank you very much.

RECESS - 6:06 P.M.

*******OFF THE RECORD*******

ON THE RECORD - 6:57 P.M.

MOTIONS:

THE COURT: All right. Mr. Wilson, be glad to hear your motions.

MR. WILSON: Thank you, Your Honor. Your Honor, I would renew my motion from the end of the state's case and for a directed verdict as to the issue of murder. Your Honor, I don't believe that the state has proven the elements of malice. And I said earlier, that the only, and I know the Court last night told me or said that in its ruling that there was information about the telephone call and whether that represented malice, and I would submit to the Court, we don't think that that call is -- is malice or forms malice, or is evidence of malice. And I don't think that -- the only thing that could possibly be malice in my humble opinion, Your Honor, is that the -- the hitting of the victim, if that occurred. And I understand this is in the light most favorable to the state. First our contention is that that did not occur, but my point is, even if it did occur, just for the sake of argument, let's say that it did occur, I don't think that it could form malice for something that happened 20 minutes later or 30 minutes later when we don't know if they're related at all. We don't know, because we don't know what happened after that until what had been put in the record

today by this defendant. And this defendant has said that he grabbed her and pulled her forward and assaulted her. And -- and so -- and if it happened that way, then that's clearly evidence of self-defense. So, even if that phone call, I'm sorry, that -- that hit, assuming she hit him, which again, we contend that she did not, but assuming she did, if 20 minutes later there she's in the back seat of the car and he grabs her and jerks her forward and into the -- the floorboard of the car, and she is defending herself by grabbing a knife and stabbing him, that is self-defense. Obviously, she had no other means of escape from the vehicle because they're in the vehicle and it's moving and she is in the back seat. And so -- so -- and clearly, you know, if based on her testimony, which is the only testimony about what happened after that -- after they left Denny's when that lick was supposed to have occurred a few minutes, several -- however many minutes later. There's nobody, there is nobody who disputes that. There's nothing in the record which disputes the fact of what she said happened in that car at that time.

My -- now, I understand that the solicitor might have a theory, but that's all it is. It is not evidence. His theory about what she did or might she might have done; it's not evidence. And there is nothing in this record after she testified about how it went down in that car, not one single thing. And so, I would submit to the Court, Your Honor, that

-- that at that point, this whole idea -- because it's remote in time. There are at least 15, 20 minutes from the time she was supposed to have hit him in the car, till the time that -- more than that, by the time they get to the hospital actually, and nobody really knows the exact time of the -- of the -- of the stabbing, but we do know that when she got to the hospital at, I think it was 5:19, if I'm able to -- I think it was 5:19, and -- and based on what the -- Antoinette said, that they would've left her house around 5:03, because she says that 5:13, about seven to ten minutes later, she texted him, and that's a guess, too. But my point simply is, is that there is nothing. And so, I would submit to the Court that the state has not disproven self-defense. There is certainly nothing in this record which disproves her self-defense argument. There is nothing in the record, which disproves that. And the burden is on them at this stage to disprove that or at least put some -- some evidence in the record to show that it is not self-defense, and there is nothing. There is absolutely nothing in this record to show that it was not self-defense. So, I think that, Your Honor, we're entitled to a directed verdict on the charge of murder.

THE COURT: All right.

Solicitor?

MR. SPRATLIN: Yes, sir, Your Honor. As Your Honor as already stated previously, at the directed verdict stage, the

evidence is to be viewed in the light most favorable to the state, and the Court is concerned with the presence of any evidence. Murder is defined as the killing of another with malice aforethought. As Mr. Wilson stated, his complaints with the state's case is with malice. Obviously, in the light most favorable to the state, the defendant's version of the facts would not be the facts that would be in the light most favorable to the state. The fact that the defendant stated that she acted in self-defense alone could be believed or not believed by the jury. There is evidence in the record to suggest that she did not act in self-defense, and that a reasonable jury could find beyond a reasonable doubt that she didn't act in self-defense. There are photos of injuries at the hospital, which are very minor, if any. There is a testimony from Seacoast Hospital right after the stabbing that she had no injuries on her by two independent witnesses, saying that they did not observe anything on her face.

Additionally, Your Honor, as the Court previously stated, malice is expressed in this case in that text message from May, where she states she wants to kill the victim.

As the Court stated previously, the Court's not concerned with whether it was in jest or not at this phase; it's looked at in the light most favorable to the state. She said two months prior to this, she wanted to kill him. Furthermore, this very night, she showed ill will, hatred, and intent or

ill will and hatred. She texted her father, mere minutes before stabbing him asking her father to do bodily harm to him when she took him to Baltimore next. That was mere minutes before she walked into Seacoast Hospital with him with two stab wounds. There is testimony from the defense's own expert that grabbing the knife is consistent with someone acting with such hatred and aggression that they are just grabbing that knife so hard that is leaving bruises on their hands.

There is plenty of evidence in the record to support that the defendant killed the victim with malice aforethought. As to the elements of self-defense, I would submit that the defense has not proven the elements of self-defense and haven't even raised all of them, because the defense has to raise all of them. And one of them the defense has not raised was the fear of great bodily injury or death. I believe the only testimony was that the defendant was in concern for her safety or her health. There was no mention of her receiving a great bodily injury or the fact that she thought she was gonna die. There has been nothing raised in the record of evidence here to find the second prong of self-defense has even been raised by the defense. Even if the Court does find that self-defense has been raised, the evidence in the light most favorable to the state is the defendant punched the victim minutes before stabbing him. The evidence in the light most favorable to the state is the defendant had no injuries on

her. So, the fear of great bodily injury or death is not one that a reasonable person would have and is not one that was in her mind at the time. In the light most favorable to the state, we have disproven self-defense in every way. And I would submit the defense has not even properly raised it. So, I would ask the Court to allow us to go to the jury on the murder charge. I believe it is appropriate and I would ask the Court to deny the directed verdict motion.

THE COURT: Mr. Wilson?

MR. WILSON: Your Honor, you can -- you can replay -- I specifically asked her whether or not she in fear and whether she was in fear of serious bodily injury. That was exactly what I asked her and -- and the court reporter can play it back, because I knew that I needed to ask her that, and I asked her that when she was on the stand.

MR. SPRATLIN: Your Honor, I'll concede that if Mr. Wilson remembers it, but my argument still stands as is.

THE COURT: All right. Hold on a second. My notes indicate that she said she was in fear of my safety and wellbeing. That's my notes from her direct examination. I do believe that she said that.

All right. Again, the directed verdict stage, whether it's at the end of the state's case, or at the end of the presentation of all the evidence, look at it in the light most favorable to the non-moving party, that here is the state.

Again, not my job to judge the credibility or the believability of the testimony and the evidence presented. My job is to look at whether or not the evidence exists.

Now, murder, as we have all said, the state has to prove beyond a reasonable doubt the defendant killed another person with malice aforethought. Malice being hatred, ill will, hostility towards another person. Intentionally doing of a wrongful act without just cause or excuse with an intent to inflict an injury or under circumstances that the law would infer evil intent. Malicious killing is where the act is done without legal justification or excuse, and it indicates a wicked or depraved spirit intent on doing wrong.

The evidence that I have referred to at the end of the state's case, and again the statement of the -- that was testified to by the -- the witness, that being Ms. Verlene Antoinette Vereen, comment made by, she said, the defendant at the Dockside. She was ready to kill. The jury can believe whether or not that occurred at all, but she said it; the photographs maybe indicating a lack of injury of the defendant; the testimony of the witnesses at the hospital, both hospitals; text messages she sent to her father; again, witness testified that she hit the defendant in the parking lot at Denny's, she said it. The jury may totally disregard that, but not my job to judge credibility or believability. It was said; it's in evidence. As pointed out by the state,

testimony of the expert witness about the crime scene, grabbing the knife so hard that it could cause bruising, could indicate a number of things: self-defense, fear, jealous rage. Again, that's their job, they got to decipher all of that; the evidence exists.

So, I'm just pointing those out. That's not the only things I'm looking at. I'm incorporating all of the evidence that's been presented in this case, but I'm just pointing those or highlighting those. Based upon all of the evidence presented in this matter, I'm gonna respectfully decline to grant your motion for directed verdict.

Other motions by the state -- I mean by the defense, I'm sorry?

MR. WILSON: Your Honor, I'd just ask that any objections that I made during the course of the trial be preserved.

THE COURT: Certainly, I mean they are, and the Court's rulings, so you -- you know, certainly they are. There's no question about that. Any objections and requests of the Court and the rulings, they're part of the record.

BY THE COURT:

THE COURT: All right. So, the verdict form. What's the state's position as to the verdict form; what should be presented to this jury?

MR. SPRATLIN: Your Honor, the state believes there should be a lessor included offense of voluntary manslaughter

submitted to the jury. Based upon the evidence in this case, there is evidence that the defendant was seeing her husband flirting and being with another woman that night. That is a provocation that could make a person be so overcome with rage and jealously that they basically acted on impulse as required in *State v. Sims*, which discusses -- *State v. Sims*, 426 S.C. 115. I believe and the state believes that there is evidence in the record supporting a finding that the defendant acted in -- on impulse in a rage by justifying -- justifiable heat of passion. And for that reason, we would ask for the lessor included offense of voluntary manslaughter.

THE COURT: All right. Mr. Wilson, what's your position about the verdict form gonna the jury?

MR. WILSON: I disagree, Your Honor. I don't think that there's any evidence of any sudden heat of passion in this case. There's no testimony about any sudden heat of passion, and there's certainly no testimony about a sufficient legal provocation to reduce the charge from murder to manslaughter. There is no testimony in this record about that. And I don't think that there is evidence of it either. So, I think that the Court -- I would submit that the Court should charge murder, and self-defense, not guilty.

THE COURT: All right, sir. I'm going to charge voluntary manslaughter. I do believe there is some evidence in the record to -- there is evidence in the record that it

could've occurred based on the heat of passion and sufficient legal provocation. Again, referring to some of the testimony that I talked about at the -- in denying the motion for directed verdict, that same evidence would also indicate voluntary manslaughter, and I'm going to charge that to the jury and charge that them to as lessor included offense.

Anything else as to the verdict form from the state?

MR. SPRATLIN: No, Your Honor, we believe that will be sufficient.

THE COURT: Understanding that's what I'm gonna do, Mr. Wilson, would you ask the Court to do anything else?

MR. WILSON: Your Honor, I sent -- I think I filed some charges that I wanted to go to the jury, but I know you're not asking about the jury charges yet.

THE COURT: Well, we will in just a minute. I'm just right now, I'm just talking about the verdict form, understanding that I'm gonna present voluntary manslaughter to the jury, do you want me to do anything else?

MR. WILSON: No, sir, and, Your Honor, just -- I apologize, but I am not trying to belabor this, but I take exception to the Court's ruling. And the reason that I do that is, is that, and is that based on, and I know the Court has said what its facts are and what information it says is in the record but -- well, I'm not gonna go into it. I'll just say that I take exception to the Court's ruling.

THE COURT: I mean, if you think I said something in error, that I have stated some evidence incorrectly, I'll be glad for you to point it out to me.

MR. WILSON: Your Honor, it's just that, and if the Court will allow me, I know that I pulled the *Price* case, because I think that it is very, very, similar. I think her name was Price. I think that the issue was almost identical to this and it's not Price -- what was her married name. *Sims.* And in that particular case, and I ---

THE COURT: Can you give me a copy of it?

MR. WILSON: The solicitor has a copy.

THE COURT: Okay. Well, how about ---

MR. SPRATLIN: I can photocopy it.

THE COURT: All right. Very good. All right. Go ahead, sir.

MR. WILSON: Your Honor, my -- I think that case is very similar to our case in the sense that in that particular case, the -- the state wanted to charge murder and manslaughter, and actually the Court charged murder and manslaughter. The defense objected to the charge of manslaughter indicating that there was no evidence in the record to support: one, the -- the sudden heat of passion element of the crime; and two, that there was no evidence to support a sufficient legal provocation for it. And -- and so, what my argument is, is that in that this particular case, I don't see the evidence of

sudden heat and passion. There has been no testimony about that and I know that the state is trying to find some way to -- to show that there was some sudden heat and anger and passion. Not one single witness said, oh, she was all angry and literally ready to stab him. Nobody said that and -- and nobody said that, oh, she was just out of control and -- and -- and everything else. I just don't -- I don't see the sudden heat and passion, and I don't see the sufficient legal provocation. I mean, what is the -- what is the legal provocation? If there's sudden heat and passion, which I say there is not, what is the legal provocation to stab him, and none of that is in this record.

THE COURT: And, I'm sorry, Mr. Wilson.

MR. WILSON: No, sir. I'm finished, Your Honor.

THE COURT: All right. Very good. Does the state want to say anything else?

MR. SPRATLIN: Your Honor, I would just add that the legal provocation in this case is probably the most classic, lawful example of voluntary manslaughter. Seeing your spouse involved with another person; seeing your spouse romantic with another person; having that or seeing your lover, whether it was the man or the woman that she was upset about, seeing your lover involved with another person. And the heat of passion, we believe, can be shown based upon the testimony about the jealous rage that was discussed by the person -- by the crime

scene expert of the defense. And, Your Honor, even with the -- the *Sims* case states that even fear resulting from an act, can constitute a basis for voluntary manslaughter. However, the presence of fear does not in the inquiry regarding the propriety of voluntary manslaughter. The fear must be the result of sufficient legal provocation and cause the defendant to lose control and create an uncontrollable impulse to do violence. Her own statement is that she doesn't know what happened. Her -- her last statement to Detective Lynch was, I don't know how I stabbed him, I just stabbed him. That was the equivalent of that last statement. That is in and of itself showing that she was acting under the uncontrollable impulse, which *Sims* talks about, and for that reason, Your Honor, I believe voluntary manslaughter is appropriate to charge.

MR. WILSON: Your Honor, saying that you don't know what happened is not the same as sudden heat and passion. It is not the same thing in any sense of the word.

THE COURT: All right.

MR. WILSON: And, Your Honor, one last thing then I'm gonna be done.

THE COURT: Sure.

MR. WILSON: The solicitor can't have it both ways. On the one hand they're saying, okay, she just stabbed him for no reason. But then at the same time say, well, yeah, but we

want to hedge our bet so we'll say, well maybe if she didn't do it because she was just mad at him, and she just stabbed him for no reason, then maybe she did it because she was -- she was in a sudden heat and passion. There is nothing in this record that says that.

THE COURT: All right, sir.

All right. Again, we have to talk about the -- some of the things that happened that are in evidence. Don't know if they happened or not, but there's evidence. Again, you go back to the statement testified and what the defendant said at the -- at the Dockside. Then, you combine that with her text message to her father; how she acted at that time; testimony she hit the defendant; testimony that the knife grabbing; plausible explanation; self-defense or jealous rage. She's testified that the defendant -- the defendant testified that the victim hit her. Well, the jury could believe it's not self-defense, her actions after she got hit. So, all that indicates, along with all the other evidence, photographs, testimony of all the parties, and taking it all into consideration, indicates that the jury could believe sudden heat of passion based on sufficient legal provocation.

Now, I appreciate the arguments, but I am going to charge voluntary manslaughter to the jury and the jury form will reflect that. So, it'll just have murder and voluntary manslaughter on the verdict form. There have been no requests

for anything else.

CHARGE CONFERENCE:

All right. Mr. Wilson, you indicated and you did hand up to the Court certain requests to charge. Did the state have any?

MR. SPRATLIN: Your Honor, we just ask for the standard charges ---

THE COURT: All right.

MR. SPRATLIN: --- in this case.

THE COURT: Okay. Now, you had a -- while I'm not going to charge it exactly as you have requested, Mr. Wilson.

MR. WILSON: Yes, sir.

THE COURT: Clearly, the Court is going to charge self-defense, you know the classic self-defense, but also include in that the issues about battered person syndrome. That, you know, if the defendant killed her abuser during a confrontation when the abuser clearly is the aggressor, the element is satisfied. It may also be possible to characterize a battered person as the victim of a continuing assault and hands of the batterer. When this is the case, the first element of self-defense could be satisfied, even though the battered person acts at a time when the batterer was not being physically abusive. Continuing on with the standard elements of self-defense, in battered person syndrome, a battered person actually is in imminent danger of violence when they

act. Depending on the facts of the case, the defendant may act in self-defense if they believe they're in imminent danger of death or serious bodily harm even though the batterer is not being physically abusive when the defendant's act, this is because the battered person can experience a heightened sense of imminent danger arising from the terror of physical and mental abuse. Often the terror does not decrease even when the batterer is absent or asleep. Where torture appears interminable and escape impossible, the belief that only the death of the batterer can provide relief may be reasonable in the mind of a person of ordinary firmness and belief.

Obviously, prior difficulties, size and age, the victim's violent reputation, prior violence by the victim. And the final part regarding battered person syndrome, continuing on with the regular self-defense charge, a battered person is held hostage by the batterer may have no other means of avoiding a battering than to kill the batterer in self-defense. A battered person who acts while on their own premises or property has no duty to retreat.

So, that's -- and obviously continue until the threat of harm is imminent.

So, that's the Court's intention.

Now, as to that, is there anything else you want me to add from the request to charge that you presented to me?

MR. WILSON: No, sir, I think that covers it. The only

thing with the battered spouse syndrome request that I made, Your Honor, I understand the Court is charging a good portion of that, but not all of it, and I would simply ask the Court to charge it in its entirety.

THE COURT: Okay. I'm sorry, go ahead?

MR. WILSON: That's the only other thing. I'm fine with the other charges without question.

THE COURT: And I understand that. The reason I'm not charging it word for word is, I believe the charge as requested ventures into the Court telling the jury what to do ---

MR. WILSON: Yes, sir.

THE COURT: --- and how it's worded. That was my issue with how it was presented and why I'm not giving it to them word for word, but as I have indicated, because I believe the charge, if I gave it that way would then be more of a direction to the jury, you should do this, and rather than leading the question to them and just explaining the law to them, and so that's why I am not charging it as specifically you have set forth.

MR. WILSON: Yes, sir. And, Your Honor, again, not to belabor it or -- or disapprove of the Court, I am suggesting that it be charged in its entirety because I do believe that that that -- and that's what I'm asking is that if I think it's similar to self-defense, that if you make it out -- if

you make out the elements for battered spouse syndrome, and the jury finds that, then they are at that point obligated to find the person not guilty. So, that's why I am saying yes, I do believe that it should be charged in its entirety because you are directing them that if -- just like you would with self-defense. If you find self-defense, then you must find the defendant not guilty. If you find the elements that's in this charge of battered spouse, then you must find the defendant not guilty. So, that -- that is what I am saying.

THE COURT: Well, at the very beginning, and I did say this, you know, I am gonna tell them that the defendant's raised self-defense, and in there in charge I will tell them it's the state's burden to disprove it, so that -- that will definitely be in there. But in saying it's been raised, I will tell them that self-defense is a complete defense and, if it is established, you must find the defendant guilty and that includes the defense of battered person's syndrome. So, I will state that and then follow that up immediately by saying the state has the burden of disproving this defense by proof beyond a reasonable doubt. Okay? So, at the very beginning, I'm gonna be telling them that, and so it will, I believe, hopefully they'll listen, but I'm certainly gonna be telling them that it's a complete defense and the state has the burden of disproving it. So, I will definitely say that at the very beginning of self-defense.