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STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Newberry County

Honorable B. Alex Hyman, Circuit Court Judge

MATTHEW L. JACKSON,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2024-000923

APPENDIX

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Garrett Lominack

Newberry County Sheriff's Department

WARRANT NUMBER

2018A3610100337

TRUE BILL

Foreman of the Grand Jury

Date: 9-7-18

VERDICT

Guilty Assault

Battery HAN

Foreman

3/28/19

THE STATE OF SOUTH CAROLINA

COUNTY OF NEWBERRY

COURT OF GENERAL SESSIONS

September Term, 2018

Indictment # 2018-GS-36-00482

THE STATE

vs.

MATTHEW LEGRANDE JACKSON

INDICTMENT FOR

Attempted Murder

SC Code: § 16-03-0029

CDR: 3410

I hereby waive presentment to the Grand Jury.

Defendant

Witness:

THE STATE OF SOUTH CAROLINA

COUNTY OF NEWBERRY

INDICTMENT FOR

Attempted Murder
§16-03-0029

At a Court of General Sessions, convened on the 7th day of September, 2018, the Grand Jurors of Newberry County present upon their oath:

The defendant, Matthew Legrande Jackson, did on or about June 6, 2018, in Newberry County, South Carolina, did unlawfully, with malice aforethought, either express or implied, and with the intent to kill, attempted to kill Antonio Jackson. All in violation of 16-03-0029, Code of Laws of South Carolina (1976, as amended).

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

Taylor Daniel
Assistant Solicitor

STATE OF SOUTH CAROLINA	)	
	)	COURT OF GENERAL SESSIONS
COUNTY OF NEWBERRY	)	2018-GS-36-00482
	)	
	)	
	)	
THE STATE	)	
PLAINTIFF	)	
vs.	)	TRANSCRIPT OF RECORD
	)	
MATTHEW L. JACKSON	)	
DEFENDANT	)	

March 26-28, 2019
Newberry, South Carolina

B E F O R E:

THE HONORABLE DONALD B. HOCKER, Judge; and a jury.

A P P E A R A N C E S:

DALE SCOTT, ESQ.
TAYLOR DANIEL, ESQ.
Attorneys for the State

CHARLES VERNER, ESQ.
Attorney for the Defendant

APRIL HERRON
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March 26, 2019

MR. SCOTT: Judge, I was going to ask for an additional witness to be added, if possible. If Charles has a problem with it, it's not essential, but I would just ask to add one deputy.

MR. VERNER: That's fine.

THE COURT: Okay. All right. We're on the record.

And Mr. Verner, do you have any objection to The State adding an additional witness, Deputy Wren Henderson?

MR. VERNER: No, Your Honor.

THE COURT: All right. I'll just voir dire the jury to make sure that there's no connection there.

All right. Let's bring the jury out, Madam Bailiff.

MR. DANIEL: Okay.

(WHEREUPON, the jury came into open court at approximately 10:20 a.m.)

THE COURT: Let the record reflect the jury is in.

Good morning, ladies and gentlemen.

THE JURY: Good morning.

THE COURT: We didn't get started on time, we had a couple other matters that I had to deal with,

so that's why we're starting a little later. A lot of times, we try to fill in the morning or lunchtime.

And Solicitor Boykin, you're okay. You can cut across.

I need -- the first order of business, I need to have you sworn in as the trial jury.

Madam Clerk.

THE CLERK: Please stand raise your right hand. Please respond, I will.

(WHEREUPON, the jury was sworn.)

THE COURT: Second order of business, if you remember yesterday, I read out names of potential witnesses and then asked you a couple of questions concerning those. We have one more additional potential witness, Deputy Wren Henderson. Any member of the trial jury related now or formally to Deputy Henderson? If so, raise your right hand.

(There was no response.)

THE COURT: Any member of the trial jury have or have had in the past a close personal or social relationship with Deputy Henderson? If so, raise your hand.

(There was no response.)

THE COURT: Okay, seeing none.

Ladies and gentlemen, I'm going to give you just

some preliminary instructions, some things to think about as we get started with this trial. First, how the order works is the lawyers in just a few moments will give -- will give their opening statements to you and then the State will present their case. And then the Defense, if they so choose and they certainly don't have to, but they can put up a case by way of testimony, witnesses and that sort of thing. Again, they don't have to. The reason why they don't have to is because they have no burden of proof in this case. The State has the burden of proof. I'll cover that in just another minute.

Then if the Defense does put up a case, then the State can put up some reply case if they feel like it's necessary. The lawyers will then make their closing arguments to you. Then I will charge you the law that applies to this case. So that's kind of the order that we will go through. It's anticipated that this case will take several days to try from start to finish.

One thing that is really, really important is for you to pay very close attention to the testimony and evidence and everything that goes on in this case. Be very alert. And the importance of that is because I don't allow juries to take notes. I have

found that if the jury is allowed to take notes -- some judges allow it and that's perfectly fine, I just don't. Because I have found that a juror is more focused on the note taking as opposed to listening to the testimony. So I don't allow note taking. So you need to be alert and attentive so when I do give you the case to start your deliberations, you'll have a pretty good memory of what was presented to you.

Now, you're not going to remember everything. Hopefully, collectively, you will remember everything that has been presented to you. So be very alert. Get some good rest at night. One of the worst things for a judge is to look over at a jury and have somebody nodding off or, at least, appearing to be not paying attention. So get some good rest at night, okay.

You are the sole judge of the facts in this case. You make the determination of what happened in this case. The same law that makes you the sole judge of the facts makes me the sole judge of the law. You determine the facts, I tell you what the law is, then you apply the law to the facts as you find them. Now, certainly, these good lawyers here will try to persuade you as to what the facts are in

this case. That's their job. But at the end of the day, you are the ultimate ones to decide the facts in this case.

As I stated a moment ago, the State has the sole burden of proof to prove the Defendant guilty beyond a reasonable doubt. As Mr. Jackson sits here right now, he is presumed by law to be totally innocent of the charge of attempted murder that's been levied against him by the State. And that presumption of innocence remains with him unless you find that the State has met their burden of proof and proven to you beyond a reasonable doubt that he is guilty of the crime charged.

Now, there may be times, ladies and gentlemen, that one of the lawyers may say, Judge, I have an objection or, Judge, I have a matter of law and it may require me to send you to the jury room so we can discuss that legal issue. And the reason for that is that in making a determination of that legal issue, I may need to discuss the facts with the lawyers. Certainly, I don't want to discuss the facts in your presence. Because once again, you are the sole judge of the facts in this case. I'll try to resolve the legal issues by going over in the corner and talking with the lawyers so we don't have to send you out,

but there may be times that we'll have to do that.

And as I discussed with you yesterday, and I just want to emphasize, the prohibition against doing any research into this case. As I told you yesterday, I gave you a real-life situation of a tragedy that could have happened in my case in Laurens a couple months ago. Your decision in this case has to be based 100 percent on what is brought out in this courtroom and from no other source. So that's one reason among many why you are prohibited from doing any independent research in this case.

After the case is over with, have at it. Do whatever you want to do. Research until your heart is content. But until that time, don't do it. Because again, the information that you obtained is not coming from the courtroom, number one. Two, it may be inadmissible information. Three, it may be false information. So that's why you can't do it.

And lastly, ladies and gentlemen, it is really, really important to keep an open mind throughout this whole case. Don't make any rash judgments about anything in this case. Wait until all of the evidence is in, the lawyers have given their closing arguments, I've instructed you on the law. And up until that time, keep an open mind, okay.

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All right, the State have any objections to the Court's preliminary charge?

MR. SCOTT: No, Your Honor.

THE COURT: The Defense?

MR. VERNER: None, Your Honor.

THE COURT: Thank you very much.

All right, the lawyers will make their opening arguments to you. It's not evidence in this case. It's just what they believe the evidence will show and is a statement of their respective positions.

Solicitor Daniel, you going to go first?

MR. DANIEL: Yes, sir, Your Honor.

THE COURT: You may proceed.

OPENING STATEMENT

MR. DANIEL: May it please the Court.

Mr. Foreman, members of the jury, good morning. As kind of a refresher from yesterday, I'm Taylor Daniel. I'm representing the State of South Carolina in these proceedings. I'm prosecuting this case along side Dale Scott.

Essentially, our job is to attempt to secure a conviction against Mr. Matthew Jackson, who stands before you on trial accused of committing a very violent, a very depraved act. A very serious crime, crime of attempted murder. And the victim in this

case is Antonio Jackson seated right here on the front row in the blue-checkered shirt. And he goes by Tony, Tony Jackson.

As you can see, they're not related. I'm not trying to be cute, but they both have the last name Jackson, so I'll just refer to our victim as Tony and the Defendant, Matt Jackson, I'll just refer to him as Matt. They both have the same last name.

But Tony is lucky to be alive, he really is. He survived a very horrific stabbing, a very horrific knife attack at the hands of Matt Jackson. Multiple stab wounds to his upper body. He's lucky to be alive. If things had gone differently, this wouldn't be an attempted murder. That attempted would drop off and it would just be a murder. But by the grace of God, Divine intervention, luck, whatever you want to attribute it to, Tony is here today. And he's going to provide his testimony about what occurred.

I guess I was trying to think of something that would be apropos to this trial. I grew up in Spartanburg County, played football, started in middle school. I loved football, everything to do with football. If I wasn't playing football, I was training for football lifting weights. I was always a sucker for football-themed movies, Little Giants,

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Rudy, The Longest Yard, Brian's Song, you name it. You know, a lot of times in these movies, there's head coaches kind of giving inspirational pep talks, cheesy some of them.

There was this other movie I liked, Any Given Sunday. Al Pacino plays the head coach of this pro football team. And Al Pacino's giving a pregame speech to inspire his guys during a playoff game. I'll kind of give you the quote here. It's called inches speech, quote inches. I'm kind of paraphrasing, but this is, essentially, what Al Pacino talks about in this movie. He says when we grow older, we find out that life is gained in inches. So is football. In either game, the margin for error is so small. One half a step too late or too early, you don't quite make it. One half a second too slow or too fast, you don't quite catch it. The inches we need are everywhere around us. They're in every break in the game, every minute, every second. Because we know when we add up all these inches, that's going to make a difference between winning and losing, between living and dying.

And I found that to be very apropos to Tony Jackson's situation. Because that's what we're talking about, inches. Stabbed in the gut, cut in

the back, other stab wounds. Inches from death, literally, inches from death. He could have hit an artery. He could have punctured, you know, an internal organ. Without medical treatment, he could have bled out, but he didn't. He survived. He endured. And he's here today to testify what happened to him. Inches from death. There's no other way to put it. He survived a knife attack and he's here today.

Kind of going over the facts of this case. About ten months ago is the date in question, June 6th of last year, a little less than 10 months ago. Kind of the beginning of the summer. And this takes place, this whole incident takes place at the SCE&G boating ramp in Prosperity, Lake Murray. It's an area that's opened to the public where people can kind of grill out and entertain their families. There's a ramp to pull your boat in, there's a dock. And Tony Jackson was out there on that fateful day with his family, with his girlfriend. Her name is Ashleigh Cockrell. His kids, her kids and some other family members, friends.

And Matthew Jackson, at some point that afternoon arrives at the scene, at the boating ramp. And Matthew Jackson knows some of the children.

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Tony's girlfriend, Ashleigh Cockrell, Matthew Jackson knows her kids. Now, these are kids Tony's girlfriend had with another man, a previous relationship. But Matthew Jackson knows those girls. He knows the biological father of those girls. So, apparently, there's some tension there because Matt Jackson's associated with that girl's father. Of course, Tony is dating the mother.

So Matthew Jackson sees the girls or the girls see him, whatever, but they notice Matt there when he gets to the boating ramp. And Matt approaches the two little girls. I think they're under ten. MINOR 1 and MINOR 2 are their names. Matthew greets them, gives them a hug. Tony doesn't know Matthew Jackson. Tony doesn't know him. So he sees this man he doesn't know hugging his daughters. So Tony says something to him while at the boating ramp. And, basically, they have words.

At this point, it's all kind of a verbal confrontation. Things like, Who are you? Why are you hugging my girls? Don't do that. Some other words are exchanged. Matthew Jackson gets angry about it, feels disrespected by Tony. Matthew says, Oh, I know the girls' real dad, that kind of thing. There's some profanity, I'm sure.

But in any event, it never turned physical at that point. And this is the afternoon of June 6th, this is a Wednesday afternoon last year. Nothing gets physical. Matthew Jackson was upset about it and words were exchanged, but in any event, at that point in time, it ended. Matthew Jackson takes off on foot. They don't know where he goes at the time. They just know he leaves. But it's not over. It's not over.

Couple hours later, roughly, I say, Matthew Jackson returns. He returns -- Matthew Jackson returns with his mother, Sheila Norton. She takes him back to the boating ramp, okay. Also, Matthew Jackson returns with a few other guys. They take two vehicle out there, Matthew and his posse. His mother drives him out there and meets up with three other guys associated with Matthew Jackson. Because Matt felt disrespected.

At that point, what kind of happens is chaotic. Matthew's mother, Sheila Norton, she pulls in there at high rate of speed. Driving very erratically, she pulls into the boat ramp. She attacks some of the girls associated with Tony, some family of his girlfriend, sisters, I believe, of his girlfriend.

So while this is going on, these females are

fighting, Tony sees Matt Jackson coming at him in a very aggressive manner. At that point, they clash. Tony is in fear for his life. Knowing they had that earlier verbal confrontation, Matt Jackson returns with three other guys and his mother. His mother is assaulting the group of females, almost as a diversion. Matt Jackson comes at Tony, they meet and at that point, Tony immediately sees a knife -- well, he doesn't see it first, he feels a knife. They're fighting. Then Matthew Jackson is repeatedly stabbing Tony in the gut, in the back and other areas in his upper body. Tony is defending himself.

And, eventually -- it ends rather quickly. Tony realizes after the adrenaline wears off that he's been stabbed and is bleeding, bleeding profusely. Matthew Jackson gets out of there. He and his mother, those group of other guys, they leave in those two vehicles. Then the fallout happens.

Thank goodness, Tony's friend's are there. One of Tony's friends, his name is John Platts, he drives Tony to the Newberry ER in his truck. Rather quickly, Tony gets medical treatment. We'll show you his injuries. Tony will show you the scars he has. He lives with them.

Matthew Jackson, where does he go? He gets the

heck out of dodge. He flees to Sumter County right after this happens. That's where he's, ultimately, arrested. He's taken into custody in Sumter County. Matthew Jackson, he doesn't call the police and say hey, Tony Jackson attacked me. He leaves the jurisdiction. Not the actions of a innocent man. Certainly not, somebody who's just exercising self-defense. Because Matthew Jackson gives an interview where he, essentially, claims what looks like self-defense, saying Tony's getting the better of him in this fight. This is just totally mutual, that he's not at fault for bringing the assault on himself.

Matt Jackson, he's very clear when he does get in the interview with the police once he's taken into custody. He's very clear in his interview, as you'll see, that knowing he had this earlier confrontation, he decides to go back to this location. There's no other way to look at it than Matt Jackson was trying to exact his measure of revenge because he felt disrespected by Tony. So it turns into something no one could perceive, except for Matt Jackson.

And as you'll see in the interview, it's very revealing. He's trying to say things that are self-serving, but at the same time, he's making

unintended admissions of his own culpability, of his own guilt. It's about an hour how long and it is very telling. And you will see the mentality that Mr. Matthew Jackson has, the hatred, the ill-will. He had too much pride to let it go. Too much pride. He felt disrespected. But he felt out numbered originally, so he didn't want to do anything. That's why he comes back later with a group of people associated with him to take on Tony over this perceived slight. The evidence is going to bear that out.

So we picked you to serve on this jury. You're residents of Newberry County, that's the only way you can serve on this jury. So in your community, if a crime is committed, you guys are the only ones that can pass judgment of guilt or innocence. That's it, you are the finders of fact. And the Judge will give that to you in his instructions. But the standard, what we have to prove as the State is we have to present proof that leaves you firmly convinced of Mr. Jackson's guilt. And what we want is a verdict that's consistent with the evidence.

And, you know, we always talk about what would a reasonable person think of the evidence? And I submit to you, you guys are reasonable people, that's

why we picked you. We just want you to give a fair look at the evidence and apply the law to the evidence that's presented to you. And I think once you do that in this case, I submit to you, once you do that, it will be clear. It will be crystal clear if you're honest with yourselves and I guess, more specifically, if you're honest with the evidence. It will only lead you to one logical and fair conclusion, that Mr. Jackson is guilty of nothing less than attempted murder.

He arrives back at that location after he had gotten into a verbal dispute. And it can only be read as one thing, to kill Tony Jackson. A knife attack. The only other thing he could have done that would have shown his intent more than a knife attack is he shows up there with a gun and just shoots him. This was a brutal, brutal attack of a very vindictive man hell bent on, like I said, exacting a measure of revenge.

You know who doesn't need to be firmly convinced? The person who's already firmly convinced of Matthew Jackson's guilt? That's Tony Jackson. He has to live with the scars. He has to have an everyday reminder of what Matthew Jackson did to him. He doesn't need to be reminded because he's living

it. And you'll hear about it. You'll see the interview Matt Jackson gives.

And Matt Jackson is going to try in the interview to sell us on self-defense, but guess what, this case is not about self-defense. This case is about self-denial. Denial by Mr. Jackson, Mr. Matthew Jackson of his own evil, malicious actions. And he showed up that day or showed back up to that both ramp to kill Tony Jackson. That's the only fair and logical way to look at it. And that's it.

We thank you for your time and attention. We look forward to presenting this case to you.

THE COURT: Thank you, Solicitor.

Mr. Verner, ready, sir?

MR. VERNER: May it please the Court, Your Honor?

THE COURT: Yes, sir.

OPENING STATEMENT

MR. VERNER: Mr. Foreman, members of the jury, I will tell you this -- well, first and foremost, Matt is lifelong from Newberry County, Silver Street area. If you only had one side of this case, I agree wholeheartedly with the solicitor. And I never do this, but I'm going to tell you that Antonio Jackson

is here to give you false testimony on his version of what happened. It's not as simple as the solicitor makes it out to be.

This is an attempted murder, murder case. Murder. Premeditated murder. Now, every Court defines it a little bit differently, but murder is murder. Premeditated murder. In South Carolina, they use the phrase malice aforethought. Aforethought means premeditated. I thought about doing something. And malice means, I want him dead. Not just I dislike like somebody, I hate this person, it is an evil intent to cause somebody harm. And there's no way that at the end of this case y'all can look at this case and say any of this stuff by either side was planned. This was just a wild melee. And it's a melee started by this side.

I don't know -- I've never been out there, but the Sunset boating strip is a public dock that people use to swim in, but the police don't go there. It's way out in the boondocks. There's no security people there. There's no stores there. There's no life guards or people watching you. It is a nice place to do whatever you want to do at the lake. Sometimes good stuff under the light of day, sometimes not so good stuff.

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Tony and his crew are out there drinking all day and they're smoking weed and drinking vodka straight out of the liquor bottle. Matthew gets dropped out there -- and this is what the story is all about, Tony's in a relationship now with the lady named Ashleigh. Ashleigh's got some kids who were taken away from her by DSS by the baby's father, who happens to be Matthew's friend. So for years, you've got this DSS drama. Matthew gets dropped off at the lake, which he goes to.

Here's how you know it's not attempted murder right off the bat. I don't go out looking to kill somebody and wear white pants, a white shirt, I'm 130-pounds or so to go fight somebody who's literally twice your size, 250-pounds or so. He's got a glass eye. Matthew's got a part glass eye. He's wearing glasses. He's legally blind without the glasses. He's got a pocket knife in his pocket about this big. That's not -- nobody goes -- and he's got his crew with him. With your momma. And you're going to murder somebody? No.

What happens is Matthew gets out there, other people are at the lake, they're cooking out. People are having a party and whatnot. It's festive. It's secluded. Matthew gets dropped out there to meet

some of his friends there. Well, he sees the kids. They know him because he used to live with their father, the kids' father. They hug him. Tony sees the guy just walk up in my camp, hug the kids. He's got a bull -- he approaches him. And the women know who he is. Ashleigh and her two sisters are out there. The -- and Tony kind of makes it known to Matt, you need to go away in such a nice way. And Matthew immediately walks off to another area of the dock. Tony's got a bull horn and he's saying things like, Look at that pervert, kid lover, look at that bitch, with his bull horn out in the parking lot with his crew.

Matt's by himself. Matt doesn't want any of that, so he walks away and leaves. He gets dropped off about 5:00 in the evening. Buffalo Creek -- there's a restaurant, Buffalo Creek or Buffalo Inn on the lake, that's about a mile walk through the woods. Matt leaves through the woods. He doesn't leave through the road because he doesn't want to see them leaving and have him follow him out, so he leaves through the woods. He calls his mother and says, Can you come pick me up from the lake? And he tells her why, that, you know, Tony Jackson is barking at me. And so, Matthew's mother comes and picks him up from

Buffalo Creek. He ain't drinking.

And here's where the problem begins. Sheila, Matthew's mother, drove him back out there to the boat landing. They had been there the day before and she says, I want to get my blue jeans. Which they tell the cops at the time. But Sheila gets out of the car and she sees Ashleigh and Alexis and Ayleah and those sisters and they start mouthing off at each other on different ends of the parking lot. Then the guys -- gets everybody's attention and you see people -- the women shouting at each other. Everybody is paying attention now.

The women start fighting. The three sisters attack Sheila. They knock three of her teeth out of her mouth. They're beating the fool out of her. Matthew goes over to pull his mother off of -- get his mother. She's on the ground. She's getting beat up. She's got teeth knocked out of her head by these girls. Matthew is pulling them off and getting away. Tony sees Matthew jump in and they beat the fool out of Matthew. Now, you will see the following pictures of it. The pictures won't lie.

When the cops are interviewing Matthew -- and by the way, he did call the cops the next day and he showed the cops the phone where he tried to call them

the next day. You will see that on the video. Look at the bruises on Matthew. He's got marks all over his body where on the ground, they were beating the fool out of him.

Tony threw the first punch. There -- it's interesting, you will see a pair of glasses on the ground, a photograph of them, that are completely demolished. When Tony threw the blind eye side of Matthew, cold cocks him from behind, crushes the glasses. He's got black eyes that haven't healed yet, for a year. Tony walks up from behind, cold cocks Matthew. Look at the crew, I mean, these are big guys.

They've got him on the ground beating the literal hell out of Matthew. Matthew's got a pocket knife in his pocket. He's on the ground getting beat up. It's about this big. That's why they don't see it at all. That's why his friends said, I thought it was maybe a box cutter. He's not stabbed, he's cut because Matthew's on the ground swinging wildly with the knife. Tony doesn't even know he's cut. Somebody has to pull him out and say you're bleeding, man. Tony's so worked up and drunk, he doesn't know he's cut.

They get to the police and the girls get to the

police and then they get their side. And even in the beginning -- and I understand you've got wildly different versions of what happened. But the problem is, they are the ones who get to the cops first and they say, Oh, my God, he's been attacked and knifed. He's worried he might be in trouble, too. Then they start saying things, Well, we think there were guns out there. We think that this was a gang thing or a crew. They all give wildly different -- now, we've had a year to get our stories straight and I'm sure you're going to hear a little bit more consistency, but watch the statements at the time. They all give different versions of where it happened, what happened. And that's the prosecution's case.

Matthew is scared, too. You know, he's arrested. He's charged with attempted murder. There's no question he's scared, too. You see the money that Matthew had in his pocket when he gets -- he's so frantic to get the pocket knife out of his blade [verbatim] that the money is on the ground where he's getting the beating. And they're going to come back -- and I don't use this word lightly, but they are going to come back and lie and give their version of what happened. But they don't want to be accused of being the ones who started this fight.

And this is entirely because the police -- they were the first people to get to the cops. They didn't go to the cops. They didn't go to the cops. They went to the hospital because he's cut and he's bleeding. When the hospital gets a call like that, the cops come out and investigate. Then they start giving their version. Well, we're the victims. We're the victims. No, they weren't. No, they weren't. They started a brawl. They're beating a guy, a small guy within an inch of his life, he gets scared and cuts them. I mean, if this was a fight and he's throwing punches, the cuts are in the back. Because they're on him, kicking him in the face.

And there's ill will. I mean, there's just years of this DSS drama that is just the -- the backbone of this case is just a spite between these two groups of people over these kids. And that's the story. I mean, I don't know, it was a free for all out there. But the wrong person has been charged, in all candor.

I submit to you -- and with a case -- the State charges a big charge like this, procedurally, they get to choose to charge they want, which is the big charge. But then if the jury says well, we don't think it's that big charge -- it's kind of like a

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shotgun blast. And they say well, maybe it's a little bit lesser of offense or a little bit of a lesser offense until you get to not guilty. But if you find -- and the State has to disprove self-defense. Matt Jackson doesn't have to prove self-defense. If there's any evidence that you consider that you think shows that there might have been self-defense in this case, then the State has to show you without a doubt that it was not self-defense, that it was a premeditated attack. And they can't do this.

I submit to you if you are in fear of serious bodily injury, the Judge will tell you, you've got a right to use force and even deadly force until you think that you are safe. Whether that's a gun or a knife. And a knife in your pocket would qualify if you are taking a beating like this in an isolated place. I tell you, Matt Jackson thanks God that y'all are here to shed some light on it. Because the wrong person is claiming he's a victim.

The only conflicting issue is the -- about the time of the fight, a cousin named Cameron Goff of Matt Jackson had gotten a text message from Matt or something, also, that Matt -- I have been threatened. And there were other people threatened that day to

get beat up by Tony Jackson and his crew.

Here's what -- there was -- a cousin named Cameron Goff showed up about the same time at the boat ramp as Matt and his momma did. That's why they think that there's this conspiracy, a group that they showed up in a posse to come back. And I'm telling you, that was just a coincidence that Cameron had gotten the text from Matt saying that he was huffing at me. Cameron went out there following Sheila in her car, but they didn't get out and -- they didn't cause a fight. They didn't get in a fight. There are no other bruises. There's nobody else getting fight or getting beat up. Cameron didn't even jump in the fight. Cameron left when Matt got beat up. But because they showed up about the same time as Sheila did, now we've got this posse situation.

And if that was true, wouldn't there be other defendants? No. One person got cut because he was beating the living daylights out of another man, a much smaller man with a false eye, with glasses, with his mother present, in white clothes. He didn't come for a fight and he didn't come to get beat up. He's absolutely, I will tell you, justified in defending himself, even with a small old-timey knife in his pocket. It's clear this is a self-defense case from

the beginning to the end on any of these charges.

THE COURT: Thank you, Mr. Verner.

Solicitor, you ready to call your first witness?

MR. DANIEL: We are, Your Honor. The State calls Deputy Corey Cook.

THE CLERK: Raise your right hand and place your left hand on the Bible.

COREY COOK, after being duly sworn, testified as follows:

THE CLERK: Have a seat. State your name for the record.

THE WITNESS: Sergeant Corey Cook, Newberry County Sheriff's Office.

DIRECT EXAMINATION

BY MR. DANIEL:

Q Sergeant Cook with the Newberry Sheriff's, how long have you been employed with the sheriff's office?

A July 1st this year will be six years.

Q You've been there six years. I want to go back to June 6th of last year, were you on duty that date?

A Yes, sir.

Q Okay. And did you have an occasion to respond to a call originating from the Sunset Road boat ramp in Lake Murray, in Prosperity?

A Yes, sir.

Q Approximately what time were you dispatched out to a call at that location?

A We got the call at approximately 8:37 p.m.

Q Okay. Approximately 8:37 p.m. And what was the nature of that call to respond out to the -- is it also known as the SCE&G boating ramp and park?

A Yes, sir, also, Sunset boat ramp.

Q Sunset boat ramp, okay. And what was the nature of that call at the Sunset boat ramp?

A We responded that way in reference to a stabbing.

Q And tell us what occurred. And did you arrive at that location?

A No, sir, I did not. While I was still in route to that location, dispatch received further from the complainant saying that the person that was stabbed was in route to the hospital in a white Ford pickup with his flashers on. And my lieutenant at the time, Lieutenant Carner, he directed me to follow the vehicle to the ER.

Q Okay. So dispatch tells you to go out to Sunset boat ramp. While you're in route to the boat ramp, you're redirected to follow the vehicle that the victim was being transported in to the hospital?

A That's correct.

Q So this would have been by private vehicle, Ford

F-150?

A Yes, sir.

Q All right. So were you able to intercept that vehicle and escort it to the -- I guess, the Newberry emergency room?

A Yes, sir. I was able to get behind it and follow them to the ER.

Q And did that vehicle -- was it going at a high rate of speed to get to the ER?

A I don't recall.

Q But in any event, you follow it all the way to the ER to make sure they get there safely and promptly?

A Yes, sir.

Q Okay. All right. So tell us what happens once you get to the hospital. What do you observe?

A Whenever we pull up at the hospital, I see the hospital staff, they're waiting outside to begin treating the stabbed victim. I also speak with the other occupants in that vehicle that the victim was in.

Q Okay. The other occupants in the vehicle with the victim -- and who was the victim?

A Mr. Antonio Jackson.

Q Seated right here on the first row in the blue shirt?

A Yes, sir.

Q Okay. So you observed him being treated at the Newberry ER?
A Yes, sir.
Q Okay. All right. So the other people that were with him, were they eyewitnesses to this incident?
A From what they advised me, yes, sir.
Q Okay. All right. So at that point, you observed Mr. Jackson. Do you observe any injuries to Mr. Tony Jackson?
A When I first got there, I didn't really even look at him. I was letting the ER staff treat him. When I first got there, I spoke with the witness one and witness two first.
Q Okay. Who were those individuals?
A The first one was Ashleigh Cockrell and the second one was John Platts, Jr.
Q Okay. All right, I'm going to hand you some photographs that have been marked for ID purposes as State's 1 through 13. Do you recognize these photos, State's 1 through 13?
A Yes, sir, I do.
Q Okay. What are they photographs of?
A The victim, Mr. Antonio Jackson, at the hospital with his injuries.
Q Are they a fair and accurate representation of

what you observed on June 6th, these photographs?

A Yes, sir.

MR. DANIEL: Your Honor, I'd offer State's 1 through 13 for admission into evidence.

MR. VERNER: Without objection, Your Honor.

THE COURT: All right, without objection, 1 through 13 in evidence for the State.

(WHEREUPON, State's Exhibits Nos. 1-13 were marked for identification and received into evidence.)

BY MR. DANIEL:

Q Deputy, we're going to publish these on the TV for the jury to look at. We'll kind of go through them one at a time.

Walter, if you could, just zoom in on some of those.

THE WITNESS: Do you mind if I stand up?

BY MR. DANIEL:

Q Sure. What's that?

A That's Mr. Anthony Jackson.

Q Antonio Jackson?

A Antonio Jackson, I'm sorry.

Q Okay. And that's him at the Newberry Hospital?

A Yes, sir.

Q Okay.

Umber two, Walter.

What are we looking at there?

A That is a laceration to Mr. Antonio Jackson's, looks like, lower abdominal area.

Q Lower left abdominal area?

A Yes, sir.

Q And that's a pretty deep gash, am I correct on that?

A Yes, sir.

MR. DANIEL: Next picture, Walter.

BY MR. DANIEL:

Q Same picture?

A (The witness nods.)

MR. DANIEL: All right, next one, please.

BY MR. DANIEL:

Q And that's just hospital staff measuring?

A It's just a scale we kind of put next to items just to kind of show proportions of how it is to actual scale.

Q Okay. And that appears to be several inches long. I'm not precise on that, but is that your recollection?

A Honestly, I don't recall. I can't read the numbers.

MR. DANIEL: All right. Next one, Walter.

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COREY COOK-DIRECT BY MR. DANIEL

BY MR. DANIEL:

Q That appears to be a different wound to the upper body?

A Yes, sir.

Q It's hard to tell exactly where that is in that picture; is that right?

A Yes, sir. I can't tell exactly where that's at.

Q Okay.

Next picture.

Same, just another measurement that y'all do?

A Yes, sir, just with the scale.

MR. DANIEL: All right. Next picture, please.

BY MR. DANIEL:

Q That appears to be an abrasion to Mr. Jackson's arm?

MR. VERNER: Your Honor, I know he's trying to speed through it, but he needs to ask questions.

THE COURT: All right, rephrase, Solicitor.

BY MR. DANIEL:

Q What is that a picture of, Deputy Cook?

A It appears to be a small -- or a cut to Mr. Antonio Jackson's forearm, his elbow.

Q All right.

Next picture.

MR. VERNER: What number is this one?
MR. DANIEL: We're going in chronological order? What number is that, Walter?
MR. BENTLEY: Eight.
MR. DANIEL: That's No. 8.
MR. VERNER: Okay.
BY MR. DANIEL:
Q Again, another picture to scale?
A Yes, sir.
MR. DANIEL: All right, next picture. Zoom in on that, please, Walter. Won't zoom in? Okay.
BY MR. DANIEL:
Q What are we looking at here, Deputy Cook?
A It appears to be a laceration to the victim's back.
Q Okay. And approximately how long is that laceration? You don't have to be precise.
A I'd say between ten inches to about a foot, maybe more.
Q Okay. And that's to the back of Mr. Tony Jackson?
A That's what it appears to be, yes, sir.
MR. DANIEL: All right, next picture, please, Walter.

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COREY COOK-DIRECT BY MR. DANIEL

BY MR. DANIEL:

Q Measurement of that same injury?

A Just with the scale, yes, sir.

MR. DANIEL: Next picture.

BY MR. DANIEL:

Q All right. What are we looking at here, Deputy Cook?

A This is a shirt that was located on the actual crime scene. Like I said, I was not actually out there. I don't recall the exact officer who retrieved it. It was just a black undershirt that was retrieved from that scene.

Q Okay. And why is that significant to this case, this black tank top?

A Because --

Q Based on your investigation?

A Because after investigating, we found several, what appeared to be cut marks on the actual shirt.

Q And who -- based on your investigation, who did you believe to have worn that black tank top?

A The victim, Mr. Antonio Jackson.

Q Okay.

Next picture, please, Walter.

What is that a picture of?

A That's a picture of the cut on the shirt.

Q Okay.

Next picture.

Just another picture of the shirt?

A I believe it's just the opposite side of the shirt.

Q And there appears to be some discoloration at the bottom of that shirt. Do you have an idea of what that discoloration would be, where it's darker than the rest of the shirt, kind of the bottom half?

A Again, I'm not a expert. I couldn't say.

Q Okay. Did it appear to be some kind of bodily fluid?

A It's a possibility, yes, sir.

Q All right.

Next picture.

I think that's all, State's 1 through 13.

A May I be seated?

Q Yes, sir, thank you. Again, I have to ask this question, is the Sunset boat ramp, the incident location, is that in Newberry?

A Yes, sir, it is, in the Prosperity area.

Q Okay. All right. And then again, the reason you were dispatched out to this location, was that in reference to someone calling 911 and reporting a stabbing incident? That's how you were made aware of this in the

first place, correct?

A Yes, sir.

Q All right. Does the sheriff's office or 911 emergency, do they maintain records of who calls 911 and reports a crime or emergency?

A Yes, sir. Dispatch, if we have a complaint, they usually log them into their CAD system.

Q What is a CAD system?

A I couldn't tell you what it stands for, that's just how they keep track of who calls and the times that you call.

Q Okay. So CAD, would that be Computer-Aided Dispatch?

A That sounds about right.

Q It's just a way to monitor who calls from what number and what time they call?

A Yes, sir.

Q And have you reviewed the CAD report related to this case?

A Yes, sir, I did.

Q I'm going to hand you what's been marked for ID purposes as State's 14, do you recognize that?

A Yes, sir, I do.

Q And that's the CAD report we were just referencing?

A Yes, sir.

MR. DANIEL: Your Honor, I'd offer State's No. 14 for admission into evidence.

MR. VERNER: May I see it, please?

Because it's voluminous, Your Honor, I would object. I have no objection to him publishing what time the call was made or the dispatch or the redacted version of it. But the -- it's all kind of like driving notes. I think he's just offering it for the time of the call. So right now, I don't have any objection -- I would object to the document. If they want to just redact it and go to the time of the call or just let him indicate the time of the call.

MR. DANIEL: Your Honor, I'll stipulate. I can remove the objectionable portions. I don't think Mr. Verner has an objection to just the first page of this attachment. If the Court would like to see that.

MR. VERNER: Let me see it.

That's correct, Your Honor, if he just wants to introduce the first page.

THE COURT: All right. The first page then is Exhibit 14 for the State.

(WHEREUPON, State's Exhibit No. 14 was marked for identification and received into evidence.)

BY MR. DANIEL:

Q This has been admitted into evidence as State's 14. Is that the CAD report?

A Yes, sir.

Q Okay.

And Walter, if you could, put that on the screen, please. And zoom in, if you can.

All right. So this just is, basically, a printout maintained in your data base that shows what time the call came in and who made the call to 911 to report this incident, correct?

A Yes, sir.

Q Okay. Who called 911?

A Alexis Renee Cockrell.

Q Tells you the phone number she called from, correct?

A Yes, sir.

Q And also says what time she called; is that correct?

A Yes, sir.

Q What time did she call 911?

A 8:36 p.m.

Q All right. In the intervening time between Alexi Cockrell calling 911, you intercept the vehicle that the victim's being transported in to the Newberry

Hospital; is that right?

A I'm sorry, could you repeat that, please?

Q After she calls 911 at, roughly, 8:36 p.m., after that, that's when you intercept that F-150 that transports the victim to the hospital, correct?

A A few minutes later, yes, sir.

Q So would it be fair to say that by 9:00 p.m. you were at the hospital, Newberry ER, roughly?

A CAD notes, it says I arrived at 2050, so 8:50 p.m.

Q So even sooner, 8:50 p.m. is when you actually arrive at the hospital?

A Based on what I can read off the CAD, yes, sir.

Q Okay. All right. Did you have a -- did y'all develop a suspect who was responsible for the stabbing at this point in your investigation?

A Yes, sir.

Q Who was that individual?

A Mr. Matthew Jackson.

MR. DANIEL: Beg the Court's indulgence.

BY MR. DANIEL:

Q Going back to where this stabbing occurred, at the Sunset boat ramp, is that pretty -- and that's on Lake Murray, right, in Prosperity?

A Yes, sir.

Q Is that pretty out there in the county?

A Yes, sir.

Q And if you were going just the speed limit, how long would that take you to get to the Newberry ER from this boat ramp?

A You're looking at probably a good 30, 35, 40 minutes.

Q But, of course, if you're emergency and you're going there, you can get there quicker?

A Yeah.

Q Otherwise, it's a rural area? It's a very remote --

A Yes, sir.

Q -- part of the county?

A Yes, sir.

Q And did you really have an occasion to talk to Mr. Tony Jackson in depth? I know he was being treated by medical personnel, correct?

A Yes, sir. I spoke with him for a very little bit at the ER after I got done speaking with the other two occupants in the truck. Medical personnel did tell me that he was going to be transported to Richland County Hospital, so I tried to speak with him the best I could before he was transported.

Q Okay. Did Tony Jackson appear to be grossly

intoxicated, did you make any note of that?

A No, sir, not that I could tell.

Q You didn't notice alcohol or heavy smell of marijuana or anything like that coming from his person?

A No, sir, I did not.

Q What about from other people, eyewitnesses to this case who were at the hospital, did you note they were in a grossly intoxicated condition?

A No, sir.

Q Okay. But they were fairly hysterical, would that be fair to say, some of these witnesses?

A Yes, sir.

Q And that's what you would expect after this type incident?

A Yes, sir.

Q Okay. Then why would Mr. Tony Jackson have to be transported from the Newberry ER to Richland County?

MR. VERNER: Objection. Facts are not -- there's no foundation for that question. It's a leading question and speculative question, but other than that.

THE COURT: Well, if he knows, it had to come from a third party, presumably medical personnel, I'll sustain the objection.

MR. DANIEL: All right.

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COREY COOK-CROSS BY MR. VERNER

BY MR. DANIEL:

Q All right. Do you know -- do you know why -- I mean, personally, do you know why that Newberry ER could not continue to treat Mr. Jackson that night?

A No, sir.

THE COURT: Isn't that the same --

You answered no, okay, that takes care of it.

MR. DANIEL: Please answer any questions that Mr. Verner has for you.

THE COURT: Mr. Verner, cross-examination.

CROSS-EXAMINATION

BY MR. VERNER:

Q Good morning, Deputy Cook.

A Good morning.

Q Do you remember what day of the week June 6th was?

A No, sir, not off the top of my head, I don't.

Q Do you still have that CAD report? It probably lists the day of the week, doesn't it?

A I just see the date.

Q June 6th, okay. So you don't know if this was a Tuesday, Wednesday or weekend, do you remember?

A I do not, not off the top of my head, no, sir.

Q And the first that you actually did anything substantive in this case would be when you arrived at the

emergency room?

A Yes, sir.

Q Are you equipped with a body camera? Were you on June 6th, at least?

A I don't recall.

Q Is it possible you were?

A It's possible, yes, sir.

Q You don't recall filming walking in the hospital and scenes?

A No, sir, I don't.

Q Okay. If I submit to you I've been supplied through the discovery process with a body cam that indicates that it's your camera?

A Okay.

Q Is it possible that you could have had the body cam on?

A Yes, sir. Yes, sir. I just don't recall it.

Q Okay. And you arrive at the emergency room, right?

A Yes, sir.

Q And I'm going to backtrack just one second for a second. The Sunset -- how long you been a deputy in Newberry?

A Going on six years.

Q Six years?

A A little over five now.
Q Okay. And you've risen to the rank of a shift sergeant?
A Yes, sir.
Q Okay. Are you familiar with the Sunset boat ramp?
A Yes, sir.
Q That's a fairly remote location?
A Yes, sir.
Q Is it fair -- do you ever get any calls about criminal behavior at the Sunset boat ramp?
A I've been out there for a couple disorderly, yes, sir.
Q What about narcotics-type violations? Either marijuana or narcotics?
A Yes, sir. I believe myself have made a couple of cases out there.
Q And there are nice people who go out there, too, right?
A Oh, yes, sir.
Q But it's also a convenient place to smoke a joint or --
A Absolutely.
Q -- drink alcohol and party?
A Yes, sir.

Q And it's kind of got a reputation for that, right?

A Yes, sir.

Q The photograph --

Mr. Bentley, could you show us No. 7 again, the photograph No. 7?

THE WITNESS: Mind if I stand up?

BY MR. VERNER:

Q Please do. Any time you want to step down, do. Now, this appears to be a photograph of Mr. Antonio Jackson's arm?

A Yes, sir.

Q That's not a cut, is it?

A It looks like a laceration or cut of some sort.

Q Does it also look like that could be like falling down gravel or road rash, maybe, type?

A I mean, it's possible he could have sustained that from a fall, yes, sir.

Q Okay. All right. Because it's more of a blotchy, round injury toward the middle of it, right? Could that be consistent with what you've seen of somebody falling on gravel or getting pushed on the gravel or concrete road?

A Yes, sir. I mean, it's possible. I'm not an expert in that.

Q Okay. You've been to Sunset. That's not a concrete road, that's a gravel road, right?

A Yes, sir.

Q And the parking lot of the Sunset park is a gravel parking lot?

A Yes, sir.

Q The -- if somebody came off of a motorcycle on a gravel road, is that kind of consistent with that kind of injury, a cut in your arm?

A I guess it would vary on the speed of the motorcycle.

Q Okay. The -- I think No. 8 --

Show us No. 8, Mr. Bentley, but I think that's the same photograph. Now, Mr. Bentley, show us No. 11, please. And blow it up.

All right. The -- now, this is the front of -- this is the shirt -- you can step down if you want to, Sergeant. You don't have to, but -- this is the shirt that you believe -- what makes you think that Antonio Jackson was wearing that shirt?

A Just where the laceration is to the lower abdomen --

Q Right.

A -- kind of matches up where his --

Q That appears to be the back of the shirt. Is

that the back or the front?

A I can't tell you that, I don't know.

Q Okay. The -- and this would have been taken shortly after on the same day of the scene?

A It was the same night we worked. That's inside the squad room.

Q The -- but that's from the same night of the --

THE COURT: Let me instruct, don't talk over each other, wait for the question to finish, Deputy, and answer.

Mr. Verner, wait for the answer to finish before you hit him with another question.

MR. VERNER: I understand. I'm used to the court reporter yelling at me for violating that, Judge.

BY MR. VERNER:

Q The stains on the bottom of the shirt, that doesn't appear to be mud?

A Like I said earlier, I'm not a hundred percent sure what that was.

Q The -- it appears to be yellow, doesn't it, in parts?

A It does, yes, sir.

Q And it's not even connected to the laceration mark on the shirt, is it?

A It's close, but not directly.

Q The -- in fact, it kind of rings around the whole bottom of the shirt, doesn't it?

A Yes, sir.

Q In parts, it's white?

A Yellow, white, yes, sir.

Q The -- is there mud out there at the lake and red clay?

A Yes, sir.

Q Is it possible that's a shirt that somebody wore out in the mud or the lake?

A Yes, sir, it's possible.

Q Is it possible that that's something that maybe somebody had been drinking and fell off of a motorcycle and would have gotten stains like that from?

A Yes, sir, it's possible.

Q Okay. The -- and when you interviewed Antonio Jackson, you never really had a true, what you would consider, interview because he was always under treatment at the time in the bed with the staff working around him, right?

A Yes, sir. I didn't get to, I guess you'd say, spend as much time as I'd like to get before they transported him, yes, sir.

Q The -- but it wasn't a situation where you could

ask me to step beside your patrol car and speak to you close, face-to-face? It was always a situation where he's being treated by the physicians and you're kind going to talk to him behind them?

A Yes, sir.

Q Okay. And did you actually see the injuries on Antonio Jackson's body?

A Not myself. I'm not the one that photographed Mr. Antonio, that was Deputy Bouknight at the time. He took all the photographs at the hospital. I was there just talking to him trying to get his side of the story.

Q He was in a hospital gown, in the bed and being treated by?

A Yes, sir.

Q And likely had gauze, bandages or something over the wounds?

A Yes, sir.

Q But you have seen the photographs of the injuries that the prosecutor played for you just a second ago?

A Yes, sir, I've seen photographs.

Q Okay. Is it fair to say, if I didn't characterize those as stabs, I characterize those as cuts, that they're longer than they are deep, right?

A Maybe the one towards his lower abdominal, but

the other one, I'm not sure where it was located on his body, but it was the about the size of the knife.

Q And you would defer to the hospital records of your own?

A I'm sorry?

Q You would defer -- whatever the hospital records indicate they are, you would agree they're probably in a better situation?

A Absolutely, yes, sir. They're trained in that matter.

Q But the -- but if you look at all of them, they are -- have you got the photographs?

A I do.

Q This -- I'm looking at No. 3.

No. 3, Walter.

The -- would you agree with me that that is more of a slash or a cut rather than a stab?

A Yes, sir.

Q Okay. And all of those photographs would be after the physicians have treated them? No. 9, would you agree with me that that is a slash and not a stab?

A Yes, sir.

Q Okay. And that's all you have of them. All right.

May I have No. 12, Mr. Bentley?

This was a -- what does No. 12 appear to be to you?

A It appears to be a slash mark on the shirt that was recovered from the lake.

Q Okay. The -- now, could that also be just a rip mark?

A It looked more like a slash when I was looking at it.

Q It's certainly not a clean cut, is it? It's almost like a man's lapel that goes --

A It's not straight, but it appears to be more on the cloth, I guess, it wasn't frayed like from a tear, it looked more like a cut.

Q But is it possible that's a tear?

A Could be possible, but it looks more like a cut to me.

Q The -- there's no blood around it, though, is there?

A No, sir.

Q And the -- Mr. Jackson had how many cuts on his body?

A I don't remember.

Q He had multiple cuts on his body?

A Multiple.

Q But there only appears to be one tear in the

shirt?

A Yes, sir.

Q Why wouldn't the other cuts also tear up or neatly slash?

A I couldn't advise, I was not there.

Q Okay. The -- and again, you've also got that same mud or -- that's not blood, is it? I mean, come on, look at that, that's not blood?

A Not appear to be, no.

Q Is it possible that that's the kind of way somebody could tear your clothing if you fell off a bicycle, motorcycle on a dirt road, gravel road?

A I don't know.

Q All right. On the night of June 6th, you arrived at the emergency room about 8:50 by your notes, the CAD notes?

A Yes, sir.

Q And then I think you encountered John -- you encountered people in the sitting area; is that right? Well, if I can -- do you know who John Platts is?

A Yes, sir.

Q How would you describe John Platts?

A Tall, Caucasian gentleman.

Q He's physically big, isn't he?

A Yes, sir.

Q And he's got a beard and bald?
A That part, I can't recall. I just know he's taller than me and better built.
Q Okay. Do you remember meeting him?
A Yes, sir.
Q And do you remember meeting Ashleigh Cockrell in the waiting room? Was there a woman with him?
A A-S-H-L-E-I-G-H, if that's Ashleigh, yes.
Q But you do remember meeting the two of them in the emergency room?
A Yes, sir.
Q And you're saying that Ashleigh did not appear to be intoxicated or under the influence?
A No, sir, not to me. When I first got there, she was very hysterical.
Q She was hysterical, right?
A Yes, sir.
Q In fact, she was so carried away that you had to take John outside to speak to him because she kept butting in and interrupting your conversation and giving her comments?
A I don't recall her butting in. I know she was hysterical. I had to sit her down so she could calm down. I spoke to Mr. Platts first until she could get calmed down.

COREY COOK-CROSS BY MR. VERNER

Q You spoke to John Platts first?
A Yes, sir.
Q Okay. He indicated he did not see a knife, right?
A He said -- his words exactly I believe was he saw a blade. He was unsure of the type of blade, but he said he saw a blade.
Q No, he told you that it must have been a box cutter or something because he didn't see anything?
A I've got he said, Pulled out a blade and believed it to be a box cutter.
Q Again, you don't remember making a dash cam -- I mean, a body cam video?
A I don't remember. It's been a couple of months ago. It's possible.

MR. VERNER: Your Honor, I would offer the Deputy's video footage of that night.

THE COURT: Okay.

MR. DANIEL: Without objection, Your Honor. I was going to do it myself on redirect.

MR. VERNER: I beat you to it.

THE COURT: All right, that will be Defense 1.

(WHEREUPON, Defendant's Exhibit No. 1 was marked for identification and received into evidence.)

THE COURT: Mr. Verner, how long is this? You

just want to play a portion of it at this time?

MR. VERNER: My notes go up to 47 minutes long of what I actually made a time tabulation on, so I would anticipate about 15 minutes. I don't anticipate playing the whole portion of it.

THE COURT: Well, the reason why I'm asking is if you're going to play a significant amount of it, now might be a good time to take a break, then we can come back after the break and we can play it. If you're going to play just a small portion, then we'll try to finish with this witness before we take a break. You just need to tell me either way.

MR. VERNER: Your Honor -- well, it's in evidence, the jury can always watch it in the jury room. But I have about one, two, three, four, five, six, seven time stamp incidents that I would -- but they might run --

THE COURT: Let's do this, ladies and gentlemen, let's take a morning break, 10 to 15 minutes. I remind you not to engage in any discussions about this case. We'll get you back out and we'll move forward, okay.

(WHEREUPON, the jury left open court at approximately 11:14 p.m.)

THE COURT: All right. We'll be in short

recess.

Officer, you can step down, but you can't talk to anybody about your testimony.

THE WITNESS: Yes, sir.

(WHEREUPON, a short break was taken.)

(WHEREUPON, the jury came into open court at approximately 11:31 a.m.)

THE COURT: All right, let the record reflect the jury is back in.

Mr. Verner, I think we're still in the middle of your cross-examination.

MR. VERNER: Yes, sir. I intend to probably play -- I think Defendant's No. 1 has been entered without objection.

THE COURT: Right.

MR. VERNER: Which is the deputy's body cam.

Ms. Georgia, are you able to dim the lights in here?

Mr. Bentley, is that as close as the TV will go to the jury? Okay.

THE COURT: Now, Mr. Verner, are you going to be asking any questions while the video is being played? The reason why is because that can be a little bit distracting for the court reporter if you're asking and then we've got that noise from the video. What's

your plan on that?

MR. VERNER: Your Honor, I'm intending on let's just watch the first 12 minutes of the tape, then I will indicate to Mr. Bentley. But this will be just a present sense of his first interview.

THE COURT: Okay.

(WHEREUPON, Defendant's Exhibit No. 1 was published.)

THE COURT: All right Mr. Bentley, could you -- all right.

BY MR. VERNER:

Q Did Mr. Platts identify -- what he's talking about, they came by before, did he identify who he was talking about specifically or he just used they?

A He gave several names, yes, sir.

Q Cameron Goff, is that one?

A That's one of them, yes, sir.

Q James Casey Gregory?

A Yes, sir.

Q And a guy named BJ?

A I don't recall the BJ one.

Q Did he indicate that Matthew had been with them earlier? Or he just kind of using generically they, they came around?

A As far as earlier, I'm not -- I don't know what

he's referring to they. During the actual incident when the injuries occurred, that's my understanding that's when he listed Cameron Goff, James Casey Gregory and Sheila Norton was with him.

Q He clearly indicated the fight started between Sheila and Ashleigh, the lady in the video?

A Yes, sir. He did state that first.

Q And he also indicated that the victim, Antonio Jackson, didn't even know that he been cut, that they told him he had been cut?

A That's what I heard, yes, sir.

Q That he didn't see a knife, but he assumed it was small, like a box cutter?

A Yes, sir.

Q Could --

Mr. Bentley, could you --

And it appears that Ashleigh is acting hysterically?

A Yes, sir.

Q Could that behavior also be consistent with being under the influence?

MR. DANIEL: Your Honor, objection. This is kind of speculation at this point.

THE COURT: Well, I mean, you can ask him based upon his experience as a law enforcement officer, did

he think she was under the influence. Did she display any symptoms of being under the influence. He can ask it that way.

I overrule the objection to that.

MR. VERNER: Your Honor, I would note that even a layperson is allowed to give an opinion about whether a person appeared to be intoxicated.

THE COURT: And I'm allowing you to ask that. Just ask it a little different way.

BY MR. VERNER:

Q The -- did she appear to be possibly intoxicated?

A Did not appear that way to me. She appeared to me to be more upset about her boyfriend or significant other being stabbed.

Q Have you interviewed other people who have been worried that maybe they have violated the law and might get in trouble?

A I'm sure I have. Nothing comes to mind at this time, but I don't recall.

Q Did she appear to be a lady who had just knocked out two or three teeth of another woman's mouth?

A No, sir.

Q Okay. Did she tell you that she had punched a lady in the mouth and knocked her teeth out?

A No, sir.

Q Is that something she could have been arrested for if it wasn't self-defense?

A Sorry, can you say that again?

Q The -- if I made the allegation that Joe came up to me and punched me in the face and knocked three of my teeth out, that's something you can get arrested for, right?

A Yes, sir.

Q That's assault?

A Yes, sir.

MR. VERNER: Mr. Bentley, can you go forward please to 20:20.

BY MR. VERNER:

Q And then, also, at the hospital, I believe you interviewed Mr. Antonio Jackson -- you can step down. Anytime you want to step down, with the Court's indulgence, to see the screen, I have no objection.

THE COURT: Right, I just don't need for him to make any commentary while the video is being played. Certainly, he can step down at any time.

MR. VERNER: Okay.

BY MR. VERNER:

Q This is, basically, the setting that you interviewed or that you spoke to Mr. Antonio Jackson in?

A It looks like it, yes, sir. Looks like one of the treatment rooms.

Q And the three people we see on the screen are probably the emergency room nurses or doctors?

A I'm not sure about these two. I know this guy right here is EMS, yes, sir.

Q So that's an EMS, the older man with the white hair?

A Yes, sir.

Q And it appears to be two other nurses or technicians?

A Yes, sir.

MR. VERNER: From 20:20, Mr. Bentley, please, sir.

(WHEREUPON, Defendant's Exhibit No. 1 was continued to be published.)

MR. VERNER: All right, Mr. Bentley, thank you.

BY MR. VERNER:

Q All right. Is it fair to say that Antonio's statement at the scene was that Matthew came up and punched my old lady?

He said, Matthew came and pushed my old lady?

A He said he knew him as Matt.

Q Regardless of how he identified him, he said it

happened when the male hit my old lady?

A Yes, sir.

Q And then he said, They slid in and six or seven people jumped out.

A Yes, sir, I believe that's what I heard.

Q Then Antonio said, I had him on the ground, he wouldn't hit me or he couldn't hit me.

Is that what you heard?

A Yes, sir.

Q Then he stabbed me again in the arm?

A Yes, sir.

Q Okay. That was the substance of Mr. Jackson's, an hour or so of the fight, version of what happened? And I know he came back and gave a more complete statement, but as far as you know, that was --

A Yes, sir, as far as I know.

Q Okay. And he appears to be fairly conscious, right?

A Yes, sir.

Q He's not drugged up or under the influence of medicine or anything like that?

A Yes, sir.

Q Okay. Then after you spoke to Mr. Jackson, I believe you went out to the parking to speak to Ashleigh's sisters? Do you remember seeing those girls out in the

parking lot?

A Yes, sir. Yes, sir.

MR. VERNER: Mr. Bentley, would you go forward to 29:50?

(WHEREUPON, Defendant's Exhibit No. 1 was continued to be published.)

BY MR. VERNER:

Q Who are these ladies we're looking at on the screen? I don't need their names, just generally identify them.

A Ashleigh's sisters, I believe.

Q A lady, Alexis?

A Alexis, yes, sir.

Q Okay.

MR. VERNER: Mr. Bentley, are we at 29:50? If so, you can hit play.

(WHEREUPON, Defendant's Exhibit No. 1 was continued to be played.)

MR. VERNER: Mr. Bentley, if I could, let's go back to 29:40, I may have messed up my mark. You can ballpark it around 20:40.

(WHEREUPON, Defendant's Exhibit No. 1 was continued to be published.)

MR. VERNER: Okay. Thank you, Mr. Bentley.

BY MR. VERNER:

Q That's either Alexis or Ayleah, the Cockrell sisters, giving a statement?

A Yes, sir.

Q And that might not be a statement with you, might just be with a group of officers kind of?

A Yes, sir.

Q Okay. But it's clear she indicates Matthew came up and hugged the kids?

A Yes, sir.

Q And that set off Ashleigh, who said something about might be friends with the babies' father. And then she also indicated that that upset Tony?

A Yes, sir.

Q Okay. We'll get there, but is it fair to say that they also indicated that Ashleigh never actually got hit?

36:41.

A Yes, Alexis, yes.

Q But the victim was actually one of the other sisters said she got hit, not Ashleigh?

A Yes, sir.

Q Okay.

MR. VERNER: We don't need that, Mr. Bentley. Can we go to 43:12, Mr. Bentley? By the way, stop

right there for just a second, Mr. Bentley.

BY MR. VERNER:

Q I'm pointing to what appears to be Mr. John Platts, the gentleman that you interviewed in the emergency room; is that correct?

A I'm not sure, looks like it.

Q He's got the ball cap, the short pants. Do you know -- there's even a bigger guy standing with him, do you know who that guy is?

A No, sir, to be honest with you, I can't remember, no, sir.

Q Okay.

MR. VERNER: Mr. Bentley, I'm sorry, 33:14.

(WHEREUPON, Defendant's Exhibit No. 1 was continued to be published.)

MR. VERNER: Thank you, Mr. Bentley.

BY MR. VERNER:

Q You don't know which sister that is?

A No, sir. I couldn't tell you off the top of my head.

Q But she's clearly indicating that somebody was upset with Matt, that he doesn't mean any harm, he's friends with the kids' father?

A Yes, sir.

Q So she's trying to defuse something?

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COREY COOK-CROSS BY MR. VERNER

A Sounds like defuse the situation, yes, sir.

Q And as far as, at least, your involvement in this case, do you have any further --

Ms. Georgia, I think that's good.

Do you have any other further investigatory role in this case beyond the interview at the hospital on June 6th?

A No, sir, that's all I did was take an initial report from the facts I got.

Q So it's clear that you have interviewed John Platts?

A Yes, sir.

Q Who was a friend of Antonio Jackson?

A Yes, sir.

Q You interviewed Mr. Jackson's girlfriend, Ashleigh Cockrell?

A Yes, sir.

Q Then you interviewed Mr. Antonio Jackson, the victim?

A Yes, sir.

Q Then you spoke to the two sisters out in the parking lot?

A Yes, sir.

Q Is their anybody else that you interviewed or any other evidence that you took that this jury -- or was

that pretty much just your role because that was your night to be on shift?

A I'm double checking. I believe that's going to be everybody.

Q Okay.

MR. VERNER: A side note, Your Honor, I ask the Court to take judicial notice that June 6th of 2018 was a Wednesday and that the sunset in Columbia was at 8:33 p.m.

THE COURT: Okay. All right.

Does the State have any objections to the Court taking judicial notice?

MR. DANIEL: Not at all, Your Honor.

THE COURT: Ladies and gentlemen, when the Court takes judicial notice of something, you can consider that as evidence, but the weight that you give that is totally up to you as the jury. So the Court is taking judicial notice that on June 6th, 2018, which is a Wednesday, that in Columbia, South Carolina, the sunset was 8:33 p.m.

BY MR. VERNER:

Q Is that consistent with your memory that this was --

A I spoke with a few others, if you'd like me to name them. Just because Ayleah Cook was a juvenile, I

spoke with her guardian over the phone as well as Tiffany Scott, actually was the owner of one of the vehicles, but.

Q Okay. But that was all at the scene?

A Yeah.

Q It's all captured by your body cam, which I put into evidence?

A As far as I know. I can't even remember if I had it. So as far as I know.

Q As far as going to the scene of Sunset that night, that was not part of your --

A No, sir.

Q And, in fact, the sheriff's department will typically assign cases for further investigation for particular investigators?

A Yes, sir.

Q Okay. Did you get a chance to observe how physically large Mr. Jackson was?

A Not standing up, no. I mean, I could tell he was pretty -- not as wide as me, but.

Q I don't mean to be offensive, but --

A That's fine.

Q -- what ballpark, how much do you weigh?

A Two hundred eighty.

Q And not to a pound, but Mr. Jackson is roughly your size range?

A Yes, sir. Roughly, in my size, on the lower end.

Q Okay. And Mr. Platts is an even larger gentleman?

A Mr. Platts wasn't fat. He was, I believe, taller and, I guess, more toned.

Q But he's a big boy?

A He's tall, yes, sir.

Q All right.

That's all. Solicitor, if they have followup.

THE COURT: Any redirect?

MR. DANIEL: Briefly.

REDIRECT EXAMINATION

BY MR. DANIEL:

Q So Deputy Cook, this case was turned over to investigations?

A Yes, sir.

Q So you were just the responding officer, correct?

A Yes, sir.

Q Okay. You just did the initial interview of these witnesses?

A Yes, sir.

Q Was it turned over to Investigator Garret

Lominack in this case?

A Yes, sir.

Q Again, yes or no, did these witnesses in the body cam, did they seem to be in an intoxicated condition to you?

A No, sir.

MR. DANIEL: Thank you.

THE COURT: All right. You can step down, sir. Thank you.

Next witness.

MR. SCOTT: Your Honor, the State calls Ashleigh Cockrell.

THE CLERK: Place your left hand on the Bible raise your right hand.

ASHLEIGH COCKRELL, after being duly sworn, testified as follows:

THE CLERK: Have a seat and state your name for the record.

THE COURT: Ms. Cockrell, get a little closer to it, make sure we can hear you. We'll see -- when we start the questions and answers, we'll see if you're loud enough.

You may proceed, Solicitor.

MR. SCOTT: Thank you, Your Honor.

DIRECT EXAMINATION

ASHLEIGH COCKRELL-DIRECT BY MR. SCOTT

BY MR. SCOTT:

Q I'm going to stand over here. Look this way when I ask a question. How are you related to Tony?

A I'm his fiance.

Q You're his fiance?

THE COURT: You need to speak up.

THE WITNESS: I'm his fiance.

BY MR. SCOTT:

Q I want to move along with the family dynamics briefly, but you two have a daughter together, correct?

A Yes, sir.

Q She is how old?

A Three.

Q Three-year-old daughter. You have two girls --

A Yes.

Q -- from a previous relationship with a Russell Severance?

A Yes, sir.

Q Their ages are what?

A Eight and nine.

Q And you and Russell Severence have custody of those two girls, right?

A Yes, sir.

Q Russell Severence is a close friend and former roommate of Matthew Jackson, correct?

A Yes, sir.

Q Is that how you know Matthew Jackson?

A No. I've known him most of my life. I remember all the way back, we had a class in fifth grade together, so I know back to the fifth grade.

Q So you know Matt Jackson and his general characteristics? Certainly, you know his appearance?

A Yes, sir.

Q You and Russell Severance, your ex, describe y'all's relationship. Is it a good relationship?

A Honestly, we don't really speak very much, only for the girls' sake. I used to go through his mom, but he recently -- so now I do go through him, but we don't argue or anything, just talk for the kids.

Q Well, certainly, in the past, it has been --

A It was rocky in the past.

Q Okay. And you had custody issues at some point, right?

A Yes, sir.

Q But at this point as we stand here today, y'all's custody issues are worked out?

A Yes, sir.

Q You weren't in here, but the defense attorney's opening statement said this is all -- we're only here today because of child custody issues between you and

Russell Severance and DSS. He says from his mouth that's the only reason we're here today. What do you have to say about that?

A That's not true because we have been settled in court for almost four years --

MR. VERNER: Your Honor, I object. He can ask her questions. It's not really testimony, but you can't ask one witness to comment about another witness' testimony. I think argument goes -- for a lawyer's arguments, he can certainly craft questions to see why we're here. But I do think it's improper for a witness to be commenting on opening statements.

THE COURT: Don't refer to anything Mr. Verner may have said in opening. You can certainly ask her about the relationship, DSS, et cetera.

BY MR. SCOTT:

Q Is it your understanding that Matthew Jackson stabbed Antonio Jackson because of a DSS issue?

A No.

Q And custody between you and Russell has been dealt with in family court?

A Yes, sir, for almost five years now.

Q In the past, DSS has been involved; is that correct?

A Yes, sir.

Q And they've been involved on Russell Severance's side and they've been involved on your side; is that correct?

A Yes, sir.

Q They have attempted to drug test Russell Severance and they have been able to drug test you, correct?

A Yes, sir.

Q Just as part of their investigation; is that right?

A Yes, sir.

Q So if I were to tell you that there were accusation on the day in question you were smoking weed and carrying on, what would you say about that?

A It wasn't me. I went -- the following Monday after that happened that, I went and took a drug test Monday morning.

Q This happened Wednesday and Monday morning, you were drug tested by DSS?

A Yes, sir, at Westview.

Q Westview. At the direction of DSS?

A Yes, sir.

Q What were the results?

A Nothing.

Q Negative?

A Yes, sir, negative for everything.
Q So had you been smoking marijuana on the day in question, presumably, it would show up on the drug test four days later?
A Yes, sir.
Q Because seems like it stays in your system a month or so, right, marijuana?
A Or longer, I guess. I've had issues with it being in my system longer when I had the prior case, so it can last longer than that.
Q So you are here today under oath to say DSS tested you that Monday, and we can look at the records, and you tested negative?
A Yes, sir.
Q All right. Now, at this time in question, on the date in question, you're dealing with June 6th of last year, what was the relationship with you and Russell Severance then?
A I didn't speak to him. I went through his mother at that time.
Q When you talk about going through mother, is that when y'all would exchange the girls?
A I would exchange the kids with her and talk to her about the kids. He was in and out of the state working out of town, so I went through her.

Q All right. Wednesday, June 6th, 2018, were you working at the time?

A No, sir.

Q Was Antonio working?

A Yes, sir.

Q Was he with Pepsi then?

A Yes, sir.

Q Okay. Do you know how long he has been with Pepsi?

A A little over a year now.

Q He drives the trucks for Pepsi?

A Yes, sir.

Q He keeps the stores stocked with Pepsi?

A Yes, sir, all Pepsi products.

Q All right. Generally, what are his hours that he works?

A Sometimes he leaves between 3:00 in the morning and there's been times he didn't get home 8:00, 9:00 at night. It's different everyday because he's got different routes.

Q Okay. June 6th, that Wednesday, how were y'all able to go to the lake and spend the day as a family there?

A He actually didn't work that day. When he got to work that day, there was some issues at work, so he

ended up coming back home. And all the kids were there, so we decided to go spend the day at the lake because he had to work the rest of the week.

Q So what time do you remember going to the lake that day?

A I think we left our house around lunchtime, maybe 11:00 or 12:00. We were there by 1:00.

Q Okay. Now, there, we're talking about the Sunset boat ramp?

A Yes, sir.

Q Okay. And that's a public landing on Lake Murray?

A Yes, sir.

Q Is that somewhere that you and your family were familiar with?

A Yes, I've been going there my whole life. I spent weeks camping there as a child. We've been going -- me and Tony have been going -- we've been together almost seven years and we've been going almost daily for the last seven years over the summer.

Q Before June 6th of last year, was that somewhere you enjoyed going?

A Yes, sir.

Q Did your kids like going there?

A Yes, sir.

Q And what sort of things would you do when you went there?

A We camped, they fished, they swam, you know, grill out, spend the day there and then go home.

Q So 1:00, June 6th, you all decided to go to the Sunset boat ramp. You had y'all's little girls, two at the time, I guess, you and Tony's girl?

A Yes, sir.

Q You had your two children, your two girls that you have with Russell?

A Yes, sir.

Q Who else was there?

A They had a friend with them, also.

Q The girls did?

A Yes. She's more like a family friend. I've known her since she was born. She's really good friends with my girls. She was also with us.

Q Is she in that seven to eight-year-old age range, too?

A No. She's 12 now, so she was 11.

Q So your girls would have been seven and eight and she would have been 11?

A She will be 11 in May, I'm sorry.

Q So she was ten at the time?

A Yes, sir.

Q So you have a two year old, you had a seven year old, an eight year old and ten year old there with you. Okay. Now, so that's you, that is four children, Tony. Who else is there?

A Alexis, my sister was in the car with us.

Q All right. How did you get to the Sunset boat ramp?

A Me, Alexis and the kids were in the car and Tony drove the bike there. Then everyone else just met us there.

Q The car you took there was a what?

A A Chrysler 300.

Q Chrysler? Tony got to the boat ramp on his motorcycle?

A Yes, sir.

Q All right. Is that all who was there at one o'clock?

A I think Ashley and her boys -- yeah, she was there when I got there. Because Tony got there -- I stopped at the Dollar Store to get drinks on the way, so he got there about 15, 20 minutes before me. And Ashley got there in between him and me getting there with her two boys.

Q Ashley you're talking is Ashley Platts?

A Yes, sir.

Q She showed up in what?
A It's a silver Trail Blazer. I'm not sure the year.
Q She had two of her children with her?
A Yes, sir. She only has two.
Q So now we have six children at the Sunset boat ramp?
A Yes, sir.
Q Ashley Platts -- and there's been some testimony before you were here about a taller white male who was with y'all, John Platts. Ashley is John Platts' wife?
A Yes, sir.
Q The two children she brought were John Platts and hers together?
A No, neither are his biologically.
Q Okay. But he's the stepfather to the two children?
A Yes, sir.
Q Was he there at first?
A No, he was still at work. He came later on in the day.
Q Okay. So anybody else besides the six children, you, Alexis and Ashley Platts and Tony?
A Not when we first got there.
MR. SCOTT: Walter, can you pull up one of

aerials that we've got?

THE COURT: I think Mr. Bentley needs to communicate with you.

BY MR. SCOTT:

Q Ashleigh, I'm going to show you 15, 16, 17 before he publishes them. They're aerial photographs, what do they depict?

A There's a car to the side.

Q Well, generally, what's that a photograph of?

A Oh, that's the lake, the lake we go to, the area we go to.

Q What do we call that?

A Lake Murray boat ramp.

Q Lake Murray --

A We don't call it Sunset, that's the main area, but we call it the parking ramp.

Q But is that, the Sunset parking ramp?

A Yes, sir.

Q And that's what we were just describing earlier where y'all went June 6th, 2018?

A Yes, sir.

MR. SCOTT: Your Honor, the State would offer 15, 16 and 17 for admission into evidence.

MR. VERNER: Are they all just aerials?

MR. SCOTT: Yeah, they're just kind of different

angles of the same aerial.

THE COURT: Show them to Mr. Verner.

MR. VERNER: Without objection.

THE COURT: 15, 16, 17 for the State.

(WHEREUPON, State's Exhibits Nos. 15-17 were marked for identification and received into evidence.)

BY MR. SCOTT:

Q Can you see that from where you are, Ashleigh?

MR. VERNER: I have no objection if she needs to step down.

THE WITNESS: I can see it overall.

BY MR. SCOTT:

Q Okay. This is the boat ramp. I think I showed you this before. I took these with a drone maybe two weeks ago. But is that generally how it looked last summer?

A Yes, sir.

Q And is this a fairly popular area in the summertime months?

A Yes, sir.

Q All right. It's free to the public; is that right?

A Yes, sir.

Q And you are allowed to camp in the woods, at

least, for some time period. And some areas, are you allowed to swim in the lake?

A Yes, sir, you're allowed to swim everywhere, except actually on the boat ramp.

Q Just to get out of the way of the boats coming in and leaving the ramp?

A Yes, sir.

Q I guess there's only one way in, and that's this dirt road here. I guess just so people would know, Buffalo Creek, that Marina, how far way is that from this boat ramp?

A By water, just a couple minutes. By land, maybe two, three miles up the road. Not a mile on the water, probably, maybe.

Q So let me do this -- well, this won't be introduced, just so we can mark some things. Is that a fairly decent depiction of what we're seeing?

MR. VERNER: Your Honor, I don't think he needs to -- if it's a demonstrative, he doesn't need her to qualify it. He can just use it.

BY MR. SCOTT:

Q Is that a fair and accurate depiction of what we're seeing?

A Yes, sir.

Q Can you recognize what I've drawn here?

THE COURT: Is that a drawing -- are you intending to put that into evidence?

MR. SCOTT: No, sir. There's no good way for me to mark on this smart board, so I'm going to mark some locations as she testifies on this. Not going to introduce it, it's strictly demonstrative.

THE COURT: Do you still have some objection?

MR. VERNER: I don't have any objection. It's a demonstrative piece. He can do what he wants to.

THE COURT: Sure.

BY MR. SCOTT:

Q This is my artwork there, but, generally, there's the lake. There's the gravel section. You got the dock and then the ramp. Could you step down just for a minute?

THE COURT: Make sure you speak up loud since you're away from the microphone, okay?

THE WITNESS: Yes, sir.

BY MR. SCOTT:

Q Okay. Two incidents on this date, June 6th, 2018, involving Matt Jackson, correct?

A Yes, sir.

Q Okay. When you first get to the lake, when was the first time you remember Matthew Jackson being there? Where were you guys when he first showed up?

A Me and my family all were in the water off to the side over here, except for my middle daughter, MINOR 1. She was up on the blankets right here. We always sit on the same spot. She was up on the blanket eating chips.

Q So MINOR 1 was on land, which was somewhere in these pine trees right here in this location. She's somewhere in this area just to the right of the boat ramp?

A Yes, sir.

Q You, Tony, Ashley Platts and the children were all in the water swimming?

A Yes, sir.

Q So you guys are all just kind of?

A Yeah, one big group, usually.

Q The first time you remember Matt Jackson, where was he?

A The first time I remember seeing him was standing up here on the dock.

Q All right. What was he wearing?

A Like a white-collared short sleeve, pullover, maybe a white tank top or t-shirt under it with white shorts and white shoes.

Q All white. Did that strike you as odd to be at a public boat ramp in June --

A Yes, sir.

Q Most people there wearing swimsuits?

A They may have clothes over their bathing suit just to wear down there, but yeah.

Q Did you see how he got there?

A No, I didn't.

Q What was he doing on the dock the first time you became aware that he was there?

A He was kind of just like propped up against the side rail, just hanging there.

Q Okay. Did you immediately recognize who he was?

A I didn't at first, not until a little later. I don't really pay attention to everybody when I have all the kids. I kind of pay attention to the surroundings, like friends and things like that. No, sir.

Q Tell us the next thing you remember as far as Matthew Jackson was concerned.

A The next thing I remember was when we were all in the water and MINOR 1 was up there eating her chips, just keeping an eye on her because I had all the kids in the water, me, Tony and Ashley did.

The next thing I hear is Tony saying, Hey, man what are you doing hugging my daughter?

So that initially caught my attention.

Q Tony is down here in the water and you hear him say, What are you doing hugging my daughter?

Where does your attention go when Tony said

this?

A I turned to see because that -- I mean, it is our child because we're together. That's my daughter. I look back -- I have my back turned playing with the kids right there in front of me, so I turned and looked back up at the blanket to see what was going on.

Q What did you see?

A Tony was actually walking up out of the water and my daughter was hugging Matt. And --

Q So at some point, Matt had gone over here. And then after you hear Tony, you see Matt up there with MINOR 1?

A Yes, sir.

Q All right. To your knowledge, did Tony Jackson know Matthew Jackson?

A Personally, no. To my knowledge, he's only ever seen him once and that's been multiple years ago.

Q All right. Is Tony protective of his stepdaughters?

A Yes, sir, just like the rest of them.

Q Just like his own daughter?

A Yes, sir.

Q So Tony sees Matthew hugging -- how old was the girl, eight, nine?

A She's seven.

Q Hugging his girl. He didn't recognize Matthew Jackson. He, Tony, gets out of the water at that point?

A Yes, he starts walking up there to see why this grown man is hugging our seven year old.

Q Tony gets out of the water and approaches Matt where MINOR 1 is. Tell us about the exchange that happened at that point.

A I do recall Matt saying, I know them.

Tony said, Well, I don't know you.

I heard MINOR 1 say, Tony, this is Matt Matt.

That's when I realized that was Matt. So I started walking up there telling Tony that's Matt, the one that hangs out with RJ. When he realizes that, they kind of -- they didn't have words. They just talked for a minute and they actually shook hands twice.

Q RJ is Russell Severance, your ex?

A Yes, sir.

Q And you knew that Russell and Matt were roommates?

A Yes, sir.

Q Okay. You knew that MINOR 1 did, in fact, know Matt?

A Yes, sir.

Q Did you help explain that to Tony?

A Yes, I did. I come out the water and walked up to him and said that's Matt after MINOR 1 said -- because she calls him Matt Matt.

Q Okay. And now, once Tony was introduced to Matt and you explained the relationship, did that seem to calm the tensions down?

A Yes, sir. Like I said, they shook hands twice.

Q Would you agree that it did seem to be kind of high tense for a minute there before you explained who this guy who was hugging his little girl was?

A Yes, because he's defensive over the girls. So you see a grown man hugging my seven year old. It wasn't like -- he wasn't like mean, he just said, Hey, what are you doing hugging my daughter.

Q All right. And did you jump in and scream profanities at Matt Jackson?

A No, sir, I did not.

Q Did Ashley scream profanities at Matt Jackson?

A No, sir, she didn't come out the water.

Q Did Alexis scream profanities at Matt Jackson?

A No, sir.

Q Did Tony threaten Matthew Jackson?

A No, sir.

Q Did he scream profanities at him?

A No, sir.

Q Nobody threatened to whip his butt?
A No, sir.
Q And wearing all white, where did he go after that? Did Matt Jackson stick around?
A Yeah, he came back, about the same area. Like, the rail comes up about mid back on me. He just kind of like leaned back on it.
Q Was he with anyone?
A No, sir.
Q Did he say anything else to you guys?
A No, sir, just kind of stood back.
Q Okay. And about how long was he there before he left?
A I would say maybe 30 minutes to an hour when we realized that he wasn't in the area anymore.
Q Because y'all had kind of moved on and were no longer paying attention?
A No, we were all back in the water.
Q Do you remember about what time of the day this happened?
A It was about an hour and a half after we got there, so I'd say between 2:00 and 3:00.
Q Okay. I'll call this the first encounter, 2:00 to 3:00. Okay. So what happens after that? Matt's gone. Did you guys continue, I guess, enjoying your day at the

lake? Did y'all cook anything?

A Yeah, we grilled.

Q What did y'all cook?

A I think it was hamburgers and Roger Woods, we always grill those.

Q Like what?

A Roger Woods sausages. They like those. We always grill those when they're with us because they always want those. I'm pretty sure it was Roger Woods and hamburgers that day.

Q Do you remember about what time it was when y'all decided to pack up and get out of there?

A Right before dark. Maybe closer to 8:00, it was almost dark.

Q Close to 8:00. And let me ask you this, at what point did John Platts get there?

A I think he got there around 5:00. He typically gets off between like 4:00 and 5:00. He was actually working in town that day, so I think it was around 5:00 when he got there. I mean, I don't know exact times. I don't wear a watch. I keep my phone in the car, so I don't know exactly.

Q Okay. You have a sister named Ayleah?

A Yes, sir.

Q She wasn't there during this first encounter?

A No, sir.

Q And John Platts wasn't there. Do you remember what time Ayleah got there?

A She got there around 6:30 or 7:00. My grandmother had dropped her off. She was there about an hour and a half before we left, around 6:00, 6:30, somewhere in there.

Q Okay. So between the first encounter and the second encounter, all the same people who were there were still there, but you add in John Platts and Ayleah?

A Yes, sir.

Q All right. So tell me one more time about the time y'all decided to leave?

A About 8:00.

Q Eightish?

A Right at dark.

Q Earlier in the day, say about 2:00 or 3:00, you guys are kind of down this way?

A Yes, sir.

Q About 8:00 where were the vehicles? You have a Chrysler 300. Where is your Chrysler 300 parked?

A Okay. I can show you better on here. We always set up our blankets right here in this small little grass patch. And we always put our grills and chair right here where the trees are because it's shaded. And we parked --

sometimes we park here. Our Chrysler was actually right here that day and the bike was in between the Chrysler and the trees close to the grill site.

Q I want to work forward to 8:00, the second encounter time. Where was the Chrysler?

A We were up here. The bike cut off right here. The Chrysler was about right here.

Q Just want to -- so about right here is where the Chrysler is?

A No, the Chrysler was about here.

Q Okay. Where is it pointing? Where are the headlights?

A Straight up.

Q This way?

A Yes, sir.

Q So Chrysler 300 is here. That's whose car?

A It's ours.

Q Tell me what the motorcycle was doing. By the way, if somebody insinuated that Tony wrecked --

MR. VERNER: That's an improper question, Your Honor, he just needs to ask the question.

THE COURT: Sustained.

BY MR. SCOTT:

Q Would that be true?

A No.

Q Did you ever see Tony wreck his motorcycle that day?

A No, sir.

Q Did you ever see him sustain road rash or something called road raspberry?

A No, sir.

Q Tell me what his motorcycle was doing right here at 8:00.

A We were going up the hill and it cut off right here in the first curve. So John pulled his truck, like, kind of beside it and they had jumper cables hooked to it.

Q The motorcycle, was it in the gravel or on the grass?

A On the side -- it's not really in the gravel, it's more dirt. It's like right here. Then John's truck was about here. Then his wife's car is here, then the Chrysler is right here. Because my sister pulled up beside us to see what was going on because she couldn't see from behind Ashley's car.

Q Okay. Work with me over here because I can't draw on that high dollar screen.

A I can show you exactly on the screen.

Q Let's work with this because we can't draw on the screen. Motorcycle generally about here?

A Yes, sir.

ASHLEIGH COCKRELL-DIRECT BY MR. SCOTT

Q Your Chrysler 300 generally right there, not exact. Tell me where John Platts' truck was.

A He's beside the motorcycle. He had the jumper cables hooked up.

Q Right here. So motorcycle stalls out or dies, and y'all are in the process of trying to jump it off to get it going again?

A Yes, sir.

Q John Platts' truck. Got your motorcycle right here. Tell me what, if any, other cars were in this parking lot?

A While we were jumping the bike off?

Q This time, eight o'clock, I've got a Chrysler, I've got an F-150 and a motorcycle.

A Yes, sir.

Q Where is Ashley Platts' car?

A She's right behind John.

Q What kind of car does she have?

A A silver Trail Blazer.

Q It's pointed straight ahead, too?

A Yes, she's directly behind me.

Q That's Ashley Platts. Is it dark yet?

A It's not -- it's starting to get dark, but it's not dark, but.

Q Can you still see clearly?

A Oh, yes, sir.
Q What does these represent over here?
A They're porta potties.
Q These porta potties were still here?
A Yes, sir.
Q That's what these are right here?
A Yes, sir.
Q Tell me what you remember next.
A Me, Tony and John were standing up here. Ashley and her kids was in her car. Alexis and my sister, Ayleah, and all our kids were still in our car. And while we are all standing there, a couple cars -- a white car, I think, pulled in and backed out the driveway, pulled up and backed once or twice. And then out of nowhere, it comes just like zooming in and just like whipped around and stopped in the middle of the parking lot.
Q This first car that comes in, it's a white car?
A Yes, sir.
Q How many people are in this car?
A One.
Q All right. Did you recognize the driver of this car?
A Not when they pulled in.
Q This car comes in, whips around and to a stop where?

A About mid parking lot.
Q About here?
A Yes, sir.
Q Who steps out of that car?
A At the time, I didn't know.
Q What time did you know?
A After I heard my sister say, We got kids up here, take that back down the hill. After hearing that, I see a woman walking up with her hands in the air and that's when I recognized who it was.
Q Who was it?
A Sheila Jackson.
Q How do you know Sheila Jackson?
A I've known her almost my whole life. She's been at family functions at my granddad's. So it's not someone that I would not ever recognize.
Q I know a Sheila Norton.
A That's her married name. Her maiden name I thought was Jackson. I know her as Sheila Jackson.
Q All right. Sheila -- tell me -- describe how she drives into the parking lot.
A Not like a normal person would on gravel. She comes around the curve, just like spun in and just like stopped, hit the brakes and slid in or whatever.
Q Had you seen her at all earlier that day

June 6th?

A No, sir.

Q Were you surprised to see her that day?

A In the manner that she was in, yes, sir.

Q Had you already -- what is her relationship with the Defendant, Matthew Jackson?

A That's his mother.

Q Okay. Did anybody else get out of that car?

A No, sir.

Q All right. The first time you see Sheila Jackson, you're paying attention to her, what is she doing?

A She is walking up close to behind my Chrysler, our Chrysler, with her hands in the air. I couldn't hear what she was saying, but she was yelling and raising sand. And I told my sister --

Alexis got out the car and said, Oh, no, take that back down the hill. We've got kids up here.

Q Okay, Alexis is how old at the time?

A She was 25.

Q Alexis is 25?

A Twenty-five.

Q This is the Chrysler. Alexis was in the driver's?

A Yes, sir.

Q I'll write Alexis. Who's the passenger?
A Ayleah.
Q Ayleah is how old at the time?
A Seventeen.
Q Seventeen-year-old Ayleah is in the passenger, Alexis is in the driver's. Sheila pulls up, you said raising sand. What does that mean, just --
A Just yelling. I couldn't understand what she was saying. Had her hands like this and yelling and walking up towards the back end of our car.
Q Okay. Did you understand what she was aggravated about?
A No. I haven't seen her in years honestly.
Q Really, you can't tell from here, but there's sort of a slope upwards, from the lake up towards the driveway?
A Yes, sir.
Q So she's here, she's kind of moving uphill towards the Chrysler. What the next thing you remember?
A I remember Ayleah getting out the car -- because I was still at that time over there by the bike. I remember Ayleah getting out the car and she said, Don't come at my sister like that. Ayleah kind of stepped in front of Alexis. Then they kind of met up with Sheila and Sheila hit her.

And I heard Alexis say, Get off my sister.

I looked back up and Sheila's got my sister by the back of the head pushing her face down to the gravel. So I went over there to get Sheila off of my sister because she was 17.

Q All right. Tell this jury who threw the first punch.

A Sheila.

Q Who threw the first punch -- when Sheila arrives raising sand, approaches 17-year-old Ayleah, who threw the first punch?

A Sheila hit my 17-year-old sister first.

Q Where?

A In the face. She had a mark on her eye.

Q Okay. Are you guys confused? I mean, y'all haven't seen her in a while. What are you feeling at this point?

A I was like, What's going on? Like, I was confused. I still am myself.

Q Generally, where is this fight, the girl fight, where is this going on?

A About midway between the two cars. Like I said, she was coming up and they kind of met her about in the middle.

Q Girl fight somewhere in here. Did Alexis come

to the aide of her 17-year-old sister?

A She was actually -- she got to Ayleah first and was trying to pull Sheila off of her and she was still pushing my sister down. So that's when I grabbed the other side and pulled her off to get Ayleah up.

Q Did you -- were you aware of anything else happening, anybody else showing up around this same time?

A To that spot, no, sir.

Q What's the next thing you remember?

A The next thing I remember is Tony coming walking down -- I think he come through the cars right there because it was just a straight kind of line and he was like what's going -- to see what's going on. Then about that time, Matt's coming from up around here and, like, not running, but just walking up the hill straight at Tony.

Q All right. Was this the only car that arrived at that time?

A No, sir. Right after that one pulled in, another black car, I don't know the type, it pulled in and pulled about right in there right on the side.

Q So next then, got another car that comes in, stops somewhere other here by the porta potty?

A Yes, about midway from the end of the road to the porta potty. Right here.

Q Point to it on there.

A There's actually a light pole right -- not that light pole, it's before the light post, so that was right here. Right where people usually stop where they pulled up, but it was dirt more than gravel right there.

Q Okay. So this car, did you see who was in this car?

A At the time, I knew who was driving the car because earlier that day, he had come down there by himself. I didn't know who else was in there. I did know who drove the car.

Q What's his name?

A Cameron Goff.

Q So in this car, you got Cameron Goff. Do you know where he is right now?

MR. VERNER: Your Honor, I object. You want me to be heard at sidebar?

THE COURT: Yeah, let's.

(WHEREUPON, an off-the-record sidebar was held in the presence of the jury but out of the hearing of the jury.)

BY MR. SCOTT:

Q Cameron Goff is in the car. Who else is in the car?

A At the time, I didn't know until everyone

stepped out.

Q All right. Who did you eventually find out was in the car?

A Casey Gregory, Matt was in there with him. There was a black male I didn't know. I didn't know him or his name at the time. I do know his name now, but I still don't know him.

Q What's his name?

A BJ.

Q BJ? So four males in this car. Did you observe what they were doing?

A Well, Matt wasn't over there, he was already over here at this point. I didn't see anyone get out the car once they pulled up because I was focused on getting my sister up. And then after him and Tony met up over here, they ended up kind of like walking down close to where we had been parked about the backside of the car. Those guys never come from over there. They were kind of posted up on the side of the car.

Q Cam Goff, Casey Gregory and BJ stayed at the car?

A Yes, sir.

Q When do you remember seeing Matt? When was the first time you saw Matt?

A When him and Tony met right in there.

Q What did you witness as far as the altercation between Tony and him?

A As soon as Matt and Tony met up, Matt just started swinging. They started fighting. Like I said, they were fighting the whole way down, all the way down. And that time -- I mean, they were just both throwing licks back and forth. And at that time, no one even knew that Tony was getting stabbed.

Q All right. At what point did you realize he had been stabbed?

A After me and Alexis got Sheila and Ayleah apart, I looked down there and I seen just a big pink line across the back of his back. So I go down there, I'm like, Oh, my God, what's going on? They're steady fighting and he don't realize it. When I get close to the backside of them, I see when he goes to swing with his arm, blood comes from up here. I'm like Oh, my goodness. And then they kind of break apart and Tony starts getting weak.

Q What does he do?

A He looked at me and said, This man is going to stab me. And he pulled his shirt up like this and holding himself and there's just a big old spot. I run over there to him and get his shirt. I pull his shirt off of him and pack it there. I carry him like all the way up the hill and put him in John's truck. Well, before -- when I got

into the truck, I leaned him against the truck, I pulled off the dress over my bathing suit, I put that against his shirt and then I wrapped a towel around him. And then I put him in the truck and I got in and I told John to go and not stop.

Q When did this car leave?

A I did not pay attention to that.

Q What did Sheila do? Did you pay attention to her?

A She got in her car and, actually, my sister had to distract her because she was coming up behind me as I was carrying Tony up the hill. Before I went to go down, she was in the car, also, and I had to like stop right there. So her car stopped directly in front of me.

Q So you didn't see where Matt Jackson ran after that?

A He went to the black car.

Q He went back in his car?

A Yes.

Q Do you remember seeing that car leave?

A No. I got Tony, because he was going down, and I got him, I got him up to the truck and I told John go and don't stop.

Q Did Tony fall to the ground?

A No, he did not fall.

Q Did he go to his knees?
A No, I caught him. He would have, but.
Q Okay. Then you carried him to John Platts' truck?
A Not carried him, but guided him, yeah, walked him up.
Q John drove you, he and Tony to the hospital?
A Yes, sir.
Q Okay. Anything else from that incident that you can remember -- now, did Matt come up there -- while the girls were fighting up there, did Matt join in and help his mom out or try to break y'all up or anything like that?
A No, sir.
Q The only time you remember him is when he and Tony were clashed together?
A Yes, sir.
Q Okay. All right. I think you can take the stand now. That's all I really need to demonstrate from this.
A Okay.
Q Now, there was talk about you being uncooperative at the hospital, belligerent or something. We watched the body cam video, you weren't in here. Do you remember what you were feeling when you were in the

hospital?

A I couldn't hardly talk because I was so devastated because the whole truck ride there, like, I was trying to make him drink, like, hitting him in the face. He just kept -- like, he lost a lot of blood and was getting weak on me and it freaked me out. So when I got to the hospital, I couldn't talk. I was crying my eyes out.

Q Was this a traumatic event?

A Yes, sir.

Q Did you see Tony do anything to bring on any difficulty here?

A No, sir.

Q And how big is Tony? How big a guy is he?

A I'd say about 5'5" and weight range 160 to 180ish?

Q I'm about 180, 185. Is he about my size?

A He's a little shorter.

MR. SCOTT: Tony, stand up.

THE WITNESS: He's broad.

MR. SCOTT: Come stand by me.

BY MR. SCOTT:

Q Is he a big guy?

A Fairly.

Q Bigger? He's not a huge guy, is he?

A No. Like I said, he's broad.

Q I'm sure you may think highly of him and all, but he's not a big brut, big strapping, muscular brut or anything, is he?

A No.

Q So if I'm 6-foot tall, 180, 185, he's generally -- maybe a little bit shorter, but he's generally my build?

A Overall, yes, sir.

Q Is he a lot bigger than Matthew Jackson?

Matthew, stand up.

BY MR. SCOTT:

Q This guy is a little bit taller, isn't he?

A Yes, sir.

Q About the same build, too?

A Overall.

Q He's not some little tiny guy, is he?

A No, sir.

Q No. Okay. So if somebody was to say that he was a big ole giant guy and he was picking on a bunch of smaller, little helpless guys, was that what you observed?

A No, sir.

Q What were the girls -- what were the little kids doing during all this when Matthew Jackson is slinging a knife and stabbing people?

A They were still in the back seat of our car and Ashley had actually laid their heads in her lap and gotten Kinsey's car seat and laid it over so they couldn't see a lot of what was going on.

Q The little three year old knew her dad got stabbed, didn't she?

A They all saw Tony after getting him to the truck. They just didn't know -- I had to walk right past the car when I was getting him to the truck and when we got beside the car, they were all looking out the window, crying their eyes out and see blood on me and Tony. So at that time, they didn't know what really was going on, they knew something wasn't right. And I didn't -- I just took him to the truck, so I didn't get a chance to speak to them or explain or anything.

Q Were you drunk that day?

A No, sir.

Q Was John Platts drunk that day?

A No, sir.

Q Was Ashley Platts drunk that day?

A No, sir.

Q What about Ayleah, your 17-year-old sister, was she drunk?

A No, sir.

Q Alexis got there -- well, Alexis was there

earlier with you, was she drunk?

A No, sir.

Q Were y'all having drinks that day?

A We had a few earlier that day.

Q Were y'all smoking weed?

A No, sir.

Q Okay. Tell me about the bull horn. What is the bull horn used for?

A It's a big red horn. And we keep it in the trunk of the car through the summer for when there's a bunch of kids out in the water, everybody is out there, it's typically loud and sometimes we got the speaker playing music. So when we see a boat coming in or trucks coming in, we'll holler on the horn and tell the kids, all of them, you know, get out the way. That's what we use it for.

Q So if the kids are swimming and cars trying to back a boat into the water or else trucks trying to get their boat out of the water, is that something you use to call the kids to shore to get out of the way?

A Yes, sir, because it catches all their attention at once.

Q Were you shouting obscenities at Matthew Jackson through the bull horn?

A I [indiscernible] Tony because he talks louder

than me.

Q Did you hear Tony screaming obscenities at Matthew Jackson?

A No, sir.

MR. SCOTT: Ashleigh, answer any questions that Mr. Verner has for you.

THE COURT: Cross-examination.

MR. VERNER: May it please the Court.

CROSS-EXAMINATION

BY MR. VERNER:

Q I was under the impression that it was just you and your family out there, but there were other people there, weren't there?

A Yeah, there were other people not with us there.

Q Okay. So it wasn't just you and your family and Tony. Did you recognize any other friends who were out there?

A They're not year-long friends. We see them at the lake when we go, yes, sir. A man named Chris and his sons, they camp all summer down there.

Q Well, I'm going to break it up into two segments. There was kind of the early afternoon when you first saw Matt Jackson. And then there was a second incident closer towards 8:00 p.m., right?

A Yes, sir.

Q But you were there all day?
A Yes, sir.
Q How many other people were also out there at the boat ramp with you and your crowd?
A Just us. Me, and Tony, our three girls and their friend, Ashley and her two boys, and my two sisters and John.
Q Y'all didn't have any other friends there?
A Not with us, no, sir.
Q Were there anybody that y'all were social with who was right next to you or in the general area?
A Yes, sir.
Q Who else -- was there a guy named Akeem?
A Not to my knowledge.
Q Well, who else was out there in the same general area as you were who would be, basically, friends of mine and friends of yours and that sort?
A Chris and his sons were there that day.
Q Who is Chris?
A The guys that were camping, Chris Bodie.
Q So there were also -- people don't just come to Sunset for the day, sometimes they'll go to the campground and stay there for all weekend or all week?
A Yes, sir.
Q Have you done that before?

ASHLEIGH COCKRELL-CROSS BY MR. VERNER

A Yes, sir, I have.
Q Have ever seen Matt Jackson at the campgrounds before?
A I've only seen him there one other time.
Q What about Sheila Jackson, have you ever Sheila Norton Jackson?
A When I went as a child with my mother, she would be there. But as an adult, I have never seen her there.
Q So you remember -- a good while past, but you remember her also staying at the campground?
A Not ever staying, spending the day.
Q Okay. You got Chris Bodie and his family or friends?
A His sons.
Q Whose else do you remember that day?
A My sister, Ayleah, was dating a guy and his brother and his girlfriend came down for little bit.
Q Do you remember their names?
A Mary and Cameron.
Q Okay. This is a different Cam?
A Yes, sir.
Q Okay. All right. Anybody else that you remember that day?
A Tony's brother and his wife were down there for a little bit, but they left. His wife didn't even get out

of the car. They weren't there very long.

Q So Antonio's brother and his wife came out there?

A Yes, sir.

Q Okay. Did they grill out with you or eat with you?

A No, sir.

Q Okay. Do you remember anything else?

A There was some younger kids on the dock, not kids.

Q All right. There were boats coming in and out, perhaps?

A Yes, sir.

Q Then, were there people fishing off the dock or in that general area?

A I don't think anybody was fishing off the dock because there was a group of people out there swimming from it.

Q This is June 6th and school had just let out maybe a few days before then?

A Yes, sir.

Q Did you see any other high school kids or in that general age range out there?

A No. All the ones that were there were out of high school.

Q Okay.
A That I remember.
Q But there were other groups of people on the docks and in that general area swimming and fishing and partying?
A Not right there in our area, I mean, where the picnic tables are and people fishing off to the other side.
Q Where are the --
MR. VERNER: May I borrow one of your markers?
MR. SCOTT: Right there.
BY MR. VERNER:
Q Where are the picnic tables? Just put a P.
A They would be like right in here. It's more right there.
Q Kind of where I'm putting the P? But this is also the campground area, too?
A Anywhere, honestly. There's a clear spot out there beside the road you can set up tents.
Q So people can set up tents anywhere but the driveway?
A Overall, yes, sir.
Q And somewhere in the tree line to the right of that photograph would be some picnic tables? You can sit down anytime you want to.

A You can see the picnic table right here.

Q Would there be -- sometimes in parks, I see like where they've got cooking grills, like metal cooking grills?

A They took those out years ago.

Q Okay. But they used to have them, but there are no longer any grills. If you're cooking out, you have to bring your own?

A Yes, sir.

Q Okay. What kind of alcoholic drink were you drinking? By you, I just mean the people in your group?

A Just mixed drinks with a soda.

Q You don't remember Tony drinking vodka?

A No, he doesn't drink vodka.

Q You don't remember him drinking liquor at all?

A He had a couple shots of gin.

Q Gin, okay.

A Yes, sir.

Q Do you remember what brand of gin he drinks?

A Seagram's.

Q Seagram's. You don't remember him drinking it straight out of the bottle?

A No.

Q Okay. Do you remember seeing Regina Sly, a young lady named Regina Sly?

A She was one of the younger crowd on the dock.
Q Do you remember seeing a young lady named Joyce Gagnon?
A She was with them also on the dock.
Q Do you remember seeing a young man named Steven Davis?
A He was also on the dock.
Q Do you remember Steven Davis and Tony having words earlier that day?
A No, sir.
Q Do you remember a guy named J.P. Peterson, James "J.P." Peterson?
A I know who that is, but I don't recall him being there that day.
Q You don't remember him having words with Tony either?
A They're friends.
Q Do you remember -- was there anybody else in that group that you remember seeing?
A On the dock?
Q Yes, ma'am.
A I think they had a black male with them, also, but he's a bigger guy, but I don't personally know him or his name.
Q Okay. You get there about 1:00 in the afternoon

on Wednesday, June 6th?

A Yes, sir.

Q And the intention is just to have kind of a good day, blow it out and have fun at the lake?

A Yes, sir.

Q Do you remember Cameron Goff coming out there earlier that day?

A He pulled in, he didn't get out of his car that I remember. He kind of pulled in at the edge of the dock and he left. He might have been parked there like five minutes.

Q So Cameron Goff had been there earlier that day?

A Yes, sir, he was by himself, though.

Q You don't remember your sister advising him to leave because Tony -- well, Tony's friends --

A My sister asked him because him and John don't really see eye-to-eye because he in-boxed John's wife one time, but it wasn't any hard words or anything.

Q I'm not blaming your sister, but Cameron was there earlier and one of your two sisters suggested that he probably should leave because John was there and it might not --

A Essentially, it was Ashley. Because Ashley was going to pack the boys up and leave until John got off.

Q And he left?

A Yes, sir.
Q Okay. Do you remember that? Was this something you were told happened or you remember --
A I seen it vaguely, yes.
Q Was Cameron by himself?
A Yes, sir.
Q Not with Matt?
A No, sir.
Q Do you recall how Matt even got there?
A I have no idea.
Q Was he there about the same time Matt had gotten there or it was a different time?
A It was after Cameron left.
Q Matt came after Cameron had left?
A Yes, sir.
Q Okay. We've seen photographs of a dark-colored t-shirt, sleeveless t-shirt?
A Tank top.
Q Tank top?
A Yes, sir.
Q Do you recognize that shirt?
A Antonio had on a black wife beater that day.
Q Well, you call it wife beater, but I just call it just a t-shirt.
A Tank top.

Q Tank top. Was that the shirt he was wearing at the --

A Yes, sir.

Q That you used to stop the blood with?

A Yes, sir.

Q Okay. Do you know anything about motorcycles?

A Not as far as working on them, no. I just ride.

Q Tony had -- Antonio typically goes by Tony, right?

A Yes, sir.

Q He had initially parked the bike in the grassy area by the lake, right?

A By the two trees.

Q Okay. And that's the two trees kind of to the right of those cars in the photograph?

A No, sir, it's --

Q The two trees kind of next to those cars?

A Yeah, at an angle -- parked, angled right there on the other side of the trees.

Q How did the bike -- did he push the bike or how did the bike come from the grassy area to the curve?

A He rode it up there.

Q Then it --

A It just like died in mid ride.

Q Did he not lose control of the bike?

A No, sir.
Q You understand when you crank a bike up that the bike no longer uses the battery, it goes to the alternator?
A We were actually having problems with the parts, so that was actually very normal for it to do that.
Q Do you know how Tony got the scratch injuries to his arms?
A Yes, I do. It was not a scratch, it was one big cut.
Q Okay. Well, how did he get that?
A Matt cut him.
Q And it caused kind of a blotchy-type --
A No, it did not. It was one cut right here that had to have two staples in it.
Q So the injury to his arm was actually from a cut and not from --
A And one on his back and two that was right here and one on his side.
Q All right. When you saw Matthew earlier, he was in white shorts and white polo-type shirt?
A All white.
Q Did he have any bruising on him?
A Not that seen. I wasn't paying attention.
Q Okay. And you don't know what happened that

would have caused Ms. Sheila Jackson to have gotten upset with you?

A No, sir.

Q And tell us again exactly what happened with Sheila when she got out of the car and she's approaching you and her hands are up in the air, she's upset.

A She didn't approach me, myself, sir.

Q By you, the group.

A She got out with her hands in the air and was yelling. I couldn't hear what she said because I was still up there with Tony and John with the bike. My sister got out.

I remember hear her say, Go back down there, we've got kids up here.

Then my sister, Ayleah, got out of the car. Sheila kept walking up towards Alexis.

And my sister said, Don't come at my sister like that and kind of stepped in front of Alexis.

When she did that, Sheila hit Ayleah.

Q Who did -- did it appear that Sheila was angry at any one person or just angry at the group as a whole?

A No, the way she was acting, she wasn't going at just one person, so.

Q You took it more directed as us and not necessarily she's angry at my sister or she's angry at

some individual?

A Yes, sir.

Q And then as far as you know of, there wasn't any prior beef?

A No, sir.

Q No prior fights or anything that she would have been --

A No.

Q -- still holding a grudge about?

A If I would have seen her in the store before this, I would have spoke to her.

Q I want you -- again, tell the jury, as far as the fight, exactly what happened -- describe the fight that happened between Sheila and the women -- were any of the men involved in the fight with Sheila and you?

A No, sir.

Q Okay. Okay. One more time, tell us what happened as far as the fight involving the women.

A After Sheila hit my sister, Ayleah, in the face, I can't remember which eye, they kind of locked up.

Q Now, Ayleah is the one that stepped out and said, Don't approach my sister that way?

A Yes, sir, my younger sister that was in the passenger seat.

Q All right.

A And then they kind of like locked up and was fighting for a minute. Then she grabbed Ayleah by the back of her head and was pushing her face down into the gravel.

And I heard Alexis say, Get off my sister.

And then Alexis went to go down there and started getting Sheila off her and that's when I realized Ayleah was about to go face first into the gravel. So I go down there and help get Sheila off my sister.

Q All right. So Ayleah's face would be in the gravel?

A Almost.

Q So she wouldn't have any visible injuries from that?

A Not from the gravel.

Q Were any blows with fists thrown at Sheila by you or sisters?

A By Ayleah.

Q In fact, Sheila had several teeth knocked out, right?

A Not to my knowledge.

Q Did you punch her in the head?

A When she tried to run me over with the car, I did go to her window.

Q You didn't tell us about that.

A I was standing in the middle of the parking lot with the car stopped dead in front of me and I felt threatened, she tried to run me over. So I did go to her window and I did throw my fist through the window and then I walked away.

Q Is this the same day?

A That's when I was on the way down to get down to Tony. That's what I was trying to do. I seen the back cut and I was on the way down there and she just like whipping her car around and almost ran me over.

Q After the fight between the women, you're going to walk towards Tony and Matt?

A Yes, sir.

Q That's when you walked by the car and she was in the car?

A I was walking down and she was in her car, like spinning it. And she just comes at me like she's going to hit me and stops about this far in front of me.

Q And that's when you punched her?

A Through her window once.

Q And what were Cameron and Casey and the black dude doing by the car?

A They were all just standing against the car.

Q Okay. And you've known Matt how long? Since fifth grade, I think you said?

A That's the furthest back I can remember, yes, sir.

Q He wears glasses, too, doesn't he?

A Yes, sir.

Q And he's blind in one eye, isn't he?

A Yes, sir.

Q He got an artificial eye?

A Yes, sir.

Q Do you remember what happened to Matthew's glasses?

A No, sir.

Q And your testimony is that when you saw Tony and Matt, they were squared off at each other throwing punches at each other?

A They were back and forth, yes, sir.

Q You sure you didn't see Tony with Matt on the ground?

A Not to my knowledge, neither one of them ever hit the ground.

Q I'm sorry, I didn't understand?

A To my knowledge, neither one of them hit the ground.

Q Okay. And your testimony is that when Tony and Matt first encountered each other earlier that day that everything ended on good terms? As far as you were

concerned, everybody was in good spirits and hunky dory?
A Yes, sir.
Q So there wouldn't be a reason for Matt to be harboring a grudge toward anything that happened earlier that day?
A No, sir.
Q And Matthew actually came to the hospital when those girls were born, didn't he?
A No, sir, he did not.
Q Do you recall him seeing those children shortly after they were born?
A No, sir.
Q Your girls?
A No, sir.
Q Do you recall seeing Matthew attend their graduation from --
A No, sir.
Q -- Montessori? Do you recall Matthew living with Russell for a while?
A At his mother's.
Q And it's fair to say that at times, whether fair or not, Russell has called DSS against you?
A Russell has not.
Q Or somebody on that side of the family?
A Yes, sir.

Q And you have called DSS against him?
A No, sir, I have not.
Q And at that time, you and Russell were only dealing with each other because of the children through his mother?
A Yes, sir.
Q Okay. You don't recall Tony saying something to Matt about threatening him if he told Russell that y'all were at the lake drinking?
A Tony never said that.
Q And Tony is actually a friend of Casey Gregory's, isn't he?
A I wouldn't say a friend. They have hung out once.
Q Not a close friend, but as far as you know, they didn't have any prior bad --
A No, sir.
Q -- blood? Maybe hung out, at least, one time before?
A Together. Casey is real good friends with my uncle. We have seen him at my uncle's a couple of times.
Q Did you see any guns at the scene?
A No, sir.
Q Do you recall going with Tony to give an interview with the officer?

A Yes, sir.
Q Do you remember telling the officer that it would not be fair if they tried to put child endangerment charges on you because of Matthew and RJ's friend's action?
A Did I say that?
Q Yes, ma'am.
A Yes, I did.
Q Ms. Cockrell, when the solicitor was asking you some questions, he asked you if you were drinking or smoking marijuana and you said it wasn't me. Who was using marijuana or drinking?
A I did have a couple of drinks. I don't know of anyone smoking marijuana. No one does.
Q What did you say about a couple joints?
A Drinks.
Q Drinks, I'm sorry. But there were other people smoking marijuana?
A Not with us.
Q Well, when the solicitor asked you were y'all smoking marijuana and you said it wasn't me, who were you thinking of when you said that?
A It was a group that was on the other side of us.
Q Okay.
A They weren't with us.

Q Okay.

MR. VERNER: Court's indulgence just one second.

THE COURT: Sure.

BY MR. VERNER:

Q I think you indicated to the jury that initially Antonio wasn't even aware that he had been cut, you were the one who spotted it?

A Yes, sir.

Q Actually, he followed Matt all the way up to the black car, right, or to his mother's car?

A Downhill. They fought just in the line going down.

Q And actually, when he got in the car, you punched Matt after you saw the cuts?

A No, I never hit him.

Q Didn't slap him or hit him?

A No, sir, I did not.

Q Did Matthew or any of the guys hit any of the women?

A No, sir.

Q Okay. You don't recall Matthew trying to pull the girls off of his mother?

A No, sir, he never.

Q He didn't step into that fray?

A No, sir.

Q Well, how did that fight end then?

A It just stopped. I mean, my sister, Alexis, got them apart, just stopped.

Q Did it end peacefully?

A No, that's when Sheila got in her car.

MR. VERNER: Okay. Ms. Cockrell, if the prosecutor has any questions.

THE COURT: Any redirect, Solicitor?

MR. SCOTT: Just briefly, Your Honor.

REDIRECT EXAMINATION

BY MR. SCOTT:

Q Do you know about how long it was after Sheila's car gets there and then the black car with Cameron Goff and the others getting there? You talked about Sheila getting there first and then she gets out raising cane, then the other black car shows up with Cameron Goff and Matt Jackson, Casey Gregory and BJ in it. Do you know about how long after Sheila got there that this car, the black car, got there?

A It was almost back-to-back.

Q Almost back-to-back, you say?

A Yes.

Q Talked about four occupants in this black car, Cameron Goff, Casey Gregory, BJ and Matt Jackson?

A Yes, sir.

Q Did anyone beside Matt Jackson do anything as far as getting involved physically with anyone?

A Not beside him and his mother.

Q Matt Jackson is fighting, we know that, but those other three stood at the car?

A Yes, sir.

Q Okay. Just one last question, during that first encounter, Matt Jackson comes down there, you say you didn't sense any agitation as he was leaving; is that right?

A It didn't seem that way, no.

Q You thought everything was okay; is that right?

A Yes, sir.

Q But you don't really know whether or not he was agitated up here, Matthew Jackson, do you?

A No, sir.

Q You don't really know what he was thinking as he was leaving to go to Buffalo Creek, do you?

A No, sir.

MR. SCOTT: Okay, thank you.

THE COURT: Any recross, Mr. Verner?

MR. VERNER: No, Your Honor.

THE COURT: Thank you, ma'am, you can step down.

All right. Mr. Foreman, ladies and gentlemen of the jury, I think this would be a good time to break

for lunch. I'd like for you to be back at 2:30. If you decide that you want to go to a local restaurant, keep your juror badge visible. The reason for that is that some lawyers, parties, witnesses, whomever may be in that same restaurant and they may not recognize you being on the jury and may be talking about the case. We certainly don't want you to overhear any conversation of that nature. But if you have your juror badge visible, then they'll know that you're on the jury and that they need to not speak loud enough to where you can hear anything.

Also, I remind you no discussion among yourselves, no discussion with anybody that you come into contact with over your lunch break, no research into this case. And we'll see you back at 2:30. Have a good lunch.

(WHEREUPON, the jury left open court at approximately 1:13 p.m.)

THE COURT: All right, we'll be in recess until 2:30.

(WHEREUPON, a lunch break was taken.)

THE COURT: All right, Madam Bailiff, if you will bring the jury out, please.

(WHEREUPON, the jury came into open court at approximately 2:39 p.m.)

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THE COURT: Let the record reflect that the jury is back in.

Solicitor, you ready to call another witness?

MR. SCOTT: Yes, sir, Your Honor, the State calls Alexis Cockrell.

THE CLERK: Place your left hand on the Bible, raise your right hand.

ALEXIS COCKRELL, after being duly sworn, testified as follows:

THE CLERK: Have a seat and state your name.

THE WITNESS: My name is Alexis Cockrell.

DIRECT EXAMINATION

BY MR. SCOTT:

Q Alexis, how old are you?

A Twenty-six.

Q And who's your big sister?

A Ashleigh Cockrell.

Q Ashleigh Cockrell, that's who we heard from earlier today. You weren't in here. Tony Jackson is who to you?

A My brother-in-law.

Q Do you know Matthew Jackson?

A I don't know him personally, but I do know of him.

Q Do you know Sheila Norton, his mother?

A I know of her, but not personally.

Q If we were here talking about the Sunset boat ramp in Prosperity and things that happened there June 6th of last year, were you there that day?

A Yes, sir.

Q Do you remember approximately what time you got there?

A I -- yeah, this was before I was working. I was there with them all day.

Q You were there pretty much all day?

A From the time they got there and maybe -- see, we went so much during the summer. We went early and then we'd go at lunchtime or 2:00. I don't remember what time we went that day. It was early, though.

Q That was somewhere you went a lot to?

A When I wasn't working, yes, sir.

Q Place you were familiar with?

A Uh-huh.

Q What kind of things did you like to do at the boat ramp there?

A We'd sit at the edge of the water with the kids and play. We'd play out on floats and little tubes. We never really got to use our long floats because the kids would take them. Seashells with kids.

Q Just place that y'all liked to hang out?

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ALEXIS COCKRELL-DIRECT BY MR. SCOTT

A Cook and grill and just hangout.

Q Do you remember June 6th of last year?

A I do.

Q Who did you -- how did you get to the boat ramp? Who were you with?

A My sister and kids.

Q Ashleigh?

A Yes, sir.

Q And her three little girls?

A And Ayleah.

Q And who?

A Ayleah Jackson.

Q That was the friend of the girls?

A That's Tony oldest daughter.

Q Oh, okay. All right. So the three year old that --

A No, I'm sorry, she was with -- see, it's so blurry. A lot of things are still so blurry, but I know we had MINOR 2, MINOR 1 and Kinsey in the back seat. I want to say Ayleah was there that day, but -- I was driving their car home, I just know the back seat was full.

Q Slow down. Slow down. Something's blurry, we don't need to talk about what's blurry. Let's talk about what you remember. Do you remember Ashleigh being there?

A Yes.

Q Do you remember Tony being there?
A Yes.
Q You were there from early on?
A Yes.
Q Do you remember whether or not Ashley Platts was there?
A Yes, she was.
Q Do you remember whether or not the daughter that Ashleigh and Tony have together was there?
A Yes.
Q Do you remember if the two girls that Ashleigh has with RJ were there?
A Yes.
Q Do you remember if those two girls had a friend along with them or not?
A No, sir.
Q Okay. How many children do you remember being there?
A It was Ashley Platts' two boys, Ashleigh's two girls by RJ, their kid together, and if it was Ayleah that was -- I'm pretty sure she was there.
Q Okay, that's fine. You've got five that you just named, maybe six, okay?
A Uh-huh.
THE COURT: You need to verbally respond with

your answer, ma'am.

BY MR. SCOTT:

Q You've got to say yes or no.

A Yes, yes.

Q Okay. And you got there, did you show up in Ashleigh's Chrysler?

A Yes, sir.

Q And Ashley Platts was driving what?

A Her Trail Blazer.

Q And was Ayleah there yet when y'all first got there?

A No.

Q Was John Platts there yet when you first got there?

A No.

Q Let me show you State's No. 15. What is this? It's already been introduced into evidence.

A That's the boat ramp.

Q Okay. And this was taken a few weeks ago. Is that generally how it looked in June of last year?

A Yes, sir.

Q And I've broken this thing up into encounter one and encounter two, does that make sense to you?

A What do you mean?

Q All right. How many different times during

June 6th did you deal with Matthew Jackson?

A Twice.

Q Twice. Let's talk about the first time, okay?

A Uh-huh.

Q About what time of day was that?

A Honestly, I was in the water all day. I didn't keep up with the time. My phone was in the car.

Q Let's talk about that. Where were you in the water?

A On -- the boat -- or the truck's right here on the ramp, we were right here on the -- if you're looking at the ramp, we were on the left side of the ramp, kind of gravel.

Q If you promise to talk loud enough where she can hear you and they can hear you, you can step away from that microphone for a minute and show me on this screen. But you've got to speak up.

A Okay.

Q Point to where you were in the water.

A We were right here on the left side of the boat ramp.

Q Stay there. Where do you first remember Matt being when you first noticed him there?

A The first time I seen him, it was when he was walking over around -- over across the boat ramp to

MINOR 1, my sister's youngest daughter by RJ.

Q Okay. MINOR 1 was where?

A She was sitting right behind us on a blanket right here.

Q And you were in the water. Was Tony in the water?

A We all were in the water.

Q So that's you, Alexis, Ashleigh, your sister, Ashley Platts, Tony, and all the children except for?

A MINOR 1.

Q MINOR 1. MINOR 1's sitting on a blanket. And the first time you take notice of Matt, you said he was walking across the ramp towards MINOR 1?

A Yes, sir. I noticed him coming around across the boat ramp.

Q What happened next?

A MINOR 1 ran up and hugged him.

Q What happened next?

A Tony was getting out the water to light a cigarette or something and he noticed it and he said, Hey, man, don't be hugging on my girls, is what he said.

Q Do you remember what happened after that?

A I remember MINOR 1 was trying to tell Tony it was Matt. I do know Ashleigh looked up and noticed and said the same thing, like, Yeah, that's RJ's cousin, Matt. The

girls know him.

And Tony said, Well, I didn't know that, nobody told me. I don't even know who he is.

Tony walked up to him and shook his hand, said, I didn't need no problem, I just didn't know who you were coming up on my girls.

Q Okay. Did it ever get physical at that point?

A No, not at all.

Q Was it tense, at least, until Tony figured out who Matt was?

A At first, a little.

Q Were there any threats exchanged?

A No, sir.

Q Okay. Well, how did it end?

A Last time I saw them, they shook hands and Matt was gone.

Q Okay. Did you have any reason to think anything violent would happen from there?

A No, sir.

Q Did you know what Matthew Jackson was thinking, though?

A I did not.

Q Okay. Did he state anything that he would do later or anything like that?

A Not where I heard.

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ALEXIS COCKRELL-DIRECT BY MR. SCOTT

Q So that was pretty much the last you thought you would see of Matthew Jackson that day; is that right?

A Yes, sir.

Q Okay. What did y'all do after Matt left?

A We all got back in the water. We were -- we grilled. I was eating. Of course, we're always eating, snacking. We turned the music back up and we were just sitting down here with the kids and floating in the water, like it was normal. And that's right before my nanny got there with my younger sister, Ayleah.

Q Is this an area that law enforcement patrols?

A Yes, sir.

Q DNR is there periodically?

A On the boats and trucks.

Q Were you or anyone in your group -- I'm not talking about people who are out in the woods camping or anything. You and your group, was anybody smoking weed?

A No, sir.

Q You guys were having drinks, correct?

A A couple, yes, sir.

Q You're of age?

A Yes, I'm 26.

Q Ashleigh's of age?

A Yes, sir.

Q Tony's of age?

A Yes, sir.
Q Were you drunk?
A No.
Q Tell me about the second encounter. What I mean by that is the second time that day that you saw Matthew Jackson?
A I didn't really see him until after Sheila pulled in and then the other car did. Because I seen her out the rearview mirror. We were all in the car. He was trying to jump his bike off. We were leaving and I seen her coming up the hill yelling and cussing with her hands up.
Q I'm going to back you up just a little bit before Sheila gets there. Talked about jumping a bike. Now, if there's been insinuation that Tony wrecked his bike, did he wreck his bike that day?
A No, sir.
Q Tell me where his motorcycle was just before Sheila got there.
A It was right above the curve right here.
Q And what was Tony doing with his bike just before Sheila Norton, Sheila Jackson Norton, got there?
A He was standing on the side of it and they had the jumper cables ran from John's truck and was about to hook it up to the bike. I was sitting in the car with the

kids right behind them.

Q And John's truck was hooked up to the bike. They were trying to jump the batteries off, is that what you understood?

A Yes, sir.

Q You were in the Chrysler 300?

A Yes, sir.

Q Driver's side or passenger?

A Driver.

Q And who was in the passenger side?

A Ayleah.

Q Ayleah, that's your younger sister?

A Yes, sir.

Q Sixteen or 17 last year?

A Seventeen.

Q Okay. So John Platts and Ayleah had gotten there in between first encounter and the second encounter?

A Yes, sir.

Q Where were the little girls?

A When?

Q During this, when the bike --

A They were in the back seat of the car.

Q Of the Chrysler 300?

A Yes, sir, that I was driving.

Q Okay. Let me show you something. We've got

this labeled here. Tell me if you would move any of these cars. I've got marked here that's about where John Platts's truck was, that's the bike. I've got Ashley's car, Trail Blazer behind John Platts' truck. I've got the Chrysler 300 about here. I've got you marked as the driver. I've got Ayleah mark as the passenger. Is that fairly accurate?

A Yes, sir.

Q Okay. Well, would you demonstrate -- show us on that -- I might show you this again, but show us on that what you remember when Sheila Jackson Norton showed up on the scene. Kind of trace with your finger the path --

A All she did was she pulled up and she come in really fast. She come around the curve and come in and turned and stopped the car right there.

Q Okay. Then you were getting into it a minute ago, you said she was coming up the hill, I think?

A Yeah, she was fussing about something. I couldn't hear, we were in the car. All I seen was her hands going up in the rearview mirror.

Q Can you demonstrate --

A She was walking up the hill fussing and cussing, carrying on. So I just kind of got out the car on the driver's side.

Q Okay.

A And I got out, I'm walking, I'm meeting her, she was coming up about right there. I met her, I was like, Come on, we got kids up here, let's not bring that nonsense up the hill. Like, there's kids up there, we're trying to leave. We're not starting nothing. Everybody's trying to go home.

Q Did you have any idea what she was so worked up about at this point?

A I had no idea, no.

Q As you were moving towards her as she was coming up the hill --

A Uh-huh.

Q -- what happens next? Where was Ayleah?

A She was getting out the passenger side of the car, of the Chrysler.

Q What happened next?

A She bypassed me and --

Q Who is she?

A Sheila. Sheila come past me and her and Ayleah met and she started hitting Ayleah.

Q The 17 year old?

A Well, she grabbed her hair first. She grabbed her hair, yes.

Q Who threw --

A Sheila grabbed Ayleah's hair.

Q So who struck first?
A Sheila.
Q Sheila Jackson Norton struck first?
A Yes.
Q She was in, what color car was it?
A Gray. I'm not really honestly sure the exact color. I wasn't paying attention to the car.
Q At that point, Ayleah and Sheila are going at it. Did you get involved?
A I did not until she was trying to -- she had Ayleah down almost to the ground.
Q Then did you get involved?
A I was just trying to grab Sheila's hand off, let Ayleah's hair go.
Q I don't care, if you hit her, you hit her. Did you get involved?
A No, I didn't. I was just trying to break them up.
Q Did you hit Sheila at all?
A I did not.
Q Was Ayleah hitting her back as she was hitting her?
A Yes.
Q Now, did Ashleigh, did she get involved at some point?

A Like I said, I was standing there with Ayleah trying to get her hands off Ayleah's head and I was hollering for Ashleigh. And Ashleigh come up and was pulling Sheila while I was getting Ayleah.

Q Do you remember any other cars entering the parking lot around this time?

A I don't.

Q When did you become -- or did you become aware that there was some other people who had come in the parking lot around that time?

A As soon as we got Sheila to let loose of Ayleah's hair, me and Ashleigh stepped back, we backed up. And I seen Matthew Jackson coming up the hill. And Tony was walking this way. Matt was fussing and carrying on, too. He come straight up and him and Tony met and they started fighting.

Q Did you see who threw the first punch?

A I did not.

Q Okay. Show us about where that happened on here.

A We were about right there. Sheila and Ayleah were fighting. This was about right over here.

Q Okay. Okay. And did you see -- did you ever become aware of another car that was in the parking lot?

A I didn't, no, sir.

Q Okay. Did you see any other males who was with Matthew Jackson?

A Uh-huh, standing down here. Standing down by the black car, I noticed afterwards.

Q About where was it? Show me where that black car was when you noticed it.

A Like right here.

Q Who was in the car?

A I know it was Cameron Goff and Casey Gregory because I know their faces. And it was another black guy with them.

Q Did Cameron Goff, Casey Gregory or the black guy, somebody called him BJ earlier, did they get involved in any of the altercation?

A No, sir.

Q While you and Sheila and Ashleigh and Ayleah are in y'all's scuffle somewhere here, did Matthew Jackson get involved in the girl fight?

A Not at all.

Q What did you say?

A No, sir.

Q You said not at all?

A Not at all. Like he didn't come around.

Q So your testimony is the first time you became aware of him is when he's coming up the hill towards Tony

and then they get into it?

A Yes, sir.

Q Okay. And I know I asked this, I just want to know what your answer was. Did you see who threw the first punch?

A I did not, no.

Q Did you hear -- you said he was saying something, do you recall what Matthew Jackson was saying?

A No, sir, I didn't.

Q Okay. What did you observe as far as their altercation? That being Matthew Jackson and Tony Jackson.

A I just know I looked up and they were fighting. And a few seconds later, I saw Tony grabbing his stomach. And when he grabbed his stomach, I hollered for Ashleigh.

I said, He's about to fall, Ashleigh, go get him.

And she went and caught his fall pretty much, Ashleigh did. And Matt was still going after Tony. So I ran from here where Ayleah and Sheila were -- and yes, I'm tiny. I kind of tried to football tackle him backwards off of Tony so Ashleigh could get Tony to the truck.

Q Were you aware that he had a knife at that point?

A No. I didn't even know Tony was bleeding. I

just know he was holding his side.

Q At what point did you become aware that Tony had been stabbed?

A When Ashleigh grabbed him from the back and Tony moved his hand, he said, He got me. That's all Tony kept saying, He got me. And he moved his hand, it was blood everywhere.

Q At this point, what did Matthew Jackson do? Do you remember?

A He went back down the hill.

Q Okay. Show us on there what you remember the path he took.

A Well, it ended up being about right here after that and he took off this way. And that's all I seen because I turned around to help Ashleigh.

Q Some of these juries may have been here, some may not, so when you say down the hill, there is a slope here, isn't it? Show us what the uphill direction would be.

A (The witness indicates.)

Q So downhill would be coming towards the lake. So after Tony grabbed his side and you see Matt moving back down towards the lake, did he go back towards that black car?

A Yes. So the black car was parked here and, like

I said, he was running back down the hill. I didn't see him get in the car. I didn't pay attention to nobody getting in any car. I just know the only person I knew was in a car was Sheila and that was after Tony had gotten stabbed and she was going crazy in the parking lot and trying to run over everybody, trying to stop us from getting Tony to the truck.

Q She never hit anybody, but you're saying she was driving really erratically?

A Yes.

Q Okay. And you called 911 after that?

A I did, yes, sir.

Q Have you heard that 911 tape?

A Yes, sir, I did.

Q Okay. You can sit back up there, Alexis. So if someone had said earlier that nobody in your group got in touch with law enforcement, you're telling this jury that you actually called 911?

A I did, yes.

Q This is State's No. 18, do you recognize this?

A Yes, sir, I initialed it.

Q You've heard it?

A Yes, sir.

Q Is that a fair and accurate representation of the phone call you made June 6th of 2018?

A Yes.

MR. SCOTT: Your Honor, the State would offer State's No. 18 for admission into evidence.

MR.VERNER: Without objection.

THE COURT: All right, without objection 18 for the State.

(WHEREUPON, State's Exhibit No. 18 was marked for identification and received into evidence.)

(WHEREUPON, State's Exhibit No. 18 was published.)

BY MR. SCOTT:

Q The female voice first part of that 911 was who?

A Me.

Q Describe what you were feeling at that point.

A I don't know. I know it was bad. I was scared. I didn't know what to do. I stopped at Fairview Fire Department to even try to get help.

Q The male's voice we heard was who?

A John Platts.

Q John Platts. Okay. Did you ride with John Platts to the hospital?

A I did not. I drove the car, the Chrysler.

Q Okay. Do you remember -- what time did you say about what that was that the stabbing happened?

A It was right before dark, around dark, 6:00,

7:00.

Q Did you have any trouble seeing anything that you described today?

A Just what I told you, some things are still blurry, but what I've told you is what I remember.

Q Are you crystal clear on that?

A Yes, sir.

MR. SCOTT: Would you answer any questions Mr. Verner has for you?

THE WITNESS: Yes, I will.

THE COURT: Cross-examination, Mr. Verner.

CROSS-EXAMINATION

BY MR. VERNER:

Q Did anybody in your group threaten Matt or his mother with a gun?

A No, sir.

Q Was there any threats vice versa made with a gun?

A No, sir.

Q And your testimony is when you saw Matt and Tony fight, they were -- or when you saw them during Sheila, her incident, they were squaring off towards each other?

A Yes, sir.

Q In what appeared to be a mutual fight?

A Yes, sir.

ALEXIS COCKRELL-CROSS BY MR. VERNER

Q Did -- there was some -- the initial altercation, physical altercation was between Sheila and you and your two sisters?

A It was between Sheila and my younger sister, Ayleah.

Q Right. But I mean, you and your sister also got in there, at least, to pull people off?

A Yes, sir.

Q All right. Where there any males involved in that?

A No, sir.

Q Were there any male hitting any female?

A No, sir.

Q There were no women other than you had tackled, I think, Matt?

A Yes, sir.

Q But that was the only female-on-male contact?

A Beside my sister helping Tony, yes, sir. My sister was helping Tony.

Q Okay. And who was playing the music that day?

A We were playing it on the speaker through Tony's phone.

Q Tony had his phone hooked up to speakers, I guess, in the back of a car?

A No, sir, a small blue tooth speaker.

Q Okay. Was there like a PA system that you could speak through?

A A mega phone.

Q Mega phone? Was Tony or anybody doing like DJ or?

A No, sir. The only time we pulled the horn out, we call it the horn, is when boats were coming in or cars were pulling into the parking lot, we would holler for the kids to move away from the ramp.

Q You don't remember Tony ever getting on the horn?

A If he did, he was talking to the kids telling them to move over.

Q Okay. If you were there all day, you must have been there when Cameron Goff first arrived?

A Yes, sir.

Q Okay. Tell us about what happened that incident.

A Ashley -- he had messaged -- Cameron Goff had messaged Ashley Platts a while before that, which I found out that day. And her husband was coming down there after work.

Q Well, why would he -- are they friends, are they --

A No, he was trying to get with her while she's

married. He was trying to just talk to her and she's married.

Q Okay.

A So --

Q Well, I mean, how big is Cameron Goff? He's not a big guy, is he?

A I've only seen him two times.

Q Okay. Would you characterize him -- is anywhere near as big as Ashley Platts' husband?

A He's shorter.

Q Okay. But for whatever reasons, Cameron Goff had texted Ashley from Facebook or social medial or somehow contacted Ashley?

A Yes, sir.

Q And then -- but you learned that a little bit later?

A Yes, sir, when he pulled up and she started packing her things to leave.

Q So Cameron pulled up, Ashley said, I'm not having this or I'm leaving or something?

A Well, I didn't even know. I asked my sister why Ashley Platts was -- I asked Ashleigh, my sister, why Ashley Platts was packing her and the kids up and leaving. And she told me why. That's when Cameron was parked beside his black car.

Q Was Cameron with anybody?
A I think it was just him in the car.
Q At that time, it was just Cameron by himself?
A Yes, sir.
Q And you knew who he was because you had seen him before, but not nearly enough like friends?
A Yes, sir.
Q Did anything -- how did that encounter end?
A Well, he stepped out of the car and I just kind walked up to him, Hey, are you Cameron?

He said, Yeah.

It wasn't no problem. I was like, Well, her husband, John, is on the way down here. I don't really want her to have to leave until he gets here. Like, we're just trying to have a good time, do you mind leaving.

Q It was friendly, but you suggested to him that he might want to leave before John gets there?
A No, I didn't, not at all. I said, Her husband is on the way. I never mentioned his name. I said just until her husband gets here, would you mind leaving?
Q All right. And that was the extent of the Cameron Goff prior altercation?
A He told me, Yeah, sure. No problem. And he was gone.

Q And he left without hard feelings, so to speak, certainly, not towards you?
A Yes, sir.
Q Did Tony have any part in that?
A No, sir.
Q Okay. What were you drinking back on June 6th at the boat ramp?
A I was drinking a little bit of Seagram's gin and I might have had two or three beers.
Q So mostly, people and everybody else in your crew was pretty much drinking the same beers and Seagram's?
A Yes, sir.
Q And some shots of Seagram's and then some mixed drinks, I suppose?
A We don't mix drinks.
Q So it was just shots and beer?
A Yes, sir.
Q Do you recall seeing Tony drinking shots out of the bottle?
A He had a water bottle and, yes, he took a couple of shots, but he did not drink nowhere near as much as like anybody else. He was driving his motorcycle home. And we stopped after we got done cooking and ate.
Q Okay. Did you ever see Tony on the ground?

A No, sir.
Q Do you know how Tony's elbow got so bloody?
A The only blood that was on any of us was from where he had been stabbed by Matt.
Q Okay. And there were other people at the boat ramp that day, too?
A Earlier that day.
Q Not part of your group, just other people?
A Yes, sir.
Q Some you might have known, some you might not have known?
A Yes, sir.
Q Okay. So it just wasn't your family and friends there?
A There was other people, yes, there was.
Q Do you remember seeing -- you know Regina Sly?
A I do.
Q Do you remember seeing her there?
A For a short period of time.
Q Do you remember seeing Joyce Gagnon there?
A Yes, sir, for a short period of time.
Q Do you know a fellow named Steven Davis?
A Yes, sir.
Q Do you remember Steven and Matt talking to each other on the pier?

ALEXIS COCKRELL-CROSS BY MR. VERNER

A I do not.
Q Do you remember Tony threatening or having words with them while they're sitting on the pier?
A No, sir.
Q Do you remember a guy named J.P. Peterson?
A No, I don't.
Q Okay. Then, also, Tony had other friends, he had brother there, didn't he?
A Tony's brother, no, sir.
Q You don't remember seeing his brother there?
A No, not -- well, earlier that day for a little while, but they had left before -- all this started before they come down there.
Q For, at least, part of the time, Tony's brother and his wife were there?
A Yes, sir.
Q Was there anybody else in your group that had kind of come and gone?
A I stayed in the water all day with the kids. I don't really recall.
Q Did you have a friend there, a girlfriend, a boyfriend that you met there?
A No, sir.
Q Okay. Who was loading up -- how quickly after the cutting did you call 911?

A When I was pulling out.

Q So almost immediately, within a couple of minutes?

A Yes, sir. After I knew he was in the truck and on the way.

Q Who is in the black pickup truck loading up the motorcycle?

A I have no idea. I didn't even notice the black truck.

Q Did you hear the 911 call?

A I heard it.

Q And they talked about they're already loading up the motorcycle on a black truck?

A Yes, sir, but that's not true. Because we went back and got the motorcycle and loaded it up ourself.

Q That same night?

A Yes, sir.

Q Okay. How long have you known Matthew Jackson?

A I've known of Matthew Jackson probably since I was in high school. He was friends with one of my uncles, Jonathan, but I've never know him.

Q Maybe not quite, but know him by face or, at least, about ten years, maybe a little less?

A Yes, sir.

Q Is it fair to characterize him as a friend of

Russell Severance?

A Yes, sir.

Q Close friend?

A Cousin, I believe.

Q Is it fair to say that your sister, Ashleigh's relationship with Russell has been toxic or up and down?

A Yes, sir.

Q Have they gotten into custody disputes about the children before?

A Yes, sir.

Q But your -- the testimony is when Tony approached Matt after MINOR 1 hugged Matt, that it ended just amicably with the two of them shaking hands?

A Yes, sir.

Q No hard feelings?

A They spoke by the car for a second and shook hands and Matt was gone.

Q So there would be no reason in your opinion for either one of them to have been angry after that encounter?

A No, sir. Because we started the music back up and just sat down with the kids. Everything was fine.

Q Matt generally wears glasses, doesn't he?

A Yes, sir.

(WHEREUPON, Defendant's Exhibit No. 2 was marked

for identification only.)

BY MR. VERNER:

Q You call Tony your brother-in-law, but that's -- technically, he's not really your brother-in-law, right?

A They're just engaged.

Q They have a child together, but they're not married?

A Not yet, no, sir.

Q Do you recognize the photograph?

A No, I've never seen that picture. Well, the person, yes.

Q Who is that?

A Matthew Jackson.

Q And those are -- typically, he wears glasses?

A I've never seen him ones in black.

Q Okay. Do you know whether he's got a --

THE COURT: You offering that in evidence?

MR. VERNER: I'm sorry, Your Honor. It was without objection, but I am offering Defendant's 2 into evidence.

MR. SCOTT: No objection, Your Honor.

THE COURT: Without objection, Defendant's Exhibit 2.

(WHEREUPON, Defendant's Exhibit No. 2 was admitted into evidence.)

ALEXIS COCKRELL-CROSS BY MR. VERNER

BY MR. VERNER:

Q Are you aware of Matthew having a glass eye?

A Yes, I am.

Q Do you know which side of his head, face?

A Just looking at him, I guess his left.

Q Okay. Do you remember what he was wearing the day on June 6th?

A All I remember is a white shirt.

Q Do you remember white pants?

A White or khaki. He was in all light colors.

Q Do you remember if they were long pants or short?

A Shorts.

Q Okay. Was it that unusual an outfit for the lake? It wasn't a swimming outfit, was it?

A No.

Q But sometimes people just go there in kind of short pants?

A Hang out.

Q Yeah, and hang out on the dock?

A Yes, sir.

Q Okay. You don't remember Matthew trying to pull you and your sister off his mother?

A No, sir.

MR. SCOTT: No objection, Your Honor.

(WHEREUPON, Defendant's Exhibit No. 3 was marked for identification only.)

BY MR. VERNER:

Q Do you remember seeing Tony punch Matthew in the face?

A No, sir.

Q Do you know how the glasses got on the ground like that?

A I do not.

Q Okay. Do you know how the glasses could have been damaged that way?

A I guess through their fight.

Q It appears that somebody -- it appears that the glasses were damaged by physical contact?

A Or stepped on.

Q Or stepped on. You didn't see Tony hit Matt from the side of the head and break the glasses?

A I seen arms swinging. I never seen physical hits. Both of them were hitting.

Q There's a 20-dollar bill on the ground that the police saw near the glasses, do you know how that got on the ground?

A I do not.

Q Okay. Is Tony Jackson about the same size as he was a year ago, a little bit smaller or a little bit

bigger?

A I'd say a little bit smaller because after his stab and gotten surgery and stuff, he lost a little bit of weight.

Q He's lost some weight?

A A little bit.

Q Because of these events?

A He's probably put it back on now.

Q He was bigger a year ago than he is now?

A Yes, sir.

Q And Matthew approached him in a fighting stance with glasses on?

A Yes, sir.

Q To fight?

A Well, I didn't look at Matt in his face, but I'm guessing he can't see without his glasses on. The only time I've seen him was Facebook pictures and they were just like clear lens.

Q You've known him ten years. Matthew is blind without his glasses, you understand that, don't you?

A I don't know him. I just know he wears glasses and I seen Facebook pictures with clear glasses on.

Q Did Tony know he was cut when he got cut or he found that out later after the fight?

A After the fight.

ALEXIS COCKRELL-CROSS BY MR. VERNER

Q Did anybody else get involved in the fight between Matthew and Tony?

A Not involved in the fight, no.

Q What did John Platts do during the fight?

A John Platts, I don't even remember seeing him come down the hill from his white truck.

Q As best you recall, he was standing still at the white truck?

A By his truck or Ashleigh's car, yes, sir.

Q And that's where the motorcycle was? You can step down for a second, Ashley.

A Right up here.

Q Okay.

A Where his truck was parked, the bike, John was standing here with Ashleigh. John was beside her and she went and put the kids in her car.

Q Okay. And Cameron's car was down here in the grassy area, I think you said?

A The edge of the parking lot, yes, sir.

Q Okay. Or even further toward the camping ground area?

A It was right here, I know.

Q So they wouldn't have been close to each other? The cars would have been between them and the fight, between John and Cameron Goff and Casey Gregory?

A Could you repeat the question, please?
Q They would have been on far ends of the parking lot?
A Who?
Q John Platts and Cameron Goff?
A Yes, sir.
Q And in between them would have been the motorcycle, the cars, Sheila's car and everything else?
A Yes, sir.
Q Do you have any idea in terms of, like, yards or football field how long that parking lot would be from one end to the other?
A I have no idea.
Q Okay. And this fight happened during the dusk, it wasn't dark yet, but it was 8:00, 8:30 in the evening?
A It was still light outside.
Q Okay. Do you remember having words back and forth with Ms. Sheila Jackson before the fight started?
A The only words we had was -- the only words I said to her was, Hey, we got kids up here, can we take it back down the kill? Just keep that down the hill. And she kept coming and fussing and yelling.
Q Where there any words between Ayleah and Sheila before the fight?
A The only thing I can recall is Ayleah telling

her not to run up towards her sister.

Q So Ayleah was defensive of you?

A No, Ayleah was running -- well, Sheila was running up the hill fussing. And when I got out the car, she took off a little faster and Ayleah come past me and Sheila went for Ayleah.

Q But Ayleah was taking up for you?

A She just said, Don't come up here doing my sister like that.

Q By sister, she's talking about you?

A Yes, sir.

Q Okay. So whether she's right or wrong, Ayleah was standing up for you?

A Yes, sir.

Q Okay. And you would expect her to do that? Would be a good thing, right?

A Yes, sir.

Q Did Cameron -- again, I think the prosecutor asked you, but Cameron and Casey and the other guy with him were not involved in the altercation at all?

A No, sir.

Q Okay. Had y'all had prior hard feelings with them other than that one incident with Cameron?

A No, sir.

Q Okay. Were you expecting them to come down

there?

A No.

Q Okay. Was there anybody else in the parking lot at the time, about 8:00 o'clock, during the time of this altercation? Any other groups who still were camping out or hanging out?

A I don't know.

Q Okay. All right.

MR. VERNER: Alexis, if the prosecutor has any followup questions.

THE COURT: Any redirect?

REDIRECT EXAMINATION

BY MR. SCOTT:

Q Do you know how Cameron Goff and Matt Jackson are related?

A I do not.

Q Do you know that they are related?

A I do not.

Q The glasses, do you know if he was wearing glasses when he got arrested?

A I don't know.

Q Is he wearing glasses right now?

A No, sir.

Q What?

A No, sir.

Q So I guess he doesn't need glasses then, does he?

A He seems to be seeing just fine without them.

Q In fact, those glasses, the defense attorney is asking you to assume they got broken from being punched. Do we know how they got broken?

A We do not.

Q Could they have been broken when his mother was cutting doughnuts in the parking lot and chasing after y'all?

A They could have been broken that way or stepped on, any kind of way.

Q So we can't just assume they were broken from him being punched, can we?

A No, sir.

Q We shouldn't assume anything until the evidence or a witness says otherwise, should we?

A No, sir.

Q But we aren't denying the fact that Tony was punching back, are we?

A Both of them fight, yes, sir.

Q Who started the fight?

A Matt.

Q Okay, thank you.

MR. SCOTT: That's all, Your Honor.

ALEXIS COCKRELL-RECROSS BY MR. VERNER

MR. VERNER: Just brief followup.

THE COURT: Sure.

RECROSS-EXAMINATION

BY MR. VERNER:

Q Again, why did Matt start the fight?

A I'm sorry?

Q How did Matt -- your testimony to the jury was -- and your testimony is that Matt was approaching Tony and Tony was approaching Matt. So what makes you say that Matt started the fight?

A Matt was coming up the hill. He had no business coming towards Tony. And Tony seen him coming up there and, I guess, met him halfway.

Q It's clear in your mind that Matt is, therefore, responsible for the fight?

A I'm sorry, I didn't hear you.

Q And, therefore, Matt is responsible for the fight and not Tony?

A Yes, sir, he come back down there knowing what he was doing.

Q Okay. You think if you were actually in Matt's crowd that night you would see things differently?

A I doubt it, no, sir.

Q The --

MR. VERNER: No further questions.

THE COURT: Thank you. You can step down, ma'am.

MR. SCOTT: The State calls Ayleah Cook, Your Honor.

THE CLERK: Place your left hand on the Bible, raise your right hand.

AYLEAH COOK, after being duly sworn, testified as follows:

THE COURT: Ladies and gentlemen of the jury, while we're waiting on the next witness, I failed to tell you at the outset that any time that any of you need to take a break and we haven't got to a break, just raise your hand and we'll take a break, okay. I failed to mention that to you.

THE CLERK: State your full name for the record.

THE WITNESS: Ayleah Cook.

DIRECT EXAMINATION

BY MR. SCOTT:

Q Ayleah, how old are you?

A Eighteen.

Q June 6th of last year, how old were you?

A Seventeen.

Q Do you remember being at the boat ramp?

A Yes, sir.

Q Okay. Do you remember about what time you got

there?

A I'm not sure what time I got there.

Q Who was there when you got there?

A My sister, Ashleigh, Tony, John, Ashley, their kids and a few other people. I'm not sure, just other people that were hanging out with us.

Q What were they doing? People just camping and fishing and doing other things?

A Yes, sir.

Q But your group, though, when you got there, you said Ashleigh, your older sister, Alexis, your older sister, you said John Platts, Tony?

A Uh-huh, yes, sir.

Q And Ashley Platts?

A Yes, sir.

Q Then some children?

A Uh-huh.

Q Okay.

THE COURT: You need to verbally respond, either yes or no, okay?

THE WITNESS: Okay.

BY MR. SCOTT:

Q Who dropped you off?

A My grandmother.

Q How many times did you see Matt Jackson that

day?

A I didn't see him any until the incident happened.

Q The stabbing?

A Uh-huh.

Q You weren't there when he was there earlier in the day?

A No, sir.

Q Tell me what you remember about the stabbing. What was everyone doing? About what time was it?

A I don't really know any time, what time any of it happened.

Q Okay. Was it daylight enough for you to see what was going on?

A Yes, sir.

Q Was it starting to get dark?

A It was kind of -- it was a little later, not super late, but it wasn't like dark outside yet.

Q Okay. If I told you there was testimony earlier that 8:37 was when the 911 came in, does that sound about right?

MR. VERNER: Your Honor, not a bad question, but one witness cannot be asked to testify about what another witness testifies.

MR. SCOTT: There was judicial notice as far as

what time.

THE COURT: Well, I'm going to allow it Mr. Verner, I understand your point. I'm going to allow it.

MR. SCOTT: Just to be careful, Your Honor, I think State's No. 14 is the CAD report, so it is in evidence.

BY MR. SCOTT:

Q Does that sound about right, 8:37ish or so, or just prior to that when this happened?

A It could be. I don't know the time. I can't remember, so I can't say.

Q That's a fair answer. If you don't know, just say I don't know. But relax. Just tell me what you remember. What was everybody doing just before this happened?

A Tony was leaving, but his bike cut off. He was messing with it. It was parked right there, getting ready to leave and they pulled up.

Q Slow down. His bike cut off. Did he wreck it?

A No, sir, it just cut off. We were getting ready to leave and it just stopped.

Q Tell me about when he fell off his bike and it slid out from under him. That never happened?

A No, sir.

Q So if somebody said that happened, you did not witness anything like that?

A No, sir. I'm sorry.

Q Your testimony is what happened with the motorcycle?

A It just quit working and it just cut off.

Q What did Tony do to try to get it started back up?

A They just -- everybody just kind of got out of the car. He had already started messing with it. I was in the car.

Q What car were you in?

A I was in the Chrysler with Alexis, passenger side.

Q Passenger side?

A Yes, sir.

Q Alexis was in the driver's side?

A Yes, sir.

Q Y'all had the kids in the back?

A Yes, sir.

Q Y'all were just watching to see if they could jump the bike off?

A Yes, sir.

Q Okay. Who was helping Tony try to jump the bike off?

A John and Ashleigh might have been over there. I was on my phone just in the car.

Q Okay. I would expect that from a 17-year-old girl, I guess. So you're on your phone. Tell me what's the next thing you remember happening.

A I remember I was sitting there on my phone. I know when Sheila came, she came down there real quick and she stopped. I hear her come out the car like yelling and my sister and her started arguing. That's when I got out the car and realized that something was really like happening.

Q What was she doing? Do you remember anything she was saying or was she just acting like a wild woman?

A I don't remember anything she was saying. I remember she came up there and my sister, Alexis, was telling her just not come up there, we have kids over there.

Q Slow down. The court reporter's fingers are catching on fire.

A Okay.

Q She's got to take down everything you say. Slow down. Did you see her car pull into the parking lot?

A Yes, sir.

Q All right. Was it driving slowly?

A She came in at a fast speed. She was pulling in

real quick.

Q All right. And you say she's walking up the hill and what is she saying?

A I'm not sure what she was saying. I just know my sister, Alexis, I heard her.

Q Was it something that got your attention? Did it seem like a pleasant visit she was going to pay you guys?

A No. She came up there being really loud and just it caught my attention because she was being really loud and just -- I was sitting in the car and when I heard that, that's what made me get out.

Q Did it set off kind of like alarms in your head that something was about to happen?

A Yes, sir.

Q It didn't seem like a greeting?

A No, not at all.

Q So you get out the car. Is Alexis already out of the car?

A She was like -- yeah, she was already out of the car when I got out, yes, sir.

Q All right. And when you get out, what is being said?

A Alexis, she was telling Sheila to take all her commotion back down the hill because we had the kids and

stuff up there. We're getting ready to leave.

Q Okay. How did you get involved?

A Whenever I -- when I heard Alexis and her arguing, I came running out, I was like, You don't have to come up in my sister's face, stuff like that. Then she hit me, so.

Q Squared off and hit you out of nowhere?

A Yes, sir.

Q So had Alexis hit her? Did you see Alexis hit her?

A Nobody hit her.

Q Did you hit her?

A No, sir.

Q Where did she hit you?

A She hit me in the face on one side. I don't remember, I know she hit me on the side of my face.

Q Then at that point, what happened then?

A After that, it was -- like, it was just like we starting fighting. Because I know I hit her back. I don't know, it was just like a whole fight. It was crazy.

Q Did you know Sheila before this?

A I didn't know either one of them.

Q Okay. But your family knew Sheila; is that correct?

A Yes, sir, but I didn't.

Q Okay. Did you have any prior difficulties with her?

A No, sir.

Q Okay. Were you expecting her to hit you in the face?

A No, sir, not at all.

Q Did you have any idea why this woman comes up out of nowhere and just hits you in the face?

A No, sir.

Q Okay. At some point, did you become aware of another car that had entered the parking lot at the same time?

A Yes, sir.

Q When did you become aware of that car?

A They came -- like, they came in, basically, at the same time. So I knew that they were there at the same time.

Q Was anyone else in the car with Sheila?

A No, sir.

Q What color car was she driving?

A A white car.

Q Did you see the color of the other car?

A Like maybe dark blue or black.

Q It was dark in color?

A Yes, sir.

Q Did you see who was in that car?
A I know Matt was in there, Cameron, Casey, then some -- another man, but I'm not sure.
Q Black guy?
A Yes, sir.
Q Beside Matt, what were those other three guys doing?
A They really just stood around as far as I know. I didn't see them do anything, come up to anybody.
Q How did the fight between you, Alexis and Sheila, how did that all end?
A Well, really, Ashleigh and Alexis, they came up behind me and Sheila and pulled Sheila off me because she had my hair, like, trying to pull me to the ground. After they got her off my head, they just backed away and just me and Sheila kept going at it for a little bit. So after that happened, I'm not sure what Ashleigh and Alexis did. Me and Sheila, we had our own thing going on.
Q At what point did you become aware that that other car had entered the parking lot?
A I knew the car was there the whole time. I remember seeing them like parked over there and the other guys was standing around. I really didn't see Matt at all until after everything happened.
Q So Matt, did he ever come up and get involved

with the thing between you and Sheila?

A No, sir, he never came up, touched anybody or like involved in that in any way.

Q At what point did you see Matt?

A Well, I remember after me and Sheila got done fighting and then she was like trying to run everybody over, I seen everybody running around. Matt, he was going to get in the car or going over that way or something, but I started panicking when I seen Tony bleeding. So after that.

Q So you didn't see any of the fight between Matt and Tony?

A No, sir.

Q Okay. Safe to say it was a pretty chaotic scene?

A Yes, sir.

Q Because you have this fight with the women fighting, then this other car over here. Then Tony and Matt, then Sheila in the car doing doughnuts. Did she almost hit you?

A Yeah, I was running from her. I was running up by the car and stuff yelling. My sister's telling them to move out the way.

Q Did you see Sheila leave?

A I don't remember seeing them leave or anything.

Because after I seen Tony bleeding, I started screaming. It was like I blacked out after that.

Q So you didn't see Matt leave either?

A No, sir.

Q Okay.

MR. SCOTT: That's all, Ayleah. Would you answer any questions Mr. Verner has for you?

THE COURT: Mr. Verner, any cross?

CROSS-EXAMINATION

BY MR. VERNER:

Q So Ayleah, if Sheila had some teeth knocked out of her mouth, that would have been -- whether it was self-defense or not, that would have been from one of the blows you threw?

A Yes, sir.

Q Do you remember knocking some teeth out of her mouth?

A I don't remember.

Q Do you remember having her on the ground hitting her?

A No, sir.

Q At some point --

THE COURT: Need to speak up, ma'am.

THE WITNESS: Okay.

BY MR. VERNER:

Q At some point, Sheila got into her car?

A Yes, sir.

Q Okay. Is it possible she was trying to flee the scene?

A When she got in her car, she started trying to run everybody over. So if she was trying to leave, I think she would have left.

Q But your motorcycle and the pickup truck, all those other cars were on the exit side, right?

A Yes, sir, but they weren't blocking the exit.

Q Do you recall seeing your sister, Ashleigh, punch her while she was in the car?

A I didn't see it, but I heard that.

Q You heard what?

A I heard, though.

Q Okay. Well, what do you remember about seeing Cameron earlier that day? Did you know Cameron Goff prior to --

A No, sir. I wasn't there earlier that day.

Q Okay. So for the most part of the afternoon swimming festivities. Where were you earlier that day?

A I was at home or something. I know my grandmother, she dropped me off about an hour before any of it happened.

Q Were you meeting anybody there other than your family?
A No, sir.
Q Do you remember seeing other people in the parking lot when you got there?
A I'm pretty sure there was a few other people there, but I wasn't really like paying much attention.
Q Do you remember seeing Regina Sly?
A Yes, sir.
Q Joyce Gagnon?
A I'm not sure who that is.
Q Steven David?
A I'm not sure who that is either.
Q About how long prior to you leaving do you think you were out there at the parking lot at Sunset?
A Can you repeat that, please?
Q How about how long before you left were you out there that day? Ballpark, I'm not asking for the exact number. Just roughly, how long do you think you were there?
A Before all that happened, probably like an hour. Then after -- just, we left right after everything got over with. We came to the hospital with Tony. So probably about a hour and a half, two hours.
Q Okay. So you were there about two hours at

most?

A Yes, sir.

Q Do you remember seeing anybody drinking out there?

A No, sir.

Q You don't remember seeing a gin bottle?

A No, sir.

Q Had they already packed up everything by the time you got there or did you help them pack up to leave?

A I didn't help them pack up, but I'm not sure.

Q You don't recall seeing people drinking beer or anything?

A No, sir.

Q Well, were they?

A Not while I was there.

Q Okay. You know why Ms. Sheila Jackson was so angry?

A No, sir.

Q Certainly, nothing you had done?

A No, sir.

Q Do you remember her saying any reasons why she was angry?

A No, sir.

Q She wasn't accusing y'all of doing anything?

A No, sir.

Q Did you know Matt Jackson prior to this?
A No, sir.
Q But you know Russell Severance, don't you?
A Yes, sir.
Q Tell me -- tell us once again what you remember about seeing the fight between Matt Jackson and Antonio Jackson?
A I didn't really see much of that at all. I just remember the end, I seen Tony walking up the hill with my sister behind him. He was bleeding. And he told me, he was like, Ayleah, I got stabbed by him. That's the only fight I remember, that whole situation.
Q Explain -- if I were at the boat ramp with my friends and another group of people came up there and the two people in the middle of the group had squared up and started fighting, I think I'd start watching it, wouldn't you?
A Yes, sir.
Q Did the fight happen between Matt and Tony while you were still occupied with Sheila or did it happen after she got in the car?
A It happened, like, really while everything was still going on with me and Sheila is when it started.
Q So while y'all are fighting with Sheila, Tony is fighting with Matt?

A Yes, sir.
Q And at some point, Sheila gets in her car?
A Yes, sir.
Q All right. So while she's driving in the parking lot, Sheila -- I mean, Matt and Tony are still fighting?
A I was running like a crazy girl around the parking lot, so, honestly, I can't say.
Q Okay. Is it fair to say that you and your sisters got the better of the fight with Sheila?
A You're saying that I did. My sisters didn't touch Sheila.
Q Okay. Tell me again how the fight ended between you and Sheila. I guess, y'all both walked away from each other or the sisters pulled you apart? How best can you recall that the fight ended?
A Okay. My sisters, all they did, they just kind of broke it up a little bit. Sheila was pulling my head to the ground. So they just got her to let go of my hair and we just kept fighting for a little bit. And I know Sheila did fall on the ground, but I was never on top of her. Because you did ask -- I just backed away from her. I just -- that's what ended it. She got up and got in her car after that.
Q Okay. At some point -- well, did you see --

when you saw Matthew and Tony, and I think you said you -- what's the first you saw of Tony or Matthew when they were fighting or at the end of it?

MR. SCOTT: Judge, that's been asked and answered twice. I think she said she didn't see the fight.

THE COURT: She's stated twice that she did not see the fight between the two of them.

BY MR. VERNER:

Q Well, any of it?

A I can't recall any of it that I seen at all.

Q Where did you -- but you said you saw Tony when he said he was cut -- or where was he standing?

A He was coming back up towards our cars. He was -- Ashleigh was behind him like guiding him up the hill.

Q He was actually behind who?

A Ashleigh, my sister, she was like holding him, helping him walk up the hill.

Q So their fight had happened further down the hill?

A Not like all the way down to the water, just kind of in the middle, a little bit in the corner.

Q Okay. And the fight between you and Sheila had happened further up the hill towards the exit?

A Yes, sir.

Q Do you recall seeing Tony following Matt towards his car?

A No, sir.

Q When did you first see Matt Jackson that evening?

A I seen him when they -- I seen -- when they pulled up, I seen a group of people get out the car. I don't know who everybody was, but that would be my first time seeing him.

Q But you clearly saw Matt get out of the car?

A I clearly seen all of them, but I didn't pay too much attention. I know it was all of them now, though.

Q Where did they park their car?

A They came down and parked like -- it was in the parking places kind of --

Q Step down for a second, please, Alexis. Prosecutor's done this little map. Can you figure out what it means?

A Yes, sir. This would have been -- that's Ashleigh's car, that's me and Alexis, bike, and then that's John's truck. So then Sheila, she came around like that and then they came in over there.

Q So were they in the grassy area?

A (The witness shook her head.)

Q Were they --
A Earlier that day?
Q No, when they came in, when you say you saw Matt get out of the car?
A They weren't in the grass, they were just like over there in the parking lot.
Q But they were in the lower end of the parking lot?
A Just right around here. It was still --
Q Okay. And Sheila's car was closer to them?
A Yes, sir.
Q Best you remember, put an X where you saw Cameron's car parked.
A Okay. It's, basically, around in here, just, I would say, somewhere in here.
Q Okay. So they came to the far end of parking lot?
A Yes, sir.
Q Okay. You can do you remember what Matthew Jackson was wearing?
A I know he had on like all white. He had all white. I don't know if he had shorts or pants or anything.
Q Do you remember if he had glasses on?
A He had on glasses, I think.

Q Do you remember what -- whether Tony was wearing a shirt at the time or whether his shirt was still off?

A I'm not sure.

Q Do you remember -- Matthew Jackson never assaulted you?

A No, sir.

Q And he never assaulted either of your sisters, Ashleigh or Ayleah?

A No, sir.

Q Or Ayleah -- no, you're Ayleah, right?

A I'm Ayleah, yes, sir.

Q Or Alexis?

A I didn't see it if he did.

Q Okay. Thank you.

THE COURT: Redirect, Solicitor?

MR. SCOTT: No, Your Honor.

THE COURT: You can step down, ma'am.

Mr. Foreman, ladies and gentlemen of the jury, we're going to take a short afternoon break, if you'll go back to the jury room. Once again, I remind you don't have any early discussions about anything related to this case. And we'll get you back out shortly.

(WHEREUPON, the jury left open court at approximately 3:51 p.m.)

THE COURT: All right. We'll take about a ten-minute break.

(WHEREUPON, a short break was taken.)

(WHEREUPON, the jury came into open court at approximately 4:11 p.m.)

THE COURT: Let the record reflect the jury is back in.

Ladies and gentlemen, you want to see if Newberry County will furnish some blankets tomorrow?

MR. SCOTT: I warned them yesterday, remember that.

A JUROR: We're kind of double layered here, sir.

THE COURT: All right.

Solicitor, you want to call your next witness.

MR. SCOTT: Yes, sir, Your Honor, the State calls John Platts, Jr.

THE CLERK: Place your left hand on the Bible, raise your right hand.

JOHN PLATTS, JR., after being duly sworn, testified as follows:

THE WITNESS: John Platts.

DIRECT EXAMINATION

BY MR. SCOTT:

Q John, June 6th of last year, do you remember

being at the Sunset boat ramp?

A I do.

Q Do you remember about what time you got there?

A Not -- to be a hundred percent honest, it was after work, so have to be maybe around 3:00, 2:00, somewhere in there.

Q 2:00 or 3:00?

A Yes.

Q Okay. Was your wife already there when you got there?

A Yes, sir.

Q Your wife is Ashley Platts?

A Yes, sir.

Q Ashleigh Cockrell there when you got there?

A She was.

Q Tony Jackson, was he there?

A He was.

THE COURT: Move that microphone a little bit. Yeah, just so it's closer to you, okay. You don't have to get right on it, but get a little closer.

BY MR. SCOTT:

Q Say something.

A Hello.

Q I don't know that it's on. Okay, it's on.

A Is that better?

Q Okay. Ayleah, was she there yet?
A Yes, sir, she was, too.
Q Alexis, was she there?
A Yes, sir.
Q Your two stepdaughters were there?
A Their two stepdaughters were.
Q What about yours?
A I have two little boys.
Q Your two little boys were there?
A Yes, sir.
Q Ashley was there with them, your wife?
A Yes, sir.
Q Three girls were with them?
A Yes, sir.
Q Okay. Do you know Matthew Jackson?
A I know him and his family just through my father and mother-in-law. They knew them really well when they were younger. That -- as far as I know, I don't personally know him. I don't hang out with him.
Q You were familiar with him?
A Yes, sir.
Q Where did you grow up?
A I grew up in Charleston. I moved down here in high school.
Q You went to high school here?

A Yeah.
Q At Mid-Carolina or Newberry?
A Mid-Carolina High.
Q Was he in school with you there?
A He went to Newberry, I think.
Q How did you cross paths, just family ties, is that what you're saying?
A Yeah. That's the way I knew him, my mother and father-in-law, they knew his mother really well.
Q But you were familiar with him?
A Uh-huh.
Q How do you know this crew? How do you know Tony?
A I met Tony and Ashleigh, Alexis, all of them several years back, same place, the boat ramp. I knew his brother and all of them before, but I had never met him and I met him at the boat ramp, we just hit it off and been friends with them ever since.
Q Y'all best friends, is that right? I think I heard in the 911, I think you called him your best friend?
A Yeah.
Q So the two families, you guys do a lot together, is that fair to say?
A Yes, sir.
Q One of the things y'all like doing is y'all cook

out at one another's homes?

A Yes, sir.

Q Y'all hang out here during the summertime at the lake?

A Yes, sir.

Q With all the kids and y'all cook out and socialize with one another as well, correct?

A Yes, sir.

Q So you were working earlier in the day on June 6th; is that right?

A Yes, sir.

Q What do you do for a living?

A Diesel mechanic.

Q Okay. So you were the one who kind of got a late start. Do you remember?

State's 15, Walter, please.

There it is. That road, do you remember coming down that road?

A Yes, sir, I remember.

Q And do you remember at some point seeing Matt Jackson?

A Yes, sir, he was walking up the dirt path as I was coming in.

Q Hold on one second. You talking about the dirt path, you mean the main driveway coming in the parking

lot?

A Yes, sir.

Q Okay. Do you remember about where you first saw him?

A I seen him up at the first big turn.

Q Right here, this elbow?

A Yes, sir.

Q Was he on foot?

A He was on foot and on his phone going out.

Q Okay. Approximately what time? You said 2:00 or 3:00?

A Yes, sir.

Q Okay. He was on his phone and he was walking out?

A Yes, sir.

Q He was on foot?

A He was walking at a pretty rapid pace as he was on the phone.

Q Anyone with him?

A No, sir.

Q How did he appear to you at the time?

A He looked like he was aggravated, in an altercation with someone on the phone.

Q He was -- just speculating or you could just tell by his body language?

A He threw his hands around and stuff like that.
Q Leaving the boat ramp?
A Yes, sir.
Q Did you think anything of it?
A Not really.
Q Pull down to the parking lot. Then how did you proceed with your time at the boat ramp from there?
A I just pulled in up to this corner right here, parked, changed and came down to where they were and that's when they told me that he had come up hugging the kids or whatever. They spoke to him and asked who he was. He told them who he was and shook Tony's hand and left.
Q So your understanding was?
A Everything was fine.
Q Okay. You had just seen him leaving the parking lot?
A Yes, sir.
Q He seemed aggravated to you, but you didn't stop and talk with him or anything?
A No.
Q And everybody down there said --
A After I said that, everybody was having a good time. I figured everything was good. They said he shook his hand and walked away.
Q Now, when you got down there, was Tony just

drunk as a skunk on the bull horn yelling and stuff?

A No. He was actually in the process of -- if I remember right, he was cooking. He was finishing up what he was grilling.

Q Was everybody else smoking weed in the parking lot and carrying on?

A No. I think the ladies was in the water with the kids.

Q Okay. Okay. There was, at least, five kids there, right?

A Oh, yeah.

Q So kids are swimming, y'all are cooking. What did y'all cook, do you remember?

A I don't know, probably burgers, chicken, hot dogs, something like that.

Q There was some drinking going on when you were out there for hours and hours?

A I personally didn't drink any, but as for what they were drinking, they may might have had a beer or two or something like that, but never get no more than that. They had kids. He had a motorcycle. He had to drive his bike home. He made a point when I got there to say the bike won't run, might need to haul it back.

Q All right. So you remember -- fast forward, do you remember about what time of late afternoon or early

evening it was when y'all got ready to leave?

A It was late afternoon when we got ready to leave. Loaded most of the big stuff in my truck, packed Tony's car, my wife's Trail Blazer with the kids and some stuff. And Tony left out first. I pulled out behind them, then the 300 and Trail Blazer were following.

Q Hold on a second. Can you see from where you are? Where were y'all parked when y'all -- right before y'all getting ready to leave, where are y'all?

A Right in here.

Q This is where all the cars were?

A Yeah.

Q So y'all are getting ready to leave, Tony's on the bike and he's the first out. You said the 300, Chrysler 300 was behind him?

A I was behind him.

Q You were behind him. Okay. And the Chrysler 300 was?

A Behind me.

Q Your wife's Trail Blazer was?

A Behind her.

Q So it was kind of a caravan leaving with Tony in front?

A Yes, sir.

Q But y'all didn't really make it out the parking

lot, did you?

A No, sir. We stopped at the very first little bend right here.

Q All right. True or false, Tony wrecked his motorcycle or it slid out from under him?

A No.

Q What happened?

A The bike was tore up when he bought it.

Q Say again.

A The bike was tore up when he bought it.

Q What does that mean?

A Whoever had it before him laid it down.

Q Okay. Well, why did he stop right then that night?

A Personal opinion, the bike wasn't any good. I mean, it broke down several times. He's been in the process of riding it and it cut off and we have to go pick him up. We just figured maybe the battery died out or it cut off right there.

Q It wasn't particularly reliable, is that what you're saying?

A No, sir.

Q Is this a picture, this State's No. 23?

A Yeah, that's the bike.

Q Is that how it appeared that night?

A Yes, sir.

MR. SCOTT: Your Honor, State offers 23 for admission into evidence.

MR. VERNER: No objection.

THE COURT: Without objection, 23 for the State.

(WHEREUPON, State's Exhibit No. 23 was marked for identification and received into evidence.)

BY MR. SCOTT:

Q It appears to be a fairly older model motorcycle?

A Yes, sir.

Q He bought it used?

A Yes, sir.

MR. SCOTT: Walter, would you go back to 15, please?

BY MR. SCOTT:

Q So he was on that bike, it stalls out as he's leaving is kind of what you talked about?

A Yes, sir.

Q What do you do to help him out?

A I get out, get my tool box and we try to hook the bike -- try to jump it off and see if we can get it to start.

Q Were you able to get it started?

A No, sir. It didn't start when we picked it up.

Q Take a look at this. If you remember it differently, then show me and I'll mark it differently. But I kind of have generally -- this is going to be generally.

A That's it.

Q That's about where his motorcycle was about?

A Yes, sir.

Q Your truck was about right beside it because you were trying to jump him off?

A Yes, sir.

Q Your wife was back here and the Chrysler 300 was over there?

A Yes, sir.

Q Was there space between your truck and the edge of the driveway for somebody else to come through?

A Oh, yeah. You can get a boat and a dually out of there.

Q Was that just something he was trying to do in case somebody else was trying to leave or come in?

A Oh, he moved over far enough we thought everybody could get in and out as they pleased.

Q In fact, while you were working on the motorcycle with Tony, did somebody else come in?

A The only one I truly remember off the top of my head coming in, I remember seeing, it was Cameron's car

pull up at the end of that runway first, backed up and left, pulled up and left.

Q All right. Would you mind standing up again. By the way, would you describe yourself as a big man?

A I think I'm average size.

Q Average. Come stand beside me. How tall are you?

A Six-foot, 6'1".

Q You've been described as a big, burly man, did you know that? You weren't here to hear it, but you've been described as a big guy.

A That makes me feel better.

Q Well, anyway, so you describe yourself as average. Come stand by me again. I'm six-foot, 6'1". How much do you weigh?

A I'm 205-pounds.

Q Okay. Take a seat. I'm sorry, don't take a seat. Show me what you're talking about right here. Cameron Goff, he was in the dark-colored car. How do you know Cameron?

A I know him just through people I know around town, usually people -- I have never hung out with him or associated with him or anything like that.

Q When you saw the dark car here, did you even know it was Cameron Goff?

A No. I seen him pull up, they set there for maybe 20 seconds, pulled in, backed up this way and left.

Q Was that noteworthy to you at all?

A Not odd at that point, I was like maybe we're blocking the road off and he can't get by. Then the white Marquis, Sheila, comes. And I can tell it's Sheila at that point, so I looked, I said, Tony, I think that Matt's momma. Well, she pulls in, comes all the way down, stops. Along the same time, Cameron and them pull in with her. They pull over here. Sheila is here. Bike and all our vehicles are right here. Sheila makes a beeline this way at a pretty high pace swinging her arms, hollering. I couldn't hear what she was saying, but she was making a beeline right toward the 300 driver's side. So Alexa got out, come up to her and said -- I remember what Alexa told her, you know, the kids are here, if you want to talk --

Q Alexis is Alexa? She goes by Alexa or you call her Alexa. Alexis is who we're talking about?

A Yeah. Then Ayleah comes over -- Ayleah gets there, Sheila grabs her both hands and pull her hair, pulls her head to the ground like this.

Q What you doing during all this?

A At that point, I'm over here. Me and Tony realized they was fighting. By that time, Matt had already got out and made his way around and was coming up

to us and looking dead at Tony. When he was coming at Tony, he had his hands just like this and was walking at a fairly good pace up to Tony.

Q Could you demonstrate because -- what is he doing to raise suspicion? He's coming at y'all, what is it that he's doing that makes y'all kind of on the alert something is about to happen?

A When he had his hands tucked behind him like this here.

Q Show us how he was walking if you can.

A Here is Tony and he was coming up and he was just like this here when he come right up to Tony. By time he got to Tony, he took a swing and raised his arms up. When he did, they went at it.

Q Sheila, is that -- the girl fight still going on during all this?

A No, I think Alexis and Ashleigh had pulled them apart. But I know her and Ayleah still scuffled for a minute. But then once Matthew and Tony got into it, everybody kind of more focused on what Tony was doing or where he was at.

Q At any point, did you see Matthew Jackson go to the girl fight and try to break it up?

A No. He was dead set on Tony.

Q Kind of point to where you and Tony were

standing.

A Right here. My truck is here. Here's the bike. Matthew is coming up, Tony goes this way. And Matthew is about maybe right here close to where the women are fighting at when Tony gets to him and Matthew punched him, that's when they go at it.

Q Who threw the first -- tell this jury right now who you saw through the first punch.

A Matthew threw the first punch with the arm he had tucked behind his back.

Q Without a doubt?

A Without a doubt. The first one he threw, after he hit Tony somewhere around over the shoulder.

Q Were you immediately aware that Tony had been cut?

A No. The way it looked, it looked like just a regular average, they had a fistfight. Then once we seen all the blood and realized he was cut is when we knew he was hurt bad.

Q Okay. You didn't realize he had a knife in that hand?

A No.

Q Until later?

A Until later.

Q Where did the black car, the dark-colored car

that came in the parking lot?

A Right here.

Q Did you see Matthew Jackson get out of it?

A I seen him get out of it.

Q All right. Show us kind of the general path he took.

A Just like this here.

Q Okay. He didn't make any pit stops before he got to Tony?

A No.

Q Just sort of a beeline?

A Straight to Tony.

Q And in your mind, your observation, did you take it as he's coming up here to say hello or was he moving with a purpose?

A No, I seen the way he was moving and I'm pretty sure Tony did, too. We seen him moving and we knew what he was coming to do.

Q Did you say anything to Tony as he was moving up the hill? Matthew Jackson's moving up the hill?

A I tell everyone, I said, They coming up this way, is all I said.

Q You said they, but did you see Cam --

A Cam and Casey stood here. They never moved from the car. They just kind of mean mugged everybody.

Q Mean mugged everybody. Describe -- if some of our jurors aren't familiar with that term, what does mean mugged mean?

A They just kind of -- they looked real -- kept watching and staring at us real mean.

Q Kind of like they were the muscle, they were the intimidators maybe?

A Yes.

Q But then they didn't really engage in any altercation?

A No, not that I can remember.

Q Do you remember what Sheila did after she got back in her car?

A She jumped in her car, which was here, and she had plenty of room to get out. They could have -- the car turned and slung rocks all over people and turned back this way and come this way where Tony and them was and then swung back this way and went back like that. And then she come down, she went back up.

Q Where was Tony standing about the time you realized he was cut?

A He was coming in -- Ashleigh and Tony was coming up this way. When I realized he was cut, he was coming back. And he had told me, he said, He cut me.

Q Did you see what car Matthew Jackson got in when

he left?

A At the time, I didn't see what he left in. At the time, all I was worried about was getting Tony back to the truck.

Q Okay. Did you see a black car or Sheila Norton's white car leave?

A Oh, yeah. She was right there trying to run everybody over.

Q You did answer that already. She finally just exited the boat ramp?

A Yeah.

Q Okay. What about that black car that Cameron Goff --

A They hauled ass right behind them.

Q So after that, you helped Tony to your truck?

A Yes, sir.

Q Okay. Ashleigh, his finance, got in with you guys?

A She was the one keeping pressure on his cut.

Q Okay. A lot of blood or a little blood?

A I had a good bit in my seat, back part of my seat.

Q Then y'all high tailed it to the hospital?

A Uh-huh.

Q Did -- at some point, did y'all inform -- you

called 911 with Alexis, right? You were on the 911 call?

A I did.

Q Instead of waiting for EMS, they told you -- or you told them, we're just going to go straight to the hospital?

A They told me wait and stay. But at the time, he was nodding in and out and I didn't think he was going to stay awake. We didn't past EMS until we got into Newberry, so they never made it anyway.

Q So you -- okay. Then deputies met you guys at the hospital?

A Yep. They met us by -- Corey Cook was the first one we met that actually stayed with us.

Q Did you see -- in the fight with the females, did you see who threw the first punch there?

A Sheila. Sheila come up and grabbed Ayleah by the hair. Alexis never once offered to do nothing to her. As soon as she got close enough, arm's length, she grabbed Ayleah with both hands and pulled her head down to the ground.

Q Did you see her hit Ayleah in the face?

A I seen her hit Ayleah from the side trying to knee her.

Q Are you 100 percent certain of that?

A Yep.

Q All right. Who struck the first blow between Matt Jackson and Tony Jackson?
A Matt.
Q Are you 100 percent of that?
A A hundred percent.
Q Did you tell law enforcement about that?
A I did.
MR. SCOTT: John, answer any questions Mr. Verner has for you.
THE COURT: Mr. Verner.

CROSS-EXAMINATION

BY MR. VERNER:
Q My problem, Mr. Platts, is that this is the third different version of what happened that night you've given, isn't it?
A I didn't hear you. Say that again, please.
Q This is the third different version of what happened that night you've given?
A Third one I've given?
Q Yes, sir.
A Okay.
Q Do you remember speaking to Deputy Cook in the hospital?
A Talked to several officers in the hospital.
Q And you gave a statement then?

A They asked me what happened.
Q Then you gave a written statement of what happened that day?
A Uh-huh.
THE COURT: Keep a verbal answer, yes or no.
THE WITNESS: Yes, sir.
BY MR. VERNER:
Q And now your testimony today is what's actually accurate, right?
A Yeah.
Q Before you knew who the cops were -- Tony is your best friend, right?
A Good friend of mine, very good guy.
Q You wouldn't want him to get charged, would you?
A I'd hate to see it.
Q Okay. And he had hurt Matt Jackson pretty bad that night, hadn't he?
A Not from what I seen. Matt, he was running pretty well back to his car.
Q Before you realized who the police were going to arrest, you indicated to the police that Matthew, Cameron and Casey Goff had all attacked Tony?
A Never said Casey or Cameron.
Q Well, let me see if that's correct.
A I you told you that --

THE COURT: Wait a minute, don't both of you talk at the same time.

BY MR. VERNER:

Q You recognize that statement I've handed up to you?

A I do.

Q Is that your handwriting?

A Uh-huh.

Q Is that your written statement?

A Yes, sir.

Q Do you not say that Cameron Goff and Casey Gregory and Matthew attacked -- what do you mean by attacked? Is that mean mugging?

A I don't see on here where it says that I said Casey or Cameron. I see where it says Matthew.

Q Okay.

Do you have a yellow highlighter?

BY MR. VERNER:

Q Read that out loud.

A Cameron Goff and Casey Gregory also tried.

Q Tried what? Also tried what?

A To attack him.

Q Okay.

A The only part -- time they moved ever was when they first came up. And when they came up, Matthew and

all of them went at it, they went back to the car.

Q You just told the jury they never left the car, the area of the car.

A Uh-huh. When it all happened -- when Casey Gregory and Cameron Goff and Matthew came, when they all come out, they all started walking and Casey and them stopped.

Q Well, that's not what you just told the jury. You said you didn't see anything until Matthew had walked up by himself?

A When Matt got there and they started altercating, yes. Casey Gregory and Cameron, the only thing they did when they was there was Cameron had a pair of brass knuckles and Casey made it look like he had a gun.

Q That's right. Before you knew who was going to get charged, you also told the cops that Casey had -- Cameron had a gun?

A Cameron had brass knuckles, Casey had a gun.

Q Okay. The -- just in case there was any question about whether it was self-defense on Tony's part that you -- you indicated that you saw a gun?

A Uh-huh.

Q Okay. Is that true or not?

A Yes, it is.

Q Well, why did you not tell the jury that just ten minutes ago when the prosecutor was asking you what you saw?

A I wasn't asked what they had.

Q You don't think that that --

A I wasn't asked anything about --

THE COURT: Wait a minute. Wait a minute. Wait a minute.

Mr. Witness, make sure that Mr. Verner has completely finished his question before you answer.

Mr. Verner, please make sure that the witness has completely finished his answer before you ask another question. I can't have both of you talking over each other.

BY MR. VERNER:

Q It strikes me, if I saw people fighting and somebody would have a gun, I would want to tell people that somebody had a gun?

A I'm pretty sure I made a point to tell the officer at the hospital that day either.

Q But you just told the jury they stayed at the -- all they were doing was mean mugging.

A They can stand by the car, but that doesn't mean they don't have something on them or in their hands.

Q Then you also indicated when you first saw the

police before you knew who was going to be charged that they also tried to attack Tony. And that's not true, is it?

A What's that?

Q If you said that they were attacking Tony, you were wrong, whether mistakenly or intentionally?

A No, the only thing that I said was they had those weapons. And they never made more than probably ten steps that way.

Q Did anybody else see them have those weapons that you're aware of?

A I'm not sure.

Q Well, you've had a year to talk about this, haven't you?

A But this is also about the first time it comes to my head.

Q What do you mean by that?

A We don't conversate about that too often. We hardly ever conversate about it.

Q For over a year about him getting cut and what all happened, y'all haven't been preparing for testimony or coordinating your story?

A No, sir. The only thing we have talked about was that it was bad that it happened.

Q And you weren't there for anything that happened

when Matthew was there the first time?

A No, sir, I just seen him exiting.

Q Okay. How about Cameron Goff?

A No, sir. I don't think he was there at the time either.

Q Do you remember talking to Ashleigh at the hospital about it wouldn't be fair if they charged her with child endangerment for this incident because they were the ones who jumped first?

A Which Ashleigh are you referring to?

Q Ashleigh Cockrell.

A She was with me the whole time. She stayed with me when we took her husband up to the hospital.

Q Do you remember talking to her about whether they were going to charge her with child endangerment and that wouldn't be fair?

A I don't remember the conversations from that night, no.

Q All you're saying is you only saw Tony drinking beer or you didn't see him drinking anything at all?

A I don't recall him drinking anything once I arrived.

Q So that's your testimony, that he hadn't had anything to drink that day?

A That I seen. Do we drink, yeah, we drink, but

not like that.

Q What does he drink?

A Tony, he's more of a gin drinker. If he drinks a beer, he might drink one or two.

Q Do you remember there was a tall fella, black man with a red hat in the parking lot that evening? Do you remember who that was?

A No, sir, I don't.

Q A couple inches taller than you?

A No, sir.

Q And you think it's fair to characterize yourself as a smaller or just an average-sized guy?

A I'm pretty average size.

Q How would you characterize Tony size-wise?

A Say, he about the same, average size, not real tall, short and stocky.

Q You were aware last year of the troubled relationship between Russell Severance and Ashleigh Cockrell?

A I knew that they had had kid problems, but as far as I knew they was settled. That during the summer, they had joint custody where they get their kids pretty equally.

Q And it's also fair to say that before you knew who was going to get charged, you indicated in your

statement that you and Tony were trying to break up the girls from fighting?

A We didn't really actually have to. When we first got there in the beginning, the goal was to but the girls already took care of that. And by that time, Matthew had already got up on Tony and made a move towards him.

Q You indicated on June 6th that you and Tony were trying to pull the girls apart and that Matthew attacked Tony from behind?

A He come up from the side of him.

Q And that Matthew had -- the first --

A He swung the first blow.

Q Okay. Was it a punch blow or was it a knife blow?

A The way it look, he swung like that.

Q But on June 6th, you said that Matthew attacked Tony from behind with a knife and cut him?

A From the side.

Q Okay. Did you not write, Matthew Jackson cut Tony Jackson across his back when we were trying to stop Matthew Jackson's mother from?

A Attacking Tony.

Q Right. Then he runs up and attacks Tony's wife's sister?

A Said cut him across the back, somewhere in there, I said snuck up from behind, come at him from the side.

Q Okay. Did you see them square up against each other?

A I seen Matthew throw a lick and then Tony did naturally what any other men would have done to defend himself.

Q Okay. He did what anybody else would do, he defended himself. The -- in your version of the facts, did either one of them ever hit the ground?

A Not -- well, when Tony hit Matthew one time after the fight started, I think Matt fell to his knee, but he got back up and come back at Tony.

Q Do you know how Matthew's busted glasses got on the dirt?

A They could have fell in the dirt and got stepped on, something like that.

Q Somebody accidently stepped on the glasses during the fight?

A If you're in an altercation and your glasses fall off and you're right there around them, they could very well easily get stepped on.

Q Did Matthew haves the glasses on when he started the fight?

A Not that I can recall.
Q So he had taken them off?
A I honestly don't remember him having no glasses on.
Q The -- okay, during the fight, how many times did you -- were you there pretty much to witness for the entire fight between Matthew and Tony?
A Yes, sir.
Q Tell us how many times Tony hit the ground.
A Neither one of them hit the ground hardly. Most of the fight was up on the feet.
Q Okay. Do you know how Tony got the scratch across his arm, his elbow?
A Could have got cut the way they swinging. All I seen was arms swaling and swinging.
Q You didn't see him fall off the motorcycle?
A He never once fell off the motorcycle. He didn't have time to even ride the motorcycle up the road.
Q You don't know how much he had been drinking before he got on that motorcycle?
A I know him pretty well, I don't think he had that much, no.
Q So in your opinion, there would be no reason for either one of them to have scratches and abrasions on their knees or elbows from the fight?

A No, sir.
Q Okay.
(WHEREUPON, Defendant's Exhibit No. 4 was marked for identification only.)
MR. VERNER: Your Honor, I offer -- I think it's identical.
MR. SCOTT: That's fine, no objection.
(WHEREUPON, Defendant's Exhibit No. 4 was admitted into evidence.)
BY MR. VERNER:
Q And you're telling me that's a knife wound on Tony's elbow?
A That looks like a wound to me, but he never once fell down or fell off the bike.
Q And you realize that's after the nurses have cleaned off his wounds?
A This here?
Q Yes, sir.
A No, sir, I do not.
Q Have you seen the picture of Tony's injuries at the hospital?
A Not at the hospital. I seen them when they were freshly done.
Q Okay. That after being cleaned off by the nurses is a knife wound?

A You didn't hear me say it was a knife wound.
Q I mean, you said it was a cut. What do you mean by cut?
A It's a scrape or cut, I mean, it's a cut. Doesn't look like he was cut with nothing on the elbow, but I know he didn't fall down or fall off that bike.
Q Okay. So you agree with me that doesn't look a razor cut, but that might be an abrasion?
A Not the one on the elbow.
Q Did you see Matthew holding a blade at all?
A I seen no blade up until when he was making a beeline back to his car. I seen something shiny in front of his hands.
Q In fact, you told Deputy Cook you didn't see anything and you assumed it was razor blade because you didn't see it?
A I seen something shiny. Figured it was a pocketknife, not a lot longer or bigger.
Q That's correct. And you're sure Matthew didn't pull out that pocketknife while he was on the ground getting wailed on?
A Kind of hard to get it when you got that hand tucked behind your back when you going up to Tony.
Q Explain that to me.
A When he first started coming up to Tony, he had

that hand that he was doing most of the swinging with tucked behind his back.

Q Like this?

A Yes.

Q And Tony wasn't tipped off that maybe there was a weapon or something back there?

A Last thing I said to Tony, I said, Matthew and them are making their way up hill.

Q Did Tony see Matthew approach him?

A He did at that point.

Q And yet, the first cut you see was on Tony's back?

A He threw the first shot and the first shot hit Tony around the shoulder and went over his arm like that. But as far as the whole altercation, all you seen was a bunch of swinging.

Q You didn't take part in the fight between Tony and Matt?

A No.

Q All right. You're his best friend and you saw Matt with a knife, you wouldn't step in or grab something, too?

A I'm not -- the way it looked the way they was fighting, just looked like they was fist-fighting.

Q Well, you just said it didn't look like they

were fist-fighting because you said you saw Matt with his hand behind his back.

A When he came up on him, but once they started going at it, couldn't tell what Matthew had his hand because the way he was swinging. Like I said, the only time I seen he had something in his hand was on the way back to the vehicle to get in to leave.

Q And so are they squared up at each other during the fistfight?

A They kind of just when they met, Matt swung and it escalated from there.

Q Tony got two cuts across his back while they're squared up against each other?

A While they were fighting.

Q You don't know how the 20-dollar bill got on the ground?

A I don't know nothing about no money.

Q All right. And again, if you can step down, Mr. Platts, for a second. On that picture, just kind of point out where the motorcycle had broken down.

A Right here.

Q All right. That's on the top of the parking lot before you get into the driveway out?

A Uh-huh.

Q Okay. Is that where you were when Sheila

approached in her car?

A My truck was here.

Q Okay.

A When Sheila approached in her car, we was all right there.

Q How many cars were in that section?

A The bike, my truck, either my Ashley or his Ashleigh, then that other car.

Q Okay. Point out where Cameron Goff parked his car?

A Right here.

Q Just below to the porta johns?

A Uh-huh.

Q Where did Sheila?

A Sheila was rested somewhere in here.

Q In the middle?

A Uh-huh.

Q Where did the fight between the ladies, the women happen?

A Right here.

Q On the top part of the -- you're kind of pointing to that white car in that picture?

A Right here.

Q And where did the fight between Tony and Matt happen?

A About right here.
Q In the middle part of the parking lot?
A Uh-huh.
Q How did the fight end?
A The fight ended Ashleigh helping Tony back to my truck and Sheila running to her car, jumped in her vehicle, turned the wheel real hard, turned left first, slung rocks over my vehicle and there. She made a back around, turn back and come after us extremely close and left. And Matthew and Cameron, all them pulled behind her.
Q Could that have been because all your cars were kind of parked on the exit way of the road?
A No, sir.
Q Okay. And I understand how y'all saying y'all left, how did the fight come to an end? Did they just both back --
A They both separated when they yelled he's cut, Matthew took out.
Q You don't recall Matthew indicating he had been cut, too?
A No.
Q Do you know why they mentioned to you that Matthew had even been there earlier that day when you first arrived?

A I don't know what his reason was being there. It's a public place. He could have just been there hanging out like we were.

Q I'm just curious if nothing had really happened earlier that day, I'm just curious why they would have brought it up, why it would have been worth even mentioning it to you when you came?

A The only thing I was told was that Matthew came up, hugged the little girl. Tony asked who he was, said who he was, shook Tony's hand and left.

Q That's what you heard form Tony and Ashleigh and everybody?

A Yes, sir.

Q I mean, why was it even worth them bringing that up to you? If nothing had really happened, why were they still talking about it?

A They only mentioned it to me when I got there when I pulled by, I said I had passed Matthew.

Q And you indicated that Matthew appeared agitated as he was walking away leaving?

A No, sir.

Q You didn't indicate to the solicitor that he was on his phone --

A Yeah, I indicated to the solicitor, but when I was on the lake with them, I thought no more of it after

they had said that and I told them I passed him.

Q But my question was, didn't you say when you saw Matthew leaving the place that he appeared to be agitated?

A He did.

Q Okay.

MR. VERNER: Court's indulgence just one second, Your Honor.

THE COURT: Sure, take your time.

BY MR. VERNER:

Q Do you remember, Mr. Platts, anybody else in the parking lot at the time of the fight?

A No, sir, I don't remember.

Q Okay. Is it possible other people were there or you think everybody had already cleared out by that time?

A I'm sure that they were. I mean, the last person I spoke to was Tony and Ashleigh and them.

Q Okay. Tell me about this PA system that's in the back of the pickup truck or the bull horn?

A We have a bull horn.

Q What's that for?

A When we let our kids swim on the boat ramp, we see DNR coming, we'll hit the police siren on it and make them get off of it.

Q Does anybody ever kind of get on the bull horn when the music starts playing or parties are kind of?

A No, sir. We mainly use the bull horn just for the kids.

MR. VERNER: If the prosecutor has any followup.

THE COURT: Solicitor, do you have any redirect?

MR. SCOTT: Just briefly.

REDIRECT EXAMINATION

BY MR. SCOTT:

Q You told -- I didn't mention it because, me, we're talking about Jackson against Jackson. You did tell law enforcement that you thought you saw Casey Gregory with a pistol; did you not?

A Yes, sir.

Q So you had indicated that before; is that correct?

A Yes, sir.

Q Did you see the pistol -- I understood it to be more he was kind of doing his hands in his pants, kind of giving --

A Had his hands in front of his shirt.

Q So he was doing this kind of move, like acting like he had something?

A And as to Cameron, he's had knuckles on his hand.

Q You saw the brass knuckles?

A I could see them on his hands.

Q All right. They never used them, though, did they?

A Never used them.

Q They were there kind of as the window dressing, maybe as a distraction even so Matthew Jackson could do the real harm?

A Yes, sir. I think personally Casey and them were there just as an intimidating factor.

Q Do you have any clue whether or not they knew what Matthew Jackson was going to do?

A I'm sure they did. They brought him.

Q Well, you necessarily know that they knew he --

A I'm not for positive, but my opinion, they going to bring him down there, they had some idea of what he's going to do.

Q Now, the defense attorney asked you a number of questions prefaced with this was before you knew who would get charged, wasn't it?

A Uh-huh.

Q Do you remember him asking that?

A Yes, sir.

Q Was there ever, ever, ever, ever any indication from law enforcement -- because you talked to a lot of law enforcement?

A Yes, sir.

Q That you or Tony or anybody in your group was to be charged with anything whatsoever?

A No, sir. They never said me, Tony, Ashleigh, Alexis or Ayleah was charged with anything.

Q So whenever he was asking you before you knew who was getting charged, was there ever a doubt in your mind who was going to get charged with their involvement on June 6th, 2018?

A Honestly, my opinion is that I figured me, Tony and them would have to do what we're doing now, but we would have no trouble coming our way. I'm sure they was going to try to get it turned it around on us, but no.

Q What I mean was there any doubt in your mind that Matthew Jackson was going to be charged with stabbing Tony Jackson?

A Not a doubt in my mind. Especially, when we seen him do it.

Q Okay.

MR. SCOTT: Okay, John, thank you very much.

THE COURT: Recross, Mr. Verner?

MR. VERNER: No.

THE COURT: Step down, sir.

All right, Mr. Foreman, ladies and gentlemen of the jury, we have reached the five o'clock hour. I believe this would be a good time to go ahead and

recess for this evening. We'll start back at 9:45 in the morning. Remind you once again, no discussion among yourselves or anybody you see tonight. No research. And we'll see you in the morning at 9:45. Have a good evening, thank you.

(WHEREUPON, the jury left open court at approximately 5:00 p.m.)

(WHEREUPON, the proceedings were concluded for the day to be reconvened on March 27, 2019.)

March 27, 2019

(WHEREUPON, State's Exhibits Nos. 25-28 were marked for identification only.)

(WHEREUPON, the jury came into open court at approximately 10:16 a.m.)

THE COURT: Good morning, ladies and gentlemen.

THE JURY: Good morning.

THE COURT: I hope everyone is doing well and ready to get back to work today. I see you've got some blankets and you're fully prepared.

Solicitor, you ready to call your next witness, sir?

MR. SCOTT: I am, Your Honor. The State calls N.B.

THE CLERK: Raise your right hand for me and place your left hand on the Bible.

N.B., after being duly sworn, testified as follows:

THE CLERK: Have a seat and state your name.

THE WITNESS: N.B.

DIRECT EXAMINATION

BY MR. SCOTT:

Q All right. Speak loud enough for everybody to hear you. You did a good job of it. Tell me how old you are.

A I'm 14.
Q Okay. June 6th of last year, you were 13?
A Yes, sir.
Q Okay. When is the first time you met me?
A Today.
Q And we talked a little bit about the boat ramp. What do you call that boat ramp?
A PNL.
Q PNL?
A Boat ramp.
Q Do you know it as Sunset boat ramp?
A Sunset boat ramp.
Q Was that somewhere that you used to hang out a lot?
A Yes, sir.
Q And you would hang out with who?
A My brothers and my dad and my grandma.
Q Okay. This is your grandmother right here, Wanda?
A Yes, sir.
Q Okay. On that day, she wasn't there, though, was she?
A No, sir.
Q Your older brother, J.B.?
A Yes, sir.

Q Was he with you?
A Yes, sir.
Q Okay. What kind of things did you guys like to do at the boat ramp?
A Fish, swim, find stuff under the dock and bring it up so nobody would get cut or anything.
Q Find stuff? What kind of stuff did you find?
A Bottles and stuff like people break.
Q Cleaning up?
A (The witness nods.)
Q Did you camp out over there?
A Yes, sir.
Q June 6th, do you remember how long were you out there that day?
A All day.
Q All day?
A (The witness nods.)
Q And had you ever seen Tony Jackson out there before?
A Yes, sir.
Q Okay. And was he there that day, June 6th?
A Yes, sir.
Q What was he doing that day?
A He was down there with his family swimming and having a good time.

Q They had some kids with them?
A Yes, sir.
Q Those kids were younger than you, though?
A Yes, sir.
Q Were you friends with those kids or they just kind of young kids?
A They were young. They were swimming.
Q Were you with them that day or were you with a different group of people?
A I was with my brother and my older brother.
Q J.B. ?
A Yes, sir.
Q Is he here today?
A Yes, sir.
Q Okay. You're not nervous, are you?
A No, sir.
Q Okay. J.B. was a little nervous to be here, but you said you weren't?
A No, sir.
Q Good. If I show you a picture of the boat ramp, would you be able to show me a couple of things that you remember from that day?
A Yes, sir.
MR. SCOTT: Walter, can we pull up 15, State's No. 15.

BY MR. SCOTT:

Q Okay. Did I show you this picture back in my office earlier this morning?

A Yes, sir.

Q Have you ever seen the boat ramp from this angle before?

A No, sir.

Q Do you recognize what you're looking at, though?

A Yes, sir.

Q You won't have the microphone, but can you step down and talk loud enough without the microphone?

A Yes, sir.

Q Okay. Show me where you remember being June 6th when -- you know why we're here? You remember --

A Yes, sir.

Q -- kind of a big thing happening that day?

A Yes, sir.

Q Okay. Tell me where you were sitting.

A I was right over here on this picnic table with my brother.

Q Okay. And you were doing what on the picnic table?

A Just sitting there.

Q Were you waiting for your ride home?

A Waiting for my ride, yeah, for my friend's mom.

Q And what do you remember about Tony earlier in the day? Was he causing a big scene and being drunk and loud, anything like that?

A No, sir.

Q Okay. Have you ever seen him out there just raising cane and being a jerk?

A No, sir.

Q Have you ever seen him out there starting fights or just being a bad person to be at the boat ramp?

A No, sir.

Q You said he was there with his family?

A Yes, sir.

Q Do you know there's been talk about a bullhorn, do you know what that is?

A Yes, sir.

Q A megaphone. Tell me what you know about a megaphone being at the boat ramp.

A Whenever boats would come down that road right there or, like, come back out for the boat, pull a boat in, he would tell -- they was swimming right there on that boat ramp. He would tell his kids and everybody to move over a little bit so the boats could back up or get out the water.

Q Because he didn't want his kids to get in the way of people trying to get in the water and get out of

the water?

A Yes, sir.

Q And also for their safety, is that what you understood?

A Yes, sir.

Q Now, did you ever hear him get on that megaphone and cuss people out or threaten them or anything like that?

A No, sir.

Q Okay. All right. So when you're sitting on the picnic table, do you remember about what time it was?

A Around like 4:30.

Q Okay.

A In that area.

Q That's the time you think it was when you were leaving?

A (The witness nods.)

Q Well, do you remember, was it getting dark?

A It was getting late, but, like, not like -- it wasn't getting dark, but it wasn't that dark yet.

Q Okay. Then could it have been maybe later than 4:30?

A Probably like 5:00, 5:45, 5:30, up in there maybe.

Q You weren't looking at your watch, though, were

you?

A No, sir, I ain't have no phone.

Q But you just remember --

A Just estimating.

Q Okay. But you just remember it was kind of getting dark, late afternoon or early evening?

A Yes, sir.

Q All right. So you're sitting on the picnic table. Who's sitting with you?

A My brother.

Q What's your brother's name?

A J.B.

Q And tell us about -- all right. Where was Tony at this point?

A He was getting ready to leave and they were all up there.

Q Where?

A They were right here. And they were getting ready to leave and just trying to get his motorcycle crunk up and it wouldn't crank for him. So John, he was trying to jump him off so he could get a ride home.

Q Okay. Had you ever seen his bike break down before?

A Yes, sir.

Q So it wasn't a very reliable motorcycle?

A No, sir.
Q Did you ever see him wreck it that day?
A No, sir.
Q Did you see him wreck and fall off his bike and scratch his elbow up or anything?
A No, sir.
Q It just stalled out is what you observed?
A Yes.
Q John, you're talking about John Platts?
A Yes, sir.
Q Do you know his last name?
A No, sir.
Q What kind of car was he in?
A White Ford F-150, I believe.
Q And he was trying to jump the bike off?
A Yes, sir.
Q And you know Ashleigh, his fiance?
A Yes, sir.
Q Do you remember where she was?
A She was like in the Chrysler 300, I believe.
Q Do you remember who else was there in their group?
A I think her kids and some older --
MR. VERNER: Your Honor, I would ask that he sit back. I'm having a little bit of trouble hearing

him. Maybe if he sits and does it.

THE COURT: Maybe have him point out wherever he needs to point out on the picture, then have him back to the microphone.

MR. SCOTT: Yes, sir. Let me do this.

BY MR. SCOTT:

Q Stand here, speak loud enough where this guy can hear, she can hear and they can hear.

A Yes, sir.

Q I am going to get you to show me some stuff now, okay?

A Yes, sir.

Q So you described where they were with the motorcycle and where John Platts' truck was. What happened while you were watching them try to jump the bike off? Tell us what happened.

A I saw a white car come up. And then, like, it started doing a doughnut, then it stopped, like, right in the middle.

Q Okay. Show us about -- kind of show us with your finger, trace backwards if you can do that.

A It was, like, coming from here, then it started. Then it came around here and did like a doughnut and stopped right there.

Q Now, do this for me. Over here so the jury can

see it. Show us what that white car did.

A It come in through here and it started doing a doughnut, then it stopped right there.

Q Let me show you State's Exhibit No. 25, do you recognize that?

A Yes, sir.

Q What's that?

A That's the white car.

Q It is?

A Yes, sir.

MR. VERNER: No objection.

THE COURT: State's offering it?

MR. SCOTT: Yes, sir. Your Honor, the State offers -- I don't want to publish it. State's Exhibit No. 25 for admission into evidence.

THE COURT: All right. In evidence.

(WHEREUPON, State's Exhibit No. 25 was admitted into evidence.)

BY MR. SCOTT:

Q That car you saw, was it coming in at normal speed?

A It was coming in at a high rate of speed.

Q Then it does doughnuts you say?

A And then it stopped in the middle.

Q Okay. What happened next?

A Then a black car came in right behind it and, like, stopped right there to where we could see them, like, right there by the tree, where the bushes are a little bit.

Q Did that car -- I'm sorry. Did that car come in fast or was it kind of a normal speed?

A It came in fast, too.

Q And point to where it kind of stopped.

A It stopped, like, right here.

Q All right. And point to where you were again.

A We was right over here.

Q So could you clearly see that dark-colored car?

A Yes, sir.

Q What did you see as far as that dark-colored car was concerned? You can sit back up there. What did you see as far as that dark-colored car? How many people were in that car?

A Five.

Q You think five people were in that car?

A Or four.

Q Four or five. Did they all stay at the dark-colored car?

A Like, three of them did and one of them went towards Tony.

Q One of them went straight towards Tony? What

color was that guy?

A White.

Q Had you seen that guy before?

A Only one time before.

Q When was that?

A Like the week before.

Q Okay.

A At the lake.

Q At the same boat ramp?

A Yes, sir.

Q Do you see that guy today?

A Yes, sir.

Q Where is he?

A Right there.

Q Blue shirt guy?

A Yes, sir.

THE COURT: Let the record reflect he's identified the Defendant.

BY MR. SCOTT:

Q Okay. So that guy gets out of the car. What seat was he in?

A Right behind -- he was the passenger, back passenger.

Q The rear passenger?

A Yes, sir.

Q Now, did he stop where the women were and try to help them out or separate them or anything?
A No, sir.
Q What did you observe him do?
A He was going towards Tony and then he, like, swung at him.
Q Like this?
A Yeah, like this.
Q Okay. Did you see anything in his hand at that time?
A I could not see what was in his hand, but then we seen blood. It was like, oh, that's probably a knife or something like that.
Q How many times did you see him swing at Tony, more than once?
A At least, four or five times.
Q Okay. And then you saw blood?
A Yes, sir.
Q Who threw the first punch or the first hit? Who started the thing is what I'm asking?
A Him.
MR. SCOTT: Raise your hand.
BY MR. SCOTT:
Q You're talking about him, blue shirt?
A Yes, sir.

Q Not Tony?

A No, sir.

Q Okay. Tony was hitting back, though, right?

A Once he got stabbed, Tony pushed him a little bit away so he couldn't reach him no more.

Q Do you remember Tony saying anything while this guy is coming at him?

A Yeah, he was like, Please don't do this. I got my wife and kids here. They don't need to see this.

Q Do you remember him saying anything?

A No, sir.

Q Do you remember him saying anything right before he got out of the dark car or right after he got out of the dark car?

A Yes, sir. He said, My boys are in the car and they're strapped.

Q My boys are in the car and they're strapped?

A (The witness nods.)

Q What does that mean to you?

A Like, they're in the car and they got guns.

Q You never saw a gun, though, did you?

A No, sir.

Q But that was one of the first things he said when he was getting out approaching? Could you tell immediately that something was about to happen? Did it

look like something --

A Yes, sir.

Q Okay. How did you feel?

A We was, like, scared.

Q What did you and J.B. do after you saw the blood?

A We took off running.

Q Where did you run?

A To the other dock.

Q Back that way in the woods?

A Yes, sir.

Q Okay. What did this guy do after he did the stabbing?

A He got in the car and left.

Q What did the white car do? Did you see her do anything?

A She did, like, doughnuts and then she left, too.

Q What about Tony and his crowd, after those guys cleared out, what did they do?

A We gave them a towel and I guess he went to the hospital.

Q Okay. Leave his motorcycle there?

A Yes, sir.

Q Okay. What did you and J.B. do with the motorcycle?

A We pushed it over towards the woods so nobody would mess with it.

Q So they all went to the hospital and just left the bike there?

A Yes, sir.

Q Did you see -- did Tony and them leave any clothes behind, do you remember?

A I think he dropped his black shirt in the parking lot.

Q It was on the ground when you saw it?

A Yes, sir.

Q Did you move it anywhere?

A No, sir.

Q Okay.

MR. SCOTT: All right. Thanks, N.B., answer any questions that this lawyer has for you, okay?

THE WITNESS: Yes, sir.

THE COURT: Mr. Verner.

CROSS-EXAMINATION

BY MR. VERNER:

Q N.B., you're 14 or 13?

A I'm 14 now. I was 13 then.

Q And you remember Matthew because you had seen him the day before. You were at the boat ramp the day before this happened, weren't you?

A Yes, sir.
Q You had ridden your bike there with some other kids and that's when you remember seeing Matthew, right?
A Yes, sir.
Q Do you remember what Matthew was wearing on June 6th of last year?
A I think he was wearing all white.
Q Okay. And what time had you gotten to the boat ramp about that day, ballpark? I'm not asking for an exact.
A About 4:30, 5:00.
Q Then you said that you stayed there until everybody left?
A Yes, sir.
Q Okay. Did you stay until darkness or was it already --
A It was already starting to get dark.
Q How did you get down there?
A I rode my bicycle with some friends.
Q So you live, at least, close enough to that area that you can bike down there?
A Yes, sir.
Q What is your grandmother's last name?
A Bogey.
Q Bogey?

A Bogey.
Q B-O-G-I-E?
A B-O-G-E-Y.
Q And you are N.B. or N.B.?
A N.B..
Q N.B.?
A Yes, sir.
Q Okay. What is your grandmother's relationship to Ashleigh, who she's sitting next to?
A They have no relationship.
Q Are they friends?
A No, sir.
Q I mean, you know their names, don't you?
A Yes, sir.
Q How do you know their names?
A Because I seen them at the lake before.
Q Do you know any of their children?
A No, sir.
Q Okay. So you just know them from seeing them at the lake?
A Yes, sir.
Q Did you see them after this happened?
A No, sir.
Q So you haven't seen Ashleigh or Tony for over a year, about a year?

A Yeah, because we ain't been going to the lake no more since that happened.
Q How often did you see them before that?
A Almost like every weekend they were down there.
Q So you were used to seeing them before this happened?
A Yes, sir.
Q I'm curious what you -- who you came -- you were there the day before this happened?
A Yes, sir.
Q Who were you with?
A I was with my other brother, J.B. , and my friend, Xavier.
Q Well, you said your other brother, J.B. , but you said the brother you were with on the following day was J.B. ?
A I was talking about J.B. .
Q I thought you told us that the day you saw the fight that you were with your brother, J.B. ?
A Yes, sir, I was.
Q The day before you said you were with your other brother, J.B. ?
A Well, my other brother, Chris. I got another older brother named Chris.
Q What Chris' last name?

A Bogey.
Q Were you with anybody else?
A No, sir.
Q You weren't with a girl named Savannah?
A My older brother was.
Q You weren't smoking marijuana in the woods with Savannah?
A No, sir.
Q You understand that you don't get in trouble for what you testify today for, don't you?
A Yes, sir.
Q But you understand that you can get in trouble if you're untruthful and we can show it?
A Yes, sir.
Q Okay. You weren't smoking marijuana the day beforehand with a girl named Savannah and your brother in the woods?

MR. SCOTT: Judge, he answered that, A. B, it's completely irrelevant to him stabbing him. What happened the day before, whether he was smoking marijuana or not, he's already said I have not. He's simply trying to intimidate him at this point, a 13-year-old child on the stand.

THE COURT: I think it's a proper question.

Ask it one more time, Mr. Verner.

BY MR. VERNER:

Q Were you the day beforehand smoking marijuana in the woods with Savannah and your older brother, Chris?

A No, sir, I wasn't.

Q Okay. What were y'all just doing?

A I wasn't with Chris or Savannah.

Q You just said you were with Chris and Savannah.

A At the lake, I was, but she lives in Buffalo Creek and my brother, he goes down there.

Q Right, so the girl who hangs out at Buffalo Creek?

A Yes, sir.

Q That's the bar, right?

A Yes, sir.

Q So you arrived at the lake about 4:30, five o'clock that day on your bicycle?

A Yes, sir.

Q Okay. And at that time, Tony and his family had already been there, right?

A Yes, sir.

Q And were they by themselves? Were they with other people?

A You talking about the day of the stabbing?

Q Right, the day of the fight, they were with a group of people, right?

A Yes. Then everybody had left and then it was just Tony and his wife.

Q By the time you got there, were they still cooking out or they had already kind of --

A They already packed up and they were getting ready to leave.

Q But they hung around for, at least, three more hours, right?

A Yes, sir.

Q Were you swimming that day?

A Yes, sir.

Q Okay. So you were kind of in the water at times and then you were also in the woods or riding your bike or just hanging out with your other friends and brother?

A Yes, sir.

Q Did you see any guns on anybody?

A No, sir.

Q If you had, that would be something I would remember -- or you would remember, right?

A Yes, sir.

Q That would be pretty unusual to see, right?

A Yes, sir.

Q And you've got a memory -- all of that happened last year and you still remember that -- you got a recollection that Tony dropped a black shirt near the

dumpster and the porta-john area? You still remember that?

A Yes, sir.

Q That's a good memory. Why does that memory just jump?

A Because I was scared. I remember that.

Q That's right. I thought you said your brother and you were scared and y'all took off running to the other dock?

A We did after the stabbing happened.

Q That other dock is about 100, 150 yards down through the woods, isn't it?

A Yes, sir.

Q Did you reach the other dock?

A Yes, sir.

Q Okay. So at some point, you ran 150 yards away through the woods and then came back at some point later?

A Yes, sir, after the other dude left and Tony and them were getting ready to leave and go to the hospital.

Q And your testimony is you remember Tony begging Matt by saying something like please don't do this?

A Yes, sir.

Q Just out of curiosity, you met the prosecutor today, who you spoke to?

A Yes, sir.

Q Who else have you told your story to?

A Just him and my other brother, because he was there.

Q Okay. You had discussed this with your other brother?

A Yes, J.B.

Q How did your name -- apparently, you must have identified yourself to the police at some point because you're here?

A Yes, sir.

Q So I mean, I'm curious, when did you come to the police and tell them what happened?

A After that, all the police started coming down there. And they were, like, what happened and we told them.

Q So you spoke to the police that evening?

A Yes, sir.

Q Okay. Well, I thought you said that you had left?

A Before we had left with my friend's mom.

Q Right. What, did you just see the police blue lighting back to the park and you went back up there?

A No, sir.

Q Well, explain it to me again because --

A We were there and then my friend's mom pulled up

and the police were already there.

Q Well, I thought you said you had left after all the other cars left?

A No. Everybody -- I left -- I came back from the dock to the middle, to the area.

Q So you didn't leave the actual --

A No, sir.

Q So you were there when the police started showing up?

A Yes, sir.

Q When you saw Matt the day beforehand, Matt Jackson?

A Yes, sir.

Q Was he wearing anything on his face?

A I don't believe.

Q You don't remember him wearing glasses?

A No, sir.

Q Okay. Do you remember him wearing glasses during the fight?

A No, sir.

Q Well, how did the -- you were sitting kind of in the picnic table area at the edge of the woods and the fight happens on kind of the other end of the parking lot on the top near the exit, right?

A No, the fight happened, like --

Q I'm talking about the fight between the women?
A Oh, I didn't see that. I didn't see the fight between the women.
Q Well, what did you see after you saw the first white car come in, you said, and it doughnutted and stopped?
A Yeah, it almost hit one girl. But then it like come to a halt.
Q Well, that didn't -- it strikes me as I was sitting next to a car and a car came in at a high rate of speed, that didn't upset the people in the group, that a car would come by them that quickly? They didn't seem to be upset by that?
A No, sir.
Q Okay. And so what happened after you saw the white car come in and doughnut?
A A black car come in behind it.
Q Then parked on the other end of the parking lot near the grass line?
A Yes, sir.
Q Then what happens?
A Then --
Q With the white car?
A Oh, she, like, started doing more doughnuts. Then she, like, stopped again.

Q Did you see a fight between women?
A No, sir.
Q Do you recall hearing women screaming?
A No, sir.
Q Are you aware that some women got in a fight in that parking lot, too?
A Yes.
Q How did you hear that?
A He told me.
Q Okay. Did he talk to you about the facts of the case, kind of refresh your recollection on what happened?
A Yes, sir.
Q Okay. But you don't remember two or three women fighting in the parking lot, too, at the same time or before the fight with the two men?
A No, sir.
Q Did you ever see Matthew on the ground?
A No, sir.
Q When you saw Matthew the day beforehand?
A Yes, sir.
Q Do you remember seeing him with his mother there, too?
A No, sir.
Q Who was he with the day beforehand?
A Nobody. He was just down there by himself.

Q Sitting on the dock or doing what?
A He was sitting at a picnic table.
Q And this was the day beforehand?
A Yes, sir.
Q And that's really the only time -- if you've seen him before, you don't really have any --
A Yes, sir, that's the only time I seen him.
Q Did you have any other kind of interaction with him?
A No, sir.
Q Okay. When you came -- and how many grownups were in Tony's group of people?
A Three.
Q Three. Did you know John Platts?
A Yes, sir.
Q How do you know John Platts?
A Because he's down there with Tony and them.
Q Just know him from the lake, too?
A Yes, sir.
Q Have you seen him anymore?
A No, sir.
Q What about his sons?
A No, sir.
Q Okay. Were they still playing music?
A No. I think they were -- they were playing

music in their cars, but they weren't up loud.

Q Were there other people out there, too?

A No, sir.

Q When you got there at 5:00, were there other people?

A You talking about the day of the fight or before that?

Q The day of the fight when you got there about 4:30?

A Like, nobody else was there.

Q The only people you remember being there was --

A Was Tony.

Q Was Tony?

A Yes, sir.

Q I'm not talking -- from 5:00 on, you don't remember seeing other people sitting on the dock or swimming other than Tony and his family and friends?

A No, sir.

MR. VERNER: All right, thank you.

THE WITNESS: You're welcome.

THE COURT: Any redirect, Solicitor?

MR. SCOTT: Yes, sir.

REDIRECT EXAMINATION

BY MR. SCOTT:

Q He was asking you a number of times about you

arriving at 4:30. When you talked with me, you said you were there pretty much all day, right?

A Yes, sir.

Q Okay. And the 4:30 is what you said was around that time you were sitting on the picnic tables, is that what 4:30 was?

A Yes, sir.

Q Just to be clear, you were there all day? Because you said you were swimming and --

A Fishing.

Q -- fishing and whatever.

A Yes, sir.

Q Why would he ask you if you smoked marijuana the day before?

MR. VERNER: That's an improper question.

THE COURT: You can't ask this witness why Mr. Verner did something. You can certainly ask him questions about marijuana smoking, but why Mr. Verner asked, I don't think.

BY MR. SCOTT:

Q Have you ever seen this guy out there smoking marijuana?

A No, sir.

Q Do people smoke marijuana out there sometime?

A Yes, sir.

Q Have you ever seen Tony smoking marijuana out there?

A No, sir.

Q Does marijuana have anything to do with this case?

A No, sir.

MR. VERNER: That's an improper question.

BY MR. SCOTT:

Q Okay. Thank you. What I want to know, he was talking about the white car?

A Yes, sir.

Q Did the black car come in right behind the white car or was there a time --

A It was -- the white car come in and it was like a few seconds later, then the black car come in.

Q Which one parked closest to you?

A The black car.

Q Were you focused more on the black car or the white car?

A The black car.

Q Because it was right there beside you?

A Yes, sir.

Q Now, the other thing he asked you -- we met today and we talked back there, correct?

A Yes, sir.

Q Tell the jury what our conversation -- what did I ask of you?

MR. VERNER: That's --

MR. SCOTT: No.

MR. VERNER: -- an improper question.

MR. SCOTT: I think it's fair. Insinuation was that I coached him somehow.

MR. VERNER: Well, I didn't insinuate that, but I did insinuate -- he can ask him a better -- Judge, if he wants to --

THE COURT: I think the Solicitor can ask this witness if --

MR. VERNER: I withdraw my objection.

THE COURT: -- coached or influenced by his conversation.

MR. VERNER: I'll be opening the door, he can answer any question he wants on that.

BY MR. SCOTT:

Q N.B., did I tell you what to say today or did I ask you what happened that day?

A You asked me what happened.

Q Okay. Did I say that you need to say this or you need to say that?

A No, sir.

Q Did I simply ask what did you see that day?

A Yes, sir.
Q In fact, you had already told the police what you had seen?
A Yes, sir.
Q Okay.
MR. SCOTT: Beg the Court's indulgence.
THE COURT: Yes, sir.
BY MR. SCOTT:
Q Let me show you, see if you recognize those.
A Yes, sir.
Q What are those depicting?
A That's Tony's shirt.
Q Is that where you saw it that night?
A No, sir.
Q Where was it when you saw it?
A In the middle of the parking lot.
Q Did you move it to that position?
A No, sir.
Q Do you know how it got there?
A No, sir.
Q But that was on the ground when you saw it?
A Yes, sir.
Q Okay.
MR. VERNER: Are you offering these?
MR. SCOTT: Yeah.

MR. VERNER: Without objection, Judge.

MR. SCOTT: All right. State's 26 and 27, Your Honor.

THE COURT: All right, in evidence.

(WHEREUPON, State's Exhibits Nos. 26 & 27 were admitted into evidence.)

BY MR. SCOTT:

Q Okay. So this wooden structure we see in State's No. 27, what is that?

A That's the porta-john right there where that is.

Q Okay. But that is the black tank top you saw on the ground?

A Yes, sir.

Q This is State's 26. But when you first saw it, it was on the ground in the gravel area?

A Yes, sir.

Q All right. Sort of in the middle of the parking lot?

A Yes, sir.

Q You don't really have any idea how it got moved over to the trash cans?

A No, sir.

Q But it was on the ground when you saw it as well?

A Yes, sir.

Q So he had left it behind at the scene?
A Yes, sir.
Q Okay.
MR. SCOTT: Thank you, N.B. .
THE COURT: Anything on recross?
MR. VERNER: Because of just my confusion or his confusing answer, I just want to clarify.

RECROSS-EXAMINATION

BY MR. VERNER:

Q I'm not trying to trick you, I'm really not, but I thought you had told me you got there about 4:30, 5:00?
A That's what time I was, like, getting, like, on the bench. That's the time I was on the picnic table.
Q Okay. What time did you get to the park that day, the Wednesday?
A We started riding our bikes to the park around, like, 12:30.
Q Did you each lunch at home first?
A Yes, sir.
Q So sometime after lunch?
A Yes, sir.
Q Okay. Now, who is we?
A Me and my brother.
Q J.B. ?
A Yes, sir.

Q Okay. How old is J.B.

A Sixteen.

Q Just a little bit older than you and Chris is just a little bit older than him?

A Yes, sir.

Q Did you spend the whole time from lunch, after lunch at the lake or did you kind of ride around the area and kind of go here and there?

A I just rode to the lake and I stayed there.

Q For the most part?

A Yes, sir. And I fished and swimmed [verbatim].

Q Okay. Now, can you fish off of the boat dock?

A No, sir.

Q When we see that overhead picture of the Sunset?

A Yes, sir.

Q Do you remember seeing that, the Solicitor showed you just a second ago?

A You talking about the park ramp?

Q There's the boat ramp that goes into the lake, right?

A Yes, sir.

Q Does this, the prosecutor's map, does that look familiar to you?

A Yes, sir.

Q There's kind of a boat ramp that goes into the

water?
A Yes, sir.
Q There it is. Then there's a long dock beside it?
A Yes, sir.
Q Okay. Is that the finishing dock or the boat ramp?
A That's where boats tie their boats off and get off to go to their truck.
Q And you're not supposed to be fishing off that dock, right?
A No, sir.
Q But you can fish off the other dock, right?
A Yes, sir.
Q Okay. And that's about 100, 150 yards down the coast?
A Yes, sir.
Q And somewhere between the boat ramp and that dock and the picnic tables and, I guess, just ridding on the roads, you had spent the better part of a day?
A Yes, sir.
Q Were you there when Matthew first arrived that day?
A No, sir.
Q So anything that happened earlier in that day,

you wouldn't have seen?

A No, sir.

Q And not just Tony, but the other people there, too, were playing music. It wouldn't be just Tony and his radio. The other people who were camping out there could be playing or would be playing their radios, too?

A Yes, sir.

Q And then people would be swimming and jumping in the water and laughing and there would be several groups of people or crowds out there?

A Yes.

Q And then cars coming back and forth?

A Yes, sir.

Q Boats coming in and out?

A Yes, sir.

Q So it's a fairly active, lively place when they're people out there?

A Yes, sir.

Q Okay.

MR. VERNER: All right. Thank you, N.B. .

THE COURT: You can step down, sir.

Next witness, Solicitor.

MR. SCOTT: State calls J.B.

THE CLERK: Place your left hand on the Bible and raise your right hand.

J.B., after being duly sworn, testified as follows:

THE CLERK: State your name for the record.

THE WITNESS: J.B..

DIRECT EXAMINATION

BY MR. SCOTT:

Q J.B., you are 16 now?

A Yes, sir.

Q You're at Mid-Carolina?

A Yes, sir.

Q Last summer, June 6th, you were 15?

A Yes, sir.

Q Okay. Do you remember being at the boat ramp that day?

A Yes, sir.

Q Is that somewhere you went a good bit?

A I used to go there all the time.

THE COURT: I need you to speak up a little bit. Get a little closer to the microphone.

BY MR. SCOTT:

Q Say that last thing again.

A I used to go there all the time.

Q What did you like to do there?

A Fish. I used to like to fish and, like, hang out and swim.

Q Okay. June 6th, do you remember how long you were there that day, about what time you got there?

A Not really.

Q Okay. Do you remember being there a short time or a long time?

A A long time.

Q Okay. And were you doing the regular things that day, finishing and swimming?

A Yes, sir.

Q Okay. Do you remember seeing Tony Jackson out there?

A Yes, sir.

Q Who all was he with, do you remember?

A He was with practically his whole family.

Q Who do you know in his family or who can you name?

A John.

Q John Platts?

A (The witness nods.)

MR. VERNER: Leading, Your Honor.

THE COURT: Can you rephrase it?

BY MR. SCOTT:

Q Who is John? Describe him.

A I don't really know him like that.

Q What does he drive?

A He drives a white Ford.
Q You don't know what he looks like? White guy or black guy?
A White guy.
Q Okay. Beard, no beard?
A He had a beard whenever he was at the lake.
Q Okay. His name is John. And you remember Tony and John. Who else do you remember?
A Ashleigh, their kids and Alexis and I don't know the other girl that was there.
Q How do you know these people, Tony and his crowd?
A We seen them at the lake all the time. We used to hang out with them.
Q Were you there with them that day?
A No.
Q Were you hanging out with them that day?
A No, sir.
Q Okay. What do you remember about Tony and his crowd?
A They were nice.
Q Okay. Well, that's good, but, specifically, what were they doing? Do you remember them being drunk or anything like that?
A They weren't drunk, no, but they were drinking.

Q Okay. Do you remember them being loud and noisy?

A No, sir.

Q Do you remember them threatening anybody or starting fights?

A No, sir.

Q Do you remember them yelling at anybody through the megaphone?

A He was telling his kids to watch out for boats, that's it.

Q Was that something you had seen him do before?

A Yes, sir.

Q Okay. Do you remember something happening later on that day?

A Yes, sir.

Q Tell us, do you remember where you were when this thing went down?

A I was sitting on the picnic table.

Q With who?

A My younger brother and another boy that we used to hang out with.

Q Who is that?

A Nate Bridgeman, Nathaniel Bridgeman.

Q Okay. And tell us what you remember happening.

A Well, whenever we were sitting on the picnic

table, we seen a white car pull up. And whoever was driving, they, like, slid. And they -- she jumped out. And then that's when the black car pulled in behind them and that's when he jumped out and stabbed Tony.

Q Okay. Can you walk me through that a little bit in some more detail, though? Can I show you a map and you show me sort of how this went down?

A Yeah.

MR. SCOTT: Walter, State's 15 again, please.

Q Okay. Step down here, J.B., real quick. Stand like this so the jury can see the board.

MR. VERNER: I ask that he speak up just a little bit.

BY MR. SCOTT:

Q Yeah, speak up so everybody can hear you because you don't have a microphone. Show us where you were sitting.

A I was sitting right over here on the picnic tables right there.

Q Okay.

A I was sitting right there where the picnic table is.

Q Okay. Whereabouts was Tony?

A Tony was up there with his bike.

Q What was going on with his bike, do you

remember?

A It wouldn't crank up.

Q What were they doing with it?

A They were trying to fix it, jump it off.

Q You talked about the white car. Kind of trace with your finger what you remember seeing that white car do.

A Whenever the white car started coming up the dirt road, it slid right there. And the woman got out and went up there to Tony's wife and the other people that were up there and they just started arguing.

Q Okay. Were you focused on them or the black car?

A I was focused on the black car that came in.

Q Did it come in right behind the white car or was there a time lapse?

A It wasn't that much, like, right after.

Q Now, show us, kind of with your finger trace the black car, how it came in.

A It came in this way, too, the same way. It came in and stopped. That's when he jumped out and started walking up that way. Tony walked back down there. All I seen was him stab Tony.

Q You got to speak up. Show us where the black car was, how close it was to where you were?

A The black car was right in that area and we were right there.

Q So at that point, you were focused on the black car you said?

A (The witness nods.)

THE COURT: Need to verbally answer, sir.

BY MR. SCOTT:

Q Need to say yes or no.

A Yes, sir.

Q So you say he jumped out. Who is he?

A Matthew.

Q Okay. Had you seen Matthew out there before?

A One time. That was the day before that.

Q You had seen him out there? What was he doing that day?

A He was just sitting out there.

Q By himself?

A Yes, sir.

Q And he jumped out of the car. Did it appear -- what did you think once all this was going on?

A I thought they were about to fight.

Q Did Tony do anything to make you think he wanted to fight?

A No. Tony was just standing there telling him we can't do this, my kids are here.

Q Okay. And you said Matthew jumps out of the car. Do you remember what seat he was in?

A He was in the back passenger seat.

Q Okay. So that would -- was the car -- were the headlights facing up that way?

A Yeah.

Q So he would have been getting out on the side closest to where you were?

A Yes, sir.

Q Then did he go to where the girls were fighting or where did he go?

A He went to Tony.

Q Matthew went straight to Tony. Then what did you see happen?

A I seen him swing at Tony and I thought that's when they were about to start fighting. And then Tony grabbed his side, he was bleeding. And that's whenever they left.

Q What did you do after you saw all this going down?

A I ran through the woods up that way --

Q Why?

A -- with my little brother. I was scared.

Q Had you ever seen anybody get stabbed before?

A No.

Q Did I ask you about the bullhorn yet? You know about a bullhorn?
A Yeah.
Q You talked about that?
A Yes, sir.
Q You seen that before. All right. Was Tony -- I'm going to ask you, was Tony doing anything like come on, let's go, let's fight, let's fight, come on?
A No, Tony wasn't doing nothing.
Q Did Tony throw the first punch?
A Huh-uh.
Q Who did?
A He did.
Q Point to him. That guy right there?
A (The witness nods.)
Q The blue shirt guy?
A (The witness nods.)
Q He was the guy you had seen the day before?
A (The witness nods.)
Q Did you hear him say anything?
A Yeah, he said, We're loaded, we're strapped up. Who wants to smoke? Who wants to smoke?
Q Had you ever heard that term before, who wants to smoke?
A That means, like, who wants to fight.

Q And strapped, that's --
A A gun.
Q -- slang for what?
A A gun.
Q Did you ever see a gun?
A Huh-uh.
Q What were the other guys in that black car doing?
A They just stood there. They didn't get out or nothing.
Q What happened after the stabbing?
A They left.
Q Who's they?
A Matthew and the car.
Q Say that one more time. I asked you who left and you said what?
A Matthew.
Q And the rest of the people?
A Yes, sir.
Q What did the white car do?
A They left, too.
Q You say they, who do you remember seeing in the white car?
A Matthew and his mom.
Q He left with the mom, you think?

A I think. I couldn't really tell.
Q But they all -- both the cars left at the same time?
A Yes, sir.
Q What did you do? You said you had run through the woods. What did you do after they left?
A We came back and gave Tony a towel.
Q Where was the towel?
A It was in our book bag that we had.
Q Okay. Tony and them left after that?
A Yes, sir.
Q What did they leave behind?
A His bike.
Q What did y'all do with the bike?
A We pushed it to the side for him.
Q Did you see -- did you find any clothes or anything out in the parking lot afterwards?
A There was a black wife beater in the trash can that the cops got, we showed them.
Q Had you seen that before?
A That's the shirt that Tony was wearing.
Q Okay. Let me show you -- see that picture right there, that's State's No. 26. Is that -- do you remember seeing that?
A That's it.

Q Okay. Then State's No. 27, it's beside the trash can. Is that where it was or you think you remember it in that trash can?

A I don't really remember because, like -- I don't know if somebody threw it away or not, but that's where we seen it at.

Q Did y'all pick it up or anything?

A No.

Q All right. This is what you recall seeing on June 6th?

A Yes, sir.

Q Did I tell you what to say?

MR. VERNER: That's an improper question.

THE COURT: No, I think that's proper. I think we covered it in the other witness. I'll overrule.

BY MR. SCOTT:

Q Have I told you what to say today?

A No, sir.

Q And this is what you recall?

A Yes, sir.

MR. SCOTT: Thank you, J.B.. Answer any questions Mr. Verner has.

THE COURT: Cross-examination.

MR. VERNER: Thank you, Judge.

CROSS-EXAMINATION

BY MR. VERNER:

Q Now, you are 16 now?

A I'm 16 now, yes, sir.

Q Are you driving now?

A No.

Q Have you got your permit? Or I don't know how old kids have to be now.

A No, sir.

Q Ballpark, when you -- who did you go to the Sunset boat landing with?

A We got dropped off. It was me, my little brother and one of our friends we used to hang out with, Nathaniel Bridgeman.

Q Did you get dropped off or did you ride your bikes up there?

A We got dropped off.

Q Okay. You sure you didn't ride your bikes that day?

A We didn't ride bikes that day.

Q Okay. Did you ever ride your bikes up there sometimes?

A We have before.

Q Was it possible -- you were just meeting Nathaniel there once y'all got dropped off or he came there with you?

A He was staying at our house and we asked his mom could she take us.
Q I don't need an exact time, but just ballpark, what time you think you arrived out there at the boat ramp?
A Around two, three o'clock in the afternoon.
Q Sometime after lunch?
A Yes, sir.
Q Now, you said that you used to hang out with John and Tony and his friends?
A Yes, sir.
Q Were you hanging out with them that day of the fight?
A No, sir.
Q Do you remember seeing them with anybody else other than children?
A No, sir.
Q Did they have any other friends or family members with them?
A They did, but I don't know their names.
Q Okay. Do you remember Ashleigh's sisters?
A Not really.
Q You don't remember the girls being there?
A Yeah, I seen them, but I don't know them.
Q By girls, I'm talking about like teen girls?

A (The witness nods.)
Q And are they typically -- what are they typically doing?
A Swimming, cooking out, fishing, really anything.
Q Just having a good time?
A Yes, sir.
Q Did they play music?
A Not loud.
Q Well, I assume that means yeah, they played music, but just --
A Yeah.
Q Some people play music louder than others, but they play music at kind of a courteous level?
A Yes, sir.
Q But there are other people out there, too, aren't there?
A Yes, sir.
Q And they're playing music, some of them, and swimming. Ballpark, how many people do you think were out there that day that you remember?
A It wasn't that many.
Q Okay. Do you remember seeing other teens or 20 year olds sitting on the dock, hanging out?
A Not the floating dock, but the tee dock, yeah.
Q Which one is the tee dock? Which one is right

next to the boat ramp?
A The floating dock.
Q Were there people that day that you remember at the floating dock?
A Not that I know of.
Q Floating dock means for boat landings?
A Yes, sir.
Q Okay. The tee dock is more for --
A Swimming, fishing.
Q Swimming, fishing. Now, what do you remember -- you said you remember Tony was drinking?
A Yes, sir.
Q What was he drinking?
A I'm not sure.
Q Well, you know what beer looks like, don't you?
A Yes, sir.
Q Were they drinking beers?
A No, sir.
Q Were they drinking liquor?
A (The witness shrugs.)
Q You know what a liquor bottle looks like, don't you?
A They weren't drinking a bottle.
Q You mean they weren't drinking out of a bottle?
A Yes, sir.

Q But did they have like red solo cups or what were they drinking? You don't know?
A No, sir.
Q Okay. Do you know if it's clear liquor?
A (The witness shook his head.)
Q Well, how do you know they were drinking if you don't -- you just know they were drinking?
A Yes, sir.
Q And that's -- there's nothing wrong with that because they're adults, but that's usually the adults would drink when they're out there hanging out at the lake?
A Yes, sir.
Q Do you know how much Tony had to drink that day?
A He didn't have that much.
Q How do you know that? I thought you said you weren't hanging out with them that day?
A I wasn't.
Q But when you would walk by, you wouldn't see?
A He wasn't staggering or nothing.
Q And you don't remember seeing whether he was drinking liquor or beer?
A No, sir.
Q Okay. But do you ever remember him talking to anybody on the bullhorn?

A His kids.

Q Okay. I think --

Mr. Bentley, can you go back to the overhead of the boat dock?

Step down for just a second, J.B. .

Are you able to enlarge this, Mr. Bentley, to the right-hand side, the right-hand bottom?

Okay. When it's a little bit enlarged, we see kind of posts here on the edge of the parking lot. Were they there last year?

A Yes, sir.

Q And that's kind of to prevent cars from going into --

A Back there.

Q -- the camping area?

A Yes, sir.

MR. VERNER: And, Mr. Bentley, are you able to just go slightly more right?

BY MR. VERNER:

Q Okay. This red thing, that appears to be a trash can?

A It is, that's a trash can.

THE COURT: Speak up, J.B. .

THE WITNESS: That's a trash can.

BY MR. VERNER:

Q The Judge has to hear you and these 12 people have to hear you. Okay. Kind of, there's a dark spot on the bottom right, is that a cooking --

A That's a fire pit.

Q Fire pit. That's one of the places where people might go down and just have a fire in general?

A Yes, sir.

Q And we can see a picnic table right next to it. That's where you were sitting?

A Yes, sir.

Q And you're sure you were sitting at the picnic table next to the campfire?

A Yes, sir.

Q Okay.

MR. VERNER: Can you go back to -- well that's --

Q And it appears there's kind of a circle area in the parking lot area?

A Yes, sir.

Q And you can kind of see three people in that circle area?

A Yes, sir.

Q Okay. And you and your brother and maybe Nathaniel would have been here?

A Yes, sir.

Q On the picnic table? Okay.

Can you scroll that back out to normal size?

Okay. Now, I thought you told me or you told the prosecutor, Mr. Scott, there when you first saw the white car, you saw the lady up here where the white car in this photograph is on the top of the parking lot?

A (The witness shook his head.)

Q Was the lady more where the people are in the center of the parking lot, the lady in the white car that came up?

A I really don't remember.

Q But she was just kind of in the parking lot area?

A Yes, sir.

Q Okay. But, clearly, Tony and his friends were kind of in --

A They were right in that area.

Q In the neck area of the parking lot?

A Yes, sir.

Q Okay. And you indicated to Mr. Scott, I thought, that when Matt Jackson got out of the car, he started walking up there towards the neck area of the parking lot?

A (The witness shook his head.)
Q That's what you're pointing, but just as best you can remember, but he was walking in this direction?
A Yes, sir.
THE COURT: You have to verbally answer yes or no.
THE WITNESS: Yes, sir.
MR. VERNER: He said yes, sir, just not loud enough.
THE COURT: Make sure you speak up.
BY MR. VERNER:
Q The Judge has to hear you, they have to hear you. You pointed down here to where the grassy area was and you said that's where Tony was?
A Yeah, Tony was sitting down there. That's where they normally go, he was right there. Tony was stabbed right in there.
Q Okay. So --
A I remember that.
Q Okay. So the encounter between Tony and Matthew happened actually on the lower end of the parking lot. And you're positive on that?
A I'm positive.
Q Not where the bike was, but all the way on the other side?

A Yes, sir.

Q So do you know how Tony got to where the bike was all the way down to where the black car was? You can sit down, J.B. . He walked down there?

A I'm not sure.

Q And how long of a fight -- I understand things are going pretty fast in there, seconds?

A It wasn't long at all.

Q You never saw Tony with Matthew on the ground?

A No, sir.

Q Do you remember what Matthew was wearing that day?

A No, sir.

Q Okay. Do you remember whether he had glasses on?

A I'm not sure.

Q Okay. But you remember hearing Tony begging Matthew to leave him alone?

A Yes, sir.

Q Was Tony kind of a mild-mannered guy?

A What does that mean?

Q Do you hang with them enough to know whether he's kind of --

A Not really.

Q Okay. But your only interaction really with

Tony is he's friendly to us when we're at the lake hanging out?

A Yes, sir.

Q Okay. And had you known him just that summer or for the past few years?

A I knew him for a while.

Q Okay.

MR. VERNER: Thank you, J.B.

THE WITNESS: You're welcome.

THE COURT: Any redirect?

MR. SCOTT: No, sir, Your Honor.

THE COURT: You can step down, sir.

Next witness.

MR. SCOTT: The State calls Steven Reed.

THE CLERK: Raise your right hand, place your left hand on the Bible.

STEVEN REED, after being duly sworn, testified as follows:

THE CLERK: Please be seated and state your name for the record.

THE WITNESS: Steven Reed.

DIRECT EXAMINATION

BY MR. SCOTT:

Q Steven, what do you do for a living?

A I'm a metal artist.

Q Where do you work?
A At my house.
Q Where's your house?
A 644 Sunset Road.
Q I got State's No. 15 right here. Do you see your house in this picture?
A Yes.
Q All right, point to your house.
MR. VERNER: Step down, Judge, I have no objection.
THE COURT: Okay.
BY MR. SCOTT:
Q Okay.
A That's my house.
Q Barn kind of style architecture?
A A-frame.
Q A-framed house. Where is the boat ramp right beside your house?
A Right here.
Q What's the name of that area, that public parking area?
A I think it's PNL boat ramp.
Q Okay. Why do I want to keep calling it Sunset, is that another name for it? Do some people call is Sunset boat ramp?

STEVEN REED-DIRECT BY MR. SCOTT

A Yes, some people do. I just know it from customers that come over to the house. They call it PNL boat ramp.

Q PNL?

A Yes, I have no idea why. We just moved there two years ago.

Q You don't know what that stands for?

A I have no idea.

Q But some people call it Sunset, too?

A Sunset boat ramp.

Q It's a public boat ramp?

A Yes, sir.

Q Run by SCE&G?

A From what we know of, yes, sir.

Q You got to pay to go out there or anything?

A No, sir.

Q Is it kind of -- especially during the warmer months, is it typical for people to be hanging out, socializing out there?

A Oh, yeah.

Q And, at least, the more pleasant visitors, what kind of things do they do there?

A Fishing, camping. You get your campfires, people out there swimming. They got like a little boat -- like, next to the boat ramp, there's like a little sandy

area, people swimming.

Q So that's not uncommon during the warmer months to have people hang out there all day?

A Oh, no.

Q Do you remember June 6th of this last year, last summer?

A Yes, sir.

Q What were you doing that day?

A On that day, we were actually just hanging out at the house cleaning up. And I was -- my girlfriend had just started inside, she was cooking dinner. And I went outside and sat on the porch smoking a cigarette, just watching the boat ramp, boats coming in. And, usually, you see a couple really nice boats, you know. But watching people over at the boat ramp.

Q Okay. That's kind of a common past-time of yours?

A Oh, yeah.

Q You got like a second-story deck on that house, don't you?

A Yes, sir.

Q A month or so ago, I went out there to your house, did I not?

A Uh-huh.

Q We looked at the boat ramp from your deck?

A (The witness nods.)

THE COURT: You need to be verbally responsive.

BY MR. SCOTT:

Q Say yes or no. What did you say?

A Yes, sir.

Q State's No. 19, take a look at this. What is that a picture of?

A That is my cove, my dock and looking straight out to the boat ramp.

Q So would that be a view from your deck?

A Yes, sir.

Q Do you remember me taking pictures from your deck that day?

A Yes, sir.

MR. SCOTT: State does offer State's No. 19 for admission into evidence.

MR. VERNER: This is from his second-story balcony?

MR. SCOTT: Yes.

MR. VERNER: No objection.

THE COURT: All right, admitted into evidence.

(WHEREUPON, State's Exhibit No. 19 was marked for identification and received into evidence.)

BY MR. SCOTT:

Q Okay. So as we're looking -- as we're looking,

this is the view you would have of the boat ramp from your deck. Then the dock we see at the lower right-hand, is that your neighbor's dock or is that your dock?

A That's my dock.

Q Okay. Pretty much, we see that it does kind of slope down towards the lake, that parking lot does; is that right?

A Yes, sir.

Q So you're sitting out there. Do you remember about what time it was that you were sitting on the deck looking out at the boat ramp?

A I would say early mid-afternoon. It wasn't dark yet, but I know it gets dark nine o'clock at night out there at that time, but it was still bright, sunny. It was still boats coming in and out. It was middle of the day of boat ramp season.

Q Tell me what you remember that kind of caught your attention.

A I was sitting out there, of course, you have your kids and everybody, everybody is having a good time. Then a white Crown Vic came in flying.

Q Are you sure it was a Crown Vic?

A Or Grand Marquis. That's actually what I told the police officer on the phone.

Q Let me show you State's No. 25.

A Yeah.
Q It looked something like that?
A Yep, that's it.
Q That's the car?
A Yep.
Q State's No. 25. So the white car came in fast, slow or normal speed?
A Fast, flying in.
Q All right.
A Come in, dust flying. It's a gravel parking lot. Swung around pointing up towards where the trucks are. I don't know if you see in the picture up there where the boat trailers and everybody parks at, that's where it pulled up to. It parked, kind of U-turned it.
Q What did you see next?
A Lady exited the white car and was screaming and yelling. I couldn't see the individuals from the vehicles parked there, but was yelling at individuals. Then some girls walked down and then the lady in the white car went after the girls. Went after them, just --
Q Okay.
A Yeah.
Q What did you do at that point?
A That's when I turned around and I knocked on my glass door. I told my girlfriend, I said, You need to get

out here, something is about to happen. I said, It's about to get crazy. Usually, if a girl fight happens down there, it goes away. It's just done. But, yeah, I knocked on the door and told her she needed to come out.

Q Okay. Did you see the other car come in at that time?

A I did not. I did not. And as I stated, when they came in, it was dust flying everywhere. It was the commotion at the moment.

Q Okay. What do you remember happening after that?

A Gentleman came up from the bottom right-hand side where the trees are.

Q Let me -- I've been having everybody to do it. It's better for you to illustrate on this so the jury can see what you're talking about. Just speak up real loud.

A The white car came in, it came around right here and parked. And then I saw a gentleman coming up this way.

Q Coming uphill?

A Coming uphill, coming up through the boat ramp.

Q White guy or black guy?

A White guy, a skinny white guy. Then right here, there was the gold F-150 and the motorcycle, which they were working on.

Q Okay.

A Like, it wouldn't crank up. We were actually having a joke about it because it would never crank up. He had to push it up. And that's when they were working on it, he came walking up. I don't know what was said. We couldn't hear what was said, but that's when the guy and those two, he came up towards the black guy.

Q The white guy is approaching the black guy?

A Yes.

Q Did you see what happened next?

A The black guy, I guess, something -- he said something because the black guy perked up and he walked down to right about here and that's when they -- white guy started doing this.

Q Your observation, who threw the first blow?

A White guy.

Q Okay. You can take your seat. Your observation, did it just look like a fistfight from your view point?

A From my angle, it did until the black guy reached down like this. And that's when -- my girlfriend was standing there actually next to me and she said, I think he just got stabbed. And she went and got her phone.

Q She called 911, too?

A Yeah. That's when everybody started yelling call 911?

Q What did you see next?

A Mom, I guess, the white car -- driver of the white car, who we found out through the news was the mom, got into the car. I don't know if the white guy got into the passenger side or where he went into what was going on, but she got in the car, I guess he got in the car and they started pulling doughnuts, started trying to hit people in the car. Like, it sounded like BB guns on a tin building.

Q What's that, the rocks being kicked up?

A The rocks being kicked up. Every car had to have been hit that day with them rocks.

Q Did you see them eventually leave, though?

A Yeah, they did about three or four doughnuts, chasing people. One of the girls that she was fighting with went running down. Because the car came up, she was parked upwards. So when she pulled out, she pulled this way and one of the girls came running down and that's when she swerved and tried to figure eight to hit her. Then they kind of pulled doughnuts and then sped out. That's when another car came after them, then they put --

Q What color was that car?

A Black.

STEVEN REED-DIRECT BY MR. SCOTT

Q Okay. You saw the black car leaving out behind the white car?

A Yeah, leave out behind them. And then they got the black gentleman into the gold F-150, then that's when they left, too. I didn't know what happened, but I'm guessing through the newspapers, they went to the hospital.

Q Just what you observed, though, they left at that point?

A Yeah.

Q And that was pretty much the end of it --

A Yeah.

Q -- on that day?

A Until the police officers came down there afterwards.

Q And asked you what they saw?

A They didn't come directly over that day. It was -- I want to say I got a phone call. But I heard everything through --

Q Hold on a second. You told the police officer what you saw?

A Yes, sir.

Q Okay, hold on one second.

MR. SCOTT: Steven, thank you. Answer any questions Mr. Verner has for you.

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STEVEN REED-CROSS BY MR. VERNER

THE COURT: Mr. Verner.

CROSS-EXAMINATION

BY MR. VERNER:

Q Good morning, Mr. Reed.

A Good morning.

Q There's a metal artist on CR50 Highway, kind of between Newberry and Prosperity, is that your --

A No, sir.

Q So, am I wrong in my thinking?

A Yes, sir, he passed away just before I moved into town.

Q You primarily work out of your house?

A Yes, sir.

Q So that's why you would have been there on a Wednesday afternoon?

A Yes, sir.

Q Okay. How long have you lived near the PNL landing?

A A little under two and a half years now.

Q Did you know anybody involved in any of this prior to?

A No, sir.

Q Okay. The photograph we're looking at right now is actually taken from standing on your balcony looking out at the parking lot?

A Yes, sir.

Q And you remember, you took this photograph or Mr. Scott took this photograph about a month ago?

A I think Mr. Scott did.

Q About a month ago?

A Yes, sir.

Q What's the main difference between this photograph and what you remember happening last year? I'm not trying to trick you. It's just, June, the trees would have been full with leaves?

A No, man, with the pine trees.

Q Well, I'm not saying the pine trees, but the trees in your yard look like --

A Well, actually, that's a cypress tree and that is a dead bush.

Q Okay.

A And my porch is above all the trees.

Q Well, that's the same layout, the only difference is -- and pine trees are evergreens, they stay --

A Yeah.

Q -- green pretty much for the most part? And this is mostly a pine forest, right?

A Yes, sir.

Q But the other trees would have the leaves on

them and there would be a little bit more undergrowth?

A No, sir, my porch, actually, it's --

Q I'm not talking about necessarily your porch, I'm just talking about the whole camp ground area.

A No, that's what it looks like right now, that's what it looks like all year long. There is no trees down there. I can see everything on the boat ramp from there.

Q The summer, it doesn't get more growth on trees?

A No.

Q Okay. Have you been in a fight before? I'm not trying --

A Yeah, when I was younger.

Q Like everybody, it's possible you've probably been in a fight before?

A Yeah, when I was younger.

Q Would you wear glasses on your face if you were intending to fight?

A Probably. If I --

Q If you and I -- if you knew you and I were going to have a fistfight, you would keep your glasses on your face?

A They're my glasses, I wear them all the time.

Q Right. So you would keep those on your head knowing that you're going to get into a fight?

A Yeah, if it was happening, yeah, I'd keep my

glasses on.

Q Okay. Now, you talked about the --

Can we have the overhead picture, Mr. Bentley?

I'm going to ask you to go ahead and step down, Mr. Reed, but because you don't have the microphone, you're going to have to speak up just a little bit. Once again, point out where you would be sitting last year?

A There's my chairs right there.

Q The white house, kind of a roundish roof?

A Uh-huh.

Q All right. Where do you remember as best you can where the white car came to a stop?

A (The witness points.)

Q Where the people are in the center of the parking lot?

A Uh-huh.

Q You're going to have to say yes or no.

A Yes.

Q Not trying to -- just the lady writes down words.

A Okay.

Q And then when she got out of the car, what do you remember happening?

A There's people standing right here. She got out

of the car and started screaming and yelling and then the girl approached her. They turned around and all I saw was her do this. The lady from the white car standing this side went like that.

Q Was it just one girl that she was fighting with or were there multiple?

A Well, after she started hitting on one girl, the other girl joined in.

Q Okay.

A I don't know what was going on.

Q Right. And just ballpark, what you think in terms of a football field, your porch -- now, your porch actually faces out not towards the parking lot, but towards the lake itself?

A Uh-huh.

Q So you would have actually been sitting kind of facing the bottom of the picture?

A No, I got my chairs -- I got a table with two chairs that are angled.

Q All right.

A So I'm pointing straight at the boat ramp. There's a big -- they cut out a big opening between the trees, so there's no -- from here to here, there's a big opening.

Q So you're sitting kind of looking that way, but

the porch itself faces the bottom of the screen?

A Uh-huh.

THE COURT: Need to say yes or no, sir.

THE WITNESS: Yes.

BY MR. VERNER:

Q Just because she writes words down. Ballpark, in terms of a football field, what's the distance from where you're sitting on the porch to kind of where the white car is?

A Maybe 50 yards.

Q Okay. Could be a little bit longer, further than 50 yards?

A I'm saying I can throw a baseball across there. And I ain't no athlete.

Q Could you throw a football that far?

A Probably, easily.

Q To hit the parking lot?

A Yeah.

Q But you couldn't hear -- you heard the commotion of the women, but you couldn't actually hear what was -- you can go ahead and have a seat, please. But you couldn't hear individual words spoken?

A No, I couldn't hear individual words spoken.

Q But it sounded boisterous where you thought it might be something brewing?

A Yeah, yes, sir.

Q Okay. And that's not a common thing, but that happens from time to time at the PNL?

A Rarely.

Q Okay.

A Especially, it's -- there's families and stuff that come down there. You know, there's kids, so it's -- no.

Q I would assume in the daytime, it's more families and in the evening, the older people start coming?

A Yeah. You get late at night, 11, 12:00, yeah.

Q And again, tell me what happened after the two women started fighting.

A You want me to come down there?

Q No, just tell me.

A White gentleman walked up coming around the bottom --

Q No, just tell me about the women first.

A Oh, the women. They were just going at it fighting, screaming and fighting.

Q Were they on the ground fighting or were they kind of like --

A It was in between cars and stuff, so there wasn't --

Q Was there hair pulling?

A Yeah, there was hair pulling and it was just a bunch of screaming, bunch of girls yelling.

Q Now, the other women, were they pulling off the people or were they kind of involved in the raucous, too?

A They actually pulled them apart and they were walking up. Everybody -- when that all broke up, they walked up.

Q Before that fight broke up, were the women -- were multiple women throwing punches or was it just confined to the two main ones?

A From what I saw, it was just the two main ones.

Q Did two other women --

A I couldn't tell you.

Q Okay. That fight kind of happened between the cars, so you --

A I saw it at the front where the lady exited the white car. I saw it from there until it got to the back of the cars.

Q And you saw the two other women approach the --

A Yeah, breaking it up. They were pulling them back.

Q You don't know whether they were throwing punches, too?

A I do not know for sure, sir. Could not tell you

either way.

Q But whether that were or not, they were defending one of them or they were stepping up?

A Well, personally, I think it was just -- it was just a raucous to try to break up a fight.

Q Now, what do you remember after that?

A While all that was going on, that's when the other gentleman come up from the bottom.

Q Do you remember the black car coming?

A I do not remember the black car because, as I say, that's where I turned around and I got my girlfriend to come out.

Q Okay. So when the black car came -- or how it came, you didn't see, but you do remember seeing a skinny white fellow walking up the parking lot?

A Uh-huh.

Q Step down if you could and kind of point out -- If you could blow that up slightly, Mr. Bentley.

Okay. Kind of trace the route of the white guy.

A Just like that.

Q So where was the black car since you remember seeing it?

A When it left, it left out from down here,

somewhere in here.

Q You're gesturing towards kind of the grassy area below the porta-john, kind of halfway between the porta-john and --

A Yeah, kind of the parking lot down here somewhere.

Q Okay. But when you remember seeing the white guy, the skinny white guy walking, basically, when you first saw him?

A I saw him about right in this area coming up. And the motorcycle and the black gentlemen are right here with the F-150.

Q Now, you're pointing kind of towards the neck of the parking lot where the road intersects with the parking lot. So where was the fight between the white guy and the black guy?

A It happened right in here.

Q Okay. You're indicating just below where the white car is and slightly to the left of the white car in the photograph?

A Yeah. Do you have a photograph looking from my porch, I can tell you exactly where it was.

Q Well, we'll do both.

A There you go.

Q Step on over here for the jury. I'm going to

hold this, shake this thing up. I assume, the -- is that purple house over there in the corner kind of where you --

A Yeah, yeah.

Q All right. Well, go ahead and put your house.

A It's in here.

THE COURT: Need to speak up, Mr. Reed.

THE WITNESS: In here in this area. In this area.

MR. VERNER: He's circling kind of the purple house in the picture on the chalkboard.

BY MR. VERNER:

Q Now, where did the -- now, these are other people writing on the board, so if it's different than your memory, you're not bound by it. It's just kind of other people indicating. Where do you think you saw the fight between Tony and the skinny white guy?

A Right in here.

Q And you circled kind of the left upper end of the parking lot?

A Uh-huh.

Q Okay. Did it start and end there or did it go all through?

A No, he came up and that's -- they had their altercation. And then I'm guessing, he got back in the car or mom picked him up. But that's when -- after he

came up and they had their altercation, it wasn't too long and then that's where the white car started doing doughnuts.

Q Now, were you able to get like a TV view of the fight or was it kind of a distant?

A I could see silhouettes.

Q Okay.

A I knew that it's the black guy and the white guy, which car it was. I was able to make the make and models of all the vehicles, to tell you how close I was.

Q You can have a seat for a second. You're close enough to tell that they're clearly fighting, but you're not really close enough to -- were you close enough where you think you could identify a face in the fight if you hadn't known them before?

A Probably not, sir.

Q Are you close enough to see the details of the fight or just kind of the general --

A I could see hands moving, I could see --

Q Okay.

A Yeah.

Q Did you ever see either one of them get on the ground?

A I want to say the white gentleman fell to the ground when the black gentleman pushed him off.

Q Okay. How long you think the fight lasted?
A Seconds.
Q Okay. It was a pretty quick fight?
A Yeah, it was -- between the two guys?
Q Yes, sir.
A It didn't last long at all.
Q Could it have been as long as 30 seconds?
A I don't know, man, there was so much going on. Honestly, it wasn't like I was sitting there with a clock. It was instantaneous. It was he come up swinging and --
Q It was a pretty short fight?
A Yeah. And he grabbed his side when he pushed him off.
Q Were you close enough to see whether the black guy had hit the white guy when he was on the ground?
A No.
Q Okay. You're not close enough or you didn't see that?
A I didn't see it.
Q Okay. Is it possible there were some punches that you didn't see?
A Oh, no. After he pushed him off, he grabbed his side and everybody started screaming call 911, call 911.
Q There was a big white guy with a beard. Do you remember seeing him out there that day?

A I do not, sir.
Q Okay. But you knew the women were out there fighting?
A Uh-huh.
Q And you remember seeing them?
A Yes, sir.
Q And you remember seeing the skinny white guy and black guy fighting?
A Yes, sir.
Q Do you remember seeing any other adults or anybody else out there in the parking lot?
A Oh, yeah, there was people, all kinds of people running. There were people down there at the boat ramp running. People were grabbing their kids, grabbing their towels. They had an old lady that was the sitting down there, she got up, you know. It wasn't supposed to happen down there.
Q So beyond just the people fighting in their cars, there were other uninvolved people in the fight who left, too?
A Yes, sir.
Q Do you remember anybody else --
A No, sir.
Q -- other than yourself being out there?
A No, sir.

Q What's your girlfriend's name?

A Elizabeth.

Q Okay. Roughly, tell us how long you had been sitting on your porch watching, not just the fight, but just sitting out there that day?

A Thirty, 45 minutes.

Q Okay. So you had been sitting on the porch for about 30 minutes prior to the fight?

A (The witness nods.)

Q And if the fight happened roughly 8:00 p.m. in the evening, so you would have been somewhere between 7:00, 7:30 in the evening?

A Probably so. She was cooking dinner.

Q What about earlier that day, had you been hanging out there?

A No, we were working around the house. Yeah, we were inside. We were doing renovation.

Q All right. But most of that day, you remember working on the house itself?

A Uh-huh.

Q But after the end of the work, you were kind of resting and hanging out on the porch?

A Yes, sir.

Q Were you ever out there on the PNL landing that day?

A No, sir.
Q The actual parking lot?
A No, sir.
Q Okay. When people are out there, do you often hear music playing?
A Hear what?
Q Music, do people typically play music or bring their boom boxes?
A If anybody out there has got a little, you know, a little Bluetooth speaker.
Q But it's not uncommon when people are out there, they have their speakers, however they're playing it?
A Yeah. It's a campground.
Q Some are more polite about it and some might be like louder about it sometimes?
A Yeah.
Q Okay. About what happened there maybe about one o'clock that day, would you have had any observations of?
A Nothing happened out of the ordinary.
Q Okay.
A Nothing like what happened later on in the evening.
Q Do you remember anybody screaming guns or anything about guns or weapons or --
A No.

Q Okay. Do you remember hearing the black guy trying to convince the white guy not to fight or beg him off and saying leave me alone, anything like that? Either one of them, you remember hearing either one of them saying leave me alone?

A No.

Q Okay. Do you ever remember seeing the black guy down at the bottom right end of the parking lot?

A You talking about out here?

Q Well, anywhere in that quadrant, kind of where my clipboard is, anywhere in --

A Only when he was pushing his bike up?

Q Okay. So earlier that day, he had been in that area pushing the bike up. Do you remember any of the fight happening in this part of the parking lot?

A No, sir.

Q Okay. Do you remember seeing the black guy riding the motorcycle?

A He rode it in.

Q Okay.

A I know their vehicles when they come down there.

Q But you physically remember him pushing it up the hill?

A Yes, sir.

Q Okay. You actually saw him and kind of

chuckling?

A Yeah, it wouldn't crank. I was on the phone with my little brother talking about it wouldn't crank up.

MR. VERNER: Okay. If Mr. Scott has any followup.

THE COURT: Redirect, Solicitor.

MR. SCOTT: Yes, just briefly.

REDIRECT EXAMINATION

BY MR. SCOTT:

Q Black guy, earlier in the day, do you remember him causing a scene, causing any raucous, anything like that?

A No, not at all.

Q Did you hear him yelling on his bullhorn, cussing people out or being boisterous?

A He got on the bullhorn to warn everybody whenever the boats come in. He yells at the kids because they're not supposed to be swimming on the boat ramp. So he goes over whenever boats come in to make sure the fisherman don't get mad. He gets them out the way, which is smart. I'll give him that, that's smart.

Q Just to be clear, the only time you heard him use the bullhorn from your house that you guesstimate is 50 yards away would have been to warn children, small children to get off the boat ramp?

A Yeah.
Q And you never heard him screaming obscenities on it?
A No, sir.
THE COURT: Thank you, step down, sir. Well wait a minute.
MR. VERNER: Very quickly.

RECROSS-EXAMINATION

BY MR. VERNER:

Q Now, I thought you told me that you weren't watching the boat ramp earlier that day, you were working on the house?
A Yeah, around my yard, yeah.
Q So what happened earlier that day, you wouldn't have witnessed?
A I didn't witness anything earlier that day.
Q Because you weren't watching, okay. You didn't start watching the boat ramp until about 7:00 p.m. that night?
A Like sitting on my porch, yes.
Q And did you see Tony at all on the bullhorn that day or you just remember him from prior incidents?
A No, we could hear them.
Q But you're talking about that day or you talking about other weekends?

A Oh, prior instances, too. They always do that. They keep the kids off the boat ramp whenever boats come in.

Q So not necessarily from that day, but from that day and other days, other times in the past, Tony being on the bullhorn often enough where you remember?

A Well, when -- yes. It's to keep everybody off the boat ramp.

Q That's primarily, essentially, what you hear him using it for?

A Yes, he always yells out, Boat.

Q But you're aware that he's got the bullhorn out there and you kind of know what kind that is?

A Yes.

Q Okay. I'm not trying to trick you.

THE COURT: All right, you can step down.

THE WITNESS: Cool deal.

THE COURT: All right, Mr. Foreman, ladies and gentlemen of the jury, we're going to take a short break. Go back to the jury room. Remind you once again, don't begin any discussions about this case and we'll get you back out shortly.

(WHEREUPON, the jury left open court at approximately 11:47 a.m.)

THE COURT: All right, be in recess for ten

minutes.

(WHEREUPON, a short break was taken.)

(WHEREUPON, the jury came into open court at approximately 12:00 p.m.)

THE COURT: All right, let the record reflect the jury is back in.

Ladies and gentlemen, we're going to go ahead and break for lunch. We're just kind of at a point in the trial probably be a good time to break. I want you back at 1:15. Again, remind you, if you're at a local restaurant, have your juror sticker visible and remind you also no discussion among yourselves or anybody that you come in contact with. We'll see you back at 1:15. Have a good lunch break.

(WHEREUPON, the jury left open court at approximately 12:01 p.m.)

THE COURT: All right, 1:15.

(WHEREUPON, a lunch break was taken.)

THE COURT: All right, we're back on the record. There was some discussion before we broke for lunch concerning redaction of the interview that was done with the Defendant. And I think, Solicitor, you indicated that you're just going to stop the video early, which will, therefore, take care of those portions that Mr. Verner wanted redacted, correct?

MR. DANIEL: Yes, sir, Your Honor. It's roughly going to be about 47, 48-minute mark, give or take.

MR. SCOTT: That's where we'll end it. I think Charles' concern was some discussion about potential plea agreements and that comes at the very end.

MR. VERNER: At 16:45, there's some conversation about being on probation, so maybe I might speak up maybe at ten seconds or five seconds. But 16:45, they talk about him being on probation.

THE COURT: Okay.

MR. DANIEL: You have that at 16:45?

MR. VERNER: I do.

THE COURT: All right. So we're going to just mute it when we get to that?

MR. VERNER: If the Court agrees with me that that probably shouldn't be brought in.

THE COURT: Yeah, if he's talking about being on probation.

MR. DANIEL: May we pull that up, Judge, just real quick. We can time it exactly right.

THE COURT: All right, let's go off the record, take a look, figure it out, make sure we're good.

(WHEREUPON, there was a brief pause.)

THE COURT: All right. The State ready?

MR. DANIEL: Yes, sir.

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THE COURT: The Defense ready?

MR. VERNER: The Defendant is, Your Honor.

THE COURT: All right, bring the jury out, please.

(WHEREUPON, the jury came into open court at approximately 1:25 p.m.)

THE COURT: Let the record reflect that the jury is back in the courtroom.

Solicitor, you ready for your next witness?

MR. DANIEL: We are, Your Honor. The State calls Lieutenant Garrett Lominack.

THE CLERK: Place your left hand on the Bible and raise your right hand.

GARRETT LOMINACK, after being duly sworn, testified as follows:

THE CLERK: Please be seated. State your name for the record.

THE WITNESS: My name is Garrett Lominack.

DIRECT EXAMINATION

BY MR. DANIEL:

Q Lieutenant Garrett Lominack of the Newberry Sheriff's Office?

A That's correct.

Q How long have you been with the Newberry Sheriff's Office?

A Approximately 23 and a half years.
Q So for a large portion of that time, you've been an investigator, well, detective is another way to say that?
A Probably half of my career, yes.
Q Now, this incident on June 6th that we're trying today, you were the investigator assigned to that case, correct?
A That's correct.
Q And how -- let me ask you this, when did you first become involved in that investigation?
A On the very next morning, on the 7th. The incident took place on the evening of the 6th and on the next day is when I was assigned the case, when I got the report, so when I became involved.
Q So you weren't the on-call investigator on the night of June 6th?
A I don't think so, but an investigator was not called out for this incident.
Q Okay. So you show up to work on June 7th, that morning, and the case is, essentially, assigned to you, correct?
A That is correct.
Q So at that point -- and you were here for Deputy Corey Cook's testimony; is that correct?

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A Yes.

Q So, essentially, you review the reports that they submit and do followup work?

A That is also correct.

Q Okay. So in this particular case, what did you first do as part of your investigation?

A Pretty much, you have to read the report. A lot of information on the report. You got a lot of names attached to it. You have witnesses. You have subject information, complainant information, victim information. So you want -- what I want to do is I want to read the report. And sometimes I have to read the report more than one time to try to get a good feel and understanding of what all took place.

Q Would your first order of business have been to interview the victim, Antonio Jackson?

A After looking at the report, of course, before we do that, we also have body cam footage that we can look at. We have the 911 tape I can pull and listen to the 911 call. And I can listen to the radio traffic from all the radio traffic that deputies did the night before responding. Once you kind of get a feel from all that, then you want to start just talking to people, whether it's a witness, victim or even anybody who was listed as a subject in the case.

Q So June 7th, did you make contact with the victim, Tony Jackson?

A No, he was -- he had been transported to another hospital in Columbia due to his injuries.

Q Okay. I thought he went to Newberry ER?

A They took him to Newberry that night, but Newberry Hospital then transferred him, I believe, to Richland Hospital was the hospital that he was referred to, which is not uncommon for Newberry Hospital to refer people to a Columbia area hospital due to the injuries.

Q So due to the nature of the injuries, he was transported to a hospital in Columbia?

A That is correct.

Q Was he in a condition at the time when you first got the case to be interviewed, Tony Jackson?

A No. Of course --

MR. VERNER: Your Honor, I would object. Unless he actually saw him and knew what kind of condition he was in, I think he's got to have some kind of personal knowledge of.

THE COURT: You may want to lay a foundation just to see if Lieutenant Lominack is in the position to render that opinion.

BY MR. DANIEL:

Q All right. Lieutenant Lominack, were you aware

of Mr. Tony Jackson's condition on June 7th, physical condition?

A From looking at the report, the body cams, he had sustained some lacerations. And knowing that he was at another hospital, as opposed to traveling to Columbia first to start an investigation, I just stayed closer in and started to try to locate people that were in county.

Q Did you interview other witnesses listed in the report?

A That is correct.

Q And Matthew Jackson had been developed as a suspect at this time?

A He was named as a suspect on the report when I obtained it, yes.

Q Is that based on eyewitness identification as Matthew Jackson being the suspect?

A The information that the deputies the night before had obtained, yes.

Q Okay. And at that point in time on June 7th, had an arrest warrant been issued for Matthew Jackson?

A Not in the morning hours. It wasn't until later on in the evening when some more information was obtained and became available.

Q At what point in the day on June 7th did you get an arrest warrant issued for Matthew Jackson?

A In the afternoon hours. I couldn't tell you exactly when, but it was later on in the afternoon.

Q But your job was, essentially, to locate Mr. Jackson first; is that correct?

A We made an attempt to locate Mr. Jackson. I don't think we really had a good address listed for him. We had also received information from another witness that had been in contact with his mother where they were going to get both Mr. Jackson and his mother to contact me as well in reference to this incident.

Q Was Mr. Jackson, according to your records, was he a Newberry County resident?

A Yeah, I think he had a Newberry address listed. I don't remember the exact location, but, yes, it was in Newberry.

Q Were there any other suspects who you interviewed in connection with this case?

A There were three other subjects listed on the report, but they weren't located to be interviewed.

Q I'll come back to that in a minute. So, eventually, though, Matthew Jackson is taken into custody?

A I believe on the night or the early morning hours of the 7th or the 8th is when he was taken into custody.

Q And where was he located to be taken into

custody?

A Somewhere in Sumter County. I don't know if it was in the jurisdiction of Sumter or somewhere in Sumter County, but the Sumter authorities were notified once we obtained some information of his possible whereabouts. Because the next day, on Friday, the 8th, is when we had a couple deputies bring him back from Sumter County.

Q So some law enforcement agency in Sumter County, whether it's the Sumter Sheriff's Office or City of Sumter, they took Mr. Jackson into custody?

A That is correct.

Q Then they notified you guys at Newberry Sheriff's Office?

A That is correct.

Q So that would have been at some point on June 8th?

A If it wasn't on the 8th, it was the evening hours of June 7th and then early morning hours of the 8th.

Q When did y'all actually pick him up -- when did that Newberry deputy actually take custody of Mr. Jackson?

A Two deputies went up about mid-morning and probably got him around lunchtime and got him back a little after lunch. So he was served with his warrant probably around lunchtime on the 8th, which was a Friday.

Q So it's fair to say by lunch or early afternoon,

Mr. Jackson's in Newberry County in y'all's custody?

A That's correct.

Q And he was originally located in Sumter following this incident?

A That is correct.

Q Within 48 hours?

A Yes.

Q Of the incident?

A Yes.

Q Again, Mr. Jackson, did he have a Sumter address according to your records?

A Not that I'm aware of.

Q All right. Did Mr. Matthew Jackson, did you have anything on file where he had called 911 or any kind of law enforcement agency?

A No, sir.

Q Following this June 6th incident?

A No, sir.

Q Okay. Do you have any records that Mr. Matthew Jackson was admitted into a hospital anywhere, whether that be Newberry, Sumter, anywhere?

A No.

Q So the Sumter authorities just found him within their jurisdiction?

A We received information through an anonymous

tipper, a witness information of a possible address that he had been taken to. I think our road deputies -- the same road deputies that worked the incident also worked the next night and had information. They had our dispatch to send what's called a Teletype to Sumter County to say this particular person has an outstanding warrant. He's entered into the computer as a wanted felon, can you go by this address? So I think that was the route that was taken. Then, of course, later on, they send a Teletype back advising they had him in custody. It's what called a ten man hit.

Q Okay. All right. Now, correct me if I'm wrong, Sheila Jackson Norton, that is Matthew Jackson's mother?

A Yes.

Q She was arrested in connection with this June 6th incident; is that correct?

A That is correct.

Q Was she taken into custody before or after Matthew was taken into custody?

A Before Matthew Jackson was arrested.

Q Did you have a chance or an occasion to interview Sheila Jackson?

A We did. I had probably two interviews with her.

Q Sheila Norton?

A Sheila, that's correct.

Q So mother's taken into custody first?
A Yes.
Q Then later on, Matthew is taken into custody?
A That is correct.
Q And are those the only two individuals that were charged in connection with this incident?
A That's correct.
Q Anybody associated with Tony Jackson arrested or charged with a crime in connection with this June 6th incident?
A No.
Q So they were the only two?
A That is correct.
Q Mother and son, okay. I think I called her Sheila Jackson. It's Sheila Norton, correct?
A Sheila Norton Jackson, Sheila Jackson Norton, I'm not sure which way she would prefer to be referenced to.
Q I understand. So June 8th, did you have an occasion after Mr. Matthew Jackson's in custody to interview him?
A We did. We talked to him.
Q Okay. Approximately -- and I'm going to hand you what's been marked for ID purposes as State's 21. All right. State's 21, do you recognize this?

A Yes, I do.

Q What is that?

A This is a Newberry County Sheriff's Office rights form. It's a form that we read anybody that's been charged, basically, advising them of their rights making them aware that they don't have to talk to us. And they can sign the form saying they understand their rights and that they waive their rights.

Q All right. This is an advisement of rights form that Matthew Jackson filled out in order to be interviewed by you guys, correct?

A Yes.

MR. DANIEL: Your Honor, at this time, I'd offer State's 21 for admission.

MR. VERNER: Without objection.

THE COURT: Without objection, 21 for the State in evidence.

(WHEREUPON, State's Exhibit No. 21 was marked for identification and received into evidence.)

MR. DANIEL: Walter, if you'll put that on the screen, please. Zoom in a little bit.

BY MR. DANIEL:

Q Lieutenant Lominack, so this is standard before you interview any suspect who's in custody that you advise them of their Miranda warnings, correct?

A That is correct.
Q Typically -- and the form is in evidence. Just like what you see on TV, you have the right to remain silent, anything you say -- or anything you say can and will be used against you in a court of law, correct?
A Yes.
Q Advise him about his right to have an attorney present if he so wishes?
A Yes.
Q And if he can't afford a lawyer, one will be appointed to represent him, correct?
A That is correct.
Q So you read verbatim that form to Mr. Jackson?
A I did.
Q Did he fill out this form, the handwriting on there?
A The upper handwriting is, you know, me writing the name and the date and the time, his address that he listed to us, which was here on Silver Street. Then the next section is me filling it out again because it has a line asking him how far he went in school, basically, can he read and write. He indicated that he finished the 11th grade and that he can read and write.
Q So you filled out the top information about name, date of birth, address. That's information he was

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verbally providing to you, correct?

A Yes.

Q So you have here, looks like, an interview --

MR. VERNER: Judge, I'm not challenging it it's a voluntarily statement. It's 1:30 and I've got a case this week. All of this is cumulative testimony. He gave a voluntary statement and I'm not challenging that.

THE COURT: Okay.

MR. DANIEL: I'm trying to get my questioning out, Judge. I don't know if he's objecting to --

MR. VERNER: It's cumulative, it's a voluntary statement. He's gone over the individual rights several times, who filled it out and what they signed. It's in the afternoon on Wednesday.

THE COURT: How much time do you plan to spend on this form, Solicitor?

MR. DANIEL: Your Honor, I'm just trying to get out what time the interview started.

THE COURT: Okay. All right.

THE WITNESS: 2:42 p.m. is when I indicated that -- during the time that I was filling this out.

BY MR. DANIEL:

Q Okay. He provided you with the Silver Street address?

A Yes.
Q That's in Newberry County?
A Yes.
Q He didn't provide you with a Sumter address?
A No.
Q He provided you with his phone number?
A That is also correct.
Q And he's 28 years old. And he signed this form and that's his signature kind of in the middle of the form indicating he understood his rights?
A Right. Then the next line is the waiver saying that he did wish to make a statement, he knew what he was doing and that we were not making any promises or threats towards him.
Q Okay. Again, Mr. Verner saved me some time. The statement was given freely and voluntarily by Mr. Jackson, correct?
A That is correct.
Q All right. And tell me this, did you note any physical injuries to Mr. Jackson?
A Nothing at first, no. There wasn't anything visible.
Q Okay. All right. I'm going to hand you what's been marked for identification purposes as State's 28. Do you recognize that?

A That's the booking photo of Mr. Matthew Jackson.

Q All right. That would have been taken on June 8th when he was booked into y'all's custody at the jail?

A That is correct.

Q Okay. And that's a picture of his face, do you notice any significant facial injuries? Black eyes, cuts to his face?

A I don't recognize anything.

MR. DANIEL: Your Honor, I offer State's 28 for admission into evidence.

MR. VERNER: No objection.

THE COURT: Without objection, State's 28 for the State.

(WHEREUPON, State's Exhibit No. 28 was admitted into evidence.)

BY MR. DANIEL:

Q All right. Again, you did not note anything significant. And that's a fair and accurate representation of what you observed of Mr. Jackson when you interviewed him, correct?

A Yeah, that photo was probably taken maybe 30 minutes to an hour prior to me talking to him.

Q Okay. All right. So -- and your interview was recorded, correct?

A Yes.

Q And how was it recorded?
A Through our body cam footage.
Q So that's video and audio?
A Yes, body camera we use.
Q And that's attached to your shirt -- well, it doesn't have to be.
A To your shirt, your belt, mostly I'll lay it on the table. That way it's nice and even, doesn't move around when I move around.
Q Okay. Let's go through the interview with him. And you have an independent recollection of your interview with Mr. Jackson, correct?
A Pretty much.
Q Okay. I guess, let's go through what you guys talked about. You questioned him. How did you begin the interview?
A After we got done filling out the statement form, just, you know, let him know that we wanted to know what happened on the incident two days prior to that, but at the same time, I wanted him to understand and feel comfortable, you know, I'm there to talk to him about the facts. Doesn't matter what he tells me, whether it's, you know, a bunch of bull he wants to tell me, that he was involved with]indiscernible] or anything like that. I just wanted him to feel comfortable because, I mean, we're

here to talk to him.

And I told him at first, I said, let's just sit back for a second. It's been a wild two days, I'm sure. Wanted him just to collect his thoughts. He had just been brought back from another detention center and going through our booking process and we're up here talking to him, so I wanted him to feel comfortable. I felt like it was important that he's at ease. So I said let's just take a deep breath, just kind of take a moment and then let's go from there.

Q All right. This was 2:42 p.m., the interview starts. And y'all are at the Newberry jail, right?

A We're in -- it's a room in the magistrate's area that we were able to go and have some privacy to where you didn't have all the detention center in the background, maybe other inmates in there knocking around, making any noise or anything. So we were able to go up in the courtroom area in the magistrate's office to have a little bit more privacy.

Q All right. Let's go through some of the highlights of his interview that you recall. I guess start with some of the things he told you from the beginning and kind of go in order as you remember it.

A Yeah, just, you know, just asked him what happened and everything, you know, what's he been doing.

You know, he referenced pretty early on that, you know, he had gone to Sumter and that he did want to call and tell his side of the story. He indicated that he had tried to contact me.

There was one particular person that was either friends or related to Matthew and his mother and she had contacted me on that Thursday saying that she was going to get him to call me. He indicated he attempted to call me on the cell phone number, which I did provide this other person. Unfortunately, I did not receive any missed calls or phone calls or any voice messages that he had called. So we talked about that a little bit. Talked about how he got to Sumter and mentioned how he got down to the Sunset boat ramp that day.

Q Okay. And take it from there -- and feel free to refer to your notes if you're having trouble remembering anything, but take it from there.

A This took, I think, a little over an hour, we sat there and talked to him, myself and another investigator was with me as well, too. So he indicated that a girlfriend of his had taken him down there on the incident day. Actually, he also went down there the day prior to, but that he also went back on that Wednesday as well. He indicated that was his girlfriend.

When he got there on that Wednesday, he

says when he got out and walked over, said the first thing he's got is these two little girls saying Uncle Matt Matt. I think that's pretty much word for word what he indicates during the interview. He says these two girls that he knows that he considers like his niece, but it's two kids that belong to his cousin that he indicated was R.J. And so he went up to hug the girls because he knows them, that they had contacted his name. Then this next thing you know, he was approached by who he identified as Mr. Antonio Jackson.

Q All right. Let me stop you. So Matthew says he initially shows up at the Sunset boat ramp because his girlfriend, Sarah Coffee, had dropped him off there?

A That's correct.

Q And almost immediately, he's saying the two girls, MINOR 1 and MINOR 2, approach him?

A That's correct and refer to him as Uncle Matt Matt.

Q And they kind of have an embrace, a hug, something like that?

A Yes, he approached the two girls and they had whatever kind of connection they had. He indicated that he knows the girls. And he had spent some time with them is what he indicated, so he knew them well.

Q And he knows the girls how again?

A He indicated that R.J., the father of those children, that he and R.J. are cousins. Now, I don't know the bloodline or what their relation may be, but that's what he indicated.

Q R.J.'s the biological father of these two girls and Ashleigh Cockrell would be the biological mother?

A That's the understanding I got, yes.

Q And Ashleigh Cockrell is Tony's girlfriend or fiance?

A That's the understanding that I got as well, too.

Q So at that point after Matthew and the girls are greeting each other, that's when Tony and Matt have a confrontation of sorts?

A Matthew indicated that Antonio Jackson approached him and told him to leave the kids alone. You know, made reference that he could be, you know, a pervert, a sexual offender. Matthew indicated that Tony was saying that, you know, and that Tony did not want him to touch the girls. So, apparently, that's when some sort of verbal confrontation ensued.

Q So it's clear that Matt says he and Tony don't know each other; is that correct?

A That is correct.

Q And since Tony didn't know Matt, he accuses Matt

of being a potential pervert or pedophile touching the girls?

A That's according to Matt, yes.

Q All right, continue on.

A So, you know, just talked about how that confrontation, the verbal confrontation came between him and Tony and that at some point later on, he left. That he went to an establishment around the corner known as Buffalo Creek or Buffalo Bar and Creek Grill to where he went and sat down, I think had an alcoholic beverage and hung out for a little while. He called his mother at some point in the afternoon, that he wanted or needed his mother to come pick him up.

Q So just to back up. So they had this confrontation where Tony says don't touch the girls, I don't know, you could be a pedophile, child molester, pervert, something like that?

A That is correct.

Q So they're kind of going back and forth verbally, was that your impression?

A They had some sort of discussion verbally. Whether it was, you know, if it was profanity laced or it was somewhat civil, but they exchanged words.

Q Okay. At that point, is this in the afternoon or what time of day?

A He indicated it was in the afternoon, that's correct. Did not or was not able to provide an exact time or even within a real close proximity, but just appeared to be in the afternoon hours.

Q Then he says after this verbal dispute between him and Tony, Matt says he takes off on foot to nearby Buffalo Creek Bar and Grill?

A He indicated he got a ride and he just went over to the Buffalo Creek Grill. He sat there and ordered, I think he ordered a drink, you know. Stayed there for a little while and called his mother.

Q But that is walking distance from this boat ramp, correct, Buffalo Creek Bar and Grill?

A Yes, not too far.

Q So you could easily get there on foot?

A Oh, yeah.

Q So you said he went there for a beer and then you said Matt told you that he called his mother to pick him up at the Buffalo Creek bar?

A That is correct.

Q All right. Take it from there.

A So he calls his mother and he also indicated that he told his mother what had happened earlier in the day when he had the confrontation with Tony. And that he indicated that while he was there that some people tried

to jump on him. Also, indicated that Tony was there with a megaphone or bullhorn, as he tried to explain to me, and that's how he was amplifying his voice, that Tony was yelling obscenities in the direction towards him. And he also indicated that there was some marijuana present along with the kids as well. Just kind of bounced around a little bit.

I asked him, I said, If you saw marijuana, you know, why didn't you call law enforcement if you've got children around the presence of marijuana?

And he just indicated that that's not the way he preferred to do it, but that he did text the father to the children, which is R.J., to let him know that, hey, you're kids are down here and they got some marijuana involved.

Q So this is R.J., the biological father to the girls, who's Matthew's relative or friend?

A Yes.

Q So Matt said he informed R.J. about what was going on at the boat ramp?

A That's what he indicated to me. He said, I rather text the father.

So I'm assuming that he probably did.

Q But again, he initially indicated it didn't get physical with this whole verbal confrontation?

A He indicated it didn't get physical or anything was about to get physical.

Q But he did say at this point in the interview that he told his mother that people at that incident location tried to jump on him, though?

A That is correct. I'm not sure what he was going for there.

Q Then the megaphone and hollering obscenities at him, he also mentioned that?

A And then brought up the fact that there was marijuana present as well.

Q All right. Moving on, did Matt indicate if his mother actually did pick him up?

A He said that she came later on to pick him up and that -- he indicated that it was his mother's idea that they go back to the incident location at the Sunset boat ramp because there were some pants that she left there the day before. And she wanted to go pick up those pants.

Q Do you find that odd considering his previous statement was he had told his mom that he had gotten into a confrontation there at the boat ramp?

MR. VERNER: I think he's asking for kind of an opinion, Your Honor.

THE COURT: Sustained.

Solicitor, isn't it the State's plan to play this video, audio interview?

MR. DANIEL: Yes, sir, it is.

THE COURT: I'm not opposed to going through what may have said -- what the defendant may have said, but watch the interview?

MR. DANIEL: Yes, sir. But, I guess, yesterday Mr. Verner kind of did the same thing on playing the body cam and asking them questions. There's certain things I'm trying to flesh out that might not be clear when you hear the interview.

THE COURT: I can understand that, but it seems like you're going through point after point. I'm just wondering why all of that may be important. I'm not trying to tell you how to try your case. I'm just inquiring.

MR. DANIEL: I can play it now, Judge.

THE COURT: You can do it whenever you want to. I'm just making that inquiry.

BY MR. DANIEL:

Q In any event -- all right, Lieutenant Lominack, did you have occasion to watch the body cam interview you did with Mr. Matthew Jackson?

A I have.

Q So you reviewed it. State's 22, you recognize

that?

A This is the disk where I initialed where the body cam video was downloaded onto the disk for court purposes.

MR. DANIEL: Your Honor, I offer State's 22, the recording, in evidence.

MR. VERNER: Without objection, Your Honor, subject to maybe the specific --

THE COURT: Areas that we discussed earlier?

MR. VERNER: Portions of it.

THE COURT: The State's resolved it?

MR. VERNER: Yes, sir.

THE COURT: You're protected on the record. Twenty-two for the State.

(WHEREUPON, State's Exhibit No. 22 was marked for identification and received into evidence.)

MR. DANIEL: Your Honor, permission to play the interview?

THE COURT: Sure can.

Ms. Georgia, dim the lights like you did before.

MR. VERNER: Ms. Georgia, hold on one second.

I don't know if we need all of them dimmed, Judge, maybe one set of them, but however the Court wants it.

THE COURT: Well, doesn't matter to me.

MR. DANIEL: Your Honor, if any of the jurors can't hear, if they would raise their hand.

THE COURT: Raise your hand if you can't hear. I don't think the audio has started yet.

MR. VERNER: Go ahead, turn them all off.

THE COURT: We've got a little technical difficulty. We'll work on that and get it going.

(WHEREUPON, State's Exhibit No. 22 was published.)

MR. VERNER: Your Honor, I want to play the next couple of minutes. Now might be the time to play a couple more minutes or play the last little bit of it.

MR. SCOTT: Where do you want us to stop?

MR. VERNER: Yes, sir. When he confirms calling the deputy and some other phone calls.

THE COURT: Cut off at that point?

MR. VERNER: Yes, sir, I'll stand up, it's just a minute or two more.

THE COURT: Okay. All right.

All right, Mr. Bentley.

(WHEREUPON, State's Exhibit No. 22 was continued to be published.)

MR. VERNER: Probably the 56-minute mark.

All right. That's fine.

THE COURT: Yes, sir, unless they want to play.

MR. DANIEL: No, sir, Your Honor. I'm ready to proceed with questioning.

MR. VERNER: Your Honor, could we take a quick bathroom break? I understand we're in the middle of it, but since we watched the video, I could use a restroom break.

THE COURT: Sure. Take a short break.

Mr. Foreman, ladies and gentlemen of the jury, if you'll go back to the jury room, we'll get you back out real shortly.

(WHEREUPON, the jury left open court at approximately 2:44 p.m.)

THE COURT: All right. Anybody needs to use the restroom, go use it now. We'll get started back as shortly as possible.

(WHEREUPON, a short break was taken.)

(WHEREUPON, the jury came into open court at approximately 2:52 p.m.)

THE COURT: All right. Let the record reflect the jury is back in.

Solicitor, you may proceed.

MR. DANIEL: Thank you, Your Honor.

BY MR. DANIEL:

Q Lieutenant Lominack, I guess that was roughly an

hour, maybe just shy of an hour interview that we just listened to. When you're compiling your investigative reports and after you've interviewed witnesses, they're recorded now on body cam, correct?

A That is correct.

Q Do you have to go back and rewatch it several times when you're doing your reports?

A I have a rule or law that you have to go back and do it or it's customary to maintain your memory of everything that occurred. I think it's good practice to do it. I do it.

Q And for Mr. Matthew Jackson, this particular interview, it's kind of difficult to follow, would you agree, just watching the interview?

A It's lengthy, sort of -- I wouldn't say it necessarily changes plots, however, bounced around a little bit. Some of the facts kind of changed a little bit. And it was a lot to maintain within a 65 to 70-minute period.

Q Correct. All right. But from the beginning, though, I think around the 3 minute, 30 second mark, is it true that Mr. Jackson said he was going to tell you guys the truth?

A Yes, that's pretty much it.

Q Okay. But then, I guess later on, probably,

according to my notes, Mr. Jackson admitted that he had lied to you during portions of the interview; is that right?

A As you saw that, I really felt like that I wasn't, you know, getting anywhere with the situation, the facts that I obtained. And you saw me stand up and tell him. Of course, at the time, he stood down and said, Okay, let's talk again. Then at that point again, he said, All right, this is what happened. So like I said, just kind of changed plots a few times. It took a little while.

Q But is he consistent -- is Matthew consistent that he told his mother about the earlier altercation when she picked him up at Buffalo Creek?

A I think he had already called early on and when he called, he explained that there was a situation that he had, they tried to jump on him, as he said, when he was talking with her. So, you know, we heard some other names come up. Cameron was brought out a lot. So it bounces around.

Q Okay. So, during a portion of the interview, Matthew does say that he was with Cameron Goff, and B.J. and a Casey Gregory; is that correct?

A That is correct.

Q And those are the individuals who were in a

black car?

A Yeah, those were the other three males that were with him.

Q Okay. And you helped us put together this trial and subpoena witnesses; is that correct?

A Yes.

Q And we attempted to locate -- or did you attempt to locate Cameron Goff, Casey Gregory and this B.J. individual?

A Well, I talked to Casey's mother and she indicated that he was in a rehab facility. We confirmed that with his probation officer. Cameron Goff, he's in the Department of Corrections doing time, so we had to deal with that. And B.J., we found out through the probation agency that he's also in a rehab facility, I think, in the upstate. Casey is in Morris Village in Columbia. I'm not sure where Cameron is located or the Department of Corrections has him located. B.J. is in the Greenville area.

Q Okay. So that would explain why these three men are unavailable as witnesses?

A That is true.

Q Cameron Goff is currently in prison?

A He's in prison and the other two are in in-house treatment programs where, apparently, through probation

office and through the court, that they were ordered to get in-house treatment. Which is like, I'm not going to say a jail for drug users, but it's an in-house treatment facility where you have to stay there in order to get drug rehab.

Q Okay. So B.J. Lipscomb, is that Bobby Lipscomb?

A I think he's Bobby Charles Lipscomb, Jr.

Q He's in an inpatient facility and, also, Casey Gregory is in inpatient facility as well?

A That is correct.

Q For drug treatment. All right. So all three men are unavailable to testify; is that correct?

A I'm not sure how the in-house treatment programs work, but I don't think that they would be able to be released. I mean, unless they were court ordered. They weren't available just to come in like the others are.

Q Okay. All right. Tell me this, it looks like around the 25-minute marker or a little bit after that, Matthew says that he didn't become armed with a knife until he got into his mother's car. I guess, after she would have picked him up at Buffalo Creek?

A That is correct.

Q Did you find that statement of any particular significance?

A I was asking him where did the knife come from.

So it was pretty significant considering that Tony was injured by a knife. So I wanted to find out when the knife came into play, was it something that he picked up off the ground or did he already have it on him.

Q So he's, essentially, admitting, if you take his full interview in totality, not becoming armed with a knife until after that initial verbal allocation?

A Correct.

Q Correct?

A Yes.

Q And he got out of his mother's car with the knife?

A According to what he said.

Q And I believe you asked him around that same time period in the interview, y'all were trying to ask him where is that knife currently located?

A He said he didn't know where it was at.

Q Okay.

A Didn't indicate that he threw it in the river, threw it in the lake, gave it to somebody, just indicates he didn't know where it was at.

Q And so, Matthew, was he consistent on the fact that he went out there to help his mother retrieve a pair of pants at the boat ramp?

A Yeah. He talked about it several times of

that's what she wanted him to do. That's not really what he was worried about doing, getting the pants, but it was mentioned more than once.

Q But Matthew made it clear that his mother knew about this prior verbal altercation with Tony?

A Said he talked to her on the phone.

Q Then, in fact, that's when Cameron Goff and the two other men, Casey Gregory and B.J., come into play as well; is that correct?

A Right.

Q Okay. I think, looks like around the 24 minute, 30 second mark, does Matt say that he called Cameron to make sure that he didn't get jumped, something to that effect?

A Yes.

Q Did he also say -- did Matt also indicate that he should have kicked Cameron's ass because Cameron didn't intervene to help him and his mother?

A Didn't know why he was out there.

Q So he needed Cameron -- did you take it that he needed Cameron's assistance to retrieve this pair of pants?

A Not in order to retrieve the pants. I don't think he needed any assistance on that.

Q Okay. And I guess kind of towards the end of

the interview, Matt said he had too much pride to take an ass whipping?

A That's the reason why he couldn't tell them.

Q And again, I showed you that booking photo. You can see it in the body cam interview. Did he seem like the man who had extensive physical injuries?

A I don't know what all you were able to see when I moved the body cam up to it. I believe it was his left forearm, it looked like there was something that to where he could have been, you know, hit the gravel or something like that. You can tell it was some kind of injury. I wasn't able to detect anything on his arm. I don't know if his tattoos covered it up, but didn't notice anything around the facial area. And on his fingers, perhaps, there might have been some kind either defensive wounds or any kind of injuries where he landed on the gravel, so to speak. He had something on his hands. He started pulling up his pants. And it was just a little difficult if he had anything else.

Q And Matthew never complained of an injury to his face, did he?

A Never said that he got shoved in the face or never complained of any injuries. Again, you know, we're doing the interview almost 48 hours after the incident, you know, two days later. I didn't see anything on his

facial area.

MR. DANIEL: States 28, Walter.

BY MR. DANIEL:

Q It was asserted in opening statement by the defense that he had the blackest eyes ever seen that took a year to heal?

A I would believe that if you were -- I'd say that if you were hit in the eye on Wednesday, that you would see some sort of aftermath by Friday.

Q Again, that was taken the same day of the interview, June 8th?

A Probably, maybe around an hour before we conducted the interview.

Q And again, I don't know if there's really any injuries at all to his face.

MR. VERNER: Is that a question, Your Honor? If not, I object to it.

THE COURT: Repeat the question. Rephrase rather, Solicitor.

MR. DANIEL: Yes, Your Honor, my apologies.

THE WITNESS: Looking at the booking photo and the hour of time that I spent with him, I did not -- I can't see injuries on his face.

BY MR. DANIEL:

Q Okay. And again, this, I'm going to call it the

first encounter where it was just a verbal encounter, Matthew makes it clear that Tony was, essentially, threatening him in some way?

A He indicated that he was using a bullhorn or megaphone to do that.

Q Didn't at one point, though, Matthew say that he was -- that Tony threaten to throw him off the dock in this first verbal encounter? Around the nine-minute mark?

A I think pretty much exact words was that Tony was talking shit and that also told him he would throw him off the dock, yes.

Q But again, Matthew's saying that his mother wanted him to go back to this same location to pick up a pair of pants?

A Pair of Gap pants is the way he also described them, yes.

Q And did you take it from the interview, from the full interview, that Matthew was trying to protect his mother from criminal charges?

A You could tell that he had somewhat of a, you know, genuine care about his mother. But at the same time, he mentioned that even his mother called, you, know, authorities on him previously on a night or two. So it was kind of a bounce back and forth again situation that about, you know, Sheila was involved.

Q But again, I think around the 20 minute, 30 second mark, he says that his mother took him to Sumter after the incident?

A That's correct. He indicated that on the way back to the house, he called it Troy's house, take him back and after that is when she took -- she took him to Sumter.

Q And Matthew indicated that his mother drove him out to the boat ramp, correct?

A After he called her from Buffalo Creek, yes.

Q So she drives him to the boat ramp, but, eventually, Matthew does indicate that that's where Cameron pulled up in his separate vehicle?

A I think behind them as there were going, yes.

Q Okay. And he also says he got the knife out of his mother's car once she picked him up?

A Right.

Q How does that help his mother escape criminal charges?

MR. VERNER: Your Honor, is that a question the officer has personal knowledge of?

THE COURT: Sustained.

BY MR. DANIEL:

Q All right. And Deputy, who was the other man who was questioning Mr. Matthew Jackson in the room?

A The other person in the room is another investigator, Sergeant Ren Henderson.

Q Okay. And he was asking questions, you were asking questions. Explain Deputy Henderson's role in that interview.

A Well, they're multiple reasons to do that. You know, one person may pick up something that the other one didn't pick up. You know, if I'm sitting there asking most of the questions and I listen to an answer and then I ask another question or something like that, like Sergeant Henderson could pick up on something and he could write it down and ask him something later. Just having another brain in there with you that might pick up something that you didn't get.

Also, at the same time, we all have different personalities when we're talking to people. You probable watch a lot of TV shows and see how the staged interrogation goes good cop, bad cop kind of situation. I've always felt like you don't really get anywhere when one guy's fussing at you and the other guy is trying to be your friend at the same time.

I was -- when I was talking with Matt, I let him know on more than one occasion that I didn't understand what he was telling me because it just didn't add up from all the other information I obtained. I asked

him on two different occasions if he wanted to terminate the interview.

But, you know, Matt said, No, no, we're good. Let's keep talking.

So Ren has a little bit different personality as you can hear. We kind of talk on the same level to what Matt's talking about, probably heard some vulgarity, some profanity.

The only thing I wanted to do with Matt early on was to make him feel comfortable. I'm out here, I'm not going to sit there and just try to rag him down and, you know, kick him in the but and, you know, threaten or coerce him because on this rights form that we do, you know, we tell you we're not -- you know, we're not going to press you. We're not going to threaten you. We're not going to coerce you. So if you're a fan of those TV shows where they do a lot of interrogation, you know, you can't do that. These guys are protected from that. Quite frankly, I don't like it anyway.

So different personalities. When I'm talking to him, perhaps, I can get on the same level with the person and then another investigator can also connect with him even better. So it's just one investigator picking up from the other one if you missed something.

Q All right. Who was -- in this good cop, bad cop

dynamic, who was the good cop and who was the bad cop?

A I thought we were both good cops. I guess, if you had to look at the situation that way, then, perhaps, maybe Ren, Sergeant Henderson might have maybe a little more kind of talked with him and agreed with him in certain situations to make him feel good, where, you know, you saw me in two different occasion, I was going to break down the interview because it wasn't going good. So I guess if somebody had to be the bad guy, it might have been me.

Q So, essentially, you're saying that as an investigative technique, correct me if I'm wrong, good cop, bad cop is an investigative technique?

A It is. It's not like we sit outside the room and go in and say okay, I'm going to do this, I'm going to do that. You just kind of get started going with it and then you kind of figure out on the fly how it's going to go, which guy can connect with him best. We connected pretty good all the way around. Sergeant Henderson really, you know, just kind of went with the flow with him and kind of agreed with some of the statements and keep it going. That's what we wanted to do, we wanted to keep it going. Because you heard Matthew himself say I don't normally talk like this with cops, I don't normally do this. So we wanted to keep talking. So we just wanted to

kind of have that scenario going, perhaps, to where I didn't believe him. You know, he didn't do it. Sergeant Henderson is going to sit there and say okay, I agree. I get what you're saying.

Q Okay. So when Sergeant Henderson's making a statement about Tony, the victim, not having clean hands in this whole scenario or not being totally innocent in this?

A I guess that would be normally he was the good cop.

Q And that's designed to elicit information from a suspect like Matthew Jackson?

A That's right, keep it going. Like I said earlier, he himself said, I don't normally talk like this with cops, law enforcement.

Q You, as playing the, quote, bad cop, you were -- at one point, you did try to terminate the interview when you felt Matthew wasn't being truthful?

MR. VERNER: Asked and answered numerous times on this technique, Judge.

THE COURT: Let's move on to something else, if you would.

BY MR. DANIEL:

Q And. . .

Beg the Court's indulgence.

THE COURT: Sure. Take your time.

MR. DANIEL: All right, Lieutenant Lominack, please answer any questions Mr. Verner has.

THE COURT: All right, Mr. Verner, cross.

CROSS-EXAMINATION

BY MR. VERNER:

Q Even though y'all have investigative techniques, you're not suggesting for a second that neither you nor Investigator Henderson were lying or saying anything untruthful during the interview?

A I wasn't saying anything untruthful.

Q All right. Are you familiar --

MR. VERNER: May I approach, Your Honor?

THE COURT: You sure can.

BY MR. VERNER:

Q Are you familiar with the photograph of the glasses?

A Those are photographs of the deputies of the glasses, yes.

Q Okay. But this would be part of the case file that you would have?

A That is correct.

Q I see you wear glasses too?

A I have to wear some reading glasses as I've gotten older.

Q Reading, not prescription?
A Not prescription, no, sir, just reading up close.
Q Which side of the face of these glasses were broken?
A I'd have to look at the photograph and try to make the summation of it.
Q Would it be my right eye or my left eye?
A It looks like the lens on the left eye is --
Q Well, look at that again.
A That's the right side and that's the left side.
Q I'm sorry, if you're looking at it, it would be -- well, it would be the person's right eye, wouldn't it? Well, it depends on whether --
A Well, if I turn it upside down, still it looks like the bridge of the sunglasses. It looks like it would cover the left eye.
Q Do y'all have the glasses here?
A All the evidence was brought up here to the courtroom.
MR. VERNER: Are the glasses still here?
MR. SCOTT: That's the tank top.
BY MR. VERNER:
Q And just to figure it out, the topside of the glasses is the side facing the 20-dollar bill, right? If

these were --

A I'm looking at the photograph and it looks like that you wouldn't put these glasses on like this. If they go that way, they just look different.

Q Okay.

A Either way, one side is damaged.

Q Okay.

MR. DANIEL: Your Honor, objection. I don't think that's in evidence.

MR. VERNER: Well, he's got -- one of them is.

THE COURT: I thought one of the photographs of the glasses was put into evidence.

MR. VERNER: They are, Judge, right here.

THE COURT: Right, No. 3.

BY MR. VERNER:

Q And this would be a little bit better. It's clearly the right lens that's broken?

A Yes, this looks little bit more better. I'm looking at it where it would be the right side. That's a better -- little closer.

MR. VERNER: Can we have, Mr. Bentley, Defendant's Exhibit 3?

BY MR. VERNER:

Q It's clearly the right lens -- if it was on your face, it would be the lens of the right eye?

A Yeah. Yeah, I would say from this photograph that it would be the right side from this photograph.

MR. VERNER: Thank you. Solicitor might have solved it. We'll find out.

Your Honor, I will introduce Defendant's 4 -- 5?

THE COURT: Without objection, 5 into evidence for the Defense.

(WHEREUPON, Defendant's Exhibit No. 5 was marked for identification and received into evidence.)

BY MR. VERNER:

Q So we're not -- that's clearly the right lens?

A Yes.

Q Okay.

MR. VERNER: My understanding without objection, Your Honor?

THE COURT: That's right.

MR. VERNER: Defendant's 5.

BY MR. VERNER:

Q Still got a lot of dirt and sand on it. Might have to just -- but, generally, that evidence would be in the same condition as it was seized?

A I'm assuming that it is.

Q Okay. It would be the right glass -- step on up for a second.

MR. VERNER: May I approach, Your Honor?

Can you step down, Mr. Lominack?

THE WITNESS: Sure.

BY MR. VERNER:

Q Come up closer. Face the jury for a second. A little bit closer. Mr. Lominack, step on up. Okay. Are you familiar with it would be his right eye? You don't see a distinct black mark running through his right? I mean, if you don't, you don't.

A No, I see that. I don't know what it's caused from.

Q Well, I'm just asking you if you see a distinct black line under his right eye?

MR. DANIEL: Your Honor, this is a little bit unorthodox at this point to have the Defendant showing his physical characteristics.

MR. VERNER: They got the blowup of 28, still on the screen, Your Honor.

THE COURT: Okay. All right.

MR. DANIEL: But, Your Honor, it has no relevance, this is how he appears today. We're talking about how he looked on June 8th. We don't know how the injuries --

THE COURT: Suffice it to say, I don't think Lieutenant Lominack would be able to give a reason for whatever he sees on the Defendant's right eye.

MR. VERNER: I'm not asking if he can say that that's an injury from that fight. I'm just asking if he saw a distinct black line under his right eye.

THE COURT: I think Lieutenant Lominack said he did. Move on, please.

MR. VERNER: Can we have 28 off, please, Mr. Bentley?

BY MR. VERNER:

Q And you're aware Matthew's got a glass eye in his left eye?

A No, I didn't know that.

Q Okay.

A Until, I think, yesterday.

Q Okay. And, I mean, I understand you're an officer and you've had over 20 years of experience, but there's nothing preventing the jury from watching that video and hearing the questions and answers and seeing that, that they can watch the disposition of Matthew and you and everybody else and get their own interpretations, too, can't they?

A I guess so.

Q All right. I did have some questions about -- the Solicitor asked you some questions about why you had not -- by you, I mean the State has not produced Cameron Goff, B.J., what was his last name?

A B.J. Lipscomb and Casey Gregory were the other two.

Q Okay. And indicated that they are unavailable. They're not really unavailable to get here in court, are they?

A You can contact the Department of Corrections and they can make that transport and all that. I don't know about the drug treatment facilities. I just don't know their policies on how that works.

Q From your experience here in court, the Solicitor's office routinely gets people out of SCDC and brought to county courthouses?

A I've seen it done before, I don't know what the percentages or how often it is. But inmates in the Department of Corrections, they have been transported here before.

Q And as far as Casey Gregory, you videotaped an interview with Casey Gregory, didn't you?

A The next day, Casey came to the probation office and they contacted us that he was out there. Sergeant Henderson and another investigator, Sergeant Grant went by and spoke to him.

Q Any statement he would have given, you've got a videotaped statement from Casey Gregory?

A Body worn camera was also activated during that

interview.

Q Similar, not exactly, but similar to what we saw with Matthew?

A That is correct.

Q And you've got that available?

A That is available.

Q And there's nothing that really -- if an officer went to Morris Village and said we've got a subpoena or a warrant to go pick up Joe Blow --

A An arrest warrant, they don't release people on arrest warrants. I mean, maybe if it was a felony of seriousness of murder or attempted murder, anything like that, but Morris Village is not going to release anybody for like a bad check or petit larceny. I just don't know the policy of Morris Village and drug treatment facilities of how they release people who are court ordered to be in here.

Q So they're not truly -- they might be harder to get than a typical witness in the community, but they're not unavailable?

A The SCDC guy, Cameron, no, just fill out the paperwork and they transport him here. I cannot explain about the two in drug treatment facilities.

Q And my guess is -- I see the interview with you and Matthew as kind of you're talking apples and he's

thinking oranges. Your concern initially about this case was that it appeared to be a group or a mob attacking individuals and you were concerned about Cameron's role and the other people, weren't you?

A It was never insinuated as some sort of assault by a mob. You heard me ask about, you know, why you need all that to go back down there. So that was, you know, referenced.

Q I thought I heard you talk about well, Cameron's an accessory?

A Further investigation concluded he was the one that -- if he some sort of -- somehow agreed, combined or conspired with Matthew to go down there to cause some kind of harm, yes, further charges could have been brought forward.

Q But it seems to me from watching the video that your concern is you're trying to elicit more information from Matthew about Cameron and the role of the other individuals who said to be out there?

A The first thing, the only thing I was looking for information on was the totality of it.

Q Things that were not inconsistent were Matthew said, I had been at the boat ramp earlier that day. There was some kind altercation between me and Tony. Is that true? He was always consistent about that?

A Through the witness statements, yes, that would be pretty consistent.

Q That he left and went to Buffalo Creek. Is that consistent?

A According to Matthew, that's where he went, yes.

Q That was always his -- well, I'll save it for closing arguments. But the core of his story of what happened has always been consistent, right?

A Such as?

Q That he was -- that it was a one-on-one altercation between him and Tony and that he was --

A Yes, he indicated that, you know, Cameron, B.J. and Casey, they mostly stood by.

Q Okay. Well, let me -- if me and my friend go to beat somebody up and my friend's the only one who actually physically beats him up, but I am standing with him mean mugging and I've got a gun or I'm giving him support, you would have grounds to arrest me, too, as participating in that, wouldn't you?

A I don't know how to answer that because we're talking about a what-if situation.

Q Well, I mean, if you had an allegation that two people went and attacked somebody and one of them didn't participate in the fight, but he had a gun, that's a crime, too, to present a gun to somebody, right?

A That is correct.
Q And that would give you -- if you had me --
A If there was sufficient evidence for probable cause.
Q That's right. And that would -- as an officer, I would think that the introduction of any allegation of a gun in any kind of violence, it instantly makes it more concerning?
A It is concerning, that is correct.
Q A fistfight's a fistfight, but introducing a gun raises everybody's concern?
A It could elevate it, that's correct.
Q That's right. And did you make any other arrests in this case?
A Other than Matthew?
Q And his mother.
A And his mother, those were the only two.
Q Okay. Did you interview John Platts personally?
A I think it was a phone conversation. There was some phone tag and I think it was conducted by telephone. Due to his work schedule and my work schedule, I think, yes, there was a phone call made.
Q Unless you get new information, is the investigation of this case ongoing or are we largely at the conclusion?

A Regardless if you close it out, if you're done with it, set everything up on the shelf or whatever, you can always go back if you need to reindict anybody or make any arrests, yes, that can be done.

Q Are there any unserved warrants out there?

A No unserved warrants, no, sir.

Q And, in fact, at the time that you had interviewed Matthew Jackson and gotten his side of it, you had already --

A The warrant had already been obtained for his arrest.

Q For attempted murder?

A That is correct, yes.

Q And just -- I'm not trying to be argumentive, but when you asked Matthew where the knife was, do you remember asking him where the knife was?

A Yes, sir.

Q He started to try to tell you and y'all cut him off and moved to another subject. You don't remember --

A He indicated that he didn't know. And yeah, that could have been a chance that we did move too quickly on that, but the answer that he had given at the time or the way it was going just didn't think it was going to lead that way.

Q The jury can watch it if they want to, but he

started, he said, I don't know where it is, but I think it might be or something like that and then?

A It could have, you're right.

Q And it's fair -- this is my last question for you. But you don't remember getting any phone calls from him, right?

A I did not. The answer is I did not get any phone calls from him on his phone. You know, that's why I wanted to look on his phone to kind of confirm did he actually try to call me the next day. My number did appear on there. I just don't know if it just didn't go through, whether he hit the send button, you know, 803. I think on my phone -- I know on my work phone, I do have to enter the area code first. It was typed in there, but I did not receive it. It could have been just to where at the time where I was at, maybe I could have been out of range. But I did not receive a phone call or any other message from him.

Q And some people -- I deal with lower income people, have kind of cell phones that if they're not connected to a WiFi signal, they can't use the --

A Right, that's absolutely correct. Some people have different plans of how they can -- they have them where you can just text instead of making phone calls.

Q So when they rewatch it, there's a dispute about

he said he tried to call you the day after, you said, Well, I didn't get a call?

A Right.

Q He did show you the cell phone, then --

A Yeah, and just sitting here, you know, about what time he called his mother. I think the timeline is asked amongst everybody. We know it happened on a particular day at a particular time. So wanted to kind of get a timeline of when he was at Buffalo Creek, what time he calls his mother and also to see if he actually tried to call me.

Q And he actually showed you all the calls from June 16th?

A It showed up there. There were a lot of calls. We were trying to figure out did you go up, did you go down. I didn't know which way it was going to take us.

Q But as far as that goes, as far as the phone calls that were made or any messages, those cards were played face up to you during the interview?

A Yes.

MR. VERNER: Okay. Thank you.

THE COURT: Redirect, Mr. Daniel?

MR. DANIEL: No, Your Honor.

THE COURT: All right you can step down.

All right. Mr. Foreman, ladies and gentlemen of

the jury, let's take another break about ten minutes. Ask that you go back to the jury room and we'll proceed forward in just a little bit.

(WHEREUPON, the jury left open court at approximately 3:29 a.m.)

THE COURT: State ready?

MR. SCOTT: Yes, Your Honor.

THE COURT: You ready?

MR. VERNER: I am, Your Honor.

THE COURT: Georgia, bring the jury out, please, ma'am.

(WHEREUPON, the jury entered opened court at approximately 3:48 p.m.)

THE COURT: Let the record reflect the jury is back in the courtroom.

Solicitor Scott, you're standing, so I'll turn it over to you.

MR. SCOTT: We call Ren Henderson.

THE COURT: Come around please, sir.

THE CLERK: Place your left hand on the Bible, raise your right hand.

REN HENDERSON, after being duly sworn, testified as follows:

THE CLERK: Please be seated. State your name for the record.

THE WITNESS: May name is Sergeant James Henderson, I work for the Newberry County Sheriff's Office.

DIRECT EXAMINATION

BY MR. SCOTT:

Q I call you Ren, why do you go by Ren?

A It's short for Warren, my middle name.

Q All right. Say your name again.

A James Henderson.

Q Everybody hear okay? We just watched the interview with Matt Jackson.

A Yes, sir.

Q And Garrett Lominack testified. And there was a rather -- the voice of a rather deep voice coming from another person, was that you?

A Yes, sir.

Q And there was, at least, one comment that I found noteworthy and I wanted you to explain it. There was some testimony earlier about, I don't know, when two investigators interview a single person, the strategies they use. On TV, some people call it good cop, bad cop. But at any rate, do you employ certain strategies when interviewing a suspect in any kind of crime?

A Yes, sir, we do. We actually take continuing education classes through the State, through the FBI and,

also, the Secret Service on how to properly interview a suspect.

Q Generally, what is the idea when you're interviewing a suspect? Are you trying to get as much information as possible?

A That's correct. There are several steps, to include first impression, reinforcement, but the big one is rapport. So any time you're interviewing a suspect, we try to build that rapport, sense of trust so they can tell us their story.

Q Are you trying to facilitate an environment where they feel comfortable giving you information?

A Absolutely. I feel like we try to facilitate that comfortable environment for them.

Q Okay. There are times when you appealed to his sympathy for his mother, I noticed that. You talk about his mother's hurt and she wants answers --

A Yes, sir.

Q -- and she's trying to help you and whatnot. There's a point, I'm just going to play it, I think it's about the 36 minute -- 36 minutes and 40 seconds into it.

Walter, if you can cue it up.

I'm going to play it and I'm going to get you to explain it because I think it's something that needs explaining.

A Yes, sir.

(WHEREUPON, State's Exhibit No. 22 was published.)

BY MR. SCOTT:

Q Okay. You said, He's not an innocent victim. He can play it like he's an innocent victim, but he's not. Were you referring to Tony?

A Yes, sir, in that statement, I was.

Q Why did you make that statement?

A At that point, we had --

MR. VERNER: Your Honor, I do have an objection. Apparently, what he's doing is trying to get a witness to discount or say I didn't mean a statement when he's not being impeached by the statement. Basically, he's anticipating a prior inconsistent statement before the witness even gets challenged for making the inconsistent statement.

THE COURT: Well, let's do this. Let me send the jury out and we will see exactly what this witness is going to say and maybe I can have a little bit better handle on the nature of your objection.

MR. VERNER: Yes, Your Honor.

THE COURT: Mr. Foreman, ladies and gentlemen of the jury, this is one of those times I'll need to send you to your jury room.

(WHEREUPON, the jury left open court at approximately 3:52 p.m.)

THE COURT: All right. Solicitor, would you repeat your question.

Then Officer, you can go ahead and give your answer so I can hear, basically, what I need to deal with.

BY MR. SCOTT:

Q I think I just asked why did you make that statement, essentially, is kind of what I'm trying to get at.

Your Honor, for the State's -- I think you heard it, but he, basically, indicates on there that we know, you know, that the victim is not innocent, we know that. And I think he's just, basically, we want to get your side of the story. So there's a reason behind that and I think he can explain it.

THE COURT: Yeah, Officer, why did you make that statement to the Defendant during the interview?

THE WITNESS: Yes, sir. At that point, I had never actually met Tony, which is Antonio. I had no idea who he was. I made the statement as part of the rapport building. We had received -- we had gotten two conflicting statements before this one. I wanted him to feel more comfortable in speaking with me in

reaching the truth.

THE COURT: Okay.

THE WITNESS: But once again, I had no idea who Antonio was.

THE COURT: Now, do you want to renew your objection? If so, if you would restate your objection.

MR. VERNER: I do, Your Honor. One, it's, basically, they're trying to get a -- someone whose made a statement through the video earlier and the State is treating it as a prior inconsistent statement and therefore, they're offering testimony.

THE COURT: I don't know how the State is treating it as a prior inconsistent statement. He just asked the officer why did you make that statement during the during the interview. So I don't know how it would be a prior inconsistent statement.

MR. VERNER: Well, that's our position, Judge. But just that the State is, prior to this witness being impeached that they're, basically, allowing him to rebut anticipated arguments about the statement. Now, I think the statement's in evidence.

THE COURT: I'm going to overrule your objection and allow the question to be asked and the answer be

given.

Solicitor, I don't anticipate you spending a whole lot of time on this particular issue.

MR. SCOTT: No, sir. That's the sole reason I'm calling him and there might be one other followup.

THE COURT: Okay, that's fine.

Madam Bailiff, if you will bring the jury back out, please.

(WHEREUPON, the jury came into open court at approximately 3:55 p.m.)

THE COURT: All right. The jury's back in.

Solicitor, you may proceed.

MR. SCOTT: Okay.

One more time, Walt, just briefly, so we can. . .

(WHEREUPON, State's Exhibit No. 22 was published.)

BY MR. SCOTT:

Q Okay. That was the question before the brief break. You made that statement and you were explaining. Why did you make that statement?

A I made that statement actually --

MR. VERNER: Same objection, Your Honor.

THE COURT: Right, your objection is so noted.

THE WITNESS: I had never met Tony at that time,

Antonio. I did not know Antonio, I had no knowledge of Antonio. The reason I said it was we had received two conflicting stories before this.

BY MR. SCOTT:

Q From who?

A From Matthew. I felt as though Matthew wanted to tell us the truth.

THE COURT: Please speak up.

THE WITNESS: Sorry. Is that better? Okay.

I had never met Antonio. I wasn't aware who Tony was or anything. What I was doing was I was attempting to build a rapport with Matthew Jackson. He had given us two conflicting stories before that, some of the facts were related, some of them weren't. What I was trying to do was get him in an environment that he felt like he could actually tell us the truth where we could come to that final version of the story.

BY MR. SCOTT:

Q So had anything in your investigation at that point led you to think that Tony, Tony Jackson, had anything do to with the crime or that he came with unclean hands?

A No, sir, absolutely not.

Q So if we're hearing that on your interview,

you're telling us that was that part of the rapport building?

A Absolutely. We were trying to get him in an environment where he felt comfortable with the multiple version of stories coming to the truth and telling his story.

Q But that statement was not indicative of law enforcement investigation?

A No, sir, absolutely not.

MR. SCOTT: Thank you.

THE COURT: Mr. Verner, any cross?

MR. VERNER: A little bit.

CROSS-EXAMINATION

BY MR. VERNER:

Q Investigator, I take it, and tell me if I'm wrong, but you had already been speaking to Matthew for 36 minutes or so at the time that you made that statement?

A That's correct.

Q So you had had Matthew's side of what happened, right?

A We had -- he had given us some information.

Q Okay. You had spoken to him for 36 minutes, and the jury's seen the tape, 36 minutes, right?

A Yes, sir.

Q And you never tell -- and I'm not trying to trap

you here, but just as a general rule, you don't tell somebody you're interviewing untruthful information -- and I'm getting to this comment about the victim in this case, but as a general rule, you don't tell somebody untruthful information to try to get them to comment on something that you know is untruthful, right?

A There's several different interview techniques varying between the Secret Service and the FBI and to the sheriff's office here in Newberry. We have to use appropriate techniques for different people to relate to them and make them feel comfortable telling us the truth.

Q Okay. So I take it as you had heard Matthew's side of the case and you knew the allegations on the other side, right?

A We had heard information he had given us, a rendition of the story, yes.

Q So I'm taking it as you're using that as probably -- when you talk about I know he's not an innocent victim, that's not definitively saying as a matter of evidence that you know Tony's an innocent victim, is it?

A I had no knowledge of Tony at that time.

Q Right.

A Or his character.

Q That's exactly right. So you don't have any

knowledge of what Tony did or didn't do, right?

A At that time, no, sir.

Q Okay. So you're not saying it is a fact that I know at that time that Tony was an innocent victim?

A I'm sorry, what? Tell me that again.

Q So as of June 8th when that statement was given, it's not evidence for this jury that you knew then whether or not Tony was an innocent victim?

A I had no knowledge of Tony.

Q That's right. You're, basically, telling Matt, I've heard your version and I understand that, at least, your side of it that says Tony's not an innocent victim?

A Not necessarily.

Q Okay. Well, I mean, are you telling us as a fact that you know Tony's not a participant in this fight?

A I am not that familiar with the case. I was sitting in with Lominack. That's for the jury to decide.

Q That's right. You're, basically, just telling Matt I understand your side of it that says that Tony is not an innocent victim is, basically, how you would characterize?

A I would say it was more to make him feel comfortable.

Q Okay. What are the two conflicting stories? I'm not quite sure I understand what the two conflicting

stories Matthew gave at that time.

A The conflicting stories was some of the information he gave. Although, like I said, a lot of the information was shared in both versions, especially like why he went back down there. I think the second rendition was, and I quote, Buy pot. Then the other was trying to get some other things.

Q Okay. But he didn't talk about wanting to buy pot until like the 40-some-odd-minute mark?

A It was after the break in our interview.

Q But to the best of your knowledge, just quickly, because I want to end with this question. What are the two, the sum and the substance of the two conflicting stories Matthew gave to you? What's the meat?

A I think there was one -- one of the major statements was the second time that we focused on was when he said somebody said get the gun. That was his quote, which wasn't shared in the first one. Heard somebody yell, Get the gun.

Q I didn't hear anybody talk about a gun. Until y'all start getting on Cameron Goff, I didn't hear anything about a gun allegation?

A I'm sorry, I don't recall.

Q Okay. I'm just -- whether or not there were two stories, you felt his story was somewhat inconsistent?

A Yes, sir.

Q So whether there were two versions or just all of them didn't add up to what y'all thought was right? Just -- and I'm trying to figure out so the jury knows whether y'all are saying this is a version he gave that we know is untrue or just that we felt it just didn't all add up?

A We'll say inconsistencies.

Q So we're not talking about two substantially different stories, just talking about inconsistencies throughout the story?

A Yes, sir.

MR. VERNER: Thank you, Deputy.

THE COURT: Any redirect?

REDIRECT EXAMINATION

BY MR. SCOTT:

Q You only heard two inconsistencies?

A There were multiple inconsistencies in it. I did make some notes, but I felt like there were two renditions of the story.

Q At one point, did he say he was just accompanying Cameron over there?

A Yes, sir, if I recall correctly.

Q Then another point, didn't he say he was going to get some blue jeans for his mom?

A Yes, sir, that was in addition when he said he was with -- he went to go with Cameron.

Q Okay. Then didn't he say maybe he was going to meet some girls?

A Yes, sir. I think that was that Joyce or Regina Haven.

Q Then didn't he change it and say I'm going to go get some pot?

A Yes, sir, he did.

Q Then didn't he change it and say no, I was going to meet some people to take me to Newberry to buy some pot?

A Yes, sir.

Q So you weren't completely accurate when you said he only had two inconsistencies, were you? He had a lot of them, didn't he?

A There were several, yes, sir.

Q Okay. And by the way, that was the 1830 mark when Defendant said he heard Ashleigh say get the gun. So that's what you were referring to. That was the 1830 mark in the video.

MR. SCOTT: Nothing further.

THE COURT: You can step down, sir.

THE WITNESS: Yes, sir. Thank you, Your Honor.

MR. SCOTT: State calls Tony Jackson.

THE COURT: Come around, sir.

THE CLERK: Raise your right hand, place your left hand on the Bible.

ANTONIO JACKSON, after being duly sworn, testified as follows:

THE CLERK: Have a seat and state your name for the record.

THE WITNESS: Antonio Jackson.

DIRECT EXAMINATION

BY MR. SCOTT:

Q You go by Tony, though, right?

A Yes, sir.

Q You work at Pepsi?

A Yes, sir. I drive a 18-wheeler for Pepsi-Cola.

Q Okay. How long you been working there?

A Almost a year and a half now.

Q What are your hours?

A It varies. Sometime I go in at 2:30, sometime 4:30, it all depends.

Q You're a working man. Who all do you provide for?

A Me and Ashleigh have a three-year-old daughter together. She have daughters nine and eight and then I have a 13 year old, two 13 year olds -- well, two 14 year olds --

THE COURT REPORTER: I'm sorry, can you back off the mike some? Thank you.

BY MR. SCOTT:

Q You have twins?

A No, by different mothers.

Q Okay. A lot of mouths to feed. So I know I've met with you a couple times and you had to get off work to come meet with me?

A Yes, sir.

Q And you drive a Pepsi truck and stock different gas stations and people that need Pepsi products?

A And grocery stores, also, yes, sir.

Q Okay. In your free time, what do you like to do?

A Well, basically, me and Ashleigh, we ask the kids and nine out of ten times, during the summer time and after school, they want to go to the lake and grill out, so, normally, that's what we do.

Q And June 6th of last year, was that something you guys were doing?

A Yes, sir.

Q That was a Wednesday. Were you off that day or did you work some or what?

A Well, I went in and I worked and something happened while I was at work and I got off early, probably

around 10:30ish.

Q Then you all decided to meet down at the Sunset boat ramp?

A Yes, sir.

Q In the initial plan, who all was going to go meet down there?

A Normally, just me and Ashleigh, Alexis, she was staying with us at the time, my kids and Ashleigh two girls. And just spoke with Ashley Platts, her two kids and John once he got off of work.

Q Okay. But, initially, John wasn't out there when y'all first went?

A No, sir, he was at work.

Q And by the way, before this day, did you know Matt Jackson?

A No, I actually never met Matt. I had seen him once and that was about maybe four and a half years ago.

Q Why do you remember seeing him?

A We was down there when Ashleigh and them was going through -- you know, they was going through a custody battle with the kids. And we was down there with the girls that day and him and R.J. and some females were down there that day.

Q At the boat ramp?

A Yes, sir.

Q Anything happen that particular day?
A No, sir.
Q So no bad blood between you and Matt before June 6th?
A No, sir, never had any words with him.
Q R.J., you're referring to Russell Severance?
A Yes, sir.
Q And that is Ashleigh's ex?
A Yes, sir.
Q Okay. You, Ashleigh and he have had difficulties in the past; is that true?
A Well, to be honest, sir, I never had any problem with him. He had problem with me knowing that I was black. Yeah, he didn't want his kids around a black man.
Q R.J.'s a white man?
A Yes, sir.
Q And you say difficulties in the past he had with you because you're black?
A Yes, sir.
Q And that had brought difficulties between you -- well, at least, hard feelings, I guess, would that be safe to say?
A Well, we never actually met face-to-face. You know, when I first met her when I used to be at her house, he would ride past throwing bottles at my car trying to

break my windshield out and stuff like that. But like physical, hand-to-hand fighting, no incidents.

Q Okay. Did you ever see R.J. at the boat ramp on June 6th, 2018?

A No, I did not. But Matt did make the comment that R.J. would be there soon.

Q Let me get to that, though, that's on down the line there. When you first get there --

Walter, can I have State's 15 again?

When you guys are first there, you said y'all got up there about what time?

A I think it was noonish, a little after 12:00, a little closer to 1:00.

Q Did you take your grill down there?

A Of course.

Q Okay. Is that kind of routine, you take your grill with you?

A Yeah, all the time.

Q Okay. And the kids are going to be swimming all day?

A Yes, sir.

Q And are y'all playing loud music and carrying on?

A No, actually, I got a little Bose speaker that I connect into my phone or I can connect to their phone.

Q Okay. And y'all kind of have a spot that y'all frequent, is that like that -- at the boat ramp, y'all had your own little kind of spot y'all typically go to when you get there?

A Yes, sir.

Q Where is it?

A As you can see to the right of the passenger side of this truck with the boat, it's a little area that's on the right-hand side of the boat ramp closer to this tree.

Q In between these two pine trees and boat ramp is where y'all like to set up your blankets?

A Yeah, right -- like this part of some grass.

Q And then what do you do, put out a blanket and everybody kind of sits on the --

A Yes, sir. We put out maybe two or three blankets because we got our three daughters, my kids, Alexis' kids, John's kids. We normally just go out there with the family spend time with everybody.

Q On June 6th, was that where y'all were pretty much?

A Yes, sir.

Q And you had your motorcycle down there?

A Yes.

Q Okay. Ashleigh and the kids came in the

Chrysler 300?

A Ashleigh and the kids and Alexis was in the Chrysler, yes, sir.

Q Were you all parked in the lower part of this parking lot down towards the ramp or where were y'all parked?

A Down there where we normally be at. Sometimes I back the Chrysler, back the car in between the trees and the gravel.

Q Show the jury what you're talking about. I'm sorry.

A Like in between -- it's like a little -- sometimes because I have the grill in the trunk, so I park in between the trees right here.

Q Okay. That day, is that where the Chrysler was parked?

A Yes, sir. And the bike was on the other side. All of us down here.

Q And you guys -- were you swimming that day?

A Yeah -- well, I don't actually swim. I be down there, like, I don't really go off deep like they do.

Q Waist deep?

A Yeah, with the kids.

Q All right. Sit up there again so we can hear you. First time you see Matt, do you remember that, when

he first showed up?

A Yes, sir.

Q Did you see how he got there?

A No, sir, I did not.

Q When did you first become aware of him being there?

A Well, first, I didn't know who he was. We was all in the water. MINOR 1 was out eating chips on a blanket. And I just looked up and there was a guy standing on the dock in all white. He was just leaning over just looking, never said a word.

Q Not causing any trouble?

A Not at all.

Q Not really anybody to notice other than wearing all white at a boat ramp?

A Yes, sir.

Q He wasn't saying anything to you guys?

A No, he was just staring.

Q Did you recognize him at first?

A Not really because I don't know who he is. Like I said, I just glanced at him maybe five years ago.

Q But, I mean, at the time, did you recognize him to be R.J.'s friend?

A No, sir.

Q Did he at some point move away from the dock

towards MINOR 1?

A Yes, sir. He was walking off the dock and I guess he spotted her sitting on the blanket. And I just -- the only thing I seen him do was hug her. Like I said, I didn't even know who he was.

Q Is that when, I guess, the dad instincts kick in?

A Yes, sir.

Q Because MINOR 1, again, she's your stepdaughter, but do you treat her any different than your own child?

A No, sir. Me and Ashleigh don't have any step-kids. We do the same for each of the kids, feed them, clothe them, take them to school, pick them up. Like I said, no step-kids when you providing for the kids same as your own.

Q So in your eyes, MINOR 1 is your daughter?

A Yes, sir, she is.

Q When you see a man you don't recognize hugging on your daughter who's in a bathing suit, what is the first thing you do?

A I told him, I asked him -- I started walking that way, asking him why he was hugging my daughter.

Q You're getting out of the water at that time?

A Yes.

Q To go talk to him to see who this guy is?

A Yes, sir.
Q What did he say?
A Oh, man, I know them. I know her.
I said, Well, I don't know you. I need you get her hands off --
At the time, Ashleigh was swimming and she didn't see. I guess she heard me because my voice is distinctive so she know when I start talking. She so happened to turn around to see over there when I was talking to him.
Q Okay. Was -- did -- how did Matt take it when you kind of confronted him about it? Was he defensive? Was he angry that you would insinuate anything?
A Yes, at that time, he was. He was like, Man, I know her. These are my little nieces. You know, he was talking, he was mouthing off.
And like I told him, I said, Well, I don't know you.
These are R.J.'s kids.
I said, Well, they R.J.'s kids.
And that's when Ashleigh -- I guess I started getting kind of loud. Like I told him, R.J. ain't here now. They're in our care. I know they R.J.'s kids, I don't know you.
Q Eventually, though, Ashleigh explained he's

okay, he knows the girls and the girls kind of told you that they knew him?

A Yes, sir.

Q Is that how -- all right. And at that point once you kind of understood, all right, he's not a threat, what happened next?

A Well, actually, me and him talked a little bit.

Q What did you talk about?

A You know, we was like, yeah, man, of course, any father would do that. I said, me especially because especially with her two kids, we got five daughters, some of them teenagers. So I'm really protective of all of them, you know, stuff going on with pedophiles out here, people raping kids.

Q Did you mention that to him, that you never know who's going to be a pedophile?

A Yeah, I did say that.

Q Did he take offense to that?

A He kind of didn't at first, you know, like I said, it looked like everything was fine.

Q In your mind, everything seemed fine?

A Yes, sir. Before he left, he shook my hand.

Q Now, you didn't necessarily call him a pedophile. Is my understanding right, that you said, I'm sorry, you never know if somebody is a pedophile or not?

A Yes, sir, that's how I said it.
Q Okay. Did you say you shook hands or how did it end?
A He shook my hand and we went back to doing what we was doing. And we didn't even know where he went, he just walked off. He just like walked off in the sunset. I don't know where he went.
Q Did you think anything more of him after he left?
A No. After we shook hands, that's it. I got back in the water. I turned my chicken a little bit, then I got back in the water with the kids.
Q That's what you thought, that everything was cool, that's what you thought?
A Yes, sir.
Q You didn't know what was going on in his mind, though, did you?
A Not at all.
Q But it seemed like everything was cooled off?
A The way he made it seem when he left.
Q So did you get back in the water? What did y'all do the rest of the afternoon?
A Basically, what we been doing, swimming, listening to music. I get on the bullhorn and tell the kids y'all don't go over there by the boats or here come

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ANTONIO JACKSON-DIRECT BY MR. SCOTT

DNR.

Q Oh, I do want to ask you about the bullhorn. Did you -- before he left, did you threaten him with the bullhorn or scream any obscenities at him or anything like that?

A No, sir, I did not.

Q Did you even talk with him at all through the bullhorn?

A No, sir. He shook my hand and he walked off. I went back doing what I was doing.

Q There's been ample testimony, but the bullhorn is primarily used to call the kids in or alert them to boat coming in and out of the lake?

A Yes, sir. Not only my kids. Like, it be different families down there. When you go to the lake, you see a lot of different families. Sometimes, you interact with these kids. So, basically, for my kids and those other kids that was out there, too, sometimes.

Q Are you guys out there enough where you sort of recognize some of the other regulars out there?

A Yes, sir. Four or five weekends in the summer.

Q So, I mean, the Bogeys' kids we heard, is that where you met them out there?

A Yes, sir.

Q And you see them out there regularly and you see

other people out there regularly?

A Yes, sir.

Q That first encounter, though, do you know approximately what time it was Matt left after shaking hands with you?

A If I had to speculate, it was around 2:30ish, maybe 3:00, somewhere in that timeframe.

Q Anything else noteworthy happen before -- up until the point where you were about to leave?

A When I was about to leave?

Q Yeah, I mean, like I'm going to call that the first encounter. We're about to get to the second encounter. But in between, did anything noteworthy happen at all?

A Not with me and Mr. Matthew Jackson, no, sir.

Q Anything at all at the boat ramp or was it just kind of a routine June day at the lake?

A Just routine day, grilling and having fun.

Q You were drinking some gin?

A Yeah, I'd say about two shots like earlier when I got there like earlier.

Q And were you smoking weed?

A I don't do drugs.

Q Are you tested at work?

A Yeah. For my DOT physical, you got to get

tested every year or every two years.

Q Ashleigh testified to being drug tested on the Monday after this, were you drug tested?

A Yeah. R.J. insisted, insinuated that we put the kids in danger, so once I was released from ICU, you get tested right there at the door when I was walking in. Two days later, we had to go straight to DSS, they drug test us on the spot.

Q What was your results?

A Both of our results was negative.

Q Okay. Anybody in your group do you remember smoking weed that day?

A No, sir.

Q But you freely admit to having alcohol?

A Yes, sir.

Q Were you drunk?

A No, I never get drunk.

Q How old are you?

A Thirty-six, about to be 37.

Q Okay. So you're legal to drink if you want to?

A Yes, sir.

Q Okay. So you hang out the rest of the afternoon. About what time was it that you guys were packing up about to leave?

A It started getting dark. I want to say 8:00, a

little after 8:00.

Q Okay. What's the daylight at eight o'clock in June?

A It was in between getting dark and still light outside. It wasn't dark dark, but light, in between.

Q I mean, would it be light enough for you to be able to throw a football with each other?

A Yes, sir.

Q You could see across the parking lot, right?

A Yes, sir, you could.

Q Boats still out in the water?

A Yes.

Q And you packed up the grill and everything. And then tell me about you go to start your bike and what happens?

A I go to start my bike, Ashleigh was on the back of it because she was riding with me. Alexis and kids were in my car. So we got ready to leave, John, he was behind me. Once I got to the top of the hill, the bike just shut off.

Q Does it do that?

A Yeah.

Q Did it stall out or what?

A It just cut off like it normally do.

Q Did you get rid of that bike yet?

A Yes, sir, I did.
Q Good. And whereabouts did it die?
A Should I?
Q Sure.
A I was coming from down here. She was on the back.
Q Speak up a little bit.
A Well, Ashleigh was on the back of it and I coming down here. It stalled like right up in this area right here.
Q Okay. Just kind of -- did you put it at the edge of the grass in the gravel there or was it in grass or in the gravel?
A Yeah, it was edge right here. Like, there's a little ditch that's right here. It was all the way on the side because it wasn't a big motorcycle. It was just a 900.
Q State's No. 23, is this it?
A Yes, sir, that's it.
Q So it was on kick stand -- now, what about when you wrecked and it slid out from under you and you fell and busted your elbow. Tell us about that.
A I never wrecked a motorcycle. I been riding since I was 18.
Q So that's your testimony, you didn't wreck it

that day?

A No, sir.

Q It stalled out and it never fell over that day?

A No, sir. I have a kick stand. When it cut off, I put the kick stand down on it.

Q Okay. And then how were you guys going to get it running again? What did y'all decide to do?

A Well, we was already in a straight line leaving, that's how we normally leave. And it was right here. John pulled his Ford F-150, the white truck up. First, I thought the battery had gone dead. That's what the problem was before, like the alternator on the motorcycle. We hooked the cables up to it. We were just trying to jump it off.

Q What, if anything, while y'all were working on the bike do you notice at the top of the drive here?

A Well, at first --

Q Speak up for the court reporter.

A At first, we noticed before anything happened, I noticed a black car, it never pulled all the way up. It pulled halfway in the curve, but it never came on down. It actually just stopped and backed up.

Q Was that the Malibu that they all came in later or do you know?

A Yes. Come to find out, it was the car that came

in later.

Q Okay. At the time, was that noteworthy to you?

A No, I didn't pay it no attention. Because see, you got little young kids that do stuff like that.

Q What, back up, drive on back?

A Yeah.

Q Okay. So it really wasn't noteworthy to you?

A Not at all.

Q So you continued working on the bike?

A Yes, sir.

Q Anything else happen during that time?

A After that car backed up, I'd say maybe, I want to say minute or two later, that's when that white Mercury came, you know, at a high rate of speed. That's when the female jumped out the car yelling and cussing and throwing their hands towards my Chrysler.

Q It looked like she was making her way towards you?

A She was going towards to my Chrysler.

Q It's your Chrysler, but you weren't in it?

A Yes, sir.

Q Tell us where the Chrysler is.

A The Chrysler is parked right in this area. John's wife, she drive a Trail Blazer. She was actually behind John because she was heading out. The female got

out moving her hands. You know, Alexis -- because Ashleigh was over there where I was. You know, I'm looking at John like, What's going on? Alexis ain't messing with nobody's man? You know, that's what I said.

Q All right, hold on. You said -- so the first thing you thought was that Alexis had been messing with somebody's man?

A Yeah, she was heading straight that way.

Q This woman was heading straight to your Chrysler and in the Chrysler was Ayleah in the passenger side and Alexis in driver side?

A Alexis was outside. Alexis was on the driver's side, but Alexis was standing outside the car. The kids were in the back seat.

Q The lady who gets out is moving towards Alexis?

A Straight towards her.

Q Okay. Now, did you immediately jump in and try to separate them or what?

A No. Me and John just kept on with the cables because we heard them yelling. Then that's when I heard Ayleah -- you know, she got out of the car and she was like, Hey, don't be coming at my sister like that. And that's when I seen Sheila just strike her and grab her hair.

Q Did you know who Sheila was at that time?

A I never -- no. First time seeing her was that day.

Q Okay. And did you see the black car come in?

A By the time I seen -- by the time that black car came in, when I seen the black car, it already was getting ready to stop over here. I seen a guy exit the building -- I mean, exit the car, vehicle.

Q So you're still up here beside the bike when the black car comes in?

A Yes, sir.

Q And about how soon after the white car comes does the black car come in?

A Maybe two, three minutes. It wasn't far behind.

Q Two or three minutes, that's 120 seconds?

A Well, I say, roughly, about a minute.

Q Shortly after the black car comes in?

A Shortly after.

Q Now, are you watching the fight between the girls or something when the black car comes in?

A Yeah, because we was looking and I was like, why they fighting, you know, it's a shock to me. Like, we don't never start something like that. We always having fun. And that's when I see Ashleigh and Alexis went over there. They never struck Sheila. They was trying to pull them apart. As I was looking at them, that's when I

caught Matt came around this way. He was coming -- I caught him out my eye and I said something's going on. And he was just coming straight toward me. And instead of me doing stuff like that around my kids, I feel like -- I know he was coming for me --

Q Yeah, but earlier in the day, it ended with a handshake, so what made you think that at that point he meant harm?

A Because after I seen him get out the car with those three guys, he was actually headed directly towards me. He wasn't heading towards the females. He was coming straight directly to me.

Q What were those other dudes doing in the black car?

A Casey, looked like he maybe had a gun. He was like this. The other two, black guy and the white guy, they were just standing there all, you know, trying to look intimidating.

Q All right. They were just back up, so that appeared?

A Yes, I guess.

Q Did they do anything? Did they ever hit you or threaten you?

A No, sir.

Q And you never saw a gun?

A I never seen no gun.
Q Okay. But the first thing you see is Matt coming up the hill and you thought it was towards you?
A He was.
Q And the kids were up where you were?
A They in the Chrysler where I was standing at.
Q What was your intent moving down the hill towards him?
A Well, the first thing, you don't really think, you just know he coming to you, that's it. Something going to go down in front of my kids. So once I met him halfway, it was true, he swung at me.
Q Who swung first?
A Matt Jackson swung. As soon as I got halfway to him, he swung.
Q Did you know he had anything in his hands at the time?
A No, I did not.
Q Was he trying to break up the fight between the girls at that time?
A He never went nowhere towards them, he was heading straight to me.
Q Okay. Okay. You made no motion to him before he struck you?
A No, when I got there, he was swinging.

Q All right. Show us on this real quick, this is the picture we've been working on. Tell me if it's any difference -- stand over here by the jury. All right. So right over here, Tony.

Now, this has been put up here, but if you remember it any different, let's change some of these things, but what I got on here labeled, I got your bike about right here. It may not be exact. Nothing on here is to scale, right? But, essentially, you're -- the defense attorney is calling it the neck, your bike is kind of up here. John Platts' F-150 is right beside it trying to jump it off?

A Uh-huh.

Q Okay. Behind his truck is Ashley Platts' Trail Blazer?

A Trail Blazer, yeah.

Q The Chrysler 300 is somewhere over here?

A Yeah, not far from my bike.

Q Is that generally where everything was placement-wise?

A Yes.

Q I got these porta-potties over here, generally where they are, rough depiction. You can see the ramp and you have the dock?

A Yeah, right about there.

Q All right. So you're up here beside the bike. Where was Matt when you first see him and he's coming up the hill?

A He's actually -- he jumped -- he must have jumped out the back seat of a car. He was running this way.

Q When did you first see him, though?

A Down in this area right here.

Q Okay. Show us -- he's going to be green, do an arrow kind of like the path he takes.

A He wasn't that close. It looks like it, but he wasn't that close. Say, for instance, the car was over there.

Q Okay. That's the blue car, the Malibu whatever it is.

A He got out the back seat and he ran just like this around. I guess he was trying to sneak around. Really, that's what I'm getting at because I think his mother was a diversion for the whole incident. But he ran around this way, he was coming behind these cars. Nowhere near the females, all the guys, he was running up there towards here. And I was up here to get my bike and I just caught him out the corner of my eye running towards me. So instead of me letting him get all the way up there to me, I just met him about right up in here.

MR. VERNER: I'll just note for the record that Mr. Jackson is using the green chalk.

THE COURT: I think Solicitor Scott had indicated that it was going to be green as far as --

MR. VERNER: Okay, I'm sorry, Your Honor.

THE COURT: That's all right.

BY MR. SCOTT:

Q So green is coming at you, this orange -- we'll make this you. So green is Matt, you're orange and there's the bike. Kind of show us the direction you were take going down.

A That was Alexis breaking Ayleah and his mom, Sheila, I guess, up, that's when I caught him out the corner of my eye. So I was bringing -- because I was like in between the bike and the cables, so I was standing like in front of the cables. The cables were in front of me, I was behind them. And I caught him out my eye running towards me, so I just met up like right there, just met up.

Q Okay. So you're going --

A He run straight where I was and I run straight to him. That's how it was.

Q So, generally, it was -- and on here, show us about where the clash initiated.

A The blue car was over here.

Q Where was it when he struck the first blow?
A About right up in here.
Q Did everything happen right there in the center or did you move or were y'all just kind of --
A Yeah, we were fighting and moving. By the time we stopped, we were probably somewhere up in this area right here.
Q Listen, you're not denying you were hitting him?
A No, of course, I hit him.
Q Okay. We don't know how those glasses got broke -- or do you know how those glasses got broke?
A I don't know if it was when we was spinning around in circles, got stepped on, could have got ran over.
Q Okay. It could have been when you socked him in the eye. Did you hit him in the face?
A When I'm fighting, I don't really be paying attention. The only thing I feel like I'm fighting, but I feel like I'm fighting for my life.
Q Were you?
A Yeah.
Q Okay. Well, after he struck that first blow, we're not arguing, are we, that you hit him back?
A Not at all.
Q Did he fall to the ground?

A I don't remember. I don't think he did.
Q Did you fall to the ground?
A No.
Q We're going to be clear, we're not denying that you hit him back, are we?
A No.
Q I hope you hit him back.
MR. VERNER: That's probably improper.
BY MR. SCOTT:
Q Well, you hope you hit him back, I guess, if he was hitting you?
A Yes, sir.
Q You can have a seat back. Tell me at what point did you realize this wasn't just a fistfight, that you were being stabbed?
A I started feeling myself getting like weak. I didn't know I was stabbed or not. I feel like I was getting tired. You're fighting, you get tired. I had already ate food and I felt like I was getting weak. That's when I seen him step back and I seen something in his hand. And I seen --
I asked Ashleigh, I said, Ashleigh, let me see if this man just stabbed me.
I lifted my shirt up and that's when I seen -- I never knew I was stabbed or cut like all up, I

just seen this big one right here in my stomach area. Now, my adrenaline went down and I'm feeling the pain of what was going on.

Q So you got your adrenaline worked up and you didn't even realize you were cut at first, did you?

A Yeah, every blow he was throwing at me, he was actually cutting me the whole time.

Q You said you saw something in his hand, did you see a knife or a blade or anything?

A Yeah, it looked like that. I didn't know was it a razor or a small knife. I didn't know which one. I know I was cut so bad, it was one of them. It was sharp.

Q You heard him describe the knife in his interview as an old timer, do you know what an old timer knife is?

A Yeah, one of the old small pocketknives like this big. The blade might be that long on it.

Q Did you see it?

A No, he had it tucked away in his hand.

Q So you don't know what kind of knife it was?

A No, not at all.

Q Okay. Could you -- it's cold just to be in here, but I'm going to ask you, could you show us where you got stabbed?

A Yes, I can.

Q Yeah, step up here. Do you remember -- can you remember the order of the blows, maybe not?

A No, I can't remember. I know the first one he threw was like an overhand that hit me on the shoulder --

THE COURT: Need to speak up, sir.

THE WITNESS: The first thing he threw was like an overhand lick. It could have been the one that hit me in my shoulder.

BY MR. SCOTT:

Q The one right here, how many staples did that require?

A I think about five or six.

Q Okay.

A This side is stitches and the staples on that side.

Q That's State's No. 3, is that that injury?

A Yeah, that right there.

Q Okay.

Walter, pull up State's 3.

That's this one right here?

A Uh-huh.

Q And then, what's that one?

A This one.

MR. SCOTT: Then states No. 5, Walter.

THE WITNESS: Then I got three staples on the

side, staples, also.

BY MR. SCOTT:

Q Here's the elbow, No. 7, I haven't asked you about that.

A I was stabbed -- these got staples, two staples on that side, too.

Q You had staples put in there?

A Yeah.

MR. SCOTT: States No. 7, Walter.

BY MR. SCOTT:

Q There's been some insinuation that happened from wrecking a motorcycle.

A No, that line right there, that's staples in this arm.

Q That had staples in it?

A Yeah.

Q State's No. 9, where is that injury?

A Right here.

Q No. 9. What did they do with that?

A It went deep enough, they actually cleaned it real good and put bandages on it and put tape over it.

Q Which one?

A Right here.

Q This one?

A The one in my shoulder, yeah.

Q Is that this?
A Yeah.
Q What did they do to that one?
A The same thing.
Q What's this?
A I did that back in the old days.
Q This is something different?
A Yeah.
Q Like I say, this, this, this, this and that?
A Yes, sir.
Q Anywhere else?
A That's where they went in to make sure I didn't have no internal bleeding or anything.
Q The doctor had to cut you there?
A Yes, sir.
Q Put your shirt on, it's too cold. So your buddy, John Platts, loaded you up in the F-150 and took you to Newberry Memorial that night?
A Yes, sir.
Q Then Newberry said no, you need to go down to Richland Memorial?
A Yes, sir.
Q Okay. So they took you by ambulance down to Columbia?
A Yes, sir, they did.

Q And pretty much, they cleaned you up and stitched you up. And did you get out the next day?

A I think it was the day after, I'm thinking.

Q Okay.

A I think I stayed that night -- well, I can't really remember because I was under a lot of medication.

Q They had to give you some pain medicines and stuff?

A They actually -- I had surgery, so I was under anesthesia, so I was out for a couple hours. When I woke up, I could still feel the medicine they give me.

Q They had to give you anesthesia to put you under to do the surgery?

A Yes, sir.

Q They had to cut you open. Tell me what that was for, just to make sure no internal bleeding?

A Yeah. Because he got close to my arteries and my intestines and he wanted to make sure there wasn't no damage to no arteries, main arteries and stuff.

Q Okay. And you were in ICU, I guess?

A Yes, sir, I was.

Q How long were you out of work?

A The doctor wouldn't -- I was out of work for months. Because I tried to go back around August, but when I went back, it was a little too soon and I ended up

with a hernia up under the incision, which I still got now. I still feel the pain on it. But put me back -- I went back October 1st.

Q You got back to work October 1st?

A Yes.

Q Okay, I got you. What are the lingering effects of these wounds?

A Me, with the job that I do with my muscles being severed, back pains, my stomach hurt all the time. Especially since I got a hernia now that I might have to have removed soon because it hurts me to bend sometimes and things like that. My muscles being real easy to [indiscernible] where some of the incisions at. That's -- I mean, that's just the side effects of it.

Q Okay. So you're unable pretty much to function like you used to be able to?

A Like I used to.

Q Did you have any part in bringing on that difficulty that day?

A You talking about starting --

Q Did you start anything with Matt Jackson?

A No, sir, I did not.

Q Did you initiate any fight with him?

A No, sir, I did not.

Q Did you ever threaten him?

A No, sir, I did not.
Q Okay. Did you throw any punches before he hit you that first time?
A No, sir.
Q All right.
MR. SCOTT: All right, I think that's all, Tony. Answer any questions that Mr. Verner has for you.
MR. VERNER: May it please the Court?
THE COURT: Sure.

CROSS-EXAMINATION

BY MR. VERNER:
Q Mr. Jackson, I think maybe I'm confused about your injuries because I'm actually going by your medical records.
A Yes, sir.
Q Is it true that you told the emergency room attendants that you got stabbed because you had to defend your wife because she was being attacked by a man?
A It's possible that I did say that because I was traumatized, so no telling what I was saying. You know, in a situation like that, you probably do the same thing, also.
MR. VERNER: May I approach the witness, Your Honor?
THE COURT: You sure can.

BY MR. VERNER:

Q In your medical records, why doesn't the doctor note any stab wounds to your arm? I'm confused by that.

A Actually, Newberry, they didn't clean me up. Actually, got cleaned and sewed up and had surgery in Columbia, not Newberry.

Q But in your medical reports, they note four cuts or stab wounds to you. If I can -- does this appear to be some of your medical records from your treatment on June 8th?

A Yeah. If you actually count what I just showed you, a stab wound on my arm, my back, my shoulder and a cut on my back.

Q You told the jury about five stab wounds you had?

A No, actually, I said four stab wounds and one slash mark on my back.

Q From a knife?

A Yes.

Q But the hospital only identifies four.

A Because that one on my lower back is a cut, not a stab wound.

Q Okay. Well, let's look at this. Hospital says that you have a laceration on your left lateral side about three centimeters. So your left lateral side, which one

would that be, a short one?

A This one.

Q That little one right there?

A Yes.

Q Okay. Hospital says you have a stab wound or a cut, laceration, at least, on your left lower quadrant?

A Yes.

Q Okay. Hospital says you have a laceration on your right upper back, three centimeters?

A Yes, sir.

Q The hospital says that you have a laceration on your right lower back?

A Yes, sir.

Q That's the long one. Yet, you told the jury that you also had this stab wound in your arm, which the hospital has somehow missed?

A Actually, if you look at the photo that you showing, you see blood on my arm.

Q I saw blood and --

A Once they took the pictures, they rushed me to Richland.

Q Okay.

MR. VERNER: Your Honor, I would introduce Defendant's 6.

MR. SCOTT: No objection, Your Honor.

THE COURT: All right, without objection, No. 6 for the defense.

(WHEREUPON, Defendant's Exhibit No. 6 was marked for identification and received into evidence.)

BY MR. VERNER:

Q So the emergency room doctors and nurses missed that you had a fifth stab wound?

A They took pictures of it, so I think it must have been documented.

MR. VERNER: Mr. Bentley, may we have State's 7 again, please? Enlarged as much as you can.

BY MR. VERNER:

Q Okay. You're saying that that's not road rash or -- you can step down if you need to see or here's the photograph that I'm referring to. That looks like road rash or falling-type injury to me.

A Not at all. I never wrecked anything. You can see actually where the knife went into my arm. Look at that little slash right here. Road rash ought to be scratches all over my arm.

Q Okay. You don't see blotches all over the arm on that?

A I see blood and my tattoo. I don't see no road rash.

Q You don't see individual -- this is after the

doctors had actually cleaned up --

A Nobody cleaned me up. They cleaned me up in Columbia. I think, I don't know.

Q This photograph of you -- State's 9 is a photograph after you've been cleaned up, right? That's a cleaned-up image of the wound.

A Yeah, I don't even remember.

Q Ten's a cleaned-up picture of the wound?

A Yeah, they could have cleaned my back up.

Q Two's a cleaned-up version of your wound. Three's a cleaned-up version of your wound. Stop me if I'm wrong.

A I see what you're saying.

Q Okay. So all of these wounds are cleaned up, except your arm? Or maybe that arm is actually cleaned up, too.

A I mean, still looking, but okay.

THE COURT: Come back to the witness stand, sir.

BY MR. VERNER:

Q You told the treating doctor that you had -- you estimated you had about six beers and four shots of gin that day?

A Earlier that day.

Q Okay. Could that be kind of a conservative guess?

A Well, technically, I don't remember saying I drank beer because I don't drink beer at all. I drink gin.

Q Generally, you drink gin more than beer?

A No, I don't drink beer. I drink gin. Maybe they missed -- I mean, I talk fast, so when I say beer, some people drink beer. I mean, they could have just misread what I said because I do talk fast.

Q I don't really care, I don't think anybody really cares about the exact amount, but you had been drinking gin that day?

A Yeah, I took about four shots. But that was earlier, that was around noon.

Q Is that kind of a slow day or?

A What you mean? I drive trucks, so I don't get drunk. So after a hard day at work, I might take a shot or two when I'm home.

Q Okay. But you had just been drinking gin that day?

A Twelve o'clock.

Q Okay.

A That was in the afternoon.

Q Now, you told the jury or Mr. Scott that the altercation with Matt Jackson didn't -- happened around two o'clock, but he was there until after five o'clock.

Could your timing be just slightly, I wasn't kind of watching the clock?

A I mean, nobody know the exact time. We on the lake. I mean, he was the only person dressed in all white. I had swim trunks on and was in the water with my kids, so. You never going to pinpoint it to an exact time.

Q But it's possible the altercation with Matt happened more like 5:00 or 5:30 than 2:30?

A It wasn't an altercation.

Q Well, the initial encounter.

A If that's what you want to call it.

Q But the first time you met Matt was after five o'clock that day?

A Like I said, I don't know. We wasn't looking at a clock. I'm pretty sure he wasn't either. But I think it was around 2:30ish is my knowledge.

Q Okay. And you're saying the damage to these glasses is actually a car ran over as opposed to somebody had punched one side of it?

A Never seen those glasses before.

Q You didn't?

A No, I did not, I don't think.

Q You don't think the car would have bent up the other side of the lens, too, or broken the little sides?

A To be honest, they look like they been stepped on. I don't know a person punching with not having any injuries to their hands.

Q Be kind of a mean thing to do to hit a guy with glasses, wouldn't it?

A Don't know.

Q Now, my understanding, I thought James Gregory was your friend, Casey Gregory?

A I seen Casey maybe once, but I don't really know him. He hangs out with Ashleigh's uncle. I met him once or twice there, but he ain't my friend.

Q But he's a guy that you had been hanging out with before, isn't he?

A Like I said just now, I met him at Ashleigh uncle's house maybe once or twice. You call that hanging out, okay.

Q He hasn't spoken to you after this thing?

A No, he tried to contact John, but not me.

Q Okay. He didn't have a conversation with you after?

A No, sir. I don't hang out with him. I work everyday. I don't hang out.

Q You actually met with -- was it Garrett Lominack, the investigator, that you gave a video interview shortly after you came home, right?

A Yes. I think I still was medicated. Yes, I did, though.

Q Do you remember when you gave your videotaped interview with the police?

A Like I said, I can't recall. I was still on lots of medication, so.

Q Okay. And I don't mean to be mean about it, but these are not your step-kids because you're boyfriend/girlfriend with the mother, right?

A Well, you call it how you want to call it and I call it how I want to call it.

Q You're close to them, but you're not technically a stepfather?

A I'm not their biological father, but I've been in there life since they was maybe six months, maybe one year old. They're nine and eight now.

Q In fact, you've actually been a named party in the DSS lawsuits, too, haven't you?

A Well, he named me because I was a black guy. I mean, it is what it is. If that's what you want to say.

Q DSS named you, too, right?

A Well, they tried to, but before I was started driving a truck, I was employed at V.C. Summner Nuclear Plant. He tried to say I had all kind of drug charges, but once they pulled my record, never had one.

Q I'm not trying to get in any of the allegations, I'm just saying that you have been part -- you weren't just there for the DSS case, you were actually a named defendant in some of these DSS cases?

A No. Ashleigh is the one. They just say we put the kids in danger after I got stabbed.

Q You weren't a named defendant in any of the others before that?

A Well, about four or five years ago, they wanted my record because, like I say, he made allegations that I sold drugs. When actually I was a heavy equipment operator at V.C. Summer Nuclear Plant.

Q Okay. And then you -- do you remember how shortly after or what day you gave your videotape interview with the police?

A Like I told you, I can't recall. I was still on a lot of medication.

Q Okay. And while you brought that up, let me ask you, you're saying that you took a drug test after this incident with DSS?

A Yes.

Q Do you have a copy of those results?

A Yeah. I mean, you have to ask for a copy and go to Westview and get it.

Q Okay. You wouldn't have taken -- if you had

injuries like that, they didn't prescribe you opiates or painkillers?

A Well, I told them what I was on. They was looking for the marijuana that he accused me of smoking. But I just got out of ICU, so, of course, I had opiates in my system.

Q All right. You indicated when you gave the video interview with the police that you first initially approached Matt and said don't be touching on my stepdaughters, is that --

A No, sir, I didn't say touched, I said, Hug my stepdaughter.

Q Well, you told --

A I didn't say step, I said, Hug my daughter.

Q You don't remember telling Garrett Lominack in the interviews saying don't be touching my stepdaughters?

A I thought I said don't hug my daughter. If you want to say stepdaughters, I'll take that.

Q Then you said, I don't play that?

A I don't. I got girls. I don't play any man that I don't know hugging on my daughters. And just like I come and hug your daughter, you don't know me.

Q And then you indicated that Ashleigh or one of the sisters said, Yeah, that's R.J.'s friend, Matt?

A It wasn't one of her sisters. Ashleigh said

that she seen her daughter and he up there talking to me and she said, That's R.J.'s cousin. That technically calmed the whole situation down from what it was.

Q Then you indicated that R.J. doesn't like his kids around me?

A R.J. don't like black guys, true.

Q You told the investigators, Matthew never got a lick on me at all.

A Well, he was swinging, so, eventually, I got hit. I was getting stabbed. If you call that a lick.

Q Did you tell the deputies -- or Garrett Lominack, Matthew didn't get a lick on me at all?

A Not to my knowledge. Like I said, when I talked to him I was still on heavy doses of medication, so.

Q So that was clouding your --

A Of course, I just got out of ICU.

Q You told Investigator Lominack that you were aware that Matthew had lived with R.J.?

A Well, yes, I was. I mean, I date his baby's mother, so, of course, after the fact, I found out who he was.

Q Then you told Investigator Lominack that R.J. -- who is Christy?

A His sister.

Q Christy Eigner?

A I guess that's her last name.
Q And she's kind of involved in the kids' situation, too?
A I guess.
Q Okay. And let me -- when the Solicitor was asking you earlier about everybody you had to keep up with your paycheck, last year, y'all didn't have custody of the two girls. This was a visitation day, wasn't it?
A Well, to be honest with you, clear all this up.
Q Yes, sir.
A They satisfied their custody. They actually got joint custody. He have the kids the same amount time we do.
Q You didn't have every other weekend and --
A Both of them have every other weekend and the same -- they get the kids the same amount of time.
Q Is that something recent or was that something --
A Five years ago, we got joint custody, five years ago, joint custody. So both of them have the same amount of days.
Q Okay. And they've been doing that for how long now?
A Five years, maybe four and a half.
Q And you told Garret Lominack, again, R.J. and

Christy have sent DSS over to our house saying we been using drugs, but I don't use drugs?

A Yes, I have. Like I say, they got us drug tested, of course. Once we passed the negative, DSS wanted to drug test them and they all denied DNA test. Even when they called us after this incident happened, all of them denied the drug test. We could have pushed the issues, but with me being injured and hurt, we didn't want to followup with it. So we just let it go.

Q But they had made prior complaints about you, too?

A Like I said, that was years ago.

Q And so, DSS has been in and out for, at least, the last five years of these kids' life?

A Like I said, first year, they went to court maybe a few months. R.J. actually had lost custody of the kids, also, because Ashleigh's grandmomma had them. But maybe four or five, four and a half years ago, they settled it in court and they got joint custody. The first time going over to DSS, they said we put the kids in harm way.

Q I'm not going to make any allegations, so just DSS has been involved, is that fair enough?

A Years ago.

Q Okay. Now, you mentioned that -- I'm kind of

interested, you told Garrett Lominack that Casey and Cameron had been at the landing earlier that day?

A Yeah, Cameron was down there earlier, earlier that day before I even seen Matt, the first encounter.

Q Okay.

A Yeah, he was down there. My sister-in-law walked up to him because he had been in my friend, John's wife's inbox trying to get relations with her or date her or whatever. She just went over to him nicely and said, Ashleigh's cousin's not here, why don't you leave until he come back? Cameron said yeah and he turned around and left.

Q But you indicated that Casey Gregory was also there?

A He could have been, I don't recall that.

Q So you don't recall telling Garrett Lominack that I saw Casey and spoke to him earlier that day at the landing?

A I was trying to think. Maybe he was there, I don't know.

Q Okay. Okay. Then later on, you told Garrett Lominack about two weeks prior to this incident that happened at the boat landing, I saw R.J. riding by my house with Matt in his car. They came there for a reason, that they'd been spying on us.

A Like I said, I was taking medication, but I remember saying that they had been past my house maybe more than one time. But I never knew who Matt was until -- you know, like I said, I seen him five years ago, never spoke to him, glanced at the man. Yeah, now, that I see him now face-to-face, yeah, he was in the truck with R.J. riding slow past my house.

Q You told Garrett Lominack that R.J. was spying on us or, basically, he'll constantly ride by trying to catch us or look at the house and that Matt is the guy who's been riding with him?

A Yeah, Matt was.

Q And he came there for a reason?

A I said he came to the lake for a reason.

Q Okay. And then you indicated to Garrett Lominack that Matthew made the comment to Ashleigh, R.J. is going to get those kids?

A He asked [indiscernible] R.J. see your kids. Yeah, he did say that before he left.

Q Okay. You don't think that set Ashleigh off?

A It did set Ashleigh off. He set off red flags saying things to set me up.

Q Right.

A Yeah, he set off those flags.

Q And then there's been a lot of back and forth, a

lot of Facebook chatter amongst people since this incident happened, right?

A Well, I don't know about Facebook. The only thing I can remember, you know, people posting because Matt said he died once and came back to life. And his uncle said yeah and he stabbed a nigger. So I seen those messages, correct.

Q Your friends and family hadn't been posting?

A My friends don't do stuff like that.

Q Is Steven Reed a Facebook friend of yours?

A My first time seeing Steven Reed was here.

Q Y'all pointed out that Steven Reed posted on Facebook to Garrett Lominack --

A One of Ashleigh's friend shared his post.

Q Okay.

A And brought it to our attention.

Q Okay. And Steven Reed is the young man who testified, the bald guy with glasses, the metal artist?

A I guess.

Q And then you indicated to Garrett Lominack that one of the girls, one of Ashleigh's sisters had actually told Casey to tell Cameron that he needed to leave?

A Not to my knowledge.

Q You don't remember saying that?

A If she said it, I might not have been around. I

don't know. Like I said, I didn't see Casey really until he was in the car with Matt standing on the side. Like I said, he could have been down there earlier, I don't recall. After the incident, I wasn't paying nothing else no attention, but getting better.

Q Do you recall asking Garret Lominack, I want to know how they can try to charge us with child endangerment?

A My point exactly when he said he was going to serve me. I didn't put my kids in danger, he did.

Q All right. So it wouldn't be you guys putting the children in danger, it would be Matt and R.J.?

A Well, not R.J., it would have been Matt because he was the one stabbing me. Not R.J., it was Matt.

Q And you told Lominack that you remember Matt had glasses on that day?

A Like I said, I was medicated up. He could have had on glasses, maybe he didn't have on glasses. I said -- I don't know. Like I said, he assaulted me, the only thing I was thinking about was defending myself. I don't know what he had on.

MR. VERNER: What's one of the aerials, 27, I think?

MR. SCOTT: Fifteen.

MR. VERNER: Fifteen.

ANTONIO JACKSON-CROSS BY MR. VERNER

BY MR. VERNER:

Q You can step down, Mr. Jackson.

I do have -- can you enlarge this just for a little bit?

You said -- we've heard that Matt came from towards the bottom right side of the -- walked down and then kind of back up?

A He was walking -- he was -- basically, looked like he was almost running. He walked at a high rate of speed.

Q But however he's going, he's coming from across the parking lot from the far right side of the parking lot and then walked slightly down and then back up straight towards you?

MR. SCOTT: Wait a minute. The jury can't see.

THE WITNESS: No, he actually came from the car and he didn't walk straight up because he would be walking to his momma's car if he went that way. He walked this way because my bike was over this way.

BY MR. VERNER:

Q That's right.

A He was about right over here.

Q There's kind of something -- is this a trash can, red thing? What is that?

A I think it's a sign.

Q The bike's over there kind of where the sign is?
A The bike right here on the edge.
Q Okay. Kind of a --
A Looks almost like a little trench.
Q Yeah.
A That's where the boat and trucks with the trailers park up in there where they drop the boats.
Q That's kind of the change in elevation of the driveway and the surrounding area?
A Yeah, that was part of the ditch and the road. His truck was right beside me.
Q I'm guessing you could lose control of the bike if you hit that ditch area?
A Not really. My car was parked right here and I don't wreck.
Q Now, explain to me you were at the bike up here where the red clay is?
A No, my car was here. I was pulled right here, back in here.
Q You said you and John were busy trying to jump off the bike when the ladies were going out?
A No, we were jumping the bike off when that car came sliding in.
Q And you said that when the ladies started going at it, you and John were still trying to jump off the

bike?

A When she got out yelling and cussing, that was before the fight. Yeah, we were, basically, messing with the bike. Don't come up with that, of course, we still messing with the bike.

Q That's right.

A But once they got to fighting, we stopped and we started paying attention. That's when Sheila struck Ayleah in the face and started pulling her hair and hitting her.

Q But the fight with Matt was over here where these people are?

A No, Sheila done fought over here. You get what I'm saying?

Q Yes, sir.

A Me and Matt was [indiscernible].

Q That's right. You're up here, Matt comes from this way?

A Matt used his momma as a diversion to throw us off, that's what he did.

Q Which means that you came from here to here?

A No, he was coming in my direction. It wasn't here to here. He was running directly towards me.

Q But he still came from here, however he was motivated, he was coming from here to here. And you came

from here to here?

A No, you pointing right here. I said somewhere around just like this. You see my finger here? He was running directly towards me. He wasn't running -- if he would have ran that way, he would have ran into his momma's car.

Q I believe you. That he's running directly towards you?

A He was directly towards me, yeah, right.

Q Okay. You seem to be moving directly towards him.

A Because I seen him coming towards me and my kids out there. So instead of me having drama in front of my kids, I took it -- I met him. Of course, I did.

Q That's right. For a guy who doesn't want to fight, you seem to come from this area, all the way down here to meet Matt Jackson?

A I met him before he got here. Matt was trying to -- he was trying to sneak me, that's exactly what he was trying to do. Like I said, he used his momma as a diversion to try to throw us off so he can sneak out and I just caught him out the corner of my eye. That's exactly what happened.

Q You're saying that that woman volunteered to get teeth knocked out of her face so that Matt could get to

you?

A Well, I'm asking you a question, if she wanted her pants back and her pants was on the dock, she should have drove straight down to the dock, right? Not stop over there yelling and cussing at the females, correct?

Q She seems to be an erratic woman, right?

A I don't know. If she came for her pants, that's what you saying, right?

Q You don't think she might have been concerned that her son had been threatened by people --

A Well, if he was so threatened, he was gone for hours, he could have stayed gone. He wasn't too threatened, he came back.

Q That's right. He was threatened enough where he left where his friends were to get out of there, didn't he?

A Well, he made sure he said he was coming to get pants, right?

Q Right. You don't know whether he was there the day beforehand?

A I don't know, I wasn't down there then. Only thing I'm thinking about June 6th when he stabbed me.

Q That's right. June 6th was also when you had him on the ground with John Platts delivering blows on him, too; wasn't it?

A The only person that fought was me and him. Nobody else jumped in. Even the guys with him never moved.

Q Okay. When you first got down there, this is before any of the bad stuff happened and it was still --

A First encounter.

Q You had the motorcycle parked down here in the boat ramp area on that grassy area kind of near the boat ramp where the grills and stuff were set up?

A No, in between this area was like gravel right here.

Q Just so the Judge is looking, you're kind of pointing halfway where those trees are on the bottom right here?

A On the other side, like I say, as you can see, is gravel on that side.

Q Yes, sir.

A My Chrysler was parked in the grassy spot, my bike was like in the gravel area right there.

Q And you're talking about the bottom right-hand side portion?

A Back middle-ways.

Q And that's where the bike was?

A Yeah.

Q And then it got to where it finally conked

out -- and Ashleigh was riding on the back of it?

A Of course.

Q And you had ridden it up there before it just went out --

A Well, I actually grew up on a long dirt road, so I've been riding, like I said, motorcycles since I was 18. If you would have paid attention to the video that we watched earlier when Ashleigh was in the hospital, if I would have fell, she would have fell with me. She had on a bathing suit with no scratches on her.

Q Theoretically, if she was on the bike, she would fall with it?

A Of course, she would.

Q But in your clear -- your memory that you rode the bike up the hill to where it finally went out?

A Yes, I did.

Q Okay. Did y'all ever figure out what caused it to go out?

A It was the sterence [ph].

Q The what?

A The sterence [ph]. Like a stall -- to stall out, the sterence.

Q A steerer?

A Yeah.

Q Okay. And because of these injuries, you have

lost a considerable amount of weight since last year?
A Yes, sir, I have lost weight and money.
Q Weight and money?
A Yes, sir.
Q How much weight do you think you lost?
A About ten pounds.
Q That's all?
A That's all.
Q That's a good thing, isn't it?
A Actually, the job that I do, I do a lot of lifting and walking all day, so it wasn't because of -- my job require me do a lot of walking and stocking, so.
Q Okay. And this is my last question. Just before you ever saw the crazy lady jump out of the white car and get into it with the women and before you ever saw Matthew Jackson the second time, the black car had come down first by itself?
A Well, we didn't actually see it. No, it didn't come all the way down to me. And John was right here.
Q That's right.
A He came to this curve and stopped. We never even seen -- I noticed the car after we came down here. But we didn't really pay it no matter when he stopped right here because we could see up in there --
Q Right.

A And it backed out.

Q This is the car that Cameron would have come in later?

A Yeah, Cameron and Casey was in it.

Q So a few minutes before the crazy lady in the white car came, Cameron's car came right here to the curve, and then backed back out --

A No, I ain't going to call her crazy.

Q Well, I'm -- I don't mean, I don't mean to say that either, but my only point is that's the car you saw first and then it left?

A No, what it did, it pulled -- I guess it was -- to me, after putting everything together, it was like it was waiting on me to come by on my motorcycle. That's what it seemed like to me. See, my bike wouldn't start, that's when the white car pulled in.

MR. VERNER: I think that's it, Judge. Would you just give me one second to check my notes?

THE COURT: Sure, take your time.

BY MR. VERNER:

Q Okay. I'm sorry. Do you remember when you first got taken to the hospital that night in Newberry?

A Well, I remember they rode me in.

Q Okay. Do you remember the first police officer to testify in this case, Deputy Cook?

A Well, I remember an officer talking to me, but like I said, I wasn't paying attention.

Q Okay. But you were in the courtroom when he testified?

A Yeah, I guess. Yes.

Q Okay. But I don't really remember that man, but I do remember talking to an officer that night, is kind of your situation?

A I remember somebody speaking to me, yeah.

Q Okay.

A Because I wasn't there long.

Q So after you had been treated initially by the emergency room staff, Deputy Cook asked you some questions about what happened?

A I can't recall. Like I said, I was traumatized, so I wasn't really -- I mean, they might have been talking to me. I could have been saying anything.

Q Well, you saw yourself in the video, didn't you?

A Yeah, and it brought back memories, also.

Q Did you tell him, He punched my old lady, they slid in, six or seven people, and jumped out. I had him on the ground. He wouldn't hit me and he stabbed me again.

A I don't recall that.

MR. VERNER: What was the number of the dash

cam? Did Deputy Cook's body cam get put in?

THE COURT: You put it in as Defendant's 1.

MR. VERNER: That's what I thought, Your Honor.

Can we go to Deputy Cook 2020, go to 2015.

BY MR. VERNER:

Q If you need to step down and watch it or the Judge has got a screen.

If we can go to 2020. Yeah, just start it.

(WHEREUPON, Defendant's Exhibit No. 1 was published.)

MR. VERNER: That's enough.

BY MR. VERNER:

Q Was that your statement?

A Like I said, at the time, I was traumatized, so when you going through a situation like that I never had been through, I mean, you say the first thing that virtually comes to your mind. The only thing I was really thinking about was getting treatment.

Q You were thinking somebody needs to go pick up my bike?

A I say my bike, yeah, of course. It's my motorcycle.

Q That's right.

A I paid money for it.

MR. VERNER: Okay. Thank you, my friend. The

prosecutor may --

THE COURT: Solicitor, any redirect?

REDIRECT EXAMINATION

BY MR. SCOTT:

Q You said you lost weight and money from this. You lost -- what else did you lose? What about use of your body?

A Yeah.

Q What about peace of mind?

A Peace of mind. And, you know, that also -- so now, you know, when I go to the lake, our kids, they always asking are you going to get out there and get any more booboos? You know, like I say, my girls see me after I got out the hospital. I was actually laying on the chair like maybe a month. I couldn't bath myself. I couldn't lay in the bed. I had staples. So it actually messed me up. I have a hernia that I'm pretty sure I'm going to have to have surgery pretty soon. But I'm trying to stack up enough money so when I get out for surgery this time, I won't get behind on my bills.

Q Okay. So, you know, it wasn't just a little ten pounds of body weight and some money?

A Correct.

Q It's affected your life?

A Dramatically.

ANTONIO JACKSON-REDIRECT BY MR. SCOTT

Q You've lost the use of parts of your body? I mean, they don't work the same as they used to, do they?

A Not at all.

MR. SCOTT: Okay. All right. Thank you, Tony thank you very much.

THE COURT: You can step down, sir.

Solicitor.

MR. SCOTT: Your Honor, I believe that's it. If we break today and reserve the right to rest in the morning. I don't have any more witnesses for today.

MR. VERNER: That's acceptable to our side, Your Honor.

THE COURT: Okay. Let me --

Mr. Foreman, ladies and gentlemen of the jury, let me send you back to your jury room for just a moment. Let me talk with the lawyers and try to plan out how we're going to proceed from here. And we'll get you back out shortly, okay.

(WHEREUPON, the jury left open court at approximately 5:19 p.m.)

THE COURT: Let's take a five-minute break, no longer than five minutes.

MR. VERNER: Did you want to hear from us, Judge, or just take a break?

THE COURT: We'll take a five-minute break and

then I'll hear from you.

MR. VERNER: I just didn't know if you wanted us in chambers?

THE COURT: Why don't you come back just a minute and we'll talk off the record.

(WHEREUPON, a short break was taken.)

(WHEREUPON, the jury came into open court at approximately 5:30 p.m.)

THE COURT: All right, let the record reflect the jury is back in.

Ladies and gentlemen, we're going to go ahead and break for the day. I need you back at 9:30 in the morning and we'll proceed forward. You worked real hard today, I appreciate that. You've been very attentive, I appreciate that. But we've still got some more work to do in the case, so we'll start back 9:30 in the morning. Remember all my instructions, do I need to repeat them? All right. Have a good evening, see you in the morning.

(WHEREUPON, the jury left open court at approximately 5:31 p.m.)

THE COURT: Okay, we'll be in recess until 9:30 in the morning. Y'all have a good evening.

(WHEREUPON, the proceedings were concluded for the day to be reconvened on March 28, 2019.)

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March 28, 2019

THE COURT: Just want to put on the record that we received some information that after we adjourned yesterday, that one of the jurors, I think her name's Christy May, went into a local liquor store where Alexis Cockrell works. And, apparently, the girl was recognized and the comment, I think, was initially made, something to the effect, finished up for the day. Then question was asked of the juror, What did they think about the case? The juror indicated that she had already been instructed not to have any conversations with any of the jury members or anybody else.

Then Alexis then continued and said, Well, give me your personal opinion about the case.

And again, the juror correctly responded that she could not talk with her about the case and that was the extent of the conversation.

I questioned the juror would that in any way have any affect on her ability to be fair and impartial and she indicated that it would not. She believed that this was just an ignorant mistake. I do plan to have Ms. Cockrell brought here some time today because I believe she was present when I gave instructions to the jurors about not having any

conversation with anyone about the case. But we'll deal with that at the appropriate time.

Mr. Verner, even though the State needs to rest on the record, which then would prompt your motions, can we go ahead and do your motions now on the record because Solicitor Scott has indicated that they plan to rest?

MR. VERNER: Yes, sir. I think they've made a de facto rest, they just haven't done it in front of the jury.

THE COURT: Let's go ahead and hear your motions now.

MR. VERNER: Judge, we'd ask for a directed verdict, certainly, on the issue of attempted murder. By all accounts, it appears that the victim initiated a confrontation that was started through third people. There's no malice aforethought. Even under the light most favorable to the State, there was a mutual fight when the knife got pulled out. So we would ask for a directed verdict.

THE COURT: All right. State want to offer any response?

MR. SCOTT: Just, Your Honor, the Defendant himself admitted to the malice aforethought by saying he didn't get the knife until he was in his mother's

car. This was after the first encounter and some hours had passed. The cooling off period had past.

He, by his own admission, went back down to the boat ramp, armed himself with a knife. All the testimony so far is that the first blow was with the knife. It wasn't as if he began fighting with the fist and then switched to the knife. He, all along, had in his mind that was the intent that he was going to use this deadly weapon on Tony Jackson. So, clearly, malice has been established, malice aforethought.

THE COURT: Viewing the evidence in the light most favorable to the State, of course, the Court's concerned with the existence of any evidence as to the elements of the crime and not to its weight. Therefore, I will deny the Defense's motion for a directed verdict.

Mr. Verner, you have indicated to the Court in chambers that it's your plan to call one witness. I still need to advise your client concerning his rights to testify or not testify. Even though you've indicated what the plan is, I still need to do that. So give me just a second to pull this up.

Please stand, I need to have you sworn in.

Madam Clerk.

THE CLERK: Raise your right hand.

MATTHEW JACKSON, after being duly sworn, testified as follows:

EXAMINATION

BY THE COURT:

Q All right, sir, at this time, I'm going to explain to you certain of your rights. If you do not understand anything I say, please let me know that. If you want me to explain anything in more detail, please let me know that as well. Do you understand, sir?

A Yes, sir.

Q We now have reached the stage in the trial where you may present your defense. You have the right to claim the protections given to you by the Fifth Amendment to the Constitution of the United States. This amendment states in part, a person shall not be compelled in any criminal case to be a witness against himself. This means that you will not be required to testify in this case. You have the right to testify on your own behalf. However, no one can make you testify. This is a personal right. No one can waive this right except you, sir.

If you decide to testify, you will be subject to the same rules that govern other witnesses. You may be examined and cross-examined on any relevant issue in this case. In addition, if you have any

convictions involving dishonesty or false statements for crimes punishable by imprisonment for more than one year and this Court determines that the probative value of admitting this evidence outweighs the prejudicial, the Solicitor would be able to introduce your record to attack your credibility.

If you decide to testify, this decision on your part must be freely and voluntarily and intelligently made with knowledge of protections given to you by the Fifth Amendment and the consequences of your decision to testify. If you decide not to testify, this decision also must be made freely and voluntarily and intelligently. And I will instruct the jurors if you decide not to testify that they could not give the fact that you did not testify any consideration whatsoever. And there's to be absolutely no prejudice to you because you did not testify.

It is left entirely up to you whether or not you testify. You certainly have the right, which I'm sure you already have talked with your attorney, your family and friends and anyone else, but the final decision is to be left entirely up to you.

Have you understood what I just explained to you, sir?

A Yes, sir.

Q Have you made a decision on whether or not you will testify?

A No, sir, I will not.

Q Is that decision been made by you freely and voluntarily and intelligently?

A Yes, sir.

THE COURT: Thank you very much, sir. Have a seat.

All right. You need to find your witness?

MR. VERNER: She may be outside the door, but let me go see who's there. I'll be ready to start as soon as the witness is here.

THE COURT: Okay.

MR. VERNER: Now, Judge, I do want to ask the Court, I am not going to call any witnesses other than Ms. Christy Eigner. Russ Severance is listed on my witness list. Technically, he would be under the sequester order. I'm not going to call anymore witnesses, so whether the Court wants him excluded.

THE COURT: No, he's fine to stay in the courtroom.

MR. VERNER: The reason for that is she's just going to point him out and say that's Russ, my brother. But I'm ready to --

THE COURT: All right. Give me one second,

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please.

MR. VERNER: I think the Court wanted to proffer first.

THE COURT: I think you wanted to proffer some testimony from Ms. Eigner, correct?

THE CLERK: Raise your right hand and place your left hand on the Bible.

CHRISTY EIGNER, after being duly sworn, testified as follows:

THE CLERK: Have a seat.

DIRECT EXAMINATION

BY MR. VERNER:

Q Tell us your name, Christy.

A Christy Eigner.

Q What's your relationship to Matt Jackson and Ashleigh or the parties in this case?

A I've known both of them since they were born.

Q Pull that microphone down just a little bit. You can pull it, it's bendable.

A I've known both of them since they were born, babies. And Ashleigh is the mother of two of my nieces.

Q Okay. Do you remember June 6th of last year, June 6th of '18?

A I do.

Q Do you remember encountering -- who did you

encounter that evening with the children?

A Ashley Platts and Alexis Cockrell.

Q All right. What about Ayleah?

A I don't recall her being there that night.

Q Anybody else other than the children?

A She might have been in the car with Alexis. It was more so Ashley Platts is who I picked the children up from.

Q And Alexis or Ayleah?

A Alexis.

Q Okay.

THE COURT: Cockrell?

THE WITNESS: Cockrell.

BY MR. VERNER:

Q From your personal observations, had they been drinking?

A They had.

Q How could you tell?

A I could tell by the smell of alcohol in the vehicle when I picked the children up. And I had exchanged words with Ms. Platts about it.

Q Did you do anything more than exchange words with her?

A I did. I called the police.

Q To report them for driving under the influence

with the kids?

A I did.

Q Now, did you go to the bond hearing for Matt Jackson and Sheila Norton Jackson?

A I did.

Q What happened at the -- just the sum, was there kind of an unpleasant exchange of words between Ashleigh and her sisters directed towards either Russell or you or anybody else?

A Yes, sir.

Q Just briefly, what happened?

A We walked in, trying to find out what was going on, really concerned more so with the kids --

Q Walked in the magistrate's office?

A Yes.

Q Okay.

A Didn't really know whose bond hearing was what or what the situation was. Basically, went with my brother, who is the father of the children that was there and witnessed the situation. And there was an exchange of words. Can't really remember if it started more so with Ashleigh or with her sister first. But with the exchange of words --

Q I assume it was an unpleasant exchange?

A Yes.

Q Okay.

A Then her younger sister kind of darted, a lot of chaos. I think Ashleigh was put in handcuffs. Kind of escorted out and then Mr. Danny Gilliam came in and just asked, you know, what was going on. And we just said we were there to find out about the bond hearing and what was going on with the situation because it involved my nieces. And --

Q Danny Gilliam is a deputy?

A Correct. Then I had exchanged words with Ashleigh's grandmother, Ms. Cathy.

Q Okay, that's fine. That's the gist of what happened?

A Uh-huh.

Q And is that kind of consistent with the state of the relationship over the years involving the children between the two families?

A It's kind of been back and forth. My brother's had custody of the kids for about four years. They had joint custody with him as primary. But for the majority, they lived with my brother and my mom. I see them everyday or kind of the one who helps raise them.

Q Okay.

MR. VERNER: Thank you. If Mr. Scott or Mr. Daniel has any questions.

But that's the extent of the proffer, at least, as far as the bond hearing. Just -- I don't know if you want to be heard on arguments now.

THE COURT: Well, as far as the proffer, I don't necessarily see where the State needs to cross-examine.

MR. VERNER: It would just show the bias. I think it's a probative of the biases of the witnesses and the question, I guess, of whether it's cumulative to what's already been put in there. But just the fact that the negative relationship between both sides just shows the bias. The fact that they would be arrested during a bond hearing for going after the family members of Russell and by proxy, it's been -- largely, what I said in opening statement was kind of the theme of this case is that there's bad blood that leads to this case and leads to him being singled out. And she's just kind of -- this is just consistent of the bias and the prejudices of the witnesses and parties.

THE COURT: All right. Solicitor, you want to address this proffer testimony?

MR. SCOTT: I think -- I think the evidence of alcohol, I guess would be relevant. The DSS stuff and the family court stuff that happens the day

after, custody issues between them, I find that to be irrelevant to what we're here for.

THE COURT: Mr. Verner, I'm going to allow testimony concerning the issue of drinking that night. That's been an issue throughout this case. However, concerning any other matters proffered by Ms. Eigner, I'm not going to allow that to be brought in front of the jury.

MR. VERNER: That includes both the bond hearing and just the joint custody issue?

THE COURT: Yeah. I think that's a stretch to -- and I understand your kind of theory of this case, I understand that, but I think that's probably kind of crossing the line a little bit to allow that evidence to come in. But I will allow any evidence of drinking concerning anybody down at the boat ramp that day.

MR. VERNER: Do you understand, Christy? The Court's just going to let you testify about seeing them that night. Just have a seat. I'm going to call you up when they rest their case.

They haven't technically rested, so I'm not going to call her --

THE COURT: That's right. They'll rest on the record in the presence of the jury.

Anything else before we bring the jury out?

Hearing none, Madam Bailiff.

(WHEREUPON, the jury came into open court at approximately 10:21 a.m.)

THE COURT: The jury is back in the courtroom.

Good morning, ladies and gentlemen. Hope you're doing well and maybe not quite as chilly today as it was yesterday. Of course, yesterday, then it got kind of warm. But it is what it is.

State ready to proceed?

MR. SCOTT: Your Honor, the State rests at this time.

THE COURT: Mr. Verner.

MR. VERNER: Your Honor, the motion for directed verdict that the Court's heard earlier.

THE COURT: Right. You renew those and the ruling remains the same.

MR. VERNER: Judge, we are prepared to put on a defense. I call Christy Eigner.

THE COURT: All right, come around, Ms. Eigner be sworn in, please.

THE CLERK: Place your left hand on the Bible raise your right hand.

CHRISTY EIGNER, after being duly sworn, testified as follows:

THE CLERK: Have a seat and state your name for the record.

THE WITNESS: Christy Eigner.

DIRECT EXAMINATION

BY MR. VERNER:

Q Ms. Eigner, if you don't mind, I'm going to ask you questions from here just so the jury can hear a little bit better. I don't need an address, but what community do you live in?

A Newberry County.

Q How long have you lived in Newberry?

A All my life with the exception of a few years.

Q Do you work now?

A I do.

Q What type of work do you do?

A I own a salon in town.

Q Hair salon?

A Yes, sir.

Q Are you familiar with Matt Jackson?

A I am.

Q Are you familiar with Tony?

A I am.

Q Are you familiar with Ashleigh Cockrell and the Cockrell sisters?

A I am.

Q What's your relationship to everybody?

A With Matt, I've known him since he was born. He's actually named after my grandfather. Ashleigh and Tony, Ashleigh is the mother to my nieces with my brother, R.J., Russell Severance.

Q So we've heard about the two girls that are Ashleigh's children and Tony's -- well, they're Ashleigh's children?

A Correct.

Q Those would be your nieces?

A Correct.

Q What are their names again?

A MINOR 2 and MINOR 1.

Q Roughly, how old are they?

A Eight and nine.

Q How often do you see them?

A Every day.

Q For years?

A For years, I saw them a lot, but my brother's actually had custody for about four years. Joint custody with him as primary.

Q Your brother is Russ Severance?

A Russell Severance.

Q Is he in the courtroom?

A He is.

Q Where is he?
A Sitting right here.
Q The gentleman with the dark hair and beard?
A Yes, sir.
Q That is Ashleigh's ex?
A Correct.
Q Okay. And you're certainly familiar with the history of the children of Russ and Ashleigh?
A Very.
Q Do you remember June 8th of last year, 2018?
A I do.
Q All right. And you understand Matt's been charge with attempted murder?
A I do.
Q Related to Matt and the incident between Tony and Matthew, what do you remember happening on June 8th of last year?
A I received a phone call from my mother asking me if --
Q Your mother, is that the lady sitting next to your brother?
A Robin, yes. I received a phone call from my mother. She was kind of frantic asking me where I was. I told her I was in Prosperity, I was picking up a couple of my children from cheerleading practice. She asked me

could I get somewhere and get my brother's kids picked up, that an incident had happened at the lake and that the ambulance had been called. At that time, I told her to find out where they were. And I went straight to the location when she called me back, which was the Citgo on Highway 76 in Prosperity.

Q So you went straight from the call to Citgo in Prosperity?

A Correct.

Q What happened there?

A When I got there, a vehicle pulled up with Ashley Platts driving. The second vehicle -- I don't know which one was in front of who.

Q Now, Ashley Platts, do you know Ashley Platts?

A I do, she's actually the mother to my cousin's child, so I know her very well, too.

Q Is John Platts your cousin?

A No, Dillon Taylor, her oldest son.

Q Are you familiar with John Platts, her husband?

A I know him, but I don't know him very well.

Q Okay. So Ashley Platts is at the Citgo and who else?

A Then Alexis Cockrell is driving Tony's vehicle. And Ashley Platts has all the children in her car, several children, including my nieces. All of them were screaming

and crying. And as I approached the vehicle, I began to exchange some words with her. I was not too happy about the situation with alcohol.

Q What do you mean by that?

A Well, when my mom called, her version of events is there was a lot of drinking, get the kids, get them ASAP. So I was already kind of in a rage about the children being down at the lake with a lot of alcohol. So when I got there, I walked up to the vehicle. Needless to say, not a single one in seatbelts. Had words about that. She's screaming, I'm screaming. Officers were already there because I called the police in route to the gas station.

Q Did you make any independent observations of whether --

A I did.

Q -- there was drinking?

A I did, yes.

Q And in your observation, did they appear that they had been drinking?

A They did, in my observation.

Q How did you -- just tell --

A The smell of alcohol.

Q Okay.

A And the redness of the eyes. And I don't know

if the redness was from crying or, you know, but the kids were in an uproar. So at that time, my thing was to get the children out of the vehicle. One very nice officer walked over and said a prayer with me and the children to calm them down. And I asked the officers to pull them over and give them a test for alcohol, but they refused to because of the circumstances and the ambulance.

Q But in your opinion, you're confident in saying that, at least, Alexis and Ashley had been drinking?

A I didn't see Ashleigh. Well, Ashley Platts, yes, sir.

Q But --

A Ashley and Alexis, yes.

MR. VERNER: Subject to the proffer, Your Honor, the State's witness.

THE COURT: Okay.

All right, any cross-examination, Solicitor?

CROSS-EXAMINATION

BY MR. SCOTT:

Q The kids were crying?

A Yes, sir.

Q They were frantic?

A Yes.

Q They indicated what they had seen? Can't say what they said, that's hearsay. Did they indicate to you

--

A Well, they indicated that Tony was hurt and they were worried about Tony, so we said a prayer for Tony together with the officer.

Q You said officers were there at the Citgo when you got there?

A Yes.

Q And you told them, Hey, I think these people are drinking. And they had the opportunity to talk with Alexis and Ashley Platts?

A I don't know they that spoke with Alexis, they kind of intervened when we began arguing. Once we began to argue and the officer intervened is when I just got the children and walked them around the back of my vehicle and they all took off. And I stood there, had a little conversation with the officers about pulling them over. And they said that considering the circumstances, they were all headed to the hospital and called it into the officers that were located in Newberry.

Q And the officers, I suppose, didn't have enough evidence to arrest them for DUI? Were they arrested for DUI?

A They didn't arrest them.

Q I'm sorry?

A They didn't arrest them, so I assume not.

Q So nobody was arrested for DUI to your knowledge?

A Not that I know of.

Q Public drunk, anybody getting tickets for that or anything?

A Not that I know of.

Q Public disorderly conduct, anything like that?

A Not that I know of.

Q Okay. Were you down there at the boat ramp that day?

A No, sir.

Q So you have no knowledge of what went on that day, personal knowledge, personal observation?

A I do not.

Q You haven't been here this week?

A No.

Q You and I know each other, don't we?

A We do.

Q And you haven't been here during this court proceeding, so you're not aware that there's body cam video that takes place at the hospital. So, presumably, they left from the Citgo and went right to the hospital, did you know that?

A From hearsay, yes, I heard.

Q So if Alexis had been drinking and was

intoxicated, we expect to see that on that body cam, would we not?

A I would think.

Q So if she was drunk, then minutes later at the hospital, she should show up on the video appearing to be drunk?

A Uh-huh.

Q Okay. Anything else? The kids, have they gone through counseling or anything from what they saw that day?

A They did. They went through some counseling. I actually contacted DSS concerning the situation because this has went on for years. And they went through some counseling.

Q Do you agree that's a traumatic thing for young kids to see somebody get stabbed?

A I do, absolutely.

MR. SCOTT: Thank you, Ms. Eigner.

THE COURT: Any redirect, Mr. Verner?

MR. VERNER: No, Your Honor.

Thank you, Ms. Eigner.

THE COURT: You can step down, ma'am.

Anything further witnesses from the Defense, Mr. Verner?

MR. VERNER: Your Honor, if the Court gives me

just a few minutes to align my notes, I'm prepared -- they've seen the case and unless we want more witnesses, I'm prepared to argue it now.

THE COURT: If you need a few minutes to review your notes and make the determination, I want to give that to you.

So ladies and gentlemen, just go back to the jury room for a few minutes and give Mr. Verner an opportunity to decide if he wants to call any further witnesses. Bring you back out shortly.

(WHEREUPON, the jury left open court at approximately 10:34 p.m.)

THE COURT: All right. Be in recess for a few minutes.

MR. VERNER: First, Judge, I would renew my motion for directed verdict.

THE COURT: All right, so noted. All right. Take a few minutes to make a decision on what you're going to do.

MR. VERNER: I think I just need maybe ten minutes at the most to get paperwork in order and get the exhibits that I want to use. And then I assume it's --

Are you going to argue?

MR. SCOTT: Are you going to call anymore

witnesses?

MR. VERNER: No.

THE COURT: Oh, I thought you needed some time to figure out if you were going to call any other witnesses.

MR. VERNER: No, Judge, just 10 minutes to align my closing arguments.

MR. SCOTT: We haven't even talked about charges yet.

MR. VERNER: Are y'all going to do any rebuttal?

MR. SCOTT: No.

THE COURT: Here's my thinking, get your feelings on it. Assuming there are no further witnesses, you're not doing a reply case, go ahead and do closing arguments, then send them on for lunch. And during that period of time, then we can sit down and discuss charges and then bring them back after an early lunch break and charge. I know -- I anticipate some time that we're going to spend on discussing charges based upon what we talked about yesterday in chambers.

MR. VERNER: The only issue is I would intend to charge the lesser included. So it might color how I argue if the Court --

THE COURT: Okay. All right. Then what I may

do is just send them on for a real early lunch break, then maybe get them back maybe about like 12:00 or something. We could discuss charges, then argue and charge then, how about that?

MR. SCOTT: Yes, sir.

MR. VERNER: I'd prefer that because it will color my closing as well. 11:30 or 12:00 would be -- but just a short -- my only argument is going to be on the lesser included, so 10, 15 minutes, whatever.

THE COURT: Well, I'm going to bring the jury out and go ahead and send them on until twelve o'clock and that should give us ample time. You can go ahead and rest on the record. State had indicated no reply case, then I'll close the evidentiary record.

All right, Madam Bailiff, bring the jury out.

(WHEREUPON, the jury came into open court at approximately 10:34 a.m.)

THE COURT: Jury is back in the courtroom.

Mr. Verner.

MR. VERNER: Judge, the Defense rests.

THE COURT: All right. Does the State intend to put up any reply case?

MR. SCOTT: No, Your Honor.

THE COURT: Thank you very much.