

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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**SC Court of Appeals**

Appeal from Saluda County

Honorable Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

AARON SINCERE HOOD,

APPELLANT

APPELLATE CASE NO. 2023-001512

RECORD ON APPEAL

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**VOLUME II OF II**  
**PAGES 501-565**

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**INDEX**

INDEX .....	i
TRIAL TRANSCRIPT DATED SEPTEMBER 11-14, 2023 .....	1
DEFENSE MOTION TO DISMISS .....	30
RESPONSE BY MR. MCNAIR .....	37
REBUTTAL BY MR. STANCIL .....	40
COURT’S RULING DENYING DEFENSE MOTION TO DISMISS .....	44
<b>TESTIMONY</b>	
DAVE ROGERS ( <i>IN-CAMERA</i> )	
Direct Examination by Mr. McNair .....	45
Cross-Examination by Mr. Stancil .....	52
Redirect Examination by Mr. McNair .....	54
Recross-Examination by Mr. Stancil .....	57
DEFENSE ARGUMENT PURSUANT TO <u>JACKSON V. DENNO</u> BY MR. STANCIL .....	57
<b>TESTIMONY</b>	
CHRISTOPHER HARTLESS ( <i>IN-CAMERA</i> )	
Direct Examination by Mr. McNair .....	58
Cross-Examination by Mr. Stancil .....	61
Redirect Examination by Mr. McNair .....	62
COURT’S RULING FINDING STATEMENT ADMISSABLE PURSUANT TO <u>JACKSON V. DENNO</u> .....	63
OPENING STATEMENT BY MR. FENDER .....	73
OPENING STATEMENT BY MR. STANCIL .....	83
<b>TESTIMONY</b>	
DAMEON SPRINGS	
Direct Examination by Mr. McNair .....	85
Cross-Examination by Mr. Stancil .....	106
Redirect Examination by Mr. McNair .....	110
Recross-Examination by Mr. Stancil .....	112



## LAVORIS HILL

Direct Examination by Mr. McNair .....	116
Cross-Examination by Mr. Stancil.....	143
Redirect Examination by Mr. McNair .....	167
Recross-Examination by Mr. Stancil .....	171

## LAURA LOPEZ

Direct Examination by Ms. Fuller .....	174
Cross-Examination by Mr. Stancil.....	181
Redirect Examination by Ms. Fuller.....	182

## JAMES DUNOVANT

Direct Examination by Ms. Fuller .....	183
Cross-Examination by Mr. Stancil.....	190

## CODY BURNS

Direct Examination by Mr. Fender .....	192
--	-----

## MIRACLE PRIDGEN

Direct Examination by Ms. Fuller .....	198
Cross-Examination by Mr. Stancil.....	245
Redirect Examination by Ms. Fuller.....	250
Recross-Examination by Mr. Stancil .....	254

## VERNON WAYNE BRYAN

Direct Examination by Mr. Fender .....	259
Cross-Examination by Mr. Stancil.....	268
Redirect Examination by Mr. Fender.....	271
Recross-Examination by Mr. Stancil .....	272

## KARLA GONZALEZ

Direct Examination by Mr. Fender .....	273
Cross-Examination by Mr. Stancil.....	277

## DAVE ROGERS

Direct Examination by Mr. McNair .....	281
Cross-Examination by Mr. Stancil.....	298
Redirect Examination by Mr. McNair .....	310
Recross-Examination by Mr. Stancil .....	312

## NIVEA HILL

Direct Examination by Mr. McNair.....	313
Cross-Examination by Mr. Stancil.....	323

## STEPHEN BYRD

Direct Examination by Mr. Fender .....	329
--	-----



Cross-Examination by Mr. Stancil.....	340
Redirect Examination by Mr. Fender.....	344
DALILA CIRENCIONE	
Direct Examination by Ms. Fuller .....	345
Cross-Examination by Mr. Stancil.....	385
Redirect Examination by Ms. Fuller.....	390
MATTHEW WOMACK	
Direct Examination by Ms. Fuller .....	397
Cross-Examination by Mr. Stancil.....	418
MEGAN FLETCHER	
Direct Examination by Mr. McNair.....	420
Cross-Examination by Mr. Stancil.....	430
RACHEL NGUYEN	
Direct Examination by Ms. Fuller .....	432
Cross-Examination by Mr. Stancil.....	440
SARAH ZAPATA	
Direct Examination by Ms. Fuller .....	441
Cross-Examination by Mr. Stancil.....	458
DOCTOR KELLY ROSE	
Direct Examination by Ms. Fuller .....	460
Cross-Examination by Mr. Stancil.....	480
STATE RESTS .....	483
DEFENSE RENEWAL OF ALL PREVIOUS MOTIONS AND MOTION FOR A DIRECTED VERDICT .....	484
RESPONSE BY MR. MCNAIR.....	485
COURT’S RULING DENYING MOTION FOR DIRECTED VERDICT .....	486
TESTIMONY COLLOQUY .....	488
DEFENSE RESTS.....	490
DEFENSE RENEWAL OF ALL MOTIONS, OBJECTIONS, AND MOTION FOR DIRECTED VERDICT .....	490
CLOSING ARGUMENT BY MR. MCNAIR.....	492



CLOSING ARGUMENT BY MR. STANCIL .....502

CHARGE ON THE LAW .....514

VERDICT .....532

DEFENSE RENEWAL OF ALL PREVIOUS MOTIONS AND MOTION FOR A NEW TRIAL.....536

COURT’S RULING DENYING MOTION FOR A NEW TRIAL.....536

SENTENCING .....550

INDICTMENTS .....553

SENTENCE SHEETS .....557

CERTIFICATE OF COUNSEL .....565



1           And, ladies and gentlemen, there's not that many  
2 dots to connect in this case. You know, Xavier Cancer  
3 lost his life for nothing, for something so stupid, and  
4 we can't fix it, we can't undo it, but we can hold those  
5 accountable who are responsible for it. And it sounds  
6 cliché to say, but this is where we come to get justice.  
7 Law enforcement can arrest people, we can bring a case  
8 to court, but ultimately you have to deliver justice in  
9 this case and hold people accountable for their actions.  
10 That's what this is about.

11           Now it struck me when Dr. Rose was testifying, I  
12 don't know if you picked up on it, but there was a time  
13 Xavier Cancer saw what was coming because she said based  
14 on the angle of the shot through his body that was  
15 consistent with him backing up, crouching and turning.  
16 He saw it, for a moment he saw it, but he couldn't stop  
17 it. There was nowhere to hide out there other than that  
18 little bush.

19           We can't bring him back like I said. I'm about to  
20 sit down and we're gonna entrust this case to you. I've  
21 said all I know to say. I may not have said something.  
22 I hope if didn't, I hope you-all pick up on what's  
23 important and you see the truth. I'm asking you to do  
24 justice in this case. I'm asking you to find him guilty.

25           Thank you.

1           MR. STANCIL: Thank you, Your Honor. May it please  
2 the Court?

3           THE COURT: Yes, sir.

4           MR. STANCIL: Ladies and gentlemen, I would like to  
5 talk about the word "no" and how it fits here and how it  
6 shows that there are a lot of missing dots. It was just  
7 said to you that there are not a lot of dots to connect,  
8 but that's because there's a lot of dots that aren't here.  
9 There's no gun, there's no bullet, no bullet fragments.  
10 Dr. Rose testified to that. Nobody saw Aaron Hood shoot  
11 Xavier Cancer. No consistent statements of Lavoris Hill.  
12 No GSR test on the hands of Shawn Pridgen, the hands of  
13 Lavoris Hill, who he testified were fighting over the gun.  
14 No GSR test on the clothes of Lavoris Hill. No pictures  
15 of the injury on Lavoris Hill's head that he allegedly got  
16 by being struck by Mr. Hood.

17           But let's talk about what there is. There was a lot  
18 of talk you just heard about Miracle Pridgen and Tyvon  
19 Leaphart, but they're not on trial here. Aaron Hood is.

20           So we're gonna talk about the testimony that we  
21 heard about him. We'll start with Dameon Springs, who's  
22 the first person you heard on Monday afternoon. He stated  
23 that he can see, and I'm using the SLED agent's diagram  
24 where she had the reference points, from about 150 feet  
25 away from a porch on another house over two houses down,

1 that he could see Aaron Hood strike Lavoris Hill on the  
2 head with what he said was definitely gun. Ladies and  
3 gentlemen, I don't know, but 150 feet away from a porch  
4 on the side of a house looking that far down, I wouldn't  
5 be able to tell what was in his hand. No way he could  
6 make out the specific item at that distance. He also  
7 stated that he heard the shot. Never saw a shot, never  
8 saw a shooter. He said he came outside afterwards,  
9 claims he saw Aaron Hood standing over Lavoris Hill and  
10 strike him on the head.

11 It's important to note that this contradicts  
12 Ms. Hill's testimony, Nivea Hill, who stated that  
13 immediately after the shot she also came outside from  
14 the same house and said nobody was there. Just Lavoris  
15 Hill and Xavier Cancer. This is also contradicted by the  
16 testimony of Lieutenant Dave Rodgers, who you heard on the  
17 stand, who stated that Lavoris Hill originally told him  
18 that he was struck first over the head, then he got up to  
19 run away when he heard the shot.

20 Speaking of Lavoris Hill we heard what he claims  
21 happened on March 16, 2021. What he testified on the  
22 stand two and a half years later fully contradicted by  
23 what Lieutenant Dave Rodgers testified he told him on the  
24 day of. Also different from his written statement that  
25 he gave on the date of March 16, 2021. He gave three

1 different stories. One, he was hit on the head, then he  
2 ran away and heard a gunshot. Two, that Aaron Hood was  
3 pointing the gun down at him and fired. And, three,  
4 what he's now saying two and a half year later, that he  
5 saw Aaron Hood get the gun, stand up, point and fire.  
6 But it's important to note that in all these three  
7 stories he never saw Aaron Hood shoot Xavier Cancer,  
8 and that's one consistency he has. That the only  
9 consistency he has.

10 You also heard him testify that there were a large  
11 number of messages on Facebook between him and Mr. Hood,  
12 then when pressed on it he said oh, I'm sorry, those were  
13 sent to somebody else and I didn't turn those over to law  
14 enforcement. The second he got questioned about it, his  
15 story changed again. Also it's important the messages we  
16 did see, Aaron Hood never once mentions a gun. The only  
17 person who mentions a gun is Lavioris Hill. Aaron Hood is  
18 just sending very short responses to Mr. Hill who's the  
19 only one who's speaking of the gun.

20 Also I know you've probably noticed, and the  
21 exhibits will be sent back with you, there's never any  
22 mention of Xavier Cancer in these messages. This was  
23 an argument online between Aaron Hood and Lavioris Hill.  
24 That's all these messages were. It doesn't mean anybody  
25 shot anybody.

1           But speaking of Facebook, we know that Lavoris Hill  
2 and Aaron Hood were having a conversation. We've seen  
3 it. There was a video call at 1:46, which the only way  
4 we would even know what was on that video call is through  
5 the testimony of Lavoris Hill, and he could have changed  
6 his story on that, too. But we also know that Aaron Hood  
7 tried to call him back at 1:47 and Mr. Hill testified  
8 that Dameon Springs went out and tried to diffuse the  
9 situation, was gone for a few minutes, came back, then  
10 there was a confrontation outside with Lavoris Hill,  
11 Aaron Hill, Shawn Pridgen, Elijah Smith, others. Xavier  
12 Cancer drove up, then they -- the parties split up  
13 according to testimony, took two different roads, walked  
14 down for a fight, and we're -- we're being asked by the  
15 State to believe that all of that up until the 9-1-1 call  
16 took only four minutes? That just doesn't make any sense.

17           And Lavoris also testified to the fact that Xavier  
18 Cancer had a gun, he always carries a gun I believe is  
19 what he said, and left it on the porch at ■■■, the same  
20 house where Dameon Springs and Nivea Hill said they came  
21 out on the porch. Neither of them saw it. Nobody told  
22 law enforcement that there was another gun, which would  
23 have been important because they could have tested that  
24 and see if it was fired, but they never did.

25           Lavoris Hill even stated that him and Shawn Pridgen

1 were struggling over a firearm and both had their hands  
2 on it, yet neither of them were tested for gunshot  
3 residue.

4         And now let's go to Nivea Hill. I know she didn't  
5 testify long, but it's important what she said. She  
6 stated after questioning that she never saw Aaron Hood  
7 with a gun. She said she saw him with his hands in his  
8 jacket stating that oh, well, I knew it was a gun, but  
9 she never saw it. And this is a gun that you've heard  
10 testimony was a forty with an extended clip. It's not  
11 fitting in a jacket pocket. If he had that, she  
12 definitely would have seen that because it's not fitting  
13 in that pocket.

14         These three people who all live in the same house  
15 together, some of them related, can't even tell the same  
16 story. And they're not just slightly different, they're  
17 vastly different. And I know that credibility is solely  
18 on you to decide who to believe. Understand that these  
19 are three people, two of them who said they were on the  
20 same porch and can't even get the story correct.

21         You also heard testimony that Elijah Smith or PP  
22 was there, too, even down at the fight, but you didn't  
23 even hear from him. He wasn't even called. And, again,  
24 at the end of the day nobody saw Aaron Hood shoot Xavier  
25 Cancer.

1           We also heard from the EMTs. You heard testimony  
2 from Ms. Lopez who treated Lavoris Hill. She could not  
3 say that that wound came from a gun. She said it could  
4 have come from being struck. Well, we know he was in a  
5 fight with Shawn Pridgen and we have no idea where that  
6 injury actually came from.

7           You also heard from Mr. Dunovant -- I'm probably  
8 pronouncing that wrong -- but Mr. Dunovant that the  
9 injury on Aaron Hood's thumb could have come from a gun  
10 locking because it didn't have a clip in it. Ladies and  
11 gentlemen, I would like you to remember that he's not a  
12 firearms expert, he is a paramedic. He has no idea if  
13 there was a gun, what the gun was and what the gun would  
14 do. He was guessing at best. Aaron Hood could have  
15 gotten that injury on his hand from a thousand different  
16 ways. In fact, he even told his cousin he fell when he  
17 was running because he heard a gunshot, which is  
18 definitely a way to cut your thumb.

19           We also heard testimony from Lieutenant Dave Rodgers,  
20 who was with Saluda County Sheriff's Office at the time  
21 of this incident. Again, he stated that, yes, Lavoris  
22 Hill changed his testimony from the incident date to  
23 from Tuesday. It was very different. It goes from oh,  
24 I didn't see anyone shot, I only heard it after I had  
25 struck to oh, I got struck, was then able to roll over,

1 look up, see Aaron Hood pick up the gun and point it and  
2 fire. If that's not wildly different, I don't know what  
3 is. And, again, he also didn't find it important to  
4 ask for GSR tests on the hands of Lavoris Hill or Shawn  
5 Pridgen even though he knew they had been fighting over  
6 the gun.

7 Next we go to Wayne Bryan, the concerned citizen  
8 who saw Mr. Hood and Tyvon Leaphart running and getting  
9 into a car, a concerned citizen who followed the Kia.  
10 All he saw was two young black men run and get into a car.  
11 That's it. That's not a crime. He even testified that  
12 the car wasn't fleeing or driving fast or trying to avoid  
13 anybody. It was just driving. He followed them for a  
14 while. I believe he said he started at either 2:00 or  
15 2:01. None of this time -- remember, this is a very  
16 short period of time. At none of this time did he ever  
17 see anything come out the window, a gun, a clip, anything.  
18 And, again, none of that was found in the Kia as you heard  
19 on testimony.

20 The State has made a big deal about the shell casing  
21 found, a forty, but as you heard from the SLED agent you  
22 have no idea if that shell casing came from that day, how  
23 long it had been there. We even heard that it was kicked  
24 from its original location to where it was found. Yeah,  
25 they have a best guess where it came from and they put a

1 used roll of tape, but we have no idea where it actually  
2 came from. The shell casing also had no DNA and there  
3 was no bullet recovered. And, ladies and gentlemen,  
4 that's important. Yeah, they found a shell casing on  
5 the scene, but they cannot tell you, Dr. Rose cannot  
6 tell you, nobody can tell you what caliber of bullet  
7 hit Mr. Cancer. It could have been a 9-millimeter. It  
8 could have been anything. All they found was one shell  
9 casing that they cannot match to the bullet that killed  
10 Mr. Cancer.

11 I would like to go back to the gunshot residue test  
12 they did on Aaron Hood. It is correct that Aaron Hood  
13 had gunshot residue on his hand. I disagree with the  
14 State saying it was covered because as you heard they  
15 only tested certain areas. It's very important to know  
16 that he was also wearing a lot of clothing. The only  
17 part of his clothing that came back with GSR was his  
18 pants and it's also stated that transfer happens very  
19 easily.

20 So if Mr. Hood had GSR particles on his pants and  
21 he did this or touched his pants like we do all the time,  
22 you heard the analyst say yeah, that's how GSR can get on  
23 your hands. It wasn't on the hoodie he was wearing, it  
24 wasn't on the shirt under his hoodie and it wasn't on his  
25 shoes. He had little bit on his pants and a little bit

1 on his hands.

2 But we also heard that he allegedly ditched the  
3 jacket while he was running. Well, if they thought he  
4 was the shooter and he shot the gun, they would have  
5 tested that jacket for GSR, but they didn't even find  
6 that important. They did test Mr. Pridgen's clothes and  
7 he had it on his jacket and pants, which is more than  
8 Mr. Hood even had on his clothes.

9 And we also heard that GSR can come from just being  
10 near a gun. I think up to three feet from the side and  
11 back and up to 60 feet if you're in front of the barrel  
12 of the gun. So the GSR on his hands means that he could  
13 have been beside somebody who fired a gun, could have  
14 been up to 60 feet in front of somebody who fired a gun.

15 And, again, Lavioris Hill and Shawn Pridgen were  
16 fighting over a gun. You heard that testimony and law  
17 enforcement decided it wasn't important to test them  
18 because we think it was Aaron so that's the only person  
19 we're gonna test. If we had those results, this case  
20 could have gone massively different, but they didn't do  
21 it. They focussed in on Aaron Hood and only tested him.

22 There was also a big deal made about the Snapchat  
23 video that Miracle Pridgen posted on her Snapchat. I'm  
24 not saying she didn't post it. We know she did. She  
25 admitted to it. We saw the video. All it shows is

1 Mr. Hood hanging out with his cousin posting stupid  
2 videos. I have a younger cousin who has Snapchat. He  
3 posts stupid videos of me all the time because they think  
4 it's funny. That is not a crime. All it does is put him  
5 with his cousin, which is completely legal.

6 Also they -- they made a point of Miracle Pridgen's  
7 cell phone and the map, but the map fits her statement  
8 that she took her dad to the Stop 'n' Shop and came back  
9 as you saw on the map. You heard her testify that she  
10 was told by her crying and upset mother that Mr. Hood  
11 was shot, so she went and looked for him. The map showed  
12 that.

13 But, again, I would just like to harp on what we  
14 didn't see. Again, there's no gun. The call came in at  
15 1:51. Mr. Hood was in custody at 2:05. At most there  
16 was fourteen minutes. This is a small area. You even  
17 heard testimony that while the aerial map looks big, this  
18 is a small area, correct? DNR had a sniffing dog out  
19 there. He was in a car for multiple minutes. There was  
20 no gun found in this small area, in this car where it  
21 could have been. There was no bullet. Most importantly  
22 there was no clip that Lavioris Hill stated that he took  
23 out of the gun and tossed into the bushes. This is a  
24 man who had a close friend pass away beside him and he  
25 allegedly was holding a key piece of evidence that could

1 help solve it and he said he tossed it into the bushes,  
2 didn't show law enforcement where it was, didn't go get  
3 it for law enforcement, just got rid of it.

4 And, again, nobody testified that Aaron Hood shot  
5 Xavier Cancer. Nobody saw it. They're just saying that,  
6 well, Lavoris said three different stories, but they're  
7 saying they heard a shot and then Aaron Hood was there.

8 Ladies and gentlemen, the judge going to instruct  
9 you on the law and what has to be applied to the facts  
10 of this case. That's his job. That's not my job,  
11 that's his job, but if you look at the evidence that  
12 was presented, and more importantly the evidence that  
13 was not presented, I believe it's clear that the State  
14 has not met their burden of proving Aaron Hood guilty  
15 beyond a reasonable doubt. There was no weapon presented  
16 for evidence for murder or an ABHAN for being struck with  
17 a weapon and the only person who they saw -- who said  
18 they saw Aaron Hood hit Lavoris Hill over the head was  
19 over 150 feet away, dating Lavoris Hill's sister and his  
20 roommate. If that's not bias, I don't know what is.

21 And you also heard that Lavoris Hill has changed his  
22 testimony at least twice. For someone to be found guilty  
23 of murder, as the State said there has to be malice  
24 aforethought and the judge is gonna charge you on this  
25 shortly, but in laymen's terms it means intentionally

1 done with malice that was present at the time of the act.  
2 There's simply not been any testimony showing that Aaron  
3 Hood had any intention or malice to kill Xavier Cancer.  
4 At most you've heard changing stories of oh, I heard a  
5 shot when I was running away. Oh, you know, he was  
6 pointing at me and then he shot. Oh, wait, now he picks  
7 up the gun and pointed it and shot.

8 Ladies and gentlemen, he's also charged with assault  
9 and battery of a high and aggravated nature, which is an  
10 unlawful injury to another person where great bodily  
11 injury results or is accompanied by means likely to create  
12 great bodily injury, and as you heard it is injury which  
13 causes a substantial risk of death or which causes serious  
14 permanent disfigurement. All we know is that Lavioris Hill  
15 has a scar on his head. We don't know if that scar was  
16 there beforehand. We don't know if he got it afterwards.  
17 This is two and a half years time between these incidents.

18 There are lesser included charges of assault and  
19 battery of a high and aggravated nature. There's assault  
20 and battery first degree and assault and battery second  
21 degree. Assault and battery first degree still requires  
22 great bodily injury. Assault and battery second degree  
23 requires moderate bodily injury. Moderate bodily injury  
24 requires moderate disfigurement. So if you believe that  
25 that injury came from Mr. Hood, I submit that a scar on

1 your head, because I'm sure 90 percent of us have scars,  
2 that a scar on your head with no permanent lasting  
3 effects is just a moderate disfigurement.

4 And, again, the judge is gonna charge you, again,  
5 on reasonable doubt and I implore you to understand  
6 simply how high of a burden that is. In this case, in  
7 this county and in this state's justice system, there  
8 should really be three verdicts; guilty, not guilty and  
9 not proven. But we don't have that. We only have guilty  
10 beyond a reasonable doubt and not guilty. What this means  
11 is that if you think he did it, probably he did it, it's  
12 likely he did it or anything along that line, you have to  
13 find him not guilty.

14 And, ladies and gentlemen, that is what I would ask.  
15 That during your deliberations you look at the evidence  
16 presented and you realize that the State of South Carolina  
17 has not met the high bar of beyond a reasonable doubt and  
18 that you return a verdict of not guilty.

19 Thank you.

20 THE COURT: Members of the jury, it is now my duty  
21 as the trial judge to instruct you on the law applicable  
22 to this case and in that regard it is your duty as jurors  
23 to accept and apply the law as I now state it to you.

24 Furthermore, it is your exclusive duty to decide  
25 all the issues of fact in this case and to determine the

1 effect, value, weight and truth of the evidence. All the  
2 parties have the right to expect that you will carefully  
3 consider and evaluate the evidence and apply the law of  
4 this case to it so that in the end all the parties will  
5 receive a fair and impartial trial.

6 During this trial you and I have separate duties to  
7 perform. As the trial judge, it is my responsibility to  
8 preside over this trial and rule upon the admissibility  
9 of evidence offered during the trial. You, as members of  
10 this jury, are to consider only the evidence before you.  
11 If you have any preconceived ideas as to what the law is  
12 or what you think the law ought to be and it does not  
13 agree with what I tell you the law is, you're obligated  
14 under your oath to abandon those preconceptions because  
15 you are sworn to accept the law as I now state it to you.

16 In this trial, you are the sole and exclusive judge  
17 of the facts. Do not infer that I have an opinion about  
18 the facts in this case from anything I have said or done  
19 during the course of this trial. The law simply does not  
20 permit me to have an opinion about the facts. As jurors,  
21 it is your duty and your duty alone to determine the  
22 effect, value, weight and truth of the evidence presented  
23 during this trial.

24 The evidence from which you are to decide the facts  
25 of this case are, one, the sworn testimony of witnesses

1 both on direct and cross-examination, the exhibits which  
2 have been admitted into evidence and any facts on which  
3 the attorneys have agreed and stipulated.

4 Evidence may be direct or circumstantial. Direct  
5 evidence is testimony by a witness about what the witness  
6 personally saw, heard or did. Circumstantial evidence,  
7 on the other hand, is indirect evidence. Stated  
8 differently, it is proof of one of more facts from which  
9 one can find another fact. You may consider both direct  
10 and circumstantial evidence equally and crimes may be  
11 proven by circumstantial evidence. The law makes no  
12 distinction between the weight or value to be given to  
13 either direct or circumstantial evidence; however, to  
14 the extent the State relies on circumstantial evidence,  
15 all of the circumstances must be consistent with each  
16 other and when taken together point conclusively to the  
17 guilt of the accused beyond a reasonable doubt. If the  
18 circumstances merely portray the defendant's behavior  
19 as suspicious, the proof has failed. The State has the  
20 burden of proving the defendant guilty beyond a reasonable  
21 doubt. This burden rests with the State regardless of  
22 whether the State relies on direct evidence, circumstantial  
23 evidence or some combination thereof.

24 I remind you the following things are not evidence  
25 and you must not consider them as evidence in deciding

1 the facts of the case. One, statements and arguments of  
2 the attorneys. Two, questions and objections of the  
3 attorneys. And, three, any testimony that I instruct  
4 you to disregard. While argument of counsel is a  
5 beneficial part of every trial, you should remember  
6 that statements made by counsel are not evidence. In  
7 presenting arguments, counsel often refer to evidence;  
8 however, you should base your verdict on the evidence as  
9 you remember it. Therefore, if there are any conflicts  
10 between the recollection of counsel about the evidence  
11 and your own recollection, you should rely upon your own  
12 understanding of the evidence.

13 I remind you the fact that a defendant was arrested,  
14 charged and indicted in this case is not evidence and  
15 cannot be considered by you as evidence of guilt in this  
16 case, nor does it create any presumption or inference of  
17 guilt.

18 Furthermore, it's your job as jurors to determine  
19 the credibility or believability of the witnesses who  
20 have testified in this case. You must evaluate the  
21 evidence and determine which evidence convinces you of  
22 its truth. In determining the believability of witnesses  
23 who have testified in this case, you may believe one  
24 witness over many or many over one. You may believe  
25 a part of the testimony of a witness and reject the

1 remaining part. You may believe the testimony of a  
2 witness in its entirety or reject it in full. You may  
3 consider whether the witness has an interest in the  
4 result of trial, whether the witness is prejudiced toward  
5 either party, the opportunity for the witness to have  
6 seen the matters and things about which the witness may  
7 testify and the way the witness acts on the witness  
8 stand.

9         The rules of evidence ordinarily do not permit the  
10 witnesses to testify to opinions or conclusions. An  
11 exception to this rule exists for witnesses we call  
12 expert witnesses. A witness who by education and  
13 experience has become an expert in some art, science or  
14 profession or calling may state an opinion as to relevant  
15 and material matter in which the witness claims to be an  
16 expert and may also state the reasons for the opinion.  
17 You should consider any expert opinion received in  
18 evidence in this case and like any other evidence give  
19 it the weight you think it deserves. If you decide that  
20 the opinion of an expert is not based on sufficient  
21 education and experience or if you conclude that the  
22 reasons given in support of the opinion are not sound  
23 or that the opinion is outweighed by other evidence, you  
24 may disregard the opinion entirely. An expert witness's  
25 testimony is to be given no greater weight than that of

1 other witnesses simply because the witness is an expert.  
2 Further, you are not required to accept an expert's  
3 opinion even though it is not contradicted.

4 The defendant has pled not guilty to these  
5 indictments and that plea puts the burden on the State  
6 to prove the defendant guilty. A person charged with  
7 committing a criminal offense in South Carolina is never  
8 required to prove his or her innocence. I charge you  
9 that it is an important rule of the law that the defendant  
10 in a criminal trial no matter what the seriousness of the  
11 charge may be will always be presumed to be innocent of  
12 the crime for which the indictment was issue unless guilt  
13 has been proven by evidence satisfying you of that guilt  
14 beyond a reasonable doubt.

15 The presumption of innocence does not end when you  
16 begin your deliberations, but it accompanies the defendant  
17 throughout the trial unless you reach a verdict of guilt  
18 based on evidence satisfying you of that guilt beyond a  
19 reasonable doubt. The presumption of innocence is like  
20 a robe of righteousness placed upon the shoulders of the  
21 defendant which remains with the defendant unless it has  
22 been stripped from the defendant by evidence satisfying  
23 you of the defendant's guilt beyond a reasonable doubt.

24 The presumption of innocence is not mere legal  
25 theory, it's not just a legal phrase. It's a substantial

1 right to which every defendant is entitled unless you,  
2 the jury, are satisfied from the evidence of the  
3 defendant's guilt beyond a reasonable doubt.

4         The State has the burden of proving the defendant  
5 guilty beyond a reasonable doubt. Some of you may have  
6 served as jurors in civil cases where you were told that  
7 it is only necessary to prove that a fact is more likely  
8 true than not true, such as by the greater weight or  
9 preponderance of the evidence. In criminal cases, the  
10 State's proof must be more powerful than that. It must  
11 be beyond a reasonable doubt as to each element of each  
12 offense charged.

13         What is a reasonable doubt in the law? A reasonable  
14 doubt is the kind of doubt that would cause a reasonable  
15 person to hesitate to act. Proof beyond a reasonable  
16 doubt is proof that leaves you firmly convinced of the  
17 defendant's guilt. There are very few things in this  
18 world that we know with absolute certainty and in criminal  
19 cases the law does not require proof that overcome every  
20 possible doubt. If, based on your consideration of the  
21 evidence, you are firmly convinced the defendant is guilty  
22 of the crime charged, then you must find the defendant  
23 guilty. On the other hand, if you think there is a real  
24 possibility that the defendant is not guilty, you must  
25 give the defendant the benefit of the doubt and find him

1 not guilty.

2 Mere suspicion, however strong, is not enough to  
3 sustain a conviction. Suspicion implies a belief or  
4 opinion as to guilt based upon facts and circumstances  
5 which do not amount to proof.

6 Now the indictments in this case allege different  
7 offenses against the defendant. I remind you that the  
8 indictments themselves are not evidence. The charges are  
9 murder and assault and battery of a high and aggravated  
10 nature. Each indictment charges a separate and distinct  
11 offense. You must decide each indictment separately on  
12 the evidence and the law applicable to it uninfluenced by  
13 your decision as to any other indictment. A defendant  
14 may be convicted or acquitted on any or all of the offenses  
15 charged. You will be asked to write a separate verdict  
16 of guilty or not guilty for each indictment.

17 In order to establish criminal liability, criminal  
18 intent is required. The dictionary defines intent as the  
19 state of a person's mind that directs his actions toward  
20 a specific object. Criminal intent must be proven by  
21 the State beyond a reasonable doubt. Criminal intent is  
22 always a matter that must be determined by the jury from  
23 circumstances surrounding the situation.

24 There is no way to prove intent to a mathematical  
25 certainty and there is no medical science that can

1 dissect a person's brain and determine what the person  
2 had in mind, so the law states that criminal intent may  
3 be inferred from the circumstances shown to have existed.  
4 This is how you make a determination of whether or not  
5 the element requiring intent was present. Criminal intent  
6 is a mental state, a conscious wrongdoing. It is up to  
7 you to determine what the defendant intended to do based  
8 on the circumstances shown to have existed.

9 I remind you the fact that the defendant elected  
10 not to testify is not a factor to be considered by you in  
11 any way in your deliberations and in your consideration  
12 on the question of whether the defendant is guilty or not  
13 guilty. It must not be considered in any manner whatsoever  
14 against him. The accused has the constitutional right to  
15 remain silent and the assertion of that right cannot be  
16 considered by you in your deliberations. Under your oath  
17 you are to reach no inference or draw no conclusion  
18 whatsoever from the fact that the defendant elected not  
19 to testify. His decision not to testify should not even  
20 be discussed in the jury room. It is not to enter your  
21 minds in making your decisions. The State has the entire  
22 burden of proof and the accused has no burden to prove  
23 anything at all.

24 I'm gonna explain to you the law as it applies to the  
25 charges against the defendant. The defendant is charged

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

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

14 Malice aforethought may be express or inferred.  
15 These terms "express" or "inferred" do not mean different  
16 kinds of malice, but merely the manner in which malice may  
17 be shown to exist; that is, either by direct evidence or  
18 by inference from the facts and circumstances which are  
19 proved. Express malice is shown when a person speaks  
20 words which express hatred or ill will for another or  
21 when the person prepared beforehand to do the act which  
22 was later accomplished. Malice may be inferred from the  
23 circumstances showing a total disregard for human life.  
24 If facts are proved beyond a reasonable doubt sufficient  
25 to raise an inference of malice to your satisfaction,

1 this inference would simply be an evidentiary fact to be  
2 considered by you along with other evidence in the case  
3 and you may give it the weight you decide it should  
4 receive.

5 The defendant is charged with assault and battery  
6 of a high and aggravated nature. In order to prove this  
7 claim, the State must prove first beyond a reasonable  
8 doubt the defendant unlawfully injured another person.  
9 Next, the State must prove beyond a reasonable doubt that  
10 either great bodily injury resulted or that the act was  
11 accomplished by means likely to produce death or great  
12 bodily injury.

13 Great bodily injury is defined as a bodily injury  
14 which causes a substantial risk of death or which causes  
15 serious permanent disfigurement or protracted loss or  
16 impairment of the function of a bodily member or organ.

17 If you find that the State's failed to prove that  
18 the defendant is guilty of assault and battery of a high  
19 and aggravated nature, you must consider then whether the  
20 State has proved the defendant is guilty of assault and  
21 battery in the first degree. A person may commit the  
22 offense of assault and battery in the first degree if the  
23 person unlawfully offers or attempts to injure another  
24 person with the present ability to do so and the act  
25 either is accomplished by means likely to produce death

1 or great bodily injury. Great bodily injury means it  
2 causes serious permanent disfigurement or protracted  
3 loss or impairment to the function of a bodily member or  
4 organ.

5 If you find the State has failed to prove that the  
6 defendant is guilty of the lesser included offense of  
7 assault and battery in the first degree, then you must  
8 decide whether the State has proven the defendant guilty  
9 of the lesser included offense of assault and battery in  
10 the second degree.

11 A person commits the offense of assault and battery  
12 in the second degree if the person unlawfully injures  
13 another person or offers or attempts to injure another  
14 person with the present ability to do so and moderate  
15 bodily injury to another person results or moderate  
16 bodily injury to another person could have resulted.  
17 Moderate bodily injury means physical injury that  
18 involves prolonged loss of consciousness or that causes  
19 temporary or moderate disfigurement or temporary loss of  
20 the function of a bodily member or organ or injury that  
21 requires medical treatment when the treatment requires  
22 the use of a regional or general anesthesia or injury  
23 that results in a fracture or dislocation. Moderate  
24 bodily does not include one time treatment and subsequent  
25 observations, scratches, cuts, abrasions, bruises,

1 burns, splinters or any other minor injuries which do  
2 not ordinarily require extensive medical care.

3 Now a verdict in this case cannot be based upon  
4 sympathy, passion, prejudice or emotion or some other  
5 consideration not found in the evidence. I charge you  
6 that as jurors you must decide the issues involved in  
7 this proceeding based solely on the evidence which you  
8 hear during the course of the trial. Your verdict must  
9 be without bias and without prejudice to any party. You  
10 cannot allow yourselves to be governed by sympathy, by  
11 prejudice, by passion, by public opinion or some other  
12 consideration not found in the evidence.

13 Let me say something about your deliberations.  
14 Deliberation is defined as careful consideration,  
15 weighing up with a view to decision. The genius of our  
16 jury system is that it allows twelve good men and women  
17 from twelve different backgrounds, life experiences and  
18 perspectives to consider the evidence, talk about it and  
19 ultimately reach a verdict. We call them deliberations  
20 for a reason. You must consider the evidence in this  
21 case carefully and deliberately and discuss it in a calm,  
22 thorough and courteous manner. Listen to the views of  
23 all your fellow jurors, consider other people's points  
24 of view and talk through and discuss the evidence and,  
25 remember, if you're doing something deliberately, you are

1 not in a big hurry and you should not be in a hurry here.  
2 This case is very important to all the parties and this  
3 trial is their only day in court.

4       When you retire to the jury room, you should discuss  
5 the case with your fellow jurors to reach an agreement  
6 if you can do so. Your verdict must be unanimous. Each  
7 of you must decide the case for yourself, but you should  
8 do so only after you've impartially considered all the  
9 evidence, discussed it fully with the other jurors and  
10 listened to the views of your fellow jurors. Do not be  
11 afraid to change your opinion if the discussion persuades  
12 you that you should, but do not come to a decision simply  
13 because other jurors think it is right. It is important  
14 that you attempt to reach a unanimous verdict, but, of  
15 course, only if each of you can do so having made your  
16 own decision. Do not change an honest belief about the  
17 weight and effect of the evidence simply to reach a  
18 verdict. In other words, do not change your opinion  
19 solely for the sake of reaching a unanimous verdict.

20       I will give a copy of these instructions to you in  
21 written form. During your deliberations you may refer  
22 to the instructions to guide your decisionmaking. You  
23 must consider the instructions as a whole and you are  
24 not to follow some and ignore others. Please return the  
25 instructions to the Court at the time your verdict is

1 rendered.

2           There are two possible verdicts which you may find  
3 in this case. Guilty or not guilty. There is no  
4 significance whatsoever in the order which I state these  
5 possible verdicts. It's simply that one must be stated  
6 first. Ladies and gentlemen, your verdict must be a  
7 unanimous one.

8           Madam Forelady, when the jury agrees on a verdict,  
9 you will write the verdict on the verdict form, then knock  
10 on the jury room door and inform the bailiff that you've  
11 reached a verdict. At that time we will receive you back  
12 into the courtroom.

13           I ask that you now return to the jury room, but do  
14 not begin your deliberations until you are told by the  
15 clerk or the bailiff to do so. There are still some  
16 matters which must be discussed with the attorneys before  
17 you can begin your deliberations, but at this time please  
18 return to the jury room. But do not discuss the case.

19           Thank you.

20           (Whereupon, the jury retires to the jury room at  
21 11:16 AM.)

22           THE COURT: All right. Any issues with the charge?

23           MR. STANCIL: None from the defense, Your Honor.

24           MR. McNAIR: No, Your Honor.

25           THE COURT: All right. Anything else before I get

1 the alternates?

2 MS. FULLER: Your Honor, just briefly about the  
3 verdict form.

4 THE COURT: Ma'am?

5 MS. FULLER: Just briefly about the verdict form.

6 THE COURT: Okay.

7 MS. FULLER: Is it possible for it just to have one  
8 named number 1 and 2 and then for the lesser includeds to  
9 be --

10 THE COURT: A and B?

11 MS. FULLER: I don't know. Something different  
12 than 3 and 4 so it's a clear delineation and separation.

13 Is this how you normally do it? I haven't had to  
14 do a long one in a while.

15 THE COURT: I've not charged this many lesser  
16 includeds.

17 MS. FULLER: Okay. Yeah, I hadn't in a while, so I  
18 don't remember how it's done.

19 THE COURT: I think -- I understand the potential  
20 for confusion. It's like 3 and 4 are separate  
21 indictments, which they're not, they're lesser includeds.  
22 I think the simple solution would just be to remove 3  
23 and 4 and, you know --

24 MS. FULLER: I think just maybe removing the number  
25 3 and 4.

1 MR. STANCIL: Or do maybe a 2A and 2B?

2 MS. FULLER: I think it just should be 1 and 2 and  
3 that's it and then 2 just be a long -- just look as if  
4 it's a long paragraph. Because you have it stop if you  
5 -- do you know what I'm saying? So I think just removing  
6 the numbers 3 and 4 will --

7 THE COURT: We'll take it out. I think that at  
8 least associates the lesser includeds with the ABHAN if  
9 I do 2A and 2B.

10 MS. FULLER: Okay. Just no 3 and 4.

11 THE COURT: I think we can make an alteration that  
12 might alleviate any potential confusion.

13 MS. FULLER: Thank you.

14 MR. STANCIL: Thank you, Your Honor.

15 THE COURT: All right. Let's get the alternates  
16 out real quick. That will be jurors 165 and 91, our two  
17 remaining alternates. If we could get them out here real  
18 quick.

19 (Whereupon, the alternates enter the courtroom.)

20 THE COURT: Well, first of all, thank you for your  
21 service this week. We've reached the point now where  
22 we're gonna give the case to the jury. We didn't lose  
23 any additional jurors, so we thank you for your service,  
24 but at this point you're free to go. You're welcome to  
25 stay, but you're free to go.

1 Thank you for your service.

2 (Whereupon, the alternates were excused at  
3 11:29 AM.)

4 THE COURT: All right. So you can take in the  
5 evidence, the verdict form and the charge.

6 (Whereupon, the evidence and the verdict form were  
7 submitted to the jury at 11:31 AM.)

8 THE COURT: All right. It's 11:31. The jury has  
9 the case at this time. I want to commend the attorneys  
10 for prosecuting and representing their clients and a good  
11 job on both sides. We'll be waiting until we hear more.

12 MR. STANCIL: Thank you, Judge.

13 MR. FENDER: Thank you, Judge.

14 (Recess taken at 11:32 AM.)

15 (Back on the record at 1:37 PM.)

16 BAILIFF: All rise.

17 THE COURT: All right. Please be seated. Thank  
18 you.

19 All right. I'm informed that we have a verdict.

20 Anything for the record before we bring in the jury?

21 MR. McNAIR: No, Your Honor.

22 MR. STANCIL: No, Your Honor.

23 THE COURT: All right. As with any verdict, we  
24 have no idea what the verdict will be, but I would  
25 certainly tell everyone that regardless of what the

1 verdict is to maintain courtroom decorum and if someone  
2 feels they're unable to do that and maintain their  
3 emotions, you may excuse yourselves now.

4 All right. Bring in the jury, please.

5 (Whereupon, the jury return to the courtroom at  
6 1:39 PM.)

7 THE COURT: All right. Ladies and gentlemen,  
8 welcome back.

9 Madam Forelady, it's my understanding you have a  
10 verdict; is that correct?

11 FOREPERSON: Yes, sir.

12 THE COURT: Is your verdict unanimous?

13 FOREPERSON: Yes, sir.

14 THE COURT: Please hand the verdict to the bailiff.

15 BAILIFF: (Handing.)

16 THE COURT: Madam Forelady, I do need you to sign  
17 the verdict form.

18 (Pause in proceedings.)

19 THE COURT: Thank you.

20 Madam Clerk, if you'd publish the verdict, please.

21 THE CLERK: State of South Carolina, County of  
22 Saluda, State versus Aaron S. Hood. In the Court of  
23 General Sessions, Eleventh Circuit, Indictment  
24 2021-GS-41-00120, 2021-GS-41-00132.

25 Verdict. We, the jury, as to the Indictment of

1 2021-GS-41-00120 for the charge of murder of Xavier  
2 Cancer, unanimously find beyond a reasonable doubt the  
3 defendant Aaron Hood guilty.

4 We, the jury, as to the Indictment 2021-GS-41-00132  
5 for the charge of assault and battery of a high and  
6 aggravated nature of Lavoris Hill, unanimously find  
7 beyond a reasonable doubt the defendant Aaron Hood guilty.

8 THE COURT: All right. Any -- anything from the  
9 jury before they're discharged, Mr. Stancil?

10 MR. STANCIL: We'd just like the judge to poll the  
11 jury.

12 THE COURT: I'll have the clerk poll the jury.

13 MR. STANCIL: Correct.

14 THE CLERK: I'm gonna call your juror number and  
15 ask you if this is your verdict and is it still your  
16 verdict.

17 Juror Number 79, is this your verdict and still your  
18 verdict?

19 JUROR NUMBER 79: Yes.

20 THE CLERK: Juror Number 148, is this your verdict  
21 and still your verdict?

22 JUROR NUMBER 148: Yes.

23 THE CLERK: Juror Number 117, is this your verdict  
24 and still your verdict?

25 JUROR NUMBER 117: Yes.

1 THE CLERK: Juror Number 47, is this your verdict  
2 and still your verdict?

3 JUROR NUMBER 47: Yes.

4 THE CLERK: Juror Number 21, is this your verdict  
5 and still your verdict?

6 JUROR NUMBER 21: Yes.

7 THE CLERK: Juror Number 175, is this your verdict  
8 and still your verdict?

9 JUROR NUMBER 175: (Nods head.)

10 THE CLERK: You have to verbally --

11 JUROR NUMBER 175: Yes.

12 THE CLERK: Thank you.

13 Juror Number 102, is this your verdict and still your  
14 verdict?

15 JUROR NUMBER 102: Yes.

16 THE CLERK: Juror Number 14, is this your verdict  
17 and still your verdict?

18 JUROR NUMBER 14: Yes.

19 THE CLERK: Juror Number 142, is this your verdict  
20 and still your verdict?

21 JUROR NUMBER 142: Yes.

22 THE CLERK: Juror Number 11 -- I'm sorry -- 54, is  
23 this your verdict and still your verdict?

24 JUROR 54: Yes.

25 THE CLERK: And, Juror Number 138, is this your

1 verdict and still your verdict?

2 JUROR NUMBER 138: Yes.

3 THE CLERK: Let the record reflect they all said  
4 yes.

5 THE COURT: The jury's been polled.

6 Anything else before the jury is discharged from the  
7 defense?

8 MR. STANCIL: Nothing further, Your Honor.

9 THE COURT: Anything from the State before the jury  
10 is discharged?

11 MR. McNAIR: No, sir, Your Honor.

12 THE COURT: Ladies and gentlemen, when you come in  
13 to serve on jury duty on Monday morning, you never know  
14 what sort of case will be awaiting. This was the case  
15 that awaited you this week.

16 On behalf of all of us, thank you for your hard  
17 work and dedication this week. Thank you for paying  
18 attention. Make no mistake being a juror is public  
19 service and that's what you did this week. Whether it's  
20 for a criminal case or for a civil case, our justice  
21 system cannot function unless we have people like you to  
22 come forward and serve in the roles that you have served  
23 this week. So thank you for your public service.

24 At this time you're free to go. You're certainly  
25 free to stay, but you're certainly free to go.

1           Thank you for your service.  If you'll head on back  
2 into the jury room.

3           (Whereupon, the jury was discharged at 1:45 PM.)

4           THE COURT:  Five, ten minutes to pivot into  
5 sentencing?

6           All right.  We'll take a short recess and move onto  
7 the next stage.

8           Actually -- I'm sorry.  Any motions you want to make  
9 before we take a recess?

10          MR. STANCIL:  Nothing further, Your Honor.

11          THE COURT:  Do you want to renew --

12          MR. STANCIL:  I'd like to renew, but no new motions.

13          THE COURT:  All right.  Very well.

14          MR. STANCIL:  Your Honor, for the record the defense  
15 would make a motion for a new trial.

16          THE COURT:  All right.  And as far as your motion  
17 for a new trial, that would be based on the insufficiency  
18 of the evidence?

19          MR. STANCIL:  That's the only basis I would have,  
20 Your Honor.

21          THE COURT:  All right.  Well, during the course of  
22 this trial we heard both direct and circumstantial  
23 evidence from which the jury could weigh and I find that  
24 the evidence was certainly sufficient to submit it to  
25 the finder of fact and that's the verdict they came up

1 with.

2 So your motion for new trial is denied.

3 Thank you.

4 We'll take a short recess.

5 (Recess taken at 1:46 PM.)

6 (Back on the record at 1:56 PM.)

7 BAILIFF: Keep your seat, please.

8 THE COURT: Okay. So we just finished jury trial  
9 of Mr. Hood where the defendant was found guilty of  
10 assault and battery of a high and aggravated nature and  
11 murder.

12 I'll be happy to hear from the State as far as  
13 sentencing or victim impact. Excuse me.

14 MS. FULLER: Thank you, Your Honor.

15 And I'll speak at the end.

16 First of all, both of his parents are here and would  
17 like to address the Court.

18 Would you like to go first?

19 MR. LOTT: For the record, my name is Anthony  
20 Reosha Lott. I am the father of the victim.

21 Okay. I will keep this brief and to the point.

22 Thank you for allowing me to speak. First, I should  
23 say no parent should bury their child at all. That being  
24 said, I want it to be that my grandson could grow up in  
25 the community and not see the man that killed his father.

1 I want him to feel safe in knowing that this community  
2 will make him feel loved and safe and I stand here not  
3 only as a parent that lost a child, but as a grandparent  
4 who has to feel their void along with the rest of us. It  
5 takes a whole community and we have lost a link in that  
6 community.

7 Now I'm not here to say that my son was a saint,  
8 but he was getting his life together. He was a young  
9 businessman, a budding artist, and as most people know  
10 you're not fully a man until you're like twenty-five,  
11 twenty-seven. He was twenty-nine. Every father looks  
12 forward to the day where he can talk to his son as a man  
13 and I had just got there. I'm not trying to be bitter  
14 or facetious, but this young man will get to live. His  
15 child will get to see him. My grandchild will not. And  
16 I'm not gonna go on, but I would just say take that into  
17 consideration.

18 And all I can say is to this young man everybody  
19 has choices. I've been there, I've done that. And I  
20 will also say that the God that I serve sits high and  
21 looks low and the rest is up to my Lord.

22 Thank you.

23 THE COURT: Thank you.

24 MS. GRIFFIN: Hey, everyone. My name India Cancer  
25 Griffin and I'm the mother of the victim. I just want

1 to speak and tell you a little bit about my son. He  
2 came into this world fighting. He wasn't even three  
3 pounds. He was two and a half months when he came home.  
4 Xavier, he loved everybody, and everybody loved him. And  
5 I know that this young man, he had a disagreement with my  
6 son, and you know what it was and I do, too, but whatever  
7 it was he would have shook it out with you. He wanted to  
8 make things turn, but you taunted my son, you baited him.

9 And I want to forgive you, but that day, March 16,  
10 2021, not only did you kill him, you killed me. His son  
11 has to grow up without a father. He had his first game  
12 Tuesday. He scored four touchdowns and no matter how  
13 much we cheered him on, he cried out I want my daddy.

14 I can't feel sorry for you or your family because  
15 they're gonna be able to see you. I've got to go to a  
16 grave site to see my son. I want to hate you, but I can't  
17 because I know that's not what my son would have wanted.  
18 But God bless you, God have mercy on your soul because  
19 you -- I'm sorry, Your Honor. I'm sorry this had to  
20 happen. You had choices. You didn't have to kill him.

21 Thank you for allowing me to speak.

22 THE COURT: Thank you.

23 MS. FULLER: Thank you, Your Honor. I believe  
24 that's it for victim impact.

25 And in terms of the State, there's a couple of

1 things that I want Your Honor to know and a couple of  
2 things that I want to say. Obviously as a prosecutor I  
3 was kind of late in the involvement in this case. I  
4 talked about it with my cocounsel probably pretty early  
5 on and walked through the facts, talked about the triable  
6 issues and the problems with the case and see what could  
7 happen, and Mr. McNair for the last probably year and a  
8 half or so had a lot of mercy on Mr. Hood, and every  
9 time we would talk about the case I'm pretty much what  
10 are the facts, what happened? I'm like well, it's murder.  
11 That's what it is, it's murder. And then we'll talk  
12 about the gaps and stuff and then he will always say he  
13 was eighteen and I'm like well, you're gonna have to  
14 step past that for a second and look at the case because  
15 despite his age he made a grown man's decision that day,  
16 and he left my office with an offer that I thought he  
17 should make and it wasn't until two weeks ago I found  
18 out he made a different offer and that's how I know he  
19 had so much mercy.

20 And the family did, too. This whole journey had so  
21 much mercy on Mr. Hood because despite what happened, I  
22 -- I can't really say if for weeks he said he was gonna  
23 get up that morning and shoot Zay, I can't say for days,  
24 but as an outsider looking at the case with new eyes  
25 what I could say and see is that he had it in his heart

1 already.

2           And before I take any case, I like to get to know  
3 who I'm prosecuting, so I do a deep dive. I look at  
4 their social media, I see what they post. I listen to  
5 how they talk in the jail and see if there's remorse,  
6 see what they're thinking, and when I hear people talk  
7 about how to game the system it makes me realize that  
8 you haven't learned anything while you're sitting in  
9 jail.

10           And so some people may look at me like oh, how do  
11 I do what I do or why do I do what I do because it's  
12 always in the back of my mind I hate to see another  
13 young black man go to prison, I hate to see another  
14 black man dead on our streets, but it doesn't change  
15 what you did.

16           In his time in jail, what he did last trial with --  
17 well, the last -- the second time we were supposed to go  
18 was try to set someone up to pin the case on them, and  
19 as anyone that knows me as a prosecutor for the last ten  
20 years knows that's my number one. I'm done with you at  
21 that point, there's no mercy, and if you start trying to  
22 like create evidence in this case, and that's what he was  
23 doing, it wasn't until we got the full extraction back  
24 from that girl, Brantley Price, where she turned over  
25 to his counsel, which he -- and that's why I got really

1 upset. I e-mailed him and I asked him I said did you  
2 have the full recording before you turned this over and  
3 he said no and once we got the full recording of this  
4 conversation that the girl snuck and recorded of the  
5 guy, she cut it off right before he says well, Ron shot,  
6 but turned over a portion where he's talking about some  
7 other stuff, and I don't like that. That's not how you  
8 get away with murder, trying to pin it on someone else.

9 I do not know what the appropriate sentence is. I  
10 always tell every family that I never put a number on a  
11 deceased's life because nothing -- no sentence is gonna  
12 bring him back, but I do hope that the family now has  
13 closure and I do pray and hope that Mr. Hood -- because  
14 listening to him talk and I listened to some of his music,  
15 he -- I don't know what happened in his life and I don't  
16 know if what he writes as his lyrics is his real life  
17 where he talks about being a certain way since he was  
18 young, talks about spraying people, talks about getting  
19 so used to the chopping sound, and then when I listened  
20 to his interview with the police he talks about I don't  
21 know anything about guns, I've never been around guns,  
22 but one thing that struck me early this morning when I  
23 was going back through his interview is something he said  
24 about Zay before the shooting and he said -- he said he  
25 and Zay had been going back and forth, we had some

1 problems, and first he was gonna say -- and I think  
2 there's truth in this part of his interview -- he says  
3 well, no, we really had problems for a while, we were  
4 going back and forth, but he said let's just work it  
5 out like men, let's just -- let's just square up and be  
6 done with it, and that's what he said in his recorded  
7 interview and that was probably one of the most consistent  
8 things with all of the witnesses that said Zay was let's  
9 just go fight it out, and the evidence showed that. That  
10 he took off his jacket, took off his shirt and wanted to  
11 just fight it out. The defendant, when he was talking in  
12 his interview -- because I listened before and I listened  
13 again listening like, you know, could there be any truth  
14 to something he was saying and nothing he was saying made  
15 sense. He got close to saying well, when I touched the  
16 gun it went off. That's what he said. When I touched  
17 the gun it went off, but I don't know who shot, and he  
18 said that multiple times. But he talked about being  
19 nervous, talked about being young and all of that, but  
20 that was probably the closest he got in that interview  
21 to admitting something happened and I thought maybe  
22 throughout the years -- this past two years that he would  
23 have maybe taken a plea offer so that maybe he would  
24 learn something and turn his life around.

25 I just -- because you would hope that. You would

1 hope that incarceration leads to some sort of reform, but  
2 it seems at this point he just started believing in his  
3 own innocence that he didn't do it, but I don't know  
4 because the first thing is accepting responsibility for  
5 your actions. And everyone's entitled to a trial, so I'm  
6 not saying that, but I just hope one day he truly accepts  
7 responsibility so that he can move on and make something  
8 different.

9       So in terms of the sentence, Judge, you heard the  
10 facts. This was senseless. We'll never really know what  
11 the real issue he had with Zay is. I think the family  
12 believes they know what it is. It all comes down to  
13 what you can prove in court, right? Obviously there was  
14 something, but we just ask for the appropriate sentence.  
15 And I know that doesn't give you much because you have  
16 thirty to life and then you have zero to twenty on the  
17 ABHAN, but I really hope that no matter what it is that  
18 he makes -- turns his life around and we just ask for an  
19 appropriate sentence.

20       I don't know if law enforcement or the sheriff has  
21 anything to say as far as sentencing, but other than that  
22 -- so I think that's it from the State, Your Honor.

23       THE COURT: Okay. Mr. Stancil.

24       MR. STANCIL: I beg the Court's indulgence just one  
25 second.

1 THE COURT: Yes, sir.

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

4 THE COURT: Yes, sir.

5 MR. STANCIL: For the record, I believe his aunt  
6 would like to address the Court at the appropriate time,  
7 but I think I'll speak first then have her address the  
8 Court.

9 THE COURT: Okay.

10 MR. STANCIL: Your Honor, what was stated, part of  
11 it is true, Mr. Hood was a 18-year-old kid when this  
12 happened when he was locked up on March 16, 2021. He's  
13 been consistently locked up since then. He's had to --  
14 to grow up. He's about to turn twenty-one on November  
15 22nd. He's spent his -- I mean, some of his best years  
16 behind bars. He's got 912 days to this point.

17 He also has a young son, L.H. [REDACTED], who  
18 actually turned three on August [REDACTED]. Also his little  
19 sister, who just turned eight years old, S.H. [REDACTED].  
20 Those are the two most important people in his life.  
21 Most times I've spoke with Mr. Hood for bond hearings,  
22 for meetings, for trial prep, he's brought up his son  
23 and his little sister and I do believe those are truly  
24 the most important things in his life.

25 Your Honor, he also as you can tell has strong

1 family support. They've been here all week, haven't  
2 missed a beat, have been here showing their support  
3 for Mr. Hood, and in my conversations with them they've  
4 always made it clear that they're here for him no matter  
5 what. They're his family. They love him. They show  
6 him as much support as possible.

7 Your Honor, just for the record, and I think it's  
8 important, this young man's had zero criminal history.  
9 Not even as much as a traffic ticket until this  
10 unfortunate and tragic incident.

11 Your Honor, I would just ask for whatever  
12 appropriate -- whatever sentence you deem appropriate  
13 that you would run the sentences concurrent and also I  
14 would just ask, and I don't believe the Court would do  
15 this, but he does have the constitutional right to a  
16 jury trial and he exercised that right that we all have,  
17 so I would hope that it's not looked down upon that he  
18 asked for a trial in this case.

19 And, Your Honor, I believe Ms. Butler would like to  
20 address the Court at this point.

21 THE COURT: That would be fine.

22 MR. STANCIL: And, Your Honor, since she's got an  
23 oxygen tank, can she just stand right here?

24 THE COURT: She can stand right there. That's fine.

25 MR. STANCIL: And state your full name for the

1 record.

2 MS. BUTLER: Brenda Butler.

3 Brenda Butler. I'm Aaron Hood's aunt. We aren't  
4 supposed to talk about the case, so I'm not. He was  
5 found guilty, so I accept what they say, but I've been  
6 taking care and help raising Aaron since he was two.  
7 He's been to Hollywood School here, he's been to middle  
8 school here, he's been to high school here. Aaron has  
9 never acted like an aggressive person. He has always  
10 been very humble. Yet I have never seen him attack  
11 anybody.

12 And I know Zay, too, and I loved Zay. Zay was like  
13 my son's -- my son's brother. So, I mean, it's like --  
14 it's just -- I love him to death, but he has never gotten  
15 into any trouble. He has a baby and he just lost his  
16 father a couple of months ago also and he's got an aunt  
17 in a nursing home that's young, that's younger than her  
18 sister, his mother, which is brain dead and she can only  
19 use her eyes. So he helps his mom and I help them.

20 You know, he has never been a kid to get in trouble.  
21 He has never got a fine, a ticket or nothing in this --  
22 in no state. He don't have a record. Never had a record.  
23 He was just turned eighteen four months before this  
24 happened, a newborn baby. And Zay and them had issues,  
25 but they got back and was friends again. They was not

1 going through no real mess.

2 This thing is not from Zay. This part that just  
3 happened started from the bar and I just want to let you  
4 know he has always been humble and nobody ever say since  
5 he's been here -- they say he didn't grow up here and he  
6 did grow up here. He went to Hollywood School since  
7 kindergarten and high school. That's all I have to say.

8 THE COURT: Thank you, ma'am.

9 MR. STANCIL: I beg the Court's indulgence.

10 Your Honor, the only thing further from the defense  
11 is we would just ask for as much mercy as the Court finds  
12 applicable in this case.

13 THE COURT: Does Mr. Hood wish to address the Court  
14 in any way?

15 MR. STANCIL: No, Your Honor.

16 THE COURT: All right. Mr. Hood; is that correct?  
17 You don't wish to address the Court; is that correct?

18 THE DEFENDANT: No, sir.

19 THE COURT: All right. Thank you.

20 I'll take a short recess. I'll be right back.

21 (Recess taken at 2:17 PM.)

22 (Back on the record at 2:21 PM.)

23 BAILIFF: Come to order. Keep your seats.

24 THE COURT: All right. Please be seated.

25 You know, it's evident this is a tragic situation

1 for the Saluda community really. Two people who knew  
2 each other. The defendant, Mr. Hood, who really hasn't  
3 even started life. Eighteen years old. And just, you  
4 know, these decisions that people make that affect  
5 everyone for the rest of their lives.

6 To Xavier's family, I don't have the words to  
7 articulate, you know, how sorry I am that you have to  
8 be here in this position today. And I think Ms. Fuller  
9 already said it, but there's no sentence I can give  
10 that's gonna undo the damage. If only -- if only that  
11 could be done. I do hope today moving forward is a  
12 step forward. I hope it does provide you some level of  
13 closure. But I also recognize there's no sentence today  
14 regardless of any amount of time for the pain to stop  
15 for you, but I appreciate you speaking today.

16 To Mr. Hood's family, you're here and you're  
17 hurting, too, and believe it or not we're all hurting  
18 for you. It's painful for me to sit up here and look  
19 out at the courtroom throughout a trial and see people  
20 on both sides who are in real pain because of what  
21 they're having to go through here. I don't think Aaron  
22 -- I know Aaron didn't intend to put you-all through  
23 this, but it happened, and -- and I'm left with the  
24 decision of what's the most appropriate outcome based  
25 on everything we heard at trial.

1           You know, it hurts because he was so young and,  
2           you know, the idea of -- you're really hesitant to send  
3           someone away -- I don't want to use the word "forever",  
4           but, I mean, the sentencing range for murder is thirty  
5           years to life. That's not something anyone wants to do,  
6           particularly someone who's eighteen years old with no  
7           prior record.

8           So what are we left with? I hope, Mr. Hood, that  
9           the sentence you receive today, I hope I speak for  
10          everyone, but the life you live after the completion  
11          of your sentence I hope it's one that is lawful. That  
12          whenever you do get out you'll take the opportunity to  
13          live a life that we don't have to see you again, that  
14          you don't have to have family to go through this again,  
15          and I hope -- when you do get to the Department of  
16          Corrections, I hope you seize the opportunity to help  
17          other people there, too, even outside of the Department  
18          of Corrections if that's possible.

19          On the charge of assault and battery of a high and  
20          aggravated nature, that's a concurrent sentence of twenty  
21          years.

22          On the charge of murder, with credit for 912 days,  
23          you're committed to the Department of Corrections for  
24          thirty-four years.

25          That's all. Court's adjourned.

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(Whereupon, the proceedings were concluded for  
September 14, 2023, at 2:25 PM.)

## C E R T I F I C A T E

1  
2  
3 I, Stacy S. Johnson, Official Court Reporter  
4 for the Eleventh Judicial Circuit of the State of  
5 South Carolina, do hereby certify that the foregoing  
6 is a true, accurate and complete transcript of record  
7 of all the proceedings had and the evidence introduced  
8 in the trial of the captioned case in Circuit Court  
9 September 11th-14th, 2023.

10 This transcript may contain quoted material.  
11 Such material is reproduced as read by the speaker.

12 I do further certify that I am neither of kin,  
13 counsel, nor have an interest to any party hereto.

14  
15 February 12, 2024

16  
17 Stacy S. Johnson  
18 STACY S. JOHNSON RPR  
19 CIRCUIT COURT REPORTER  
20  
21  
22  
23  
24  
25

WITNESSES

Saluda County Sheriff's Department  
David Rodgers

Law Enforcement Case #: 202103403

DWF

ARREST WARRANT NUMBER

S21-STR-0008

ACTION OF GRAND JURY

TRUE BILL

*[Signature]*  
Foreperson of Grand Jury  
Date: JUL 13 2021

VERDICT

*[Signature]*  
Guilty

*[Signature]*  
Foreperson of Petit Jury  
Date: 9-14-2023

DOCKET NO. 2021GS4100120

The State of South Carolina  
County of Saluda

COURT OF GENERAL SESSIONS

JULY TERM 2021

THE STATE

vs.

Aaron Sincere Hood

CDR #: 0116

Indictment for

MURDER

§ 16-03-0010

S.R. Hubbard III, SOLICITOR



WITNESSES

Saluda County Sheriff's Department  
David Rodgers

Law Enforcement Case #: 202103403

ARREST WARRANT NUMBER

2021A4110100038

DWF

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury  
Date: JUL 1 3 2021

VERDICT

*GUILTY*

Foreperson of Petit Jury  
Date: 9-14-2023

DOCKET NO. 2021GS4100132

The State of South Carolina  
County of Saluda

COURT OF GENERAL SESSIONS

JULY TERM 2021

THE STATE

vs.

Aaron Sincere Hood

CDR #: 3411

Indictment for

ASSAULT & BATTERY HIGH AND  
AGGRAVATED NATURE

§ 16-03-0600(B)(1)

S.R. Hubbard III, SOLICITOR

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SALUDA )  
 )

INDICTMENT FOR  
ASSAULT & BATTERY HIGH AND  
AGGRAVATED NATURE

§ 16-03-0600(B)(1)

At a Court of General Sessions, convened on JULY 2021, the Grand Jurors of Saluda County present upon their oath:

That **Aaron Sincere Hood** did in Saluda County, South Carolina, on or about March 16, 2021, unlawfully injure another person, and the act was accomplished by means likely to produce death or great bodily injury, to wit: did strike Lavis Hill in the head with a weapon, in violation of §16-0333-600(B) of the South Carolina Code of Laws of 1976, as amended.

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

  
\_\_\_\_\_  
ASSISTANT SOLICITOR

Life

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF Saluda )  
 )  
 STATE )  
 )  
 VS. )  
 )  
Aaron Sincere Hood )  
 )  
 AKA: )  
 Race: Black Sex: M Age: 20 )  
 DOB: [REDACTED] )  
 Address: [REDACTED] )  
 City, Sta: [REDACTED] )  
 DL#\* 1 )

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2021 - GS - 41 - 00120  
 A/W#: S21-STR-0008  
 Date of Offense: 3/16/2021  
 S.C. Code §: 16-03-0010  
 CDR Code #: 0116

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the above indictment comes now the Defendant who was  CONVICTED OF or  PLEADS

TO: Murder / Murder

In violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45  
 (CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. \_\_\_\_\_ (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:

 72860  
 Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the  State Department of Correction  County Detention Center,

for a determinate term of 34 days/months/years/Time Served  Youthful Offender Act not to exceed \_\_\_ years

and/or to pay a fine of \$\_\_\_\_; provided that upon the service of \_\_\_ days/months/years/Time Served and or payment of \$\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run  CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC.

912 days/months

To include time spent on monitored house arrest prior to trial and sentencing.  
 The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS. Aaron Sincere Hood INDICTMENT/CASE#: 2021 - GS - 41 - 00120

**SPECIAL CONDITIONS:**

**PTUP** after \_\_\_\_\_ months/years

**And Other Terms Listed Below:**

- Substance Abuse Counseling       Completion of GED       Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp       No Contact with Victim       Domestic Violence Intervention Program
- Mental Health Counseling       May serve W/E beginning: \_\_\_\_\_
- Sex Offender Registry pursuant to S.C. Code § 23-3-430       Public Service Employment \_\_\_\_\_ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_

**RESTITUTION:**     **Deferred**     **Def. Waives Hearing**     **Ordered**

Total \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

**\*Fine:**

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
§14-1-206 (Assessments 107.5%)				\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)		\$100		\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)		\$100		\$ _____
§56-5-2995 (DUI Assessment)		\$12		\$ _____
§56-1-286 (DUI Breath Test)		\$25		\$ _____
§14-1-212 (Law Enforce. Funding)		\$25		\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)		\$150		\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)		\$41		\$ _____
§50-21-114 (BUI Breath Test Fee)		\$50		\$ _____
§56-5-2942(J) (Vehicle Assessment)		\$40/ea		\$ _____
3% to County (if paid in installments)		TBD		\$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees		\$500		\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD		\$ <u>3.75</u>
		<b>TOTAL</b>		\$ <u>128.75</u>

Clerk of Court/Deputy Clerk: Shirley Coleman  
 Court Reporter: Stacy Johnson

Presiding Judge: Wahj  
 Judge Code: 2765  
 Sentence Date: 9-14-2023

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Saluda

STATE

VS.

INDICTMENT/CASE#: 2021 - GS - 41 - 00132

Aaron Sincere Hood

A/W#: 2021A4110100038

AKA:

Date of Offense: 3/16/2021

Race: Black Sex: M Age: 20

S.C. Code §: 16-03-0600(B)(1)

DOB  
Addr  
City,  
DL#

CDR Code #: 3411

SENTENCE SHEET

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the above indictment comes now the Defendant who was  CONVICTED OF or  PLEADS

TO: Assault / Assault & Battery of a High & Aggravated Nature

In violation of § 16-03-0600(B)(1) of the S.C. Code of Laws, bearing CDR Code # 3411

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. \_\_\_\_\_ (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:

[Signature] 72860  
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the  State Department of Correction  County Detention Center,

for a determinate term of 20 days/months/years/Time Served  Youthful Offender Act not to exceed \_\_\_ years

and/or to pay a fine of \$\_\_\_\_; provided that upon the service of \_\_\_ days/months/years/Time Served and or payment of \$\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC.

912 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS. Aaron Sincere Hood INDICTMENT/CASE#: 2021 - GS - 41 - 00132

**SPECIAL CONDITIONS:**

**PTUP** after \_\_\_\_\_ months/years

**And Other Terms Listed Below:**

- Substance Abuse Counseling       Completion of GED       Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp       No Contact with Victim       Domestic Violence Intervention Program
- Mental Health Counseling       May serve W/E beginning: \_\_\_\_\_
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- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_

**RESTITUTION:**     **Deferred**     **Def. Waives Hearing**     **Ordered**

Total \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

**\*Fine:**

Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____	\$ _____
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§14-1-211 (A)(1)(Conv. Surcharge)	\$100			\$ <u>100.00</u>
§14-1-211 (A)(2)(DUI Surcharge)	\$100			\$ _____
§56-5-2995 (DUI Assessment)	\$12			\$ _____
§56-1-286 (DUI Breath Test)	\$25			\$ _____
§14-1-212 (Law Enforce. Funding)	\$25			\$ <u>25.00</u>
§14-1-213 (Drug Court Surcharge)	\$150			\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41			\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50			\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea			\$ _____
3% to County (if paid in installments)	TBD			\$ _____
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500			\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD			\$ <u>3.75</u>
	<b>TOTAL</b>			\$ <u>128.75</u>

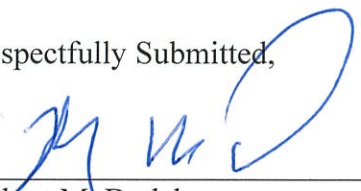
Clerk of Court/Deputy Clerk: Sheri Coleman  
 Court Reporter: Stacy Johnson

Presiding Judge: Wahj  
 Judge Code: 2765  
 Sentence Date: 9-14-2023

## CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,



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Robert M. Dudek  
Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

This 12th day of August, 2024.

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Saluda County

Honorable Walton J. McLeod, IV, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

AARON SINCERE HOOD,

APPELLANT

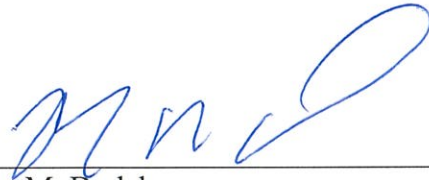
APPELLATE CASE NO. 2023-001512

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon Melody J. Brown, Esquire, at the primary email address listed within the Attorney Information System (AIS), this 12th day of August, 2024.



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Robert M. Dudek  
Chief Appellate Defender

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

ATTORNEY FOR APPELLANT