

RECEIVED

Sep 13 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Pickens County

Honorable Perry H. Gravely, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TYCHRISTIAN LADSON,

APPELLANT

APPELLATE CASE NO. 2023-000372

RECORD ON APPEAL

SARAH E. SHIPE
Appellate Defender

ALAN WILSON
Attorney General

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

ATTORNEY FOR APPELLANT

TOMMY EVANS, JR.
Assistant Attorney General
1000 Assembly Street, Room 519
Columbia, SC 29201
(803)734-3727

W. WALTER WILKINS
Solicitor, Thirteenth Judicial Circuit
214 East Main Street
Pickens, SC 29671
(864) 898-5905

ATTORNEYS FOR RESPONDENT

VOLUME II OF II
PAGES 501-678

INDEX

INDEX	i
PRE-TRIAL TRANSCRIPT DATED FEBRUARY 17, 2023	1
JOINT STIPULATIONS AS TO DNA MATCHING DEFENDANTS AND AUTOPSY RESULTS.....	3
STATE’S OBJECTION <i>IN LIMINE</i> TO HEARSAY TESTIMONY AND EVIDENCE OF THIRD-PARTY GUILT BY MS. MUNSON.....	4
RESPONSE BY MR. BOATWRIGHT	6
REBUTTAL BY MS. MUNSON	8
RESPONSE BY MR. PRINGLE	10
COURT DEFFERAL OF RULING	12
DEFENSE MOTION TO EXCLUDE CALL DETAIL MAPS, JAIL CALLS, CELL TRANSFERS, AND VIDEO INTERVIEW BY MS. WILLIAMS.....	16
RESPONSE BY MS. OWENS	20
RESPONSE JOINING IN DEFENSE MOTION TO EXCLUDE CALL DETAIL MAPS, JAIL CALLS, CELL TRANSFERS, AND VIDEO INTERVIEW BY MR. PRINGLE	22
RESPONSE AS TO CALL DETAIL MAPS BY MS. OWENS	26
COURT RULING DENYING MOTION TO EXCLUDE CALL DETAIL MAPS	28
RESPONSE AS TO JAIL CALLS BY MS. OWENS	28
COURT RULING DENYING MOTION TO EXCLUDE JAIL CALLS	30
RESPONSE AS TO CELL TRANSFER INFORMATION BY MS. OWENS.....	30
RESPONSE BY MR. BOATWRIGHT	32
COURT DEFFERRAL OF RULING ON MOTION TO EXCLUDE CELL TRANSFER INFORMATION	34
RESPONSE AS TO VIDEO INTERVIEW BY MS. OWENS	35
RESPONSE BY MR. BOATWRIGHT	37

COURT RULING DENYING DEFENSE MOTION TO EXCLUDE VIDEO INTERVIEW	39
DEFENSE MOTION TO EXCLUDE TIP NO. 61 BY MS. WILLIAMS	41
RESPONSE BY MS. OWENS	42
COURT RULING GRANTING MOTION TO EXCLUDE TIP NO. 61	42
DEFENSE MOTION TO EXCLUDE TESTIMONY OF DARIUS RHODES BY MS. WILLIAMS.....	43
RESPONSE BY MR. MUNSON	43
COURT DEFFERRAL OF RULING ON MOTION TO EXCLUDE TESTIMONY OF DARIUS RHODES	46
DEFENSE MOTION TO EXCLUDE TESTIMONY OF PETER STOKES BY MS. WILLIAMS.....	46
RESPONSE BY MS. MUNSON	46
COURT DEFFERRAL OF RULING ON MOTION TO EXCLUDE TESTIMONY OF PETER STOKES BY MS. WILLIAMS	47
TRIAL TRANSCRIPT DATED FEBRUARY 21-24, 2023	53
OPENING STATEMENT BY MS. MUNSON	54
OPENING STATEMENT BY MR. PRINGLE	56
OPENING STATEMENT BY MS. WILLIAMS	59
STATE MOTION FOR A MISTRIAL BY MR. MUNSON.....	60
RESPONSE BY MR. PRINGLE	61
COURT RULING TO GIVE CURATIVE INSTRUCTION.....	62
CURATIVE INSTRUCTION TO JURY	64
TESTIMONY	
JUSTIN STEGALL	
Direct Examination by Ms. Munson.....	66

WILLIAM LOOPER	
Direct Examination by Ms. Munson.....	73
Cross-Examination by Mr. Pringle	82
Cross-Examination by Ms. Williams.....	89
Redirect Examination by Ms. Munson	92
TIMOTHY CALLAHAM	
Direct Examination by Ms. Munson.....	93
THOMAS CLOER	
Direct Examination by Ms. Munson.....	103
Cross-Examination by Ms. Williams.....	106
BRIAN COWAN	
Direct Examination by Ms. Munson.....	107
Cross-Examination by Mr. Pringle	118
Cross-Examination by Ms. Williams.....	129
Redirect Examination by Ms. Munson	130
JASON FINLEY	
Direct Examination by Ms. Munson.....	135
Cross-Examination by Mr. Pringle	141
BRANDON LINER	
Direct Examination by Ms. Munson.....	142
Cross-Examination by Mr. Boatwright.....	148
Cross-Examination by Mr. Pringle	181
STATE OBJECTION TO UNFOUNDED TESTIMONY BY MS. MUNSON.....	209
COURT RULING SUSTAINING OBJECTION.....	210
TESTIMONY	
BRANDON LINER	
Continued Cross-Examination by Mr. Pringle.....	210
Redirect Examination by Ms. Munson	234
DEFENSE OBJECTION TO TIPS AND TIPS LOGS BY MR. BOATWRIGHT	235
TESTIMONY	
BRANDON LINER	
Continued Redirect Examination by Ms. Munson.....	236
COURT RULING SUSTAINING OBJECTION TO TIPS AND TIPS LOGS.....	239

TESTIMONY

DAVID PICONE

Direct Examination by Ms. Owens	241
Cross-Examination by Mr. Pringle	256
Cross-Examination by Mr. Boatwright.....	261
Redirect Examination by Ms. Owens	268

RYAN COLLINS

Direct Examination by Ms. Owens	269
Cross-Examination by Mr. Boatwright.....	271
Cross-Examination by Mr. Pringle	275
Redirect Examination by Ms. Owen	283

CHUCK YATES

Direct Examination by Ms. Owens	286
---------------------------------------	-----

DARIUS RHODES

Direct Examination by Ms. Owens	293
---------------------------------------	-----

RENEWED MOTION TO EXCLUDE VIDEO INTERVIEW FROM EVIDENCE

BY MR. BOATWRIGHT	298
-------------------------	-----

RESPONSE BY MS. OWENS	298
-----------------------------	-----

COURT RULING GRANTING MOTION TO EXCLUDE VIDEO INTERVIEW	301
---	-----

TESTIMONYDARIUS RHODES (*IN-CAMERA*)

Direct Examination by Ms. Owens	306
---------------------------------------	-----

STATE MOTION FOR LEAVE TO FILE INTERLOCUTORY APPEAL

BY MS. OWENS	310
--------------------	-----

TESTIMONY

LESLIE HAMBY

Direct Examination by Ms. Munson.....	314
Cross-Examination by Mr. Pringle	317

ALLISON BUMGARNER

Direct Examination by Ms. Munson.....	318
Cross-Examination by Mr. Pringle	320

WILLIAM STRATHERN	
Direct Examination by Ms. Munson	322
Cross-Examination by Mr. Pringle	328
Cross-Examination by Mr. Boatwright.....	340
Redirect Examination by Ms. Munson	342
DARIUS RHODES	
Continued Direct Examination by Ms. Owens	350
Cross-Examination by Mr. Boatwright.....	356
Redirect Examination by Ms. Owens	371
RICARDO LEAL	
Direct Examination by Ms. Owens.....	372
Cross-Examination by Mr. Boatwright.....	384
Cross-Examination by Mr. Pringle	391
Redirect Examination by Ms. Owens	400
COLLOQUY WITH JUROR NO. 136	404
COURT RULING FINDING JUROR NO. 136 IN CONTEMPT OF COURT	407
DEFENSE OBJECTION TO STATE’S EXHIBITS NOS. 22 AND 23 BY MR. BOATWRIGHT	410
COURT OVERRULES OBJECTION TO STATE’S EXHIBITS NOS. 22 AND 23	411
TESTIMONY	
BRIAN SWAFFORD	
Direct Examination by Ms. Owens.....	412
Cross-Examination by Mr. Boatwright.....	432
Cross-Examination by Mr. Pringle	451
Redirect Examination by Ms. Owens	462
COURT RULING GRANTING MOTION TO EXCLUDE THIRD-PARTY GUILT	467
<u>JACKSON V. DENNO HEARING</u>	
JON HAMBY (<i>IN-CAMERA</i>)	
Direct Examination by Ms. Munson.....	469
COURT RULING FINDING STATEMENTS ADMISSIBLE	472

TESTIMONY

JON HAMBY

Direct Examination by Ms. Munson.....473

Cross-Examination by Mr. Pringle 490

STATE OBJECTION TO WITNESS TESTIMONY BY MS. MUNSON 495

COURT RULING SUSTAINING OBJECTION TO WITNESS TESTIMONY IN PART ..500

TESTIMONY

JON HAMBY

Continued Cross-Examination by Mr. Pringle.....500

DEFENSE MOTION TO EXCLUDE JAIL CALL BY MR. PRINGLE 530

RESPONSE BY MS. MUNSON 531

COURT DEFFERAL OF RULING ON MOTION TO EXCLUDE JAIL CALL.....532

TESTIMONY

JON HAMBY

Redirect Examination by Ms. Munson 534

JAMIE NEWTON

Direct Examination by Ms. Munson.....542

Cross-Examination by Mr. Pringle 547

Cross-Examination by Mr. Boatwright.....548

STATE RESTS.....550

DEFENSE MOTION FOR A DIRECTED VERDICT BY MR. BOATWRIGHT 551

COURT RULING DENYING MOTION FOR A DIRECTED VERDICT 551

DEFENSE MOTION FOR A DIRECTED VERDICT BY MR. PRINGLE 551

COURT RULING DENYING MOTION FOR A DIRECTED VERDICT 552

COLLOQUY WITH DEFENDANTS 552

DEFENDANTS REST 559

CLOSING ARGUMENT BY MS. OWENS	561
CLOSING ARGUMENT BY MR. PRINGLE	584
CLOSING ARGUMENT BY MR. BOATWRIGHT	620
CHARGE ON THE LAW	634
JURY QUESTIONS.....	655
VERDICT.....	664
SENTENCING.....	667
INDICTMENTS	670
SENTENCE SHEETS	674
CERTIFICATE OF COUNSEL	678

**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
STATE’S EXHIBIT NO. 12 (CD – VIDEO OF SHOOTING); STATE’S EXHIBIT NO. 13
(CD – VIDEO OF ENTRY); STATE’S EXHIBIT NO. 20 (CALL DETAIL RECORD –
LADSON); STATE’S EXHIBIT NO. 21 (CALL DETAIL RECORD – COLLINS);
STATE’S EXHIBIT NO. 23 (ADVANCED TIMING RECORD – COLLINS); AND
STATE’S EXHIBIT NO. 25 (PACKET OF MAPS).**

1 A Yes.

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

4 A Given his whereabouts?

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

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

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

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

16 Q And what did you find out?

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

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

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

1 goes beyond what we had talked about.

2 MR. PRINGLE: It does?

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

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

7 BY MR. PRINGLE:

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

10 A Yes.

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

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

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

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

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

25 A Yes.

1 Q Okay. Did you see Quinton Collins on that video?

2 Were you able to recognize him?

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

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

7 A Going out the door, yes.

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

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

11 Q Right. Did he leave by himself?

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

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

16 A Yes.

17 Q And who was that?

18 A Mike Utsey.

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

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

23 Q How did he react when you showed him?

24 MS. MUNSON: Objection, Your Honor.

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

1 MR. PRINGLE: Okay.

2 BY MR. PRINGLE:

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

8 A Yes.

9 Q And how did that come about?

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

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

14 A I was told he did, yes.

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

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

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

22 BY MR. PRINGLE:

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

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

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

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

7 A Yes.

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

9 A Yes.

10 Q What did you learn?

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

12 THE COURT: Sustained.

13 MR. PRINGLE: One moment.

14 May we approach?

15 THE COURT: Yes.

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

17 BY MR. PRINGLE:

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

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

23 MR. PRINGLE: They discussed that ---

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

1 BY MR. PRINGLE:

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

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

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

9 A Yes.

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

12 A No.

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

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

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

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

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

24 BY MR. PRINGLE:

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

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

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

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

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

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

10 A No, sir.

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

14 A Yes, sir.

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

17 A Lovell.

18 Q Lovell. Okay.

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

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

22 Q Okay.

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

1 Mr. Collins.

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

3 A No, sir.

4 Q Okay. And he was cooperative, right?

5 A Yes, sir.

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

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

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

13 A The Subaru?

14 Q Yes.

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

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

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

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

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

1 A Okay.

2 Q Be clear.

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

7 A He provided some dates, yes.

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

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

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

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

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

20 A 24 years.

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

23 A That would be your opinion, I guess.

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

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

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

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

8 Q Yeah.

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

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

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

15 Q Oh.

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

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

19 A That's not what I said.

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

24 A Uh-huh, yes.

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

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

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

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

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

12 Q Well, I mean, you did -- I mean, there's video of ---
13 MS. MUNSON: Objection, Your Honor. He's testifying.

14 BY MR. PRINGLE:

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

16 A Of the February 5th one?

17 Q Yeah.

18 A There is video, yes.

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

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

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

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

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

3 MS. MUNSON: Objection. Relevance and speculation.

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

6 BY MR. PRINGLE:

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

11 A No. I would not say that.

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

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

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

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

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

24 A I asked him about a codefendant, yes.

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

1 implicate the codefendant, he could help himself out?

2 A Would I say it like that? No.

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

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

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

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

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

14 A Correct.

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

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

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

23 A No.

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

1 him to confess, didn't you?

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

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

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

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

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

14 A No.

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

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

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

22 THE COURT: If he knows.

23 BY MR. PRINGLE:

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

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

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

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

10 A Nothing that I was aware of.

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

14 A No, sir.

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

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

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

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

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

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

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

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

12 A Correct.

13 Q Seconds.

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

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

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

22 MR. PRINGLE: I'm sorry?

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

25 MR. PRINGLE: Okay.

1 BY MR. PRINGLE:

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

6 A Yes.

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

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

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

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

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

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

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

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

7 A I could not agree with you on that.

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

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

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

16 A From a business away from ---

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

19 A I would have no idea.

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

21 A A lot of people have cameras, yes.

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

25 A There are a lot of cameras, yes.

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

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

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

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

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

11 A Yes.

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

14 A No.

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

16 A No one.

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

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

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

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

1 follow-up interview with him.

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

3 A Yes, sir.

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

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

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

11 A Correct.

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

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

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

24 A Yes.

25 Q And it was recorded and all that.

1 A Yes.

2 Q All the bells and whistles.

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

7 A No. Just a completed interview.

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

11 A Yes, sir.

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

13 A Yes, sir.

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

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

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

22 A I would not agree with that.

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

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

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

5 MS. MUNSON: Objection to the commentary.

6 BY MR. PRINGLE:

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

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

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

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

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

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

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

1 Mr. Utsey.

2 MR. PRINGLE: Okay.

3 BY MR. PRINGLE:

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

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

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

12 A No, sir.

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

16 A It was Captain Lovell again.

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

19 A No.

20 Q Both of you participated?

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

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

1 A That sounds right.

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

4 A No, sir.

5 Q The last interview?

6 A No, sir.

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

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

9 BY MR. PRINGLE:

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

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

17 Q Okay. There are no fingerprints ---

18 A Correct.

19 Q --- right, for whatever reason?

20 There's no blood.

21 A Correct.

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

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

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

1 A There was DNA collected at the crime scene.

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

4 A No comparable sample, yes.

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

7 A I did not.

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

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

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

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

15 A Correct.

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

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

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

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

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

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

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

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

6 A From the store that night?

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

8 A I did not get any.

9 Q The actual crime scene, yeah.

10 A Correct.

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

12 THE COURT: Cross by Mr. Ladson?

13 MR. BOATWRIGHT: One moment, Your Honor.

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

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

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

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

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

4 JURY FOREMAN: Yes, Your Honor.

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

7 JURY FOREMAN: Yes, Your Honor.

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

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

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

13 MR. PRINGLE: We did.

14 THE COURT: Y'all did. Yes.

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

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

25 (Pause in proceedings.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 THE COURT: How long is the video?

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

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

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

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

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

11 MR. PRINGLE: No, Your Honor.

12 THE COURT: Anything from Ladson?

13 MR. BOATWRIGHT: No, Your Honor.

14 THE COURT: Anything else from the State?

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

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

18 MR. BOATWRIGHT: Yeah.

19 MR. PRINGLE: Yeah.

20 THE COURT: All right.

21 MR. PRINGLE: The first objection will be relevance.

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

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

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

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

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

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

25 MS. MUNSON: Go ahead.

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

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

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

16 MR. PRINGLE: Thank you.

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

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

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

22 MS. MUNSON: Okay.

23 THE COURT: All right.

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

1 questions for him.

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

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

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

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

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

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

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

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

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

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

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

22 All right. Mr. Boatwright?

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

24 THE COURT: All right. And any redirect?

25 MS. MUNSON: Yes, Your Honor.

REDIRECT EXAMINATION

BY MS. MUNSON:

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

A I say Utsey. I'm not sure.

Q Was he a suspect?

A No.

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

A No.

Q Did you offer him anything?

A No.

Q Any good cop/bad cop shenanigans?

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

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

A No.

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

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

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

2 MS. MUNSON: Okay. Thank you.

3 Nothing further, Your Honor.

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

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

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

22 Do not listen to any recordings about for jurors.

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

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

1 (Pause in proceedings.)

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

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

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

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

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

16 Okay.

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

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

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

25 MS. MUNSON: Thank you, Your Honor.

1 THE COURT: All right. Anything else?

2 MR. PRINGLE: No, Your Honor.

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

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

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 Friday, February 24, 2023

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

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

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

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

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

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

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

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

12 MR. PRINGLE: No, Your Honor.

13 THE COURT: All right. Yes?

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

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

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

3 MR. BOATWRIGHT: Thank you, Judge.

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

6 MS. MUNSON: No, Your Honor.

7 THE COURT: Anything else from Collins?

8 MR. PRINGLE: No, Your Honor.

9 THE COURT: And Ladson?

10 MR. BOATWRIGHT: No, Your Honor.

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

13 MS. MUNSON: Yes, sir.

14 THE COURT: And publishing the video.

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

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

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

19 THE COURT: Okay. All right.

20 (Pause in proceedings.)

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

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

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

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

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

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

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

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

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

14 All right. Is the State ready?

15 MS. MUNSON: Yes, Your Honor.

16 THE COURT: Defense ready ---

17 MR. PRINGLE: Yes, Your Honor.

18 THE COURT: --- Collins and Ladson?

19 MR. BOATWRIGHT: Yes, Your Honor.

20 THE COURT: All right.

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

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

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

1 THE CLERK: Raise your right hand, please.

2 WHEREUPON,

3 JAMIE NEWTON

4 After having been duly sworn, testified as follows:

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

7 THE WITNESS: Jamie Newton.

8 DIRECT EXAMINATION

9 BY MS. MUNSON:

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

11 A Easley City Police Department.

12 Q And what is your job title?

13 A Forensics and evidence manager.

14 Q What do you do?

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

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

23 A There were two.

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

25 A They were silver or nickel in color.

1 Q All right.

2 A They were of 380 caliber.

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

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

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

12 A Correct.

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

15 A Yes, ma'am.

16 Q And when was that?

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

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

20 A Yes, ma'am.

21 Q Do you know his name?

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

23 Q Okay. And where did you go?

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

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

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

4 Q Okay. And why were you there?

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

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

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

14 Q Okay.

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

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

18 A Correct. Because when ---

19 Q Go ahead.

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

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

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

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

4 THE COURT: You may.

5 BY MS. MUNSON:

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

9 A (Reviews exhibits) Uh-huh.

10 Q Do you recognize them?

11 A Yes, ma'am.

12 Q And how do you recognize them?

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

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

19 A Yes, ma'am.

20 Q And when did you take those photos?

21 A January 6, 2021.

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

24 THE COURT: Any objection from Collins?

25 MR. PRINGLE: No, Your Honor.

1 THE COURT: Ladson?

2 MR. BOATWRIGHT: No, Your Honor.

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

5 BY MS. MUNSON:

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

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

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

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

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

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

23 Q Okay.

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

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

1 until January of 2021, correct?

2 A Yes, ma'am.

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

4 A Correct.

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

6 A Because I was there to collect the bullet.

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

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

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

12 A Oh, we had court orders for both.

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

15 THE COURT: Cross-examination?

16 MR. PRINGLE: Just very briefly.

17 CROSS EXAMINATION

18 BY MR. PRINGLE:

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

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

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

1 A No. Because it was gone.

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

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

6 MR. PRINGLE: Okay. Nothing further.

7 MR. BOATWRIGHT: May it please the Court.

8 CROSS EXAMINATION

9 BY MR. BOATWRIGHT:

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

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

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

17 A Correct.

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

20 A Yes, sir.

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

22 A No. I had assistance.

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

25 A Yes, sir.

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

3 A Yes, sir.

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

5 THE COURT: Redirect?

6 MS. MUNSON: No, Your Honor.

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

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

11 MR. PRINGLE: No objection.

12 THE COURT: You may proceed.

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

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

24 You may proceed.

25 MS. MUNSON: Thank you, Your Honor.

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

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

5 MS. MUNSON: 12.

6 THE COURT: All right.

7 MS. MUNSON: And this is 13.

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

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

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

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

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

21 Is there anything from the State?

22 MS. MUNSON: No, Your Honor.

23 THE COURT: All right. Defendant Collins?

24 MR. PRINGLE: No, Your Honor.

25 THE COURT: Defendant Ladson?

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

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

10 MR. BOATWRIGHT: Thank you, Judge.

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

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

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

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

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

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

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

7 MR. PRINGLE: Thank you.

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

12 MR. PRINGLE: No, Your Honor.

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

15 MR. BOATWRIGHT: No, Your Honor.

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

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

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

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

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

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

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

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

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

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

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

6 DEFENDANT COLLINS: Yes, sir.

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

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

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

15 DEFENDANT LADSON: Yes, sir.

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

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

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

3 DEFENDANT COLLINS: No, sir.

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

6 DEFENDANT COLLINS: No, sir.

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

9 DEFENDANT LADSON: No, sir.

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

12 DEFENDANT LADSON: No, sir.

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

16 DEFENDANT COLLINS: Yes, sir.

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

20 DEFENDANT COLLINS: No, sir.

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

23 DEFENDANT COLLINS: Yes, sir.

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

1 DEFENDANT COLLINS: No, sir.

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

4 DEFENDANT COLLINS: Not, sir.

5 THE COURT: Okay. Not to testify.

6 DEFENDANT COLLINS: Yes, sir.

7 THE COURT: And is that your decision?

8 DEFENDANT COLLINS: Yes, sir.

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

11 DEFENDANT COLLINS: No, sir.

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

14 DEFENDANT COLLINS: Yes, sir.

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

17 DEFENDANT COLLINS: Yes, sir.

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

21 DEFENDANT LADSON: Yes, sir.

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

24 DEFENDANT LADSON: Yes, sir.

25 THE COURT: And what is that?

1 DEFENDANT LADSON: Not to testify.

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

4 DEFENDANT LADSON: Yes, sir.

5 THE COURT: Okay. Is that your decision?

6 DEFENDANT LADSON: Yes, sir.

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

9 DEFENDANT LADSON: No, sir.

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

12 DEFENDANT LADSON: Yes, sir.

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

15 DEFENDANT LADSON: Yes, sir.

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

18 DEFENDANT LADSON: No, sir.

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

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

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

2 THE COURT: Ladson as well.

3 MR. BOATWRIGHT: Correct, Your Honor.

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

5 Anything else from the State regarding that?

6 MS. MUNSON: No, Your Honor.

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

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

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

21 All right. Bring the jury back.

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

24 MS. MUNSON: No, sir.

25 MR. PRINGLE: No, Your Honor.

1 THE COURT: Collins and Ladson?

2 MR. BOATWRIGHT: No, Your Honor.

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

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

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

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

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

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

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

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

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

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

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

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

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

25 THE COURT: Defendant Collins?

1 MR. PRINGLE: No, Your Honor.

2 THE COURT: And Defendant Ladson?

3 MR. BOATWRIGHT: No, Your Honor.

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

6 MS. OWENS: The State's ready.

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

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

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

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

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

21 CLOSING ARGUMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 was firing the lethal shot.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 Why does that matter? There's been a lot of
9 discussion in this trial about the serial number, the IMEI
10 number on the phone that was in Tychristian Ladson's
11 possession when he was arrested, that that number is
12 different than the number displayed on these call detail
13 records. But we know Tychristian Ladson was using this
14 phone on the 14th through the 18th at least, and that the
15 IMEI number that T-Mobile records did not change.

16 So why is it that the phone Tychristian Ladson is
17 carrying at the time of his arrest is different? Why did
18 he get a new phone? Why, after having a conversation with
19 the police, did it suddenly become important to get rid of
20 this phone? The pressure was on. The police were
21 starting to put all the pieces together.

22 And like I said, I want to revisit the calls in just
23 a few minutes, but for purposes of your review of the
24 evidence, you should consider the defendants' responses to
25 this investigation, and their behavior about how this

1 investigation went forward, specifically with the things
2 that they denied having ever been in Easley or having ever
3 been in the Subaru, those things that we can otherwise
4 empirically prove to be true. Ask yourselves why would
5 these defendants lie about those things.

6 Now, after Sergeant Picone testified, there was a
7 little bit of drama, for lack of a better word, with
8 Darius Rhodes. If you'll remember, Darius Rhodes was in
9 custody. He's in Greenville County custody as a result of
10 a guilty plea that he entered in some few months ago
11 related to crimes that he committed in May of 2019. And I
12 bring that up because the suggestion throughout the
13 examination or cross-examination of Mr. Rhodes is that his
14 statements to police in January of 2019 are somehow
15 affected by, influenced by or incredible because of his
16 criminal convictions, the deferred sentencing that he is
17 awaiting for his own crimes. But in January of 2019, he
18 hadn't committed those crimes yet.

19 The voluntary manslaughter that Darius Rhodes pled
20 guilty to having committed occurred in May of 2019. So
21 how is it that in January of 2019 the information he gave
22 identifying Mr. Ladson is anything other than the truth?

23 Mr. Rhodes told you that he was -- reluctantly, but
24 he told you he was friends with Tychristian Ladson. He
25 had ridden in that Subaru with Tychristian Ladson,

1 socialized with him frequently, considered him a friend.
2 Why is it that in January 2019 he would implicate his
3 friend in a robbery unless it was the truth? Why? Why
4 would he do that? If he doesn't know, why not say I don't
5 know? Why name your friend unless you're certain from
6 viewing that video, just like he told you, that that's
7 Tychristian Ladson? He says I recognize the black shoes
8 with the white bottoms. I know that he wears those shoes.
9 I've ridden in that Subaru before. And even with that
10 mask on his face, I know that's him.

11 Now, I anticipate that the defendants may tell you
12 these assailants were wearing masks, how can anyone
13 identify them? Ladies and gentlemen, it wasn't too long
14 ago that we were all wearing masks. Consider whether you
15 found it difficult or impossible to recognize your friends
16 despite the fact that they were wearing a mask.

17 Mr. Rhodes killed somebody, but so did his friend
18 Tychristian Ladson.

19 You heard some testimony thereafter from the doctors
20 and X-ray technicians about this projectile in
21 Mr. Collins's back. And I hope now that we're at the end
22 of the trial it's clear that the reason for that
23 testimony, it was a little disjointed, but the reason for
24 that was to show you that in the days that followed
25 Mr. Collins's arrest in February of 2019, police ordered

1 that an X-ray be done, and State's Exhibit 26 is that
2 image.

3 But by the time police were able to arrange for the
4 surgical removal of that bullet since Mr. Collins refused
5 to let Dr. Strathern to remove it in the office -- and if
6 you'll remember, Dr. Strathern testified it was very
7 unusual to him, that he's never had a patient not want a
8 bullet removed. Now we know why. Because as Ms. Newton
9 testified this morning, if we had the bullet, if the
10 police were able to actually get that projectile, we had
11 Ms. Branham's gun, there could have been a comparison
12 between the bullet in his back and Ms. Branham's gun that
13 would have proven scientifically that that bullet came
14 from Ms. Branham's gun. That's why it was so important
15 that that bullet be destroyed, removed, hidden,
16 eliminated.

17 You'll have all of the evidence in the back during
18 your deliberations, but there are several photos of this
19 injury, and there's been discussion throughout this trial
20 about whether this injury would have resulted in someone
21 bleeding all over the inside of the Subaru, leaving blood
22 behind in the store or otherwise creating evidence that
23 would have actually been more significant than what's
24 depicted here. But you can see for yourself exactly what
25 the injury looked like, that the entry came through the

1 left side of the back of Mr. Collins's neck and stopped
2 right in the middle. Think about whether that makes
3 sense. Reaching for the cash register, and a shot fired
4 across the back.

5 Now, you've heard some testimony and there's been
6 some efforts to suggest that police looked for this injury
7 in the days that followed and couldn't find it. If you'll
8 remember, Major Hamby testified yesterday that they
9 believed the person who was shot was shot in the torso or
10 the chest, that based on how the person reacted in the
11 video, that they believed that it would have been in the
12 torso. So when Major Hamby asked Mr. Collins to pull up
13 his shirt for injuries, if you'll recall, his testimony
14 was that he was wearing a hoodie and he pulled the shirt
15 up to about chest high.

16 No one looked at the back of Mr. Collins's spine on
17 December 27th, December 28th, or February 5th. It was
18 only after his arrest that we find this projectile still
19 lodged in the back of his spine.

20 But by the time Mr. Collins could be transported back
21 to the hospital as a result of a court order, what's left
22 is a scar from an incision. Ask yourselves, does this
23 look naturally occurring? Did whatever projectile was
24 lodged in Mr. Collins's spine fall out and make a perfect
25 straight line?

1 This bullet was removed. It was removed
2 intentionally, and it was removed to make sure this bullet
3 could not be matched with Stacey's gun. But the bottom
4 line is that that's exactly where it came from. Stacey
5 got off this shot. And I wish that we'd been able to
6 present to you evidence of that match, which I anticipate
7 will be an issue that you're asked to consider by the
8 defendants that there are pieces of evidence in this case
9 that we don't have.

10 There was a lot of attention, yesterday in
11 particular, on GPS information, precise locations of
12 individuals using their phones. Would it be very
13 compelling if we had GPS location from both of these
14 defendants' phones? Of course it would. Unfortunately,
15 neither defendant bothered to call Easley Police
16 Department and share with them their intentions to go
17 commit this robbery, so Easley wasn't in a position to
18 call T-Mobile and ask for real-time tracking the way that
19 Mr. Leal testified would have to have worked. All we have
20 are these historical records.

21 There were no DNA swabs of the counter,
22 fingerprinting of the counter. You've seen the video for
23 yourself. No one touched that counter. Would it have
24 been nice to have DNA from the counter? Sure. I imagine
25 the defendants would tell you then that showed nothing

1 other than them having been in the store.

2 But a considerable amount of effort throughout this
3 trial has been made to suggest that there's evidence you
4 don't have, that there's evidence that you need to make
5 this decision. Ladies and gentlemen, the evidence that
6 you have is the best evidence that's available. There are
7 no other pieces of evidence to be gathered. This is the
8 evidence that's left behind. When subjects don't touch
9 items on the crime scene, when they destroy evidence, the
10 evidence that's left for you to determine is the best
11 evidence that you have.

12 One other component from Major Hamby's testimony
13 yesterday that I think is extremely important is a
14 conversation that he described having with Mr. Collins the
15 day of his arrest. And in addition to denying having ever
16 been in the Subaru, which we know is not true, in addition
17 to having said he wasn't in Easley the night of this
18 offense, which is also not true, and we'll circle to that
19 in a second, one of the things that Major Hamby asked him
20 is I'm going to show you a picture. And this is the
21 picture he showed him. And he said, "What are you
22 grabbing in this picture?"

23 He testified Mr. Collins's response, "Looks like the
24 cash register to me."

25 What are you grabbing in this picture? His response

1 was not that's not me. I'm not grabbing anything. That's
2 someone else. Oops.

3 Now, there are a lot of phone records in this case,
4 and Mr. Swafford's testimony yesterday was designed to
5 help you visualize what these loads of records represent,
6 that when a call is made, a call is received, the recorded
7 location of those phones is represented on all of these
8 maps. And there are a good number. There are 56 pages of
9 these.

10 But what these calls document, and you'll be able to
11 review them during your deliberations, is a series of
12 communications between Mr. Ladson and Mr. Collins
13 throughout the day on December 14th, and that throughout
14 the day those calls are being made from separate towers,
15 separate geographical locations. As the evening gets
16 closer to 7:00, 7:15 and 7:20, those circles converge.
17 They're making calls now from the same spot which suggests
18 they're together. Thereafter, those phones travel west of
19 Greenville together. Because during that trip, each of
20 them continues to either make or receive calls. So each
21 time a call is made or received, it interacts with the
22 tower nearest, and each of those calls demonstrates the
23 movement west from Greenville all the way to Easley and
24 right up against the time of this crime, which was 8:00 on
25 the button, that's what shows on the video. All of the

1 calls that are made or received involve and invoke and
2 utilize and access the same tower. And it's this Easley
3 tower.

4 Now, as Mr. Swafford explains, these balloon-shaped
5 circles on State's Exhibit 25 represent the tower's range.
6 There was some suggestion yesterday during
7 cross-examination that that range could be for as much as
8 30 miles. You can see for yourself the visual
9 representation of the range of these towers.

10 In order for a phone to utilize the tower, the
11 testimony yesterday was that the phone must be in the
12 range of the tower. There was some discussion about busy
13 towers, unavailable towers, what might happen if a tower
14 is overloaded or otherwise inaccessible. You might be
15 bumped to a different tower. Maybe not the geographically
16 closest, but the next closest.

17 Ladies and gentlemen, you still must be in the
18 tower's range. You can't access a tower in Easley from
19 Greenville because the range of this tower doesn't reach.
20 This is the area that it reaches. That is how you can
21 know this information is reliable and a clear
22 demonstration of the fact that both [REDACTED]-5400 and [REDACTED]-8398
23 traveled from Greenville to Easley and back to Greenville
24 before they split up.

25 You'll note, at the end of these records, that

1 ■■■■-5400, which is Mr. Ladson's phone number, traveled
2 back to Greer. The evidence that you've heard is that
3 Mr. Ladson lives in Greer, certainly makes sense that he
4 would go back home after dropping off his codefendant.

5 There are also records in the more voluminous call
6 detail record regarding Mr. Collins, that as of 8:18,
7 18 minutes after this robbery, Mr. Collins calls a friend
8 and they have a seven-minute conversation. And you'll see
9 in the records that Mr. Collins makes several calls to
10 this number over the next few minutes. And at one point I
11 believe the testimony from Major Hamby was someone
12 received a text message, or after reviewing Mr. Collins's
13 text messages, which are not carefully recorded, T-Mobile
14 does not keep track of someone's text messages, that
15 Mr. Collins sends a text to a friend that says "come get
16 me." So what that tells us is that by 8:45, Mr. Collins
17 is still at his home. How do we know that? Well, the
18 phone calls he's making are using the tower that is
19 closest to his home and the content which we know he's
20 saying is "come get me."

21 You heard testimony that Easley is about 20 minutes
22 away from Mr. Collins's location, the southern part of
23 Greenville on Fleetwood Drive. Isn't it likely that it
24 took these two even less time after they just killed
25 someone? It makes perfect sense that Mr. Collins was able

1 to get back home and get to the club later that evening to
2 pretend as though everything was normal. But you'll see,
3 after reviewing these phone records, that the contact
4 between Ladson and Collins continues rapid fire, constant
5 phone calls, constant text messages throughout the night.
6 Think it was time to start getting the story straight.

7 Now, there's also some -- there's been some
8 discussion, and I don't want to belabor these call
9 records, but I do think it's worth mentioning that great
10 emphasis was placed yesterday on the extent to which
11 T-Mobile places confidence in the accuracy of not the
12 balloon-shaped call detail records, but the perfect circle
13 advanced timing records.

14 And if you'll recall, Mr. Leal testified that the
15 purpose that T-Mobile keeps advanced timing records is for
16 network optimization. They want to make sure that their
17 customers are able to access the network and access towers
18 effectively and in a way that makes them a desirable cell
19 phone provider. Their purpose in preserving these
20 records, which is a business purpose, documents how close
21 they think that your physical handset phone is to any
22 given tower. And Mr. Leal's testimony was we will not
23 attest to the accuracy of that distance, that proximity
24 because we only use that data to improve our network.

25 What Mr. Leal did not say was that the tower

1 information, that the tower being measured was inaccurate.
2 T-Mobile is not willing to attest to the distant, that
3 they have low confidence in the measurement of the
4 distance. He did not say that those records were
5 absolutely unreliable or inaccurate. And that's a very
6 important distinction as you deliberate and review the
7 significance of these records.

8 If the only evidence that the State had was that
9 these two individuals had cell phones that used an Easley
10 cell phone tower during the time of a robbery, would I be
11 standing here asking you to convict those people? No. If
12 the only evidence that the State had was that these two
13 defendants were inside the stolen Subaru used to commit
14 the robbery, would I be asking you to convict them?
15 Probably not. If the only evidence I had was an inmate
16 who said that he recognized Tychristian Ladson on that
17 video, would I be asking you to convict him of these two
18 crimes? Maybe. But you don't look at that evidence
19 individually. That evidence piles on top of each other.
20 It's compounded. And you should not abandon your common
21 sense, what's logical and what's reasonable in this case
22 in evaluating what actually happened that night. That
23 evidence piles on top of each other to the extent that
24 there is no other reasonable explanation.

25 The judge is going to instruct you in just a few

1 minutes about the law, and one of the things he's going to
2 talk to you about is reasonable doubt. Ladies and
3 gentlemen, there are very few things in this world that we
4 know with absolute certainty, and the law does not require
5 the State to prove a defendant's guilt beyond any possible
6 doubt. If you believe, based on your review of the
7 evidence, if you are firmly convinced of the defendant's
8 guilt, then you should find him guilty.

9 Sometimes you'll hear reasonable doubt described as a
10 doubt to which you can assign a reason. And what that
11 means is that it's a reason supported by common sense,
12 logic, and the evidence. It's not any possible theory
13 that someone might be able to come up with. It's in the
14 context of the evidence that you've heard, in the context
15 of what you know to be logical and based on common sense.
16 It's a doubt that's supported by a reason.

17 I anticipate that the defendants will tell you that a
18 different Subaru Forester was used to commit this crime,
19 and that two different people other than Tychristian
20 Ladson and Quinton Collins committed the crime. To
21 believe that, you have to believe that Mr. Looper was
22 mistaken about what he saw. Ask yourself why he would
23 imagine something as specific as a 1 at the end of the
24 license plate.

25 But you also have to believe that those two people,

1 those other two people in this other Subaru had these
2 defendants' phones. Because we know that those phones
3 traveled to Easley and then back to Greenville. We know
4 that. You have to believe that those other two people not
5 only had these defendants' phones, but they used them to
6 call contacts in those phones. But there's more. You
7 also have to believe that those two people gave the phones
8 back to them afterward, 18 minutes later. Because we know
9 Quinton Collins made a phone call to his friend Mike at
10 8:18.

11 Is that reasonable? Is it reasonable to believe, is
12 it supported by logic and common sense that two other
13 people took the car, took the phones, committed the
14 robbery, brought the phones back so that Tychristian
15 Ladson could have a conversation with Sergeant Picone days
16 later, that Quinton Collins could have conversations
17 18 minutes later, and somehow Quinton Collins ends up with
18 a bullet in his back some other way? That's not
19 reasonable. That's not supported by common sense, and
20 it's not supported by the evidence.

21 We know that on December 14th just before 1 a.m.,
22 hours before this murder was committed, Tychristian Ladson
23 was at the Spinx on 123 in Greenville, sometimes called
24 Pendleton Street. How do we know that? The Subaru was at
25 the gas station. You saw video from the Spinx. You heard

1 testimony from Mr. Collins who remembered seeing the
2 vanity plate on that car. You can see for yourself
3 Mr. Ladson inside the store. And you can see that
4 Mr. Ladson made a phone call from the Highway 123 tower.
5 That's how you can know that Mr. Ladson had the Subaru
6 during the early morning hours of December 14th.

7 So, again, I remind you if you believe that someone
8 else used this car to commit these crimes, you have to
9 believe that at some point after 1 a.m., someone else got
10 that car. You have to believe that that other person
11 looked so similar to Mr. Ladson, that his friend Darius
12 Rhodes believed it was him. You have to believe that that
13 person wore those same black shoes with the white soles
14 that Darius Rhodes knew Mr. Ladson to wear. And you have
15 to believe that that other person took Tychristian's cell
16 phone, committed a crime, came back and gave it back so
17 that Mr. Ladson could talk to the police using that phone.

18 Again, I know there will be a lot of emphasis on the
19 things that we wish we knew that should have been
20 different that could have made a difference in this case,
21 but when you evaluate the evidence in total, when you look
22 at the fact that we know these two defendants were
23 operating this Subaru, that we know this Subaru was used
24 to commit this crime, that these two defendants match the
25 description of what you see on that store video, that a

1 friend of one of them is able to recognize him on the news
2 and say that's my friend Tychristian Ladson, I know it's
3 him, and tells the police that weeks later, not years
4 later, weeks later when he's being interviewed about a
5 totally unrelated incident, and we know that one of them
6 ends up with a bullet in his back in exactly the same way
7 as the video depicts, that's the layers of evidence that
8 compound to the point that it is no longer reasonable,
9 there is no longer a doubt to which you can assign a
10 reason, that should leave you with anything but firmly
11 convinced that both Tychristian Ladson and Quinton Collins
12 are responsible for the attempted armed robbery at B Pam's
13 and the murder of Stacey Branham, and we ask you to
14 convict them both of those crimes.

15 Thank you.

16 THE COURT: Mr. Pringle?

17 MR. PRINGLE: Thank you. Please the Court.

18 Good morning, ladies and gentlemen. It is almost
19 afternoon, and we're coming to the end of this thing. A
20 few things I just want to get out.

21 As we're sitting here, as the solicitor indicated,
22 this is, in fact, the State's case. It is the whole case.
23 It's all -- the best case that any of us are ever going to
24 get.

25 I want to thank you for your obvious attention as

1 jurors. This is a difficult and uncomfortable process for
2 a lot of people. I'm sure many of you probably wish that
3 you weren't stuck here all week, but it's my hope, and I
4 know I speak for my co-counsel that hopefully we've done
5 what we can to try to keep it flowing and interesting.
6 And, again, I want to thank you for your obvious
7 attention.

8 Another thing is if there's anything that I've said
9 or done, and I know I speak for them as well, that maybe
10 has upset any of y'all or maybe makes you look at me with
11 disfavor, just please don't hold that against either one
12 of these guys that's sitting over there. As attorneys,
13 and certainly with me, my style is not for everybody. And
14 if I put you off or did anything to upset anybody, again,
15 my apologies. That wasn't the intention. Please don't
16 hold it against anybody else.

17 Further, in my comments and behavior, I meant no
18 disrespect to anybody involved. That includes the
19 witnesses, opposing counsel, certainly the Court.

20 So having said that, you know, obviously, this is a
21 terrible tragedy, a horrible thing that happened to
22 evidently a great woman, a beautiful lady, and it was
23 clearly tragic. And thank God these kind of things don't
24 happen very often in our community. She was a human being
25 and her life was taken. But, you know, we refer to these

1 guys as defendants, but I've come to learn that they're
2 also human beings. And as you will be instructed and as
3 you've heard, there is a cloak of innocence for both of
4 them entering the trial. It's up to the State to remove
5 that. Of course, we disagree about whether or not they've
6 been able to do that.

7 You know, on Tuesday when we started and I was right
8 in front of y'all making the opening statements, when I
9 was -- like a lot of people, I was sweating profusely. It
10 was like a sauna that day, and I think it's clearly a lot
11 more comfortable today. I told you there'd be a lot of
12 information that would be thrown at you that you'd have to
13 process, but to listen to all of it, give it's due, don't
14 disregard any of it. You've got to consider their whole
15 case, as it were. Hopefully, you've been able to do that.

16 Again, innocent till proven guilty. The key to that
17 is proof, proven.

18 You know, the solicitor made some comments about, you
19 know, essentially, well, we wish that we had more
20 evidence. We're going with the best evidence available.
21 This is all we had. Well, the truth is, as we all know
22 and hopefully you'll also further learn from the
23 instructions, wishing and saying this is all we've got and
24 we wish it could be better, this is all that's available,
25 that's unfortunate for the State. But when they bring a

1 case for murder, it's not on us to make those connections.
2 As the Court's indicated to you and hopefully you
3 understand, these guys don't have any burden. The burden
4 is completely on the State. There's a lot of good reasons
5 for that, and it's to protect every one of us in our
6 society from the power of the State.

7 I also told you not only would we be talking about
8 innocent until proven guilty, but guilt beyond a
9 reasonable doubt. Of course, the solicitor gave you some
10 insight as to what that means. It's a difficult thing for
11 a lot of people to wrap their head around. But basically,
12 the long and short of it is you must be firmly convinced
13 of guilt, that they've proven every aspect of what they
14 said in their case.

15 You'll be instructed by Judge Gravely, again, as to
16 the specifics of what that means, and I just ask you to
17 keep doing what you've been doing all week and apply what
18 you're given to the facts and circumstances of what's been
19 presented in the case. And you've got to limit that to
20 what the witnesses and the actual evidence was, not any
21 comments or connections that are made by the solicitor of
22 anybody else. Remember what the actual witnesses said.
23 You know, we'll get to that with the cell phone tower
24 stuff. And I know we've beat that to death, and I know
25 everybody's probably sick of it, but we're going to have

1 to touch on just a few things about that before we close
2 up.

3 You know, another thing I told you when we got
4 started, again, there was going to be a lot of material
5 and information. They put up quite a few witnesses.
6 Okay. Of course, we have no burden.

7 Obviously, we didn't put up any witnesses. That's
8 because we're going with what they've got. Okay. We're
9 going to give it to you guys good, bad or ugly on their
10 terms. Okay. And we would argue that the sheer number of
11 witnesses and exhibits really doesn't prove anything. I
12 mean, we can march a hundred people in here to testify
13 about stuff, but if they can't give us any information
14 about connecting either one of these guys to a murder, you
15 know, it's like -- I think the phrase that she used is it
16 piles up and piles up, like the idea is there's some
17 cumulative value, you know. And I would say, well,
18 frankly, if you take some manure and pile up some more
19 manure, more manure, what do you end up with? You end up
20 with a pile of manure. Okay. So sometimes less is more,
21 and sometimes more is less.

22 I just ask you if you went back and looked and, you
23 know, really thought about what they got or what came out
24 of each witness, the evidence, how much if any of that
25 actually, again, proves that Quinton Collins or, for that

1 matter, Tychristian Ladson were at that scene, there's no
2 physical evidence. We've been over that. There's no
3 prints, DNA, nothing. No eyewitnesses that can
4 conclusively put them there. There's simply a lack of
5 connection. And I know we've repeated that over and over,
6 but it's just something that the State cannot get around,
7 despite all the conjecture and hypotheses and them asking
8 you to connect dots that they could not connect, which is
9 completely their burden. Your duty as jurors is not to
10 make their case for them. They've wholly and completely
11 failed to do that. She even basically acknowledged it
12 when she told you this is all we've got. We've got to go
13 with what's available. Well, unfortunately, we don't
14 convict people in this country by doing favors for the
15 State when they can't meet their burden. It's that
16 simple.

17 What it's all added up to is there hasn't really been
18 any proof at all about committing the murder. There might
19 be some proof about one or the other being in a stolen
20 Subaru which may or may not be connected to this case, but
21 that's a whole another thing. That's potentially
22 possession of a stolen vehicle or having knowledge of
23 being in a stolen vehicle. That's not murder.

24 And, again, we don't even know that that Subaru's the
25 same one. We've gone over all kinds of reasons why it

1 very well may not have been.

2 One thing, Looper, the elderly gentleman that
3 testified earlier in the trial that was the eyewitness at
4 the scene that followed the suspect vehicle, one thing I
5 think -- first of all, he's obviously to be commended,
6 because how many people would do that if they thought
7 there was an active shooting? So he's clearly a standup
8 guy as a citizen. And that's to be commended. But
9 frankly, he did his best, but he really couldn't get into
10 any real specifics about that vehicle.

11 And I also thought it was noteworthy the State's
12 whole case, and they have shown us all these -- you know,
13 these pictures of whatever, you know, it's all based on
14 the fact that these guys went together from the Greenville
15 area over here to B Pam's in Easley and then back. But,
16 you know, Looper was very clear. When he followed the
17 suspect vehicle, they were heading west. Think about
18 that. Does that make any sense? How does that jive with
19 this stuff they're trying to sell you about these pictures
20 and these circles and this voodoo science? I mean, let's
21 just go with what we know and what makes sense and what
22 the witnesses actually were able to tell us or give us,
23 not speculation, not connecting dots that aren't there.
24 That's not our role. Okay.

25 I think I also told you I'm fairly certain I said,

1 hey, I'm betting when we're done with this, you're going
2 to have more questions than answers. I think that most
3 certainly has to literally be true after what we've seen
4 and the way this thing has progressed. I certainly have
5 more questions than answers.

6 I don't know if we'll ever -- any of us will ever
7 know exactly what happened that night. Okay. We know
8 that this fine lady was killed in a robbery/murder. We do
9 know that. But other than that, we really can't tell with
10 any specificity, really, we can't substantiate anything
11 else that they're saying about trying to make these
12 connections.

13 I think we can all agree that however you view it at
14 this point after this long week, certainly aren't able to
15 see it going down the way that they said it went down.
16 There's so many holes. It's absolutely -- they've fallen
17 so short of that standard that I just can't imagine
18 anybody that's thinking about it reasonably and really
19 examines each and every piece. Again, it just doesn't add
20 up. It's not enough. They've really had trouble proving
21 anything other than we've established that they obviously
22 mismanaged the investigation from the beginning. It was
23 incomplete. It wasn't thorough. Who knows why. There's
24 all kinds of explanations or reasons why. I don't think
25 they add up. I think y'all saw through that when they're

1 trying to justify why they wouldn't swab or DNA or
2 fingerprint or luminol or anything else other than that
3 actual cash register, and they willfully or negligently
4 failed to even try to process the other areas around
5 there.

6 Y'all saw the video. First of all, I don't know
7 about you, but I've watched it I don't know how many
8 times. I can probably watch it another hundred. It's
9 almost impossible to conclude anything, to be sure of
10 anything about anybody's identity. You know, it happened
11 so quick. The images aren't exactly high definition.
12 They're not zoomed in.

13 I think if you really -- and I'm sure y'all will have
14 a chance and probably look at it more, but as you're
15 looking at it, ask yourself what can we really even tell
16 from this, I mean, even if we're really trying hard to
17 make connections and we're really trying to see it from
18 the State's perspective. Unfortunately, with whatever --
19 again, whatever was available that night or whatever could
20 be put into evidence, it's really hard to determine
21 anything other than she was shot and killed, and it
22 happened really quick, and there's two guys involved.

23 Now, everybody might want to be careful if they're
24 dealing with AnMed Health because one of their techs, I'm
25 sure you'll remember, testified under oath that she had

1 looked at X-rays of Quinton Collins, and she inexplicably
2 had no idea when or what date that X-ray was taken. In
3 fact, you might remember, I said could it have been a year
4 ago? two years ago? How about seven years ago? No idea.
5 I found that astonishing. That's medical records. What
6 kind of standard are they playing by over there? And then
7 furthermore, if we can't even date that kind of thing, how
8 is that useful in any way for any of us to make any kind
9 of determination? That's a question for you, for y'all in
10 your deliberations. I mean, it's shocking.

11 What else have they mistaken? Obviously,
12 Dr. Strathern, they banked a lot on what he had to say,
13 but he was clearly flustered. I would pose to you that
14 when he came in here, he had no clue why he was even here.
15 And then he's not the only witness that that was painfully
16 obvious. I mean, he didn't know the name, he didn't know
17 what was involved. He had to be prompted and guided
18 through that whole thing. You know, we asked him about
19 this idea of bullet migration, and he said I hadn't even
20 thought of that.

21 Obviously, there was no familiarity with that doctor
22 with Quinton Collins or this case. He showed up because
23 he had to show up, and obviously, he was not very helpful.

24 Now, as far as the object -- okay. I'm going to call
25 it an object. They keep calling it a bullet. But the

1 reality -- it's possible, it's as possible that it was a
2 bullet as any other object. Okay. It certainly could
3 have been. Maybe you even think it was or maybe you're
4 convinced it was. But, you know, when we asked him about
5 could it be something else, you know, we asked him about
6 if it's not visible from the side, the inconsistencies.
7 He said anything's possible.

8 And when we get down to it, regardless, even if you
9 think there was a bullet there and it was a bullet, what
10 does it prove? It doesn't prove anything other than we
11 believe he might have had a bullet in him sometime in late
12 February, which would have been more than two months after
13 the shooting.

14 But, of course, we know that cops went out there and
15 interviewed Quinton more than once, and they more than
16 once went out there looking for a bullet wound. We know
17 that. They testified. They had to admit it. They had to
18 admit they found nothing. That's in the time immediately
19 after the robbery/murder. Okay. So even if you think
20 there was a bullet in him two and a half months later,
21 there's no evidence that there was, and, in fact, there's
22 evidence that there clearly wasn't in the time immediately
23 after the robbery/murder. Who knows what happened in the
24 two and a half months after that. But that's all, again,
25 speculation.

1 And, again, even if you think it was a bullet, even
2 if deep down you think it might have been a bullet from
3 that gun from that poor woman, there's no proof. There's
4 no bullet. There's no way for us to know. We can't link
5 to those conclusions and make speculative decisions based
6 on that. That's not proof. It's not proof regardless of
7 what you believe about whether it was or what happened to
8 it. There's no evidence.

9 And furthermore, just think about, you know, we
10 talked about use your common sense. For two and a half
11 months leading up to the time they ran that X-ray, there
12 is no evidence, no witnesses, no indication that Quinton
13 seeked any kind of -- I mean, you talk about being shot in
14 the torso area, okay, there's no evidence of seeking any
15 kind of treatment. Nobody in his life has come forward or
16 the State's not able to produce any witness. And you
17 think they might have been looking. But there's nobody in
18 his life or nobody has any knowledge that stepped forward
19 and said, yeah, he got shot. We knew he got shot. How
20 likely is that? With all the people that you love, you're
21 out there, I mean, we know -- we know from Major Hamby's
22 testimony yesterday, he observed Quinton and Mike Utsey,
23 the bouncer at Club Epic all the way over in Mauldin, he
24 said those guys left that club at 10:48 that night. Okay.
25 So Quentin's out clubbing, okay, that night shortly after

1 he supposedly got shot. Nobody noticed anything. He did
2 his thing. He interacted with all his friends, all kinds
3 of people. There's not one person that can come forward.
4 They can't produce anybody that can even say they had any
5 knowledge that he was even shot or that they even saw any
6 kind of wound or other indication. I mean, this guy is
7 out there clubbing shortly after.

8 And, again, they talked about a text message he sent
9 about coming to get me. I think it was around 8:45, which
10 she says, of course, that clearly showed that he was at
11 home over in Greenville. So he's at home asking somebody
12 to come get him, take him to the club. And that's
13 45 minutes after this supposedly happens. This is a guy
14 who supposedly got shot in the torso area.

15 And, of course, you know, they keep trying to put
16 these guys in the stolen Subaru and saying that stolen
17 Subaru was at the scene, no blood, no blood, no blood
18 anywhere. They got some DNA off the steering wheel.
19 Okay. How does that make sense? I mean, you saw the
20 video. It's a violent thing to be shot. I mean, it
21 killed that poor woman, and they're saying that they
22 believe that the one guy going for the cash register was
23 shot. I think it looks like he might have been shot. Of
24 course, you can't tell who he is or whether or not -- you
25 can't even be sure he was shot.

1 Again, we're never going to really know. Worst case,
2 if it was actually a bullet at that time, it doesn't prove
3 anything other than there's an image of it two and a half
4 months after the fact, and there was no evidence of it at
5 any time from the end of the robbery to that point. It
6 just doesn't add up at all.

7 Now, as far as -- okay. Yeah. As far as then that
8 later on, of course, and this is a big problem for the
9 State, they want you to think, well, you know, there's a
10 bullet in this guy. Well, of course, as the testimony
11 showed and it's not disputed that the first time he was
12 brought over to the hospital, they took the x-ray, he
13 refused to have the object removed. Okay. I asked the
14 doctor, hey, is there any note, do you recall him telling
15 you that he was afraid for his life where you're going to
16 be going in and doing surgery around his spinal area?
17 There was no note of that. He didn't recall that. But,
18 again, I'm not surprised. It was quite a long time ago.

19 But just for your own mind, you know, they come and
20 get you, and they bring you over to a doctor and they say
21 guess what? We're going to start cutting you up around
22 your spine. I mean, isn't it reasonable that a lot of
23 people might hesitate and might not want that to be done?

24 But I think what's even more important and more
25 revealing about the state of mind is that then later on

1 when they went over there to remove the bullet, it's not
2 there. Okay. He's been in custody that whole time.
3 There's no evidence that he sought any medical treatment
4 in jail, anybody performed any surgery on him. I mean,
5 you can't -- it stretches credibility to think he could
6 have done it himself. So, you know, at best you have some
7 kind of -- if there's anything about their theory is even
8 anywhere close, if there was a bullet, somebody, some kind
9 of jailhouse surgeon or something did something with that.
10 Well, we don't know. But, again, that's total
11 speculation. Okay. They have access, unlimited access to
12 all the inmates. Okay.

13 And I think we all know that, you know, we've seen
14 how some of this goes with cooperation when Rhodes took
15 the stand on Day 2 after, you know, he really didn't help
16 them at all the first day, and then overnight he shows up
17 and miraculously that all changed. Well, you have to
18 think about why do you think that happened.

19 And, you know, there's a lot of guys over there that
20 would love to make deals. We haven't seen one person come
21 forward, nobody, and they've got unlimited access to
22 everybody in jail.

23 Just think about it reasonably. Don't you think if
24 somebody was involved in doing something like that, that
25 we might know about it? Somebody would have stepped

1 forward. They would have a witness. I mean, and if it
2 was removed, it stretches credibility, because then what
3 happened to it? How do you get rid of it? You're in
4 jail. Okay. Just think about how big some of these leaps
5 are. They just don't add up.

6 Again, now the other thing, that second time he went,
7 he denied the treatment again. If you recall, and I made
8 kind of a big deal about it, the second time they say,
9 okay, we have a court order, we're going to take that
10 object out of you. Well, he said he didn't want them to
11 do it. He still -- and the testimony was clear. He
12 clearly said I don't consent to this. Even though it was
13 out of his hands because it was a court order, they're
14 going to do it anyway.

15 But why would a guy if he knew that there was a
16 bullet in him that had been removed, why would he deny the
17 treatment? I mean, if he was guilty of what they're
18 trying to get you to believe he's guilty of, why, under
19 any logical theory, would he sit there and still deny it
20 or act like he was trying to hide something if the guy
21 knew the bullet wasn't there? That also doesn't add up.

22 So the fact that he maintained that he didn't want
23 them cutting him up, I don't think that points to anything
24 other than in a flipped about way, from where the State's
25 coming from, that second visit really makes it seem like

1 his state of mind was not a guilty state of mind, you
2 know. He's saying I don't want you to go in there. Well,
3 their theory is, well, he didn't want you to go in there
4 because he's afraid you're going to find a bullet that's
5 going to somehow match him up to this thing. Well, if he
6 had it removed or did it himself or whatever, that
7 wouldn't be a state of mind.

8 So, again, here we are. it doesn't add up. It
9 doesn't make sense logically.

10 You know, they showed pictures of these scars, you
11 know, his body. You know the guy's got scars all over the
12 place, first of all. But I would pose to you, you know,
13 they didn't put forth any kind of expert or anybody they
14 can definitively say, hey, man, that's a bullet or that's
15 how a bullet -- how it would look if a bullet was removed.
16 You heard there's a small scar near where they believe the
17 object to be. Again, just a lack of any kind of proof
18 beyond a reasonable doubt of any kind.

19 The pictures that they introduced, he's got like a
20 scab on his shoulder, then you've got a little cut thing
21 in the back. I mean, what does it all add up to? I mean,
22 which way is it again? Unfortunately, I don't think any
23 of us are ever going to know. But, again, that's a
24 problem for the State, not for us, not for these guys that
25 are on trial.

1 Now, if we go back to the actual crime, the crime
2 scene and start the beginning from that aspect, again, if
3 you look at the recording, you can look at it over and
4 over, right or wrong, good, bad or ugly, through no fault
5 of anybody's, it's really hard to tell anything that you
6 can hang your hat on and be sure of from the video itself.
7 Again, that may be through no fault of the State, but it's
8 certainly through no fault of guys that are on trial.
9 Okay. It's simply not a suitable explanation to try to
10 sell to you all, well, you know, hey, this is all we've
11 got, we're going with it and please help us out. Okay.

12 This case has really not been good for Easley, not
13 only because a lady was murdered, but it really wasn't
14 great for the Easley Police Department. I think they
15 might be the first to admit that after these proceedings,
16 the way that this has gone and the way their investigation
17 evidently transpired. You know, we beat it to death about
18 the problems at the beginning, and you've heard me say it
19 over and over.

20 It was -- frankly, it was a little bit awkward and
21 maybe even a little bit embarrassing with the so-called
22 evidence tech Officer Cowan who's no longer with Easley.
23 I think you might remember his testimony. Again, I mean
24 no disrespect personally with my comments as I'm sure he's
25 a fine man. But he couldn't even -- I mean, it was

1 painfully obvious this guy had no idea what case we were
2 talking about. He couldn't even, you know, basically
3 testify about the crime scene or what happened or what he
4 did until, again, he was constantly prompted and reminded.

5 But, you know, evidently he swabbed the register for
6 DNA, for fingerprints. No blood. I mean, unfortunately,
7 he first indicated, I think, to his embarrassment that he
8 thought the assailant had gloves on. Well, clearly, there
9 were no gloves. So that would mean exposed hands, prints,
10 DNA, especially if you've been shot, violent episode. It
11 strains credibility that there wouldn't have been some
12 physical evidence there to connect up with Quinton or
13 whoever it was that was involved there, but they didn't.
14 And, again, we may never know because by their own
15 admission, they just, frankly, didn't do a complete
16 investigation. They didn't do a complete processing of
17 the area where they think that this guy got shot.

18 Yeah. He was wrong about a lot, but at least he said
19 that, you know, when the going got tough, the Easley
20 Police Department would routinely go outside the agency
21 and consult with other law enforcement agencies, I guess
22 the big boys, to get help in criminal cases. And he said,
23 much like the solicitor, hey, we -- quote, we do what we
24 can. I said you do what you can, right, to the best of
25 your ability? He basically threw his hands up, yeah, we

1 do what we can. He's kind of like, oh, well, this is all
2 we've got. And they look at folks like you and expect you
3 to run with that. Okay. It's not how it works. It's not
4 fair to us.

5 Then, you know, we heard a little bit from the lead
6 investigator, Detective Liner. Again, no personal
7 disrespect with the questioning or the way that went
8 between us, you know. He's a decorated officer, certainly
9 a fine man. But, you know, he was the head of this
10 investigation, and even though he clearly wasn't doing the
11 physical evidence gathering, he's kind of one of the guys
12 that's supposed to be in charge.

13 And he really didn't have an answer either for why
14 the investigation was botched and why it didn't progress
15 the way that it should have. I think, again, they would
16 have all loved to do some things over with, do it a little
17 bit differently. But we can't go back over four years and
18 do that. And we certainly can't -- we would love to do
19 that because we think that that would absolutely help
20 these guys. So it kind of works against both sides, if
21 you will. We can't really conclude anything. It's a
22 bloody mess. And, again, one way or another, that doesn't
23 push you beyond a reasonable doubt by any means.

24 You know, each one of their witnesses, you may have
25 noticed that we tried to wrap up with you have no

1 knowledge of any physical evidence of any kind or direct
2 evidence or witnesses, video, any of that, blood, DNA,
3 fingerprints. They got nothing that connects these guys.
4 I mean, we finished almost every one of their witnesses
5 making sure that they sat there and told you that. And
6 some of the other ones we made sure they said over and
7 over they're not experts. I don't know. I don't know.
8 You have to weigh that. What is that?

9 Again, when we start piling manure on top of manure
10 or bad data on top of bad data, you know, you put crap in,
11 you end up with getting crap out. And, you know, that's
12 just a colloquial way to kind of sum up what they're
13 trying to sell.

14 We had other law enforcement who testified, you know,
15 if they could ID either one of these guys, why the
16 investigation didn't go further, why didn't we make more
17 of an effort to try to find other video out there,
18 witnesses. It defies logic that these guys could have
19 been involved in a murder/robbery and took off in a
20 getaway car with -- you know, we live in a world where
21 there are, again, by the officer's testimony, cameras
22 everywhere, yet we can't produce anything that might have
23 helped us determine who these guys were, or maybe even
24 connect up the stolen Subaru with the Subaru that was
25 allegedly used at the killing. There's just no way to

1 connect any of that up. And, again, that's their burden,
2 and they didn't meet it.

3 Okay. Now, they put a lot into this cell phone, cell
4 phone tower stuff. Okay. Obviously, it's a big part of
5 the case for them. And that's unfortunate for them,
6 because as we've seen, it's really, you know, voodoo
7 science as far as true science. It's totally unreliable.
8 It's a shell game.

9 They put up three different witnesses to try and make
10 sense of it all. I would pose that not one of the three
11 could make the connections that any of us would have
12 wanted them to, to push us, to convince us. In fact, you
13 know, with Liner, we asked him a little bit about it. You
14 know, in fairness to him, he made it clear. He hadn't had
15 any training, experience as far as any kind of classes or
16 schooling about cell phone tower triangulation or anything
17 to do with that. He couldn't basically discuss that data
18 because he's not qualified to do so. But he was willing
19 to tell you all about what they thought it meant, but not
20 quite as able to explain any of it or how it really works.

21 I'm sure you followed along as we kept digging deeper
22 into some of this. We've exposed some really big problems
23 with trying to rely on that data. I'm sure you remember
24 all of it. Of course, I'm going to touch on a few of
25 those points.

1 You know, in fact, they never called any experts
2 about that data. They put up Liner, who's a chief
3 investigator, and he made it pretty clear he -- you know,
4 he can't tell us a whole lot about how it works.

5 They brought this guy in from T-Mobile, the actual
6 phone company. Okay. And what was the highlight of that?
7 I mean, he's the actual guy that they brought in to try to
8 legitimize or make sense of all this. Okay. He kept
9 saying over and over he's not an expert or even an
10 engineer. And he repeatedly would not testify to the
11 accuracy of the data. And, obviously, we showed him the
12 document that T-Mobile puts out where they say, hey, we
13 will not testify to the accuracy of this data. I mean,
14 that's coming straight from the source. Hey, we're not
15 willing to say that you can rely on this. It's not
16 something that we're willing to go under oath and
17 legitimize our own data. That's really powerful when they
18 bring a phone guy in here and the best he can say is I
19 can't even tell you if this stuff's accurate.

20 And then as we try to ask him specific questions
21 about it, I think he actually helped us out because, you
22 know, he did, all due respect to the State's theory, he
23 was able to indicate common problems with the accuracy of
24 that tower information. You know, it's anything from the
25 congestion, how many calls are being made.

1 We learned that, you know, hey, it won't always go to
2 the nearest tower. And remember, these maps, these
3 splotches and circles and confidences and all this stuff,
4 this mumbo jumbo, I mean, ultimately, all it can tell us
5 is what towers were activated. Again, it can't tell us
6 where the phone was. We beat that to death.

7 In fact, you might remember I sat right here with one
8 of the State's witnesses and I said, hey, in theory, said,
9 how far away are we from B Pam's? He said about 7 miles.
10 And we were able to establish that in theory, because of
11 the way this really works, if I'm on my phone or my
12 phone's pinging, it's supposed to go to the closest
13 available open tower. That was through the words of the
14 T-Mobile guy and the State, the closest available tower.

15 So if a tower is being used or is otherwise
16 unavailable, what did we learn? It will go seek another
17 tower. And there's this thing about bouncing from tower
18 to tower till you get one that will take the call. So
19 obviously, you know, he had to admit I could show up on
20 their little map in the B Pam's convenience store
21 area while I'm sitting here in the courtroom, any one of
22 us that can ping and try to say that we're in that
23 vicinity. Okay.

24 And, again, it got to be a little bit repetitive. I
25 hope it wasn't boring. But we're compelled to point out

1 and expose with each of these witnesses that they're
2 trying to sell you a bill of goods that just doesn't make
3 sense and that nobody should be relying on for anything of
4 any importance. And that's from their own mouth.

5 It was Swafford was the third one. And, again, he
6 was the third witness where there was some talk about this
7 stuff. And, in fact, he was their witness when they had I
8 think it's like 50 pages of this stuff, you know.

9 I would just ask you, you know, as the State was
10 rapid fire throwing those up there, I mean, my head was
11 spinning. You know, Of course, as one of the attorneys in
12 the case, I totally anticipated this. But, I mean, I'm
13 thinking as I'm looking at it, you know, what is this?
14 What is this actually showing? I mean, we know it's just
15 towers. Not phones. We know that there's -- it doesn't
16 have anything to do necessarily with how close the phone
17 is to the tower.

18 We learned that they believe it was single tower
19 interaction, and we've learned that single is not as
20 reliable as two towers, which is not nearly as reliable as
21 three tower. And what did we find out with three towers?
22 That's triangulation, and that's supposed to be the most
23 reliable under our current science. Of course, the
24 science says it's not reliable. Up to 1,500 meters, 5,000
25 feet, that's almost a mile, ladies and gentlemen. That

1 means that we're supposed to put somebody at a specific
2 spot when the best they can do is say the margin of error
3 when it's three towers and it's the best it can get is
4 about a mile. And then we know, well, that's if we don't
5 bounce to another tower or whatever. It would be seven
6 miles away like I was where they could have put me at
7 B Pam's.

8 Now, Mr. Leal from T-Mobile, you know, again, he said
9 there's a number of factors. It could be the height of
10 the tower. We learned that in -- all due respect to where
11 we live, this isn't Kansas City. It's not a major urban
12 area. Obviously, this stuff's more accurate when there's
13 more. Obviously, there's fewer towers in a place like
14 this.

15 You know, he indicated, basically, at the end, and I
16 actually -- I asked him what -- the exact words, I said,
17 you're not an engineer, an expert, but you're entirely
18 confident that T-Mobile keeps accurate records. And I
19 don't think we're disputing -- I mean, I'm sure there's
20 probably some inaccuracies, but generally, I'm sure the
21 records are accurate. But the problem is, what are the
22 records of? And I asked him. And, you know, it came out
23 that it's really just keeping accurate records of
24 inaccurate and unreliable information. So it would be
25 like keeping a very detailed ledger, an accounting of each

1 piece of manure that you piled up. Okay. Really, really
2 clear and detailed and accurate record. But, again, it's
3 just really a record of a bunch of stuff that we can't
4 rely on, that by their own admission, their own testimony
5 is completely inaccurate, unreliable in this context.

6 Now, you know, it's like, you know, I said I think it
7 was about 50 of these, went bang, bang, bang, and it was
8 very quick.

9 You know, you've got these circles. You've got the I
10 think they call them splotches, and then we've got the
11 actual circles. And what do we find out? That
12 ultimately, with Swafford, he's the third guy -- and
13 granted, you know, they put three people up there talking
14 about the cell phone stuff. They could have put
15 300 people up there. They could have put 300 experts up
16 there, and no one would have been able to do any better or
17 tell you that that stuff's any more reliable. I mean, we
18 could have paraded the whole city through here testifying
19 about it, and it would never get any better because it
20 can't get any better because it's unreliable.

21 Now, you know, some interesting choice of words I'm
22 sure you noticed, and I jumped all over it with him, but
23 with Swafford, again, the third guy, he's the actual
24 police officer who kind of does this stuff, puts together
25 these -- you know, these pictures, these displays that the

1 State showed you. Again, I would pose it was hard to make
2 any real sense of it, and the best sense you can make of
3 it is what I've already summarized, that it's a bunch of
4 inconclusive tower data that can come from all kinds of
5 angles. And really, you can't even narrow this thing
6 down. It's not that far between Easley and Greenville
7 where they're talking. I think she said it was about a
8 20 minute drive or something like that was what came out.
9 I mean, it's obviously feasible that you can be over there
10 and ping a tower over here. We've clearly established
11 that. So you do with that what you feel is right.

12 Okay. Now, I also found it interesting, and he had
13 to say -- these are his words. He said at best, this data
14 can help us guesstimate -- guesstimate about a rough
15 area-ish. He didn't say "rough area." Rough area-ish.
16 So now we're at guesstimate area-ish.

17 But then what was really great was the idea of this
18 confidence. You know, these things are color-coded, and
19 they -- basically, the way that they're color-coded, how
20 thick I guess it is or how dense the color is there, I'm
21 still not exactly sure, but basically, it's supposed to
22 indicate the level of confidence that that data is
23 accurate. Why the need?

24 So basically, there's some data that they're putting
25 up there they want you to rely on that, well, we're not

1 very confident. Then there's some that, well, we're a
2 little more confident. Then there's some that's, well,
3 we're pretty confident.

4 Confident, again, we're not here about confidence.
5 We're here about proof, proof beyond a reasonable doubt.
6 We've got to know. We can't be confident or we can't be
7 kind of confident in this stuff. Again, it just is
8 astonishing that so much could be riding on so little.
9 Okay. They just can't really do anything with that data.

10 Take a good hard look at all of it when you're back
11 there. And just remember what these witnesses said in
12 plain English, not some voodoo math or science or some
13 crazy visual display that doesn't tell us anything.

14 Okay. Again, you know, Major Hamby was able to
15 identify Quinton Collins and Mr. Mike Utsey leaving Club
16 Epic all the way over in Mauldin at 10:48, going on 10:49.
17 So if the times are right and, you know, it looks like
18 this murder/robbery went down around 8:00, pretty much
19 8:00 on the button, we've got police identifying Quinton
20 out at a club shortly after this. Again, does that add up
21 for somebody who, if you believe their theory, was shot in
22 such a violent area, in such a violent manner?

23 All right. So I'm going to try to get to wrapping up
24 here. It's not going to be over because my co-counsel is
25 going to have some comments for you as well.

1 Let's go back and summarize a couple things about
2 what you're going to be instructed and how you apply that
3 to what we've been talking about beyond a reasonable
4 doubt.

5 You know, you've got to be virtually certain,
6 completely confident. Again, confident, but we're using
7 it in a little bit different context. This time you've
8 got to be completely confident, not, you know, kind of
9 confident, a little more confident, a little less
10 confident, you know. Really, really confident. You've
11 got to be completely confident, virtually certain that
12 what they're selling you is the way that it went down. I
13 don't know how anybody reasonably could come to that
14 conclusion, but that's for you to decide, not for me, not
15 for them, not for the judge. That's the beauty of this
16 thing is you all have the power. You get to decide.
17 That's why we spent so much time in here trying to
18 communicate, to point these things out to you. Okay.
19 Because we want you to take into consideration all of it,
20 not just what they're saying, but the totality of it.

21 And, again, we're riding with their case. Okay.
22 Their case. It's as good as it's ever going to get, and
23 it's not very good. And, again, they've got to go with
24 what they can go with. But this isn't -- again, our role
25 is not to say, well, you know, it could have been if you

1 could have proved this, this, and this. Okay. It just
2 didn't happen, so you can't -- you can't possibly find
3 otherwise.

4 Okay. They failed to meet their burden. It's a
5 really high burden, again. It's to protect us all from
6 being railroaded, frankly. I mean, that's why we have
7 beyond a reasonable doubt. That's why we have that cloak
8 of innocence to start, because anybody -- anybody in this
9 society that sits down in one of those chairs gets that
10 protection. Because you know why? The State is big and
11 bad and powerful, and they will run you over, and you will
12 get railroaded if you don't have that protection. Look
13 what happens in other countries. I mean, it's a beautiful
14 thing. It's there to protect us all. And it's only fair
15 that if you find that they've met that really high burden,
16 yeah, you've got to find these guys guilty, but -- or one
17 or the other. You know, you can find them both guilty,
18 one of them guilty, the other guilty or neither one of
19 them guilty, which to us is clearly the most logical
20 conclusion here.

21 It's really not a fair fight. They've got all the
22 power and the resources. But having said all that, they
23 just weren't able to get there. And they're telling you
24 that, basically, by using language such as "I wish we had
25 more," "best evidence available," "this is all we had,"

1 you know, that's just not going to be good enough. Maybe
2 we wish it could have been different. Maybe we'd like to
3 know more, but we don't and we're never going to. It's
4 never going to get any better. Okay. It only gets worse.

5 They're asking you to make a lot of connections. I
6 mean, it defies logic, and it's going to strain the logic
7 if anybody reasonably thinking about this and really
8 considering everything that's been said and shown or, more
9 accurately, not shown, unfortunately, not shown for that
10 poor woman.

11 In the end each of -- and I like to call this the
12 what-ifs, you know. In the end, each witness, you know,
13 we're talking about the way the investigation progressed
14 or the way evidence was either collected or failed to be
15 collected, we got into some what-ifs. You know, hey,
16 don't you think it would have been better if you would
17 have swabbed the counter? you would have tried to print?
18 you would have tried to test for blood? I mean, it's just
19 astonishing they would just willfully or negligently not
20 do that. And there's no way any of them could explain it.
21 Again, I'm guessing there's some embarrassment there.
22 Again, that doesn't help the poor victim in this case, and
23 it doesn't help us. Because, frankly, if they would have
24 done that, what if they would have found prints for
25 somebody who actually was there? Maybe their

1 investigation would have gone a little bit differently.

2 I mean, we talked about tips and some of these other
3 things can create a tunnel vision. I mean, we believe
4 that the police had these guys on their radar the whole
5 time. So once that happens, then everything that happens
6 after that, then they're going to kind of twist that or
7 try to fashion it to fit that theory that they've already
8 come up with. They already thought that these guys were
9 guilty. They made the decision even though they're not a
10 judge or a jury. And from that point, it's really easy
11 for them to take anything that happens after that and try
12 to make it fit, make it fit that narrative. They tried to
13 do that throughout. And, again, I think it's painfully
14 obvious that it just has not worked out.

15 No direct physical or otherwise -- no physical
16 evidence or no direct evidence, again, putting them at the
17 crime scene at all. No witnesses. I mean, it just defies
18 logic with this kind of incident, how terrible it was, the
19 magnitude of it. We don't have anything more to go on.
20 And, again, I think they wish they would have gone
21 farther, but we're never going to know. They just didn't.

22 So, you know, I'm guessing you all had to be a little
23 bit confused throughout this thing not just because it's a
24 new experience and it's a lot of stuff being thrown at
25 you, words and concepts that hopefully a lot of you

1 haven't ever had to deal with, things that we deal with
2 all the time, but I'm guessing you're also a little bit
3 disappointed, you know. You came here. You knew what the
4 trial was about. I'm sure you had some thoughts and some
5 notions about what you might hear, what you might see and
6 how it might go, and I'm sure you're probably really
7 disappointed because ultimately, it was much ado about
8 nothing. I mean, we're still sitting here waiting for the
9 payoff. I'm still waiting for the big one, you know. I'm
10 waiting for the big bang, the evidence, you know. Where's
11 it at? Where's the beef? It's not there.

12 We ended up sitting through what ended up being a dog
13 and pony show where they think if they stack up a bunch of
14 witnesses that do nothing for them or that they stack up
15 50 pages of manure, you know, it's like I think we all --
16 I mean, even I'm terrible with math, but I remember my
17 grade school math. I think any number times 0 is what?
18 0. So 50 pages of 0, 0, okay, equals nothing that helps
19 us.

20 So we can stack all this up and we can call it
21 evidence, and, oh, the evidence is stacking up, it's
22 overwhelming. I think, you know, again, a bunch of
23 stacking up of nonsense and speculation doesn't get us
24 anywhere. It just digs us deeper. Okay. And it runs the
25 risk of further injustice. Okay.

1 It wasn't fair what happened to that poor woman that
2 night. Certainly wasn't justice. But do you know what we
3 don't do? We don't try to remedy that by creating more
4 injustice, by committing more injustice. Okay. We're
5 waiting for the real show to start. But the show's over.
6 Okay. This is where the buck stops here, ladies and
7 gentlemen. You're going to have to make the call based on
8 what's out there.

9 It's going to be -- I think it's going to be a
10 relatively easy call if you apply the law as the judge is
11 going to tell you. All roads lead to the same conclusion.
12 They can't prove anything, let alone that these guys were
13 there and committed a murder. We need proof. Not
14 confidence, proof. Proof beyond a reasonable doubt. We
15 didn't get it because it's not there, and we're never
16 going to get it.

17 And, again, don't do them any favors. It wouldn't be
18 fair to these guys. It wouldn't be fair to any of us.
19 Okay.

20 And finally, I just want to thank you, again. I know
21 I speak for the whole table over there. That's my
22 co-counsels and that's these two guys: my client, Quinton
23 Collins, and Tychristian Ladson. Again, I've come to get
24 to know these guys. They're human beings. They're not
25 defendants. Okay. And just because this terrible thing

1 happened and they're sitting in that chair, you cannot --
2 you cannot find them guilty of anything that hasn't been
3 proven, and it clearly hasn't. And further, that would
4 further perpetuate more injustice. It's a terrible thing
5 that happened. We don't correct it by railroading guys
6 that they can't prove anything about them.

7 Again, thanks for your attention.

8 THE COURT: Ladies and gentlemen, since we've been
9 going about an hour and a half, does anybody need a break
10 before we hear -- all right. Let's take a five minute
11 break. And y'all -- tell you what. Y'all let the bailiff
12 know when y'all are ready, okay, and we'll come right back
13 out at that point.

14 Everybody else remain seated.

15 (WHEREUPON, the jury exits the courtroom at 12:04 PM.)

16 THE COURT: All right. When the jury indicates
17 they're ready, we'll be starting back.

18 (WHEREUPON, a recess is taken at 12:05 PM; proceedings
19 reconvened at 12:15 PM.)

20 THE COURT: All right. The jury has indicated that
21 they're ready. Is the State ready?

22 MS. OWENS: Yes, Your Honor.

23 THE COURT: Collins?

24 MR. PRINGLE: Yes, Your Honor.

25 THE COURT: And Ladson?

1 MR. BOATWRIGHT: Yes, Your Honor.

2 THE COURT: All right. Bring them in.

3 (WHEREUPON, the jury entered the courtroom at 12:15 PM.)

4 THE COURT: All right. Mr. Boatwright.

5 MR. BOATWRIGHT: Thank you, Your Honor. May it
6 please the Court.

7 If this is the best the State of South Carolina can
8 do to try and prove two people guilty of murder, then
9 that's absolutely pitiful. You heard the detective tell
10 you on the stand they have high standards. Did they just
11 throw them out for this case? Because the investigation I
12 saw does not rise to what I would classify as high
13 standards.

14 So first, let's talk about the idea of the bullet
15 real quick. The State told you that clearly the video
16 shows he's reaching for the register, he gets shot, comes
17 through the neck and goes to the back. That's what she
18 says that the video shows you. The detectives went out
19 there and checked Quinton Collins, asked him to pull his
20 shirt up. And every one of them was, oh, well, we didn't
21 check his neck area. We thought he was shot in the chest.
22 But the State just told you the video clearly shows he was
23 shot from the neck. So why are they trying to use as an
24 excuse their lack of investigation for not finding the
25 evidence?

1 They thought Quinton Collins was shot. They asked
2 him to lift his shirt. He did. And every one of them
3 tried to tell you the excuse was he didn't lift it high
4 enough. Well, what did you see today? You saw a picture
5 that Jamie Newton took. And how did she take that
6 picture? She had somebody lift Quinton Collins's shirt to
7 his armpits just like what the detective said that he did
8 when he searched for it, and they saw a scar. So she can
9 see it from lifting the shirt but the detectives can't?
10 No.

11 This entire investigation was poorly done from the
12 lack of understanding starting from the top down.
13 Detective Liner sat on this stand, and he told you that
14 the latitude and longitude on this call detail records go
15 to the phone, not the cell phone tower. He even said that
16 because of the cell phone records, he knew that they were
17 at the scene. That was his understanding of these cell
18 phone records. But yet the T-Mobile guy and Mr. Swafford,
19 their cell phone guy, told you that that's not true. No.
20 Latitude and longitude is to the tower, not to the cell
21 phone.

22 So Detective Liner didn't even understand what he was
23 looking at. And instead of getting a better clarification
24 for it, he just said, you know what? This is what it is,
25 and I'm going to go with it. And he hones in on Quinton

1 Collins and Tychristian Ladson. So now at this point they
2 decide we're just going to make the evidence, we're going
3 to force it into this puzzle. All right. That's what
4 they're doing with the Subaru.

5 Now, you've heard all the testimony. You get to
6 reflect on that and remember what was said.

7 What you'll remember Thomas Cloer saying was he was
8 close enough to the Subaru that he couldn't see inside the
9 vehicles because they were fogged up. He also told you
10 that he was pulled over because he was in a Subaru. They
11 thought he was the getaway car. All we know for certain
12 is that a Subaru Forester, newer model, silver was used in
13 this robbery/murder. Not what Subaru Forester, not whose
14 Subaru Forester, nothing.

15 He's chasing this car down. Keep in mind, he told
16 you this car is not speeding. And he's chasing them down,
17 trying to get the evidence that he can to give to the cops
18 in Easley, South Carolina, and yet he doesn't notice the
19 Clemson sticker on the back of the car? Is this really
20 the same Subaru? Maybe it is. But guess what? Maybe is
21 not proof beyond a reasonable doubt. Where is the proof?
22 They don't have it.

23 That same Subaru, you heard Ryan Collins get on the
24 stand and testify that he saw Tychristian Ladson, the
25 gentleman in the black shirt, in the passenger's seat with

1 his hood over his head, and that Quinton Collins, the
2 gentleman in the white shirt went inside the Spinx. That
3 was his testimony. He knows what he saw.

4 You saw the video at Spinx, and then you saw the
5 picture at Spinx. And the State even got up here and told
6 you that you saw that picture. Who was in the picture?
7 Who went inside Spinx? Tychristian Ladson. Not Quinton
8 Collins. But he was so certain as to who he saw inside
9 that store, how does he know who the passenger was? How
10 can he identify anyone? Why was he getting so mad and
11 hostile? I'll give it to you. Tychristian Ladson was in
12 a Subaru Forester at some point in time in his life. Yes,
13 he was. That's why his DNA is in there. We're not
14 debating that. That doesn't mean that he was in a Subaru
15 Forester that was used as the getaway vehicle. That also
16 doesn't mean that he was in the Subaru Forester, in this
17 Subaru Forester at the time of the incident. The only
18 thing they prove to you is that he was in a stolen silver
19 Subaru Forester the day before the incident in Greenville.
20 They can't even put that Subaru Forester in Easley.

21 Now, the State told you that Darius Rhodes there got
22 up here, and he's Tychristian's friend. Okay. And why
23 would he tell you that he recognized Ty if it wasn't true?
24 Well, first off, because he's a convicted murderer. He's
25 under investigation. The cops have called him and said we

1 need to talk to you. We've got a warrant just to come
2 search your house. And he knows he's in trouble. He's a
3 criminal charged with burglary, armed robbery, assault and
4 battery, murder. And his deal is plead to 20 years for
5 voluntary manslaughter if he testifies? Decides not to
6 testify. They send him back to the jail. The next
7 morning, all of a sudden, after he talks to his attorney,
8 he's willing to testify.

9 So let's look at what he actually testified to. He
10 said that he recognized that it was Tychristian Ladson
11 because of three things: black mask, black jacket, and
12 the black shoes. You saw the video this morning. Think
13 about it. And you can watch it again as many times as you
14 want when you're deliberating. What color was that mask?
15 One guy had on an orange mask. The other guy clearly from
16 the nose down is in a white mask. How did he recognize
17 somebody from a black mask when they're wearing a white
18 mask? How do you recognize anybody?

19 You've seen the video. The person in that video, I
20 couldn't tell you anything about who they were wearing
21 that mask. Can you? No. Because they're wearing a mask,
22 and they're wearing a big bulky coat. You can't even
23 really see the shoes in that video. But again, the fact
24 that you're going to try and rely on saying I know it's
25 him because he's wearing black shoes, really? That's the

1 evidence the State's trying to tell you that you should
2 consider in finding these people guilty of murder is that
3 he recognized black shoes? How many pairs of black shoes
4 do you own? At least one pair, probably. Everybody's got
5 some black shoes. But he recognized black shoes.
6 Couldn't tell you nothing about the color of the pants.
7 Couldn't tell you nothing about the laces. He just knows
8 it was some black shoes. It just don't make sense.

9 That man's up here, and he's willing to say anything
10 that he needs to say to get his 20 year sentence. He
11 probably would have told you that he did it if they
12 offered him ten years. That's why he's talking. And
13 that's their evidence? That's their case? That is not
14 proof beyond a reasonable doubt, because not a word out of
15 his mouth is credible. I asked him flat-out how many
16 people did you murder. And what was his response? He
17 laughed. That's the person they're asking you to believe.

18 Now let's talk about David Picone, because the State
19 wanted to tell you how David Picone talked to Tychristian
20 Ladson, and Tychristian Ladson was so nervous that David
21 Picone thought he had a gun on him. Have you ever heard
22 of a cop talking to someone that they believed is armed
23 and they don't do a pat down? Man, get out of here with
24 that nonsense. They will pull you out of the car even if
25 you have a CWP to take your gun and unarm you just so that

1 they can talk to you safely. He's so scared he's got a
2 gun that he doesn't do a pat down? Doesn't make no sense.
3 It's complete crap.

4 Why do you think Tychristian would have been nervous
5 talking to him? The State didn't talk about it on direct,
6 but on cross, what did we find out? Because he called him
7 up and said I need to talk to you. Where are you going to
8 meet me? He said, hey, I'll meet you here, and then he
9 sends him a picture of his house? You send me a picture
10 of my house and we've got a problem. That is a threat.
11 Why would he be nervous? Because he's getting a threat.
12 sending a picture of the house, and then surprised that
13 he's nervous.

14 This is also 2023. You've all seen the news, YouTube
15 videos. You all know of the police brutality, police
16 misconduct. Why is someone nervous dealing with police?
17 Because they're dealing with police.

18 Let's talk about the cell phone data. The State is
19 arguing to you that this cell phone data, you should rely
20 on it just like they did even though we know for a fact
21 one of them is not accurate. How do we know that?
22 Because the call detail records for Tychristian Ladson's
23 phone show a different IMEI than the IMEI on his actual
24 phone. Now, the State tried to argue to you that he got a
25 new phone. Why'd he get a new phone? Where's the proof

1 of that? Because they actually messed up.

2 And they asked Ricardo Leal, hey, if you get a new
3 phone, is that going to show up on the record? He said
4 yeah. It sure will. You change your device, and that new
5 IMEI is going to show up on the phone record.

6 Look at the phone records. The IMEI is the same. So
7 it's either to a different device or is just wrong
8 information on their record, and therefore, we can't rely
9 on that anyways.

10 Timing advance records, T-Mobile told you flat-out --
11 they didn't tell you I won't testify to one little thing
12 in it. They didn't say no, no, the accuracy is right but
13 this other stuff may not be. No. They said we won't talk
14 about that record at all. We won't testify that a single
15 thing in that record is accurate. These records aren't
16 for location. These records are for us to use to make the
17 towers better, to make us a better cell phone company, and
18 yet they still wouldn't tell you a single thing on the
19 timing advance records was accurate.

20 But what he did tell you is that the timing advance
21 records are any time your phone connects to a tower.
22 You're sitting here with your phone on silent, it's
23 connected to a tower. That's your timing advance record.
24 But yet Swafford got up here and told you he didn't have
25 timing advance records for Tychristian Ladson's phone.

1 But he did. He didn't realize the mistake until I
2 confronted him on it. So then he was like, oh, well, for
3 that time frame we didn't have timing advance records.
4 But they claim that his phone was making phone calls, and
5 then there's no record on the timing advance record of any
6 connection to a cell phone tower? That shows the
7 reliability of the records by itself.

8 We asked every witness how far is the range on this
9 tower. What did they tell you? I can't tell you. What
10 about this tower? I can't tell you. What about any tower
11 in general? Oh, it could be one mile. It could be ten
12 miles. It could be, as the State said earlier, up to
13 30 miles.

14 Do you know what is 30 miles away from Easley?
15 Greenville. Less than 30 miles. So, yeah, it's possible
16 you can be in Greenville and ping on a cell phone tower in
17 Easley. Even though the State is trying to argue to you
18 that it's not possible, it is. They don't know how many
19 towers are in the area. They don't know the range of
20 these towers. And they don't even know what the data
21 says.

22 What he told you on the stand, Swafford, about his
23 little bubbles and his circles, he said you know what?
24 The call detail records, they put this little circle on
25 the map, right, and that's the area that the phone may be

1 in, and that that circle tells you what? The tower number
2 and the sector. When I questioned him about it, he said,
3 oh, no, that's just the sector. That's one sector of that
4 tower. And based on the maps they've shown, we saw one
5 tower go up to at least three sectors.

6 How does the sectors work? Nobody explained that.
7 Is it that you have one circle here and that's Sector 1
8 and that's why some of those circles are smaller? And
9 then some of those bigger circles, maybe that's Sector 2
10 because the higher the sector you go, the bigger the
11 circle is letting you know how far out it is? Because
12 every time we asked why some of those circles were bigger
13 and some of them were smaller, it was a different tower.

14 They didn't do anything to verify those records.
15 They simply put them into a system and they popped out
16 some maps. And they said, oh, great, this is what it
17 tells us. However, when I asked Swafford if he knew that
18 the records would not be testified to the accuracy by
19 T-Mobile, he said he couldn't recall.

20 T-Mobile told you flat-out, no ifs, ands and butts
21 about it, they disclose when they send the records that
22 they will not testify to that accuracy. If you want to
23 verify the accuracy, you've got to do it yourself. And
24 what did the State do? They said, oh, no, we ain't
25 worried about it. It's not acceptable.

1 Someone was murdered, and they should have done a
2 better investigation. They should have actually
3 investigated the case. One statement made by Detective
4 Liner that shows to you and proves to you beyond a
5 reasonable doubt that they did a horrible investigation,
6 they said they collected the evidence at the scene the day
7 of the incident, right? And then he said he had to go
8 back out there like a year and a half ago to get another
9 bullet casing that they left behind. Are you serious?
10 Undisputable video evidence that someone is shot and
11 killed there, and you leave bullet casings behind.

12 They did the same thing with this bullet that they
13 believe is in Quinton Collins. You just found out he was
14 in custody for them the whole time, but yet they didn't
15 try to remove the bullet for almost two years after the
16 incident. And he's in their custody. Why? If this
17 bullet was so important and you thought it matched to that
18 gun, why would you not get that out immediately? Sloppy
19 police work, crappy investigation.

20 And guess what? Just because they did a bad job
21 investigating the case and they did a bad job putting the
22 evidence together doesn't mean that they get to come in
23 here and ask for you to do them a favor, just make some
24 assumptions, give them the benefit of the doubt. No. We
25 still have to hold them to their burden.

1 So one thing my co-counselor talked about was this
2 idea that they didn't DNA the counter. Right. And
3 everybody made an excuse for why that wouldn't have been
4 done. But if somebody's leaning over the counter and
5 they're shot in their neck, there's a potential that blood
6 is going to come out. That's common sense. You're shot,
7 you bleed. Blood could have dropped on that counter,
8 right?

9 What did you see this morning? You saw the two
10 people run in the store after the gunshots, and that woman
11 jumped up on the counter, climbed over that counter.
12 There could have been blood there. Maybe it was smeared.
13 Maybe it rubbed off on her pants. Who knows.

14 You know what we do know? Just like Mr. Pringle
15 questioned them on, if they had used that little black
16 light thing, they would have found if there was any traces
17 of blood. But did they? No, they didn't. Wasn't no
18 reason to. Again, sloppy police work.

19 I mean, I love the one statement the State made. I
20 wish we could have shown you the evidence of that bullet
21 matching to that gun. Why would they wish that? Why
22 would the State wish that they could have more evidence?
23 Because they know they ain't got it. They don't have
24 enough, and they haven't met their burden.

25 And contrary to her telling you that she wouldn't be

1 up here asking you to find him guilty without all the
2 evidence that they felt necessary, it's exactly what she
3 did. Because the only thing that they can prove beyond a
4 reasonable doubt is that Tychristian Ladson was in a
5 stolen Subaru Forester at some point in time in his life.
6 That's it. They can't even from prove to you which phone
7 pinged on the towers in Easley and Greenville because the
8 records are to the wrong phone.

9 But even if we assume those records are right, then
10 okay, let's say we rely on them and we say these records
11 are accurate and they're right, okay. They were in
12 Greenville, went to Easley and back to Greenville. If you
13 live in Easley and you want to go to the mall, where do
14 you go? You go to Greenville. When you're done with the
15 mall, what do you do? You go back to Easley. Go back
16 home. If you live in Greenville and there's something you
17 want to do in Easley, what do you do? You go to Easley.
18 And when you're done, you go back home. That's not proof
19 of murder. If it is, then if any of you were here or in
20 Easley on December 14, 2018, you could very well become a
21 suspect simply being in the city, because that's what the
22 cell phone records show, and that's it.

23 All right. I'll start wrapping up with this.
24 Detective Liner was the lead investigator of the case.
25 That means he is the person that oversees this entire

1 investigation. He's responsible for what everybody does,
2 why they do it, what they do, how they do it. He's
3 responsible for tying all that evidence back together. He
4 got on the stand, and what did he tell you? He told you
5 that he followed up on some leads and he applied for some
6 search warrants. Couldn't explain the cell phone data.
7 He didn't understand it. That's it? The lead
8 investigator, and that's his knowledge of the case?
9 That's his knowledge of the evidence? That is not
10 acceptable. He knows better. He should have done better.

11 Reasonable doubt comes from three places: the
12 evidence, the lack of evidence and the conflict in the
13 evidence. In this case you have seen reasonable doubt in
14 all three of those, because there are some serious issues
15 with this case, and I'm sure you're sitting here with a
16 lot of questions. Those questions are reasonable doubt.
17 If you find yourself thinking maybe it's likely. No.
18 That's not beyond a reasonable doubt. Maybe it's
19 possible. That's not beyond a reasonable doubt. This
20 isn't a kinda. No. This is beyond a reasonable doubt.
21 It's a very high burden. And as the judge is going to
22 instruct you, it's the kind that you wouldn't hesitate to
23 act. And as you sit here right now, you're hesitating to
24 say whether or not they're guilty, and that by itself is
25 reasonable doubt.

1 So I ask you find not only Quinton Collins not
2 guilty, but Tychristian Ladson not guilty of murder and
3 attempted robbery. Thank you.

4 CHARGE ON THE LAW

5 THE COURT: All right. Ladies and gentlemen, now
6 it's my opportunity now to charge on the law.

7 As I told you in the beginning, you and I have two
8 very distinct jobs. My job is to charge you on the law of
9 the case. Now, if you came into this courtroom and you
10 had an idea of what you thought the law was, or maybe you
11 picked something up on TV that makes you think what the
12 law should be, or maybe it's different from something that
13 one of these attorneys has said, the law is what I'm
14 charging you now. And you've taken an oath to apply the
15 law as I give it to you right now.

16 Now, also, as I also told you in the beginning, your
17 role and my role are different. My role, again, is to
18 determine what the law that applies to this case, and
19 that's what this is here. This is what we call the jury
20 charge on the law. My job is also to preside over the
21 trial and rule on evidentiary matters. And those are
22 matters that we -- that I assure that all matters that are
23 introduced in this courtroom follow our very strict rules
24 of court and rules of evidence.

25 Your role is to determine what the facts in this case

1 are. What that means is to reach a verdict. And you will
2 take all of the evidence, which is evidence can be by way
3 of stipulations -- and stipulations are agreements by the
4 parties that have been presented in this matter and
5 require no other proof of that matter that the stipulation
6 is on. It may -- also, the evidence is from testimony
7 that is presented. It is from exhibits that are presented
8 and video. All of that are the evidence that you are to
9 consider. And you're to give it, each item, the weight
10 and value which you feel is appropriate. And if there was
11 any evidence or any testimony or anything stricken from
12 the record, then that means that you're not to consider
13 that in your deliberations.

14 Also, again, your job is to determine what the facts
15 are. And if there is anything that I have said or done
16 that makes you think I have an opinion on the facts,
17 please disregard that because that's not my job. That's
18 me stepping into the jury box, and that's not my role.

19 As I also told you at the beginning the fact that if
20 someone was indicted, and you heard reference to an
21 indictment, that is merely the paper that brings this
22 matter to court. That's the formal charge against these
23 defendants. Those are allegations made by the State and
24 establish what the burden of the State is. The fact that
25 somebody was indicted, the fact that somebody was arrested

1 or charged, that's not evidence. Those are merely the
2 formal matter which brings this matter into court. You're
3 to determine, make your decision based on the evidence
4 that was presented.

5 Now, we also have two separate defendants, and we
6 have two separate charges as to each defendant. You're to
7 consider each charge. We have a charge of murder against
8 both Defendant Collins and Defendant Ladson, and we have
9 the charge of attempted robbery against Defendant Collins
10 and Defendant Ladson as well. You're to consider each
11 charge as to each individual separately. You're to make
12 an evaluation, an analysis and deliberate on one of those
13 charges against one of those defendants and make a
14 decision. And once you have made that decision, you will
15 then go to the next charge on that defendant or however
16 you want to do it. But the fact that you make your
17 decision on one of those charges should not affect your
18 decision on other charges. You're to consider the
19 evidence and evaluate each charge as to each individual
20 separately. Okay. And your decision on any particular
21 charge against any particular defendant should not be
22 binding on you on your evaluation on the other individual
23 or the other charge.

24 Now, a very important part of our criminal system,
25 our judicial system in criminal matters, I should say, and

1 that is the presumption of innocence. That is kind of one
2 of the foundations of our system of justice. And that
3 means that every individual charged with a crime that
4 comes into this courtroom, whether it's -- whatever type
5 of courtroom it is, they have the presumption of
6 innocence. And that presumption is with them throughout.
7 It is at the time of the charge, it's at the time this
8 case started. It's throughout the entire time of this
9 charge. It is still there now. The only time that that
10 presumption is removed is when you the jury have found
11 that individual guilty beyond a reasonable doubt of the
12 charge. Only then is that presumption removed. And
13 that's a very important part. It's more than just a legal
14 theory. It's a very important part of our judicial
15 system.

16 Now, what is reasonable doubt? Okay. You've heard a
17 lot about that, and you've probably seen that, various
18 things on TV. And that's the burden of proof that the
19 State has as to each element, as to each charge, as to
20 each defendant. Everything that I will be discussing here
21 with you and talking about the elements and what the State
22 has to prove, that is beyond a reasonable doubt.

23 I always make sure that the jury is aware that
24 there's a distinction with civil matters, because some of
25 you may have been on a jury maybe in a civil matter.

1 Maybe you've been involved in a civil case or seen
2 something on TV. That's a much lower burden. That's by a
3 preponderance of the evidence. That is not what applies
4 here. This is beyond a reasonable doubt.

5 Reasonable doubt is the kind of doubt that would make
6 a reasonable person to hesitate to act. Proof beyond a
7 reasonable doubt is proof that leaves you firmly convinced
8 of the defendant's guilt.

9 You know, there's very few things that we know with
10 absolute certainty, and our law does not require the State
11 to meet, to overcome every possible doubt. If, based on
12 your consideration of the evidence, you're firmly
13 convinced that the defendants are guilty of the crimes
14 charged, then you must find the defendants guilty.

15 If, on the other hand, you think there's a real
16 possibility that the defendants are not guilty, you to
17 find either or defendant not guilty of either or charge,
18 then you must give the defendant the benefit of that doubt
19 and find them not guilty.

20 Facts and circumstances that merely place upon the
21 defendants a grave suspicion of the crime charged or that
22 merely raise a speculation or conjecture of the
23 defendants' guilt are not sufficient to authorize a
24 conviction.

25 There's two types of evidence that the State can rely

1 on, and that's direct and circumstantial evidence. Direct
2 evidence is evidence that directly proves the existence of
3 a particular fact, and it does not require any inference
4 or deduction. Circumstantial evidence is proof of a chain
5 of facts and circumstances indicating the existence of a
6 fact.

7 Crimes may be proven by direct or circumstantial
8 evidence, a combination of both. The law makes no
9 distinction of the weight or value that you are to place
10 on that, and the burden is the same whether they're
11 relying on direct, circumstantial or a combination of both
12 of them.

13 However, to the extent that the State relies on
14 circumstantial evidence, all of the circumstances must be
15 consistent with each other and when taken together point
16 conclusively to the guilt of the accused beyond a
17 reasonable doubt. If the circumstances merely portray the
18 defendant's behavior as suspicious, the proof has failed.

19 Now let's talk about one of the tools that you will
20 have in giving the weight and value as to testimony is
21 credibility of witnesses. This merely means
22 believability.

23 Now, you as the jury can review the testimony and
24 your recollection of the testimony, and you may consider
25 whether somebody on the stand may have a particular bias,

1 an interest in the outcome or some reason that you find is
2 appropriate in evaluating that testimony. You may accept
3 a portion of a person's testimony and reject the remaining
4 portion. You may accept one person's testimony over
5 several witnesses, and you may accept several witnesses
6 over one. You can accept all of a person's testimony, or
7 you can reject all of a person's testimony. It is up to
8 you to determine the weight and value to give all evidence
9 including the testimony presented.

10 Now, another very important part, a very important
11 foundation of our justice system, and that is an
12 individual's right to exercise their constitutional right
13 not to testify. And that is a very important part, and
14 that is that every defendant has the constitutional right
15 not to testify because they have no burden of proof in
16 this matter. The burden of proof is on the State. And
17 the fact that the defendant did not testify is not to be
18 used against you -- against them. It's not even to be
19 considered by you in your deliberation. It is not even to
20 be discussed by you in your deliberation. And I repeat,
21 you've taken an oath that you will apply the law as I give
22 it to you, and that is that a defendant does not have the
23 right -- does not have -- has the right not to testify,
24 and that cannot be used against them.

25 There has been evidence presented that witnesses have

1 made prior statements which are not consistent with the
2 witness's testimony. You may use that evidence to decide
3 whether to believe the witness. You may also use evidence
4 of the earlier contradictory statement to determine the
5 truth of those statements. It's up to you to decide
6 whether to believe the earlier statements or the testimony
7 at trial. If a witness is shown to have knowingly
8 testified untruthfully concerning material matter, you may
9 consider this in determining whether to trust that
10 witness's testimony as to that matter, and you may reject
11 all the testimony or accept it as you feel appropriate.

12 All right. Those are some of the tools that you now
13 have in making your evaluation in your deliberation. Now
14 I'm going to get into more specific about some of the
15 requirements of these particular charges. One of them in
16 the charges presented are intent. Okay.

17 In order to establish criminal liability, criminal
18 intent is required. For example, the mental state
19 required to be proven by the State for a particular crime
20 might be purpose, intent, knowledge, recklessness or
21 criminal negligence. Criminal intent must be proven by
22 the State beyond a reasonable doubt. Intent is always a
23 matter that must be determined by the jury from the
24 circumstances surrounding the situation.

25 There's no way to prove intent to a mathematical

1 certainty. There's no way medical science can dissect a
2 person's brain and determine what their intent was, so
3 therefore, intent must be inferred from the circumstances
4 shown to have existed at the time. And that's how you
5 make a determination of whether or not the element
6 regarding intent is present.

7 It's not necessary to establish intent by direct and
8 positive evidence, but intent may be established by
9 inference in the same way as other facts by taking into
10 consideration the acts and the facts and circumstances of
11 the case.

12 Criminal intent is a mental state. It's a conscious
13 wrongdoing. It's up to you to determine what the
14 defendant intended to do based on the circumstances shown
15 to have existed.

16 Criminal intent can arise from an action or failure
17 to act. It may arise from negligence, recklessness or an
18 indifference to duty or to the consequences that are
19 considered by the law to be equivalent of criminal intent.

20 Now I'm going to discuss with you the particular
21 elements of the charges that you will be deliberating on.
22 The first one, both defendants are charged with murder.
23 And the elements that I will be discussing with you now,
24 again, the State must prove beyond a reasonable doubt.
25 The State must prove that the defendants, either defendant

1 or both defendants, killed another person with malice
2 aforethought.

3 Okay. And now let me kind of define some of these
4 terms. Killed another person with malice. Those are the
5 elements of murder.

6 Malice is -- malice aforethought. Malice is hatred,
7 ill will or hostility towards another person. It is the
8 intentional doing of a wrongful act without just cause or
9 excuse and with an intent to inflict an injury or under
10 the circumstances the law will infer an evil intent.

11 Malice aforethought does not require that malice
12 exist for any particular length of time before the act is
13 committed, but malice must exist in the mind of the
14 defendants just before and at the time the act is
15 committed; therefore, there must be a combination of the
16 person's -- of the previous evil intent and the act.

17 Malice aforethought might be either express or
18 inferred. The terms "express" or "inferred" do not mean
19 different kinds of malice, but merely the manner in which
20 malice may be shown to exist, that is, either by direct
21 evidence or by inference from the facts and circumstances
22 which are proven. Express malice is shown when a person
23 speaks words which express hatred or ill will for another,
24 but when the person prepared beforehand to do the act
25 which was later accomplished.

1 If the facts are proved beyond a reasonable doubt
2 sufficient to raise an inference or malice to your
3 satisfaction, this inference would be simply an
4 evidentiary fact to be taken into consideration by you
5 along with other evidence in the case and give it the
6 weight and value which you feel is appropriate.

7 So therefore, again, murder is killing another person
8 with malice aforethought.

9 The other charge is attempted armed robbery. And,
10 again, the elements are to be proven beyond a reasonable
11 doubt.

12 There are four requirements. Attempted armed robbery
13 is when a person attempted to take personal property from
14 the person or presence of another person; number two, with
15 the intent to permanently deprive the person of the
16 property; three, the attempted taking and carrying away of
17 the property must have been done with violence or by
18 putting the owner of the property in fear of violence; and
19 four, the defendants were armed with a deadly weapon
20 during the attempted robbery. And I'll explain the terms
21 a little bit here, but, again, you have attempted taking
22 of personal property with intent to permanently deprive
23 the owner of that property, to carry away, would have put
24 fear of violence in the owner of the property, and the
25 defendants were armed with a deadly weapon.

1 So now let me kind of go back and define some of
2 these terms. An attempt is an effort to accomplish a
3 crime which does not succeed. An attempt includes a
4 specific intent to do a particular act along with an act
5 falling short of the act intended.

6 The State must show more than a mere preparation and
7 intent. There must be some overt act committed in the
8 effort to commit the crime.

9 "Intent" means intending the result which actually
10 occurs, not accidentally or involuntarily.

11 Intent may be shown by acts and conduct of the
12 defendants and other circumstances from which you may
13 naturally and reasonably infer intent.

14 Property is in the presence of a person if it is
15 within the person's reach, inspection, observation or
16 control so the person could, if not overcome with violence
17 or prevented by fear, keep possession of that property.

18 As to the next element, the intent must be
19 permanently to deprive the owner of the property and to
20 keep the property for the defendant's own use. The
21 slightest removal of the property or the complete
22 possession of the property, even for an instant by the
23 defendants, is sufficient to show a taking and carrying
24 away of the property.

25 The taking and carrying away of the property, the

1 attempt to, must have been done with violence or by
2 putting the owner of the property in fear of violence.

3 Again, a deadly weapon is an article, instrument or
4 substance which is likely to cause death or great bodily
5 harm. Whether an instrument has been used as a deadly
6 weapon depends on the facts and circumstances of each
7 case. The following are examples of instruments which may
8 be used as deadly weapons: a pistol, shotgun, rifle,
9 dirk, dagger, knife. A gun may be a deadly weapon even if
10 it is not operable.

11 So those are your two charges: murder and attempted
12 armed robbery.

13 Now let me discuss the rules which apply to any
14 statements that were made by the defendants in this
15 matter. A statement has been alleged to have been made by
16 one or more of the defendants, has been admitted into
17 evidence in the case. While the Court has determined that
18 the statement is admissible, I instruct you that you must
19 make the ultimate decision of whether or not the defendant
20 made this statement.

21 If the defendant did make the statement, you must
22 determine whether the statement was made by the defendant
23 voluntarily and of his own free will. This means that the
24 statement was not caused by pressure, force, fear,
25 threats, coercion or intimidation, or by hope or promise

1 of leniency or a reward of any kind.

2 In determining whether the statement was voluntary,
3 you should consider both the circumstances of the
4 defendant and the details of the questioning. And some of
5 the factors that you can consider in that determination is
6 the age of the defendant, the defendant's education or
7 lack of education, the defendant's mental ability or
8 capacity at the time, the defendant's IQ or intelligence,
9 the defendant's background and environment, the place and
10 length of the detention, the nature of the questioning,
11 and the advice or lack thereof to the defendant of his
12 constitutional rights including, but not limited to, the
13 right to remain silent, that any statement can be used
14 against him in a court of law, the right to have a lawyer
15 present, that if he cannot afford one, a lawyer can be
16 appointed to represent him without any cost, and that he
17 could not stop making the statement at any time. You must
18 carefully consider all of the surrounding circumstances
19 before you give any weight to that alleged statement.

20 The State, again, has the burden of proving beyond a
21 reasonable doubt that any alleged statement was voluntary.
22 If you determine it was, you may give the statement any
23 consideration that you deem appropriate. You must decide
24 what weight, if any, you should give any alleged
25 statement. If you determine the alleged statement was not

1 the free and voluntary statement of the defendant, you
2 should not consider the statement at all.

3 Now let me talk about the prior record of any
4 witnesses that may have been brought up. A person who has
5 a criminal record is still competent to testify during
6 trial. A past record does not affect the ability of a
7 witness to testify. The past record may only be
8 considered by you if at all in determining the witness's
9 believability. Remember, you're the sole judge of the
10 facts in the case, and the believability of the witnesses
11 is one thing that you must consider.

12 Now let me talk to you a little bit about something
13 in the law which we call hand of one. If a crime is
14 committed by two or more people who are acting together in
15 committing a crime, the act of one is the act of all.
16 Where two or more people acting with a common plan or
17 intent are present at the commission of a crime, it does
18 not matter who actually commits the crime. A person who
19 joins with another to commit an unlawful act is criminally
20 responsible for everything done by the other person which
21 happens as a probable or natural consequence of the acts
22 done in carrying out the common plan and purpose.

23 If two or more people are together acting together,
24 assisting each other in committing the offense, the act of
25 one is the act of all, or sometimes as we say it is the

1 hand of one is the hand of all.

2 Now, prior knowledge that a crime is going to be
3 committed without more is not sufficient to make a person
4 guilty of that crime. Mere knowledge that another person
5 is going to commit a crime, even if the defendant is
6 present when the crime is committed, is not sufficient to
7 convict the defendant as a principal. Guilt as a
8 principle is shown by actual or constructive presence at
9 the scene as a result of prior arrangement; therefore, a
10 finding of a prior arranged plan or common scheme is
11 necessary to find the guilt as a principal. However, mere
12 presence at the scene of a crime is not sufficient to
13 convict one as a principal on the theory of aiding and
14 abetting. Intent is also a necessary element for there
15 must have been a common design or intent to commit the
16 crime, and the crime must have been committed pursuant
17 thereto with a person aiding and abetting by some overt
18 act.

19 "Intent" means intending the result which actually
20 occurs, not accidentally or involuntarily.

21 Intent may be shown by acts and conduct of the
22 defendants and other circumstances which you must
23 naturally and reasonably infer intent. Again, the burden
24 is by the reasonable doubt.

25 Those are all the tools that you'll have, and that's

1 the charge of the law. Now let me kind of go over the
2 verdict form with you that you will have in your jury
3 room. I know it's very difficult to see at this time, but
4 the top part here -- and there's no -- the order that I
5 have presented these in, that has no meaning. We have to
6 put them in some order. The top part is actually the
7 caption of the case with the indictments. It says
8 "verdict form." They are listed in order merely by the
9 indictment numbers. We had to list them in some way, so
10 we listed them by indictment numbers. And whether guilty
11 or not guilty, there has to be some order there. That has
12 no meaning whatsoever.

13 You will go to the first question. And it says: As
14 to the charge of murder, indictment -- it has indictment
15 number -- we the jury unanimously find the defendant
16 Quinton Maurice Collins, and you're going to check one.
17 If you find that the State has met its burden beyond a
18 reasonable doubt as to the charge of murder as to Quinton
19 Collins, you would check "guilty." If you find that the
20 State has not met its burden beyond a reasonable doubt as
21 to this charge as to the defendant, you would check "not
22 guilty."

23 Again, each of your -- the decision that you make has
24 to be unanimous. That means all 12 of you must agree on
25 the answer.

1 Then you move to Question 2. And that says: To the
2 charge of attempted armed robbery, indictment number, we
3 the jury, we unanimously find -- and this is also as to
4 Quinton Maurice Collins, again, if you find the State has
5 met its burden beyond a reasonable doubt as to this charge
6 for this defendant, you would check "guilty." If you find
7 that the State has not met its burden on that charge for
8 that defendant, you would check "not guilty."

9 Then you would go to the next question, and that is
10 the charge of murder. As to defendant Tychristian Ladson,
11 again, the same analysis. If you find the State's met its
12 burden, then you would check "guilty." If you find the
13 State has not met its burden, you would check "not
14 guilty."

15 Then you would go -- there's one more question on
16 page 2. And that is to the charge of attempted armed
17 robbery as to Tychristian Ladson, again, the same
18 analysis. If you find they have met their burden on this
19 charge as to this defendant, you would check "guilty." If
20 you find they have not met their burden on this charge,
21 you would check "not guilty."

22 Once you have reached your verdict, Mr. Foreman, you
23 would sign here, date, and you would let the bailiff know
24 that you've reached a verdict.

25 Now, it's very important, again, your decision must

1 be unanimous. It cannot be based on any sympathy, passion
2 prejudice, emotion or any other consideration of anything
3 outside the evidence. It cannot -- and there's nothing --
4 you cannot consider any consequences or penalty from these
5 charges. You're just to determine whether the State has
6 met its burden on these charges and you come up with a
7 decision.

8 Now, if you -- when you get back there, you may have
9 some questions. We cannot answer any factual questions.
10 That's what you're to determine. All the evidence is in,
11 and all the evidence is going to be provided to you. I
12 know sometimes the jury will come back and say, well, you
13 know, we heard a reference to some report. Can we look at
14 that? You've got all the evidence that you're going to be
15 able to consider.

16 And if you have a question, though, you will write it
17 on a piece of paper, sign and date it. That's what you --
18 one of your roles as foreman. And you would give that to
19 the bailiff and he'll bring it in to me. And, of course,
20 I'll have to discuss it with the attorneys.

21 And I have two ways to respond to that. I can either
22 write my response on the same piece of paper, a written
23 response back to you, or sometimes it may require that I
24 bring you back in here to discuss it with you or give you
25 an additional charge.

1 One of the things is if you need to -- we'll let you
2 know. Every court you have a little bit difference of
3 exactly if you need to review videos. You know, let us
4 know if you need to review videos and we'll be glad to
5 accommodate you and let you know how that is to be
6 accomplished. I should have checked on that before now.

7 But also, lunch, lunch should be served here if not
8 ready, and I believe it will be pizza. If somebody has
9 some dietary needs other than that, then please let us
10 know.

11 Now, I know it's a little bit after 1:00. And if you
12 want to -- it's up to y'all. When the lunch gets here, if
13 you want to begin your deliberations and do it during
14 lunch, you can do so. If you want to wait and eat your
15 lunch and then deliberate afterwards, that's totally up to
16 you as the jury, and something like that.

17 Alternate, you've been very important in this trial,
18 and I know you've worked just as hard as everybody else.
19 But under our law, you're not allowed to participate in
20 the deliberation process. But if, for some reason, a
21 juror could not have gone forward -- which happens a lot
22 these days, I mean, from different -- being sick or
23 whatever reason, then you'd have to step in or we would
24 not have been able to complete the trial. So I want you
25 -- I want you to know we appreciate your role in this even

1 though you cannot continue the case.

2 All right. At this time I'm going to send you back
3 to your jury room. But I guess I have to tell you one
4 more time you cannot discuss the case. And the reason is
5 -- I know. The reason is I have to talk to the lawyers to
6 make sure I haven't left something or I haven't misspoke
7 on anything. If I have I'll bring you back out, but I
8 won't go through the whole thing. Don't worry. I'll just
9 come in and I'll correct any issues or make any additions
10 that I need to make to the charge.

11 Now, your signal that you can begin your deliberation
12 is the bailiff will bring the verdict form with all of the
13 evidence, he'll bring it into the jury room and ask the
14 alternate to step out. And at that point you can finally
15 begin discussing the case.

16 Okay. So at this time I'll ask you, once again, step
17 back in your jury room, and wait for a signal to either
18 come back out for additional charges or that you can begin
19 your deliberations.

20 (WHEREUPON, the jury exits the courtroom at 1:08 PM.)

21 THE COURT: All right. Any exception from the State?

22 MS. MUNSON: Nothing from the State, Your Honor.

23 THE COURT: Anything from Collins?

24 MR. PRINGLE: No, Your Honor.

25 THE COURT: Ladson?

1 MR. BOATWRIGHT: No, Your Honor.

2 THE COURT: All right. Make sure -- I know there's a
3 lot of exhibits here. Make sure that all of the exhibits
4 are there.

5 How do we do the video if they want to review it?

6 MS. OWENS: Your Honor, I'm happy to send the
7 solicitor's office laptop back. You are not able to
8 access any of the programs that are on it outside of basic
9 Microsoft Office, so I don't have any concerns about the
10 content of the computer. But I'd be happy to allow the
11 defendants to review it.

12 THE COURT: Because I'm sure they're going to
13 probably want that, and they'll want it in the -- all
14 right. Y'all work that out, see if they want it.

15 All right. Look at the exhibits and here is the
16 verdict form.

17 (WHEREUPON, a recess is taken at 1:13 PM, and the jury
18 starts deliberating; Court's Exhibit Numbers 2 and 3 were
19 marked for identification; proceedings reconvened at

20 4:04 PM.)

21 JURY QUESTIONS

22 THE COURT: All right. And I guess before we put
23 this question on the record, we did get a question earlier
24 that just said they would like to be able to review the
25 videos, and we did not bring them out or have any

1 discussions with them. I just gave the laptop and sent
2 that back through the bailiffs. So that occurred earlier.
3 And I think we contacted . . .

4 All right. The jury would like to be instructed,
5 again, on the hand of one principle, signed the foreman.

6 Let me ask you this, though. If we're going to bring
7 them out, do you not want your clients here?

8 MR. PRINGLE: I suppose so.

9 THE COURT: Yeah. I think you probably do. All
10 right.

11 Tell them we'll be with them in just a minute. We're
12 just getting the information together.

13 I just thought about that.

14 (Pause in proceedings.)

15 THE COURT: All right. And Mr. Collins and
16 Mr. Ladson, we are back on the record for just a question
17 the jury has about charging on the hand of one principle,
18 so we're going to be bringing the jury out just to charge
19 them on that issue. Just kind of want to let y'all know
20 what's going on.

21 All right. Anything else from the State before we
22 bring the jury in?

23 What I'm going to be doing is just charging exactly
24 what I charged earlier.

25 Anything from Collins?

1 MR. PRINGLE: No, Your Honor.

2 THE COURT: And Ladson?

3 MR. BOATWRIGHT: No, Your Honor.

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

5 (WHEREUPON, the jury entered the courtroom at 4:09 PM.)

6 THE COURT: All right. Mr. Foreman, I got a note
7 that said jury would like to be instructed again on the
8 hand of one principle. So I will -- and that's my
9 understanding that's all you need for right now.

10 JURY FOREMAN: Yes, Your Honor.

11 THE COURT: Okay. I will just reiterate what I did
12 earlier today.

13 If a crime -- and this is hand of one. If a crime is
14 committed by two or more people who are acting together in
15 committing a crime, the act of one is the act of all.
16 Where two or more people acting with a common plan or
17 intent are present at the commission of a crime, it does
18 not matter who actually commits the crime. A person who
19 joins with another to commit an unlawful act is criminally
20 responsible for everything done by the other person which
21 happens as a probable or natural consequence of the acts
22 done in carrying out the common plan and purpose.

23 If two or more people are together, acting together,
24 assisting each other in committing the offense, the act of
25 one is the act of all, or as it's sometimes said, the hand

1 of one is the hand of all.

2 A prior knowledge that a crime is going to be
3 committed without more is not sufficient to make a person
4 guilty of that crime. Mere knowledge that another person
5 is going to commit a crime, even if the defendant is
6 present when the crime is committed, is not sufficient to
7 convict the defendant as a principal. Guilt as a
8 principle is shown by actual or constructive presence at
9 the scene as a result of prior arrangement; therefore, a
10 finding of a prior arranged plan or common scheme is
11 necessary for a finding of guilt as a principal. However,
12 mere presence at the scene of a crime is not sufficient to
13 convict one as a principal on the theory of aiding and
14 abetting. Intent is also a necessary element, for there
15 must have been a common design or intent to commit the
16 crime, and the crime must have been committed pursuant
17 thereto with a person aiding and abetting by some overt
18 act.

19 "Intent" means intending the result which actually
20 occurs, not accidentally or involuntary.

21 Intent may be shown by acts and conduct of the
22 defendant in others circumstances from which you may
23 naturally and reasonably infer intent. The burden for the
24 proof of this theory is beyond a reasonable doubt.

25 So that is the charge that you requested.

1 JURY FOREMAN: Thank you, Your Honor.

2 THE COURT: All right. And just continue
3 deliberations, and just let me know if you have any other
4 questions.

5 JURY FOREMAN: Thank you, Your Honor.

6 (WHEREUPON, the jury exits the courtroom at 4:12 PM.)

7 THE COURT: All right. Any exceptions from the
8 State?

9 MS. MUNSON: No, sir.

10 THE COURT: From Collins?

11 MR. PRINGLE: No, Your Honor.

12 THE COURT: And Ladson?

13 MR. BOATWRIGHT: No, Your Honor.

14 THE COURT: All right.

15 (WHEREUPON, a recess is taken at 4:13 PM; proceedings
16 reconvened at 4:30 PM.)

17 THE COURT: All right. After the previous charging,
18 the foreman sent back a note, said jury requests a printed
19 copy of the hand of one, hand of all statute. As
20 discussed with counsel, as counsel pointed out to me that
21 we cannot -- under case law that we cannot send a portion
22 back, we have to send the whole charge. I have printed
23 the whole charge out, and I'll be glad to have y'all look
24 at it if you want to review it before, and I've -- just
25 with a note: Our law requires we send the entire written

1 charge back. We can charge specific sections in the
2 courtroom. Here is the entire charge. Hand of one is the
3 last section.

4 Any exceptions to that from the State?

5 MS. MUNSON: No, sir.

6 THE COURT: Collins?

7 MR. PRINGLE: No, Your Honor.

8 THE COURT: And Ladson?

9 MR. BOATWRIGHT: No, sir.

10 (WHEREUPON, Court's Exhibit Number 4 was marked for
11 identification; a recess is taken at 4:31 PM; Court's
12 Exhibit Number 5 was marked for identification;
13 proceedings reconvened at 5:03 PM.)

14 THE COURT: All right. The question is the jury is
15 requesting a recess until Monday. And I'm sending them a
16 note back that said we're unable to recess until Monday
17 once deliberations have begun.

18 Any exception from the State?

19 MS. MUNSON: No, Your Honor.

20 THE COURT: Collins?

21 MR. PRINGLE: No, Your Honor.

22 THE COURT: And Ladson?

23 MR. BOATWRIGHT: No, Your Honor.

24 (WHEREUPON, a recess is taken at 5:05 PM; Court's Exhibit
25 Number 6 was marked for identification; proceedings

1 reconvened at 5:51 PM.)

2 THE COURT: The jury is requesting testimony that was
3 given during the trial that would indicate that Ladson was
4 in possession of his phone on 12/14/18 during the trip
5 from Greer to Easley and back to Greer, in other words,
6 around the time of the incident.

7 MS. MUNSON: They didn't tell you what witness.

8 THE COURT: Right. And that's what I'm going to talk
9 to them about is they have to tell us what witness's
10 testimony they want to hear.

11 Okay. Bring them in.

12 (WHEREUPON, the jury entered the courtroom at 5:52 PM.)

13 THE COURT: All right. Mr. Foreman, it was going to
14 be a lot easier for me to explain this process. And,
15 again, in your previous note, once y'all started
16 deliberating, we just need to keep y'all together.
17 Talking with the clerk, and I realize it's getting late,
18 and if need be, I'll let you know -- I mean, start making
19 arrangements for supper. But if anybody lives in Pickens
20 or around here much, you realize our -- we're kind of
21 limited on our choices. It won't be pizza again.

22 All right. The question that you have asked is the
23 jury is requesting testimony that was given during the
24 trial that would indicate that Ladson was in possession of
25 his phone on 12/14/18 during the trip from Greer to Easley

1 and back to Greer, in other words, around the time of the
2 incident.

3 Now, the Court and the parties cannot kind of cherry
4 pick what -- I mean, what you have to do is tell us what
5 testimony of what witness that you want to hear, okay?
6 That's the only way we have to do that. So you have to
7 decide from the witnesses which ones you want to listen
8 to. And that process, just to let you know, is we have to
9 set up and we play back the recording here in the
10 courtroom.

11 So what I would suggest you do is go back in your
12 jury room, tell us what testimony you want to listen to,
13 and then we'll get it set up, and we'll tell you how long
14 it will be, and then we'll bring you back out at that
15 point.

16 Okay. All right. So at this point just go back, and
17 you let us know what testimony you want to hear again and
18 we'll get it set up. And also let me know -- I mean,
19 we'll go ahead and get supper, make sure -- let me know
20 that's what we need to be doing.

21 (WHEREUPON, the jury exits the courtroom at 5:54 PM.)

22 THE COURT: All right. Any exception from the State
23 on that?

24 MS. MUNSON: No, Your Honor.

25 THE COURT: Any exception from Collins?

1 MR. PRINGLE: No.

2 THE COURT: And Ladson?

3 MR. BOATWRIGHT: No, Your Honor.

4 (WHEREUPON, a recess is taken at 5:55 PM; proceedings
5 reconvened at 6:57 PM.)

6 THE COURT: Anything from the State before we bring
7 the jury in?

8 MS. MUNSON: No, Your Honor.

9 THE COURT: From Defendant Collins?

10 MR. PRINGLE: No, Your Honor.

11 THE COURT: And Defendant Ladson?

12 MR. BOATWRIGHT: No, Your Honor.

13 THE COURT: All right. And ladies and gentlemen in
14 the gallery, I want to remind you once again that I know
15 this has been a long ordeal for everybody. It's a very
16 tragic ordeal. But I'm going to ask that everybody be on
17 their best behavior because we have -- I'm not going to
18 tolerate any outbursts, anything from anybody. Everybody
19 understand that? I will take you into custody if need be.

20 All right. Bring the jury in.

21 (WHEREUPON, the jury entered the courtroom at 6:58 PM.)

22 THE COURT: Mr. Foreman, I understand you've reached
23 a verdict?

24 JURY FOREMAN: Yes, Your Honor.

25 THE COURT: If you could hand that to the clerk,

1 please.

2 All right. Looks like it's in proper form.

3 Will you publish the verdict, Mr. Clerk?

4 VERDICT

5 THE CLERK: This is for Indictment Number
6 2019-GS-39-0826 and 827, and also Indictment Number
7 2019-GS-39-828 and 829. As to the charge of murder in
8 Indictment 2019-GS-39-0826, we the jury unanimously find
9 the defendant Quinton Maurice Collins guilty. As to the
10 charge of attempted armed robbery in Indictment
11 2019-GS-39-0827, we the jury unanimously find the
12 defendant Quinton Maurice Collins guilty.

13 As to the charge of murder in Indictment
14 2019-GS-39-0828, we the jury unanimously find the
15 defendant Tychristian Ladson guilty. As to the charge of
16 attempted armed robbery, Indictment 2019-GS-39-0829, we
17 the jury unanimously find the defendant Tychristian Ladson
18 guilty.

19 Is this your verdict and still your verdict? So say
20 you all by raising your right hand.

21 Thank you very much.

22 THE COURT: All right. Anything from the jury from
23 the State?

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

25 THE COURT: Anything from the jury from Defendant

1 Collins?

2 MR. PRINGLE: No, Your Honor.

3 THE COURT: And Defendant Ladson?

4 MR. BOATWRIGHT: No, Your Honor.

5 THE COURT: All right. Ladies and gentlemen, at this
6 time I'll be able to release you. And I want to thank you
7 for your service. I know it's been a long week and a long
8 day. And you can step back in your jury room. I know
9 it's late and you need to get out of here, but I'll step
10 back there for anybody in just a minute if anybody wants
11 to have any questions or discuss anything.

12 So at this time if you'll step back in your jury
13 room. Thank you. But you can also -- you're free to go.

14 (WHEREUPON, the jury exits the courtroom at 7:00 PM.)

15 THE COURT: All right. Anything from the State at
16 this point?

17 MS. MUNSON: No, sir.

18 THE COURT: All right. Defendant Collins?

19 MR. PRINGLE: No.

20 THE COURT: Defendant Ladson?

21 MR. BOATWRIGHT: No, Your Honor.

22 THE COURT: All right. I will give y'all a few
23 minutes, get all your paperwork in order, get your --
24 whatever thoughts and so forth.

25 Did I remember, was there a -- on one of these I

1 THE COURT: Okay. Glad to hear from Ladson.

2 MS. WILLIAMS: Thank you, Judge. May it please the
3 Court.

4 Mr. Ladson was arrested when he was 19 years old. He
5 is now 23. He's a very young man. He has a great support
6 system with his family. In prepping for this case and
7 listening to jail calls, there was many with his cousin.
8 They are very close.

9 I will note that he has no violent criminal history
10 as the State just read for you. It's my firm belief that
11 he still has a chance to come back from this and be a
12 contributing member of society. We would just ask for the
13 minimum for him for 30 years based on everything.

14 And I would echo Mr. Pringle's sympathies to the
15 victim's family.

16 THE COURT: Mr. Ladson, anything you want to tell me.

17 DEFENDANT LADSON: All I want to say is sorry for
18 their loss for the family over there.

19 Can I turn back and look at my family?

20 (Indiscernible.)

21 THE COURT REPORTER: Judge, I can't hear him.

22 THE COURT: All right. I'm sorry. We can't hear
23 you. I'm sorry. When you turned away ---

24 DEFENDANT LADSON: I want to tell them I'm sorry for
25 putting them through this and going through this

1 situation. I apologize to the family here too and
2 everybody else too. Thank you.

3 MS. WILLIAMS: Thank you, Judge.

4 THE COURT: Anything else from anybody?

5 MR. PRINGLE: No, Your Honor.

6 THE COURT: Do we have the amount of credit for time
7 that they have served?

8 MS. MUNSON: Oh, my gosh.

9 THE COURT: I can just check and maybe we can
10 determine ---

11 MS. MUNSON: I apologize, Your Honor. They were both
12 taken into custody on February -- I think Mr. Ladson was
13 taken into custody sooner, but February the 5th of 2019 is
14 when Mr. Collins was taken into custody.

15 THE COURT: February 9th ---

16 MS. MUNSON: I'm sorry.

17 THE COURT: What was the date?

18 MR. PRINGLE: February 5, Your Honor, 2019.

19 THE COURT: All right.

20 MS. MUNSON: And December the 28th of 2018 for
21 Mr. Ladson.

22 THE COURT: December 28, '18.

23 MS. MUNSON: 2018.

24 SENTENCING

25 THE COURT: All right. As to Quinton Collins, on the

1 charge of murder, the sentence of the Court is life
2 without parole, credit for time as indicated. On the
3 attempted armed robbery, that's 20 years.

4 As to Tychristian Ladson, sentence of the Court is
5 life on the murder charge, and credit for time since
6 12/28/18. The attempted armed robbery is 20 years.

7 Good luck to you, gentlemen.

8 MS. MUNSON: Thank you, Your Honor.

9 (WHEREUPON, proceedings concluded at 7:19 PM.)
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 CERTIFICATE OF REPORTER

2
3 STATE OF SOUTH CAROLINA)

4 COUNTY OF PICKENS)

5
6
7 I, CHERYL A. SMITH, Official Court Reporter for the
8 Thirteenth Judicial Circuit of the State of South
9 Carolina, do hereby certify that the foregoing is a true,
10 accurate and complete Transcript of Record of the
11 proceedings had and evidence introduced in the trial of
12 the captioned case, relative to appeal, in the Court of
13 General Sessions for Pickens County, South Carolina, on
14 the 21st, 22nd, 23rd, and 24th day of February, 2023.

15 I do further certify that I am neither of kin,
16 counsel, nor interest to any party hereto.

17
18 May 29, 2023

19
20
21 Cheryl A. Smith

22 Cheryl A. Smith, CVR-M

23 Court Reporter
24
25

DOCKET NO. 2019-GS-39-^{JBC} 0828

The State of South Carolina

County of Pickens

COURT OF GENERAL SESSIONS

MAY 10 2022 TERM 2019

THE STATE

vs.

TYCHRISTIAN LADSON

WITNESSES

Brandon R Liner

Easley Police Department

2/5/2019

ARREST WARRANT NUMBER
2019A3920400081

ACTION OF GRAND JURY

TRUE BILL

10 MAY 2022

Foreperson of Grand Jury

VERDICT

Guilty

Stephen Ridd

Foreperson of Petit Jury

Date: 2/24/23

Indictment for

0116

MURDER

VIOLATION § 16-03-0010, 0020

[illegible]

INDICTMENT FOR
MURDER

At a Court of General Sessions, convened on **MAY 10 2022** the Grand Jurors of Pickens
County present upon their oath:

That TYCHRISTIAN LADSON did in Pickens County, on or about the 14th day of December, 2018, while acting in concert with co-defendant QUINTON MAURICE COLLINS, did unlawfully and with malice aforethought kill STACEY BRANHAM by means of shooting the victim and STACEY BRANHAM died as a proximate result thereof during an attempted armed robbery of the victim's place of employment, B-PAMS CONVENIENCE STORE. This is in violation of §16-3-10 of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR BAR # 78744

DOCKET NO. 2019-GS-39-^{JBC} 0829
 The State of South Carolina
 County of Pickens

COURT OF GENERAL SESSIONS

MAY 10 2022 TERM 2019

THE STATE

vs.

TYCHRISTIAN LADSON

Indictment for

0026

ATTEMPTED ARMED ROBBERY

VIOLATION § 16-11-0330(B)

VERDICT

Guilty

Stephen Ridd

Foreperson of Petit Jury

Date: 2/24/23

WITNESSES

Brandon R Liner

Easley Police Department

2/5/2019

ARREST WARRANT NUMBER
 2019A3920400082

ACTION OF GRAND JURY

TRUE BILL

10 MAY 2022

Date

Foreperson of Grand Jury

[illegible]

INDICTMENT FOR
ATTEMPTED ARMED ROBBERY

At a Court of General Sessions, convened on **MAY 10 2022** the Grand Jurors of Pickens

County present upon their oath:

That TYCHRISTIAN LADSON did in Pickens County, on or about the 14th day of December, 2018, while acting in concert with co-defendant Quinton Maurice Collins and armed with a deadly weapon, attempt to take by means of force or intimidation, goods or monies described as: a cash register from the person or presence of STACEY BRANHAM, an employee of B-PAMS CONVENIENCE STORE. This is in violation of §16-11-330 of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR BAR # 78744

STATE OF SOUTH CAROLINA

COUNTY OF Pickens

STATE

VS.

Tychristian Ladson

AKA:

Race: BLACK Sex: M Age: 23DOB: 99 SS#: Address: City, State, Zip: DL#: SID#:

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2019 - GS - 39 - 00828A/W#: 2019A3920400081Date of Offense: 12/14/2018S.C. Code § 16-03-0010, 0020CDR Code #: 0116

SENTENCE SHEET

30 - life*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADSTO: Murder (gs)in violation of § 16-03-0010, 0020 of the S.C. Code of Laws, bearing CDR Code # 0116
☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ \$17-25-45
 (CSC w/minor 1st or CSC w/minor 3rd)

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

 The pleas: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.
 ATTEST:

<u>Munson, Jody</u>	64040	Defendant	<u>BOATWRIGHT, ASHALEY</u>	104078
	SC Bar #		Attorney for Defendant	SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction, ☐ County Detention Center,for a determinate term of Life w/o parole days/months/years/None Served ☐ Youthful Offender Act not to exceed yearsand/or to pay a fine of \$; provided that upon the service of days/months/years/Time Served and or payment of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

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

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: 2/24/23☒ The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. 12/28/18 - smc☐ 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. Tychristian Ladson INDICTMENT/CASE#: 2019 - GS - 39 - 00828**SPECIAL CONDITIONS:**☐ **PTUP** after _____ months/years**And Other Terms Listed Below:**

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

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

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

Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

***Fine:**

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

Clerk of Court/ Deputy Clerk: _____
Court Reporter: _____

Shirley P. W. Smith
Cheryl Smith

Presiding Judge: _____
Judge Code: _____
Sentence Date: _____

My King
2755
2/24/23

STATE OF SOUTH CAROLINA

COUNTY OF Pickens

STATE

VS.

Tychristian Ladson

AKA:

Race: BLACK Sex: M Age: 23DOB: 99 SS#: Address: City, State, Zip: DL#: SID#:

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2019 - GS - 39 - 00829A/W#: 2019A3920400082Date of Offense: 12/14/2018S.C. Code § 16-11-0330(B)CDR Code #: 0026

SENTENCE SHEET

0-20y

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADSTO: Robbery, Attempted Armed Robberyin violation of § 16-11-0330(B) of the S.C. Code of Laws, bearing CDR Code # 0026
☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45
 (CSC w/minor 1st or CSC w/minor 3rd)

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

 The pleas: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.
 ATTEST:

<u>Munson, Judy</u>	64040	SC Bar #	Defendant	<u>BOATWRIGHT, ASHALEY</u>	104078	SC Bar#
				Attorney for Defendant		

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: 2/24/23☒ The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. days/months since 12/28/18☐ 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. Tychristian Ladson INDICTMENT/CASE#: 2019 - GS - 39 - 00829**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	\$	100.00
§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	\$	25.00
§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	\$	3.75
☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.	\$500	\$	
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$	
TOTAL		\$	128.75

Clerk of Court/ Deputy Clerk: Handy P. Welch
Court Reporter: Cheryl Smith

Presiding Judge: Myrinda
Judge Code: 275
Sentence Date: 2/24/23

CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,

RECEIVED

Sep 13 2024

SC Court of Appeals



Sarah E. Shipe
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 13th day of September, 2024.

RECEIVED

Sep 13 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Pickens County

Honorable Perry H. Gravely, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TYCHRISTIAN LADSON,

APPELLANT

APPELLATE CASE NO. 2023-000372

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon Tommy Evans, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 13th day of September, 2024.



Sarah E. Shipe
Appellate Defender

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

ATTORNEY FOR APPELLANT