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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
General Sessions Court

The Honorable Robert J. Bonds, Circuit Court Judge

Appellate Case No: 2023-00288

The State,.....Respondent

v.

Justin Brodie Granet.....Appellant

RECORD ON APPEAL
VOLUME I

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STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE GENERAL SESSIONS COURT
FOR THE 14th JUDICIAL CIRCUIT
2022-GS-07-01822, -478,
-479, -561, -562

State of South Carolina,

Plaintiff,

vs.

Justin Brodie Granet,

TRANSCRIPT OF JURY TRIAL
VOLUME I
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Defendant.

February 13, 2023
Beaufort, South Carolina

B E F O R E:

The Honorable Robert J. Bonds, Judge Presiding

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PROCEEDINGS

MONDAY, FEBRUARY 13, 2023

BEAUFORT, SOUTH CAROLINA

(The following proceedings were heard in open court. All parties were present.)

THE COURT: All right. I think we're here on the State of South Carolina v. Justin Granet, and I think we're going to pick a jury, qualify the jury panel, and discharge the jury for the day, and complete the motions and other pretrial matters, but at this point, I think there's a pretrial matter we'll take up before we qualify and select a jury, and that involves, Mr. Lee, your motion to sever; is that correct?

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

THE COURT: All right, we talked about this briefly on the phone last week, and so at this time, I'm happy to hear your argument, sir.

MR. LEE: Yes, sir, Judge, may it please the Court? Judge, Mr. Granet ultimately in this case was charged with five different charges, actually six, one of them has been dismissed in the last couple weeks, but there's two kidnapping charges, an assault and battery first

1 degree charge, a possession of a weapon during
2 the commission of a violent crime, and he was
3 initially charged with kidnapping, A&B first,
4 and I think that was it, anyway they did a
5 direct indictment on one of them. Where we are
6 right now is that they have added a possession
7 to distribute marijuana charge, which stemmed
8 from them obtaining a search warrant.

9 They went to the scene, they investigated,
10 they claimed they smelled marijuana in the back
11 bedroom, an officer claims he saw a bag that
12 appeared to have marijuana in it.

13 They went and got a search warrant, and by
14 this time everybody had been arrested, everybody
15 has left the scene. They go back with the
16 search warrant and find what they say is,
17 approximately, two pounds of marijuana, and he
18 was charged with possession with intent to
19 distribute marijuana.

20 It is my understanding that the State is
21 seeking to try the marijuana charge
22 simultaneously with the two kidnapping charges,
23 the assault and battery first, as well as the
24 possession of a weapon. It's our position that
25 for a variety of reasons, that that marijuana

1 should be severed from this case. Basically, as
2 Your Honor knows is one of the many, many
3 decisions that is at the sound discretion of the
4 trial judge, like it seems like most rulings are
5 nowadays, but, basically, I think the question
6 is, would trying that somehow affect some type
7 of fundamental right of the Defendant, prejudice
8 the Defendant in getting a fair trial for the
9 remaining charges?

10 It is our position that what that does is,
11 it improperly introduces bad character evidence
12 into the other charges, that clearly under 403,
13 the prejudicial affect substantially outweighs
14 any probative value, as to the case as a whole;
15 and the other thing that it involves, Judge, is
16 it's a whole different -- this is really a whole
17 different case than the marijuana.

18 I mean there's reasonable some questions, I
19 believe, possibly about the search warrant that
20 only relate to the finding of the marijuana, and
21 then also complicating things is, the State has
22 listed a witness named Josh Smith, who
23 apparently is going to testify, regarding some
24 snap chat conferences that he had with my
25 client. In the incident report, two of those

1 statements, which were made I think seven months
2 after Mr. Granet was arrested, and I will read
3 what the report says. There is a snapchat
4 course of evidence, there's a quote, "I almost
5 beat Corey to death for," I will say, for "F-ING
6 up my life," and the second one is quote, "If
7 the cops hadn't come, he would probably be in a
8 crab pot feeding the fish."

9 That -- obviously we've filed a motion to
10 keep that out, but what that does is open up a
11 whole pandora's box as well, where I think
12 severance would be appropriate, as you really --
13 you're kind of getting all over the place with
14 this case, if you did just a drug case, and then
15 it's an assault and battery case. So it's just
16 gonna be an -- it's not gonna be very clean,
17 Your Honor.

18 You know, the thought of judicial economy,
19 well, it's not even really the same officers,
20 that they just called in Drug Taskforce to kind
21 of run the drug case, and the interview with Mr.
22 Granet is with the Drug Taskforce Officer, it
23 was called in after-the- fact.

24 So, you know, any argument for judicial
25 economy I think doesn't make a whole lot of

1 sense, number one; and, number two, it's kind of
2 ironic to argue judicial economy on these
3 charges, but then they have a codefendant that
4 they have severed from the case and they're not
5 trying him, which it would actually make a lot
6 more sense to try that case together than it
7 would be to try the two charges, the sets of
8 charges together.

9 THE COURT: All right.

10 MR LEE: But anyway, it's our position
11 that it does affect the fundamental right to a
12 fair trial. There's risk of confusing the jury.
13 It's probably gonna require some limiting
14 charges, and, actually, I went the wrong way on
15 that argument about the Snapchats.

16 Actually, the statement that I'm concerned
17 about is the fourth statement that Mr. Granet
18 gave to Drug Taskforce agents which is, "The
19 marijuana's mine, I used some. I've been
20 selling for approximately two years. And Corey,
21 who's the alleged victim in this has been
22 supplying me with drugs."

23 I certainly believe we'd get into a 404
24 issue there about saying, "I've been selling
25 drugs for two years." I just don't think we

1 need to open that door in 404(b), because I
2 think it would be almost impossible to fashion a
3 limiting instruction to the jury to say, you
4 know, it's hard enough to do it with 404(b), but
5 if there's other charges involved, I think that
6 that's going to amount to character evidence.

7 I don't think it's appropriate in this case
8 to allow them to try everything together.

9 THE COURT: All right. Solicitor?

10 MS. KIDD: Thank you, Your Honor. The crux
11 of the State's argument is that the reason that
12 these drugs were found is, because of the
13 kidnapping, the assault and battery, and
14 possession of a weapon charge.

15 If we were to sever these charges, we'd
16 essentially be trying the same case twice. We
17 cannot explain the fact that the drugs were
18 found without getting into the details of the
19 kidnapping. It's true the search warrant was
20 executed, at which point drugs were taken into
21 evidence. However, those drugs were found
22 during the original sweep of the house. Given
23 the exigent circumstances of getting into that
24 house and getting those victims to safety while
25 the officer was clearing the house, he not only

1 smelled marijuana, but he saw marijuana in plain
2 view. Arguably, he did not even need a search
3 warrant to obtain those drugs. That's something
4 that DTF did as an abundance of caution.

5 Concerning stating the items, where there
6 is evidence admissible to provide a full
7 presentation of the events, there is no reason
8 to fragmentize the events. And when we're
9 getting into judicial economy, I'd like to just
10 say that we really would be calling the same
11 witnesses twice, going through the same story
12 twice; and in addition there's -- I'd like to
13 call it an actual economy argument that I'd like
14 to make. We have two witnesses that have come
15 in specifically from out-of-state to testify
16 about their involvement with the drugs.

17 You have Tom Maddox, who's coming down from
18 North Carolina, as well as the
19 Drug Analyst, Jessica Zeipfel, who was flown in
20 from out-of-state.

21 COURT REPORTER: I'm sorry, I'm sorry, what
22 was the name?

23 MS. KIDD: I'm sorry, Jessica Zeipfel has
24 flown in, and we do feel that it would be a
25 shame to have to send those people back and

1 bring them back in from up there. I don't think
2 that there's any undue prejudice getting into
3 this, especially with the marijuana charge. It's
4 marijuana, it's not like we're looking at
5 something like cocaine or something highly,
6 highly dangerous. I think we all look at
7 marijuana, it's come around a lot more socially
8 acceptable, so I don't think there is any undue
9 prejudice there.

10 And I would like to end with another case
11 State v. Gahum, G-A-H-U-M. And in that case the
12 courts found the objection to the cases being
13 tried together. In that case, it was an assault
14 and battery and a dope charge, and the Judge
15 found that it was proper to have those cases
16 heard together, because they were so intimately
17 connected. In time it was appropriate to
18 complete the picture of the crime, so I think
19 that's a very similar situation, and we think
20 that it would be more than appropriate for Your
21 Honor to find that these cases are appropriately
22 heard together.

23 THE COURT: All right.

24 MR. LEE: There's kind of one thing I
25 forgot too. What's important to remember is a

1 PWID case. So they have to prove possession
2 with intention to distribute. The thing that
3 they're gonna use, I think, to do with the
4 intent to distribute is, they got a search
5 warrant.

6 There was a small safe, a little lock box
7 that they found pursuant to the search warrant,
8 found the key, opened up the lockbox and found
9 \$9,000 in cash. Of course, they're going to
10 say, "Well, you're dealing drugs, because you've
11 got nine grand in your sock drawer."

12 In addition, I think they found some type
13 of kitchen scale or bathroom scale or something,
14 which they put in their report, and so, you
15 know, they wouldn't have found those things, but
16 for the search warrant that they obtained,
17 because they found a lesser amount of marijuana
18 in a bag, and the rest of the marijuana that was
19 found is a result of a concentrated, looking
20 around, tearing the house upside down search.

21 Whereas, if they're responding to an
22 assault and battery, is it reasonable for them
23 to go into a lockbox, which is about 12 inches
24 long and three inches high, to look for evidence
25 of a crime, where someone, you know, they show

1 up and somebody is you know injured and that
2 sort of thing. So, you know, maybe it was a
3 simple possession, they found it anyways, that's
4 one thing, but the fact that they're gonna have
5 to use evidence that was obtained, as a result
6 of a search warrant, based upon the initial, oh
7 there's a bag, and stop and walk and step back
8 and go get this search warrant, and then as a
9 result of that search warrant, they found an
10 additional indicia of possession with intent to
11 distribute, so I think that makes the case quite
12 different than just a harmless weed charge.

13 THE COURT: All right. All right, I'm
14 gonna grant your motion to sever. When I look
15 at this case, I look at, basically, I think
16 there are these -- there's got to be some
17 fundamentals there that says it relates to this
18 gentleman.

19 This is really a case about somebody who
20 allegedly assaulted someone, allegedly tied up
21 some folks in connection with something to do
22 with somebody's wife. I think the fact that it
23 is just marijuana, I understand what the
24 Solicitor said, it's just marijuana, but the
25 PWID, I think people could think that that's a

1 drug dealer. And I don't think from what I've
2 listened to, and I've listened to the vast
3 majority of the gentleman's statements, and I'm
4 not taking any of that for true, but it just
5 doesn't seem to me to be presenting as a
6 marijuana case, and I think that -- I think the
7 judicial economy is far outweighed by making
8 sure that this gentlemen who's facing 20 -- I
9 guess 20 years on each one of these kidnapping
10 charges --

11 MR. LEE: 30.

12 THE COURT: 30, has a fundamentally fair
13 trial, and so for those reasons, and the
14 arguments that Mr. Lee gave, I'm gonna grant the
15 motion to sever the case.

16 Now, there were some statements that
17 apparently, he made. Mr. Lee, you made a
18 reference to a narcotics officer, okay? If
19 those statements -- I'm not ruling that those
20 statements are inadmissible, if -- I don't -- I
21 can't remember hearing that, and so I guess what
22 I'm saying is, if he made statements to a
23 narcotics officer that involves what I call the
24 main case --

25 MR. LEE: Right.

1 THE COURT: -- not the drugs, then I'm not
2 saying that those statements stay out just
3 because it was to a narcotics officer.

4 So you made mention of that --

5 MR. LEE: Yes, sir.

6 THE COURT: -- and we'll deal with that
7 later --

8 MR. LEE: Okay.

9 THE COURT: -- but I don't want you to be
10 -- I don't want there to be any confusion. I'm
11 not --

12 MR. LEE: Yes, sir.

13 THE COURT: -- ruling that whatever he told
14 the narcotics officer, as it relates to what I
15 call the main case, not the marijuana, and
16 whether there was 9,000, not any of that, but if
17 he starts talking about, well, you know, I tied
18 him up for X, or I told him Y and Z, then that
19 may be something that when we get into Denno,
20 I'm not excluding that, basically. I want to
21 make sure you follow me, okay?

22 MR. LEE: Yeah, I understand, and I believe
23 -- let's see if Ms. Kidd agrees, I believe the
24 officer even told him when he started talking to
25 him, "I'm not talking to you about your other

1 case, I'm just talking to you about --

2 THE COURT: Well --

3 MR. LEE: -- the marijuana, so --

4 THE COURT: So -- all right, and, you know,
5 that's why I don't know that I've heard that
6 one, because I did remember that.

7 MR. LEE: Right.

8 THE COURT: I just want to make sure that
9 it was clear that I wasn't excluding that
10 statement, as for his statements that may be
11 related to this case.

12 If there aren't any, then it's not an
13 issue, okay?

14 MR. LEE: And, Judge, for the record, the
15 indictment that is being severed is 2019-GS-07-
16 00562. indictment for possession with intent to
17 distribute marijuana.

18 THE COURT: All right.

19 Any other matters
20 we need to take up before we get the jury in
21 here, because my thoughts would be we qualify
22 the jury panel, voir dire.

23 Have you-all looked at the voir dire that -
24 - I don't know if you-all presented me it.

25 MS. KIDD: We didn't, but if we could just

1 go back just one second. Would it be possible
2 to pull two juries, so that we could have both
3 of these cases for this week separately? I have
4 flown in witnesses specifically for this, and
5 I'd hate to have them come back next term if it
6 was something that we could accomplish here this
7 week.

8 THE COURT: You want to pull two juries?
9 Well, what I'm gonna do is, I'm just gonna be
10 honest, I don't like pulling two juries, because
11 amongst other things, I just don't like it. If
12 you want to call this case later in the week --

13 MS. KIDD: Okay.

14 THE COURT: -- that's your decision,
15 Solicitor, and so we'll address that when the
16 time comes.

17 MS. KIDD: Thank you, Your Honor.

18 THE COURT: Okay.

19 MS. KIDD: But to answer your other
20 question, Your Honor, we did look over yours.

21 MR. LEE: Yeah, I submitted them with my
22 pretrial motions last week --

23 THE COURT: You did.

24 MR. LEE: -- Your Honor.

25 THE COURT: You did, and so I guess my --

1 MR. LEE: Okay.

2 THE COURT: -- Question was, I just wanted
3 to make sure the State didn't have any other
4 what I call standard voir dire, and I want to
5 make sure, did the State have any problems with
6 the questions that Mr. Lee presented to me?

7 MS. KIDD: We don't have any objection.

8 THE COURT: All right. So I've got
9 possession of a weapon, a kidnapping, assault
10 and battery first degree, and another
11 kidnapping.

12 That's what we're trying, right?

13 MR. LEE: Yes, sir.

14 THE COURT: Because I've got two
15 indictments here for drugs. So one --

16 MR. LEE: One of them has been nolle
17 prossed.

18 THE COURT: -- was thrown out, so I'm gonna
19 give these -- I don't even want to hold these,
20 if I could --

21 MS. KIDD: Yes, sir.

22 THE COURT: Thank you, and so I've got the
23 indictments here, I've got jury list, I've got
24 the roster. I've got Mr. Lee's. All right.
25 Whenever we want to bring the jury in, it's fine

1 with me.

2 MR. LEE: Okay, have you got the witness
3 list?

4 THE COURT: Sir?

5 MR. LEE: Do you have the witness list?

6 THE COURT: Yes, sir, I think I've got a
7 witness list. I've got your witness list, and
8 I've got the Solicitor's witness list --

9 MR. LEE: Okay.

10 THE COURT: -- yes, sir.

11 Is that everything?

12 MS. KIDD: We're good. Do you want to be
13 in here for roll call, or are you gonna step in
14 back?

15 THE COURT: Oh, I'll be in here.

16 MS. KIDD: Okay. Bring them on --

17 THE COURT: I've got nowhere else to be.

18 MS. KIDD: Are we ready?

19 MR. LEE: What's that?

20 MS. KIDD: Bring them on in.

21 MR. LEE: Yes.

22 MS. KIDD: I'm sorry, do you happen to have
23 an extra copy of the motion?

24 THE COURT: Yeah, I do.

25 MR. LEE: The motion to sever?

1 MS. KIDD: Yes. Yes, bring them in, Jess.

2 ***

3 JURY SELECTION

4 THE BALIFF: Come on in, folks. We've got
5 some room up front here. Come on in, there is
6 plenty of room on the side over there, if you-
7 all want. All the jury is here, Madam Clerk.

8 CLERK: Thank you. All right. Good
9 morning, you-all.

10 JURORS: Good morning.

11 CLERK: Welcome to the Beaufort County
12 Court House, my name is Jeri Roseneau, I'm the
13 Clerk of Court, and this week you-all we have a
14 term of General Sessions. We also had a term of
15 Common Pleas, but those matters on their civil
16 roster have all resolved, so we will only be
17 running one courtroom this week, as opposed to
18 two.

19 We will be selecting one jury this morning.
20 If you are selected on the jury this morning,
21 the Judge will tell you when to come and go. If
22 you are not selected on the jury, everybody got
23 the card? Please call that number after 6
24 o'clock beginning today, and there is gonna be a
25 message on there that tells you to call back

1 tomorrow after 6:00, or it's gonna tell you to
2 come back to the courthouse. So just keep that
3 handy and call it every evening after 6 o'clock.
4 If you are selected, they'll tell you when
5 you're coming and going at the end of every day,
6 all right? So -- but we will be selecting one
7 jury this morning.

8 I'd like to introduce the staff that's in
9 the courtroom. We have our Bailiffs, we have
10 Ms. Jessica Brown, we have Mr. Norman Jones. We
11 have Mr. Tom, that's not Tom, that's Marshall
12 Smith, Tom Smith, Tom Smith, and then we have
13 George back there Marino. George just started
14 with us a week ago, and we welcome him, welcome
15 him to the courthouse, George, thank you for
16 just participating with us.

17 I'd also introduce Ms. Carroll Stroppel and
18 Ms. Karen Johnson, they're our Clerks, and if
19 you had a question and you called in, you
20 probably spoke with one of these ladies. If
21 something goes on this morning that you're not
22 sure about why we did what we did, call us, we
23 want you to understand some of the processes
24 that go on here, so that you have a better
25 understanding of how the Court operates. There

1 is a lot that went on.

2 Like you-all were asked to be here at 9:00.
3 This morning they were already in here working,
4 they were arguing motions. So, know they
5 weren't over there doing nothing, we needed you
6 here, and we're glad that you're here, because
7 without you-all being here we can't move the
8 cases. You'll are the most important people in
9 the courtroom, thank you for being here.

10 We know it's not really a choice, it's your
11 civic duty, but thank you. We have the
12 Honorable Robert Bonds, who is our Judge that
13 will be presiding over General Sessions. He is
14 also our Administrative Judge for the 14th
15 Circuit, so he's over five counties. Allendale,
16 Hampton, Colleton, Jasper and Beaufort, but he's
17 assigned with us in Beaufort this week, so he is
18 over all of our General Sessions matters for six
19 months.

20 And let's see and Carlos. We have Carlos,
21 his law clerk. All of our Judges in the South
22 Carolina Circuit level have their own law clerk,
23 and he has been working with the judge for a
24 year. Yes, they do it for a year, and then they
25 go on and start their career.

1 And, also, we have Ms. Kymberlee Williams,
2 she's our Court Reporter. When you speak,
3 please speak loudly, Ms. Williams has to hear
4 everything and keep a record of what goes on,
5 and if she can't hear you, she'll ask you to
6 repeat yourself, so please speak loudly, don't
7 be shy.

8 We're gonna go through the process of
9 qualifying you. We're going to ask you
10 questions, some of which may apply, some may
11 not, but if you think it applies, please stand,
12 share the information asked. It is most helpful
13 for the attorneys that are trying the cases, all
14 right?

15 We're also gonna have a roll call. When
16 your number is called, everybody look at your
17 number today, please say your number when you
18 stand, so that we can keep up with those that
19 are excused or transferred, so that we don't sit
20 you on a jury when you're not in the room, so
21 please state your number when you speak to us.
22 All right, we have a video the Chief Justice in
23 South Carolina has asked that we play. So here
24 is a little video about jury duty.
25 (Video being played for the Jury)

1 CLERK: If you'll please stand and raise
2 your right hand to be sworn in? Do you solemnly
3 swear and affirm to truthfully answer all
4 questions asked of you by this Court, so help
5 you God?

6 JURY: Yes.

7 THE CLERK: Thank you, you may be seated.
8 And as Madam Clerk said, if you'll stand, repeat
9 your juror number, your occupation, and your
10 spouse's occupation, if you're married? If
11 you're retired, you state your occupation you're
12 retired from, or your spouse is retired from.
13 Juror number two.

14 JUROR 2: My name is --

15 CLERK: Just your juror number is fine.

16 JUROR 2: Occupation Epic Beaker
17 Application Analyst, and my spouse's job is a
18 sales and marketing executive.

19 CLERK: Juror number 5.

20 JUROR 5: Five, interior designer, single.

21 CLERK: Okay, thank you, ma'am. Juror
22 number 13?

23 JUROR 13: Jury number 13. I'm a Fuel
24 Accountant and my spouse is a Marine.

25 CLERK: Okay, thank you, ma'am. Juror

1 number 17?

2 JUROR 17: Number 17, Security Guard on
3 Dataw Island, wife is a retired homemaker.

4 CLERK: Okay, thank you, sir. Juror number
5 30.

6 JUROR 30: Juror 30, self-employed, and my
7 husband is a retired State Trooper.

8 CLERK: And what do you do for --

9 JUROR 30: Design research.

10 CLERK: Okay, thank you, ma'am. Number 31?

11 JUROR 31: Number 31, I'm an EMT with
12 Beaufort County, and I'm single.

13 CLERK: Okay, thank you, ma'am. Number 36?

14 JUROR 36: I'm a bartender, and my wife is
15 a homemaker.

16 THE COURT: Okay, thank you, sir, and your
17 number 36?

18 JUROR 36: 36, yes.

19 THE COURT: Okay, thank you. Number 37?

20 JUROR 37: Number 37, a retired federal
21 auditor, and my wife is a retired federal
22 officer too.

23 THE COURT: Okay, thank you, sir. Okay,
24 number 41.

25 JUROR 41: 41, self-employed. realtor, and

1 I'm single.

2 THE COURT: Okay, thank you, ma'am. Number
3 45.

4 JUROR 45: 45, Insurance Underwriter. My
5 wife's a retired Special Agent U.S. Treasury
6 Department.

7 THE COURT: Okay, thank you, sir. Number
8 46?

9 JUROR 46: 46, I'm an office manager at a
10 middle school, Beaufort Middle School. My
11 husband is retired, and he was a Software
12 Engineer.

13 CLERK: Okay. Thank you, ma'am. Number
14 55?

15 JUROR 55: Number 55. I work at Beaufort
16 Memorial.

17 CLERK: Okay, thank you, sir. Number 58.

18 JUROR 58: Property management, 58.

19 CLERK: Thank you, sir. Number 62.

20 JUROR 62: Number 62, I'm a paralegal. My
21 husband's retired, and he was a real estate
22 developer and home builder.

23 CLERK: And what -- where do you work as a
24 paralegal?

25 JUROR 62: I work in commercial real estate

1 for a law firm in Atlanta.

2 CLERK: Okay, thank you, ma'am. Number 70?

3 JUROR 70: 70, I'm a server and single.

4 CLERK: Okay, thank you, ma'am. Number 72?

5 JUROR 72: 72, I'm an inside sales

6 representative for fire protection, I'm single.

7 CLERK: Okay, thank you, ma'am. Number 77?

8 JUROR 77: Number 77, I'm retired. I was a
9 portfolio analyst for a financial advisor,
10 and I am widowed.

11 CLERK: Thank you, ma'am. Number 80?

12 JUROR 80: Number 80. I work for
13 Progressive Insurance, single.

14 CLERK: Thank you, ma'am. Number 82?

15 JUROR 82: 82, Quality Certification
16 Specialist, spouse is retired.

17 CLERKT: And she's retired from?

18 JUROR 82: Life.

19 CLERK: Number 84.

20 JUROR 84: Number 84. I'm self-employed in
21 landscape construction, and my spouse is a stay-
22 at-home caregiver.

23 CLERK: Okay, thank you, sir. Number 87.

24 JUROR 87: I'm a retired stay-at-home dad,
25 formerly I designed trading systems for Global

1 Banks. My wife is a portfolio manager for
2 Google.

3 CLERK: Okay, thank you, sir. Number 90.

4 JUROR 90: Number 90. HVAC technician, and
5 not married, single.

6 CLERK: Thank you, sir. Number 92.

7 JUROR 92: 92. I'm a waitress, and I'm
8 single.

9 CLERK: Okay, thank you, ma'am. Number 98.

10 JUROR 98: 98. Self-employed executive
11 coach, speaker, and author, single.

12 CLERK: Okay, thank you, sir. Number 99.

13 JUROR 99: 99. I am a cook at the Parris
14 Island Child Development Center, and I'm single.

15 CLERK: Okay, thank you, ma'am. Number
16 105.

17 JUROR 105: 105. I'm a project designer,
18 and my husband is a director of software
19 engineering.

20 CLERK: Okay. Thank you, ma'am. Number
21 106.

22 JUROR 106: 106. Retired Sheriff.

23 CLERK: Okay, thank you, sir. Number 107.

24 JUROR 107: 107. General manager at
25 Pappa's Kitchen, single.

1 CLERK: Okay. Thank you, sir. Number 122.

2 JUROR 122: Number 122. My wife and I are
3 both physical therapists.

4 CLERK: Thank you, sir. Number 132.

5 JUROR 132: 132. I'm a real estate
6 appraiser, and divorced.

7 CLERK: Okay, thank you, ma'am. Number
8 133.

9 JUROR 133: 133. Retired dentist. My wife
10 is a CPA.

11 CLERK: Okay, thank you, sir. Number 134.

12 JUROR 134: 134. Retired engineer. My
13 wife's a retired regional manager.

14 CLERK: Okay, thank you, sir. Number 138.

15 JUROR 138: 138. I'm a longshoreman. I
16 also manage, buy, and sell real estate, and my
17 wife is a secretary, and before that she was a
18 certified medical provider.

19 CLERK: Okay. Thank you, sir. Number 140.

20 JUROR 140: 140. I'm a certified personal
21 trainer, and I'm single.

22 CLERK: Okay. Thank you, sir. Number 154.

23 JUROR 154: 154. I'm a retired accountant,
24 and my husband is a retired pilot for Delta.

25 CLERK: Okay, thank you, ma'am. Number

1 156.

2 JUROR 156: 156. I'm also a retired
3 accountant, and I'm single.

4 CLERK: Okay, thank you, ma'am. Number
5 160.

6 JUROR 160: 160. I'm a security guard, and
7 I'm single.

8 CLERK: Okay, thank you, ma'am. Number
9 161.

10 JUROR 161: Juror 161. I'm a retired human
11 resources director, and I'm widowed.

12 CLERK: Thank you, ma'am. 163.

13 JUROR 163: 163. I'm a student, and I'm
14 single.

15 CLERK: Okay, thank you, ma'am. Number
16 165.

17 JUROR 165: 165. Both retired and manage
18 an eye doctor, and my husband's an engineer in
19 businesses.

20 CLERK: Okay, thank you, ma'am. 167.

21 JUROR 167: 167. My husband and I are both
22 health and Medicare insurance agents, self-
23 employed.

24 CLERKT: Okay. Thank you, ma'am. 169.

25 JUROR 169: 169. Administrative assistant,

1 single.

2 CLERK: Okay, thank you, ma'am. 176.

3 JUROR 176: 176. I'm an account executive
4 for a food service broad liner, and my husband
5 has his own law firm.

6 CLERK: And what kind of law does he
7 practice?

8 JUROR 176: Personal injury and wills,
9 trusts, estates, tax law.

10 CLERK: Okay, thank you, ma'am. Number
11 180.

12 JUROR 180: 180. Self-employed. I do
13 interior window treatments. My wife is a
14 retired schoolteacher.

15 CLERK: Okay. Thank you, sir. Number 183.

16 JUROR 183: 183. Retired director of human
17 resources, and my husband is a chief financial
18 officer.

19 CLERK: Okay. Thank you, ma'am. Number
20 184.

21 JUROR 184: 184. I'm a golf course
22 professional director of golf.

23 CLERK: Okay, thank you, sir. 186.

24 JUROR 186: Morning, I'm 186. I am a
25 strategic partner manager for a software

1 company, and my husband is a project manager for
2 a consulting firm.

3 CLERK: Okay, thank you, ma'am. 188.

4 JUROR 188: 188. I'm a retired CPA, and my
5 wife is a retired schoolteacher.

6 CLERK: Okay, thank you, sir. 194.

7 JUROR 194: 194. Marketing and HR, and my
8 husband is a pastor.

9 CLERK: Okay, thank you, ma'am. 198.

10 JUROR 198: 198. I do sales, and my
11 husband was a technical engineer for the Port of
12 New Orleans.

13 CLERK: Okay, thank you, ma'am. 199.

14 JUROR 199: 199. I'm a senior director of
15 operations for a small pharmaceutical company.
16 My husband is on Social Security disability.

17 CLERK: Okay, thank you, ma'am. 203.

18 JUROR 203: 203. I'm married, and my
19 husband owns a construction company, and I'm the
20 office manager for his construction company.

21 CLERK: Okay, thank you, ma'am. 206.

22 JUROR 206: 206. School counselor, and my
23 husband is the director of operations for
24 development company.

25 CLERK: Okay, thank you, ma'am. 210.

1 JUROR 210: 210. I'm unemployed and
2 single.

3 CLERK: Okay. Thank you, sir. 215.

4 JUROR 215: 215. Associate Retail.

5 CLERK: Okay. Thank you, ma'am. Number
6 218.

7 JUROR 218: 218. I am a scheduler -- I'm
8 nervous. A scheduler for a risk assessment
9 company, and my husband is a retired cable tech.

10 THE COURT: Okay, thank you, ma'am. Number
11 220.

12 JUROR 220: 220. I work for a construction
13 company.

14 THE COURT: Okay, thank you, sir. 221.

15 JUROR 221: 221. I'm single and
16 unemployed.

17 THE COURT: Okay, thank you, sir. Number
18 222.

19 JUROR 222: 222. I'm self-employed. A
20 small business that specializes in design and
21 project management. My husband is a recently
22 retired Fire Chief.

23 THE COURT: Okay, thank you, ma'am. 223.

24 JUROR 223: 223. Accountant, and my
25 husband is self-employed and does remodeling.

1 THE COURT: Okay, thank you, ma'am. 229.

2 JUROR 229: 229. I'm a server, and a
3 bartender, and I'm not married.

4 THE COURT: Okay, thank you, ma'am. 231.

5 JUROR 231: 231. Retired teacher and
6 community fund raiser, and my husband is a
7 computer engineer.

8 THE COURT: Okay, thank you, ma'am. 233.

9 JUROR 233: 233. Business development for
10 a national health insurer, and my wife works at
11 a local medical practice.

12 THE COURT: Okay, thank you, sir. 235.

13 JUROR 235: 235. Electrician. My wife is
14 a Kennel as a veterinarian.

15 THE COURT: Okay, thank you, sir. 236.

16 JUROR 236: 236. Dental assistant, and
17 self-employed.

18 THE COURT: Thank you, ma'am. 237.

19 JUROR 237: 237. I'm a beauty consultant
20 at a department store, and I'm single.

21 THE COURT: Thank you, ma'am. 243.

22 JUROR 243: 243. I am a human services
23 employee, and my husband is an over-the-road
24 truck driver.

25 THE COURT: Okay, thank you, ma'am. 263.

1 JUROR 263: 263. I'm a senior commercial
2 sales assistant.

3 THE COURT: Okay.

4 JUROR 263: Unemployed.

5 THE COURT: Thank you, ma'am. 273.

6 JUROR 273: 273. I'm a produce clerk.
7 Single.

8 THE COURT: Okay, thank you, sir. 274.

9 JUROR 274: 274, electrician, single.

10 THE COURT: Okay, thank you, sir. 277.

11 JUROR 277: 277. A sales executive,
12 divorced.

13 THE COURT: Okay. thank you, ma'am. 284.

14 JUROR 284: 284. My husband and I are both
15 retired. I was an HR manager, and he was an
16 engineer.

17 THE COURT: Okay. Thank you, ma'am. 291.

18 JUROR 291: 291. I'm a manager of a
19 kitchen, and my husband is employed by Dominion
20 Energy.

21 THE COURT: Thank you, ma'am. 292.

22 JUROR 292: 292. Sales ambassador, and my
23 husband is retired.

24 THE COURT: Okay. Thank you, ma'am. 294.

25 JUROR 294: 294. Deli Clerk, and no

1 spouse.

2 THE COURT: Okay. thank you, sir. 299.

3 JUROR 299: 299. I'm a Registered Nurse in
4 the neonatal ICU at Beaufort Memorial. My
5 husband is the operations manager at the
6 Heritage Classic Foundation.

7 THE COURT: Okay, thank you, ma'am. Number
8 300.

9 JUROR 300: 300. Retired. I sold office
10 furniture to the County, and my husband is a
11 financial advisor.

12 THE COURT: Okay. Thank you, ma'am. 307.

13 JUROR 307: 307. I'm an electrical
14 engineer. My wife is a medical examiner for
15 Beaufort County.

16 THE COURT: Thank you, sir. 309.

17 JUROR 309: Certified pharmacy technician.

18 THE COURT: Okay. Thank you, ma'am. 311.

19 JUROR 311: 311. I'm a school literacy
20 coach, and my husband is an executive chef.

21 THE COURT: Thank you, ma'am. 315.

22 JUROR 315: 315. Retired engineer. My
23 wife is a retired HR manager.

24 THE COURT: Okay, thank you, sir. 320.

25 JUROR 320: 320. Supervisor of

1 engineering, and my wife is a hairdresser.

2 THE COURT: Okay, thank you, sir. 323.

3 JUROR 323: 323. I'm pharmacist in charge
4 at a retail pharmacy, and my husband previously
5 worked in asset protection.

6 THE COURT: Okay, thank you, ma'am. 328.

7 JUROR 328: Juror 328. I'm a realtor as
8 well as an administrative assistant, and my
9 husband is a truck driver.

10 THE COURT: Okay, thank you, ma'am. 331.

11 JUROR 331: 331. I'm a retired teacher and
12 my husband is a retired therapist.

13 THE COURT: Okay, thank you, ma'am. 334.

14 JUROR 334: 334. My husband and I are
15 self-employed, and own a bar and grill on
16 Lady's Island.

17 THE COURT: Okay. Thank you, ma'am. 337.

18 JUROR 337: 337. Retired military. My
19 wife does online sales.

20 THE COURT: Okay. Thank you, sir. 343.

21 JUROR 343: 343. Utility construction, and
22 my wife is a stay-at-home mom.

23 THE COURT: Okay. Thank you, sir. 345.

24 JUROR 345: 345. I publish a local
25 magazine.

1 THE COURT: Okay. Thank you, ma'am. 346.

2 JUROR 346: 346. Food and beverage
3 industry. Single.

4 THE COURT: Okay, thank you, ma'am. 350.

5 JUROR 350: 350. Desk clerk at a resort,
6 and my wife is retired former director of sales
7 in Seabrook.

8 THE COURT: Okay. Thank you, sir. 352.

9 JUROR 352: 352. I'm a retired accountant,
10 and my husband is a retired project manager.

11 THE COURT: Okay, thank you, ma'am. 358.

12 JUROR 358: I am a schoolteacher, and I'm
13 single.

14 THE COURT: Okay, thank you, ma'am. 367.

15 JUROR 367: 367. I'm a realtor, and I'm
16 also a general manager of a cleaning service.

17 THE COURT: Okay, thank you, ma'am. 370.

18 JUROR 370: I'm a homemaker, and my spouse
19 is currently a Deputy Sheriff at BCSO.

20 THE COURT: Okay. Thank you, ma'am. Did I
21 call every one's number? Okay.

22 THE COURT: All right. Ladies and
23 gentlemen, I am Robert Bonds, I live in
24 Walterboro, and as the Clerk said, I'm the
25 Resident Judge -- I'm the Resident Judge for the

1 Fourteenth Judicial Circuit, which comprises
2 Allendale, Jasper, Hampton Beaufort and Colleton
3 Counties. And so what I want you to know right
4 now is, that this is a good week, in terms of
5 your jury service for a couple of reasons and
6 let me just tell you what they are.

7 Number one, this is gonna one-week term,
8 unlike say in Colleton County right now there
9 has been a little over four week's trial. This
10 is a one-week term of court, so if I continue to
11 another term of court, it could be a term of
12 court where it ends up being a trial that
13 becomes a multi-week term of court.

14 So just remember that if I transfer you,
15 that's one of the things you have to keep in the
16 back of your mind, you could get transferred to
17 a multi-week term. I don't know that there are
18 any multi-week terms planned in the near future,
19 but you never know.

20 Number two, another reason it's a good week
21 to serve, is because as the Clerk said, we have
22 --basically, we have two different terms of
23 court, General Sessions, which is here, Criminal
24 Court, and Common Pleas, which is civil court.
25 And so what happens is, because the Common Pleas

1 court, the cases that were on the roster settled
2 out, then there is only one courtroom working
3 this week, and that's this one, okay? So what
4 that means is, we only need to pull right now
5 for one jury, which will be 12 jurors, and
6 probably two alternates.

7 The rest of you get to go home, back to
8 work, wherever you want to be, but not here.
9 Now, that doesn't necessarily mean for the week,
10 okay? I want to let you know that. So for
11 instance, a case that we've -- the first case
12 for trial may not take all week. It could be
13 that we start another case later in the week,
14 and we'll have you call in at the end of each
15 day. We'll give you some additional
16 instructions for that.

17 But for those reasons, let me tell you,
18 it's a good week to serve, okay? Because
19 oftentimes if there is just one court, we
20 wouldn't pull in as many people, and so again
21 your odds of being selected to as a juror, quite
22 frankly, are small as it relates to that.

23 So some people are excited about that,
24 other people are not. One of my jurors right
25 back here said she was nervous. No need to be

1 nervous, okay? There isn't -- everyone here
2 will tell you I'm a nice guy, of course, they've
3 got to. Am I a nice guy, Madam Clerk?

4 CLERK: Yes, absolutely.

5 THE COURT: See. Now, when I leave and go
6 back to Walterboro, you-all stick around, and
7 ask her what she thinks, she might actually tell
8 you, but you know, no need to be nervous today.
9 Though I tell you, I really appreciate you being
10 here, and you're honoring your summons, but I'll
11 tell you first and foremost.

12 I mean it's something that you give back to
13 your community. No one makes you live in
14 Beaufort County, this is where you choose to
15 live, and to that extent, I think it's a service
16 that you give back to your county, as citizens
17 of your county. And I know that the parties
18 involved here today appreciate your being here,
19 and I mean it when I say that.

20 So what I'm gonna do now, and you'll see me
21 reading. The reason I read is, because the
22 information that I am required to state to you
23 is important, and what I've got to do is, I
24 can't go off key, and off script, and so when
25 you see me reading, I want you to know that the

1 reason I'm doing that is, because this is
2 language and words that mean something, and that
3 the law requires me to present to you. But what
4 happens now, ladies and gentlemen, is I have
5 certain questions to ask you to determine your
6 general eligibility to serve; and what I will
7 tell you, you may not want to stand and disclose
8 this information openly in the presence of your
9 fellow jurors. That's fine.

10 After each question, ladies and gentlemen,
11 if any juror needs to be respond, I'm gonna ask
12 you to stand. If you don't want to stand that's
13 fine. At the end of the process, I'm gonna then
14 give you a chance to come forward, speak with me
15 privately. We don't want anybody to suffer any
16 embarrassment.

17 So if you don't want to stand, just make a
18 mental note and remember to come forward at the
19 end, if I ask you to do so, and don't even worry
20 if you forget, because I'll remind you, "Hey, if
21 there's anybody that didn't stand, come
22 forward," okay? And so I want you to know that,
23 not that a lot of these questions are
24 particularly personal, but -- so let me go
25 through these questions right now. Here's the

1 first one.

2 Is any member of the jury panel not a
3 citizen of the United States? If so, please
4 stand. All right, let the record reflect no one
5 is standing.

6 Any member of the jury panel not a citizen
7 and a resident of Beaufort County? If so,
8 please stand. All right, let the record reflect
9 no one is standing.

10 Is any member of the jury panel unable to
11 read, write, speak, or understand the English
12 language? If so, please stand. All right, let
13 the record reflect no one is standing.

14 Does any member of the jury panel have less
15 than a sixth-grade education, or its equivalent?
16 If so, please stand. All right, let the record
17 reflect that no one is standing.

18 Is there any member of the jury panel
19 unable, because of mental or physical
20 infirmities, to render official jury service
21 this week? So, ladies and gentlemen, if
22 anybody's got any physical or mental infirmities
23 that would prohibit them from serving this week,
24 please stand.

25 BAILIFF: One is standing, Your Honor.

1 THE COURT: All right, great. Come on up,
2 sir.

3 BAILIFF: Juror 221, Your Honor.

4 THE COURT: Hey, buddy. Thank you, sir.
5 All right, ladies and gentlemen, has any member
6 of the jury panel been convicted by guilty plea
7 or trial in a state or federal court record of a
8 crime punishable by imprisonment for more than
9 one year, and your civil rights have not been
10 obscured by pardon or amnesty?

11 Now, ladies and gentlemen, punishable by
12 more than one year means that you could have
13 received a sentence of more than a year,
14 regardless of what sentence you may have
15 actually received. So that's -- let me read
16 that question again, because it's kind of got
17 several parts to it.

18 Has any member of the jury panel been
19 convicted by guilty plea or trial in a state or
20 federal court of record of a crime, punishable
21 by imprisonment for more than one year and your
22 Civil rights have not been obscured by a pardon
23 or amnesty; and again, ladies and gentlemen,
24 punishable by more than one year, means that you
25 could have received a sentence of more than one

1 year, regardless of what sentence you actually
2 may have received. If that applies to you, I'd
3 ask you to please stand, or if you don't want to
4 stand now, you can come forward later. All
5 right, let the record reflect no one is
6 standing.

7 Is any member of the jury panel a Clerk or
8 a Deputy Clerk of Court, Constable, Sheriff, or
9 other commissioned law enforcement officer,
10 Probate Judge, County Commissioner, Magistrate,
11 or other County Officer, employed within the
12 walls of any courthouse? If so, please stand.
13 All right, let the record reflect that no one is
14 standing.

15 Ladies and gentlemen, is there any member
16 of the jury panel that has previously served on
17 jury duty in Circuit Court? That's not City
18 Court, Magistrate's Court, or Federal Court,
19 Circuit Court, during this calendar year.

20 So it's February, so it'd have to basically
21 be either earlier this month or last month.
22 Anybody serve in a Circuit Court last month, or
23 up until this month in 2023? If that applies to
24 you, please stand. All right, let the record
25 reflect that no one is standing.

1 Ladies and gentlemen, has any member of the
2 jury panel served as a member of the Beaufort
3 County Grand Jury during the last several years?
4 Anybody here has served on the Beaufort County
5 Grand Jury? All right, let the record reflect
6 no one is standing.

7 All right, that wasn't so bad. I've got
8 more questions though. All right. We're gonna
9 move onto exemptions in a second, but you know I
10 wanted to say something. When the Clerk said I
11 have a lawyer, I don't want anybody to think
12 that means I'm the type of guy who needs a law
13 clerk with him all the time from getting in
14 trouble, okay. What happens is, this young man
15 has recently graduated law school and has passed
16 the bar, and so what he's doing is, he's
17 clerking with me for a year. So he does a lot
18 of research for me, scheduling for me, other
19 important matters, and I will confess, and other
20 duties as assigned okay, if you'll know what I
21 mean. He left just a minute ago.

22 Here's an example of the exciting work that
23 he does for me. For some reason, ladies and
24 gentlemen, while I was up here writing down what
25 everybody has been doing, and what their spouse

1 does, while I'm going through all of that, it
2 dawns on me that tomorrow is February 14th. I
3 did. I sent him out to make a call that a
4 delivery arrives tomorrow, I realized I forgot.
5 I've got to confess that to you. So that falls
6 under the other duties I give him. Did you get
7 a hold of them? Did you get everything taken
8 care of? At home or work, he is awesome. All
9 right, thank you.

10 So that's one of the -- I have to say
11 having a law clerk is one of the great benefits
12 of being a Judge, but in all sincerity it's a
13 great benefit, because you've got somebody to
14 bounce ideas off of, somebody who's young,
15 somebody who's fresh. And also somebody who
16 just graduated law school, and quite frankly is
17 up on the law, and so that's one of the great
18 benefits we have, and I certainly appreciate the
19 General Assembly funding us to have a law clerk.

20 Now, ladies and gentlemen, we're gonna move
21 now to exemptions. Okay? State law provides
22 several exemptions to jury service. An
23 exemption does not mean that you are not
24 qualified for service. It means that you have a
25 right to say that I choose not to serve.

1 So let me just tell you for an exemption
2 folks, if you are aged 65 or older, and you
3 don't want to serve, you don't have to serve.
4 So let me just ask, is there anybody who's 65 or
5 older and does not want to serve? If you are 65
6 and you want to serve, we want to have you here,
7 but if you've got other things to do and you're
8 65, and I used to think 65 was old, but let me
9 tell you if you want to admit your 65 or older,
10 and you want to be excused this week, you just
11 stand right now. All right, we've got a taker.
12 Yes ma'am, what's your juror number?

13 JUROR 346: 346.

14 THE COURT: 346, and, ma'am, are you 65 or
15 older?

16 JUROR 346: I'm 68.

17 THE COURT: All right, well, listen -- and
18 you would rather be somewhere else this week?

19 JUROR 346: I would.

20 THE COURT: All right. I understand. And
21 so what I'm gonna do ma'am, is I'm gonna, again,
22 I'm gonna excuse you from service this week, and
23 I'm gonna tell you thank you so much for
24 honoring your summons, okay?

25 JUROR 346: Thank you.

1 THE COURT: Yes ma'am.

2 Is there anybody else? Anybody else 65 or
3 older and wants to be excused from service this
4 week. All right, I don't see anybody. Thank
5 you.

6 All right, ladies and gentlemen, another
7 exemption concerns prior jury service. No
8 person is required to serve as a juror more
9 often than once every three calendar years.
10 Therefore, if any member of the jury panel has
11 served on jury duty during the last two calendar
12 years, you may be exempt from service, if you
13 choose to be.

14 So, ladies and gentlemen, if that applies
15 to you, and again though that doesn't apply to
16 Magistrate's Court, Federal Court, or City
17 Court, but if you've served in a Circuit Court,
18 ladies and gentlemen, in the last two calendar
19 years and you don't want to serve again, you
20 don't have to.

21 So if that applies to you and you do not
22 want to serve, ladies and gentlemen, please
23 stand.

24 Yes sir, you served here at this
25 courthouse?

1 JUROR 133: Yes sir, this past --

2 THE COURT: And what's your number?

3 JUROR 133: 133. I wasn't picked, but I
4 was here this past summer.

5 THE COURT: All right, let me ask you, sir,
6 do you want to be excused?

7 JUROR 133: It's not a good week for me,
8 Your Honor.

9 THE COURT: Well, then I'm gonna excuse
10 you, sir, okay? And thank you, I've got a
11 record of your service right here, yes, sir,
12 thank you.

13 JUROR 133: Thank you.

14 THE COURT: Yes sir, your number?

15 JUROR 17: 17.

16 THE COURT: Yes sir. Did you serve in --
17 it looks like in 2021?

18 JUROR 17: Yes sir. I wasn't picked but --

19 THE COURT: You know, if you stuck around
20 you might be selected this time, you don't know.

21 JUROR 17: As long as it's not Friday.

22 THE COURT: No, no. Listen, in all
23 seriousness, I appreciate your service. I
24 appreciate you honoring your summons in 2021.
25 Let me just ask you, sir, you can stick around

1 and you can serve this week, or if you want to
2 be excused, I'll allow you to be excused, sir.
3 Your choice.

4 JUROR 17: I think I'll go to work.

5 THE COURT: All right, thank you very much.
6 Thank you for honoring your summons, sir.

7 JUROR 17: Thank you.

8 THE COURT: All right. Anybody else? All
9 right. Thank you, Madam Clerk, for that
10 information.

11 All right, ladies and gentlemen, the
12 persons who have served as Grand Jurors in the
13 last five calendar years may also be exempted
14 from jury service.

15 Anybody member of the jury panel serve on a
16 Grand Jury during the last five calendar years,
17 and you wish to be exempt, please stand. All
18 right, let the record reflect no one is
19 standing.

20 All right, ladies and gentlemen, the next
21 exemption deals with those of you who have legal
22 custody of young children, and I ask that you
23 listen carefully, because there's several parts
24 to this exemption, all which must apply to you,
25 to be able to claim an exemption on this basis.

1 You may be exempt from jury service if you have
2 a child under the age of seven, you have legal
3 custody of your child or children, you have the
4 principal care, custody and control of your
5 child or children, and you're unable to make
6 arrangements for the adequate care of your child
7 or children while performing jury duty this
8 week. If all of these requirements apply to
9 you, then you may be exempted on this basis. If
10 this exemption applies to you, and you wish to
11 be exempted, please stand. All right, let me
12 get you'll to come on up.

13 BAILIFF: Juror 99, Your Honor.

14 THE COURT: Hey, man. Folks, I just want
15 to let you know, this juror did exactly what --
16 if you wonder about a question, or have a
17 question about something, err on the side of
18 disclosure, come on up, don't hesitate, okay?
19 Thank you. Yes ma'am?

20 BAILIFF: Juror number 2, Your Honor.

21 THE COURT: Hey ma'am.

22 BAILIFF: Juror 236, Your Honor.

23 THE COURT: Hey ma'am. 236. Thank you.
24 All right, if you are the primary care person of
25 a person that is 65 years or older, and are

1 unable to provide adequate care for the person
2 while in court of jury service this week, you
3 may be exempt from jury duty, and if that
4 exemption applies to you, and you wish to be
5 exempted, please stand. All right, let the
6 record reflect no one is standing. Ladies and
7 gentlemen, if you are the primary care person of
8 a disabled person, who can't take care of
9 himself or herself and cannot be left
10 unattended, and you're unable to provide
11 adequate care of the person while performing
12 jury service, you may be exempt from jury duty.

13 If that exemption applies to you and you
14 wish to be exempted, please stand. All right,
15 let the record reflect no one is standing.
16 Ladies and gentlemen, the next exemption applies
17 to you, that may be attending a school at this
18 time or working at some capacity with a school.

19 If this exemption applies to you, and you
20 wish to be exempted, we will transfer you to
21 another term of court. Average time will not
22 conflict with your school responsibilities.

23 Is there any member of the jury panel who
24 is a full-time student, schoolteacher, school
25 crossing guard, school bus driver, or who has

1 serves in any other school-related function,
2 who's unable to serve on jury duty this week as
3 a result of that school involvement, and wishes
4 to be transferred to another term of court that
5 would not conflict with that school involvement?
6 If that applies to you, and you wish to be
7 exempted, please stand. All right, come on up.

8 BAILIFF: Juror 358, Your Honor.

9 THE COURT: Hello.

10 JUROR 358: Hello.

11 THE COURT: Yes, ma'am.

12 BAILIFF: Juror 163, Your Honor.

13 THE COURT: All right, ladies and
14 gentlemen, is any member of the jury panel who's
15 employed by the Department of Corrections, at a
16 penitentiary, and, if so, would like to be
17 exempt, would you please stand. All right,
18 ladies and gentlemen -- let the record reflect
19 no one is standing.

20 On this last question, I want to let you
21 know that the fact that you may be self-employed
22 is not going to exempt you from jury duty. I
23 was self-employed for many years before I took
24 this job, and so I understand what it is to be
25 self-employed, and I also understand what it is,

1 what a sacrifice it is to be here this week, but
2 if I excused everyone who was self-employed,
3 it's possible we wouldn't even have enough
4 jurors to move forward.

5 So with that having been said, one of the
6 possible exemptions that I surely can consider
7 is, that is there any juror who performs
8 services for a business, commercial, or
9 agricultural enterprise, that are so essential
10 to the operation of the enterprise that if you
11 were required to perform jury duty, the
12 enterprise would have to close or stop
13 functioning? If so, and you wish to be
14 exempted, please stand. Let the record reflect
15 no one was standing.

16 Now, ladies and gentlemen, let me tell you,
17 that concludes the statutory list of
18 qualifications and exemptions for jury service.
19 It may be that you're qualified and no exemption
20 applies to you, but jury service this week would
21 constitute an extreme hardship on you for a
22 particular reason. I cannot permanently excuse
23 a qualified juror from jury service, but under
24 extreme and compelling circumstances, ladies and
25 gentlemen, I may excuse a juror from this term

1 of court and transfer the juror to another term
2 of court, particularly, jurors who have not been
3 previously transferred. Please understand that
4 general inconvenience is not a sufficient reason
5 to transfer you to another term of court. To
6 justify a transfer to another term of court,
7 services this week must cause an extreme
8 hardship to you.

9 Now, ladies and gentlemen, this is now the
10 chance for those of you who did not respond to
11 any earlier questions that I may have asked, and
12 those of you who have a compelling reason to
13 request a transfer of your jury service to
14 another week to come forward. If you believe
15 you're disqualified, ladies and gentlemen, or
16 exempt from jury service, or if you have any
17 questions about if you're disqualified or
18 exempt, or if you want to be transferred to
19 another term of court, ladies and gentlemen, I
20 ask that you please come forward at this time.

21 THE COURT: Come on up. Hey, ma'am.

22 BAILIFF: This way, ma'am. Juror 337, Your
23 Honor.

24 THE COURT: Hey, sir. Yeah.

25 JUROR 337: I have a trip out of town this

1 week.

2 THE COURT: All right, well, sir, I'm gonna
3 excuse you from service this week, transfer you to -
4 - what's a better time?

5 JUROR 337: Toward the end of the year.

6 THE COURT: All right, we'll transfer juror
7 337 to another term of court.

8 JUROR 337: Thank you.

9 THE COURT: All right, ladies and
10 gentlemen, thank you. That concludes the jury
11 qualification process. I find this panel
12 qualified, and so what we are gonna do now is,
13 we are going to have the Solicitor to call their
14 case, the State, and then we will begin the jury
15 selection qualifications or jury selection for
16 this particular case that we're gonna to have
17 and start it as the first case for trial this
18 week.

19 So what I would like to do is to go ahead,
20 Solicitor, and you can call your case.

21 MS. KIDD: Thank you, Your Honor.

22 The State calls Justin Brodie Granet. He
23 has been charged with kidnapping, Indictment
24 Number 2022-GS-07-01822, a second count of
25 kidnapping Indictment Number 2019-GS-07-00478,

1 assault and battery first degree indictment
2 number 2019-GS-07-00479, possession of a weapon
3 during the commission of a violent crime
4 Indictment Number 2019-GS-07-00561.

5 THE COURT: All right, thank you. All
6 right, ladies and gentlemen, we are about to
7 begin the case of the State of South Carolina
8 against Justin Brodie Granet, and, ladies and
9 gentlemen, let me go at this point, and my job
10 at this point, I want to read these indictments
11 to you, and then I'm gonna give you some
12 information, in general, about his indictments.
13 Okay?

14 So, ladies and gentlemen, the first
15 indictment cited number 2019-GS-07-00479, ladies
16 and gentlemen, alleges that in Beaufort County,
17 South Carolina on or about March 11th, 2019, the
18 Defendant, Justin Brodie Granet, did injure
19 Corey Eckles, and that had occurred during a
20 robbery, burglary, kidnapping, or theft, all in
21 violation of section 16-300C1A2 of the South
22 Carolina Code of Laws. Ladies and gentlemen,
23 the second indictment 2019-GS-07-00478, ladies
24 and gentlemen, alleges that in South Carolina on
25 or about March 11th, 2019, the Defendant Justin

1 Brodie Granet, did seize, confine, decoy,
2 kidnap, abduct, carry away Corey Eckles without
3 authority of law, all in violation of section
4 16-3 of 910 of the South Carolina Code of Laws.
5 Ladies and gentlemen, the third indictment 2022-
6 GS-07-01822 alleges that in Beaufort County-
7 South Carolina- on or about March 11th, 2019,
8 the Defendant Justin Brodie Granet did seize,
9 confine, decoy, kidnap, abduct, or carry away
10 Lauren Eckles without authority of law, all in
11 violation, ladies and gentlemen of 16-3-910 of
12 the South Carolina Code of Laws.

13 And, finally. ladies and gentlemen.
14 indictment 2019-GS-07-00561 alleges that in
15 Beaufort County, South Carolina on or about
16 March 11th, 2019 the Defendant, Justin Brodie
17 Granet did possess a firearm, visibly displayed
18 what appeared to be a firearm, or visibly
19 displayed a knife, during the commission of a
20 violent crime, and Justin Brodie Granet of
21 commission of a violent all, ladies and
22 gentlemen, in violation of the laws of this
23 State.

24 Now, ladies and gentlemen, these
25 indictments are pieces of paper. They are the

1 charging documents that merely bring the case
2 into court. These are not evidence in this
3 case, these indictments, and so I want you to
4 know and understand that they're charging
5 documents that merely bring this case into
6 court. They are not evidence in this matter.

7 The Defendant, ladies and gentlemen, has
8 pled not guilty and requested a jury trial.
9 Now, ladies and gentlemen, I want you to know
10 that when I refer to the Defendant in this case,
11 I refer to Justin Brodie Granet, and so what I'd
12 like to do, Mr. Lee, if you and your client
13 could please stand.

14 MR. LEE: Yes, sir.

15 THE COURT: Thank you. And, Mr. Lee, if
16 you would go ahead and introduce yourself and
17 your client --

18 MR. LEE: Okay.

19 THE COURT: -- to the jury panel, please,
20 sir.

21 MR. LEE: Okay. This is my client, Joseph
22 -- Justin Granet. My name is Scott Lee, I've
23 been a lawyer here in Beaufort for 25 years.

24 THE COURT: All right. Let me ask you, is
25 there anybody on the jury panel who is related

1 by blood, connected by marriage, friends,
2 acquaintances, business partners, or had any
3 business dealings, or know in any way, the
4 Defendant, Justin Brodie Granet. If that
5 applies to you, I ask that you please stand.

6 THE COURT: All right, thank you.

7 BAILIFF: One's standing, Your Honor.

8 THE COURT: All right. Let me get you to
9 come forward, ma'am. And, Mr. Granet, thank
10 you, sir, you can sit down, thank you.

11 All right, thank you so much. All right.
12 All right and let me ask my next question,
13 ladies and gentlemen.

14 Any member of the jury panel ever been
15 represented by Mr. Lee, ever had any dealing
16 with Mr. Lee, knows Mr. Lee, associated with Mr.
17 Lee in any way, related by blood or marriage?
18 If that applies to you, I'd ask that you please
19 stand. All right, let the record reflect no one
20 is standing.

21 Solicitor, you want to stand and introduce
22 yourself, please?

23 MS. KIDD: Yes, my name is Hannah Kidd.
24 I'm an Assistant Solicitor with the Fourteenth
25 Circuit Solicitor's Office. Assisting me this

1 week is my co-counsel, Samantha Molina, and this
2 is Jennifer Snyder from the Beaufort County
3 Sheriff's Office, and she is the case agent.

4 THE COURT: All right, ladies and
5 gentlemen, any member of the jury panel related
6 by blood, connected by marriage, acquaintances,
7 business partners, friends, with any of these
8 individuals, the Solicitors here today, or any
9 member of the Fourteenth Circuit Solicitor's
10 Office? If so, please stand. Let the record
11 show no one is standing.

12 All right, ladies and gentlemen. I've got
13 several questions that I'm going to ask you at
14 this time, and probably what I'm gonna do is, I
15 may ask a couple of these questions. Oh, I also
16 got my list here, let me back up for one minute,
17 okay? What I'm gonna do is, I've got a list of
18 potential witnesses in this case, all right?
19 And the first thing you're gonna do is, I'm
20 gonna tell you there's 28.

21 People are like oh my God, 28 people. This
22 is a list of potential witnesses. It does not
23 mean that there's gonna be 28 witnesses called,
24 okay? So I don't want people to think, oh,
25 gosh, 28 witnesses, I'm gonna be here all day.

1 I don't think that's gonna be the case, but I do
2 that, because people always -- when I say how
3 many witnesses there are, you can see their
4 face. It's just like, oh my gosh, so I want you
5 to know that. And what I'm gonna do is, I'm
6 going to probably read five or six of these
7 names, and then ask you to come forward, okay?
8 So I'm gonna go through and just list five or
9 six of these names, and really what I want to do
10 is, these are potential witnesses, so I want to
11 know, ladies and gentlemen, if you're related by
12 blood, connected by marriage, friends,
13 acquaintances, business associates, with one of
14 these individuals, I'm gonna need you to come
15 forward.

16 Now, folks, it takes a few minutes what
17 we're doing right now, but I'm gonna tell you,
18 it's really important, because we're dealing
19 with an important matter in this court, and I
20 think you understand that, and so it's important
21 that we get this information, and it's important
22 to the State, and it's important to the defense.
23 So I thank you for bearing with us, it's going
24 to take a few minutes, but I thank you ahead of
25 time right now.

1 So the names related by blood, connected by
2 marriage, related in any relationship at all,
3 business, social, personal. All right, ladies
4 and gentlemen, Corey Eckles from the State of
5 Tennessee, Lauren Eckles, from the State of
6 Tennessee. Allyson Moreira, Beaufort County
7 911, Daniel Ireland, Beaufort County Sheriff's
8 Office, Rhett Parnell, Beaufort County Sheriff's
9 Office, Dustin Kline, Beaufort County Sheriff's
10 Office, Jon Guise, Beaufort County Sheriff's
11 Office.

12 Anybody related by blood, connected by
13 marriage, have any friendship, relationship,
14 business or otherwise with these individuals,
15 Corey Eckles, Tennessee, Lauren Eckles,
16 Tennessee, Allyson Moreira, Beaufort County 911,
17 Daniel Ireland, Beaufort County Sheriff's
18 Office, Rhett Parnell, Beaufort County Sheriff's
19 Office, Dustin Kline, Beaufort County Sheriff's
20 Office and Jon Guise, Beaufort County Sheriff's
21 Office, I need you to come forward at this time.

22 BAILIFF: Juror 31, Your Honor.

23 THE COURT: All right, ladies and
24 gentlemen, additional potential witnesses. John
25 Carrol, formerly with the Beaufort County

1 Sheriff's Office, Brandon Disbrow, former
2 Beaufort County Sheriff's Office, Jennifer
3 Snider, Beaufort County Sheriff's Office,
4 Thomas Mattox, formerly at the Beaufort County
5 Sheriff's Office, Adam Zsamar, Beaufort County
6 Sheriff's Office, Robert Byrd, Beaufort County
7 Sheriff's Office, Ryan Garst, Beaufort County
8 Sheriff's Office, again, any of those names that
9 are connected by blood, related through
10 marriage, friends, acquaintances, business
11 partners, have any relationship with any of
12 those individuals, and if I've already excused
13 you from service on this trial, you don't need
14 to worry about coming up, any names that folks
15 might recognize there that I've just called out?
16 All right, reflect in the record no one is
17 standing.

18 All right, some additional witnesses,
19 ladies and gentlemen, Emma Krapf, Beaufort
20 County Sheriff's Office, Jeremiah Fraser,
21 Beaufort County Sheriff's Office, Daniel
22 Duhamel, formerly with the Beaufort County
23 Sheriff's Office, Timothy French, Beaufort
24 County Sheriff's Office, Jessica Zeipfel,
25 formerly with the Beaufort County Sheriff's

1 Office, Dr. Luke Baxley, Beaufort Memorial
2 Hospital, Josh Smith, who I think lives in the
3 State of Tennessee, any of those names related
4 by blood, connected by marriage, friends,
5 acquaintances, have any business relationship,
6 have any relationship at all, with any of those
7 names, I need you to come forward. All right,
8 thank you, ladies and gentlemen. All right,
9 Sam Garnet or Granet, St. Helena Island, South
10 Carolina, April Winston, Fourteenth Circuit
11 Solicitor's Office, Sax B. Chaplin, St. Helena,
12 South Carolina, James Chaplin, St. Helena, South
13 Carolina, Don Christopher Bliss, St. Helena,
14 South Carolina, Zane Croft, the State of
15 Tennessee, and Stephen Domino, formerly a
16 Beaufort County Deputy, any of those names
17 related by blood, connected by marriage, close
18 personal friends, acquaintances, business, have
19 any business relationships with any of those
20 names? Sally Garnet, April Winston, Sax B.
21 Chaplin, James Chaplin, Don Christopher Bliss,
22 Zane Croft, Steven Domino, if so, I need you to
23 come forward at this time.

24 THE COURT: All right.

25 All right, ladies and gentlemen, I've got a

1 couple of questions I need to ask you, and,
2 again, thank you for your patience, but we're
3 dealing with important matters here. Again, the
4 Court and the State of South Carolina, and
5 certainly important to the Defendant, so I
6 appreciate your patience.

7 I'm gonna go through and I'm going to read
8 a couple of these questions at one time, and if
9 they apply to you, I'm gonna ask that you come
10 forward. If I've already excused you from
11 service on this case, you do not have to come
12 forward, even these questions apply, so if
13 you've already come up and I've excused you, you
14 don't have to worry about coming up now.

15 Ladies and gentlemen are you or any member
16 of your immediate family, a former or present
17 law enforcement employee. Are any of your close
18 personal friends former or present law
19 enforcement officers? If that applies to you,
20 ladies and gentlemen, either one of those
21 questions, I'm going to need you to come
22 forward.

23 Okay? Thank you again. All right. Just
24 a few more questions, folks, and thank you
25 again. All right, have any members of the jury

1 panel, or your immediate family had any training
2 in the martial arts? Have you, or any immediate
3 family member, or close personal friend ever
4 been accused of kidnapping, or being the victim
5 of a kidnapping? Does any member of the juror
6 believe that the mere fact that the Defendant
7 has been charged with a serious crime means that
8 he is probably guilty? Ladies and gentlemen, if
9 any of those questions apply to you, I need you
10 to come forward. Have you, or any members of
11 your immediate family, have had any training in
12 the martial arts? Have you, or your immediate
13 family member or close personal friend, ever
14 been accused of kidnapping, or been the victim
15 of a kidnapping? Does any juror believe that
16 the mere fact that the Defendant has been
17 charged with a serious crime means that he's
18 probably guilty. If that applies to you, I need
19 you to come forward, please.

20 All right, let the record reflect that no
21 one's standing. All right, ladies and
22 gentlemen, just a couple more. Given the nature
23 of the allegations in the present case, would
24 you find it difficult or uncomfortable to serve
25 as jurors, and, ladies and gentlemen, can you

1 think of any reason that you could not be a fair
2 and impartial juror in this case? That's what I
3 want to know. Ladies and gentlemen, given the
4 nature of the allegations in the present case
5 would you find it difficult or uncomfortable to
6 serve as a juror on this, and, ladies and
7 gentlemen, can you think of any reason why you
8 could not be a fair and impartial juror in this
9 case? If that applies to you, I need you to
10 come forward. All right, thank you. Let the
11 record reflect that no one is standing.

12 All right, any additional voir dire from
13 the State?

14 MS. KIDD: No, sir.

15 THE COURT: Anything from the defense.

16 MR. LEE: No, Your Honor.

17 THE COURT: All right, ladies and
18 gentlemen, that's all the questions that I've
19 got, and what I'm gonna ask you to do is this,
20 I'm gonna ask that we take a brief break. I'd
21 ask that you be back in your seats say at ten
22 after 12:00.

23 We're gonna pick a jury, and we'll send the
24 balance of you home as soon as we pick the jury.
25 We're gonna move straight to picking a jury, so

1 if you'll be back in your seats at ten after
2 12:00, don't talk about this case, talk about
3 the game last night, or whatever you want to
4 talk about, commercials, but be back in your
5 seat at ten after 12:00, okay? Thank you.

6 (Recess.)

7 THE COURT: All right, ladies and
8 gentlemen, as soon as we get everybody in,
9 they're counting, and as soon as we get
10 everybody in, we're gonna go ahead and select
11 the jury, okay?

12 BAILIFF: All jurors are present, Your
13 Honor.

14 THE COURT: All right, ladies and
15 gentlemen, everybody's here, and so what that
16 means is, we're gonna go ahead and pull the jury
17 in this matter, and so what I'd like to do,
18 Madam Clerk, if you would go ahead and let's get
19 our initial 12 jurors and remind me, Solicitor,
20 what are the strikes?

21 MS. KIDD: Five --

22 THE COURT: Five and five.

23 MS. KIDD: five and five, yes, sir.

24 THE COURT: All right, thank you very much.
25 Madam Clerk?

1 CLERK: So if you'll please just stand when
2 I call your number? Juror number 215. What say
3 the State?

4 MS. KIDD: Please present this juror.

5 CLERK: What say the defense?

6 MR. LEE: Please seat the juror.

7 BAILIFF: Come forward, please, ma'am,
8 bring everything with you.

9 CLERK: Juror 132.

10 BAILIFF: Right this way, ma'am.

11 CLERK: What say the State?

12 MS. KIDD: Please present this juror.

13 CLERK: What say the defense?

14 MR. LEE: Please seat the juror.

15 BAILIFF: Come forward, please, ma'am.

16 CLERK: Juror number 210. What say the
17 State?

18 MS. KIDD: Please present this juror.

19 CLERK: What say the defense?

20 MR. LEE: Please seat the juror.

21 BAILIFF: Come forward, please, sir.

22 CLERK: Juror number 188. What say the
23 State?

24 MS. KIDD: Please excuse this juror.

25 BAILIFF: You can sit down, sir, thank you.

1 CLERK: Juror number 169. What say the
2 State?

3 MS. KIDD: Please present this juror.

4 CLERK: What say the defense?

5 MR. LEE: Please seat the juror.

6 BAILIFF: Come forward, please, ma'am.

7 CLERK: Juror number 184. What say the
8 State?

9 MS. KIDD: Please present this juror.

10 CLERK: What say the defense?

11 MR. LEE: Please seat the juror.

12 BAILIFF: Come forward, please, sir.

13 CLERK: Juror number 62. What say the
14 State?

15 MS. KIDD: Please present this juror.

16 CLERK: What say the defense?

17 MR. LEE: Please seat the juror.

18 BAILIFF: Come forward, please, ma'am.

19 CLERK: Juror 350. What say the State?

20 MS. KIDD: Please present this juror.

21 CLERK: What say the defense?

22 MR. LEE: Please seat the juror.

23 BAILIFF: Come forward, please sir.

24 CLERK: Juror number 82. What say the
25 State?

1 MS. KIDD: Please present this juror.
2 CLERK: What say the defense?
3 MR. LEE: Please seat the juror.
4 BAILIFF: Come forward, please, sir.
5 CLERK: Juror 107. What say the State?
6 MS. KIDD: Please present this juror.
7 CLERK: What say the defense?
8 MR. LEE: Please seat the juror.
9 BAILIFF: Come forward, sir.
10 CLERK: Number 156. What say the State?
11 MS. KIDD: Please present this juror.
12 CLERK: What say the defense?
13 MR. LEE: Please seat the juror.
14 BAILIFF: Come forward, please, ma'am.
15 CLERK: Juror number 220. What say the
16 State?
17 MS. KIDD: Please present this juror.
18 THE STATE: What say the defense?
19 MS. LEE: Please seat the juror.
20 BAILIFF: Come forward, please, sir.
21 CLERK: Number 37. What say the State?
22 MS. KIDD: Please present this juror.
23 CLERK: What say the defense?
24 MR. LEE: Please seat the juror.
25 BAILIFF: Come forward, sir.

1 CLERK: Choosing for alternate number one.
2 Number 90. What say the State?

3 MS. KIDD: Please excuse this juror.

4 BAILIFF: You can sit down, sir, thank you.

5 CLERK: Juror number 55. What say the
6 State? Strike for cause?

7 MS. KIDD: Sorry, please present this
8 juror.

9 MR. LEE: Please seat the juror.

10 MS. KIDD: Okay.

11 BAILIFF: Come forward, sir.

12 CLERK: Number 307. What say the State?

13 MS. KIDD: Please present this juror.

14 MR. LEE: Please excuse the juror from the
15 trial.

16 BAILIFF: You can sit down, sir, thank you.

17 CLERK: Number 352. What say the State?

18 MS. KIDD: Please present this juror.

19 MS. LEE: Please seat the juror.

20 BAILIFF: Come forward, please.

21 CLERK: Number 334. What say the State?

22 MS. KIDD: Please present this juror.

23 CLERK: What say the defense?

24 MR. LEE: Please seat the juror.

25 BAILIFF: Come forward, please, ma'am.

1 THE COURT: All right. All right, it looks
2 like we've got our 12 jurors and three
3 alternates. Are there any matters of law that
4 need to be taken up concerning jury
5 qualifications, and the jury selection process
6 from the State?

7 MS. KIDD: Nothing from the State, Your
8 Honor.

9 THE COURT: Mr. Lee?

10 MR. LEE: Nothing from the defense, Your
11 Honor.

12 THE COURT: All right. Well, when that
13 last alternate went up, I saw folks out here
14 have this look of relief on their face, and so
15 what I'm gonna do is this, to my jurors, what
16 I'm gonna tell you-all is this, I'm gonna ask
17 that you go with the Bailiff. He's gonna show
18 you the jury room, and it's that room where you
19 will report.

20 And we have several motions this afternoon,
21 and I expect that the balance of the afternoon
22 will be dealing with motions and other matters,
23 concerning this case, that do not involve you.

24 So what I would like you to do is to be
25 back in the jury room at 9:30 tomorrow morning,

1 okay, ladies and gentlemen? 9:30 tomorrow
2 morning I need you back in the jury room. Now,
3 I would ask that you go, and, if you could
4 select a Foreperson. The alternates cannot be
5 the Foreperson. A Foreperson, basically, is the
6 spokesperson for the juror from the jury. If
7 something comes up, they're just gonna write it
8 down, hand it to the Bailiff, who's going to
9 give it to me, okay?

10 So if you-all could elect somebody
11 tomorrow. Sometimes it's the last person who
12 gets there, okay?

13 As long as it's not an alternate, they can
14 say, "Congratulations, you're the Foreperson,"
15 but if y'all could decide on a Foreperson.
16 Another thing I wanted to tell you before,
17 throughout the week you're gonna hear me say,
18 don't talk about the case.

19 Folks, you are not to talk about this case
20 to anyone, not your fellow jurors. You do not
21 discuss this matter with your fellow jurors,
22 your spouse, significant other, coworkers, or
23 anyone else, you do not discuss this case. The
24 only time you discuss this case is going to be
25 in the jury room once I tell you to discuss the

1 case, which is at the end of the case.

2 Number two, do not play super sleuth, okay?
3 I don't want anybody researching this matter,
4 going on the internet, finding out, oh, this
5 might be helpful, so let me look it up, nothing,
6 okay? I don't want you reading about this case.
7 I don't know that there's anything out there to
8 read, but I don't want you researching this
9 case, look and research the lawyers, the Judge,
10 the Court staff, whoever, I don't want you doing
11 any of that, so there's no research. I don't
12 think there's gonna be anything on the news or
13 TV about this matter.

14 If there is, I'm instructing you right now
15 disregard it, turn it off, move away from it, no
16 research about the case. If you see Mr. Lee,
17 see the Solicitors, see people in the hallway
18 passing them, oh, man, they're kind of stuck up,
19 they didn't even nod their head and say hello,
20 I've already instructed them, don't say hello,
21 don't nod the head. They're not supposed to
22 have contact with you-all, because what we want
23 to do is, we want to avoid any impropriety of
24 any adherence of impropriety. So don't think
25 these people are being rude, they're doing what

1 I told them to do, what they know to do, okay?

2 So I just point that out, because, you
3 know, the first thing happens, somebody walks
4 by, and everybody, you know, if they're walking
5 by and not doing that, it's because they're
6 following my instructions. Hold on one, second.

7 Anything further from the State concerning
8 the instructions I've given the jury?

9 MS. KIDD: Nothing from the State, Your
10 Honor.

11 THE COURT: Mr. Lee?

12 MR. LEE: No, Your Honor.

13 THE COURT: All right, so, folks, if you-
14 all go with the Bailiff, I'll see you back at
15 9:30 tomorrow morning. Thank you. All right,
16 to my folks out here, your work today is done.
17 Whether your work for the week is completed, I
18 do not know, okay? And what I'm going to ask
19 that you do, I'm going to ask that you call back
20 -- to my jury panel, that you call back on the
21 jury information line tonight after 6:00, Madam
22 Clerk --

23 CLERK: Yes, sir.

24 THE COURT: Is that sufficient?

25 CLERK: Yes, sir.

1 THE COURT: All right, I think everybody
2 gave you a card, or you should have the jury
3 line they want you to call back on. Call back
4 tonight after 6 o'clock. It will give you
5 instructions on what to do. It may say, hey,
6 come in tomorrow at 12:00, or it may say, call
7 back Tuesday after -- yeah, tomorrow's Tuesday,
8 call back Tuesday after 6:00. It'll tell you
9 what to do, okay? So with that having been
10 said, I'm going to release the balance of the
11 panel.

12 Thank you-all, if I don't see you again,
13 thank you for being here. Call back tonight
14 after 6:00.

15 (Unselected jury venire exits the
16 courtroom.)

17 THE COURT: All right, so what I'd like to
18 do now is go ahead and break for lunch, it's 20
19 after 12:00. Let's be back at 2 o'clock, and we
20 will begin the rest of the motions that we have,
21 and finish those.

22 Solicitor, I don't think that's gonna take
23 the balance of the afternoon.

24 MS. KIDD: No.

25 THE COURT: So if there are other matters,

1 anything that people would like to do, bond
2 matters, pleas, anything, any work that I can
3 do, I want to stay and work and accommodate
4 folks any way I can, so just pass that on, okay?

5 MS. KIDD: Yes, sir.

6 THE COURT: If you'll let the Public
7 Defender's Office know that too. I'll see
8 everybody back at 2 o'clock. Thank you.

9 (Luncheon recess.)

10 ***

11 PRETRIAL MOTIONS

12 THE COURT: All right, concerning Mr.
13 Granet's case; is that's correct, counsel?

14 MR. LEE: That's correct, Your Honor.

15 THE COURT: All right and are these --
16 let's go ahead and start. I'll take up whatever
17 motion you want to take up first.

18 MR. LEE: Okay. And these motions were
19 provided to Your Honor last week via email.
20 I'll be glad to have someone get a copy, a hard
21 copy.

22 THE COURT: No sir, I've got the motion to
23 sever.

24 MR. LEE: Okay.

25 THE COURT: We've already resolved that.

1 I've got some other ones, yes, sir.

2 MR. LEE: Okay. I guess I'll go in the
3 order that I have them. The first one is a
4 legend to determine admissibility of prior bad
5 acts, that was at 404(b) Lyle, it's already
6 admitted.

7 So as to the prosecutor, if she intends to
8 offer any prior bad acts, she would have to do
9 so. I'm not aware of any, but I just wanted to
10 put on the record whether or not we do need
11 404(b) Lyle, if that happened.

12 MS. KIDD: The State is not planning to
13 introduce any prior bad act evidence. I will
14 note that there is some mention in the
15 Defendant's statement that does speak to a prior
16 bad act.
17 I think it was a 2008 conviction, it was a
18 similar sort of circumstances, but we're not
19 planning to get into them, unless the drawer is
20 opened by the defense.

21 MR. LEE: Understood, and, in fact, she
22 sent the statement. She cut it off where, at
23 the end of this thing where he started talking
24 about something that had happened 15 years ago.

25 THE COURT: All right, so they're not

1 intending to introduce anything, and they've
2 also redacted a mention of an alleged bad act by
3 your client; is that satisfactory, sir?

4 MR. LEE: Yes, sir.

5 THE COURT: All right, thank you.

6 MR. LEE: The next one I have that need to
7 be addressed, but if you'd like to save that
8 until the end, and I think is Jackson v. Denno,
9 there are three statements, at this point, that
10 needs to be addressed, but if you'd like to save
11 that until the end. And I think the clerk was
12 having a little bit of technical difficulties on
13 her end too.

14 THE COURT: Let's go ahead and hear the
15 rest of these --

16 MR. LEE: Okay.

17 THE COURT: -- and then we'll get into the
18 Denno matters, please.

19 MR. LEE: Okay. And then I have the motion
20 to determine admissibility of prior convictions
21 of the Defendant. I'm not aware of any
22 convictions that would fit under the rules which
23 he has, but I could be corrected if Ms. Kidd has
24 something else.

25 MS. KIDD: Again, unless that drawer is

1 opened on that or any of his other convictions,
2 we do not intend to get into them.

3 THE COURT: All right, so I think that is
4 satisfactory, Mr. Lee?

5 MR. LEE: Yes, sir, it is. Judge, we
6 talked about this a little bit on the phone
7 conference I believe Thursday or Friday, but I
8 filed a motion to reveal the appeal. I would
9 renew that to see if there had been any promises
10 to anybody, any type of witnesses, accommodating
11 them in any way whatsoever, to get them to
12 testify in court.

13 THE COURT: Well, now, accommodating them,
14 are you talking about transportation --

15 MR. LEE: Well --

16 THE COURT: Well, I mean that the use of
17 that word, you follow me?

18 MR. LEE: Yes, sir. Obviously, I know that
19 did get here some way, I assume they paid --

20 THE COURT: Okay.

21 MR. LEE: -- like I was saying, but if
22 there's are any type of other promises or
23 guarantees for --

24 THE COURT: Okay.

25 MR. LEE: -- somebody, that's what I wanted

1 to --

2 THE COURT: I understand, I just wanted to
3 make certain --

4 MR. LEE: Yes.

5 THE COURT: With use of that word --

6 MR. LEE: Yes, sir.

7 THE COURT: -- it could be open to many
8 different interpretations.

9 What about it, solicitor? Has there been
10 anything in writing? Has there been anything
11 orally? Has there been any type of promises?
12 The mention of favorable resolution to benefit
13 any other defendants charged in this matter, or
14 any witnesses in this matter?

15 MS. KIDD: No, Your Honor, there have been
16 no promises, no deals. We made a sentencing
17 recommendation for the codefendant, at the same
18 time we made the sentencing recommendation for
19 this defendant, and none of those
20 recommendations were based on any kind of
21 promises or leniencies. We are not working with
22 the co-defendant in any way.

23 THE COURT: And that includes the co-
24 defendant's lawyer, or anyone else related
25 directly or indirectly to the co-defendant?

1 MS. KIDD: Yes, Your Honor.

2 THE COURT: All right.

3 Mr. Lee, is that satisfactory?

4 MR. LEE: Yes, Your Honor.

5 THE COURT: Okay, great. Yes, sir?

6 MR. LEE: Judge, and to her credit, Ms.

7 Kidd did a good job. She did a lot better job
8 than we did trying to clarify these NCIC
9 reports.

10 THE COURT: Yes.

11 MR. LEE: Yeah, and thanks so much to her
12 for doing that. I swear to you, I was about
13 ready to leave the office Thursday and Friday,
14 because she was having trouble getting it, but
15 Ms. Kidd did send me an email saying what she
16 believes to be the perfect dispositions of some
17 of the ones I had questions about, and I
18 appreciate her doing that, and --

19 THE COURT: All right, for the record,
20 there was a discussion last week about the NCIC
21 report that had been exchanged, and some of the
22 NCIC reports appeared to be -- didn't appear to
23 be complete, as it relates to some dispositions
24 of alleged charges, and so has that now been
25 resolved.

1 MR. LEE: Judge I think so, because she
2 gave to me a new LEMS printout --

3 THE COURT: Yes, sir.

4 MR. LEE: -- as current as Thursday or
5 Friday of last week.

6 MS. KIDD: Right, as soon as you --

7 MR. LEE: Right.

8 MS. KIDD: -- brought this up.

9 THE COURT: Thank you.

10 MR. LEE: And my understanding is that they
11 conferred that this, to the best of their
12 knowledge, is correct, everything that's
13 contained in it. And then she also -- so I'd
14 assume that everything in here is correct, as
15 far as we know.

16 MS. KIDD: Yes, Your Honor. I would just
17 like for the record to state that we did run an
18 updated rap sheet. We contacted Municipal,
19 Magistrate level, Clerks of Court throughout the
20 three states in question, and we also spoke with
21 both victims to try to get a better picture.
22 We're also we've stipulated to certain
23 convictions that we didn't have clarity on, that
24 we felt were admissible given their nature as
25 crimes of dishonesty; however with the caveat

1 and anything outside of the ten-year window
2 should not be admissible.

3 MR. LEE: Right.

4 THE COURT: All right, and thank you for
5 your work on, that both of you, and working
6 together in getting that issue resolved.
7 So is there anything as it relates to -- do you
8 have the information to the -- the Solicitor's
9 affirmed that I think she's taking steps to try
10 to provide you with the information, or all of
11 the information that she has.
12 Do you have the information that you believe you
13 need, Mr. Lee?

14 MR. LEE: I do, Your Honor, on Corey
15 Eckles, she's showing two convictions in 2020,
16 and then there are some on Lauren Eckles.
17 Except the only thing that is not resolved is a
18 2018 theft of property times three in Knox
19 County, Tennessee, and Ms. Kidd's email says,
20 "Still looking into this."

21 MS. KIDD: Right.

22 MR. LEE: So that's the only thing that's
23 not final.

24 MS. KIDD: We're willing to stipulate that
25 there's a conviction.

1 THE COURT: I'm sorry?

2 MS. KIDD: We're willing to stipulate the
3 Defendant's --

4 MR. LEE: Okay

5 MS. KIDD: -- conviction.

6 THE COURT: Thank you very much.

7 MR. LEE: Okay.

8 THE COURT: Is that satisfactory?

9 MR. LEE: It is satisfactory, Your Honor.

10 THE COURT: Okay, and that was convictions
11 for what?

12 MR. LEE: The last three?

13 THE COURT: Yeah, what were they?

14 MS. KIDD: Theft of property.

15 MR. LEE: Theft of property.

16 THE COURT: All right.

17 MR. LEE: Yes.

18 THE COURT: Thank you.

19 MR. LEE: And then there is also a rap
20 sheet that's provided for Josh Smith, that I
21 think I can sit out for after this and figure
22 out, it's showing convictions. I just want to
23 make sure that they're not showing the same
24 conviction over and over, so I'd be glad to sit
25 down with her after this, and that shouldn't be

1 an issue to figure that out.

2 THE COURT: All right. Thank you.

3 MR. LEE: All right.

4 THE COURT: What else?

5 MR. LEE: Judge, I filed a motion to
6 determine the admissibility of photographs. I
7 have not been advised as to which photographs
8 the State is attempting or intending to
9 introduce at trial, and I certainly would ask
10 for some type of heads-up.

11 And without knowing what they're trying to
12 put in, I can't really argue, other than against
13 the State what the basic law, which as we all
14 know, which is, you know, it's in the Judge's
15 discretion, and you know, it tends to --

16 THE COURT: So let me ask you, have you
17 seen the photographs?

18 MR. LEE: Well, I've seen the hundreds of
19 photographs that they've sent.

20 THE COURT: Right.

21 MR. LEE: I don't know which ones she
22 intends to introduce and publish to the jury.

23 THE COURT: Well, does she have a duty to
24 disclose that to you? I mean isn't that kind of
25 her strategy, as it relates to what she wants to

1 introduce to those photographs.

2 MR. LEE: Well, I mean I can change my
3 motion, and say I object to all photographs
4 showing any blood in them. I mean I do think
5 she has a duty, at some point, to --

6 THE COURT: Well, I mean I guess we could
7 go through the photographs that you find
8 objectionable.

9 MR. LEE: Yes, sir, that's fine, but you
10 know --

11 THE COURT: I mean I --

12 MR. LEE: -- if there's 100 photographs,
13 typically, what we do is say well, they've
14 picked these four, and typically, that's the
15 quicker way to do it, than to go through every
16 single one and say this is what I object to.
17 I mean, she has to show it to me before she'd
18 publish it to the Jury anyway. If you want to
19 wait until she does that, I will.

20 THE COURT: Well, I mean typically she
21 would hand it to you, and I guess at that point
22 if you had an objection, you could raise it.

23 MR. LEE: Okay, well --

24 THE COURT: Solicitor, however you want to
25 -- whatever you want to do, as it relates to

1 that.

2 MS KIDD: The way that I've always handled
3 it in the past is, at trial showing him the
4 picture, and then if he has an objection, we
5 have it heard in the moment. I don't know if
6 it's appropriate before then.

7 MR. LEE: Send the jury out before you
8 identify them?

9 MS. KIDD: Unless there are--

10 THE COURT: Hold on Mr. Lee, hold on. Go
11 ahead, go ahead.

12 MS. KIDD: I'd like to mention he has all
13 of the photos. If there are particular photos
14 he takes objection to, you know, we can talk
15 about that.

16 THE COURT: Well, I'll tell you what, we've
17 got plenty of time. You got photos you've got
18 an objection to?

19 MR. LEE: Yes, Sir.

20 THE COURT: Well, then bring them up.

21 MR. LEE: All the ones with Mr. Eckles
22 laying on the ground covered in blood with blood
23 all over the floor.

24 THE COURT: Show me which ones you've got
25 an objection to and let me see them.

1 MR. LEE: I don't have every single one of
2 those photos. I don't they were printed out.

3 THE COURT: Okay.

4 MS. KIDD: I will show you the pictures of
5 blood that I am intending to get, and he can
6 have it --

7 THE COURT: Okay.

8 MS. KIDD: -- from that.

9 THE COURT: No problem.

10 MR. LEE: Can I hand them to the Judge?

11 MS. KIDD: Oh, sure.

12 MR. LEE: Judge, for the record, she's
13 handing me two pictures, and this will have to
14 be enlarged, but there's two pictures that's
15 going to be identified as Corey Eckles laying in
16 a pool of blood in the hall --

17 THE COURT: Thank you.

18 MR. LEE: -- at his house.

19 THE COURT: All right, and so both of these
20 pictures, I'd say are fairly closeup, one
21 certainly is closer than the other, and so what
22 I guess what I'm asking is, do you have an
23 objection to both of these photographs Mr. Lee?

24 MR. LEE: Yes, sir.

25 THE COURT: And so state for me your

1 objection for the record.

2 MR. LEE: Well, Judge, I think that it's
3 just gratuitous, and I think it's -- I just
4 think it's too much, and it's likely under 403
5 to enflame the jury, and have them possibly
6 reach a decision, based upon the information
7 value in here these pictures.

8 THE COURT: Let me ask you this, Solicitor,
9 are there other pictures similar to this?

10 MS. KIDD: There are several pictures
11 showing the victim in the state of distressing
12 blood. We are only intending to show how we may
13 be able to prove that a crime occurred. I've
14 got some caselaw I can pass up to you.

15 THE COURT: Yes, Sir. Yes, ma'am.

16 Well, I guess what I'm asking is, there are
17 -- I guess what I'm asking is, are there other
18 photographs that show substantially the same
19 thing, but perhaps, for instance, one is closer
20 to the other, and so, for instance, I would
21 submit that one has some -- almost appears to be
22 congealed blood or body fluid on it.

23 MR. LEE: I think it's some vomit in that
24 one.

25 THE COURT: I don't --

1 MS. KIDD: That's what we were trying to
2 show is the vomit. I don't think that that was
3 as clear in these as far away photos.

4 THE COURT: All right.

5 MS. KIDD: The only other photo that we
6 would be seeking to admit that would be blood
7 would be this photo by the ambulance, and then
8 there are also sensitive photos taken in the
9 weeks after, which aren't quite as bloody, it's
10 the progression of injury, and I cross those off
11 as well.

12 And, again, you know, with the
13 understanding that there were probably between
14 50 to 75 pictures that we could have chosen, but
15 we're trying to limit it, so we're not being
16 excessive in our show of blood, but we do have
17 to be able to prove that a crime occurred and
18 for the --

19 THE COURT: Yes, ma'am.

20 MS. KIDD: -- first degree, it's necessary.

21 THE COURT: All right.

22 Have you seen these photographs, Mr. Lee?

23 MR. LEE: Yes, sir.

24 THE COURT: As it relates to these
25 photographs, do you have objections?

1 MR. LEE: The ones where -- I think it's
2 the ones that --

3 MS. KIDD: That was taken after two days.

4 THE COURT: There's one with a bandage
5 around his head sir.

6 MR. LEE: I have no problem with that. I
7 think that's --

8 THE COURT: There's one that shows it looks
9 like some stitches to his forehead.

10 MR. LEE: No problem.

11 THE COURT: Do you have an objection to
12 that?

13 MR. LEE: No, sir.

14 THE COURT: One that shows what looks to be
15 some stitches or lacerations to the back of his
16 scalp?

17 MR. LEE: No problem with that one.

18 THE COURT: And there appears to be one
19 where he is in, I guess the EMS.

20 Madam Clerk, would you hand that to him.

21 MR. LEE: I mean, that would be my
22 suggestion, is to maybe introduce this instead
23 of the ones on the floor.

24 THE COURT: All right, Solicitor, is there
25 any kind of argument that you want to make as it

1 relates to these?

2 MS. KIDD: Yes, Your Honor. But just
3 before I do, I am also seeking to enter in some
4 photographs of blood on the floor --

5 THE COURT: All right.

6 MS. KIDD: Is there an objection to that as
7 well?

8 THE COURT: Well, let him take a look.

9 MR. LEE: No, that's fine, no objection.

10 MS. KIDD: All right, so it's just the
11 actual --

12 MR. LEE: Yes.

13 MS. KIDD: -- human bleeding.

14 MR. LEE: Yeah.

15 MS. KIDD: Okay.

16 MR. LEE: See --

17 THE COURT: Okay.

18 MR. LEE: Because see that's like --

19 THE COURT: Well, and what we've got here
20 is at least right now, we've got no objection to
21 these photographs that you've handed me,
22 Solicitor. I think that's --

23 MS. KIDD: All right, so --

24 THE COURT: -- so that -

25 MS. KIDD: -- but it's just that --

1 THE COURT: So the only photographs that
2 we've got an issue to are the two initial
3 photographs that she provided me.

4 MR. LEE: Yes, sir.

5 THE COURT: So, Mr. Lee, tell me what your
6 objection is one more time, and then I'm going
7 to let the Solicitor tell me what her -- why she
8 thinks that it is admissible. Let me hear from
9 you, Mr. Lee.

10 MR. LEE: Judge, under State v. Hall it
11 says, "Photographs calculated to arouse the
12 sympathy or prejudice of the jury should be
13 excluded, if they are irrelevant or are
14 unnecessary to the issues at trial," and it goes
15 onto say, "To constitute unfair prejudice
16 sufficient to include admission of photograph
17 evidence, photographs must have a tendency to
18 suggest a decision on an improper basis
19 commonly, though not necessarily an emotional
20 one."

21 And I just think that the ones where the
22 scene hasn't been cleaned up, and there is stuff
23 everywhere, you know, I just think that that's a
24 little bit much. And I think there's also some
25 testimony that -- I don't even know if they can

1 establish all that was his blood. I think there
2 is some testimony there was some other bleeding,
3 other individuals, and I'm not sure if that, you
4 know, accurately reflects everything. I just
5 think that those pictures are a little over the
6 top, and I realize --

7 THE COURT: All right.

8 MR. LEE: -- There's sound discretion of
9 the trial judge, and, you know --

10 THE COURT: All right.

11 MR. LEE: -- there's stuff on appeal, but I
12 just think that -- I think those go too far. I
13 think she can make her point that she needs to
14 make, and the relevancy can be done with the
15 photographs that we've talked about and that
16 we've already introduced.

17 She has a doctor coming here to talk about the
18 types of injuries, so if they're worried about
19 establishing injuries, they have those pictures
20 and they have the doctor who treated him at
21 Beaufort Memorial Hospital.

22 So I think that is -- I think that's
23 enough. I think the rest of it's just -- it
24 puts it over the top a little bit, you get a
25 jury who gets upset, enflamed, irrational,

1 that's what my basis of the argument is.

2 THE COURT: All right. Solicitor, I'm
3 happy to hear from you.

4 MS. KIDD: Yes, Your Honor. There is
5 caselaw that is exactly on point to this issue,
6 and if I may approach, I've got one here for you
7 and your Law Clerk, it's State v. Collins. You
8 know, what we're here to argue is whether or not
9 these pictures are unduly and overly
10 prejudicial.

11 THE COURT: Thank you.

12 MS. KIDD: So, yes, these are brutal
13 photos, but it's a brutal crime, and the State
14 has the burden to prove its case, and in order
15 to prove assault and battery first-degree, we
16 need to be able to illustrate to the jury the
17 extent of injury that occurred that day.

18 And also it's really important to be able
19 to show how the reason why this was a
20 warrantless injury. These were exigent
21 circumstances requiring immediate medical
22 attention. I don't think that it's overly
23 prejudicial because we're not seeking to get
24 into the 50 other photos.

25 We're not overdoing it, we're doing the

1 bare minimum of what needs to be done, to show a
2 jury the extent of injury and the seriousness of
3 this crime. And it is certainly more probative
4 than prejudicial.

5 MR. LEE: There's a statute for assault and
6 battery first degree, as he was charged, the 13-
7 3-600, let me see, B -- or C1, "A person who
8 commits the offense of an assault and battery in
9 the first degree of person, and unlawfully
10 injures another person in the act, as well as
11 non-essential touching," which doesn't apply,
12 "or occurred during the commission of a robbery,
13 burglary, kidnapping or theft." That's what the
14 indictment says, that he's injured. There's
15 obviously injury, if they want to show that, to
16 show he's injured, and then they have to prove
17 about the kidnapping. 3B says, "A person
18 unlawfully offers or attempts to injure another
19 person with a present ability to do so, and the
20 act, one, is accomplished by means likely to
21 produce death or great bodily injury; or, two,
22 occurred during the commission of a robbery,
23 burglary, kidnapping or theft."

24 So what they need to prove is that the
25 person was injured, that's all they have to

1 prove, and it was accomplished by means likely
2 to produce death, or great bodily injury, and
3 that's proven by testimony about -- through
4 their witnesses about what happened --

5 THE COURT: All right.

6 MR. LEE: -- as far as a flashlight being
7 used at some point, that sort of thing. So --

8 THE COURT: All right.

9 MR. LEE: -- that's not something she has
10 to -- it's not an element. You're not keeping
11 her from proving some element by not showing a
12 gory photograph.

13 THE COURT: All right. Solicitor, let me
14 ask you this, do you have other pictures of this
15 gentleman laying on the floor in your arsenal of
16 shots?

17 MS. KIDD: No, Your Honor, that's how he
18 looked when these came in, and he was
19 immediately treated. I'd like --

20 THE COURT: Okay because what I'm trying to
21 -- hold on --

22 MS. KIDD: Okay.

23 THE COURT: -- because what I'm trying to
24 figure out is, are there other photos of him
25 laid out on the floor like that, but that

1 perhaps someone could consider them to be more
2 tasteful?

3 MS. KIDD: I would say that is the least
4 offensive of the photographs that we have.

5 THE COURT: All right. You've seen the
6 photographs, so I'm asking you, sir, in other
7 words -- I mean we're arguing the motion, you
8 understand what I'm asking. I'm asking are
9 there other photographs that could suffice, and
10 she's telling me that there's not. In other
11 words, something that perhaps isn't offensive as
12 that. So I'm asking you right now --

13 MR. LEE: I'm not sure that's the basis for
14 them saying, "Well, we didn't take enough
15 photographs, and what we took we made sure it
16 was really, really gory."

17 THE COURT: Well, I don't --

18 MR. LEE: These are the crime scene photos,
19 and, you know, if they only have a couple of the
20 actual body on the ground, I mean that's not,
21 you know --

22 THE COURT: Well, I'm not -- I'm just
23 asking if there's something that -- in other
24 words, Mr. Lee, I know you don't want them in --

25 MR. LEE: Right.

1 THE COURT: -- okay? I'm just inquiring as
2 to whether there's something that is less
3 graphic than those photographs? That's what I'm
4 asking you. And so if you don't know --

5 MR. LEE: I think that one is.

6 THE COURT: Right, right.

7 MR. LEE: So I think that one is
8 sufficient.

9 THE COURT: Okay, and when you say that
10 one, he's referring to the one --

11 MR. LEE: Yeah.

12 THE COURT: -- about him in the ambulance?

13 MS. KIDD: -- on the scene, and that would
14 not --

15 THE COURT: Yes, ma'am. All right, and is
16 there something else you wanted to say,
17 Solicitor?

18 MS. KIDD: Yes. I just wanted to -- so I
19 kind of circle back to when we were talking
20 about, obviously, the crime. I mean we're not
21 only getting into the previous assault and
22 battery first degree, but also the kidnapping.

23 You know, the Defendant beat the victim
24 into submission, and the reason that his levels
25 of injuries were so great is, because they were

1 trying to subdue them. They were trying to
2 kidnap them. He was unable to get the zip-ties
3 to remain on the victim, which led to the
4 progression of an attack. So the attack was the
5 way by which he was confining, kidnapping,
6 unlawfully seizing.

7 In order to prove the kidnapping, I need to
8 be able to prove that this victim could not
9 leave, because his injuries were so severe. He
10 was floating in and out of consciousness, could
11 not leave by his own will.

12 THE COURT: All right, thank you. All
13 right. All right, as it relates to the
14 photographs, what I'm gonna say is,
15 unfortunately, the photographs show the reality
16 of what happened that night, and to that extent,
17 I think at least one of these photographs -- I
18 don't think that any prejudicial value is -- I
19 think the probative value in this case outweighs
20 the prejudicial effect, and I'm going to allow
21 the one photograph in, and that's the photograph
22 that's further back.

23 That's the photograph that doesn't
24 necessarily show the vomit. That's the
25 photograph that does not -- the one I'm going to

1 allow in, is the one that does not show -- I
2 don't know if it's bubbles, or whatever it is,
3 I'm not going to allow that; but this photograph
4 I'm going to allow.

5 And again, Mr. Lee, I think it just shows
6 the unfortunate reality of the situation that we
7 find ourselves in, but I don't think it's so
8 graphic that it would overly influence a jury,
9 such that the probative value would be
10 outweighed, so I'm going to allow that. I'll
11 note your objection for the record.

12 MR. LEE: Okay, and thank you, Your Honor.
13 And for the record, can we go ahead and pre-mark
14 it for her, just so I can have a record of which
15 photograph we're talking about?

16 THE COURT: Yes, sir.

17 MS. KIDD: As a Court's exhibit?

18 MR. LEE: That's fine.

19 THE COURT: However you want to do it is
20 fine.

21 MR. LEE: At this point maybe we can do it
22 as a Court's exhibit.

23 THE COURT: Yes, ma'am.

24 MS. KIDD: Two.

25 MS. LEE: Two.

1 THE COURT: All right, Solicitor, I'm also
2 gonna hand you back this photograph --

3 MS. KIDD: All right.

4 THE COURT: -- which we're not going to
5 use.

6 MR. LEE: Judge, in photograph, March 11th,
7 2019 of Ms. Eckles laying in the hallway, and
8 Ms. Gibbes is gonna mark as Court's Exhibit
9 Number 2. And this is the exhibit which is
10 coming into evidence.

11 COURT REPORTER: I'm sorry.

12 MR. LEE: I'm sorry.

13 COURT REPORTER: Tell me the description
14 again and what it is.

15 MR. LEE: It is a photograph dated March
16 11th, 2019, which purports to be Mr. Eckles
17 lying in the hallway with blood.

18 (Court Reporter marks State's Exhibit
19 Number 2, Photograph, as attached hereto.)

20 THE COURT: All right, and the other
21 photographs that she showed that she might be
22 looking at having admitted, I understand, Mr.
23 Lee, that you don't have an objection to, right?

24 MR. LEE: The other four, yes, Your Honor.

25 THE COURT: Yes, those three or four,

1 okay? And when she shows those to you, if
2 they're not those photographs, or what have you,
3 you just let me know, okay, sir?

4 MR. LEE: Yes, sir.

5 THE COURT: What other matters do we need
6 to take up, Mr. Lee?

7 MR. LEE: Your Honor, I also have a motion
8 that I call a motion to suppress Snapchat
9 messages, and we've not provided everyone with
10 those, but they're listed in an exact place of
11 the report, I think it's in Snider's report. In
12 Snider's report I was provided copies of
13 Snapchat messages I think from October 23rd,
14 2019, which is seven plus months after this
15 happened.

16 From my understanding of the report is,
17 that Lauren Eckles, who's listed as one of the
18 victims kidnapping, provided some Snapchat
19 messages, or they were provided to her husband,
20 and then Lauren provided them to law
21 enforcement. The two that are discussed in the
22 report I've included on my motion, and it's on
23 page 69 of Investigator Snider's report. And I
24 guess the easiest thing for me to just read.
25 There's two statements in the report. I don't

1 know what, if anything, they intend to
2 introduce. The report says, "That Lauren Eckles
3 is Corey Eckles' wife, provided this to law
4 enforcement, because it was provided to Corey by
5 an unknown person, who wished to remain
6 anonymous," okay?

7 I'm not sure if that person has ever been
8 identified, until I received a note from Ms.
9 Kidd a rap sheet for a fella named Josh Smith,
10 who lives in Tennessee. So I don't know if
11 there's a report somewhere that says he's been
12 identified. I just take it -- figured it out
13 that way, so --

14 THE COURT: Hold on one second.

15 MS. KIDD: So, Your Honor, actually when
16 these messages were provided to law enforcement,
17 they were provided, and there was also in the
18 original discovery a handwritten affidavit, for
19 lack of a better term, by Corey Eckles, stating
20 that Josh Smith is the one who provided him with
21 these messages, so that name has been --

22 MR. LEE: I know.

23 MS. KIDD: -- in the discovery for months.

24 MR. LEE: So I --

25 THE COURT: So hold --

1 MR. LEE: I'm not saying it's a problem,
2 maybe I missed that one, if that's who they
3 identified.

4 THE COURT: All right, so Josh Smith
5 provided Mr. Eckles with these posts?

6 MR. LEE: Snapchats between Josh Smith and
7 Justin Granet.

8 MS. KIDD: Your Honor, essentially, it is a
9 text dialogue through the Snapchat app. He took
10 screenshots of Josh Smith's correspondence with
11 the Defendant, and because of the nature of
12 those messages, he then shared them with the
13 victim, and the victim then provided them to law
14 enforcement.

15 And we have subpoenaed Josh Smith in
16 question, who received these messages, and he
17 will be able to authenticate those.

18 MR. LEE: Your Honor, my objection is that
19 the two that they cite -- and I don't know what
20 she intends to introduce or not introduce, going
21 by what was cherry-picked from the report. And
22 the first one, excuse the language, quote,
23 unquote, and they're saying it's attributed to
24 Mr. Granet, "I almost beat Corey to death for
25 fucking my wife," that was number one. And then

1 number two is, "If the cops hadn't come, he'd
2 probably be in a crab pot feeding the fish."
3 These are things that are said some seven and a
4 half months after he was arrested and he was
5 charged, and there's not a lot of context to
6 them, and I think that they really aren't
7 probative at all. It's kind of the piling on,
8 you know, I guess showing, you know, that he
9 ain't a good guy, or he's not remorseful,
10 whatever the case may be.

11 I just think that because of the temporal -
12 - there's no proximity, I mean seven and a half
13 months later on, I just think that these
14 messages, you know, I don't think they're
15 relevant, I don't think they're important,
16 three, that the forensic value of those come
17 close to outweighing the prejudicial effect it
18 would have in what they say. I mean they have
19 three statements from my client, you know, it's
20 kind of piling on quite frankly, and I think it
21 --

22 THE COURT: Well, one of the statements --
23 I mean what I've heard, as it relates to the
24 first Snapchat, I mean that's pretty much right
25 onboard with what he said in his statements,

1 isn't it?

2 MR. LEE: Yeah.

3 THE COUFT: I mean in other words,
4 basically, in his statement, as I recollect, and
5 then we haven't made a final decision as to
6 those statements, but I mean when I listen to it
7 he basically said --

8 MR. LEE: It got --

9 THE COURT: -- "It got out of hand, and I
10 beat the dude up for supposedly sleeping with my
11 wife."

12 MR. LEE: Right.

13 THE COURT: And it seems to me that that
14 may have been seven months later, but that's
15 pretty much consistent with what he said that
16 night.

17 MR. LEE: Right.

18 THE COURT: Is that --

19 MR. LEE: That's part of it, yeah, I mean
20 it's kind of, you know, again --

21 THE COURT: All right, Solicitor, let me
22 hear from you on this.

23 MS. KIDD: It's an admission by a party
24 opponent, Your Honor, it does not matter the
25 passage of time. The fact that it is a

1 statement may impress someone who is a co-
2 defendant in this case, so it's not hearsay. It
3 is directly relevant to the case because he's
4 making admissions about what happened that
5 evening. And, you know, it's essentially in
6 writing. You're gonna have the person who
7 received those messages come and testify, and
8 then we have the jury to decide the way they'd
9 like to determine it. There are portions that I
10 am planning to redact that I do think may be a
11 little overly prejudicial.

12 For example, when he's making comments
13 about how he's facing 50 years, the fact that he
14 was charged with assault and battery with intent
15 to kill, which is not what he's charged with,
16 but I'd be willing to redact those statements;
17 but everything else I think is absolutely
18 probative, and comes in properly as a statement
19 of a party opponent, Your Honor.

20 MR. LEE: That's the second problem, Judge,
21 is that it's not just those two isolated, it is
22 part of a little different -- a longer
23 conversation.

24 I had printed out what I've been provided,
25 as to the entire conversation, and if you're not

1 inclined to keep that out, certainly, I think we
2 would be entitled under the rule of completeness
3 to publish those other parts of the
4 conversation, which talks about it happening at
5 his house. And this guy said, "I would have
6 done the same thing too. You know, was that guy
7 all messed up," and stuff like that, because not
8 only they can't have it both ways.

9 I don't think they can just cherry-pick
10 these things out that suit, you know, a
11 subsequent consistent statement, and then they
12 don't want to have the rest of the stuff in. I
13 mean, normally, yeah, the jury doesn't know what
14 somebody's looking at it timewise, but if that's
15 part of the conversation, that needs to be put
16 into context.

17 If they admit those statements, I think
18 everything else --

19 THE COURT: Yeah, but isn't that hearsay?

20 MS. KIDD: Your Honor --

21 THE COURT: Isn't that what they just took
22 up on Friday in front of Judge Newman; do you
23 know what I'm talking about?

24 MR. LEE: It's hearsay if I try to put it
25 in, right? And that was the problem they had.

1 The other side was saying, "We can put it in,
2 but they can't put it in." Because they put it
3 in, as you said, it's admission by party
4 opponent. That's how the State gets it in.

5 THE COURT: Right.

6 MR. LEE; We're not getting it in as a
7 statement by a party opponent, we're getting it
8 in under the Rule 106, which says, "If a portion
9 of a writing or recording is introduced, the
10 other side in fairness and then putting it in
11 context is entitled," and not only put it in,
12 but had put it in right then. And so I'm just
13 saying they can't have their cake and eat it
14 too, because --

15 THE COURT: All right.

16 MR. LEE: -- it is deceptive to only put
17 the parts they want in there.

18 THE COURT: All right, Solicitor?

19 MS. KIDD: Your Honor, I was planning to
20 admit the entire thing. I was doing this for
21 his benefit. I'll take the portions out
22 that he is objecting --

23 THE COURT: Yeah, you were planning on
24 admitting everything --

25 MS. KIDD: I already --

1 THE COURT: -- but you were going to remove
2 a few things that you thought perhaps went
3 beyond the pale. I don't know if that's the
4 best way to put it, but that's my understanding;
5 is that right?

6 MS. KIDD: I would just redact that, unless
7 you want it in. It talks about his -- "I'm
8 facing 50 years," he's been charged with assault
9 with intent to kill. I thought that perhaps
10 went a bit too far, but if he'd prefer. I think
11 it's outside of the purview of what the jury
12 needs to decide. I don't think it's appropriate
13 for a jury to know how much time the Defendant's
14 facing, but --

15 THE COURT: Well, no, he's not -- that's
16 not coming in.

17 MR. LEE: No, it's not.

18 THE COURT: That's not coming in.

19 MS. KIDD: But if he'd like it to come in,
20 absolutely.

21 THE COURT: No. So, Mr. Lee, you
22 understand she's basically gonna put that entire
23 statement in, but for some things that she
24 probably thinks you don't want in. If you want
25 them in --

1 MR. LEE: I do want them.

2 THE COURT: -- I think she's saying that
3 she would want them in.

4 MR. LEE: I want them in.

5 THE COURT: You want the 50 years in?

6 MR. LEE: Yes.

7 THE COURT: That's fine. I mean if you
8 want that information in --

9 MR. LEE: If you're gonna let the other
10 stuff in.

11 THE COURT: Well, I'm gonna let it in, but
12 hold on, the other stuff, you mean the stuff
13 that you've got the objection to?

14 MR. LEE: This here, yes, sir.

15 THE COURT: All right. Well, let's get
16 back to that, okay? That might make it easier.

17 All right, I think the first statement, Mr.
18 Lee, could probably come in; but as it relates
19 to the second statement and the crab pot
20 situation, that doesn't need to come in. I
21 think that goes over the top. I think that any
22 probative value, as it relates to that, is going
23 to be outweighed by prejudicial effect.

24 It was seven months later, he's not -- I'm
25 talking about there was something about a crab

1 pot.

2 MS. KIDD: Would it be beneficial for you
3 to review the Snapchat messages --

4 THE COURT: Sure, I can.

5 MS. KIDD: -- because you'll have the full
6 context of what we're discussing.

7 MR. LEE: I will print them out, would that
8 be easier, because --

9 MS. KIDD: Well --

10 MR. LEE: -- for both of them.

11 MS. KIDD: This is in order, so --

12 THE COURT: All right, well, I'm happy
13 to --

14 MS. KIDD: -- you can see both.

15 MR. LEE: Just give him both.

16 THE COURT: I'm happy to look at it.

17 MS. KIDD: This is what the State is --
18 these are the unredacted versions.

19 THE COURT: All right, so, Mr. Lee, you've
20 seen all of these, right?

21 MR. LEE: Yes, sir.

22 THE COURT: And you've got an objection to
23 what part of these records, of this Snapchat?
24 What do you got an objection to, sir?

25 MR. LEE: Well, I'm objecting to the part

1 about almost beating Corey to death, beating the
2 crap out of him were the two that I put in my
3 motion I'm objecting to. That if you're
4 inclined to just let in the part about almost
5 beating Corey to death, but not -- if you're
6 inclined to let that in, but nothing else --

7 THE COURT: When you say nothing else, I'm
8 inclined to let them get in what they want,
9 except for what it is you want kept out. Don't
10 you want -- are you objecting to all of this, or
11 are you objecting to just a portion of it? I'm
12 not following.

13 MR. LEE: I'm objecting to a portion of --
14 it --

15 THE COURT: right.

16 MR. LEE: -- but --

17 THE COURT: And the portion that you are
18 objecting to is two-fold, one, that he almost
19 beat him to death, or words to that effect --

20 MR. LEE: Right.

21 THE COURT: -- and the other, that if the
22 cops hadn't shown up he'd be in the crab pot
23 feeding fish.

24 MR. LEE: Right.

25 THE COURT: Okay. And what I said was,

1 that I think as it relates to almost beating him
2 to death, that I think I would allow that in.

3 MR. LEE: Yes, sir.

4 THE COURT: But as it relates to the, if
5 the cops hadn't shown up, he'd be in a crab pot
6 feeding fish --

7 MR. LEE: Right.

8 THE COURT: -- that I think goes over the
9 top.

10 MR. LEE: Right, I do too. And if I could
11 make a suggestion, I don't know think -- I guess
12 I'm proving this, but if we started it at the
13 top, to at least put it in context as to why
14 he's calling or texting or whatever, if we start
15 at, "Dude, I'm so sorry to hear this," and then
16 stop after it says, "After I almost beat Corey
17 to death...his wife," I would propose that might
18 be a -- and then I wouldn't put anything -- I
19 would seek anything else under the rule of
20 completeness, if those first -- say from there
21 to there.

22 I would just offer that as a potential
23 compromise to just put the first, one, to, three
24 -- the first six statements, "Me, Justin, me,
25 Justin, me, Justin," and then stop at the word,

1 "like."

2 MS. KIDD: I really think that it should
3 all be in, with the exception, you know, I'm
4 starting to take issue with the 50 years, to be
5 honest, because I don't think that he's entitled
6 to it under Rule 106. It's saying that in
7 writing or statement is produced in part, he
8 never said the rule of completeness, whatever
9 the statement, should only come in when it's for
10 fairness to the defendant.

11 I don't see how the 50 years portion having
12 that come in is fair in any way. I think that
13 it's improper for the jury to hear.
14 Furthermore, I think that -- I disagree, I think
15 that all of the statements within are absolutely
16 probative, in the sense that they go towards his
17 state of mind the night of the incident. The
18 fact that this was a planned attack, and it is
19 something that -- it just didn't get out of
20 hand, it's something that he was prepared for it
21 to get out of hand, and I think it's proper for
22 a jury to hear it and consider it.

23 They're statements that he's making
24 against his own interest, and they're in keeping
25 with the crime. And the statements were made

1 that night about what happened, and that this
2 wasn't something that just got out of hand, this
3 was something that was very intentional, and --

4 THE COURT: All right. All right, well,
5 I'm allowing the one statement that he does --
6 I'm allowing the statement about beating him to
7 death, and I'm keeping the -- or almost beating
8 him to death. I'm keeping out the statement as
9 it relates to, "If the cops hadn't shown up,
10 he'd probably be in a crab pot feeding fish."

11 As it relates to the other matters that she
12 wants to let in, I'm gonna let the rest of it in
13 that she wants in. Your issue is now that you
14 want the 50 years in, or you don't want the 50
15 years in?

16 MR. LEE: Can I decide that when she puts
17 it up?

18 THE COURT: Yeah, I mean, you know, you can
19 mull over all of that. I'm inclined -- I'll
20 just tell you, I'm inclined not to let the 50
21 years get in. There's potentially other ways in
22 this trial that -- depending on who's called as
23 witnesses, and so, you know --

24 MR. LEE: Well, the codefendant's not
25 getting called, so I can't --

1 THE COURT: Well, I don't know if he is or
2 isn't.

3 MR. LEE: There's a lot of things --

4 MS. KIDD: Well, I'm not calling him. He's
5 not on my witness list, he's on your witness
6 list.

7 THE COURT: Well, that would be -- that
8 could be one way, if the codefendant was called.

9 MR. LEE: I understand, but reality is he's
10 not gonna testify.

11 THE COURT: Well, I mean you can certainly
12 think about it --

13 MR. LEE: Okay,

14 THE COURT: -- but I'm inclined not to
15 allow that testimony, but everything else I'm
16 gonna let in. There's a couple things she said
17 she was willing to redact. If you don't want
18 that -- if you want that redacted --

19 MR. LEE: Okay.

20 THE COURT: -- great, if you don't want it
21 redacted, that's fine too. You-all work that
22 out, but I am keeping the whole crab pot thing
23 out, because that -- I just -- I think that gets
24 -- I mean that gets into -- I mean he's charged
25 with assault and battery first, and that gets

1 into references about killing him, disposing of
2 a body, and things of this nature, which I just
3 don't think is -- I think that goes over the
4 top, and I think that the probative values
5 outweigh the prejudicial effect, as it relates
6 to that comment.

7 MR. LEE: Okay.

8 MS. KIDD: And so for clarity, am I to
9 understand that we should certainly make
10 redactions to the crab pot, but as far as the 50
11 years portion, take that up with Mr. Lee?

12 THE COURT: Yeah, let's just give that a
13 few minutes. It appears to me he's still
14 thinking about that.

15 MS. KIDD: Okay.

16 THE COURT: And so let's just wait a little
17 bit on that and see what we can do. It may be
18 that I still ultimately make a ruling on that,
19 but I am saying right now I think I would
20 probably lean against it, but you-all see if
21 you-all can work that out, Mr. Lee --

22 MR. LEE: Okay.

23 THE COURT: -- is that okay, Solicitor?

24 MS. KIDD: Yes, thank you, Your Honor.

25 THE COURT: We've got an --

1 MS. KIDD: I just wanted to make sure
2 everyone was --

3 THE COURT: No, no, no, I just want to make
4 sure we're on the same frequency, okay? All
5 right, what else, Mr. Lee?

6 MR. LEE: I think that gets us -- let's
7 see. I believe that gets us to the Jackson v.
8 Denno.

9 THE COURT: All right.

10 MR. LEE: And --

11 THE COURT: Before we do that, I do --

12 MS. KIDD: I'm sorry.

13 THE COURT: I do want you all to know the
14 jury has selected a Foreperson and has given
15 that to the Bailiff. The Foreperson is a Spring
16 Mcdade, Juror 215 is what I've got right here,
17 and I'm gonna hand this up to the Clerk, and we
18 can make this a Court's exhibit.

19 MR. LEE: I think that's fine with me.

20 MS. KIDD: The State agrees.

21 MR. LEE: I'm not gonna make a motion.

22 MS. KIDD: All right, well, I'm going to
23 make a motion to re-address Mr. Lee's motion
24 that he made this morning, the discussion of the
25 mention of drug use. This morning Your Honor

1 made a ruling saying that we're going to be
2 separating the marijuana charge.

3 THE COURT: Right.

4 MS. KIDD: And he also tried to exclude any
5 mention of his defendant -- client's drug use,
6 and I would also like to make a motion, that if
7 we're not going to be talking about drug use for
8 the Defendant, that drugs should not be brought
9 up at all during this trial, as it pertains to
10 any of my witnesses, or my victims, or any kind
11 of potential explanation for alternate reasons
12 or motives for this crime to have occurred.

13 THE COURT: So are we talking about drug
14 convictions that your people have, or are you
15 just talking about -- do you understand what I'm
16 saying? I'm trying -- are we talking about drug
17 convictions, as it relates to some type of
18 admission of that, or are we talking about just
19 trying to --

20 MS. KIDD: So essentially the reason that
21 these victims and this Defendant know each
22 other, they have a history of being business
23 partners in the drug trade.

24 THE COURT: I thought they were in the
25 tattoo business.

1 MS. KIDD: They are, and I believe part of
2 that, as well, is some drug dealing in that
3 world, and I just don't think it would be
4 appropriate to elicit any testimony from the
5 victim's drug use and prior drug trading
6 history, if we're gonna be severing the
7 Defendant's drug use. There's another theory --

8 THE COURT: Go ahead.

9 MS. KIDD: There's another theory that has
10 been circulated kind of under the surveys, that
11 this was motivated by revenge for a drug debt.
12 And so I don't want to convolute the issue at
13 hand, if we're not gonna be talking about drugs,
14 and talking about the Defendant's drug use, and
15 history in the drug trade, and I don't think it
16 would be proper to get into any kind of
17 allegations or testimony, that this was somehow
18 an attack that took place as it relates to some
19 kind of prior issues with them.

20 THE COURT: So you think that if we get
21 into some type of drug talk, drug vendetta, that
22 basically, if that's the case, then we need to
23 have the drugs in?

24 MS. KIDD: Quote, "You can't have your cake
25 and eat it too."

1 THE COURT: I've never heard that. All
2 right. So, Mr. Lee --

3 MS. KIDD: The case is not about drugs.
4 We've decided it's not about drugs.

5 MR. LEE: Yeah.

6 THE COURT: That was my understanding.

7 MR. LEE: Me too.

8 THE COURT: So let me hear from you, Mr.
9 Lee.

10 MR. LEE: That's why I didn't want the PWID
11 case being tried.

12 THE COURT: All right.

13 MR. LEE: I don't have any intention of
14 suggesting that my client's a drug dealer to
15 this jury.

16 THE COURT: Well, do you -- are you gonna
17 attempt to suggest that the Defendant is some
18 type of drug dealer, and that's why he's there,
19 and these types of things sir.

20 MR. LEE: Do you mean the victim?

21 THE COURT: I apologize.

22 MR. LEE: It's okay.

23 THE COURT: The victim, yes, sir.

24 MR. LEE: No.

25 THE COURT: All right, that's fine.

1 MS. KIDD: I just wanted it on the record,
2 Your Honor.

3 MR. LEE: No, but I think to open the door
4 to him -- I mean we've got enough things we've
5 got to worry about

6 THE COURT: To dance around.

7 MR. LEE: Right, with the --

8 THE COURT: I'm with you. Well, they just
9 wanted to know, fair enough, okay.

10 MR. LEE: But I think Mr. Smith had a drug
11 conviction for 2015, and that's the only mention
12 of drugs, I think.

13 MS. KIDD: Yeah, but it's for impeachment
14 purposes.

15 MR. LEE: Yeah.

16 MS. KIDD: But as far as the facts of this
17 case --

18 THE COURT: Right, you're talking about
19 arguing and these types of things that somehow
20 some drug deal is involved. You're not going
21 into that.

22 MR. LEE: It wouldn't be a defense anyway,
23 I mean --

24 THE COURT: All right.

25 MR. LEE: It will give them -- I'll stop

1 talking.

2 THE COURT: All right.

3 MR. LEE: We do not plan on doing that, no.

4 THE COURT: All right. Are we good there?

5 MR. LEE: Okay.

6 THE COURT: Great. What else?

7 Did you-all hear me about the -- we've got
8 a Foreperson?

9 MR. LEE: Yeah.

10 THE COURT: Okay, good.

11 (Court's Exhibit 3 was admitted into
12 evidence.)

13 THE COURT: So what else do we have, Mr.
14 Lee?

15 MR. LEE: I guess we've got a Jackson v.
16 Denno.

17 MS. KIDD: Yes, and can we make them --

18 THE COURT: Solicitor?

19 MS. KIDD: -- a separate issue, kind of
20 part and parcel with the motion that I just
21 phrased, to exclude any mention of drug use.
22 And in some of the Defendant's statement he
23 makes some comments about the victims, some
24 prior bad acts, and some prior things that I
25 intend to redact; and so that may be more

1 appropriate when we're going through the Jackson
2 v. Denno hearing, to kind of determine which
3 parts are and are not admissible, or we can hear
4 that now, but it might be better suited after
5 you've listened to the testimony.

6 THE COURT: Okay, let's listen to the
7 testimony, let's knock that out.

8 MR. LEE: Judge, I think just from -- I
9 don't know which portion it would go in, but he
10 gives a statement in Parnell's car at the scene,
11 and then moved him to a different car.

12 There's no officer there, but while he was
13 riding, and he's saying some things to himself,
14 and then the one at the -- later that night at
15 the jail, so that's chronologically how it goes,
16 in case you didn't know that.

17 MS. KIDD: And that fourth statement we
18 won't be getting into, because it was
19 exclusively drug related.

20 MR. LEE: All right.

21 MS. KIDD: So there will just be three
22 witnesses, and three statements.

23 THE COURT: All right. All right, I've got
24 some call logs, and two or three documents up
25 here, somebody needs to get those. I don't know

1 what those are.

2 MR. LEE: Your Honor, can I introduce the
3 cell phone log that I handed up to Your Honor,
4 regarding the Snapchat message between Josh
5 Smith and Justin Granet, since we didn't refer
6 to that, and I'd make that a Court's exhibit,
7 part and parcel of that motion.

8 THE COURT: I don't have any objection to
9 you making anything a Court exhibit, sir.
10 Solicitor?

11 MS. KIDD: I don't.

12 THE COURT: You don't have any objection to
13 him making that a Court exhibit, do you?

14 MS. KIDD: No objection. So --

15 (Court's Exhibits 1 - 3 admitted into
16 evidence.)

17 THE COURT: All right, Solicitor, yes,
18 ma'am?

19 MS. KIDD: When I mentioned we were having
20 some technical difficulties earlier, I did
21 provide Your Honor with a link to the statements
22 that we're planning to introduce. I was having
23 some difficulty in getting burned onto an actual
24 disk this afternoon.

25 Would it be all right if, for purposes of

1 the Jackson v. Denno hearing, we just went off
2 that link, and then I will have a disk burned.

3 THE COURT: However you want to do it, and
4 Mr. Lee agrees, then it's fine with me.

5 MS. KIDD: Okay. So we will have a
6 physical copy tomorrow for purposes of entering
7 it into evidence, if it is admitted here today.

8 THE COURT: Yes, ma'am.

9 (Court's Exhibit 4 admitted into evidence.)

10 MS. KIDD: The State would call Rhett
11 Parness --

12 THE COURT: Solicitor, before you start --

13 MS. KIDD: All right.

14 THE COURT: -- let me ask you one thing.

15 MS. KIDD: Yes.

16 THE COURT: The first video that I looked
17 at, it was like really dark, and I couldn't even
18 see anything. I could just hear things. Is
19 there any -- was there -- we'll get into this, I
20 guess he'll say, but I mean I wasn't looking at
21 that's the way it is.

22 MS. KIDD: Uh-huh.

23 THE COURT: All right.

24 MS. KIDD: It's in for audio.

25 THE COURT: All right, thank you, go ahead.

1 MS. KIDD: The State calls Rhett Parnell of
2 Beaufort County Sheriff's Office.

3 * * *

4 RHETT PARNELL

5 * * *

6 being first duly sworn, testifies as
7 follow:

8 THE COURT: Your witness.

9 ***

10 VOIR DIRE EXAMINATION BY MS. KIDD

11 BY MS. KIDD:

12 Q. Good afternoon. Can you please state
13 for the record where you work?

14 A. I work for the Beaufort County
15 Sheriff's Office.

16 Q. And how long have you worked there?

17 A. 21 years.

18 Q. And what is your current position?

19 A. Current position is as a Desk Sergeant.

20 Q. And what was your position on March
21 11th of 2019?

22 A. I was a Patrol supervisor.

23 Q. Did you have occasion to respond to 18
24 Chaplin Drive on March 11th of 2019?

25 A. I did, yes, ma'am.

1 Q. Is that in Beaufort County?

2 A. It is, yes, ma'am.

3 Q. And what did you respond there for?

4 A. So the Sheriff's Office initially
5 received a 911 hang up call. Prior to my
6 arrival, two officers had arrived, and they were
7 able to inform me of what they had, and as
8 supervisor I then went to that scene.

9 Q. And when you arrived on-scene, did you
10 make contact with the Defendant, Justin Granet?

11 A. Eventually, yes, ma'am.

12 Q. Where was he when you made contact with
13 him?

14 A. He was inside the house. We had pulled
15 him from inside the house outside, is where I
16 actually made contact with him from the front
17 porch.

18 Q. And so else was present at the time
19 when you came into contact with him?

20 A. So there were some other officers.
21 There was an Officer Ireland, an Officer Kline
22 and an Officer Guise.

23 Q. All right. When you came into contact
24 with him, was he in custody?

25 A. He was, yes, ma'am, we put him in

1 handcuffs.

2 Q. All right. Was he under arrest at that
3 time?

4 A. No, not at that time.

5 Q. Did you read him his rights?

6 A. I did, yes, ma'am.

7 Q. All right, and how did you read those
8 rights?

9 A. I read them off of a card.

10 Q. Okay. Did he indicate that he
11 understood?

12 A. He did, yes, ma'am.

13 Q. Did he indicate that he would speak
14 with you?

15 A. He did.

16 Q. All right, and did he seem to be under
17 the influence of any substance?

18 A. No, ma'am.

19 Q. Did he seem to have any kind of defects
20 that would affect his ability to understand?

21 A. Nothing that would affect his ability
22 to understand. He had a minor injury to his
23 cheek, and then later he complained that his
24 hand was injured.

25 Q. When you were speaking with him, did

1 you make any threats or promises?

2 A. No, ma'am.

3 Q. All right. Did he make any comments
4 prior to you reading his Miranda?

5 A. He did, he made a couple comments.

6 Q. Okay. Did you then stop --

7 A. I did --

8 Q. -- Okay.

9 A. I told him to stop, and then read him
10 Miranda.

11 Q. Did he ever ask for an attorney?

12 A. He did not.

13 Q. Okay. Were his responses -- did they
14 appear to be rational and appropriate?

15 A. They were, yes, ma'am.

16 Q. And did you make a record of those
17 statements?

18 A. I did, both with a documented incident
19 report, as well as a recording from the car
20 camera.

21 Q. And did you have the ability to review
22 that recording prior to --

23 A. I did --

24 Q. -- your testimony?

25 A. Yes, ma'am.

1 Q. Was that provided to you as a link from
2 my office?

3 A. Yes.

4 Q. Okay.

5 MS. KIDD: We're now going to seek to
6 publish the recording, Rhett Parnell's in-car
7 camera from the night of the incident, by way of
8 playing it off of my computer.

9 THE COURT: All right.

10 (Court's Exhibits 6 and 7 admitted into
11 evidence.)

12 MS. KIDD: For the sake of efficiency, we
13 are going to be starting this recording at 42
14 minutes and 20 seconds, which captures when
15 Officer Parnell came into contact with the
16 Defendant.

17 THE COURT: All right.

18 (Video being played for the Court.)

19 MS. KIDD: That is not the end of the
20 video, but it is the video, as it pertains to
21 statements made in the presence of Rhett
22 Parnell.

23 THE COURT: All right. Do you have any
24 other questions of this witness?

25 BY MS. KIDD:

1 Q. To the best of your knowledge, were all
2 of these statements given freely and
3 voluntarily?

4 A. Yes, ma'am.

5 Q. Thank you. No further questions from
6 the State. Please answer any questions the
7 defense may have.

8 MR. LEE: Just a few.

9 * * *

10 VOIR DIRE EXAMINATION BY MR. LEE

11 BY MR. LEE:

12 Q. Officer Parnell, you were the first
13 person that Justin had contact with when he came
14 out of the house, right, or when he came --
15 well, you dealt with him first, right?

16 A. Well, the first one to speak to him,
17 other than just escorting him out of the house,
18 yes.

19 Q. Okay, all right. And then you went
20 straight from leaving the house with him to your
21 car?

22	A. Correct.

23 Q. Okay, nothing in between you two?

24	A. No, sir.

25 Q. So we're talking, what, 30 seconds,

1 maybe like two minutes?

2 A. Yeah, roughly.

3 Q. Okay. So this statement that we heard
4 is minutes after the door's been kicked down,
5 and he's exited out, right?

6 A. That's correct.

7 Q. Okay. And you would agree, would you
8 not, that when you spoke to Mr. Granet that he
9 was cooperative, right?

10 A. I would agree, yes, sir.

11 Q. He actually started talking to you, and
12 you had to like, "Time out, let me read you some
13 Miranda before you --

14 A. That's correct.

15 Q. -- go forward, right? Okay, so he's
16 cooperative. Would you also agree he was
17 distraught?

18 A. I mean he did start to cry, so --

19 Q. Okay.

20 A. -- yeah, I would guess he was
21 distraught.

22 Q. Okay. And would you agree he seemed to
23 be sad, based on that?

24 A. He did.

25 Q. Okay. All right, in any way towards

1 you was he aggressive?

2 A. No, sir.

3 Q. Or combative?

4 A. No, sir.

5 Q. And then from your car he then was put
6 in Ireland's car; is that right?

7 A. I believe so.

8 Q. Okay.

9 A. Eventually, yeah, because he was
10 transported, yes.

11 Q. Okay, gotcha.

12 MR. LEE: Okay, no further questions,
13 Judge.

14 THE COURT: All right, thank you, sir, you
15 can step down. Have a great afternoon.

16 WITNESS: Thank you, sir.

17 THE COURT: All right, as it relates to
18 this statement, any argument, Mr. Lee?

19 MR. LEE: No, sir, I'll leave it to the
20 Court's discretion.

21 THE COURT: All right. Counsel?

22 MS. KIDD: No, we think it's all properly
23 admissible, it was a free and voluntarily
24 given --

25 THE COURT: Yeah.

1 MS. KIDD: -- statement, after he was
2 advised of his rights. We will submit that he
3 wasn't in custody, but all statements were
4 knowingly, intelligibly waived --

5 THE COURT: All right.

6 MS. KIDD: -- that it was properly
7 admissible.

8 THE COURT: All right, I think the State's
9 met its burden by a preponderance of the
10 evidence, and is shown by the totality of the
11 circumstances that this statement was
12 voluntarily and taken in compliance with
13 Miranda.

14 MR. LEE: And just for clarification, my
15 understanding is that Ms. Kidd is going to start
16 it where she started today, and she's going to
17 end it where he ended it today at trial; is that
18 right?

19 MS. KIDD: Yes, that is --

20 MR. LEE: Okay.

21 MS. KIDD: Those timestamps are the only --

22 MR. LEE: Gotcha.

23 MS. KIDD: -- time that he was in the
24 presence --

25 MR. LEE: Okay.

1 THE COURT: All right, as it relates to
2 that statement --

3 MR. LEE: Yes, sir.

4 THE COUET: -- I would find that they've
5 met their burden. I think it is --

6 MR. LEE: Yes, sir.

7 THE COUERT: -- admissible --

8 MR. LEE: Got it.

9 THE COURT: -- and that he waived his
10 rights. Let's take ten minutes, and then we'll
11 come back and work on these other statements,
12 okay?

13 (Recess.)

14 THE BAILIFF: All rise, the Court's back in
15 session.

16 THE COURT: All right, thank you, be
17 seated.

18 All right, Solicitor, are we ready to
19 continue with this Denno matter?

20 MS. KIDD: Yes, we are, Your Honor. The
21 State would now call Daniel Ireland to the
22 stand.

23 THE COURT: All right, and what video is
24 this one?

25 MS. KIDD: This is an in-car video from

1 Daniel Ireland. I had previously sent a --

2 THE COURT: Okay.

3 MS. KIDD: -- link.

4 THE COURT: All right, I don't know that
5 I've seen this one.

6 Okay, hey, sir.

7 * * *

8 DANIEL IRELAND

9 * * *

10 VOIR DIRE EXAMINATION BY MS. KIDD

11 BY MS. KIDD:

12 Q. Good afternoon, Deputy Ireland. Can
13 you please state for the record where you work?

14 A. The Beaufort County Sheriff's Office.

15 Q. And how long have you worked there?

16 A. On and off since 2017.

17 Q. And what is your position currently?

18 A. I'm a Road Deputy.

19 Q. And what was your position on March
20 11th of 2019?

21 A. A Road Deputy with B Team.

22 Q. Did you have occasion to respond to 18
23 Chaplin Drive on March 11th?

24 A. I did.

25 Q. And what did you respond for?

1 A. A 911 hangup phone call.

2 Q. All right. And when you arrived, did
3 you make contact with the Defendant, Justin
4 Granet?

5 A. Yes, eventually.

6 Q. Where was he when you made contact?

7 A. He was inside the house, coming out of
8 the house.

9 Q. Who else was present on-the-scene at
10 that time?

11 A. Sergeant Parnell, Corporal Kline and
12 Sergeant Guise.

13 Q. Did you come into contact with him one-
14 on-one at any point?

15 A. On the drive from the incident location
16 to Northern Investigations.

17 Q. All right. And at the time that you
18 were driving him, was he in custody?

19 A. He was.

20 Q. Was he under arrest at that time?

21 A. No, he wasn't.

22 Q. All right. Were you aware of whether
23 or not he had been read Miranda?

24 A. I was not aware at that time.

25 Q. Okay. When you had interactions with

1 him, did you ask him any questions?

2 A. I did ask him how the air conditioning
3 was in the back of the car or if he needed more
4 air. And then he asked me a question on the
5 way, and I didn't hear what the question was, so
6 I asked him to repeat the question.

7 Q. Did you ask him any questions in regard
8 to the incident that had transpired?

9 A. No.

10 Q. Okay. When you were interacting with
11 him, did he seem to be under the influence of
12 anything?

13 A. He did not.

14 Q. Did he seem to have any defects that
15 would affect his ability to understand his
16 interaction with you?

17 A. No.

18 Q. Okay. Did he seem to have any physical
19 injuries?

20 A. I don't recall remembering seeing that
21 when I got in the driver's seat.

22 Q. So did he end up making any statements
23 in your presence?

24 A. He did. There was -- he was very -- he
25 seemed upset, there was some crying, and then he

1 -- believe he kept saying, "I can't believe I
2 let him win." And then I recall something about
3 the female was a convicted felon, and I think he
4 said, "Lauren," and then the male was a
5 convicted felon from Tennessee.

6 Q. So when he was speaking to you, had you
7 made any threats or promises to him?

8 A. No.

9 Q. Did he ever ask you for an attorney?

10 A. No.

11 Q. To the best of your knowledge, were all
12 of his statements given in the car freely and
13 voluntarily --

14 A. Yeah.

15 Q. -- made?

16 A. Yes.

17 Q. Did you make a record of those
18 statements?

19 A. They're on my in-car body mic.

20 Q. And did you make a record of those in
21 your incident report?

22 A. Not the statements in the car.

23 Q. Okay. Did you have a chance to review
24 a copy of your in-car camera audio prior to your
25 testimony here today?

1 A. Yes.

2 Q. And did those fairly and accurately
3 reflect the statements that were made to you by
4 the Defendant?

5 A. Yes.

6 Q. Okay.

7 MS. KIDD: I'm now moving to enter the in-
8 car camera audio, the statements made while in
9 transport to BCSO. I am starting the recording
10 at 9:40, and that is the time when Deputy
11 Ireland came into contact with the Defendant.

12 (Video being played for the Court.)

13 MS. KIDD: I don't believe there is
14 anything further.

15 (Court's Exhibit 8 entered into evidence.)

16 THE COURT: All right. Any other questions
17 of this witness?

18 MS. KIDD: I have no further questions for
19 the witness.

20 BY MS. KIDD:

21 Q. Answer any questions the defense may
22 have.

23 THE COURT: Mr. Lee?

24 ***

25 VOIR DIRE EXAMINATION BY MR. LEE

1 BY MR. LEE:

2 Q. Deputy Ireland, what kind of car -- do
3 you have an Explorer or Charger, or do you
4 remember?

5 A. That's a Dodge Charger.

6 Q. A Dodge Charger? Thank you. And at
7 the beginning before you started driving, were
8 you in the car with him, or was he in the car
9 alone?

10 A. Before I started driving, he was in the
11 car by himself.

12 Q. Okay. And I'm just wondering about the
13 -- there's two different like audios coming in.
14 There's one that seems to be where whatever
15 you're doing, and then there's audio inside the
16 car; is that right?

17 A. Yeah, from my limited understanding of
18 technology, I believe my end -- my microphone
19 picks me up, and then what is picked up inside
20 the car at the same time.

21 Q. Okay, that makes sense. I mean is
22 there any way to take out that background noise
23 to -- when you're talking with other officers
24 and stuff, and just have his?

25 A. I'm unaware of there is a way to do

1 that.

2 Q. okay. All right, so during the at
3 least, I don't know, first 14 minutes or so when
4 he's crying, and stuff like that, and saying
5 stuff, nobody's in the car with him, right?

6 A. Correct.

7 Q. Okay, there weren't any questions that
8 were directed to him at that point, right?

9 A. Correct.

10 Q. Okay.

11 THE COURT: Anything else?

12 BY MR. LEE:

13 Q. And was he in the backseat or front
14 seat?

15 A. Backseat.

16 Q. Okay.

17 MR. LEE: Nothing else, Your Honor.

18 THE COURT: Anything else, Solicitor?

19 MS. KIDD: Nothing further for this
20 witness.

21 THE COURT: All right, thank you. Thank
22 you so much, sir.

23 WITNESS: Yes, sir, thank you.

24 THE COURT: All right, anybody got any
25 arguments they want to present to the Court on

1 any of the video?

2 MR. LEE: I don't.

3 THE COURT: All right.

4 MS. KIDD: I just do want to quickly -- and
5 this is something that I will be getting into
6 more. The next statement is a little clearer
7 statement. We will not be playing any portions
8 of the video or go into any bad acts on behalf
9 of the other witnesses or victims, and so we
10 would not be publishing the portion.

11 At the end there, we just heard -- whether
12 Defendant is making statements about the
13 victim's prior felonies, I think that it's bad
14 character evidence, it is not going towards
15 credibility in any way, and we don't think that
16 it should come in, and I just wanted for the
17 record to reflect that we would not be
18 publishing that portion.

19 THE COURT: I think that's appropriate.

20 MR. LEE: Yes.

21 THE COURT: All right. All right, and
22 regarding the second statement or video that
23 I've watched, and I think the State has met its
24 burden by preponderance of the evidence, that is
25 shown by the totality of the circumstances that

1 the statement was voluntarily, and, of course,
2 was taken in compliance with Miranda, which was
3 administered, or his rights were given to him
4 some few moments before he was placed into the
5 squad car.

6 All right? Yes, ma'am.

7 MS. KIDD: Thank you, Your Honor. Thank
8 you for your patience. We have one final
9 witness. The State calls Jeremiah Fraser to the
10 stand.

11 * * *

12 JEREMIAH FRASER

13 * * *

14 being first duly sworn, testified as
15 follows:

16 WITNESS: Good afternoon, Judge.

17 THE COURT: Hey, sir. Is this the
18 statement that was at the Police Headquarters?

19 MS. KIDD: This is the one.

20 THE COURT: All right, I've reviewed almost
21 all of that one, go right ahead.

22 MS. KIDD: All right.

23 * * *

24 VOIR DIRE EXAMINATION BY MS. KIDD

25 BY MS. KIDD:

1 Q. Mr. Fraser, where do you work?

2 A. The Beaufort County Sheriff's Office.

3 Q. And how long have you worked there?

4 A. About 21 years.

5 Q. And what position do you hold?

6 A. Currently Commander of the Violent
7 Crimes Taskforce. In 2019 I was the supervising
8 officer for Northern Investigations.

9 Q. All right. And did you meet with the
10 Defendant, Justin Granet, on March 11th, 2019?

11 A. I did.

12 Q. And where was he at that time?

13 A. We had him brought to Northern
14 Investigations for an interview.

15 Q. And when you met with him was anyone
16 else present at that time?

17 A. I had Sergeant Duhamel with me.

18 Q. And was the Defendant in custody at
19 that time?

20 A. He was in custody. I do not believe he
21 was under arrest at that time.

22 Q. Okay. Did you make him aware of the
23 nature of this investigation?

24 A. I did, yes.

25 Q. And did you Mirandize him?

1 A. I did.

2 Q. And how did you advise him of his
3 rights?

4 A. Utilizing a standard BCSO form.

5 Q. Okay. Did he acknowledge he understood
6 his rights?

7 A. He did.

8 Q. And how did he acknowledge that?

9 A. As I went through the rights with him,
10 which we video-recorded, at the end of it he
11 stated he understood.

12 Q. Okay, so verbally?

13 A. Yup. Yes, ma'am.

14 Q. He did not sign the form?

15 A. I don't think he did.

16 Q. Okay.

17 A. He was -- he had his hands cuffed
18 behind his back.

19 Q. Did you speak with him prior to Miranda
20 being read?

21 A. I don't think I did.

22 Q. Okay.

23 A. I think I went straight into it when I
24 came in the room.

25 Q. Okay. And so did he acknowledge that

1 he understood his rights?

2 A. He did.

3 Q. Did he seem to be an adult?

4 A. Yes, ma'am.

5 Q. Did he seem to be under the influence
6 of anything?

7 A. No.

8 THE COURT: Did he seem to be what? What
9 was your first question?

10 MS. KIDD: An adult.

11 THE COURT: As --

12 MS. KIDD: An adult.

13 THE COURT: An adult?

14 MS. KIDD: Yeah.

15 THE COURT: Okay, go --

16 MS. KIDD: I'm trying to get to age here.

17 MS. LEE: Well --

18 THE COURT: All right, go right ahead, I'm
19 sorry.

20 MS. KIDD: I believe he knew his exact age,
21 but he did appear to be young.

22 THE COURT: That's okay.

23 BY MS. KIDD:

24 Q. Did he seem to have any defects that
25 would affect his ability to understand what was

1 going on?

2 A. No, ma'am.

3 Q. Did you make any threats or promises to
4 him?

5 A. No, ma'am.

6 Q. Did he indicate he wished to speak to
7 you?

8 A. He did.

9 Q. Did he ever ask for an attorney?

10 A. He did not.

11 Q. Did you make any threats or promises?

12 A. No, ma'am.

13 Q. And to the best of your knowledge, was
14 his statement freely and voluntarily given?

15 A. Yes, ma'am.

16 Q. And was he responding rationally and
17 appropriately to your questions?

18 A. He was.

19 Q. Did you make a record of those
20 statements?

21 A. I did. It was memorialized by
22 Investigator Duhamel in writing, and the video
23 recording of the interview was entered into
24 evidence.

25 Q. I'm now going to show you what I will

1 mark as Court's Exhibits.

2 MS. KIDD: Let's see where we are, three?

3 COURT REPORTER: Five.

4 MS. KIDD: Five?

5 BY MS. KIDD:

6 Q. Okay, Court's Exhibit 5, if you could
7 please take a look at it and tell me if you
8 recognize it?

9 A. Yes, ma'am, this is the copy of the
10 recording.

11 Q. Okay.

12 A. My initials are on it. I reviewed it
13 earlier.

14 Q. And you had a chance to review it prior
15 to your testimony here today?

16 A. Yes, ma'am.

17 Q. And does it fairly and accurately
18 represent the conversation you had with the
19 Defendant on the 11th of March?

20 A. Yes, ma'am.

21 Q. All right.

22 MS. KIDD: I'm now going to publish what
23 has been marked as Court's Exhibit Number 5,
24 which is the statement of the Defendant given at
25 BCSO. And prior to doing that, I'm also going

1 to pass up what I will mark as Court's
2 Exhibits --

3 COURT REPORTER: Six.

4 MS. KIDD: Six. If you could please just -
5 - it's two pages, but do I need to do two
6 separate exhibits? And since it's two pages, do
7 you need to make it two exhibits, or can I just
8 turn it --

9 COURT REPORTER: No, go ahead and mark
10 them.

11 MS. KIDD: Just make it one exhibit?

12 COURT REPORTER: Yes.

13 BY MS. KIDD:

14 Q. Do you recognize this?

15 A. I do.

16 Q. And what is it?

17 A. The first page is the Miranda warning I
18 used to read to Mr. Granet on March the 11th,
19 signed at 22:51 hours, witnessed by Sergeant
20 Duhamel.

21 The second is the Beaufort County Sheriff's
22 Office standard search for DNA evidence form,
23 which we went through Mr. Granet. He signed
24 this particular form the same day at 23:30
25 hours.

1 Q. Okay.

2 A. I'm sorry, he didn't sign it, he was
3 still handcuffed. I signed it as did Sergeant
4 Duhamel.

5 Q. And is all of this captured on
6 audio/video recording?

7 A. It was.

8 Q. Okay, all right.

9 MS. KIDD: At this time I will publish the
10 statement. Well, I seem to be having some
11 technical difficulties.

12 (Video being played for the Court.)

13 MS. KIDD: And that's the end of the
14 portion I believe that both parties have
15 stipulated. That anything after that is unfair,
16 prejudicial and prior bad acts, and we're not
17 seeking to admit that.

18 THE COURT: Mr. Lee, is that correct?

19 MR. LEE: That's correct, Your Honor.

20 THE COURT: All right, any other questions
21 of this witness from the State?

22 MS. KIDD: No further questions for this
23 witness.

24 THE COURT: Mr. Lee?

25 MR. LEE: No, sir.

1 THE COURT: All right, has anybody got
2 anything they want to tell me, Mr. Lee, about
3 the video?

4 MR. LEE: Your Honor, you know, the video
5 is what it is. The only thing I would raise of
6 concern is, I believe the comment about what he
7 told Corey Eckles to think he was on his side,
8 the very graphic explanation about hooking up
9 with a hot girl, and that sort of thing. I
10 would just ask you to consider redacting that
11 portion of it. It's not necessary. Still to
12 play the part where he said, "I let Corey think
13 I was still -- didn't know on the side," or
14 whatever, but, obviously, have them put that --

15 THE COURT: All right.

16 MR. LEE: -- graphic statement in.

17 THE COURT: Well, let me do this, or what I
18 will say is right now I'll say that the State's
19 met its burden of proof by preponderance of the
20 evidence, showing the totality of the
21 circumstances, the statement was voluntarily,
22 and knowingly waived his rights, and it was all
23 done in compliance with Miranda.

24 So as it relates to the statement itself, I
25 agree that the statement as a whole -- now, what

1 you're asking me to do I think concerns some
2 comments he made about the type of sex, and then
3 also comments about -- that followed right after
4 that -- either right before or right after.

5 MR. LEE: Yes.

6 THE COURT: Those are the comments that you
7 are thinking are unduly prejudicial?

8 MR. LEE: Yes, sir. I mean I don't have
9 any issue, if she keeps in the part about he
10 said something about, "I'll let Corey still
11 think that I didn't know about it, or still --

12 THE COURT: Well --

13 MR. LEE: Okay.

14 THE COURT: All right. Let me hear from
15 you on that, Solicitor.

16 MS. KIDD: Thank you, Your Honor, and I
17 understand why the defense wants this out, but
18 the State's position that it is probative of the
19 fact that he was being manipulative --

20 THE COURT: It's probative that he was
21 what?

22 MS. KIDD: Of the fact that he was being
23 manipulative in doing what he needed to do, in
24 order to lure this victim here under false
25 pretenses. It is graphic, but I do think it's

1 necessary to show--

2 THE COURT: All right.

3 MS. KIDD: -- the lengths he's willing to
4 go --

5 THE COURT: All right.

6 MS. KIDD: -- to get these victims --

7 THE COURT: All right, I think that as it
8 relates to the hot girl, I would allow the hot
9 girl comment in. And he basically says that he
10 was doing this to trick him or make him think
11 he's on his side.

12 MS. KIDD: Uh-huh.

13 THE COURT: I think that's fine, but I
14 think it could be edited, such that the comment
15 about making the wife -- or making somebody come
16 home, and lick, or this and that, that can come
17 out, and I think that the comments to anal sex
18 and bleeding, that can come out, but I think
19 that the language and what it follows about
20 trying to make him still be on the side, I think
21 it can be edited to clearly show that.

22 Because I do think it's probative as it
23 relates to the fact that he wanted this
24 gentleman to think he was on his side, I'm with
25 you on that, and I think it could be edited in

1 such a way that it clearly shows that with --
2 and the hot girl I don't have a problem with,
3 but the comment about his genitalia, and things
4 of this nature, and the comment about the anal
5 sex and bleeding, that --

6 MS. KIDD: Is it okay if I pass up a
7 transcription and you can --

8 THE COURT: Sure.

9 MS. KIDD: -- and you can just tell me the
10 parts that are appropriate and not appropriate?

11 THE COURT: Sure.

12 MS. KIDD: I just want to make sure we're
13 all on the same page.

14 THE COURT: That's fine.

15 MS. KIDD: They're not, you know, Court
16 certified.

17 MR. LEE: Sure.

18 MS. KIDD: Okay. It would be the very last
19 bullet here.

20 THE COURT: Than you.

21 MS. KIDD: And can Jeremiah Fraser be
22 excused?

23 THE COURT: Oh, yeah.

24 MS. KIDD: Thank you, Your Honor.

25 THE COURT: Thanks a lot, sir.

1 MR. FRASER: No problem, Judge.

2 THE COURT: All right. Perhaps it's a
3 little more complicated than I thought as it
4 relates to the editing, and so what I would say
5 is this, clearly, at 1424, which is at the
6 bottom of the first page, "Now I did say some
7 messed up thing to make him think I was mad at
8 my wife, and that I had no idea he was guilty,
9 so just know that." I think that is absolutely
10 appropriate, and I think that falls in line with
11 your theory, Solicitor.

12 Now we go to the top of the second page, "I
13 said, hey, man, my boys took me out last night
14 and then I blank date, hot girl, for lack of
15 better words." I think I'm just gonna -- you
16 know, I think if we just put in, "Hey, I said,
17 hey, man, my boys took me out last night," I
18 mean I don't know how you want this transition.
19 I will tell you -- I'm just gonna tell you right
20 now, I think that I F'd a hot AB and came home
21 and grabbed my wife by the hair, and made her S
22 my PJ off my D," that just isn't coming in.

23 I don't think that -- I mean -- and the
24 comment about, "I F'd her until she bled,"
25 that's out. I just think that's -- I don't

1 think that adds a lot. I think most everything
2 you've got, as far as him trying to set him up,
3 the majority of that's coming right there at
4 1424.

5 I mean if you want to include, Solicitor,
6 "I said, hey, man, my boys took me out last
7 night," if that's gonna allow for some better
8 transition into the rest of this text, I will
9 allow it. I don't think the demonic side needs
10 -- it just doesn't -- I think you make your
11 point with 1424. If you want to keep in, "I
12 said, hey, man, my boys took me out last night,"
13 if you want to keep that in to try to make some
14 type of transition a little smoother, you can
15 keep it in.

16 Everything else right there until bled
17 needs to come out. I don't think that the -- I
18 think the prejudicial effect outweighs the
19 probative value in this matter, and I think that
20 what you want to prove, quite frankly, really
21 comes from the 1424 comment. That'll be my
22 ruling as it relates to that.

23 MS. KIDD: Thank you, Your Honor, and I
24 would just like in the last statement -- I just
25 want to make sure that we're on the same page,

1 that I am planning to redact.

2 Again, these statements go more towards my
3 victim's character. There is a portion that it
4 happened, he worked there, his ex-wife owned it,
5 he's a tattoo artist there, and he screwed
6 enough people there, robbed them for money. I
7 think that that goes towards the victim's
8 character. Bad character, and it's
9 inappropriate for the jury to consider, and I do
10 intend to redact that portion.

11 MR. LEE: Okay.

12 MS. KIDD: Okay. The next portion --

13 THE COURT: Hold on one second. Hold on
14 one second.

15 (Interruption in the proceedings.)

16 THE COURT: I'm sorry, go ahead.

17 MR. LEE: If I can respond too? I'm sorry,
18 Your Honor. I think that it should be
19 admissible, and while it may go to a trait of
20 character, I think the fact that under 405 and
21 404, 405B says, "A case in which a trait of
22 character of a person is the element of the
23 charge claimed by the defense.

24 And I think what's going to come out, and
25 what has come out, is that part of the defense

1 is that this Corey guy set this whole thing up,
2 set the wheels in motion, and he kept saying, "I
3 can't believe I F-ed up."

4 So I need to -- I know that needs some
5 development there, but, you know, and 404 as
6 well, character of the victim, 404A too. It's a
7 pertinent trait of the character of the victim
8 of a crime offered by an accused. And I think
9 certainly that believability, credibility, that
10 this was some type of scam that he pulled on Mr.
11 Granet.

12 I think these things are, you know, at
13 least would show what was in his mind, and show
14 that it goes right in line with that. I mean
15 both of them, Lauren and Corey have convictions
16 for forgery and theft, and I think it's coming
17 in. So it's not like, you know, they're gonna
18 be painted as being lily white anyway, and
19 having no issues, problems, or character issues,
20 it's coming in, as to their truthfulness, as
21 well as a few other things.

22 So I understand your concern about it, but,
23 you know, I think that you, you know, that -- I
24 think that the scale you have to weigh it on is
25 a lot different, if it is an accused trying to

1 get in a victim, rather than trying to get in
2 something against the Defendant, and, generally,
3 the rules are written more to the Defendant's
4 right to a fair trial. And so I think the
5 standard's a lot higher, if it's used to try to
6 get it in for a Defendant. And that is part of
7 our -- what we're planning right now, that this
8 guy was a scam artist, was a con artist. He
9 scammed plenty of people before, had scammed
10 Justin's wife. And so I think that in saying
11 that, now, the other thing that it also could be
12 relevant to is -- as you know, the police
13 investigation's always relevant. And we
14 certainly, I believe, could use it to cross-
15 examine the officers, as to whether or not they
16 looked into these things that Justin said
17 regarding the shady part of his past. And I
18 think that at least for that purpose it
19 certainly could come into point out on cross-
20 examination the investigation, and I don't
21 believe that there's been any investigation
22 whatsoever, as to the veracity of the past of
23 Corey Eckles and Lauren's.

24 So I think for a variety of reasons that is
25 appropriate. I mean for what it's worth, I mean

1 if the jury believes that Justin's telling the
2 truth, that's fine, you know, I think they'd
3 probably need more than that, which we believe
4 we can point out it wasn't investigated, or we
5 can provide proof that they, in fact, have other
6 scams and cheated people.

7 THE COURT: All right, Solicitor?

8 MS. KIDD: Thank you, Your Honor. Yes, it
9 is true the Defendant can offer evidence
10 pertinent to character trait, and it should not
11 be on the State to enter in that evidence. If
12 they would like to put up a case, or if they
13 would like to question witnesses, that would be
14 the appropriate way to get into character
15 evidence, as it pertains to veracity.

16 I think that this would be to show
17 propensity based on rumors. The standard here
18 for prior bad acts, it's clear and convincing
19 evidence, and if the victims are questioned
20 about this, there cannot be any collateral
21 mention, where the defense would be able to
22 bring any kind of extrinsic evidence, to prove
23 whether or not this actually happened. I think
24 that in some ways this is just the defense
25 trying to get away without having to put forward

1 a case and put forth testimony. I don't believe
2 that it's appropriate that the State would have
3 to enter that.

4 If the defense wants to get into issues of
5 veracity, that's more appropriate to do it under
6 cross-examination.

7 MR. LEE: Judge, I don't need to be told
8 what the rule contemplates. The burden
9 shifting, forcing the Defendant to present the
10 case, in order to get this in. They're putting
11 the video in. They asked the questions, they
12 video-recorded it.

13 They brought it to you trying to get it in,
14 so I think that's a misreading of the statute.
15 I don't think it has to be something that you
16 bring in your defense case-in-chief. We want to
17 bring it in because it's on the video. And it's
18 not their video, it's evidence of the case.

19 MS. KIDD: And, Your Honor, I would just
20 state that these are just rumors, and it is
21 certainly appropriate on cross-examination.

22 MS. LEE: If it's not investigated by the
23 police, what would it really prove, Your Honor?
24 And that's what would make a lot of what we're
25 using moving forward is, to impeach the police

1 investigation, because it wasn't investigated,
2 as far as I know, even though he brought it to
3 their attention that night.

4 THE COURT: All right, hold on. All right,
5 so what -- I mean, generally, I would think that
6 it's not. "Evidence of a person's character,
7 trait of character is not admissible for the
8 purpose of proving action, and conforming
9 therewith on a particular," and then, of course,
10 we go in, and you're talking about these other
11 crimes or acts under B, correct?

12 MR. LEE: Well, the ones they're talking
13 about, 404A2, pertinent trait of character.

14 THE COURT: Right. Okay, evidence of a
15 pertinent trait of character of the victim
16 offered by an accused.

17 So you're saying that the character trait
18 is what? The fact that he says that he's a
19 swindler?

20 MR. LEE: It's something like that. I mean
21 even --

22 THE COURT: So one person says it, and that
23 just throws it out there? I mean --

24 MR. LEE: No, I mean even --

25 THE COURT: That --

1 MR. LEE: -- according to their theory and
2 their text, he's trying to -- their story is,
3 that he was blackmailing Sally. Well, that's
4 evidence out there, that's not just one person
5 saying that.

6 There is -- I don't know how much it takes,
7 but it just says offered by an accused. I mean
8 a pertinent trait of character of the victim.
9 And if telling the truth and being a con artist
10 -- that certainly is pertinent.

11 THE COURT: All right, I'm gonna think
12 about that one.

13 MR. LEE: All right.

14 THE COURT: Anything else?

15 MS. KIDD: Your Honor, I will just say it's
16 a collateral issue. I have some case law that I
17 can pass up --

18 THE COURT: Sure.

19 You-all can send me anything you want this
20 evening.

21 MS. KIDD: All right.

22 MR. LEE: And just add, it also, I believe,
23 is will also be offered to impeach the police
24 investigation. If they were provided
25 information, or even if it was a rumor or

1 whatever, it was never investigated, as far as I
2 know. And so I think for that purpose, it's
3 admissible as well.

4 THE COURT: All right, well you-all send me
5 whatever you want. I'm gonna have to think
6 about that.

7 MS. KIDD: All right. So that's under
8 advisement.

9 The next portion a little further down it
10 goes to the same line. "I've been wanting to
11 get into doing tattoos on the side. I bought
12 tattoo equipment from him, it turns out a lot of
13 it was stolen, and I had to send it back to him,
14 because there was an investigator looking into
15 it." Same kind of issue, I assume you want to
16 take that under advisement as well.

17 Getting into a little further down, at
18 2056, "I know -- da, da, da, da, da, "she went
19 to prison and she got out on parole. They got
20 married. They couldn't be around each other,
21 unless they got married. She's on parole now in
22 Tennessee, not supposed to have left the State.
23 He's a 13 time felon." This is kind of
24 duplicative, as the previous statement that was
25 made in Daniel Ireland's car, that the defense

1 indicated they had no objection to being
2 redacted. So has that changed?

3 MR. LEE: No. But I mean when we look at
4 everything, I do think that it's --

5 THE COURT: All right.

6 MR. LEE: -- part of a trait.

7 THE COURT: You-all send me whatever you
8 want. Let's meet here at 9 o'clock.

9 MR. LEE: Okay.

10 THE COURT: You know, it's 5:30, and now
11 you're all bringing these issues up. Now, I say
12 you-all, I'm not blaming anybody, but I can't --
13 now is not the time for me to start thinking
14 about these issues at 5:30. No offense to
15 either one of you, and --

16 MS. KIDD: Those redactions are needed
17 before we present it to the jury.

18 THE COURT: Well, I understand, but I mean
19 I'm not gonna be able to make these decisions --

20 MS. KIDD: I understand.

21 THE COURT: -- right now, I just can't do
22 it. I'm not being fair to the State, and I'm
23 not being fair to the Defendant having to sit
24 back and think about these matters.

25 I just don't think it's fair for each party

1 for me now at 5:30 to be considering this. What
2 other matters?

3 MS. KIDD: It's really just, at this point,
4 trying to clear up the portions that the defense
5 objects to --

6 THE COURT: All right.

7 MS. KIDD: -- redacting.

8 THE COURT: Well, what I want to do is
9 this, how about you-all look at it, see what, if
10 anything you-all can agree on, and if you can't
11 agree to things, then send me something, so I
12 can then look at it.

13 We'll meet back at 9 o'clock and I'll rule,
14 okay? I didn't mean to cut you off, Mr. Lee.

15 MR. LEE: I'm not gonna agree to sanitize
16 it at all.

17 THE COURT: Okay, well, that's fine.

18 MR. LEE: And I'm just --

19 THE COURT: And just --

20 MR. LEE: I'd love to, but I mean --

21 THE COURT: And the reason is what again?
22 Give me that same argument one more time.

23 MR. LEE: Because I think that under 404A,
24 the character of the victim, that it is a
25 pertinent trait of character of the victim.

1 THE COURT: Okay.

2 MR. LEE: But also the specific facts that
3 are gonna come out of this case. I mean he --

4 THE COURT: Okay.

5 MR. LEE: -- says it first thing, "I can't
6 believe he -- I let him win." I mean that is
7 certainly a pertinent trait of the victim. It's
8 offered by the accused -- not only offered by
9 the accused, but offered as part of his defense,
10 number one, so I certainly think it's pertinent
11 in that regard.

12 I also think that it is admissible because
13 I don't -- how am I supposed to get it in to
14 cross-examine the investigating officers saying,
15 "You were provided certain things. You don't
16 know whether it's true or not.

17 Your job as an investigator is to
18 investigate things, and if you're given
19 evidence, whatever, some defendant or some bum
20 on the side of the road, if you're given
21 potential leads and potential important things
22 about a case, and you don't investigate them,"
23 that's part of our defense is --

24 THE COURT: All right.

25 MR. LEE: -- the reasonable doubt and the

1 investigation was not complete, that he's not
2 gonna be given a fully fair shot at this,
3 through no reason of his own.

4 THE COURT: All right. You-all give me
5 that information, and we'll meet back here at 9
6 o'clock tomorrow; is that okay, Kymberlee?

7 COURT REPORTER: Yes, sir.

8 THE COURT: All right, great. Thank you-
9 all.

10 MR. LEE: Thank you.

11 MS. KIDD: Oh, and, Your Honor, I'm so
12 sorry, before we leave, we did get copies, if I
13 could enter these in as Court's exhibits really
14 quickly --

15 THE COURT: Sure.

16 MS. KIDD: -- for what we just listened to,
17 for Ireland and Parnell.

18 THE COURT: That's fine.

19 (At 5:46 p.m. the proceedings were
20 continued until the following day without
21 interruption.)

22 ***

23 END OF VOLUME I

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE GENERAL SESSIONS COURT
FOR THE 14th JUDICIAL CIRCUIT
2022-GS-07-01822, -478,
-479, -561, -562

State of South Carolina,

Plaintiff,

vs.

Justin Brodie Granet,

TRANSCRIPT OF JURY TRIAL
VOLUME II
PAGES 178 - 443

Defendant.

February 14, 2023
Beaufort, South Carolina

B E F O R E:

The Honorable Robert J. Bonds, Judge Presiding

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PROCEEDINGS CONTINUED

TUESDAY, FEBRUARY 14, 2023

BEAUFORT, SOUTH CAROLINA

(The following proceedings were heard in open court. All parties were present.)

BAILIFF: All rise, this Court is in session with the Honorable Judge Robert Bonds presiding.

THE COURT: All right counsel, good morning, Mr. Lee, Solicitor. Yesterday when we broke, I want everybody to know that, and I think most of you do, I consider myself to be a morning person and not an afternoon person or an evening person, I'm absolutely not a night person, and so to that extent, I just want to -- and I think you know that, and so when it's 5:30 and I'm sitting here and legitimate issues are being brought before me that, in my opinion, deserve deliberate and careful consideration, it's something that I just don't think is fair to finish and make that decision.

I don't think it's fair to the State and I don't think it's fair to Mr. Granet, and so

1 that's why I went ahead and broke. And so I
2 will also tell you, I went home and did nothing
3 but think about this issue, and was borrowing
4 books from Judge Buckner's office, old office,
5 my office, today, this morning to just try to
6 get a better idea of this situation.

7 On the way in my clerk called me and
8 indicated that he had received a message or an
9 email from you, Mr. Lee?

10 MR. LEE: That's correct, Your Honor.

11 THE COURT: All right, in that email you
12 were gonna withdraw your objections to what the
13 State wanted to do?

14 MR. LEE: Yes sir, the --

15 THE COURT: The redactions?

16 MR. LEE: -- redactions that she forwarded
17 to all of us. I looked at them and did some
18 research myself. I don't necessarily agree with
19 what she sent me, but in the grand scheme of
20 things, we've decided to withdraw our objections
21 to her redacting those portions of the victim
22 statement.

23 THE COURT: All right, thank you.

24 And the next thing that I was gonna also
25 say is that, Solicitor, I know that yesterday

1 you were making a point about your IT in the
2 video. I would never, ever jam you up like
3 that, and so if there were gonna be changes that
4 need to be made, we could have the jury come in,
5 we could call a witness or two, we could take a
6 break.

7 I would never do that to not allow somebody
8 time to fix that, and so I just want to put that
9 on the record and make sure -- I think you knew
10 that was my intention yesterday, but I wanted to
11 put that on the record.

12 So let me ask you this, are there any
13 matters then -- have you seen the redacted
14 version that they want to submit, Mr. Lee?

15 MR. LEE: No, I've just kind of --

16 THE COURT: Do you want to look at it
17 before we begin, or how -- you don't have it?

18 MS. KIDD: Your Honor, that's my whole
19 point. I needed to know before I --

20 THE COURT: You know now.

21 MS. KIDD: -- try to make the redactions,
22 because it's quite the time-consuming process.

23 THE COURT: All right, so we can start, and
24 you-all can make those redactions?

25 MS. KIDD: Yes. We're actually sending an

1 email right now, someone in our office is
2 getting it handled.

3 THE COURT: Awesome. Okay.

4 MS. KIDD: I wish I had it all ready.

5 THE COURT: That's fine, and then if we
6 need to see it, we can see it. Whatever you
7 want, Mr. Lee. All right.

8 Are there any other matters we need to take
9 up before we bring the jury in? I also want to
10 let you-all know that it is my intention to
11 break court early today. I was here last year
12 for Valentine's Day, and I told the jurors that
13 I would see them at the CVS store in the card
14 and candy section, but I wouldn't be able to
15 speak to them. And so this year I think it's
16 the same.

17 So it would be my intention to probably try
18 to break around 4:30 today to give everybody
19 adequate time to get home, or whatever they need
20 to do, as it relates to kids and significant
21 others, and so forth. So that would be my
22 intention.

23 Anything else we need to discuss before we
24 get the jury in here? We've got plenty of time.

25 MS. KIDD: I don't believe that there's

1 anything else from the State. We'd be ready to
2 start whenever the jury walks in.

3 THE COURT: Mr. Lee?

4 MR. LEE: We're ready as well, Your Honor.

5 THE COURT: All right, well, then in that
6 case what we'll do is, we'll wait, we'll be at
7 ease, and we'll wait for the Jury. Okay?

8 All right. Thank you.

9 (Recess.)

10 ***

11 PROCEEDINGS CONTINUED

12 THE COURT: All right, Mr. Lee, was there
13 something that you wanted to discuss?

14 MR. LEE: Yes sir. After speaking during
15 the break, we need I think a little bit of
16 clarification on one issue, and we wanted to try
17 to get it before the Jury came in, and it
18 involves the Snapchat between Josh Smith and
19 Justin Granet. I'm a little confused as to what
20 the final ruling was going to be. That was the
21 question about the --

22 THE COURT: The salty language.

23 MR. LEE: Yes, sir.

24 THE COURT: Salty language?

25 MR. LEE: Well, that was the one about the

1 crab pot.

2 MS. KIDD: These, Your Honor.

3 THE COURT: Uh-huh.

4 MR. LEE: Would you like to see them again?

5 THE COURT: Sure.

6 MS. KIDD: Okay.

7 MR. LEE: And you said the part about the
8 crab pot feeding the fish, you said that's out,
9 and --

10 MS. KIDD: And we would like to take the 50
11 years out, please.

12 MR. LEE: So my --

13 THE COURT: That's correct.

14 MR. LEE: So what I understood and my
15 suggestion was to stop it, where it -- after it
16 said, "I almost beat Corey to death for f'ing my
17 wife." I suggested that we would like to stop
18 there and have everything else redacted for the
19 State and for the defense as we discussed.

20 THE COURT: Didn't we have this in a
21 question and answer?

22 Was this in something you --

23 MS. KIDD: Your Honor --

24 THE COURT: -- Typed up?

25 MS. KIDD: -- it's the version that he

1 submitted.

2 MR. LEE: I typed it up.

3 MS. KIDD: He's typed it.

4 THE COURT: Okay, did I see that
5 yesterday?

6 MR. LEE: Yes, sir, I passed that up
7 yesterday. This is -- that's added notes on it,
8 but that is a copy of what I handed up
9 yesterday.

10 THE COURT: I'll ignore your notes.

11 All right, Solicitor, so what did you want
12 it to read?

13 MS. KIDD: I --

14 THE COURT: No, I mean I understand -- I'm
15 not changing my rulings as it relates to what
16 I've already ruled on, as it relates to the 50,
17 and the crab pot, or what have you, so what --

18 MS. KIDD: We had some questions over what
19 you ruled was coming out.

20 Is it the 50 years and the portion about
21 the crab pot, or is there additional portions
22 that you were requiring me to redact? I think
23 that's the question.

24 MR. LEE: And I think we left it, if you're
25 gonna let everything in, other than the crab

1 pot, do I want the 50 years to stay in or out?

2 THE COURT: Well, you want the 50 year --
3 I thought you wanted the 50 years in?

4 MR. LEE: I do. If you're letting the
5 other stuff in -- with the exception of the crab
6 pot, I wanted everything in.

7 THE COURT: All right.

8 MS. KIDD: And I'm willing to keep in the
9 bit about prison, but I do not think the 50
10 years is appropriate, because I think that it is
11 designed to create a Jury nullification issue,
12 and it's just not appropriate.

13 THE COURT: The 50 years is out, I'm not
14 changing my mind on that. I don't think that's
15 appropriate, and I don't think it's appropriate
16 to put forward that issue.

17 If you want prison in, I, you know, she's
18 saying that she can live with that is what I'm
19 hearing, and so fine, but we're not getting the
20 50 years in, and we're not putting the crab pot
21 in.

22 MR. LEE: Okay, all right. I was under a
23 misunderstanding then.

24 Judge, if we can briefly look at -- and I
25 know it was just yesterday, but I was afraid she

1 wasn't gonna stop there. There is one thing
2 that was clearly is hearsay --

3 THE COURT: Yes, Sir.

4 MR. LEE: --and it should stay out. It
5 says, "The investigator said the crime scene was
6 one of the most horrific scenes because of the
7 amount of blood that was everywhere and the fact
8 they found parts of his brain matter on my
9 carpet.

10 Clearly, that's hearsay, it's not otherwise
11 admissible, and, you know, he's saying what
12 somebody told him. You know, it's like what
13 somebody told him.

14 MS. KIDD: These admissions are from the
15 defendant. All of these are exceptions to
16 hearsay because they are coming straight from
17 the Defendant, and they're all admissible.

18 MR. LEE: It's not an admission, it's --

19 THE COURT: Well, the Defendant -- hold --

20 MR. LEE: -- but --

21 THE COURT: -- on, Jr. Lee. The
22 Defendant --

23 MS. KIDD: Your Honor --

24 THE COURT: Well, hold on.

25 The Defendant is telling somebody what

1 someone else told him?

2 MR. LEE: Yes, sir.

3 THE COURT: Isn't that hearsay?

4 MS. KIDD: It's not offered for the truth
5 of the matter asserted. It's offered to brag
6 about the situation that happened.

7 THE COURT: All right, I'm going to exclude
8 that.

9 MS. KIDD: Okay.

10 MR. LEE: Let me just mark them.

11 THE COURT: Thank you.

12 MS. KIDD: Thank you for clarifying, Your
13 Honor.

14 THE COURT: Yes, ma'am, no problem.

15 We've got all our jurors? All right.

16 So let me ask you this. Is there anything
17 else from the State before we bring the jury in?
18 It's my understanding that all our jurors are
19 here.

20 MS. KIDD: If I could have a quick five-
21 minute recess?

22 THE COURT: Of course.

23 MS. KIDD: And then I am ready to start.

24 THE COURT: Of course.

25 Mr. Lee, is there anything else?

1 MR. LEE: Nothing from the defense.

2 THE COURT: All right, so let's take five
3 minutes, and then we'll get them in here, okay?

4 MR. LEE: Okay.

5 MS. KIDD: Thank you.

6 THE COURT: Or six minutes, if you need
7 it, whatever you need, okay?

8 MS. KIDD: I'll be quick.

9 THE COURT: Take your time.

10 MS. KIDD: Thank you, Your Honor.

11 (Recess.)

12 THE COURT: Bring in the jury.

13 (Jury enters courtroom.)

14 THE COURT: All right, thank you very much.

15 Good morning, ladies and gentlemen, and I
16 want to thank the Foreperson for her willingness
17 to serve. And, again, the Foreperson is really
18 just a spokesperson, if there's questions, she
19 would write them down and get them to me, and we
20 would then look at answering or addressing those
21 questions.

22 Let's go ahead and swear the jury in right
23 now before I forget that, okay? Thank you,
24 ladies and gentlemen.

25 CLERK: If you'll please stand and raise

1 your right hand. Do you solemnly swear or
2 affirm that you shall well and truly try and
3 true deliverance make between the State of South
4 Carolina and the accused, and a true verdict
5 given, according to the evidence, so help you
6 God?

7 JURORS: I do.

8 CLERK: Thank you.

9 THE COURT: All right, ladies and
10 gentlemen, we're about to begin the case of the
11 State of South Carolina v. Justin Brodie Granet.
12 And before I begin this trial, before we begin
13 this trial, I want to tell you that this trial
14 is probably gonna be different than what you
15 might expect.

16 Many people don't have a chance to attend
17 an actual court session, as you're doing now,
18 and may think from watching TV, the movies, and
19 reading books that trials are always full of
20 high drama, intense action, riveting
21 circumstances.

22 And I'll tell you while all those things
23 may be true at times, I want to make sure you
24 understand and always remember that this trial
25 is not for entertainment. I repeat this is not

1 for entertainment, it's a fundamental part of
2 our democracy, and I will tell you this, and
3 I'll repeat it twice, it's often a slow,
4 deliberative and repetitive process, the exact
5 opposite of movies, books and television. We've
6 got to do everything we can to make sure we get
7 this right. It's not simply erasing the
8 manuscript or reshooting a scene.

9 This courtroom, ladies and gentlemen, is
10 dedicated to the protection and preservations as
11 citizens' rights, to what many have called the
12 greatest justice system ever created. The
13 attorneys who are gonna appear before you today
14 are advocates for their parties no doubt, but
15 first and foremost I want you to know they're
16 officers of the Court, and they're sworn to
17 uphold the integrity and fairness of our
18 judicial system.

19 And, ladies and gentlemen, you should
20 expect them to be professional, competent,
21 ethical in the representation of their clients'
22 interests, and, ladies and gentlemen, you also
23 are expected to be professional, reasonable and
24 ethical.

25 Now, folks, what I'm about to say is

1 intended to serve as an introduction to the
2 trial of the case. These remarks are not a
3 charge on the law. I will instruct you on the
4 law applicable to this case at the end of the
5 trial before you retire to consider your
6 verdict. This is merely an explanation of the
7 procedure that we will follow in the trial of
8 this case, so that you may better understand
9 what is happening.

10 Now, before we go any further, ladies and
11 gentlemen, I want you to know that I'm gonna ask
12 that you do not take notes. Some Judges are of
13 the note taking school and others are not, and I
14 will just tell you, I'd ask that you not take
15 notes. My experience over the years is, that
16 sometimes some folks are better notetakers than
17 others, or perceive to be better notetakers than
18 others, and, in fact, the person with the better
19 handwriting, or the more copious notes they may
20 be getting it wrong, and so there's a tendency
21 then to perhaps rely on those notes, and I don't
22 think that's appropriate.

23 The other thing that I found over the years
24 is that sometimes there's a tendency, at least
25 with me when I make notes, that I may doodle, or

1 I may become distracted, and so sometimes taking
2 notes can be distracting. And I would also tell
3 you that, finally, sometimes notes will prohibit
4 you from observing the witnesses who take the
5 stand. It's the witnesses who take the stand
6 and their testimony and exhibits that are
7 entered into evidence, that's where you find the
8 facts in this case.

9 And one of the things that you have to do
10 is, when you go and you observe somebody, you're
11 observing their demeanor, how they appear, how
12 they respond to a question, and sometimes taking
13 notes can distract from that.

14 Now, you may see me taking notes, and
15 you'll say, "Judge, you're taking notes," I am,
16 but I'm not the finder of fact, you're the
17 finder of fact. And so for that reason, ladies
18 and gentlemen, I'm gonna ask that you not take
19 notes in this matter.

20 Now, the Defendant in this case is charged
21 by an indictment filed with this Court, and we
22 talked about that yesterday. He's charged with
23 two counts of kidnapping, assault and battery
24 first-degree, and possession of a weapon during
25 a violent crime.

1 And what did I tell you yesterday? These
2 indictments, these pieces of paper, that's all
3 they are, they're charging documents. They're
4 what bring this case into Court, they are not
5 evidence. Again, the indictment is simply the
6 charging document that brings a case into Court,
7 and it is not in any sense evidence of the
8 allegations that I read to you yesterday that it
9 contains.

10 The Defendant's pled not guilty to this
11 indictment. The State, therefore, has the
12 burden of proving each of the elements of the
13 indictments beyond a reasonable doubt, and it
14 will be your duty, ladies and gentlemen, to
15 decide whether the State has met that burden.
16 Your purpose as jurors is to find and determine
17 the facts.

18 You are the sole judges of the facts. If
19 at any time I make any comment regarding the
20 facts, you must disregard it. You are to
21 determine the facts and the testimony you hear
22 and the other evidence introduced in Court.
23 It's up to you to determine the inferences from
24 which you feel may be properly drawn from the
25 evidence.

1 It's especially important, ladies and
2 gentlemen, that you perform your duty of
3 determining the facts diligently and
4 conscientiously, because, ordinarily, there is
5 no way to correct an erroneous determination of
6 the facts by the jury.

7 On the other hand I will tell you, with
8 equal emphasis, the same law that makes you the
9 judges of the fact, makes me the judge of the
10 law. The law as given by the Court is the only
11 law you may consider. You must accept and
12 follow it, even though you may disagree with it.
13 I cannot tell you what the facts are, and you
14 cannot disagree with me about what the law is or
15 should be.

16 Your job is to take the law as I give it to
17 you and apply it to the facts as you find them,
18 from the testimony of witnesses and other
19 evidence that's introduced. And after doing
20 that, you'll render your verdict under the oath,
21 ladies and gentlemen, that you just took as
22 jurors.

23 Now, we discussed this yesterday, but I
24 want to make sure you understand, until I advise
25 you to begin your deliberations, you must not

1 discuss this case with anyone, including your
2 fellow jurors, family, friends, anyone involved
3 in the case, and this includes discussions face-
4 to-face and those by telephone, email, text,
5 blogs, or any other method of communication.
6 You may not use a computer, cellular phone, or
7 other electronic device with communication
8 capabilities at any time while in the courtroom,
9 or during deliberations.

10 Now, during breaks or meals or overnight
11 you certainly can use these devices, however,
12 you may not at any time use the devices to get
13 or send information about the case. And as we
14 discussed yesterday, that includes information
15 about a party, information about a witness, an
16 attorney, a court officer, news accounts about
17 the case, research on any topics raised, any
18 topics you think would be helpful in deciding
19 the case, or any testimony presented by any
20 witness.

21 During the trial do not read, listen or
22 watch any news reports about the case. This
23 includes anything that may be in the newspapers,
24 or on the internet, radio or television. You
25 must not consider anything, ladies and

1 gentlemen, you may have heard or read about the
2 case outside this courtroom, whether before or
3 during the trial.

4 After the case is submitted to you, you
5 must discuss it only in the jury room with your
6 fellow jurors.

7 The attorneys and parties in this case have
8 been advised that they are not to talk to you at
9 all, as we discussed yesterday. So if you see
10 somebody involved in the case, and they don't
11 even say hello, they're not being unfriendly,
12 they're following my instructions. It's
13 important that you keep an open mind, and not
14 decide any issue in the case until all the
15 evidence has been presented, and the parties
16 have made their closing arguments, and I've
17 instructed you on the law in this case.

18 It's your solemn responsibility, ladies and
19 gentlemen, to determine whether the State has
20 proven the Defendant guilty beyond a reasonable
21 doubt, and your verdict must be based solely on
22 the evidence, as it is presented to you in this
23 trial, and to the law as I instruct you during
24 and at the close of the trial.

25 In just a moment the Solicitor will make

1 what's called an opening statement, in which the
2 Solicitor will explain to you the issues in this
3 case, or at least what issues the Solicitor
4 thinks are in this case, what the issues are in
5 this case, and the attorney for the Defendant,
6 Mr. Lee, may also make an opening statement,
7 although he is not required to do so.

8 What the attorneys tell you, this is very
9 important, what the attorneys tell you during
10 their opening statements is not evidence in this
11 case, it's only their contention as to what the
12 issues are. The evidence, again, ladies and
13 gentlemen, will be presented to you by the
14 testimony of sworn witnesses from the witness
15 stand and/or exhibits that may be introduced
16 into evidence.

17 Now, I want you to know from time-to-time
18 you're gonna hear a lawyer say, "Your Honor, I
19 believe we have a question of law, or a matter
20 of law to discuss," or, "Your Honor, may we
21 approach the bench," or sometimes I might find
22 it necessary to excuse you from the courtroom.
23 And the reason is because, ladies and gentlemen,
24 you're the judges of the facts in this case, and
25 sometimes when I'm discussing, ladies and

1 gentlemen, the law with the attorneys, it may be
2 necessary for me to make some comment, as to the
3 facts in connection with ruling whether or not a
4 particular law applies.

5 I am not supposed to tell you what I think
6 the facts are, and for that reason then, I will
7 excuse you from the courtroom while discussions
8 take place, so that in no way will you be
9 influenced by anything that I might say or do in
10 connection with the facts.

11 In determining what the facts are, you must
12 decide whether or not the testimony of the
13 witnesses is believable. It'll be my
14 responsibility to rule, as a matter of law,
15 whether certain testimony is admissible at all
16 or not, but once the testimony is admitted,
17 whether or not you believe it is solely for you
18 to determine.

19 In deciding whether to believe a witness,
20 you have the right to consider the interest of
21 any witness, the bias of any witness, the
22 prejudice of any witness, the opportunity for
23 the witness to have seen the matters and things
24 about which the witness may testify, and the way
25 the witness acts on the witness stand. You have

1 a right to consider anything that's in the
2 record that will help you evaluate the testimony
3 of the witnesses, that means it's your duty,
4 ladies and gentlemen, to pay close attention.

5 Please try not to let your thoughts wander
6 but give strict attention to the testimony in
7 this case, so in the end, ladies and gentlemen,
8 after all the testimony and the arguments of
9 counsel and the charge under the law, you'll
10 then be in a position to determine what the
11 facts are, and apply the law to those facts and,
12 thus, render a verdict.

13 Now, again, Madam Foreperson, it's your
14 duty to preside in the jury room, and to be the
15 jury spokesperson here in court. It will also
16 be your duty to write the verdict, but I will
17 give you some additional information about that
18 later in the trial.

19 Now, in order to preserve everyone's
20 rights, I want to give the parties an
21 opportunity to object to anything I say, or any
22 objection from the State, as to the initial
23 instructions that I've provided to the jury?

24 MS. KIDD: No objection, Your Honor.

25 THE COURT: Mr. Lee?

1 MR. LEE: No, sir.

2 THE COURT: All right, thank you very much.

3 All right, ladies and gentlemen, we're now
4 gonna begin the trial.

5 Solicitor?

6 MS. KIDD: Thank you, Your Honor, may it
7 please the Court?

8 THE COURT: Yes, ma'am.

9 ***

10 OPENING STATEMENT BY MS. KIDD

11 MS. KIDD: This is a case about winning at
12 all costs. The Defendant, Justin Granet, on
13 March 11th, 2019, felt like he was losing.
14 Losing his wife, losing his pride, losing
15 control, and that was a loss he just couldn't
16 bear.

17 You see the Defendant's wife had disclosed
18 to him an affair with his friend, the victim,
19 Corey Eckles. And granted it was justified to
20 be angry when he learned this information, but
21 the actions he took from then on were not
22 justified. And, in fact, those actions that he
23 took were not motivated by anger, they were not
24 motivated by jealousy, and they were not even
25 motivated by revenge, but an absolute desire to

1 win at all costs, and an absolute desire to feel
2 powerful.

3 Rather than confront Corey immediately
4 about what he had learned, he took his time,
5 Justin Granet took calculated moves. He lured
6 the victim, Corey, and his wife, Lauren, to his
7 home on St. Helena Island under false pretenses.
8 Corey and Lauren had no idea what they were
9 walking into that night. They were concerned
10 about their friend. They didn't know what to
11 expect, but Justin Granet was ready to win, no
12 doubt of that.

13 He enlisted the help of his friend, Chris
14 Bliss, in order to ensure that he would win no
15 matter what.

16 When Corey and Lauren arrived at the house
17 on March 11th, they were greeted by a friendly
18 Justin Granet, and Chris Bliss, who they were
19 not expecting to see, but they were mutual
20 friends, so the group hugged, laughed, spent
21 time catching up, it all seemed well.

22 But as the couple turns towards the door to
23 leave, Justin Granet seized upon his moment. He
24 seized upon his opportunity, grabbing Corey
25 around the neck, taking him down to the ground,

1 strangling him, trying to subdue him.

2 Meanwhile, his sidekick, Chris Bliss, armed with
3 a gun, struck at Corey's wife and ordered her to
4 sit on the couch. She watched as Justin Granet
5 beat and assaulted her husband.

6 Chris Bliss for one brief moment returns to
7 assist Justin Granet into doing Corey. And,
8 Lauren, she was quick thinking, she grabbed her
9 phone, she called 911, and she quickly hid her
10 phone in the couch cushions before Chris Bliss
11 turns his attention back to her.

12 Lauren watched in horror as her husband was
13 strangled, zip-tied, beat with multiple weapons
14 and fists. She begged them to stop, but,
15 eventually, she herself was ordered into a
16 chair, where her wrists were bound with rope,
17 and she had duct tape placed around her head and
18 mouth.

19 She sat in that chair watching helplessly,
20 unable to do or say anything to help her
21 husband. But remember that quick thinking, she
22 dialed 911. There was an open line, so the
23 police responded to the scene. As they arrived,
24 light flashed through the window, the Defendant
25 realized the police had arrived, and he had drug

1 Corey's bloody, limp body into the hallway away
2 from the windows, and Lauren was ordered to join
3 them, and hiding from the line of vision of the
4 police. They were told to be quiet as the
5 police knocked, so no one answers.

6 Concerned that the police would finally
7 make the decision to break down the door, at
8 which point Corey and Lauren were finally able
9 to avoid any further suffering at the hands of
10 their so-called friends.

11 This week you're going to hear from a
12 number of witnesses, and they're gonna tell you
13 the horrific details of that evening.

14 You're going to hear how Justin Granet
15 planned this attack to lure these unsuspecting
16 victims to his home, so that he could confront
17 them, stall them and kidnap them. You'll hear
18 how he enlisted the help of his friend, Chris
19 Bliss, in order to ensure that he would win no
20 matter what.

21 But this is not a game, no, this was a
22 crime, this was a crime. Justin Granet, with
23 the help of his sidekick Chris Bliss, lured
24 these victims and kidnapped and brutally
25 assaulted them with multiple weapons.

1 Justin Granet is charged with two counts
2 kidnapping, one for each of his victims, Corey
3 Eckles and Lauren Eckles.

4 He's also charged with assault and battery
5 in the first degree against Corey Eckles, but
6 he's also charged with possession of a weapon
7 during the commission of a violent crime.

8 Now, at the end of this week after you've
9 listened to all of the testimony, reviewed all
10 of the evidence, you apply it to the law as
11 given to you by the Judge, I'm going to ask that
12 you return a verdict of guilty on all charges.

13 THE COURT: Thank you, Solicitor.

14 Mr. Lee?

15 MR. LEE: Thank you, sir.

16 THE COURT: Yes, sir.

17 ***

18 OPENING STATEMENT BY MR. LEE

19 MR. LEE: Ms. Gibbes, Ms. Kidd, Ms. Molina,
20 Your Honor, may it please the Court?

21 Good morning, Happy Valentine's Day
22 everybody. I know there's a lot of places we'd
23 all rather be, but this is an important day for
24 Justin Granet, as well as his family who's
25 sitting out here. And I agree with part of what

1 the Solicitor said, it sounds like a good story,
2 but if that's what happened, and that's what was
3 true, we wouldn't even be in here.

4 Yeah, there's something happening at 18
5 Chaplin Road in St. Helena on March 11th, 2019,
6 at Justin's house, at Justin's house, the house
7 he shares with his wife, his daughter, their
8 daughter, his -- and his daughter, stepson
9 Clayton, and two dogs.

10 And despite the State's view about what
11 happened, I will submit to you that that theory
12 is again, to a child playing with a set of
13 blocks, where they try to get that round peg
14 into that square hole. And that's what the
15 Solicitor will be trying to do all week with
16 you-all, is try to sell you on the fact, the
17 harder I hit this round peg into a square hole,
18 it's gonna go.

19 We all know that doesn't work; we've all
20 played that game as children. And you've got to
21 match up the round peg with the round hole, and
22 until they do that beyond a reasonable doubt,
23 they haven't proven anything.

24 So rather than this theory the Solicitor
25 just told you, you're gonna see a lot of

1 different evidence, which was reported on this
2 week. They reach a break, facts are better.
3 And when you hear the facts, what she just said,
4 isn't going to make any sense. And it certainly
5 isn't going to prove it by saying beyond a
6 reasonable doubt.

7 Remove all doubt from your mind, all
8 reasonable doubt, all of it, and only then could
9 you ask what she wants to do, is to decide a
10 guilty verdict against Justin Granet, which
11 means Corey Eckles wins.

12 And while she wants to say this about
13 Justin Granet committing, it is simple what
14 happened. He wants to win, he's jealous, beat
15 him up. This actually is a carefully devised
16 plan by Corey Eckles, and he's playing chess,
17 while everybody's playing checkers, and you'll
18 see that becomes evident during the week through
19 the facts.

20 So the Judge -- and that's going to be
21 shown by what you hear, but a lot of times what
22 you don't see and don't hear. And the Solicitor
23 has to show you everything, tell you everything,
24 it was in all the evidence, before you, as a
25 jury, can uphold your oath and deliver a

1 verdict. And that's the condition we're always
2 gonna have.

3 Now, the Judge charged that you not be able
4 to do that, no question about it, because the
5 facts aren't on her side, the evidence isn't on
6 her side, the truth isn't on her side. What
7 this really is, is an elaborate plan by Corey
8 Eckles, and when you start thinking about it, it
9 makes sense.

10 Now, the Judge told you all this earlier
11 about what the law is, and I don't think -- I
12 don't remember if there's any on the jury today,
13 I don't think any of you-all are lawyers today.

14 Whether you are or not, the law is -- it
15 seems complicated a lot of times, and we've got
16 to go through three years of school, but when we
17 think about it, when it comes down to it, think
18 about the law. It's not created in a vacuum,
19 the law is a reflection of society, things we
20 know. It wasn't randomly written down long,
21 long ago by people, it's what we know in our
22 hearts, in our minds.

23 For example, the law is based, number one,
24 clearly on fairness. Everybody can agree with
25 that, can't we, fairness. The fundamental basic

1 right out there is fairness, and we call that
2 due process. You can't take away someone's
3 freedoms and their liberty and their family and
4 their money, or whatever it is without fairness,
5 and you are part of the fairness of this. Your
6 job is to do what's fair, okay?

7 The Bible says in Proverbs 18:17, speaking
8 about fairness is, "The first to speak seems
9 right, until another steps in to examine him."

10 What does that do to fairness? Well, it is
11 fairness, and, yes, they've got a high, high
12 burden. They always get to go first. She got
13 to talk to you first. She gets to call her
14 witnesses first. She gets to ask the questions
15 first.

16 And as it may have sounded when she stood
17 up here in her opening statement, it sounded all
18 right, until you hear the rest of it, so we call
19 that due process, fairness. The second thing is
20 before you can take away someone's liberty,
21 property, etcetera, there's got to be proof.
22 You've got to be darn sure about it, this only
23 seems right, it only seems fair. And that's why
24 in criminal law we have what's called the
25 requirement of proof beyond a reasonable doubt.

1 So before a jury or the Judge can find someone
2 guilty, and take away those things, nothing to
3 take away, the State and only the State has to
4 prove through evidence, through facts, through
5 witnesses that there's no reasonable doubt left
6 in anybody's mind, and we feel that they haven't
7 proved that, and it didn't happen the way they
8 said it did, okay?

9 And, again, we call that proof beyond a
10 reasonable doubt. And the Judge will instruct
11 you at the end of the case what is a reasonable
12 doubt? A reasonable doubt is the type of doubt
13 that would cause a reasonable person making an
14 important statement, such as us today, to
15 hesitate to act, to hesitate to act.

16 It also says it's the type of doubt with
17 any type of proof, proof that until you are
18 firmly convinced of a defendant's guilt. And if
19 you don't get over that bar, the only verdict is
20 not guilty.

21 So if somebody probably thinks might have
22 done, or might have done it, or could have,
23 should have done it, that's not enough to prove
24 beyond a reasonable doubt. That's the legal
25 standard, and it makes sense, as the law usually

1 does when you look at it, that that's what is
2 involved. Now, if you say well, that's a pretty
3 high burden, well, it is. The Bible also says
4 to whom much is given, much is expected. We
5 give the State the ultimate power to come in
6 here and prosecute people, try to take things
7 away from them, and try to punish them.

8 We give law enforcement extensive
9 resources, extensive power. They can do a
10 search warrant, they can pull us over, they can
11 question us, to whom much is given, much is
12 expected, so we do give them a lot. And I'm
13 gonna ask you to hold the State, and law
14 enforcement in this case, who's an arm of the
15 State, who does the investigating, to that very
16 high standard, and to expect much of them.
17 Don't take excuses.

18 Don't say, well, I really didn't want to do
19 that, because that's exactly what happened.
20 They saw this as a simple case, the simple case
21 she just laid out, and it's anything but simple.
22 And they are not going to provide you the other
23 tools that you need to make an informed
24 decision.

25 That's exactly where we come in, even

1 though we don't have to do anything, you're
2 gonna hear stuff on cross-examination, and
3 you're gonna hear about the things they did, but
4 a lot of stuff they didn't do. Tools that you
5 would need, that you want to know, that she's
6 not telling you, you're gonna hear about all
7 that. And it's important to pay attention to
8 what people say on the stand, but also what they
9 don't say.

10 Now, again, talking about how the law is a
11 reflection of society, and it kind of makes
12 common sense. The phrase, "A man's home is his
13 castle," stand your ground, face-to-face, your
14 house. You can do certain things you couldn't
15 do if you were at the gas station or at the
16 grocery store.

17 And you're gonna hear about whose house it
18 happened at, Justin's. He didn't force anybody
19 to do anything, come down there at all. Their
20 story is that Corey was worried about Justin.
21 "What's the deal, why are you cheating on me?
22 I'm gonna come down there to help you out. I'm
23 your friend, I'm gonna help you out."

24 He's the one who's cheating on her -- with
25 her, that makes no sense, and it shows how

1 hypocritical and how much of a true friend he
2 was not. Who does that? If the man's home is
3 his castle, you can do things at your house you
4 can't do other places.

5 Along the same lines, self-preservation is
6 one of the basic, fundamental rights. It's
7 probably perhaps the most basic human instinct
8 that there is. Self-preservation of yourself
9 and the people that you love, and the law
10 recognizes that in self-defense.

11 You're not gonna sit there and take it.
12 You're not gonna let somebody get the drop on
13 you. You're not gonna let somebody beat you,
14 much less if it's in the house, it's self-
15 defense. And the key to self-defense, perhaps
16 the most important part of it is, who started
17 it? But you just can't start it and then say it
18 was in self-defense.

19 And you're gonna hear about who started
20 this. Corey Eckles started this a long time
21 ago, and continued to start it, and knew exactly
22 what he was doing, and had a reason to do it.
23 Now, he may tell you something else, and if the
24 Solicitor doesn't bring it up, I will. You'll
25 also hear about Corey Eckles' criminal

1 convictions in 2020, in Tennessee for forgery,
2 for theft, and you can use that to say -- for
3 what we call impeachment? Is he telling the
4 truth? Forgery and theft are truth lying.

5 Now, take it, steal it. So that is, again,
6 self-defense. Another fundamental thing we talk
7 about is -- we do it every day at work, home,
8 with the kids, judge somebody by their words and
9 their actions. And when Corey Eckles and all
10 the witnesses they're gonna call to the stand
11 come up here, judge them by their words, but
12 also judge them by their actions, and we're
13 gonna bring out some of the things that you need
14 to consider, to see whether or not they're
15 telling the truth.

16 They're not going to, they are simply not
17 going to. And perhaps the last thing is, facts
18 don't lie. Facts based on science sure don't
19 lie. Facts on DNA don't lie. So as the
20 Solicitor is pounding this round peg in a square
21 hole, I'll tell her right now, explain to this
22 jury, if that's true, why DNA is on two guns at
23 the scene. Corey Eckles' DNA is on both guns,
24 Chris Bliss' DNA is on both guns,

25 Lauren Eckles' DNA is on both guns, which

1 is completely different than what she just said
2 about she sat there and called 911, and scared
3 for her life. I'm asking you to -- yourself,
4 wait for an explanation, as to why there's DNA
5 of those people on those guns, and, again, guess
6 who's DNA is not on any gun? Justin Granet.
7 And we'll go over the numbers when they bring
8 their DNA analyst from the Sheriff's Office,
9 they're right here.

10 The numbers are just earth shattering, I
11 mean billions, octillions, and we'll go through
12 all the numbers, but there's no doubt. That's
13 the kind of stuff that you're not gonna hear
14 from over here. You know why? Because it
15 doesn't fit in a nice little packet, their nice
16 little theory about this. But it doesn't
17 matter, you know what we're gonna do?

18 We're gonna talk about this is about Justin
19 Granet. They're gonna bang that hammer as far
20 as they can, until they make it fit, and that's
21 not what -- that's the only reason they've got
22 to prove beyond a reasonable doubt at all, it
23 simply does not. And then on a little bit more
24 of the investigation. He didn't want to find
25 out who started this, when they went out there,

1 they knew what they saw, and they said so to the
2 Solicitor, "Man, Justin Granet beat the heck out
3 of this guy."

4 And they're gonna say, "Oh, yeah, we can
5 show these pictures of Corey got beat up really
6 bad." We don't deny it that he had injuries,
7 that he was bleeding, that he had a head injury,
8 we don't deny that. So ask yourself, why didn't
9 they show you the picture, that's not an issue,
10 they're doing it to deflect, to try to get, you
11 know, to your emotions.

12 So take that picture for what's it's worth.
13 There's also a guy who's right in the middle of
14 this, according to Corey, Zane Croft. And the
15 story that Corey is giving all along was that
16 Sally Granet, Justin's wife, went up to
17 Tennessee January 27th, about a month before
18 this happened, and she slept with Zane Croft,
19 who was one of their roommates. And he's saying
20 that as a friend he wanted Justin to know about
21 that, because he's such a good friend.

22 When, in fact, Corey's the one who's
23 messaging around with his wife, been doing it for
24 a while. Zane Croft wasn't on the witness list.
25 As far as I know they never even talked to him

1 in the investigation, how is that fair? How is
2 that giving you the tools that you need. It's
3 not, why? It didn't fit in their nice little
4 package, just like it didn't fit in the nice
5 little package the night that Justin was
6 arrested, bang, bang, bang, round peg, square
7 hole. And those are the kind of questions that
8 we're gonna bring up, that are important, that
9 have a lot to do with this case.

10 Now, the one thing that she, the Solicitor,
11 attempted to try to impress, despite not
12 investigating other things I brought up is, that
13 her theory is that this was Justin had to win at
14 all costs. And the reason that she actually
15 brought that up is, because right after this
16 happened, and Justin was being taken to the
17 first police car, he starts talking, he's got
18 nothing to hide, he starts talking.

19 And he starts talking so soon that the
20 police officer, you heard Officer Parnell said
21 "Whoa, whoa, whoa, I need to read you Miranda."
22 And so he goes through Miranda, Miranda means
23 you don't have to talk, if you don't want to, it
24 doesn't matter, he's still talking to him. But
25 one of the first things he said that night after

1 it happened, Justin, was, "I can't believe I let
2 him win. I can't believe I let him win." Well,
3 if Justin won, according to what they're saying,
4 why would he say that?

5 He said it, because this has been the
6 result of a long thought-out plan by Corey
7 Eckles. Corey Eckles did win up to now, Justin
8 was arrested, separated, isolated from his wife,
9 and he was -- said he left for some say over
10 five years. And Justin, at that point, I submit
11 to you, realized exactly what had happened.
12 Corey had set this up, and it worked out
13 beautifully.

14 The only problem for Corey was Chris Bliss.
15 Chris Bliss was there. Chris Bliss is the one
16 who came with a flashlight, who made this thing
17 get out of control. And, you know, they might
18 have said, "Well, they didn't know that Chris
19 Bliss was gonna be there." They didn't know he
20 was gonna be there, he just happened to -- a
21 complete happenstance before they get here?

22 Ask yourself, as you'll hear later, as
23 Corey Eckles is texting back and forth
24 Snapchatting with Sally Granet the week leading
25 up to this, saying, "You need to tell Justin

1 that you slept with Zane Croft." And Sally's
2 like, "You're gonna ruin my life, you've got me,
3 you know, I'm at your mercy, whatever," and
4 you'll hear all this stuff.

5 Well, then Corey does a weird thing that
6 doesn't make sense. He then sends copies of
7 those texts between him and Sally, calling out
8 Sally saying she needed to confess to an affair
9 with Zane Croft, somebody to talk to him. He
10 sends them to Chris Bliss.

11 Corey sends those texts to Chris Bliss.
12 Why? The only thing I could think is, it's part
13 of the story about, "Well, I was real concerned
14 about my friend, I wanted Chris to, you know, be
15 looking out for me," that's bologna.

16 This is a well-thought-out plan by Corey,
17 and Justin ends up holding the bag. Corey ends
18 up injured, Justin ends up in jail, and Justin
19 ends up in the fight of his life at a trial,
20 while Corey sits out there in the victim's
21 chair, when he could just as easily be sitting
22 over there, had a proper investigation been
23 done, and had they looked into it. That's what
24 you're gonna hear.

25 Now, again, they get to go first, they get

1 to call their witnesses. Listen to what their
2 witnesses say, listen to the cross-examination
3 and this will become crystal clear. And what
4 will become even more crystal clear is that
5 there is so much reasonable doubt, that there is
6 so much, the only verdict that's appropriate,
7 the only verdict that is fair, the only verdict
8 that makes sense, the only verdict that you can
9 come back with, under your oath as a juror, is
10 not guilty. Thank you.

11 THE COURT: All right, Solicitor, you can
12 call your first witness.

13 MS. KIDD: Your Honor, the State calls
14 Allyson Moreira.

15 THE COURT: All right.

16 * * *

17 ALLYSON MOEIRA

18 * * *

19 being first duly sworn, testified as
20 follows:

21 THE COURT: Hi, good morning.

22 ***

23 DIRECT EXAMINATION

24 BY MS. KIDD:

25 Q. Good morning. Can you please state

1 where you work?

2 A. The Beaufort County Sheriff's Office.

3 Q. And how long have you worked there?

4 A. Eight years.

5 Q. And what is your title there?

6 A. I'm the 911 Audio Clerk.

7 Q. Can you please --

8 THE COURT: Can everybody hear? We're good?

9 All right, thank you, go ahead.

10 BY MR. KIDD:

11 Q. Can you please describe some of your
12 common duties and responsibilities?

13 A. I receive 911 requests from officers,
14 and I locate the 911 calls up into evidence.

15 Q. Do you deal with 911 calls regularly?

16 A. Yes.

17 Q. And are 911 calls recorded and
18 consolidated Dispatch in the normal course of
19 business?

20 A. They are.

21 (Court Reporter marks State's Exhibit
22 Number 1, 911 Call Audio, as attached hereto.

23 BY MS. KIDD:

24 Q. I'm now going to show you what has been
25 marked for identification purposes as State's

1 Exhibit 1. Do you recognize those?

2 A. I do.

3 Q. And what is it?

4 A. A 911 disk.

5 Q. And how do you recognize it?

6 A. My initials are on it.

7 Q. And so have you had a chance to review
8 that disk prior to your testimony here today?

9 A. I did.

10 Q. And has that call been altered in any
11 way?

12 A. No, ma'am.

13 Q. Does it fairly and accurately depict
14 the 911 call in this case?

15 A. Yes.

16 MS. KIDD: Your Honor, at this time the
17 State moves State's Exhibit 1 into evidence and
18 publish it to the jury.

19 THE COURT: Mr. Lee?

20 MR. LEE: No objection.

21 (State's Exhibit 1 admitted into evidence.)

22 THE COURT: Thank you. Go ahead, feel free
23 to publish.

24 (911 call being played for the jury.)

25 BY MS. KIDD:

1 Q. Thank you, please answer any questions
2 the defense may have.

3 THE COURT: Mr. Lee?

4 ***

5 CROSS-EXAMINATION

6 BY MR. LEE:

7 Q. You don't know how many of the voices
8 are on there, do you?

9 A. I'm sorry?

10 Q. Do you know how many voices are on
11 there?

12 A. I don't.

13 Q. You don't know who started the fight?

14 A. No.

15 Q. You don't know where it happened?

16 A. No.

17 MR. LEE: that's all, Your Honor.

18 THE COURT: All right, thank you. Anything
19 else?

20 MS. KIDD: Nothing further.

21 THE COURT: All right, thank you so much,
22 ma'am. All right, Solicitor, you can call your
23 next witness.

24 MS. KIDD: Thank you.

25 The State calls Dustin Kline with the

1 Beaufort County Sheriff's Office.

2 THE COURT: All right.

3 * * *

4 DUSTIN KLINE,

5 being first duly sworn, testified as

6 follows:

7 DIRECT EXAMINATION

8 BY MS. KIDD:

9 Q. Good morning.

10 A. Good morning.

11 Q. Can you please state where you work?

12 A. Northern Beaufort County Sheriff's
13 Office.

14 Q. And how long have you worked there?

15 A. Just over ten years.

16 Q. And what is your current position with
17 the Sheriff's Office?

18 A. My current position is Investigator
19 with Northern Investigations with Beaufort
20 County.

21 Q. Now, what was your position on March
22 11th of 2019?

23 A. I worked Road Patrol.

24 Q. What were your duties at the time?

25 A. Generally, to answer calls for service,

1 and type of traffic enforcement.

2 Q. So did you respond to 18 Chaplin Drive
3 on St. Helena Island on March 11th of 2019?

4 A. I did.

5 Q. And is that in Beaufort County?

6 A. It is, St. Helena, Beaufort County.

7 Q. And what did you respond to 18 Chaplin
8 Drive?

9 A. It was a call for service and had an
10 open mic.

11 Q. And when you arrived there, what did
12 you observe?

13 A. One officer arrived just prior before
14 me, Deputy Ireland. When I got there, he
15 advised me that he heard talking inside the
16 house and the lights went off. When he knocked
17 on the door, no one answered so I then went to
18 the back of the residence.

19 Q. And did you notice anything when you
20 went to the back of the residence?

21 A. I did. I went to the back door to try
22 to knock on the door. The back door is actually
23 two French doors with white panes, and I could
24 notice that the left door was shattered, and was
25 two-pane glass on the door, so the interior

1 glass was shattered on the left side, and the
2 right was not, and no one answered.

3 Q. Then what happens?

4 Did anyone else arrive on-the-scene?

5 A. Well, before Sergeant Parnell arrived
6 on-scene, while looking in the door trying to
7 figure out what was going on, why the glass was
8 broken, I can see zip-ties on the floor and what
9 appeared to be droplets of blood next to the
10 zip-ties.

11 And with the zip-ties, it looked like there
12 was one that was unused, and one looked like it
13 was cut. While waiting, I gave that information
14 to the responding Sergeant who was coming, and
15 while waiting I also noticed a dining room chair
16 that was in the living room. And I thought it
17 was odd, mainly, because the dining room chair
18 was facing the couches and other chairs in the
19 living room. And by the dining room chair I
20 noticed there was a small little bundle of white
21 rope. It was about that time that Sergeant
22 Parnell arrived.

23 Q. So you were mentioning that no one came
24 to the door. Did you ultimately enter the home
25 that evening?

1 A. We did. The decision was made after
2 phone calls were made to the on-duty Command at
3 Beaufort County Sheriff's Office, that due to
4 what I just described and kind of exigent
5 circumstances, the decision was made to kick the
6 door in --

7 Q. And --

8 A. -- and conduct what's called a
9 protective sweep.

10 Q. And so once you kicked the door down
11 and you began doing the protective sweep, what
12 did you notice within the home? What was the
13 first thing that you noticed?

14 A. Again, the chair and rope in the living
15 room. Because, originally, I wasn't the one who
16 actually kicked the door open, but by the time I
17 got to the door to assist with a protective
18 sweep, two people had already been carried out
19 of the house, one of which was Ms. Eckles, that
20 I noticed had duct tape on her face, and her
21 hands were bound.

22 Once she was put into the vehicle, the
23 protective sweep continued. When we went in,
24 there's a small half wall just as we enter the
25 residence. I can see clearly the living room,

1 kitchen and this side of the hallway. And in
2 the hallway you can see scattered blood up the
3 walls and on the floor. When we continued
4 conducting the protective sweep, we could see
5 Mr. Eckles laying in the middle of the hallway
6 covered in blood.

7 (Court Reporter marks State's Exhibit
8 Number 58, Photograph, as attached hereto.)

9 BY MS. KIDD:

10 Q. All right. I'm now going to show you
11 what has been pre-marked as State's Exhibit 58
12 for identification purposes. Do you recognize
13 those?

14 MR. LEE: Ms. Kidd, can I look at that,
15 please?

16 MS. KIDD: Sorry.

17 BY MS. KIDD:

18 Q. Do you recognize this?

19 A. Yes, I do.

20 Q. Okay. And would this assist and aid in
21 your testimony here today in explaining to the
22 jury?

23 A. Yes, it would.

24 Q. All right, and what is this?

25 A. This is the residence that we responded

1 to that night.

2 Q. Okay.

3 MS. KIDD: At this time the State seeks to
4 publish State's Exhibit 58 for demonstrative
5 purposes.

6 MS. LEE: No objection

7 THE COURT: All right, without objection.

8 (State's Exhibit 58 admitted into
9 evidence.)

10 BY MS. KIDD:

11 Q. If you want to come down, I'm gonna get
12 this set up on an easel.

13 THE COURT: Mr. Lee, feel free to move
14 about the courtroom, if you need to see
15 anything, sir.

16 BY MS. KIDD:

17 Q. All right, I'll set this on an easel.
18 All right, I'm gonna have you kind of backtrack
19 on your testimony using this board. I have a
20 number here, and I'm gonna ask you to mark, as
21 you're going through, the observations that you
22 made.

23 A. Okay. Like I was saying earlier, we
24 entered the residence through this front door
25 here. This sort of half wall here was what

1 allowed us to see, basically, all of the kitchen
2 into the living room, and the chair that I
3 mentioned earlier just inside of the living room
4 how it was facing the couch and a loveseat right
5 here.

6 Q. Okay.

7 A. As we made entry right here, I believe
8 it was Deputy Sheriff Ireland that sat and
9 covered this door as we were continuing
10 conducting the protective sweep, myself and
11 Sergeant Guise. We continued to walk in this
12 direction, and once we broke the edge of the
13 couches right here, you could easily see Mr.
14 Eckles was laying in that hallway right here and
15 was barely responsive.

16 Q. I'm now gonna show you some pictures to
17 set the scene.

18 A. Thank you.

19 Q. I'm showing you what has been pre-
20 marked as State's Exhibits 30, 31 and 32.

21 Do you recognize these?

22 A. I do.

23 Q. And do these fairly and accurately
24 represent things the way you saw them that
25 night?

1 A. Yes, ma'am.

2 Q. Okay.

3 MS. KIDD: At this time the State seeks to
4 enter in Exhibits 30, 31 and 32, and publish to
5 the jury.

6 THE COURT: Mr. Lee?

7 MR. LEE: No objection.

8 THE COURT: All right, admitted without
9 objection, you can publish.

10 (State's Exhibits 30 - 32 admitted into
11 evidence.)

12 BY MS. KIDD:

13 Q. State's Exhibit 30, can you please
14 explain to the jury what this is?

15 A. So this is as you're walking into the
16 door to the residence, right here, this is the
17 living room, this is as you walk in, it would be
18 to your left, this room, this right here.

19 Q. So let me see. Okay.

20 I'm now showing you State's Exhibit 31, and
21 what is this?

22 A. So this is a picture that covered,
23 basically, the fireplace, the white rope that I
24 said earlier, and the dining room chair that was
25 facing those couches.

1 Q. So right here?

2 A. Yes, ma'am.

3 Q. All right. And now State's Exhibit 32,
4 what is this?

5 A. This is, again, a closer-up photo of
6 the white rope that was at the base of the
7 fireplace.

8 Q. And would you mind marking on this
9 where this rope was located? All right. I'm
10 now going to show you what's been pre-marked as
11 State's Exhibit 27, 28 and 29.

12 THE COURT: Any objection?

13 MR. LEE: No objection.

14 BY MS. KIDD:

15 Q. Okay, can you please tell me if you
16 recognize those photos or not; and if so, do
17 they fairly and accurately represent the scene
18 the way you saw it that evening?

19 A. They do, they do. This is -- these
20 pictures here are more of this area right here,
21 just outside the kitchen, like what would be
22 considered the dining room. These depict --

23 Q. I'll stop you.

24 MS. KIDD: Your Honor, at this time the
25 State seeks to enter in Exhibits 27, 28 and 29,

1 and publish to the jury.

2 MR. LEE: Okay.

3 MS. KIDD: Okay.

4 THE COURT: Admitted without objection.

5 MS. KIDD: I'm making sure we got through
6 that.

7 (State's Exhibits 27 - 29 admitted into
8 evidence.)

9 BY MS. KIDD:

10 Q. Okay, so this picture, Number 27, what
11 are we looking at?

12 A. So this shows this area right here,
13 just in front of the French doors that I
14 described earlier, the first thing I saw when I
15 come in the house.

16 This actually shows this area and there was
17 blood on the floor along with the classic bag of
18 zip-lock bag, or ties, sorry.

19 Q. All right. And now State's Exhibit 28,
20 what is this, and where was this looking?

21 A. So this, again, was looking at just in
22 this area right here.

23 Q. And can you indicate what this was?

24 A. That is the zip-ties that I saw from
25 the outside looking in, just in this area right

1 here. That's where the zip -- there was one
2 zip-tie, and there was another like almost a
3 separate one, that's what it looked like from
4 the outside here when I first got there.

5 Q. All right. And Number 29, Exhibit 29,
6 what does that depict?

7 A. So 29, this is the bag of -- the bag
8 for the zip-ties that was just on the ground,
9 and droplets of blood that was also seen in this
10 general area next to it.

11 Q. Would you mind marking that on the
12 board, sir? So now I want to go back to when
13 you first entered that home you saw a female.

14 I'm now going to show you what's been pre-
15 marked as Exhibits 35 -- or 33, 34 and 35. Do
16 you recognize these, and, if so, do they fairly
17 and accurately depict where the female appeared
18 that evening?

19 A. Yes, ma'am. Yes, they do.

20 MS. KIDD: At this time the State seeks to
21 enter in Exhibit 33, 34 and 35, and publish to
22 the jury.

23 MR. LEE: No objection.

24 THE COURT: No objection. Let me see
25 those, please.

1 MS. KIDD: Okay. Permission to approach?

2 THE COURT: Yes, ma'am.

3 MS. KIDD: All right, thank you.

4 THE COURT: There you go, thank you.

5 MS. KIDD: Thank you, Your Honor.

6 (State's Exhibits 33 - 35 admitted into
7 evidence.)

8 BY MS. KIDD:

9 Q. All right, so let's go through these.
10 Exhibit 33, what does this picture depict?

11 A. So this is Ms. Eckles. This is
12 actually pretty much the state that she was in
13 when I came from the rear of the house, coming
14 back around to assist with the protective sweep,
15 as she was coming out, this is pretty much the
16 state that she was in, duct tape across her face
17 and mouth.

18 Q. All right, now I'm gonna show you 34.

19 A. That's another picture of her --

20 Q. Another angle?

21 A. -- with the duct tape on her face.

22 MS. KIDD: All right, I'm now gonna pass
23 these around.

24 BY MS. KIDD:

25 Q. I'm now gonna show you State's Exhibit

1 35, what does this depict?

2 A. This depicts Mrs. Eckles' hands that
3 were bound when she was coming outside also.

4 Q. And what do they appear to be bound
5 with?

6 A. White rope.

7 (Court Reporter marks State's Exhibit
8 Number 55, Photograph, as attached hereto.)

9 BY MS. KIDD:

10 Q. Now I'm gonna show you State's Exhibit
11 55.

12 MS. LEE: My previous objection, would ask
13 to be noted.

14 THE COURT: Let me see that. All right.

15 MS. KIDD: It's the one we --

16 THE COURT: Okay, yes, sir. I'm gonna
17 allow that to be admitted, State's 55, the
18 proper foundation is laid, and I note your
19 objection, Mr. Lee, for the record, sir.

20 MR. LEE: Thanks.

21 (State's Exhibit 55 admitted into
22 evidence.)

23 BY MS. KIDD:

24 Q. Can you please take a look at this and
25 tell me if it fairly and accurately depicts what

1 you saw that evening?

2 A. Yes.

3 Q. Okay.

4 MS. KIDD: At this time the State seeks to
5 enter State's Exhibit 55 and publish to the
6 jury.

7 THE COURT: All right, I'm gonna admit that
8 subject to Mr. Lee's objection.

9 Thank you, Mr. Lee.

10 BY MS. KIDD:

11 Q. And what does this picture depict?

12 A. This picture shows where Mr. Eckles was
13 found when we first came inside the house. He
14 was right here in this area of the hallway.

15 Q. So which direction would his head have
16 been facing?

17 A. His head would have been on this side.

18 Q. Okay.

19 A. But, yes, he was -- his head was on
20 this side. He was actually chest up when we
21 first came in, but he eventually was turned over
22 by EMS and Fire when they arrived.

23 When Fire and EMS arrived, they turned him
24 over. Unfortunately, Mr. Eckles began to
25 projectile vomit, from what I can only assume is

1 he had a massive amount of damage done to his
2 head. His head was very bloody, and it looked
3 like it was split open.

4 Q. So did you actually spend any amount of
5 time with Mr. Eckles?

6 A. I had two different contacts with him.
7 First, originally, when we're conducting a
8 protective sweep.

9 We actually were worried that he wasn't
10 alive, but we made contact with him quickly, and
11 noticed that he was alive, and we continued
12 conducting the protective sweep.

13 So, yes, and then after we were done with
14 the protective sweep, we -- I actually kneeled
15 down and started asking questions.

16 Q. Was he able to speak to you?

17 A. Barely. Yes, he was. When I asked
18 him, "Who did this? What happened?" He
19 actually said, "Justin and Chris."

20 MS. KIDD: The Court's indulgence?

21 THE COURT: Yes, ma'am.

22 BY MS. KIDD:

23 Q. Thank you. Please answer any questions
24 the defense may have.

25 THE COURT: All right, Mr. Lee?

1 MR. LEE: Judge, with the Court's
2 permission, I'm gonna take this down, just so --

3 MS. KIDD: Okay.

4 THE COURT: Yes, sure.

5 MR. LEE: -- I don't knock it over, or
6 anything.

7 MS. KIDD: I can absolutely get that out of
8 your way.

9 ***

10 CROSS-EXAMINATION

11 BY MR. LEE:

12 Q. Good morning, Mr. Kline.

13 A. Good morning.

14 Q. All right, so we've heard about some
15 things that you found in there, the rope behind
16 the chair, right?

17 A. Yes, sir.

18 Q. Okay, and there was rope on Lauren's
19 wrists?

20 A. Yes.

21 Q. Okay, and there was a bag of zip-ties
22 still in plastic; is that what you're talking
23 about?

24 A. I don't believe there were zip-ties in
25 the plastic bag itself.

1 Q. Okay, it was just the bag?

2 A. Yes.

3 Q. Sort of like a clear plastic bag?

4 A. Yes.

5 Q. And it had no zip-ties, right?

6 A. Correct.

7 Q. Those four things I just mentioned, did
8 you collect them as evidence?

9 A. I did not.

10 Q. Did you submit them for DNA testing?

11 A. I did not.

12 Q. Are you aware whether or not they were
13 submitted for DNA testing?

14 A. I'm not -- I wasn't the investigator
15 on-the-scene.

16 Q. But certainly, you pointed out to
17 whoever the investigator on the scene was the
18 zip-ties; did you not?

19 A. I don't remember if I actually pointed
20 them out or not, but --

21 Q. Okay.

22 A. -- I remember they were on the floor.

23 Q. You would agree that DNA testing would
24 make sense on items like that, right?

25 A. Yeah, testing the zip-ties would make

1 sense.

2 Q. Particularly with items that DNA is
3 taken off of that?

4 A. Right. It's not my responsibility to
5 gather the evidence.

6 Q. And was it your responsibility to find
7 out what led up to the incident?

8 A. No, sir.

9 Q. So you just came up on the scene there
10 and everything was already done, right?

11 A. Well, I guess you'd have to define what
12 you mean by everything. Do you mean the
13 investigation, or do you mean the incident
14 itself?

15 Q. The incident itself.

16 A. Yes.

17 Q. It was done?

18 A. Yes.

19 Q. Okay. So you don't have any
20 information or inside scoop on what led up to
21 the fighting?

22 A. I do not.

23 Q. Yeah.

24 A. Not when I was arriving on-the scene --

25 Q. Sure.

1 A. -- no, sir.

2 Q. Okay. And in all these pictures and
3 everything like that, that doesn't help us
4 decide what precipitated or led up to the fight,
5 correct?

6 A. Correct, without statements it does
7 not.

8 Q. Yeah, but I'm talking about evidence.
9 Did you know about what you testified today and
10 the pictures we looked at?

11 A. I'm sorry, you'll have to say that
12 again.

13 Q. The evidence you talked about --

14 A. Yes.

15 Q. -- the zip-ties, the rope, the glossy
16 picture right there, that doesn't tell us
17 anything about, for example, who the first
18 aggressor was, does it?

19 A. No, it does not.

20 Q. It's impossible to know, all right.
21 Now, anything else that, as an investigator,
22 that you think would be important to this case,
23 or important for this jury to know?

24 A. Well, I didn't actually investigate the
25 case.

1 Q. Okay.

2 A. The things that I noted?

3 Q. Yeah

4 A. Yeah, just right next to Mr. Eckles'
5 body where he was laying when we found him was a
6 flashlight, that he stated Chris Bliss -- or
7 Chris and Justin.

8 Q. Was the flashlight sent for DNA; do you
9 know?

10 A. I don't.

11 Q. Anything else that you can think of?
12 Wasn't there a roll of silver duct tape near Mr.
13 Eckles?

14 A. Yes, there was.

15 Q. And did you get a chance to look at
16 that?

17 A. I didn't pick it up and look at it, but
18 I -- it was right next to his knee, I believe,
19 there.

20 Q. And this duct tape was -- this isn't
21 the standard duct tape that we all use for
22 normal stuff, this was actually like four-inch
23 duct tape that was bright silver, and it had
24 writing on it, correct?

25 A. Black writing. I don't remember what

1 the writing was --

2 Q. Okay.

3 A. -- but, yes.

4 Q. So it was like legitimate duct, not
5 duck, but duct, not duck, but duct tape that
6 people use in the HVAC business, right?

7 A. It could be, yes.

8 Q. Okay, all right. And speaking of the
9 HVAC business, you actually found someone else
10 in the house that day, didn't you?

11 A. We did during the protective sweep.

12 Q. Okay, but you didn't tell us during
13 your direct, did you?

14 A. We found him in the front left
15 bedroom --

16 Q. Okay.

17 A. -- in the residence.

18 Q. Tell the jury who him is.

19 A. His name is Christopher Bliss.

20 Q. Did you notice any type of vehicles
21 outside the residence when you got there?

22 A. Yes, I did.

23 Q. And what were those?

24 A. There was a silver Chevy, I think it's
25 a HHR, it's like a cross-over, and then there

1 was a D&S Heating & Air truck.

2 Q. D&S Heating and Air?

3 A. Uh-huh.

4 Q. HVAC?

5 A. Yes, that's correct.

6 Q. Is that Mr. Bliss' work truck?

7 A. I don't know if it was or not.

8 Q. Well, the other vehicle had Tennessee
9 license plates, so is it safe to say that was
10 the Eckles' vehicle?

11 A. Yes.

12 Q. Okay. All right, so you didn't tell us
13 that Chris Bliss was in the house, right?

14 A. He was.

15 Q. Okay, and he was in the back room like
16 laying on top of clothes?

17 A. I don't know if he was exactly. When
18 we were doing the protective sweep it was
19 Sergeant Guise who actually was in the room and
20 found him.

21 Q. Did you prepare a report on this case?

22 A. I did.

23 Q. Are you familiar with it?

24 A. Yes, sir.

25 Q. Okay, is it truthful and accurate?

1 A. It is.

2 Q. Was it completed shortly after your
3 involvement with the case?

4 A. It was completed on the 12th.

5 Q. Okay, so the next day. And it says,
6 "Go into a back bedroom of the residence, we
7 found another white male lying facedown inside a
8 pile of clothing. He was also checked for
9 weapons and placed into handcuffs, he was
10 escorted out of the house."

11 A. Yes, sir, that's where Sergeant Guise
12 said he was found, that's right.

13 Q. That's Chriss Bliss though, right?

14 A. Yes.

15 Q. And you were there when he was found?

16 A. Yes, physically I was there --

17 Q. Okay.

18 A. -- yes.

19 Q. Okay. Is there any reason why you
20 didn't mention that fact when the Solicitor was
21 talking to you about --

22 A. We actually didn't get done with the
23 rest of the protective sweep, when we were --
24 when I was testifying about that.

25 Q. Okay, but that's important, is it not,

1 in the case for the Solicitor?

2 A. It is.

3 Q. And he was laying on top of clothing?

4 A. That's what I was told by Sergeant
5 Guise, that's correct.

6 Q. All right. Was he injured?

7 A. I don't know if he was injured.

8 MR. LEE: That's all I have, Your Honor.

9 THE COURT: Any redirect?

10 MS. KIDD: Yes, briefly, Your Honor.

11 THE COURT: Yes, ma'am.

12 ***

13 REDIRECT EXAMINATION

14 BY MR. KIDD:

15 Q. I'm gonna have you refer again to our
16 lovely charts, wherever it was placed. Just to
17 clear this up, where was Christopher Bliss
18 found? What portion of the house?

19 A. The --

20 Q. Oh, it's upside down, apologies. Okay.

21 A. So, again, this is the front door of
22 the house, that living room, where we had done
23 the protective sweep. This room right here is
24 where he was found.

25 Q. Okay.

1 All right, do you want to mark that as
2 well?

3 A. Yes.

4 Q. Where is the marker? All right. Put
5 them back on from, yeah, the chart, but I am
6 gonna ask you a few more questions.

7 A. Okay.

8 Q. Were there other officers on-scene that
9 evening?

10 A. Yes.

11 Q. Okay. Were you the investigator on
12 this case?

13 A. I was not.

14 Q. What was your role in this case?

15 A. Just the -- a first responder. Once
16 the decision was made to make entry into the
17 house, conducted a protective sweep, and with
18 what we found inside the house it was obviously
19 the decision to have an investigator called out
20 to complete the investigation of what happened.

21 Q. So is it fair to say that you always
22 assess the emergency and address it?

23 A. That's it.

24 Q. All right.

25 MS. KIDD: No further questions.

1 THE COURT: Anything else, Mr. Lee?

2 MR. LEE: No, sir.

3 THE COURT: All right, thank you very much,
4 sir.

5 WITNESS: You're welcome.

6 THE COURT: All right, ladies and
7 gentlemen, we're gonna take a brief break, and
8 I'm gonna let you go back to the jury room and
9 stretch for a minute, and they probably have
10 some snacks back there. Don't talk about the
11 case. Thank you.

12 (Jury exits the courtroom.)

13 THE COURT: All right, anything from the
14 State before we break for about ten minutes?

15 MR. LEE: Anything from the State?

16 THE COURT: Anything from the State before
17 we break?

18 MS. KIDD: No, Your Honor.

19 THE COURT: All right.

20 MR. LEE: Nothing.

21 THE COURT: Nothing? Okay. I want to come
22 back at ten after, okay? Thank you.

23 (Recess.)

24 BAILIFF: The jury is entering the
25 courtroom.

1 THE COURT: All right, thank you.

2 BAILIFF: The jury's all seated, sir.

3 (Jury enters the courtroom.)

4 ***

5 PROCEEDINGS CONTINUED

6 THE COURT: All right, ladies and gentlemen
7 of the jury, I want to let you know I was
8 actually here last year trying a case on
9 February 14th, and so I want everybody to relax.

10 It is my intention to break a little early
11 today, probably around 4:30, and so thereafter
12 I'll tell you the same thing I told the last
13 jury, if I see you-all in Walmart in the card
14 and candy section, okay, I'm not gonna be able
15 to speak to you.

16 Again, don't think I'm trying to avoid you,
17 but I probably -- I'll give you enough time, so
18 some of you perhaps, like me, will need to stop
19 at Walgreens or CVS before making their way back
20 home.

21 So with that having been said, I think the
22 State is ready to call their next witness.
23 Solicitor.

24 MS. KIDD: Thank you, Your Honor, the State
25 calls Lauren Eckles to the stand.

* * *

LAUREN ECKLES

* * *

being first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. KIDD:

Q. Hi Mrs. Eckles.

A. Hello.

Q. Can you please tell the jury a little bit about yourself? Where do you live?

A. I live in Tennessee.

THE COURT: All right, I'm gonna need you to speak up just a little bit, and --

WITNESS: Oh, yes, sir.

THE COURT: --unfortunately, you have to get really close to this microphone --

WITNESS: Right.

THE COURT: -- to make it work, all right? Thank you.

BY WITNESS:

A. I currently live in Tennessee.

Q. Are you married?

A. Yes, I am.

Q. Do you know the Defendant, Justin

1 Granet?

2 A. Yes, I do.

3 Q. And how do you know him?

4 A. He hung around us some, he was friends
5 with my husband, or I thought he was a friend of
6 mine also.

7 Q. Do you see him in the courtroom today?

8 A. Yes, I do.

9 Q. Can you please identify him for the
10 record by stating what he's wearing?

11 A. Yeah, he's wearing a darker blue,
12 almost black buttoned-up, sitting beside an
13 attorney.

14 MS. KIDD: At this time let the record
15 reflect that Lauren Eckles did identify the
16 Defendant, Justin Granet.

17 THE COURT: So noted.

18 BY MS. KIDD:

19 Q. Lauren, I want to get into something
20 about your past. Have you had run-ins with law
21 enforcement --

22 A. Yeah.

23 Q. -- before?

24 A. Yes, I have.

25 Q. In 2012 did you plead guilty to two

1 counts of theft, two counts of fraudulent use of
2 a credit card, and four counts of forgery?

3 A. Yes, I did.

4 Q. And in 2013, did you plead guilty to
5 theft?

6 A. Yeah.

7 Q. In 2018 did you plead guilty to theft,
8 several counts?

9 A. Yes, I did.

10 Q. Okay. What brought you to Beaufort
11 County on March 11th of 2019?

12 A. So my husband had been talking to Chris
13 Bliss and Justin Granet. I know the altercation
14 -- well, not an altercation, but a run-in
15 happened at our home in Gatlinburg, when Justin
16 Granet came to our house.

17 And there was a guy that was living with us
18 named Zane Croft, he was a tattoo artist at the
19 shop that me and my husband was at. And one
20 night I got up, and went toward the kitchen, I
21 had to pass the extra bedroom, and I heard
22 sounds, and she was sleeping with someone, and I
23 went in and woke my husband up and told him, and
24 he said, "You know, Lauren, I've got to tell
25 Justin, because he's one of my best friends, I

1 can't keep this from me." And he let Chris
2 know, because Chris was local, and he'd keep an
3 eye out, because he wasn't in a good head space
4 at the time.

5 He was making comments that he was gonna
6 kill himself, or making comments that he was
7 doing actions because he was so upset. So they
8 asked if we wanted to come down, so me and my
9 husband decided to get in the car and come down.
10 We thought it was gonna be like a fun trip.

11 Justin was going through a lot, so we were
12 at a Airbnb on Fripp, and we were on our way in,
13 and we asked Justin did he want to go get
14 something to eat, and he said, "I already ate."
15 So he said, "But you can stop by here before you
16 drop your clothes off on Fripp," he said, "and
17 we can go out to a bar, have a drink," mind you
18 he was gonna ride with us, and we were gonna go
19 pick him up, and thinking we'll go out and do
20 our thing, and I was gonna drive.

21 Q. So it sounds like you were invited?

22 A. Yeah, I was --

23 Q. Okay.

24 A. -- very much invited.

25 Q. Do you know what time you arrived?

1 A. Around 8 o'clock.

2 Q. Okay. Who were you expecting to be at
3 the house?

4 A. I'm expecting Justin to be at the
5 house. I wasn't really expecting Sally to be at
6 the house, but Justin did not put her out with
7 her children over that, so I didn't know if he
8 was just gonna come out, get in the car, go out
9 with us, whatever.

10 And we got there, he invited us in, and
11 Chris was at the house, and so it wasn't very
12 odd. The only thing odd was that he was driving
13 his work van, instead of his truck, but he was
14 there by the stairs, and Justin was gonna leave
15 with us, and Chris was gonna stay there or go
16 home, and lock up the house.

17 Q. So who -- just to clarify, who all was
18 at the house when you got there?

19 A. When we got there it was Justin Granet
20 and Chris Bliss --

21 Q. Okay.

22 A. -- and us.

23 Q. No one else?

24 A. No on else.

25 Q. All right.

1 A. There was an animal in the home, but --

2 Q. Okay so what was the interaction with
3 Justin and Chris like when you got there? How
4 were they?

5 A. It was hugs, how are you doing, good to
6 see you. Everyone was cutting up and catching
7 up, and nothing really was said about what he
8 was going through, everybody was just catching
9 up, "Oh, man, this is gonna be a great time, I
10 need this," this is what Justin said.

11 You know, hugs, and then at the time my
12 husband had two shots, it was weird, because
13 usually if they're gonna drink they drink
14 together. And he was like, "No, man, I already
15 took two shots, so did Chris. No, we'd done
16 took shots before you, just catch up with us."
17 My husband took two shots of alcohol, and we
18 were gonna leave, and wherever they wanted to
19 go, whether it was to drop the clothes off, or
20 whatever, and --

21 Q. So you were planning to meet up with
22 them later?

23 A. Yeah.

24 Q. Okay.

25 A. No, no, no, they were wanting to --

1 well, Justin was going with us. I didn't know
2 Chris was going, and that wasn't part of the
3 plan.

4 Q. Okay.

5 A. So it was odd when Chris was right
6 behind me before we walk out the door.

7 Q. So how long were you at the house
8 before you left, or planning to leave?

9 A. 20, 30 minutes just talking.

10 Q. Was there any kind of tension?

11 A. No, not at all.

12 Q. So when it was time to leave, what
13 happened?

14 A. As we were going out the dining room
15 door, I know you've got your --

16 Q. Yeah.

17 A. -- map.

18 Q. Yeah, let's --

19 A. I don't know.

20 Q. -- refer to this chart again.

21 Are you familiar with Justin Granet's home?

22 A. Yes.

23 Q. Okay.

24 A. So front door --

25 Q. Speak louder for the Judge.

1 A. This is the front door, but we wasn't
2 going out the front door, we were going out the
3 back door, because, usually, when people pull up
4 they go in the back, so it's just more
5 convenient to come in and out of this French
6 door right here. And we were here in this area
7 while my husband was taking shots, and we were
8 catching up.

9 And as we were going out the door, Corey
10 was first, Justin was second, I was third and
11 Chris Bliss got in behind me as fourth. And
12 what I thought was Corey would go out, Justin
13 would go out, and I would go out. I didn't know
14 why Chris was behind me, I thought he was just
15 gonna shut the door behind us, and just
16 whatever, but it was weird how he put the dog in
17 the bedroom.

18 Chris Bliss put the dog in the bedroom
19 before we left, I just figured he didn't want it
20 running all over the house. So when that
21 happened my husband was standing right here, and
22 Justin Granet grabbed him in a sleeper hold, and
23 at the same time Chris Bliss pulled a gun out
24 and put it to my head and told me to get on the
25 fucking couch.

1 Instantly, you know, I thought we were
2 being robbed. I didn't know --

3 Q. Okay.

4 A. -- tattoo, so I thought maybe they were
5 robbing us for the money that we had on us.

6 Q. So let's go back to what you just said.
7 I'm gonna put this here, so that I don't have to
8 hold it. You said, "Corey walked out towards
9 the back door."

10 A. Yes.

11 Q. Then what happened?

12 A. Corey walked out the back door, Justin
13 got in behind him, I was behind him, and Chris
14 Bliss was behind me.

15 Q. Okay. What did Justin Granet do?

16 A. He jumped up, my husband is a little
17 bit taller than he is. So he jumped up and
18 automatically put him in a sleeper hold.

19 Q. And what happened at that point?

20 A. I went to the ground and Chris Bliss
21 pulled a gun out at the same time and put it to
22 my head, and said "Get on the fucking ground,"
23 so I automatically sit down when there's a gun
24 to my head.

25 Q. How were you feeling at that time?

1 A. I didn't know what was going on. I was
2 very confused, and I didn't understand what was
3 happening. My brain couldn't comprehend, like I
4 thought we were going out and having drinks, or
5 whatever, and this turned into something really
6 different.

7 Q. So after Justin put Corey in a
8 chokehold and they fell to the ground, then what
9 happened?

10 A. It got very serious. He just kept on
11 trying to get him to pass out, and my husband
12 never would pass out. He would get almost
13 unconscious, and then he would be moving around
14 trying to come back to, and I guess I was just
15 too close to what all was going on down there,
16 and so Chris Bliss took directions from Justin
17 Granet to move me to the couch, while he's in
18 this position.

19 And he kept saying, "I can't do anything
20 until he's completely out."

21 Q. So you're moved to the couch?

22 A. Yes, I'm moved --

23 Q. Okay.

24 A. -- the couch.

25 Q. And why did you go to the couch?

1 A. They didn't want me in the way.

2 Q. Did you --

3 A. He said --

4 Q. -- feel you had a choice in the matter?

5 A. I didn't feel like I had a choice, no.

6 And he kept saying -- Justin kept saying, "He
7 loves her too much, you've got to move her to
8 the couch."

9 Q. So while you were sitting on the couch,
10 were you able to take any steps to help your
11 husband?

12 A. No. At that time -- well, when they
13 were wrestling on the ground, I could see when
14 they took each other to the ground, I could see
15 a gun in the back of his pants --

16 Q. Whose pants?

17 A. Justin Granet. The back of Justin
18 Granet's pants. And he kept trying to put my
19 husband out. What he wanted to do was zip-tie
20 him. He wanted to contain him in any way,
21 because they were communicating as this incident
22 is still ongoing. He couldn't get him out, he
23 kept on, he kept on, he kept on.

24 And so Chris Bliss decided to help Justin
25 try to knock him out. He used a gun.

1 Q. So while Chris was assisting Justin
2 Granet, what were you doing?

3 A. So how I was sitting on the couch, it
4 was like this with the back of the couch right
5 here.

6 Q. What does that --

7 A. The back of the couch was right here to
8 me, and the way he had me sitting was sideways.
9 He didn't check for a phone or anything, and I
10 got lucky to have --

11 Q. If you'd like to get down and show --

12 A. Yes.

13 Q. -- the jury, that may be more helpful.

14 A. So here is the couch he moved me to.

15 The back of the couch views the dining area.

16 And how he had me sitting was sideways.

17 So as I'm sitting sideways, I had a longer
18 jacket on, so he couldn't see that I had a phone
19 in my back pocket. I didn't want to attack
20 Justin or Chris, because I didn't want them to
21 shoot me, and nothing ever helped with any of
22 us, and I knew I had the phone. So I had to get
23 an opportunity to dial 911.

24 So as they're taking turns hitting him with
25 flashlights and guns, and passing guns back and

1 forth, and Chris was holding both. I pulled my
2 phone out of my back pocket while he wasn't
3 paying attention, while he was hitting my
4 husband in the head.

5 I dialed 911 and stuck it in the couch.
6 Right after I dialed 911 and stuck it in the
7 couch, he instructed me -- Chris Bliss
8 instructed me that he had to move me to a chair
9 that was already sitting here. The chair was
10 here. It wasn't odd to me that the chair was
11 here, because as you see a different array of
12 furniture in their home, they have children.

13 You never know if the kid put the chair
14 there or not, so I didn't feel any kind of
15 suspicion about a chair being in the middle of
16 the floor.

17 BY MS. KIDD:

18 Q. And I'm gonna show you State's Exhibit
19 38; is this the chair that you're referring to?

20 A. Yes, it is, it's right here, and that's
21 the couch that I was in when I dialed 911.

22 Q. So let's just show that. You said --
23 where's the couch?

24 A. This is the couch over here.

25 Q. Uh-huh.

1 A. This on the end, and that's the chair
2 he moved me into.

3 Q. So was there a struggle going on
4 between Justin and Corey?

5 A. Yes.

6 Q. You can go back to the stand.

7 A. Okay.

8 Q. Can you describe that struggle?

9 A. With Chris Bliss helping Justin hit him
10 constantly. He finally, like, dozed out of
11 consciousness enough for them to get a zip-tie
12 on him. Once that happened, he kept busting the
13 zip-ties.

14 At one point in time when he busted the
15 zip-ties on his feet, because he was fighting
16 for his life, he knew it went past like a
17 friendly wrestling match, that this is not it.
18 That's when your brain just is like in survival
19 mode at this point because nobody's letting off
20 of you, and you feel like, you know, it's a bad
21 situation, so he's fighting for his life at this
22 time, and he kept breaking the zip-ties.

23 At one point in time, like I said, he broke
24 the zip-ties on his feet, and he got up enough
25 to run toward Justin, he ran him all the way

1 into the back door -- the back French doors is
2 why they were shattered.

3 Q. I'm gonna show you State's Exhibit 27;
4 do you recognize that?

5 A. Yeah, this side is the side they hit
6 the French door, that's why it shattered.

7 Q. I'm showing you what was -- had
8 previously showed you State's Exhibit 27. So
9 you mentioned zip-ties.

10 Were there any other tools he used to try
11 to subdue your husband?

12 A. Yes, they had duct-taped him also. The
13 zip-ties was the main thing, and guns, and
14 continually beating him. I kept asking him,
15 "What's going on?"

16 Like I said, at first I thought we were
17 getting robbed, and then he told me get on the
18 fucking ground, and that's pretty much it, but
19 he goes into this state of survival, and you
20 don't know what's gonna happen.

21 Q. So you're asking what's going on. Are
22 you getting any kind of answers?

23 A. He said, "I'll tell you later." Justin
24 Granet said, "I will tell you later," and Chris
25 Bliss kept saying, "This has to be done."

1 Q. So when you were moved to the chair,
2 the wooden chair, did anything else happen?

3 Did anything --

4 A. Justin told Chris that he needed to tie
5 me up, so Chris was -- had me move to the chair,
6 and he started to bound my hands behind the
7 chair with rope. There was white rope on the
8 ground.

9 Q. I'm showing you State's Exhibit 35.
10 Do you recognize this?

11 A. Yes, that's my hands tied up.

12 Q. Can you repeat that?

13 A. That is my hands tied up.

14 Q. Okay, and what are they tied up with?

15 A. They're tied up with white rope.

16 Q. Were any other tools used against you?

17 A. Yes, there was. There was air
18 conditioning duct tape that was taped all the
19 way around my whole head, mouth, hair, about all
20 of it.

21 Q. And I'm showing you State's Exhibit 33.
22 Do you recognize this?

23 A. Yes, that's me after the cops got
24 there.

25 Q. And what is around in there?

1 A. There is A/C duct tape around my neck.

2 Q. Now, I'm noticing that this duct tape
3 seems to be pulled down a bit.

4 Can you explain how that happened?

5 A. It was pulled down. For a while in the
6 hallway I kept moving my mouth. When you start
7 getting duct taped around your mouth, it starts
8 like a panic, and you start to can't breathe, or
9 either it's just your body going into this panic
10 mode, and you start to breathe more, and it's
11 hard to breathe, because all you breathe through
12 is your nose, and you start panicking.

13 I started to lick around my lips to try to
14 get the duct tape to unstick as much as possible
15 and move my mouth up and down, to try to move it
16 away. And while I was duct taped my husband
17 just kept saying, "Just let her live, just let
18 her breathe, she can't breathe."

19 Q. So you mentioned being in the hallway.
20 How did you get to the hallway?

21 A. Once he --

22 Q. Go back to that.

23 A. Once he tied me up and --

24 Q. And it may be helpful to refer to this
25 again since we are moving now.

1 A. Yeah. Once he tied me up where the
2 chair was at --

3 Q. This chair right here?

4 A. Yeah. It was kind of a moment where
5 Corey wasn't struggling as much, but I had
6 already dialed 911, so I was -- didn't know how
7 long they were coming, I was just expecting it.
8 I was just glad I was able to dial 911 before I
9 was detained.

10 When they'd seen lights come up the
11 driveway, that's when they decided that we
12 needed to move into the hallway.

13 Q. So while you were sitting in this
14 chair, where was Corey?

15 A. I was sitting in this chair, and my
16 husband was in the hallway like -- or not the
17 hallway, but the dining room area near the
18 hallway. So once the lights come up the
19 driveway, Chris Bliss seen them. He brought me
20 in here, but Corey had already been drawn in by
21 Justin, so Corey thought he was brought in by
22 Justin, and was in the hallway laying.

23 His feet were here and his head was here.
24 And when he sat me down -- when Chris sat me
25 down forcefully, he sat me down and like covered

1 me over him, so I was sitting on my butt
2 crouched over here. And he said, "Don't fucking
3 make a sound and the cops will go away, don't
4 say anything."

5 Q. Were you able to have any kind of
6 conversation with them while you were crouched
7 in the hallway?

8 A. Any conversation with Justin and Chris?

9 Q. Yes.

10 A. I tried to lessen the situation. You
11 have a man that's enraged, and he constantly
12 beats your husband, what else can you do besides
13 try to talk him down?

14 I told him I would lie, if they would just
15 let the cops in the door, and I'd tell them my
16 husband got in a bar fight, and that's how that
17 door got smashed and that he was drunk. I just
18 tried to tell him anything I could to get him to
19 just get to the door, because I knew once the
20 cops got in the residence, that it was gonna be
21 over, but I needed this to happen before he
22 died.

23 Q. Was there any kind of conversation
24 going on between Justin Granet and Chris Bliss
25 at this time in the hallway?

1 A. Yeah. When they were talking, someone
2 called the phone -- someone called someone's
3 phone. He said, "Matt called, and the police
4 are outside trying to get in." And Justin said,
5 "Tell them that I'm not home so they will go
6 away," pretty much like, "get them out."

7 Q. At any point did Chris Bliss leave the
8 hallway?

9 A. Chris did leave the hallway, because
10 the cops were there, we could see the
11 flashlights at the back door -- you could see
12 flashlights at the front door. They never made
13 entries; they actually went away for a while.
14 So they were thinking that if the cops went
15 away, it would all go away. And then I'm
16 guessing, I don't know --

17 Q. Did they ever try to hide anything?

18 A. Yep. So they're in the hallway and he
19 kept telling them, "Just let me live, just let
20 my wife live," and he'd be almost in and out of
21 consciousness, and they just continued to beat
22 him in the hallways, flashlights, guns. At that
23 point in time, Justin said, "You have to put the
24 guns up.

25 You have to put the guns up; the cops are

1 here." They pretty much knew they were had,
2 it's been 30 minutes, and the cops almost never
3 went away, like they're always out here, and I'm
4 just waiting for the door to get kicked in. And
5 at that time Chris Bliss went out of my sight
6 toward the dining room, where it started at.
7 And then he ran back down the hallway, and at
8 that time the cops kicked the door in.

9 Justin stood up and walked toward the cops,
10 and Chris Bliss continued to stay in the back
11 left bedroom.

12 Q. So to be clear, when Corey was being
13 hit, what items were being used to hit him?

14 A. The flashlight and two guns.

15 Q. How many guns did you see that evening?

16 A. Two.

17 Q. Who did you see with those guns?

18 A. Justin had one in the back of his pants
19 when I'd first seen the altercation start, and
20 Chris was pulling a small black gun out of his
21 pocket and stuck it in my head.

22 Q. Can you describe those guns?

23 A. Just a small black gun, I don't --

24 Q. So you said the police arrived.

25 At what point did the police make contact

1 with you? What happened?

2 A. It took a while for the police to make
3 contact with me. Like I said, I was in the
4 hallway slumped over my husband. And the police
5 kicked the door in and grabbed Justin first, and
6 automatically they say, "Lauren and Corey, come
7 out with your hands up."

8 And I just tried to tell him -- because it
9 had come down to that, that the duct tape they
10 could understand that I said, "We're in here,
11 we're tied up, we're not armed, it's not us."

12 And they didn't know that Chris Bliss was
13 not a victim, he was laying in the back bedroom,
14 so they thought he was a victim. So I had to
15 let them know, no, that he is the other person
16 involved in the crime.

17 Q. Can you describe what Corey looked like
18 when he was laying in the hallway?

19 A. His head had classic gashes in it. I
20 could see down in his skull.

21 Q. I'm gonna show you State's Exhibit 55;
22 is this what he looked like in the hallway?

23 A. Yes. I was sitting right beside him.
24 And my pants that I had on were covered in
25 blood.

1 Q. Did Justin Granet appear to have any
2 injuries when you were huddled with him in the
3 hallway?

4 A. No. What I think happened was when my
5 husband broke the zip-ties on his feet and was
6 coming after him, to try to get through the
7 door, he just wanted to break the door, so we
8 could have a chance to run I'm sure.

9 That's the only fought-back he ever gave.
10 He never threw a punch; he didn't have a chance.
11 When he started running through the door, I feel
12 like something was happening, because he thought
13 he was going through the door, and I think there
14 was an injury to his hand from what I remember
15 because of that.

16 Q. So was Corey treated that evening on-
17 scene medically?

18 A. Yes. I was talking to Detective
19 Snider. They took him by ambulance and started
20 working on him. When I got there at the
21 Beaufort Hospital, they told me they have to
22 take him to Charleston immediately.

23 COURT REPORTER: They had to take him
24 where?

25 BY WITNESS:

1 A. Charleston immediately.

2 Q. I'm now gonna show you what's been pre-
3 marked as State's Exhibit 36, 37 and 38. Can
4 you please look at these photos, and tell me if
5 you recognize them?

6 A. Yes, this picture is the day he got out
7 of the hospital.

8 Q. State's Exhibit 36.

9 A. And 37 and 38 is a week after the
10 incident.

11 MS. KIDD: At this time, the State seeks to
12 enter State's Exhibits 36, 37, and 38, and
13 publish to the jury.

14 MR. LEE: No objection.

15 THE COURT: Thank you.

16 (State's Exhibits 36 - 38 admitted into
17 evidence.)

18 BY MS. KIDD:

19 Q. Okay, so State's Exhibit 36 can you
20 repeat what this is a photo of?

21 A. My husband the day after he got out of
22 the hospital.

23 Q. So March 12th, 2019. So after he was
24 released from the hospital down here in South
25 Carolina, what did you-all do?

1 A. I drove back to Tennessee and I took
2 care of him for two weeks, and after a week --
3 those are the pictures.

4 Q. So can you please explain what State's
5 Exhibit 37 is?

6 A. State's Exhibit 37 is staples and
7 stitches that was in his head.

8 Q. State's Exhibit 38?

9 A. 38 is pictures of him in the bathtub.

10 Q. Did you take these photos?

11 A. Yes, I did. I took care of him and
12 bathed him for two weeks.

13 Q. What has Corey's recovery been like?

14 A. He can't turn the ceiling fan on that
15 has a light, he gets dizzy. It was rough for a
16 really long time. He had constant like ear
17 swelling for a while. He don't remember a lot
18 of things. This wasn't him before. We've moved
19 four times. It's not been great.

20 MS. KIDD: Court's indulgence.

21 THE COURT: Yes, ma'am.

22 BY MS. KIDD:

23 Q. One thing I do want to go back to, you
24 mentioned that you hid the phone in the couch.
25 Did anyone ever ask you for your phone?

1 A. Yes. So Corey was in and out, and he
2 said, "Help, help," twice, that's when I'm
3 screaming, "Stop, stop, please stop," you know,
4 and no one would quit. He hollered, "Dial 911,"
5 but he didn't know I had already dialed 911. So
6 immediately the reaction was, "Where the fuck is
7 your phone at?" And I told them that I didn't
8 have a phone.

9 I actually went to the extent of taking my
10 keys out of my jacket pocket before I got tied
11 up, and handed it to Mr. Bliss, and telling him
12 that if he wanted to go outside and check in my
13 car, he could. And I wanted him to do that,
14 because that would give me an opportunity to try
15 to run, but he never left the residence once
16 inside, no one did.

17 Q. So throughout the course of the evening
18 once this incident began, did you feel that you
19 were free to leave?

20 A. No, I wasn't free to leave.

21 Q. Were you in fear for your life?

22 A. Yes, I was. In the hallway I had the
23 barrel of the gun to my cheek and the side of my
24 face. And I know that it was loaded, because he
25 told me when he tied me up, Chris Bliss did,

1 that he needed to move -- he had told him
2 because he needed to move me to a different
3 location before the cops there. Then once the
4 cops got there he cocked the gun and had it in
5 my face in the hallway.

6 He said, "Get the fuck in the hallway, the
7 cops are here." I think -- I feel like he knew
8 I called 911.

9 Q. And were you in fear for Corey's life?

10 A. Definitely, and I was.

11 MS. KIDD: Court's indulgence.

12 THE COURT: Yes, ma'am.

13 BY MS. KIDD:

14 Q. And, again, Mrs. Eckles, please answer
15 any questions the defense may have.

16 A. Yes, ma'am.

17 THE COURT: Mr. Lee?

18 * * *

19 CROSS-EXAMINATION

20 BY MR. LEE:

21 Q. Ms. Eckles, the Solicitor went pretty
22 quickly over your prior convictions in the last
23 few years, I wanted to make sure, because I
24 don't know that.

25 So your testimony was that in 2012 in you

1 had two thefts?

2 A. Yes, sir.

3 Q. For something. So there's two thefts,
4 two fraudulent use of credit cards, right?

5 A. Yes.

6 Q. And that's one, two, three, four
7 forgery convictions?

8 A. Yes.

9 Q. And then a fraudulent use of a credit
10 card forgery?

11 A. Yes.

12 Q. Yeah? And one thing you didn't mention
13 it's showing up as an aggravated burglary that
14 you pled guilty to on March 18th, 2013.

15 Did you forget about that one?

16 A. No, I didn't.

17 Q. You didn't? Did you say anything about
18 it on your direct?

19 A. Just anything that they sent me that I
20 pled out to I said yes.

21 Q. So you pled --

22 A. Yes --

23 Q. -- out to aggravated burglary?

24 A. Yes, I did.

25 Q. Okay, 2012, all right. And then 2013

1 another theft?

2 A. Yes.

3 Q. Okay. And then 2018 three counts of
4 theft of property?

5 A. Yes.

6 Q. Okay. Do you want this jury to believe
7 what you said?

8 A. I was obviously a different person at
9 that time. I know it's your job to make me look
10 like that, but, yes, I am guilty of everything
11 that I've done.

12 Q. So when did this big change happen for
13 you?

14 A. When I got sober.

15 Q. When did you get sober?

16 A. In 2015, yes.

17 Q. Okay. So 2018 you had three counts of
18 theft of property?

19 A. Because I ran from probation. I ran
20 for three years.

21 Q. Okay.

22 A. And then I turned myself in once I got
23 sober, because I had to be sober before I turned
24 myself into a jail that had drugs.

25 Q. So in 2018 theft of property?

1 A. It's when I pled to it.

2 Q. Oh, okay.

3 A. I had the warrant prior, but I pled to
4 it in 2018, which I was already sober.

5 Q. Okay. You say you ran for three years?

6 A. Yes, I did.

7 Q. The way they found you is Corey turned
8 you in, didn't he?

9 A. The way they found me was I went to my
10 grandmother in east Tennessee, and my neighbors
11 seen someone in the driveway and called the
12 Police, so, no, Corey did not turn me in.

13 Q. Okay. You don't know who turned you
14 in?

15 A. I know the neighbor called the cops.

16 Q. Okay.

17 A. Because there was a car in the driveway
18 at my grandmother's.

19 Q. All right. During that three years
20 that you were running, did you have to lie to
21 anybody about anything?

22 A. Of course.

23 Q. Okay.

24 A. When I ran, I lied about a lot of
25 things.

1 Q. Right, okay. What day were you and
2 Corey married?

3 A. January the 9th.

4 Q. January 9th?

5 A. 2019.

6 Q. Okay. And then let's talk about this
7 Zane Croft incident that you alluded to. That
8 was on January 27th of 2019 according to you,
9 right?

10 A. I don't know the exact date, around
11 about that time, yeah.

12 Q. Does that sound right?

13 A. Yeah, it sounds --

14 Q. Okay.

15 A. -- around about that time.

16 Q. Okay. And your and Corey's story is
17 that you-all were sleeping, and all of a sudden
18 there's so much racket coming from down there --

19 A. No. No, no, no.

20 Q. Oh.

21 A. I got up from our bedroom.

22 Q. Okay.

23 A. Walked down the hallway.

24 Q. Okay.

25 A. Get something in the kitchen.

1 Q. Okay.

2 A. Then I heard moaning and heard it from
3 the bedroom.

4 Q. Okay.

5 A. And I woke my husband up, and he told
6 me, "I think you're crazy, but make sure and go
7 to the couch, and make sure she's not there."

8 Q. Okay.

9 A. She wasn't on the couch. I left the
10 bedroom door open, and you could see her exit
11 the room.

12 Q. Okay.

13 A. It's not a story, it's what I'd seen.

14 Q. Okay. And we're talking about Sally
15 Granet here?

16 A. Yes, we are.

17 Q. Okay, just to make sure. And the same
18 Sally Granet who's married to Justin, right?

19 A. Yes.

20 Q. And you've known him for a while?

21 A. Yes.

22 Q. And who your husband's known a while?

23 A. Yes.

24 Q. Who your husband knew before he knew
25 you probably, right?

1 A. Yes.

2 Q. Okay. And Sally would periodically
3 come up to visit you-all?

4 A. Yes, she would.

5 Q. Did she ever visit Corey when you were
6 not there?

7 A. One time I was at work and she was in
8 town, but Justin's daughter was with her.

9 Q. Okay. Did you find it weird that a
10 married woman would come up to hang out with a
11 married man not her husband?

12 A. No, I didn't find it weird, because
13 that's just how she is.

14 Q. Okay.

15 A. She was always around.

16 Q. Okay.

17 A. Or we -- she would always want us to
18 come down.

19 Q. Okay. I'm talking about her going to
20 see you-all.

21 A. No, her coming there --

22 Q. Did she invite herself? Did Corey
23 invite her?

24 A. Yeah, when I got out, she wanted to
25 come up and spend time.

1 Q. When you guys hung out?

2 A. She hung out with me when I got out of
3 jail, yes.

4 Q. Okay.

5 A. She'd come up and spend time with me.
6 She was with me more than she was ever around
7 him.

8 Q. How about the one year that you were in
9 jail? How many times did she go to see Corey
10 during that time?

11 A. I have no idea.

12 Q. You don't know, okay.

13 A. I was incarcerated, I wasn't on the
14 street.

15 Q. And so you know that there is something
16 out there claiming that Sally Granet and Corey
17 Eckles had a five-year affair?

18 A. I don't believe it.

19 Q. You don't believe it? Even part of it?

20 A. I don't know.

21 Q. You don't know?

22 A. I know since I've been married to him,
23 and since we've been together, that's not
24 something that I had ever worried about as
25 wanting woman, no.

1 Q. So you don't know if it happened
2 before?

3 A. Huh?

4 Q. You don't know if it happened before
5 you were there --

6 A. No.

7 Q. -- or you were in his life?

8 A. No.

9 Q. And you don't know what happened in the
10 one year you were in jail, do you?

11 A. No.

12 Q. Okay. And has Corey ever come clean to
13 you and said, "Yeah, I was having an affair with
14 Sally?"

15 A. No.

16 Q. Okay.

17 A. Never.

18 Q. So if he was, he's lying to you?

19 A. Let me say he dated someone when I was
20 locked up, and he'd come clean about that,
21 because we decided we're not gonna be together
22 while I was locked up, because I didn't know how
23 much time.

24 So I feel like I know my husband enough,
25 and he would have been like, "Hey, this is

1 what's going on."

2 Q. So you believe, if he was having an
3 affair with Sally Granet, he would have told
4 you?

5 A. Yes.

6 Q. Okay.

7 A. Or would have made a way to get away
8 from me, instead of -- he never had time --
9 you've got to understand me and Corey work
10 together, we live together, we ride to work
11 together, when did she have time, unless it
12 happened, like you said, when I was locked up
13 and we weren't married at the time.

14 Q. But still you-all were --

15 A. Plus she was married, if that was the
16 case, and that's what you think.

17 Q. You-all weren't married, but you were
18 together, right?

19 A. We were together off --

20 Q. Dating.

21 A. -- and on for three years.

22 Q. I mean don't you usually date someone
23 exclusively before you marry them?

24 A. Yeah, I did.

25 Q. Okay, were you-all doing that?

1 A. Yeah.

2 Q. Okay. Was it a monogamous
3 relationship, in your opinion or --

4 A. To me --

5 Q. -- your understanding?

6 A. To me it was me and him and that was
7 it.

8 Q. Okay. Did he have permission, or did
9 you condone him sleeping with other women?

10 A. No, he never -- he knows not -- he
11 doesn't sleep with other women. He knows that I
12 would never want him to sleep with another
13 woman.

14 Q. Well, of course, you don't want him to,
15 I'm asking you if he did?

16 A. Not that I know of.

17 Q. Not that you know of. And if you found
18 out that he did, you wouldn't be real happy,
19 would you; is that safe to say?

20 A. I mean it's safe to say that I wouldn't
21 be happy with him, but I wouldn't stay with him
22 either.

23 Q. Okay. And so if this uncovered that
24 Corey is having an affair with Sally, when
25 you're supposed to be with him, you wouldn't

1 throw -- kick him to the curb?

2 A. Yes.

3 Q. Okay. So he had a lot to lose, if it
4 came out that he was having an affair with Sally
5 Granet, right?

6 A. Not a lot to lose, I mean --

7 Q. Well, you.

8 A. There's a difference between me and
9 Sally Granet.

10 Q. I understand. I'm talking about what
11 he has to lose.

12 A. What does -- I don't --

13 Q. He's having an affair with somebody and
14 he's with you, you're gonna kick him to the
15 curb, right?

16 A. He's not gonna weight out that over
17 what he has.

18 Q. He has a lot to lose, if it's
19 discovered that he's having an affair with Sally
20 Granet; do you agree with that?

21 A. Yes.

22 Q. Okay.

23 A. He has a lot to lose.

24 Q. Okay. And, in fact, you had actually
25 heard -- this isn't the first time you've heard

1 that, you've heard that before, right?

2 A. About what?

3 Q. People saying he was having an affair
4 with Sally Granet.

5 A. I've never heard that before.

6 Q. You've never heard that before?

7 A. Never heard it before.

8 Q. Before right now?

9 A. Before the media. Let me rephrase
10 that.

11 When this incident happened, it'd come out
12 that it was an alleged affair. It's the first
13 time I ever heard anything about him and Sally
14 like that.

15 Q. So you think the media planted that
16 story and made it up?

17 A. No. But they -- who said that to get
18 them to say it? Who mentioned that?

19 Q. I don't know.

20 A. Supposedly, Sally Granet told her
21 husband that she was having an affair with my
22 husband but didn't contact me about it.

23 Q. Okay.

24 A. Do you not find that weird? If we're
25 such best friends and you come down all the time

1 to visit me, wouldn't you tell me first?

2 Q. Are you best friends with her?

3 A. That's what I assumed, that we were all
4 four friends.

5 Q. Okay. And, in fact, Corey was such a
6 good friend to Justin, that he felt like he
7 needed to tell him that Sally slept with Zane
8 Croft, right?

9 A. Because it happened in his home.

10 Q. So if it didn't happen in his home, he
11 wouldn't have an issue with it and wouldn't tell
12 him?

13 A. He wouldn't even know if it didn't
14 happen in his home.

15 Q. But if he knew that it happened
16 somewhere else, would he have told him or not?

17 A. I feel like he didn't want to betray
18 Justin, and he wanted him to know.

19 Q. What? Can you say that again, please?

20 A. He didn't want to betray Justin. He
21 knew the facts. He wanted to let Justin know,
22 so he wasn't in the dark about it.

23 Q. Okay. So Corey, being the goodhearted
24 person that he is, didn't want his buddy Justin
25 to not know that Justin's wife had slept with

1 some tattoo artist that was staying at your
2 house?

3 A. Because if Justin had witnessed me
4 cheating on my husband, he knows that Justin
5 would have told him also.

6 Q. Okay. Wouldn't it be ironic if Corey
7 was having an affair with Sally, and didn't tell
8 Justin, but then felt the need to tell Justin
9 that she slept one time with one other person
10 supposedly?

11 A. It would very much be ironic.

12 Q. Zane Croft, how long did he live with
13 you-all?

14 A. He lived with us for four months.

15 Q. Four months? Okay. Did you-all give
16 any information to investigators about his name,
17 or where he stayed and stuff like that?

18 A. I'm pretty sure I gave the information
19 about his name. I know my husband stated he
20 lived in our home, some information about him,
21 and the city he lives in so that someone could
22 try to contact him for this reason.

23 Q. I thought Zane lived with you-all?

24 A. He did for four months.

25 Q. Okay.

1 A. And then went back to Ohio.

2 Q. And he worked with Corey?

3 A. Yes.

4 Q. So Corey had his phone number and that
5 sort of thing?

6 A. Yes.

7 Q. Okay. Do you know if investigators
8 ever asked Corey for Zane's contact information?

9 A. No, because then he went to jail. Zane
10 got picked up. He had a tattoo shop in
11 Gatlinburg, he had a warrant out of Ohio, and he
12 got shipped back.

13 Q. So he's in jail?

14 A. He had asked to come stay -- he asked
15 to come stay, and he was with us for four
16 months.

17 Q. So he was in jail?

18 A. Yes.

19 Q. For four months?

20 A. Yes.

21 Q. So he'd be easy to be found by law
22 enforcement if he's in jail, right?

23 A. Yeah, but it was a couple months
24 before. I don't know how long he had to do. I
25 don't know his people's address or phone number,

1 or anything like that. But, yes, given the
2 name, I mean if you wanted to look him up, I'm
3 sure you could find him too, he'd have to appear
4 in court today.

5 Q. Well, I'm not an investigator.

6 A. That's right, and I'm not an
7 investigator either.

8 Q. As far as you know, did anybody ever
9 talk to Zane?

10 A. I have no idea.

11 Q. You don't know?

12 A. No. Zane ain't involved in the crime,
13 he's involved in the incident that happened
14 before the crime.

15 Q. Well, Zane's involved, if that's what
16 the story is that Corey's giving about why he
17 even came down here, right?

18 A. Correct.

19 Q. Yeah.

20 A. He came down here -- no, he told him
21 already over the phone. He came down here
22 because Justin said he felt like he was gonna
23 kill hisself (sic), because his whole world was
24 falling apart and he was losing his family.

25 Q. So he told him over the phone. The

1 other thing that Corey did is, he essentially
2 threatened Sally into wanting her to talk to
3 Justin.

4 A. He told her it's not his place to tell
5 what you have done; you need to tell your
6 husband. He told her numerous times. That's
7 not a threat, that's wanting her to own up to
8 what she's done.

9 Q. Is it a threat that, "If you don't tell
10 your husband, I'm gonna tell him?"

11 A. I don't feel like that's a threat.

12 Q. You don't?

13 A. Not for her to lie. "If you don't tell
14 him, I'm gonna tell him, so if you don't do
15 something, I'm gonna do it."

16 Q. Okay. So then why is Corey the, you
17 know, the end all, be all person who makes the
18 moral judgments about what somebody should
19 tell --

20 A. He's not the person who makes the moral
21 judgment, he was trying to be a friend. I get
22 what you're trying to do --

23 Q. Because --

24 A. -- but that's not --

25 Q. -- he was trying to be a friend?

1 A. I guess that's your job.

2 Q. And he's already told him. You say he
3 already told him through text.

4 A. Yeah, he already --

5 Q. Okay.

6 A. -- told him through a text message.

7 Q. But then he came --

8 A. He told her to tell him.

9 THE COURT: Hold on, hold on.

10 BY WITNESS:

11 A. -- but she didn't.

12 THE COURT: Hold on one second. What I'm
13 gonna do is, we're starting to almost talk over
14 each other.

15 WITNESS: Yeah.

16 THE COURT: And the reason though it's
17 important that not happen, is because I have a
18 court reporter --

19 WITNESS: Yeah.

20 THE COURT: -- who is recording everything.

21 WITNESS: I'm sorry.

22 THE COURT: No, I'm speaking to Mr. Lee.

23 MR. LEE: Yes, sir.

24 THE COURT: And I'm also speaking to you.

25 If Mr. Lee will ask a question, let him complete

1 the question, and then you can answer, assuming
2 you know the answer or understand the question.
3 And, likewise, Mr. Lee, if you would allow her,
4 sir, to please finish her answer to a question,
5 before you begin a follow-up, okay?

6 MR. LEE: Yes, sir.

7 THE COURT: Okay.

8 MR. LEE: Yes, sir, I just didn't --

9 THE COURT: Can you do that?

10 MR. LEE: Yes, sir.

11 THE COURT: Thank you.

12 MR. LEE: Okay, I will.

13 BY MR. LEE:

14 Q. Okay, if I cut you off, is there
15 anything else you wanted to say in response to
16 the last question?

17 A. No.

18 Q. Okay. Now, let's talk about this.

19 How did your DNA get on both guns?

20 A. The handgun was in my face once in the
21 hallway when it started --

22 Q. Uh-huh.

23 A. -- and then the dining room area when
24 it started. When they were in the single file
25 line when the incident started, I had a gun to

1 my face then.

2 Q. Okay.

3 A. And then I had another gun stuck in my
4 cheek in the hallway --

5 Q. Okay.

6 A. -- when the cops arrived --

7 Q. Okay.

8 A. -- and telling me to be quiet.

9 Q. So if any of your DNA was on a gun, it
10 should be on the end of the barrel, because you
11 say it was stuck in your face?

12 A. Yes.

13 Q. Okay. No way it could be on the handle
14 of the gun or anything like that, could it?

15 A. No.

16 Q. No way?

17 A. No.

18 Q. Okay. And you're as sure about that as
19 you are about the rest of your testimony?

20 A. Yes, sir.

21 Q. Okay. So there's no way your DNA's on
22 the handle of those guns?

23 A. No.

24 Q. Okay.

25 A. My hands were tied behind my back, how

1 was I gonna touch a gun?

2 Q. Right. All right, let's talk a little
3 bit about -- so you're saying that Corey came
4 down here, being the good friend that he was,
5 that as far as you knew he wasn't sleeping with
6 Sally, but he was coming down just because he
7 was concerned about his good buddy, Justin, and
8 how he's gonna get through finding out that
9 Sally had slept with Zane at your house?

10 A. Justin had already made comments about
11 wanting to end his life to Corey. Corey had
12 already wanted Chris Bliss to go over and check
13 on him, and he'd done sent the messages, that
14 you already mad public to the jury --

15 Q. Yeah.

16 A. -- that he sent the text messages to
17 Chris Bliss because he wanted him to realize how
18 serious it was and said that Justin was making
19 threats on his own life.

20 And Chris Bliss said, "I'll take care of
21 it. I'll make sure he's straight." And he
22 drove straight setting up a crime, I guess
23 that's what that is.

24 Q. So Corey copied Chris Bliss with his --
25 with Corey and Sally's communication back and

1 forth, saying, "You need to tell him or I'm
2 going to." He copied, cc'd Chris Bliss on it?

3 A. Yes, that's what she said.

4 Q. Okay. And what possible reason would
5 that be; do you know?

6 A. Because they're best friends.

7 Q. Who is best friends?

8 A. Chris and Justin.

9 Q. Okay.

10 A. And Corey's a friend of the both of
11 them.

12 Q. Okay. And you're aware that there was
13 at least -- it was at least out there at least
14 that -- it was a suggestion that Sally had
15 previously slept with Chris Bliss; you knew that
16 too, right?

17 A. I have heard --

18 Q. You had heard, okay.

19 A. -- that she didn't sleep with Chris
20 Bliss, I had heard from Chris Bliss that he was
21 on a boat and Sally tried to touch his private
22 area while they were out on the water drinking.

23 Q. Okay.

24 A. But that confirmed Chris Bliss.

25 Q. That what?

1 A. That confirmed Chris Bliss' self.

2 Q. Gotcha. Does Justin know about that?

3 A. I have no idea.

4 Q. Did you ever tell Justin that?

5 A. No, I didn't have time, you know.

6 Chris said that on the phone with me while we
7 were driving down from Tennessee --

8 Q. Okay.

9 A. -- to check on Justin the night of the
10 crime.

11 Q. Did Corey hear that?

12 A. Corey did hear it; Chris Bliss was on
13 speaker phone in the car with me.

14 Q. Well, that probably made Corey get --
15 being the good friend he is, he probably needed
16 to tell Justin that too, right?

17 A. He was going to sit him down after he
18 got there.

19 Q. He was?

20 A. Yeah.

21 Q. To talk about Chris Bliss too?

22 A. He didn't know Chris Bliss was there.

23 Q. Okay. But you --

24 A. Chris Bliss wasn't supposed to meet us
25 at the house. Justin is who we were meeting at

1 the house.

2 Q. Yeah, but --

3 A. And Corey told me he wanted to sit
4 Justin down after this and get it out all in the
5 open, all the things that Chris has been saying,
6 too, about Sally.

7 Q. Okay. But as long as Justin's there,
8 and that's the person that Corey's trying to
9 help out as a friend, why didn't he tell Chris
10 Bliss right then?

11 A. While we were walking in the door,
12 Chris Bliss was right there.

13 Q. Okay.

14 A. Just a lot going on.

15 Q. When all this stuff was going on, do
16 you think it's logical that Chris Bliss is
17 worried about Lauren saying something to Justin?

18 A. Yeah, I guarantee you.

19 Q. Yeah, you could have said, "Hey, she
20 tried to grab Chris' junk on the boat," or
21 whatever you said it was.

22 A. Yeah.

23 Q. You could have said that, right?

24 A. Yeah, I could have.

25 Q. Okay.

1 A. But then why would I do that with a man
2 with a loaded gun to my face? That's a great
3 way to talk.

4 Q. Well, to try to get on the -- I don't
5 know.

6 A. What am I trying to do, get on Justin's
7 good side while he's beating my husband, or get
8 on Chris' good side while he's got a gun to my
9 face and telling him, that makes no sense.

10 Q. Okay. But you can tell Chris Bliss
11 might be worried that you're gonna blurt that
12 out in the middle of this stuff, right?

13 A. Yeah.

14 Q. Okay. And what would, hypothetically,
15 be a good reason to prevent someone from
16 speaking?

17 A. He's got a gun to my mouth. Are you
18 talking about Chris Bliss?

19 Q. I'm just asking what would be a good
20 way to keep somebody quiet?

21 A. Duct tape your mouth.

22 Q. Okay.

23 A. But what's the point in duct taping my
24 husband, when he broke all his teeth out, and
25 he's choking on his blood in his mouth and his

1 teeth? What's the point in duct taping him? He
2 couldn't say nothing, he's defenseless. They
3 kept beating him. He had no way to say
4 anything.

5 Q. It doesn't make sense, none of this
6 makes sense, you know what I mean?

7 A. No.

8 Q. Yeah.

9 A. But I was there.

10 Q. The version the State's presented
11 doesn't make sense, does it?

12 A. That is not what I said.

13 Q. But --

14 A. What you're trying to say doesn't make
15 sense.

16 Q. Okay.

17 A. I was there.

18 Q. You were there, and you're telling the
19 truth?

20 A. Yes.

21 Q. Okay. All right. Now, let's walk back
22 a little bit.

23 So your version, Lauren, is that first
24 things were cool, hugging, you know, hugging up,
25 that sort of thing, right?

1 A. Yes.

2 Q. And, in fact, I don't know if you'll
3 remember this, isn't it true that for several
4 minutes that you-all were even talking about
5 tattoos and artwork, and that sort of thing?

6 A. We were talking about tattoos.

7 Q. And you were actually showing some
8 pictures on your phone to Chris and to Justin
9 and then to Corey about some artwork or some
10 tattoos?

11 In other words, your tattoo conviction. Do
12 you remember that, showing them on your phone?

13 A. Yes.

14 Q. Yeah, okay. And that was when
15 everything was cool, right?

16 A. Yes.

17 Q. Okay. And, actually, Justin went down
18 the hall and got an iPad he had some art on,
19 right; do you remember that?

20 A. No, I don't remember that.

21 Q. You don't remember that?

22 A. No.

23 Q. Do you remember he went down to the
24 bathroom for like five or ten minutes?

25 A. No, I don't recall that.

1 Q. You don't recall that? Because if he
2 was down in the bathroom, that would leave you,
3 Corey, and Chris together, right?

4 A. No.

5 Q. If he went -- if he left, that would
6 leave three of you-all, right?

7 A. If that's what you say, because there's
8 only that many in the house.

9 Q. Four minus --

10 A. Yes, there was --

11 Q. -- one --

12 A. -- at least three of us.

13 Q. Okay. So part of your story as well
14 is, that but for the grace of God that Chris
15 Bliss didn't realize that you had your cell
16 phone in your back pocket, and but for the grace
17 of God you did, you had a long jacket on, you
18 were able to get 911, right?

19 A. I had a long jacket on, I pulled it
20 out. He couldn't see it when I sent it. It's a
21 pretty large phone, and in the back pocket it
22 would stick up, but the jacket was covering it
23 up.

24 Q. Okay. When you dialed 911 that was
25 after you had shared the pictures on your cell

1 phone --

2 A. That is correct.

3 Q. Okay. So for you to say that Chris
4 Bliss didn't know you had a cell phone; does
5 that make sense?

6 A. Do you know how much happened that
7 night, helping his best friend beat my husband?
8 He's not thinking about where that phone is.

9 Q. Okay.

10 A. When I dialed 911 after the call cut --

11 Q. Uh-huh.

12 A. -- my phone was on vibrate in the couch
13 because they were trying to call back. I'm sure
14 it's in evidence that 911 tried to call me back.
15 And then he said -- and once my husband said,
16 "Dial 911," well, I had already dialed 911, and
17 it started vibrating about the time he told me
18 to call 911. He mumbled, "Call 911."

19 Q. So Chris Bliss had so much --

20 A. So Chris Bliss automatically was like,
21 "Where's your phone at?" I told him I didn't
22 have a phone, but, yes, he had already
23 recognized the phone, he'd already seen the
24 phone. I had already showed it to the both of
25 them.

1 Q. Okay. So if he's seen your phone and
2 he says, "Where is your phone at?" You say, "I
3 don't have a phone," or "I left it in the car,"
4 that's not true, is it?

5 A. That's not true.

6 Q. Because he saw the --

7 A. I saw him pull it out.

8 Q. Really?

9 A. But also he took my keys. I said, "If
10 you don't believe me, go outside and check my
11 car." The adrenaline was pumping so much I
12 don't think he even knew what was going on, so I
13 handed him my keys, and he never left the
14 residence. Because he knew if he left the
15 residence, then that would leave me, Justin and
16 Corey by ourselves.

17 Q. Okay. Do you have any type of medical
18 training or experience? You're talking about
19 adrenaline and how people think and act, do you
20 have any --

21 A. No, I don't have any.

22 Q. No? Any psychiatric training or
23 experience?

24 A. No, but have you ever seen somebody's
25 eyes during the commission of a crime?

1 COURT REPORTER: Sorry, you'll have to say
2 it again.

3 BY MR. LEE:

4 Q. Have you ever seen somebody's eyes
5 during the commission of a crime?

6 A. Well, have you ever seen anyone's eyes
7 dark in the commission of a crime?

8 Q. Well, I'm not supposed to answer a
9 question.

10 A. Okay.

11 Q. Have you?

12 A. Yes, I have.

13 Q. Okay. Do your eyes get dark when you
14 commit all these crimes?

15 A. No, I'm not talking about my eyes. I'm
16 talking about Chris Bliss and Justin Granet's
17 eyes getting dark.

18 Q. Okay. Did you have any special
19 animosity or a disagreement with Sally Granet?

20 A. No.

21 Q. No? Even though people have suggested
22 there's been over a five-year affair with your
23 husband?

24 A. I don't have any animosity to her to
25 this day because I don't believe it.

1 Q. And the reason you don't believe this
2 is because Corey told you it wasn't true?

3 A. Because I know. I'm around him all the
4 time, I know.

5 Ever since we've been married, ever since
6 we've been talking, no, you can't convince me of
7 that.

8 Q. Particularly, if he said it.

9 A. It ain't because he's saying it, it's
10 because I feel it.

11 Q. You don't feel it, okay.

12 Did you say towards them that you --
13 did you say, "Hey, hey, I'll just lie, I'll say
14 it was some kind of bar fight, I'll just lie."

15 A. I just wanted Justin to go to the door,
16 Chris would go to the door, and called the
17 police and we could get help. I didn't say that
18 he's laying on top of my husband, threatening us
19 with guns and smashing his mouth, while his
20 teeth are already busted and the duct tape's on?
21 Yeah.

22 That's probably a pretty tempting offer,
23 considering how well you couldn't do it, right?

24 Q. Do what?

25 A. Lying.

1 Q. Well --

2 A. -- for him to accept?

3 Q. Yeah.

4 A. When you're in that situation you try
5 to lessen the situation, get whatever you can
6 get them to do to get to the door, yes, I will
7 lie to save my life and my husband's life.

8 Q. Yes, okay. So there's some reason --
9 sometimes it's okay to lie? All right.

10 A. I didn't say it was okay to lie. When
11 someone's so scared, wouldn't you try to lessen
12 the situation --

13 Q. Yeah.

14 A. -- and guarantee them that if they get
15 to the door, you'll act like he got in a bar
16 fight, just to get them in?

17 Do you think I would have acted like I got
18 in a bar fight with the front door open?

19 Q. And sometimes people lie to save
20 themselves, right? Do you agree with that?

21 A. I'm sure people lie sometimes to save
22 theirselves (sic).

23 Q. You've done it, haven't you?

24 A. Have I ever lied to save myself?

25 Q. Well, you were on the run for a year,

1 didn't you lie to save yourself?

2 A. Do what?

3 Q. When you were on the run for three
4 years from the law, did you lie to save
5 yourself?

6 A. Yes, I did.

7 Q. Okay.

8 A. I was a different person like I said.

9 Q. Okay. All right, so let's walk back.
10 Your story is, everything was cool, they're
11 hanging out, Corey's drinking a little bit, you-
12 all are sharing photos of tattoo artwork,
13 everything's cool at that point, right?

14 A. Yes.

15 Q. Even though you say that Justin is
16 suicidal earlier. Did you --

17 A. He seemed better. He seemed like he
18 was --

19 Q. And that you-all were --

20 A. He seemed like he was struggling with
21 considering what he said in the text message.
22 He didn't seem suicidal when we got there.

23 Q. And you-all were real worried about
24 him, right?

25 A. I mean we went down -- the whole reason

1 we come down and got an Airbnb on Fripp wasn't
2 because we just wanted to. We had to move
3 things around even to come down.

4 Q. Or maybe Corey came down to perpetuate
5 the story that Sally was sleeping with Zane
6 Croft and not him.

7 A. It wasn't a perpetuating story, I
8 witnessed it. Sally slept with Zane Croft.

9 Q. Well, both things could happen, right?

10 A. Do what?

11 Q. Both could have happened. She's having
12 an affair with Zane Croft and with Corey, right?

13 A. I don't believe she ever had an affair
14 with my husband.

15 Q. Okay, but everything's cool, right, at
16 first, and then you-all go to leave, right? And
17 I think it's safe to say that, based upon your
18 testimony, that all of a sudden, it's like
19 something snapped, right?

20 A. It was.

21 Q. Okay. Okay, and let's go with the mind
22 of Justin, who, at that point, believed that
23 Corey had been sleeping with Sally Granet.

24 A. I don't know what it is --

25 Q. So --

1 A. -- what started -- like what made him
2 do what he did?

3 Q. So Justin's holding it together when
4 Corey's there, and then as you-all started to
5 leave, something snapped?

6 A. Yeah, no one was ever informed of
7 anything about Sally --

8 Q. Okay.

9 A. -- and Corey, none of that --

10 Q. Okay.

11 A. -- at that point in time.

12 Q. But somebody snapped for them to go
13 from being good buddies, yucking it up, to being
14 on the ground fighting.

15 A. Corey never got a chance to fight
16 anybody. He never even knew it was coming.

17 Q. Okay.

18 A. He was going for the backdoor handle
19 and got put in a sleeper hold by somebody that
20 has training in that.

21 Q. Uh-huh, right. So --

22 A. He knows martial arts, he knows all
23 this stuff, and he was defenseless. And then he
24 had his friend with him, because he said,
25 "Corey's a big boy."

1 Q. And I understand that's your story and
2 you're sticking to it.

3 A. That's the truth.

4 Q. Okay. Suppose that's -- suppose it was
5 Corey that snapped?

6 A. Corey didn't snap.

7 Q. He didn't snap?

8 A. Corey never snapped.

9 Q. Because what can happen --

10 A. I didn't say --

11 THE COURT: Hold on, hold on, hold on, hold
12 on.

13 WITNESS: I'm sorry.

14 MR. LEE: Sorry, Your Honor.

15 THE COURT: Mr. Lee, let's not talk over
16 each other. I want to allow the Defendant to
17 answer the question, assuming she has an answer
18 and understands the question, and then, sir, I
19 want you to respond, okay?

20 MR. LEE: My apologies, Judge.

21 THE COURT: All right.

22 WITNESS: Yes, sir.

23 THE COURT: Okay, thank you.

24 BY MR. LEE:

25 Q. So let's back up.

1 If it was Corey that snapped and then ended
2 up on the floor, whatever you want to call it,
3 fighting, wrestling, whatever you want to call
4 it, that's a possibility as well, right?

5 A. No, that's not a possibility.

6 Q. It's not a possibility because you're
7 saying it didn't happen that way?

8 A. I was right behind Justin. I
9 watched --

10 Q. Okay.

11 A. -- every bit of it. You're trying to
12 turn it into something that it's not.

13 Q. If Justin whispered to Corey, "I know
14 about you and Sally," would you have heard that?

15 A. Yes, I was right --

16 Q. You would have.

17 A. -- in front of him.

18 Q. Okay. If that was said to Corey, would
19 Corey snap?

20 A. No.

21 Q. Because Justin knows he's sleeping with
22 his wife?

23 A. No, he didn't even see it coming. His
24 hand -- my husband's hand was on the backdoor to
25 walk out. He was right behind him, jumped up,

1 grabbed him in a sleeper hold, put him on the
2 ground, and beat him and beat him and beat him.
3 Him and Chris Bliss took turns with guns and
4 flashlights and continued to beat him almost to
5 death. He didn't fight with him.

6 Q. Do you understand that it's very
7 important who was what's called the primary
8 aggressor, if you have a fight?

9 A. Justin is the primary aggressor.
10 Justin cut -- he was the ringleader of
11 everything. He told Chris what to do, he did it
12 all. I know you're a good defense attorney, but
13 he is the main person.

14 Q. Okay.

15 A. And I'm sorry to get emotional.

16 Q. Okay. And my question was -- if I can
17 remember it. You're saying that Justin just
18 lost it?

19 A. Justin lost it, nobody seen it coming.
20 Justin just lost it.

21 Q. Okay, and Justin --

22 A. It was a quiet attack.

23 Q. Okay.

24 THE COURT: Okay.

25 MR. LEE: Sorry.

1 THE COURT: No, that's fine. You've
2 answered, now you can ask a question.

3 WITNESS: I'm sorry.

4 BY MR. LEE:

5 Q. And so Justin snapped, because he was
6 so mad at Corey, because Corey did him a solid,
7 and let him know that his wife had --

8 A. Yeah.

9 Q. -- slept with Zane Croft?

10 A. He didn't know why he snapped. No one
11 knew anything. I kept asking, "What's going on?
12 What's going on?" He said, "I'll tell you
13 later."

14 Q. My question before was --

15 A. I'm sorry.

16 Q. Do you understand and realize -- I
17 don't think you're a lawyer, but do you
18 understand that who starts it, who the primary
19 aggressor is, is an important thing to look at
20 when you have someone who gets injured in a
21 fight?

22 A. I understand that.

23 Q. You do?

24 A. Yeah.

25 Q. And you understand that could be one of

1 the most important things, right?

2 A. Yeah.

3 Q. Okay.

4 A. It's your client.

5 Q. It's your husband.

6 A. Excuse me?

7 Q. It's your husband.

8 A. My husband's not the primary aggressor,
9 my husband never touched him and never seen it
10 coming. It's your client that's the primary
11 aggressor, who has lethal hands in martial arts
12 training, and he had no way of getting away.

13 Q. Okay.

14 A. And then he put -- they put a gun to my
15 head, his friend, Chris Bliss, to keep me off.

16 Q. What's Chris Bliss' problem with you?

17 A. He was following directions of your
18 client.

19 Q. Okay.

20 A. He was such a best friend since third
21 grade, he felt like he had to follow the
22 instructions of your client, I guess.

23 Q. What were you most worried about? I
24 mean -- or, you know, he had had conversations
25 with Corey, right? So he knew what Corey had

1 told him, was coming down to help him out,
2 right? Chris knew that, right? Because --

3 A. Chris knew, what; that Corey was coming
4 down?

5 Q. Yeah.

6 A. Yeah, we already established that, yes.

7 Q. Because Corey shared those texts
8 between Sally and Corey with Chris.

9 A. He didn't know he was coming down. He
10 never said he was coming down. He shared those
11 with Chris and told Chris to keep an eye on
12 things.

13 Q. And so you're saying that Corey never
14 talked to Chris again, "Hey, man, I'm coming
15 down to Beaufort, maybe we can go to Justin's,
16 because he's really down on his luck --

17 A. He talked to --

18 Q. -- down on his luck --

19 A. -- Justin --

20 THE COURT: No, ma'am. Ma'am, ma'am, let's
21 let him finish his question.

22 Mr. Lee, ask your question.

23 BY MR. LEE:

24 Q. You-all never told Chris Bliss you're
25 coming down?

1 A. I don't recall.

2 Q. You don't recall? Wouldn't it make
3 sense to tell Chris, so that the two of Justin's
4 best friends can comfort him during his time of
5 need?

6 A. I remember talking to Chris on the way
7 down to South Carolina, and Chris telling me
8 about the incident on the boat with Sally.

9 Q. Right.

10 A. And I don't recall whether I told him
11 that we were coming down or not because we once
12 we got here, it was a shock to see that van
13 there.

14 Q. Okay. And you've had a few
15 conversations with law enforcement, right?

16 A. I've had a few conversations with law
17 enforcement.

18 Q. Well, not in your life, I meant on this
19 case?

20 A. On this case, yes.

21 Q. Yeah, okay, and did you tell them
22 everything you thought was important?

23 A. Yeah.

24 Q. Did you leave anything out?

25 A. I'm sure. You know who stressed out I

1 was with my husband going to the emergency room,
2 and me trying to fill out a statement real fast,
3 and make sure that he's still alive? I'm sure I
4 skipped over a few things.

5 Q. Okay.

6 A. Maybe a lot.

7 Q. And this happened in March of 2019?

8 A. Yes.

9 Q. So nearly four years ago --

10 A. Yes.

11 Q. -- right? Has the initial shock worn
12 off yet almost four years later?

13 A. When I sit and think about it, the
14 initial shock ain't wore off. When you change
15 locations, the shock don't wear off.

16 Q. Well, my question is this, before today
17 have you ever told any investigator, or anybody
18 else involved in this case about a conversation
19 that you-all had on the speaker phone with Chris
20 Bliss, where Chris Bliss claims that Sally
21 Granet groped him on the boat?

22 A. No.

23 Q. But today's the first day we've heard
24 that.

25 A. I don't remember if I told anyone else

1 that.

2 Q. Okay.

3 A. I don't recall, that was four years
4 ago.

5 Q. Well, did you tell anybody six months
6 ago?

7 A. I don't know.

8 Q. Well, let me say, how far can you
9 really remember stuff back?

10 A. Now you're trying to make me think that
11 I don't remember things.

12 Q. So you don't know or you don't
13 remember?

14 A. If I told someone six months ago? I
15 mean I've talked to a lot of people. I've
16 talked to the District Attorney; I've talked to
17 the Solicitor.

18 Q. Yeah.

19 A. Yeah.

20 Q. Have you met with the Solicitor about
21 this case?

22 A. I met with her this morning.

23 Q. How about before that?

24 A. No.

25 Q. You hadn't talked --

1 A. I talked to her --

2 Q. Yeah, okay.

3 A. -- but I never met with her in-person.

4 Q. Did you talk to the witness advocate
5 from the Solicitor's Office?

6 A. We did four years ago.

7 Q. Okay, you haven't talked to her since?

8 A. Uh-uh.

9 Q. Okay. Did you talk to the
10 investigators or anybody else during those four
11 years?

12 A. I don't recall.

13 Q. You don't recall?

14 A. I remember calling, trying to get a
15 court date.

16 Q. Okay. When you called about the court
17 date, did you say, "Hey, I just remembered
18 something that might be important.

19 We got a call from Chris Bliss on the way
20 down to Beaufort, and he told me this stuff that
21 might have something to do with this case?"

22 A. No.

23 Q. Okay.

24 A. I didn't --

25 Q. Okay.

1 A. -- tell them that. I called them
2 trying to get a court date, so I would stop
3 changing locations.

4 Q. Okay.

5 A. So I can get this behind me and have
6 closure.

7 Q. Some of your testimony earlier said
8 that as you-all were leaving, it wasn't part of
9 the plan for Chris to go out to eat or the bar,
10 whatever; is that right?

11 A. Chris wasn't going back -- I thought he
12 was just shutting the door behind us, but he
13 wasn't going. He never said he was going.

14 Q. What was not part of the plan was for
15 Corey not to be able to take Justin. That's
16 what wasn't part of you-all's plan, was it?

17 And it wasn't part of you-all's plan for
18 Justin to know that Corey had been having an
19 affair with Sally.

20 A. What's the question?

21 Q. That wasn't part of your plan, was it?

22 A. I didn't have a plan.

23 Q. Well, the plan was to come down here
24 and help your dear old friend Justin?

25 A. Yeah.

1 Q. That was the plan.

2 A. He asked.

3 Q. Justin knowing --

4 A. He asked us to come down.

5 Q. Okay. With Justin knowing, finding out
6 that Sally was having an affair, there was some
7 talk about blackmail and that sort of thing.

8 That Sally was having an affair with Corey,
9 that wasn't calculated into what you-all were
10 thinking when you can down, was it?

11 A. No, we didn't think about that. He was
12 threatening to kill hisself (sic), and he said
13 that he couldn't go without his family.

14 Q. But that fact changed everything, did
15 it not, that Justin found out it was Corey
16 having an affair with his wife?

17 A. I never heard about anything about
18 Corey having an affair with his wife, until the
19 reports come out after this incident in the
20 papers that said alleged lover. Nobody had ever
21 said anything about that. Not Chris, not Sally,
22 not Corey, not nobody.

23 This come out of nowhere to fabricate the
24 story, I feel like.

25 Q. Well, Corey isn't gonna tell you, is

1 he?

2 A. So Corey looks like the bad guy. Where
3 did it come from?

4 Q. Corey didn't tell you, did he?

5 A. No. Corey didn't tell me because it
6 didn't exist until it came from Sally.

7 Q. Okay.

8 A. The one that's gonna lose everything,
9 lose her husband, because she got caught
10 cheating. It'd come out because she wanted to
11 turn the tables. Have you ever thought of that?
12 She's not that innocent.

13 Q. So you're saying Sally planned all
14 this?

15 A. I don't know, I'm not an investigator.

16 Q. Do you have any kind of animosity
17 towards Sally?

18 A. No, I don't. If she --

19 Q. Has she ever done anything to you that
20 would upset you to want you to get back at her?

21 A. Sally has never done anything to upset
22 me.

23 Q. She hasn't?

24 A. No.

25 Q. Okay. Did it upset you when she sent

1 your marriage license to the trucker that you
2 met on a dating website?

3 A. Excuse me?

4 Q. Jordan was his name.

5 A. Okay, but I wasn't married.

6 Q. He gave you \$289,000?

7 A. No. That was nine years -- me and
8 Corey wasn't together when I talked to him. He
9 wasn't a trucker.

10 Q. Who did she send your marriage license
11 to you online?

12 A. I have no idea.

13 Q. You don't?

14 A. This is the first time hearing about
15 it.

16 Q. Okay.

17 A. But I wasn't married, so why would it
18 matter if she sent a marriage license to my ex?

19 Q. I didn't say she sent it to your ex.

20 MS. LEE: No more questions for this
21 witness.

22 THE COURT: All right, redirect?

23 MS. KIDD: Nothing further from the State,
24 Your Honor.

25 THE COURT: Okay. All right, thank you so

1 much, ma'am, step down.

2 All right, ladies and gentlemen, it's
3 12:30, and what we're gonna do is, we're gonna
4 go ahead and break for lunch. I'd ask for you
5 to be back in your jury room by 2 o'clock. I'd
6 ask that you not discuss the case, and that you
7 don't do any research on the case, and to that
8 extent, I look forward to seeing everybody back,
9 and we'll look forward to starting at 2 o'clock.
10 Thank you very much.

11 (Jury exits the courtroom.)

12 THE COURT: All right, anything from the
13 State before we break for lunch?

14 MS. KIDD: Nothing further from the State
15 at this time.

16 THE COURT: All right, anything from the
17 defense?

18 MR. LEE: No, Your Honor.

19 THE COURT: All right, we'll see everybody
20 back a few minutes before 2:00. Thank you.

21 (Luncheon recess.)

22 ***

23 PROCEEDINGS CONTINUED

24 BAILIFF: All rise, the Court's back in
25 session.

1 THE COURT: All right, thank you, you can
2 be seated. All right, there was some discussion
3 in my Chambers concerning the NCIC reports that
4 were provided to Mr. Lee; and I think as a
5 result of those reports, there was perhaps a
6 legal argument that Mr. Lee wanted to make?

7 MR. LEE: That's correct, Your Honor.

8 THE COURT: I'll be happy to hear from you,
9 sir.

10 MR. LEE: Thank you, Your Honor, may it
11 please the Court? Your Honor, on the -- I
12 received two what we just generally call rap
13 sheets from the Solicitor's Office regarding
14 Corey Eckles.

15 The first one was printed on January 17th,
16 2023, it has the Solicitor's letterhead at the
17 top, and it is a criminal history record for
18 Corey Eckles, same date of birth, same Social
19 Security Number, so it's the same one. On page
20 four, and I will make this a Court's Exhibit
21 shortly, but on page four of this document,
22 right before it gets to criminal history, it
23 reads, "Caution information," and there's two
24 entries for that.

25 The first, it says caution and then a

1 space, it says, "Warrant - confirm that warrant
2 is still outstanding. Agency - Sheriff's
3 Office, Tiffin, Ohio," it has some numbers
4 behind it, "NIC," some numbers, "Eckles, Corey,
5 contempt of court, CMIS, SCE and then MIS, and
6 it references what kind of case it is, which
7 was, apparently, neglect of child case, it has
8 the case number.

9 And then the relevant part is at the end,
10 it says, "Caution - 20, known to abuse drugs,
11 00-armed and dangerous, 01-other." And there is
12 a similar entry to that in additional rap sheet
13 that was provided by the Solicitor's Office,
14 dated February 9th, 2023.

15 This is on -- I highlighted where that one
16 is on that one. The same thing, two warrants,
17 it says, "Armed and dangerous." I don't see to
18 introduce this, as it relates to the known to
19 use drugs -- to abuse drugs rather; however, it
20 is our position that this information in here is
21 essentially reputation or opinion testimony that
22 has been decided, I guess, by the governmental
23 entity who provides these documents to law
24 enforcement. I have no way of getting such a
25 document.

1 And it is our position that the armed and
2 dangerous portion of that is an opinion. It is
3 an opinion offered in the document, and I think
4 that it would be admissible under a couple of
5 different theories. The first being, South
6 Carolina Rule of Evidence 404A2. It talks about
7 the character of the victim. It says, "Evidence
8 of a pertinent trait of character of the victim
9 of the crime offered by an accused." And
10 pertinent trait has been defined as relevant.
11 Pertinent it essentially means relevant.

12 Certainly, one of the defenses we have
13 raised is self-defense. One of the elements of
14 self-defense is that the person claiming self-
15 defense either reasonably believed that they are
16 in danger of imminent bodily harm, or they
17 actually are in danger of imminent bodily harm.
18 We believe that for that reason it should be
19 admitted, or admissible.

20 We believe under Rule 405, regarding
21 reputation or opinion. It is admissible under
22 405, as to the armed and dangerous portion of
23 it. So the substantive introduction of both of
24 them, the armed and dangerous part, we believe
25 would come in under those two rules.

1 Alternatively, or in addition, I believe that
2 under Rule 608C, it could come in, the fact that
3 there is, apparently, two pending warrants for
4 contempt of court, as evidence of bias.

5 And 608C says, "Bias, prejudice or any
6 motive to misrepresent may be shown to impeach
7 the witness, either by examination of the
8 witness, or by evidence otherwise induced." I
9 want to know if Mr. Eckles knows he has these
10 two warrants, but it certainly begs the question
11 about whether or not there's any type of bias,
12 prejudice or motive for him to misrepresent,
13 because, apparently, nothing's being done about
14 this by the many law enforcement in the room,
15 the Solicitor's Office, et cetera.

16 And I think it's certainly something to
17 consider about whether his testimony would be
18 tainted or slanted by this treatment that he
19 seems to be getting, by not having these
20 warrants served. And I understand that there's
21 a lot of speculation on my part, as far as
22 whether they're only in Ohio, whether they are
23 even extended down here, but it does essentially
24 say that, you know, they should confirm this
25 warrant is still outstanding, and they give the

1 agency who has the warrant -- and that's not
2 being done.

3 The third basis for -- and, again, that
4 would just be to introduce it as evidence for
5 bias. The third position that we have, Your
6 Honor, is that the armed and dangerous part is
7 admissible, perhaps not even through Mr. Eckles,
8 but through law enforcement, in order to
9 question them, as to whether or not this
10 information was available to them, and if this
11 information is available or unknown, was
12 considered by them in their determination to
13 arrest Mr. Granet, and take the position that he
14 was at fault, that he was the first aggressor,
15 and that there was indeed no defense to the
16 crimes for which he is charged.

17 I'd like to introduce as a Court's exhibit,
18 the two documents I referred to. I've
19 highlighted the relevant portions, as far as the
20 two wanted, as well that, so I have -- I gave
21 Ms. Kidd a copy, unless she gave it back to me,
22 I'll be happy to give her another one.

23 THE COURT: I've got somebody's copy.

24 MR. LEE: I provided one to the Court
25 earlier in Chambers I think, Your Honor. So I

1 would ask that these two documents be
2 introduced.

3 THE COURT: All right, thank you, Mr. Lee.
4 (Court's Exhibits 9 - 10 admitted into
5 evidence.)

6 MR. LEE: Thank you, Judge, thank you very
7 much.

8 THE COURT: Solicitor?

9 MS. KIDD: Yes, sir.

10 First of all, the portion that Mr. Lee
11 seeks to introduce is hearsay, and there is no
12 exception that allows that testimony. It's an
13 out-of-court statement offered for the truth of
14 the matter that he is always armed and
15 dangerous. I don't think -- there's not an
16 exception, and there is, I don't believe, any
17 witness that he could lay the foundation for
18 that.

19 Secondly, the purpose for which the defense
20 wants to use that armed and dangerous is purely
21 propensity evidence. 408 does allow, you know,
22 certain character traits, but not that far.
23 It's being offered to prove that he was armed
24 and dangerous on this day, because he's always
25 armed and dangerous, according to that piece of

1 paper, we don't even know actually who keyed
2 that in, who considers him armed and dangerous.
3 Apparently, it's the State of Ohio maybe. There
4 is nothing after that in 404(b) that would allow
5 it to come in under any of the exceptions, the
6 mode of identity, etcetera.

7 The defense also wants to say it's an
8 essential element of the defense that they've
9 put up of self-defense, which circles us back to
10 propensity evidence. There has been no
11 allegations, there's no evidence that he was
12 ever armed on this day, or had a weapon on this
13 day. And so it's trying to backdoor and say,
14 well, law enforcement considers him armed and
15 dangerous, so he must have been armed and
16 dangerous, and, therefore, the Defendant knew he
17 was armed and dangerous that day, and that's
18 just not admissible or proper.

19 I'm not really sure how it would show his
20 bias, that he knows he has these warrants. He
21 comes down to a place, a courthouse, where
22 everybody knows who he is, and that will be
23 here. And we, the State, was not aware of these
24 warrants, and did not say, come down, we promise
25 nothing will happen on these warrants.

1 Finally, we did ask him if he knew what the
2 warrants were for, and he's indicated to us that
3 it is a child support warrant. So I'm not sure
4 if Ohio wants extradition on child support
5 warrants, but I don't think that that supports
6 armed and dangerous, and it's certainly not
7 appropriate in this case.

8 THE COURT: All right.

9 MR. LEE: Can I respond to one thing that I
10 didn't address that she brought up?

11 THE COURT: Yes, sir.

12 MR. LEE: She said there's no evidence.
13 There hasn't been evidence introduced yet, as
14 far as him with a weapon, but the DNA report is
15 a positive match to Corey Eckles for the 380
16 handle and trigger, the 380 receiver, so there's
17 two different matches to Corey Eckles, three
18 quadrillion times more likely, one octillion
19 times, which is ten to the 27th powers, so
20 there's two out of two on the Smith & Wesson
21 380, the swab of the Taurus handle matched to
22 Corey Eckles is 44 quintillion, and the match on
23 the receiver for the Taurus is Corey Eckles two
24 octillion times more likely, and that's two to
25 the 27th power. So I disagree with that one

1 portion of her argument, as far as no evidence
2 connecting him to the gun.

3 MS. KIDD: There is evidence connecting him
4 to the gun, in that there was testimony that he
5 was being beaten with these guns, which would
6 explain his DNA. There's no evidence that he
7 brought these guns with him, making him armed
8 and dangerous on arrival.

9 THE COURT: All right. One thing I didn't
10 go back on, I believe that the initial comments
11 I made when we came back out here after leaving
12 my Chambers, what I want to do right now is, did
13 I accurately sum up what took place in Chambers,
14 and is there any other information or anything
15 that either party needs to put on the record, as
16 it relates to anything that I may have said or
17 done in Chambers?

18 That's all I want to know. I want to know
19 if we discussed everything in Chambers that is
20 being discussed here right now? I just don't
21 want somebody later to say, well, you said X and
22 you said Y, and these types of things.

23 So I guess what I'm asking is, have we
24 discussed everything that was discussed in
25 Chambers to the State's satisfaction?

1 MS. KIDD: Yes, sir.

2 THE COURT: Anything about what happened in
3 Chambers that needs to be discussed or put on
4 the record?

5 MS. KIDD: No, sir.

6 THE COURT: Mr. Lee?

7 MR. LEE: I agree with what she said.

8 THE COURT: Okay.

9 MR. LEE: I agree, yes, sir.

10 THE COURT: That's fine.

11 MR. LEE: Thank you for checking.

12 THE COURT: I just try to always do that.
13 All right, Mr. Lee, with all due respect, sir,
14 I'm going to deny your motions. I do believe
15 that it ends up being propensity evidence, and I
16 think it goes to show or to give rise to the
17 fact that he was armed then, he's armed now,
18 he's always armed, and I think that the
19 inference is strong.

20 And the other thing is, I do think it's
21 hearsay. You know, it's one thing to go and to
22 have basically a charge, a disposition. What
23 the disposition was that is pretty factual, as
24 far as I see it. You're either charged with
25 this crime and you're convicted of that crime,

1 and this is what your sentence is, a five-year
2 sentence suspended until you get probation.
3 Armed and dangerous is someone or something's
4 opinion.

5 And that to me is subjective, and, you
6 know, I don't know what type of report this is.
7 I don't know if the NCIC is a quasi-
8 governmental. I don't know if the armed and
9 dangerous is something that Ohio put out, or
10 something that came around as a result of NCIC,
11 they may have a criterion, we just don't know.

12 And I also think that, you know, as it
13 relates to business records, we did talk about
14 business records briefly in the back, I do
15 remember that, but I mean I really think that
16 gets into opinions, and subjective opinions, and
17 judgments found in business records are not
18 admissible. I really think that this gets
19 toward the subjective and an opinion. And as a
20 result of that, I do think it is hearsay, and so
21 I'm going to, with all due respect, as it
22 relates to the issues that you brought up, I
23 will deny that, all of them, and to that extent
24 I think you've protected the record
25 sufficiently, as it relates to that, sir.

1 Anything further, Mr. Lee?

2 MR. LEE: Just to, I guess, you know, make
3 a record, but --

4 THE COURT: Yes, sir.

5 MR. LEE: -- I also raised an issue as
6 whether it is admissible for the sole purpose of
7 impeaching the investigation under Kyle v.
8 Whitman, not to -- but to say did you have this?
9 Was it available?

10 Did you consider this in your
11 investigation?

12 THE COURT: Let's pull it. Do you have a
13 copy of that case?

14 MR. LEE: Yes, sir.

15 THE COURT: All right, can you direct me,
16 sir, to some appropriate passages, and this
17 looks to be a hundred lines on a page, and 30
18 pages long?

19 MR. LEE: Yeah, I'm looking for a page
20 number, Your Honor. I guess I can just count to
21 three, we don't have page numbers. Say page 16,
22 Judge.

23 THE COURT: What's the first word at the
24 top of the page?

25 MR. LEE: Admission.

1 THE COURT: Okay, yes, sir?

2 MR. LEE: Judge, directing your attention
3 down to, "Even if the lawyer had followed a more
4 conservative course of leading being off the
5 stand, the defense could have examined the
6 police to good effect --

7 THE COURT: Hold on, read slow.

8 MR. LEE: Okay, sorry.

9 COURT REPORTER: Yes.

10 THE COURT: For my Court Reporter, and for
11 me also, but really for her.

12 MR. LEE: Okay, sorry. The defense could
13 have examined the police to good effect on their
14 knowledge of any statements, and so have
15 attacked the reliability of the investigation,
16 in failing to even consider possible guilt and
17 in tolerating (if not countenancing) serious
18 possibilities that incriminating evidence had
19 been planted."

20 And then it goes onto cite Bowen v.
21 Maynard, 799F2d593, "A common trial tactic of
22 defense lawyers is to discredit the caliber of
23 the investigation, or the decision to charge the
24 defendant, and we may consider such use in
25 assessing a possibly Brady violation." But this

1 is kind of the Seminole case on impeaching
2 police investigation. There's some language
3 that I can't point to but it says --

4 THE COURT: Well, you obviously have
5 impeached the investigation thus far --

6 MR. LEE: Right.

7 THE COURT: -- and I'm sure you will
8 continue to do that.

9 MR. LEE: Right.

10 THE COURT: What you're saying is, you want
11 to be able to impeach them from these documents?

12 MR. LEE: That they did not consider --

13 THE COURT: Consider what?

14 MR. LEE: Consider the characteristics of
15 Mr. Eckles when they deemed him the victim and
16 not the Defendant.

17 THE COURT: They didn't consider the fact
18 that he had a record, and was a drug user, and
19 armed and dangerous?

20 MR. LEE: And deemed to be armed and
21 dangerous.

22 MS. KIDD: Certainly, on our same arguments
23 the other way applies to this here. It doesn't
24 overcome the hearsay. It's attempting to
25 impeach by using propensity evidence through the

1 backdoor. He's trying to impeach law
2 enforcement by saying, "But did you know that
3 this paper I have now says that he's armed and
4 dangerous?"

5 I wasn't provided the case that Mr. Lee was
6 referencing, but it said Beanie (phonetic) made
7 statements I guess during the course of the
8 investigation, and they didn't check those out.
9 There has been no indication that the Defendant
10 or anybody else had a gun that day.

11 And he can ask law enforcement, "Did you
12 search him and find a gun?" I think that's fair
13 for the investigation, but to say, "Did you know
14 he was armed and dangerous," goes to the hearsay
15 and the propensity, and it's just a backdoor way
16 to get it in.

17 THE COURT: I do agree with the Solicitor,
18 and it seems like this case probably is dealing
19 with issues -- statements that involved this
20 case; whereas these matters don't involve -- I
21 mean directly involve.

22 MR. LEE: Yeah.

23 THE COURT: It looks like the case -- when
24 I look at what you've read to me that is
25 highlighted --

1 MR. LEE: Yes, sir.

2 THE COURT: -- about the statements, it
3 looks to me like they're involving statements
4 that were involved in this particular case, the
5 case involving Mr. Kyles Whitley Warden, his
6 case.

7 MR. LEE: Yes, sir.

8 THE COURT: This information doesn't really
9 -- I don't think -- this information appears to
10 be more of a bootstrap.

11 You understand what I'm saying?

12 MR. LEE: I do.

13 THE COURT: This doesn't have to do with
14 the case. What they're talking about in this
15 United States Supreme Court case, based on what
16 I've seen, and I think what the Solicitor argued
17 is, they're talking about statements that
18 involved that particular case that law
19 enforcement was investigating.

20 MR. LEE: And I think --

21 THE COURT: Matters that went to the heart
22 of that case and that investigation. I don't
23 think this goes to the heart, this is something
24 that's over here out in left field or right
25 field.

1 I'll be glad to let you put anything else
2 on the record, but I'm --

3 MR. LEE: I would just say that I think
4 Whitney needs to be read broader than that. I
5 think that it clearly talks about -- and I don't
6 have it laid in front of me, but, you know, the
7 best way to -- one of the best tools the defense
8 has is to crucible, as the word they use, of
9 cross-examination.

10 And it's saying that, you know,
11 essentially, if it's something that wasn't done,
12 or could have been done, or should have been
13 done, that that certainly is ripe for cross-
14 examination, and you get it in the way you get
15 it in.

16 THE COURT: All right, well, I understand,
17 but --

18 MR. LEE: Okay.

19 THE COURT: -- I'm going to respectfully
20 deny your motion, sir.

21 MR. LEE: I understand, sir.

22 THE COURT: And I'm going to return the
23 copy to you.

24 MR. LEE: Okay.

25 THE COURT: And also is this yours also,

1 Mr. Lee?

2 MR. LEE: Yes, sir, that's --

3 THE COURT: You want that back?

4 MR. LEE: -- extra copies I gave one --

5 THE COURT: Okay, I'll give you a copy
6 right there.

7 MR. LEE: I gave you a copy.

8 THE COURT: I'll turn to the page that I
9 think is appropriate.

10 MR. LEE: Thos are the two I introduced.

11 COURT REPORTER: Oh.

12 MR. LEE: Yeah, she already has them.

13 THE COURT: Okay.

14 COURT REPORTER: Okay.

15 MR. LEE: Yeah.

16 THE COURT: Thank you, Mr. Lee.

17 MR. LEE: All right.

18 THE COURT: Anything further, Mr. Lee?

19 MR. LEE: No, I apologize for the delay,
20 thanks for the time.

21 THE COURT: Mr. Lee, it's not a delay, sir,
22 you're doing your job.

23 MR. LEE: Thank you, sir.

24 THE COURT: All right, anything else before
25 we bring the jury in from the State?

1 MS. KIDD: Nothing further from the State.

2 THE COURT: From the defense?

3 MR. LEE: No, sir.

4 THE COURT: All right.

5 MS. KIDD: Oh, I'm sorry.

6 THE COURT: Hold on.

7 MS. KIDD: I probably should put this on
8 the record. If we may, we'll just clarify this.

9 Mr. Lee, while we're on the topic of the
10 Defendant's record I know that we had stipulated
11 to several convictions to crimes of dishonestly,
12 however, with the understanding that anything
13 outside of the ten-year window was not
14 appropriate for impeachment, and I just want to
15 make sure we're all on the same page with that.

16 THE COURT: Okay.

17 MS. KIDD: So anything outside the ten-year
18 window, I'm stipulating to his convictions.

19 MR. LEE: Okay.

20 THE COURT: One ten-years is enough.

21 MS. KIDD: Okay.

22 THE COURT: Right, Mr. Lee?

23 MR. LEE: Yes, sir, and I --

24 MS. KIDD: Oh --

25 MR. LEE: -- haven't provided her notice of

1 that, so she is right.

2 THE COURT: Thank you. All right.

3 MS. KIDD: Nothing further.

4 BAILIFF: The jury's entering the
5 courtroom.

6 THE COURT: Thank you.

7 (Jury enters the courtroom.)

8 BAILIFF: The jury's seated, Your Honor.

9 THE COURT: Madam Forelady and ladies and
10 gentlemen of the jury, I want to let you know
11 that we're not starting 40 minutes late, because
12 I was out for a long lunch and fine dining
13 somewhere here in Beaufort, not there's that
14 many places to go do that compared to
15 Walterboro, but there were legal matters that we
16 were taking up in this very courtroom, and
17 matters that we have to take up outside of your
18 presence.

19 And I also want to let you know right now
20 that your lawyers are working hard to try to
21 streamline this case as fast as we can. So I
22 apologize for the delay, I recognize the
23 sacrifice that you're making to be here.

24 I believe the State's ready to call their
25 next witness.

1 Solicitor?

2 MS. KIDD: Yes, the State now calls Corey
3 Eckles to the stand.

4 * * *

5 COREY ECKLES

6 * * *

7 being first duly sworn, testified as
8 follows:

9 DIRECT EXAMINATON

10 BY MS. KIDD:

11 Q. Mr. Eckles, can you please start by
12 telling the jury a little bit about yourself?
13 Where do you live?

14 A. I live in Tennessee.

15 Q. Are you married?

16 A. Yes, I am.

17 Q. Do you have any children?

18 A. I do have several children.

19 Q. Okay. And do you know the Defendant,
20 Justin Granet?

21 A. Yes, I do.

22 Q. All right, and do you recognize him
23 here in the courtroom today?

24 A. Yes, I do, he's right there.

25 MS. KIDD: Let the record reflect the

1 victim did identify the Defendant.

2 THE COURT: All right, so reflected.

3 BY MS. KIDD:

4 Q. I just want to start off by asking,
5 have you had run-ins with law enforcement in the
6 past?

7 A. Yeah.

8 Q. And in 2020 did you plead guilty to
9 forgery and theft?

10 A. Yes, I did.

11 Q. I appreciate your candor. Were you in
12 Beaufort County on March 11th of 2019?

13 A. Yes, I was.

14 Q. And what brought you to the area that
15 day?

16 A. So prior to me coming down, Justin
17 Granet's wife, Sally, came up and visited me and
18 my wife. We had a roommate who stayed with us,
19 who was working with me.

20 We had had a long day, whatever, got back
21 to the house. I laid down, Lauren stayed
22 watching TV, and then Lauren wakes me up talking
23 about how she's hearing noises out of the room
24 next door in Zane's room.

25 And I was like, "What are you talking

1 about?" She's like, "Well, it sounds like
2 somebody's having sex in there." I said,
3 "You're crazy, whatever," and I was like, "I'm
4 tired, leave me alone." Because I really
5 thought she was just -- the TV's on, whatever.

6 And she said, "No, watch." And she shut
7 off the TV, walked out in the hallway and came
8 back, and she's like, "Can you hear it?"

9 So I sat up, listened, and, of course, yes,
10 I heard it. She left the door wide open. We
11 laid there with the TV off, so the room's dark,
12 so they really couldn't see us.

13 And after awhile Sally came walking out of
14 Zane's room, went out to the living room, and I
15 was like, "Wow."

16 Lauren goes, "What are we gonna do?" I
17 said, "I'm telling Justin. I'm gonna tell her
18 I'm gonna give her a chance to tell him the
19 stuff she needs to tell him, and if she doesn't,
20 then I'm gonna have to tell him, because I can't
21 keep this from him."

22 Q. So can you describe your relationship
23 with Justin Granet at this point? Are you-all
24 friends?

25 A. Good friends. We used to call each

1 other brothers.

2 Q. And so after you became aware of the
3 situation of Sally having sex with Zane, did you
4 ever confront Sally about that?

5 A. I did confront Sally about it. I
6 basically told her -- I messaged her and told
7 her, I was like, "Hey, I know what happened. My
8 wife woke me up, we heard the whole thing, we're
9 not dumb. You need to come out and come clean
10 with your husband because this is screwed up.
11 You did this in my house and put us in the
12 middle of the whole situation.

13 And she's like, "What did I ever do to
14 you?" And I was like, "Nothing, but I'm not
15 keeping this away from him." And she's like, "I
16 had your back on so many things." And I was
17 like, "That -- that's not this. This is a whole
18 'nother situation here."

19 And she's like, "You're gonna destroy my
20 life." And I said, "Well, then you need to step
21 up and be a woman. You need to woman up and
22 tell your man." And time went by, I said, "I'm
23 not waiting."

24 So I got a hold of Justin and told him what
25 happened.

1 Q. And how did you get in touch with him,
2 in what way?

3 A. I can't really recall exactly how I
4 said it, but basically I told him, like, hey --

5 Q. Was this over the phone? Was this in
6 writing?

7 A. I think it was text messaging. I
8 basically told him like, "Hey, I'm sorry, you
9 know, that it happened at my house, I'm really
10 sorry, but I'm not gonna keep this from you."
11 And it just went from there.

12 Q. So after you shared this information
13 with him, how did he respond in this
14 conversation?

15 A. He, like any other guy would, I mean it
16 was just like, "Oh, wow, you know, what the
17 hell?" And then I called Chris Bliss, who's his
18 best friend, he's grown up with him in Beaufort,
19 and I said, "Hey, you really need to be there
20 for Justin, like, he's gonna go through it right
21 now."

22 And he goes, "What do you mean?" And I
23 sent him the messages, and he opens up the
24 pictures while I'm on the phone with him. And
25 he goes, "Oh, shit." I said, "Yeah, you really

1 need to keep an eye on him, make sure he's all
2 right." He's like, "All right." And then I
3 believe it was a couple days later or something,
4 I don't remember how long each time, I messaged
5 Justin, "You know, how are you doing? Are you
6 all right?"

7 And that's when he started like telling me,
8 "I feel like just ending it all," and talking
9 about suicide stuff. And I was like, "Man, she
10 ain't worth it." And I was like, "Look, how
11 about me and Lauren come down, we'll spend the
12 weekend with you, we'll go out, we'll have a
13 guys' weekend.

14 You know, my wife will be there, but, you
15 know, get you away from the situation. We'll go
16 out to Fripp Island, I'll rent a condo, we'll
17 just stay out there, go do some stuff, just take
18 your mind off of it."

19 And he was like, "Yeah, it would be great
20 to see you guys and everything," and we went
21 down.

22 Q. So when you came down on March 11th,
23 2019, where were you planning to stay?

24 A. Fripp Island.

25 Q. Were you planning to go over to

1 Justin's house?

2 A. I wasn't sure if we were gonna meet him
3 at his place or meet him at Fripp Island. I
4 wasn't sure what the circumstances was with
5 Sally being at the house, or this or that. And
6 we called, I believe, on the way down, and he
7 said, "Just come to the house."

8 Q. So you were invited to the house?

9 A. Yes.

10 Q. Okay. So when you arrived at the
11 house, who all was there?

12 A. Well, we pulled in and we'd seen a --
13 like a HVAC van, and I looked at Lauren, and I
14 was like, "Is that Chris?" And she goes, "I
15 think it might be his work van."

16 What was funny about that Chris actually
17 got upset, and he's like, "Man, this whole shit
18 with Sally and Zane is crazy." And he said,
19 "Salizar is going nuts." That's what he called
20 Sally, Salizar.

21 And that's when he came out and told us
22 about how Sally actually had touched him, his
23 private area, on a boat, and how'd she'd been
24 acting weird, and it's wiggling him out. And so
25 when I'd seen Chris there, I was like, "Oh

1 shit." Because I was gonna sit down with Justin
2 and talk to him about that whole situation. I
3 didn't think Chris really wanted to talk about
4 it like that, but I was gonna tell him, and
5 there was never a chance.

6 Q. So were you expecting Chris to be at
7 Justin's house?

8 A. No.

9 Q. Okay. Once you got to the house what
10 did you-all do?

11 A. We walked in. As soon as I opened the
12 door Justin was right there, "Hey," gives me a
13 hug and everything. "How you've been?"

14 It was like he gave me a normal hug and
15 everything. Then I walked into the kitchen,
16 finally there's Chris, Chris gave me a hug, and
17 we just started talking about this and that,
18 catching up, tattoos.

19 They're like, "Let's do some shots." And
20 so I lined up shots, there were three shots I
21 lined up and they're like, "Oh, no, we already
22 had a couple, you go on ahead."

23 So I ended up doing all three of the shots.
24 And then we talked a little bit more, and then
25 we went to leave out the backdoor, and that's

1 when Justin jumped on my back from behind and
2 put me in a chokehold.

3 Q. What did you think when he put you in a
4 chokehold? What was going through your mind?

5 A. I thought, honestly, he was just
6 playing.

7 Q. Okay.

8 A. He jumped on my back, I thought he was
9 just playing around, you know. I was like -- I
10 grabbed ahold of his arms. When I grabbed ahold
11 of his arms, that's when he locked down, like
12 every muscle in his body he locked down. And
13 that's when I was like, "Oh, this is real," and
14 we went to the ground.

15 Q. So after you were brought to the
16 ground, what happened?

17 A. Me and Justin struggled a little bit.
18 Really at one point I tried standing up,
19 Justin's still trying to choke me out. I heard
20 Chris Bliss say, "Get the fuck on the ground,"
21 or whatever to Lauren.

22 And that's when I looked up and saw the gun
23 that he had pointed at Lauren. And I was trying
24 to stand up, I still had Justin on my back, and
25 that's when Chris came across and cocked it in

1 my face. I think it was a gun, I don't
2 remember, it was so quick. And then blood
3 rolled down over my eyes, and that's when I was
4 like, "Lauren, help, just call the cops, call
5 911."

6 He ended up -- once he hit me, I got dizzy.
7 Justin's still trying to choke me out. I hit
8 the ground with him on top of me. He rolled me
9 over and started putting zip-ties on my arms. I
10 busted out of those.

11 At that point, Chris had told Lauren -- I
12 remember him telling Lauren, "Get your ass over
13 there." It's like he was telling her to get on
14 the other side of the couch over to a chair or
15 something. And Justin took the gun that he had,
16 pulled it out of the back of him, put it in my
17 mouth sideways. When he put it in my mouth
18 sideways like the barrel of the gun was sideways
19 in my mouth like this (indicating).

20 And he pushed down as hard as he could.
21 When he did that, my teeth shattered. And then
22 he kept saying, "Do you forget what I used to
23 do, and he kept hitting me and hitting me and
24 hitting me.

25 Q. And what did you take that to mean,

1 when he said, "Do you forget what I used to do?"

2 A. Oh, he used to brag all the time he was
3 fourth-degree Black Belt, an MMA fighter, his
4 hands were weapons, and all this stuff.

5 So I mean he kept yelling that, and I was
6 like, "What is this even about?" And he said,
7 "You know." And I said, "What are you talking
8 about?"

9 And every time I'd go to say something, I
10 was getting hit, rather -- I mean it was not a
11 fist that was hitting me neither, these were
12 blunt objects being swung at my head. One time
13 I'd seen a flashlight, another time I'd seen a
14 gun, and it was nonstop between him and Chris
15 just kept hitting me. And they wouldn't even
16 give me a chance to stand up to regroup,
17 nothing, they just kept hitting me as much as
18 they could.

19 Q. I'm gonna show you what's been pre-
20 marked as State's Exhibit 67; do you recognize
21 this?

22 A. Yeah.

23 Q. And what is that?

24 A. That is the MAG-Lite that was used that
25 actually caused this scar on my forehead right

1 here from Chris Bliss swinging it at my face.

2 Q. All right.

3 MS. KIDD: At this time, the State seeks to
4 enter in State's Exhibit 67, and publish to the
5 jury.

6 MR. LEE: No objection.

7 THE COURT: All right, admitted without
8 objection.

9 (State's Exhibit 67 admitted into
10 evidence.)

11 BY MS. KIDD:

12 Q. So you mentioned you were hit with
13 several blunt objects?

14 A. Yes.

15 Q. What was the effect that that had on
16 you physically?

17 A. The more they hit me, the more I got --
18 the dizzier I got. It was like I was going in
19 and out of consciousness back and forth, back
20 and forth.

21 It didn't like -- after the initial hit,
22 after that, I really didn't even feel the hits
23 anymore. Like they just kept coming and coming
24 and coming. At that point, it's not a matter
25 that I was feeling pain, I was just being hit,

1 it was just nonstop.

2 And the one hit that I really do remember
3 really, really, specifically was before I was
4 dragged into the hallway. Justin hit me with a
5 gun in the face, and that's what this scar is
6 right here across my face. That one there about
7 put me out cold, and that's how he drug (sic) me
8 into the hallway.

9 Q. You recognize Justin Granet's house
10 pretty well?

11 A. Yeah.

12 Q. Would this aid in your testimony if you
13 want to come down?

14 So just kind of backtracking, where is the
15 point when you were leaving, when this all
16 started, where on the board?

17 A. I came out of the kitchen this way, and
18 everybody was behind me. And I got right here
19 to the door, I grabbed the doorknob and that's
20 when he jumped up on my back and put me in a
21 chokehold.

22 We went from there down to the ground. I
23 kept getting hit and hit and hit. I do remember
24 at one point, when I got hit, I stumbled
25 backwards, but Chris was in the other room with

1 Lauren. I don't know what he was doing. I
2 think he was tying her up or something, and
3 that's when I grabbed onto Justin's arms and
4 just ran backwards to the door. And then it
5 went from there to -- I ended up in here, after
6 I got hit, right here in the dining room.

7 Q. And I'm showing you State's Exhibit 27.
8 Do you recognize this?

9 A. Yeah, that's where it started at.

10 Q. All right. And what is this right
11 here?

12 A. That is the door that I ran backwards
13 with Justin on my back choking me out.

14 Q. When did the assault stop?

15 A. It didn't stop until the cops breached
16 the door. All the way up until the cops
17 breached the door, he was hitting me. If he
18 wasn't hitting me, it was Chris Bliss hitting
19 me.

20 If I would struggle and try -- like in the
21 hallway, when the lights were all there, he
22 actually took my one arm, put it over my neck
23 and pulled it behind my head as hard as he
24 could, to where I was being choked out with my
25 own arm, at one point, laying on the ground,

1 while he was on top of me hitting me as much as
2 he could. At one point, I did kick the laundry
3 door open, hoping that the police were at that
4 door and could see in, and that's when they
5 would severely start beating me again.

6 Q. So when you mentioned that you were
7 struggling, fighting back, why were you doing
8 that?

9 A. It wasn't fighting back; it was trying
10 to protect myself just to stop it from
11 happening. I mean, once it began and the blood
12 ran in my eyes, all that kept running in my head
13 is, they're gonna kill us.

14 Q. So when the cops showed up, what
15 happened next?

16 A. All I remember is somebody yelling,
17 "Corey and Lauren, come out with your hands up."
18 And I was so exhausted I could barely even move.
19 Like I was on -- at that point I just felt
20 myself -- like I was slipping away, and in my
21 head it was like, okay, they're here, Lauren's
22 safe.

23 I honestly felt like I was gonna die, like
24 I thought it was over, done. And the next thing
25 I know these flashlights in my eyes, and like it

1 was pretty brutal.

2 Q. Were you taken to a hospital?

3 A. Well, after the -- they put me on a
4 gurney. I remember them rolling me outside,
5 putting me in the ambulance. I passed out
6 unconscious.

7 When I came back through, I guess I was in
8 Beaufort Memorial, and I fell out again. I
9 remember just everything -- and just went out
10 again, and when I woke up my wife was next to
11 me, like holding my hand.

12 And then they were talking about swelling
13 on my brain, trauma to my skull, and they were
14 moving me to Charleston. And then they put me
15 on a gurney, got me in an ambulance, and I fell
16 out again.

17 When I woke up -- I don't remember how long
18 it had been, but I woke up and I was inside the
19 Charleston hospital, and my wife wasn't there, I
20 was alone at that point. And I just kept
21 begging the nurses like, "Give me something to
22 drink," like I was completely dehydrated. I
23 felt like death.

24 Q. So as you have gone through your
25 recovery, what has that been like?

1 A. Lauren's got to remind me about a lot
2 of stuff, as far as short-term memory, daily.
3 If you turn on a ceiling fan in the room and the
4 light's not above it, it gives like kind of a
5 strobe-light kind of effect, whatever.

6 I will get real lightheaded with seizures
7 and fall out, or I'll pass out and just lay
8 there. It really messes with me.

9 My balance is really off. I can't get --
10 so I used to do a lot of different things, rock
11 climbing, different stuff like that, right?

12 Now I can't go five or ten feet off the
13 ground without feeling like I'm gonna fall. It
14 really took a damper on me.

15 Q. Have you sought any further medical
16 treatment to get over these issues?

17 A. I'm not going to the hospital, I'm not
18 that guy.

19 Q. But they have significantly impacted
20 your life?

21 A. Yeah.

22 MS. KIDD: The Court's indulgence?

23 THE COURT: Yes, ma'am.

24 BY MS. KIDD:

25 Q. I do just briefly want to go back to

1 your statement about when you broke out of the
2 zip-ties.

3 Did they continue to try to subdue you?

4 A. Yeah. They -- they would -- once I
5 busted out of the zip-ties, I remember them
6 beating me, and at one point Justin yelled at
7 Chris Bliss to get the tape, and they wrapped
8 tape around my legs, and they put zip-ties on me
9 as well.

10 And every time I'd get enough energy, I
11 would actually bust the zip-ties off my hands.
12 Basically, I wasn't thinking about myself then.
13 At that point, it was me trying to keep them
14 busy with me, hoping that Lauren could get away.
15 Because, I mean, I couldn't see her. I could
16 hear her once in a while, like, literally, I
17 couldn't see nothing, it was all blood.

18 After I got hit and then drugged in the
19 hallway, most of it was just blood. I couldn't
20 really see nothing. And I remember Lauren just
21 kept screaming "You're gonna kill him, you're
22 gonna kill him."

23 And Justin said, "He's not dead yet." That
24 was the biggest thing he kept saying. And
25 that's when I was like, "Yeah, I'm gonna die."

1 They never gave me a fighting chance. They made
2 sure they kept me down, like a dog, to kill me.

3 Q. Thank you, Mr. Eckles, please answer
4 any questions the defense may have for you.

5	A. Okay.

6 THE COURT: Mr. Lee?

7 MR. LEE: Thank you, Judge.

8 THE COURT: Yes, sir.

9 * * *

10	CROSS-EXAMINATION

11 BY MR. LEE:

12 Q. Good afternoon, Mr. Eckles.

13	A. Hi.

14 Q. When your wife, Lauren, testified you
15 were sitting right back there, right?

16	A. Yeah.

17 Q. Wherever you sat?

18	A. Yeah.

19 Q. Okay. Do you stand by everything she
20 said?

21	A. Yup.

22 Q. She told the truth?

23	A. Yeah.

24 Q. Okay. And the Solicitor talked about
25 your two convictions, one for forgery, and one

1 for theft?

2 A. Yeah. Okay, I admit it, yeah.

3 Q. So you're under oath right now, is it
4 your testimony that you never had any type of
5 affair with Sally Granet?

6 A. No, I never had sex with Sally Granet.

7 Q. Did you ever have an affair with Sally
8 Granet?

9 A. No.

10 Q. Okay, nothing?

11 A. We had no physical nothing like that
12 ever.

13 Q. All right, you-all were just friends?

14 A. That was it.

15 Q. Okay. And Sally at times, or at least
16 once, went up to Tennessee to see you when
17 Lauren was in jail, right?

18 A. Yeah.

19 Q. Did you-all actually call -- I think
20 there was a call from the jail to you-all,
21 right?

22 A. Yeah.

23 Q. Okay. So then Justin wasn't there,
24 right?

25 A. I don't recall.

1 Q. Okay. How many other times did Sally
2 go up there without Justin and Lauren not there;
3 do you know?

4 A. No, I couldn't recall that.

5 Q. You can't recall?

6 A. Not like that.

7 Q. Okay.

8 A. I believe at one point I had a
9 discussion with Justin, because Sally was
10 burping and farting, and I was like, "She is
11 disgusting, she's like a dude."

12 Q. Well, I noticed that you called his
13 wife dude, you said something about calling her
14 a dude, is that just your way of talking?

15 A. Dude.

16 Q. When you say, "Dude --

17 A. What?

18 Q. -- dude, call 911," or something like
19 that?

20 A. No, I said, "Lauren, call 911."

21 Q. Okay. Now, have you had a chance to
22 talk to any of the prosecutors or law
23 enforcement between when this happened and now?

24 A. Briefly.

25 Q. Briefly? Today?

1 A. Yeah, briefly.

2 Q. You talked to them about your upcoming
3 testimony?

4 A. They just told me to get on the stand
5 and tell the truth.

6 Q. Okay. So they didn't want you to tell
7 them what you were gonna say or anything? They
8 didn't say, "Hey, they might ask you about this,
9 you may --"

10 A. No, they just told me things I wasn't
11 allowed to talk about.

12 Q. Okay.

13 A. That you made sure stayed out.

14 Q. Gotcha, okay.

15 Now -- and you talked to law enforcement a
16 couple days after this happened. You talked to
17 Detective Disbrow; do you remember that?

18 A. It wasn't a couple days after, it was
19 hours after I got released from the hospital. I
20 could barely even walk, and I couldn't barely
21 function.

22 Q. Okay. So that was like the 13th of
23 March, 2019, right?

24 A. I believe so.

25 Q. Okay. But you talked to them, and as a

1 matter of fact, you and Lauren have occasionally
2 sent things to law enforcement about this case;
3 have you not?

4 A. As they're presented to us, yes.

5 Q. Yeah. So, for example, you sent some
6 Snapchats between Justin and Josh Smith?

7 A. Yes, sir, I did.

8 Q. Okay. And did Josh Smith just call you
9 out of the blue, and say, "Hey, man, Snapchatted
10 with Justin and here's what he said?"

11 A. I don't recall exactly how that
12 conversation started --

13 Q. Yeah.

14 A. -- but it was one of those things,
15 where Josh got ahold of me, and he was like --
16 pretty much told me like, "What is going on?"
17 And that's when I told him. He said, "Well,
18 that's not how Justin's portraying it --

19 Q. Right.

20 A. -- he's more or less bragging." And I
21 said, "What do you mean bragging?" And he said,
22 "Well, pretty much he said you'd be in a crab
23 pot."

24 Q. So he's just -- wait a second, he just
25 called you and said that? Josh Smith said,

1 "Hey, I've got some Snapchats?"

2 A. Pretty much, yeah.

3 Q. Pretty much? Okay. Now, until -- but
4 in all the times you talked to law enforcement
5 in almost four years, have you ever before today
6 ever mentioned that there was a phone call
7 between you and Chris Bliss on the way down to
8 Beaufort?

9 Have you ever told anybody that before?

10 A. If you believe it or not, I have the
11 whole file on the whole case, okay --

12 Q. Right.

13 A. -- from my lawyer.

14 Q. Right.

15 A. So I got a chance to watch it, and I
16 don't know if you know about head injuries, you
17 know, because you're not a doctor, but there's
18 things that come back. Like Justin sticking the
19 gun in my mouth, like pressing and busting my
20 teeth --

21 Q. Right.

22 A. -- yeah, that came back to me. A lot
23 of emotions, a lot of stuff came back to me in
24 the last couple days.

25 Q. In the last couple days?

1 A. Yeah, since I've been watching these --

2 Q. Okay.

3 A. -- things.

4 Q. Did the phone call we've now heard
5 about from Chris Bliss where you're all were on
6 speaker phone, did that come back to you when
7 you heard Lauren testify about it for the first
8 time ever?

9 A. No. I mean, actually I remembered that
10 by going through and talking about how I was
11 going to sit Justin down and tell him about
12 Chris Bliss.

13 And I'm sure in my testimony before you see
14 where I said, "I was gonna sit Justin down and
15 tell him about Chris Bliss."

16 Q. Were you gonna do that this trip down,
17 or take another trip down?

18 A. No, that was gonna be --

19 Q. -- at the --

20 A. -- in-person --

21 THE COURT: Hold on.

22 THE WITNESS: When I got down there.

23 THE COURT: Hold on, Mr. Eckles, just let
24 him finish the question and then if you
25 understand the question, you certainly can

1 answer it, okay, sir? Just allow him to finish,
2 and he likewise will allow you to finish sir.
3 Go ahead.

4 BY MR. LEE:

5 Q. So as his good friend you were just
6 gonna go ahead and kill two birds with one
7 stone, and while you're sitting down with him,
8 comforting him about the Zane Croft incident,
9 you're gonna say, "Hey, by the way, Chris Bliss
10 is -- she's doing something with Chris Bliss
11 too?"

12 A. Actually --

13 Q. Right?

14 A. -- what I was gonna do was get down
15 there and be like, "You know, you're talking
16 about committing suicide and killing yourself,
17 get rid of yourself over this, she's not worth
18 it."

19 Q. Uh-huh.

20 A. "Because it's not just one person."

21 Q. Right.

22 A. "This is several things that she has
23 done."

24 Q. Right.

25 A. "Like she's not gonna stop, she's doing

1 what she does."

2 Q. Okay.

3 A. "This is her." This was my way of
4 trying to help him get through his problems.

5 Q. So you knew her pretty good, huh, about
6 all this stuff?

7 A. Do what now?

8 Q. You knew her pretty good then. You're
9 saying this is her, this is what she does.

10 A. I mean it's a pattern, is it not?

11 Q. It is a pattern. Okay. But it's not a
12 pattern with you though, right? Nothing --

13 A. I didn't --

14 Q. -- wrong with her, right?

15 A. I'm not on trial here, am I?

16 Q. You're a witness.

17 A. I'm a witness to what happened.

18 Q. Yeah, you're a witness to ask questions
19 -- to answer questions.

20 A. Okay.

21 Q. Okay.

22 A. What's the question?

23 Q. So you don't want to answer that
24 question?

25 A. No, what's the question again?

1 Q. Okay. And so you knew Sally well,
2 right?

3 A. Yeah, I've known her for years.

4 Q. Okay, and you actually knew her so well
5 that, for whatever reason, you and her would
6 spend time together away from your significant
7 others.

8 A. No, that's false.

9 Q. You testified earlier when Lauren was
10 in jail, she'd go up there and see you.

11 A. Well, she may come up, but I work a lot
12 of hours. She would hang out at my house while
13 I was at work. I'd get off work, we'd might
14 meet up with some friends, have a drink or two,
15 whatever --

16 Q. Okay.

17 A. -- go back, crash at the house, I'd get
18 up, go back to work.

19 Q. Okay.

20 A. There was not an incident ever between
21 me and her.

22 Q. Okay. Even though you knew she was
23 like that, you said --

24 A. I didn't know she was like that until
25 later on down the road.

1 Q. So my original question was, did you,
2 in the four years this happened, have you ever
3 been told by anyone there was a phone call
4 between you and Lauren and Chris Bliss on the
5 way down to Beaufort?

6 A. I don't recall. I remember telling
7 them I was trying to get down there to talk to
8 Justin and get him away from the situation and
9 then telling them about Chris Bliss.

10 Q. Don't you think it'd be helpful if law
11 enforcement had that information?

12 A. I mean there's some things you
13 remember, some things you don't.

14 Q. Okay. I mean there's four people in
15 that house. If three of them are having a
16 conversation within hours of the incident,
17 shouldn't that be something that would be
18 important?

19 A. I mean that's something to be said
20 between me and that man, not for everybody else.

21 Q. Well, investigators can't really do
22 their job if people don't give them information;
23 would you agree with that?

24 A. That is true.

25 Q. And it's hard for them to do a good job

1 on an investigation, if evidence is missing or
2 withheld or not provided to them; would you
3 agree with that?

4 A. I would agree with that.

5 Q. Okay.

6 A. Would you also agree the first --

7 THE COURT: Hold on one, second.

8 Mr. Eckles, your job today, sir, is to
9 answer the --

10 WITNESS: Sorry.

11 THE COURT: -- questions.

12 Let me finish -- is to answer the
13 questions, sir, not ask questions. And so if
14 you understand the questions, sir, then I'd ask
15 -- and you know the answer, I'd ask you to do
16 that, okay?

17 WITNESS: Yeah.

18 THE COURT: Thank you. Please proceed.

19 BY MR. LEE:

20 Q. All right, the newfound memory that you
21 have in the past couple days, is there anything
22 else that you remember that wasn't provided to
23 law enforcement, or that's important?

24 A. It just comes as it comes.

25 Q. Is there anything else that you

1 remember that you did not tell law enforcement?

2 A. Not off the top of my head.

3 Q. And so when did you remember the gun
4 getting jammed in your mouth part of it?

5 A. I was actually looking through crime
6 scene photos, and I'd seen me laying on the
7 ground, and I'd seen my mouth, and I was like,
8 "I remember him on top of me."

9 Lauren goes, "You remember him on top of
10 you?" I said, "Yes." She goes, "Okay." I
11 said, "He was pressing something in my mouth."
12 And then the more I watched the different tapes
13 and stuff of it, I started remembering stuff. I
14 remember the rage in his eyes as he was on top
15 of me --

16 Q. Okay.

17 A. -- trying to do this to me.

18 Q. Now, when did you go through crime
19 scene photos?

20 A. A day or two ago.

21 Q. A day or two ago? All right.

22 Is that when you met with the prosecutor?

23 A. No.

24 Q. Oh, you just looked -- how did you get
25 your own crime scene photos?

1 A. Because I filed a lawsuit against him,
2 and my lawyer turned over all the records of
3 this case to me.

4 Q. Okay. So you were just on your own
5 going through the crime scene photos, and all of
6 a sudden it started coming back to you?

7 A. I went through and was watching stuff,
8 just to see what was what, because it's been
9 four years. I've got injuries, there's a lot of
10 stuff I don't remember.

11 Q. Right.

12 A. And there's stuff that does come back
13 in waves.

14 Q. And there's probably things that you
15 remember incorrectly; would you agree with that?

16 A. No, not really.

17 Q. Okay. So you don't remember
18 everything, but everything you do remember you
19 remember 100 percent?

20 A. Oh, I remember 100 percent.

21 Q. Okay. And so you're saying that this
22 gun -- that Justin Granet put a gun inside your
23 mouth, like into that other cheek?

24 A. No, you're wrong.

25 Q. Okay, tell me.

1 A. Imagine the gun -- okay, so you have
2 the gun, okay?

3 Q. Yeah.

4 A. Lay it down like this --

5 Q. Yeah.

6 A. -- and put the barrel sideways in my
7 mouth, where it's coming out here and here, and
8 pressed it down in.

9 Q. Okay, all right.

10 So in order for someone to do that to you,
11 they would have to touch the gun; would they
12 not?

13 A. Yeah.

14 Q. Yeah. I mean would their entire hand
15 and the pushing force and stuff like that?

16 A. But it wasn't like that. There was so
17 much going on that all I remember is looking up
18 and seeing the bottom of the gun coming down and
19 hit me in my mouth, and then the pressure and it
20 busting my teeth.

21 Q. Was it thrown at you?

22 A. No.

23 Q. Okay.

24 A. He was literally sitting on my chest
25 when he did this.

1 Q. Okay, with forcing the gun down on you?

2 A. Both hands pressing down.

3 Q. Okay, so he had both hands on the gun,
4 pressing down on the gun in your mouth?

5 A. Yeah.

6 Q. And that's Justin Granet?

7 A. Yeah, that's Justin Granet.

8 Q. Okay, but it's Justin Granet doing
9 that?

10 A. Yeah.

11 Q. Okay. Well, as part of your file
12 review, or your case review that you've done the
13 last couple days, did you happen to look at the
14 DNA report that came with this case?

15 A. Yeah, Justin Granet's DNA was not on
16 there.

17 Q. Yeah.

18 A. Were his fingerprints? Probably not.
19 Did he wipe them off? Probably, he's that type
20 of guy.

21 Q. Okay, so you think he wiped his
22 fingerprints off?

23 A. I know what I remember, and I know what
24 he did to me.

25 Q. Okay, so do you think -- okay.

1 Did he just wipe his fingerprints off, but
2 didn't wipe your DNA or Lauren's DNA off?

3 A. I mean if you've got a gun --

4 Q. Can you do that?

5 A. If you've got a gun --

6 Q. Yeah.

7 A. -- that's covered and blood and --

8 Q. Uh-huh.

9 A. -- everything, you wipe off this, and
10 you hand it someone --

11 Q. Uh-huh.

12 A. -- and they've got blood on them too,
13 it's probably still gonna be on there. Either
14 way it goes, Justin had that gun.

15 Q. Okay. But you can't explain why his
16 DNA wouldn't be on there?

17 A. No.

18 Q. You can just say that you know it, and
19 that you have remembered in the last couple days
20 that that's the truth?

21 A. Oh, no, I remembered him having the gun
22 and hitting me over the back of the head with
23 it --

24 Q. Oh.

25 A. -- when I was first interviewed.

1 Q. Oh.

2 A. Now, me remembering him putting the gun
3 into my mouth like that and slamming --

4 Q. Uh-huh.

5 A. -- down and shattering my teeth --

6 Q. Right.

7 A. -- that just came back to me.

8 Q. Okay. So there should be even more of
9 Justin's DNA on a gun, if he hit you with a gun,
10 should there not?

11 A. If he didn't wipe it off.

12 Q. Okay. And to do that, he would have
13 had to have wiped off his DNA, but not yours,
14 and not Chris Bliss' and not Lauren's on this
15 gun, right?

16 A. So it's my understanding Chris was into
17 guns from me remembering him saying, "Give me
18 the guns."

19 Q. Uh-huh.

20 A. So, therefore, and my blood's all over
21 Chris Bliss from where he hit me, Chris Bliss
22 was sticking a gun into my wife's jaw. Now, if
23 he wiped it off and then did all that stuff, of
24 course, you've got mine, Chris', and Lauren's on
25 there, you don't have his. It was kind of a

1 rush, a scatter, like they didn't know what they
2 were doing.

3 Q. Okay. So to that, the barrel of the
4 gun you say was pointed or touching Lauren?

5 A. Oh, it was jammed into the side of her
6 face.

7 Q. Okay, all right. And you think that
8 either Chris Bliss or Justin wiped off Justin's
9 DNA without wiping off anybody else's DNA?

10 A. I think they were trying to hide the
11 guns, and there's a possibility that before they
12 could -- I feel like Justin was grabbing the
13 gun, Chris wiped down stuff, and then something
14 happened to where he had to use the guns again,
15 Justin's DNA didn't end up on it.

16 Q. Okay.

17 A. And my DNA, let's be honest, there's
18 blood, right?

19 Q. Okay. Because otherwise what you're
20 saying -- I mean a lot of your story, the theory
21 doesn't make a whole lot of sense, unless you
22 can come up with some kind of must have wiped
23 some DNA off the gun, right?

24 A. I had blood in my eyes at the very end,
25 so I don't know what they did and what they

1 didn't do.

2 Q. Okay.

3 A. I know what I remember and what
4 happened to me.

5 Q. Sure, okay. Did you provide your phone
6 records to law enforcement?

7 A. Yes, I did.

8 Q. You did? Okay. And have you reviewed
9 them?

10 A. No, sir.

11 Q. Is there a call, let's say, what, 5:30,
12 6:30 or something from you to Chris Bliss?

13 A. I don't remember.

14 Q. You don't remember?

15 A. I reviewed them. Haven't seen them
16 since you took my phone.

17 Q. Okay, but you're saying there's gonna
18 be a call there between you and Chris Bliss on
19 the way down?

20 A. You can check.

21 Q. I'm asking you if there was a phone
22 call made on the way down here --

23 A. On the way down. I don't remember if I
24 called, or if he called, whose phone he called,
25 whatever. I just remember certain things about

1 that incident.

2 Q. Okay. The phone that you talked to was
3 in your car, right?

4 A. Do what?

5 Q. You're talking to him in the car,
6 correct?

7 A. We were in the car --

8 Q. Okay.

9 A. -- on speaker phone.

10 Q. And you say we, it was you and Lauren,
11 right?

12 A. Yes.

13 Q. Is anybody else on the phone -- I mean
14 in the car?

15 A. No.

16 Q. Okay. Did -- how many phones were in
17 the car? Did you bring a phone, and she brought
18 a phone?

19 A. I'm pretty sure, yeah.

20 Q. You're pretty sure, okay. Were there
21 any other phones in the car?

22 A. I don't think so.

23 Q. Were there any other phones that you
24 would have spoken to Chris Bliss on that day,
25 besides yours or Lauren's?

1 A. I did have a burner phone, so I don't
2 know.

3 Q. You had a burner phone?

4 A. Yes.

5 Q. Okay. Tell the jury what a burner
6 phone is.

7 A. A burner phone is so the drug dealers
8 can make deals and no one catches them.

9 Q. Okay.

10 A. It's not in your name, and no one can
11 catch onto whose name it is in.

12 Q. Okay. Did you turn your burner phone
13 into the police?

14 A. I don't know what happened to it,
15 honestly.

16 Q. Okay. And the way that you approached
17 Justin -- well, let's back up.

18 All this stuff happened on March 11th at
19 Justin's house, right?

20 A. Yeah.

21 Q. And you agree it was his house?

22 A. Yeah.

23 Q. Okay. March 6th, five days earlier, is
24 that the day that you had the text or Snapchat
25 back and forth with Sally saying, "You need to

1 tell --"

2 A. I don't remember exact dates.

3 Q. You don't remember exact dates? Okay.

4 And your back and forth with Sally just said,
5 essentially, "If you don't tell him, I will."

6 A. Yeah.

7 Q. Okay. And when the truth of the matter
8 was -- and what you were talking about, or what
9 you were saying was, "You tell Justin about this
10 Zane Croft thing in my house that happened a few
11 weeks ago" or six weeks ago, right?

12 A. I was basically telling her, "I'm
13 giving you the opportunity to tell him before I
14 do."

15 Q. Okay.

16 A. It's better hearing that from her than
17 me.

18 Q. Is it?

19 A. If your wife cheated on you, what do
20 you think?

21 THE COURT: Again, sir, your job is not to
22 ask questions, it's to answer questions.

23 WITNESS: What I just said is my --

24 THE COURT: No, no, sir.

25 WITNESS: -- to him.

1 THE COURT: Let's proceed.

2 BY MR. LEE:

3 Q. And because you were such good buddies
4 with Justin, you felt it was kind of your moral
5 friendly thing to do is to let him --

6 A. I felt like I was responsible because
7 it happened at my house.

8 Q. How were you responsible if it happens
9 at your house?

10 A. Because I have another roommate living
11 at my house. She was at my house, so I felt
12 like I was responsible in a sense of being a
13 friend, that I should not have allowed that to
14 have occurred ever.

15 Q. So you were more concerned that the
16 fact that it was under your watch or your house
17 that -- right?

18 That's what your concern was?

19 A. My concern was that Justin's a good
20 friend, and he's gonna be pissed off at me that
21 this happened, and --

22 Q. Oh.

23 A. -- I didn't say nothing to him.

24 Q. Okay, so you don't want this on you?

25 A. I didn't want him mad at me about it at

1 all.

2 Q. Okay, I understand.

3 A. I didn't have nothing to do with it.

4 Q. Okay. So you were kind of hoping, when
5 you came down here, that you didn't want him mad
6 at you, did you?

7 A. That wasn't even nothing about him
8 being mad at me about it.

9 Q. And the Chris Bliss thing, you were
10 gonna bring that up at another time, or later in
11 the week, or like, "Hey, while we're here," --

12 A. Later on that weekend when we were
13 there.

14 Q. Okay, and you were gonna say, "Not
15 only," according to you, "did Sally sleep with
16 Zane, but she fondled or groped Chris on the
17 boat;" is that right?

18 A. Yes.

19 Q. Okay. Did you ever -- again, did you
20 ever report the fondling on the boat to law
21 enforcement or anybody?

22 A. No, not really, I don't think.

23 Q. Is that something that you remembered
24 the other day? You say you remembered the phone
25 call the other day.

1 A. It was the phone call about her
2 touching him that -- it was like when did that
3 happen, but the whole -- Chris was saying that,
4 I remembered that, because I remember that I was
5 going to tell Justin about that, because I
6 didn't want that on me.

7 Q. Uh-huh. Now, that wasn't done under
8 your boat, was it? That wasn't done on your
9 boat?

10 A. It was said to me, and who am I to keep
11 that from someone?

12 Q. Okay. Your earlier testimony, you said
13 you have several children. How many you got?

14 A. I have nine.

15 Q. I'm sorry?

16 A. I have nine children.

17 Q. Nine children?

18 A. Yes.

19 Q. And what are their ages?

20 A. From one-and-a-half to 20.

21 Q. From one-and-a-half to 20?

22 A. Yes.

23 Q. Okay. Nine different women?

24 A. Yes.

25 Q. Okay. It's kind of ironic it's

1 Valentine's Day, isn't it?

2 A. It really is.

3 Q. Yeah. So you've been doing some
4 juggling I guess over the years with them
5 probably?

6 A. What do you mean?

7 Q. I mean you've got a lot going on with a
8 lot of women, a lot of kids.

9 A. No, not really like you would think.

10 Q. Really? Okay. So you've got nine kids
11 and nine moms?

12 A. Yeah.

13 Q. And never causes any issues or
14 problems?

15 A. Not really.

16 Q. Okay. One of your girlfriends used to
17 be a girl named Kristi Kidsman (phonetic),
18 right?

19 A. Yes, I was with Kristi Kidsman for a
20 while.

21 Q. Okay. And you actually were with her
22 down here?

23 A. Yes, when we were together.

24 Q. And that's when you met Justin and
25 Sally?

1 A. No -- yeah.

2 Q. You-all worked in a tattoo shop, right?

3 A. I actually owned a tattoo shop.

4 Q. You met in a tattoo shop. And then for
5 whatever reason, you-all moved to Newcomers --
6 is it Newcomers Forest?

7 A. Actually, Kristi left and went back to
8 Tennessee.

9 Q. You went too, right?

10 A. No. I went six months later, four
11 months later, something like that.

12 Q. Okay. And you-all opened up a Tattoo
13 City up there, right?

14 A. That's what we do.

15 Q. Is that a yes?

16 A. Yes.

17 Q. The name of it was Screaming Eagle?

18 A. Yes.

19 Q. Screaming Eagle Tattoo?

20 A. Yes.

21 Q. Okay. And when you opened it up, how
22 long did that stay in business?

23 A. I was there for a couple years.

24 Q. Okay, and that's like 2015?

25 A. I can't recall exact dates.

1 Q. No? You opened up a tattoo shop. And
2 you actually got some press coverage about it,
3 did you not, in the local newspaper?

4 A. That was actually the Cambridge shop.

5 Q. That was what?

6 A. I believe that was our Cambridge shop.
7 We opened up more than one.

8 Q. You're talking about the one at 117
9 North Bridge Street in Newcomers Town?

10 A. There was that one, and we opened up
11 the other one in Cambridge, I believe.

12 Q. Okay, well, I'm talking about the one
13 on 117 North Bridge Street.

14 A. Okay.

15 Q. Do you remember that?

16 A. Yeah, I remember it.

17 Q. Okay, who owned that?

18 A. That one was actually in both my name
19 and her name.

20 Q. Okay, so what names was it in?

21 A. What do you mean?

22 Q. What were the names?

23 A. Kristi Kidsman and Corey Eckles.

24 Q. Okay. Actually, it wasn't in Corey
25 Eckles was it? It was in Corey McKenzie.

1 A. That there is where I had to use my
2 mother's maiden name.

3 Q. Okay, you had to use your mother's
4 maiden name?

5 A. Yeah.

6 Q. Is that similar to using a burner
7 phone, so for some reason somebody won't find
8 out about it or what?

9 A. I had a very bad past.

10 Q. So getting back to these kids and all
11 these women, it appears that you seem to be
12 pretty successful on the women scene; is that
13 safe to say?

14 A. I mean, that's the picture you're
15 painting.

16 Q. I'm asking you.

17 A. No, not really.

18 Q. Not really? You wouldn't say you've
19 got a pretty good game with the ladies?

20 A. Not like that, no.

21 Q. Not like that? But you've got nine
22 kids with nine women?

23 A. Yeah.

24 Q. Isn't that pretty popular?

25 A. Actually not, no.

1 Q. Okay. Now, do you have any type of --
2 what's the right word?

3 Do you have any kind of like blueprint or
4 playbook for dealing with people?

5 A. Do what now?

6 Q. Do you have like some kind of rules you
7 go by or playbook or anything in dealing with
8 people?

9 A. No.

10 Q. You don't have like something that you
11 look at ?

12 A. No.

13 Q. Okay. Have you ever heard the book
14 called, The Art of Seduction?"

15 A. Yeah, I've read all of Robert Greene's
16 books.

17 Q. Yeah, so you're pretty familiar with
18 this, right?

19 A. I mean I've read it. I've read that.
20 I've read all of Robert Greene's books.

21 Q. Okay. Have you read this?

22 A. I believe I read that, yeah.

23 Q. Is it safe to say that you sometimes
24 will refer to this, or quote it, or, you know,
25 talk about it?

1 A. Not really.

2 Q. You don't? Okay. And what this book
3 is, is essentially not just seduction in a
4 sexual sense, it's essentially kind of get what
5 you want, isn't it?

6 A. Everything that Robert Greene writes is
7 about different strategies, stuff like that.

8 Q. And sometimes that strategy is
9 manipulating people, sometimes it's -- you know,
10 in this it talks about finding the right victim,
11 sending mixed signals, all those things are sort
12 of the 24 rules of the Art of Seduction, right?

13 A. I guess that's what it says, yeah.

14 Q. I'm asking you. You read the book
15 and --

16 A. I mean --

17 Q. -- you've read all his books.

18 A. It's been years since I've read -- I
19 haven't read that in like 15 years.

20 Q. Okay. Do you still use the techniques
21 you learned in that book?

22 A. I don't use those techniques, whatever
23 techniques you're referring to.

24 Q. You don't use those techniques?

25 A. No.

1 Q. Choose the right victim, create a false
2 sense of security, send mixed signals, stuff
3 like that, any of that part of your game or not?

4 A. No.

5 Q. No? Okay. And your testimony is that
6 you never had anything going on with Sally
7 Granet?

8 A. No.

9 Q. No, you did not, or, no, it's not your
10 testimony?

11 A. No, my testimony is that I've never
12 sexually done anything with Sally Granet.

13 Q. Okay. Because that wouldn't be good,
14 would it?

15 A. That's not my cup of tea.

16 Q. Not your cup of tea?

17 A. No.

18 Q. Because she burps and farts around you,
19 or something else?

20 A. She's not my type.

21 Q. She's not your type. And that wouldn't
22 be right to mess around with one of your good
23 friend's wives, would it?

24 A. No.

25 Q. Okay. Do you remember, as you're

1 walking out the door at Justin's house that
2 night, after you had shots, do you remember him
3 saying, "Sally told me everything?"

4 A. No, I don't.

5 Q. You don't remember that?

6 A. No.

7 Q. Okay. Because Sally telling him
8 everything, if that was -- if the everything --
9 I know about is everything about Sally was
10 having an affair with you, that wouldn't be
11 good, would it?

12 A. I'd imagine not.

13 Q. And that would certainly be something
14 that you would in some way react to, would it
15 not?

16 A. Your point is?

17 Q. Would that be something you would react
18 to if he had --

19 A. As far as --

20 Q. -- whispered in your ear, "Sally told
21 me everything," what would your reaction be --

22 A. "Are you serious?"

23 Q. -- Mr. Eckles?

24 A. I'd just ask him "Are you serious?"

25 Q. And if that was said, that's not

1 exactly the plan to go down there to help
2 Justin, and all of a sudden Justin say, "I heard
3 what's going on, and it ain't about Zane Croft,
4 it's about you and Sally," that would not be
5 according to your plan, would it?

6 A. What plan?

7 Q. Well your plan, you say, was to go down
8 there as a good friend, and let him cry on your
9 shoulder, and show him a good time, because --

10 A. Because I was trying to get him
11 distracted away from the situation he was
12 dealing with, and to let him know, "That it's
13 not your fault, that she ain't worth it. Don't
14 kill yourself over this."

15 Q. Do you think you would panic if Justin
16 said he knew that you were having an affair with
17 Sally?

18 A. No.

19 Q. You wouldn't?

20 A. What's the point? I have no reason to.

21 Q. Well, if he thought you had an affair,
22 that would be not a good idea?

23 A. That would raise questions like, "Why
24 would you even think that?"

25 Q. So you don't know what your reaction

1 would be?

2 A. I do know what it would be, I told you,
3 I would ask him, "What are you talking about?"

4 Q. Okay. Would it be to get up in his
5 face?

6 A. No.

7 Q. Be upset about it? You wouldn't --

8 A. Why?

9 Q. -- be upset about it?

10 A. No, I'd just ask him, "What are you
11 talking about?" What's the point of getting
12 upset about that? It's a rumor.

13 Q. Okay. Particularly, if that was said
14 in front of your wife, right?

15 A. Again, I don't hide nothing from her.

16 Q. You don't?

17 A. No.

18 Q. Okay. The truth of the matter, is it
19 not, everything's fine, Justin told you, "Sally
20 told me everything," and then you went after
21 him, and you got the bad end of the deal?

22 A. What?

23 Q. I'm sorry.

24 A. It never happened like that.

25 Q. Okay. And you're as sure about that as

1 you are like the rest of your testimony today?

2 A. 150 percent.

3 Q. Which included adopting your wife's
4 testimony as being true?

5 A. Everything about it, everything's true
6 that we said.

7 Q. All right.

8 A. That was our point to come here and
9 tell you the truth.

10 Q. Okay. And you said you read that, but
11 it's been a long time?

12 A. Like 15 years.

13 Q. Okay, but you've read every single one
14 of his books?

15 A. Yeah.

16 Q. Okay. Justin was such a good friend of
17 yours, you actually did a big tattoo for him,
18 didn't you?

19 A. Yeah.

20 Q. Yeah, within a few weeks of coming down
21 here, right, to finish it up?

22 A. I believe the last time I worked on
23 Justin's tattoo was -- I know I did a ship with
24 an anchor wrapped around his leg.

25 Q. I'm talking about the big one on his

1 chest that you did. Certainly -- you don't
2 remember that either?

3 A. I really don't remember a tattoo on
4 his --

5 Q. You don't remember that?

6 A. I remember vaguely.

7 Q. If I hand you a picture, could you --

8 A. Possibly.

9 Q. Do you recognize that?

10 A. Yes, yes, yes, I --

11 Q. Oh.

12 A. -- remember this one.

13 Q. Okay, so you did that full chest tattoo
14 on him?

15 A. Yeah.

16 Q. Okay. But you didn't remember until
17 you saw it?

18 A. I had to see it to remember it.

19 Q. Okay. And it's probably safe to say
20 that when Justin wakes up every morning and
21 looks in the mirror with no shirt on, that's
22 what he sees, isn't it?

23 A. Yes.

24 Q. A tattoo that you did.

25 A. Okay.

1 Q. His friend, the one who was cheating
2 with his wife.

3 A. No.

4 Q. Okay.

5 MR. LEE: That's all I have, Your Honor.

6 THE COURT: All right, do you have any
7 redirect, Solicitor?

8 MS. KIDD: Nothing from the State, Your
9 Honor.

10 THE COURT: All, right, Mr. Eckles, thank
11 you so much, you can step down. You can call
12 your next witness.

13 MS. KIDD: The State calls Jon Carrol.

14 THE COURT: Okay.

15 * * *

16 JONATHAN CARROLL

17 * * *

18 being first duly sworn, testified as
19 follows:

20 THE COURT: I'll tell you what, before we
21 start his testimony, does anyone need a bathroom
22 break? How about we get up and just stretch for
23 a minute.

24 We need a bathroom break? We'll go on
25 break for just a few minutes. I'm gonna send

1 you folks back. Don't talk about the case, and
2 I'll have you back out here, and, hopefully, the
3 witness can finish his testimony today. Thank
4 you very much.

5 (Jury exits the courtroom.)

6 BAILIFF: The jury's cleared, Your Honor.

7 THE COURT: All right, anything from the
8 State before we break?

9 MS. KIDD: Nothing further from the State.
10 You know, my thought -- I guess I will say this.
11 We only have a few witnesses, it'll be a chain,
12 and I think I have a pretty good stopping point
13 for you at the end of the day for planning
14 purposes.

15 I know we were planning to be done at 4:30.
16 I have two chain witnesses that I'd really love
17 to get through, because they are not local, or
18 they're no longer law enforcement, so they're
19 losing pay by being here; so if we could get
20 through two more witnesses at the very least,
21 that would help, I think.

22 THE COURT: Well, we're leaving at 4:30
23 today. If you want to call somebody back,
24 call --

25 MS. KIDD: I think we'll be able to --

1 THE COURT: -- the two, however you want to
2 do it, okay?

3 MS. KIDD: They should be fairly quick.

4 THE COURT; All right.

5 MS. KIDD: Thank you, Your Honor.

6 THE COURT: Oh, Mr. Lee, do you have
7 anything, sir?

8 MR. LEE: No, sir.

9 THE COURT: I didn't mean to forget you --

10 MR. LEE: I do not, thank you.

11 THE COURT: -- Mr. Lee.

12 MR. LEE: Believe it or not, I don't. Yes,
13 sir.

14	(Recess)

15 * * *

16	PROCEEDINGS CONTINUED

17 (The following proceedings were held in
18 open court. All parties were present.)

19 BAILIFF: All rise, this Court's back in
20 session.

21 THE COURT: Thank you, be seated. You-all
22 can be seated. Mr. Newman, is there anything
23 you need, sir?

24 MR. NEWMAN: No, sir. I was watching
25 another trial; thought I'd come watch this.

1 THE COURT: All right. All right,
2 Solicitor, are you-all ready?

3 MS. KIDD: The State is ready, Your Honor.

4 THE COURT: Mr. Lee?

5 MR. LEE: The defense is ready.

6 THE COURT: Okay, let's see if we can get
7 the jury back in here.

8 MS. KIDD: Actually, Your Honor, it might
9 be better to take something out.

10 Just for timing purposes, I said earlier
11 that I thought I could get through my next two
12 witnesses by 4:30, but my next witness will be
13 very short, I believe, and then the witness
14 after that is primarily a chain witness.

15 Would you prefer to start his testimony
16 today, and finish in the morning, if necessary,
17 or just break quite early, and just start fresh
18 in the morning?

19 MR. LEE: I don't think the chain witness
20 should take very long. We might be able to
21 stipulate to the chain.

22 THE COURT: Well, whatever you-all want to
23 do, that doesn't really matter to me, however
24 you want to do it, it does not matter to me.
25 And if you-all can agree to that, or as it

1 relates to the chain stipulation.

2 MS. KIDD: All right, if we can put that on
3 the record, that the defense is stipulating to
4 the chain, for purposes of State's Exhibits 2,
5 6, Exhibit 3, which we will be offering for
6 identification purposes only.

7 This is the white blood-stained robe cut
8 from the victim's hands, the victim being Lauren
9 Eckles, and gray tape removed from the victim,
10 the victim being Lauren Eckles.

11 THE COURT: All right, so Mr. Lee you're
12 stipulating to the chain of custody, sir, which
13 is what I understand that this witness is going
14 to testify to; is that correct?

15 MS. KIDD: Yes, Your Honor.

16 MR. LEE: Yeah.

17 THE COURT: Now, who is that witness?

18 MS. KIDD: This is Jon Carrol, formerly of
19 BCSO.

20 THE COURT: All right, is that your
21 stipulation, sir?

22 MR. LEE: Sure. Yes, sir.

23 THE COURT: All right, great.

24 MS. KIDD: All right.

25 THE COURT: Good.

1 MS. KIDD: I wish I knew that this morning,
2 but thank you, Your Honor, I will --

3 THE COURT: Well, he'll say --

4 MR. LEE: I didn't know.

5 THE COURT: He'll say you didn't ask.

6 MS. KIDD: I will now release him as a
7 witness.

8 THE COURT: Sure.

9 MS. KIDD: And I will --

10 THE COURT: All right.

11 MS. KIDD: -- move onto my next witness
12 that, hopefully we can get through.

13 THE COURT: So, sir, is that good with you?
14 Are you released now?

15 WITNESS: I am.

16 THE COURT: Well, sir, enjoy the rest of
17 your day. Thank you for coming. Any objection
18 to him going ahead and leaving before we bring
19 the jury back in?

20 MR. LEE: Yes, sir.

21 THE COURT: Because when the jury left, he
22 was on the stand. No objection?

23 MS. KIDD: No, no objection.

24 THE COURT: All right.

25 MS. KIDD: Oh, wait, he was called to the

1 stand in --

2 THE COURT: Yeah.

3 MS. KIDD: -- in front of the jury, so
4 let's release him. Can we put that back on the
5 record -- well, just tell the jury that we've
6 stipulated to this?

7 THE COURT: Right, I'll let him go, and
8 I'll tell them that the witness that was on the
9 stand, it was stipulated --

10 MS. KIDD: Okay.

11 THE COURT: -- that the parties agreed --

12 MS. KIDD: As long as the jury --

13 THE COURT: -- to stipulate as to what he
14 was going to testify to, and we're ready to call
15 our next witness.

16 MS. KIDD: All right, perfect.

17 THE COURT: Okay.

18 MS. KIDD: I just don't want the jury to
19 have questions.

20 THE COURT: I understand. All right, so
21 are we ready for the jury?

22 MR. LEE: Yes, sir.

23 THE COURT: Okay, great.

24 (Jury enters courtroom.)

25 BAILIFF: Your Honor, the jury's entering

1 the courtroom.

2 THE COURT: Thank you.

3 BAILIFF: The jury's seated, sir.

4 ***

5 PROCEEDINGS CONTINUED

6 THE COURT: All right, thank you. Ladies
7 and gentlemen, when you left the courtroom there
8 was a young man who was seated there on the
9 witness stand; but what I want you to know is
10 that, basically, while we were in a break, the
11 parties were able to stipulate, that is, they
12 were able to agree as to what this gentleman was
13 gonna testify to, and as a result, his testimony
14 is no longer needed

15 So, again, I appreciate the State and the
16 defense working to try to move this case forward
17 as quickly as possible; but I think as I said
18 earlier today, I think you understand we're
19 dealing with very serious matters here.

20 This isn't like TV, and so it is a slow,
21 deliberative, and repetitive process. Thank
22 you.

23 Solicitor, you can call your next witness.

24 MS. KIDD: Thank you, Your Honor. The
25 State now calls Brandon Disbrow.

* * *

BRANDON DISBROW

* * *

DIRECT EXAMINATION

BY MS. KIDD:

Q. Where were you employed at on March 19th, 2019?

A. I was with the Beaufort County Sheriff's Office for the first couple months of that year.

Q. Are you still with law enforcement?

A. I am not.

Q. All right. When you were with the BCSO in March of 2019, what was your role there?

A. I was a Criminal Investigator with the Northern Investigation Division.

Q. Okay. And did you respond to 18 Chaplin Drive on March 11th of 2019?

A. I did, yes, ma'am.

Q. All right, and what did you respond there for?

A. I responded there for a criminal incident involving a kidnapping, assault, and battery.

Q. Okay. And what were you there to do?

1 A. So the way the Investigations are set
2 up, there is what we call a Duty Investigator,
3 whose responsibility is to handle the majority
4 of that day, with the Investigations slot, is to
5 handle major criminal actions, investigations
6 that may be needed.

7 So I did receive a phone call from the BCSO
8 Patrol supervisor asking for Investigations
9 assistance.

10 Q. And what additional assistance did you
11 provide?

12 A. So I took over the role as
13 Investigator, what we call a Duty Investigator.
14 I did receive that phone call from Sergeant
15 Parnell, and during the course of that
16 information provided to me from the deputies on-
17 scene, it was determined that additional
18 assistance would be needed, that I alone would
19 not be able to handle it alone at that point, so
20 I did that with other investigators to help.

21 Q. Did you obtain a search warrant in this
22 case?

23 A. I did, yes, ma'am.

24 Q. And were you able to obtain that search
25 warrant?

1 A. Yes.

2 Q. Okay, and so when you arrived at 18
3 Chaplin Drive, who was there while you were
4 executing that search warrant?

5 Who else was present?

6 A. As far as my recollection, I know
7 Investigator Snider was there, I want to say
8 that Sergeant Parnell was also still there. And
9 I do apologize, I don't recall the other
10 deputies that were there.

11 Q. Were any of the victims still present
12 on the scene?

13 A. Lauren Eckles was still there.

14 Q. And were you able to observe her?

15 A. I did, yes.

16 Q. And did you notice anything about her?
17 What state was she in at that point?

18 A. She was a little disheveled, her hair
19 was a little messed up. She had some slight
20 injuries on her. By the time I arrived there
21 were no bindings on her wrist, there was no duct
22 tape that I remember seeing on her.

23 Q. So by the time you saw her, the duct
24 tape had been removed. Did you notice anything
25 about her hands?

1 A. There were some markings, some red
2 markings around the wrists, or the hands. I'm
3 not sure about her hands, but around her wrists
4 I do believe there was red marks.

5 Q. All right. I'm now gonna show you
6 what's been pre-marked as State's Exhibit 56; do
7 you recognize what this is?

8 A. That appears to be Lauren Eckles' hand
9 with some red marks around the wrist area.

10 Q. And does this fairly and accurately
11 depict what you saw that evening?

12 A. Yes, ma'am.

13 MS. KIDD: All right, at this time the
14 State seeks to enter in State's Exhibit 56 and
15 publish to the jury.

16 MR. LEE: No objection.

17 THE COURT: All right, admitted without
18 objection.

19 (State's Exhibit 56 admitted into
20 evidence.)

21 BY MS. KIDD:

22 Q. So you arrived on-scene, you made
23 contact with Lauren, and then you began to
24 execute the search warrant.

25 While you were executing that search

1 warrant, what items were located and taken into
2 evidence?

3 A. There were quite a few items. I'm not
4 sure if you want to specifically go from room-
5 to-room with all the items, but I can kind of
6 touch on --

7 THE COURT: All right, counsel approach for
8 a minute.

9 (Bench conference.)

10 THE COURT: All right, thank you very much.
11 Solicitor, you can proceed.

12 BY MS. KIDD:

13 Q. Yes, so if we could just go ahead, and
14 I know you collected a lot of evidence.

15 Would it help refresh your recollection to
16 refer to your report?

17 A. Yes, ma'am.

18 Q. All right.

19 MS. KIDD: I'm gonna pass up Sergeant
20 Disbrow's supplement for purposes of refreshing
21 recollection.

22 THE COURT: Do you have any objection, Mr.
23 Lee?

24 MR. LEE: No.

25 BY MS. KIDD:

1 Q. All right.

2 A. It's been a stint of four years, so
3 it's kind of hard to remember all the little
4 details, and I want to be as accurate as
5 possible.

6 Q. Of course. So in reviewing your
7 report, does that refresh your recollection
8 regarding which items you recovered from the
9 scene?

10 A. Yes, I do have a list here in the
11 report about all the items I did collect.

12 Q. Okay.

13 A. I can read those off, or I can
14 discuss --

15 Q. Yeah, if we could just go one-by-one.

16 A. Okay.

17 Q. Yeah.

18 A. Okay. So just going down the list here
19 that I have, I collected a Nike zip-up jacket,
20 one pair of jeans belonging to -- these are the
21 descriptions I recorded belonging to victim, one
22 pair of shoes, and one white Adidas hat
23 belonging to the victim.

24 MR. LEE: Judge, real quick, what page are
25 you on?

1 BY WITNESS:

2 A. I'm on page 39 of the report.

3 MR. LEE: Okay, thank you very much.

4 BY WITNESS:

5 A. And I'm under the section of evidence
6 submitted.

7 MR. LEE: Right, thank you.

8 THE COURT: Thanks, go ahead.

9 BY WITNESS:

10 A. A white robe, a roll of silver duct
11 tape, pieces of ripped duct tape, two zip-ties
12 in kitchen, and threw away on floor near table.
13 Dot straps, zip-ties by the bag. \$1,011.76.

14 Q. Okay. I'm actually gonna go through
15 now and show you some exhibits --

16 A. Okay.

17 Q. -- and then have you identify them.
18 Okay, I'm just gonna show you what's been pre-
19 marked as State's Exhibits 41, 42, 49, 40, 43,
20 44, 45, 46, 47, 48, 49 and 50.

21 If you could please go through those, and
22 tell me if you recognize them one-by-one, and,
23 if so, what are they?

24 A. Okay. Any particular order?

25 Q. We can just start with that one on top.

1 A. Okay. State Exhibit Number 50, and
2 marked with Evidence Number 9, is a roll of
3 silver duct tape.

4 Q. And does this fairly and accurately
5 depict what you saw that evening and collected?

6 A. Yes, ma'am, it was also some white --
7 it looks like a tee-shirt with a speck of blood
8 on it.

9 MS. KIDD: At this time the State seeks to
10 enter in State's Exhibit 50 and publish to the
11 jury.

12 MR. LEE: No objection.

13 THE COURT: Admitted without objection.

14 (State's Exhibit 50 admitted into
15 evidence.)

16 BY WITNESS:

17 A. This is marked State's Exhibit 49, also
18 marked with Evidence marker Number 1, which
19 appears to be some suspected blood on the floor.

20 Q. All right, and does that fairly and
21 accurately depict the scene that you saw?

22 A. Yes, ma'am.

23 MS. KIDD: At this time, the State seeks to
24 enter into evidence, and publish to the jury
25 State's Exhibit 49.

1 MR. LEE: No objection.

2 THE COURT: Thank you.

3 (State's Exhibit 49 admitted into
4 evidence.)

5 BY MS. KIDD:

6 Q. The next one?

7 A. The next is State's Exhibit Number 48.
8 It appears to be suspected blood on the floor.

9 Q. Does it fairly and accurately depict
10 the scene you saw that night?

11 A. Yes, ma'am.

12 MS. KIDD: At this time, the State seeks to
13 enter into evidence, 48, and publish to the
14 jury.

15 MR. LEE: No objection.

16 THE COURT: All right, no objection.

17 (State's Exhibit 48 admitted into
18 evidence.)

19 BY WITNESS:

20 A. Next is State's Exhibits 47, which is a
21 section of duct tape located on the floor.

22 Q. Okay. And does it fairly and
23 accurately --

24 MR. LEE: I'm sorry, section of what,
25 somebody's car? What's 47?

1 BY WITNESS:

2 A. It is a section of duct tape, silver
3 duct tape.

4 MR. LEE: Thank you.

5 BY WITNESS:

6 A. -- located on the floor.

7 MS. KIDD: At this time the State seeks to
8 enter and publish State's Exhibit 47 into
9 evidence.

10 THE COURT: Mr. Lee?

11 MR. LEE: No objection.

12 (State's Exhibit 47 admitted into
13 evidence.)

14 MR. LEE: Judge, if she'll show me this
15 real quick, I'm not gonna object to any of them.

16 MS. KIDD: Okay.

17 THE COURT: Okay.

18 MR. LEE: You can admit what you want.

19 MS. KIDD: At this time the State seeks to
20 enter in all of these photos, 46, 45, 44, 43,
21 40, 39, 42 and 41 into evidence, and publish to
22 the jury.

23 MR. LEE: No objection.

24 THE COURT: Do you want to take a look at
25 them?

1 MS. KIDD: I did.

2 MR. LEE: yeah, but he probably needs to
3 identify them, but --

4 THE COURT: Okay, well --

5 MR. LEE: Yeah.

6 THE COURT: Have him just glance --

7 MS. KIDD: Okay.

8 THE COURT: -- and ask if he recognizes --

9 MS. KIDD: I'm sorry.

10 THE COURT: -- them all.

11 MS. KIDD: I'm sorry.

12 THE COURT: That's all right. Thank you.

13 BY MS. KIDD:

14 Q. If you'll review these for me, each
15 one.

16 MS. KIDD: Do we have ELMO access that we
17 can set up, I thought it might be easier, or the
18 projector.

19 BY MS. KIDD:

20 Q. Do these all fairly and accurately
21 depict what you saw that night?

22 A. Yes, ma'am.

23 THE COURT: All right, so he's identified
24 all of those exhibits that they want to move
25 into evidence. He said that they accurately

1 reflect what they depicted that evening. You
2 don't have any objection to those photographs I
3 guess, what, 40, 41, two, 49, 43, 45, 46, 47 and
4 48, 49 and 50, you have no objection to any of
5 those being admitted into evidence?

6 MR. LEE: I do not, Your Honor.

7 THE COURT: Does that cover them all?

8 MS. KIDD: Yes, I believe it does.

9 THE COURT: All right, great, thank you.
10 All of them are admitted without objection.

11 (State's Exhibits 39 - 46 admitted into
12 evidence.)

13 MS. KIDD: All right, thank you --

14 THE COURT: Go ahead, Solicitor.

15 MS. KIDD: -- Your Honor.

16 THE COURT: Yes, ma'am.

17 BY MS. KIDD:

18 Q. Okay, let's go back here. Break it
19 down a bit, we've got a lot of evidence here.
20 I'm gonna show you State's Exhibits 43 and 44.
21 Can you please describe what those are?

22 A. Yes, this 43 and 44 both depict the
23 couch that was in the living room. 44
24 specifically has an additional picture of the
25 phone that was found in the couch.

1 Q. Okay. And did you collect that phone?

2 A. Initially, yes, but we -- I believe we
3 provided it back to Mrs. Eckles.

4 Q. Do you know who that phone belongs to?

5 A. Mrs. Eckles.

6 Q. I'm now gonna show you what's marked as
7 State's Exhibit 39 and 40. Can you please
8 explain to the jury what these are?

9 A. 39 and 40 show a Smith & Wesson 380
10 caliber handgun.

11 Q. And where was this handgun located?

12 A. It was in the front left bedroom of the
13 house.

14 Q. I'm now going to show you State's
15 Exhibits 41 and 42. Can you please explain what
16 these are?

17 A. Exhibits 41 and 42 show a Taurus 1911
18 .45 caliber handgun.

19 Q. And where was this handgun located?

20 A. It was located in the -- I guess we
21 call the dining room of the house in a box.

22 Q. I'm now going to show you State's
23 Exhibits 45, 48 and 49. Can you please explain
24 what these are?

25 A. I believe these are all gonna be 49, 45

1 and 48. This was some of the suspect blood
2 located on the dining room floor.

3 Q. All right. I'm now gonna show you the
4 last batch, 47, 46 and 50. Can you please
5 explain what these are?

6 A. So 50 appears to be duct tape located
7 in the hallway. If you would allow me to review
8 my report, to make sure I'm accurate on the next
9 two?

10 Q. Oh, yes, take your time.

11 A. There's no Evidence marker on 47, so
12 I've got to read a little bit. I believe this
13 is going to be the hallway as well, suspected
14 blood that's on the wall, and a piece of duct
15 tape that is nearby.

16 Q. Thank you. So as you were executing
17 the search warrant, did you physically collect
18 evidence?

19 A. Yes, ma'am.

20 Q. And when you collect evidence, what is
21 the process like for that?

22 A. So besides photographing the evidence,
23 we place it in an evidence bag. The bags are
24 then marked with the appropriate information on
25 the front side of that bag and then sealed. And

1 after the bag gets sealed, I put my initials
2 over that seal for integrity purposes.

3 Q. And when you're collecting those items,
4 do you wear gloves?

5 A. Yes, ma'am.

6 Q. And I am now going to show you State's
7 Exhibit 5 which has been pre-marked for purposes
8 of identification. I am going to put on gloves,
9 and I'll also provide you with some gloves as
10 well.

11 Okay, I'm now showing you what's been pre-
12 marked as State's Exhibit 5. Do you recognize
13 what that is?

14 A. It's a gun. Yes, it is a Taurus
15 handgun, with serial number NAS43687.

16 Q. And how do you recognize that? Is that
17 the item that you collected?

18 A. I -- yes, it is, I recognize this,
19 because I recognize my handwriting, also my
20 signature on the bottom.

21 Q. And so would you have been the one who
22 sealed that?

23 A. Yes.

24 Q. All right, and does it appear to be
25 opened?

1 A. It is at the bottom, and going back, I
2 did put my initials and my badge number over
3 that seal on top.

4 Q. And was it open prior to today, in
5 order to make it safe?

6 A. No, it happened before, prior to today.
7 I didn't open it.

8 Q. Okay. Well, we opened it earlier
9 today --

10 A. Okay.

11 Q. -- in order to make this safe --

12 A. Okay, yeah.

13 Q. -- to bring out in court. At this time
14 I'm gonna seek to enter in State's Exhibit 5,
15 open this bag and publish to the jury.

16 MR. LEE: No objection, Your Honor.

17 MS. KIDD: Okay.

18 THE COURT: All right, admitted without
19 objection.

20 MS. KIDD: All right.

21 THE COURT: All right.

22 (State's Exhibit 5 admitted into evidence.)

23 BY MS. KIDD:

24 Q. Does this appear to be the gun that you
25 collected that you made --

1 A. Sorry, I need to hold it up. It
2 appears to have the same serial number on the
3 gun, and it is also a Taurus PT 1911 .45 caliber
4 gun. It appears to be the same gun.

5 Q. All right, thank you. I apologize.
6 I'm now gonna show you State's Exhibit 6, this
7 was also produced as evidence, for State's
8 purposes. Can you please identify this item?

9 A. Yes, it's one Smith & Wesson 380
10 Bodyguard, serial number KAX9737.

11 Q. Is that the item that you collected?

12 A. Presumably, unless you want me to open
13 it.

14 Q. Does it have your initials on it?

15 A. I'm sorry, yeah, yes, ma'am.

16 Q. Okay.

17 A. It has my initials, my signature --
18 well, I don't see my initials here, but
19 definitely that's my signature and my
20 handwriting, and on the seal I do see my
21 initials.

22 Q. All right.

23 MS. KIDD: At this time, the State seeks to
24 enter in State's Exhibit 6, and publish to the
25 jury.

1 MR. LEE: No objection.

2 THE COURT: All right, and did we enter 5?

3 MR. LEE: Yes.

4 MS. KIDD: I believe I did.

5 THE COURT: All right, well --

6 MS. KIDD: Yes, Your Honor.

7 THE COURT: -- if he says yes, I forgot to
8 write that down. Thank you, Mr. Lee.

9 (State's Exhibit 6 admitted into evidence.)

10 BY MS. KIDD:

11 Q. I'm now handing you State's Exhibit 6.
12 Does this appear to be the gun that you
13 collected?

14 A. It does, it is a Smith & Wesson
15 Bodyguard. The serial number KAX9737, and it is
16 a .380 caliber.

17 MS. KIDD: Thank you. Now publishing
18 State's Exhibit 6 to the jury.

19 THE COURT: Solicitor, if you're finished
20 with those, can you put those back into the bag
21 and --

22 MS. KIDD: Yes, Your Honor, absolutely.

23 THE COURT: -- and secure them, please?

24 BY MS. KIDD:

25 Q. I'm now gonna show you State's Exhibit

1 7. Do you recognize this item?

2 A. I do. It is one can with .45 caliber
3 bullets, one magazine with .45 caliber bullets,
4 and one classic bottle with 380 caliber bullets.
5 I do recognize this. There are portions of this
6 that were not in my handwriting, obviously, but
7 it's definitely signed by me, and the seal has
8 my initials that I wrote.

9 Q. Okay.

10 MS. KIDD: At this time, the State seeks to
11 enter in State's Exhibit 7, open the bag and
12 publish to the jury?

13 THE COURT: Any objection, Mr. Lee?

14 MR. LEE: No objection.

15 THE COURT: Admitted without objection.

16 You can publish, yes, ma'am.

17 (State's Exhibit 7 admitted into evidence.)

18 BY MS. KIDD:

19 Q. I'm gonna hand you a pair of scissors.
20 If you wouldn't mind cutting open that bag, and
21 identifying each item contained in there?

22 A. Okay. Do you want me to just place
23 them on the table for now?

24 Q. Yes, you can place it right here.

25 A. Okay.

1 Q. What is this item?

2 A. This is a can, and inside contains what
3 appears to be .45 caliber --

4 THE COURT: Solicitor, just have him step
5 down with that --

6 MS. KIDD: That might be easier.

7 THE COURT: -- and just let him show --

8 MS. KIDD: Okay.

9 THE COURT: -- the jury, and if he can
10 explain to them what it is. As he's walking, if
11 he could speak loud enough so that the Court
12 Reporter can hear him? Thank you.

13 BY MS. KIDD:

14 Q. Do you want to explain?

15 A. Sure. It's just a can with .45 caliber
16 bullets in it. Here is a bottle. And also this
17 is a small container with bullets inside of it.
18 The last one is a handgun magazine, with what
19 appears to be 25 .45 caliber bullets inside.

20 MS. KIDD: Did Number 7 make its way into
21 evidence?

22 COURT REPORTER: Yes.

23 THE COURT: Yes, Number 7's admitted
24 without objection.

25 MS. KIDD: Thank you.

1 BY MS. KIDD:

2 Q. At this time I'll be showing you what's
3 pre-marked as State's Exhibit -- let me see,
4 State's Exhibit 8, for identification purposes;
5 do you recognize what this is?

6 A. Yes, these are four DNA swabs, two from
7 Taurus PT 19 -- I'm sorry, two from a Taurus PT
8 1911 pistol, and two from a Smith & Wesson 380
9 Bodyguard. I recognize this, because this is my
10 handwriting, and on the seal I see my
11 handwriting and initials and my badge number.

12 Q. Thank you, and did you seal that?

13 A. Yes, I did.

14 Q. Does it appear to be tampered with in
15 any way?

16 A. Tampered? No.

17 Q. All right, thank you. I'm now showing
18 you what's marked as State's Exhibit 9; do you
19 recognize this?

20 A. Yes, State's Exhibit 9 is one plastic
21 tie from hallway floor. I recognize this, and
22 also, I see my signature, my handwriting, and
23 also across the seal is my initials and
24 handwriting.

25 MS. KIDD: At this time, the State seeks to

1 enter in Exhibit 9, and publish to the jury.

2 MR. LEE: No objection.

3 THE COURT: What about 8?

4 MS. KIDD: 8 was for ID purposes only.

5 THE COURT: All right, thank you.

6 MS. KIDD: Thank you.

7 THE COURT: All right, so 9 is admitted
8 without objection.

9 (State's Exhibit 9 admitted into evidence.)

10 BY MS. KIDD:

11 Q. Go ahead and open that up, and show --

12 A. Okay --

13 Q. -- the jury. Yes.

14 A. Okay.

15 Q. Yes.

16 A. Okay.

17 Q. If you'd please show the jury.

18 A. A plastic tie.

19 Q. I'm now showing you what's been pre-
20 marked as State's Exhibit 10; do you recognize
21 this?

22 A. Duct tape straps, a zip-tie bag. I
23 recognize this by my handwriting, and also my
24 handwriting and initials and badge number across
25 the seal.

1 MS. KIDD: At this time, the State seeks to
2 enter in State's Exhibit 10, and publish to the
3 jury.

4 MR. LEE: Can I look at it real quick,
5 please? I would have you publish to the jury,
6 we do it all the time.

7 MS. KIDD: Okay.

8 MR. LEE: Okay?

9 MS. KIDD: Okay.

10 MR. LEE: That's fine.

11 BY WITNESS:

12 A. I apologize. All right. This is the
13 duct strap bag.

14 Q. All right.

15 MS. KIDD: At this time the State seeks to
16 enter State's Exhibit 10 into evidence.

17 MR. LEE: No objection.

18 THE COURT: Admitted without objection.

19 (State's Exhibit 10 admitted into
20 evidence.)

21 BY MS. KIDD:

22 Q. I'm now showing you State's Exhibit 11;
23 do you recognize this?

24 A. Yes, two zip-ties in kitchen entryway
25 on floor near table. I recognize this because

1 it has my signature, along with my handwriting
2 of my initials and my badge number along the
3 seal and the tape.

4 MS. KIDD: At this time, the State seeks to
5 enter in State's Exhibit 11, and publish it to
6 the jury.

7 MR. LEE: No objection.

8 THE COURT: Thank you, Mr. Lee.

9 (State's Exhibit 11 admitted into
10 evidence.)

11 BY MS. KIDD:

12 Q. Now --

13 A. May I ask a quick question?

14 Q. Yes.

15 A. Do you have any more evidence to open?

16 I'm gonna have to switch my gloves.

17 Q. Okay.

18 A. Okay?

19 Q. Okay.

20 A. What I'll do is, I'll just put a couple
21 pairs on.

22 Q. Okay.

23 A. Would that work?

24 THE COURT: What was 11, I'm sorry?

25 MS. KIDD: 11 --

1 MR. LEE: Two zip-ties in the kitchen.

2 THE COURT: Yes, sir.

3 MS. KIDD: Yes, sir.

4 THE COURT: Thank you.

5 BY WITNESS:

6 A. All right, I apologize. Would you like
7 it spread out there, ma'am?

8 Q. Yes, that has been --

9 A. Is that fine?

10 Q. -- entered into evidence. Cut it open
11 and publish to the jury.

12 A. These are all plastic zip-ties.

13 Q. Now I'll show you State's Exhibit 12;
14 do you recognize that?

15 A. Two plastic zip-ties found in laundry
16 room. I also recognize my handwriting, my
17 signature, as well as my handwriting initials
18 that are across the seal.

19 MS. KIDD: At this time, the State seeks to
20 enter into evidence State's Exhibit 12 and
21 publish to the jury.

22 MR. LEE: No objection.

23 THE COURT: Thank you, admitted without
24 objection.

25 (State's Exhibit 12 admitted into

1 evidence.)

2 BY MS. KIDD:

3 Q. What is this.

4 A. It's five zip-ties and straps.

5 MS. KIDD: Your Honor, may we approach?

6 THE COURT: Yeah.

7 (Bench conference.)

8 THE COURT: All right, come on and have a
9 seat, sir. Thank you.

10 All right, ladies and gentlemen, I told you
11 we were gonna break early today, and we are. I
12 appreciate your patience. Everybody's awake,
13 everybody's been awake, paying attention.

14 I say that, but it's really not a joke,
15 because I mean as you see we're doing very
16 important things here. This is an important
17 case to the State, and it's an important case to
18 the Defendant.

19 So what I'm gonna ask that you do is, be
20 back here tomorrow morning at 9:30. I'm gonna
21 ask that you not talk about the case.

22 I'm gonna ask that you not read anything
23 about the case, do any research on the case, and
24 we look forward to seeing everybody back
25 tomorrow at 9:30, and I hope you-all have a

1 great evening, okay?

2 Thank you very much.

3 (Jury exits the courtroom.)

4 BAILIFF: The jury's cleared, Your Honor.

5 THE COURT: All right, thank you very much.

6 Is there anything from the State that we
7 need to take up before we break for the evening?

8 MS. KIDD: Nothing from the State, Your
9 Honor.

10 THE COURT: Mr. Lee?

11 MR. LEE: No, sir. I told her if there's
12 any -- if she thought I could stipulate to them,
13 I'd be glad to stick around and talk to her
14 about it.

15 THE COURT: All right.

16 MS. KIDD: We'll chat.

17 THE COURT: And not that I want you-all to
18 spend a lot of time this evening, but as it
19 relates to jury charges, you probably need to
20 start thinking about those, and you can forward
21 those to Carlos at your convenience.

22 So with that, we will be back in here a few
23 minutes before 9:30 and be ready to go, all
24 right?

25 Thank you very much, we're at ease.

1 MR. LEE: Thank you.

2 MS. KIDD: Thank you, Your Honor.

3 (At 4:31 p.m. the proceedings were
4 continued until the following day without
5 interruption.)

6 ***

7 END OF VOLUME II

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE GENERAL SESSIONS COURT
FOR THE 14th JUDICIAL CIRCUIT
2022-GS-07-01822, -478,
-479, -561, -562

State of South Carolina,

Plaintiff,

vs.

Justin Brodie Granet,

TRANSCRIPT OF JURY TRIAL
VOLUME III
PAGES 444 - 657

Defendant.

February 15, 2023
Beaufort, South Carolina

B E F O R E:

The Honorable Robert J. Bonds, Judge Presiding

Kymberlee M. Williams, CSR/RPR
Official Circuit Court Reporter III
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Beaufort, South Carolina 29903

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PROCEEDINGS CONTINUED

WEDNESDAY, FEBRUARY 15, 2023

BEAUFORT, SOUTH CAROLINA

(The following proceedings were held in open court. All parties were present.)

THE COURT: All right. Good morning, folks, is there anything that we need to take up before bringing the jury in from the State?

MS. KIDD: Yes, Your Honor. Mr. Lee and I have been in conversation about whether or not to stipulate any of this, and I am pleased to report that the defense has indicated that they will be stipulating to the chain on all the State's physical evidence.

There are four pieces of evidence that would need to be identified by witnesses that we do not intend to call, so if we could just get that on the record, for these four, State's Exhibit 25, State's Exhibit 26, 23 and 24.

Number 23 is a swab from the keys taken from Lauren.

Number 24 is the DNA buccal from Lauren.

Number 25 is the buccal swab of Justin

1 Granet.

2 Number 26 is the buccal swab from Don
3 Christopher Bliss. And at this time the State
4 would see to --

5 THE COURT: 26 is Bliss?

6 MS. KIDD: 26 is Bliss' buccal swab, yes.

7 THE COURT: Yes, ma'am.

8 MS. KIDD: And at this time the State would
9 seek to enter all of those pieces of evidence
10 into evidence for identification purposes only.

11 THE COURT: Mr. Lee, is that correct, sir?

12 MR. LEE: That's correct, Your Honor.

13 THE COURT: All right.

14 MS. KIDD: And actually I said
15 identification purposes, but if we're
16 stipulating we can go ahead and make those
17 exhibits.

18 THE COURT: Enter those into evidence, sir?

19 MR. LEE: Yes, sir.

20 THE COURT: Okay, so do you-all want me to
21 tell the jury that, basically, you-all have
22 stipulated, kind of explain that we're going
23 through the chain of custody, and you-all have
24 stipulated on several different items that --
25 does that now eliminate this gentleman's --

1 MS. KIDD: No, that's --

2 THE COURT: We've still got him?

3 MS. KIDD: -- for witnesses that we're now
4 not going to call, so we can eliminate two
5 witnesses with those four items.

6 THE COURT: All right.

7 MS. KIDD: These items he is stipulating to
8 them, but I still want to go through and publish
9 those.

10 THE COURT: I understand.

11 MS. KIDD: Yeah.

12 THE COURT: That's fine, okay.

13 All right, is that all from the State?

14 MS. KIDD: That's all from the State, Your
15 Honor.

16 THE COURT: All right, and so, Mr. Lee, is
17 there anything from the defense, sir?

18 MR. LEE: Judge, just one thing that I
19 would ask you to say.

20 It appears that yesterday afternoon the
21 reporter, Sophia Sanchez, might be here, wrote
22 an article. It says it's subscriber exclusive.
23 I was a little bit limited in being able to see
24 everything, but --

25 THE COURT: You're not a subscriber?

1 MR. LEE: No, sir.

2 THE COURT: It only cost a few dollars,
3 sir.

4 MR. LEE: Yeah, well --

5 COURT REPORTER: 20.

6 THE COURT: 20? Okay, all right.

7 MR. LEE: But the title of it has been a
8 nightmare, and, obviously, it's written from the
9 victim's perspective.

10 In addition at the end of it, it says that
11 four pounds of marijuana were seized in the
12 house. Obviously, that was excluded in our
13 trial, and I would just respectfully ask you to
14 ask the jury if they have read about anything,
15 heard about anything, if they looked at this
16 article, it was yesterday. I know you told them
17 not to read stuff and all that kind of stuff,
18 but I would ask --

19 THE COURT: Yeah, I did.

20 MR. LEE: I would just ask you to do a
21 quick survey of the jury, to make sure none of
22 them have been possibly tainted by this
23 grievance article.

24 THE COURT: What does the State say?

25 MS. KIDD: If we did address that on the

1 front-end already instructing them not to read
2 any material related to the trial, but if that
3 would make him more comfortable to just ask, to
4 make sure.

5 THE COURT: Well, you know, seeing
6 something and then turning away, I mean I think
7 would be an appropriate response.

8 Seeing something, not turning way and then
9 reading the article would not be following my
10 instructions.

11 MR. LEE: Right.

12 MS. KIDD: So my idea would be if they
13 clicked and got the free subscription, or paid
14 the couple of dollars to then go read, or if
15 they were already subscribers, but if they just
16 saw the headline pop up, and scrolled in, I
17 don't think that --

18 THE COURT: All right.

19 MS. KIDD: -- that --

20 THE COURT: What I'm going to do is this,
21 I'm going to tell the jury it's my understanding
22 that an article appeared concerning this matter,
23 and per my instructions you were to not look at
24 or to read any articles concerning this matter.
25 If there is a juror who has read the article, or

1 read any article, then I would appreciate that
2 juror making that known to me.

3 Do you think that ought to be written in a
4 question and just sent back to them, if we agree
5 to the language? Because -- or do you want me
6 to sit there and have somebody raise their hand,
7 send the jury out, and then question them. I'm
8 asking what your thoughts are.

9 MR. LEE: I think writing the question back
10 I would say that would be fine. And, you know,
11 then that way, if someone does say, "I did," it
12 might be a little easier to say, "Well, come up
13 here and let's examine it."

14 THE COURT: I think that could be less --

15 MR. LEE: Basically, embarrassing them.

16 THE COURT: -- embarrassing and evasive,
17 and it gives them that opportunity.

18 MR. LEE: Yeah, I'm fine with that.

19 THE COURT: Solicitor, do you have any
20 objection to that?

21 MS. KIDD: I don't have any objection to
22 asking in writing whether or not any of the
23 jurors read an article related to this case, and
24 then have an in-camera discussion, if they have.

25 THE COURT: All right. All right, so what

1 I did is, I put, "Has any juror read any article
2 about this case? If so, please prove me with
3 the juror's number. If no juror has ready any
4 article, please indicate by writing no," and I
5 left a blank.

6 Do you-all want to read that? You want to
7 look at it?

8 MR. LEE: It looks good to me.

9 MS. KIDD: it looks good to me.

10 THE COURT: Is that satisfactory with the
11 State?

12 MS. KIDD: Yes, your Honor.

13 THE COURT: Satisfactory with the defense?

14 MR. LEE: Yes, Your Honor.

15 THE COURT: All right, Mr. Bailiff, how
16 about give this to the Foreperson, and if they
17 could let us know. All right, anything else,
18 Mr. Lee?

19 MR. LEE: That's it, Your Honor.

20 THE COURT: Thank you, sir.

21 THE BAILIFF: Yes, sir.

22 THE COURT: All right. Really what I
23 wanted them to do was just put no, as in a
24 collective no, but what they've actually --

25 THE BAILIFF: Well --

1 THE COURT: But that's fine. Because what
2 they've actually done is probably better.

3 THE BAILIFF: Yeah.

4 THE COURT: They've gone and numbered every
5 juror, and every juror is a no, except the last
6 juror, which apparently is three -- is that 392?

7 Who is juror 392, or do we have a juror
8 392, or it may be 352. All right, and 352 is
9 one of our alternates. Okay. All right, what I
10 plan on doing -- let's make this document a
11 Court's exhibit.

12 COURT REPORTER: That will be 11.

13 THE COURT: Thank you.

14 (Court Reporter marks Court's Exhibit
15 Number 11 as attached hereto.)

16 THE COURT: What I plan on doing is
17 bringing juror 352 out, and what I want to do
18 is, I want to inquire whether the article -- was
19 it an article, and, if so, was it from the,
20 what, Beaufort --

21 MR. LEE: Beaufort Gazette.

22 THE COURT: Beaufort Gazette Island Packet.
23 Because then if it's not, I want to know, first
24 of all, is it from some other article; but
25 assuming it's from that article, then what I

1 want to do is, I want to inquire as to whether
2 she read the headline, because she may be saying
3 she read the headline.

4 MR. LEE: Sure.

5 THE COURT: But then -- and from there then
6 inquire as to whether she actually read the
7 article in its entirety. And at that point,
8 depending on what her responses are, I probably
9 will send her out of the courtroom, perhaps not
10 back to the jury room. Would also inquire that
11 she hasn't spoke with any of the jurors
12 concerning this matter, and then we'll make a
13 decision on what we're gonna do, okay?

14 MR. LEE: Sounds good.

15 THE COURT: All right, how about bring
16 juror 352.

17 BAILIFF: Yes, Your Honor.

18 THE COURT: You can just stand her right
19 there for me.

20 BAILIFF: I will.

21 (Juror enters courtroom.)

22 BAILIFF: Juror 352, Your Honor.

23 THE COURT: Okay.

24 BAILIFF: Just come right here and face the
25 Judge, please.

1 THE COURT: Hey, ma'am, good morning. Let
2 me ask you this, I sent a question back --

3 JUROR 352: Yes.

4 THE COURT: -- and asked whether any jury
5 member has read any article concerning this
6 matter. And let me ask the question before you
7 answer, okay? And the note indicated a yes by
8 your name. So what I want to do is, did you
9 read an article that may have been in the Island
10 Packett or Beaufort Gazette?

11 JUROR 352: No.

12 THE COURT: Okay, where -- what article --

13 JUROR 352: I went on the website.

14 THE COURT: What website?

15 JUROR 352: On the Beaufort County, because
16 I wanted to see your name and the attorneys'
17 names.

18 THE COURT: Okay.

19 JUROR 352: I was trying to --

20 THE COURT: All right, so -- all right,
21 well, let me --

22 JUROR 352: So I wasn't supposed to do
23 that?

24 THE COURT: No, no, no. What I'm trying to
25 figure out is, did you read any article that was

1 published by a newspaper or any news media?

2 JUROR 352: Now, I did look at the JCL
3 News.

4 THE COURT: JCL News?

5 JUROR 352: Yeah.

6 THE COURT: What --

7 JUROR 352: That's --

8 THE COURT: What is JCL? I'm sorry.

9 JUROR 352: A television station.

10 THE COURT: Okay.

11 JUROR 352: But I did that.

12 THE COURT; All right, well, let me ask you
13 this, ma'am, was there -- so did you read
14 anything about this case, I guess is what I'm
15 asking? I'm not --

16 JUROR 352: No.

17 THE COURT: -- understanding.

18 JUROR 352: I mean I looked at the names,
19 because after -- I just wanted to remember.
20 When I was -- when I went home, I couldn't
21 remember --

22 THE COURT: Okay.

23 JUROR 352: I just wanted to look at the
24 names.

25 THE COURT: All right.

1 JUROR 352: So --

2 THE COURT: Let me ask you this, ma'am,
3 have you talked about the case on what you may
4 have seen or viewed with any other members of
5 the jury?

6 JUROR 352: No.

7 THE COURT: All right. All right, what I'm
8 gonna do is, I'm gonna ask you to step outside
9 the courtroom for one second --

10 JUROR 352: Okay.

11 THE COURT: -- and I'll be back in touch
12 with you, okay? Give me one minute.

13 (Juror exits the courtroom.)

14 THE COURT: All right, well, from her
15 responses, I'll be honest, I'm not sure what she
16 saw, however -- and she also has confirmed that
17 she spoke to no other jurors about this matter.
18 So what I'm inclined to do, particularly, given
19 the fact that she already is an alternate, is to
20 go ahead and excuse this alternate from service
21 on this case this week. Is that satisfactory to
22 the State?

23 MS. KIDD: If that's what you're inclined
24 to do, I do think that based on what she said,
25 she didn't read anything of any substance about

1 the case, so I think that it would be all right
2 if she stayed, but, obviously, it is in your
3 discretion.

4 THE COURT: Right, and that's exactly what
5 I wanted you to state. I wanted you to state
6 what your thoughts were, and your thoughts are
7 that she could stay or should stay, and I
8 appreciate that, that's exactly what I wanted
9 you to tell me.

10 Mr. Lee?

11 MR. LEE: I disagree, I think out of an
12 abundance of caution she should be excused. She
13 apparently went to the public index to get the
14 information I assume, from what her response
15 was.

16 We don't know what she looked at on there.
17 She said she wanted to find out what our names
18 were, but also public in that, you know, any
19 previous arrests, pending the case that was
20 severed would be listed under Mr. Granet's name,
21 if she looked there. There's all kinds of
22 things.

23 And she has done what you told her not to
24 do. And I don't think there's any harm, we have
25 three alternates, I don't think there's any harm

1 whatsoever in excusing her from this case.

2 And, of course, when she said she hasn't
3 spoken with anybody else, I don't think it's
4 worth of a more substantial motion on my part
5 than that, and --

6 THE COURT: No, and I -- yes, sir, and I
7 wouldn't -- I don't think so.

8 MR. LEE: But at this point, I think we
9 need to nip it in the bud and have her excused.

10 We have two more alternates. We have 14
11 healthy jurors apparently, so I think definitely
12 she should be excused. And she said she watched
13 TV, so I don't know what's on TV, but, you know,
14 I don't know how that was slanted, what was
15 said.

16 THE COURT: All right, what --

17 MR. LEE: And that's just --

18 THE COURT: -- I'm gonna do is, I'm gonna
19 bring her back in, and I am going to discharge
20 her from the jury. In fact, I'm going to go
21 ahead and release her from service this week,
22 because I don't plan on bringing the jury back
23 tomorrow.

24 MR. LEE: Okay.

25 THE COURT: And so that's what I'm gonna

1 do. Let's get the juror back in here, and then
2 that'll be great. Let's get her back in here.

3 BAILIFF: Yes, your Honor.

4 (Juror enters courtroom.)

5 THE COURT: All right. Ma'am, let me tell
6 you what I'm gonna do. As a result of --

7 JUROR 352: Okay.

8 THE COURT: Out of an abundance of caution
9 I'm gonna release you from the jury, okay? And
10 -- that's okay.

11 JUROR 352: So I am excused?

12 THE COURT: And I'm also gonna discharge
13 you from service this week, because I'm not
14 bringing the jury panel back, because,
15 basically, I think this trial will take the
16 balance of the week.

17 So I appreciate your service, and you are
18 good for three years, okay? And that doesn't
19 include City Court, Magistrate's Court or
20 Federal Court, but I thank you for your service,
21 okay?

22 JUROR 352: I'm sorry.

23 THE COURT: Yes, ma'am.

24 (Juror exits courtroom.)

25 THE COURT: All right, any objection to

1 what I informed or told this juror from the
2 State?

3 MS. KIDD: I am so sorry, Your Honor.

4 THE COURT: Any objection to what I told
5 the juror? I understand what your position is,
6 I'm not asking you to waive your position, but
7 have you got a problem with what I told her,
8 that's what I'm asking.

9 MS. KIDD: No, Your Honor.

10 THE COURT: Mr. Lee?

11 MR. LEE: No, sir. My understanding is
12 that note it was turned in as a Court's exhibit?

13 THE COURT: It is.

14 MR. LEE: Okay.

15 THE COURT: All right, is there anything
16 else before we bring the jury in?

17 MR. LEE: No, sir.

18 MS. KIDD: No, your Honor.

19 THE COURT: All right, well, let's get the
20 jury in, please. We have a witness who should
21 be on the stand?

22 MS. KIDD: Yes.

23 THE COURT: Where is the gentleman? Come
24 on up, sir.

25 BAILIFF: Your Honor, the jury's entering

1 the courtroom.

2 THE COURT: Sure, thank you.

3 (Jury enters the courtroom.)

4 BAILIFF: The jury's seated, Your Honor.

5 THE COURT: All right, thank you.

6 Ladies and gentlemen, good morning. What I
7 want you to know is that I have released one of
8 your fellow jury members from continuing to
9 serve on this case.

10 And what I would tell you is, please make
11 sure that you avoid any research, or any media,
12 TV, in writing, blogs concerning this case.
13 And, again, the reason is, a) you've taken an
14 oath not to do that, okay? You took an oath not
15 to do it; and number two, again, we're dealing
16 with important matters, and the only place that
17 your facts come from are right here, and the
18 exhibits that are being entered into evidence
19 and from no place else, okay? So I just want to
20 make sure you understand that. I appreciate the
21 -- your being here, your timeliness, and we're
22 ready to proceed with the case.

23 Solicitor, you can continue with your
24 direct examination.

25 MS. KIDD: Thank you, Your Honor.

DIRECT EXAMINATION CONTINUES

BY MS. KIDD:

Q. All right, I'm going to speak a little better this morning. If you could come down off the stand, I'm going to have you take a look at earlier exhibits and indicate if you recognize them.

So we will start with State's Exhibit 4, 8, 13, 14 and 15. And if you could please come take a look at these items, and tell me if you recognize them, and, if so, how do you recognize them?

A. So State's Exhibit 4 is a DNA buccal swab of Corey Eckles. I recognize this, because it is my handwriting, my signature, and also along the seal is my handwriting.

State's Exhibit Number 8 is four DNA swabs, two from a Taurus PT1911 pistol, and two from Smith & Wesson 380 Bodyguard. I do recognize this, because I do see my signature, along with my handwriting along the seal.

State's Exhibit 13 is a white rope, and I recognize this because of my signature on the bag, as well as along the seal I see my

1 handwriting.

2 State's Exhibit 14 is a Taurus magazine
3 with eight .45 auto cartridges. I recognize
4 this, because I see my signature on the bag and
5 my handwriting along the seal.

6 And State's Exhibit 15 is a Smith & Wesson
7 380 auto magazine with seven 380 cartridges. I
8 recognize this, because I recognize my
9 handwriting, as well as my signature, and my
10 handwriting along there.

11 Q. Thank you.

12 MS. KIDD: At this time, the State seeks to
13 enter into evidence State's Exhibits 4, 8, 13,
14 14 and 15, with the understanding that the
15 defense is stipulating to these exhibits.

16 MR. LEE: That's correct, Your Honor.

17 THE COURT: All right, thank you.

18 (State's Exhibits 4, 8, 13 - 15 admitted
19 into evidence.)

20 BY MS. KIDD:

21 Q. We'll get back to those in a minute.
22 Let's move to our next batch.

23 I'm now showing you what's been pre-marked
24 as State's Exhibit 16, 17, 18, 19, 20, 21, 22, 8
25 -- or, I'm sorry, 2, not eight.

1 THE COURT: Okay.

2 BY MS. KIDD:

3 Q. And State's Exhibit 3. Start down here
4 at the end. If you could please identify these
5 items, and indicate if these are the items that
6 you collected and sealed?

7 A. In this State's Exhibit 16 is six boxes
8 of 380 auto rounds, with 318 total cartridges.
9 I recognize this because of my handwriting, my
10 signature, and my handwriting along the seal.

11 State's Exhibit 17 is pieces of ripped duct
12 tape. I recognize this because of my signature
13 on the bag, as well as my handwriting along the
14 seal.

15 State's Exhibit 18 is a roll of silver duct
16 tape. I recognize this from my signature on the
17 bag, as well as my handwriting along the seal.

18 State's Exhibit 19 is a black flashlight
19 recovered from the laundry room. I recognize
20 this from my signature on the bag, as well as my
21 initials along the seal and my handwriting.

22 State's Exhibit 20 is two white shirts. I
23 recognize this from my handwriting, as well as
24 my signature on the bag, and my handwriting
25 along the seal.

1 State's Exhibit 21 is a Nike zip-up jacket.
2 I recognize this my handwriting, as well as my
3 signature on the bag, and my handwriting along
4 the seal.

5 State's Exhibit 22 is one pair of jeans
6 belonging to victim, one pair of shoes and one
7 white Adidas hat belonging to the victim. I
8 recognize this from both my handwriting and
9 signature on the bag, as well as my handwriting
10 along the seal.

11 Exhibit Number 2, number two is from
12 another officer.

13 Q. Sorry, I handed these out of order.

14 A. Okay.

15 MS. KIDD: Thank you for noticing that.
16 All right, at this time the State seeks to enter
17 in State's Exhibits 16, 17, 18, 19, 20, 21, and
18 22 is the evidence, with the understanding that
19 the defense is stipulating to allowing them to
20 retain the custody.

21 MR. LEE: No objection, Your Honor.

22 THE COURT: Yes, sir.

23 (State's Exhibits 16 - 22 admitted into
24 evidence.)

25 MS. KIDD: All right, now at this time the

1 State seeks to publish several of these items to
2 the jury.

3 THE COURT: All right.

4 BY MS. KIDD:

5 Q. We will begin with State's Exhibit 13.
6 It appears to already be cut open; is that
7 something that you did earlier this morning?

8 A. Yes, ma'am.

9 Q. All right. I'm now going to hand you
10 the bag. If you could please review the item,
11 and we'll publish it to the jury.

12 And, again, can you just remind the jury
13 what State's Exhibit 13 is?

14 A. Yes, ma'am. So State's Exhibit 13 is
15 the white rope.

16 Q. And is this the white rope that was
17 located in the living room next to the
18 fireplace?

19 A. Yes, ma'am.

20 Q. All right, put it back in the bag.

21 The next is State's Exhibit 14, if you
22 could please remove and display it to the jury
23 and remind them what that item is.

24 A. So State's Exhibit 14 is a Taurus
25 magazine with eight .45 auto cartridges.

1 Q. I'm now handing you State's Exhibit 15,
2 if you could please do the same?

3 A. State's Exhibit 15 is a Smith & Wesson
4 380 auto magazine with seven 380 auto
5 cartridges. A magazine with one loose
6 cartridge.

7 Q. And if you could help publish and
8 identify State's Exhibit 16?

9 A. Yes, ma'am. State's Exhibit 16 is six
10 boxes of 380 auto rounds, with 318 total
11 cartridges. A box of ammunition. So would you
12 want me to post them and show them?

13 Q. No, that's all right.

14 A. I'll put these back in.

15 Q. If you can now publish and identify
16 State's Exhibit 17?

17 A. Okay. State's Exhibit 17 is pieces of
18 ripped duct tape.

19 Q. And where were these pieces of duct
20 tape located?

21 A. These were located in the hallway on
22 bookshelf and carpet.

23 Q. All right, if you could now publish and
24 identify State's Exhibit 18.

25 A. State's Exhibit 18 is a roll of silver

1 duct tape, also found in the hallway in laundry
2 room.

3 Q. I'm now showing you State's Exhibit 19.
4 I do not believe you previously cut it open, so
5 if you wouldn't mind cutting that open,
6 identifying it and publishing it to the jury.

7 A. State's Exhibit 19 is a black
8 flashlight recovered from laundry room floor.

9 Q. Okay, now these last items of evidence,
10 20, 21 and 22, I'm going to refrain from having
11 you open them.

12 A. Okay.

13 Q. Given the fact that they are bio-
14 hazardous material.

15 A. Okay.

16 Q. But if you could please identify them
17 one last time for the jury?

18 A. State's Exhibit 20 is two white tee-
19 shirts.

20 Q. And who do those tee-shirts belong to,
21 or I don't need --

22 A. It doesn't indicate.

23 Q. My apologies, apologies, all right?
24 And State's Exhibit 21 can you identify that one
25 more time?

1 A. Okay. State's Exhibit 21 is a Nike
2 zip-up jacket.

3 Q. Okay, and State's Exhibit 22?

4 A. State's Exhibit 22 is one pair of jeans
5 belonging to victim, one pair of shoes, and one
6 white Adidas hat belonging to victim.

7 Q. Can you explain to the jury what this
8 bio-hazard sticker means?

9 A. It's a generic sticker that's put on
10 anything that has obvious bio-hazard material in
11 this case.

12 Q. Does that include blood?

13 A. Yes, ma'am.

14 MS. KIDD: Court's indulgence.

15 THE COURT: Yes, ma'am.

16 BY MS. KIDD:

17 Q. Thank you. Please answer any questions
18 the defense may have.

19 A. Yes, ma'am.

20 THE COURT: All right. Come on back
21 around.

22 WITNESS: Take these.

23 THE COURT: No problem. Mr. Lee? Yes,
24 sir.

25 * * *

