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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lancaster County
Honorable Maite Murphy, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

QUINTERIOUS R. TRUESDALE,

APPELLANT

APPELLATE CASE NO. 2022-000903

AMENDED RECORD ON APPEAL

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1 the story he told you. And doing that, is not bringing
2 on the difficulty of this shooting. He did nothing to
3 bring on the difficulty, other than going home to get
4 his stuff. And if he gets past that, the State admitted
5 that he was in imminent danger. He was being fired at.
6 He was shot four times in the back, once in the face and
7 once in the hand, to the point where he fell down, he
8 passed out, he went to get some water. Drank a bunch of
9 water and then they found him dying on the living room
10 couch before they were able to save him. He was in
11 imminent danger, there's no argument about that.

12 And they talk about his duty to retreat or his
13 duty to back out if he could. And the problem with
14 their argument in that, is they are basing that
15 completely on Yashima's statement that, "he is standing
16 at at foot of the bed." The medical science from the
17 pathologist shows you that that can't be true. The
18 bullets in the closet door show that that can't be true
19 or it probably wasn't true. I won't say that it can't
20 be true. He could have sprayed bullets all over the
21 room. But it shows that it probably wasn't true. The
22 police scoured this room pretty well and they found
23 eight shell casings that came out of the Shamon's gun
24 and Mr. Truesdale was hit six times. I submit to you
25 that Shamon was a pretty good shot. He wasn't just

1 spraying random shots at the closet. And where was he
2 supposed to go? If he's over by the closet and he's
3 being fired upon and he talked about there is not other
4 exit to that room other than going back past the foot of
5 the bed and out the door, then he pulls his gun and
6 starts firing it back at the bed. He didn't have the
7 ability to get out. Because the only thing that they
8 are basing his ability to back out is on Yashima's story
9 that he shot first from the foot of bed. And I hope
10 I've done -- I've said enough times, why that probably
11 isn't true based on the bullets in the closet and why it
12 can't be true based on the medical science. Think about
13 it.

14 He is entitled to a finding of self defense.
15 On burglary, it's his house. Can't burglarize your own
16 house. And on the murder, he is entitled to
17 self-defense. Ladies and gentlemen, I told you at the
18 beginning of week you that have the hard job here.
19 Because you're the ones that have to sift through all of
20 this and decide. Because we're going to stand up and
21 say two completely different stories and ask you to
22 believe two completely separate different groups of
23 people. I get that, I hope you do to. But the medical
24 science and the evidence and witnesses, support
25 Quinterious story. It does not support Yashima's. If

1 he shot Shamon White standing at the foot of the bed,
2 those bullets should have come in the left side of his
3 body based on where Shamon was laying or the right side
4 of his back if he was laying on his back. But we have
5 bullets that entered the thigh and the abdomen. So the
6 exposed area was his front and right side -- sorry.
7 Front and left side. And those bullets had to have come
8 from the left in order to make sense.

9 Now, what is reasonable doubt? I tell the
10 same story to every jury that I have the opportunity to
11 speak to about reasonable doubt. And it's this:

12 When I was a child I grew up on -- in Utah on
13 a cattle ranch, we had a lot of the land. And out
14 behind my house we had a great big field that me and my
15 brother's used to play baseball on. And I grew up with
16 three brothers, there was four of us.

17 My older brother, who was a year old than me
18 and then I had two younger brothers a number of years
19 younger. Me and my older brother used to go out and he
20 would pitch and I'd hit and then we'd change around and
21 I'd pitch and he would hit.

22 One day we were out there and I was swinging
23 the bat and JD was pitching to me ball after ball after
24 ball. And we weren't paying attention. I was whacking
25 balls out in the field. And as I was whacking balls out

1 in the field, I didn't see my youngest brother who was
2 seven years old come wondering over to the area where we
3 were play. And I'm whacking balls and I'm whacking
4 balls and JD doesn't see him either and he throws one
5 and I swing and Shelby ran right into my bat. He walked
6 right into my bat. I hit him across his back area and
7 his butt. And he fell down. I was about 11.

8 He gets up and he runs in the house, momma,
9 momma, Devon hit me with a baseball bat. Of course my
10 mom, as can you understand, would be very, very upset if
11 her 11 year old hit her seven year old with a baseball
12 bat.

13 And she comes running outside and she grabs me
14 by the shirt collar and about ready to give me the
15 whooping I deserve if I hit my brother on purpose with a
16 baseball bat. But then I said, mom, it was an accident.
17 Probably not that calmly. And she stopped, she
18 hesitated. And I told her the story and I wasn't in
19 trouble. That hesitation is what reasonable doubt is.

20 If during this trial you've had that
21 hesitation that maybe Quinterious is telling the truth.
22 It's reasonable that a reasonably prudent person could
23 see that he is telling the truth, about it being his
24 house, about him being fired on first, about him being
25 over by the closet and not at the foot of the bed as

1 evidence and science supports, you must find him not
2 guilty.

3 The Judge is going to charge you that your
4 duty is to give him every reasonable doubt. And she's
5 going to say, that doesn't mean "all doubt." But I
6 submit to you when we have two people standing here
7 before you taking that witness stand and telling
8 completely different stories, there is nothing other
9 than she must be right because she is the victim that
10 supports Yashima's story. Quinterious has other
11 witnesses on his side. He has the science from the
12 pathologist. He has where the bullet holes were in the
13 bedroom. He has his name on the power bill. Item after
14 item, after item, stuff in the house. Item after item,
15 after item that supports his story. The Judge is going
16 to tell you the defense doesn't have to prove anything,
17 but in this case, because we're claiming self-defense,
18 we put up the case to show you why this is self-defense.

19 Ladies and gentlemen, go back there, find him
20 guilty of the two gun charges. Possession of weapon by
21 a person convicted of a violent crime and possession of
22 a weapon by a person convicted of a crime of violence.
23 He made that mistake. He didn't murder anyone and he
24 certainly didn't burglarize his own home. Thank you.

25 MS. MCGINNIS: Very brief reply, your Honor.

1 THE COURT: Yes, ma'am.

2 MS. MCGINNIS: Mr. Neilson's made a big deal
3 to you about how the medical science just couldn't --
4 makes Yashima's story untrue. He said, "He was either
5 laying on his back or he was laying on his front."
6 Yashima Mingo told you when Shamon pulled out his gun to
7 fire, he leaned up. Ladies and gentlemen, if he leans
8 up on his right side, his left side is up facing the
9 foot of the bed. This comes from above, he's standing
10 over him at the foot of the bed shooting slightly down.
11 He's standing over him at the foot of the bed, bullet
12 goes in here, travels this way. Completely plausible.
13 He's leaned up on his side ladies and gentleman, it
14 comes in right here. Comes in the side of his butt,
15 he's leaned up. Medical science is entirely inline with
16 Mr. Truesdale shooting from the foot of the bed. He
17 makes a big deal about the power, the powers still on.
18 The kilowatt usage is still high. Don't forget, Yashima
19 told you her dog died three or four days before this
20 incident happen. Erica told you Yashima went back over
21 there to get some clothes and stuff. She kept the AC
22 on. It's 100 degrees outside in the middle of July and
23 August. Walk outside today, even if you're not in your
24 house, you're living your AC on to protect your stuff.
25 I don't believe that holds any water.

1 Mr. Nielson said, "The bullet holes are in the
2 closet in the wall over here, not over here." If Mr.
3 Truesdale's standing here at the foot of bed, and the
4 bullets go through him they're going to slow down.
5 They're hitting flesh, they're hitting organs, they're
6 hitting whatever is inside your body and they don't have
7 the force to go through the wall. Shamon fired seven
8 times, there's seven shell casing which from him. Think
9 about it, is it possible he hits Mr. Truesdale standing
10 here. He's been fatally shot in the stomach. The
11 pathologist testified, seconds to minutes he would be
12 loosing consciousness. Is it possible that as he's
13 shooting his arm is falling and go over this way towards
14 the closet? Entirely possible.

15 The last thing Mr. Nielson said, "You should
16 believe Quinterious, because he's up here admitting to
17 his mistakes." I want to draw your attention, this is
18 the only time he admitted to his mistakes. In a phone
19 call he acknowledged he talked about going to Dreeka's
20 house and that her baby answered the door. And said,
21 momma, momma, someone's here. He said later in that
22 call, and these are the words I want to leave you with.

23 "He ain't start the shit, to be real."

24 "I was trying to leave, he shot me in my
25 mother eff'n back."

1 "He ain't even finish his job."

2 "He ain't start the shit, to be real."

3

4 **JURY CHARGE**

5

6 THE COURT: Ladies and gentlemen of the jury,
7 it's now time for me to charge you all the law in this
8 case.

9 The indictments charge Mr. Truesdale with
10 murder, burglary in the first degree, possession of a
11 firearm during the commission of a violent crime,
12 possession of a handgun by a person convicted of a crime
13 of violence and possession of a firearm or ammunition by
14 a person convicted of a felony, violent crime.

15 I remember you that the fact that
16 Mr. Truesdale was arrested, charged, and indicted in
17 this case, is not evidence in this case and cannot be
18 considered by you as evidence of guilt in this case nor
19 does it create any presumption or inference of guilt.
20 These documents are simply the formal written
21 instruments which contain the charges made against Mr.
22 Truesdale. It is a formal document by which the case is
23 brought into court. The indictments in this case allege
24 several different offense against Mr. Truesdale. With
25 charges are in the first indictment, Count I is murder

1 and Count II is possession of a firearm during the
2 commission of a violent crime. Indictment number two
3 has Count I, which is burglary in the first-degree and
4 Count II, which is possession of a firearm during the
5 commission of a violent crime. The third indictment is
6 possession of a handgun by a person convicted of a crime
7 of violence. The fourth indictment is possession of a
8 firearm or ammunition by a person convicted of a felony,
9 violent crime. Each indictment charges a separate and
10 distinct offense. You must decide each indictment
11 separately on the evidence and the law applicable to it
12 uninfluenced by your decision as to any other
13 indictment. Mr. Truesdale may be convicted or acquitted
14 on any or all of the offenses charged. You will be
15 asked to write a separate verdict, guilty or not guilty
16 for each separate indictment. Mr. Truesdale has plead
17 not guilty to these indictments. That puts the burden
18 on the State to prove Mr. Truesdale guilty. A person
19 charged with committing a criminal offense in South
20 Carolina is never required to prove themselves innocent.
21 I charge you that it's an important rule of the law that
22 Mr. Truesdale in a criminal trial, no matter what the
23 seriousness of the charge may be, will always be
24 presumed innocent of the crime for which the indictment
25 was issued unless guilt has been proven by evidence

1 satisfying you of that guilt beyond a reasonable doubt.
2 This presumption of innocence does not end when you
3 begin your deliberations, but it accompanies Mr.
4 Truesdale throughout the trial until you reached a
5 verdict of guilt, based on evidence satisfying you of
6 that guilt beyond a reasonable doubt.

7 The presumption of innocence is like a robe of
8 righteousness placed about the shoulders of Mr.
9 Truesdale, which remains with Mr. Truesdale until it has
10 been striped from Mr. Truesdale by evidence satisfying
11 you of the defendant's guilt beyond a reasonable doubt.
12 The presumption of innocence is not a mere legal theory,
13 it's not just a legal phrase. It's a substantial right
14 for which every defendant is entitled to, unless you,
15 the jury, are satisfied from the evidence of the
16 defendant's guilt beyond a reasonable doubt.

17 What is a reasonable doubt in the law. A
18 reasonable doubt is a kind of doubt that would 'cause a
19 reasonable person to hesitate to act. The State has the
20 burden of proving Mr. Truesdale guilty beyond a
21 reasonable doubt. Some of you may have served as jurors
22 in civil cases where you were told it's only necessary
23 to prove that a fact is more likely true, than not true.
24 Such as by the greater weight or the preponderance of
25 the evidence. In criminal cases the State's proof must

1 be more powerful than that, it must be beyond a
2 reasonable doubt.

3 Proof beyond a reasonable doubt is proof that
4 leaves you firmly convinced of the defendant's guilt.
5 There are very few things in this world that we know
6 with absolute certainty and in criminal cases, the law
7 does not require proof that overcomes every possible
8 doubt. If based on your consideration of the evidence,
9 you are firmly convinced that Mr. Truesdale is guilty of
10 the crimes charged, you must find Mr. Truesdale guilty.
11 If on the other hand you think there is a real
12 possibility that Mr. Truesdale is not guilty, you must
13 give Mr. Truesdale the benefit of the doubt and find him
14 not guilty. I remind you that during this trial you and
15 I have certain duties to perform. As the trial judge,
16 it is my responsibility to preside over the trial of
17 this case and I also have the duty to rule on
18 admissibility of the evidence offered during this trial.
19 You are to consider only the evidence before you. If
20 there was any testimony ordered stricken from the record
21 in this case during this trial you must disregard that
22 testimony. You are to consider only the testimony which
23 has been presented from the witness stand, any exhibits
24 which have been made apart of a record in this case and
25 any stipulations of counsel. I have the additional duty

1 to charge you the law applicable to this case. As the
2 presiding judge, I'm the sole judge of the law of this
3 case and it is your duty as jurors to accept and apply
4 the law exactly as I state it to you. If you already
5 have an idea as to what the law is or what the ought to
6 be and it does not agree with what I now tell you the
7 law is, you must abandon this idea because you are sworn
8 to accept the law and apply the law exactly as I state
9 it to you. In every case tried in this court before a
10 jury, the jury becomes the sole and exclusive judges of
11 the facts in the case. A trial judge cannot intimate,
12 state, comment on, or make any statement to a trial jury
13 about the facts in the case. Since you, the jury, are
14 the sole judges of the facts in this case, you are not
15 to infer from what I have said during the progress of
16 this trial in ruling upon admissibility of evidence or
17 other wise or anything that I say now during the course
18 of this instruction you to, that I have an opinion about
19 the facts in this case. The law does not allow me to
20 have an opinion about the facts in this case. This is a
21 matter solely for you, the jury, to determine. As
22 jurors it is your duty to determine the effect, value,
23 weight, and the truth of the evidence presented during
24 this trial.

25 There are two types of evidence, which are

1 generally presented during a trial. Direct evidence and
2 circumstantial evidence. Direct evidence is the
3 testimony of a person who claims to have actual
4 knowledge of a fact such as an eyewitness.
5 Circumstantial evidence is proof of a chain of facts and
6 circumstances indicating the existence of a fact. The
7 law makes absolutely no distinction between the weight
8 to the value given to either direct or circumstantial
9 evidence. Nor is a greater degree of certainty required
10 of circumstantial evidence than of direct evidence. You
11 should weigh all of the evidence in this case, after
12 weighing all of the evidence, if you are not convinced
13 of the guilt of Mr. Truesdale beyond a reasonable doubt,
14 you must find Mr. Truesdale not guilty. Crimes may be
15 proven by circumstantial evidence. The law, again,
16 makes absolutely no distinction between the weight or to
17 the value to be given to either direct or circumstantial
18 evidence. However, to the extent that the State relies
19 on circumstantial evidence, all of the circumstances
20 must be consistent with each other and when taken
21 together, point conclusively to the guilt of the accused
22 beyond a reasonable doubt. If these circumstances
23 merely portray the defendant's behavior as suspicious,
24 the proof has failed.

25 The State has the burden of proving Mr.

1 Truesdale guilty beyond a reasonable doubt. This burden
2 rests with the State regardless of whether the State
3 relies on direct evidence, circumstantial evidence or
4 some combination of the two.

5 Necessarily, you must determine the
6 credibility of witnesses who have testified in this
7 case. Credibility simply means believability. It
8 becomes your duty as jurors to analyze and to evaluate
9 the evidence and determine which evidence convinces you
10 of its truth.

11 In determining the believability of witnesses
12 who have testified in this case, you may believe one
13 witness over several witnesses or several witnesses over
14 one witness. You may believe the testimony of a witness
15 and reject the remaining testimony of that same witness.
16 You may believe the testimony of a witness in its
17 entirety or you may reject the testimony of the witness
18 in its entirety. You may consider whether the witness
19 has exhibited to you any interest, bias, prejudice or
20 other motive in this case. You may also consider the
21 appearance and manner of a witness while on the witness
22 stand.

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

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

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

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

20 In order to establish Criminal liability,
21 criminal intent is required. For example, the mental
22 state required to be proven by the State for a
23 particular criminal might be purpose, intent, knowledge,
24 recklessness, or criminal negligence. Criminal intent
25 must be proven by the State beyond a reasonable doubt.

1 Criminal intent is always a matter that must be
2 determined by the jury from the circumstances
3 surrounding the situation. There's no way to prove
4 intent to a mathematical certainty. There is no way
5 medical science can dissect a person's brain and
6 determine what the person had in mind, so the law says
7 criminal intent may be inferred from the circumstance
8 shown to have existed. This is how you make a
9 determination of whether or not the element requires
10 intent was present. It is not necessary to establish
11 intent by direct and positive evidence, but intent may
12 be established by inference in the same way as any other
13 fact by taking into consideration the acts of the
14 parties and all the facts and circumstance of the case.

15 Criminal intent is a mental state, a conscious
16 wrongdoing. It is up to you determine what Mr.
17 Truesdale intended to do based on the circumstances
18 shown to have existed.

19 Criminal intent can arise from action or a
20 failure to act. It may arise from negligence,
21 recklessness, or an indifference to duty or to
22 consequences that is considered by the law to be the
23 equivalent or criminal intent.

24 There has been evidence presented that
25 witnesses have made prior statements which are not

1 consistent with the witnesses' present testimony. You
2 may use this evidence to decide whether to believe the
3 witnesses. You may also use evidence of the earlier
4 contradictory statements to determine the truth of those
5 statements. It is up to you to decide whether to
6 believe the earlier statements or the testimony given at
7 trial.

8 If a witness is shown to have knowingly
9 testified untruthful concerning any material matter, you
10 may consider this in determining whether to trust the
11 witnesses' testimony as to other matters. You may
12 reject all the testimony of that witness or give all or
13 part of the testimony the weight you think it deserves.

14 You have heard evidence that Mr. Truesdale was
15 convicted of a crime other than the one for which Mr.
16 Truesdale a now on trial. This evidence may be
17 considered by you, if you conclude it is true, only in
18 deciding whether the defendant's testimony is
19 believable, and for no other purpose. You must not
20 consider the defendant's prior record as any evidence of
21 the defendant's guilt of the charges, except for
22 possession of a firearm or ammunition by a person
23 convicted of a felony, violent crime and possession of a
24 handgun by a person convicted of a crime of violence, as
25 that is an element of these offenses.

1 Mr. Truesdale is charged with murder. The
2 State must prove beyond a reasonable doubt that Mr.
3 Truesdale killed another person with malice
4 aforethought. Malice is hatred, ill-will, or hostility
5 towards another person. It is the intentional doing of a
6 wrongful act without just 'cause or excuse and with the
7 intent to inflict an injury or under circumstances that
8 the law will infer an evil intent.

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

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

1 within the defendant's mind would be express malice.

2 Mr. Truesdale has raised a defense of
3 self-defense. Self-defense is a complete defense and,
4 if it is established you must find Mr. Truesdale not
5 guilty. The State has the burden of disproving
6 self-defense by proof beyond a reasonable doubt. If you
7 have a reasonable doubt of the defendant's guilt after
8 considering all of the evidence, including the evidence
9 of self-defense, then you must find Mr. Truesdale not
10 guilty. On the other hand, if you have no reasonable
11 doubt of the defendant's guilt after considering all of
12 the evidence, including the evidence of self-defense,
13 then you must find Mr. Truesdale guilty.

14 The following elements are required to
15 establish self-defense.

16 Number one: Without fault. First, Mr.
17 Truesdale must be without fault in bringing on the
18 difficulty. If the defendant's conduct was the type
19 which was reasonably calculated to, and did, provoke a
20 deadly assault, Mr. Truesdale would be at fault in
21 bringing on the difficulty and would not be entitled to
22 an acquittal based on self-defense.

23 Number two: Imminent danger. The second
24 element of self-defense is that Mr. Truesdale was
25 actually in imminent danger of death or serious bodily

1 injury or that Mr. Truesdale actually believed he was in
2 imminent danger or death or serious bodily injury. If
3 Mr. Truesdale was in imminent danger it must be shown
4 that the circumstances would have warranted a person of
5 ordinary firmness and courage to strike the fault blow
6 to prevent death or serious bodily injury. If Mr.
7 Truesdale believed he was imminent danger or death or
8 serious bodily injury, it must be shown that a
9 reasonably prudent person of ordinary firmness and
10 courage would have had the same belief.

11 In deciding whether Mr. Truesdale actually was
12 or believed he was in imminent danger of death or
13 serious bodily injury, you should consider all the facts
14 and circumstances surrounding the crime, including the
15 physical condition and characteristics of Mr. Truesdale
16 and the victim.

17 Number 3, no other way to avoid danger. The
18 final element of self-defense is that Mr. Truesdale had
19 no other probable way to avoid the danger of death or
20 serious bodily injury than to act as Mr. Truesdale did
21 in this particular instance.

22 A lawful guest in another's home has no duty
23 to retreat before using deadly force in self-defense
24 against an intruder. A lawful guest is a person who
25 enters the premises of another by either express or

1 implied invitation. However, a guest has a duty to
2 retreat, where possible, that the attacker is the owner
3 or occupier of the property.

4 Mr. Truesdale is charged with first-degree
5 burglary. The State must prove beyond a reasonable
6 doubt that Mr. Truesdale entered a dwelling without
7 consent.

8 A dwelling is any building or any portion of a
9 building which a person ordinarily sleeps. A building
10 constructed is a dwelling that has never been occupied
11 cannot be considered a dwelling for purposes of
12 burglary. A building is a dwelling even if the
13 residents are temporarily absence from the building.

14 In order to prove that Mr. Truesdale entered
15 the dwelling, the State does not have to show that the
16 defendant's entire body entered the dwelling. The
17 smallest entry is sufficient. It may be any part of the
18 body, such as a hand, foot, or even an instrument, such
19 as a hook or other instrument. In addition, the State
20 does not have prove that force was used to gain entry.

21 If a person enters a building by using
22 deception, artifice, trick or misrepresentation to get
23 consent to enter, this is an entry without consent.

24 Next the State must prove beyond a reasonable
25 doubt that Mr. Truesdale intended to commit a crime,

1 either a felony or a misdemeanor, at the time of the
2 entry. The mere entry into the dwelling without consent
3 in not burglary. If the intent to commit a crime is
4 formed after the entry, it's not burglary. On the other
5 hand, if Mr. Truesdale intended to commit a crime at the
6 time of entry, it is a burglary even if the intent was
7 abandoned after the entry. It does not matter that the
8 intended crime was not completed.

9 Mr. Truesdale and other circumstances from
10 which you may naturally and reasonably infer intent.

11 Finally, the State must prove beyond a
12 reasonable doubt that:

13 One, when entering, while in the dwelling or
14 when fleeing, Mr. Truesdale or an accomplice was armed
15 with a deadly weapon or explosive. A deadly weapon is
16 any article, instrument, or substance, which is likely
17 to 'cause death or great bodily harm. Whether an
18 instrument has been used as a deadly weapon depends on
19 the facts and circumstances of each case.

20 The following are examples of instruments
21 which may be deadly weapons: A pistil, a shotgun, a
22 rifle, a dirk, a dagger, a knife, a slingshot, metal
23 knuckles, a razor, gasoline, a fire bomb or Molotov
24 cocktail, and lighter fluid. A gun may be a deadly
25 weapon even if it is not operating.

1 When entering while in the dwelling, or when
2 fleeing, Mr. Truesdale or accomplice caused physical
3 injury to anyone not participating in the crime.

4 Three, when entering while in the dwelling, or
5 when fleeing Mr. Truesdale or accomplice used or
6 threatened to use the dangerous object.

7 Four, when entering, while in the dwell, or
8 when fleeing, Mr. Truesdale or an accomplice displayed
9 what was appeared to be a knife, pistol, revolver,
10 rifle, shotgun, machine gun or other firearm.

11 Mr. Truesdale entered or remained in the
12 dwelling in the nighttime. In the nighttime is a period
13 between sunset and sunrise during which there is not
14 enough daylight to recognize a persons face, except by
15 artifical light or moonlight.

16 Mr. Truesdale is also charged with possession
17 of a weapon during a commission of, or attempt to
18 commit, a violent crime. The State must prove beyond a
19 reasonable doubt that Mr. Truesdale was in possession of
20 a firearm or visibly displaced what appeared to be a
21 firearm during the commission of a violent crime.

22 A firearm means any machine gun, automatic
23 rifle, revolver, pistol or any weapon which will, is
24 designed to, or may be readily converted to expel a
25 projectile.

1 A knife is an instrument or tool with a sharp
2 cutting blade whether or not fastened to a handle, which
3 can be used to inflict a cut, slash or wound.

4 In order to find Mr. Truesdale guilty of
5 possession of a weapon during the commission of a
6 violent crime, you must first find Mr. Truesdale guilty
7 of either committing a violent crime or attempting to
8 commit a violent crime.

9 Murder and burglary in the first-degree are
10 violent crimes.

11 The State must prove beyond a reasonable doubt
12 that the weapon furthered, advanced, or helped in the
13 commission of the crime.

14 It is unlawful for a person who has been
15 convicted of a crime of violence in any court in the
16 United States to possess or acquire handguns within the
17 State of South Carolina.

18 It is unlawful for a person who has been
19 convicted of a violent crime to possess a firearm or
20 ammunition within this State.

21 Ladies and gentlemen of the jury, your verdict
22 must be a unanimous verdict, which of course, means that
23 all 12 of you must agree on the verdict. Our two
24 alternates are Ms. Flatt and Ms. Ludlam. Ladies, you
25 are our two alternates, so once the jury retires to

1 deliberate, we will separate you out and excuse you from
2 the trial of this case since you are the alternates.

3 As far as the foreperson is concerned, the
4 gentleman there in the green shirt, Your name sir?

5 JUROR LUNNING: Benson Lunning.

6 THE COURT: Mr. Lunning?

7 JUROR LUNNING: Yes.

8 THE COURT: Mr. Lunning, since you are sitting
9 in that chair, I'm going to appoint you as the
10 foreperson. You can see this is a very scientific
11 process and you are hereby appointed to be our
12 foreperson. It will be your duty Mr. Lunning to write
13 the verdict on the verdict form. The verdict form is
14 rather self-explanatory. It gives you the indictment
15 number, you'll also have the indictments with you back
16 in the jury room and you can compare the indictment
17 numbers to the indictments. And the first one says:

18 As to the charge of murder, we the jury
19 unanimously find Mr. Truesdale... you circle the
20 appropriate verdict, either not guilty or guilty. And
21 it goes through each of the indictments. When you come
22 to a verdict on each charge, please circle the
23 appropriate verdict on each charge.

24 Also, you will have the actual indictments
25 back in the jury room with you. There is a section on

1 the front that has verdict. If you would sign and
2 indicate what the appropriate verdict was that you found
3 and date it as the foreperson on the front of the
4 indictment as well.

5 Ladies and gentlemen of the jury, I'm going to
6 ask you to -- that are on the jury, I'm going to ask you
7 to return to your jury room. Do not begin your
8 deliberations until you have received all of the
9 evidence in this case and the verdict form and
10 indictments. Once you receive those you may begin your
11 deliberation. When you come to a verdict, if you would
12 please knock on the door. We'll bring you in to receive
13 your verdict. You may return to your jury room and
14 we'll separate the two alternates.

15 (Jury exited.)

16 THE COURT: Are there any exceptions or
17 objections from the charge on the law from either the
18 State or the defense?

19 MS. MCGINNIS: Not from the State, Judge.

20 MR. NIELSON: Not from the defense.

21 THE COURT: If y'all can get together and make
22 sure we have all the exhibits.

23 MR. NIELSON: Your Honor, can I put one thing
24 on the record really quick?

25 THE COURT: Sure.

1 MR. NIELSON: I did not make this objection
2 contemporaneously, so I'm not sure it's even going to
3 matter even for appellate purposes, but I believe that
4 the -- but I did -- but I do object to the States last
5 statement about when she read off his phone calls. I
6 did not bring up his phone calls as part of my -- as
7 part of my closing argument. And their argument is
8 supposed to be only an argument against what I brought
9 up, I did not bring them up. So I believe that was
10 improper that that happened.

11 MS. MCGINNIS: He specifically said and I
12 wrote down. "He admitted to his mistakes and this was
13 an admission to a mistake."

14 THE COURT: Your late objection's noted.

15 MR. NIELSON: Thank you, your Honor. I'm
16 guessing it's overruled? I want to make sure that we do
17 get a ruling on it.

18 THE COURT: Yes, sir. Your objection is
19 overruled. It is within what you argued.

20 MR. NIELSON: Thank you, your Honor.

21 THE COURT: Okay. We're in recess.

22 *(Whereupon, jury deliberations began.)*

23

24 THE BAILIFF: All rise.

25 THE COURT: Thank you, everyone. Please have a

1 seat.

2 We have a question from the jury that states:

3 "Are we able to see the police body-cam
4 footage again?"

5 So I've intended on bringing out the jury and
6 I'm anticipating it's the officer's body cam that --
7 when he went into the house and I'll also ask them and
8 play the appropriate one.

9 Any objections from either the State or the
10 defense?

11 MS. MCGINNIS: No, your Honor.

12 MR. NIELSON: No, your Honor.

13 (Court's Exhibit 1, Jury question, was
14 marked for Identification.)

15 THE COURT: All right. Let's bring in the
16 jury, please.

17 (Jury entered.)

18 THE COURT: I'm in receipt of your note
19 requesting to review the body-cam footage. Do you want
20 to do both of them or one or the other? We have
21 Sharperson and Smalls.

22 MR. FOREMAN: Both of them.

23 THE COURT: Both of them. Okay.

24 (Video 1 played.)

25 MS. MCGINNIS: That was all we played in

1 trial, your Honor.

2 THE COURT: All right. Play the next one.

3 (Video 2 played.)

4 THE COURT: That concludes the two videos.

5 Ladies and gentlemen, if you would, return to

6 your jury room to continue deliberations, thank you.

7 ***(Jury continued deliberations at 3:02***

8 ***p.m.)***

9 THE CLERK: All rise.

10 THE COURT: Please be seated. It's my
11 understanding that we have a verdict.

12 Before we bring the jury out, we did have one
13 further question from the jury which was discussed in
14 chambers and there was no objection to my writing a note
15 back to the jury. They had asked regarding definitions
16 of murder. So there was no objection to my note; is
17 that correct, from the State?

18 MS. MCGINNIS: That's correct, your Honor.

19 THE COURT: From the defense?

20 MR. NIELSON: That's correct.

21 (Court's Exhibit 2, Jury note, was marked
22 for Identification.)

23 THE COURT: Ladies and gentleman of the
24 gallery, I understand this is an emotional time for
25 everybody but there will be no outbursts in the

1 courtroom when the verdict is read.

2 Let's bring in the jury.

3 (Jury entered.)

4 THE COURT: Mr. Foreman, has the jury reached
5 a verdict?

6 MR. FOREMAN: Yes.

7 THE COURT: Could you please hand it to the
8 clerk?

9 Mr. Clerk, please publish the verdict.

10 THE CLERK: The State of South Carolina,
11 County of Lancaster versus Quinterious Truesdale,
12 Defendant. In Indictment No. 2021-GS-29-0422, as to the
13 charge of murder, we, the jury, unanimously find
14 Mr. Truesdale guilty.

15 As to the charge of possession of a firearm
16 during the commission of a violent crime, we, the jury,
17 unanimously find Mr. Truesdale guilty.

18 Indictment No. 2021-GS-29-0423, as to the
19 charge of burglary in the first degree, we, the jury,
20 unanimously find Mr. Truesdale guilty.

21 As to the charge of possession of a firearm
22 during the commission of a violent crime, we, the jury,
23 unanimously find Mr. Truesdale guilty.

24 Indictment No. 2021-GS-29-2024, as to the
25 charge of possession of a firearm or ammunition by a

1 person convicted of a felony/violent crime, we, the
2 jury, unanimously find Mr. Truesdale guilty.

3 Indictment No. 2021-GS-29-0422, as to the
4 charge of possession of a handgun by a person convicted
5 of a violent crime, we, the jury, unanimously find
6 Mr. Truesdale guilty.

7 June 16, 2022, jury foreperson, Benton
8 Lunning.

9 Ladies and gentlemen of the jury, if this be
10 your verdict, say so you all by the raising of your
11 right hand.

12 Let the record reflect that all jurors raised
13 their right hand.

14 THE COURT: Thank you, sir.

15 Does the defense require individual polling?

16 MR. NIELSON: No, your Honor.

17 THE COURT: Thank you.

18 Ladies and gentleman, if you'll please return
19 to the jury room, I will be in momentarily to release
20 you.

21 (Jury exited.)

22 THE COURT: Counsel, anything before I release
23 the jury?

24 MS. MCGINNIS: No, your Honor.

25 MR. NIELSON: Your Honor, I move for a new

1 trial in this case and ask your Honor to grant a new
2 trial.

3 THE COURT: I appreciate your motion, sir,
4 however, your motion is respectfully denied.

5 MR. NIELSON: I'd also add -- I'd also, just
6 at this time, want to renew any and all objections, all
7 hearings, all motions, all -- everything else we've done
8 throughout this trial as well.

9 THE COURT: And for the reasons that were
10 previously articulated on the record, my same rulings
11 apply.

12 MR. NIELSON: Thank you, your Honor.

13 THE COURT: If y'all would prepare the
14 sentencing sheets.

15 MS. MCGINNIS: Yes, your Honor.

16 *(Whereupon, a brief recess was taken.)*

17

18 **SENTENCING**

19

20 THE BAILIFF: All rise.

21 THE COURT: Thank you, everyone. Please have
22 a seat.

23 Ready to proceed for sentencing?

24 MS. MCGINNIS: Yes, your Honor.

25 MR. NIELSON: Just for record, as I told you

1 address the Court at this time. He's obviously pretty
2 emotional right now. I can understand him not wanting
3 to address the Court.

4 We ask for whatever mercies the Court can
5 extend. We understand this sentence has to be at least
6 30 years. I don't know that we need to lock this young
7 man up for the rest of his life. We would just simply
8 ask the Court to show whatever mercies can be extended.

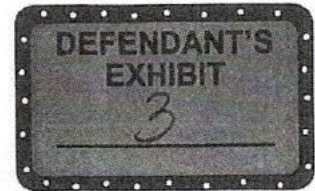
9 THE COURT: Thank you, sir.

10 Mr. Truesdale, will you please stand?

11 Mr. Truesdale, with your prior record and
12 considering the facts of the case, certainly, you had
13 absolutely no regard for the law, as you were supposed
14 to not even have contact with Ms. Mingo or to be at that
15 residence whatsoever.

16 You have a prior record. This was an
17 extremely violent and senseless act that you committed.

18 On Indictment 2021-GS-29-00422 for the charge
19 of murder, you are hereby committed to the State
20 Department of Corrections for the remainder of your
21 natural life. That is concurrent to 2021-GS-29-00422,
22 that's possession of a weapon during the commission of a
23 violent crime. There will not be a sentence imposed on
24 that due to the life sentence on the previous
25 indictment.



TRUESDALE, QUINTERIOUS
 [REDACTED] W HOOD ST, LANCASTER, SC 29720
 1748149769 CHARGED-OFF (ESTBL 04/21/2020)
 MAIL [REDACTED] W HOOD ST, LANCASTER, SC 29720-2027
 PS-SC FINAL BILL HOUSE/MODULAR PS-SC RESIDENT

Debt Management Information C#

File

Customer Name: TRUESDALE, QUINTERIOUS	CBIS Account #: 1748149769	Flags: PREPAID ADVANTAGE ELIGIBLE AMI READ CERTIFIED MDM MANAGED REMOTE CONN/DISC CAPABLE
Service Location: [REDACTED] W HOOD ST, LANCASTER, SC 29720	Account Status: Charged Off	
Primary Ph. #: [REDACTED] <input type="checkbox"/> Mobile	Type: Not Govt Or Duke Acc	
Alternate Ph. #: [REDACTED] <input type="checkbox"/> Mobile		

Customer Details	Mailing
Established as Customer: 04/20/2020	QUINTERIOUS TRUESDALE
DL State: [REDACTED]	[REDACTED] W HOOD ST
Driver's License: [REDACTED]	LANCASTER, SC 29720
Alternate Ph. #: [REDACTED]	
Social Security Number: -1239	
Federal Tax ID: [REDACTED]	
Date of Birth: [REDACTED] 996	

Account Details	Previous Mailing
Doing Business As: [REDACTED]	[REDACTED] USHER RD, LANCASTER, SC 29720
County: LANCASTER	
Established at Site: 04/21/2020	
On/Off Initiation Date: 11/12/2020	
Form of Ownership: Individual	
On/Off Orig. Date Wanted: 11/13/2020	
Property Ownership: RENT/LEAS	
On/Off Last Date Wanted: 11/13/2020	

Account Responsibilities	Contacts	Financial View
Roommate/Other Adult	Employer: [REDACTED]	Delinquency Details
Name: [REDACTED]	Wk Phone: [REDACTED]	Charge Off
SSN: [REDACTED]	Landlord: SHAWN MCCRAY - HERBE	DPA
Date of Birth: [REDACTED]	Wk Phone: [REDACTED]	Maintain Guarantor
Number of Other Adults: [REDACTED]	Home Phone: [REDACTED]	Offer Summary
Number of Partners: 0	Nearest Relative: [REDACTED]	Return
	Wk Phone: [REDACTED]	
	Home Phone: [REDACTED]	

? P Log

Financial View C#

File Actions View Help

Customer Name: TRUESDALE, QUINTERIOUS CBIS Account #: 1748149769 Flags: PREPAID ADVANTAGE ELIGIBLE
 Service Location: [REDACTED] W HOOD ST, LANCASTER, SC Account Status: Charged Off AMI READ
 29720 Type: Not Govt Or Duke Acc CERTIFIED MDM MANAGED
 Remote Conn/Disc Capable
 Primary Ph. #: [REDACTED] Mobile Delq Assessment: MODERATE

Financial Status		Past Due Category	
Current	Amount		Amount
Charge Off Amount	\$462.13	Total	\$0.00
Total	\$462.13		

Current Bill Due Date: 12/14/2020 Pending Payments: \$0.00
 #Days in Bill Period: 14 Unbilled Charges: \$0.00
 Service Dates: 10/30 - 11/13 Amount Due: \$462.13
 Date to be drafted on/after: [REDACTED] Total Commitments: \$0.00

EPP Information

Status: [REDACTED] Eff Date: [REDACTED]
 EPP Amount: [REDACTED] Date Changed: [REDACTED]
 Balance: [REDACTED] Month: [REDACTED]
 Prev Amount: [REDACTED]
 Quote: [REDACTED] Estimated: [REDACTED]
 Quote End Date: [REDACTED] EPP Estimator: [REDACTED]

Financial Activity

Advice: To view all of the financial data available between the specified dates, please use the scroll bar to the right of the grid. Double click on the line items in white for more information. You can also resize the columns by dragging the column.

Date	Financial Activity	Charges	Credits	Balance
+ 04/21/2020	MISCELLANEOUS CHARGE - CREATE CHARGES	\$15.00		\$15.00
04/21/2020	CASH PAYMENT - CHECKFREE PAY AGENT		\$50.00	-\$35.00
+ 05/2020	MONTHLY BILLING - CREATE CHARGES	\$15.04		-\$19.96
05/05/2020	CASH PAYMENT - SPEEDPAY		\$40.00	-\$59.96
05/19/2020	CASH PAYMENT - CHECKFREE PAY AGENT		\$30.00	-\$89.96
+ 06/2020	MONTHLY BILLING - CREATE CHARGES	\$103.37		\$13.41
+ 07/2020	MONTHLY BILLING - CREATE CHARGES	\$134.26		\$147.67
07/06/2020	CASH PAYMENT - SPEEDPAY		\$150.00	-\$2.33
07/16/2020	CASH PAYMENT - SPEEDPAY		\$80.00	-\$82.33
+ 08/2020	MONTHLY BILLING - CREATE CHARGES	\$155.27		\$72.94

Financial Activity Riders & Charges Previous 6 Months

? P Log CINQ Guarantor Security Agrmt Obligations Sum Arrears Delinquency Details Search Offer Summary Return

Financial View C#

File Actions View Help

Customer Name: TRUESDALE, QUINTERIOUS CBIS Account #: 1748149769 Flags: PREPAID ADVANTAGE ELIGIBLE
 Service Location: ██████████ HOOD ST, LANCASTER, SC Account Status: Charged Off AMI READ
 29720 Type: Not Govt Or Duke Acc CERTIFIED MDM MANAGED
 Primary Ph. #: Mobile Delq Assessment: MODERATE
 REMOTE CONN/DISC CAPABLE

Financial Status		Past Due Category	
Current	Amount		Amount
Charge Off Amount	\$462.13	Total	\$0.00
Total	\$462.13		

Current Bill Due Date: 12/14/2020 Pending Payments: \$0.00
 #Days in Bill Period: 14 Unbilled Charges: \$0.00
 Service Dates: 10/30 - 11/13 Amount Due: \$462.13
 Date to be drafted on/after: Total Commitments: \$0.00

EPP Information
 Status: Eff Date: EPP Amount: Date Changed: Balance: Month: Prev Amount: Quote: Estimated: Quote End Date: EPP Estimator

Financial Activity
 Advice: To view all of the financial data available between the specified dates, please use the scroll bar to the right of the grid. Double click on the line items in white for more information. You can also resize the columns by dragging the column

Date	Financial Activity	Charges	Credits	Balance
06/2020	MONTHLY BILLING - CREATE CHARGES	\$103.37		\$13.41
07/2020	MONTHLY BILLING - CREATE CHARGES	\$134.26		\$147.67
07/06/2020	CASH PAYMENT - SPEEDPAY		\$150.00	-\$2.33
07/16/2020	CASH PAYMENT - SPEEDPAY		\$80.00	-\$82.33
08/2020	MONTHLY BILLING - CREATE CHARGES	\$155.27		\$72.94
09/2020	MONTHLY BILLING - CREATE CHARGES	\$150.14		\$223.08
10/2020	MONTHLY BILLING - CREATE CHARGES	\$119.28		\$342.36
11/2020	MONTHLY BILLING - CREATE CHARGES	\$50.32		\$392.68
12/2020	MONTHLY BILLING - CREATE CHARGES	\$69.45		\$462.13
02/15/2021	CHARGE OFF - CHARGE OFF		\$462.13	\$0.00

Financial Activity Riders & Charges Previous 6 Months

Log CINQ Guarantor Security Agrmt Obligations Sum Arrears Delinquency Details Search Offer Summary Return

SCHEDULED DATE	CUST ACCOUNT	LAST NAME	FIRST NAME	AMOUNT	FEE	CONFIRM	CARD/BANK ACCT	STATUS
07/15/2020	1748149769	TRUESDALE	QUINTERIOUS	\$80.00	\$0.00	141771635	VISA *4609	Process
07/02/2020	1748149769	TRUESDALE	QUINTERIOUS	\$150.00	\$0.00	140958499	VISA *4609	Process
05/04/2020	1748149769	TRUESDALE	QUINTERIOUS	\$40.00	\$0.00	137635468	*7361	Process

Partner 1100558536 / Company Code 2000
 QUINTERIOUS TRUESDALE
 ██████████ HOOD ST
 LANCASTER SC 29720-2027

Navigation

Receivables Down payments Totals Payment List Chronology

Lgt	Account#	Doc Number	Doc Date	Due Date	Ttl Amount	DT	Description	Open Amount	CR
	310003154765	132000011112	04/03/2021	02/01/2021	462.13	WD	Write-off		
	310003154765	256000136955	03/31/2021	02/15/2021	462.13	CH	Conversion		
	310003154765	309300356212	04/03/2021	02/15/2021	462.13	W5	Write-off Stat Debit	462.13	
	USD				462.13			462.13	

Billing Information C#

File Agreement Actions

Customer Name: TRUESDALE, QUINTERIOUS
 Service Location: HOOD ST, LANCASTER, SC
 Primary Ph. #: [Redacted]
 Account Status: Charged Off
 Type: Not Govt Or Duke Acc
 Alternate Ph. #: [Redacted]

Flags:
 PREPAID ADVANTAGE ELIGIBLE
 AMI READ
 CERTIFIED MDM MANAGED
 REMOTE CONN/DISC CAPABLE

Account Details
 Established as Customer: 4/23/2020
 Established at Site: 4/21/2020
 Energy Usage Code: [Redacted]
 Sort Stop: [Redacted]
 Manual Sort Location: [Redacted]
 Manual Sort Reason: [Redacted]

Mailing:
 QUINTERIOUS TRUESDALE
 HOOD ST
 LANCASTER, SC 29720

Scheduling
 Bill Cycle Number: 2
 Next Reading Date: [Redacted]
 Next Force Bill Date: 9/8/2021
 Late Pay Review Date: [Redacted]

Location
 Business Unit: LANCASTER
 Operation Center: LANCASTER
 Tax Location: LANCASTER, SC / LANCASTER
 Meter Route: 0000704545

Payment History

Date	Amount
07/16/2020	\$80.00
07/06/2020	\$150.00
05/19/2020	\$30.00

Utility Agreements

Seq	Meter Description	Status	Type	Price Schedule	Tax	Muni Fee?	Service From	Service To	Block	PRI
1		FBL	ELECTRIC	RS-SC	None	Yes	10/30/2020	11/13/2020	0	Y

Most Recent 25 Billing Exceptions within Last 90 Days

Service Seq	Register Type	Exception Type	Status	OK to Bill

Exception Details

Bill Image
 Financial View
 Service History
 Directions
 Return



QUINTERIOUS TRUESDALE
 W HOOD ST

Account Number 1748149769
 Verification Code 1
 Bill Date 05/01/2020
 Current Charges Past Due After 05/26/2020

Service from APR 21 to APR 30 (9 Days) Your next scheduled meter reading will occur between MAY 29 and JUN 03.

PREVIOUS BILL AMOUNT	PAYMENTS (-)	NEW CHARGES (+)	ADJUSTMENTS (+ OR -)	AMOUNT DUE (=)
0.00	50.00	30.04	0.00	-\$19.96

METER NUMBER	METER READINGS: PREVIOUS	METER READINGS: PRESENT	MULTIPLIER	TOTAL USAGE	RATE SCHEDULE DESCRIPTION	AMOUNT
756511	10264	10360	1	96 KWH	RS - Residential Service	14.13
					Fixed Monthly Leaf 50C Charge	0.19
					Connect Fee	15.00
					Prior Credit Balance	-50.00
					Municipal Fee	0.72
Credit Balance - Do Not Pay						-\$19.96

Electricity Usage	This Month	Last Year
Total KWH	96	N/A
Days	9	N/A
AVG KWH per Day	11	N/A
AVG Cost per Day	1.57	N/A

Our records indicate your telephone number is 803-288-1624. If this is incorrect, please follow the instructions on the back of the bill.
 A late payment charge of 1.5% will be added to any past due utility balance not paid within 25 days of the bill date.

For Correspondence: PO BOX 1090 CHARLOTTE NC 28201-1090
 DUKE PHONE: 800-777-9898 www.duke-energy.com



QUINTERIOUS TRUESDALE
 W HOOD ST

Account Number 1748149769
 Verification Code 1
 Bill Date 06/01/2020
 Current Charges Past Due After 06/26/2020

Service from APR 30 to MAY 29 (29 Days) Your next scheduled meter reading will occur between JUN 30 and JUL 06.

PREVIOUS BILL AMOUNT	PAYMENTS (-)	NEW CHARGES (+)	ADJUSTMENTS (+ OR -)	AMOUNT DUE (=)
-19.96	70.00	103.37	0.00	\$13.41

METER NUMBER	METER READINGS: PREVIOUS	METER READINGS: PRESENT	MULTIPLIER	TOTAL USAGE	RATE SCHEDULE DESCRIPTION	AMOUNT
756511	10360	11142	1	782 KWH	RS - Residential Service	97.83
					Fixed Monthly Leaf 50C Charge	0.62
					Prior Credit Balance	-89.96
					Municipal Fee	4.92
A m o u n t D u e						\$ 1 3 . 4 1

Electricity Usage	This Month	Last Year
Total KWH	782	N/A
Days	29	N/A
AVG KWH per Day	27	N/A
AVG Cost per Day	3.37	N/A

Our records indicate your telephone number is 803-288-1624. If this is incorrect, please follow the instructions on the back of the bill.
 A late payment charge of 1.5% will be added to any past due utility balance not paid within 25 days of the bill date.

For Correspondence: PO BOX 1090 CHARLOTTE NC 28201-1090
 DUKE PHONE: 800-777-9898 www.duke-energy.com

Return This Portion With Your Payment To The Address Below. Thank You For Your Business.
401

99174814976901000000001341000000000000 88 0 88 0

QUINTERIOUS TRUESDALE
[REDACTED] W HOOD ST
LANCASTER SC 29720-2027

Account Number	1748149769
Verification Code	1
Amount Due	\$13.41
Current Charges Past Due After	06/26/2020

PO BOX 70516
CHARLOTTE NC 28272-0516

Total Amount Enclosed \$ _____





QUINTERIOUS TRUESDALE
 W HOOD ST

Account Number 1748149769
 Verification Code 1
 Bill Date 07/01/2020
 Current Charges Past Due After 07/27/2020

Service from MAY 29 to JUN 30 (32 Days) Your next scheduled meter reading will occur between JUL 31 and AUG 05.

PREVIOUS BILL AMOUNT	PAYMENTS (-)	NEW CHARGES (+)	ADJUSTMENTS (+ OR -)	AMOUNT DUE (=)
13.41	0.00	134.26	0.00	\$147.67

METER NUMBER	METER READINGS: PREVIOUS	METER READINGS: PRESENT	MULTIPLIER	TOTAL USAGE	RATE SCHEDULE DESCRIPTION	AMOUNT
756511	11142	12191	1	1,049 KWH	RS - Residential Service	127.25
					Fixed Monthly Leaf 50C Charge	0.62
					Prior Balance Due	13.41
					Municipal Fee	6.39
Amount Due						\$147.67

Electricity Usage	This Month	Last Year
Total KWH	1,049	N/A
Days	32	N/A
AVG KWH per Day	33	N/A
AVG Cost per Day	3.98	N/A

Our records indicate your telephone number is 803-288-1624. If this is incorrect, please follow the instructions on the back of the bill.

A late payment charge of 1.5% will be added to any past due utility balance not paid within 25 days of the bill date.

For Correspondence: PO BOX 1090 CHARLOTTE NC 28201-1090
 DUKE PHONE: 800-777-9898 www.duke-energy.com

Return This Portion With Your Payment To The Address Below, Thank You For Your Business.
402

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QUINTERIOUS TRUESDALE

HOOD ST
LANCASTER SC 29720-2027

Account Number	1748149769
Verification Code	1
Amount Due	\$147.67
Current Charges Past Due After	07/27/2020

Reminder

Your Duke Energy account has a past due balance. Failure to pay the past due amount could result in disconnection of service. If your payment has been made, please accept our thanks. If you have any questions about your account, please contact Duke Energy.

PO BOX 70515
CHARLOTTE NC 28272-0515

Total Amount Enclosed	\$
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QUINTERIOUS TRUESDALE
 W HOOD ST

Account Number 1748149769
 Verification Code 1
 Bill Date 08/03/2020
 Current Charges Past Due After 08/28/2020

Service from JUN 30 to JUL 31 (31 Days) Your next scheduled meter reading will occur between AUG 31 and SEP 03.

PREVIOUS BILL AMOUNT	PAYMENTS (-)	NEW CHARGES (+)	ADJUSTMENTS (+ OR -)	AMOUNT DUE (=)
147.67	230.00	155.27	0.00	\$72.94

METER NUMBER	METER READINGS: PREVIOUS	METER READINGS: PRESENT	MULTIPLIER	TOTAL USAGE	RATE SCHEDULE DESCRIPTION	AMOUNT
756511	12191	13412	1	1,221 KWH	RS - Residential Service	147.26
					Fixed Monthly Leaf 50C Charge	0.62
					Prior Credit Balance	-82.33
					Municipal Fee	7.39
Amount Due						\$72.94

Electricity Usage	This Month	Last Year
Total KWH	1,221	N/A
Days	31	N/A
AVG KWH per Day	39	N/A
AVG Cost per Day	4.75	N/A

Our records indicate your telephone number is 803-288-1624. If this is incorrect, please follow the instructions on the back of the bill.
 A late payment charge of 1.5% will be added to any past due utility balance not paid within 25 days of the bill date.

For Correspondence: PO BOX 1090 CHARLOTTE NC 28201-1090
 DUKE PHONE: 800-777-9898 www.duke-energy.com

Return This Portion With Your Payment To The Address Below. Thank You For Your Business.
401

99174814976901000000007294000000000000 88 0 88 0

QUINTERIOUS TRUESDALE
[REDACTED] W HOOD ST
LANCASTER SC 29720-2027

Account Number	1748149769
Verification Code	1
Amount Due	\$72.94
Current Charges Past Due After	08/28/2020

PO BOX 70516
CHARLOTTE NC 28272-0516

Total Amount Enclosed \$ _____





QUINTERIOUS TRUESDALE
 W HOOD ST

Account Number 1748149769
 Verification Code 1
 Bill Date 09/01/2020
 Current Charges Past Due After 09/28/2020

Service from JUL 31 to AUG 31 (31 Days) Your next scheduled meter reading will occur between SEP 30 and OCT 05.

PREVIOUS BILL AMOUNT	PAYMENTS (-)	NEW CHARGES (+)	ADJUSTMENTS (+ OR -)	AMOUNT DUE (=)
72.94	0.00	150.14	0.00	\$223.08

METER NUMBER	METER READINGS: PREVIOUS	METER READINGS: PRESENT	MULTIPLIER	TOTAL USAGE	RATE SCHEDULE DESCRIPTION	AMOUNT
756511	13412	14591	1	1,179 KWH	RS - Residential Service	142.37
					Fixed Monthly Leaf 50C Charge	0.62
					Prior Balance Due	72.94
					Municipal Fee	7.15
Amount Due						\$ 2 2 3 . 0 8

Electricity Usage	This Month	Last Year	
Total KWH	1,179	N/A	Our records indicate your telephone number is 803-288-1624. If this is incorrect, please follow the instructions on the back of the bill. A late payment charge of 1.5% will be added to any past due utility balance not paid within 25 days of the bill date.
Days	31	N/A	
AVG KWH per Day	38	N/A	
AVG Cost per Day	4.59	N/A	

For Correspondence: PO BOX 1090 CHARLOTTE NC 28201-1090
 DUKE PHONE: 800-777-9898 www.duke-energy.com

Return This Portion With Your Payment To The Address Below. Thank You For Your Business.
402

99174814976901000000022308000000007294 88 0 88 0 #

QUINTERIOUS TRUESDALE

W HOOD ST

LANCASTER SC 29720-2027

Account Number	1748149769
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Verification Code	1
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Amount Due	\$223.08
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Current Charges Past Due After	09/28/2020
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Reminder

Your Duke Energy account has a past due balance. Failure to pay the past due amount could result in disconnection of service. If your payment has been made, please accept our thanks. If you have any questions about your account, please contact Duke Energy.

PO BOX 70515
CHARLOTTE NC 28272-0515

Total Amount Enclosed	\$
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QUINTERIOUS TRUESDALE

W HOOD ST

Account Number 1748149769
 Verification Code 1
 Bill Date 10/01/2020
 Current Charges Past Due After 10/26/2020

Service from AUG 31 to SEP 30 (30 Days) Your next scheduled meter reading will occur between OCT 30 and NOV 04.

PREVIOUS BILL AMOUNT	PAYMENTS (-)	NEW CHARGES (+)	ADJUSTMENTS (+ OR -)	AMOUNT DUE (=)
223.08	0.00	119.28	0.00	\$342.36

METER NUMBER	METER READINGS: PREVIOUS	METER READINGS: PRESENT	MULTIPLIER	TOTAL USAGE	RATE SCHEDULE DESCRIPTION	AMOUNT
756511	14591	15513	1	922 KWH	RS - Residential Service	112.98
					Fixed Monthly Leaf 50C Charge	0.62
					Prior Balance Due	223.08
					Municipal Fee	5.68

Amount Due \$342.36

Electricity Usage	This Month	Last Year
Total KWH	922	N/A
Days	30	N/A
AVG KWH per Day	31	N/A
AVG Cost per Day	3.77	N/A

Our records indicate your telephone number is 803-288-1624. If this is incorrect, please follow the instructions on the back of the bill.
 A late payment charge of 1.5% will be added to any past due utility balance not paid within 25 days of the bill date.

For Correspondence: PO BOX 1090 CHARLOTTE NC 28201-1090
 DUKE PHONE: 800-777-9898 www.duke-energy.com

Return This Portion With Your Payment To The Address Below. Thank You For Your Business.
402

9917481497690100000003423600000022308 88 0 88 0 #

QUINTERIOUS TRUESDALE
 [REDACTED] W HOOD ST
 LANCASTER SC 29720-2027

Account Number	1748149769
Verification Code	1
Amount Due	\$342.36
Current Charges Past Due After	10/26/2020

Reminder

Your Duke Energy account has a past due balance. Failure to pay the past due amount could result in disconnection of service. If your payment has been made, please accept our thanks. If you have any questions about your account, please contact Duke Energy.

PO BOX 70515
 CHARLOTTE NC 28272-0515

Total Amount Enclosed	\$
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QUINTERIOUS TRUESDALE
 W HOOD ST

Account Number 1748149769
 Verification Code 1
 Bill Date 11/02/2020
 Current Charges Past Due After 11/30/2020

Service from SEP 30 to OCT 30 (30 Days) Your next scheduled meter reading will occur between DEC 01 and DEC 04.

PREVIOUS BILL AMOUNT	PAYMENTS (-)	NEW CHARGES (+)	ADJUSTMENTS (+ OR -)	AMOUNT DUE (=)
342.36	0.00	50.32	0.00	\$392.68

METER NUMBER	METER READINGS: PREVIOUS	METER READINGS: PRESENT	MULTIPLIER	TOTAL USAGE	RATE SCHEDULE DESCRIPTION	AMOUNT
756511	15513	15856	1	343 KWH	RS - Residential Service	47.28
					Fixed Monthly Leaf 50C Charge	0.64
					Prior Balance Due	342.36
					Municipal Fee	2.40
Amount Due						\$ 3 9 2 . 6 8

Electricity Usage	This Month	Last Year	
Total KWH	343	N/A	Our records indicate your telephone number is 803-288-1624. If this is incorrect, please follow the instructions on the back of the bill. A late payment charge of 1.5% will be added to any past due utility balance not paid within 25 days of the bill date.
Days	30	N/A	
AVG KWH per Day	11	N/A	
AVG Cost per Day	1.58	N/A	

For Correspondence: PO BOX 1090 CHARLOTTE NC 28201-1090
 DUKE PHONE: 800-777-9898 www.duke-energy.com

Return This Portion With Your Payment To The Address Below. Thank You For Your Business.
402

99174814976901000000039268000000034236 88 0 88 0 #

QUINTERIOUS TRUESDALE

W HOOD ST

LANCASTER SC 29720-2027

Account Number 1748149769

Verification Code 1

Amount Due \$392.68

Current Charges Past Due After 11/30/2020

Reminder

Your Duke Energy account has a past due balance. Failure to pay the past due amount could result in disconnection of service. If your payment has been made, please accept our thanks. If you have any questions about your account, please contact Duke Energy.

PO BOX 70515
CHARLOTTE NC 28272-0515

Total Amount Enclosed \$





552

QUINTERIOUS TRUESDALE
W HOOD ST

Account Number 1748149769
Verification Code 1
Bill Date 11/17/2020
Current Charges Past Due After 12/14/2020

Service from OCT 30 to NOV 13 (14 Days)

PREVIOUS BILL AMOUNT	PAYMENTS (-)	NEW CHARGES (+)	ADJUSTMENTS (+ OR -)	AMOUNT DUE (=)
392.68	0.00	69.45	0.00	\$462.13

METER NUMBER	METER READINGS: PREVIOUS	METER READINGS: PRESENT	MULTIPLIER	TOTAL USAGE	RATE SCHEDULE DESCRIPTION	AMOUNT
756511	15856	16435	1	579 KWH	RS - Residential Service	65.84
					Fixed Monthly Leaf 50C Charge	0.30
					Prior Balance Due	392.68
					Municipal Fee	3.31
Final Bill Amount Due						\$462.13

Electricity Usage	This Month	Last Year	
Total KWH	579	N/A	Our records indicate your telephone number is ???-???-???? . If this is incorrect, please follow the instructions on the back of the bill. A late payment charge of 1.5% will be added to any past due utility balance not paid within 25 days of the bill date.
Days	14	N/A	
AVG KWH per Day	41	N/A	
AVG Cost per Day	4.70	N/A	



Share The Warmth

Help neighbors struggling to pay their energy bills with a gift to Share the Warmth. Contributions are matched by the Duke Energy Foundation up to \$500,000. Learn more at duke-energy.com/Share.



Standard billing and payment practices have resumed. Customers facing economic hardship may qualify for financial help. Visit sc211.org or call 211 to find local agencies that can assist.

For Correspondence: PO BOX 1090 CHARLOTTE NC 28201-1090
DUKE PHONE: 800-777-9898 www.duke-energy.com

Return This Portion With Your Payment To The Address Below. Thank You For Your Business.
201

99174814976901000000046213000000039268 88 0 88 0 #

QUINTERIOUS TRUESDALE
[REDACTED] W HOOD ST
LANCASTER SC 29720-2027

Account Number	1748149769
Verification Code	1
Amount Due	\$462.13
Current Charges Past Due After	12/14/2020

PO BOX 70515
CHARLOTTE NC 28272-0515

Total Amount Enclosed \$ _____



AMENDED
DOCKET NO. 2021-GS-29-422

The State of South Carolina

County of Lancaster

FILED
OFFICE OF CLERK
OF COURT

2021 SEP 23 PM 2:58

CLERK OF COURT
LANCASTER, SC

COURT OF GENERAL SESSIONS

SEP 23 2021 TERM

THE STATE
vs.

Quinterious Truesdale

Amended Indictment for

**COUNT I
Murder**

SC Code: §16-3-10
CDR Code: 0116
Class: Felony, EXM

COUNT II

**Possession of a Firearm during the
Commission of a Violent Crime**

SC Code: §16-23-490
CDR Code: 549
Class: Felony F

WITNESSES

Small - LPD #20-11332

B Small

ARREST WARRANT NUMBER/DOA

Count I
2020A2920300476 (DOA-9-30-20)

Count II
2020A2920300477 (DOA-9-30-20)

ACTION OF GRAND JURY

TRUE BILL

FBow

Foreperson of Grand Jury
Date: SEP 23 2021

VERDICT

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
 COUNTY OF LANCASTER)

AMENDED INDICTMENT

At a Court of General Sessions, convened on SEP 23 2021

the Grand Jurors of Lancaster County present upon their oath:

COUNT I

MURDER

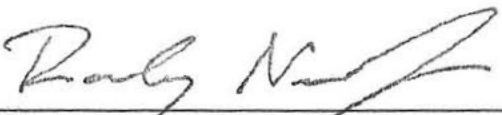
That Quinterious Truesdale did at [REDACTED] W. Hood Street, Lancaster, S. C., in Lancaster County, South Carolina on or about September 24, 2020, did with malice aforethought kill the victim Shamon White by shooting him which constituted the proximate cause of the death of the victim on September 24, 2020, in violation of Section 16-3-10 of the *Code of Laws of South Carolina*. (1976, as amended).

COUNT II

POSSESSION OR DISPLAY OF FIREARM DURING COMMISSION OF A VIOLENT CRIME

That Quinterious Truesdale did in Lancaster County, South Carolina, on or about September 24, 2020, possess a firearm or visibly displayed what appeared to be a firearm, to wit: a handgun, during his commission of a violent crime, to wit: Murder of Shamon White, which is classified as a violent crime in S. C. Code Section 16-1-60 (1976, as amended) all in violation of §16-23-490, *Code of Laws of South Carolina*, (1976), as amended.

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


 Randy E. Newman, Jr., SOLICITOR

DOCKET NO. 2021-GS-29- 423

The State of South Carolina

County of Lancaster

FILED
OFFICE OF CLERK
OF COURT
2021 APR 13 PM 3:37
CLERK OF COURT
LANCASTER, SC

COURT OF GENERAL SESSIONS

APR 09 2021 TERM

THE STATE
vs.

Quinterious Truesdale

**Indictment for
COUNT I**

Burglary, First Degree

SC Code: §16-11-311

CDR Code: 0079

Class: Felony, EXM

**Direct Indictment for
COUNT II**

**Possession of a Firearm during the
Commission of a Violent Crime**

SC Code: §16-23-0490

CDR Code: 0549

Class: Felony F

WITNESSES

Small - LPD #20-11332

J. Burns

ARREST WARRANT NUMBER/DOA

Count I
2020A2920300478 (DOA-9-30-20)
Count II Direct Indictment IN RE: AW#
2020A2920300478

ACTION OF GRAND JURY

TRUEBILL

Foreperson of Grand Jury APR - 9 2021
Date:

VERDICT

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
 COUNTY OF LANCASTER)

INDICTMENT AND DIRECT INDICTMENT

APR 09 2021

At a Court of General Sessions, convened on _____,
 the Grand Jurors of Lancaster County present upon their oath:

COUNT I

BURGLARY FIRST DEGREE

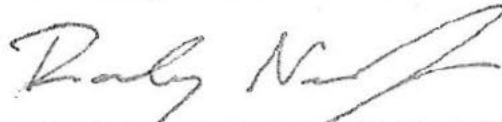
That Quinterious Truesdale did in Lancaster County, South Carolina, on or about September 24, 2020, enter the dwelling of Yashima Mingo, located at [REDACTED] W. Hood Street, Lancaster, S. C., without consent and with intent to commit a crime in the dwelling, to wit: Murder or Assault and Battery or Pointing and Presenting a Firearm, and while effecting entry or while in the dwelling or in immediate flight from the dwelling, he or another participant in the crime was armed with a deadly weapon or explosive or displayed what was or appeared to be a pistol, revolver, or other firearm, to wit: a handgun, and the Defendant did enter in the nighttime, all in violation of Section 16-11-311 of the *Code of Laws of South Carolina (1976), as amended*.

COUNT II

**POSSESSION OR DISPLAY OF FIREARM DURING COMMISSION OF A VIOLENT
 CRIME**

That Quinterious Truesdale did in Lancaster County, South Carolina, on or about September 24, 2020, possess a firearm and/or visibly displayed what appeared to be a firearm, to wit: a handgun during his commission of a violent crime, to wit: Burglary 1st Degree, which is classified as a violent crime in S. C. Code Section 16-1-60 (1976, as amended) all in violation of §16-23-490, *Code of Laws of South Carolina, (1976), as amended*.

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



Randy E. Newman, Jr., SOLICITOR

FILED
OFFICE OF CLERK
OF COURT

2021 SEP 23 PM 2:58

CLERK OF COURT
LANCASTER, SC

DOCKET NO. 2021-GS-29-2024

The State of South Carolina

County of Lancaster

COURT OF GENERAL SESSIONS

SEP 23 2021 TERM

THE STATE
vs.

Quinterious Truesdale

Direct Indictment for

**POSSESSION OF FIREARM OR AMMUNITION
BY PERSON CONVICTED OF FELONY
VIOLENT CRIME**

SC Code: §16-23-500
CDR Code: 3434
Class: Felony F

WITNESSES

Small - LPD #20-11332

B Small

ARREST WARRANT NUMBER/DOA

Direct Indictment

ACTION OF GRAND JURY

TRUE BILL

DBear

Foreperson of Grand Jury SEP 23 2021
Date:

VERDICT

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
 COUNTY OF LANCASTER)

DIRECT INDICTMENT

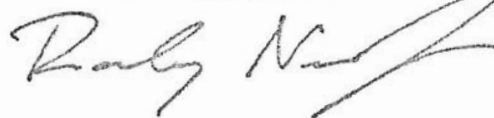
At a Court of General Sessions, convened on SEP 23 2021,

the Grand Jurors of Lancaster County present upon their oath:

**POSSESSION OF FIREARM OR AMMUNITION BY PERSON CONVICTED OF
 FELONY VIOLENT CRIME**

That Quinterious Truesdale did in Lancaster County, South Carolina, on or about September 24, 2020, possess a firearm or ammunition within the state of South Carolina, the Defendant having been previously convicted of a violent crime as defined in Section 16-1-60 of the Code of Laws of South Carolina that is also classified as a felony offense, all in violation of Section 16-23-500 of the *Code of Laws of South Carolina* (1976) as amended.

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



 Randy E. Newman, Jr., SOLICITOR

FILED
OFFICE OF CLERK
OF COURT

2021 SEP 23 PM 2:58

CLERK OF COURT
LANCASTER, SC

DOCKET NO. 2021-GS-29- 2025

The State of South Carolina

County of Lancaster

COURT OF GENERAL SESSIONS

SEP 23 2021

TERM

**THE STATE
vs.**

Quinterious Truesdale

Direct Indictment for

**Possession of a Handgun by a Person
Convicted of a Crime of Violence**

SC Code: § 16-23-30(A)(1), (B), § 16-23-50(A)(1)
CDR Code: 2364
Class: Felony, F

WITNESSES

Small - LPD #20-11332

B Small

ARREST WARRANT NUMBER/DOA

k/c

Direct Indictment

ACTION OF GRAND JURY
TRUE BILL

Brew

Foreperson of Grand Jury

SEP 23 2021

Date:

VERDICT

Foreperson of Petit Jury

Date:

STATE OF SOUTH CAROLINA)
)
 COUNTY OF LANCASTER)

DIRECT INDICTMENT

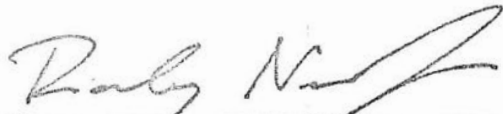
At a Court of General Sessions, convened on SEP 23 2021,

the Grand Jurors of Lancaster County present upon their oath:

POSSESSION OF A HANDGUN BY A PERSON
CONVICTED OF A CRIME OF VIOLENCE

That Quinterious Truesdale did in Lancaster County, South Carolina, on or about September 24, 2020, possess or acquire a handgun within the state of South Carolina, the defendant having been previously convicted of a crime of violence (as defined in S. C. Code Section 16-23-10(3)) in a court of this state or of the United States, the several states, commonwealths, territories, possessions, or the District of Columbia, all in violation of § 16-23-30(A)(1) and (B), *Code of Laws of South Carolina, (1976), as amended.*

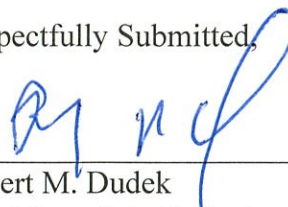
Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


 Randy E. Newman, Jr., SOLICITOR

CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,



Robert M. Dudek
Chief Appellate Defender

RECEIVED

Apr 24 2024

SC Court of Appeals

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

ATTORNEY FOR APPELLANT

This 24th day of April, 2024.

RECEIVED

Apr 24 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lancaster County

Honorable Maite Murphy, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

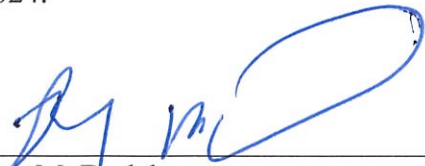
QUINTERIOUS R. TRUESDALE,

APPELLANT

APPELLATE CASE NO. 2022-000903

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Amended Record on Appeal in the above-referenced case has been served upon W. Joseph Maye, Esquire at the primary email address listed within the Attorney Information System (AIS), this 24th day of April, 2024.



Robert M. Dudek
Chief Appellate Defender

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

ATTORNEY FOR APPELLANT