

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

---

Appeal from Pickens County

Honorable Perry H. Gravely, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

QUINTON MAURICE COLLINS,

APPELLANT

APPELLATE CASE NO. 2023-000366

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RECORD ON APPEAL

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**[STATE’S EXHIBITS #12 (CD - VIDEO OF SHOOTING), #13(CD – VIDEO OF ENTRY), #23(ADVANCED TIMING RECORD – COLLINS), AND #25 (PACKET OF MAPS) ARE ON FILE WITH THIS COURT]**



1 show us this tower sector and this is where the sector --  
2 the range of coverage in that sector.

3 Q Does T-Mobile assign any level of confidence to their  
4 call detail records?

5 A No.

6 Q Now, you testified during -- when we were going over  
7 those images that there's a distinction between what's  
8 depicted in those images as perfect circles and what I  
9 believe you called balloon shapes.

10 A Sure. Yes.

11 Q Can you describe for the jury, again, the difference  
12 between those two images that are depicted in State's  
13 Exhibit 25?

14 A The balloon is going to be the call detail records,  
15 the tower sector that it's hitting on. The exact circle  
16 is the advanced timing records.

17 Q And is that red-colored area a depiction of the range  
18 of the tower that is being utilized?

19 A On the balloon-shape figure?

20 Q Yes, sir.

21 A Yes, yes.

22 Q Perhaps it seems like a foolish question, but is it  
23 possible for a cell phone to utilize a tower outside of  
24 the tower's range?

25 A No.

1 MS. OWENS: I don't have any additional questions.

2 THE COURT: All right. Thank you. You may step  
3 down.

4 MS. MUNSON: This might be a good time for a short  
5 break, Your Honor, because the next witness might be a  
6 little lengthy.

7 THE COURT: All right. Ladies and gentlemen, we're  
8 going to take a short break, so go to your jury room. Do  
9 not discuss the case. We'll bring you out in just a few  
10 minutes.

11 (WHEREUPON, the jury exits the courtroom at 3:03 PM.)

12 THE COURT: Is this where we're doing the Jackson  
13 v. Denno?

14 MS. MUNSON: Yes, Your Honor.

15 THE COURT: Okay. Y'all want to take -- we'll take  
16 five minutes and then we'll have the Jackson v. Denno  
17 hearing.

18 (WHEREUPON, a recess is taken at 3:04 PM; proceedings  
19 reconvened at 3:15 PM.)

20 MS. MUNSON: All right. So there's two issues that I  
21 want to address at this point, Your Honor. One of them,  
22 obviously, is a Jackson v. Denno with Detective Hamby.

23 Also, during cross-examination of Hamby, I anticipate  
24 the defendants asking him questions such as isn't it true  
25 Mr. Collins said he didn't do it? Isn't it true that you

1 talked to Mr. Lemons? These kinds of things that are  
2 hearsay, self-serving hearsay at that.

3 There are three things -- actually, there are four  
4 things I intend to elicit from Hamby that are admissions.  
5 One of them is that he denied being in Easley on the date  
6 of the offense. The other one is he denied ever being in  
7 a silver Subaru. One of them is he denied that he was in  
8 Easley at the time of the actual killing when he was  
9 confronted about cell phone record information. And also,  
10 he was shown a still photograph, and Detective Hamby asked  
11 him what is it that you're reaching for right here?

12 And Mr. Collins says, "It looks like the cash  
13 register," not, "It wasn't me."

14 So those are the things that I intend to elicit that  
15 it's our position are admissions. Other things would be  
16 self-serving hearsay.

17 So I'd kind of like to clear that up. Maybe you  
18 don't even want to deal with it until we get into the  
19 testimony. I'm just trying to avoid all the popping up  
20 and sending them out.

21 THE COURT: Right. I guess it's in the form of a  
22 motion in limine at this point.

23 MS. MUNSON: Well ---

24 THE COURT: I guess -- well, no.

25 MS. MUNSON: I'm just telling you that might be

1 coming.

2 THE COURT: Yeah.

3 MS. MUNSON: I mean, I don't know what they're going  
4 to do. They can do whatever they want. But those are the  
5 things that I think would be problematic.

6 Also, there's not been a ruling on the third-party  
7 guilt issue.

8 THE COURT: And I'm prepared to do that right now.

9 MS. MUNSON: Okay.

10 THE COURT: We just had so much other stuff going on  
11 up here we needed to address.

12 I have reviewed, and one of the cases that I'm  
13 primarily relying on is the case of State vs. Manfield.  
14 And the standard for third-party guilt is that the  
15 evidence must exculpate the person, the defendant trying  
16 to provide that information. The problem that the  
17 defendants have having being codefendants, Mr. Collins  
18 produces this evidence, it does not exculpate him because  
19 it's clearly two people. It does not exclude Mr. Collins.  
20 If Mr. Ladson provides this information, it does not  
21 exclude Mr. Ladson because there's two people. So I don't  
22 think -- I think under the case law for third-party guilt,  
23 that in this case, based on the information on Friday as  
24 to Mr. Lemons testifying about statements made by Eileen  
25 -- whatever. I don't have his name on me right now.

1 MS. MUNSON: Daniels Melvin, Your Honor.

2 THE COURT: Yes. Based on that -- and, again, I will  
3 definitely give y'all an opportunity to proffer whatever  
4 y'all feel is appropriate to proffer at the appropriate  
5 time, but I am ruling based on at this point that  
6 third-party guilt is not going to be admissible through  
7 the evidence that was proposed at the hearing on Friday.  
8 Again, I'll be glad to -- this isn't the time because it's  
9 not in your case, but if y'all would -- if any proffer of  
10 testimony at the appropriate time, I'll be glad to  
11 entertain. But with that ruling would be any questions  
12 that are third-party guilt.

13 MR. BOATWRIGHT: I was going to say thank you, Judge.  
14 And we -- at this time we don't have any intentions on  
15 arguing third-party guilt based on how the trial's been so  
16 far.

17 THE COURT: Okay. Then I struggled on that for  
18 nothing. I'm kidding. I stayed up late last -- no. I'm  
19 just kidding.

20 All right. Anything else from the State?

21 Okay. All right. Do you want to do the Jackson  
22 v. Denno?

23 MS. MUNSON: Yes, Your Honor.

24 THE COURT: Let me ask this for timing purposes. I'm  
25 just looking, it's 3:20 now. Are we going to be going --

1 I'd like to stay to complete their case today if possible.

2 MS. MUNSON: I think we can, Your Honor.

3 THE COURT: All right. I mean, is it a possibility  
4 going past 5:00?

5 MR. PRINGLE: Yes. I mean, we're talking about  
6 Hamby, right?

7 THE COURT: Yeah.

8 MR. PRINGLE: And he's the last one?

9 MS. MUNSON: No.

10 THE COURT: No.

11 MR. PRINGLE: Well, there's definitely a possibility.

12 THE COURT: Okay.

13 MR. PRINGLE: I mean, I don't know about a  
14 probability. But, of course, I don't want to be ---

15 THE COURT: What level of confidence, low, medium or  
16 high?

17 MR. PRINGLE: I'm confident we can get done by 5:00.  
18 In fact, I could guarantee it. I don't know if that would  
19 be in our best interest.

20 THE COURT: No, no.

21 MR. PRINGLE: I don't want to get caught clock  
22 watching on our cross-examination. That's all.

23 THE COURT: No. That's fine.

24 MR. PRINGLE: I think depending on how long they go.

25 THE COURT: Let's see where we are. I mean, that's

1 fine.

2 All right. Let's go with the Jackson v. Denno then.

3 WHEREUPON,

4 JON HAMBY

5 After having been duly sworn, testified as follows:

6 THE CLERK: Thank you, sir. If you would, have a  
7 seat and state your name for the record.

8 THE WITNESS: Jon Hamby.

9 DIRECT EXAMINATION

10 BY MS. MUNSON:

11 Q Who do you work for, sir?

12 A The Easley Police Department.

13 MS. MUNSON: And, Your Honor, for time sake, would it  
14 be okay if I just led through this?

15 THE COURT: Yeah. Go ahead. I mean, anything of  
16 issue?

17 MR. PRINGLE: No objection.

18 BY MS. MUNSON:

19 Q You did an interview of Mr. Quinton Collins in this  
20 case, did you not?

21 A I did.

22 Q And when was that?

23 A I met with him on the 27th at his house,  
24 December 27th of 2018, again on December 28th of 2018. I  
25 met with him again, and then after his arrest I

1 interviewed him again.

2 Q All right. So there was only one of those  
3 conversations where he was actually in custody, correct?

4 A Yes.

5 Q Let me show you State's 33. Do you recognize this  
6 document?

7 A Yes.

8 Q How do you recognize it?

9 A It's a common Easley Police Department Miranda waiver  
10 form that we do. And it has my name and signature on it  
11 along with the date, time, case number and Mr. Collins's  
12 name and his signature.

13 Q And his signature as well?

14 A Yes.

15 Q And you were with him in the room when he did that.

16 A Yes.

17 Q How did you go about explaining what his rights were?

18 A I read specifically off of this paperwork, and asked  
19 if he understood and any questions.

20 Q Did he have any questions?

21 A No. He signed it and was willing to talk.

22 Q Did he appear to be under the influence of anything?

23 A No.

24 Q Did you threaten him in any way?

25 A No.

1 Q Were you armed at the time?

2 A Yes.

3 Q Did you unholster your weapon or anything?

4 A No.

5 Q Was someone else in the room with you?

6 A Yes.

7 Q Who was that?

8 A Captain Jason Lovell.

9 Q All right. During the course of the questioning,  
10 before you started questioning him, did he ask you for  
11 anything?

12 A No. Well, yes. During that one he -- at one point,  
13 I'm not sure exactly at what point, but at one point he  
14 said he was cold so we got him a blanket.

15 Q Okay. You witnessed him sign that document?

16 A Yes.

17 MS. MUNSON: Your Honor, at this point I'd move  
18 State's 33 into evidence.

19 THE COURT: Any objection from Collins?

20 MR. PRINGLE: None.

21 THE COURT: Ladson?

22 MR. BOATWRIGHT: No, Your Honor.

23 (WHEREUPON, State's Exhibit Number 33 was admitted into  
24 evidence for purposes of the Jackson v. Denno hearing.)

25 MS. MUNSON: I don't have anything further at this

1 time, Your Honor.

2 THE COURT: Any cross?

3 MR. PRINGLE: I have none.

4 MR. BOATWRIGHT: No, Your Honor.

5 THE COURT: All right. Anything else then?

6 MS. MUNSON: No, sir, Your Honor.

7 We would submit at this point that the statements  
8 given to Hamby by Mr. Quinton Collins were voluntarily  
9 made.

10 THE COURT: Anything from Collins?

11 MR. PRINGLE: No, Your Honor.

12 MR. BOATWRIGHT: No, Your Honor.

13 THE COURT: All right. I believe, based on the  
14 totality of circumstances, it meets requirements of  
15 Jackson v. Denno and that they will be admissible.

16 MS. MUNSON: Thank you, Your Honor. We're ready to  
17 proceed now with Hamby's testimony.

18 THE COURT: All right. If you'll step down. And  
19 they'll call you back.

20 And just for purposes, the exhibit is introduced as  
21 evidence in this hearing but not in the trial yet.

22 Okay. Is the State ready for the jury?

23 MS. MUNSON: Yes, Your Honor.

24 THE COURT: Collins?

25 MR. PRINGLE: Your Honor, while we're at it, I'm

1 looking at this a little bit closer. We're probably going  
2 to be all right on that time I'm thinking.

3 THE COURT: That's fine. I mean, I don't want  
4 anybody to rush. We've got tomorrow.

5 Ladson?

6 MR. BOATWRIGHT: No, Your Honor.

7 THE COURT: All right. Bring the jury.

8 (WHEREUPON, the jury entered the courtroom at 3:26 PM.)

9 THE COURT: All right. Ladies and gentlemen, as you  
10 will recall, the State is still on their case.

11 And State, call your next witness.

12 MS. MUNSON: May it please the Court, Your Honor.

13 The State calls Jon Hamby.

14 THE CLERK: If you would, raise your right hand.

15 WHEREUPON,

16 JON HAMBY

17 After having been duly sworn, testified as follows:

18 THE CLERK: Thank you, sir. If you would, have a  
19 seat and state your name for the record.

20 THE WITNESS: Jon Hamby.

21 DIRECT EXAMINATION

22 BY MS. MUNSON:

23 Q Who do you work for, sir?

24 A I work for the Easley Police Department.

25 Q How long have you been with Easley PD?

1 A 24 years.

2 Q What is your current job title?

3 A I'm a major of the police department.

4 Q What was your job title back in 2018?

5 A I was an investigator for the police department.

6 Q Okay. And did you become involved in this case?

7 A I did.

8 Q Were you on duty at the time the incident happened?

9 A I was not.

10 Q Did you get called in?

11 A Yes. I responded to the scene that night.

12 Q How long did you stay at the scene?

13 A It was off and on throughout the night, but leaving

14 to go do other tasks and duties that was assigned to me.

15 Q Okay. So you would do whatever the investigators --

16 the lead investigators told you to do.

17 A Correct.

18 Q Okay. During your part in this investigation, did

19 you have any contact with either one of the defendants?

20 A Yes.

21 Q And who did you have contact with?

22 A I actually had contact with both of them.

23 Q Okay. Who did you talk with first?

24 A Early in the investigation, I talked with Mr. Quinton

25 Collins.

1 Q Okay. Do you recognize him?

2 A Yes.

3 Q Is he in the courtroom?

4 A Yes.

5 Q Please say for the record what he's wearing.

6 A He's the first black male in the white shirt, the  
7 second from the end of the table there (indicating).

8 Q When was the first time that you spoke with him?

9 A The first time I spoke with him would have been  
10 December 27th of 2018.

11 Q And where did you speak with him?

12 A At his residence.

13 Q Was anybody with you when you went there?

14 A Yes. Another investigator, Jennifer McKenzie.

15 Q Where was his residence?

16 A [REDACTED], Fleetwood Drive in Greenville.

17 Q Okay. About how far away is that from the B Pam's,  
18 for example?

19 A It's about a 20-minute drive from the police  
20 department, which is right there at B Pam's.

21 Q Okay. When you got to his home, was he there?

22 A Yes.

23 Q Did he allow you to go in?

24 A Yes.

25 Q When you got into his house, where in the house did

1 you go?

2 A We walked through the living room into a bedroom area  
3 on the left and sat down and talked with him there.

4 Q Was he in custody?

5 A No.

6 Q Could he have just stopped at any time?

7 A Yes.

8 Q Okay. What did you tell him about whether or not he  
9 had to talk to you?

10 A We just asked if he would be willing to talk to us.

11 Q And he answered?

12 A He said yes.

13 Q Okay. What did you talk with him about specifically?

14 A I specifically asked him about his whereabouts  
15 pertaining to the night this incident happened.

16 Q And what did he answer?

17 A Immediately -- I asked him if he knew about the  
18 incident I was talking about, the B Pam's murder is what I  
19 was calling it, and immediately he said yes, that he  
20 remembered and said that he wasn't in Easley and that he  
21 had found out about it by his grandmother had told him  
22 about it.

23 Q Okay. So the question you put to him was what?

24 A Have you heard about the B Pam's murder.

25 Q Okay. And his response?

1 A Was yes, my grandmother told me about it.

2 Q Okay. And did you ask him where he was when it went  
3 down?

4 A Yes.

5 Q And what did he tell you?

6 A He said he was at the Club Epic with a friend.

7 Q And where's the Club Epic?

8 A Was Mauldin.

9 Q Okay. Later on in the conversation, did he tell you  
10 another way that he discovered that the B Pam's incident  
11 had happened?

12 A Yes.

13 Q And what did he tell you?

14 A Later on while we was talking to him, he -- when we  
15 was getting into the details about the B Pam's and his  
16 whereabouts, at that point he said he learned about the  
17 incident not from his grandmother, but he changed his  
18 story and said he learned about it from the TV that was on  
19 at the club while he was at the club.

20 Q Okay. Now, at some point while you were speaking  
21 with him, did you ask to look at -- check him for any kind  
22 of injuries?

23 A I did.

24 Q And did you see any?

25 A I did not.

1 Q All right. Explain for the jury how you went about  
2 looking at him for injuries.

3 A So he was sitting to my left but he had a hoodie on.  
4 And I asked him if I could see his chest and arms for any  
5 injuries. And he pulled his sleeves up to about his  
6 shoulders, as high as he could get his hoodie. Showed me  
7 his arms. And then he pulled his hoodie up to the top of  
8 his chest area, showed me his chest, sides and back.

9 Q Okay. Why did you want to see his chest?

10 A After looking at the video surveillance system of  
11 B Pam's, it appeared that one of the suspects, if not both  
12 of the suspects, but one of them could have been shot  
13 during the incident, and so I was looking for any wounds  
14 on his stomach area, chest area.

15 Q Okay. Did you ask him to remove his shirt?

16 A No.

17 Q Or his hoodie?

18 A No.

19 Q Could you see if he had on a shirt under the hoodie?

20 A From my recollection he did not.

21 Q All right. Now, after you left his residence, did  
22 you have another conversation with him?

23 A Yes.

24 Q And how did that happen?

25 A The same day he called me on the phone -- he gave me

1 his phone number while I was there.

2 Q Okay.

3 A And I left and was doing some other errands  
4 associated with the case, and then he called me later that  
5 afternoon.

6 Q What phone number did he call you from?

7 A The same one he had given me, if I may look at my  
8 report to get the phone number.

9 Q Sure. Yes.

10 A (Reviews document) Phone number he gave me while I  
11 was at his house and the phone number he later called me  
12 from is 864-661-8398.

13 Q Okay. Now, at some point you did have a conversation  
14 with him when he was in custody.

15 A Correct.

16 Q I'm going to show you State's Exhibits 33 and 35.  
17 Take a look at both of these. Do you recognize  
18 State's 33?

19 A Yes.

20 Q How do you recognize that document?

21 A It's your standard Miranda waiver form that we use at  
22 the Easley Police Department, and it has the date, the  
23 case number, my name, Mr. Collins's name on it, his  
24 signature along with my signature.

25 Q Is that the actual document that Mr. Collins signed

1 in front of you?

2 A Yes.

3 MS. MUNSON: Your Honor, at this time I would move  
4 State's 33 into evidence.

5 THE COURT: Any objection from Collins?

6 MR. PRINGLE: None.

7 THE COURT: And Ladson?

8 MR. BOATWRIGHT: No, Your Honor.

9 THE COURT: All right. It's in without objection.

10 (WHEREUPON, State's Exhibit Number 33 was admitted into  
11 evidence.)

12 BY MS. MUNSON:

13 Q Now, State's 35, take a look at that. Do you  
14 recognize that document?

15 A Yes.

16 Q How do you recognize it?

17 A It's a still shot of the surveillance video that I  
18 used during the interview with Mr. Collins.

19 Q Okay. You showed that document to him?

20 A It was, I think -- I think it was on my phone at the  
21 time, but it was the picture of it.

22 Q Is it an accurate depiction of what you showed  
23 Mr. Collins on that date?

24 A Yes.

25 MS. MUNSON: Your Honor, at this time I move

1 State's 35 into evidence.

2 THE COURT: Any objection from Collins?

3 MR. PRINGLE: Can I see it? I don't think so.

4 (Reviews exhibit) No.

5 THE COURT: All right. Ladson?

6 MR. BOATWRIGHT: No, your Honor.

7 THE COURT: All right. In without objection.

8 (WHEREUPON, State's Exhibit Number 35 was admitted into  
9 evidence.)

10 BY MS. MUNSON:

11 Q All right. So Major Hamby, all right. Major Hamby,  
12 right here is a little pointer that you can use.

13 Now, in looking at what's in evidence now as State's  
14 Number 33, explain for the jury what you did with this  
15 particular form relating to Mr. Collins.

16 A So after we go into the interview room, we start  
17 filling the information out on the form. The top left  
18 corner, that's your case number that's associated with our  
19 B Pam's murder. That is my name, and then, of course, you  
20 have the date and time. This Jason Lovell was the other  
21 investigator that was with me at the time. Mr. Collins  
22 was the person we were interviewing, so his name goes  
23 there.

24 I read the information here to Mr. Collins and then  
25 ask him if he understands it, initialed beside 1 through

1       5. And then, again, I put his name there and read that  
2       statement to him. And then at the bottom he signs it if  
3       he's willing to talk to us (indicating throughout).

4       Q     Before you started talking with him, before you  
5       started going over this form, did he ask you for anything?

6       A     At some point, I'm not sure if it was before this or  
7       right after we started talking, he just complained about  
8       being cold in the room we were in, which was hot to me,  
9       but he complained about being cold so we got him a  
10      blanket.

11     Q     Okay. Were you and Lovell armed at the time?

12     A     Yes.

13     Q     Were you in uniform?

14     A     We were plain-clothes investigators.

15     Q     Were you crowding him? How close were you sitting to  
16     him?

17     A     No. It's an average room of probably 8x8 ---

18     Q     Okay.

19     A     --- with a desk in it and a couple chairs.

20     Q     What information did you give Mr. Collins about  
21     whether or not he had to talk to you at all?

22     A     He was under arrest at that time, and we gave him his  
23     rights and asked him if he was willing to continue talking  
24     with us, because he already had been talking to us prior  
25     to, and therefore, I asked him if he'd continue talking to

1 us, and he said he would.

2 Q Did it appear that Mr. Collins understood what you  
3 were telling him?

4 A Absolutely.

5 Q Did he appear under the influence?

6 A No.

7 Q Was there anything about him that made you nervous  
8 that he didn't understand?

9 A No.

10 Q Okay. So after you go through the rights, I see that  
11 there are some initials on those lines?

12 A Correct.

13 Q Whose initial are those?

14 A That is Mr. Collins's initials.

15 Q And what's the purpose of having him initial that  
16 document?

17 A That I could say I pointed out each one of those  
18 rights and he's saying he understands one by one what  
19 those rights are.

20 Q Okay. And after that part of the notification is  
21 done, what is the next little part at the bottom?

22 A It's just a statement that has his name in that  
23 statement that says he understands it, that he has a right  
24 to a lawyer and kind of reaffirms what his rights are and  
25 that that statement is what his signature is saying, that

1 he understands that he is voluntarily talking to us.

2 MS. MUNSON: Okay. Your Honor, at this time I would  
3 ask that the Court rule that the statements Mr. Collins  
4 gave to law enforcement were freely, voluntarily given.

5 THE COURT: All right. Anything from ---

6 MR. PRINGLE: No objection. Thank you.

7 MR. BOATWRIGHT: No, Your Honor.

8 THE COURT: All right. The Court does rule that the  
9 statements were freely and voluntarily given and are  
10 admissible.

11 And you may proceed.

12 MS. MUNSON: Thank you, Your Honor.

13 BY MS. MUNSON:

14 Q So after he agreed to speak with you, did you show  
15 him State's Exhibit Number 35?

16 A At some point during the interview, yes. That wasn't  
17 the first thing we did, but at some point during the  
18 interview, yes.

19 Q And what is State's Number 35?

20 A It's just a still shot from the surveillance video  
21 from the store. This shows the suspect with an orange ski  
22 mask on is the one that came in and grabbed the register  
23 before they fled.

24 Q And what did you ask him when you showed him  
25 State's 35?

1 A I showed him that picture and I held it up to where  
2 he can see it, and I said, "In this picture, what are you  
3 grabbing?"

4 Q Did he respond?

5 A Yes.

6 Q What did he say?

7 A He said, "It looks to me like the register."

8 Q Now, at some point did you confront him with some  
9 cell phone information that you had gotten?

10 A Yes.

11 Q And what did you confront him with as far as cell  
12 phone records?

13 A I confronted him with the fact that his cell phone  
14 records were indicating that he had come from the area of  
15 his house, traveled to Easley during the time of this  
16 incident, and went back to Greenville to the area of his  
17 house. And I inquired about that.

18 Q Okay. And what was his response to that?

19 A That he was not in Easley, didn't come to Easley.

20 Q Okay. Did you confront him with information about a  
21 Subaru?

22 A Yes.

23 Q What did you say to him?

24 A I asked him if he knew of anybody that drove a  
25 Subaru.

1 Q Okay. And what did he say?

2 A He said no. He'd never been in a Subaru.

3 Q I didn't hear that last part.

4 A He had never been in a Subaru.

5 Q Okay. All right. I'll approach again. I'm showing  
6 you State's Exhibits 32, 37 and 38. Just take a look at  
7 these.

8 A (Reviews exhibits) Yes.

9 Q Do you recognize those documents?

10 A Yes.

11 Q How do you recognize them?

12 A The photographs that was taken of Mr. Collins  
13 pursuant to a search warrant we got for his body.

14 Q Were you there when these photographs were taken?

15 A Yes.

16 Q Are they true and accurate depictions of the injury  
17 on Mr. Collins?

18 A Yes.

19 MS. MUNSON: Your Honor, at this time I'm going to  
20 move 32, 37 and 38 into evidence.

21 THE COURT: Any objection from Collins?

22 MR. PRINGLE: One moment (reviews exhibits).

23 THE COURT: From Ladson?

24 MR. BOATWRIGHT: No, Your Honor.

25 THE COURT: All right. In without objection.

1 (WHEREUPON, State's Exhibit Numbers 32, 37 and 38 were  
2 admitted into evidence.)

3 THE COURT: And that's what exhibits again?

4 MS. MUNSON: This is 32, 37, and 38.

5 BY MS. MUNSON:

6 Q All right. Major, let's look at -- this is -- all  
7 right. This is Exhibit 32. If you could, point with the  
8 laser pointer what this shows.

9 First of all, who is that in the photograph?

10 A That's Mr. Collins.

11 Q And you were there when that was taken?

12 A Yes.

13 Q Okay. What does this photograph show?

14 A This (indicating) is the left side of his neck. And  
15 it's a -- to me a fairly fresh injury with still some  
16 bruising around it that caught my attention.

17 Q Now, when was this photograph taken?

18 A It would have been taken the day after his arrest.  
19 February 6th, I believe. February 6th of 2019.

20 Q Okay. Let's look at State's Number 37. What does  
21 this show?

22 A It's the same injury, just a little bit different  
23 angle.

24 Q Okay. And what is what I'm pointing at right now  
25 right here (indicating)?

1 A Yes.

2 Q What does that appear to be?

3 A A slight bulge in his back.

4 Q Did you ask him about it?

5 A No.

6 Q Okay. And now State's Exhibit Number 38. Now, on  
7 State's Exhibit Number 38, can you see the bulge that you  
8 just talked about?

9 A Yes. It's the spot. It looks like there's bruising  
10 right there (indicating).

11 Q Okay.

12 A That is the bulge that's sticking out of his back.

13 Q Did you also have a conversation with Mr. Ladson --  
14 I'm sorry -- with Mr. Collins about text messages with  
15 Mel?

16 A Yes.

17 Q And what was the purpose of that?

18 A During the February 20 -- I'm sorry -- the  
19 December 28, 2018, meeting that I had with Mr. Collins, it  
20 was actually at a Waffle House parking lot, he gave me his  
21 cell phone to show me some text messages between him and  
22 several subjects. And one of them that was on there  
23 during that time was Mel, was titled Mel.

24 Q And what was so interesting about that particular  
25 text message?

1 A It was a text message that basically was asking Mel  
2 to come to his house, and it was timestamped the day of  
3 this incident at 8:43 p.m.

4 Q Okay. And where did he tell you that he was at  
5 8:43 p.m.?

6 A In his original thing -- his original statement was  
7 that he left his house by 8:30 to go to the club because  
8 the gentleman that was giving him a ride had to be there  
9 by 9:00.

10 Q All right. I'm going to back up just a little bit,  
11 Major, and I apologize for this. When you were initially  
12 speaking with Mr. Collins at his home in December ---

13 A Yes.

14 Q --- did you give him any information about the time  
15 that this incident took place?

16 A Time frame? Like ---

17 Q Date.

18 A Date, no.

19 Q Time, like clock time.

20 A No.

21 Q And did he give an answer to you that was interesting  
22 to you?

23 A Well, originally, I just asked where he was -- if he  
24 knew where he was during this incident, and taking in mind  
25 I'm interviewing two weeks after the incident, and

1 immediately he said, oh, Friday night I was at the club.  
2 So without telling him the date it happened or the time it  
3 happened, he automatically -- just automatically said he  
4 was at the club Friday night.

5 MS. MUNSON: I have nothing further at this time,  
6 Your Honor.

7 THE COURT: Cross-examination?

8 CROSS EXAMINATION

9 BY MR. PRINGLE:

10 Q All right. I think you said it was December 27,  
11 2018, was when you first interviewed Quinton.

12 A At his house, yes, sir.

13 Q Yeah. You went out there. Who else was with you?

14 A Detective Jennifer McKenzie.

15 Q Did you end up talking to anybody else that day about  
16 this case?

17 A Yes.

18 Q Who was that?

19 A Several people. But, I mean ---

20 Q Did you talk to a guy named Mike Utsey?

21 A Yes.

22 Q Okay. And who was he?

23 A The friend of Mr. Collins that Mr. Collins gave me  
24 his name.

25 Q And as you began to develop the information in this

1 investigation, did you learn that Mr. Utsey was going to  
2 be a bigger part of it?

3 A I'm not sure what you're asking.

4 Q Did you end up following up with Mr. Utsey after the  
5 -- or you said you talked to him on the 27th.

6 A Correct. On the phone.

7 Q In fact -- it was on the phone?

8 A Yes, sir.

9 Q Was that recorded?

10 A No, sir.

11 Q Okay. Why not?

12 A Because I was just calling him -- after the interview  
13 with Mr. Collins, I was just calling him to start talking  
14 to him, that was the first time I had talked to him, to  
15 let him know I was interested in talking to him.

16 Q Okay. But you did not record it.

17 A No, sir.

18 Q What did Mr. Utsey tell you about his knowledge of  
19 that night?

20 MS. MUNSON: Objection. Hearsay.

21 THE COURT: Sustained.

22 BY MR. PRINGLE:

23 Q After you talked to Mr. Utsey on the phone -- I guess  
24 we'll go back to that.

25 Would you say Quinton was cooperative with you

1 throughout? I mean, he agreed to talk to you, right?

2 A He appeared to be cooperative, yes.

3 Q More than once, right, without getting custody?

4 A Yes, yes.

5 Q So it wasn't like there was some history of him  
6 trying to avoid you or avoid talking to you.

7 A No. He talked to me each time I reached out to him.

8 Q Didn't he tell you multiple times that he had nothing  
9 to hide, he didn't have anything to do with this?

10 A That's two different questions.

11 Q Okay. How about ---

12 MS. MUNSON: Objection, Your Honor. Self-serving  
13 hearsay.

14 THE COURT: All right. Re-ask the question.

15 BY MR. PRINGLE:

16 Q Now, on the 27th, the interview at his house in his  
17 bedroom, correct?

18 A It was in a bedroom.

19 Q Yeah. Okay. And that's where you first had a look  
20 at his body.

21 A Correct.

22 Q That would have been 13 days after the murder at  
23 B Pam's.

24 A Yes.

25 Q 13 days.

1           And you said in your report and in your testimony  
2           that you did not observe any physical injuries at that  
3           time on his body.

4           A     From what I saw, you're right.

5           Q     Okay. And you knew what you were looking for, didn't  
6           you?

7           A     I knew what I was attempting to look for, yes.

8           Q     For some type of gunshot wound, allegedly.

9           A     To the chest or abdomen area is what I was thinking.

10          Q     So at least on the 27th when you were with him in the  
11          bedroom in his residence, you didn't see any evidence of  
12          that, did you? That's in your report even, isn't it?

13          A     When he showed me -- pulled his shirt up to his  
14          chest?

15          Q     Yeah. No injuries were observed.

16          A     The part of the abdomen, chest, back and arms that I  
17          saw, there was no injury.

18          Q     So that's less than two weeks after this happened,  
19          after B Pam's robbery/murder.

20          A     Correct.

21          Q     All right. Now, again, after you met with Quinton on  
22          the 27th, you said you ended up following up based on what  
23          he told you. Again, what did he tell you about where he  
24          was that night?

25          A     He told me he went to Club Epic in Mauldin.

1 Q And did he tell you when he went?

2 A Yes. At first he said he left his house between 8:15  
3 and 8:30 because his ride would have to be there by 9:00.

4 Q And did he give you an indication of who his ride  
5 would typically be?

6 A Yes. He named Mike.

7 Q So that would be Mike Utsey that we're referring to?

8 A Yes.

9 Q And you came to learn that Mr. Utsey did, in fact,  
10 take him regularly to Club Epic?

11 A Both of them came with counsel.

12 They -- sometimes they did -- he did pick up a ride  
13 from Mike sometimes. How regularly, I don't know.

14 Q Okay. Now, were you -- forget about what anybody  
15 told you, but were you ever able to review or see or  
16 examine any kind of evidence that would have put Quinton  
17 Collins at Club Epic that night?

18 A Yes.

19 Q What was that?

20 MS. MUNSON: Objection, Your Honor. We might have to  
21 take this up up there.

22 THE COURT: Okay.

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

24 THE COURT: I'm going to send y'all back to your jury  
25 room for just a minute to address something. So don't

1 discuss the case and we'll bring you right back out.

2 (WHEREUPON, the jury exits the courtroom at 3:51 PM.)

3 THE COURT: All right.

4 MS. MUNSON: Thank you, Your Honor. I'm objecting to  
5 questioning this witness about what Mr. Utsey said to this  
6 witness. Certainly, if Mr. Utsey testifies there's  
7 nothing I can do about that.

8 I'm also going to object to this witness being asked  
9 did you see some video or did you see some document and  
10 see Mr. Collins on it. I guess I could just handle that  
11 on redirect. He can't say when the video was made. He  
12 can't say that it was accurate. This witness cannot  
13 authenticate that video at all.

14 THE COURT: Is there a video somewhere?

15 MS. MUNSON: Oh, yeah.

16 THE COURT: But it doesn't indicate . . .

17 MS. MUNSON: It shows that he was there.

18 MR. PRINGLE: It shows him leaving, actually, at  
19 10:30.

20 MS. MUNSON: But the timing is off on that video.

21 MR. PRINGLE: Yeah. But, of course, Officer Hamby  
22 can clear that up. If you'd refer back to his report, he  
23 explains how the time was adjusted to make it the right  
24 time.

25 MS. MUNSON: And that's something that someone else

1 told him. Major Hamby can say -- maybe he can say I saw  
2 the video. There was a guy that -- he can even say I  
3 think it was Quinton leaving Club Epic at a certain time.  
4 But what Major Hamby cannot say is that the video was  
5 accurate, the machine was working properly, the date was  
6 good, the same kind of questions we had to ask on all this  
7 other stuff. So, I mean, I don't know if it was ---

8 THE COURT: What time was the incident again?

9 MR. PRINGLE: 8:00.

10 THE COURT: Okay.

11 MS. MUNSON: And I'm not saying that video can't come  
12 in. I'm not saying that. What I'm saying is this is not  
13 the witness with whom to authenticate it and get it in.  
14 That's what I'm saying.

15 THE COURT: All right.

16 MR. PRINGLE: Well, the first thing is asking him  
17 about what Utsey told him. That doesn't necessarily have  
18 to be strictly hearsay now. There could be other reasons.  
19 I mean, first of all, effect on the investigator or the  
20 listener, okay? The fact that it's not being offered to  
21 prove the truth. In fact, the jury is going to be able to  
22 determine what they think is true or what isn't true.  
23 But, I mean, there's got to be a way to show why he ---

24 THE COURT: I'm not sure that's the standard.

25 MR. PRINGLE: He proceeds with his investigation

1 based on what people tell him, what he's -- that's the  
2 whole point of his investigation. A lot of it is  
3 interviewing people. And there's a lot of things that are  
4 said that we're not offering to try to show that, hey,  
5 that's exactly what went down other than that's what this  
6 detective was ---

7 THE COURT: Are you not trying to show that that said  
8 Quinton Collins left at 10:30 that night? Is that not the  
9 whole purpose?

10 MR. PRINGLE: He's trying to say that there's  
11 somebody who told this investigator that he took him to  
12 the club around that time.

13 THE COURT: I thought you said he was leaving.

14 MR. PRINGLE: He was given information from Mr. Utsey  
15 that Utsey took him to the club around 8:30. We have a  
16 video of them leaving together at 10:30. There is no  
17 video of them showing up at the club or anything like  
18 that. The only video we have or that was provided was the  
19 two of them leaving. It's pretty clear. It's in his  
20 report. He indicates that he reviewed it, he showed it to  
21 other witnesses.

22 I mean, and again, I thought this was like something  
23 that we had settled well before trial.

24 MS. MUNSON: But how can I cross-examine this witness  
25 about what Mr. Utsey told him? I don't know what Utsey

1 told him. I won't be able to cross-examine Mr. Utsey. In  
2 other words, did you tell this investigator this? Were  
3 you here at this time?

4 Again, I know I'm repeating myself. If Mr. Utsey  
5 wants to testify, that's fine. If he wants to get the  
6 video in, that's fine. But this is not the witness for  
7 that.

8 THE COURT: All right. I will allow you to ask him  
9 if he reviewed a video.

10 MR. PRINGLE: Yeah. That's fair, right? I mean, we  
11 have no problem with that.

12 THE COURT: Okay.

13 MS. MUNSON: But, again, did you review the video?  
14 What time? Who was in it? Again, we'd be testifying  
15 about things that are not in front of the jury yet.

16 THE COURT: I think any issues there I think you can  
17 handle on redirect.

18 MS. MUNSON: Okay.

19 THE COURT: I mean, if he looked at a video -- I  
20 mean ---

21 MR. PRINGLE: He looked at a video and he says in his  
22 report that it shows them leaving at 10:30.

23 MS. MUNSON: That's what -- no.

24 MR. PRINGLE: I mean, it's in his report, right?

25 MS. MUNSON: Again, Your Honor, and the time is not

1 right. The time is not right on the video. Mr. Utsey --  
2 technically, I guess, we would have to bring the owner of  
3 Club Epic in here. But if Mr. Utsey wants to come in and  
4 look at the video and say, yeah, that's me and that's him,  
5 that's fine. But why this witness?

6 THE COURT: If he reviewed the video at a particular  
7 time, then I'm going to let him testify to that.

8 MR. PRINGLE: Well, and further, he spoke with  
9 Mr. Utsey on multiple occasions. There's a reason why he  
10 went back to speak with Utsey on multiple occasions, and  
11 part of what we want to establish is the way that all  
12 transpired. Utsey starts off with I took him at 8:30, and  
13 by the last interview, they've worn him down so much that  
14 he's like, okay, whatever you guys say, basically.

15 THE COURT: I'm not going to let in any testimony.  
16 Yeah. That's definitely hearsay. He reviewed a video.  
17 Yeah.

18 MR. PRINGLE: No. I understand that. And Utsey can  
19 testify to all that. But I think that we have to -- we've  
20 got to be able to examine -- I'm sorry. Is it Captain?  
21 Major?

22 THE WITNESS: Major.

23 MR. PRINGLE: Major. Sorry -- the major about why he  
24 took the steps that he did. I mean, the jury's entitled  
25 to find out, you know, how it progressed. It's absolutely

1 relevant.

2 THE COURT: Well, it is. But you've still got to  
3 follow the hearsay rule.

4 MR. PRINGLE: Sorry?

5 THE COURT: You've still got to follow the rules of  
6 evidence as to hearsay.

7 Okay. My ruling is that he can talk about his review  
8 of the video, but not anything that this Utsey fellow told  
9 him.

10 All right. Anything else before we bring the jury  
11 in?

12 MS. MUNSON: No, sir, Your Honor.

13 THE COURT: Anybody else?

14 MR. PRINGLE: No.

15 MR. BOATWRIGHT: No, Your Honor.

16 THE COURT: All right. Bring the jury in.

17 (WHEREUPON, the jury entered the courtroom at 4:00 PM.)

18 THE COURT: All right, ladies and gentlemen.

19 Continue cross-examination.

20 MR. PRINGLE: Thank you.

21 BY MR. PRINGLE:

22 Q Okay. So just to get back kind of on track where we  
23 were, on the 27th of December, 13 days after the  
24 murder/robbery, Quinton Collins told you that he went to  
25 Club Epic that night.

1 A Yes.

2 Q Okay. And, again, you were given some further  
3 information about his whereabouts from other sources.

4 A Given his whereabouts?

5 Q I mean, did you follow up -- when he told you -- I  
6 mean, obviously, if he told you I was at the club that  
7 night during or sometime before or after the robbery,  
8 obviously, what would be your next step? You'd want to  
9 follow up on that, right?

10 A I tried to verify what he was telling me, yes.

11 Q Exactly. So what did you do to try to verify that?

12 A So Club Epic is located in Mauldin. I called a  
13 detective in Mauldin, and she went and met with the owner  
14 of that club. And I asked for any videos available during  
15 the incident.

16 Q And what did you find out?

17 A That the video, the time of the incident and that  
18 night was actually being wrote over at that time, so they  
19 only had a very small clip that was left on their server  
20 from December 14th, the day of the incident. It was right  
21 before midnight is when it started, and that's the part I  
22 reviewed.

23 Q Okay. And do you recall if there was a problem with  
24 the timing on it originally that had to be adjusted?

25 MS. MUNSON: Your Honor, I'm going to object. This

1 goes beyond what we had talked about.

2 MR. PRINGLE: It does?

3 MS. MUNSON: My understanding was that you were going  
4 to allow this witness to say yes, I reviewed a video.

5 THE COURT: No. I'm going to -- go ahead. You may  
6 proceed.

7 BY MR. PRINGLE:

8 Q There was some idea about trying to, obviously,  
9 figure out what time the video was.

10 A Yes.

11 Q Okay. And although you can't verify personally what  
12 time it was, you were given information from the source  
13 about what time it was.

14 A I was told over the phone information that said how  
15 far off the video was showing versus current time.

16 Q Right. And so after that adjustment was made, that  
17 would have put us at about 10:30 that night? Is that ---

18 A I think it was closer to 10:50 p.m. (Reviews  
19 document) So after you figure up the time I was given that  
20 the video was off, the part that I think you're referring  
21 to would have been at 2248 hours, which is 10:48,  
22 10:50 p.m.

23 Q Okay. So that's what time the video purported to  
24 show that you viewed.

25 A Yes.

1 Q Okay. Did you see Quinton Collins on that video?  
2 Were you able to recognize him?

3 A I saw a subject that I believed was Quinton Collins,  
4 yes.

5 Q All right. And did you see him -- did you see him  
6 basically leaving the club?

7 A Going out the door, yes.

8 Q Like in a lobby type area, wasn't it? If you recall.

9 A It was like an entrance door that he was going out  
10 of.

11 Q Right. Did he leave by himself?

12 A No. I think there was about three people that left  
13 in that short time frame.

14 Q And did you recognize one of the other people he left  
15 with?

16 A Yes.

17 Q And who was that?

18 A Mike Utsey.

19 Q Okay. And you, in fact, then showed the video to  
20 Mr. Utsey as well when you talked to him?

21 A Yes. So the portion that clipped -- that portion of  
22 that video.

23 Q How did he react when you showed him?

24 MS. MUNSON: Objection, Your Honor.

25 THE COURT: Sustained. That would get into hearsay.

1 MR. PRINGLE: Okay.

2 BY MR. PRINGLE:

3 Q Okay. Now, again, on the 27th when you all went out  
4 there and interviewed him at his house and checked his  
5 body and did all that, are you aware of any other efforts  
6 by law enforcement or otherwise to try to examine his body  
7 and investigate it?

8 A Yes.

9 Q And how did that come about?

10 A He was on probation at the time, so I contacted his  
11 probation officer and he offered to do a home visit.

12 Q Okay. And is it within your knowledge that -- did he  
13 do a home visit?

14 A I was told he did, yes.

15 Q Yeah. Okay. And he went there for that purpose,  
16 didn't he? I mean, didn't you all talk about why he was  
17 going out there?

18 MS. MUNSON: Objection, Your Honor. Speculation as  
19 to what is in the other person's head.

20 THE COURT: Whatever he -- whatever his intentions  
21 were.

22 BY MR. PRINGLE:

23 Q Did you arrange with the agent to go out to Quinton's  
24 house?

25 A The agent needed to do a home visit because evidently

1 had missed one, needed to go there anyway. So when he  
2 went, I told him what we were investigating. What he did  
3 there, I wasn't there.

4 Q Okay. And was it your understanding that he was  
5 going to communicate with you after he did that home visit  
6 with Quinton?

7 A Yes.

8 Q All right. And did he get back in touch with you?

9 A Yes.

10 Q What did you learn?

11 MS. MUNSON: Objection, Your Honor. Hearsay.

12 THE COURT: Sustained.

13 MR. PRINGLE: One moment.

14 May we approach?

15 THE COURT: Yes.

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

17 BY MR. PRINGLE:

18 Q All right. Let's get back to that. What was your  
19 understanding of why the agent went there? What was the  
20 reason?

21 MS. MUNSON: Objection, Your Honor. That, again, is  
22 hearsay.

23 MR. PRINGLE: They discussed that ---

24 THE COURT: He can tell what he said, but not what  
25 the other guy said.

1 BY MR. PRINGLE:

2 Q I'm asking what he said. I'm asking did you  
3 coordinate that home visit? You knew he was going out  
4 there for a home visit, right, before he went?

5 A Yes. He told me he needed to do a home visit with  
6 Mr. Collins because evidently they had missed one or  
7 something.

8 Q And to your knowledge did he do a home visit?

9 A Yes.

10 Q Were you given any information at all about any  
11 evidence being recovered?

12 A No.

13 Q No. About any observations made by the agent that  
14 would be of interest to you or to your investigation?

15 A I was not given any information from the agent.

16 Q And if he would have recovered, say, similar clothing  
17 to what was worn in the robbery ---

18 MS. MUNSON: Objection, Your Honor. Speculation and  
19 hearsay.

20 THE COURT: I mean, it sounds like where your  
21 question was heading, I agree with that, but I'm not sure  
22 the question was -- you weren't totally finished. But it  
23 sounded like you were headed in that realm.

24 BY MR. PRINGLE:

25 Q All right. Lets skip ahead. On I believe it was

1 February 5th of 2019, did you go out to Quinton's house?.

2 A After he was arrested, I was one of the officers that  
3 went and picked him up.

4 Q You were there. So you were there when the warrants  
5 were served and his place was searched?

6 A I just went and transported him back to the city of  
7 Easley.

8 Q All right. So you had nothing to do with any kind of  
9 gathering of evidence or an attempt to find evidence?

10 A No, sir.

11 Q All right. You talked a little bit about the  
12 interview on I believe it was February the 5th, if I'm not  
13 mistaken, the interview after he was arrested?

14 A Yes, sir.

15 Q With you and who was the officer that was with you?  
16 Was it Lowell? Lovell?

17 A Lovell.

18 Q Lovell. Okay.

19 Why were there two of you in the interview room?

20 A It's common to have two officers when you're  
21 interviewing someone.

22 Q Okay.

23 A Just like in this incident he requested a blanket so  
24 Captain Lovell was able to go -- leave and go get the  
25 blanket, bring it back, and I was still able to stay with

1 Mr. Collins.

2 Q All right. And, obviously, he had no lawyer present.

3 A No, sir.

4 Q Okay. And he was cooperative, right?

5 A Yes, sir.

6 Q He was forthcoming? Would you say he answered all  
7 your questions?

8 A He provided an answer to all my questions, yes.

9 Q And you mentioned something about he denied -- I  
10 don't want to put words in your mouth. Didn't you say  
11 during direct examination that he had denied being in the  
12 vehicle that we're talking about, the stolen vehicle?

13 A The Subaru?

14 Q Yes.

15 A I spoke to him a couple times about that, so I'm not  
16 sure.

17 Q Okay. And when you asked him about when he was in  
18 Easley, you asked him about some dates, didn't you?

19 A I thought we was going -- the prior question, I  
20 didn't answer your question about the Subaru. I'm not  
21 sure what you was asking.

22 I asked him a couple different times during our  
23 different meetings about the Subaru, so I'm not sure ---

24 Q I guess to keep it as less confusing as possible,  
25 let's stick, I guess, to February 5th. My apologies.

1 A Okay.

2 Q Be clear.

3 Didn't he give you an indication that he was having  
4 trouble remembering specific dates? You asked him about  
5 some specific dates in December of where he was when he  
6 was in Easley. Do you recall that?

7 A He provided some dates, yes.

8 Q Yeah. Well, I mean, in answer to your questions,  
9 right?

10 A As trying to determine when he was last in Easley, he  
11 gave some dates.

12 Q Okay. And in fairness, he wasn't always like  
13 completely clear or consistent with some of those dates,  
14 was he?

15 A He was fairly clear. They would change from one  
16 interview to the next maybe, but ---

17 Q And, you know, if you interview anybody more than one  
18 time over the course of maybe a couple, few months -- and  
19 how long have you been a police officer?

20 A 24 years.

21 Q All right. And you're -- what, is it fair to say  
22 you're an expert in interrogation?

23 A That would be your opinion, I guess.

24 Q Okay. I mean, you make your living, part of it is  
25 asking questions and trying to get answers.

1 A I've interviewed a lot of people, yes.

2 Q Okay. Is it uncommon for somebody that you ask about  
3 the same thing over different episodes over time that they  
4 might not always be completely consistent or right on each  
5 time? Is that fair? Could you say that about any of us?

6 A I would say most of the time they're pretty  
7 consistent if they're telling the truth ---

8 Q Yeah.

9 A --- and have a -- especially if they have an event  
10 that they can tie it to, they kind of relate it to, and  
11 usually it's pretty consistent.

12 Q Okay. And so he was pretty consistent is what you're  
13 saying.

14 A No. I'm saying he was not consistent.

15 Q Oh.

16 A Most people would be, but he's not.

17 Q Well, I thought I asked you, hey, he wasn't exactly  
18 consistent, and you said, well, yes, he was consistent.

19 A That's not what I said.

20 Q Is it fair to say when you talk to your average  
21 person, you know, you're interviewing somebody off the  
22 street, you're being a police officer -- and, of course,  
23 they know you're a police officer, right?

24 A Uh-huh, yes.

25 Q Do you think it's fair to say that most people are

1 going to feel like they need to provide some kind of  
2 answers to your questions even if they don't know? Do you  
3 find that people want to be accommodating, typically,  
4 because they know they're dealing with cops?

5 A Do they want to? I wouldn't know. I mean, I  
6 wouldn't know.

7 Q Now, you said multiple times, at least once during  
8 this interview, "Hey, we're not trying to trip you up."  
9 Do you remember saying that? What would you have meant by  
10 that?

11 A I don't recall testifying that I said that, but . . .

12 Q Well, I mean, you did -- I mean, there's video of ---

13 MS. MUNSON: Objection, Your Honor. He's testifying.

14 BY MR. PRINGLE:

15 Q Did you -- is there a video of this interview?

16 A Of the February 5th one?

17 Q Yeah.

18 A There is video, yes.

19 Q Okay. But you don't remember telling him, hey, we're  
20 not trying to trip you up.

21 A I don't remember right off saying that, no.

22 Q Is part of an investigative technique to repeat  
23 questions over and over to a subject hoping for different  
24 answers, perhaps?

25 A Part of a technique, no. Not necessarily, no.

1 Q I mean, y'all are trained in, you know, good cop/bad  
2 cop type thing, the reasoning, hypotheticals.

3 MS. MUNSON: Objection. Relevance and speculation.

4 THE COURT: All right. Overrule. I'll let him ask  
5 it.

6 BY MR. PRINGLE:

7 Q Is it a common technique to maybe dangle, maybe give  
8 them an out, you know, like a life raft that he can reach  
9 for when he's in trouble? Is that a common technique such  
10 as asking him maybe to implicate somebody else?

11 A No. I would not say that.

12 Q You know, you can help yourself out if you put the  
13 finger on somebody, if you put the finger on, say,  
14 Tychristian Ladson?

15 A Every case is different and every interview is  
16 different, so it's kind of hard to make generalities like  
17 that. But ---

18 Q Do you recall saying something along those lines, you  
19 or Lovell or both of you in that interview? If you help  
20 us out, you know, you could really help yourself here.

21 A Would I have said those words? Absolutely not.

22 Q You never tried to get him to point the finger at  
23 somebody, anybody in this case.

24 A I asked him about a codefendant, yes.

25 Q Yeah. Did you intimate that if he was willing to

1 implicate the codefendant, he could help himself out?

2 A Would I say it like that? No.

3 Q How would you have said it? How did you say it?

4 A I'd have to review the video for exact words, but in  
5 my opinion he was -- I didn't think he was the shooter,  
6 and I was trying to identify the shooter.

7 Q In your opinion you didn't think Quinton was the  
8 shooter?

9 A No. I believe he was the one that got shot as he  
10 grabbed the register.

11 Q Right. You don't believe he was the shooter in the  
12 incident. At that time you didn't believe he was the  
13 shooter.

14 A Correct.

15 Q Okay. So you were asking him, hey, if you're there,  
16 you know, point the finger at the shooter. Is that what  
17 you were trying to do?

18 A As part of the investigation, we're trying to  
19 identify both suspects. And if he was there, he would  
20 know who that second person was.

21 Q And, you know, after all that, you did not get a  
22 confession, any type of confession, did you?

23 A No.

24 Q And you knew that it was critical that you would get  
25 a confession from Quinton, didn't you? You badly needed

1 him to confess, didn't you?

2 A No. You want a confession on every case, but very  
3 rarely do you get it. So you have what you have, and  
4 wherever the evidence leads is where you go.

5 Q I'm sorry. Just one moment. I'm trying to skip over  
6 some of this.

7 Okay. Let's dial back a little bit, change up here:  
8 As far as -- you were at the actual crime scene the night  
9 that it happened, right?

10 A At some point I was there in and out doing other  
11 things too.

12 Q Did you have anything to do with gathering of  
13 evidence of any kind?

14 A No.

15 Q Isn't it true that there was no physical evidence  
16 recovered at the scene that would tie either one of these  
17 guys to the crime?

18 MS. MUNSON: Objection, Your Honor. He just answered  
19 that he didn't have anything to do with that.

20 MR. PRINGLE: He didn't collect, but he's got  
21 knowledge.

22 THE COURT: If he knows:

23 BY MR. PRINGLE:

24 Q Isn't it true there was no physical evidence of any  
25 kind, no fingerprints, no DNA, no blood, no witness, no

1 video that clearly shows or could identify either one of  
2 these guys? Isn't that true? Directly.

3 A Yes. I mean, the incident lasted five seconds. We  
4 recovered a DNA sample off the register. We could not  
5 get a -- it was a DNA mixture so it couldn't be compared  
6 with anyone. So there was physical evidence collected,  
7 but ---

8 Q Nothing that could tie Quinton Collins or for that  
9 matter Ty Ladson to the crime.

10 A Nothing that I was aware of.

11 Q Okay. Were you aware of the incomplete investigation  
12 that took place at that scene that night? Are you aware  
13 of some of the problems with the investigation?

14 A No, sir.

15 Q Okay. Were you aware that, for whatever reason,  
16 there was no evidence, they didn't even attempt to gather  
17 any evidence from the counter of that convenience store?  
18 Were you aware of that?

19 A Not aware of it, but I would understand why.

20 Q You think there's a good reason to not test that area  
21 based on what we've all seen and what happened in that  
22 cash register area? I mean, don't you think what -- I  
23 mean, what would be the explanation why we wouldn't do a  
24 thorough examination of the whole area?

25 A Depends on what you're considering thorough. But the

1 fingerprint -- the cash register that Mr. Collins did grab  
2 was fingerprinted and DNA -- swabbed for DNA. That was  
3 the only area of this whole store they touched during the  
4 five seconds that they were in the store.

5 Q You just got done saying it's only -- all we can see  
6 is a few seconds, right?

7 A No, sir. I said the time -- from the time the two  
8 suspects entered the store till the time they left was  
9 five seconds.

10 Q Right. So's it's a real short video, or it's a short  
11 interaction, isn't it?

12 A Correct.

13 Q Seconds.

14 How long does it take to transfer a fingerprint or  
15 DNA or blood?

16 MS. MUNSON: Objection, Your Honor. I'd like to know  
17 this witness's -- the foundation that this witness is  
18 going to be able to testify about this stuff. Is he an  
19 expert? Does he know how to do it?

20 THE COURT: I think you need to lay a foundation if  
21 he knows.

22 MR. PRINGLE: I'm sorry?

23 THE COURT: I think you need to lay a foundation if  
24 he knows.

25 MR. PRINGLE: Okay.

1 BY MR. PRINGLE:

2 Q All right. So did you have anything to do -- other  
3 than the interviews that we've talked about, did you have  
4 anything to do with, say, gathering of video evidence of  
5 the area around B Pam's? Cameras?

6 A Yes.

7 Q Okay. And, in fact, we got some camera images from a  
8 few of the surrounding businesses that are right there  
9 within maybe a block or so; is that fair?

10 A Yes. I got one set of cameras from a business down  
11 Saco Lowell Road.

12 Q Okay. And were you part of the process that -- I  
13 guess we learned that y'all tried to run possible routes  
14 that would have been, I guess, lack of a better term,  
15 getaway routes from B Pam's heading east. Were you part  
16 of that where you guys went through those test runs?

17 A I'm not sure what you mean about test runs. Had we  
18 driven from point A to point B?

19 Q Did you check for other cameras along any of those  
20 routes?

21 A After the incident location -- after the incident  
22 happened, we went to different locations looking for  
23 cameras, yes.

24 Q Okay. And, in fact, I mean, obviously, as we sit  
25 here, there are no camera images of any kind of either one

1 of these two guys anywhere immediately after this incident  
2 happened; isn't that true? You have -- nobody recovered  
3 anything that would put them in the vehicle or show them  
4 anywhere between where they say the crime was committed  
5 and where they -- the direction that they headed. Isn't  
6 it true there's no additional video or evidence?

7 A I could not agree with you on that.

8 Q You said -- you said you got video from one of the  
9 neighboring businesses, but there's no other video of  
10 anything else heading where y'all think that these robbers  
11 headed from the B Pam's robbery, is there?

12 A Have I seen video after the incident that involves  
13 their car? Yes.

14 Q Right. Okay. Nothing on some type of escape route  
15 or anything like that immediately after the robbery.

16 A From a business away from ---

17 Q Yeah. I mean, you would agree that there's probably,  
18 what, hundreds or thousands of cameras?

19 A I would have no idea.

20 Q I mean, they're everywhere, right?

21 A A lot of people have cameras, yes.

22 Q You think there would have been images taken in any  
23 kind of escape route that would have been taken that might  
24 be useful to identify who these guys were?

25 A There are a lot of cameras, yes.

1 Q Yeah. But we don't have any, do we?

2 A I can testify to the one business I went to and  
3 collected their video.

4 Q Right. And that doesn't prove who was involved, does  
5 it?

6 A That one -- it was raining that night, and it was  
7 dark, and it showed nothing.

8 Q Were you given any information about -- or did you  
9 check the local, I guess, hospitals and medical areas for  
10 anybody that reported being a victim of a gunshot wound?

11 A Yes.

12 Q Did you find any -- any -- did you find any results  
13 that might have anything to do with our case?

14 A No.

15 Q And certainly, not either one of these guys.

16 A No one.

17 Q Who was Detective Michelle Ramey in your  
18 investigation?

19 A She's the detective in Mauldin that I contacted to go  
20 to Club Epic to get the video for me that the owner sent.

21 Q And, again, without going into what was said, how  
22 many times did you speak with this Mike Utsey?

23 A I spoke with him on the phone once, then he come in  
24 for an interview the day after we arrested Mr. Collins and  
25 Mr. Ladson, and then about maybe two weeks later I did a

1 follow-up interview with him.

2 Q That was the final one, wasn't it, with him?

3 A Yes, sir.

4 Q How come you didn't go back to him anymore after  
5 that?

6 A He gave -- I mean, it was the last interview. I  
7 didn't need anything else from him.

8 Q Well, I guess, okay, the first time you talked to him  
9 on the phone not even two weeks after the incident, right?  
10 And that was not recorded.

11 A Correct.

12 Q And we've been over what he told you. Forget about  
13 that. Why the need to go and interview him again after  
14 that? After he told you what he told you and you reacted  
15 or acted on that information, why the need to have a  
16 second interview with Mike Utsey?

17 A Well, the first time I was on the phone with him, I  
18 wouldn't consider that an interview. I actually asked him  
19 to come in for an interview the day after we arrested the  
20 two, and he come in for an interview at the police  
21 department that day.

22 Q Okay. So that would be what you'd call the first  
23 like, I guess, real interview.

24 A Yes.

25 Q And it was recorded and all that.

1 A Yes.

2 Q All the bells and whistles.

3 And you -- I mean, was there something that abruptly  
4 ended that interview? Was there something that terminated  
5 it unnaturally? Or was it something that you all just  
6 kind of broke when it was over?

7 A No. Just a completed interview.

8 Q Okay. So we had a phone call where he gave you some  
9 info, then we had the first official interview. And that  
10 was completed.

11 A Yes, sir.

12 Q Not interrupted for any reason, is what I'm asking.

13 A Yes, sir.

14 Q Why the need to go back a third time and interview  
15 him after that?

16 A After that we have some -- we had some cell phone  
17 records of his that come back, and we did a follow-up  
18 interview based on those.

19 Q Is it fair to say that after the first phone call and  
20 the first official interview, he really wasn't making the  
21 connections that you needed him to make in this case?

22 A I would not agree with that.

23 Q He wasn't giving you the answers you wanted, was he?

24 A He gave us the answers that he -- I felt like he was  
25 being honest about the answers he gave.

1 Q Okay. So if he was honest and he told you what  
2 happened, the second interview, why did we have a third  
3 interview that went into all that all over again? That  
4 was beyond cell phone stuff.

5 MS. MUNSON: Objection to the commentary.

6 BY MR. PRINGLE:

7 Q Okay. I guess I don't understand why the need -- if  
8 we had a completed interview, why the need for the third  
9 one.

10 A Because during the completed interview, on a portion  
11 of that, Mr. Utsey did not remember some of it so we  
12 revisited that and then also talked about the updated cell  
13 phone records that we had since gotten, and talked to him  
14 about those. It was all kind of tied together.

15 And also, after we inquired about the wound on  
16 Mr. Collins's neck with him I believe during that  
17 interview also, which we did not cover during the first  
18 interview.

19 Q Say that last part again? I'm sorry. Please.

20 MS. MUNSON: Your Honor, I'm going to object to his  
21 answer and to the question. This is hearsay. He's being  
22 asked to say what Utsey said in response to what he said.

23 MR. PRINGLE: Actually, I asked -- we're trying to  
24 explore why the need for a third interview.

25 THE COURT: We've already ruled on the hearsay of

1 Mr. Utsey.

2 MR. PRINGLE: Okay.

3 BY MR. PRINGLE:

4 Q You said that he had expressed some doubt about some  
5 things which is what you wanted to follow up on or he was  
6 unclear?

7 A He just wasn't clear about certain aspects of the  
8 interview.

9 Q Okay. And isn't it true that the real purpose for  
10 the third and final interview was to get him to say what  
11 you wanted?

12 A No, sir.

13 Q You wouldn't agree that you -- and who was it -- oh,  
14 who was in that third interview with you? There was  
15 another police officer there.

16 A It was Captain Lovell again.

17 Q Again. And you'd agree that both of you were  
18 interrogating him, interviewing him at that time?

19 A No.

20 Q Both of you participated?

21 A We met him in a parking lot. He's sitting in the  
22 backseat of my car and we had a conversation. He was  
23 behind us, and we had a conversation.

24 Q So I guess I'm referring to -- was the last interview  
25 on February 28th of '19?

1 A That sounds right.

2 Q That last interview, wasn't that in an interview room  
3 being recorded?

4 A No, sir.

5 Q The last interview?

6 A No, sir.

7 MR. PRINGLE: I'm sorry. We need to approach.

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

9 BY MR. PRINGLE:

10 Q All right. I'm going to end it with this, okay? As  
11 you sit here today, you cannot testify that there was any  
12 direct physical blood, DNA, fingerprints or witnesses that  
13 directly put either one of these guys at B Pam's that  
14 night; is that correct?

15 A That's a lot in that one question. Would you repeat  
16 it?

17 Q Okay. There are no fingerprints ---

18 A Correct.

19 Q --- right, for whatever reason?

20 There's no blood.

21 A Correct.

22 Q No DNA. No eyewitness that can identify either one  
23 of them.

24 A When you say no DNA, there was DNA collected.

25 Q Right. But I mean at the crime scene.

1 A There was DNA collected at the crime scene.

2 Q Right. No DNA that connects to Quinton Collins or Ty  
3 Ladson.

4 A No comparable sample, yes.

5 Q Okay. And we know you got some DNA out of the  
6 vehicle later on.

7 A I did not.

8 Q Okay. You weren't part of that. Okay.

9 But no DNA to tie to either one of them at the crime  
10 scene. No video evidence where you could look and say  
11 that either one of them with any specificity or certainty?

12 A Both subjects were wearing a mask when I saw them.

13 Q Okay. So you wouldn't be able to identify anybody,  
14 in fairness to you or anybody, right?

15 A Correct.

16 Q There's not even any direct evidence that these guys  
17 were even together at the time of the robbery, is there,  
18 direct, physical evidence?

19 A I would say the cell phones to me is direct, but ---

20 Q Okay. The cell phone tower stuff, is that what  
21 you're talking about?

22 A I'm saying the cell phone information that I got and  
23 it showed the two cell phones traveling together to Easley  
24 from Greenville puts them together.

25 Q Okay. But that's it, right? No direct evidence

1 other than what -- you know, the cell phone stuff.

2 A You're asking if I got any from the store. I did  
3 not.

4 Q No. I know. But there isn't any, right? I mean,  
5 you have no knowledge of any, do you?

6 A From the store that night?

7 Q Right. From the murder. From the scene.

8 A I did not get any.

9 Q The actual crime scene, yeah.

10 A Correct.

11 MR. PRINGLE: Okay. Thank you. Nothing further.

12 THE COURT: Cross by Mr. Ladson?

13 MR. BOATWRIGHT: One moment, Your Honor.

14 Your Honor, may we have a brief recess so that you  
15 could consider the issues we talked about on sidebar?

16 THE COURT: All right. Ladies and gentlemen -- let's  
17 approach about timing first.

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

19 THE COURT: All right. Ladies and gentlemen, we're  
20 going to take a short break. And on your break, this is  
21 where your duties as foreperson comes in, I want you to  
22 let me know -- again, I'm not talking real late here, but  
23 I would like to hopefully get the State's case in, we come  
24 back tomorrow -- we will come back tomorrow anyway, but  
25 just let me know how late that y'all could be here

1 tonight, okay? Not tonight, but this evening. All right.  
2 If y'all can be here till 5:30 or 5:45 or 6:00, just y'all  
3 let me know that, okay?

4 JURY FOREMAN: Yes, Your Honor.

5 THE COURT: All right. And just tell that to the  
6 bailiff, okay?

7 JURY FOREMAN: Yes, Your Honor.

8 THE COURT: Okay. And then we'll bring you back out  
9 just as soon as possible.

10 (WHEREUPON, the jury exits the courtroom at 4:37 PM.)

11 THE COURT: All right. I don't remember who  
12 requested this meeting.

13 MR. PRINGLE: We did.

14 THE COURT: Y'all did. Yes.

15 MR. BOATWRIGHT: Judge, we just sent you two cases,  
16 one was from the United States Supreme Court and one is  
17 from the Fourth Circuit Court of Appeals, both of which  
18 have outlined that an agent such as an officer is acting  
19 as an agent of the state in their government capacity if  
20 they're performing their duties of their job and therefore  
21 they are a party opponent, and their statements are an  
22 exception to the rule against hearsay.

23 THE COURT: I don't have those cases. They're not  
24 coming in.

25 (Pause in proceedings.)

1 THE COURT: He can pull it up on Westlaw if you've  
2 got the cite.

3 MR. BOATWRIGHT: The first one is State v. Villeda,  
4 V-I-L-L-E-D-A.

5 THE COURT: Give him the cite. All we need is the  
6 cite.

7 MR. BOATWRIGHT: 599 S.E.2d 62, 2004.

8 THE COURT: That's North Carolina Court of Appeals?

9 MR. BOATWRIGHT: Yes, Your Honor. And they follow in  
10 accordance with the Fourth Circuit, which is the United  
11 States Court of Appeals Fourth Circuit, United States vs.  
12 Barile. And the citation for that one, if you're ready.

13 THE COURT: All right. The other case is the one  
14 cited in this North Carolina case?

15 MR. BOATWRIGHT: Yes, Your Honor. The United States  
16 vs. Barile.

17 THE COURT: I mean, those are the prosecuting  
18 officers on that particular criminal prosecution. I mean,  
19 it's talking about the statement of the investigating  
20 officer on one on a particular DUI, which I don't think  
21 there's any question about that. But just having some  
22 other agency that's not involved in there, I don't agree  
23 with that, interpretation of this.

24 MR. PRINGLE: Well, it was coordinated, I mean,  
25 between law enforcement and the agent. The whole purpose

1 was go out and hit him with a home visit and see if you  
2 can find the stocking cap or the clothes, and while you're  
3 at it, check out his torso. And they did all that. And  
4 then they went back and told -- I believe it was Hamby or  
5 Liner, it's certainly in Hamby's report, it might even be  
6 in Liner's, I can't recall. But, you know, it's clear  
7 that Duncan went out there and wasn't able to find any  
8 evidence. And he did examine his body.

9 All I'm trying to establish is that law enforcement,  
10 he has knowledge of that, that there was at least one  
11 other time that people checked this guy for a bullet wound  
12 or whatever it is they're alleging.

13 MS. MUNSON: I don't know how he checked him. I  
14 mean, if you're going to allow this witness to give even  
15 more hearsay testimony, how do we know how he checked him.  
16 Did he lift his shirt? Did he take his shirt off? We  
17 don't know that, and we can't know that. We can't know  
18 that without Duncan being here.

19 THE COURT: All right. And I don't read those case  
20 -- I'm going to stick with my ruling on that.

21 All right. The jury has asked what are the number of  
22 witnesses that remain for the State's case? Two witnesses  
23 and a video?

24 MS. MUNSON: Two witnesses and the video, Your  
25 Honor.

1 THE COURT: How long is the video?

2 MS. MUNSON: Maybe four to five minutes. There are  
3 two of them. One is like seconds long.

4 THE COURT: All right. I'm going to put four to five  
5 minutes.

6 MR. PRINGLE: You said four or five, not 45, right?

7 THE COURT: All right. I'll just put two witnesses  
8 and a four to five minute video.

9 All right. Anything else we need to address before  
10 the jury comes in?

11 MR. PRINGLE: No, Your Honor.

12 THE COURT: Anything from Ladson?

13 MR. BOATWRIGHT: No, Your Honor.

14 THE COURT: Anything else from the State?

15 MS. MUNSON: Well, I guess we need to know whether or  
16 not they're going to object to the jail call coming in.

17 MR. PRINGLE: Yeah. We are. Aren't we?

18 MR. BOATWRIGHT: Yeah.

19 MR. PRINGLE: Yeah.

20 THE COURT: All right.

21 MR. PRINGLE: The first objection will be relevance.  
22 It's a tape of Mr. Collins talking to his mom from the  
23 jail. I believe it was yesterday or last night. And  
24 essentially, and I don't want to -- I can't quote her, but  
25 she said something to him to the extent, and this is her

1 talking, not him, she's referring to the witness that was  
2 on the stand in reference to Mr. Rhodes that testified  
3 earlier. You know, he was on the stand yesterday. She's  
4 talking about him, and she said something to the extent of  
5 he knows -- is it he knows his ass is grass or -- he knows  
6 his ass is grass. And he says, "He's scared." I believe  
7 that's what is being said. I don't want to  
8 mischaracterize it. But obviously, her saying something  
9 about the witness to him is not his statement. And him  
10 saying, "He's scared," I question what's the relevance of  
11 that.

12 MS. MUNSON: The relevance is, Your Honor -- and it  
13 is Mr. Collins's mother referring to Darius Rhodes. They  
14 both say that he was scared. His mother says, "His ass is  
15 grass." Mr. Collins adopts that statement. He doesn't  
16 say -- and, again, this is really probative, Your Honor,  
17 because Darius Rhodes's whole testimony was about Ladson.  
18 There's nothing on the call.

19 THE COURT: What does Mr. Collins say in this  
20 audio?

21 MS. MUNSON: He agrees. He says, "Yeah." He does  
22 say, "He's scared. He's scared." And then he makes some  
23 fun of him about ---

24 MR. PRINGLE: That's -- I'm sorry. Go ahead.

25 MS. MUNSON: Go ahead.

1 MR. PRINGLE: No. Are you done? I'm sorry.

2 MS. MUNSON: So that's what it is, Your Honor. It's  
3 probative to show that they have knowledge of this  
4 witness. It wasn't even relating to him. And, again,  
5 rather than say I don't care what Rhodes says, that has  
6 nothing to do with me, they're talking about him being  
7 scared and there's his mother saying "his ass is grass"  
8 and him agreeing with that.

9 THE COURT: Let's do this then. Because that's,  
10 obviously, very short with Christy Leopard. I want to  
11 listen to that. I mean, you know, what I've heard so far,  
12 and I want to listen to it, it doesn't jump out to me as  
13 something that's going to be relevant, and it's not  
14 something that he said. But that's something I want to  
15 look at -- listen to probably before I make that ruling.

16 MR. PRINGLE: Thank you.

17 THE COURT: I guess let's listen to it now then.

18 MS. MUNSON: Your Honor, may Major Hamby step down?

19 THE COURT: All right. Well, we've got -- they say  
20 they have to leave at 5:00 so we need to finish up with  
21 this witness.

22 MS. MUNSON: Okay.

23 THE COURT: All right.

24 MR. BOATWRIGHT: Just in case, for judicial  
25 efficiency, Judge, based on your ruling, I won't have any

1 questions for him.

2 THE COURT: Okay. All right. And I'm sorry. Again,  
3 we'll come back tomorrow. I don't have a problem with  
4 that.

5 MR. PRINGLE: We just assume get through what we can  
6 tonight too.

7 THE COURT: Well, and they've indicated 5:00. That's  
8 what I'm saying. If you want to ---

9 MR. PRINGLE: I think they said Leopard's only a few  
10 minutes, right?

11 THE COURT: No. We've got to finish up with him.  
12 But Leopard is this.

13 MR. PRINGLE: Oh, that's the jail call. Okay.

14 THE COURT: And your other -- I mean ---

15 MS. MUNSON: Finishing up with him will take till  
16 5:00.

17 THE COURT: Okay. All right. Bring the jury in.

18 (WHEREUPON, the jury entered the courtroom at 4:50 PM.)

19 THE COURT: Thank you, Mr. Foreman, on your  
20 communication. We should be able to live up to that with  
21 finishing up with this witness.

22 All right. Mr. Boatwright?

23 MR. BOATWRIGHT: No further questions, Your Honor.

24 THE COURT: All right. And any redirect?

25 MS. MUNSON: Yes, Your Honor.

REDIRECT EXAMINATION

1  
2 BY MS. MUNSON:

3 Q Was Mr. Utsey -- is it Utsey or Utsey?

4 A I say Utsey. I'm not sure.

5 Q Was he a suspect?

6 A No.

7 Q In your conversations with Mr. Collins, did you  
8 dangle anything in front of him?

9 A No.

10 Q Did you offer him anything?

11 A No.

12 Q Any good cop/bad cop shenanigans?

13 A No. We just tried to get the truth out of him.

14 Q And the other -- you found no other videos clearly  
15 showing the Subaru leaving the area, clearly showing it.

16 A No.

17 Q All right. Let me show you back to State's 32 and  
18 38. When you first examined, for lack of a better word,  
19 Mr. Collins, did he lift his hoodie that high to where you  
20 could have seen that bump on his back?

21 A No. And even in the day of his arrest, all he had on  
22 was a crew neck T-shirt, and you couldn't see the injury  
23 there with just a regular collar. When I interviewed him  
24 the first time, he had a hoodie on which is bulky around  
25 the neck, and then he just pulled it up to like his

1 underarms, and I couldn't see above his mid-chest up.

2 MS. MUNSON: Okay. Thank you.

3 Nothing further, Your Honor.

4 THE COURT: All right. You may step down.

5 All right. Ladies and gentlemen, as I reported to  
6 you, we have, from what I understand, two or three fairly  
7 short witnesses and possibly a video. That's what's been  
8 represented to me. So I'm going to ask y'all to come in a  
9 little bit earlier tomorrow, 9:00, and we'll hit the  
10 ground running and just -- I mean, we'll just see where we  
11 go. And hopefully we can -- you need to make plans, you  
12 know. We're going to be here until we finish the case  
13 tomorrow.

14 So with that being said, do not discuss the case  
15 among yourselves and your friends and family. Do not do  
16 any type of research about the case. Do not pay any  
17 attention to media coverage including social media about  
18 this. And if anybody contacts you other than someone from  
19 the clerk's office, please let the bailiffs know.  
20 Otherwise, y'all have a good evening. We'll see you at  
21 9:00.

22 Do not listen to any recordings about for jurors.

23 (WHEREUPON, the jury exits the courtroom at 4:53 PM.)

24 THE COURT: All right. Do we want to listen to the  
25 video -- I mean the audio jail call?

1 (Pause in proceedings.)

2 THE COURT: While she's doing that, any jury charges  
3 that y'all have, y'all need to get them to me tonight.

4 MR. BOATWRIGHT: Defense for Ladson is fine with your  
5 standard, Judge.

6 THE COURT: This is -- one of the few parts of this  
7 that may not be that complicated is probably going to be  
8 the jury charge. I guess I just jinxed it. No. I mean,  
9 I think -- anyway, we'll talk about that tomorrow. But  
10 I'm just saying if you have any, send them to my law clerk  
11 tonight and we'll have -- I'll have a charge conference.

12 MR. PRINGLE: Are we able to see -- what's the  
13 instruction that we're using for beyond a reasonable  
14 doubt?

15 THE COURT: I kind of use both of them.

16 Okay.

17 (WHEREUPON, the jail call audio was played in open court.)

18 MS. MUNSON: Now, certainly, Judge, all the stuff  
19 leading up to the conversation of Mr. Rhodes and after  
20 discussing Mr. Rhodes would have to be edited out for all  
21 kinds of reasons.

22 THE COURT: Well, I'm not judging the entertainment  
23 value of it. I don't see that that's relevant information  
24 and I'm not going to allow it.

25 MS. MUNSON: Thank you, Your Honor.

1 THE COURT: All right. Anything else?

2 MR. PRINGLE: No, Your Honor.

3 THE COURT: All right. So 9:00 be ready to tee them  
4 up.

5 (WHEREUPON, proceedings recessed at 5:01 PM.)

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Friday, February 24, 2023

(WHEREUPON, proceedings reconvened at 9:06 AM.)

THE COURT: All right. We're now on the record. Defense for Ladson, I believe you all indicated y'all would like to put something on the record.

MR. BOATWRIGHT: Yes, Your Honor. It was brought to our attention that the witness Ryan Collins had a criminal record. The State did not disclose his criminal record to us prior to trial, nor did they disclose it to us once he was done with his direct examination. Our understanding, based on the information we received, was that he had pled guilty to numerous amount of charges. I think the most important one would be the attempted murder pled down to A&B second. And under Rule 609, we would have been able to use that information to impeach him on cross-examination. So we wanted to get that on the record.

THE COURT: What remedy are you requesting? Do we call him back?

MR. BOATWRIGHT: I think at most the remedy I request, Judge, would be able to tell the jury in closing arguments that he was convicted of that charge as well.

MS. OWENS: Your Honor, I'll share that the witness's Mr. Collins criminal history includes a 2016 conviction for unlawful carrying of a pistol, a 2016 conviction for

1 assault and battery in the third degree, and a 2016  
2 conviction for use of vehicle without permission, and a  
3 2018 conviction for assault and battery by mob in the  
4 third degree. The State's position, not one of those  
5 offenses carries a penalty of greater than one year. Not  
6 one of those offenses involves a crime involving  
7 dishonesty or false statement. And by way of Rule 609,  
8 they would not have been admitted to impeach Mr. Collins's  
9 testimony.

10 THE COURT: Anything you want to put on behalf of  
11 Mr. Collins?

12 MR. PRINGLE: No, Your Honor.

13 THE COURT: All right. Yes?

14 MR. BOATWRIGHT: Yeah, Judge. I would just respond  
15 and say that had the NCIC been disclosed, we would have  
16 been able to confront the witness about it and determine  
17 what his actual convictions were. It's our belief that he  
18 had pled to A&B second and was sentenced to two years in  
19 prison for it.

20 THE COURT: Well, I don't believe that -- I'm not  
21 sure -- you know, subject to any kind of recall by the  
22 defendant, I'm not sure what the remedy is. I don't  
23 believe it warrants any type of mistrial. I don't believe  
24 it's abuse of discovery. So I guess you're on the record.  
25 I don't believe it's something I should publish to the

1 jury or that you should be allowed to publish to the jury  
2 at this point without him being able to explain.

3 MR. BOATWRIGHT: Thank you, Judge.

4 THE COURT: All right. Anything else from the State  
5 before we bring the jury in?

6 MS. MUNSON: No, Your Honor.

7 THE COURT: Anything else from Collins?

8 MR. PRINGLE: No, Your Honor.

9 THE COURT: And Ladson?

10 MR. BOATWRIGHT: No, Your Honor.

11 THE COURT: It's my understanding we have one more  
12 witness.

13 MS. MUNSON: Yes, sir.

14 THE COURT: And publishing the video.

15 MS. MUNSON: Publishing the two videos, Your Honor.

16 THE COURT: And y'all feel very comfortable that  
17 that's going to happen.

18 MS. MUNSON: I don't feel comfortable with anything.

19 THE COURT: Okay. All right.

20 (Pause in proceedings.)

21 THE COURT: All right. We'll be at ease until -- of  
22 course we have a jury issue -- juror issue starting off  
23 the day.

24 MS. OWENS: Do we know if it's Mr. Gaddy?

25 THE COURT: I don't know. I don't know who that is.

1 MS. OWENS: I share that only because if it was the  
2 Court's intentions to replace Mr. Gaddy with the  
3 alternate.

4 THE COURT: I did not make that decision. I said  
5 that was a discussion.

6 We'll be at ease until -- we have to go send somebody  
7 out for him again.

8 (WHEREUPON, a recess is taken at 9:11 AM; proceedings  
9 reconvened at 9:20 AM.)

10 THE COURT: We now have all the jurors. Thank you.  
11 Please be seated.

12 Think I couldn't have been any clearer that we're  
13 starting at 9:00, but obviously there was some confusion.

14 All right. Is the State ready?

15 MS. MUNSON: Yes, Your Honor.

16 THE COURT: Defense ready ---

17 MR. PRINGLE: Yes, Your Honor.

18 THE COURT: --- Collins and Ladson?

19 MR. BOATWRIGHT: Yes, Your Honor.

20 THE COURT: All right.

21 (WHEREUPON, the jury entered the courtroom at 9:21 AM.)

22 THE COURT: All right. The State may proceed with  
23 the next witness.

24 MS. MUNSON: May it please the Court. Your Honor,  
25 the State calls Jamie Newton.

1 THE CLERK: Raise your right hand, please.

2 WHEREUPON,

3 JAMIE NEWTON,

4 After having been duly sworn, testified as follows:

5 THE CLERK: Thank you. If you would, have a seat and  
6 state your name for the record, please.

7 THE WITNESS: Jamie Newton.

8 DIRECT EXAMINATION

9 BY MS. MUNSON:

10 Q Who do you work for, ma'am?

11 A Easley City Police Department.

12 Q And what is your job title?

13 A Forensics and evidence manager.

14 Q What do you do?

15 A I do Property and Evidence, I do video, media, FOIA,  
16 crime scene. I take care of dispositions from the  
17 solicitor's office. I take care of all the stuff for  
18 SLED. Keep up with all the lab results.

19 Q Okay. As far as this case, I'm going to ask you  
20 briefly about shell casings that were collected. Now, how  
21 many were collected? How many shell casings were  
22 collected behind the counter where Stacey was?

23 A There were two.

24 Q Okay. And what could you tell about them?

25 A They were silver or nickel in color.

1 Q All right.

2 A They were of 380 caliber.

3 Q All right. And what about any shell casings in the  
4 common area, the customer area of the B Pam's store?

5 A So originally, per the photos, there were two in the  
6 common area that were brass color. There was one  
7 collected outside kind of by the sidewalk that was also  
8 brass.

9 Q Okay. So the two behind the counter and the two on  
10 the other side of the counter with customers were  
11 different.

12 A Correct.

13 Q Now, did you have an occasion to go with one of the  
14 defendants to a doctor's office?

15 A Yes, ma'am.

16 Q And when was that?

17 A I believe it was September of 2020 is when we went to  
18 the doctor.

19 Q Okay. All right. Did you see the doctor?

20 A Yes, ma'am.

21 Q Do you know his name?

22 A I believe it was Strathern, Dr. Strathern.

23 Q Okay. And where did you go?

24 A It was at AnMed. It was in Anderson. I don't  
25 remember the exact like address, but it was in Anderson.

1 Q All right. And what was your purpose in going there?

2 A We had a court order to do a surgical procedure to  
3 get the projectile that was in Mr. Collins's back out.

4 Q Okay. And why were you there?

5 A I was there to collect the projectile. And then I  
6 was going to take the projectile to SLED so SLED could do  
7 an analysis on the projectile and compare it with  
8 projectiles that they had test-fired from Stacey's  
9 firearm.

10 Q So this particular projectile, was there a particular  
11 gun that you needed to compare?

12 A Correct. Because from the crime scene they collected  
13 Stacey's gun.

14 Q Okay.

15 A So they wanted to see if the bullet that was in  
16 Mr. Collins's back came from Stacey's gun.

17 Q All right. And you were not able to do that, right?

18 A Correct. Because when ---

19 Q Go ahead.

20 A No. I was going to say whenever I went and the  
21 doctor looked at his back, he said the bullet had been  
22 removed. And he ordered an additional X-ray to make sure  
23 it had been removed before he started his surgical  
24 procedure.

25 So after he got the X-ray back from that day, he

1 compared it with the previous X-ray, and the projectile  
2 was no longer in his back.

3 MS. MUNSON: May I approach, Your Honor?

4 THE COURT: You may.

5 BY MS. MUNSON:

6 Q All right. Ms. Newton, I'm showing you State's  
7 Exhibits Number 30 and 31. If you can, take a look at  
8 those.

9 A (Reviews exhibits) Uh-huh.

10 Q Do you recognize them?

11 A Yes, ma'am.

12 Q And how do you recognize them?

13 A This is my handwriting. And then this is -- these  
14 are the photos that I took of the scar in the back of  
15 Mr. Collins's back.

16 Q Okay. Are State's Exhibit -- are these exhibits  
17 true and accurate depictions of the photographs that you  
18 took on that day?

19 A Yes, ma'am.

20 Q And when did you take those photos?

21 A January 6, 2021.

22 MS. MUNSON: Your Honor, at this time I would move  
23 State's 30 and 31 into evidence.

24 THE COURT: Any objection from Collins?

25 MR. PRINGLE: No, Your Honor.

1 THE COURT: Ladson?

2 MR. BOATWRIGHT: No, Your Honor.

3 (WHEREUPON, State's Exhibit Numbers 30 and 31 were  
4 admitted into evidence.)

5 BY MS. MUNSON:

6 Q State's Exhibit Number 31, Ms. Newton, explain for  
7 the jury what this is.

8 A This is a photographic scale where I wrote the date,  
9 the time, our case number, the location we were at, and  
10 then whose back it was, and then my information down  
11 below.

12 Q Okay. And if you can use the laser pointer up there  
13 with the little red button on it, what is it that you were  
14 actually trying to photograph?

15 A This area right here (indicating). This scar.

16 Q Okay. And now State's Exhibit Number 30, what does  
17 that show?

18 A It still shows the photographic scale just from a  
19 different distance. Still has date, time, court -- or  
20 case number, where I was at, the Pickens County jail,  
21 Quinton's name, my name, and then just to show a scale as  
22 far as how long the dimension was.

23 Q Okay.

24 A And that's, of course, Quinton.

25 Q Thank you. Now, you didn't take these photographs

1 until January of 2021, correct?

2 A Yes, ma'am.

3 Q And if you saw the scar in September of '20 ---

4 A Correct.

5 Q --- why didn't you take the photographs then?

6 A Because I was there to collect the bullet.

7 Q Was there another procedure that caused you to go  
8 take these photographs?

9 A Apparently there was. I mean, we didn't take him.

10 Q No. What I'm asking you is by what mechanism did you  
11 have permission to take these photos?

12 A Oh, we had court orders for both.

13 MS. MUNSON: Okay. I have nothing further, Your  
14 Honor.

15 THE COURT: Cross-examination?

16 MR. PRINGLE: Just very briefly.

17 CROSS EXAMINATION

18 BY MR. PRINGLE:

19 Q Again, you never saw any bullet or any other object  
20 live. You weren't able to collect anything, were you?

21 A On what date and time? Are you talking about when I  
22 went with Quinton?

23 Q You tell me. Was there ever a date that you ever  
24 were able to collect any kind of bullet or any other  
25 object out of Mr. Collins's body?

1 A No. Because it was gone.

2 Q Okay. So you don't even know if it was there or  
3 what it was, if it was a bullet. You have no idea, do  
4 you?

5 A I saw it. I mean, I saw pictures.

6 MR. PRINGLE: Okay. Nothing further.

7 MR. BOATWRIGHT: May it please the Court.

8 CROSS EXAMINATION

9 BY MR. BOATWRIGHT:

10 Q You testified about getting the shell casings out of  
11 B Pam's. Was that the day of the incident?

12 A I did not collect the shell casings. I reviewed  
13 photos.

14 Q Okay. And of those photos that you reviewed, did  
15 that include the additional shell casing that was found  
16 like a year later?

17 A Correct.

18 Q Okay. And then lastly, Photo 30 that we just saw,  
19 were you the one taking that picture?

20 A Yes, sir.

21 Q Okay. And that -- you lifted his shirt?

22 A No. I had assistance.

23 Q Okay. So they just lifted his shirt and you took the  
24 picture.

25 A Yes, sir.

1 Q So from them lifting his shirt, you were able to see  
2 the scar?

3 A Yes, sir.

4 MR. BOATWRIGHT: Thank you. No further questions.

5 THE COURT: Redirect?

6 MS. MUNSON: No, Your Honor.

7 THE COURT: All right. You may step down.

8 MS. MUNSON: Your Honor, at this time we would  
9 request permission to play State's Exhibits 12 and 13,  
10 they're in evidence, the two B Pam's videos.

11 MR. PRINGLE: No objection.

12 THE COURT: You may proceed.

13 MS. MUNSON: And perhaps this is a good time to  
14 notify the jury that we talked about before that some of  
15 the videos are edited.

16 THE COURT: Okay. Ladies and gentlemen, we're going  
17 to publish videos. And these -- there are certain  
18 portions that have been redacted and edited with  
19 consultation with both the State and the defendants of  
20 material that is either irrelevant or not admissible under  
21 our rules. And that's -- nobody's trying to hide  
22 anything, but that's the purpose that you may have editing  
23 in these videos.

24 You may proceed.

25 MS. MUNSON: Thank you, Your Honor.

1 (WHEREUPON, State's Exhibit Number 12, a video, was played  
2 in open court.)

3 THE COURT: Just for the record, you identified two  
4 exhibits. That was exhibit?

5 MS. MUNSON: 12.

6 THE COURT: All right.

7 MS. MUNSON: And this is 13.

8 (WHEREUPON, State's Exhibit Number 13, a video, was played  
9 in open court.)

10 MS. MUNSON: May it please the Court, Your Honor.  
11 That is the State's case.

12 THE COURT: All right. Ladies and gentlemen, the  
13 State has completed their case in chief, and at this time  
14 there are things that I have to go over with the  
15 attorneys. So if you'll go back to your jury room. Do  
16 not discuss the case, and we'll bring you out as soon as  
17 we -- it may take a little bit of time.

18 (WHEREUPON, the jury exits the courtroom at 9:39 AM.)

19 THE COURT: All right. The jury has been in their  
20 jury room.

21 Is there anything from the State?

22 MS. MUNSON: No, Your Honor.

23 THE COURT: All right. Defendant Collins?

24 MR. PRINGLE: No, Your Honor.

25 THE COURT: Defendant Ladson?

1 MR. BOATWRIGHT: Yes, Your Honor. We would move for  
2 a directed verdict at this time. The State has rested.  
3 The evidence that they presented was that Tychristian  
4 Ladson was in a stolen Subaru Forester and that his cell  
5 phone pinged in Easley. So we'd ask that the Court grant  
6 a directed verdict.

7 THE COURT: All right. And I believe that there is  
8 sufficient evidence for this matter to go to the jury, so  
9 I'll deny your motion.

10 MR. BOATWRIGHT: Thank you, Judge.

11 MS. MUNSON: And the State would also oppose the  
12 motion for a directed verdict that I anticipate  
13 'Mr. Pringle is going to make.

14 THE COURT: I've already asked him. He said he  
15 didn't have any motions.

16 MR. PRINGLE: I have nothing. Well, as a matter of  
17 -- I mean, if I need to separately make the motion, I  
18 guess Mr. Boatwright can't make it for both.

19 THE COURT: Okay. Well, I'll be glad to hear from  
20 you.

21 MR. PRINGLE: So let's put it on the record. On  
22 behalf of Collins, based on the whole and complete lack of  
23 any direct or physical evidence connecting Mr. Collins to  
24 the crime, they've wholly failed to meet their burden.  
25 It's clear. Just move for a directed verdict based on the

1       aforementioned, everything that we've seen and heard, Your  
2       Honor.

3               THE COURT: All right. And I believe that, based on  
4       the evidence, there is sufficient evidence for this to go  
5       to the jury. It's a factual issue. So I'll deny your  
6       motion there.

7               MR. PRINGLE: Thank you.

8               THE COURT: All right. For the defense, do y'all  
9       want some time to discuss now? Are y'all -- do y'all feel  
10      like -- well, I'll ask Collins. Do you anticipate  
11      providing any evidence or any type of case?

12              MR. PRINGLE: No, Your Honor.

13              THE COURT: All right. And how about for Defendant  
14      Ladson?

15              MR. BOATWRIGHT: No, Your Honor.

16              THE COURT: All right. So at this time then let's go  
17      through the right to testify with your clients. Are y'all  
18      prepared to do that now or do you want to take a minute to  
19      discuss it with them?

20              MR. PRINGLE: I've discussed it with Mr. Collins.

21              THE COURT: All right. Mr. Collins and Mr. Ladson,  
22      if y'all would stand. Raise your right hand.

23              (WHEREUPON, QUINTON MAURICE COLLINS and TYCHRISTIAN LADSON  
24                                      are duly sworn.)

25              THE COURT: All right. We are at the position of the

1 trial or at the stage where the State has rested. And as  
2 your attorneys have discussed with you, as they indicated  
3 that now is the time to determine whether you want to  
4 present any evidence. And that is in twofold. There's  
5 two -- there's really two parts to that question. You can  
6 present evidence, and you can also -- you have to  
7 determine whether you're going to testify or not.

8 If you don't testify and you don't present any  
9 evidence, then as I'm sure your attorney told you, there's  
10 some strategic reasons there. It gives your attorneys the  
11 last argument on closing arguments. But also, you have a  
12 right to testify. And that is totally your decision.  
13 That is a decision that you have to make. Now, you can  
14 make that with consultation with your attorneys,  
15 consultation with whoever you feel like you need to  
16 consult with. But that is ultimately your decision.

17 If you were to testify, then you would be subject to  
18 the same cross-examination as any other witness including  
19 -- what's the criminal record for Mr. Collins that could  
20 be usable if he were on cross-examination?

21 MS. MUNSON: Burglary second degree, arson third  
22 degree -- actually, there's two counts of burglary second  
23 degree, attempted armed robbery from April of 2018,  
24 criminal conspiracy. And that would be the extent of it,  
25 Your Honor.

1 THE COURT: All right. And be looking at Ladson's  
2 while I talk about . . .

3 Okay. Mr. Collins, if you were to testify, those are  
4 crimes that could be brought up against you, so you  
5 understand that.

6 DEFENDANT COLLINS: Yes, sir.

7 THE COURT: Okay. As to Mr. Ladson?

8 MS. MUNSON: Your Honor, as to Mr. Ladson, receiving  
9 stolen goods over \$2,000, burglary second degree,  
10 possession of a stolen vehicle, and another receiving  
11 stolen goods.

12 THE COURT: All right. And, Mr. Ladson, that's the  
13 criminal record that can be used against you if you  
14 testify.

15 DEFENDANT LADSON: Yes, sir.

16 THE COURT: Now, again, that's if you decide to  
17 testify. But you have a constitutional right not to  
18 testify. And, again, that's totally your right. And if  
19 you decide not to testify, then this jury would be  
20 instructed that they're not even to consider the fact that  
21 you testified, that you have no burden of proof, that  
22 merely the -- that the fact that you didn't testify is not  
23 even to be discussed by them in the jury room, because  
24 that's you merely exercising your constitutional right.

25 So with that being said, Mr. Collins, first of all,

1 are you under the influence of any alcohol, drugs or  
2 medication today?

3 DEFENDANT COLLINS: No, sir.

4 THE COURT: Do you have any health or mental issues  
5 which would keep you from understanding what's going on?

6 DEFENDANT COLLINS: No, sir.

7 THE COURT: And Mr. Ladson, are you under the  
8 influence of any alcohol, drugs or medication today?

9 DEFENDANT LADSON: No, sir.

10 THE COURT: Do you have any health or mental issues  
11 which would keep you from understanding what's going on?

12 DEFENDANT LADSON: No, sir.

13 THE COURT: All right. Mr. Collins, you understand  
14 that you have a right to testify, but you also have the  
15 constitutional right not to testify?

16 DEFENDANT COLLINS: Yes, sir.

17 THE COURT: All right. Do you want to have  
18 additional time to discuss this with your attorney before  
19 making a final decision on that?

20 DEFENDANT COLLINS: No, sir.

21 THE COURT: Are you prepared to give me an answer at  
22 this time?

23 DEFENDANT COLLINS: Yes, sir.

24 THE COURT: You don't need any additional time to  
25 consult with your attorney or anyone else.

1           DEFENDANT COLLINS: No, sir.

2           THE COURT: Okay. And what do you wish to do? Do  
3 you wish to testify or not testify?

4           DEFENDANT COLLINS: Not, sir.

5           THE COURT: Okay. Not to testify.

6           DEFENDANT COLLINS: Yes, sir.

7           THE COURT: And is that your decision?

8           DEFENDANT COLLINS: Yes, sir.

9           THE COURT: Has anybody coerced you to make that  
10 decision?

11          DEFENDANT COLLINS: No, sir.

12          THE COURT: Is that your decision on your own free  
13 will after consultation with your attorney?

14          DEFENDANT COLLINS: Yes, sir.

15          THE COURT: And understanding your right that you can  
16 testify, you also have the right not to testify?

17          DEFENDANT COLLINS: Yes, sir.

18          THE COURT: Okay. Mr. Ladson, you also understand  
19 your rights that you can testify, but you also have the  
20 constitutional right not to testify?

21          DEFENDANT LADSON: Yes, sir.

22          THE COURT: Are you in a position at this time to  
23 tell me what you wish to do?

24          DEFENDANT LADSON: Yes, sir.

25          THE COURT: And what is that?

1 DEFENDANT LADSON: Not to testify.

2 THE COURT: Okay. You do not wish to testify in your  
3 trial.

4 DEFENDANT LADSON: Yes, sir.

5 THE COURT: Okay. Is that your decision?

6 DEFENDANT LADSON: Yes, sir.

7 THE COURT: Have you been coerced or threatened in  
8 any way not -- to make that decision?

9 DEFENDANT LADSON: No, sir.

10 THE COURT: Is your decision freely and voluntarily  
11 made?

12 DEFENDANT LADSON: Yes, sir.

13 THE COURT: Is it made after consultation with your  
14 attorney?

15 DEFENDANT LADSON: Yes, sir.

16 THE COURT: Do you need any additional time to  
17 discuss with your attorney that decision?

18 DEFENDANT LADSON: No, sir.

19 THE COURT: Okay. I find that both Mr. Collins and  
20 Mr. Ladson have been advised of their rights and  
21 understand their rights not to testify, and they have made  
22 the decision not to testify, and that has been freely and  
23 voluntarily made. And I will honor those wishes.

24 It's my understanding from Defendant Collins y'all do  
25 not wish to provide any defense at this time.

1 MR. PRINGLE: That's correct, Your Honor.

2 THE COURT: Ladson as well.

3 MR. BOATWRIGHT: Correct, Your Honor.

4 THE COURT: All right. Y'all can sit down.

5 Anything else from the State regarding that?

6 MS. MUNSON: No, Your Honor.

7 THE COURT: All right. Let's -- do y'all want to  
8 rest on the record? Or do you want me to tell them -- I  
9 mean, it ---

10 MR. BOATWRIGHT: It doesn't matter to me, Judge.

11 THE COURT: I'd like to bring the jury out just to  
12 let them know that that concludes all the evidence and  
13 that we will have to have, you know, a fair amount of time  
14 to go over the charge and make sure we're all on the same  
15 page on that. We've got it together. We just need to  
16 finalize some things, and then we'll just have a -- you  
17 just want to do it as a charge conference back in the  
18 conference room, hash everything out we need to? And then  
19 we'll come back and put anything on the record that  
20 anybody needs to.

21 All right. Bring the jury back.

22 Anything from the State before I bring the jury in  
23 just for that ---

24 MS. MUNSON: No, sir.

25 MR. PRINGLE: No, Your Honor.

1 THE COURT: Collins and Ladson?

2 MR. BOATWRIGHT: No, Your Honor.

3 THE COURT: All right. And I'll just tell them that  
4 the defense has rested as well, will not be presenting any  
5 testimony.

6 (WHEREUPON, the jury entered the courtroom at 9:49 AM.)

7 THE COURT: All right. Ladies and gentlemen, just  
8 before you left, the State rested. Okay. The defendants,  
9 both Defendant Collins and Defendant Ladson have indicated  
10 that they will not be presenting any evidence. And,  
11 again, that is their constitutional right. They have no  
12 burden in this case. The burden is strictly on the State  
13 to provide any evidence. And I will instruct you a little  
14 further on our charge of the law that they have the  
15 constitutional right to exercise their constitutional  
16 right not to testify. And that's something that you will  
17 not even be considering when you begin your deliberations.

18 So that is all of the evidence that you will have for  
19 your deliberation.

20 Now, at this time -- and we're going to have to take  
21 another break, but I wanted to kind of let you know what  
22 was going on because we have to go through the charge, and  
23 that's the law that I'm going to be giving you. I need to  
24 consult with the attorneys, make sure we've got everything  
25 that's needed for that. So I just want to let you know.

1 It will probably take about 30 minutes. And then we'll  
2 come out, then I'll bring you out and the final stage is  
3 we'll have closing arguments by the attorneys, then I will  
4 charge you on the law, and then you'll go into your jury  
5 room and begin your deliberations.

6 So at this time I'm going to ask that you step back  
7 in your room. Do not discuss the case, though. We  
8 haven't gotten to that point yet because you need to hear  
9 closing arguments and you also need to -- I need to charge  
10 you on the law. So don't discuss the case, and I'll bring  
11 you back out. Like I say, it may take about 30 minutes.  
12 Just letting you know that. And then we'll -- this is the  
13 final phase of the trial.

14 So, again, step back in your jury room and we'll call  
15 you back out as soon as possible.

16 (WHEREUPON, the jury exits the courtroom at 9:51 AM.)

17 THE COURT: All right. If you all will give us a few  
18 minutes, and then we will send for you all.

19 (WHEREUPON, a recess is taken at 9:52 AM; proceedings  
20 reconvened at 10:32 AM.)

21 THE COURT: All right. In chambers we discussed the  
22 jury charge and the verdict form. Any exceptions or  
23 additions by the State?

24 MS. OWENS: Nothing from the State, Your Honor.

25 THE COURT: Defendant Collins?

1 MR. PRINGLE: No, Your Honor.

2 THE COURT: And Defendant Ladson?

3 MR. BOATWRIGHT: No, Your Honor.

4 THE COURT: So everybody's ready to proceed with  
5 closing arguments?

6 MS. OWENS: The State's ready.

7 THE COURT: The State will argue first, Collins and  
8 then Ladson. Any evidence, there will be no additional,  
9 just make sure everybody's on the same page there.

10 All right. Everybody's ready. Bring the jury in.

11 (WHEREUPON, the jury entered the courtroom at 10:33 AM.)

12 THE COURT: All right. Ladies and gentlemen, as I  
13 told you, it's the conclusion of the trial. And at this  
14 point we'll have closing argument. That is not evidence.  
15 It's just the argument by counsel. We'll have -- the  
16 State will go first, then Defendant Collins and then  
17 Defendant Ladson. After that I will charge you on the law  
18 and you'll go back to your jury room and begin your  
19 deliberations.

20 So at this time, Ms. Owens, I'll turn it over to you.

21 CLOSING ARGUMENTS

22 MS. OWENS: Thank you, Your Honor. May it please the  
23 Court.

24 Good morning, ladies and gentlemen. It's been a long  
25 week. But if you will remember back to Tuesday morning

1 when we started this trial, Judge Gravely gave you some  
2 preliminary instructions about what you could expect from  
3 this process. And one of the things that he told you was  
4 that these defendants, just like every defendant charged  
5 with a crime in this country, are presumed innocent. And  
6 that presumption of innocence follows any criminal  
7 defendant through the trial unless and until you the jury  
8 decide that the State has proven the defendant guilty by  
9 evidence that convinces you of their guilt beyond a  
10 reasonable doubt.

11 Sometimes that presumption of innocence is described  
12 as a cloak of innocence. Some judges will tell you that  
13 the defendants are wearing a robe of righteousness that is  
14 stripped away only once you are convinced of their guilt.  
15 The evidence that you heard over the course of this trial  
16 has systematically snipped away the threads of that cloak.  
17 Quinton Collins and Tychristian Ladson stand before you  
18 now naked and guilty.

19 The judge is going to instruct you in just a few  
20 moments about the crimes with which each of these  
21 defendants is charged. The first of those is murder.

22 To prove the defendant is guilty of murder, the State  
23 has to prove two things: first, that the defendant  
24 intentionally, with malice, killed another person.

25 And the judge is going to instruct you what some of

1 those legal terms mean, but generally, malice is a  
2 meanness or an ill will. There's no good reason for it.

3 And second, the State has to prove that that malice  
4 was in the mind of the actor. It's called malice  
5 aforethought, that it was in their mind at the time,  
6 formulated before they did the killing. And in this case,  
7 as you've heard, and I don't expect this to be an issue of  
8 dispute, we know that the act of the killing was the  
9 firing of a shot at Ms. Stacey Branham, and that you  
10 received a stipulation in this case that the parties agree  
11 that Ms. Branham died as a result of that gunshot wound to  
12 her chest. I don't expect that you will deliberate in any  
13 significant way about whether Ms. Branham's death was  
14 murder.

15 The defendants are also charged with attempted armed  
16 robbery. The State has to prove that the defendants  
17 attempted to take something of value from the victim by  
18 force and that they were armed with a deadly weapon, in  
19 this case a gun.

20 Again, you saw the video for yourself. There's not  
21 been great dispute about what happened inside that  
22 convenience store during that very short five to ten  
23 second period during which one of the attackers reached  
24 for the cash register. It is apparent from the video that  
25 the intention was to attempt to take that item of value.

1 I don't anticipate that you will deliberate for any  
2 significant period about whether this was an attempted  
3 armed robbery.

4 What remains then is whether these two defendants are  
5 responsible for each of those two crimes.

6 Now, you may be wondering how it's possible for each  
7 of these two defendants to be guilty of both murder and  
8 attempted robbery when the evidence is one of those people  
9 reached for the cash register while the other fired a  
10 shot. And in just a few moments the judge is going to  
11 instruct you about a concept in our law in the State of  
12 South Carolina called the hand of one being the hand of  
13 all. Sometimes you'll hear it called accomplice  
14 liability.

15 And what the law in our state says is that if two or  
16 more people combine for the purpose of committing a crime,  
17 they help each other, they assist each other, they join  
18 together, then each of them is responsible for the natural  
19 and probable consequences of their plan. In this case the  
20 plan was to commit an armed robbery while using a firearm.  
21 It is a natural, probable, reasonable consequence that  
22 someone might end up shot as a result of that robbery and  
23 in this case killed. That is why each of these defendants  
24 is responsible for both crimes despite the evidence  
25 demonstrating one reaching for the goods while the other

1 was firing the lethal shot.

2 We just saw the video in its most lengthy format this  
3 morning. Ms. Branham was at her job working a shift at  
4 the convenience store and could not have anticipated what  
5 was going to be the last moments of her life. She made a  
6 decision when she saw them come in the door to defend  
7 herself, and it unfortunately cost her her life.

8 I want to talk a little bit about the evidence that  
9 we've seen this week that can leave you convinced that  
10 these two defendants are the two defendants that are  
11 responsible for these crimes. And if you'll think back  
12 all the way to Tuesday, one of the witnesses that you  
13 heard from immediately right out of the gate was a  
14 Mr. Looper. Mr. Looper, if you'll remember, followed the  
15 Subaru. His testimony was that he heard shots, he turned  
16 down a side street, saw two black males run across the  
17 street, get into a Subaru. Mr. Looper testified that he  
18 stopped and waited, saw the car leave. Mr. Looper turned  
19 around and attempted to pursue them all the while calling  
20 the police asking them for help. Unfortunately, Quinton  
21 Collins and Tychristian Ladson got away.

22 But while Mr. Looper wasn't able to get a firm read  
23 on that license plate, he did remember a very important  
24 detail, and that that license plate ended with a 1. His  
25 testimony was that it seemed like it might have been a

1 vanity plate, couldn't say for sure, but that it ended  
2 with a 1.

3 So when you heard testimony later in the trial that  
4 the stolen Subaru Forester inside of which we know Quinton  
5 Collins and Tychristian Ladson's DNA was retrieved parked  
6 at an apartment complex or nearby an apartment complex  
7 where Mr. Ladson was known to stay, that is how you can be  
8 firmly convinced that this was the Subaru. This Subaru  
9 found in Greer by the Greenville County Sheriff's Office  
10 was the car that these two used to commit the crime.

11 We know, based on what we've seen on the video and  
12 from testimony from the officers that responded to the  
13 store that night, that both sides fired shots. There was  
14 some shell casings on Stacey's side, Ms. Branham's side of  
15 the counter. And there were some shell casings on the  
16 customer side, an indication that two separate firearms  
17 were fired. And that's important for you to understand  
18 that Ms. Branham fired a shot, and that's why there's been  
19 all this discussion about the bullet that's in the back --  
20 or was in the back of Mr. Collins's neck. And we'll get  
21 to that in a little bit. But that was the purpose of that  
22 testimony.

23 Moving forward with the trial, if you will recall  
24 testimony from Sergeant David Picone from the Greenville  
25 County Sheriff's Office. There's an important part of his

1 testimony regarding how many stolen Subaru Foresters have  
2 been reported at that time in December of 2018 in  
3 Greenville County. His testimony was that there was one.  
4 It was this one.

5 Now, another item that we didn't spend a lot of time  
6 on but I do think it's important that you recall, and it  
7 has been a few days at this point, was this receipt that  
8 was inside that Subaru. It's a partial receipt, and  
9 State's Exhibit 17 depicts exactly what was found.

10 You heard some testimony about the fact that after  
11 finding this receipt, investigators traveled to this  
12 Dollar General store to attempt to see maybe who was  
13 involved in this transaction.

14 Now, they weren't able to locate any video from that  
15 store or any other indication of who may have been  
16 involved in this transaction, but I want to remind you of  
17 a very specific part of that investigation that is  
18 important to this case, that when going to the location  
19 inside that Dollar General to find this item that is the  
20 subject of this purchase, what's displayed immediately  
21 beside it? An orange ski mask. An orange ski mask that  
22 looks exactly the same as the one that Quinton Collins was  
23 wearing when he reached for that cash register.

24 Sergeant Picone also testified about his interaction  
25 with Mr. Ladson in the days that followed. If you'll

1 recall, he reached out by phone to Mr. Ladson. They  
2 agreed to meet, and Mr. Ladson came and spoke to Sergeant  
3 Picone and another investigator somewhere in Taylors. And  
4 that's the recorded conversation that you heard.

5 When confronted about the stolen Subaru, remember  
6 back to what Mr. Ladson's response was. Have no idea what  
7 you're talking about. Don't know anything about it.

8 If Mr. Ladson knew -- or didn't know, rather, that  
9 that car was involved in a homicide, why lie? We know he  
10 was in it. His friend testified he'd ridden with him in  
11 it. He's in the Spinx parking lot the day of the homicide  
12 driving that car. His DNA is on the steering wheel. Why  
13 lie about it? Because he knows it's tied up in the murder  
14 he committed. That's exactly why. That's why he was so  
15 nervous. That's why he made Sergeant Picone really  
16 nervous that day in that parking lot.

17 I'm going to circle back to cell phone records in a  
18 minute, but I think it's important to mention right now a  
19 compelling part of that exchange. Because Sergeant Picone  
20 testified that he called Tychristian Ladson at 518-5400,  
21 the phone number we've heard probably 800 times at this  
22 point. And he spoke with Mr. Ladson on the phone. They  
23 exchanged text messages. And in response to that  
24 conversation, Mr. Ladson showed up at the place where they  
25 were supposed to meet.

1           On December 18th, four days after this murder and  
2 attempted armed robbery, Tychristian Ladson was using  
3 518-5400. How can you be sure? Inside State's Exhibit  
4 20, those call detail records from 518-5400, you can see  
5 for yourself the exchange. Sergeant Picone testified that  
6 he was using 238-3477. You can see the record of the call  
7 right here.

8           Why does that matter? There's been a lot of  
9 discussion in this trial about the serial number, the IMEI  
10 number on the phone that was in Tychristian Ladson's  
11 possession when he was arrested, that that number is  
12 different than the number displayed on these call detail  
13 records. But we know Tychristian Ladson was using this  
14 phone on the 14th through the 18th at least, and that the  
15 IMEI number that T-Mobile records did not change.

16           So why is it that the phone Tychristian Ladson is  
17 carrying at the time of his arrest is different? Why did  
18 he get a new phone? Why, after having a conversation with  
19 the police, did it suddenly become important to get rid of  
20 this phone? The pressure was on. The police were  
21 starting to put all the pieces together.

22           And like I said, I want to revisit the calls in just  
23 a few minutes, but for purposes of your review of the  
24 evidence, you should consider the defendants' responses to  
25 this investigation, and their behavior about how this

1 investigation went forward, specifically with the things  
2 that they denied having ever been in Easley or having ever  
3 been in the Subaru, those things that we can otherwise  
4 empirically prove to be true. Ask yourselves why would  
5 these defendants lie about those things.

6 Now, after Sergeant Picone testified, there was a  
7 little bit of drama, for lack of a better word, with  
8 Darius Rhodes. If you'll remember, Darius Rhodes was in  
9 custody. He's in Greenville County custody as a result of  
10 a guilty plea that he entered in some few months ago  
11 related to crimes that he committed in May of 2019. And I  
12 bring that up because the suggestion throughout the  
13 examination or cross-examination of Mr. Rhodes is that his  
14 statements to police in January of 2019 are somehow  
15 affected by, influenced by or incredible because of his  
16 criminal convictions, the deferred sentencing that he is  
17 awaiting for his own crimes. But in January of 2019, he  
18 hadn't committed those crimes yet.

19 The voluntary manslaughter that Darius Rhodes pled  
20 guilty to having committed occurred in May of 2019. So  
21 how is it that in January of 2019 the information he gave  
22 identifying Mr. Ladson is anything other than the truth?

23 Mr. Rhodes told you that he was -- reluctantly, but  
24 he told you he was friends with Tychristian Ladson. He  
25 had ridden in that Subaru with Tychristian Ladson,

1 socialized with him frequently, considered him a friend.  
2 Why is it that in January 2019 he would implicate his  
3 friend in a robbery unless it was the truth? Why? Why  
4 would he do that? If he doesn't know, why not say I don't  
5 know? Why name your friend unless you're certain from  
6 viewing that video, just like he told you, that that's  
7 Tychristian Ladson? He says I recognize the black shoes  
8 with the white bottoms. I know that he wears those shoes.  
9 I've ridden in that Subaru before. And even with that  
10 mask on his face, I know that's him.

11 Now, I anticipate that the defendants may tell you  
12 these assailants were wearing masks, how can anyone  
13 identify them? Ladies and gentlemen, it wasn't too long  
14 ago that we were all wearing masks. Consider whether you  
15 found it difficult or impossible to recognize your friends  
16 despite the fact that they were wearing a mask.

17 Mr. Rhodes killed somebody, but so did his friend  
18 Tychristian Ladson.

19 You heard some testimony thereafter from the doctors  
20 and X-ray technicians about this projectile in  
21 Mr. Collins's back. And I hope now that we're at the end  
22 of the trial it's clear that the reason for that  
23 testimony, it was a little disjointed, but the reason for  
24 that was to show you that in the days that followed  
25 Mr. Collins's arrest in February of 2019, police ordered

1 that an X-ray be done, and State's Exhibit 26 is that  
2 image.

3 But by the time police were able to arrange for the  
4 surgical removal of that bullet since Mr. Collins refused  
5 to let Dr. Strathern to remove it in the office -- and if  
6 you'll remember, Dr. Strathern testified it was very  
7 unusual to him, that he's never had a patient not want a  
8 bullet removed. Now we know why. Because as Ms. Newton  
9 testified this morning, if we had the bullet, if the  
10 police were able to actually get that projectile, we had  
11 Ms. Branham's gun, there could have been a comparison  
12 between the bullet in his back and Ms. Branham's gun that  
13 would have proven scientifically that that bullet came  
14 from Ms. Branham's gun. That's why it was so important  
15 that that bullet be destroyed, removed, hidden,  
16 eliminated.

17 You'll have all of the evidence in the back during  
18 your deliberations, but there are several photos of this  
19 injury, and there's been discussion throughout this trial  
20 about whether this injury would have resulted in someone  
21 bleeding all over the inside of the Subaru, leaving blood  
22 behind in the store or otherwise creating evidence that  
23 would have actually been more significant than what's  
24 depicted here. But you can see for yourself exactly what  
25 the injury looked like, that the entry came through the

1 left side of the back of Mr. Collins's neck and stopped  
2 right in the middle. Think about whether that makes  
3 sense. Reaching for the cash register, and a shot fired  
4 across the back.

5 Now, you've heard some testimony and there's been  
6 some efforts to suggest that police looked for this injury  
7 in the days that followed and couldn't find it. If you'll  
8 remember, Major Hamby testified yesterday that they  
9 believed the person who was shot was shot in the torso or  
10 the chest, that based on how the person reacted in the  
11 video, that they believed that it would have been in the  
12 torso. So when Major Hamby asked Mr. Collins to pull up  
13 his shirt for injuries, if you'll recall, his testimony  
14 was that he was wearing a hoodie and he pulled the shirt  
15 up to about chest high.

16 No one looked at the back of Mr. Collins's spine on  
17 December 27th, December 28th, or February 5th. It was  
18 only after his arrest that we find this projectile still  
19 lodged in the back of his spine.

20 But by the time Mr. Collins could be transported back  
21 to the hospital as a result of a court order, what's left  
22 is a scar from an incision. Ask yourselves, does this  
23 look naturally occurring? Did whatever projectile was  
24 lodged in Mr. Collins's spine fall out and make a perfect  
25 straight line?

1 :           This bullet was removed. It was removed  
2 intentionally, and it was removed to make sure this bullet  
3 could not be matched with Stacey's gun. But the bottom  
4 line is that that's exactly where it came from. Stacey  
5 got off this shot. And I wish that we'd been able to  
6 present to you evidence of that match, which I anticipate  
7 will be an issue that you're asked to consider by the  
8 defendants that there are pieces of evidence in this case  
9 that we don't have.

10           There was a lot of attention, yesterday in  
11 particular, on GPS information, precise locations of  
12 individuals using their phones. Would it be very  
13 compelling if we had GPS location from both of these  
14 defendants' phones? Of course it would. Unfortunately,  
15 neither defendant bothered to call Easley Police  
16 Department and share with them their intentions to go  
17 commit this robbery, so Easley wasn't in a position to  
18 call T-Mobile and ask for real-time tracking the way that  
19 Mr. Leal testified would have to have worked. All we have  
20 are these historical records.

21           There were no DNA swabs of the counter,  
22 fingerprinting of the counter. You've seen the video for  
23 yourself. No one touched that counter. Would it have  
24 been nice to have DNA from the counter? Sure. I imagine  
25 the defendants would tell you then that showed nothing

1 other than them having been in the store.

2 But a considerable amount of effort throughout this  
3 trial has been made to suggest that there's evidence you  
4 don't have, that there's evidence that you need to make  
5 this decision. Ladies and gentlemen, the evidence that  
6 you have is the best evidence that's available. There are  
7 no other pieces of evidence to be gathered. This is the  
8 evidence that's left behind. When subjects don't touch  
9 items on the crime scene, when they destroy evidence, the  
10 evidence that's left for you to determine is the best  
11 evidence that you have.

12 One other component from Major Hamby's testimony  
13 yesterday that I think is extremely important is a  
14 conversation that he described having with Mr. Collins the  
15 day of his arrest. And in addition to denying having ever  
16 been in the Subaru, which we know is not true, in addition  
17 to having said he wasn't in Easley the night of this  
18 offense, which is also not true, and we'll circle to that  
19 in a second, one of the things that Major Hamby asked him  
20 is I'm going to show you a picture. And this is the  
21 picture he showed him. And he said, "What are you  
22 grabbing in this picture?"

23 He testified Mr. Collins's response, "Looks like the  
24 cash register to me."

25 What are you grabbing in this picture? His response

1 was not that's not me. I'm not grabbing anything. That's  
2 someone else. Oops.

3 Now, there are a lot of phone records in this case,  
4 and Mr. Swafford's testimony yesterday was designed to  
5 help you visualize what these loads of records represent,  
6 that when a call is made, a call is received, the recorded  
7 location of those phones is represented on all of these  
8 maps. And there are a good number. There are 56 pages of  
9 these.

10 But what these calls document, and you'll be able to  
11 review them during your deliberations, is a series of  
12 communications between Mr. Ladson and Mr. Collins  
13 throughout the day on December 14th, and that throughout  
14 the day those calls are being made from separate towers,  
15 separate geographical locations. As the evening gets  
16 closer to 7:00, 7:15 and 7:20, those circles converge.  
17 They're making calls now from the same spot which suggests  
18 they're together. Thereafter, those phones travel west of  
19 Greenville together. Because during that trip, each of  
20 them continues to either make or receive calls. So each  
21 time a call is made or received, it interacts with the  
22 tower nearest, and each of those calls demonstrates the  
23 movement west from Greenville all the way to Easley and  
24 right up against the time of this crime, which was 8:00 on  
25 the button, that's what shows on the video. All of the

1 calls that are made or received involve and invoke and  
2 utilize and access the same tower. And it's this Easley  
3 tower.

4 Now, as Mr. Swafford explains, these balloon-shaped  
5 circles on State's Exhibit 25 represent the tower's range.  
6 There was some suggestion yesterday during  
7 cross-examination that that range could be for as much as  
8 30 miles. You can see for yourself the visual  
9 representation of the range of these towers.

10 In order for a phone to utilize the tower, the  
11 testimony yesterday was that the phone must be in the  
12 range of the tower. There was some discussion about busy  
13 towers, unavailable towers, what might happen if a tower  
14 is overloaded or otherwise inaccessible. You might be  
15 bumped to a different tower. Maybe not the geographically  
16 closest, but the next closest.

17 Ladies and gentlemen, you still must be in the  
18 tower's range. You can't access a tower in Easley from  
19 Greenville because the range of this tower doesn't reach.  
20 This is the area that it reaches. That is how you can  
21 know this information is reliable and a clear  
22 demonstration of the fact that both 518-5400 and 661-8398  
23 traveled from Greenville to Easley and back to Greenville  
24 before they split up.

25 You'll note, at the end of these records, that

1 518-5400, which is Mr. Ladson's phone number, traveled  
2 back to Greer. The evidence that you've heard is that  
3 Mr. Ladson lives in Greer, certainly makes sense that he  
4 would go back home after dropping off his codefendant.

5 There are also records in the more voluminous call  
6 detail record regarding Mr. Collins, that as of 8:18,  
7 18 minutes after this robbery, Mr. Collins calls a friend  
8 and they have a seven-minute conversation. And you'll see  
9 in the records that Mr. Collins makes several calls to  
10 this number over the next few minutes. And at one point I  
11 believe the testimony from Major Hamby was someone  
12 received a text message, or after reviewing Mr. Collins's  
13 text messages, which are not carefully recorded, T-Mobile  
14 does not keep track of someone's text messages, that  
15 Mr. Collins sends a text to a friend that says "come get  
16 me." So what that tells us is that by 8:45, Mr. Collins  
17 is still at his home. How do we know that? Well, the  
18 phone calls he's making are using the tower that is  
19 closest to his home and the content which we know he's  
20 saying is "come get me."

21 You heard testimony that Easley is about 20 minutes  
22 away from Mr. Collins's location, the southern part of  
23 Greenville on Fleetwood Drive. Isn't it likely that it  
24 took these two even less time after they just killed  
25 someone? It makes perfect sense that Mr. Collins was able

1 to get back home and get to the club later that evening to  
2 pretend as though everything was normal. But you'll see,  
3 after reviewing these phone records, that the contact  
4 between Ladson and Collins continues rapid fire, constant  
5 phone calls, constant text messages throughout the night.  
6 Think it was time to start getting the story straight.

7 Now, there's also some -- there's been some  
8 discussion, and I don't want to belabor these call  
9 records, but I do think it's worth mentioning that great  
10 emphasis was placed yesterday on the extent to which  
11 T-Mobile places confidence in the accuracy of not the  
12 balloon-shaped call detail records, but the perfect circle  
13 advanced timing records.

14 And if you'll recall, Mr. Leal testified that the  
15 purpose that T-Mobile keeps advanced timing records is for  
16 network optimization. They want to make sure that their  
17 customers are able to access the network and access towers  
18 effectively and in a way that makes them a desirable cell  
19 phone provider. Their purpose in preserving these  
20 records, which is a business purpose, documents how close  
21 they think that your physical handset phone is to any  
22 given tower. And Mr. Leal's testimony was we will not  
23 attest to the accuracy of that distance, that proximity  
24 because we only use that data to improve our network.

25 What Mr. Leal did not say was that the tower

1 information, that the tower being measured was inaccurate.  
2 T-Mobile is not willing to attest to the distant, that  
3 they have low confidence in the measurement of the  
4 distance. He did not say that those records were  
5 absolutely unreliable or inaccurate. And that's a very  
6 important distinction as you deliberate and review the  
7 significance of these records.

8 If the only evidence that the State had was that  
9 these two individuals had cell phones that used an Easley  
10 cell phone tower during the time of a robbery, would I be  
11 standing here asking you to convict those people? No. If  
12 the only evidence that the State had was that these two  
13 defendants were inside the stolen Subaru used to commit  
14 the robbery, would I be asking you to convict them?  
15 Probably not. If the only evidence I had was an inmate  
16 who said that he recognized Tychristian Ladson on that  
17 video, would I be asking you to convict him of these two  
18 crimes? Maybe. But you don't look at that evidence  
19 individually. That evidence piles on top of each other.  
20 It's compounded. And you should not abandon your common  
21 sense, what's logical and what's reasonable in this case  
22 in evaluating what actually happened that night. That  
23 evidence piles on top of each other to the extent that  
24 there is no other reasonable explanation.

25 The judge is going to instruct you in just a few

1 minutes about the law, and one of the things he's going to  
2 talk to you about is reasonable doubt. Ladies and  
3 gentlemen, there are very few things in this world that we  
4 know with absolute certainty, and the law does not require  
5 the State to prove a defendant's guilt beyond any possible  
6 doubt. If you believe, based on your review of the  
7 evidence, if you are firmly convinced of the defendant's  
8 guilt, then you should find him guilty.

9 Sometimes you'll hear reasonable doubt described as a  
10 doubt to which you can assign a reason. And what that  
11 means is that it's a reason supported by common sense,  
12 logic, and the evidence. It's not any possible theory  
13 that someone might be able to come up with. It's in the  
14 context of the evidence that you've heard, in the context  
15 of what you know to be logical and based on common sense.  
16 It's a doubt that's supported by a reason.

17 I anticipate that the defendants will tell you that a  
18 different Subaru Forester was used to commit this crime,  
19 and that two different people other than Tychristian  
20 Ladson and Quinton Collins committed the crime. To  
21 believe that, you have to believe that Mr. Looper was  
22 mistaken about what he saw. Ask yourself why he would  
23 imagine something as specific as a 1 at the end of the  
24 license plate.

25 But you also have to believe that those two people,

1 those other two people in this other Subaru had these  
2 defendants' phones. Because we know that those phones  
3 traveled to Easley and then back to Greenville. We know  
4 that. You have to believe that those other two people not  
5 only had these defendants' phones, but they used them to  
6 call contacts in those phones. But there's more. You  
7 also have to believe that those two people gave the phones  
8 back to them afterward, 18 minutes later. Because we know  
9 Quinton Collins made a phone call to his friend Mike at  
10 8:18.

11 Is that reasonable? Is it reasonable to believe, is  
12 it supported by logic and common sense that two other  
13 people took the car, took the phones, committed the  
14 robbery, brought the phones back so that Tychristian  
15 Ladson could have a conversation with Sergeant Picone days  
16 later, that Quinton Collins could have conversations  
17 18 minutes later, and somehow Quinton Collins ends up with  
18 a bullet in his back some other way? That's not  
19 reasonable. That's not supported by common sense, and  
20 it's not supported by the evidence.

21 We know that on December 14th just before 1 a.m.,  
22 hours before this murder was committed, Tychristian Ladson  
23 was at the Spinx on 123 in Greenville, sometimes called  
24 Pendleton Street. How do we know that? The Subaru was at  
25 the gas station. You saw video from the Spinx. You heard

1 testimony from Mr. Collins who remembered seeing the  
2 vanity plate on that car. You can see for yourself  
3 Mr. Ladson inside the store. And you can see that  
4 Mr. Ladson made a phone call from the Highway 123 tower.  
5 That's how you can know that Mr. Ladson had the Subaru  
6 during the early morning hours of December 14th.

7 So, again, I remind you if you believe that someone  
8 else used this car to commit these crimes, you have to  
9 believe that at some point after 1 a.m., someone else got  
10 that car. You have to believe that that other person  
11 looked so similar to Mr. Ladson, that his friend Darius  
12 Rhodes believed it was him. You have to believe that that  
13 person wore those same black shoes with the white soles  
14 that Darius Rhodes knew Mr. Ladson to wear. And you have  
15 to believe that that other person took Tychristian's cell  
16 phone, committed a crime, came back and gave it back so  
17 that Mr. Ladson could talk to the police using that phone.

18 Again, I know there will be a lot of emphasis on the  
19 things that we wish we knew that should have been  
20 different that could have made a difference in this case,  
21 but when you evaluate the evidence in total, when you look  
22 at the fact that we know these two defendants were  
23 operating this Subaru, that we know this Subaru was used  
24 to commit this crime, that these two defendants match the  
25 description of what you see on that store video, that a

1 friend of one of them is able to recognize him on the news  
2 and say that's my friend Tychristian Ladson, I know it's  
3 him, and tells the police that weeks later, not years  
4 later, weeks later when he's being interviewed about a  
5 totally unrelated incident, and we know that one of them  
6 ends up with a bullet in his back in exactly the same way  
7 as the video depicts, that's the layers of evidence that  
8 compound to the point that it is no longer reasonable,  
9 there is no longer a doubt to which you can assign a  
10 reason, that should leave you with anything but firmly  
11 convinced that both Tychristian Ladson and Quinton Collins  
12 are responsible for the attempted armed robbery at B Pam's  
13 and the murder of Stacey Branham, and we ask you to  
14 convict them both of those crimes.

15 Thank you.

16 THE COURT: Mr. Pringle?

17 MR. PRINGLE: Thank you. Please the Court.

18 Good morning, ladies and gentlemen. It is almost  
19 afternoon, and we're coming to the end of this thing. A  
20 few things I just want to get out.

21 As we're sitting here, as the solicitor indicated,  
22 this is, in fact, the State's case. It is the whole case.  
23 It's all -- the best case that any of us are ever going to  
24 get.

25 I want to thank you for your obvious attention as

1 jurors. This is a difficult and uncomfortable process for  
2 a lot of people. I'm sure many of you probably wish that  
3 you weren't stuck here all week, but it's my hope, and I  
4 know I speak for my co-counsel that hopefully we've done  
5 what we can to try to keep it flowing and interesting.  
6 And, again, I want to thank you for your obvious  
7 attention.

8 Another thing is if there's anything that I've said  
9 or done, and I know I speak for them as well, that maybe  
10 has upset any of y'all or maybe makes you look at me with  
11 disfavor, just please don't hold that against either one  
12 of these guys that's sitting over there. As attorneys,  
13 and certainly with me, my style is not for everybody. And  
14 if I put you off or did anything to upset anybody, again,  
15 my apologies. That wasn't the intention. Please don't  
16 hold it against anybody else.

17 Further, in my comments and behavior, I meant no  
18 disrespect to anybody involved. That includes the  
19 witnesses, opposing counsel, certainly the Court.

20 So having said that, you know, obviously, this is a  
21 terrible tragedy, a horrible thing that happened to  
22 evidently a great woman, a beautiful lady, and it was  
23 clearly tragic. And thank God these kind of things don't  
24 happen very often in our community. She was a human being  
25 and her life was taken. But, you know, we refer to these

1       guys as defendants, but I've come to learn that they're  
2       also human beings. And as you will be instructed and as  
3       you've heard, there is a cloak of innocence for both of  
4       them entering the trial. It's up to the State to remove  
5       that. Of course, we disagree about whether or not they've  
6       been able to do that.

7                You know, on Tuesday when we started and I was right  
8       in front of y'all making the opening statements, when I  
9       was -- like a lot of people, I was sweating profusely. It  
10      was like a sauna that day, and I think it's clearly a lot  
11      more comfortable today. I told you there'd be a lot of  
12      information that would be thrown at you that you'd have to  
13      process, but to listen to all of it, give it's due, don't  
14      disregard any of it. You've got to consider their whole  
15      case, as it were. Hopefully, you've been able to do that.

16               Again, innocent till proven guilty. The key to that  
17      is proof, proven.

18               You know, the solicitor made some comments about, you  
19      know, essentially, well, we wish that we had more  
20      evidence. We're going with the best evidence available.  
21      This is all we had. Well, the truth is, as we all know  
22      and hopefully you'll also further learn from the  
23      instructions, wishing and saying this is all we've got and  
24      we wish it could be better, this is all that's available,  
25      that's unfortunate for the State. But when they bring a

1 case for murder, it's not on us to make those connections.  
2 As the Court's indicated to you and hopefully you  
3 understand, these guys don't have any burden. The burden  
4 is completely on the State. There's a lot of good reasons  
5 for that, and it's to protect every one of us in our  
6 society from the power of the State.

7 I also told you not only would we be talking about  
8 innocent until proven guilty, but guilt beyond a  
9 reasonable doubt. Of course, the solicitor gave you some  
10 insight as to what that means. It's a difficult thing for  
11 a lot of people to wrap their head around. But basically,  
12 the long and short of it is you must be firmly convinced  
13 of guilt, that they've proven every aspect of what they  
14 said in their case.

15 You'll be instructed by Judge Gravely, again, as to  
16 the specifics of what that means, and I just ask you to  
17 keep doing what you've been doing all week and apply what  
18 you're given to the facts and circumstances of what's been  
19 presented in the case. And you've got to limit that to  
20 what the witnesses and the actual evidence was, not any  
21 comments or connections that are made by the solicitor of  
22 anybody else. Remember what the actual witnesses said.  
23 You know, we'll get to that with the cell phone tower  
24 stuff. And I know we've beat that to death, and I know  
25 everybody's probably sick of it, but we're going to have

1 to touch on just a few things about that before we close  
2 up.

3 You know, another thing I told you when we got  
4 started, again, there was going to be a lot of material  
5 and information. They put up quite a few witnesses.  
6 Okay. Of course, we have no burden.

7 Obviously, we didn't put up any witnesses. That's  
8 because we're going with what they've got. Okay. We're  
9 going to give it to you guys good, bad or ugly on their  
10 terms. Okay. And we would argue that the sheer number of  
11 witnesses and exhibits really doesn't prove anything. I  
12 mean, we can march a hundred people in here to testify  
13 about stuff, but if they can't give us any information  
14 about connecting either one of these guys to a murder, you  
15 know, it's like -- I think the phrase that she used is it  
16 piles up and piles up, like the idea is there's some  
17 cumulative value, you know. And I would say, well,  
18 frankly, if you take some manure and pile up some more  
19 manure, more manure, what do you end up with? You end up  
20 with a pile of manure. Okay. So sometimes less is more,  
21 and sometimes more is less.

22 I just ask you if you went back and looked and, you  
23 know, really thought about what they got or what came out  
24 of each witness, the evidence, how much if any of that  
25 actually, again, proves that Quinton Collins or, for that

1 matter, Tychristian Ladson were at that scene, there's no  
2 physical evidence. We've been over that. There's no  
3 prints, DNA, nothing. No eyewitnesses that can  
4 conclusively put them there. There's simply a lack of  
5 connection. And I know we've repeated that over and over,  
6 but it's just something that the State cannot get around,  
7 despite all the conjecture and hypotheses and them asking  
8 you to connect dots that they could not connect, which is  
9 completely their burden. Your duty as jurors is not to  
10 make their case for them. They've wholly and completely  
11 failed to do that. She even basically acknowledged it  
12 when she told you this is all we've got. We've got to go  
13 with what's available. Well, unfortunately, we don't  
14 convict people in this country by doing favors for the  
15 State when they can't meet their burden. It's that  
16 simple.

17 What it's all added up to is there hasn't really been  
18 any proof at all about committing the murder. There might  
19 be some proof about one or the other being in a stolen  
20 Subaru which may or may not be connected to this case, but  
21 that's a whole another thing. That's potentially  
22 possession of a stolen vehicle or having knowledge of  
23 being in a stolen vehicle. That's not murder.

24 And, again, we don't even know that that Subaru's the  
25 same one. We've gone over all kinds of reasons why it

1 very well may not have been.

2 One thing, Looper, the elderly gentleman that  
3 testified earlier in the trial that was the eyewitness at  
4 the scene that followed the suspect vehicle, one thing I  
5 think -- first of all, he's obviously to be commended,  
6 because how many people would do that if they thought  
7 there was an active shooting? So he's clearly a standup  
8 guy as a citizen. And that's to be commended. But  
9 frankly, he did his best, but he really couldn't get into  
10 any real specifics about that vehicle.

11 And I also thought it was noteworthy the State's  
12 whole case, and they have shown us all these -- you know,  
13 these pictures of whatever, you know, it's all based on  
14 the fact that these guys went together from the Greenville  
15 area over here to B Pam's in Easley and then back. But,  
16 you know, Looper was very clear. When he followed the  
17 suspect vehicle, they were heading west. Think about  
18 that. Does that make any sense? How does that jive with  
19 this stuff they're trying to sell you about these pictures  
20 and these circles and this voodoo science? I mean, let's  
21 just go with what we know and what makes sense and what  
22 the witnesses actually were able to tell us or give us,  
23 not speculation, not connecting dots that aren't there.  
24 That's not our role. Okay.

25 I think I also told you I'm fairly certain I said,

1       hey, I'm betting when we're done with this, you're going  
2       to have more questions than answers. I think that most  
3       certainly has to literally be true after what we've seen  
4       and the way this thing has progressed. I certainly have  
5       more questions than answers.

6               I don't know if we'll ever -- any of us will ever  
7       know exactly what happened that night. Okay. We know  
8       that this fine lady was killed in a robbery/murder. We do  
9       know that. But other than that, we really can't tell with  
10      any specificity, really, we can't substantiate anything  
11      else that they're saying about trying to make these  
12      connections.

13             I think we can all agree that however you view it at  
14      this point after this long week, certainly aren't able to  
15      see it going down the way that they said it went down.  
16      There's so many holes. It's absolutely -- they've fallen  
17      so short of that standard that I just can't imagine  
18      anybody that's thinking about it reasonably and really  
19      examines each and every piece. Again, it just doesn't add  
20      up. It's not enough. They've really had trouble proving  
21      anything other than we've established that they obviously  
22      mismanaged the investigation from the beginning. It was  
23      incomplete. It wasn't thorough. Who knows why. There's  
24      all kinds of explanations or reasons why. I don't think  
25      they add up. I think y'all saw through that when they're

1       trying to justify why they wouldn't swab or DNA or  
2       fingerprint or luminol or anything else other than that  
3       actual cash register, and they willfully or negligently  
4       failed to even try to process the other areas around  
5       there.

6                Y'all saw the video. First of all, I don't know  
7       about you, but I've watched it I don't know how many  
8       times. I can probably watch it another hundred. It's  
9       almost impossible to conclude anything, to be sure of  
10      anything about anybody's identity. You know, it happened  
11      so quick. The images aren't exactly high definition.  
12      They're not zoomed in.

13              I think if you really -- and I'm sure y'all will have  
14      a chance and probably look at it more, but as you're  
15      looking at it, ask yourself what can we really even tell  
16      from this, I mean, even if we're really trying hard to  
17      make connections and we're really trying to see it from  
18      the State's perspective. Unfortunately, with whatever --  
19      again, whatever was available that night or whatever could  
20      be put into evidence, it's really hard to determine  
21      anything other than she was shot and killed, and it  
22      happened really quick, and there's two guys involved.

23              Now, everybody might want to be careful if they're  
24      dealing with AnMed Health because one of their techs, I'm  
25      sure you'll remember, testified under oath that she had

1 looked at X-rays of Quinton Collins, and she inexplicably  
2 had no idea when or what date that X-ray was taken. In  
3 fact, you might remember, I said could it have been a year  
4 ago? two years ago? How about seven years ago? No idea.  
5 I found that astonishing. That's medical records. What  
6 kind of standard are they playing by over there? And then  
7 furthermore, if we can't even date that kind of thing, how  
8 is that useful in any way for any of us to make any kind  
9 of determination? That's a question for you, for y'all in  
10 your deliberations. I mean, it's shocking.

11 What else have they mistaken? Obviously,  
12 Dr. Strathern, they banked a lot on what he had to say,  
13 but he was clearly flustered. I would pose to you that  
14 when he came in here, he had no clue why he was even here.  
15 And then he's not the only witness that that was painfully  
16 obvious. I mean, he didn't know the name, he didn't know  
17 what was involved. He had to be prompted and guided  
18 through that whole thing. You know, we asked him about  
19 this idea of bullet migration, and he said I hadn't even  
20 thought of that.

21 Obviously, there was no familiarity with that doctor  
22 with Quinton Collins or this case. He showed up because  
23 he had to show up, and obviously, he was not very helpful.

24 Now, as far as the object -- okay. I'm going to call  
25 it an object. They keep calling it a bullet. But the

1 reality -- it's possible, it's as possible that it was a  
2 bullet as any other object. Okay. It certainly could  
3 have been. Maybe you even think it was or maybe you're  
4 convinced it was. But, you know, when we asked him about  
5 could it be something else, you know, we asked him about  
6 if it's not visible from the side, the inconsistencies.  
7 He said anything's possible.

8 And when we get down to it, regardless, even if you  
9 think there was a bullet there and it was a bullet, what  
10 does it prove? It doesn't prove anything other than we  
11 believe he might have had a bullet in him sometime in late  
12 February, which would have been more than two months after  
13 the shooting.

14 But, of course, we know that cops went out there and  
15 interviewed Quinton more than once, and they more than  
16 once went out there looking for a bullet wound. We know  
17 that. They testified. They had to admit it. They had to  
18 admit they found nothing. That's in the time immediately  
19 after the robbery/murder. Okay. So even if you think  
20 there was a bullet in him two and a half months later,  
21 there's no evidence that there was, and, in fact, there's  
22 evidence that there clearly wasn't in the time immediately  
23 after the robbery/murder. Who knows what happened in the  
24 two and a half months after that. But that's all, again,  
25 speculation.

1           And, again, even if you think it was a bullet, even  
2 if deep down you think it might have been a bullet from  
3 that gun from that poor woman, there's no proof. There's  
4 no bullet. There's no way for us to know. We can't link  
5 to those conclusions and make speculative decisions based  
6 on that. That's not proof. It's not proof regardless of  
7 what you believe about whether it was or what happened to  
8 it. There's no evidence.

9           And furthermore, just think about, you know, we  
10 talked about use your common sense. For two and a half  
11 months leading up to the time they ran that X-ray, there  
12 is no evidence, no witnesses, no indication that Quinton  
13 sought any kind of -- I mean, you talk about being shot in  
14 the torso area, okay, there's no evidence of seeking any  
15 kind of treatment. Nobody in his life has come forward or  
16 the State's not able to produce any witness. And you  
17 think they might have been looking. But there's nobody in  
18 his life or nobody has any knowledge that stepped forward  
19 and said, yeah, he got shot. We knew he got shot. How  
20 likely is that? With all the people that you love, you're  
21 out there, I mean, we know -- we know from Major Hamby's  
22 testimony yesterday, he observed Quinton and Mike Utsey,  
23 the bouncer at Club Epic all the way over in Mauldin, he  
24 said those guys left that club at 10:48 that night. Okay.  
25 So Quentin's out clubbing, okay, that night shortly after

1 he supposedly got shot. Nobody noticed anything. He did  
2 his thing. He interacted with all his friends, all kinds  
3 of people. There's not one person that can come forward.  
4 They can't produce anybody that can even say they had any  
5 knowledge that he was even shot or that they even saw any  
6 kind of wound or other indication. I mean, this guy is  
7 out there clubbing shortly after.

8 And, again, they talked about a text message he sent  
9 about coming to get me. I think it was around 8:45, which  
10 she says, of course, that clearly showed that he was at  
11 home over in Greenville. So he's at home asking somebody  
12 to come get him, take him to the club. And that's  
13 45 minutes after this supposedly happens. This is a guy  
14 who supposedly got shot in the torso area.

15 And, of course, you know, they keep trying to put  
16 these guys in the stolen Subaru and saying that stolen  
17 Subaru was at the scene, no blood, no blood, no blood  
18 anywhere. They got some DNA off the steering wheel.  
19 Okay. How does that make sense? I mean, you saw the  
20 video. It's a violent thing to be shot. I mean, it  
21 killed that poor woman, and they're saying that they  
22 believe that the one guy going for the cash register was  
23 shot. I think it looks like he might have been shot. Of  
24 course, you can't tell who he is or whether or not -- you  
25 can't even be sure he was shot.

1           Again, we're never going to really know. Worst case,  
2 if it was actually a bullet at that time, it doesn't prove  
3 anything other than there's an image of it two and a half  
4 months after the fact, and there was no evidence of it at  
5 any time from the end of the robbery to that point. It  
6 just doesn't add up at all.

7           Now, as far as -- okay. Yeah. As far as then that  
8 later on, of course, and this is a big problem for the  
9 State, they want you to think, well, you know, there's a  
10 bullet in this guy. Well, of course, as the testimony  
11 showed and it's not disputed that the first time he was  
12 brought over to the hospital, they took the x-ray, he  
13 refused to have the object removed. Okay. I asked the  
14 doctor, hey, is there any note, do you recall him telling  
15 you that he was afraid for his life where you're going to  
16 be going in and doing surgery around his spinal area?  
17 There was no note of that. He didn't recall that. But,  
18 again, I'm not surprised. It was quite a long time ago.

19           But just for your own mind, you know, they come and  
20 get you, and they bring you over to a doctor and they say  
21 guess what? We're going to start cutting you up around  
22 your spine. I mean, isn't it reasonable that a lot of  
23 people might hesitate and might not want that to be done?

24           But I think what's even more important and more  
25 revealing about the state of mind is that then later on

1 when they went over there to remove the bullet, it's not  
2 there. Okay. He's been in custody that whole time.  
3 There's no evidence that he sought any medical treatment  
4 in jail, anybody performed any surgery on him. I mean,  
5 you can't -- it stretches credibility to think he could  
6 have done it himself. So, you know, at best you have some  
7 kind of -- if there's anything about their theory is even  
8 anywhere close, if there was a bullet, somebody, some kind  
9 of jailhouse surgeon or something did something with that.  
10 Well, we don't know. But, again, that's total  
11 speculation. Okay. They have access, unlimited access to  
12 all the inmates. Okay.

13 And I think we all know that, you know, we've seen  
14 how some of this goes with cooperation when Rhodes took  
15 the stand on Day 2 after, you know, he really didn't help  
16 them at all the first day, and then overnight he shows up  
17 and miraculously that all changed. Well, you have to  
18 think about why do you think that happened.

19 And, you know, there's a lot of guys over there that  
20 would love to make deals. We haven't seen one person come  
21 forward, nobody, and they've got unlimited access to  
22 everybody in jail.

23 Just think about it reasonably. Don't you think if  
24 somebody was involved in doing something like that, that  
25 we might know about it? Somebody would have stepped

1 forward. They would have a witness. I mean, and if it  
2 was removed, it stretches credibility, because then what  
3 happened to it? How do you get rid of it? You're in  
4 jail. Okay. Just think about how big some of these leaps  
5 are. They just don't add up.

6 Again, now the other thing, that second time he went,  
7 he denied the treatment again. If you recall, and I made  
8 kind of a big deal about it, the second time they say,  
9 okay, we have a court order, we're going to take that  
10 object out of you. Well, he said he didn't want them to  
11 do it. He still -- and the testimony was clear. He  
12 clearly said I don't consent to this. Even though it was  
13 out of his hands because it was a court order, they're  
14 going to do it anyway.

15 But why would a guy if he knew that there was a  
16 bullet in him that had been removed, why would he deny the  
17 treatment? I mean, if he was guilty of what they're  
18 trying to get you to believe he's guilty of, why, under  
19 any logical theory, would he sit there and still deny it  
20 or act like he was trying to hide something if the guy  
21 knew the bullet wasn't there? That also doesn't add up.

22 So the fact that he maintained that he didn't want  
23 them cutting him up, I don't think that points to anything  
24 other than in a flipped about way, from where the State's  
25 coming from, that second visit really makes it seem like

1 his state of mind was not a guilty state of mind, you  
2 know. He's saying I don't want you to go in there. Well,  
3 their theory is, well, he didn't want you to go in there  
4 because he's afraid you're going to find a bullet that's  
5 going to somehow match him up to this thing. Well, if he  
6 had it removed or did it himself or whatever, that  
7 wouldn't be a state of mind.

8 So, again, here we are. it doesn't add up. It  
9 doesn't make sense logically.

10 You know, they showed pictures of these scars, you  
11 know, his body. You know the guy's got scars all over the  
12 place, first of all. But I would pose to you, you know,  
13 they didn't put forth any kind of expert or anybody they  
14 can definitively say, hey, man, that's a bullet or that's  
15 how a bullet -- how it would look if a bullet was removed.  
16 You heard there's a small scar near where they believe the  
17 object to be. Again, just a lack of any kind of proof  
18 beyond a reasonable doubt of any kind.

19 The pictures that they introduced, he's got like a  
20 scab on his shoulder, then you've got a little cut thing  
21 in the back. I mean, what does it all add up to? I mean,  
22 which way is it again? Unfortunately, I don't think any  
23 of us are ever going to know. But, again, that's a  
24 problem for the State, not for us, not for these guys that  
25 are on trial.

1           Now, if we go back to the actual crime, the crime  
2 scene and start the beginning from that aspect, again, if  
3 you look at the recording, you can look at it over and  
4 over, right or wrong, good, bad or ugly, through no fault  
5 of anybody's, it's really hard to tell anything that you  
6 can hang your hat on and be sure of from the video itself.  
7 Again, that may be through no fault of the State, but it's  
8 certainly through no fault of guys that are on trial.  
9 Okay. It's simply not a suitable explanation to try to  
10 sell to you all, well, you know, hey, this is all we've  
11 got, we're going with it and please help us out. Okay.

12           This case has really not been good for Easley, not  
13 only because a lady was murdered, but it really wasn't  
14 great for the Easley Police Department. I think they  
15 might be the first to admit that after these proceedings,  
16 the way that this has gone and the way their investigation  
17 evidently transpired. You know, we beat it to death about  
18 the problems at the beginning, and you've heard me say it  
19 over and over.

20           It was -- frankly, it was a little bit awkward and  
21 maybe even a little bit embarrassing with the so-called  
22 evidence tech Officer Cowan who's no longer with Easley.  
23 I think you might remember his testimony. Again, I mean  
24 no disrespect personally with my comments as I'm sure he's  
25 a fine man. But he couldn't even -- I mean, it was

1 painfully obvious this guy had no idea what case we were  
2 talking about. He couldn't even, you know, basically  
3 testify about the crime scene or what happened or what he  
4 did until, again, he was constantly prompted and reminded.

5 But, you know, evidently he swabbed the register for  
6 DNA, for fingerprints. No blood. I mean, unfortunately,  
7 he first indicated, I think, to his embarrassment that he  
8 thought the assailant had gloves on. Well, clearly, there  
9 were no gloves. So that would mean exposed hands, prints,  
10 DNA, especially if you've been shot, violent episode. It  
11 strains credibility that there wouldn't have been some  
12 physical evidence there to connect up with Quinton or  
13 whoever it was that was involved there, but they didn't.  
14 And, again, we may never know because by their own  
15 admission, they just, frankly, didn't do a complete  
16 investigation. They didn't do a complete processing of  
17 the area where they think that this guy got shot.

18 Yeah. He was wrong about a lot, but at least he said  
19 that, you know, when the going got tough, the Easley  
20 Police Department would routinely go outside the agency  
21 and consult with other law enforcement agencies, I guess  
22 the big boys, to get help in criminal cases. And he said,  
23 much like the solicitor, hey, we -- quote, we do what we  
24 can. I said you do what you can, right, to the best of  
25 your ability? He basically threw his hands up, yeah, we

1 do what we can. He's kind of like, oh, well, this is all  
2 we've got. And they look at folks like you and expect you  
3 to run with that. Okay. It's not how it works. It's not  
4 fair to us.

5 Then, you know, we heard a little bit from the lead  
6 investigator, Detective Liner. Again, no personal  
7 disrespect with the questioning or the way that went  
8 between us, you know. He's a decorated officer, certainly  
9 a fine man. But, you know, he was the head of this  
10 investigation, and even though he clearly wasn't doing the  
11 physical evidence gathering, he's kind of one of the guys  
12 that's supposed to be in charge.

13 And he really didn't have an answer either for why  
14 the investigation was botched and why it didn't progress  
15 the way that it should have. I think, again, they would  
16 have all loved to do some things over with, do it a little  
17 bit differently. But we can't go back over four years and  
18 do that. And we certainly can't -- we would love to do  
19 that because we think that that would absolutely help  
20 these guys. So it kind of works against both sides, if  
21 you will. We can't really conclude anything. It's a  
22 bloody mess. And, again, one way or another, that doesn't  
23 push you beyond a reasonable doubt by any means.

24 You know, each one of their witnesses, you may have  
25 noticed that we tried to wrap up with you have no

1 knowledge of any physical evidence of any kind or direct  
2 evidence or witnesses, video, any of that, blood, DNA,  
3 fingerprints. They got nothing that connects these guys.  
4 I mean, we finished almost every one of their witnesses  
5 making sure that they sat there and told you that. And  
6 some of the other ones we made sure they said over and  
7 over they're not experts. I don't know. I don't know.  
8 You have to weigh that. What is that?

9 Again, when we start piling manure on top of manure  
10 or bad data on top of bad data, you know, you put crap in,  
11 you end up with getting crap out. And, you know, that's  
12 just a colloquial way to kind of sum up what they're  
13 trying to sell.

14 We had other law enforcement who testified, you know,  
15 if they could ID either one of these guys, why the  
16 investigation didn't go further, why didn't we make more  
17 of an effort to try to find other video out there,  
18 witnesses. It defies logic that these guys could have  
19 been involved in a murder/robbery and took off in a  
20 getaway car with -- you know, we live in a world where  
21 there are, again, by the officer's testimony, cameras  
22 everywhere, yet we can't produce anything that might have  
23 helped us determine who these guys were, or maybe even  
24 connect up the stolen Subaru with the Subaru that was  
25 allegedly used at the killing. There's just no way to

1 connect any of that up. And, again, that's their burden,  
2 and they didn't meet it.

3 Okay. Now, they put a lot into this cell phone, cell  
4 phone tower stuff. Okay. Obviously, it's a big part of  
5 the case for them. And that's unfortunate for them,  
6 because as we've seen, it's really, you know, voodoo  
7 science as far as true science. It's totally unreliable.  
8 It's a shell game.

9 They put up three different witnesses to try and make  
10 sense of it all. I would pose that not one of the three  
11 could make the connections that any of us would have  
12 wanted them to, to push us, to convince us. In fact, you  
13 know, with Liner, we asked him a little bit about it. You  
14 know, in fairness to him, he made it clear. He hadn't had  
15 any training, experience as far as any kind of classes or  
16 schooling about cell phone tower triangulation or anything  
17 to do with that. He couldn't basically discuss that data  
18 because he's not qualified to do so. But he was willing  
19 to tell you all about what they thought it meant, but not  
20 quite as able to explain any of it or how it really works.

21 I'm sure you followed along as we kept digging deeper  
22 into some of this. We've exposed some really big problems  
23 with trying to rely on that data. I'm sure you remember  
24 all of it. Of course, I'm going to touch on a few of  
25 those points.

1           You know, in fact, they never called any experts  
2 about that data. They put up Liner, who's a chief  
3 investigator, and he made it pretty clear he -- you know,  
4 he can't tell us a whole lot about how it works.

5           They brought this guy in from T-Mobile, the actual  
6 phone company. Okay. And what was the highlight of that?  
7 I mean, he's the actual guy that they brought in to try to  
8 legitimize or make sense of all this. Okay. He kept  
9 saying over and over he's not an expert or even an  
10 engineer. And he repeatedly would not testify to the  
11 accuracy of the data. And, obviously, we showed him the  
12 document that T-Mobile puts out where they say, hey, we  
13 will not testify to the accuracy of this data. I mean,  
14 that's coming straight from the source. Hey, we're not  
15 willing to say that you can rely on this. It's not  
16 something that we're willing to go under oath and  
17 legitimize our own data. That's really powerful when they  
18 bring a phone guy in here and the best he can say is I  
19 can't even tell you if this stuff's accurate.

20           And then as we try to ask him specific questions  
21 about it, I think he actually helped us out because, you  
22 know, he did, all due respect to the State's theory, he  
23 was able to indicate common problems with the accuracy of  
24 that tower information. You know, it's anything from the  
25 congestion, how many calls are being made.

1           We learned that, you know, hey, it won't always go to  
2 the nearest tower. And remember, these maps, these  
3 splotches and circles and confidences and all this stuff,  
4 this mumbo jumbo, I mean, ultimately, all it can tell us  
5 is what towers were activated. Again, it can't tell us  
6 where the phone was. We beat that to death.

7           In fact, you might remember I sat right here with one  
8 of the State's witnesses and I said, hey, in theory, said,  
9 how far away are we from B Pam's? He said about 7 miles.  
10 And we were able to establish that in theory, because of  
11 the way this really works, if I'm on my phone or my  
12 phone's pinging, it's supposed to go to the closest  
13 available open tower. That was through the words of the  
14 T-Mobile guy and the State, the closest available tower.

15           So if a tower is being used or is otherwise  
16 unavailable, what did we learn? It will go seek another  
17 tower. And there's this thing about bouncing from tower  
18 to tower till you get one that will take the call. So  
19 obviously, you know, he had to admit I could show up on  
20 their little map in the B Pam's convenience store  
21 area while I'm sitting here in the courtroom, any one of  
22 us that can ping and try to say that we're in that  
23 vicinity. Okay.

24           And, again, it got to be a little bit repetitive. I  
25 hope it wasn't boring. But we're compelled to point out

1 and expose with each of these witnesses that they're  
2 trying to sell you a bill of goods that just doesn't make  
3 sense and that nobody should be relying on for anything of  
4 any importance. And that's from their own mouth.

5 It was Swafford was the third one. And, again, he  
6 was the third witness where there was some talk about this  
7 stuff. And, in fact, he was their witness when they had I  
8 think it's like 50 pages of this stuff, you know.

9 I would just ask you, you know, as the State was  
10 rapid fire throwing those up there, I mean, my head was  
11 spinning. You know, Of course, as one of the attorneys in  
12 the case, I totally anticipated this. But, I mean, I'm  
13 thinking as I'm looking at it, you know, what is this?  
14 What is this actually showing? I mean, we know it's just  
15 towers. Not phones. We know that there's -- it doesn't  
16 have anything to do necessarily with how close the phone  
17 is to the tower.

18 We learned that they believe it was single tower  
19 interaction, and we've learned that single is not as  
20 reliable as two towers, which is not nearly as reliable as  
21 three tower. And what did we find out with three towers?  
22 That's triangulation, and that's supposed to be the most  
23 reliable under our current science. Of course, the  
24 science says it's not reliable. Up to 1,500 meters, 5,000  
25 feet, that's almost a mile, ladies and gentlemen. That

1 means that we're supposed to put somebody at a specific  
2 spot when the best they can do is say the margin of error  
3 when it's three towers and it's the best it can get is  
4 about a mile. And then we know, well, that's if we don't  
5 bounce to another tower or whatever. It would be seven  
6 miles away like I was where they could have put me at  
7 B Pam's.

8 Now, Mr. Leal from T-Mobile, you know, again, he said  
9 there's a number of factors. It could be the height of  
10 the tower. We learned that in -- all due respect to where  
11 we live, this isn't Kansas City. It's not a major urban  
12 area. Obviously, this stuff's more accurate when there's  
13 more. Obviously, there's fewer towers in a place like  
14 this.

15 You know, he indicated, basically, at the end, and I  
16 actually -- I asked him what -- the exact words, I said,  
17 you're not an engineer, an expert, but you're entirely  
18 confident that T-Mobile keeps accurate records. And I  
19 don't think we're disputing -- I mean, I'm sure there's  
20 probably some inaccuracies, but generally, I'm sure the  
21 records are accurate. But the problem is, what are the  
22 records of? And I asked him. And, you know, it came out  
23 that it's really just keeping accurate records of  
24 inaccurate and unreliable information. So it would be  
25 like keeping a very detailed ledger, an accounting of each

1 piece of manure that you piled up. Okay. Really, really  
2 clear and detailed and accurate record. But, again, it's  
3 just really a record of a bunch of stuff that we can't  
4 rely on, that by their own admission, their own testimony  
5 is completely inaccurate, unreliable in this context.

6 Now, you know, it's like, you know, I said I think it  
7 was about 50 of these, went bang, bang, bang, and it was  
8 very quick.

9 You know, you've got these circles. You've got the I  
10 think they call them splotches, and then we've got the  
11 actual circles. And what do we find out? That  
12 ultimately, with Swafford, he's the third guy -- and  
13 granted, you know, they put three people up there talking  
14 about the cell phone stuff. They could have put  
15 300 people up there. They could have put 300 experts up  
16 there, and no one would have been able to do any better or  
17 tell you that that stuff's any more reliable. I mean, we  
18 could have paraded the whole city through here testifying  
19 about it, and it would never get any better because it  
20 can't get any better because it's unreliable.

21 Now, you know, some interesting choice of words I'm  
22 sure you noticed, and I jumped all over it with him, but  
23 with Swafford, again, the third guy, he's the actual  
24 police officer who kind of does this stuff, puts together  
25 these -- you know, these pictures, these displays that the

1 State showed you. Again, I would pose it was hard to make  
2 any real sense of it, and the best sense you can make of  
3 it is what I've already summarized, that it's a bunch of  
4 inconclusive tower data that can come from all kinds of  
5 angles. And really, you can't even narrow this thing  
6 down. It's not that far between Easley and Greenville  
7 where they're talking. I think she said it was about a  
8 20 minute drive or something like that was what came out.  
9 I mean, it's obviously feasible that you can be over there  
10 and ping a tower over here. We've clearly established  
11 that. So you do with that what you feel is right.

12 Okay. Now, I also found it interesting, and he had  
13 to say -- these are his words. He said at best, this data  
14 can help us guesstimate -- guesstimate about a rough  
15 area-ish. He didn't say "rough area." Rough area-ish.  
16 So now we're at guesstimate area-ish.

17 But then what was really great was the idea of this  
18 confidence. You know, these things are color-coded, and  
19 they -- basically, the way that they're color-coded, how  
20 thick I guess it is or how dense the color is there, I'm  
21 still not exactly sure, but basically, it's supposed to  
22 indicate the level of confidence that that data is  
23 accurate. Why the need?

24 So basically, there's some data that they're putting  
25 up there they want you to rely on that, well, we're not

1 very confident. Then there's some that, well, we're a  
2 little more confident. Then there's some that's, well,  
3 we're pretty confident.

4 Confident, again, we're not here about confidence.  
5 We're here about proof, proof beyond a reasonable doubt.  
6 We've got to know. We can't be confident or we can't be  
7 kind of confident in this stuff. Again, it just is  
8 astonishing that so much could be riding on so little.  
9 Okay. They just can't really do anything with that data.

10 Take a good hard look at all of it when you're back  
11 there. And just remember what these witnesses said in  
12 plain English, not some voodoo math or science or some  
13 crazy visual display that doesn't tell us anything.

14 Okay. Again, you know, Major Hamby was able to  
15 identify Quinton Collins and Mr. Mike Utsey leaving Club  
16 Epic all the way over in Mauldin at 10:48, going on 10:49.  
17 So if the times are right and, you know, it looks like  
18 this murder/robbery went down around 8:00, pretty much  
19 8:00 on the button, we've got police identifying Quinton  
20 out at a club shortly after this. Again, does that add up  
21 for somebody who, if you believe their theory, was shot in  
22 such a violent area, in such a violent manner?

23 All right. So I'm going to try to get to wrapping up  
24 here. It's not going to be over because my co-counsel is  
25 going to have some comments for you as well.

1           Let's go back and summarize a couple things about  
2 what you're going to be instructed and how you apply that  
3 to what we've been talking about beyond a reasonable  
4 doubt.

5           You know, you've got to be virtually certain,  
6 completely confident. Again, confident, but we're using  
7 it in a little bit different context. This time you've  
8 got to be completely confident, not, you know, kind of  
9 confident, a little more confident, a little less  
10 confident, you know. Really, really confident. You've  
11 got to be completely confident, virtually certain that  
12 what they're selling you is the way that it went down. I  
13 don't know how anybody reasonably could come to that  
14 conclusion, but that's for you to decide, not for me, not  
15 for them, not for the judge. That's the beauty of this  
16 thing is you all have the power. You get to decide.  
17 That's why we spent so much time in here trying to  
18 communicate, to point these things out to you. Okay.  
19 Because we want you to take into consideration all of it,  
20 not just what they're saying, but the totality of it.

21           And, again, we're riding with their case. Okay.  
22 Their case. It's as good as it's ever going to get, and  
23 it's not very good. And, again, they've got to go with  
24 what they can go with. But this isn't -- again, our role  
25 is not to say, well, you know, it could have been if you

1       could have proved this, this, and this. Okay. It just  
2       didn't happen, so you can't -- you can't possibly find  
3       otherwise.

4               Okay. They failed to meet their burden. It's a  
5       really high burden, again. It's to protect us all from  
6       being railroaded, frankly. I mean, that's why we have  
7       beyond a reasonable doubt. That's why we have that cloak  
8       of innocence to start, because anybody -- anybody in this  
9       society that sits down in one of those chairs gets that  
10      protection. Because you know why? The State is big and  
11      bad and powerful, and they will run you over, and you will  
12      get railroaded if you don't have that protection. Look  
13      what happens in other countries. I mean, it's a beautiful  
14      thing. It's there to protect us all. And it's only fair  
15      that if you find that they've met that really high burden,  
16      yeah, you've got to find these guys guilty, but -- or one  
17      or the other. You know, you can find them both guilty,  
18      one of them guilty, the other guilty or neither one of  
19      them guilty, which to us is clearly the most logical  
20      conclusion here.

21             It's really not a fair fight. They've got all the  
22      power and the resources. But having said all that, they  
23      just weren't able to get there. And they're telling you  
24      that, basically, by using language such as "I wish we had  
25      more," "best evidence available," "this is all we had,"

1 you know, that's just not going to be good enough. Maybe  
2 we wish it could have been different. Maybe we'd like to  
3 know more, but we don't and we're never going to. It's  
4 never going to get any better. Okay. It only gets worse.

5 They're asking you to make a lot of connections. I  
6 mean, it defies logic, and it's going to strain the logic  
7 if anybody reasonably thinking about this and really  
8 considering everything that's been said and shown or, more  
9 accurately, not shown, unfortunately, not shown for that  
10 poor woman.

11 In the end each of -- and I like to call this the  
12 what-ifs, you know. In the end, each witness, you know,  
13 we're talking about the way the investigation progressed  
14 or the way evidence was either collected or failed to be  
15 collected, we got into some what-ifs. You know, hey,  
16 don't you think it would have been better if you would  
17 have swabbed the counter? you would have tried to print?  
18 you would have tried to test for blood? I mean, it's just  
19 astonishing they would just willfully or negligently not  
20 do that. And there's no way any of them could explain it.  
21 Again, I'm guessing there's some embarrassment there.  
22 Again, that doesn't help the poor victim in this case, and  
23 it doesn't help us. Because, frankly, if they would have  
24 done that, what if they would have found prints for  
25 somebody who actually was there? Maybe their

1 investigation would have gone a little bit differently.

2 I mean, we talked about tips and some of these other  
3 things can create a tunnel vision. I mean, we believe  
4 that the police had these guys on their radar the whole  
5 time. So once that happens, then everything that happens  
6 after that, then they're going to kind of twist that or  
7 try to fashion it to fit that theory that they've already  
8 come up with. They already thought that these guys were  
9 guilty. They made the decision even though they're not a  
10 judge or a jury. And from that point, it's really easy  
11 for them to take anything that happens after that and try  
12 to make it fit, make it fit that narrative. They tried to  
13 do that throughout. And, again, I think it's painfully  
14 obvious that it just has not worked out.

15 No direct physical or otherwise -- no physical  
16 evidence or no direct evidence, again, putting them at the  
17 crime scene at all. No witnesses. I mean, it just defies  
18 logic with this kind of incident, how terrible it was, the  
19 magnitude of it. We don't have anything more to go on.  
20 And, again, I think they wish they would have gone  
21 farther, but we're never going to know. They just didn't.

22 So, you know, I'm guessing you all had to be a little  
23 bit confused throughout this thing not just because it's a  
24 new experience and it's a lot of stuff being thrown at  
25 you, words and concepts that hopefully a lot of you

1 haven't ever had to deal with, things that we deal with  
2 all the time, but I'm guessing you're also a little bit  
3 disappointed, you know. You came here. You knew what the  
4 trial was about. I'm sure you had some thoughts and some  
5 notions about what you might hear, what you might see and  
6 how it might go, and I'm sure you're probably really  
7 disappointed because ultimately, it was much ado about  
8 nothing. I mean, we're still sitting here waiting for the  
9 payoff. I'm still waiting for the big one, you know. I'm  
10 waiting for the big bang, the evidence, you know. Where's  
11 it at? Where's the beef? It's not there.

12 We ended up sitting through what ended up being a dog  
13 and pony show where they think if they stack up a bunch of  
14 witnesses that do nothing for them or that they stack up  
15 50 pages of manure, you know, it's like I think we all --  
16 I mean, even I'm terrible with math, but I remember my  
17 grade school math. I think any number times 0 is what?  
18 0. So 50 pages of 0, 0, okay, equals nothing that helps  
19 us.

20 So we can stack all this up and we can call it  
21 evidence, and, oh, the evidence is stacking up, it's  
22 overwhelming. I think, you know, again, a bunch of  
23 stacking up of nonsense and speculation doesn't get us  
24 anywhere. It just digs us deeper. Okay. And it runs the  
25 risk of further injustice. Okay.

1           It wasn't fair what happened to that poor woman that  
2 night. Certainly wasn't justice. But do you know what we  
3 don't do? We don't try to remedy that by creating more  
4 injustice, by committing more injustice. Okay. We're  
5 waiting for the real show to start. But the show's over.  
6 Okay. This is where the buck stops here, ladies and  
7 gentlemen. You're going to have to make the call based on  
8 what's out there.

9           It's going to be -- I think it's going to be a  
10 relatively easy call if you apply the law as the judge is  
11 going to tell you. All roads lead to the same conclusion.  
12 They can't prove anything, let alone that these guys were  
13 there and committed a murder. We need proof. Not  
14 confidence, proof. Proof beyond a reasonable doubt. We  
15 didn't get it because it's not there, and we're never  
16 going to get it.

17           And, again, don't do them any favors. It wouldn't be  
18 fair to these guys. It wouldn't be fair to any of us.  
19 Okay.

20           And finally, I just want to thank you, again. I know  
21 I speak for the whole table over there. That's my  
22 co-counsels and that's these two guys: my client, Quinton  
23 Collins, and Tychristian Ladson. Again, I've come to get  
24 to know these guys. They're human beings. They're not  
25 defendants. Okay. And just because this terrible thing

1 happened and they're sitting in that chair, you cannot --  
2 you cannot find them guilty of anything that hasn't been  
3 proven, and it clearly hasn't. And further, that would  
4 further perpetuate more injustice. It's a terrible thing  
5 that happened. We don't correct it by railroading guys  
6 that they can't prove anything about them.

7 Again, thanks for your attention.

8 THE COURT: Ladies and gentlemen, since we've been  
9 going about an hour and a half, does anybody need a break  
10 before we hear -- all right. Let's take a five minute  
11 break. And y'all -- tell you what. Y'all let the bailiff  
12 know when y'all are ready, okay, and we'll come right back  
13 out at that point.

14 Everybody else remain seated.

15 (WHEREUPON, the jury exits the courtroom at 12:04 PM.)

16 THE COURT: All right. When the jury indicates  
17 they're ready, we'll be starting back.

18 (WHEREUPON, a recess is taken at 12:05 PM; proceedings  
19 reconvened at 12:15 PM.)

20 THE COURT: All right. The jury has indicated that  
21 they're ready. Is the State ready?

22 MS. OWENS: Yes, Your Honor.

23 THE COURT: Collins?

24 MR. PRINGLE: Yes, Your Honor.

25 THE COURT: And Ladson?

1 MR. BOATWRIGHT: Yes, Your Honor.

2 THE COURT: All right. Bring them in.

3 (WHEREUPON, the jury entered the courtroom at 12:15 PM.)

4 THE COURT: All right. Mr. Boatwright.

5 MR. BOATWRIGHT: Thank you, Your Honor. May it  
6 please the Court.

7 If this is the best the State of South Carolina can  
8 do to try and prove two people guilty of murder, then  
9 that's absolutely pitiful. You heard the detective tell  
10 you on the stand they have high standards. Did they just  
11 throw them out for this case? Because the investigation I  
12 saw does not rise to what I would classify as high  
13 standards.

14 So first, let's talk about the idea of the bullet  
15 real quick. The State told you that clearly the video  
16 shows he's reaching for the register, he gets shot, comes  
17 through the neck and goes to the back. That's what she  
18 says that the video shows you. The detectives went out  
19 there and checked Quinton Collins, asked him to pull his  
20 shirt up. And every one of them was, oh, well, we didn't  
21 check his neck area. We thought he was shot in the chest.  
22 But the State just told you the video clearly shows he was  
23 shot from the neck. So why are they trying to use as an  
24 excuse their lack of investigation for not finding the  
25 evidence?

1           They thought Quinton Collins was shot. They asked  
2 him to lift his shirt. He did. And every one of them  
3 tried to tell you the excuse was he didn't lift it high  
4 enough. Well, what did you see today? You saw a picture  
5 that Jamie Newton took. And how did she take that  
6 picture? She had somebody lift Quinton Collins's shirt to  
7 his armpits just like what the detective said that he did  
8 when he searched for it, and they saw a scar. So she can  
9 see it from lifting the shirt but the detectives can't?  
10 No.

11           This entire investigation was poorly done from the  
12 lack of understanding starting from the top down.  
13 Detective Liner sat on this stand, and he told you that  
14 the latitude and longitude on this call detail records go  
15 to the phone, not the cell phone tower. He even said that  
16 because of the cell phone records, he knew that they were  
17 at the scene. That was his understanding of these cell  
18 phone records. But yet the T-Mobile guy and Mr. Swafford,  
19 their cell phone guy, told you that that's not true. No.  
20 Latitude and longitude is to the tower, not to the cell  
21 phone.

22           So Detective Liner didn't even understand what he was  
23 looking at. And instead of getting a better clarification  
24 for it, he just said, you know what? This is what it is,  
25 and I'm going to go with it. And he hones in on Quinton

1 Collins and Tychristian Ladson. So now at this point they  
2 decide we're just going to make the evidence, we're going  
3 to force it into this puzzle. All right. That's what  
4 they're doing with the Subaru.

5 Now, you've heard all the testimony. You get to  
6 reflect on that and remember what was said.

7 What you'll remember Thomas Cloer saying was he was  
8 close enough to the Subaru that he couldn't see inside the  
9 vehicles because they were fogged up. He also told you  
10 that he was pulled over because he was in a Subaru. They  
11 thought he was the getaway car. All we know for certain  
12 is that a Subaru Forester, newer model, silver was used in  
13 this robbery/murder. Not what Subaru Forester, not whose  
14 Subaru Forester, nothing.

15 He's chasing this car down. Keep in mind, he told  
16 you this car is not speeding. And he's chasing them down,  
17 trying to get the evidence that he can to give to the cops  
18 in Easley, South Carolina, and yet he doesn't notice the  
19 Clemson sticker on the back of the car? Is this really  
20 the same Subaru? Maybe it is. But guess what? Maybe is  
21 not proof beyond a reasonable doubt. Where is the proof?  
22 They don't have it.

23 That same Subaru, you heard Ryan Collins get on the  
24 stand and testify that he saw Tychristian Ladson, the  
25 gentleman in the black shirt, in the passenger's seat with

1 his hood over his head, and that Quinton Collins, the  
2 gentleman in the white shirt went inside the Spinx. That  
3 was his testimony. He knows what he saw.

4 You saw the video at Spinx, and then you saw the  
5 picture at Spinx. And the State even got up here and told  
6 you that you saw that picture. Who was in the picture?  
7 Who went inside Spinx? Tychristian Ladson. Not Quinton  
8 Collins. But he was so certain as to who he saw inside  
9 that store, how does he know who the passenger was? How  
10 can he identify anyone? Why was he getting so mad and  
11 hostile? I'll give it to you. Tychristian Ladson was in  
12 a Subaru Forester at some point in time in his life. Yes,  
13 he was. That's why his DNA is in there. We're not  
14 debating that. That doesn't mean that he was in a Subaru  
15 Forester that was used as the getaway vehicle. That also  
16 doesn't mean that he was in the Subaru Forester, in this  
17 Subaru Forester at the time of the incident. The only  
18 thing they prove to you is that he was in a stolen silver  
19 Subaru Forester the day before the incident in Greenville.  
20 They can't even put that Subaru Forester in Easley.

21 Now, the State told you that Darius Rhodes there got  
22 up here, and he's Tychristian's friend. Okay. And why  
23 would he tell you that he recognized Ty if it wasn't true?  
24 Well, first off, because he's a convicted murderer. He's  
25 under investigation. The cops have called him and said we

1 need to talk to you. We've got a warrant just to come  
2 search your house. And he knows he's in trouble. He's a  
3 criminal charged with burglary, armed robbery, assault and  
4 battery, murder. And his deal is plead to 20 years for  
5 voluntary manslaughter if he testifies? Decides not to  
6 testify. They send him back to the jail. The next  
7 morning, all of a sudden, after he talks to his attorney,  
8 he's willing to testify.

9 So let's look at what he actually testified to. He  
10 said that he recognized that it was Tychristian Ladson  
11 because of three things: black mask, black jacket, and  
12 the black shoes. You saw the video this morning. Think  
13 about it. And you can watch it again as many times as you  
14 want when you're deliberating. What color was that mask?  
15 One guy had on an orange mask. The other guy clearly from  
16 the nose down is in a white mask. How did he recognize  
17 somebody from a black mask when they're wearing a white  
18 mask? How do you recognize anybody?

19 You've seen the video. The person in that video, I  
20 couldn't tell you anything about who they were wearing  
21 that mask. Can you? No. Because they're wearing a mask,  
22 and they're wearing a big bulky coat. You can't even  
23 really see the shoes in that video. But again, the fact  
24 that you're going to try and rely on saying I know it's  
25 him because he's wearing black shoes, really? That's the

1 evidence the State's trying to tell you that you should  
2 consider in finding these people guilty of murder is that  
3 he recognized black shoes? How many pairs of black shoes  
4 do you own? At least one pair, probably. Everybody's got  
5 some black shoes. But he recognized black shoes.  
6 Couldn't tell you nothing about the color of the pants.  
7 Couldn't tell you nothing about the laces. He just knows  
8 it was some black shoes. It just don't make sense.

9 That man's up here, and he's willing to say anything  
10 that he needs to say to get his 20 year sentence. He  
11 probably would have told you that he did it if they  
12 offered him ten years. That's why he's talking. And  
13 that's their evidence? That's their case? That is not  
14 proof beyond a reasonable doubt, because not a word out of  
15 his mouth is credible. I asked him flat-out how many  
16 people did you murder. And what was his response? He  
17 laughed. That's the person they're asking you to believe.

18 Now let's talk about David Picone, because the State  
19 wanted to tell you how David Picone talked to Tychristian  
20 Ladson, and Tychristian Ladson was so nervous that David  
21 Picone thought he had a gun on him. Have you ever heard  
22 of a cop talking to someone that they believed is armed  
23 and they don't do a pat down? Man, get out of here with  
24 that nonsense. They will pull you out of the car even if  
25 you have a CWP to take your gun and unarm you just so that

1 they can talk to you safely. He's so scared he's got a  
2 gun that he doesn't do a pat down? Doesn't make no sense.  
3 It's complete crap.

4 Why do you think Tychristian would have been nervous  
5 talking to him? The State didn't talk about it on direct,  
6 but on cross, what did we find out? Because he called him  
7 up and said I need to talk to you. Where are you going to  
8 meet me? He said, hey, I'll meet you here, and then he  
9 sends him a picture of his house? You send me a picture  
10 of my house and we've got a problem. That is a threat.  
11 Why would he be nervous? Because he's getting a threat.  
12 sending a picture of the house, and then surprised that  
13 he's nervous.

14 This is also 2023. You've all seen the news, YouTube  
15 videos. You all know of the police brutality, police  
16 misconduct. Why is someone nervous dealing with police?  
17 Because they're dealing with police.

18 Let's talk about the cell phone data. The State is  
19 arguing to you that this cell phone data, you should rely  
20 on it just like they did even though we know for a fact  
21 one of them is not accurate. How do we know that?  
22 Because the call detail records for Tychristian Ladson's  
23 phone show a different IMEI than the IMEI on his actual  
24 phone. Now, the State tried to argue to you that he got a  
25 new phone. Why'd he get a new phone? Where's the proof

1 of that? Because they actually messed up.

2 And they asked Ricardo Leal, hey, if you get a new  
3 phone, is that going to show up on the record? He said  
4 yeah. It sure will. You change your device, and that new  
5 IMEI is going to show up on the phone record.

6 Look at the phone records. The IMEI is the same. So  
7 it's either to a different device or is just wrong  
8 information on their record, and therefore, we can't rely  
9 on that anyways.

10 Timing advance records, T-Mobile told you flat-out --  
11 they didn't tell you I won't testify to one little thing  
12 in it. They didn't say no, no, the accuracy is right but  
13 this other stuff may not be. No. They said we won't talk  
14 about that record at all. We won't testify that a single  
15 thing in that record is accurate. These records aren't  
16 for location. These records are for us to use to make the  
17 towers better, to make us a better cell phone company, and  
18 yet they still wouldn't tell you a single thing on the  
19 timing advance records was accurate.

20 But what he did tell you is that the timing advance  
21 records are any time your phone connects to a tower.  
22 You're sitting here with your phone on silent, it's  
23 connected to a tower. That's your timing advance record.  
24 But yet Swafford got up here and told you he didn't have  
25 timing advance records for Tychristian Ladson's phone.

1 But he did. He didn't realize the mistake until I  
2 confronted him on it. So then he was like, oh, well, for  
3 that time frame we didn't have timing advance records.  
4 But they claim that his phone was making phone calls, and  
5 then there's no record on the timing advance record of any  
6 connection to a cell phone tower? That shows the  
7 reliability of the records by itself.

8 We asked every witness how far is the range on this  
9 tower. What did they tell you? I can't tell you. What  
10 about this tower? I can't tell you. What about any tower  
11 in general? Oh, it could be one mile. It could be ten  
12 miles. It could be, as the State said earlier, up to  
13 30 miles.

14 Do you know what is 30 miles away from Easley?  
15 Greenville. Less than 30 miles. So, yeah, it's possible  
16 you can be in Greenville and ping on a cell phone tower in  
17 Easley. Even though the State is trying to argue to you  
18 that it's not possible, it is. They don't know how many  
19 towers are in the area. They don't know the range of  
20 these towers. And they don't even know what the data  
21 says.

22 What he told you on the stand, Swafford, about his  
23 little bubbles and his circles, he said you know what?  
24 The call detail records, they put this little circle on  
25 the map, right, and that's the area that the phone may be

1 in, and that that circle tells you what? The tower number  
2 and the sector. When I questioned him about it, he said,  
3 oh, no, that's just the sector. That's one sector of that  
4 tower. And based on the maps they've shown, we saw one  
5 tower go up to at least three sectors.

6 How does the sectors work? Nobody explained that.  
7 Is it that you have one circle here and that's Sector 1  
8 and that's why some of those circles are smaller? And  
9 then some of those bigger circles, maybe that's Sector 2  
10 because the higher the sector you go, the bigger the  
11 circle is letting you know how far out it is? Because  
12 every time we asked why some of those circles were bigger  
13 and some of them were smaller, it was a different tower.

14 They didn't do anything to verify those records.  
15 They simply put them into a system and they popped out  
16 some maps. And they said, oh, great, this is what it  
17 tells us. However, when I asked Swafford if he knew that  
18 the records would not be testified to the accuracy by  
19 T-Mobile, he said he couldn't recall.

20 T-Mobile told you flat-out, no ifs, ands and butts  
21 about it, they disclose when they send the records that  
22 they will not testify to that accuracy. If you want to  
23 verify the accuracy, you've got to do it yourself. And  
24 what did the State do? They said, oh, no, we ain't  
25 worried about it. It's not acceptable.

1           Someone was murdered, and they should have done a  
2 better investigation. They should have actually  
3 investigated the case. One statement made by Detective  
4 Liner that shows to you and proves to you beyond a  
5 reasonable doubt that they did a horrible investigation,  
6 they said they collected the evidence at the scene the day  
7 of the incident, right? And then he said he had to go  
8 back out there like a year and a half ago to get another  
9 bullet casing that they left behind. Are you serious?  
10 Undisputable video evidence that someone is shot and  
11 killed there, and you leave bullet casings behind.

12           They did the same thing with this bullet that they  
13 believe is in Quinton Collins. You just found out he was  
14 in custody for them the whole time, but yet they didn't  
15 try to remove the bullet for almost two years after the  
16 incident. And he's in their custody. Why? If this  
17 bullet was so important and you thought it matched to that  
18 gun, why would you not get that out immediately? Sloppy  
19 police work, crappy investigation.

20           And guess what? Just because they did a bad job  
21 investigating the case and they did a bad job putting the  
22 evidence together doesn't mean that they get to come in  
23 here and ask for you to do them a favor, just make some  
24 assumptions, give them the benefit of the doubt. No. We  
25 still have to hold them to their burden.

1           So one thing my co-counselor talked about was this  
2           idea that they didn't DNA the counter. Right. And  
3           everybody made an excuse for why that wouldn't have been  
4           done. But if somebody's leaning over the counter and  
5           they're shot in their neck, there's a potential that blood  
6           is going to come out. That's common sense. You're shot,  
7           you bleed. Blood could have dropped on that counter,  
8           right?

9           What did you see this morning? You saw the two  
10          people run in the store after the gunshots, and that woman  
11          jumped up on the counter, climbed over that counter.  
12          There could have been blood there. Maybe it was smeared.  
13          Maybe it rubbed off on her pants. Who knows.

14          You know what we do know? Just like Mr. Pringle  
15          questioned them on, if they had used that little black  
16          light thing, they would have found if there was any traces  
17          of blood. But did they? No, they didn't. Wasn't no  
18          reason to. Again, sloppy police work.

19          I mean, I love the one statement the State made. I  
20          wish we could have shown you the evidence of that bullet  
21          matching to that gun. Why would they wish that? Why  
22          would the State wish that they could have more evidence?  
23          Because they know they ain't got it. They don't have  
24          enough, and they haven't met their burden.

25          And contrary to her telling you that she wouldn't be

1 up here asking you to find him guilty without all the  
2 evidence that they felt necessary, it's exactly what she  
3 did. Because the only thing that they can prove beyond a  
4 reasonable doubt is that Tychristian Ladson was in a  
5 stolen Subaru Forester at some point in time in his life.  
6 That's it. They can't even from prove to you which phone  
7 pinged on the towers in Easley and Greenville because the  
8 records are to the wrong phone.

9 But even if we assume those records are right, then  
10 okay, let's say we rely on them and we say these records  
11 are accurate and they're right, okay. They were in  
12 Greenville, went to Easley and back to Greenville. If you  
13 live in Easley and you want to go to the mall, where do  
14 you go? You go to Greenville. When you're done with the  
15 mall, what do you do? You go back to Easley. Go back  
16 home. If you live in Greenville and there's something you  
17 want to do in Easley, what do you do? You go to Easley.  
18 And when you're done, you go back home. That's not proof  
19 of murder. If it is, then if any of you were here or in  
20 Easley on December 14, 2018, you could very well become a  
21 suspect simply being in the city, because that's what the  
22 cell phone records show, and that's it.

23 All right. I'll start wrapping up with this.  
24 Detective Liner was the lead investigator of the case.  
25 That means he is the person that oversees this entire

1 investigation. He's responsible for what everybody does,  
2 why they do it, what they do, how they do it. He's  
3 responsible for tying all that evidence back together. He  
4 got on the stand, and what did he tell you? He told you  
5 that he followed up on some leads and he applied for some  
6 search warrants. Couldn't explain the cell phone data.  
7 He didn't understand it. That's it? The lead  
8 investigator, and that's his knowledge of the case?  
9 That's his knowledge of the evidence? That is not  
10 acceptable. He knows better. He should have done better.

11 Reasonable doubt comes from three places: the  
12 evidence, the lack of evidence and the conflict in the  
13 evidence. In this case you have seen reasonable doubt in  
14 all three of those, because there are some serious issues  
15 with this case, and I'm sure you're sitting here with a  
16 lot of questions. Those questions are reasonable doubt.  
17 If you find yourself thinking maybe it's likely. No.  
18 That's not beyond a reasonable doubt. Maybe it's  
19 possible. That's not beyond a reasonable doubt. This  
20 isn't a kinda. No. This is beyond a reasonable doubt.  
21 It's a very high burden. And as the judge is going to  
22 instruct you, it's the kind that you wouldn't hesitate to  
23 act. And as you sit here right now, you're hesitating to  
24 say whether or not they're guilty, and that by itself is  
25 reasonable doubt.

1           So I ask you find not only Quinton Collins not  
2 guilty, but Tychristian Ladson not guilty of murder and  
3 attempted robbery. Thank you.

4                           CHARGE ON THE LAW

5           THE COURT: All right. Ladies and gentlemen, now  
6 it's my opportunity now to charge on the law.

7           As I told you in the beginning, you and I have two  
8 very distinct jobs. My job is to charge you on the law of  
9 the case. Now, if you came into this courtroom and you  
10 had an idea of what you thought the law was, or maybe you  
11 picked something up on TV that makes you think what the  
12 law should be, or maybe it's different from something that  
13 one of these attorneys has said, 'the law is what I'm  
14 charging you now. And you've taken an oath to apply the  
15 law as I give it to you right now.

16           Now, also, as I also told you in the beginning, your  
17 role and my role are different. My role, again, is to  
18 determine what the law that applies to this case, and  
19 that's what this is here. This is what we call the jury  
20 charge on the law. My job is also to preside over the  
21 trial and rule on evidentiary matters. And those are  
22 matters that we -- that I assure that all matters that are  
23 introduced in this courtroom follow our very strict rules  
24 of court and rules of evidence.

25           Your role is to determine what the facts in this case

1 are. What that means is to reach a verdict. And you will  
2 take all of the evidence, which is evidence can be by way  
3 of stipulations -- and stipulations are agreements by the  
4 parties that have been presented in this matter and  
5 require no other proof of that matter that the stipulation  
6 is on. It may -- also, the evidence is from testimony  
7 that is presented. It is from exhibits that are presented  
8 and video. All of that are the evidence that you are to  
9 consider. And you're to give it, each item, the weight  
10 and value which you feel is appropriate. And if there was  
11 any evidence or any testimony or anything stricken from  
12 the record, then that means that you're not to consider  
13 that in your deliberations.

14 Also, again, your job is to determine what the facts  
15 are. And if there is anything that I have said or done  
16 that makes you think I have an opinion on the facts,  
17 please disregard that because that's not my job. That's  
18 me stepping into the jury box, and that's not my role.

19 As I also told you at the beginning the fact that if  
20 someone was indicted, and you heard reference to an  
21 indictment, that is merely the paper that brings this  
22 matter to court. That's the formal charge against these  
23 defendants. Those are allegations made by the State and  
24 establish what the burden of the State is. The fact that  
25 somebody was indicted, the fact that somebody was arrested

1 or charged, that's not evidence. Those are merely the  
2 formal matter which brings this matter into court. You're  
3 to determine, make your decision based on the evidence  
4 that was presented.

5 Now, we also have two separate defendants, and we  
6 have two separate charges as to each defendant. You're to  
7 consider each charge. We have a charge of murder against  
8 both Defendant Collins and Defendant Ladson, and we have  
9 the charge of attempted robbery against Defendant Collins  
10 and Defendant Ladson as well. You're to consider each  
11 charge as to each individual separately. You're to make  
12 an evaluation, an analysis and deliberate on one of those  
13 charges against one of those defendants and make a  
14 decision. And once you have made that decision, you will  
15 then go to the next charge on that defendant or however  
16 you want to do it. But the fact that you make your  
17 decision on one of those charges should not affect your  
18 decision on other charges. You're to consider the  
19 evidence and evaluate each charge as to each individual  
20 separately. Okay. And your decision on any particular  
21 charge against any particular defendant should not be  
22 binding on you on your evaluation on the other individual  
23 or the other charge.

24 Now, a very important part of our criminal system,  
25 our judicial system in criminal matters, I should say, and

1 that is the presumption of innocence. That is kind of one  
2 of the foundations of our system of justice. And that  
3 means that every individual charged with a crime that  
4 comes into this courtroom, whether it's -- whatever type  
5 of courtroom it is, they have the presumption of  
6 innocence. And that presumption is with them throughout.  
7 It is at the time of the charge, it's at the time this  
8 case started. It's throughout the entire time of this  
9 charge. It is still there now. The only time that that  
10 presumption is removed is when you the jury have found  
11 that individual guilty beyond a reasonable doubt of the  
12 charge. Only then is that presumption removed. And  
13 that's a very important part. It's more than just a legal  
14 theory. It's a very important part of our judicial  
15 system.

16 Now, what is reasonable doubt? Okay. You've heard a  
17 lot about that, and you've probably seen that, various  
18 things on TV. And that's the burden of proof that the  
19 State has as to each element, as to each charge, as to  
20 each defendant. Everything that I will be discussing here  
21 with you and talking about the elements and what the State  
22 has to prove, that is beyond a reasonable doubt.

23 I always make sure that the jury is aware that  
24 there's a distinction with civil matters, because some of  
25 you may have been on a jury maybe in a civil matter.

1 Maybe you've been involved in a civil case or seen  
2 something on TV. That's a much lower burden. That's by a  
3 preponderance of the evidence. That is not what applies  
4 here. This is beyond a reasonable doubt.

5 Reasonable doubt is the kind of doubt that would make  
6 a reasonable person to hesitate to act. Proof beyond a  
7 reasonable doubt is proof that leaves you firmly convinced  
8 of the defendant's guilt.

9 You know, there's very few things that we know with  
10 absolute certainty, and our law does not require the State  
11 to meet, to overcome every possible doubt. If, based on  
12 your consideration of the evidence, you're firmly  
13 convinced that the defendants are guilty of the crimes  
14 charged, then you must find the defendants guilty.

15 If, on the other hand, you think there's a real  
16 possibility that the defendants are not guilty, you to  
17 find either or defendant not guilty of either or charge,  
18 then you must give the defendant the benefit of that doubt  
19 and find them not guilty.

20 Facts and circumstances that merely place upon the  
21 defendants a grave suspicion of the crime charged or that  
22 merely raise a speculation or conjecture of the  
23 defendants' guilt are not sufficient to authorize a  
24 conviction.

25 There's two types of evidence that the State can rely

1 on, and that's direct and circumstantial evidence. Direct  
2 evidence is evidence that directly proves the existence of  
3 a particular fact, and it does not require any inference  
4 or deduction. Circumstantial evidence is proof of a chain  
5 of facts and circumstances indicating the existence of a  
6 fact.

7 Crimes may be proven by direct or circumstantial  
8 evidence, a combination of both. The law makes no  
9 distinction of the weight or value that you are to place  
10 on that, and the burden is the same whether they're  
11 relying on direct, circumstantial or a combination of both  
12 of them.

13 However, to the extent that the State relies on  
14 circumstantial evidence, all of the circumstances must be  
15 consistent with each other and when taken together point  
16 conclusively to the guilt of the accused beyond a  
17 reasonable doubt. If the circumstances merely portray the  
18 defendant's behavior as suspicious, the proof has failed.

19 Now let's talk about one of the tools that you will  
20 have in giving the weight and value as to testimony is  
21 credibility of witnesses. This merely means  
22 believability.

23 Now, you as the jury can review the testimony and  
24 your recollection of the testimony, and you may consider  
25 whether somebody on the stand may have a particular bias,

1 an interest in the outcome or some reason that you find is  
2 appropriate in evaluating that testimony. You may accept  
3 a portion of a person's testimony and reject the remaining  
4 portion. You may accept one person's testimony over  
5 several witnesses, and you may accept several witnesses  
6 over one. You can accept all of a person's testimony, or  
7 you can reject all of a person's testimony. It is up to  
8 you to determine the weight and value to give all evidence  
9 including the testimony presented.

10 Now, another very important part, a very important  
11 foundation of our justice system, and that is an  
12 individual's right to exercise their constitutional right  
13 not to testify. And that is a very important part, and  
14 that is that every defendant has the constitutional right  
15 not to testify because they have no burden of proof in  
16 this matter. The burden of proof is on the State. And  
17 the fact that the defendant did not testify is not to be  
18 used against you -- against them. It's not even to be  
19 considered by you in your deliberation. It is not even to  
20 be discussed by you in your deliberation. And I repeat,  
21 you've taken an oath that you will apply the law as I give  
22 it to you, and that is that a defendant does not have the  
23 right -- does not have -- has the right not to testify,  
24 and that cannot be used against them.

25 There has been evidence presented that witnesses have

1 made prior statements which are not consistent with the  
2 witness's testimony. You may use that evidence to decide  
3 whether to believe the witness. You may also use evidence  
4 of the earlier contradictory statement to determine the  
5 truth of those statements. It's up to you to decide  
6 whether to believe the earlier statements or the testimony  
7 at trial. If a witness is shown to have knowingly  
8 testified untruthfully concerning material matter, you may  
9 consider this in determining whether to trust that  
10 witness's testimony as to that matter, and you may reject  
11 all the testimony or accept it as you feel appropriate.

12 All right. Those are some of the tools that you now  
13 have in making your evaluation in your deliberation. Now  
14 I'm going to get into more specific about some of the  
15 requirements of these particular charges. One of them in  
16 the charges presented are intent. Okay.

17 In order to establish criminal liability, criminal  
18 intent is required. For example, the mental state  
19 required to be proven by the State for a particular crime  
20 might be purpose, intent, knowledge, recklessness or  
21 criminal negligence. Criminal intent must be proven by  
22 the State beyond a reasonable doubt. Intent is always a  
23 matter that must be determined by the jury from the  
24 circumstances surrounding the situation.

25 There's no way to prove intent to a mathematical

1       certainty. There's no way medical science can dissect a  
2       person's brain and determine what their intent was, so  
3       therefore, intent must be inferred from the circumstances  
4       shown to have existed at the time. And that's how you  
5       make a determination of whether or not the element  
6       regarding intent is present.

7                It's not necessary to establish intent by direct and  
8       positive evidence, but intent may be established by  
9       inference in the same way as other facts by taking into  
10      consideration the acts and the facts and circumstances of  
11      the case.

12              Criminal intent is a mental state. It's a conscious  
13      wrongdoing. It's up to you to determine what the  
14      defendant intended to do based on the circumstances shown  
15      to have existed.

16              Criminal intent can arise from an action or failure  
17      to act. It may arise from negligence, recklessness or an  
18      indifference to duty or to the consequences that are  
19      considered by the law to be equivalent of criminal intent.

20              Now I'm going to discuss with you the particular  
21      elements of the charges that you will be deliberating on.  
22      The first one, both defendants are charged with murder.  
23      And the elements that I will be discussing with you now,  
24      again, the State must prove beyond a reasonable doubt.  
25      The State must prove that the defendants, either defendant

1 or both defendants, killed another person with malice  
2 aforethought.

3 Okay. And now let me kind of define some of these  
4 terms. Killed another person with malice. Those are the  
5 elements of murder.

6 Malice is -- malice aforethought. Malice is hatred,  
7 ill will or hostility towards another person. It is the  
8 intentional doing of a wrongful act without just cause or  
9 excuse and with an intent to inflict an injury or under  
10 the circumstances the law will infer an evil intent.

11 Malice aforethought does not require that malice  
12 exist for any particular length of time before the act is  
13 committed, but malice must exist in the mind of the  
14 defendants just before and at the time the act is  
15 committed; therefore, there must be a combination of the  
16 person's -- of the previous evil intent and the act.

17 Malice aforethought might be either express or  
18 inferred. The terms "express" or "inferred" do not mean  
19 different kinds of malice, but merely the manner in which  
20 malice may be shown to exist, that is, either by direct  
21 evidence or by inference from the facts and circumstances  
22 which are proven. Express malice is shown when a person  
23 speaks words which express hatred or ill will for another,  
24 but when the person prepared beforehand to do the act  
25 which was later accomplished.

1           If the facts are proved beyond a reasonable doubt  
2 sufficient to raise an inference or malice to your  
3 satisfaction, this inference would be simply an  
4 evidentiary fact to be taken into consideration by you  
5 along with other evidence in the case and give it the  
6 weight and value which you feel is appropriate.

7           So therefore, again, murder is killing another person  
8 with malice aforethought.

9           The other charge is attempted armed robbery. And,  
10 again, the elements are to be proven beyond a reasonable  
11 doubt.

12           There are four requirements. Attempted armed robbery  
13 is when a person attempted to take personal property from  
14 the person or presence of another person; number two, with  
15 the intent to permanently deprive the person of the  
16 property; three, the attempted taking and carrying away of  
17 the property must have been done with violence or by  
18 putting the owner of the property in fear of violence; and  
19 four, the defendants were armed with a deadly weapon  
20 during the attempted robbery. And I'll explain the terms  
21 a little bit here, but, again, you have attempted taking  
22 of personal property with intent to permanently deprive  
23 the owner of that property, to carry away, would have put  
24 fear of violence in the owner of the property, and the  
25 defendants were armed with a deadly weapon.

1           So now let me kind of go back and define some of  
2 these terms. An attempt is an effort to accomplish a  
3 crime which does not succeed. An attempt includes a  
4 specific intent to do a particular act along with an act  
5 falling short of the act intended.

6           The State must show more than a mere preparation and  
7 intent. There must be some overt act committed in the  
8 effort to commit the crime.

9           "Intent" means intending the result which actually  
10 occurs, not accidentally or involuntarily.

11           Intent may be shown by acts and conduct of the  
12 defendants and other circumstances from which you may  
13 naturally and reasonably infer intent.

14           Property is in the presence of a person if it is  
15 within the person's reach, inspection, observation or  
16 control so the person could, if not overcome with violence  
17 or prevented by fear, keep possession of that property.

18           As to the next element, the intent must be  
19 permanently to deprive the owner of the property and to  
20 keep the property for the defendant's own use. The  
21 slightest removal of the property or the complete  
22 possession of the property, even for an instant by the  
23 defendants, is sufficient to show a taking and carrying  
24 away of the property.

25           The taking and carrying away of the property, the

1 attempt to, must have been done with violence or by  
2 putting the owner of the property in fear of violence.

3 Again, a deadly weapon is an article, instrument or  
4 substance which is likely to cause death or great bodily  
5 harm. Whether an instrument has been used as a deadly  
6 weapon depends on the facts and circumstances of each  
7 case. The following are examples of instruments which may  
8 be used as deadly weapons: a pistol, shotgun, rifle,  
9 dirk, dagger, knife. A gun may be a deadly weapon even if  
10 it is not operable.

11 So those are your two charges: murder and attempted  
12 armed robbery.

13 Now let me discuss the rules which apply to any  
14 statements that were made by the defendants in this  
15 matter. A statement has been alleged to have been made by  
16 one or more of the defendants, has been admitted into  
17 evidence in the case. While the Court has determined that  
18 the statement is admissible, I instruct you that you must  
19 make the ultimate decision of whether or not the defendant  
20 made this statement.

21 If the defendant did make the statement, you must  
22 determine whether the statement was made by the defendant  
23 voluntarily and of his own free will. This means that the  
24 statement was not caused by pressure, force, fear,  
25 threats, coercion or intimidation, or by hope or promise

1 of leniency or a reward of any kind.

2 In determining whether the statement was voluntary,  
3 you should consider both the circumstances of the  
4 defendant and the details of the questioning. And some of  
5 the factors that you can consider in that determination is  
6 the age of the defendant, the defendant's education or  
7 lack of education, the defendant's mental ability or  
8 capacity at the time, the defendant's IQ or intelligence,  
9 the defendant's background and environment, the place and  
10 length of the detention, the nature of the questioning,  
11 and the advice or lack thereof to the defendant of his  
12 constitutional rights including, but not limited to, the  
13 right to remain silent, that any statement can be used  
14 against him in a court of law, the right to have a lawyer  
15 present, that if he cannot afford one, a lawyer can be  
16 appointed to represent him without any cost, and that he  
17 could not stop making the statement at any time. You must  
18 carefully consider all of the surrounding circumstances  
19 before you give any weight to that alleged statement.

20 The State, again, has the burden of proving beyond a  
21 reasonable doubt that any alleged statement was voluntary.  
22 If you determine it was, you may give the statement any  
23 consideration that you deem appropriate. You must decide  
24 what weight, if any, you should give any alleged  
25 statement. If you determine the alleged statement was not

1 the free and voluntary statement of the defendant, you  
2 should not consider the statement at all.

3 Now let me talk about the prior record of any  
4 witnesses that may have been brought up. A person who has  
5 a criminal record is still competent to testify during  
6 trial. A past record does not affect the ability of a  
7 witness to testify. The past record may only be  
8 considered by you if at all in determining the witness's  
9 believability. Remember, you're the sole judge of the  
10 facts in the case, and the believability of the witnesses  
11 is one thing that you must consider.

12 Now let me talk to you a little bit about something  
13 in the law which we call hand of one. If a crime is  
14 committed by two or more people who are acting together in  
15 committing a crime, the act of one is the act of all.  
16 Where two or more people acting with a common plan or  
17 intent are present at the commission of a crime, it does  
18 not matter who actually commits the crime. A person who  
19 joins with another to commit an unlawful act is criminally  
20 responsible for everything done by the other person which  
21 happens as a probable or natural consequence of the acts  
22 done in carrying out the common plan and purpose.

23 If two or more people are together acting together,  
24 assisting each other in committing the offense, the act of  
25 one is the act of all, or sometimes as we say it is the

1 hand of one is the hand of all.

2 Now, prior knowledge that a crime is going to be  
3 committed without more is not sufficient to make a person  
4 guilty of that crime. Mere knowledge that another person  
5 is going to commit a crime, even if the defendant is  
6 present when the crime is committed, is not sufficient to  
7 convict the defendant as a principal. Guilt as a  
8 principle is shown by actual or constructive presence at  
9 the scene as a result of prior arrangement; therefore, a  
10 finding of a prior arranged plan or common scheme is  
11 necessary to find the guilt as a principal. However, mere  
12 presence at the scene of a crime is not sufficient to  
13 convict one as a principal on the theory of aiding and  
14 abetting. Intent is also a necessary element for there  
15 must have been a common design or intent to commit the  
16 crime, and the crime must have been committed pursuant  
17 thereto with a person aiding and abetting by some overt  
18 act.

19 "Intent" means intending the result which actually  
20 occurs, not accidentally or involuntarily.

21 Intent may be shown by acts and conduct of the  
22 defendants and other circumstances which you must  
23 naturally and reasonably infer intent. Again, the burden  
24 is by the reasonable doubt.

25 Those are all the tools that you'll have, and that's

1 the charge of the law. Now let me kind of go over the  
2 verdict form with you that you will have in your jury  
3 room. I know it's very difficult to see at this time, but  
4 the top part here -- and there's no -- the order that I  
5 have presented these in, that has no meaning. We have to  
6 put them in some order. The top part is actually the  
7 caption of the case with the indictments. It says  
8 "verdict form." They are listed in order merely by the  
9 indictment numbers. We had to list them in some way, so  
10 we listed them by indictment numbers. And whether guilty  
11 or not guilty, there has to be some order there. That has  
12 no meaning whatsoever.

13 You will go to the first question. And it says: As  
14 to the charge of murder, indictment -- it has indictment  
15 number -- we the jury unanimously find the defendant  
16 Quinton Maurice Collins, and you're going to check one.  
17 If you find that the State has met its burden beyond a  
18 reasonable doubt as to the charge of murder as to Quinton  
19 Collins, you would check "guilty." If you find that the  
20 State has not met its burden beyond a reasonable doubt as  
21 to this charge as to the defendant, you would check "not  
22 guilty."

23 Again, each of your -- the decision that you make has  
24 to be unanimous. That means all 12 of you must agree on  
25 the answer.

1           Then you move to Question 2. And that says: To the  
2 charge of attempted armed robbery, indictment number, we  
3 the jury, we unanimously find -- and this is also as to  
4 Quinton Maurice Collins, again, if you find the State has  
5 met its burden beyond a reasonable doubt as to this charge  
6 for this defendant, you would check "guilty." If you find  
7 that the State has not met its burden on that charge for  
8 that defendant, you would check "not guilty."

9           Then you would go to the next question, and that is  
10 the charge of murder. As to defendant Tychristian Ladson,  
11 again, the same analysis. If you find the State's met its  
12 burden, then you would check "guilty." If you find the  
13 State has not met its burden, you would check "not  
14 guilty."

15           Then you would go -- there's one more question on  
16 page 2. And that is to the charge of attempted armed  
17 robbery as to Tychristian Ladson, again, the same  
18 analysis. If you find they have met their burden on this  
19 charge as to this defendant, you would check "guilty." If  
20 you find they have not met their burden on this charge,  
21 you would check "not guilty."

22           Once you have reached your verdict, Mr. Foreman, you  
23 would sign here, date, and you would let the bailiff know  
24 that you've reached a verdict.

25           Now, it's very important, again, your decision must

1 be unanimous. It cannot be based on any sympathy, passion  
2 prejudice, emotion or any other consideration of anything  
3 outside the evidence. It cannot -- and there's nothing --  
4 you cannot consider any consequences or penalty from these  
5 charges. You're just to determine whether the State has  
6 met its burden on these charges and you come up with a  
7 decision.

8 Now, if you -- when you get back there, you may have  
9 some questions. We cannot answer any factual questions.  
10 That's what you're to determine. All the evidence is in,  
11 and all the evidence is going to be provided to you. I  
12 know sometimes the jury will come back and say, well, you  
13 know, we heard a reference to some report. Can we look at  
14 that? You've got all the evidence that you're going to be  
15 able to consider.

16 And if you have a question, though, you will write it  
17 on a piece of paper, sign and date it. That's what you --  
18 one of your roles as foreman. And you would give that to  
19 the bailiff and he'll bring it in to me. And, of course,  
20 I'll have to discuss it with the attorneys.

21 And I have two ways to respond to that. I can either  
22 write my response on the same piece of paper, a written  
23 response back to you, or sometimes it may require that I  
24 bring you back in here to discuss it with you or give you  
25 an additional charge.

1           One of the things is if you need to -- we'll let you  
2 know. Every court you have a little bit difference of  
3 exactly if you need to review videos. You know, let us  
4 know if you need to review videos and we'll be glad to  
5 accommodate you and let you know how that is to be  
6 accomplished. I should have checked on that before now.

7           But also, lunch, lunch should be served here if not  
8 ready, and I believe it will be pizza. If somebody has  
9 some dietary needs other than that, then please let us  
10 know.

11           Now, I know it's a little bit after 1:00. And if you  
12 want to -- it's up to y'all. When the lunch gets here, if  
13 you want to begin your deliberations and do it during  
14 lunch, you can do so. If you want to wait and eat your  
15 lunch and then deliberate afterwards, that's totally up to  
16 you as the jury, and something like that.

17           Alternate, you've been very important in this trial,  
18 and I know you've worked just as hard as everybody else.  
19 But under our law, you're not allowed to participate in  
20 the deliberation process. But if, for some reason, a  
21 juror could not have gone forward -- which happens a lot  
22 these days, I mean, from different -- being sick or  
23 whatever reason, then you'd have to step in or we would  
24 not have been able to complete the trial. So I want you  
25 -- I want you to know we appreciate your role in this even

1           though you cannot continue the case.

2           All right. At this time I'm going to send you back  
3 to your jury room. But I guess I have to tell you one  
4 more time you cannot discuss the case. And the reason is  
5 -- I know. The reason is I have to talk to the lawyers to  
6 make sure I haven't left something or I haven't misspoke  
7 on anything. If I have I'll bring you back out, but I  
8 won't go through the whole thing. Don't worry. I'll just  
9 come in and I'll correct any issues or make any additions  
10 that I need to make to the charge.

11           Now, your signal that you can begin your deliberation  
12 is the bailiff will bring the verdict form with all of the  
13 evidence, he'll bring it into the jury room and ask the  
14 alternate to step out. And at that point you can finally  
15 begin discussing the case.

16           Okay. So at this time I'll ask you, once again, step  
17 back in your jury room, and wait for a signal to either  
18 come back out for additional charges or that you can begin  
19 your deliberations.

20           (WHEREUPON, the jury exits the courtroom at 1:08 PM.)

21           THE COURT: All right. Any exception from the State?

22           MS. MUNSON: Nothing from the State, Your Honor.

23           THE COURT: Anything from Collins?

24           MR. PRINGLE: No, Your Honor.

25           THE COURT: Ladson?

1 MR. BOATWRIGHT: No, Your Honor.

2 THE COURT: All right. Make sure -- I know there's a  
3 lot of exhibits here. Make sure that all of the exhibits  
4 are there.

5 How do we do the video if they want to review it?

6 MS. OWENS: Your Honor, I'm happy to send the  
7 solicitor's office laptop back. You are not able to  
8 access any of the programs that are on it outside of basic  
9 Microsoft Office, so I don't have any concerns about the  
10 content of the computer. But I'd be happy to allow the  
11 defendants to review it.

12 THE COURT: Because I'm sure they're going to  
13 probably want that, and they'll want it in the -- all  
14 right. Y'all work that out, see if they want it.

15 All right. Look at the exhibits and here is the  
16 verdict form.

17 (WHEREUPON, a recess is taken at 1:13 PM, and the jury  
18 starts deliberating; Court's Exhibit Numbers 2 and 3 were  
19 marked for identification; proceedings reconvened at  
20 4:04 PM.)

21 JURY QUESTIONS

22 THE COURT: All right. And I guess before we put  
23 this question on the record, we did get a question earlier  
24 that just said they would like to be able to review the  
25 videos, and we did not bring them out or have any

1 discussions with them. I just gave the laptop and sent  
2 that back through the bailiffs. So that occurred earlier.  
3 And I think we contacted . . .

4 All right. The jury would like to be instructed,  
5 again, on the hand of one principle, signed the foreman.

6 Let me ask you this, though. If we're going to bring  
7 them out, do you not want your clients here?

8 MR. PRINGLE: I suppose so.

9 THE COURT: Yeah. I think you probably do. All  
10 right.

11 Tell them we'll be with them in just a minute. We're  
12 just getting the information together.

13 I just thought about that.

14 (Pause in proceedings.)

15 THE COURT: All right. And Mr. Collins and  
16 Mr. Ladson, we are back on the record for just a question  
17 the jury has about charging on the hand of one principle,  
18 so we're going to be bringing the jury out just to charge  
19 them on that issue. Just kind of want to let y'all know  
20 what's going on.

21 All right. Anything else from the State before we  
22 bring the jury in?

23 What I'm going to be doing is just charging exactly  
24 what I charged earlier.

25 Anything from Collins?

1 MR. PRINGLE: No, Your Honor.

2 THE COURT: And Ladson?

3 MR. BOATWRIGHT: No, Your Honor.

4 THE COURT: All right. Bring the jury in.

5 (WHEREUPON, the jury entered the courtroom at 4:09 PM.)

6 THE COURT: All right. Mr. Foreman, I got a note  
7 that said jury would like to be instructed again on the  
8 hand of one principle. So I will -- and that's my  
9 understanding that's all you need for right now.

10 JURY FOREMAN: Yes, Your Honor.

11 THE COURT: Okay. I will just reiterate what I did  
12 earlier today.

13 If a crime -- and this is hand of one. If a crime is  
14 committed by two or more people who are acting together in  
15 committing a crime, the act of one is the act of all.  
16 Where two or more people acting with a common plan or  
17 intent are present at the commission of a crime, it does  
18 not matter who actually commits the crime. A person who  
19 joins with another to commit an unlawful act is criminally  
20 responsible for everything done by the other person which  
21 happens as a probable or natural consequence of the acts  
22 done in carrying out the common plan and purpose.

23 If two or more people are together, acting together,  
24 assisting each other in committing the offense, the act of  
25 one is the act of all, or as it's sometimes said, the hand

1 of one is the hand of all.

2 A prior knowledge that a crime is going to be  
3 committed without more is not sufficient to make a person  
4 guilty of that crime. Mere knowledge that another person  
5 is going to commit a crime, even if the defendant is  
6 present when the crime is committed, is not sufficient to  
7 convict the defendant as a principal. Guilt as a  
8 principle is shown by actual or constructive presence at  
9 the scene as a result of prior arrangement; therefore, a  
10 finding of a prior arranged plan or common scheme is  
11 necessary for a finding of guilt as a principal. However,  
12 mere presence at the scene of a crime is not sufficient to  
13 convict one as a principal on the theory of aiding and  
14 abetting. Intent is also a necessary element, for there  
15 must have been a common design or intent to commit the  
16 crime, and the crime must have been committed pursuant  
17 thereto with a person aiding and abetting by some overt  
18 act.

19 "Intent" means intending the result which actually  
20 occurs, not accidentally or involuntary.

21 Intent may be shown by acts and conduct of the  
22 defendant in others circumstances from which you may  
23 naturally and reasonably infer intent. The burden for the  
24 proof of this theory is beyond a reasonable doubt.

25 So that is the charge that you requested.

1 JURY FOREMAN: Thank you, Your Honor.

2 THE COURT: All right. And just continue  
3 deliberations, and just let me know if you have any other  
4 questions.

5 JURY FOREMAN: Thank you, Your Honor.

6 (WHEREUPON, the jury exits the courtroom at 4:12 PM.)

7 THE COURT: All right. Any exceptions from the  
8 State?

9 MS. MUNSON: No, sir.

10 THE COURT: From Collins?

11 MR. PRINGLE: No, Your Honor.

12 THE COURT: And Ladson?

13 MR. BOATWRIGHT: No, Your Honor.

14 THE COURT: All right.

15 (WHEREUPON, a recess is taken at 4:13 PM; proceedings  
16 reconvened at 4:30 PM.)

17 THE COURT: All right. After the previous charging,  
18 the foreman sent back a note, said jury requests a printed  
19 copy of the hand of one, hand of all statute. As  
20 discussed with counsel, as counsel pointed out to me that  
21 we cannot -- under case law that we cannot send a portion  
22 back, we have to send the whole charge. I have printed  
23 the whole charge out, and I'll be glad to have y'all look  
24 at it if you want to review it before, and I've -- just  
25 with a note: Our law requires we send the entire written

1 charge back. We can charge specific sections in the  
2 courtroom. Here is the entire charge. Hand of one is the  
3 last section.

4 Any exceptions to that from the State?

5 MS. MUNSON: No, sir.

6 THE COURT: Collins?

7 MR. PRINGLE: No, Your Honor.

8 THE COURT: And Ladson?

9 MR. BOATWRIGHT: No, sir.

10 (WHEREUPON, Court's Exhibit Number 4 was marked for  
11 identification; a recess is taken at 4:31 PM; Court's  
12 Exhibit Number 5 was marked for identification;  
13 proceedings reconvened at 5:03 PM.)

14 THE COURT: All right. The question is the jury is  
15 requesting a recess until Monday. And I'm sending them a  
16 note back that said we're unable to recess until Monday  
17 once deliberations have begun.

18 Any exception from the State?

19 MS. MUNSON: No, Your Honor.

20 THE COURT: Collins?

21 MR. PRINGLE: No, Your Honor.

22 THE COURT: And Ladson?

23 MR. BOATWRIGHT: No, Your Honor.

24 (WHEREUPON, a recess is taken at 5:05 PM; Court's Exhibit  
25 Number 6 was marked for identification; proceedings

1 reconvened at 5:51 PM.)

2 THE COURT: The jury is requesting testimony that was  
3 given during the trial that would indicate that Ladson was  
4 in possession of his phone on 12/14/18 during the trip  
5 from Greer to Easley and back to Greer, in other words,  
6 around the time of the incident.

7 MS. MUNSON: They didn't tell you what witness.

8 THE COURT: Right. And that's what I'm going to talk  
9 to them about is they have to tell us what witness's  
10 testimony they want to hear.

11 Okay. Bring them in.

12 (WHEREUPON, the jury entered the courtroom at 5:52 PM.)

13 THE COURT: All right. Mr. Foreman, it was going to  
14 be a lot easier for me to explain this process. And,  
15 again, in your previous note, once y'all started  
16 deliberating, we just need to keep y'all together.  
17 Talking with the clerk, and I realize it's getting late,  
18 and if need be, I'll let you know -- I mean, start making  
19 arrangements for supper. But if anybody lives in Pickens  
20 or around here much, you realize our -- we're kind of  
21 limited on our choices. It won't be pizza again.

22 All right. The question that you have asked is the  
23 jury is requesting testimony that was given during the  
24 trial that would indicate that Ladson was in possession of  
25 his phone on 12/14/18 during the trip from Greer to Easley

1 and back to Greer, in other words, around the time of the  
2 incident.

3 Now, the Court and the parties cannot kind of cherry  
4 pick what -- I mean, what you have to do is tell us what  
5 testimony of what witness that you want to hear, okay?  
6 That's the only way we have to do that. So you have to  
7 decide from the witnesses which ones you want to listen  
8 to. And that process, just to let you know, is we have to  
9 set up and we play back the recording here in the  
10 courtroom.

11 So what I would suggest you do is go back in your  
12 jury room, tell us what testimony you want to listen to,  
13 and then we'll get it set up, and we'll tell you how long  
14 it will be, and then we'll bring you back out at that  
15 point.

16 Okay. All right. So at this point just go back, and  
17 you let us know what testimony you want to hear again and  
18 we'll get it set up. And also let me know -- I mean,  
19 we'll go ahead and get supper, make sure -- let me know  
20 that's what we need to be doing.

21 (WHEREUPON, the jury exits the courtroom at 5:54 PM.)

22 THE COURT: All right. Any exception from the State  
23 on that?

24 MS. MUNSON: No, Your Honor.

25 THE COURT: Any exception from Collins?

1 MR. PRINGLE: No.

2 THE COURT: And Ladson?

3 MR. BOATWRIGHT: No, Your Honor.

4 (WHEREUPON, a recess is taken at 5:55 PM; proceedings  
5 reconvened at 6:57 PM.)

6 THE COURT: Anything from the State before we bring  
7 the jury in?

8 MS. MUNSON: No, Your Honor.

9 THE COURT: From Defendant Collins?

10 MR. PRINGLE: No, Your Honor.

11 THE COURT: And Defendant Ladson?

12 MR. BOATWRIGHT: No, Your Honor.

13 THE COURT: All right. And ladies and gentlemen in  
14 the gallery, I want to remind you once again that I know  
15 this has been a long ordeal for everybody. It's a very  
16 tragic ordeal. But I'm going to ask that everybody be on  
17 their best behavior because we have -- I'm not going to  
18 tolerate any outbursts, anything from anybody. Everybody  
19 understand that? I will take you into custody if need be.

20 All right. Bring the jury in.

21 (WHEREUPON, the jury entered the courtroom at 6:58 PM.)

22 THE COURT: Mr. Foreman, I understand you've reached  
23 a verdict?

24 JURY FOREMAN: Yes, Your Honor.

25 THE COURT: If you could hand that to the clerk,

1 please.

2 All right. Looks like it's in proper form.

3 Will you publish the verdict, Mr. Clerk?

4 VERDICT

5 THE CLERK: This is for Indictment Number  
6 2019-GS-39-0826 and 827, and also Indictment Number  
7 2019-GS-39-828 and 829. As to the charge of murder in  
8 Indictment 2019-GS-39-0826, we the jury unanimously find  
9 the defendant Quinton Maurice Collins guilty. As to the  
10 charge of attempted armed robbery in Indictment  
11 2019-GS-39-0827, we the jury unanimously find the  
12 defendant Quinton Maurice Collins guilty.

13 As to the charge of murder in Indictment  
14 2019-GS-39-0828, we the jury unanimously find the  
15 defendant Tychristian Ladson guilty. As to the charge of  
16 attempted armed robbery, Indictment 2019-GS-39-0829, we  
17 the jury unanimously find the defendant Tychristian Ladson  
18 guilty.

19 Is this your verdict and still your verdict? So say  
20 you all by raising your right hand.

21 Thank you very much.

22 THE COURT: All right. Anything from the jury from  
23 the State?

24 MS. MUNSON: No, sir, Your Honor.

25 THE COURT: Anything from the jury from Defendant

1 Collins?

2 MR. PRINGLE: No, Your Honor.

3 THE COURT: And Defendant Ladson?

4 MR. BOATWRIGHT: No, Your Honor.

5 THE COURT: All right. Ladies and gentlemen, at this  
6 time I'll be able to release you. And I want to thank you  
7 for your service. I know it's been a long week and a long  
8 day. And you can step back in your jury room. I know  
9 it's late and you need to get out of here, but I'll step  
10 back there for anybody in just a minute if anybody wants  
11 to have any questions or discuss anything.

12 So at this time if you'll step back in your jury  
13 room. Thank you. But you can also -- you're free to go.

14 (WHEREUPON, the jury exits the courtroom at 7:00 PM.)

15 THE COURT: All right. Anything from the State at  
16 this point?

17 MS. MUNSON: No, sir.

18 THE COURT: All right. Defendant Collins?

19 MR. PRINGLE: No.

20 THE COURT: Defendant Ladson?

21 MR. BOATWRIGHT: No, Your Honor.

22 THE COURT: All right. I will give y'all a few  
23 minutes, get all your paperwork in order, get your --  
24 whatever thoughts and so forth.

25 Did I remember, was there a -- on one of these I

1 thought at the hearing the other day you mentioned there  
2 was a notice without ---

3 MS. MUNSON: Yes, Your Honor. We have it right here,  
4 a certified copy.

5 THE COURT: All right. And I'll discuss that. We'll  
6 go over it in just a minute. Get your thoughts in order  
7 and paperwork, and I'll be back in just a few minutes.

8 (WHEREUPON, a recess is taken at 7:01 PM; proceedings  
9 reconvened at 7:07 PM.)

10 THE COURT: The way I will do this, let y'all know, I  
11 want to hear anything the State wants to tell me from  
12 victims, and then I'll hear from anybody on your side that  
13 -- whatever you want to tell me at that point. So yes.

14 MS. MUNSON: Do you need the sentencing sheets?

15 THE COURT: Oh, okay. I'm sorry.

16 (Pause in proceedings.)

17 THE COURT: Yes. I'll be glad to hear from the  
18 State.

19 MS. MCEVER: Quinton Collins and Tychristian ---

20 THE COURT: No. Excuse me, ma'am. You need to  
21 address the Court.

22 MS. MCEVER: I'm sorry.

23 THE COURT: That's fine.

24 MS. MCEVER: Our lives have been messed up for over  
25 four years. They know what they did. I forgive them, but

1 I want them to pay for what they did. They were able to  
2 work just like any normal person without stealing and  
3 killing people to get what they want. And I do hope you  
4 think about that while you're in jail, and I hope you  
5 don't get out of jail.

6 MS. MUNSON: Your Honor, that was Stacey's mother.

7 THE COURT: I'm sorry. Your full name for the  
8 record?

9 MS. MCEVER: Shirlene Janice McEver [phonetic].

10 THE COURT: All right. Thank you.

11 MS. MUNSON: And she would like for me to show you  
12 this photograph.

13 MS. OWENS: Your Honor, I know you presided over the  
14 trial, you've heard a great detail about the evidence in  
15 the case. Would you like to hear ---

16 THE COURT: Oh, no. Nothing. Let me -- are they  
17 through? Go ahead.

18 Would you state your name, please.

19 MR. YOUNG: I'm William Jonathan Young. I'm Stacey's  
20 uncle. This is my sister.

21 But, you know, I tried to be as good of a Christian  
22 as I can be, and like Shirlene said, these two young men,  
23 we forgive them. God told us to forgive as he forgave us,  
24 to treat our neighbor as we treat ourselves. But we still  
25 want justice to be done.

1           These two young men have sentenced us to life.  
2           They've given us life to never be able to see Stacey.  
3           She's got a four-year-old grandson that was born just a  
4           few weeks after she was brutally murdered for no reason.  
5           No reason for these two young men to walk into this store  
6           and just shooting the way they walked in.

7           I just -- I want to say other words but God told me  
8           not to. But I just hope these boys stay in jail, they  
9           never get out. I've seen their rap sheets. I can't  
10          understand why they were walking the streets to start  
11          with. But that's the way the judicial system works  
12          sometimes. I know the prisons are crowded, but I hope  
13          these two guys never get out again and never punish other  
14          people again. They not only punished our family, but they  
15          punished their family too because their family's going to  
16          be without seeing them hopefully for the rest of their  
17          life.

18          I thank you, and I thank everything that's happened  
19          in this courtroom today.

20          THE COURT: Thank you all for being here. I know  
21          it's very difficult. I'm sorry for your loss.

22          Yes?

23          MS. OWENS: Your Honor, I don't believe there's any  
24          need to address the circumstances of the case. I just  
25          share with the Court the defendants' criminal history to

1 the extent that it will inform your decision.

2 Obviously, at the beginning of the trial, or rather  
3 during pretrial motions, we discussed the fact that the  
4 State has served Mr. Quintin Collins with notice of intent  
5 to seek life without parole based on Mr. Collins's  
6 previous convictions for a series of serious and most  
7 serious offenses which include a 2013 conviction for  
8 burglary in the second degree, and 2018 convictions for  
9 two distinct attempted armed robberies which are, of  
10 course, classified as most serious offenses.

11 Based on that criminal history, I don't know that  
12 there's any need that I share the remainder of his  
13 criminal history. But at this point I understand that the  
14 sentence that will be imposed by the Court is life without  
15 parole.

16 If you'd like me to wait on Mr. Ladson's information,  
17 I'll be happy to ---

18 THE COURT: No. I'll be glad to hear from you  
19 on Ladson's as well.

20 MS. OWENS: Then the criminal history for Mr. Ladson  
21 includes a 2017 conviction for possession of stolen goods,  
22 2018 burglary in the second degree as well as possession  
23 of a stolen vehicle, 2019 possession of stolen goods. And  
24 that appears to be the extent of it, Your Honor.

25 THE COURT: All right. Anything else from the State?

1 MS. OWENS: No, sir, Your Honor.

2 THE COURT: All right. Mr. Pringle, let's talk about  
3 Mr. Collins first.

4 MR. PRINGLE: Well, I'm not sure what I can say,  
5 Judge. We've sat through a very difficult trial. Of  
6 course, we're not satisfied. We don't agree with the  
7 jury's verdict, but that's the way it is. That's the law.

8 I can say, for what it's worth, I've come to know  
9 Mr. Collins. I know that he certainly feels horrible  
10 about what happened to the victim in this case. If we  
11 believe that he -- obviously, with these two being  
12 convicted, it appears from the State's theory and  
13 evidently what the jury believed, I think it's noteworthy  
14 that, for what it's worth, Mr. Collins clearly was not --  
15 had no weapon, no gun. You know, beyond that I don't know  
16 that anything we say or do is going to kind of change what  
17 I believe is going to be the end result. All roads lead  
18 to the end result for him. He understands that.

19 I don't have anything further.

20 THE COURT: Mr. Collins, I'll be glad to hear from  
21 you. Anything you want to tell me?

22 DEFENDANT COLLINS: Sir?

23 THE COURT: Anything you want to tell me?

24 DEFENDANT COLLINS: I guess just Kraig Pringle just  
25 said everything I was going to say.

1 THE COURT: Okay. Glad to hear from Ladson.

2 MS. WILLIAMS: Thank you, Judge. May it please the  
3 Court.

4 Mr. Ladson was arrested when he was 19 years old. He  
5 is now 23. He's a very young man. He has a great support  
6 system with his family. In prepping for this case and  
7 listening to jail calls, there was many with his cousin.  
8 They are very close.

9 I will note that he has no violent criminal history  
10 as the State just read for you. It's my firm belief that  
11 he still has a chance to come back from this and be a  
12 contributing member of society. We would just ask for the  
13 minimum for him for 30 years based on everything.

14 And I would echo Mr. Pringle's sympathies to the  
15 victim's family.

16 THE COURT: Mr. Ladson, anything you want to tell me.

17 DEFENDANT LADSON: All I want to say is sorry for  
18 their loss for the family over there.

19 Can I turn back and look at my family?

20 (Indiscernible.)

21 THE COURT REPORTER: Judge, I can't hear him.

22 THE COURT: All right. I'm sorry. We can't hear  
23 you. I'm sorry. When you turned away ---

24 DEFENDANT LADSON: I want to tell them I'm sorry for  
25 putting them through this and going through this

1 situation. I apologize to the family here too and  
2 everybody else too. Thank you.

3 MS. WILLIAMS: Thank you, Judge.

4 THE COURT: Anything else from anybody?

5 MR. PRINGLE: No, Your Honor.

6 THE COURT: Do we have the amount of credit for time  
7 that they have served?

8 MS. MUNSON: Oh, my gosh.

9 THE COURT: I can just check and maybe we can  
10 determine ---

11 MS. MUNSON: I apologize, Your Honor. They were both  
12 taken into custody on February -- I think Mr. Ladson was  
13 taken into custody sooner, but February the 5th of 2019 is  
14 when Mr. Collins was taken into custody.

15 THE COURT: February 9th ---

16 MS. MUNSON: I'm sorry.

17 THE COURT: What was the date?

18 MR. PRINGLE: February 5, Your Honor, 2019.

19 THE COURT: All right.

20 MS. MUNSON: And December the 28th of 2018 for  
21 Mr. Ladson.

22 THE COURT: December 28, '18.

23 MS. MUNSON: 2018.

24 SENTENCING

25 THE COURT: All right. As to Quinton Collins, on the

1 charge of murder, the sentence of the Court is life  
2 without parole, credit for time as indicated. On the  
3 attempted armed robbery, that's 20 years.

4 As to Tychristian Ladson, sentence of the Court is  
5 life on the murder charge, and credit for time since  
6 12/28/18. The attempted armed robbery is 20 years.

7 Good luck to you, gentlemen.

8 MS. MUNSON: Thank you, Your Honor.

9 (WHEREUPON, proceedings concluded at 7:19 PM.)

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CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA        )  
COUNTY OF PICKENS            )

I, CHERYL A. SMITH, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Pickens County, South Carolina, on the 21st, 22nd, 23rd, and 24th day of February, 2023.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

May 29, 2023

Cheryl A. Smith

Cheryl A. Smith, CVR-M

Court Reporter

DOCKET NO. 2019-GS-39-<sup>JBC</sup> 0826

The State of South Carolina

County of Pickens

COURT OF GENERAL SESSIONS

MAY 10 2022 TERM 2019

THE STATE

vs.

QUINTON MAURICE COLLINS

RECEIVED  
MAR 07 2023  
SC Court of Appeals

WITNESSES

Brandon Liner

Easley Police Department

2/5/2019

ARREST WARRANT NUMBER  
2019A3920400083

ACTION OF GRAND JURY

*[Signature]*  
TRUE BILL  
10 MAY 2022

Foreperson of Grand Jury

VERDICT

Guilty

*Stephen Ridd*  
Foreperson of Petit Jury

Date: 2/24/23

Indictment for

0116

MURDER

VIOLATION § 16-03-0010, 0020



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF PICKENS )

INDICTMENT FOR  
MURDER

At a Court of General Sessions, convened on **MAY 10 2022** the Grand Jurors of Pickens

County present upon their oath:

That QUINTON MAURICE COLLINS did in Pickens County, on or about the 14th day of December, 2018, while acting in concert with co-defendant TYCHRISTIAN LADSON, did unlawfully and with malice aforethought kill STACEY BRANHAM by means of shooting the victim and STACEY BRANHAM died as a proximate result thereof during an attempted armed robbery of the victim's place of employment, B-PAMS CONVENIENCE STORE. This is in violation of §16-3-10 of the South Carolina Code of Laws (1976) as amended.

Certified Copy  
*Theresa P. Williams*  
Clerk of Court  
Pickens, SC  
Dated 3/12/23

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

  
\_\_\_\_\_  
SOLICITOR BAR # 78744

DOCKET NO. 2019-GS-39-<sup>JBC</sup> 0821

The State of South Carolina

County of Pickens

COURT OF GENERAL SESSIONS

MAY 10 2022 TERM 2019

THE STATE

vs.

QUINTON MAURICE COLLINS

WITNESSES

Brandon Liner

Easley Police Department

2/5/2019

ARREST WARRANT NUMBER

2019A3920400084

ACTION OF GRAND JURY

10 MAY 2022

TRUE BILL

Date

Foreperson of Grand Jury

VERDICT

Guilty

Stephen Rieck

Foreperson of Petit Jury

Date: 2/24/23

RECEIVED  
MAR 07 2023  
SC Court of Appeals





STATE OF SOUTH CAROLINA

COUNTY OF Pickens

STATE

VS.

Quinton Maurice Collins

AKA:

Race: BLACK Sex: M Age: 32

DOB: [REDACTED] 1990 SS#: [REDACTED]

Address: [REDACTED] Fleetwood Drive

City, State, Zip: Greenville, SC 29605

DL#: [REDACTED] SID#: \_\_\_\_\_

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2019 - GS - 39 - 00826

A/W#: 2019A3920400083

Date of Offense: 12/14/2018

S.C. Code § 16-03-0010, 0020

CDR Code #: 0116

SENTENCE SHEET

*30-life*

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the above indictment comes now the Defendant who was  CONVICTED OF or  PLEADS

TO: Murder (gs)

in violation of § 16-03-0010, 0020 of the S.C. Code of Laws, bearing CDR Code # 0116

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  §17-25-45  
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is:  As Indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. \_\_\_\_\_ (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.  
ATTEST:

*[Signature]*  
Munson, Judy

64040

SC Bar #

Defendant

PRINGLE, KRAIG  
Attorney for Defendant

73694

SC Bar#

WHEREFORE, the Defendant is committed to the  State Department of Correction,  County Detention Center,  
for a determinate term of ~~120~~ Life w/o Parole days/months/years/Time Served  Youthful Offender Act not to exceed \_\_\_ years

and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of \_\_\_ days/months/years/Time Served and or payment of \$ \_\_\_\_\_; plus costs and assessments as applicable\*, the balance is suspended with **probation** for \_\_\_\_\_

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or  CONSECUTIVE to sentence on: 2/24/23

The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. \_\_\_\_\_ days/months *since 2/5/19*

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS. Quinton Maurice Collins INDICTMENT/CASE#: 2019 - GS - 39 - 00826

**SPECIAL CONDITIONS:**

- PTUP** after \_\_\_\_\_ months/years
- And Other Terms Listed Below:**
- Substance Abuse Counseling       Completion of GED       Random Drug/Alcohol Testing
- Attend Voc. Rehab. or Job Corp       No Contact with Victim       Domestic Violence Intervention Program
- Mental Health Counseling       May serve W/E beginning: \_\_\_\_\_
- Sex Offender Registry pursuant to S.C. Code § 23-3-430       Public Service Employment \_\_\_\_\_ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_

**RESTITUTION:**     **Deferred**       **Def. Waives Hearing**       **Ordered**

Total: \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

\*Fine:

Fine may be pd. in equal, consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5 %)				\$ _____
§14-1-211(A)(1) (Conv. Surcharge)		\$100		\$ <u>100.00</u>
§14-1-211(A)(2) (DUI Surcharge)		\$100		\$ _____
§56-5-2995 (DUI Assessment)		\$12		\$ _____
§56-1-286 (DUI Breath Test)		\$25		\$ _____
§14-1-212 (Law Enforce. Funding)		\$25		\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)		\$150		\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$41		\$ _____
§50-21-114(BUI Breath Test Fee)		\$50		\$ _____
§56-5-2942(J) (Vehicle Assessment)		\$40/ea		\$ _____
3% to County (if paid in installments)		TBD		\$ <u>7.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.		\$500		\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD		\$ _____
<b>TOTAL</b>				\$ <u>128.75</u>

Clerk of Court/ Deputy Clerk: Harold P. Welton  
Court Reporter: Cheryl Smith

Presiding Judge: [Signature]  
Judge Code: 2755  
Sentence Date: 2/24/23

**Certified Copy** Page 2 of 2  
Harold P. Welton  
Clerk of Court  
Pickens, SC  
Dated 3/2/23



STATE VS. Quinton Maurice Collins INDICTMENT/CASE#: 2019 - GS - 39 - 00827

**SPECIAL CONDITIONS:**

- PTUP** after \_\_\_\_\_ months/years
- And Other Terms Listed Below:**
- Substance Abuse Counseling       Completion of GED       Random Drug/Alcohol Testing
- Attend Voc. Rehab. or Job Corp       No Contact with Victim       Domestic Violence Intervention Program
- Mental Health Counseling       May serve W/E beginning: \_\_\_\_\_
- Sex Offender Registry pursuant to S.C. Code § 23-3-430       Public Service Employment \_\_\_\_\_ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_

**RESTITUTION:**     **Deferred**       **Def. Waives Hearing**       **Ordered**

Total: \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

*Fine:		\$ _____
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ Beginning _____		
§14-1-206 (Assessments 107.5 %)		\$ _____
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100.00</u>
§14-1-211(A)(2) (DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$ _____
§50-21-114(BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	TBD	\$ <u>3.75</u>
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.	\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
	<b>TOTAL</b>	\$ <u>128.75</u>

Clerk of Court/ Deputy Clerk: Harold P. Wellborn Presiding Judge: Wally Kelly  
 Court Reporter: Cheryl Smith Judge Code: 2758  
 Sentence Date: 2/24/23

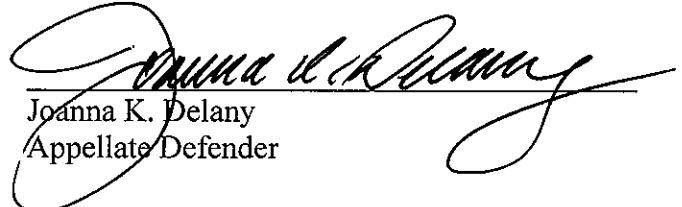
**Certified Copy**  
 Page 2 of 2  
Harold P. Wellborn  
 Clerk of Court  
 Pickens, SC  
 Dated 3/2/23

## CERTIFICATE OF COUNSEL FOR APPELLANT

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

**RECEIVED****Mar 22 2024****SC Court of Appeals**

Respectfully Submitted,

  
Joanna K. Delany  
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 22nd day of March, 2024.

**RECEIVED**

**Mar 22 2024**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Pickens County

Honorable Perry H. Gravely, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

QUINTON MAURICE COLLINS,

APPELLANT

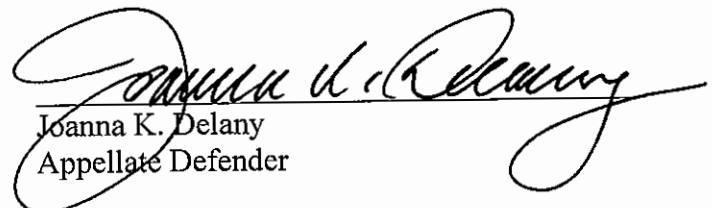
APPELLATE CASE NO. 2023-000366

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon Tommy Evans, Jr., Esquire, at the primary email address listed within the Attorney Information System (AIS), this 22nd day of March, 2024.

  
Joanna K. Delany  
Appellate Defender

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

ATTORNEY FOR APPELLANT

2023-000366 The State v. Quinton Maurice Collins




Warren, Kaylynn

To tommyevansjr@scag.gov

Cc Delany, Joanna; Brandy Rankin


 Reply
  Reply All
  Forward
 

Fri 3/22/2024 9:18 AM


 2023-000366 The State v. Quinton Maurice Collins Record on Appeal Volume I.pdf  
 4 MB


 2023-000366 The State v. Quinton Maurice Collins Record on Appeal Volume II.pdf  
 3 MB


 2023-000366 The State v. Quinton Maurice Collins Proposed Transportation Order.pdf  
 159 KB

Good Morning,

Attached for service in the above-referenced case is the two-volume Record on Appeal and Proposed Transportation Order which will be filed today, March 22, 2024, with the Court of Appeals via email filing.

Respectfully,

Kaylynn

**Kaylynn Warren**

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330