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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Beaufort County
Honorable R. Ferrell Cothran, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TY LEIC DAE JHON CHANEYFIELD,

APPELLANT

APPELLATE CASE NO. 2023-001595

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
STATE’S EXHIBIT #40 (VIDEO DISK), STATE’S EXHIBITS #41–42 (STILL PHOTOS),
AND STATE’S EXHIBIT #102 (DVD VOID INTERVIEW).**

1 out of Bluffton towards Hardeeville.

2 The next phone call we have off of his
3 device shows the device is in Hardeeville.

4 Q It was deposed to, you would think, and
5 it would appear, in reality, to go off of an
6 adjacent cell tower from there, and that cell
7 tower was at full capacity, could it go to that
8 cell tower --

9 A That's such a --

10 Q well --

11 A -- strange question, I don't know how to
12 answer that.

13 Q I don't have all the lingo and the
14 vocabulary, so I'm trying to understand this.
15 What happens, if a cell phone's supposed to go
16 to one tower, and the tower can't take it,
17 because it has too much capacity, things already
18 on it, what happens to that cell phone call?

19 A In those scenarios it would go to the
20 next closest tower.

21 Q Okay.

22 A That's -- you have to be 100 percent
23 verified; I can't testify exactly --

24 Q Sure.

25 A -- where that device was, if that was

1 the only tower that was in use at that point in
2 time, if there's another overloaded tower right
3 next to it.

4 Q Where in several miles of the cone it's
5 at, right?

6 A Correct.

7 Q Okay. All right. So the one at 11:31
8 you say was west of the tower that is indicated
9 by the Rossen record, right?

10 A Yes, sir, based off of that sector --

11 Q Okay.

12 A -- at tower 231 pointing out at
13 Bluffton, that's right.

14 Q Okay. Where was Jimmie Green at 11:31,
15 if that time is right?

16 A Jimmie Green did not make any phone
17 calls after the incident took place.

18 Q So the answer would be you don't know?

19 A Correct.

20 Q Where was Jimmie Green's car at 11:30?

21 A I can't say.

22 Q We had the guy from SLED come in, well,
23 let me ask you. The second relevant date there
24 was a time, there was a -- something you read
25 off for Ty Leic Chaneyfield.

1 Do you have your report with you --

2 A Yes, sir, I do.

3 Q -- the timeline? What was the one that
4 was over in Ridgeland, and then you added that,
5 "That's where Jimmie Green lived," or "he lives
6 near there." Which one was that?

7 A Tower 48 --

8 Q And what time --

9 A -- Okatie, and that's not Ridgeland,
10 that's in Hardeeville.

11 Q Okay.

12 A Tower 48.

13 Q What time you got on that?

14 A For Ty Leic's phone?

15 Q Yeah.

16 A 11:55 and 11:59.

17 Q 11:55 and 11:59.

18 A Is the first activity at Tower 94, and
19 it moves to the second sector.

20 Q Okay, and your testimony, I believe, was
21 that, again, if all assumptions and data is
22 correct, that you say that that cone includes an
23 area and address at which you know Jimmie Green
24 to live?

25 A That is correct.

1 Q And that's [REDACTED] Magnolia?

2 A Yes, sir.

3 Q All right, so, again, assuming
4 everything's right, you're saying that Ty Leic
5 Chaneyfield was in that cone. You can't say
6 exactly where, but you do say that you believe
7 that [REDACTED] Magnolia Circle is within the cone of
8 the tower that you testified to, right?

9 A I can't say that Ty Leic Chaneyfield was
10 there, I can say that Ty Leic Chaneyfield's
11 phone was there.

12 Q Okay.

13 A Yes.

14 Q Fair enough. Now, are you familiar with
15 that area over there, Mr. Hightower?

16 A Yes, sir, I've been to [REDACTED] Magnolia
17 Circle multiple times.

18 Q Okay. Are you familiar with the
19 surrounding area of that neighborhood?

20 A I am, yes, sir.

21 Q Okay. So you know where [REDACTED] School Cut
22 Road is, right?

23 A Yes, sir.

24 Q And --

25 A I've been there multiple times as well.

1 Q And you would agree that it is less than
2 one mile from [REDACTED] Magnolia Circle to [REDACTED] School
3 Cut Road? Would you agree with that?

4 A It is seven-tenths of a mile, based on
5 my drone test.

6 Q Okay, seven-tenths of a mile, okay.
7 Now, do you know why [REDACTED] School Cut Road is an
8 address that never come up? Do you know why
9 that's important?

10 A Yes, sir, I do.

11 Q All right. And the reason it's
12 important is because on April 26th of 2023 --

13 MR. STONE: Your Honor, can we approach?

14 THE COURT: Yes, sir.

15 MR. LEE: Thank you.

16 (Bench conference.)

17 BY MR. LEE:

18 Q Going back to the phone records, there
19 seems to be a big gap of time where there's no
20 activity on Jimmie Green's phone, like that
21 night into the next day; is that correct?

22 A Mainly after 11:30.

23 Q Yeah, yeah, that's what I was gonna say,
24 okay.

25 A Yes, sir.

1 Q 11:30 until -- do you know offhand?

2 A The following morning I can give you an
3 exact time, if you'd like?

4 Q Yes, sir, if you have it right there.

5 A 7:16 a.m. where Jimmie Green FaceTimed
6 with Shayna Void.

7 Q So for those seven, eight hours it's
8 crickets, as far as activity for Jimmie Green's
9 phone, right?

10 A Yes, sir, it is.

11 Q No calls coming in, no calls going out,
12 no FaceTimes, nothing that would show up in the
13 records that you've got, right?

14 A Yes, sir.

15 Q And would that be, in your experience,
16 would that be indicative of a phone being turned
17 off?

18 A Yes.

19 Q Would that be consistent with that?

20 A It's possible.

21 Q Okay, all right. All right, now,
22 contrast that to those same hours with Ty Leic
23 Chaneyfield's phone. There continues to be
24 activity on Ty Leic Chaneyfield's phone during
25 the time following the shooting, right?

1 A The last activity we have was on March
2 the 6th of 2021 --

3 Q Yeah.

4 A -- at 3:18 a.m.

5 Q Okay. It's like from 11:30 to 3:18, or
6 whatever, you showed -- I mean Bluffton,
7 Hardeeville, Jasper, going back to Beaufort,
8 right, with all those towers picking it up?

9 A Yes, sir, that's how it goes.

10 Q Okay, so it doesn't appear his phone's
11 off during that time, because you've got the
12 records, right?

13 A At least up until 3:18 a.m., yes.

14 Q Okay, all right. And then it could have
15 died, the battery could have died, or it could
16 have cut off are two possible scenarios?

17 A Could have been a series of things, yes.

18 Q Okay. According to license reader plate
19 testimony from Special Agent Amos, he said that
20 you had the ability to retrieve that
21 information, that has a picture of the license
22 plate of the car the one underneath with the
23 information; is that right?

24 A I do, yes.

25 Q Okay, all right. And you were -- and

1 you did that in this case, right?

2 A On March 6th of 2021, yes, sir, I did.

3 Q Okay, and then how many hits did you --
4 do you remember how many hits you got on the
5 vehicles you attempted to locate?

6 A How many hits?

7 Q Well, I mean how many things came back,
8 and said here's something from the ALPR?

9 A I don't remember how many cars or how
10 many tags I ran, but --

11 Q Okay.

12 A -- there was a series of results in each
13 of those as queries, yes.

14 Q Isn't it true that one of the results
15 that you got back actually was from a different
16 tag number, but it was like one off; is that
17 right?

18 A Yeah, and that's when you verify through
19 the infrared camera the image that's, you know,
20 depicted in the earlier exhibit. You can look
21 at it and tell that it's inaccurate. It's
22 logged in the system as one of the tags we were
23 running, or what query we got to.

24 Q So him saying that it's not 100 percent
25 fool proof is correct? You'd agree with that,

1 because you even experienced that, right?

2 A Oh yeah.

3 Q Yeah, okay. All right.

4 MR. LEE: That's all I have, Your Honor.

5 MR. STONE: Your Honor, just very briefly.

6 **

7 **REDIRECT EXAMINATION**

8 BY MR. STONE:

9 Q On the cell tower we talked about I know
10 that the question was, you would not expect a
11 phone call to hit, you didn't -- that wasn't
12 about 231 though, right? That wasn't the cell
13 tower -- was it 231?

14 A 11:31.

15 Q Yeah, excuse me, the 11:31 phone call
16 that hit tower 283. So this one here that we're
17 talking about that Chaneyfield's phone hit,
18 that's not the one you're saying you didn't
19 expect that to hit, you were talking about
20 somewhere down here; is that correct?

21 A Well, the device connected to that tower
22 and that sector, we know it definitely utilized
23 that tower and that sector. What I was
24 referring to was the New River Auto Mall, if he
25 was closer to that tower near New River Auto

1 Mall, I would anticipate that would also be in
2 use, but it wasn't in this case.

3 Q Okay, and then how far down is that one,
4 is that tower?

5 A Five to six miles from Buckwalter and
6 278 was my best approximation.

7 Q All right, and then your -- I think your
8 estimate before, how many miles from the tower?
9 How much range does this have?

10 A I mean it's impossible to tell, but
11 unless -- ideally, you would anticipate once it
12 reaches around the USCB area, it would start
13 utilizing the tower next to New River Auto Mall.

14 Q So it shifts, in other words, it goes to
15 a different one?

16 A Right.

17 Q Okay.

18 A And in order for you to have an active
19 phone call, and you're not dropping the call in
20 the middle of a five-minute, ten-minute phone
21 call, you're actually utilizing multiple towers
22 as you're traveling.

23 Q And that's not -- this is a six-second
24 call, so that's not gonna happen?

25 A That is correct.

1 MR. STONE: Thank you, Your Honor, nothing
2 else.

3 THE COURT: Okay, you can step down.

4 MR. STONE: Your Honor, at this time the
5 State recalls Walker Michaud to the stand. I
6 believe over the lunchbreak, Your Honor, we got
7 the audio sorted out.

8 THE COURT: Okay.

9 CLERK: He's already sworn in, unless you
10 want him to retake the oath.

11 THE COURT: I'll remind him.

12 CLERK: Okay.

13 THE COURT: Mr. Michaud, I'll remind you
14 you're still under oath.

15 MR. MICHAUD: Yes, sir.

16 **

17 WALKER MICHAUD,
18 being previously sworn testified as
19 follows:

20 MR. STONE: And, Your Honor, it's going to
21 be playing through here, and we've managed to
22 put it through the Court speaker, so, hopefully,
23 it'll be in the entire room.

24 And I will tell Your Honor and, obviously,
25 the members of the jury, it does start a little

1 rough, but it gets better fairly quickly. So
2 we've got it maxed out on volume running through
3 the courthouse speakers. Mr. Hightower?

4 (Video being played for the jury.)

5 **

6 **DIRECT EXAMINATION CONTINUES**

7 BY MR. STONE:

8 Q And just a couple of recap questions on
9 the video, who was that that you were
10 interviewing?

11 A Stacy Void.

12 Q All right, is that the same Stacy Void
13 that testified yesterday?

14 A Yes, sir.

15 Q And what was the date of that interview?

16 A That would have been the 6th of March.

17 Q Sixth of March? What year?

18 A 2021.

19 Q All right, so the day after the shooting
20 occurred?

21 A Yes, sir.

22 Q All right. This has already been moved
23 into evidence, but I'm gonna hand you what's
24 been already entered into evidence, I believe,
25 as State's 47, and I'm also going to hand you

1 for identification State 82 and 83, and ask you
2 if you can identify those photographs?

3 A Yes, sir.

4 Q All right, and what are those
5 photographs of?

6 A They're photographs of Ms. Dell
7 Pringle's Hyundai SUV.

8 Q All right, and is this the Hyundai Santa
9 Fe that we've heard about through this trial?

10 A It is.

11 Q And, again, who is Dell Pringle, as far
12 as related to somebody in this case?

13 A It's the mother of Jimmie Green.

14 Q And is this a fair and accurate
15 depiction of the Hyundai Santa Fe as you saw it?

16 A It is.

17 Q All right, and has it been altered or
18 changed in any way?

19 A No, sir.

20 Q All right.

21 MR. STONE: Judge, I'd ask that Exhibits 82
22 and 83 be entered into evidence. I believe 47
23 already is, but on the off-chance it's not, I'd
24 ask that 47 be admitted as well.

25 MR. LEE: No objection, sir.

1 MR. STONE: Okay, they're in without
2 objection.

3 (State's Exhibit 47, 82 and 83 were
4 admitted into evidence.)

5 MR. STONE: Thank you, Your Honor.

6 BY MR. STONE:

7 Q What connection, if anything, did you
8 have to locating Jimmie Green's Hyundai Santa
9 Fe?

10 A I actually did the search warrant and
11 seizure of the vehicle at [REDACTED] Magnolia Circle
12 in Hardeeville.

13 Q All right, so your testimony is you were
14 the one that actually participated in the
15 seizure of that vehicle?

16 A Yes, sir.

17 Q And what day was that that you seized it
18 on?

19 A It would have been the next day, the
20 7th.

21 Q So on March the 7th of 2021?

22 A Yes, sir.

23 Q All right, and when you say you seized
24 it, did you move it from Jimmie Green's house to
25 another location?

1 A Yes, sir, I obtained the search warrant
2 and seized it. We had the vehicle towed back.
3 I escorted it back with the two truck, where it
4 lies in the Southport of the Bluffton Police
5 Department.

6 Q All right, so, basically, has it been --
7 it was secured inside the Bluffton Polie
8 Department area?

9 A Yes, sir.

10 Q All right. Thank you, sir, I don't have
11 any further questions. Please answer any
12 questions that Mr. Lee has.

13 **

14 **CROSS-EXAMINATION**

15 BY MR. LEE:

16 Q As part of your police training, have
17 you received any training or education on taking
18 statements and getting confessions or statements
19 from witnesses?

20 A Yes, sir.

21 MR. LEE: That's all I have, Your Honor.

22 THE COURT: Okay.

23 MR. STONE: Nothing further, I ask that he
24 be allowed to step down, Your Honor.

25 THE COURT: Okay.

1 MR. STONE: The State calls Harold Rogers.

2

3

4

5

HAROLD ROGERS,

6

BEING DULY SWORN TESTIFIED AS FOLLOWS:

7

8

DIRECT EXAMINATION

9

BY MR. STONE:

10

Q And, Mr. Rogers, I want to pull that
11 microphone to you up here, did you get it?

12

A Yes, sir.

13

Q Mr. Rogers, you're currently, obviously,
14 in a Detention Center.

15

Where are you now, sir?

16

A I'm in Dorchester County Detention
17 Center.

18

Q And where were you prior to the
19 Dorchester County Detention Center?

20

A Beaufort County Detention Center.

21

Q Prior to the Beaufort County Detention
22 Center, where were you?

23

A In Jessup -- well, Anne Arundel County
24 Detention Center and Jessup Correctional
25 Institute Prison in Jessup, Maryland.

1 Q How long did you spend in the prison
2 system in Maryland?

3 A 30 years.

4 Q And up until -- what time did you
5 actually get moved down to the Beaufort County
6 Detention Center?

7 A I got moved down to Beaufort County on
8 April the 19th, 2022.

9 Q 2022?

10 A And that was a total of 30 years, yes,
11 sir.

12 Q And you've spent a good amount of time
13 in prison, have you not?

14 A Yes, sir, I have, yes.

15 Q Okay. And I'm gonna go through your
16 crimes, I want to make sure that we're clear on
17 this, if I leave one out, but I want to make
18 sure I get this right, but you were in prison
19 for Maryland for robbery, armed robbery,
20 attempted armed robbery, kidnapping. What else?

21 A Kidnapping, robbery, armed robbery,
22 attempted robbery, theft, a handgun violation,
23 just pretty much that, you know, strong-arm
24 robbery.

25 Q So as an aggregate of all of that, you

1 ended up serving, roughly, 30 years in the
2 Department of Corrections in Maryland?

3 A I pled guilty to everything I did, yes,
4 sir, I did 30 years.

5 Q And I imagine some of those were also as
6 a result of a probation violation, as well,
7 probation violations that went along with those
8 charges, correct?

9 A Yes, sir.

10 Q So you didn't do all the 30 years, you
11 did some time, violated your probation, went
12 back; is that correct?

13 A And served the rest of the remainder,
14 yes, sir.

15 Q And you actually have an armed-robbery
16 that's pending in Beaufort County; do you not?

17 A Yes, sir.

18 Q And that's from 2012; is that correct?

19 A Yes, sir.

20 Q I'm assuming that predates the
21 Department of Corrections at that time, so you
22 went to Maryland after that?

23 A Yes, sir.

24 Q And in your time in Maryland on that
25 last stint, but is that about -- how many years

1 was that?

2 A I'm sorry?

3 Q How many -- when you went back to
4 Maryland after the 2012 robbery here in Beaufort
5 County, how long were you there in Maryland in
6 prison?

7 A Ten years.

8 Q Okay. So for the last ten, 11 years
9 you've been in prison?

10 A I've been incarcerated 11 years and some
11 months, yes, sir.

12 Q Okay, and you arrived in Beaufort County
13 at the Detention Center there. I'm assuming
14 they finished with you in Maryland?

15 A Yes, sir.

16 Q And that would have been -- that's your
17 April of 2022 date; is that right?

18 A April, yes, yes.

19 Q Okay. When you moved into the Beaufort
20 County Detention Center, did you meet Ty Leic
21 Chaneyfield?

22 A Yes, sir.

23 Q And do you see Ty Leic Chaneyfield in
24 the courtroom today?

25 A Yes, sir.

1 Q Can you point him out for me?

2 A Right over there, sitting next to the
3 attorney.

4 Q What's he wearing?

5 A A suit, shirt and a tie.

6 Q Did you know Ty Leic Chaneyfield as any
7 other name?

8 A 30.

9 Q When you met Ty Leic Chaneyfield, what I
10 want to talk to you about now is -- I know
11 you're in prison, and in the Detention Center
12 there's a lot of people you talk to, but I want
13 to talk to you exactly about what you talked to
14 with Ty Leic Chaneyfield, okay?

15 A Yes, sir.

16 Q Tell me how you met Mr. Chaneyfield.

17 A The night he came in and had a pair of
18 Under Armor tennis shoes on, and he just came
19 in, and I said, "I like your shoes you had on,"
20 and we started talking.

21 He said, "You might have heard about me."
22 You know, he said his name and everything, and I
23 said, "I'm from Maryland, I just got down here."
24 And then somebody had a newspaper like the next
25 day, and was in the newspaper, so somebody came

1 and showed me.

2 He came back and started talking to me, he
3 said, "Yeah, okay, okay, I see your legit. You
4 might have read about me on page four about a
5 murder that happened." "No, I didn't, I just
6 got down here a few days ago," and just started
7 talking that way.

8 Q Okay. Did he tell you why he was in the
9 Detention Center?

10 A Yes, sir.

11 Q And what did he tell you?

12 A He said he was in there for murder with
13 his co-defendant.

14 Q Did he tell you, in the context when he
15 said, "Have you heard about me on Facebook," did
16 he tell you what that was about? What did he
17 tell you?

18 A He said they killed a football player,
19 supposed to have been over some weed or
20 something, and his co-defendant's house got shot
21 up, and his co-defendant's friend, that lived in
22 Bluffton, had got shot up.

23 And the murder was for retaliation of
24 people they thought was in the car that night in
25 Bluffton.

1 Q Now, is Chaneyfield telling you what
2 he's doing?

3 A Yes, sir.

4 Q And what was his involvement in that?

5 A He was on the passenger seat in Jimmie's
6 mother's car he said.

7 Q All right, and Jimmie, who is Jimmie?

8 A Jimmie Williams was his co-defendant, a
9 young guy.

10 Q Jimmie Williams or Jimmie Green?

11 A Jimmie Green. They called him Slim
12 something, Slim --

13 Q Okay.

14 A -- whatever it was.

15 Q And they were in Jimmie Green's mother's
16 car?

17 A His mother's car that night.

18 Q Now, when you start talking to Mr.
19 Chaneyfield, you're in jail, I guess, starting
20 in April of 2022, when do you move out of the
21 Beaufort County Detention Center?

22 A I was in there from April all the way
23 until December the 15th and -- of 2022.

24 Q Okay. Of that time when you were
25 spending in the Beaufort County Detention

1 Center, how much time did you spend talking to
2 Mr. Chaneyfield, or let me rephrase that
3 question. How often did you talk to him?

4 A Every day. We had slept next door, and
5 then we went down and got on the phone together
6 every day. He'd get on the phone first, and
7 then I would get on behind him. I was calling
8 my mother every day.

9 Q And did you talk to him at any other
10 time?

11 A Yeah, we talked at night through the
12 light switch in the cell. You have a little
13 light switch, and we'd talk, or we would sit at
14 the table during rec. I mean --

15 Q Now, what is rec?

16 A When you come out for rec, three hours
17 at a time, in the morning, and then at night,
18 you know, you have separate times that you come
19 out, and we would come out and sit out, and I
20 guess you'd say BS or kick it the whole time.

21 Q Okay, so you talked to him at rec, you
22 talked through the light switch through your
23 cells. Were your cells adjoining? Were they
24 close? Where were they?

25 A I was in 240 up top, and he was in 241.

1 Q Was that the entire time?

2 A It was when he had came back or --

3 Q And let me just rephrase. So he didn't
4 spend his entire time in the cell right next to
5 you, correct?

6 A No, he had been downstairs for a minute,
7 and they had got into a little altercation with
8 some guys on the tier, and they went on lockup
9 for a minute, and then when they came off they
10 moved him right next door to me.

11 Q Gotcha. How much time did you have when
12 he was cellmates, or right beside each other?

13 A I guess we'd talk every day.

14 Q Did you talk into the night?

15 A Yeah, there'd be plenty of times, and
16 sometimes we'd get the door hit to come to the
17 door. You know, he'd be out going to the
18 microwave, or whatever he was doing.

19 Q Tell me -- and I'm gonna back you up a
20 little bit. So when you first started talking
21 to -- go ahead, do you --

22 A I'm sorry, go ahead.

23 Q Okay.

24 A All right, go ahead.

25 Q When you first started talking to Mr.

1 Chaneyfield, he tells you, "You've heard
2 something about me on Facebook," tell me what he
3 tells you after that.

4 A He had said that three of them had been
5 involved in a murder, and it was over, you know,
6 Jimmie Green's house getting shot up and another
7 guy's house getting shot up and et cetera.

8 Q Who were the three people that he told
9 you?

10 A Himself, a juvenile named M.A. [REDACTED], and
11 Jimmie Green.

12 Q Okay, go ahead.

13 A And he said --

14 Q Did he tell you -- and I'm assuming this
15 is a conversation that you had guys had along
16 the way; is that correct?

17 A Yes, sir. It's funny, because I had
18 looked over at the attorney, I actually had
19 contacted his lawyer, trying to get him to
20 represent me on this charge down here, and I had
21 some paperwork, where his lawyer had went on TV
22 for beating an armed robbery charge in Bluffton,
23 that an eyewitness had actually saw, and the
24 lawyer was successful and very skilled in
25 getting an acquittal for the charge.

1 And I showed him thee paperwork and 30 was
2 looking at it like, "That's my lawyer, that's my
3 lawyer." I said, "Yeah, I know it is." You
4 know, that's how we really was going back and
5 forth about the legal stuff.

6 Q Did Ty Leic Chaneyfield tell you how the
7 shooting took place, what happened that day?

8 A Yes, sir.

9 Q All right. How did he start the
10 conversation? What does he tell you that starts
11 the event?

12 A He said they were all down in Jasper
13 County, and went to somebody named M.A. [REDACTED]'s
14 house. And when M.A. [REDACTED] - M.A. [REDACTED] was already
15 there, a little juvenile, 15 or 16-years-old,
16 and him and Jimmie went, he had took his car and
17 parked it at Jimmie's, and then got with Jimmie,
18 and they drove to his mother's car and went
19 there. And then when they got there they were
20 hanging out, and Jimmie's girlfriend Shayna, and
21 her brother, I think Jayden was his name, had
22 called wanting some marijuana, and they went to
23 someplace, which was a bowling alley and like an
24 arcade I think in Bluffton.

25 Q All right, well, let me back -- stop you

1 for just a second, when you say they went, who
2 went?

3 A Jimmie, 30 and M.A. .

4 Q What about the other guy, why didn't he
5 go?

6 A I don't know, he said something about he
7 may be home monitored, or he was the one at
8 home, something with an ankle bracelet for
9 attempted murder, and some other stuff, and
10 stayed in his house, he didn't go.

11 Q Gotcha, okay. Do you remember his name
12 by any chance?

13 A M.A. .

14 Q Okay. All right, so after that -- so
15 these three, M.A. , Jimmie and 30, or Ty Leic
16 Chaneyfield --

17 A Yes, sir.

18 Q -- are now going to this arcade; is that
19 right?

20 A Yes, sir.

21 Q Okay. Tell me what he tells you after
22 that.

23 A He said that they hung out at the arcade
24 for a while. The little young kid kept a
25 bandana around his face, you know, one of them

1 like colored scarfs, where you can't identify
2 who is he, and none of them went inside. They
3 all stayed out in the parking lot for a while,
4 and then they went to someplace called -- oh,
5 wait a minute, they were sitting there, and
6 Shayna and Jayden -- Shayna saw some guns in the
7 backseat, and they didn't see whose face, you
8 know, he didn't know who he was, but they
9 thought his name was Shy, S-H-Y, and --

10 Q And this is the juvenile, this is the
11 guy who turns out to be M.A. ?

12 A Right.

13 Q Okay.

14 A And he said they went to Edgefield to a
15 guy's house. In Edgefield or Edgeview,
16 somewhere in Bluffton.

17 Q Okay.

18 A I'm not from around here, so I don't
19 know all the area. They went to that area and
20 the guy wasn't home. While they were there at
21 the house, Jimmie had went and knocked on the
22 door, and came back, and his phone went off, and
23 it was Shayna saying they were at Parker's and
24 Wendy's somewhere in Bluffton.

25 Wendy's restaurant and Parker's, I think

1 it's a gas station chain or something down here.
2 And saying that we were looking at the people
3 right now that shot your house up.

4 Q And Chaneyfield said he could hear that
5 conversation?

6 A Yeah, he said that Jimmie had him on
7 speaker.

8 Q Okay.

9 A Had his thing on the speaker, and
10 they're saying, "That we're looking -- the
11 people are there right now," and Jimmie's like,
12 "Are you sure? It's all of them, there's all of
13 them there." And they're saying, "We're right
14 here by the gas pumps, and we're looking at them
15 right now, we're staring at them."

16 Q Okay.

17 A He said they took off to Parker's and
18 Wendy's. And while en route there they didn't
19 even have to turn in, they just like made the
20 little loop thing, went straight down towards --
21 the people were pulling out, the football
22 player, and behind them is Shayna and Jayden,
23 Jimmie's girlfriend and her brother.

24 Q Okay. Now, as they are going down the
25 road with Shayna and her brother behind him, and

1 then the football player's car in front of them,
2 who's in this car?

3 A Okay, well, you've got 30 --

4 Q And, specifically, where is he sitting?

5 A Jimmie's driving, 30 said he was in the
6 passenger front seat by the window, and Shy, S-
7 I-A, M.A. is in the backseat.

8 Q Okay.

9 A and --

10 Q All right, as they're following them,
11 what happens next?

12 A They supersede past Jayden and them, and
13 the girl and pull off beside the football
14 player, and hoping she don't know.

15 Q You had mentioned earlier guns in the
16 car, did Ty Leic Chaneyfield tell you what kind
17 of gun he was using?

18 A He said he had a .45 pistol, and the guy
19 in the backseat had a assault rifle AR or AK
20 that shoots .233 bullet shells, or five
21 somethings, .233s and five something shells.
22 It's a mini-assault rifle.

23 Q Okay, and the guy in the backseat is
24 who?

25 A M.A. .

1 Q What was Jimmie Green doing?

2 A He was driving something -- I've been
3 locked up for a while, so I don't mean to sound
4 ignorant, Facebook Messenger, and something with
5 the girl following behind him.

6 Q So they're talking even through --
7 before and after the shooting?

8 A Yeah.

9 Q So as they pull up does Chaneyfield tell
10 you anything about the shooting?

11 A He said they just shot into the car and
12 they veered off to the right, and the football
13 player got killed, and some guy that's his
14 cousin named E. J. Graham got shot. And they
15 said of all people E. J. Graham was supposed to
16 resemble Memphis, or one of the other guys that
17 shot up Jimmie and Jayden's house, and he didn't
18 see how they could have mistaken that, because
19 he looks nothing like him.

20 And said he car veered off to the right,
21 looked over, there was glass all on the highway,
22 and the football player got killed, the
23 passenger got hurt, and maybe shot in the face,
24 or something, and the person in the backseat got
25 hurt from the car flipping over.

1 Q Did Chaneyfield tell you how many times
2 they shot into the car?

3 A Just a number of times with the .45 and
4 with the -- I'm sorry, you know, I don't mean to
5 get like this, but like I said I've been locked
6 up now for years, it's just the whole thing.
7 I've done seen prison murders and everything
8 else, but this just kind of trips me out, man,
9 this whole thing, this whole situation.

10 Q How did he describe -- how did Ty Leic
11 Chaneyfield describe the shooting?

12 A He said that the car just got shot up
13 full of holes, and the football player got
14 killed. They were hanging out the window.

15 With Jimmie driving, he's hanging out the
16 window with the .45. M.A.'s got the AK assault
17 rifle, and you can see muzzle flashes because
18 it's dark, it's about 11:20ish -- it's after
19 11:00, and you can see flashes from the gun go
20 into the car.

21 Q After the shooting where did they go
22 then?

23 A They went and turned around, and Jimmie
24 dropped M.A. off back where he was, dropped 30
25 off at his car.

1 Q Are we back in Jasper County now?

2 A Yeah, and Jimmie went home and got
3 himself together, and he was taking off to
4 Orangeburg in the morning -- Orangeburg, South
5 Carolina he said.

6 MR. STONE: Excuse me just a moment, Your
7 Honor.

8 THE COURT: Yes, sir.

9 BY MR. STONE:

10 Q Let me ask you a question, kind of a
11 strange question, but did Chaneyfield in your
12 presence know anything about a search warrant
13 being executed at Jimmie Green's house?

14 A Yes, sir. We were out at rec, and he
15 ran to Jimmie's cell --

16 Q You say -- I'm gonna stop you just a
17 second, because I want to make sure we say --
18 when we say he, who are you talking about?

19 A 30.

20 Q We were out at rec, and we were sitting
21 there, and he had got on the phone. When he got
22 on the phone he said, "His dumbass been writing
23 jail letters from jail, and the police now come
24 and got him and searched the house." I said,
25 "What?"

1 They said, "Come on," so we went to
2 Jimmie's cell, me and 30. And he said, "Now
3 you're really gonna need to talk to her," he
4 said, "because now the police just went to your
5 house and took your phone, there's six jailhouse
6 letters that you wrote, asking your sister
7 something, to do something crazy," you know.

8 So he's like -- he said, "You see what he
9 did?" He goes, "You know, I don't know what he
10 might have said in the letter," he starts like,
11 you know.

12 Q Do you -- let me ask you a question, do
13 you remember, by any chance, what date that was?
14 Let me ask you, do you have any notes that you
15 could refer to that would refresh your memory?

16 A Look and see if it says June, around
17 June. Let me see, because I got -- it might, if
18 you show me, but I remember we were out at night
19 rec that time.

20 Q While I'm --

21 MR. LEE: Your Honor, may we approach the
22 bench, please?

23 THE COURT: Yes, sir.

24 (Bench conference.)

25 BY MR. STONE:

1 Q I told you there was a search warrant
2 that took place on June the 8th of 2022, would
3 that be right? Does that sound right?

4 A Yeah, I actually had it on a piece of
5 paper that --

6 Q Well, let's not talk about your notes,
7 just tell me --

8 | A Yes, sir.

9 Q All right, one other thing too, did you
10 know where -- did Mr. Chaneyfield tell you where
11 his cell phone was?

12 A Mr. Chaneyfield's cell phone?

13 Q I'm sorry, did 30 tell you where 30's
14 cell phone was?

15 A He said his cell phone was with him,
16 yes, sir.

17 MR. STONE: I don't have any further
18 questions of this witness.

19 BY MR. STONE:

20 Q And please answer any questions Mr. Lee
21 has for you.

22 A Of course.

23 * *

24	CROSS-EXAMINATION

25 BY MR. LEE:

1 Q Good afternoon, Mr. Rogers.

2 A How you doing, sir?

3 Q Fine. Are you married?

4 A Divorced.

5 Q Have you got any kids?

6 A I've got a son, 40.

7 Q 40?

8 A Yes, sir.

9 Q All right. Are you pretty close to him?

10 A No, not really, no, my drug abuse
11 screwed that up.

12 Q You don't miss him?

13 A Do I miss him?

14 Q Yeah.

15 A I never really got to know him; I was so
16 strung out on drugs for years.

17 Q Okay.

18 A Yes, sir.

19 Q Do you have any family you're close to
20 that you're looking forward to seeing at some
21 point?

22 A My mom just died the other day, so every
23 -- my grandmother's died since I've been locked
24 up, my father and my mother.

25 Q Uh-huh.

1 A So I've really got nobody left.

2 Q Okay.

3 A I've got a brother who's strung out, so,
4 no. I'm being honest with you, sir.

5 Q But family is an important thing, and so
6 is freedom, right?

7 A Yes, sir.

8 Q And you're looking forward to the day
9 that you have your freedom, right?

10 A I mean I've been -- I did a lot of wrong
11 in my life, man. I've got a lot of serious, you
12 know --

13 Q I was gonna ask you, you've got health
14 problems, don't you?

15 A Who me?

16 Q Yeah.

17 A Yeah. Yes, sir.

18 Q Is it terminal? Is it --

19 A We don't know, because my mother just
20 died from being put on the life support, and now
21 they want to put me on life support to do the
22 surgery, and I can't do that, man, not right now
23 after my mom just passed away.

24 Q So you haven't been able to get the
25 medical treatment that you had hoped to get?

1 A No, sir. Now, when the COVID came in
2 Maryland, they canceled it, because -- unless it
3 was, you know --

4 Q Yeah.

5 A -- you were on your deathbed they really
6 didn't --

7 Q So you were probably really looking
8 forward once Maryland was up, you were probably
9 looking forward to getting out and breathing
10 some fresh air, weren't you?

11 A Yes and no now that you said that. I
12 actually wrote these people, man, they said they
13 weren't coming to extradite me, and I wrote a
14 letter, because I promised my grandmother on her
15 deathbed.

16 Q Uh-huh.

17 A And this guy, he came and picked me up,
18 and I said --

19 Q From Beaufort?

20 A Yeah.

21 Q All right.

22 A And he said, "You know, what are you
23 doing?" I said, "Well, I had wrote a letter."
24 I said, "I know you're not gonna believe me," I
25 said, "I promised my grandmother, you know, I

1 would turn my life around."

2 And he held the letter up, man, he picked
3 it up and held the letter, and said, "I got your
4 letter."

5 Q Wow.

6 A You know, and that just made me just,
7 you know, you know what it's like when you have
8 your family members going, everybody that you
9 love start passing away.

10 Q Sure, sure. And people do just about
11 anything for their family, hopefully, right?

12 A Well, sure.

13 Q Yeah. And for their freedom and health.

14 A I'm sure some people would, right.

15 Q All right. So you said yes and no, I
16 guess it was bad luck that you thought you had
17 to come answer for your crimes in Beaufort on
18 the one hand, but it wasn't all bad luck,
19 because you got put in a pod with Ty Leic
20 Chaneyfield and Jimmie Green, right?

21 A I got put in the pod with them, yes,
22 sir.

23 Q Yeah, okay. Did you know when you got
24 down here that that was going to be your ticket?

25 A No, I didn't -- I actually wrote you,

1 and was hoping that you were gonna be able to
2 help me a the time, but you had sent me some
3 stuff back, and recommended some other
4 attorneys.

5 Q I don't want to interrupt you, but my
6 name is Scott Lee, I haven't tried an armed
7 robbery case in Bluffton in 15 years.

8 A 1998.

9 Q 1998? Well, I don't remember.

10 A The paper you sent me said 1998 you
11 successfully defended an armed robbery suspect
12 that was guilty in Bluffton and won an
13 acquittal.

14 Q Okay.

15 A Then you went on TV and said they were
16 taking -- that they were really impressed and
17 they would have -- I'm guessing that's you,
18 because I definitely wrote you a couple letters.

19 Q I appreciate the high opinion you have
20 of me, but I think it might be somebody else,
21 but nevertheless --

22 A Yes, sir.

23 Q So April 19th of 2022 you got down here,
24 right?

25 A Yes, sir.

1 Q Okay, and when did all this -- how long
2 did it take you to melt Ty Leic Chaneyfield, to
3 get him to talk to you like you're his long-lost
4 soulmate?

5 A Excuse me.

6 Q A day, a week, a month? I mean what's
7 the connection there, and what started it?

8 A He just kept coming up talking to me.

9 Q Okay.

10 A I never once approached Mr. Chaneyfield
11 and asked him to tell me anything --

12 Q Okay.

13 A -- about his case, or anybody for that
14 -- I had to tell people, "Please stop coming to
15 pull me up."

16 Q Really?

17 A "That, yes, I had got a paralegal
18 diploma, but please stop pulling me out."
19 Everybody did. He was bringing everybody to me,
20 and I was like, "Listen, I'm good."

21 Q Okay. So you got a paralegal diploma in
22 prison?

23 A Yeah, I took it from the School of
24 Paralegal Studies in Atlanta, Georgia, now it's
25 Norcross. I've got the paperwork and the

1 transcripts and stuff here.

2 Q So it's probably pretty safe to say that
3 you know the prison system, right?

4 A Unfortunately, yes, sir.

5 Q You know the legal system as to your
6 case in the prison system?

7 A Sure.

8 Q Okay, which is why we're here today, why
9 you're here today, right?

10 A I'm here for --

11 Q Because you're a witness who was in
12 Maryland in prison, I guess, when this car was
13 shot, right?

14 A Yes, sir, '21, yes, sir.

15 Q Right. And as part of the paralegal
16 training, do you know what they call it when the
17 prosecutor sends information to the defendant?
18 What's that called?

19 A It's called the discovery materials
20 under South Carolina Rule 5.

21 Q Right.

22 A Yes, sir.

23 Q And that's all the investigation, all
24 the reports and everything, they're supposed to
25 send everything to the defense, right?

1 A Yes, sir.

2 Q And you know that as a defendant, you've
3 had your lawyer get it to you, right?

4 A Yes, sir.

5 Q Okay. So everything from soup to nuts
6 they're supposed to turn it over, right?

7 A Say it again?

8 Q Everything from soup to nuts the
9 prosecution is supposed to turn it over, to
10 guaranty a fair trial, give notice of what's out
11 there.

12 A Yes, sir.

13 Q That's what discovery is, right?

14 A Yes.

15 Q So you can discover what they have,
16 right?

17 A Yes, sir.

18 Q Now, we didn't hear anything -- I mean
19 how did you get here today? I mean did you call
20 Mr. Stone on his cell phone, and say, "Hey, man,
21 I've got some good stuff for you," or did they
22 come to you, or tell me about that.

23 A What happened, I was in the Beaufort
24 County Detention Center, and when -- and I
25 didn't ask to be moved by the way, I wanted to

1 stay there. And I'm there, and like I said, he
2 just kept coming up -- 30 kept coming up,
3 talking to me and other people.

4 So I had token contact with the Solicitor's
5 Office, and I said, "Let me speak to somebody."
6 In fact, I asked to speak to somebody named JoJo
7 Willard, or Woodward, because I'd seen him in
8 the paper, and the guy looked straight up, you
9 know, he just seemed all decorated, and was in
10 the newspaper, so I said, "Let me try to speak
11 to him."

12 And for some strange reason his supporter
13 that was helping him run actually gave me his
14 cell phone number, and I called, and he kinda
15 got mad I think, that an inmate got his number
16 by mistake, and they referred it to the
17 Solicitor, and the Solicitor came down --
18 Assistant Solicitor, an Investigator came down,
19 not the Solicitor himself, nothing like that.

20 Q So you called the Solicitor's Office on
21 a cell phone for an investigator?

22 A No, I called Mr. Woodward.

23 Q On his cell phone.

24 A On his thing, right. His guy that was
25 helping him run for office gave my mother his

1 cell phone number.

2 Q Did you call him collect?

3 A No. You have money on the phone, you
4 can't -- you've got to use the prepaid debit
5 system.

6 Q Okay.

7 A Yes, sir.

8 Q All right. So at this point things seem
9 like they're really falling in your lap. I mean
10 you've got this great information that Ty Leic
11 Chaneyfield is broadcasting nonstop, you say he
12 won't stop. You're lucky enough to get an
13 investigator's cell phone, and then they sent
14 somebody to come to talk to you?

15 A Yes, sir.

16 Q Okay, who was that?

17 A It was a Mister named Hightower.

18 Q Dylan Hightower?

19 A Yes, sir.

20 Q Okay. So he came and talked to you --

21 A Uh-huh.

22 Q -- about the case? Okay.

23 A Yes, sir.

24 Q And you told him, "I've got some good
25 stuff for you."

1 A As soon as he came in, he said, "I'm
2 gonna tell you something right now, this is no
3 promises." He said, "This is important, there's
4 no promises, there's no," let me know straight
5 off the brake.

6 I said, "Man, check this out, I've turned
7 my whole life around. I want to talk to you
8 about something."

9 I said, "I fully understand that." And he
10 had another investigator with him come down as
11 well.

12 Q That was before you even told him what
13 you knew and what were you gonna say and what
14 your story was, right?

15 A Yes, he did.

16 Q Straight-up, he said that first thing?

17 A Before anything he said.

18 Q Okay. So you say you turned your life
19 around?

20 A Yes, sir.

21 Q So now you're good to go?

22 A Well, I take it a day at a time. I've
23 been drug-free for 12 years. I helped start a
24 program in the Maryland school system, and I got
25 with the guys at -- I don't know if you've ever

1 heard of the Wire.

2 Well, we were actually mentoring the school
3 kids on Skype with the Maryland Prison Systems,
4 and I started a program called the Youth
5 Challenge, where it's between guys from 17 to
6 25, where we help try to give them smarts, and
7 teach them communication skills and stuff like
8 that.

9 Q How old are those kids you're mentoring?

10 A 17 to 25.

11 Q Do they let them come to jail?

12 A Well, unfortunately, if they make a
13 mistake and they come to jail, but if you can
14 reach them at a young age, you've got a chance
15 to curb the rate.

16 Q Are you mentoring people that are
17 already in trouble, that have gone to jail?

18 A Yes, sir, and then the ones are doing --
19 most of them are doing good, but they're at
20 risk, meaning they live in the single-parent
21 homes, or they're living with an African-
22 American mother, one parent's in jail --

23 Q Uh-huh.

24 A -- or in the inner city of Baltimore and
25 D.C.

1 Q Uh-huh. Let's talk a little bit more
2 about the law.

3 A Yes, sir.

4 Q You were charged with armed robbery in
5 South Carolina?

6 A Yes, sir.

7 Q And your prior record that we think you
8 have is, what, one, two, three armed robberies,
9 a strong-arm robbery, a gun charge, a kidnapping
10 charge, and then an armed robber charge here?

11 A Yes, sir.

12 Q Okay. Do you know what the South
13 Carolina two strikes law is?

14 A No, sir.

15 Q You don't?

16 A No.

17 Q That wasn't explained to you by the
18 Solicitor's Office?

19 A I haven't really even been talking about
20 it, just that I was given no promises like that.
21 I mean -- and, honestly, man, you know, I take
22 it a day at a time, initially, that's it, sir.

23 Q So you're here, because you've turned a
24 corner, and you're ready to redeem yourself,
25 right?

1 A I've been trying to, yes, sir.

2 Q Okay. And so the guy from Maryland
3 who's been in jail pretty much since 1990 is
4 coming to Beaufort to save the community from
5 someone that's been charged with this crime, to
6 make sure that justice is done?

7 A No, it's not that at all, sir.

8 Q Okay. What's in it for you?

9 A Huh?

10 Q What's in it for you to be here today?

11 A Really nothing's been promised to me at
12 all, but, you know, what I try to do is, if I
13 could reach one person, Mr. Lee, and prevent
14 them from what I've went through, and from what
15 I saw and endured in my life, then it's a plus.

16 Q Who are you reaching to today?

17 A Nobody.

18 Q Me, Ty Leic, who? Who are you reaching
19 today by coming here, if that's the purpose of
20 reaching out to somebody, who are you reaching
21 out to?

22 A We actually just got one guy at the
23 Detention Center, man, we got him -- turned his
24 whole life, man. Got him in a spot --

25 Q Today --

1 A -- and he's doing really well.

2 Q What are you doing here today?

3 A You can't save --

4 Q Huh?

5 A You can't save somebody every day, but I
6 mean you're gonna give it your all and try.

7 Q Well, you're here for yourself. You're
8 here, because you're charged with armed robbery,
9 you have three or four priors, and in South
10 Carolina, your exposure is automatic life
11 without parole --

12 MR. STONE: Okay, he didn't say he knew
13 anything about that. In fact, he said he didn't
14 even know it.

15 BY WITNESS:

16 Q I didn't.

17 A Okay.

18 Q You don't realize that you're subject to
19 life without parole for a second strike?

20 A No, sir.

21 Q You don't? And you don't understand
22 that is triggered by the Solicitor's Office
23 giving you notice of that?

24 A I do now that you're saying that, you
25 know.

1 Q Have you gotten notice of that?

2 A No.

3 Q That they're seeking life without
4 parole?

5 A No, sir.

6 Q Okay, so they haven't just sent you the
7 letter saying, "We're putting you on notice
8 right now, life without parole --

9 A No, sir.

10 Q -- two strikes?"

11 A No, sir.

12 Q You hadn't? Do you understand that all
13 it takes is to write on a piece of paper, and
14 put you on notice?

15 A Yes, I do.

16 Q Okay. So your paralegal class didn't
17 teach you about that? I mean you said you
18 studied the law. You didn't --

19 A Sure. What it is, is what you have to
20 do is notify them at least 30 calendar days in
21 lieu of when you plan to seek a mandatory
22 minimum sentence, I'm well aware of that; but
23 what I told you that nobody has talked to me
24 about that.

25 They just said, "There's been no promises,

1 do you understand that?" And I said, "Yes, sir,
2 I do."

3 Q So with all of your legal training, with
4 people running up to you at the jail, you're
5 having to push them away, because it's too much
6 for you to give all that legal advice, you have
7 not bothered to research your own case of armed
8 robbery in South Carolina?

9 With all your legal training, you have not
10 bothered to research anything about it, as far
11 as the sentence goes --

12 A Sure.

13 Q -- is that right?

14 A Sure, I have.

15 Q Okay.

16 A Armed robbery carries minimum of ten up
17 to 30.

18 Q Okay.

19 A I've done a lot of research, Mr. Lee,
20 and I've also -- like I said, man, I've been
21 going through so much from the deaths in my
22 family, and I've been dealing with it --

23 Q Right.

24 A -- that you just wouldn't believe it,
25 man, really. And in my situation here with this

1 situation, so it's not that I'm not, but really,
2 you know, I had a father, then a grandmother,
3 and then my mother just passed 13 days ago, man
4 --

5 Q I'm sorry.

6 A -- and steal dealing with that, you
7 know, in Asheville, so I'm dealing with this the
8 best that I can, sir.

9 Q Okay, all right. Tell us a little bit
10 about life at the Beaufort County Detention
11 Center in Pod A1.

12 A Okay.

13 Q How many cells are there?

14 A You had a number of cells on the bottom,
15 and a number up top.

16 Q Okay.

17 A I think probably 25 or 30 up top, 30 on
18 the bottom.

19 Q Okay.

20 A A little weight thing, and a basketball
21 court, and some microwave ovens.

22 Q Okay. And who did you get to know on
23 that pod during the time you're there for eight
24 months? Can you just name some of your friends,
25 or some of your --

1 A Oh, sure, Javante Jenkins, 30, Jimmie,
2 gosh, so many of them, Flock, JJ, shoot
3 everybody was coming up.

4 Q Rambo?

5 A Yeah, that was 30's cellmate, yeah.
6 Yeah.

7 Q Right.

8 A Right.

9 Q How did you feel about him?

10 A He was -- all I know from getting about
11 him he was a serious guy. They were just
12 talking about him over the jail where I'm at.

13 Q Now, the -- during the day, for
14 example --

15 A Yes, sir.

16 Q -- are you locked in your cell 24/7?

17 A No, sir, you're not.

18 Q Are you locked in your cell at night?
19 Is the door locked?

20 A Yeah, but depending on what officer is
21 there, some people can get out at night, right.

22 Q And during the day you're pretty much --
23 I won't say free-reign because you're in jail,
24 and during the day you can mingle, and you go to
25 rec, and you can sit at tables, and you can have

1 people come approach you for legal advice, you
2 can watch TV, right? Read the paper, all that
3 kind of stuff?

4 A Yes, sir.

5 Q Okay, and when -- how about your
6 personal -- when you go out of your cell, like
7 if you're gonna go down to take a shower, for
8 example, or go to eat lunch, do you lock your
9 cell behind you?

10 A Yeah, you've got -- well, you pull it
11 too, where the lady come behind you. Usually,
12 it was predominantly women working there, and
13 the women would come and push the door or pull.

14 Yeah, they want you to keep your door --
15 they don't want your door open like that.

16 Q Were the doors ever left open when you
17 walked around and stuff?

18 A Very barely. They keep them -- you
19 keep them closed, or let's say alarms go off,
20 and they get on you about that. They're real
21 funny. They'll open the doors when you want
22 them to, but they want them closed right back.

23 Q Okay.

24 A They open them from a control panel.

25 Q Right.

1 A And then it lights up if you're not --
2 or a key, yeah, and they come around. They want
3 the door closed right away.

4 Q I understand they'd want them, but
5 different COs are more strict than others,
6 correct, and there's more -- some leeway with
7 some, they have favorite inmates and that sort
8 of thing, right?

9 A Well, you had some of them that were
10 there like that, yes, sir.

11 Q Okay, okay. So tell me one last time,
12 why are you here today?

13 A Why am I here right now?

14 Q Uh-huh.

15 A I mean, obviously, I'm here to testify
16 in the case.

17 Q Yes, sir.

18 MR. LEE: No further questions, Your Honor.

19 MR. STONE: Nothing else, Your Honor.

20 THE COURT: Okay, thank you, sir, you can
21 step down. Is this a good time to take the
22 afternoon break?

23 MR. STONE: Yes, sir, whatever you'd like
24 to do.

25 THE COURT: Well, I'm gonna go ahead -- do

1 you'all need a break? Anybody need a break? If
2 you'all want a break, we can take one. You've
3 been here -- everybody okay? Okay, if that
4 changes, somebody raise their hand, okay?

5 MR. STONE: The State calls Michael Baier.

6 THE COURT: Okay, I didn't know whether any
7 of you'all wanted, and my Court Reporter? All
8 right, do you need a break?

9 COURT REPORTER: No, I'm okay.

10 **MICHAEL BAIER,**

11 **BEING DULY SWORN TESTIFIED AS FOLLOWS:**

12 *******

13 **DIRECT EXAMINATION**

14 BY MR. STONE:

15 Q I was afraid I wasn't pronouncing that
16 correctly.

17 A I'm used to it.

18 Q I apologize. What do you do, sir?

19 A I'm a Detective Sergeant in the State of
20 Maryland, now with the Department of Safety and
21 Correctional Officers, Special Investigative
22 Unit. I was military Police Officer for 25
23 years. Retired in 2015, went with the
24 Department of Safety and Corrections in the
25 State of Maryland. The group that the Governor

1 organized, my job, basically, is the corruption
2 and drugs inside the prison facilities. Our DOC
3 of Maryland with the street gangs out in the
4 street, I investigate the selling and moving of
5 drugs back and forth, out in the street into
6 prison.

7 Q How long have you been doing that?

8 A I've been in law enforcement 32 plus
9 years now. In my career I've worked Patrol, of
10 course, I work common side for six years,
11 narcotics for many years.

12 I was a taskforce officer with the FBI for
13 17 years of that. Worked shooting
14 investigations, and I've been with the State now
15 eight years.

16 MR. LEE: Your Honor, may we approach the
17 bench?

18 THE COURT: Yes.

19 (Bench conference.)

20 THE COURT: Ladies and gentlemen, I need
21 you to go the jury room. I've got to deal with
22 a matter of law. I expect to have you back out
23 shortly. Don't speak about the case.

24 (Jury exits the courtroom.)

25 BAILIFF: The jury's clear, Your Honor.

1 THE COURT: Okay.

2 MR. STONE: Your Honor, the evidence I am
3 seeking to introduce is in line with Rule 608,
4 Subsection A, and, particularly subparagraph 2,
5 "Evidence of truthful character is admissible
6 only after the character of the witness for
7 truthfulness has been attacked by opinion or
8 reputation or evidence otherwise," which is what
9 Mr. Lee did on cross-examination.

10 This witness' testimony would be concerning
11 the credibility of Harold Rogers, and his
12 opinion subject, again, to the limitation of
13 truthfulness and untruthfulness. This law
14 enforcement officer, who's been in law
15 enforcement for 30 years, worked with Harold
16 Rogers with the -- or, actually, and I can let
17 him speak to that, but he actually got
18 information from Harold Rogers concerning a
19 relatively large investigation that he was
20 conducting in the Department of Corrections in
21 Maryland, and had a great amount of exposure to
22 Harold Rogers, and would testify that everything
23 he told him was true.

24 That's, I think, is the limitation, I don't
25 think I can go much further than that, but I

1 believe under that Rule that's appropriate.

2 MR. LEE: Judge, Mr. Stone started this by
3 going through Mr. Rogers', which was extensive,
4 including plenty of crimes that involved the
5 old-school moral turpitude; and to say that I
6 somehow attacked this guy's character is, number
7 one, he started Rule 405, nothing's character.
8 It says reputation or opinion 405A.

9 "In all cases in which evidence, a
10 character, a trait of a person is admissible may
11 be made by testimony, as to reputation, or by
12 testimony in the form of an opinion. On cross-
13 examination inquiry is allowed relative to the
14 specific incidents of conduct."

15 And then you look at 607, I believe, 608.

16 THE COURT: 608.

17 MR. LEE: And the credibility of the
18 witness may be attacked, if supported by
19 evidence to form an opinion or reputation, and
20 subject to these limitations. You may only
21 refer to the character, truthfulness or
22 untruthfulness.

23 Evidence of truthful character is
24 admissible only after the character of the
25 witness for truthfulness has been attacked by

1 opinion, or reputation, evidence, or otherwise."
2 So I'm not even sure we get past that, because
3 to suggest that I attacked his character of the
4 witness, he brought up about his prior
5 convictions.

6 That isn't attacking the character of a
7 witness. I don't understand where he's even
8 going with this. Tell me, if this could somehow
9 bolster his testimony, this guy's 60-years-old
10 or so, he spent half his life in prison. He
11 worked with his office for a short amount of
12 time, and for him to say, "Yeah, he was a really
13 good CI, you know, he told the truth."

14 Well, he doesn't know if he told the truth.
15 And I think -- it's going to be a mini-trial.
16 If he opens the door to that, then I think I get
17 to respond by asking about him working as a CI
18 for the Solicitor's Office on previous occasions
19 in Colleton.

20 Then you get into the issue about Jimmie
21 Green, and then it just turns into a complete
22 sub trial of this trial, so I clearly don't
23 think that it's admissible. All it's attempting
24 to do is to boost his character, and that
25 evidence is rarely, rarely admissible.

1 THE COURT: Okay.

2 MR. LEE: I mean nobody -- his neighbor
3 couldn't come in and say, "He's a really good
4 dude, he's really changed his ways, as a
5 witness. He goes to church every Sunday. He
6 started a choir group in the prison. You know,
7 he saved burning babies from a building."

8 That wouldn't be admissible, and neither is
9 this. It's the same type of thing,
10 particularly, when it's something that's talking
11 about truthfulness, because that is the
12 credibility of the witness, that is essential,
13 and that is a key component of this trial is
14 this fellow who shows up, and says, "People were
15 beating down the doors to come talk to him about
16 the law." And then he's here, he doesn't have a
17 care in the world, he takes it day-by-day. So
18 that isn't what character evidence is all about.

19 If it's relative to a defense, if it's
20 relative to certain things, you can, the
21 proponent of it, you can bring it in, but then
22 to attack you can use specific instances of
23 conduct. He's trying to use specific instances
24 of conduct in an isolated part of this guy's
25 life saying, "He told me the truth. He didn't

1 get anything in return, he did the right thing."

2 That's just not what the rules of evidence,
3 not even close, and I've never seen somebody try
4 to bolster the credibility of a common, you
5 know, a five-time loser, 30 years in jail,
6 looking at life without parole with no deal,
7 come into Court and testify.

8 THE COURT: Solicitor?

9 MR. STONE: I suggest to Your Honor, that's
10 exactly what the rules say. It says, "Opinion
11 and reputation evidence of character," under
12 Rule 608, and it says, "the credibility of a
13 witness may be supported by evidence in the form
14 of opinion or reputation, but subject to these
15 limitations; which is, it can only refer to
16 truthfulness and untruthfulness," so I would
17 agree with maybe the baby burning in a building
18 scenario, that that's not what this is talking
19 about, but that's not what I'm asking this
20 officer. And it can only be done after he's
21 been questioned, as far as his credibility.

22 And I think it'd be kind of hard for us to
23 imagine that Mr. Lee's cross-examination did not
24 call into question Harold Rogers' credibility,
25 especially when he was talking about a deal, and

1 he was talking about, "What are you here for?
2 What do you want?" And, in fact, fed him the
3 comment about life without parole, which, by the
4 way, he didn't even know, because I haven't told
5 him. And so the question is, did the cross-
6 examination, and through his cross-examination,
7 he did he call into question truthfulness or
8 untruthfulness of Harold Rogers? And I can't
9 imagine how that's not exactly what his cross-
10 examination was for.

11 And since he did that, it falls directly
12 under Rule 608.

13 MR. LEE: And I think the only thing he can
14 do to prove character is testimony as to
15 reputation, or in the form of an opinion. I
16 think that's what he's limited to, okay?

17 MR. STONE: I think that's right, I agree,
18 but I wanted his opinion, and that's exactly
19 right, I had the intent to know who he was
20 first.

21 MR. LEE: Okay.

22 THE COURT: But the issue is, I don't know
23 that you can go into the facts about how this
24 opinion was formed, the fact that he had been in
25 prison and --

1 MR. LEE: Yeah, he can't talk about
2 specific facts. If he wants to get up there and
3 say, "In my opinion Harold Rogers is a honest,
4 truth teller and God fearing man," he can do
5 that, but he's bringing law enforcement up there
6 to do that, and it carries that mark with it,
7 that is clearly prejudicial to this.

8 I just don't -- I mean this just seems so
9 far out of bound, to call up an officer from
10 out-of-state to say, "Yeah, he tells -- in my
11 opinion he's truthful."

12 Does he have an opinion as to what he's
13 truthful about this? He doesn't know anything
14 about this.

15 MR. STONE: No, and I'm not asking him
16 about that, and that's what --

17 THE COURT: No, you can't get up there and
18 ask any witness whether he thinks he's telling
19 the truth here.

20 MR. LEE: Well, that's what he's doing.
21 He's doing indirectly what he can't do directly.

22 THE COURT: I understand that, but that
23 happens with everything. It's the scenario he
24 certainly can't ask in here, that's up to the
25 jury, so --

1 MR. LEE: And if he does it, how do we deal
2 with it? He's about to say, "Yeah, he works as
3 a CI, and his information was rock solid, and
4 we've made these big cases because of Harold
5 Rogers, and he's the man, and he told me the
6 truth.

7 THE COURT: But it seems like under B he
8 can't do that. Specific instances and conduct
9 are not admissible.

10 MR. LEE: I agree with that, so what's he
11 gonna say?

12 THE COURT: That's what you disagreed to.

13 MR. LEE: Say it without explaining it? If
14 I'm a police officer in Maryland, and I think
15 this guy's truthful, it's my opinion he is
16 truthful. And I don't know if the jury that
17 doesn't apply to him telling the truth today.

18 MR. LEE: And that's the reason I was
19 prepping where he's from and what he was doing.
20 I think it's important that he establish, I knew
21 him in Maryland, I worked in the Department of
22 Corrections in Maryland, or I worked
23 Investigations in Maryland, and I knew Harold
24 Rogers through that, and in my opinion, and in
25 working with him in that time period he was

1 truthful with me, and I think that's what he's
2 limited to.

3 Certainly, I'm not trying to get him to say
4 he knows something about this case.

5 MR. LEE: the fact that he's law
6 enforcement to go up there and say, this guy, in
7 my opinion, he's truthful?

8 MR. STONE: I don't believe there's a
9 limitation on Rule 608 that I can only call
10 civilians.

11 MR. LEE: But it puts a prejudicial
12 emphasis on it.

13 THE COURT: Well, he wouldn't be offering
14 it, if it wasn't prejudicial.

15 MR. LEE: Well, overly, unduly prejudicial
16 because of his status as a --

17 THE COURT: I understand, but you --

18 MR. LEE: If you can't explain the details,
19 he's already explained some of the details, that
20 he's a police officer. If this guy came in with
21 a Polo shirt and just said, my name is Michael
22 Baier.

23 MR. STONE: Baier.

24 MR. LEE: Baier, I'm sorry. My opinion
25 that this guy is telling the truth.

1 THE COURT: Okay, but --

2 MR. LEE: When you allow people to come in,
3 particularly, under the color of authority to
4 give their opinion about the truthfulness of a
5 witness, that is the key question almost every
6 time in every case, Judge, is whether the
7 witness is telling the truth.

8 And to allow the Solicitor to bring people
9 in saying, "I think that witness is telling the
10 truth," I think that's not what it's about.
11 Then it turns into a character juggling contest,
12 it's what's admissible, what's out there. Let
13 the jury decide if he's telling the truth. He
14 got to question him, I got to question him, that
15 guy got to say whatever he wanted to say. Let
16 the jury decide, not have it be tainted by some
17 law enforcement saying, "My opinion, he's
18 truthful."

19 THE COURT: All right.

20 MR. LEE: I mean if it comes in, do I get
21 to say, "Was he truthful when he robbed the lady
22 with a gun? Was he truthful," and I'd like to
23 hear that information.

24 THE COURT: Okay. I'm gonna take a break
25 for a second.

1 MR. LEE: Yes, sir.

2 THE COURT: And my Court Reporter needs
3 one.

4 MR. LEE: Yes, sir.

5 THE COURT: Give me two minutes, and
6 you'all come to Chambers --

7 MR. LEE: Yes, sir.

8 (RECESS)

9 **

10 PROCEEDINGS CONTINUED

11 BAILIFF: All rise, this Court is back in
12 session.

13 THE COURT: Thank you. You ready to go?

14 MR. STONE: Yes, sir.

15 THE COURT: Bring the jury.

16 BAILIFF: The jury's entering the
17 courtroom, Your Honor.

18 (Jury enters the courtroom.)

19 THE COURT: Ladies and gentlemen, we may
20 need to run a little later tonight. I try to
21 stop by 5:00, but we may run closer to 5:30
22 today, because we're trying to get to some
23 witnesses who are from out of town.

24 If that's gonna cause any of you'all, you
25 probably need to make a phone call, or if you've

1 got children issues at daycare, you should -- we
2 can stop for a second and do that; if not, we're
3 gonna try to proceed forward, where we can get
4 this case done this week, okay? Okay. State
5 call your next witness.

6 MR. STONE: The State calls Jaclynn McKay.

7 JACLYNN MCKAY,

8 BEING DULY SWORN TESTIFIED AS FOLLOWS:

9 ***

10 DIRECT EXAMINATION

11 BY MR. STONE:

12 Q And what do you do?

13 A Currently, I work as a Forensic
14 Scientist at RTI International in Durham, North
15 Carolina.

16 Q How long have you held that position?

17 A Since June of 2021.

18 Q Prior to that, what did you do?

19 A Prior to that I was a crime scene
20 investigator at the South Carolina Law
21 Enforcement Division, which is commonly referred
22 to as SLED.

23 Q So on March the 5th, 2021 and the months
24 after that you were actually working at SLED; is
25 that correct?

1 A That's correct.

2 Q All right, now, when you say crime scene
3 specialist, or whatever, what does that -- first
4 of all, so you were a Special Agent at that
5 time, but what's your title now?

6 A So my current title is a Forensic
7 Scientist.

8 Q Okay, so you're basically doing the same
9 type thing?

10 A So now I work more on the education and
11 training side of the house for practitioners, as
12 opposed to doing case work.

13 Q Okay. Well, I'm going to take you back
14 to your case work, so let's talk about the March
15 15th incident. What job duties did you have
16 during that time period at SLED?

17 A So during that time I was a sworn Law
18 Enforcement Officer, and I worked in the Crime
19 Scene Department at the SLED Forensics Services
20 Laboratory.

21 And as a Crime Scene Investigator, we
22 provided assistance to all law enforcement
23 agencies across the State of South Carolina in
24 investigating crime scenes, and, essentially,
25 the scenes that we would respond to the crime

1 scenes, we'd document, collect and preserve
2 evidence. We'd write reports based on our
3 actions, and then testify as we get into
4 judicial proceedings.

5 Q So did you do that, as far as gathering
6 evidence concerning the March 5th shooting in
7 Bluffton?

8 A Yes.

9 Q Let me first show you what's already
10 been introduced into evidence as State's Exhibit
11 47, 82 and 83, and that is on the monitor.
12 We'll go to the monitor in a few minutes, but
13 that's it. So is this a car that you processed?

14 A Yes, it is.

15 Q And when you processed the car, what did
16 you do exactly?

17 A So, essentially, for this specific
18 vehicle we documented it with photographs, we
19 also collected -- we searched for latent print
20 evidence, as well as DNA and gunshot residue
21 evidence.

22 Q And how do you do that? I understand
23 the photographing part, but the DNA, how do you
24 check for the DNA and the gunshot residue?

25 A So, specifically, for the gunshot

1 residue, we're looking for areas that would have
2 been in the vicinity of where a firearm was
3 discharged.

4 And so we determine this based on casing
5 information that we obtain when we arrive on-
6 scene. And then as far as DNA evidence, it kind
7 of depends on the case scenario as well.
8 Specifically, in this case we are trying to find
9 DNA evidence for people that were present in the
10 vehicle, so we're gonna look at areas that
11 people primarily touched.

12 For example, if a driver is sitting in the
13 driver's seat of a vehicle, they're touching the
14 steering wheel, they're touching the gear shift,
15 they might touch the lever for the blinker, or
16 the windshield wipers, as well as when they put
17 on a seatbelt and open and close the door, so
18 we're looking in those areas for that specific
19 evidence.

20 Q When you're looking, I'm assuming you
21 have to do something, other than just see, so
22 what are you doing as far as that's concerned?

23 A So, specifically, with DNA and GSR, for
24 -- specifically with DNA, unless there is a body
25 fluid present, so, for example, blood, you're

1 not really gonna be able to see DNA from someone
2 touching an object.

3 So, essentially, we are swabbing those
4 areas that are primarily touched. We use,
5 essentially, two Q-tip, one wet, one dry, and
6 we're swabbing with those swabs. For the GSR,
7 again, in certain situations you might be able
8 to see some coloration. In this case we're,
9 essentially, just looking for areas that are in
10 the vicinity of where a firearm may have been
11 discharged.

12 And in order to collect the gunshot
13 residue, essentially, we have sticky tabs, and
14 then we just dab those tabs on the area, seal
15 those up, and submit those to the lab.

16 Q Okay.

17 MR. LEE: Judge, I'm not gonna object to
18 any of this evidence he's putting in.

19 THE COURT: Okay.

20 MR. STONE: Your Honor, at this time we'd
21 move into evidence State's Exhibit 89 and 90,
22 and I'll hand these to the witness and have her
23 tell us what those are, please.

24 BY WITNESS:

25 A So State's Exhibit 89 and 90 are the

1 gunshot residue evidence collection kits we
2 collected from the Hyundai Santa Fe.

3 Q Okay, and that would be the car that's
4 in the photo there?

5 A That's correct.

6 Q Can you tell from that packaging, and,
7 of course, you did this, so where did you lift
8 these samples?

9 A So we took these samples from the
10 interior of the vehicle around the windows, so
11 kind of along the base, where the window would
12 enter into the door, and then around the seal
13 that would encapsulate the window if it's fully
14 shut.

15 Q And you took those from all the windows?

16 A Yes. So front and rear driver and
17 passenger side.

18 Q Okay, and in those swabs, all of those
19 are contained in these two packages?

20 A So they're like sticky tabs, but, yes.

21 Q Okay, all right. And did you change or
22 alter these in any way, other than taking them
23 and then sealing them? Is this, by the way,
24 your signature, and your seal?

25 A It is my seal, and, no, I did not alter

1 them.

2 Q Okay.

3 (State's Exhibits 89 and 90 were admitted
4 into evidence.)

5 BY MR. STONE:

6 Q I'm now gonna hand you State's Exhibit
7 84, 85, 86, 87 and 88, and move those into
8 evidence.

9 THE COURT: No objection?

10 MR. LEE: No objection.

11 THE COURT: Okay, entered without
12 objection, okay.

13 (State's Exhibits 84, 85, 86, 87 and 88
14 were admitted into evidence.)

15 BY MR. STONE:

16 Q All right, tell me what those -- or tell
17 the jury what those are, please, ma'am.

18 A So State's Exhibit 84 through 88 are all
19 swabs that we collected from the vehicle for DNA
20 evidence.

21 Q Can you tell from the envelopes where
22 those were collected, or do you remember where
23 those were collected?

24 A Yes, I can. So State's Exhibit 84 was
25 two swabs collected from the interior rear

1 driver's side door handle, State's Exhibit 85 is
2 two swabs from the exterior front passenger
3 doorhandle, State's Exhibit 86 is two swabs from
4 the exterior rear passenger side doorhandle,
5 State's Exhibit 87 is two swabs collected from
6 the front passenger side seatbelt, and then
7 State's Exhibit 88 is two swabs collected from
8 the rear passenger side seatbelt.

9 Q Let me ask you about the two seatbelts.
10 When they're taken from the seatbelts, where do
11 you swab or use the gathering device on the
12 seatbelt specifically? How do you do that?

13 A So on a seatbelt we primarily are
14 swabbing the areas that one is most likely to
15 touch, so when you release the seatbelt, we're
16 swabbing that lever, as well as the metal latch
17 and the clasp that's around it, because as you
18 bring it over you'll put it into the locking
19 mechanism.

20 Q Okay, so those are the items on the
21 seatbelt, okay. And then the other two, or did
22 we cover them all?

23 A Yes.

24 Q Okay, which numbers are the door
25 handles?

1 A 84, 85 and 86.

2 Q 84, 85 and 86? Okay. And when you took
3 these swabs, both from the door handles, as well
4 as the seatbelts, you then sealed these in these
5 bags; is that how that works?

6 A Yes.

7 Q Okay, and that then goes where?

8 A So once the evidence is sealed, and we
9 are finished all of our processing, we transport
10 all the evidence back to the SLED Forensic
11 Services Laboratory for intake.

12 Q And that was done on all of these
13 exhibits?

14 A Yes, it was.

15 Q And did you change those or alter those
16 in any way, other than, obviously, the gathering
17 of the evidence?

18 A I did not.

19 Q Okay. I am going to show you what has
20 been marked as State's Exhibit 60, 61, 62, 63,
21 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75,
22 76, 77, 78, 79, 80 and 81.

23 MR. STONE: I'll hand those up. Your
24 Honor, at this time we move these into evidence.

25 THE COURT: Any objection, sir.

1 MR. LEE: No objection, sir.

2 (State's Exhibits 60, 61, 62, 63, 64, 65,
3 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77,
4 78, 79, 80 and 81 were admitted into evidence.)

5 BY MR. STONE:

6 Q Now, if I could, what I'd like you to do
7 is the first Exhibit on that photograph is?

8 A Exhibit 60.

9 Q Exhibit 60?

10 A Uh-huh.

11 Q All right, if I could, could I get you
12 to come off the stand, please, ma'am. All
13 right, and I need you from the -- I was going to
14 say ballistics, but it's not called that is it?
15 It's gunshot trajectory, that type of thing?

16 A A shooting incident reconstruction or --

17 Q So I would say --

18 A -- documentation.

19 Q Okay, great. All right, so let me first
20 start with State's Exhibit 60, what are we
21 looking at here?

22 A So in State's Exhibit 60, this is the
23 Acura that was the victim's vehicle, and all
24 these -- this yellow tape that you see is,
25 essentially, scales, just to kind of put in

1 PROSPECTIVE, the size of things in the photo.
2 And then these L-shaped white marks are,
3 essentially, more scales around suspected bullet
4 defects that we found in the vehicle. And then
5 some of these metal rods that you see are,
6 essentially, what we call flight path rods, and
7 they are to help demonstrate the -- how a bullet
8 traveled over short distances, but also tried to
9 connect suspected bullet defects with other
10 suspected bullet defects within that vehicle, to
11 try to show if they're correlated to the same
12 bullet's path.

13 Q Okay.

14 MR. STONE: Mr. Hightower, can you split
15 screen that, and hold that photo, and go then to
16 State's Exhibit 61.

17 BY MR. STONE:

18 Q Okay, so what I have left up here is
19 State's Exhibit 60 for your reference, so you
20 can show. So what are we looking at in State's
21 Exhibit 61?

22 A In State's Exhibit 61 you're viewing the
23 trunk of the Acura, and this is another
24 suspected bullet defect A is in the trunk with
25 another flight path rod.

1 Q State's Exhibit 63? And let me go back,
2 I apologize, let me go back to that one again
3 one more time. This is, basically, the bullet
4 path; is that what you're telling the --

5 A Yes, over a short distance, yes.

6 Q Okay. Next one is 63.

7 A So State's Exhibit 63 is, essentially, a
8 closeup of suspected bullet defect B, which is
9 on the rear quarter panel behind the rear
10 driver's side tire.

11 Q Now, that one does not have, what I was
12 going to say, was a dowel, but a flight -- that
13 one does not have one in there, why is that?

14 A Because the hole was too small, in order
15 to put one in. Because, essentially, when you
16 use a flight path rod, you need to have two
17 holes, essentially, in order to stabilize the
18 rod, so you can accurately determine the way the
19 bullet was traveling.

20 And for B the hole was so small, we weren't
21 able to put in that -- well, I this picture you
22 see it, and we had to use a smaller metal rod
23 than we did in some of the other ones, but in
24 this picture you're not seeing it.

25 Q Okay. 62?

1 A So 62 is a picture -- State's Exhibit 62
2 is a photo of a projectile that was found in the
3 trunk of the vehicle. And based on our
4 observations on-scene, we were able to correlate
5 this with the flight path of the bullet from
6 suspected bullet defect B.

7 Q Number 64?

8 A State's Exhibit 64 is a closer-up
9 photograph of the rear passenger door handle and
10 gas tank area, as well as the small window on
11 the rear passenger door window. And this is
12 suspected bullet defect C and D.

13 Q And I asked you the question improperly
14 last time, I apologize, so let me go over here.
15 This is -- what I'm pointing to is the -- it
16 looks like right around the gas tank, or gas cap
17 of State's Exhibit 60. This has a bullet
18 trajectory in there.

19 Obviously, this one does not yet, but from
20 that standpoint can you tell us where the bullet
21 path was going?

22 A So for some of the smaller rods, these
23 are more so to demonstrate for our purposes, if
24 there was any other holes that correlated to
25 them, but this rod can kind of give you a

1 general depiction of where the bullet might have
2 been coming from.

3 Q Again, back on 64, what is labeled as
4 bullet hole D, that one doesn't have one. I'm
5 assuming there's no secondary hole; is that
6 correct?

7 A That's correct.

8 Q Okay. State's Exhibit 65 is a closeup
9 of that. That's the same?

10 A Yeah, State's Exhibit 65 is a closeup of
11 suspected bullet defect D.

12 Q These are all labeled as letters, and
13 for right now, as far as an A, B, C, D and E,
14 these are all -- what's the purpose behind the
15 lettering?

16 A So we use A through Z in order to denote
17 our suspected bullet defects. Every Crime Scene
18 Investigator can kind of have their own system
19 for how they do that; but the reason we use
20 letters is, because if we find another hole that
21 is in that same pathway of the bullet, that's
22 when we start adding in numbers.

23 So, for example, if there was another hole
24 that correlated with D, that would then be D1,
25 and so you can then correlate, okay, everything

1 that is labeled D is from the same bullet, and
2 then no numbers were one through whatever
3 number, it kind of tells you the order of those.

4 Q Okay, and, again, that is right up here,
5 correct?

6 A Correct.

7 Q Number 66?

8 A So Number 66 is -- or State's Exhibit 66
9 is a photograph of the rear driver's side
10 passenger seat.

11 Q 67?

12 A State's Exhibit 67 is a closeup of the
13 rear driver's passenger door. And in this
14 photograph you can see suspected bullet defect
15 D, F, E and G.

16 Q State's Exhibit 68?

17 A State's Exhibit 68 is a defect F2, which
18 is, essentially, on the driver's seat closest to
19 the driver's door.

20 Q All right, and I don't know if you can
21 see it from here, so this is -- that's F2, so
22 you just got through talking about the numbering
23 system, where is F1?

24 A So F1 is right between the -- I guess
25 this is B pillar?

1 Q Yeah.

2 A The B pillar of the vehicle, and then
3 it's kind of going in a forward motion, so it
4 penetrated the door, which means it went in and
5 came out, and then nicked the driver's seat here
6 for F2.

7 Q Number 69?

8 A State's Exhibit 69 depicts suspected
9 bullet defect H, which is in the lining above
10 the driver's door.

11 Q Number 70?

12 A State's Exhibit 70 is a picture of the
13 driver compartment area in the Acura.

14 Q And then 71?

15 A State's Exhibit 71 is a photograph of a
16 projectile that was recovered from the driver's
17 floorboard.

18 Q Which is what we saw in State's Exhibit
19 70?

20 A Correct.

21 Q All right. 72?

22 A State's Exhibit 72 depicts suspected
23 bullet defect I. As you can see, there's a lot
24 of damage to the driver's door, but,
25 essentially, this is really close to the

1 driver's door handle on the exterior side of the
2 door.

3 Q 73?

4 A State's Exhibit 73 depicts suspected
5 bullet defect J, which is also in the driver's
6 door really close to where the hinge is, where
7 the door opens and closes.

8 Q 81?

9 A State's Exhibit 81 is a projectile that
10 was found in the -- like the hinge area of the
11 door, and we correlated this with defect J.

12 Q Okay, which is the defect we just looked
13 at?

14 A Correct.

15 Q Okay. 74, now what are we looking at?

16 A State's Exhibit 74 depicts the passenger
17 side of the vehicle. In this photograph you can
18 see defects K and L, K is in the windshield, and
19 L is on the A pillar, and then you can also see
20 another defect on the passenger -- front
21 passenger door.

22 Q Okay, number 75?

23 A State's Exhibit 75 is a closer-up
24 photograph of defect K and L.

25 Q 76?

1 A State's Exhibit 76 is a photograph of
2 defect M, which is on the passenger side
3 taillight around the trunk.

4 Q 77?

5 A State's Exhibit 77 is the front
6 passenger door, and you can see defect N1 kind
7 of above the handle.

8 Q All right, I'm gonna go to -- I'm gonna
9 see if I can pull this up. And if we can, go to
10 78 now, and tell me what we're seeing on that.

11 A So State's Exhibit 78 depicts the
12 interior side of the front passenger door, and
13 as you can see, this is labeled defect N. So in
14 the previous photo it's State's Exhibit 77,
15 essentially, what you're seeing is the
16 continuation of N on the outside. This bullet
17 didn't actually exit the door, but it's starting
18 on the interior.

19 Q Okay, and that was my question then from
20 State's Exhibit 78, the bullet on this one is
21 actually coming through the car going, trying to
22 get out --

23 A That's --

24 Q -- but going out.

25 A That's correct. So suspected bullet

1 defect N is most likely a continuation of
2 another path coming from the driver's side of
3 the vehicle. We just, unfortunately, weren't
4 able to correlate it.

5 Q 79?

6 A State's Exhibit 79 is a picture of the
7 rear passenger compartment of the vehicle.

8 MR. STONE: Let me ask, Mr. Hightower, if
9 you can blow up that seat right there, right
10 where the P letter is?

11 BY MR. STONE:

12 Q What is that?

13 A So on the rear passenger side seatback
14 we marked a defect labeled P. And after we were
15 able to run the flight path rod, we were able to
16 determine that that was a continuation of A,
17 which was in the top of the trunk. So it went
18 through the trunk lid into the trunk
19 compartment, and then into the passenger
20 compartment of the car.

21 Q Okay, so that one is actually not
22 another shot, that's one from a previous --

23 A That's a continuation of A, that's
24 correct.

25 Q Okay. Number 80?

1 A State's Exhibit 80 is a picture of a
2 metal jacket that was on the rear passenger side
3 floorboard in the back of the car.

4 Q And, finally, 77?

5 A In State's Exhibit 77 -- did we do this
6 one?

7 Q Yeah, I think we covered it. Okay. All
8 right, I think that's it. Okay. All right, go
9 ahead and have a seat, ma'am. Let me ask you --
10 I'm going to show you what's been marked as
11 State's Exhibit 103. Are these the -- first of
12 all, can you identify that?

13 A Yes, I do recognize this.

14 Q Are those the projectiles that were
15 taken from the car?

16 A They are. Projectiles, fragments and
17 jackets that were all collected from the
18 vehicle.

19 Q That includes the pretty heavily damaged
20 ones that we saw on the photograph; is that
21 right?

22 A That's correct.

23 MR. STONE: And, Your Honor, at this time
24 we'd move State's Exhibit 103 into evidence.

25 MR. LEE: No objection, Your Honor.

1 THE COURT: Okay, 103 is in without
2 objection.

3 (State's Exhibit 103 was admitted into
4 evidence.)

5 BY MR. STONE:

6 Q Okay, thank you very much. If you'll
7 answer any questions Mr. Lee has.

8 **

9 **CROSS-EXAMINATION**

10 BY MR. LEE:

11 Q Okay, all this is -- since we summarized
12 it, on May 7th, 2021, a crime scene
13 investigation summary; is that right, that you
14 wrote?

15 A May 7th --

16 Q 2021?

17 A Yes, sir, it is.

18 Q Okay, and included in that is that you
19 did all of this work, and that you forwarded all
20 this stuff to Sergeant Fazekas at the Bluffton
21 Police Department; is that right?

22 A No, all that evidence that we collected
23 was submitted to the SLED Forensic Services
24 Laboratory.

25 Q Okay, I'm sorry. The photographs were

1 all mailed to Sergeant Fazekas at Bluffton PD,
2 right?

3 A Yes.

4 Q And he was the lead investigator on the
5 case from Bluffton PD, right?

6 A That's correct.

7 MR. LEE: No more questions.

8 THE STONE: Thank you.

9 THE COURT: What is next?

10 MR. STONE: What would you like to do, Your
11 Honor.

12 THE COURT: Well, you've got a witness you
13 can get up and down in 15 minutes?

14 MR. STONE: The State calls Megan Fletcher.

15 **MEGAN FLETCHER,**

16 **BEING DULY SWORN TESTIFIED AS FOLLOWS:**

17 *******

18 **DIRECT EXAMINATION**

19 BY MR. STONE:

20 Q And what do you do, ma'am?

21 A I'm a Forensic Scientist in the Trace
22 Evidence Laboratory in the Forensics Services
23 Department at South Carolina Law Enforcement
24 Division.

25 Q Trace evidence, what is that exactly?

1 A So it's typically evidence that you
2 can't seek with the naked eye. So you need
3 instrumentation or a microscope, in order to be
4 able to interpret it and analyze it. At SLED it
5 includes explosives, blasts, fire debris, paint
6 fibers, tape, physical fit, and gunshot residue.

7 Q Okay, gunshots, so let me talk
8 specifically about gunshot primer residue. What
9 exactly are we talking about from that
10 PROSPECTIVE?

11 A So gunshot residue is everything that
12 comes out of a gun when it's fired, the smoke,
13 the soot, the fragments of the bullet, burned
14 and unburned repellant, but also it has gunshot
15 primer residue particles, which are microscopic
16 molten particles that contain the elements,
17 lead, barium and antimony.

18 Q Now, as somebody who is a forensic
19 scientist in this field, what type of training
20 and education do you have?

21 A I have my Bachelor's degree from Chatham
22 College in Biochemistry and English. I also
23 have my Master's of Science in Forensic Science
24 from Marshall University, emphasizing in
25 computer forensics and forensic chemistry.

1 I also underwent training programs at SLED
2 for each one of the disciplines in which I can
3 perform case work.

4 Q And I may have asked you this, how long
5 have you been with SLED?

6 A Almost 16 years.

7 Q Okay.

8 MR. STONE: Your Honor, at this time we
9 offer Ms. Fletcher --

10 BY MR. STONE:

11 Q Is it Special Agent Fletcher?

12 A Forensic Scientist.

13 MR. STONE: Forensic Scientist Fletcher as
14 an expert in the area of forensic science in
15 particular trace evidence.

16 THE COURT: Any objection?

17 MR. LEE: No objection.

18 THE COURT: The Court so finds.

19 BY MR. STONE:

20 Q I'm gonna hand you what's been entered
21 into evidence as State's Exhibit 89 and 90.
22 Could you tell us about that, please?

23 A State's Exhibit 89 is a GSR kit labeled
24 with the SLED barcode lab number of L21-04737,
25 item number 25, and it has my initials and date

1 on which I closed the envelope.

2 And then State's Exhibit 90 is labeled as
3 L21-04737, item number 24, and my initials and
4 date on which I closed the envelope.

5 Q Now, you were present just a few moments
6 ago when Agent McKay -- Forensic Scientist McKay
7 was describing taking those lifts from this car
8 here, which is State's Exhibit 47; is that
9 correct?

10 A Yes, I believe that it was collected
11 from a Hyundai Sonata -- or Santa Fe.

12 Q All right, and this exhibit here that's
13 the same one we're talking about; is that
14 correct?

15 A Yes, sir.

16 Q All right, now you took these swabs from
17 the lifts -- what are they called?

18 A We refer to them as particle lifts.
19 It's basically a stamp with a sticky surface on
20 it.

21 Q Okay, all right. Now, those that you
22 have in front of you as well, they also tell you
23 where they came from; is that correct?

24 A That's correct.

25 Q Not just the handle, but where

1 specifically in the Hyundai; is that correct?

2 A That's correct.

3 Q Okay. If you could walk us through then
4 State's Exhibit 89 or 90, whichever one you
5 choose first, if you could just walk us through
6 there, and tell us what your results were?

7 A So because they were all collected from
8 the same vehicle, they were reported out with
9 one result, and in the samples collected from
10 the Hyundai Santa Fe particles characteristic of
11 gunshot primer residue were found.

12 In general, particles characteristic of
13 gunshot primer residue particles are
14 microscopic, molten particles that contain the
15 elements lead, barium and antimony. Gunshot
16 primer residue can come from being in the
17 vicinity to the discharge of a firearm, or from
18 an object that has gunshot primer residue on it
19 and transfers. No information can be provided
20 as to the timeframe of which these particles
21 were deposited, because it was collected from an
22 inanimate object.

23 Q So on me, for instance, it could go
24 away, but if it's on the car, it'll stay there
25 for longer?

1 A Right, a living person you're active and
2 you might be actively transferring or removing
3 those particles to other objects or washing your
4 hands and removing it that way.

5 Q Okay. And inside the Hyundai, I think
6 the description was that Forensic Evidence Agent
7 McKay was taking the lifts inside the doorframes
8 on all the windows.

9 Can you tell us how much gunshot residue
10 you found? Can you tell us anything about that
11 from your opinion?

12 A So on each one of the window frames I
13 was able to confirm four particles
14 characteristic of gunshot primer residue. The
15 instrumentation, the way we do it will go
16 through an automated analysis, and it will
17 detect any particles that contain all three
18 lead-bearing antimony and in those samples there
19 was a -- there were more samples or more
20 particles that were identified as possibly have
21 leading-bearing antimony on the passenger side
22 than on the driver's side.

23 Q And, of course, if it's inside the car,
24 it's gonna go pretty much everywhere; is that
25 correct?

1 A That's correct. So gunshot primer
2 residue will, primarily, come out of the muzzle
3 of a firearm, but will also come out of any
4 other opening. So on a semi-automatic it would
5 be the ejector part as well.

6 Q Okay. Comparing this with other cases,
7 in your opinion, can you tell us if there's a
8 lot of gunshot residue, a little bit, or
9 anything about that?

10 A Based on my analysis, I would say that
11 it's a large number of particles of gunshot
12 primer residue.

13 MR. STONE: I don't have any further
14 questions at this time, Your Honor.

15 THE COURT: Mr. Lee

16 * *

17	CROSS-EXAMINATION

18 BY MR. LEE:

19 Q So your testimony is that a firearm was
20 fired inside the Hyundai Santa Fe, but you don't
21 know when, you don't know by who, right?

22 A It's my opinion that a firearm was
23 discharged inside that vehicle, but I can't tell
24 you who did it, or when it happened.

25	Q Okay.

1 MR. LEE: That's all I have, Your Honor.

2 THE COURT: Okay. Anything further,
3 Solicitor?

4 MR. STONE: No further questions. Thank
5 you.

6 THE COURT: Okay. Have you got somebody
7 you can get up in six minutes? If not, we're
8 going home.

9 MR. STONE: I have a witness that I'm going
10 to call, Your Honor, and if you need to stop, we
11 can stop. I think I can -- I don't know that
12 she will take just six minutes, but it won't be
13 too long.

14 THE COURT: Okay, I promised we'd be out of
15 here by 6:00 -- 5:30, so let's see what we can
16 do then.

17 MR. STONE: Yes, sir.

18 THE COURT: I might give you a few minutes
19 later.

20 MR. STONE: Michelle Eichenmiller.

21 **

22 MICHELLE EICHENMILLER,

23 BEING DULY SWORN TESTIFIED AS FOLLOWS:

24 ***

25 DIRECT EXAMINATION

1 BY MR. STONE:

2 Q And what do you do, ma'am?

3 A I'm a Forensic Scientist at SLED in the
4 Forensics Laboratory in the Firearms Department.

5 Q And how long have you served in that
6 capacity

7 A 18 years.

8 Q What exactly do you do in the Firearms
9 Department?

10 A The branch of forensic science that I
11 deal with is firearms identification. We
12 examine any fire in evidence or firearms found
13 at a crime scene.

14 We also do other duties that's come up,
15 such as serial number restoration, or,
16 potentially, toolmark analysis as well.

17 Q And what type of training and education
18 did you have, in order to do this?

19 A I have a Bachelor's degree in Biology
20 and Psychology.

21 I have a Masters of Science and Forensic
22 Science. In addition, there's no college you
23 can attend to become a Firearms Examiner, so I
24 completed the SLED in-house training program,
25 which it takes two or three years to complete.

1 I followed the training examiners that were
2 in our department, as well as doing a lot of
3 practicals and reading on my own. At the end of
4 the reader training period, I took a competency.
5 We performed a mock court, and they gave me
6 competency cases on my own.

7 MR. STONE: At this time, Your Honor, I
8 would offer her as an expert in the field of
9 forensic science --

10 MR. LEE: No objection.

11 MR. STONE: -- and in particular --

12 BY WITNESS:

13 A Firearms and education.

14 BY MR. STONE:

15 Q -- firearms and education.

16 THE COURT: The Court so finds.

17 MR. STONE: Okay.

18 BY MR. STONE:

19 Q Now, you also -- you worked the case
20 from March the 5th, 2021; is that correct?

21 A That's correct.

22 Q Okay, first thing I am going to do is, I
23 am going to show you which has been entered into
24 evidence. There's a number of projectiles,
25 starting at 32.

1 So let me kind of give you this layout.
2 These have been introduced into evidence. Were
3 you able to study these shells? First of all,
4 let me back up just a little bit. These are
5 shells and not bullet projectiles. What's the
6 difference exactly?

7 A The cartridge cases or shells are the
8 container that holds a bullet primer and the
9 antimony compound together, so it's basically
10 the vessel. Once it's fired, the bullet will
11 leave the container, the gunpowder will burn up,
12 and then we just have a cartridge case left.

13 Q All right, and in State's Exhibit 103,
14 which is here, where did it go? I had it right
15 here. All right, I'm gonna skip 103 right now,
16 because I don't know where it went. Do you have
17 103 over there? 103, the bullets that were
18 actually taken out, were taken out of the car.
19 You were here when Jaclynn McKay testified to
20 that earlier?

21 A Yes.

22 Q All right, these bullets, I know you can
23 see the photographs and things like this, were
24 you able to -- what's the difference between
25 those items and the shells?

1 A Those are the bullets or pieces of a
2 bullet that would have come out of the cartridge
3 case through the barrel of the firearm and into
4 the car.

5 Q Okay. And here it is right in front of
6 me. So State's Exhibit 103 is that the -- those
7 are the actual bullets, that's the end of the
8 cartridges; is that correct?

9 A Yes, the projectiles.

10 Q Tell me, were you able to do any type of
11 testing on any of that, or was your testing
12 limited to the shelves?

13 A I didn't test any of these projectiles.

14 Q Okay, so talk to me about the shells.
15 Items specifically 15, 19, 10, 18, 21, 25, 12,
16 13, 9, 16, 32, 30, 28, 22, 27 and, finally, 24.

17 A Whenever I receive evidence in a case, I
18 will take photographs of it, write on the
19 evidence with an electronic pencil with the case
20 number, the item number and my initials. When I
21 complete my examination, I will seal it up and
22 date it, and put my initials on the heat seal.

23 Q Have you done that on all of those
24 exhibits?

25 A Yes.

1 Q Okay. What were your results at the end
2 of the testing of those shells?

3 A If I can refer to my notes? I tested --
4 it's SLED items 32 through 48, the fired
5 cartridge cases that I received. I physically
6 examined them and microscopically compared them
7 with each other where appropriate. Based on my
8 examinations, I determined that matching
9 individual identifying characteristics were
10 found on SLED items 32 through 39, 41 through
11 45, and 47, and concluded that they were fired
12 by one firearm, and they may be suitable for
13 identification.

14 Those were the .223 Remington caliber
15 cartridge cases, or .556 caliber cartridge
16 cases.

17 Q All right. It may be easier for me to
18 pull out the .45s. Okay. All right, can I get
19 you to come off the stand for me? If you'll
20 keep your voice up, please ma'am. All right, so
21 these are the items that you just described; is
22 that correct?

23 A Yes.

24 Q All right, now, what exactly is a -- you
25 said .223?

1 A Yes.

2 Q Or .556? What do we mean by that?

3 A It's the caliber for a firearm. It's
4 generally a rifle caliber. The case is longer,
5 but it's small. This is what it looks like when
6 the bullet is not here anymore, this is just the
7 cartridge case.

8 Q And all of these are consistent with
9 that?

10 A Yes.

11 Q And you also mentioned .556, is that
12 going to be the exact same thing, or is that a
13 different type or the same ammunition?

14 A They're very close to the same caliber.
15 The .556 is a caliber round made for the
16 military. It can be fired in some firearms that
17 are chambered for .556, but can be fired in
18 that, and .223 can be fired in that as well.
19 They're the same caliber, it's just slightly
20 different on both.

21 Q All right, when you say rifle round, I'm
22 thinking like a deer hunting rifle; is that a
23 proper thought process, or what exactly is
24 included in a rifle round?

25 A A rifle is a long, larger firearm. It's

1 not a handgun, it's sometimes fired from your
2 shoulder. It can also have a pistol grip and
3 can be fired out of the pistol, but they're
4 generally longer, bigger than a handgun.

5 Q Okay. I'll show you what's been marked
6 as State's Exhibit 93. Can you identify that?

7 A Yes, these are two photographs.

8 Q Okay.

9 MR. STONE: Your Honor, at this time we'd
10 move those into evidence.

11 THE COURT: Any objection?

12 MR. LEE: No objection.

13 THE COURT: Admitted.

14 (State's Exhibits 15, 19, 10, 18, 21, 25,
15 12, 13, 9, 26, 32, 30, 28, 22, 27, 24 were
16 admitted into evidence.)

17 MR. STONE: Show on the monitor.

18 BY MR. STONE:

19 Q Okay, tell me what we're looking at
20 here.

21 A We're looking at, for example, what a
22 firearm that would shoot .223 or .556 caliber
23 looks like.

24 So you can see that it's longer and bigger
25 than what a handgun would look like. This one

1 is just held in your hand, and has a different
2 caliber.

3 Q All right, on the top, and let me ask
4 you this, is this -- does this appear to be sort
5 of a pistol grip; is that what you were talking
6 about earlier?

7 A Yes, this is a pistol grip right here.

8 Q Okay, and the fact that it has a longer
9 barrel, is that what makes it the rifle round,
10 or needs a rifle round?

11 A Yes, it has a longer barrel, and a
12 different caliber that it shoots with the right
13 bullet.

14 Q Is this one of the possible guns that
15 could have fired these types of rounds?

16 A Yes.

17 Q Now -- and that would be both the .223,
18 as well as the .556; is that right?

19 A Providing it is chambered for .556, it
20 could shoot both.

21 Q Okay. How about the Glock at the very
22 bottom, could that shoot that?

23 A No.

24 Q All right. Just stay right there for
25 me. Let me hand you what has been marked as

1 State's Exhibit 19, 15 and 24, and ask you if
2 you could tell us about that? You can come over
3 here, so they can see what you're talking about.

4 A These are three additional cartridge
5 cases that I examined in this case. They're for
6 items 48 and 46.

7 Q All right, and what are those shells?

8 A These are .45 auto caliber cartridges,
9 so these also did not have a bullet fired.

10 Q And what type of gun fires that?

11 A Typically, a .45 auto is fired in a
12 semi-automatic handgun, a pistol.

13 Q All right, so going back to State's
14 Exhibit 93, is that the bottom gun there?

15 A Yes, you can see right here, it's
16 written on it that it's a .45 auto is the
17 caliber for this gun.

18 Q Okay. Can the .45 caliber fire these,
19 the .223s?

20 A No.

21 Q Okay. Are those calibers there that
22 you're showing the .45s, were they also
23 consistent with characteristics?

24 A Yes, they had matched the individual
25 characteristics, and fired by one firearm.

1 Q All right, so those three shells were
2 fired by one, and then all of these other shells
3 here were fired by another gun?

4 A That's correct.

5 Q So we're dealing with two guns, correct?

6 A Correct.

7 Q Okay. All right, go ahead and have a
8 seat, thank you. Let me hand you what's been
9 marked as State's Exhibit 92 and 91. These
10 are --

11 MR. STONE: Your Honor, we'll be calling
12 the pathologist in this case, but these were
13 sealed from the pathologist from the victim, D.
14 J. Fields.

15 BY MR. STONE:

16 Q Were you able to study those as well?

17 A Yes, I examined these as well.

18 MR. STONE: Your Honor, at this time I'd
19 move 91 and 92 into evidence, subject to being
20 able to follow that up with the pathologist.

21 MR. LEE: No objection.

22 THE COURT: Okay, entered without
23 objection.

24 (State's Exhibits 91 and 92 were admitted
25 into evidence.)

1 BY MR. STONE:

2 Q If you could come off the stand one more
3 time? I apologize. Now, these are -- tell me
4 where these came from?

5 A From the packaging the Beaufort County
6 Coroner from autopsy, bullet number one and
7 bullet number two.

8 Q What can you tell me about -- and you
9 studied those two bullets as well?

10 A I did.

11 Q Okay, what can you tell us about those?

12 A Bullet number one, which is State's
13 Exhibit 91, from the .45 auto or .45 gap caliber
14 bullet. It was just a bullet, I can't tell you
15 the exact caliber. It has the same
16 characteristics. This is .45 and there are two
17 calibers commonly a .45 auto and .45 gap.

18 Q Okay. Bullet number -- I believe that's
19 bullet number 2 referenced in that autopsy?

20 A Yes, and State's Exhibit 92 is a bullet
21 either .223 or .556. It has the same diameter
22 as the cartridge case, but you can't tell for
23 sure which bullet -- which caliber it is.

24 Q Okay. So we're talking about here, this
25 one -- this is being fired from which one of

1 those guns?

2 A The bottom one, the .45 auto.

3 Q Okay, and this one?

4 A Is the top one.

5 Q Could not have been fired by the other
6 one?

7 A Correct.

8 Q Okay, thank you. These guns -- I guess
9 my basic question is, could both of the guns
10 also cause what's called -- and what I could
11 call a muzzle flash, or a flash?

12 A Yes, most guns have a muzzle flash.

13 Q All right, so what exactly happens
14 there? What does that mean?

15 A Whenever the gunpowder is ignited,
16 there's fire, I guess, and you could see it
17 coming out the muzzle, so you would definitely
18 see flashes.

19 Q And that's on both the Glock 21, as well
20 as the -- what exactly is this gun called?

21 A It's an AR style pistol, which shoots
22 rifle rounds.

23 Q Okay. All right, so from both of those
24 you would have a muzzle flash from both of
25 those; is that correct?

1 A Some ARs are designed to not have a
2 muzzle flash, but it's still -- you still see
3 some light.

4 Q Okay. And I'm assuming each one would
5 fire -- would show different amounts of muzzle
6 flash, depending upon how it was built?

7 A Possibly, I'm not familiar with, you
8 know, shoot in the dark, so I'm not familiar
9 with how much light.

10 Q I don't have any further questions,
11 thank you. If you'll answer any questions that
12 Mr. Lee may have?

13 MR. LEE: I know everybody wants to leave,
14 real quick.

15 * *

16	CROSS-EXAMINATION

17 BY MR. LEE:

18 Q That photo, that Exhibit Number 93,
19 those aren't the guns that fired these bullets,
20 right?

21	A No.

22 Q That's just a stock photo that was
23 presented to you by the Solicitor's Office --

24	A Yes.

25	Q -- to identify?

1 A Yes.

2 Q Okay. And there never were any guns
3 that were presented to you in this case to
4 analyze, or look at, or anything like that?

5 A No, but in the absence of a firearm, we
6 try to give it a list of firearms that could
7 have fired the bullet, to help out the
8 investigation, and that's what I did in this
9 case.

10 Q But you don't have a physical firearm
11 that you looked at, correct?

12 A Correct.

13 Q Okay.

14 MR. LEE: Nothing further.

15 THE COURT: Redirect?

16 MR. STONE: Yeah.

17 **

18 **REDIRECT EXAMINATION**

19 BY MR. STONE:

20 Q And these two guns were on the list,
21 your list that you created; is that correct?

22 THE COURT: He wasn't quite through yet.

23 MR. STONE: Pardon me?

24 THE COURT: He's not through yet.

25 MR. STONE: Oh, I'm sorry.

1 THE COURT: No, he just paused.

2 **

3

4 **RECROSS-EXAMINATION**

5 BY MR. LEE:

6 Q So, essentially, they were provided to
7 you, and this is what the Solicitor's estimate
8 or best guess is and what they look like?

9 A It's an example of a firearm that could
10 shoot those.

11 Q And, for example, the Glock 21 there's
12 plenty of other guns, other models that fire
13 .45s, right?

14 A There are.

15 Q Okay, thank you.

16 MR. STONE: Nothing else, Your Honor, thank
17 you.

18 THE COURT: Okay, you can step down. Now,
19 ladies and gentlemen, we'll let you go home. I
20 need you to do me a favor in the morning.

21 The same rules, if you have an emergency,
22 call us, I need you back at 9:30, but when you
23 get back, I need you to select a Foreperson.

24 I don't know any of you, you've been
25 together this week, and so you at least got to

1 know each other. The Foreperson has no greater
2 pull than anybody else, they will simply preside
3 over deliberation, and sign the verdict form.
4 And you'all can do that in the morning when you
5 get here, before I bring you in, and, hopefully,
6 it won't be an hour, hour and-a-half.

7 I hope we won't have any legal issues I
8 have to deal with, but if you do that first
9 thing in the morning, then let the Bailiff know
10 you've selected a Foreperson.

11 It's got to be out of the 12 jurors. The
12 alternates cannot be a Foreperson.

13 Now, if I lose somebody overnight, I'll
14 have to put one of the alternates in, but anyway
15 assuming everybody shows back up in the morning,
16 I need you to select a Foreperson.

17 Don't discuss it yet. Have a great
18 evening, and I'll see you in the morning.

19 (Jury exits the courtroom.)

20 BAILIFF: The jury's cleared, Your Honor.

21 THE COURT: Thank you.

22 Anything we need to do before I go home?

23 MR. STONE: No, sir, nothing from the
24 State.

25 MR. LEE: Nothing from the defense.

1 THE COURT: Se you'all in the morning.

2 MR. STONE: Yes, sir.

3 (At 6:05 p.m. the trial was continued until
4 the following day without interruption.)

5 **

6 END OF VOLUME III

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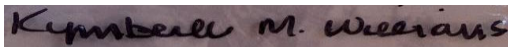
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CERTIFICATE OF REPORTER*******

I, Kymberlee M. Williams, Certified Shorthand Reporter/Registered Professional Reporter for the 14th Circuit of the State of South Carolina do hereby certify that the foregoing is a true, accurate and complete transcript of the proceedings held in this case, relative to appeal, in the General Sessions Court for Beaufort County, South Carolina on the 28th Day of September 2023.

I do further certify that I am not related, of counsel, or interest to any party hereto.

This, the 17th day of March 2024.



Kymberlee M. Williams, CSR/RPR

STATE OF SOUTH CAROLINA	IN GENERAL SESSIONS COURT
COUNTY OF BEAUFORT	FOR THE 14 TH JUDICIAL CIRCUIT
	2021-GS-07-00449
	2020-GS-07-02312

-----)	
State of South Carolina)	
)	
)	
Plaintiff,)	
vs.)	TRANSCRIPT OF JURY TRIAL
)	VOLUME IV
Ty Leic Chaneyfield,)	(PAGES 617 - 909)
)	
----- <u>Defendant.</u>)	

September 28, 2023
Beaufort, South Carolina

B E F O R E:

The Honorable R. Ferrell Cothran, Judge Presiding

Kymberlee M. Williams, CSR/RPR
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PROCEEDINGS*********THURSDAY, SEPTEMBER 28, 2023****BEAUFORT, SOUTH CAROLINA**

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

BAILIFF: The jury's entering the courtroom, Your Honor.

(Jury enters the courtroom.)

THE COURT: My understanding is you'all elected Mr. Harper as the foreperson; is that right?

MR. HARPER: Yes, Your Honor.

THE COURT: Okay, all right. We got started on time today, so if you'all would pay close attention.

Mr. Solicitor?

MR. STONE: Thank you, sir. John Donahue.

********JOHN DONAHUE,****BEING DULY SWORN TESTIFIED AS FOLLOWS:**********DIRECT EXAMINATION**

BY MR. STONE:

Q Mr. Donahue, what do you do, sir?

1 A I'm a DNA analyst with the Beaufort
2 County Sheriff's Office, Forensics Services
3 Laboratory.

4 Q Do you have a title? I don't want to
5 call you -- are you an officer, are you a
6 forensic scientist?

7 A I think, technically, my title is Deputy
8 Sheriff, but my lab title is a DNA Technical
9 Lead.

10 Q As a DNA Technical Lead, what do you do?

11 A My responsibilities are oversight of the
12 DNA section of the laboratory, as well as case
13 work; so that means I supervise two other
14 examiners. I am responsible for quality control
15 in the laboratory, which means all the measures
16 that are taken to ensure that the work that we
17 generate is acceptable for validation of new
18 machines and new procedures.

19 Anything that we introduce into the
20 laboratory has to be tested, I'm responsible for
21 that. I'm also responsible for doing my own
22 case work, which means receiving into the
23 laboratory items that are -- testing them for
24 the presence of any biological materials, and
25 then comparing them to the known reference

1 standards.

2 Q Tell us what's DNA and the science of
3 DNA. I know that's developed quite a bit, but
4 is that recognized science now at the level of
5 what you do?

6 A Yes, it is.

7 Q At this time we would -- what type of
8 background training and education do you have in
9 that specific area?

10 A I have a Bachelor's degree from the
11 University of Tennessee, with a major in
12 zoology. I have a Master's degree from Indiana
13 University, with a major in microbiology. I
14 started my career years ago, in October of 1997
15 with the Texas Department of Public Safety
16 Regional Laboratory in Garland, Texas.

17 There I was trained on forensic science, as
18 well as forensic DNA testing, so that was my
19 initial training. And then we have annual
20 continuing education that we do every year, as
21 well as various other trainings over the course
22 of 26 years.

23 Q Have you ever been qualified in a
24 courtroom as an expert?

25 A Yes.

1 Q And number of times?

2 A It's got to be over a hundred by this
3 point.

4 Q Okay.

5 MR. STONE: At this time, Your Honor, we
6 offer him as an expert in forensic science, and
7 with the particular of DNA testing and analysis.

8 MR. LEE: I agree, no objection.

9 THE COUERT: Okay, the Court shall find.

10 BY MR. STONE:

11 Q Very briefly, give us a -- and I don't
12 know how much I can follow this, but as far as
13 DNA testing, what is involved in DNA, tell me
14 about that.

15 A Well -- so DNA, itself, is a molecule
16 that's present in all the cells of your body
17 that have a nucleus. The DNA is individual to
18 the person, with the exception of identical
19 twins. You get half from your mother, and half
20 from your father at the time of conception. So
21 it's -- the way that molecules rearrange
22 themselves during the production of sperm and
23 egg cells, each person's DNA is unique. As I
24 said, other than identical twins.

25 So it's present in all the cells of your

1 body, so white blood cells, sperm cells, muscle
2 cells, saliva cells, skin cells, the DNA is the
3 same in all of them. DNA from a crime scene and
4 you compare it to the DNA from the person, if
5 that person could have left that DNA behind, or
6 did not.

7 Q How does DNA get left behind. In other
8 words, my DNA's gonna be different than everyone
9 else's, how do I leave that behind somewhere?

10 A Well, one possibility is body fluid you
11 might bleed, you could be cut. Another
12 possibility would be say saliva, maybe you were
13 smoking a cigarette, and you dropped the
14 cigarette but, or you were drinking. Another
15 possibility could be clothing, items that you
16 wear.

17 You have DNA present in the oils of your
18 skin cells, and you leave them behind on
19 clothing, and you could test the clothing and
20 see if you might have contributed to that; or
21 even going a little bit further from actually
22 handling or touching items.

23 We test items all the time, firearms for
24 example. We can swab your hands and determine
25 if your DNA might be there or might not be, or

1 in this case items from a car.

2 Q Okay. You explained very nicely into
3 what I was gonna ask you.

4 Let me first hand you what's been marked
5 and entered into evidence as State's Exhibit 51
6 and 52 and identified as buccal swabs.

7 Did I pronounce that correctly?

8 A Yes, sir.

9 Q And who are these buccal swabs of?

10 A Number 51 is labeled as Ty Leic, it's my
11 case number. We have each case in our
12 laboratory gets assigned an individual number,
13 so that we can track it versus the other ones.
14 Any evidence gets assigned a separate piece,
15 excuse me, a separate exhibit number to exclude
16 it from all other pieces.

17 So in this case this is my item number 15,
18 oh, and it's coming from Ty Leic Chaneyfield.

19 Q Okay, and the other one?

20 A Number 52 is my item number 16, for my
21 case number, which was noted as buccal standard
22 from M.A. [REDACTED].

23 Q And did you use the two in your
24 comparison?

25 A I did.

1 Q Let me hand you State's Exhibit 84, 85
2 and 86, and ask if you can tell what those are.
3 Those have already been entered into evidence as
4 well. If you could tell us what you did to
5 identify it as well?

6 A Okay, 84, I have this as my item number
7 3, which is labeled as swabs from interior rear
8 driver's side door handle of the Hyundai Santa
9 Fe. 85 is my item number 6, swabs from exterior
10 front passenger door handle of Hyundai Santa Fe.
11 Item 86, which was my item number 7, is two
12 swabs from the exterior rear passenger side door
13 handle of the Hyundai Santa Fe.

14 Q Okay, let me start you there, and just,
15 if you can, I think we've already entered it
16 into evidence, I think we all know about the
17 Hyundai Santa Fe. Do you also know which car
18 we're talking about in this?

19 A The Hyundai Santa Fe.

20 Q All right.

21 A Yeah, that's all.

22 Q All right. So let me first ask you if I
23 could, on State's Exhibits I just handed you, I
24 think it's 85, 86 and 87; is that correct?

25 A 84, 85, 86.

1 Q Okay. These are on the door handles.
2 What were your results of your tests on those?

3 A So referring to my report, if I could?

4 Q Sure, absolutely. When did you file
5 your report?

6 A My report for the analysis of the items
7 from the Hyundai Santa Fe was written on
8 February 9th, 2023.

9 Q 2023?

10 A Yeah.

11 Q Thank you.

12 A So it's starting with Number 84, which
13 was my item three, I recovered a DNA mixture
14 from the item.

15 Q Okay.

16 A For being, obviously, DNA from more than
17 one person.

18 Q Okay. Did you test that mixture against
19 Ty Leic Chaneyfield and M.A. [REDACTED] ?

20 A I did.

21 Q Okay, and what were the results of those
22 tests?

23 A So for the -- let's see, that would be
24 item number three, the interior rear driver's
25 door side handle, I was not able for M.A. [REDACTED]

1 ██████████ to make any sort of determination.
2 When you do a DNA test, there's three possible
3 outcomes. There's an elimination, in which the
4 person can't be there, so we look at the data,
5 and we decide -- the data shows us, I guess,
6 that the person's not there, and we report that
7 as an exclusion.

8 The second possibility is that the person
9 can't be eliminated from the sample, in which
10 case we report that as a match, and we attach
11 the number of statistics to it.

12 Third possibility is inconclusive for --
13 there's not enough data there for us to make any
14 kind of determination, might the person be
15 there, might the person not be there? So for
16 this particular piece, the interior rear
17 driver's -- Number 84, my item number 3, I was
18 not able to make a determination from M.A. ██████████
19 ██████████, he was inconclusive. I was able to
20 make a match for Ty Leic Chaneyfield on that.

21 Q What about the exterior rear door?

22 A On the exterior rear door handle I was
23 able to make a match to M.A. ██████████ ██████████, the
24 rear passenger door handle, a match to M.A. ██████████
25 ██████████, and an exclusion for --

1 Q And the front passenger door?

2 A The front passenger door I was able to
3 determine a match to Ty Leic Chaneyfield, and an
4 exclusion for M.A. [REDACTED].

5 Q Okay. Let me show you what's been
6 entered into evidence as State's Exhibit 88, and
7 this is listed as the rear passenger seatbelt in
8 the Hyundai. Did you test that as well?

9 A I did, this is my item number ten.

10 Q Okay, and what were the results of that
11 test?

12 A I received a DNA mixture from that as
13 well.

14 Q And what was the result?

15 A A result from the rear passenger side
16 seatbelt was a match to M.A. [REDACTED], and an
17 exclusion for Ty Leic Chaneyfield.

18 Q I'm now going to hand you the front
19 passenger seatbelt of the Hyundai Santa Fe.

20 Did you test that?

21 A I did, this is my item number 9.

22 Q And what were the results of your test?

23 A I received a mixture -- a DNA mixture
24 from that as well. From this mixture M.A. [REDACTED]
25 [REDACTED] was excluded and Ty Leic Chaneyfield

1 was a match.

2 Q Okay. I don't have any further
3 questions, thank you. Mr. Donahue, answer any
4 questions Mr. Lee may have.

5 **

6 **CROSS-EXAMINATION**

7 BY MR. LEE:

8 Q Good morning.

9 A Good morning.

10 Q So when you're talking about these
11 mixtures, there were multiple DNA samples
12 obtained in that car, right?

13 A Well, there were multiple items
14 collected, and the mixtures from them there were
15 multiple people on those multiple items.

16 Q What we call contributors?

17 A Yes.

18 Q Okay. And without knowing -- without
19 having a sample, a buccal swab, you're not able
20 to say, hey, this was a mixture, and it may be
21 Ty Leic Chaneyfield, and it may be M.A. [REDACTED], but
22 there could be other people in that mixture,
23 right?

24 A Well, I know that there are --

25 Q Yeah.

1 A -- a lot of other people.

2 Q So let me ask you another question, if
3 you and I rode to Court yesterday together, and
4 you rode in my vehicle, and you sat in the front
5 seat, and put your seatbelt on, and opened the
6 front door panel, would you expect there to be
7 trace DNA of you on the handle and on the
8 seatbelt?

9 A It's possible. The downside of DNA
10 testing for anything really is that I can't tell
11 you when something was deposited there.

12 Q That's what I'm telling you. So if you
13 rode with me yesterday, your DNA is in my truck,
14 and you tested it today, and went and swabbed my
15 truck, your DNA would likely, if you left some,
16 should be on that truck, right?

17 A Could be, yes.

18 Q Okay.

19 A Depending on other circumstances, which
20 are hard to control for, but, yes.

21 Q Sure. And these mixtures we're talking
22 about, it could be a mixture of two people, ten
23 people, you don't know, right?

24 A My analysis was -- depending on the
25 sample, it was either two or three, some of them

1 | were three, some of them were two.

2	Q Okay, all right.

3 MR. LEE: That's all the questions I have,
4 your Honor.

5 MR. STONE: Just very briefly, Your Honor.

6 * *

7	REDIRECT EXAMINATION

8 BY MR. STONE:

9 Q Actually, this Hyundai Santa Fe was
10 actually owned by Dell Pringle, you did not have
11 her DNA, did you?

12	A No.

13	Q Okay.

14 MR. STONE: I don't have any further
15 questions, thank you, Your Honor.

16 THE COURT: Thank you, sir, you can step
17 down.

18 MR. STONE: Dr. William Bromberg.

19 MR. LEE: Your Honor, can I follow-up on
20 one question?

21 THE COURT: Okay.

22 * *

23	RECROSS-EXAMINATION

24 BY MR. LEE:

25 Q What he's talking about is, it's helpful

1 to you, if you're provided elimination
2 standards, correct?

3 A Oh, very much so, yes.

4 Q Very much. So it'd be really helpful to
5 you in trying to figure this out, if you know,
6 hey, there might be some people who owned the
7 car, who are in there a lot, wouldn't it be good
8 for law enforcement to get those elimination
9 samples, so that you can take them into
10 consideration, right?

11 A That's always helpful, yes.

12 Q Okay, and you were not provided any
13 elimination samples in this?

14 A No.

15 Q Okay, thanks.

16 THE COURT: You can step down.

17 MR. STONE: Dr. William Bromberg. Thank
18 you, sir.

19 **WILLIAM BROMBERG, M.D.,**

20 **BEING DULY SWORN TESTIFIED AS FOLLOWS:**

21 ***

22 **DIRECT EXAMINATION**

23 BY MR. STONE:

24 Q Dr. Bromberg, what do you do, sir?

25 A I'm a Trauma Surgeon at Memorial Health

1 University in Savannah, Georgia.

2 Q Tell me about the Trauma Center in
3 Savannah. There's levels of trauma; is that
4 correct?

5 A Yes, sir. The Trauma Center in Savannah
6 is sort of the areas in a level one trauma
7 center. Trauma centers are rated from level one
8 to level four, with level one being the highest.
9 So we handle all levels of injury, from the
10 least to the most sick.

11 Q And who are the most injured?

12 A Yes.

13 Q All right, and what is your position
14 with that hospital?

15 A I'm an attending trauma surgeon, which
16 means I am one of the people that are
17 responsible for the care of the critically ill
18 or injured patients from the time of admission
19 to discharge.

20 Q Yeah, I thought --

21 A -- oh, I'm sorry.

22 Q Oh, no, no, that's okay, I apologize, go
23 ahead.

24 A We consider ourselves sort of the
25 primary care practitioners of trauma, because we

1 take the patient in, and we coordinate their
2 care. So if they need a neurosurgeon or a
3 vascular surgeon or an orthopedic surgeon, we
4 coordinate that, just sort of like a family
5 doctor, you know, would sent you out for -- to a
6 nephrologist, or to a gastroenterologist, but
7 that's the home.

8 Q So you're the one that's sort of the
9 repository of all the information for that
10 particular patient, and in most cases you're
11 gonna make those decisions; is that right?

12 A Yes.

13 Q Now how -- what kind of background do
14 you have in medicine that would allow you to do
15 this?

16 A Sure. Well, I graduated the University
17 of Virginia with my M.D. degree in '96, and then
18 I went and did a surgical residency, which is
19 five years at Lee High Valley Hospital in
20 Allentown, Pennsylvania.

21 I continued on to my critical care and
22 trauma fellowship at -- also in Allentown,
23 Pennsylvania, which is a one-year fellowship.
24 That ended in 2002, and I moved down to
25 Savannah, Georgia, where I've practiced the

1 whole time.

2 Q Okay. What I'm going to do is qualify
3 you as an expert, but I want to make sure I get
4 your title correctly, so you would be -- you're
5 an expert, obviously, in medicine, in trauma
6 medicine.

7 What exactly would you be an expert for?
8 What would the term be?

9 A My board is in general surgery, and my
10 advanced qualifications are in surgical/critical
11 care.

12 Q Okay.

13 MR. STONE: At this time, Your Honor, we
14 offer Dr. Bromberg as an expert in those fields.

15 MR. LEE: Absolutely no objection.

16 THE COURT: Okay, the Court so finds.

17 BY MR. STONE:

18 Q. Dr. Bromberg, you treated D. J. Graham;
19 is that correct, or you were, I guess, the
20 attending for E. J. Graham; is that correct?

21 A Yes.

22 Q Now, at the time that he came in he was
23 under the age of 18, so I guess is he,
24 technically, a pediatric patient?

25 A Yes. At our Institution anybody -- 18

1 is actually borderline. It depends on the
2 illness, whether they'll stay in the main
3 hospital, or go to the pediatric hospital, but
4 anybody under the age of 18 certainly is
5 considered pediatric.

6 Q But you were the attending for him, so
7 you are familiar with everything that took
8 place, as far as his treatment and things like
9 that?

10 A I was in charge for the first admission,
11 the first few hours of his arrival, and then
12 being that we have a separate pediatric hospital
13 now at Memorial, we transferred his care to the
14 pediatric surgeon, who then takes over. So he
15 was transferred to the pediatric intensive care
16 unit, under the care of the pediatric surgeon
17 and the pediatric intensivist.

18 So I was responsible for his initial
19 admission, his stabilization, much of the
20 diagnosis, but then we transferred his care to
21 the pediatric team. As a matter of fact, at the
22 time of his arrival and up until sometime later,
23 he was initially reported as over the age of 18,
24 so we didn't -- the pediatrics weren't really
25 activated until we made that determination a

1 little bit later.

2 Q When E. J. Graham got to the Savannah
3 Hospital, what condition was he in?

4 A He was in critical condition and
5 unstable.

6 Q And what was his level of awareness?

7 A When he arrived he was semi-conscious.
8 We measure consciousness level -- we love
9 numbers, we don't like descriptions, we'd like
10 to be able to write down numbers, so we measure
11 your consciousness level with something called a
12 Glasgow Coma Scale, which measures, if you're
13 opening your eyes spontaneously.

14 In other words, if you're opening your eyes
15 and you're looking around, yeah, you're awake.
16 Then that goes all the way down to your eyes are
17 closed and you don't react at all, and that's a
18 one through four scale. And then we talk about
19 your verbal response. Your -- we ask you a
20 question, you respond normally, you get the
21 highest score.

22 We ask you a question, you don't make any
23 noise, you get the lowest score, and then
24 everything in between, right? You moan, or you
25 don't make sense, you get a little different

1 score. And then, finally, is your motor score.
2 We ask you to show me a thumb, you show me a
3 thumb, you get the highest score. We actually
4 rub on your chest, it kind of hurts you, it's
5 not nice, but that's what we have to do, and if
6 you don't react at all, you get the lowest
7 score, all right?

8 So you actually get a score, three is the
9 lowest. You get three for showing up, and 15 is
10 the highest. And his, when he came in, was a
11 six, which indicates a fairly significant level
12 of coma. Anything eight or less is sort of
13 defined as a coma. He was not responsive.

14 So he was -- that prevents you -- anything
15 eight or less you worry that they're not gonna
16 protect your airway, so you're so unconscious,
17 that if you have blood in your mouth, or you
18 throw up, you'll just breathe it down in your
19 lungs, you're not awake enough to cough that
20 stuff up, so that's dangerous.

21 In his case, he also had wounds to his
22 face, and an obviously abnormal and misshaped
23 jaw.

24 The report was that he was shot, and when
25 you have -- now we have blood in his mouth and

1 swelling, and that -- particularly, when
2 somebody isn't awake enough to sit up, lean
3 over, cough that stuff out, that is extremely
4 dangerous. And to -- not to put a final point
5 on it, you can swell enough that you can't
6 breathe, or you can drown in your own blood.

7 So we immediately stepped into what we say
8 is take control of the airway. We give sedation
9 and pain medicine, and a medicine that allows
10 your muscles to relax, and we put a tube down
11 his mouth into his lungs, and we put him on a
12 breathing machine to protect him from that
13 swelling and drowning.

14 Q And he testified a few days ago he
15 didn't remember a whole lot about it --

16 A Okay.

17 Q -- is that unusual in his condition?

18 A That is very usual for someone that
19 comes in unconscious. For people that we have
20 to intubate that come in conscious, we try to
21 give them medication to prevent them feeling or
22 remembering it, because, frankly, it's mean.

23 Q Okay.

24 A It's not a fun procedure, so I'm glad he
25 doesn't remember.

1 Q And I'd shown you this earlier, but
2 State's Exhibit 94, this is a photograph of E.
3 J. Graham, what appears to be the holes. Are
4 these the gunshot wounds you were referring to?

5 A Yes, it is.

6 Q Where he is now, is this the intubation
7 tube and everything that you're talking about as
8 well?

9 A Yes.

10 Q Okay, all right. Let me hand you what's
11 been marked as State's Exhibit 104, and I think
12 these are your initials on the exhibit. Are you
13 familiar with this disk, or what's on this disk?

14 A Yes.

15 Q And what is this exactly?

16 A This is the CT scan, the imaging that
17 was taken of E. J. at the time of his admission.

18 Q Okay, all right.

19 MR. STONE: Your Honor, at this time we'd
20 move State's Exhibit 104 into evidence.

21 THE COURT: Any --

22 MR. LEE: No objection.

23 THE COURT: Okay, entered without
24 objection.

25 (State's Exhibit 104 was entered into

1 evidence.)

2 BY MR. STONE:

3 Q Doctor, I'm gonna ask you, if you could
4 -- if you can walk down and show the jury what's
5 on this.

6 Could you tell me where you --

7 A Is it all right if I explain what a CT
8 scan is, while explaining this stuff?

9 Q Please.

10 A Okay, so a CT scan, imagine somebody
11 hands you a salami, and says, "I want to know
12 what's in it." How do you figure that out?
13 Well, what we've managed to do is -- you know,
14 you take a regular x-ray, it shows you the
15 entire shadow of the salami, so it doesn't
16 matter what angle you take it, it's just gonna
17 show you the shadow of the salami.

18 What we've managed to do is invent a way so
19 you take x-rays at every different point of the
20 compass, all 360 degrees, and then you can
21 project it, like you're slicing the salami piece
22 by piece by piece, and then it's pretty easy.
23 You'll lay out every slice, you'll look at every
24 slice, you know what's in it, right?

25 And as a matter of fact, you can do that in

1 any direction. So this is two CT scans, or it's
2 collected at the same time, and then the
3 computer can display it differently. And the
4 one over here is set up -- so imagine the
5 patient's feet are down here, and their head is
6 over here, and their toes are pointing up.

7 So, you know, being that doctors aren't the
8 sharpest tool in the shed, the radiologist gives
9 us a right, so we know what right and left is,
10 right? So that's gonna be starting at his nose,
11 okay? This is the base of the skull here, here,
12 and those are sinuses, and those are the jaw,
13 okay? So feet are this way, head is that way.
14 And then when we're slicing him along like this,
15 okay, so on this one it's his -- he's standing
16 like this like I am to you, and we're slicing it
17 across the body, so we're seeing crossway
18 sections like that.

19 And what these images show are the path of
20 the ballistic wounds. So you can see there's
21 some -- so bone is white, soft tissue is dark,
22 air is black. And so you can see there's a
23 super bright fragment here, which is brighter
24 than bone, and you can see how it sets off that
25 halo, that means it's actually shadowing, and

1 that means it's brighter than bone. And you can
2 see this tunnel of stuff, it smashes the
3 ligaments, it goes to -- there's air, when there
4 shouldn't be air, and there's pieces of stuff.
5 Some of that is bone. You can see there's no
6 halos, so that is bone fragments, but then you
7 see stuff like this, which goes off a halo and
8 there's a shadow around it, which means it's
9 denser than bone. And in a case, if somebody
10 come and tell me, "Oh, yeah, this guy's been
11 shot," I'd say, "Well, that's a bullet," okay?

12 Q You've got two -- and I don't mean to
13 interrupt you.

14 A No.

15 Q You've got two fragments, is that a
16 bullet fragment as well?

17 A It --

18 Q I see the halo --

19 A yes --

20 Q -- which is this.

21 A Right. Well, it is a foreign object --

22 Q Okay.

23 A -- you can tell somebody's been shot
24 twice, I see two bright foreign objects, yeah,
25 he's been shot twice. I'm not -- we didn't go

1 get them, so they could be, you know, if a rock
2 got thrown by a lawnmower and hit you in the
3 face, it might look like that also --

4 Q Okay.

5 A -- right? But because I'm not a
6 forensic pathologist, I'm not a pathologist, I'm
7 a doctor, but we see footprints, you know --

8 Q Okay.

9 A -- when we look for horses. On this
10 image it's the same thing, this is the end of
11 your mandible bone here, you can see this path
12 through the mandible, and it ends right about
13 here.

14 Q So the bullet path is going into the
15 face, and we already had the photograph here.

16 A Hit the face, through the bones of the
17 mandible, and across the face.

18 Q All right. What is going on, other than
19 the bone structure, tell me what else is going
20 on with this x-ray. What's this and these items
21 here?

22 A Okay. Well, it's -- that's air that's
23 been dragged in through the bullet.

24 Q Uh-huh.

25 A You can see that he's got fluid in his

1 sinuses, which is probably blood from -- and he
2 maybe aspirating blood. Of course, you know,
3 the bone is not the significant -- we can fix
4 bones, and the fractured bones and the bleeding
5 is what made his airway dangerous, but the
6 injuries are other stuff that you have in your
7 head and neck. At that same level --

8 Q And can you show -- yes, I think you've
9 already --

10 A The real thing we worry about is injury
11 to the arteries, and I'm gonna show you these.
12 So, boy, we've got super fancy nowadays, this is
13 what we call a 3D reconstruction, where the
14 computer goes through and give a chemical, that
15 chemical shows up on x-ray, and then the machine
16 takes everything out of the picture that isn't
17 that chemical, all right?

18 And since that chemical we give into the
19 circulatory system, the computer can pull out
20 certain things. And so we asked it, what does
21 the circulatory system in that look like? In
22 this case, again, right and left, we're looking
23 at the heart.

24 This is the aorta, the big artery in your
25 chest that all the other arteries branch off

1 from. And this is his left carotid artery,
2 which is the one we were worried about the most,
3 because the left carotid artery, if you feel
4 your pulse right here, you lose it right behind
5 the angle of your jaw.

6 You can't feel it up there, because that's
7 where the artery hides, it hides behind the
8 angle of the jaw. And so now you have some
9 bullets here, and you have a broken jaw, what
10 else is injured? And it turns out, and what we
11 see here is, this is the carotid artery.

12 So what happened is, either -- what we're
13 worried about is if the bullet goes through the
14 artery. If the bullet goes through the artery,
15 then you're gonna bleed, and that's pretty
16 obvious. What can happen is a partial injury to
17 the artery, or just the energy of the bullet
18 going in through the tissue, gets transferred to
19 the walls of the artery and the vein, and it
20 causes their injury inside the artery to the
21 smooth lining that keeps the blood flowing, and
22 stops it from clotting.

23 It's important for your body to keep blood
24 moving where it's supposed to move, but clot
25 when you have a cut. So the way the body does

1 that, it has this nice smooth lining on the
2 inside of the blood vessels. If that smooth
3 lining is ruptured, it can cause clotting in the
4 artery itself, and that's what happened in this
5 case. The artery going to E. J.'s brain on the
6 left side was completely ruptured, so the vein's
7 draining from the brain on the left side.

8 So we had an injury to the major artery to
9 the left side of his brain, and that was his
10 most life-threatening injury after we protected
11 him from his airway.

12 Q When the blood is cut off from this
13 carotid artery to the left --

14 A Uh-huh.

15 Q -- the blood flow is going to the brain;
16 is that correct? Is that what you said?

17 A Yes.

18 Q Is that where it's going? Is that --
19 obviously, that's life-threatening, as well, but
20 I guess my question is, how did he live?

21 A He lived because he was lucky. And the
22 design of the brain is pretty cool. It has two
23 major carotid arteries in the front, and it has
24 two small arteries in the back that run through
25 your spine. Not on your spinal cord, but

1 actually through your spine on either side, and
2 they set off some branches, and then they join
3 in a circle underneath your brain. And that
4 circle was identified by an anatomist named
5 Willis a thousand years ago, so it's called the
6 Circle of Willis.

7 Interestingly -- so when you have a
8 complete Circle of Willis, any one artery going
9 down, assuming you have good blood flow in the
10 other arteries, can sort of go around this
11 roundabout, and you can actually back-feed the
12 area that was supposed to be fed by, say this
13 artery goes down, the right artery can take over
14 and back-feed down the other way. The issue is
15 only about 25 percent of us have a complete
16 Circle of Willis.

17 Everybody else has some other anatomy, and
18 about a third to a half of people don't have a
19 complete Circle of Willis at all, so there's no
20 way to back-feed, if an artery goes down. So if
21 you're one of the lucky ones that have a
22 complete circle, and you lose an artery, it's
23 okay.

24 If you're not one of the lucky ones, and
25 you lose an artery, you have a stroke. And if

1 you have a big enough stroke, what happens is,
2 the area of the brain that was getting fed
3 actually dies, and dying tissue swells, and that
4 swelling often kills people. So, particularly,
5 young people with big strokes have a problem,
6 because older people have strokes because
7 usually they have some arthrosporous, their
8 brain gets used to lack of blood flow in certain
9 areas, you get new blood vessels that can grow
10 in.

11 Young people have these nice great big
12 arteries and stuff that have had no chance to
13 grow extra vessels, there's no need to do it,
14 and so when an artery goes down it can be
15 devastating.

16 Q So when you say lucky, E. J. happened to
17 be in that 20 percent that has the perfect
18 circle?

19 A That has a complete Circle of Willis, so
20 he could protect his brain by back-feeding his
21 blood.

22 Q Doctor, thank you for your testimony
23 today.

24 Please answer any questions Mr. Lee may
25 have.

1 MR. LEE: No questions.

2 THE COURT: Okay. Thank you, sir.

3 MR. STONE: Dr. Erin Presnell.

4 **

5 ERIN PRESNELL, M.D.,

6 BEING DULY SWORN TESTIFIED AS FOLLOWS:

7 ***

8 DIRECT EXAMINATION

9 BY MR. STONE:

10 Q Dr. Presnell, what do you do?

11 A I'm a Forensic Pathologist. I work at
12 MUSC in Charleston.

13 Q And what exactly is a forensic
14 pathologist?

15 A Well, forensic pathology is actually a
16 subspecialty of general pathology. We diagnose
17 disease. So a general pathologist receives
18 biopsies that your doctor may take off of you,
19 like a skin biopsy, or a surgeon, if you have a
20 pathologist, they've got to diagnose, if it's
21 cancer, if it's an infection, et cetera, et
22 cetera.

23 So I trained in general pathology, but
24 specialized in forensic pathology, where we're
25 not just looking at a piece of tissue, or an

1 organ, we're looking at an entire body or
2 disease, but we also evaluate trauma. That
3 process that we're looking at that is called the
4 autopsy.

5 Q How long have you been doing this?

6 A 25 years.

7 Q And has the whole time been at the
8 Medical University of South Carolina in
9 Charleston?

10 A Yes. As far as background education, I
11 did go to Clemson, and then after Clemson I was
12 in in Charleston for medical school, and then
13 that's where I stayed. So after medical school
14 I did pathology, that was also a five-year
15 residency program. After that I --

16 Q You've been doing it since then?

17 A Yes.

18 Q And you've been -- I know you've been
19 found to be an expert in the field of forensic
20 pathology a number of times?

21 A Yes.

22 Q I think I've qualified you --

23 A You have.

24 Q -- many, many times.

25 MR. STONE: At this time, Your Honor, I

1 offer Dr. Erin Presnell as an expert in forensic
2 pathology

3 MR. LEE: No objection.

4 THE COURT: The Court so finds.

5 BY MR. STONE:

6 Q. Dr. Presnell, you performed the autopsy
7 on D. J. Fields; is that correct?

8 A I performed the autopsy on Mr. Fields on
9 March 7th, 2021.

10 Q All right. Let me first hand you some
11 items that have already been put into evidence.
12 These are listed as State's Exhibit Number 91
13 and 92. And can I ask you -- we've already put
14 these into evidence, but if you could, I know
15 the labels on these are actually from you; is
16 that correct?

17 A Yes.

18 Q Or from your Department?

19 A Yes. These are two bullets that were
20 recovered from Mr. Fields. Well, it looks like
21 the bullets were recovered, but we also have
22 the --

23 Q These are the two bullets that were
24 recovered during his autopsy?

25 A Yes.

1 Q Okay. Now, as part of your autopsy, do
2 you also do x-rays and types of things like
3 that?

4 A Yes. So it depends on what type of
5 autopsy. As a rule with a gunshot wound, we do
6 x-rays, so we can find the bullets, so we can
7 get to them.

8 Q I'll hand you what's been marked as
9 State's Exhibit Number 99; is that an x-ray that
10 you ordered for Mr. Fields?

11 A Yes, it is.

12 MR. STONE: At this time, Your Honor, we'd
13 move State's Exhibit 99 into evidence.

14 MR. LEE: No objection.

15 THE COURT: Okay, entered without
16 objection.

17 (State's Exhibit 99 was admitted into
18 evidence.)

19 MR. STONE: And I'll publish it in just a
20 second, Mr. Hightower.

21 BY MR. STONE:

22 Q As part of your autopsy, do you also
23 prepared charts as you're doing it?

24 A Yes. So the whole autopsy will be
25 documented with photographs, as well as

1 diagrams.

2 Q I'll show you what's been marked as
3 State's Exhibit 100 and 101, and ask are these
4 the charts that you're referring to?

5 A Yes. Those are very enlarged charts of
6 the diagram that I did at autopsy.

7 Q Okay, all right.

8 MR. STONE: At this time, Your Honor, we
9 are going to use these as demonstrative, because
10 I believe she has a marker, and so I don't want
11 to put them into evidence and then change them.

12 THE COURT: Okay.

13 MR. STONE: I want to use these
14 demonstratively unless there's an objection.

15 MR. LEE: No objection.

16 MR. STONE: Okay.

17 BY MR. STONE:

18 Q Could I get you to -- you teach as well;
19 do you not?

20 A Yes, we're an academic University, so
21 there is teaching.

22 Q Okay. All right, so I need you to come
23 down from the stand, if you would, please, and
24 kind of walk us through this. All right.

25 Can you show the Judge and jury what those

1 are and explain them to us now?

2 A All right. On the front part of the
3 diagram, on the back of his left hand and left
4 leg the -- his injuries are illustrated on the
5 side diagram here. Basically, the round circles
6 that represent his gunshot wounds. So he has
7 two gunshot wounds, one is on the left side of
8 the chest, one to the left abdomen, goes into
9 the abdomen, it goes through the liver.

10 So right underneath the skin, where I get
11 one of the bullets. Part of his injuries were
12 to the aorta, which is that major artery in the
13 heart, the body. It hit the left -- or through
14 the right lung, and then it goes to the back.
15 Again, right under the skin, where we get that
16 second bullet. I think there's like 860
17 milliliters of blood in the right.

18 Q In this bullet hole, what you were
19 describing, could you show me on that second
20 bullet exactly, if we go in here, because I was
21 a little confused with what you were saying.

22 A Yeah.

23 Q The first one is -- I'm sorry, not
24 necessarily the first one, but the one that hits
25 here is the one that hits the aorta?

1 A Both of these gunshot wounds are to his
2 left and his right, obviously, and towards his
3 back.

4 Q Is there any way you can tell us about
5 the body placement on that, other than it's
6 going up? Can you tell us about that?

7 A So I can only tell you the direction of
8 the bullets through his body. This is how we
9 are evaluating it at autopsy depending on the
10 normal anatomic position.

11 Q So that would be consistent if he is
12 actually in a car, which he was in this case,
13 with it going this way?

14 A Yes.

15 Q Okay. All right, and is this as a
16 result of these x-rays that you took? Is this a
17 good part of this as well?

18 A Yes.

19 Q Let me go to State's Exhibit 99. Yes,
20 99.

21 A This is his right shoulder, it's the
22 collar bone. That's coming from the gunshot
23 wound to the abdomen, to the left side of the
24 abdomen.

25 Q As a result of your findings and of your

1 autopsy, do you have an opinion, I guess, as to
2 the manner and cause of death?

3 A Yes, so I cited --

4 Q Let me get you to pull that microphone
5 to you, I'm having a hard time --

6 A I didn't separate the two wounds, so I
7 called his cause of death is the lung, aorta and
8 liver disruption due to the gunshot wounds to
9 the body, and the manner of death would be
10 homicide, and in the pathology world that means
11 death at the hands of another.

12 Q Thank you, Dr. Presnell. If you would,
13 answer any questions Mr. Lee may have.

14 MR. LEE: No questions, Your Honor.

15 THE COURT: Okay. Thank you, Doctor, you
16 may step down.

17 MR. STONE: Thank you, Dr. Presnell. With
18 that, Your Honor, the State rests.

19 **

20 **STATE RESTS**

21 THE COURT: Okay. Ladies and gentlemen, I
22 need you to go to the jury room, I need to take
23 up some matters of law. I'll get you back out
24 just as quick as I can.

25 (Jury exits the courtroom.)

1 THE COURT: Okay, any motions?

2 MR. LEE: Your Honor, before I make my
3 directed verdict motion, I want to address with
4 the Court -- as you recall in my pretrial
5 motions, I specifically asked the Solicitor to
6 reveal to me, as to all the witnesses who were
7 testifying for the State. And the response from
8 the State was that Harold Rogers and Jayden Void
9 weren't getting any kind of deal, that they
10 were, essentially, going to be gold, the Judge
11 is simply going to be told to take that into
12 consideration when they pled guilty.

13 My pretrial motion typically said the
14 motion to reveal the deal that I filed said,
15 "Please take notice that the Defendant, by and
16 through the undersigned attorney, hereby move to
17 file a motion to reveal accommodations, sentence
18 or charge reductions, promises and/or benefits
19 of any kind given to any and all witnesses the
20 State intends to call in the trial of this
21 case."

22 So I asked for everything. I wanted when
23 Harold Rogers is going to testify, before I
24 asked for everything, part of the limited, you
25 took in something from Maryland that you took

1 under advisement. So that's what I had going
2 in. Harold Rogers then testifies that he's just
3 here, you know, trying to live day-to-day, he's
4 just here to testify. He didn't testify there
5 was any type of benefit, type of special
6 treatment given to him by the State, or anything
7 like that.

8 When Mr. Hightower testified, I don't think
9 there was any testimony about any interaction
10 with him and Harold Rogers, other than I think
11 he went and met with him when Harold Rogers
12 reached out to the Solicitor's Office. That's
13 my recollection of the State's position, and
14 what they have brought out in testimony, was
15 contested by two of their witnesses, has
16 testified to.

17 So last night at my house while I was
18 working on this, I went through the public index
19 for Beaufort County, and looked up Harold Dean
20 Rogers, a 2002-GS-07-612, which is his pending
21 armed robbery case. You go to the public index,
22 and you press action, and it tells you kind of
23 the chronological listing of what document is
24 relative to the case, Rule 5, substitution of
25 counsel, that sort of thing. And there's a

1 order that I retrieved this morning that's
2 signed by Judge Mullen, dated 12/14/2022.

3 It says that, essentially, orders the
4 Beaufort County Detention Center to relinquish
5 custody of the Defendant, Harold D. Rogers, to
6 the courthouse on Friday, December 9th, 2022,
7 for the above-referenced indictment, an order of
8 General Sessions.

9 It goes on to say "By this order such
10 facility is requested to relinquish custody of
11 the named Defendant to Investigator Dylan
12 Hightower, with the Fourteenth Circuit
13 Solicitor's Office, who will transport the
14 Defendant to the Dorchester County Detention
15 Center."

16 That's never been revealed to me. It is
17 contrary to what their witness testified to.
18 There's been no indication of that at this
19 point. We just want to talk to him. They
20 said, "No deals, no promises, no nothing, you
21 don't get anything special, but you if you want
22 to talk, I want to hear what you have to say.
23 just let us know." Okay? This isn't the way
24 things are usually done.

25 To have a Solicitor's investigator provide

1 a taxi service for a snitch to go from here to
2 Dorchester. Did he buy him a hamburger? Did he
3 talk about the case? Did he do anything? Did
4 Harold Rogers say anything? Anything like that.
5 None of that's been revealed.

6 So I'm troubled by this, and, you know, the
7 reason I'm bringing this up before I make my
8 motion for a directed verdict is, I think that
9 there's several ways to deal with this. One
10 would be say, hey, too bad, deal with it. One
11 would be to say, well, you can just call Mr.
12 Hightower, you know, call him as a witness. Of
13 course, the problem with that is, if I call him
14 as a witness, it allows me to not have the last
15 argument, so putting that burden on me I think
16 is unfair.

17 The other possibility that, as you know, in
18 a variety of cases involving discovery issues,
19 you have a wide latitude of what you can do, if
20 there is a potential Brady violation, which can
21 be exculpatory material or impeaching material.
22 And the Rule 5, as well as Brady, as well as
23 Giglio and all the cases, give you a wide
24 discretion in doing what you can do.

25 You can let it come in, you can grant a

1 continuance, you can prohibit the party from
2 introducing evidence not disclosed, or under
3 Rule 5 may enter such other order as it deems
4 just under the circumstances. My request, and I
5 think would be appropriate, is for you to issue
6 an order to the Solicitor to recall Mr.
7 Hightower before they rest their case, and not
8 force me into the decision of whether to call
9 him and ask him about this or not.

10 I didn't know this when Harold Rogers
11 testified. The order of testimony I think was
12 Jayden Void, Stacy Void, Hightower and then
13 Rogers. So, you know, I didn't know what
14 everybody was gonna say, and so I don't think
15 it's anything that I missed.

16 So I know it's a little bit unusual
17 request, but I think, under the circumstances,
18 that it would be appropriate for the State to
19 call Mr. Hightower and allow me to question him.
20 Isn't it true that you personally, pursuant to
21 an order that your office got, you personally
22 drove Mr. Rogers on -- I guess on December 9th
23 is when it was supposed to be. It says December
24 9th, but it's dated December 14th, so I'm not
25 sure how this thing goes into effect, you know,

1 five days after-the-fact the order of transport.
2 But I certainly think that is a relevant
3 consideration for the jury to consider.

4 They can put whatever weight they want on
5 it, but that is contrary to what was divulged to
6 me for trial. It is contrary to what Mr. Rogers
7 testified to. But at this time -- and I'll be
8 glad -- I only have one copy of this, I mean
9 it's on the public record, but I'm glad to pass
10 it up, and, obviously, at some point, I'll make
11 it a Court's exhibit.

12 THE COURT: Okay. Mr. Solicitor, do you
13 want to respond to that?

14 MR. STONE: I cannot fathom how that is
15 relevant, how it is part of the deal, how it is
16 anything that is remotely important in this
17 case. And by the way, the witness that would be
18 taking the stand would be me, because everything
19 that was done by Mr. Hightower, that order, and
20 everything else was stuff that I initiated,
21 because on that December day, right after that,
22 is when I was going to hand Mr. Lee and the
23 other lawyer, Freddie Woods, who was
24 representing the other defendant, the letters
25 and the notes from Harold Rogers, that the guy

1 that's in the cell with him is about to talk
2 about it. And I was not going to leave him in
3 the Beaufort County Detention Center to get him
4 killed before he came in here to testify today.
5 So I had him transferred from Beaufort to
6 another facility, of course, we now know that,
7 and I didn't tell anybody where we were sending
8 him, but we sent him to the Dorchester County
9 Detention Center.

10 The transport of him is not -- I would be
11 shocked if anybody would think that being driven
12 in handcuffs, belly chains with a ulcer, or not
13 an ulcer, but whatever that was, the hernia, is
14 any type of favor that we did to him. He didn't
15 asked to be moved from the Beaufort County
16 Center, that was a decision I made for his -- to
17 keep him alive, in order to have him come and
18 testify.

19 So I can't fathom how that falls under
20 anything that we're talking about. It wasn't a
21 part of a deal. He didn't even know we were
22 doing it, because we weren't about to tell him,
23 and we didn't tell anybody we did it, so that's
24 all me. And if that's wrong, then I take full
25 responsibility for it.

1 So you know, he was also transported from
2 Court yesterday back to Dorchester by one of my
3 investigators. They did that too, they're Class
4 1 Officers, there a Class -- whatever class it
5 is that allows them to do this. Because they
6 simply don't have enough personnel in these
7 Detention Centers to transport on their own,
8 and, again, we got an order from Judge Mullen,
9 but I wasn't about to let anybody know we were
10 about to move somebody out of jail, so that's on
11 me.

12 By the way, the Investigator the full
13 disclosure, in case this comes out in some kid
14 of argument Mr. Lee may have, he's probably
15 sitting in the hospital in North Charleston,
16 waiting on whether or not Mr. Rogers is going to
17 have emergency surgery, because his hernia
18 apparently ruptured last night on the way there.
19 So I don't know that any of this was anything
20 that Harold Rogers would claim would be a favor.
21 I don't know how anybody could perceive it was
22 an advantage, a deal, or anything else, and it's
23 a little bit insulting I think tour office to
24 say that we lied and said, "Oh, we didn't help
25 him out," instead we transported him in belly

1 chains from one jail to another, but if that was
2 it, it's me, it's not Dylan Hightower.

3 MR. LEE: I'm not trying to insult anybody,
4 I'm trying to --

5 MR. STONE: I didn't say you tried to, but
6 he certainly did.

7 MR. LEE: Okay, well, I didn't insult
8 anybody. I had no intention to do that. He
9 takes it that way, because of how he takes it,
10 okay? I didn't say they did anything wrong for
11 doing that, I don't know, but they transport
12 people from county-to-county all the time.

13 To say that they were overstaffed and
14 stuff, it's not what Mr. Thornton or Mr. Stone
15 thinks, or if he's insulted or whatever, it's
16 whether it's important to a fair defense of my
17 client. It matters what the jury thinks in
18 assessing the credibility. They put this guy up
19 there, and they're saying, believe him, use all
20 these things against Ty Leic Chaneyfield.

21 And I don't think they had any ill-intent,
22 or anything like that, but it doesn't matter
23 what Mr. Stone thigs, it matters what the jury
24 thinks. And if Mr. Rogers, whether he calls it
25 a benefit or not, I don't know, I didn't get to

1 ask him. It's contrary to what is living day-
2 by-day, that sort of thing. So, you know, I
3 don't think he's serious about the offer of
4 calling him as a witness, and, obviously, the
5 thing that he said would not be admissible in
6 Court, and so I would be in a position to call a
7 Solicitor as a witness.

8 You know, there's no suggestion that this
9 guy wasn't injured, or anything like that.
10 There's nothing to back that up. And to suggest
11 that he was secretly, you know, or
12 surreptitiously taking him to Dorchester, this
13 is in the public record. It's been filed since
14 December 12th.

15 Anybody with a laptop or a phone can go and
16 look up transport order, and then they can walk
17 to the Clerk's Office, like I did today, and
18 say, "Hey, I'd like a copy of -- I'd like to
19 look at a file of Harold Rogers, and I'd like to
20 get a copy of whatever it is, Rule 5, the
21 transport order, whatever the case may be, I'd
22 like a copy of it."

23 So I don't know what else to say. I'm
24 sorry if he felt insulted by this, but my job is
25 to defend my client to the best of my ability,

1 to raise these issues. If you agree with him,
2 and rule against us, it wouldn't be the first
3 time.

4 THE COURT: I understand.

5 MR. LEE: Or the last time.

6 THE COURT: I understand.

7 MR. LEE: I'm here to present this, because
8 if I don't do this, I'm not doing my job.

9 THE COURT: And let me see it.

10 MR. LEE: Yes, sir.

11 THE COURT: Yeah, I'll mark this as a
12 Court's exhibit. Okay, and I'll make that a
13 Court's exhibit.

14 THE COURT: But I don't have anything in
15 this record. It is a normal procedure that
16 anytime someone in jail has information that's
17 gonna testify about someone else, especially in
18 a murder case, that that person be protected. I
19 have to deal with that a lot, and they're moved
20 out of jail, or moved to a different cell block.

21 MR. LEE: I agree with that. I'm not
22 saying that was inappropriate.

23 THE COURT: I understand, but there's no
24 indication in this record that anybody might
25 have done anything improper in transporting him.

1 And I understand the fact that you think because
2 the Solicitor's Office -- they had access to him
3 the whole time. And it is, as you pointed out,
4 it has been a matter of public record since
5 December the 14th, that you could have found
6 out, or anybody could have found out about it,
7 and you certainly could have questioned him
8 about it, if it was important.

9 He's in the hospital now, and I have no
10 practical way to fix it, or bring him back,
11 and --

12 MR. LEE: Did they stop and get a
13 hamburger? Did they stop and get a soft drink?
14 Did they --

15 THE COURT: I don't know that either, and I
16 don't know that that would really matter. The
17 fact that they stopped and bought him a
18 hamburger or got him a soft drink, I don't think
19 that was sufficient to influence his testimony
20 in any way.

21 I mean he testified; you had a right to
22 cross-examine him. He's, you know, and there
23 was other information that he'd done this in
24 Maryland, but that was not brought out, and we
25 stopped it, because it was not an issue, and

1 that was a door you did not open, and I didn't
2 let the Maryland Officer testify about his
3 truthfulness.

4 And I haven't, you know, it seems -- if
5 it's an error, it seems to be harmless in my --
6 because I had no indication.

7 MR. LEE: I mean it's at least an hour and-
8 a-half round trip to the Solicitor's Office.
9 And I will tell you this. I've never had a
10 single problem with them. I'm not suggesting
11 that anything untoward happened, that they did
12 anything that they shouldn't have, or anything
13 with any type of intention to manipulate
14 anything.

15 I am not saying that for one. What I'm
16 suggesting is, I'm putting -- trying to put
17 myself in the position of Mr. Rogers, and what
18 he thought. And there may have been things that
19 -- I mean 40 lashes and hitting him in his
20 hernia, to make him hurt to make him talk, but
21 we don't know exactly -- could be something
22 totally relevant to the case, but is it a
23 possible source of his information? I think
24 it's relevant.

25 THE COURT: And I understand your argument.

1 The testimony and the statements that I've got
2 in here, that he had given this information
3 before, that's why I didn't move him.

4 He had already given them all their
5 information. And because he'd given them the
6 information, they had concerns about his safety,
7 so they moved him after that. It wasn't like
8 this occurred first, and then they got all this
9 information from him. The information had come
10 out before he testified, and I understand your
11 position.

12 MR. LEE: Okay, I just want to be heard,
13 and I mean I apologize, Mr. Stone and Mr.
14 Thornton, I'm not suggesting anything, I wasn't
15 trying to insult you --

16 MR. STONE: Okay.

17 MR. LEE: -- for one second.

18 THE COURT: I understand and --

19 MR. LEE: And I'm sorry --

20 THE COURT: -- You're representing your
21 client, and you've done a good job, and I --
22 but --

23 MR. LEE: And it's nothing personal. I
24 have made a record of it. I understand and will
25 respect the ruling, but I want that to just be

1 part of the record.

2 THE COURT: I understand, and you have done
3 your job well.

4 MR. LEE: I am not making any assertions to
5 any of these guys, or anybody else about stuff
6 going on.

7 THE COURT: I understand.

8 MR. LEE: So I --

9 THE COURT: And you --

10 MR. LEE: -- hope you understand.

11 THE COURT: It's on the record.

12 MR. STONE: And I just -- it's important to
13 me that, you know, the concept of not turning
14 over things.

15 THE COURT: I understand.

16 MR. LEE: I've never had one problem.

17 THE COURT: I understand.

18 MR. LEE: Okay. So I would like to make
19 that a Court's exhibit --

20 THE COURT: Okay.

21 MR. LEE: -- I have a copy for my file.

22 THE COURT: Absolutely.

23 MR. LEE: -- at the appropriate time.

24 THE COURT: Okay.

25 MR. LEE: Okay. Judge, at this time I

1 would renew all the previous objections to
2 testimony that I've had. I hope I can remember
3 all of them, but I certainly will renew all the
4 objections that were overruled that we made.
5 The ones that come immediately to mind are the
6 introduction of the picture, for some reason I
7 think it's 47 and 48 are the pictures, and the
8 Snapchat of the --

9 MR. STONE: Yeah.

10 MR. LEE: -- guys holding up the middle
11 finger.

12 THE COURT: Right.

13 MR. STONE: Yes.

14 THE COURT: Okay.

15 MR. STONE: Let me go back and see.

16 THE COURT: Right.

17 MR. STONE: It'll be 41 and 42.

18 MR. LEE: And the video too.

19 MR. STONE: And the video is 40.

20 MR. LEE: Okay, so they've been nice enough
21 to check on that, I believe it's State's Exhibit
22 40, which is a Snapchat, short video, and then
23 there's a screen grab that is Exhibit 41 and 42,
24 which is the picture of two -- well, actually,
25 there's three in one picture, but anyways, those

1 pictures were -- they were making obscene
2 gestures at the camera of supposedly taken by --
3 at the Station 300 sometime that night.

4 THE COURT: Okay.

5 MR. LEE: So that is certainly one I would
6 renew. And I don't want to miss one.

7 I would blanket renewal of all previous
8 objections that I made that were ruled against
9 us. And, again, not to reargue it, but the
10 prejudicial effect of those pictures, I think we
11 discussed it for quite a while.

12 My concern is, there's been plenty,
13 mountains of evidence that they have produced
14 through testimony that my client was to say
15 anything before the shooting happened. They
16 have proven that, and I think that evidence is
17 duplicative, I think it's unnecessary, but more
18 importantly, because of the nature of the
19 obscene gesture that is in there, that that is
20 clearly prejudicial, and was the basis for my
21 objection of the picture.

22 THE COURT: Okay, and my ruling, they had
23 evidence of a witness' testimony that your
24 client was present, but the photographs
25 confirmed that he was present, which I think

1 they had a right to introduce to corroborate the
2 other witness' testimony.

3 MR. LEE: The photograph being cumulative
4 is what's in the photograph.

5 THE COURT: And I --

6 MR. LEE: Yes.

7 THE COURT: And you did a good job of
8 expressing that when you made the objection.

9 MR. LEE: You know, I don't think it's
10 necessary, but I will renew all three of those
11 objections.

12 THE COURT: Okay.

13 MR. LEE: Your Honor, I would next make a
14 directed verdict motion. First, I guess it's
15 best to -- well, I guess it can apply to all of
16 them, but as far as the mob violence charges,
17 with mob violence first, second and third, and
18 the severity of injury.

19 I would argue that there's not competent
20 evidence, based on the witness testimony, and
21 the planning, the organization and carrying out
22 of the shooting that resulted in these injuries.
23 For that reason, as to the -- I think it's that
24 planning and that assemblage and the, you know,
25 almost like a conspiracy type thing, I don't

1 think the evidence, even in the light most
2 favorable to the State rises to the level of the
3 actual murder and the two attempted murder
4 charges.

5 I will submit to you that there is not
6 competent evidence. I know that the response
7 has been, hey, it's only the rule of evidence
8 under Rule 19, a directed verdict, and it's not;
9 but I would make the argument that they had not
10 established Mr. Chaneyfield's presence.

11 THE COURT: Okay, and as far as the
12 argument on the mob, many times in a scenario
13 you have a group of people that commits a
14 violent act on one or more. And most of the
15 time it appears to be almost spontaneous, that
16 there's a fight at a bar, or some kind of
17 spontaneous act.

18 In this particular case, at least there's
19 evidence in the record that there was planning,
20 that they were trying to get back on some
21 subjects, who had allegedly shot up one of the
22 Defendant's homes, and that they were looking
23 for those defendants, and that there was a
24 discussion at either Station 300 or Parker's,
25 and they were notified by some of the witnesses

1 that there they were. Your client is at least
2 present at the scene, and there's testimony that
3 he made some statements, and, in fact, he had a
4 long bulge, supposedly, it was a long gun.

5 And so there was clearly, in this case,
6 some planning and some knowledge prior to these
7 crimes taking place and so I think there's at
8 least sufficient evidence in the record on mob
9 that this case go to the jury. And, likewise,
10 the same on the murder and attempted murder,
11 that there was some planning, and there was some
12 intentional act, at least evidence of that fact,
13 and that they followed the vehicle, pulled up
14 alongside of it, and there's evidence that at
15 least your client was potentially in the front
16 seat, and fired a weapon, two different weapons
17 and two different bullets, so I'm gonna deny
18 your motion.

19 MR. LEE: I understand. And I was trying
20 to get a copy of the statute.

21 THE COURT: No problem.

22 MR. LEE: But I just want to put on the
23 record for the Court Reporter, that the mob
24 statute is South Carolina Annotated 16-3-210,
25 and I want to make sure I have it.

1 THE COURT: Right, and I have that in my
2 charge.

3 MR. LEE: Thank you, Judge.

4 THE COURT: Thank you, and it is
5 sufficiently covered in the record.

6 MR. LEE: Thank you.

7 THE COURT: Okay. Anything else about your
8 motions?

9 MR. LEE: No further motions at this point,
10 Your Honor. I know that Mr. Stone has rested.
11 He spoke a little bit this morning about
12 testifying.

13 THE COURT: I'd like to talk to your client
14 first before we go -- or do you want to tell me
15 something?

16 MR. LEE: And I would ask for a break
17 before he makes the decision as to --

18 THE COURT: He doesn't have to make the
19 decision now. I just want to tell him what his
20 options are.

21 MR. LEE: Okay.

22 THE COURT: Okay?

23 MR. LEE: Yes, sir.

24 THE COURT: Mr. Chaneyfield, if you'd stand
25 and raise your right, hand, please, sir?

1 **TY LEIC CHANEYFIELD,**
2 **BEING DULY SWORN TESTIFIED AS FOLLOWS:**

3 *******

4 BY THE OCURT:

5 Q Mr. Chaneyfield, the State has rested,
6 and now it becomes the point in the trial, you
7 have a right to put up evidence. You have a
8 right to testify, and you have a constitutional
9 right to remain silent. And I will instruct the
10 jury that if you choose not to testify, they
11 cannot consider that against you in any way.
12 They can't even talk about it in the jury room,
13 because you have a constitutional right to
14 remain silent.

15 However, if you decide to testify and give
16 up that right, which you certainly have a right
17 to do, you'll be treated like any other witness.
18 You'll be subject to cross-examination. I don't
19 know if you have a prior criminal record that
20 qualifies. If you do, the State may use that to
21 impeach you. Whether or testify, whether you
22 don't testify is your decision.

23 You certainly can confer with your
24 attorney, you can listen to his advice, you can
25 take his advice, you cannot take his advice,

1 but, ultimately, it is your decision, not his;
2 do you understand that?

3 A Yes, sir.

4 Q He can just advise you; do you
5 understand?

6 A Yes.

7 Q Have you got any questions you want to
8 ask me concerning your rights?

9 A No, sir.

10 Q Okay. And I'll allow you to talk with
11 your attorney and make a decision, as to whether
12 you want to testify or not, okay?

13 A Yes, sir.

14 MR. LEE: Judge, it's 11 o'clock. Would
15 you consider a request to allow the jury to go
16 eat an early lunch, to give us --

17 THE COURT: Any objection to that?

18 MR. STONE: I don't. Here's the only -- if
19 they put up a case, and I'm not trying to force
20 them to tell us one way or the other, if he puts
21 up a case, then we're gonna deal with that.

22 I'm gonna need just a little bit of time to
23 prepare a closing, one way or the other. If
24 they are not going to put up a case, then we can
25 use that lunch break, and I'll be perfectly

1 ready to go by the time we get through. So I
2 don't mind, I don't object one way or the other.
3 If there is a way to know that before we sent
4 them to lunch, it would be helpful, but I
5 recognize that that's not --

6 THE COURT: Well --

7 MR. STONE: -- my right, so I'm just
8 throwing --

9 THE COURT: I can -- if I give you ten -

10 MR. LEE: I'll tell you the decision's
11 already been made.

12 THE COURT: I understand.

13 MR. LEE: And --

14 MR. STONE: I understand.

15 MR. LEE: And I knew he was going to ask
16 for that.

17 THE COURT: Well, I mean --

18 MR. LEE: We're gonna be --

19 THE COURT: -- my advice, you prepare for
20 the opening over lunch, and be ready either way
21 it goes.

22 MR. STONE: Can I then object to them going
23 to lunch now and go ahead and finish whatever we
24 have testimony?

25 THE COURT: Well, you could, but I don't

1 know if it's gonna get granted.

2 MR. STONE: I don't know if you're gonna
3 listen to me, but I --

4 THE COURT: It is 11 o'clock, and it is
5 early, but it usually would help during a lunch
6 break for -- I mean, if he says he's not gonna
7 put up a case, then you want to go into closings
8 right after?

9 MR. STONE: No, sir. If he says he's not
10 gonna put up a case, then let's go ahead and
11 send them to lunch, and then --

12 THE COURT: Okay.

13 MR. STONE: -- I'll be ready for that, and
14 I can take his word for it. If he's gonna put
15 up a case, then I would prefer to keep going.

16 THE COURT: Well, can you make this
17 decision in 15 to 20 minutes, and we just sit
18 and wait and see, or do you want to send them to
19 lunch?

20 MR. LEE: My preference would be to send
21 them to lunch, and if we do put up a case with
22 some other witnesses --

23 THE COURT: Okay, so --

24 MR. LEE: -- yes.

25 THE COURT: So if I send them to lunch,

1 bring them -- how long of a lunchbreak do we
2 need, 12:15, 12 o'clock, 12:30?

3 MR. STONE: It's fine, I'm not gonna eat
4 lunch anyways, so it makes no difference to me,
5 because I'll be working.

6 THE COURT: I don't know how long -- you
7 know, it depends on what city I'm in, as to how
8 long it takes to get lunch.

9 Sometimes I only have one or two options.
10 Is 12:15 or 12:20 quick enough?

11 MR. LEE: Yes, sir.

12 THE COURT: Do you think they can eat lunch
13 in that period of time?

14 MR. LEE: I think so.

15 THE COURT: If they're late, we'll wait on
16 them. Okay.

17 MR. LEE: That's good. I'm ready to get
18 this finished. They've called 27 witnesses so
19 far, so --

20 THE COURT: I understand.

21 MR. LEE: -- we'll just ask for a little
22 bit of grace.

23 THE COURT: I'll bring them back around
24 12:20 then.

25 MR. LEE: Okay.

1 THE COURT: Okay, bring me the jury,
2 please, sir.

3 BAILIFF: Yes, Your Honor. The jury's
4 entering the courtroom, Your Honor.

5 (Jury enters the courtroom.)

6 THE BAILIFF: The jury is seated, Your
7 Honor.

8 THE COURT: Okay, ladies and gentlemen,
9 we've got certain matters that we need to deal
10 with outside of your presence. So instead of
11 sending you back there, I'm gonna send you to
12 lunch early. And I understand it's early, and I
13 apologize, and if you can be back around 12:20,
14 and if you get stuck and you're a few minutes
15 late, that won't be a big deal, I understand
16 it's not -- I normally give you an hour and-a-
17 half, but that way we can try to finish this
18 trial.

19 So if you'll go to lunch, don't discuss the
20 case yet, and I'll see you back between 12:20
21 and 12:30, okay? Thank you.

22 (Jury exits the courtroom.)

23 BAILIFF: Your Honor, the jury has left the
24 courtroom.

25 THE COURT: Thank you. Anything else we

1 | need to do before lunch?

2 MR. STONE: No, sir.

3 MR. LEE: No, sir.

4 THE COURT: All right, I'll see you'all in
5 about an hour.

6	(Luncheon recess.)

7 | **

8	PROCEEDINGS CONTINUED

9 MR. LEE: We're ready, Your Honor.

10 THE COURT: All right, bring me the jury.

11 MR. LEE: Do you want to go through the
12 litany with him, as far as his testifying?

13 THE COURT: I did before lunch. do we need
14 to do it again?

15 MR. LEE: Well, I don't know if you --
16 don't you usually ask him, "Have you made a
17 decision on or whether or not you're gonna
18 testify?"

19 THE COURT: Okay.

20 MR. LEE: I'll leave it up to you.

21 BY THE COURT:

22 Q Have you made -- so you want to testify?

23 A Yes, sir.

24 Q And that's your decision?

25 A Yes, sir.

1 MR. LEE: All right, thank you, Judge.

2 BAILIFF: The jury's entering the
3 courtroom, Your Honor.

4 (Jury enters the courtroom.)

5 THE COURT: Okay, Mr. Lee?

6 MR. LEE: Your Honor, the defense calls Ty
7 Leic Chaneyfield.

8 **

9 TY LEIC CHANEYFIELD,
10 BEING DULY SWORN TESTIFIED AS FOLLOWS:

11 ***

12 DIRECT EXAMINATION

13 BY MR. LEE:

14 Q Good afternoon, Ty Leic.

15 A Good afternoon.

16 Q Do you understand that you, or any other
17 defendant that's on trial, does not have to
18 testify?

19 A Yes, sir.

20 Q Do you understand that?

21 A Yes, sir.

22 Q And do you understand that if a
23 defendant or you decides not to testify, that
24 the defendants have something called a Fifth
25 Amendment right not to testify, if they don't

1 want to; do you understand that?

2 A Correct.

3 Q Okay, and if the defendant does take the
4 Fifth, as they say, the Judge would instruct the
5 jury that the law is, the jury cannot hold that
6 against any defendant because they choose not to
7 testify; do you understand that?

8 A Yes, sir.

9 Q Okay. So you understand you could just
10 sit over there and not say anything, and this
11 jury could not even consider the fact that you
12 didn't get up to testify; do you understand
13 that?

14 A Yes, sir.

15 Q Okay, all right. And is it your
16 decision that you do want to do this?

17 A Yes, sir.

18 Q Okay. Why do you want to get up there?

19 A To tell the truth.

20 Q To tell the truth about what?

21 A This whole situation.

22 Q The whole situation we're here today?

23 A Yes, sir.

24 Q Okay. Do you feel like the truth hasn't
25 really come out so far?

1 A No, sir.

2 Q You said yes or no?

3 A No.

4 Q You felt the truth has not come out so
5 far?

6 A Oh, right, yes, I did.

7 Q Okay. All right. All right, Ty Leic,
8 let's just get a little bit of background,
9 without doing too much, but how old are you?

10 A 21.

11 Q 21. And how far did you go in school?

12 A I got my high school diploma from
13 Ridgeland-Hardeeville High School.

14 Q Okay.

15 A I graduated.

16 Q Did you do any other training, or
17 anything like that?

18 A Well, I got my certification for auto
19 body.

20 Q Certification for auto body, okay. And
21 have you used that certification in any jobs?

22 A Not quite yet, but I was in the process.

23 Q Okay, all right. On March 5th of 2021
24 were you in the process of getting that
25 certification?

1 A Yes, sir.

2 Q Okay, and were you working at the time?

3 A I was working at Amazon.

4 Q Amazon like comes on delivery?

5 A No, the warehouse --

6 Q Okay.

7 A -- Yes.

8 Q All right. And on March 5th, 2021,
9 where did you live?

10 A Ridgeland, South Carolina.

11 Q Okay, and who did you live with?

12 A My mom.

13 Q Is she here today?

14 A Yes, sir, Tahara Beton.

15 Q Okay, all right. And do you have any
16 brothers and sisters?

17 A Yes, sir.

18 Q How many?

19 A Ten altogether.

20 Q I'm sorry?

21 A Ten altogether.

22 Q Ten?

23 A Yes, sir.

24 Q Okay, all right. And do any of your
25 siblings live with you and your mom?

1 A Yes, sir.

2 Q How many?

3 A Two.

4 Q Okay, are they older or younger?

5 A One older, one younger.

6 Q Okay, and what are their two names?

7 A Derek Blackshire and Arthur Edwards.

8 COURT REPORTER: Say that again slower.

9 BY WITNESS:

10 A Derek Blackshire and Arthur Edwards.

11 Q Derek Blackshire and Arthur Edwards?

12 A Yes, sir.

13 Q Okay, all right.

14 On March 5th, 2021, you were living with

15 both your brothers and your mom in Ridgeland,

16 South Carolina?

17 A Yes, sir.

18 Q Okay. That was, apparently, a Friday,

19 do you remember what you did? Did you go to

20 work that day? Did you have the day off? Do

21 you remember?

22 A I had the day off.

23 Q You had the day off that Friday?

24 A Yes, sir.

25 Q And, again, I don't want to know what

1 you had for breakfast, but can you run us
2 through a little bit of your day? I guess let's
3 go ahead and start with the latter portion, I
4 mean that evening, can you kind of start us off
5 around dinnertime or so?

6 A Well, I was home all evening --

7 Q All right.

8 A -- messing around with my dog in the
9 yard.

10 Q Okay.

11 A And I left from Ridgeland and headed to
12 Hardeeville --

13 Q All right.

14 A -- to a friend's house.

15 Q You went to Hardeeville to a friend's
16 house?

17 A Yes, sir.

18 Q Okay. When you were heading to that
19 friend's house in Hardeeville, had you seen, or
20 been with Jimmie Green at all?

21 A No, sir.

22 Q Okay. And the friend in Hardeeville
23 that you went to, what was his or her name?

24 A Alexis Wright and M.A.

25 Q Okay, can you say it slower?

1 A Alexis Wright.

2 Q Alexis Wright?

3 A Yes, sir.

4 Q And is that your friend?

5 A Yes.

6 Q Okay, and did you say something about

7 M.A.?

8 A Yes, sir, M.A..

9 Q Whose M.A.?

10 A M.A. [REDACTED].

11 Q Okay. And is there any relationship
12 between M.A. [REDACTED] and Alexis Wright?

13 A Yes.

14 Q What is that?

15 A Yes, I guess they were together at the
16 time.

17 Q So they were dating each other?

18 A Yes, sir.

19 Q Okay. And were you friends with one of
20 them, both of them?

21 A Both of them.

22 Q Both of them?

23 A Yes.

24 Q Okay. Who did you know better?

25 A Lex.

1 Q Alexis?

2 A Alexis, yeah.

3 Q Okay, you call her Lex? All right. So
4 you went to M.A.'s house, right?

5 A Yes, sir.

6 Q Did anybody go with you?

7 A No, sir.

8 Q Okay. Was Alexis there?

9 A Yes, sir.

10 Q So how did you get from -- did you go
11 from your mom's house there?

12 A Yes, sir.

13 Q All right. How did you get to your
14 mom's house to M.A.'s house with Alexis?

15 A I drove.

16 Q What car did you drive?

17 A An Acura.

18 Q An Acura?

19 A A green Acura, yes, sir.

20 Q A green Acura?

21 A Yes, sir.

22 Q Okay, and who owns that car?

23 A Tahara B.

24 Q Is that your mom?

25 A Yes.

1 Q Okay. So I know it was a long time ago,
2 but do you remember exactly what time we're
3 talking about --

4 A No, sir.

5 Q -- that you went over to M.A.'s?

6 A No, sir.

7 Q You don't remember?

8 A No, sir.

9 Q Was it dark outside?

10 A Yes, sir.

11 Q Nighttime?

12 A Yes, sir.

13 Q All right, and so you went over -- and
14 now M.A. [REDACTED] that you're talking about,
15 where does he live?

16 A [REDACTED] School Cut Road.

17 Q Okay, [REDACTED] School Cut Road?

18 A Yes, sir.

19 Q What town or city is that in?

20 A Hardeeville, South Carolina.

21 Q Hardeeville?

22 A Yes, sir.

23 Q Okay. We heard some testimony earlier
24 about an address in Hardeeville that was [REDACTED]
25 Magnolia Circle; did you hear that?

1 A Yes, sir.

2 Q What's the significance of [REDACTED] Magnolia
3 Circle? Do you know?

4 A Green stays there.

5 Q Jimmie Green stays there?

6 A Yes, sir.

7 Q Okay. So you know where his mom's house
8 is, right?

9 A Correct.

10 Q Okay, all right. So from [REDACTED] School Cut
11 Road to [REDACTED] Magnolia Circle --

12 A Correct.

13 Q -- in Hardeeville, how far do you think
14 that is?

15 Three or four minutes.

16 Q Driving or walking?

17 A Driving.

18 Q Okay, all right. And I think there was
19 -- did you hear testimony earlier from Officer
20 Hightower saying it was seven-tenths of a mile?

21 A Right, correct.

22 Q So it's less than a mile.

23 Does that go with what you think?

24 A Yes, sir.

25 Q Okay. You're at M.A.'s, Alexis is there,

1 is Jimmie Green there?

2 A No, sir.

3 Q Is M.A. [REDACTED] there?

4 A No, sir.

5 Q Is Jaylen Sergeant there?

6 A No, sir.

7 Q Is anybody else there?

8 A No, sir.

9 Q Okay. All right, so how long,
10 approximately, do you stay at M.A.'s house?

11 A About an hour.

12 Q About an hour or so?

13 A Yes, sir.

14 Q Okay, and your car's there?

15 A Yes, sir.

16 Q Okay. At some point, do you leave M.A.'s
17 house?

18 A Correct.

19 Q Okay. In your car?

20 A Yes, sir.

21 Q Okay. And where did you drive in your
22 car after leaving M.A.'s?

23 A To Bluffton and Edgefield.

24 Q To Bluffton and Edgefield. All right,
25 well, let's back up a minute.

1 Was there any reason why you left M.A.'s
2 house? Did you have any other plans? Did
3 somebody call you? Is there any reason you left
4 M.A.'s house?

5 A To see a friend.

6 Q Who's the friend?

7 A Shakira.

8 Q Shakira?

9 A Yes, sir.

10 Q Okay. Where was Shakira living at the
11 time?

12 A In Edgefield.

13 Q In Edgefield?

14 A Yes, sir.

15 Q Okay, and Edgefield is where?

16 A In Bluffton, South Carolina.

17 Q Okay. And Edgefield is, I guess, within
18 a few miles of all these locations we've been
19 talking about all week, right?

20 A Yes, sir.

21 Q The maps we continue to show, right?

22 A Yes, sir.

23 Q Okay. So just -- we'll get to it in a
24 minute, but without putting up the map, in
25 relation to Station 300 and Wendy's, is

1 Edgefield anywhere in between that?

2 A Repeat it again, sir?

3 Q All right, so you've got Station 300.

4 A Correct.

5 Q You'd been driving from Station 300 to
6 Wendy's?

7 A Right.

8 Q Do you do it by Edgefield?

9 A No, sir.

10 Q But it's on the way, isn't it?

11 A It's on the back side.

12 Q Okay.

13 A It's on the way there though.

14 Q Okay, but it's not that far away from
15 either one of those places, is it?

16 A Correct.

17 Q Okay. So you -- how did you -- did you
18 Snapchat? Did you call? How did you get in
19 touch with Shakira?

20 A Snapchat.

21 Q Snapchat? Okay.

22 A Yes, sir.

23 Q And so you Snapchatted.

24 What plans did you have with her?

25 A Well, she just got out of work. She

1 said she was about to take a shower, and I was
2 already on the way there.

3 Q Okay, all right. And did you, in fact,
4 end up driving to Edgefield?

5 A Correct.

6 Q Okay, in your car?

7 A Yes, sir.

8 Q Okay. Do you know about what time you
9 got there?

10 A No, sir, not quite.

11 Q Okay, and when you got to Shakira's in
12 Edgefield, what happened?

13 A Well, I was waiting for her to get out
14 of the shower, and I was calling her, telling
15 her I was about 15 minutes down the road.

16 Q Uh-huh.

17 A She didn't text back or nothing, so I
18 called.

19 Q Uh-huh.

20 A So she said she went to sleep, so I was
21 in her driveway.

22 Q Well, she stood you up or something?

23 A Yes. Yes, sir.

24 Q Okay, so you're in her driveway --

25 A Yes, sir.

1 Q -- in your car?

2 A Yes, sir.

3 Q She's not answering Snapchats, you don't
4 know what to do. At any point -- so what's the
5 plan next? What did you do next?

6 A I was sitting there waiting -- I was
7 sitting there waiting to see what we're about to
8 do.

9 Q Uh-huh. Because at that point your
10 plans was to hang out with Shakira?

11 A Correct.

12 Q All right. At any point did you have
13 any communication with Jimmie Green?

14 A Yes, yes, yes, sir.

15 Q And when was that?

16 A On Snapchat.

17 Q Okay, but -- and where were you when you
18 had that communication with him?

19 A It had to be at Shakira's house.

20 Q Okay, were you parked in the driveway,
21 on the street, in the yard, what?

22 A In the street.

23 Q In the street?

24 A Yes, sir.

25 Q Okay, and so you're sitting there,

1 you've been stood up, whatever --

2 A Yes, sir.

3 Q -- you talk to Jimmie, and do you and
4 Jimmie make any type of plans?

5 A No, sir. We did make plans, but he
6 asked where I was located.

7 Q Okay. And did you tell him, "I'm --

8 A Yes, "I'm in Edgefield," I told him I
9 was in Edgefield.

10 Q And what, if anything, happened after
11 that?

12 A Well, he came and got me from where I
13 was at. I left my car there.

14 Q You left your car in Edgefield?

15 A Correct.

16 Q Okay, and how long, approximately, did
17 it take for Jimmie to pick you up, from when you
18 first talked to him?

19 A Ten, 12 minutes.

20 Q Okay, all right. So Jimmie Green rolls
21 up?

22 A Yes, sir.

23 Q And I think he was driving a burgundy
24 Santa Fe, wasn't he?

25 A Correct.

1 Q Okay. Anybody with him?

2 A Yes, sir.

3 Q Who's with him?

4 A A guy that was his friend.

5 Q Okay. Is it M.A. [REDACTED] ?

6 A Yes, sir.

7 Q Okay. So they pick you up, when -- you
8 leave your car there?

9 A Yes, sir.

10 Q Okay. When they pick you up, where do
11 you sit in the car?

12 A The front seat.

13 Q Front seat?

14 A Yes, sir.

15 Q Okay. Did you put the seatbelt on?

16 A Yes, sir.

17 Q Did you use the door handle?

18 A Yes, sir.

19 Q Okay, so it's Jimmie, you, M.A. [REDACTED]'s the
20 one in the backseat?

21 A Correct.

22 Q And y'all leave Edgefield.

23 A Correct.

24 Q Okay. Where do you go from there?

25 A 300.

1 Q Station 300?

2 A Yes, sir.

3 Q And that's the bowling alley place we've
4 been hearing about?

5 A Yes, sir.

6 Q Okay, Station 300. Why did you go to
7 Station 300?

8 A Well, I guess they was meeting Shayna.

9 Q Jimmie was meeting Shayna?

10 A Yes, sir.

11 Q What's the connection between Jimmie and
12 Shayna?

13 A They were dating at the time.

14 Q Dating at the time?

15 A Yes, sir.

16 Q Okay. And did you, in fact, ride with
17 Jimmie from Edgefield to Station 300?

18 A Yes, sir.

19 Q Okay, and when you got there was Shayna
20 there?

21 A Yes, sir.

22 Q Okay. And who was she with?

23 A She was with her brother.

24 Q Her brother, Jayden?

25 A Yes, sir.

1 Q Okay, anybody else?

2 A I'm not quite sure. I'm not quite sure.

3 Q Okay. Do you remember seeing Stacy Void
4 and a little baby in the car?

5 A I don't know who was in the backseat,
6 but I'd seen Jayden.

7 Q Okay, all right. So -- and she's
8 driving like a kind of weird color blue car; is
9 that right?

10 A Correct.

11 Q All right. So you'all are in the
12 parking lot behind Station 300, right?

13 A Correct.

14 Q Okay. What's going on at that point?

15 A I was standing by the car by myself.

16 Q Okay.

17 A Jimmie was talking to Shayna.

18 Q Okay. Do you know exactly what he was
19 saying to Shayna?

20 A No, sir.

21 Q Was he giving her weed?

22 A Yes, sir.

23 Q Okay. At any point did you see Jimmie
24 Green on the telephone?

25 A Yes, sir.

1 Q Okay. Do you know, or would you try to
2 guess who he was talking to, or you just don't
3 know?

4 A No, sir, I don't know.

5 Q Okay, all right. Now, the other guy,
6 this M.A. [REDACTED] guy, what's he doing, standing
7 around as well?

8 A Yes, sir, correct.

9 Q Okay, all right. Now, there's a picture
10 that got published by the State of y'all posing,
11 or doing something, flipping the bird at the
12 camera, or something short, a Snapchat video; do
13 you remember that?

14 A Yes, sir, correct.

15 Q Okay. What was the point of that?

16 A Well, I just walked up to the car.

17 Q Uh-huh.

18 A I could see it was Snapchat, and she
19 just started recording me.

20 Q Okay. Did y'all think it was funny, or
21 did you think --

22 A We was just joking around.

23 Q Okay, all right. So you weren't
24 purposely flipping the bird at any particular
25 person, she just happened to catch it on

1 Snapchat, right?

2 A Correct.

3 Q Okay, okay, so that wasn't directed at
4 anybody or anything --

5 A No, sir.

6 Q -- like that? All right. So how long
7 do Shayna and Jayden and Stacy and the baby stay
8 in the parking lot?

9 A They were talking, and me and her was
10 talking for not quite a minute, and then they
11 stopped talking, and she left.

12 Q So you don't know the exact times, do
13 you?

14 A No, sir.

15 Q Okay. So she left and Jayden left and
16 Stacy left and Stacy Void left too, right?

17 A Yes, sir.

18 Q All right, and then, what, another
19 minute or so, and then y'all leave?

20 A Yes, sir.

21 Q Okay, when I say y'all, I'm talking
22 about who?

23 A Green, me, Anderson.

24 Q Okay, and you're still in Green's car?

25 A Yes, sir.

1 Q The burgundy Santa Fe?

2 A Correct.

3 Q Okay, all right. What, if anything were
4 your plans for later on? Why did y'all leave?
5 I know they left, your friends had left, why did
6 y'all leave?

7 A Well, I told him I had to go back to
8 Hardeeville, so he had to take me back to my
9 car.

10 Q You told Green that?

11 A Yes, sir.

12 Q You had to go back to Hardeeville?

13 A Yes, sir.

14 Q Okay. What's in Hardeeville?

15 A I mean I was going back to M.A.'s to get
16 Lex.

17 Q Okay. You were going back to M.A.'s to
18 get Alexis?

19 A Yeah.

20 Q Okay. And your car wasn't at Station
21 300, was it?

22 A No, sir.

23 Q Okay, it was in Edgefield?

24 A Yes, sir.

25 Q Okay, so did y'all leave Station 300?

1 A Yes, sir.

2 Q Okay. You -- well, Green -- where were
3 you sitting on the way to Edgefield?

4 A Front seat.

5 Q Okay, all right. Had you been in his
6 car before?

7 A Yes, sir.

8 Q Have you ever sat in the backseat?

9 A Yes, sir.

10 Q Did you ever open the door in the
11 backseat?

12 A Yes, sir.

13 Q Okay. One time? Multiple times? How
14 many?

15 A Many times.

16 Q Okay, all right. So you'all are riding,
17 he's taking you back to Edgefield --

18 A Correct.

19 Q -- to Shakira's house to get your car?

20 A Correct.

21 Q Because you needed to drive your car to
22 go to M.A.'s --

23 A Correct.

24 Q -- to pick up Alexis?

25 A Correct.

1 Q Okay. And did you do that?

2 A Yes, sir.

3 Q Okay. Now, this Edgefield subdivision,
4 is it like a straight house on both sides, or is
5 it kind of windy? What -- tell me a little bit
6 about Edgefield?

7 A There's a lot of plantations out there.

8 Q Oh, okay.

9 A There's like a little curvy road to get
10 to certain plantations.

11 Q Okay. All right, so they drop you off?

12 A Yes, sir.

13 Q Straight from Station 300 to Shakira's
14 house, right?

15 A Correct.

16 Q Okay, and so when you got out at
17 Shakira's to get your car, did you check on
18 maybe she might answer the phone this time, or
19 anything?

20 A No, sir.

21 Q You just kind of -- all right.

22 A I just got in my car.

23 Q Okay. Were you in any hurry to get
24 anywhere?

25 A No, sir.

1 Q Okay. When they dropped you off --

2 A Yes, sir.

3 Q -- and you saw the taillights, who was
4 in Jimmie Green's car at that time?

5 A Anderson.

6 Q Anderson, who else?

7 A Just Green.

8 Q Okay. Do you know where -- was Green
9 still driving?

10 A Yes, sir.

11 Q Do --

12 A Because --

13 Q -- you know where Anderson was sitting?

14 A No, sir.

15 Q You don't?

16 A No.

17 Q Okay, all right, So at that point when
18 you see they're driving away from Edgefield, and
19 you're going to get your car and get moving, did
20 you ever see him again?

21 A No, sir.

22 Q Okay.

23 A No, sir.

24 Q All right. So you crank up your car --

25 A Correct.

1 Q -- and you go to where?

2 A I don't remember which way I took back
3 to Hardeeville, but I went to Hardeeville.

4 Q You went to Hardeeville?

5 A Yes, sir.

6 Q Okay. Are there multiple ways to go
7 back to Hardeeville from Edgefield?

8 A Yes, sir, multiple ways.

9 Q Okay, like what?

10 A You've got 278.

11 Q Yeah.

12 A You've got leaving by around about by
13 Wendy's.

14 Q Uh-huh.

15 A And you've got -- you can go through
16 Levy and go through Savannah --

17 Q Right.

18 A -- to get to Hardeeville too.

19 Q Okay, all right. And do you go
20 different routes at different times?

21 A Correct?

22 Q Okay, do you remember exactly here, two-
23 and-a-half-years later, which route you took
24 back?

25 A No, sir.

1 Q Okay, all right. Anyway, you made it
2 back to Hardeeville, right?

3 A Yes, sir.

4 Q Okay, to --

5 A M.A.'s.

6 Q Okay, and he's the one that lives on
7 School Cut Drive?

8 A Yes, sir.

9 Q Okay. You didn't go to Jimmie Green's
10 house, did you?

11 A No, sir.

12 Q Okay. Did you, in fact, pick up Alexis
13 at M.A.'s house?

14 A Correct.

15 Q All right. How long did you stay there,
16 a little while?

17 A About ten minutes.

18 Q All right. You picked her up, what did
19 you do next?

20 A I went to Ridgeland.

21 Q For what?

22 A To take Alexis home and stop at my dad's
23 house.

24 Q Okay, so you think you went to
25 Ridgeland, stopped by -- where's your dad live?

1 A In Ridgeland.

2 Q All right, stopped by there. What's
3 next on the evening's agenda?

4 A I left from there, and I went to
5 Beaufort and picked my brother up.

6 Q You went to Beaufort?

7 A Yes, sir.

8 Q Okay.

9 A In Burton.

10 Q Okay. All right, and you picked which
11 brother up?

12 A Houston Kennedy.

13 Q And where was he?

14 A He was in Burton at Home 2.

15 Q Home 2?

16 A Yes, sir.

17 Q What is that?

18 A A hotel.

19 Q A hotel?

20 A Yes, sir.

21 Q Okay. Did you hang out there at all?

22 A No, no, man.

23 Q Okay. Did he -- so he rode with you?

24 A Correct.

25 Q From that point on?

1 A Correct.

2 Q Only you and him in the car?

3 A Yes, and my other little brother.

4 Q When did you get your other brother?

5 A I got him from dad's house.

6 Q Okay.

7 A Yes, sir.

8 Q After you drove to Ridgeland to your
9 dad's?

10 A Correct.

11 Q Your little brother gets in the car --

12 A Correct.

13 Q -- and then you'all go and pick up
14 Houston?

15 A Yes, sir, my older brother.

16 Q So then all three of you'all are there?

17 A Correct.

18 Q Okay. In Beaufort they had some Burton
19 cell sites showing up, so that's where you,
20 right?

21 A Yes, sir.

22 Q Thank you. And then from there where
23 next?

24 A I went back home, dropped my brothers
25 off to their house, and then I went to my mom's

1 house.

2 Q So you're going back -- where are those
3 brothers' house?

4 A In Ridgeland, Bees Creek Road.

5 Q Okay, is that where your dad lives?

6 A Yes, sir.

7 Q Okay, so you dropped them off?

8 A Correct.

9 Q And then you went from there to your
10 mom's house?

11 A To my mom's house, correct.

12 Q Okay. So it sounds like the whole
13 process probably took a few hours?

14 A Yes, sir.

15 Q Because you're kind of all over
16 Beaufort?

17 A Yes, sir.

18 Q Okay, all right. Do you know either
19 Fields or Simmons or --

20 A Yes, sir, I know one of the guys.

21 Q You do?

22 A Yes, sir.

23 Q Which one?

24 A Kylan Simmons.

25 Q And how do you know him?

1 A We was real close, I know him real good.

2 Q Okay. How do you know him from?

3 A Well, the dude -- we used to play sports
4 together against each other.

5 Q Uh-huh. You played -- originally, you
6 played for Bluffton?

7 A Yes, sir.

8 Q Okay, what sports?

9 A Basketball.

10 Q Okay, and that would have been what,
11 AAU?

12 A AAU, correct.

13 Q So what are you 16 or 17 when you play
14 that?

15 A Yeah, yeah.

16 Q Okay.

17 A 17 or older.

18 Q It's kind of like an All-Star team type?

19 A Correct.

20 Q From one --

21 A A travel basketball team.

22 Q All right, good. But the other guys you
23 didn't know them, right?

24 A No, sir.

25 Q Okay, all right. And you knew, like

1 everybody did, you knew that Jimmie Green's
2 mom's house had got shot up, right?

3 A Correct.

4 Q Okay. And the word on the street is who
5 did it, and that sort of thing?

6 A Correct.

7 Q And you knew there was some mention
8 about another house, Jaylen's Sergeant's house
9 getting shot up --

10 A Correct.

11 Q -- right?

12 A Yes, sir.

13 Q Okay. Do you know Jaylen?

14 A Yes, sir, a little bit.

15 Q Okay. He and Jimmie are pretty tight?

16 A Yes, sir.

17 Q Okay. Did you see Jaylen Sergeant that
18 night?

19 A No, sir.

20 Q When did you -- let's fast forward, when
21 did you first hear anything about the shooting
22 in the car?

23 A When I heard --

24 Q When did you first hear about it?

25 A The situation?

1 Q Yeah.

2 A Sunday my mom came and woke me up, let
3 me know what happened.

4 Q Late Friday night is when it happened,
5 so you're talking about Sunday like two days
6 from then?

7 A Correct.

8 Q So Sunday morning your mom woke you up?

9 A Yes, sir.

10 Q Okay, and saw it on the news or
11 something?

12 A Correct.

13 Q Correct? Okay, all right. And the
14 reason -- well, what was the significance of it?
15 Was it because Kylan Simmons was --

16 A Correct.

17 Q -- involved?

18 A Correct.

19 Q Who you knew because you used to play
20 sports with him?

21 A Kylan Simmons, correct.

22 Q Okay. And are y'all somehow distantly
23 related to him?

24 A Yes, sir.

25 Q Through your mom's side?

1 A Yes, sir.

2 Q Okay. So your mom knows him?

3 A Yes, sir, correct.

4 Q All right. All right, so that's the --
5 we're up to the 7th. When did you find out, or
6 hear on the street, or see or anything?

7 When did you learn that somebody was
8 pointing at you?

9 A Sunday, when one of my friends called
10 me, and told me there was a warrant out for me
11 for it.

12 Q A warrant? Okay, all right. And how did
13 you respond to the information that they may
14 have an arrest warrant for you?

15 A Well, at first, based on our
16 conversations, we talk, communicate --

17 Q Uh-huh.

18 A -- for about five minutes, and I was
19 gonna call my mom.

20 Q Uh-huh.

21 A And I went straight to the house.

22 Q Oh, you went to the house?

23 A Yes, sir.

24 Q All right. And then you didn't leave
25 town, did you?

1 A No, sir, I never went --

2 Q Did you got to Orangeburg --

3 A No, sir.

4 Q -- or anything like that?

5 A No, sir.

6 Q Okay. You didn't hide?

7 A No, sir.

8 Q Did you go to work the next day?

9 A Yes, sir.

10 Q Okay. Did you go back home after work?

11 A Correct.

12 Q Okay. And then when -- and so you're
13 trying to find out why they're calling your
14 name?

15 A Correct.

16 Q Okay. When did you, ultimately, go and
17 turn yourself in?

18 A After I got my lawyer situated.

19 Q Okay, so do you know what day that would
20 have been?

21 A Probably like a Tuesday, Wednesday I
22 want to say.

23 Q Okay, and where did you go to do that?

24 A Beaufort County Detention Center.

25 Q Okay, and who went down there with you?

1 A My mom and my dad and also you.

2 Q Okay. So you turned yourself in?

3 A Correct.

4 Q You didn't run?

5 A No, sir.

6 Q And so that was like March 9th or --

7 A March 9th --

8 Q -- somewhere around there?

9 A -- at 1:00 something like that.

10 Q Okay, all right. And you turned

11 yourself in?

12 A Correct.

13 Q And since that day, that's where you've
14 been, right?

15 A Beaufort County Detention Center,
16 correct.

17 Q Okay. Now, there was some testimony
18 yesterday from a Harold Rogers.

19 A Yes, sir.

20 Q You saw him when you got on the stand?

21 A Yes, sir.

22 Q Okay. Did you see him when you were in
23 jail?

24 A Yes, sir.

25 Q How long -- do you remember when he got

1 there?

2 A No, sir, I don't remember, no, sir.

3 Q Okay, all right. Did you know him in
4 any way?

5 A No, sir.

6 Q Okay. He claims that he was a very
7 renown jailhouse paralegal, not a jailhouse
8 lawyer, but a paralegal.

9 Was that like the word at the jail was this
10 Harold guy is the man, he knows the law?

11 A Correct.

12 Q Okay. That's what people were saying?

13 A Correct.

14 Q Okay, all right. And he says that you
15 came running up to him, talking, talking,
16 talking, wanting to talk about your case, you
17 wouldn't quit talking about your case, you
18 wouldn't quit saying that you were involved, and
19 all that kind of stuff; is that true?

20 A No, sir.

21 Q Okay. Did you ever talk to Harold
22 Rogers about the specifics of your case?

23 A No, sir.

24 Q Okay, and he was on the same pod as you?

25 A Yes, sir.

1 Q Okay, and you didn't have any of these
2 late night whisper sessions through the vent
3 with him about your case, and all the details,
4 and all that kind of stuff?

5 A You can't talk through the vents, it's
6 separated.

7 Q Okay. Well, let's talk a little bit
8 about that pod over there. Who else was on A-1,
9 Jimmie Green?

10 A Yes, sir.

11 Q All right, the whole time? All right.
12 And let's talk a little bit about life in the
13 pod. Did you have a cellmate?

14 A Correct.

15 Q Okay, who is that?

16 A Jeffrey.

17 Q I know it's probably changed some, okay.

18 A Yeah, they change things up around.

19 Q All right. And when we're talking about
20 a pod, is that just like one section of the
21 jail?

22 A It's like multiple cells.

23 Q All right, but each pod is separated
24 from each other, right?

25 A Correct.

1 Q So A pod, B pod, C pod, et cetera,
2 right?

3 A Correct.

4 Q And you can't -- you couldn't walk from
5 A pod to C pod --

6 A No, sir.

7 Q -- without being escorted by --

8 A Correct.

9 Q Okay. And there's two different floors
10 on A pod, A-1 and A-2, right?

11 A Yes, sir. Yes, sir.

12 Q Okay. And during the day, when there's
13 not some kind of lockdown, or something like
14 that, during the day what are you'all allowed to
15 do in A pod?

16 A Use the phone, watch TV.

17 Q Okay.

18 A Go outside, play basketball, handball.

19 Q Okay, so there's rec time, there's
20 community -- is there like a big table or
21 something, where people go talk, or hang out,
22 or --

23 A There's tables in the dorm --

24 Q In --

25 A -- and outside.

1 Q Okay. And so, typically, different
2 people that are in the pod still can gather at a
3 central location, if they want to?

4 A Correct.

5 Q Okay. And when you leave your cell, do
6 the cell doors stay open during the day?

7 A It depends on the CO.

8 Q Okay. Some COs are a little lax about
9 it?

10 A Yes, some COs.

11 Q Okay, but is it safe to say that
12 sometimes in the pod that you may be taking a
13 shower, or watching TV, playing handball,
14 basketball, whatever, and the doors may not be
15 locked shut?

16 A Correct.

17 Q Okay. Does anybody shower at the exact
18 same time?

19 A Some people don't shower, some people
20 do.

21 Q Okay. Is it optional?

22 A Yeah, it's optional. Well, it's not
23 optional, if people want to wash, they can wash,
24 some --

25 Q Okay.

1 A -- people --

2 Q But they don't get the entire pods,
3 like, hey, guys, we're all going in the
4 shower --

5 A Correct.

6 Q -- right?

7 A Correct.

8 Q Okay.

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

10 BY MR. STONE:

11 Q One of the witnesses, it's been
12 suggested, said that right before the shooting,
13 when Shayna was FaceTiming Jimmie, that there
14 was a suggestion that somebody heard you in the
15 background saying, "I want to shoot somebody,"
16 right before the shooting; is that true?

17 A I heard what she said on the stand,
18 correct.

19 Q Well, I'm asking you if it's what really
20 happened?

21 A No, sir.

22 Q Okay. Did you say anything like that at
23 any point that night?

24 A No, sir.

25 Q Okay. Were you even in the car when

1 that call came from Shayna to Jimmie?

2 A No, sir.

3 Q Where were you?

4 A I was on the way to M.A.'s.

5 Q Okay. Do you remember on the way to
6 M.A.'s, did you stop anywhere? Do you know? I
7 mean did you --

8 A No, sir.

9 Q -- stop to get gas; do you know?

10 A No, sir.

11 Q Okay. All right, there's also something
12 I guess it's suggested that you had a long gun
13 stuffed down your shirt. Did you have a long
14 gun stuffed down your shirt?

15 A No, sir.

16 Q Okay. Did M.A. ?

17 A No, sir.

18 Q Okay. Do you think if he did, or if
19 anybody did, that that would be a very -- it
20 would be easy to see?

21 A No, sir.

22 Q You don't think it would be hard to see
23 if somebody had a gun that long to try to stuff
24 down their shirt?

25 A Yes, sir. Yes, sir.

1 Q All right.

2 A Yes, sir.

3 Q All right, so everybody would have seen
4 it, right?

5 A Right.

6 Q Okay. All right. Do you know Jayden
7 Void?

8 A Not at all.

9 Q No?

10 A I met him one time that night at Station
11 300.

12 Q Okay, but you hadn't had any dealings
13 with him other than that night?

14 A No, sir.

15 Q All right. How about Shanya?

16 A No, sir.

17 Q Do you know her a little bit because she
18 was --

19 A She was --

20 Q -- seeing Jimmie at that point?

21 A Correct.

22 Q Have you ever hung out with her?

23 A No, sir.

24 Q Okay. How about Stacy Void?

25 A No, sir.

1 Q No?

2 A No, sir.

3 Q Okay. How about this M.A. [REDACTED] kid?

4 A No, sir.

5 Q Okay. But you and Jimmie Green, you've
6 known him for a while, and you played sports
7 with him and --

8 A Correct.

9 Q Okay, all right. But your house never
10 got shot up, did it?

11 A No, sir.

12 Q Do you have any kind of big problem with
13 Memphis Daniels?

14 A I know who it is, sir.

15 Q All right. Are you telling the truth
16 today?

17 A Correct.

18 Q Okay. Were you in Jimmie Green's
19 burgundy Santa Fe that night, when he drove it
20 by and occupants shot out of the car, and
21 resulted in the injuries we've heard about?

22 A No, sir.

23 Q You were not in that car?

24 A No, sir.

25 Q You got out of the car -- well, you got

1 dropped off in Edgefield when you picked up your
2 car, right?

3 A Correct.

4 Q Okay. Did you have any part at all in
5 the planning of this accidental shooting?

6 A No, sir.

7 Q Did you encourage it in any way?

8 A No, sir.

9 Q Did you assist in any way?

10 A No, sir.

11 Q Did you provide any weapons for it?

12 A No, sir.

13 Q Did you tell anybody it was a good idea?

14 A No, sir.

15 Q Okay. Were you even there?

16 A No, sir.

17 Q Okay. What are your thoughts about the
18 whole thing?

19 A Well, I'm sorry the situation happened,
20 it's a big situation.

21 Q Right, and you agree it's a tragedy --

22 A Yes, sir.

23 Q -- and unnecessary?

24 A Correct.

25 Q But you had nothing to do with it?

1 A Okay.

2 Q Thank you.

3 MR. LEE: That's all I have, Your Honor.

4 **

5 **CROSS-EXAMINATION**

6 BY MR. STONE:

7 Q You didn't know it was gonna happen, did
8 you?

9 A No, sir.

10 Q You didn't have any idea it was gonna
11 happen?

12 A No, sir.

13 Q You just said -- I noticed as you
14 answered Mr. Lee's questions, you said that you
15 had gone to this girl's house, what was her
16 name?

17 A Shakira.

18 Q Shakira? What's Shakira's last name?

19 A I don't know her last name.

20 Q You don't know her last name?

21 A No, sir.

22 Q But I couldn't understand why she stood
23 you up then. Did you just appear, or did you
24 call and set this up?

25 A No, sir.

1 Q No? Did you appear? Did you call and
2 said -- how'd you get there?

3 A I talked to her, sent a text.

4 Q Okay. This Shakira, and we don't know
5 what her last name is, you get a call -- I'm
6 assuming when you get to her house, you go in
7 and she's asleep, or not responding, so you park
8 in her driveway; is that right?

9 A Correct.

10 Q Because those roads are pretty narrow,
11 you --

12 A Correct.

13 Q -- you don't have a lot of room, do you?

14 A Correct.

15 Q So you park in her driveway, and she
16 didn't respond, and you just -- how long after
17 that did Jimmie Green call you?

18 A Well, he text me.

19 Q He texted you? How long was that?

20 A Took about ten, 15 minutes.

21 Q About ten, 15 minutes? So all of a
22 sudden you get this text from Jimmie Green, and
23 that's how I think you just answered that for
24 Mr. Lee, but that's not the first time that you
25 had talked to Jimmie Green that day, was it?

1 A Sir?

2 Q That was not the first time you talked
3 to Jimmie Green that day, was it?

4 A Earlier that day.

5 Q Yeah, so I think you said you didn't see
6 Jimmie Green, but that doesn't mean you didn't
7 talk to him. You talked to him at 9:27 that
8 night, did you not?

9 A Correct.

10 Q So you talked to him once, you talked to
11 him a couple of times. That was when you were
12 in Ridgeland, and then you left Ridgeland on the
13 way to Hardeeville, which happens to be the same
14 place Green lives, right?

15 A No, sir.

16 Q No, sir, what?

17 A I didn't went to where he lived, I went
18 down the road from where he lived.

19 Q Okay, so you're going at least in the
20 direction. You left Ridgeland, you went to
21 Hardeeville, and your .7 miles to -- whatever it
22 is, from Jimmie Green's house, right?

23 A Correct.

24 Q And you talk to him on the way there.
25 So the first time you had a communication with

1 Jimmie Green was not when you were at whatever
2 this girl's last name is house, you had actually
3 already talked to him that day?

4 A An hour before.

5 Q Okay, when you go from Hardeeville down
6 to this neighborhood, how'd you get there?

7 A Green dropped me back off.

8 Q Green dropped you back off?

9 A Yes, to the neighborhood.

10 Q Green dropped you back off where?

11 A To the neighborhood.

12 Q What neighborhood?

13 A Edgefield.

14 Q No, no, I'm talking about when you left
15 Hardeeville, and you went down into Bluffton --

16 A Correct.

17 Q How'd you get there?

18 A I drove.

19 Q Okay, and did you drive the -- what's
20 that long road? I guess it's the long road that
21 ends up down at -- the back way.

22 A I don't know exactly how I got there,
23 but --

24 Q You don't remember how you got there?

25 A -- which way I took.

1 Q Huh?

2 A I don't know exactly which way I took.

3 Q You don't remember which way you went?

4 A No, sir.

5 Q You just know you left from Hardeeville
6 and you somehow got down here?

7 A Correct.

8 Q Okay, all right. Supposedly, now, Mr.
9 Jimmie Green comes and picks you up, so you do
10 admit to going with him to Station 300?

11 A Correct.

12 Q You get to Station 300, this is, I'm
13 assuming, you in this photograph, correct?

14 A Correct.

15 Q This is you right here --

16 A Correct.

17 Q -- is that correct? You're in the
18 middle of that picture. The guy to your right
19 is this M.A. [REDACTED] guy --

20 A Correct.

21 Q -- correct?

22 A Correct.

23 Q Correct? And his last name is, by the
24 way, [REDACTED]; is it not?

25 A Correct.

1 Q I know you said earlier you didn't
2 really know him, but you thought it was some
3 M.A. [REDACTED] guy, but then when Mr. Lee was
4 questioning you, you said [REDACTED].

5 A Right.

6 Q So you do know his name is M.A. [REDACTED]
7 [REDACTED]?

8 A Correct.

9 Q Okay. And then this is you guys at
10 Station 300.

11 A Correct.

12 Q Now, Jimmie Green is bringing weed to
13 Shayna, right?

14 A Correct.

15 Q Did he give her the weed?

16 A I'm not sure, I wasn't over there at the
17 time.

18 Q You weren't over there? How did you
19 find out he was going to take her weed then?

20 A Because they -- I guess when he got
21 there, they talked about it.

22 Q So you did talk to him about the weed
23 when you'all got there, when you'all got to --

24 A Yeah, when --

25 Q -- Station 300?

1 A -- we got there.

2 Q So you knew that's what the plan was.

3 A Correct.

4 Q When you're in the car, you're heading
5 over there, I know he didn't put any guns on
6 you, but were the guns in the backseat?

7 A No, sir.

8 Q Where were the guns?

9 A I don't know.

10 Q You never saw the guns?

11 A No, sir.

12 Q The big sawed-off rifle you never saw
13 it?

14 A No, sir.

15 Q Okay, and I'm assuming you certainly
16 never saw the .45?

17 A No, sir.

18 Q Right. That wasn't your .45, was it?

19 A No, sir.

20 Q Okay. And when are at Station 300,
21 you're hanging out with them there. Then
22 according to you, Mr. Green takes you back to
23 Shayna -- Sharika?

24 A Shakira.

25 Q Shakira, okay. Still didn't see her?

1 A No.

2 Q And you left then, because you need to
3 get back, right?

4 A Correct.

5 Q You get to Station 300, and I know
6 there's already been some testimony about this,
7 at 10:40. You stay at Station -- and you just
8 said -- I think -- and by the way, when you'all
9 are at Station 300, you didn't go inside,
10 you'all just kind of hung out in the parking
11 lot, right?

12 A Correct.

13 Q All right. You hang out in the parking
14 lot, and then you leave there about 11:05, at
15 least that's the testimony. You wouldn't
16 dispute that, would you, right?

17 A No.

18 Q Okay. He's come and picked you up in
19 about 12 minutes. You've been away from
20 Hardeeville at this point for, what, about 30
21 minutes?

22 A Correct.

23 Q Right. And you've got to go back to
24 Hardeeville?

25 A Correct.

1 Q You've got to get there right then?

2 A I was in a rush.

3 Q Yeah, but you said, "I had to leave, I
4 couldn't go with them wherever they were going,
5 I had to go," so he had to drop you back at the
6 car, so you stayed a total of 25 minutes at
7 Station 300, and that was enough, time for you
8 to go back home; is that right?

9 A Correct.

10 Q Okay. So when you get in her car,
11 whatever her name is house, that's in Edgefield,
12 right?

13 A Correct.

14 Q And you don't hang out, you didn't talk
15 to her, you just get in your car and you drive
16 out?

17 A Correct.

18 Q And you went back home, but I'm assuming
19 you don't remember which way you went?

20 A Correct.

21 Q All right. Let me ask you a question.
22 When you leave Edgefield, Edgefield is -- well,
23 I'll tell you what, make sure I'm clear about
24 this, can you see this? Can you see this map?

25 A Yes, sir.

1 Q Edgefield's right there.

2 A Right.

3 Q Right?

4 A Yeah.

5 Q Not very far from Station 300. In fact,
6 what did it take you'all, like two minutes to
7 get there, basically?

8 A Yeah.

9 Q That's about right? So about two
10 minutes you get to Edgefield, you get in your
11 car, you start driving, and you leave. You
12 don't remember which way you go, so when you got
13 back out to Buckwalter, you don't know if you
14 went right or left, but you left, right?

15 A Correct.

16 Q And you went straight, you didn't stop
17 for gas, you didn't go anywhere else, you went
18 straight back to your home, right?

19 A Hardeeville.

20 Q You went straight back to your home,
21 right?

22 A Yes, sir.

23 Q How long did it take you to get back to
24 your house?

25 A To my house or --

1 Q Yeah.

2 A -- Hardeeville.

3 Q Back to where you were going, which was
4 Cut Road, correct? That was about 25 minutes,
5 wasn't it?

6 A Yes, sir.

7 Q So it shouldn't have taken you long at
8 all. Goodness, from that time you guys leave at
9 11:05, it takes you a couple minutes to get to
10 Edgefield, which is right there, it takes you
11 another, what, two or three minutes to get out,
12 let's assume from there it's to 278, you know
13 that main road going out?

14 A Uh-huh.

15 Q That takes, what, about two minutes to
16 get there from Edgefield?

17 A Yes, sir.

18 Q Yeah, it's not very far though, is it?

19 A Right.

20 Q So you get there, you've got another
21 couple minutes you burned off. The total from
22 Station 300 is about five, six, seven, eight,
23 nine, ten, 11:10. It only takes you 25 minutes
24 to get home, so you're home at 11:30.

25 A I'm not home.

1 Q Oh, you're not -- I'm sorry, I said you
2 were home, but you were going to Hardeeville.

3 THE COURT: You'all got to stop talking a
4 minute.

5 MR. STONE: I apologize. I'm, sorry,
6 Judge.

7 MR. LEE: Your Honor, I object because he's
8 testifying, not asking questions.

9 MR. STONE: I apologize, let me ask those
10 questions, Judge. I'm very sorry, I didn't mean
11 to put it that way.

12 BY MR. STONE:

13 Q So you should be in Hardeeville by about
14 11:30?

15 A I'm not sure what time.

16 Q Yeah, but it's not gonna take you that
17 long, right?

18 A Right.

19 Q So what I'm trying to figure out is, if
20 it's only a few minutes from Edgefield to this
21 tower, how you were bouncing off of a tower at
22 11:31 instead of what should have been about
23 11:10. You didn't go by the shooting?

24 A No, sir.

25 Q You didn't see the shooting?

1 A No, sir.

2 Q You didn't leave, you didn't go around
3 and hang out with them at Parker's?

4 A No, sir.

5 Q You just got out of the car, got in the
6 car and drove out?

7 A Correct.

8 Q Something that should have taken two,
9 three, four minutes max, and then for you it
10 took 30; is that right?

11 A Yes.

12 Q Is that what you're gonna tell us?

13 A Correct.

14 Q Awesome. Harold Green, you don't know
15 Harold Green?

16 A No, sir.

17 Q Not Harold Green, Harold Rogers, did you
18 spend a lot of time talking to Harold?

19 A No, sir.

20 Q You're not going to tell the jury here
21 that you didn't have a cell that was right here,
22 and his cell was right beside you, are you? You
23 did have adjoining cells; did you not?

24 A Not adjoining, but --

25 Q You'all couldn't talk through --

1 A We all had separate --

2 Q Could you talk through the light switch?

3 A No, sir, it's attached to the wall.

4 Q Did you ever talk to him at rec?

5 A No, sir.

6 Q Did you ever talk to him at the
7 telephones?

8 A No, sir.

9 Q Did you ever talk to him during any time
10 of social thing? You just really never had any
11 contact with him at all, did you?

12 A No, sir.

13 Q How did he know Scott Lee was your
14 lawyer?

15 A I guess he knew --

16 Q Pardon me?

17 A -- through newspaper.

18 Q Newspaper?

19 A Correct.

20 Q How did he know Scott Lee had your cell
21 phone?

22 A I'm not sure.

23 Q Do you think that was in the newspaper
24 too?

25 A No, sir.

1 Q How do he know you were in the front
2 seat of the car instead of the backseat?

3 A I don't know, sir.

4 Q Pardon me?

5 A I don't know, sir.

6 Q You don't know. And how do he know who
7 M.A. was?

8 A I don't know, sir.

9 Q And you don't have any idea how you knew
10 M.A. was in the backseat?

11 A No, sir.

12 Q Well, you heard the testimony from the
13 DNA, that didn't come out until March, and
14 Harold was already gone.

15 A Correct.

16 Q You don't have any idea how he knew
17 that?

18 A No, sir.

19 Q Did you find out they were doing a
20 search warrant on Jimmie Green's house?

21 A From Jimmie Green, correct.

22 Q All right, because you got off the phone
23 and you went and told Jimmie Green about it,
24 didn't you?

25 A He told me.

1 Q Oh, he told you?

2 A Correct.

3 Q He said the police were at your house?

4 A At his house.

5 Q Oh, okay, all right. So you are talking
6 to Jimmie Green a good bit?

7 A A little bit.

8 Q And you're not talking to Jimmie
9 Green and Harold Rogers?

10 A No, sir.

11 Q Okay. And you didn't have much
12 conversation at all with Harold Rogers?

13 A No, sir.

14 Q Okay. And just a couple of other things
15 just real quickly. That cell phone -- and I
16 appreciate you -- that cell phone that we got
17 from Mr. Lee, that was your cell phone?

18 A Correct.

19 Q And you didn't tell Harold Rogers that
20 it had incriminating photographs of you with
21 guns on it, or anything, did you?

22 A No, sir.

23 Q Okay. And the phone calls that all
24 happened to be deleted on March the 5th, do you
25 know anything about that?

1 A No, sir, I was incarcerated.

2 Q Oh, you were incarcerated when they were
3 deleted?

4 A No, I was incarcerated when you had my
5 phone.

6 Q Oh, I understand, but you weren't
7 incarcerated the day after, were you?

8 A I don't know; I didn't delete them.

9 Q All right, well, let's assume for a
10 second the shooting took place on Friday, and
11 you didn't find out about it until, supposedly,
12 according to you, until Sunday, so you had
13 Saturday, and Sunday, and then you turned
14 yourself in on Monday or Tuesday.

15 Did you delete any phone calls during that
16 time?

17 A No, sir.

18 Q Okay. So you don't know anything about
19 those phone calls being deleted?

20 A No, sir.

21 Q Okay. Is that you?

22 A Correct.

23 Q That's off your phone, isn't it?

24 A Correct.

25 MR. STONE: Your Honor, we're gonna mark

1 this as State's Exhibit 105.

2 MR. LEE: May we approach?

3 THE COURT: Yes.

4 (Bench conference.)

5 THE COURT: Ladies and gentlemen, I need
6 you to go to your jury room, I'm sorry. Don't
7 discuss the case now.

8 (Jury exits the courtroom.)

9 BAILIFF: Your Honor, the jury has left the
10 courtroom.

11 THE COURT: Thank you. Okay.

12 MR. LEE: I don't know when that picture
13 was taken. I don't know who took it. I don't
14 know anything about the history of it. You
15 know, I would ask Mr. Stone to set a foundation.

16 Also, he testified, when he was asked the
17 question, "Didn't you tell Harold Rogers about
18 the," I can't remember if you'd asked him that
19 question. Did you ask him, "You told Harold
20 Rogers you had pictures of you with guns on your
21 phone?"

22 MR. STONE: I asked him if he had any
23 incriminating information on his phone dealing
24 with guns.

25 MR. LEE: Harold Rogers did not testify

1 that he told him that he had pictures of guns on
2 his phone, so that evidence has not been brought
3 up. And for him to say that, as if it's true in
4 the form of a question, I think is unproven,
5 because, certainly, it certainly suggests to the
6 jury that Harold Rogers did say that, even
7 though in Court he didn't testify to that.

8 And then so a question that is not
9 supported by what their witnesses said or
10 testified to on direct, when they had plenty of
11 chance to ask Harold Rogers that question, they
12 didn't ask him that question.

13 And then he asked that question, and then
14 he goes up there waving a picture with a gun, to
15 suggest that he knows Harold Rogers -- he said
16 that Harold Rogers, and that even if Harold
17 Rogers didn't say that, I'm gonna come up here
18 with a picture of a gun -- of you with a gun.

19 It has no probative value whatsoever. The
20 prejudicial effect is incredibly large. I
21 assume it's probably a Glock 21, which the
22 gratuitous stock photo that they put into
23 evidence earlier.

24 And so, Judge, it's not right to do it that
25 way. Sure he's on cross-examination, sure he

1 can impeach him about things, but he's going
2 into character evidence, he's going into prior
3 bad acts, of which he told me he had none.
4 Holding a gun in a car is against the law,
5 because it's not secured in the glovebox or in
6 the center console.

7 That is a violation of law, the picture he
8 has, because he has a gun in a car outside of
9 the glovebox, outside of the center console. He
10 told me again pretrial, anything in discovery I
11 am missing? Nope.

12 That's exactly what that is. We didn't
13 have a hearing on it, and he waits until the
14 very end to try to do it that way, and that is
15 not the way that you do it.

16 THE COURT: Okay.

17 MR. STONE: According to his testimony, he
18 didn't have much conversation at all with Harold
19 Rogers, and didn't know how Harold Rogers knew
20 any of this stuff. And what's interesting about
21 that is, Harold Rogers, and that's why I asked
22 him, "How did Harold Rogers," I said, "did you
23 tell him that you had incriminating stuff on the
24 cell phone that Mr. Lee had?" Of course, he
25 didn't even know how Rogers found that out. He

1 said, "No."

2 Well, in fact, he does have incriminating
3 photographs with guns, which is the exact
4 question I asked him. Therefore, he's saying I
5 don't know Harold Rogers, I didn't really talk
6 to Harold Rogers, and I don't know what you're
7 talking about," yet one more thing that shows
8 that Harold Rogers -- he's talking to Harold
9 Rogers, he's telling Harold Rogers that, we pull
10 this off -- by the way, and I didn't mean -- I
11 hadn't gotten to the point of laying the
12 foundation for this, this is off of his cell
13 phone, of Chaneyfield's cell phone. This is the
14 extraction that Mr. Lee made such a big deal out
15 of about we gave you all that.

16 Yes, and we did, and we extracted it, and
17 we gave it back. The cell phones were deleted,
18 although he knows nothing about that. He
19 doesn't know how Scott -- he knew Scott Lee was
20 his lawyer. He doesn't know how Scott Lee knew
21 about his cell phone, and he then turned around
22 and said, "I never told Harold Rogers that I had
23 incriminating stuff on my phone involving me
24 with guns," and yet here it is. I think that's
25 particularly relevant, I think it's appropriate

1 cross-examination evidence, and it came from his
2 phone.

3 This is not just a photo on the internet of
4 the Defendant with a gun, and, yes, it probably
5 is a Glock. I would suspect it's a .45 caliber
6 Glock.

7 THE COURT: But I don't think --

8 MR. LEE: It's not the appropriate way to
9 do it, Judge.

10 THE COURT: Huh?

11 MR. LEE: It's not the appropriate way to
12 do it. You can't just go waving a picture of a
13 gun, because you're asking him a question that
14 -- ask Harold Rogers, "Did he ever have any
15 conversations with you about a gun in his car?"

16 THE COURT: I know, and that's what I was
17 trying to get to.

18 MR. LEE: Okay.

19 THE COURT: I heard your argument.

20 MR. LEE: Thank you.

21 THE COURT: -- and so it didn't come -- I
22 don't recall you asking Harold Rogers about him
23 telling him about the gun on the phone.

24 MR. LEE: He didn't.

25 THE COURT: You know, and the question you

1 had to him is, did you tell Harold Rogers you
2 had incriminating pictures with a gun on your
3 phone? He said, "No," but Harold didn't testify
4 to that.

5 MR. STONE: Right.

6 THE COURT: You didn't ask Harold.

7 MR. STONE: Don't need Harold to testify to
8 it, I've actually got an incriminating picture
9 of him with a gun on his phone.

10 THE COURT: I understand that.

11 MR. LEE: -- the way that you do that, did
12 you tell Harold Rogers you had a incriminating
13 evidence on your phone? If he says, no, then he
14 can use a prior inconsistent statement that he
15 might have, and it's clear what you have to do,
16 you have to present it to the witness and say,
17 "Hey, here's a prior inconsistent statement, you
18 know, that that isn't true."

19 And he can either say, "Yeah, you're
20 right," and that's the end of it, or he can say,
21 "I didn't make that statement." Then and only
22 then can you use a statement as extrinsic
23 evidence to further the thing. You cannot ask a
24 question that he didn't ask his witness, and
25 then ask him when he says, "I never said that."

1 "Yes, you did, look here, you're lying."

2 THE COURT: I understand.

3 MR. STONE: And I can do it a different
4 way, Judge, if it makes it easier. I can
5 certainly question it in a different way, but
6 it's relevant, and it's --

7 MR. LEE: It's Lyle, it hasn't been
8 addressed, it was not disclosed in pretrial
9 motions, it is highly prejudicial, it is Lyle.
10 There's no way that that should come into
11 evidence right now.

12 MR. STONE: Harold Rogers testified that Ty
13 Leic Chaneyfield told him that he was shooting a
14 .45 caliber handgun. A gun which we, by the
15 way, never recovered. It's relevant for me to
16 ask him, if he has such a gun. It's relevant
17 for me to ask him, if he has something like
18 that. And if he says, "No," that photograph is
19 now relevant on a totally different issue.

20 THE COURT: I understand.

21 MR. LEE: Had he told me at pretrial that
22 he had a Lyle issue, where he had a picture of a
23 gun involved in illegal activity, let's talk
24 about it then, but you can't do it here at the
25 last minute four days into the trial, waiving

1 some picture around. That is Lyle evidence
2 plain and simple.

3 MR. STONE: First of all, I haven't shown
4 the jury any of that, I handed that directly to
5 him, I did not show it to the jury; and I think
6 Your Honor saw me do it that way. However, I'll
7 be glad to question him about his possession of
8 a .45 caliber Glock. I have no problem asking
9 him those questions.

10 MR. LEE: Except --

11 MR. STONE: And that would absolutely -- I
12 can't imagine how that wouldn't be relevant and
13 pertinent on cross-examination, when we've got
14 an individual shot and killed by a .45 caliber.

15 MR. LEE: Because the rules of evidence say
16 what the ground rules are, and he's not doing it
17 the right way, and he did not provide any
18 notice, despite my pretrial motion on Lyle, that
19 there would be any type of attempt.

20 However he wants to do it, maybe he can get
21 it on Lyle, maybe he couldn't, but this is
22 certainly not the way to do it, and it's
23 certainly not the time to do it.

24 He's not -- that is not consistent with the
25 rules, and he can say he's trying to do it a

1 certain way. That jury knows darn well, Judge,
2 the way he just did that, you're talking about
3 guns, and then got some -- and he starts walking
4 over there. The damage is already done. The
5 only thing we can do at this point is try to
6 limit. And if that comes in, there's no
7 question that it is unduly, highly prejudicial,
8 it's not -- hardly not even relevant, but it
9 certainly doesn't pass the smell test under 403,
10 and it is Lyle.

11 It is a picture of a criminal violation,
12 and that's exactly what prior bad acts with
13 Lyle, that's exactly what they're dealing with.
14 And if they don't want to be -- if they don't
15 wan to divulge those things at pretrial, that's
16 fine, but you take your medicine, if you say,
17 "I'm not presenting any Lyle stuff," they can't
18 do it. I have a pretrial right to know that, in
19 order to argue it and to prepare for it.

20 MR. STONE: Your Honor, this is my
21 approach, and I'll be glad to rephrase the
22 entire process, but here is the approach. I am
23 on cross-examination, and I think it'll be hard
24 for us, or anybody, to argue that I could not
25 ask him, if he possesses the type of gun that

1 was used as the murder weapon? If he says, yes,
2 then I think that's fine, we're done. If he
3 says, no, I think the photograph is relevant. I
4 think that is cross-examination, I think it's
5 proper cross-examination, and I cannot imagine
6 how that would not be relevant on its own; plus,
7 you have testimony in which Harold Rogers has
8 testified that he was shooting a .45 caliber
9 handgun.

10 He was the one shooting that gun, because
11 M.A. [REDACTED] was shooting the assault rifle.

12 THE COURT: Okay. Let me ask you this
13 question. The photograph that you have, that
14 you want to introduce into evidence --

15 MR. STONE: Yes, sir.

16 THE COURT: -- was that given to the
17 defense during the discovery process?

18 MR. STONE: Yes, sir, it was the phone
19 extraction when they turned over Chaneyfield's
20 phone, and it was extracted, part of the
21 extraction we copied that extraction and gave
22 him a copy of the extraction, so all of that was
23 given to him.

24 In fact, I guess he got it relatively
25 shortly after we did.

1 THE COURT: And what about that?

2 MR. LEE: I got it, I couldn't get it to
3 load right. I actually went over to their
4 office, and Mr. Hightower was nice enough to put
5 it on a thumb drive for me. There are thousands
6 and thousands of phone calls, of pictures of
7 everything else in that, okay? I've never seen
8 it. Not because it's probably not in some --
9 buried in some Cellebrite thing that is almost
10 impossible to navigate, but, again, and that was
11 probably a couple weeks ago when I got that.

12 I haven't seen the picture. I'm not saying
13 they didn't give it to me, if it's on there,
14 it's on there, but, you know, it's not fair to
15 say, well, here's War and Peace, which is 1000
16 pages long, one sentence in there is relevant,
17 but we're not gonna tell you which one it is. I
18 don't know when that is. There is no way to go
19 through all that Cellebrite stuff, it is
20 impossible.

21 I don't know when that's from, and, again,
22 Judge --

23 THE COURT: I understand, you're arguing
24 about Lyle, but if they didn't offer this in
25 their case-in-chief, and having a handgun in an

1 automobile is not against the law, unless the
2 automobile is on the road. If it's in your
3 yard, it's not the space that's against the law.

4 MR. LEE: Can they testify that's not on
5 the road?

6 MR. STONE: I mean --

7 THE COURT: I don't know --

8 MR. STONE: I disagree with that.

9 THE COURT: I didn't realize there was a
10 car, but you said it to be, but the fact that
11 he's got a handgun in a car, doesn't make it
12 illegal per se. It depends on where the car is,
13 and what's going on.

14 MR. LEE: So you're saying that it's not
15 Lyle? It's not a prior bad act, possessing a
16 gun in a car, and it doesn't have to be a crime,
17 just a prior bad act with the gun. I mean --

18 THE COURT: Possession of the gun in the
19 car doesn't necessarily mean it's a prior bad
20 act.

21 MR. LEE: It is when you're using it this
22 way.

23 THE COURT: Well --

24 MR. LEE: When you're trying to --

25 MR. STONE: Your Honor --

1 MR. LEE: -- the murder weapon.

2 THE COURT: I --

3 MR. LEE: That's exactly -- you know why
4 he's using it, Judge. I mean you can dance
5 around it. You know exactly why he's trying to
6 use that for shock value, and to try to
7 indirectly prove what he can't prove directly.
8 And he's kind of moving around the snitch, and
9 the things he might have said, and then saying,
10 "Well, Harold Rogers said this, but he's denying
11 this thing, so we're gonna double back door this
12 picture of a weapon."

13 THE COURT: And I understand that he didn't
14 ask Harold that, and so I wasn't going to let --
15 he can't bring up the fact that he -- because he
16 said he didn't ask Harold about it, about
17 weapons being on the phone.

18 MR. LEE: He's already said -- didn't he
19 already say, "Didn't you tell Harold Rogers that
20 you had a picture on your phone?"

21 THE COURT: And he said, no, he hadn't
22 talked to Harold at all.

23 MR. LEE: Okay. So --

24 THE COURT: And that's when he --

25 MR. LEE: If he said -- so --

1 THE COURT: If he said, yeah, we wouldn't
2 have the picture here, he said no. The fact
3 that you pointed out he didn't even ask Harold
4 that.

5 MR. LEE: So --

6 THE COURT: When he asked Harold, "Did you
7 tell him that?" If he would have said, "Yeah, I
8 told him that --"

9 MR. LEE: but he can attack it, and the way
10 to do it is, he's trying to make a prior
11 inconsistent statement is the way he's trying to
12 get it in. If the question is, didn't you tell
13 Harold the car was red? "No, I never said
14 that." Well, then you go get a prior statement
15 that he said it, and say, "Hey, here's a prior
16 statement that you gave on such and such a date.
17 When you look at that, does that refresh your
18 recollection, or change your answer?"

19 And he looks at it, and he can either say,
20 "Yeah, I did say that."

21 "Isn't it true you said something
22 different?" He can either say, "Yes, I did say
23 that," and then it stops; and if he says no,
24 then you get to the question of can it be proved
25 by extrinsic evidence? And the things being

1 proved by extrinsic evidence is, the question,
2 did you tell Harold Rogers that there were
3 incriminating photos on your phone? And so
4 that's -- all they can do is prove that that
5 response of his isn't true.

6 The problem is, there was no testimony by
7 Harold Rogers about that. And so what the end
8 result is, the Solicitor, in his -- who has,
9 obviously, looked at it as an authority figure,
10 and somebody with the government, who is
11 trustworthy, et cetera, et cetera, is,
12 essentially, testifying, or putting his badge of
13 trustworthiness into issue, and, essentially,
14 saying, "You did -- we think you did say that,"
15 and then using a picture to try to prove it.
16 That just is completely backwards the way
17 they're doing it, Judge.

18 THE COURT: I --

19 MR. LEE: There's no way that we recover
20 from this, and there's no way that this is the
21 fair thing to do.

22 THE COURT: I understand your argument. If
23 he asked the question a different way, it
24 changes it, correct?

25 MR. LEE: I can't think of any question

1 that he can ask at this point that would make
2 that admissible in evidence, because when it
3 comes down to it, it is highly prejudicial under
4 404 or 403. There is very little probative
5 value, and the fact that .45 casings were found
6 and the snitch said a .45 was used, and the fact
7 that they have given this gratuitous stock photo
8 of a Glock 45, there's no testimony at all that
9 it was a Glock 21.

10 And what they're trying to do is, well, you
11 know, jury, we're just trying to help you tell
12 the difference between a rifle and a pistol, so
13 this is a rifle, this is a pistol. Oh, this is
14 a Glock 21 .45. It has nothing to do with this
15 case. And then they're trying to bootstrap a
16 picture, and get it in that way to say, hey, one
17 plus one is two, and they just go completely
18 around to backdoor a highly prejudicial piece of
19 evidence into the case.

20 THE COURT: So you don't think he could ask
21 this Defendant, "Do you possess a .45 caliber
22 gun?" You don't think he can ask him that?

23 MR. LEE: No.

24 THE COURT: Okay.

25 MR. LEE: I mean --

1 THE COURT: If he told somebody he had one,
2 if he told somebody he had a .45. They've got
3 testimony that a .45 caliber was used in this
4 murder, and he can't ask him that?

5 MR. LEE: Can he ask him if he's ever shot
6 somebody? Can he ask him if he has weed at this
7 house? Can he ask him if he has sped before?

8 THE COURT: Having weed at his house is not
9 -- how is that relevant in this case?

10 MR. LEE: It's not.

11 THE COURT: Right, but possession --

12 MR. LEE: But this is so --

13 THE COURT: I understand.

14 MR. LEE: -- speculative and so prejudicial
15 it suggests --

16 THE COURT: It is, I agree.

17 MR. LEE: I mean highly prejudicial.

18 THE COURT: It is.

19 MR. LEE: Okay. How probative is it? I
20 mean that is a Glock 21, and they're assuming --
21 there's hundreds of different .45s.

22 THE COURT: I understand.

23 MR. LEE: They picked a Glock 21, okay?
24 Guess what? The picture he has is a Glock 21
25 that he's trying to put in his hand.

1 THE COURT: I don't know, the picture I saw
2 I couldn't tell that.

3 MR. STONE: You can't. I don't think you
4 can.

5 THE COURT: All I saw was a barrel, and I
6 couldn't tell.

7 MR. LEE: Okay, let's -- I still don't
8 think it should come in.

9 THE COURT: It came out of your client's
10 phone.

11 MR. LEE: I understand.

12 THE COURT: They're just not showing him a
13 picture. It's a picture of him that came off of
14 his phone --

15 MR. LEE: I understand that.

16 THE COURT: -- so --

17 MR. LEE: When was it taken?

18 THE COURT: You'd have to ask your client,
19 I don't know.

20 MR. LEE: I'm asking him. He's the
21 Solicitor, he's got all this information. When
22 was it taken?

23 THE COURT: He took it off his phone is
24 what he told me.

25 MR. LEE: When was it taken?

1 MR. STONE: It was taken off the phone --
2 it looks like it was February the 19th, 2021,
3 which would have been less than a month before
4 this, about three, two weeks maybe.

5 THE COURT: Three.

6 MR. LEE: Another surprise.

7 THE COURT: I understand, that's why I
8 asked him if they gave you the evidence.

9 MR. STONE: And that's why we gave him the
10 evidence, Your Honor.

11 THE COURT: Okay.

12 MR. LEE: I don't -- I object to it being
13 introduced. I think I've made the reasons
14 abundantly clear. If you're going to introduce
15 it, and even if you're not going to introduce
16 it, again, I would renew my motion for discovery
17 in this case.

18 I would renew my request that the Solicitor
19 give me anything that is impeaching, that is
20 exculpatory, that is important for me to know,
21 that provides my client with a -- to be able to
22 present a full and fair defense, that gives me
23 notice of what evidence is going to come about
24 in this case. And will cite Little (phonetic)
25 is a relevant case, and it goes onto talk about

1 in disclosing things the Solicitor should always
2 err on the side of caution, that their job is
3 not to get a conviction, it is to do their best
4 to ensure a fair trial, and the cases go on and
5 on and on.

6 So, again, I don't know what else I can do
7 to ask for what's going to be out there. I
8 don't think it should come in in the first
9 place. If there's anything else that they have,
10 I would deeply appreciate it being produced to
11 me.

12 THE COURT: I understand that. I asked
13 that question. My understanding is that they
14 gave you this photograph, and it came from your
15 client. Now, the way he asked that question I
16 will sustain your objection and --

17 MR. LEE: Giving it to me has nothing to do
18 with it.

19 THE COURT: They haven't laid proper
20 foundation because it didn't come out about
21 Rogers. He has to ask it a different way.

22 When he asks it a different way it may come
23 in, because you had notice of it. They gave it
24 to you, and it came off your client's phone.
25 You had access to your client, you could have

1 clearly asked him, "Are there any pictures on
2 that phone of you with a gun?"

3 MR. LEE: Well, I take the position whether
4 they are or not, it's in admissible, it doesn't
5 matter whether I have a 3x4 glossy of a
6 photograph. Whether I have it I don't think has
7 anything to do with it. It's inadmissible as
8 evidence --

9 THE COURT: Well --

10 MR. LEE: -- under the rules.

11 THE COURT: The fact that this is a murder
12 case, a .45 caliber was used. He is accused of
13 this crime. He has told somebody of his
14 involvement in the crime. They got his DNA off
15 of the door, and in the front seat where he said
16 he was sitting, it's a lot of it.

17 What the jury believes, but the fact that
18 you've got a weapon in his possession a month
19 before the trial, I think they can ask him about
20 that. And if he says, yes, I mean they can ask
21 him. He can say, yeah, and he can say, no,
22 okay?

23 MR. LEE: My position is it's being put in
24 the wrong way. Clearly, a violation of 403, and
25 I believe it is a Lyle issue as well, and it

1 should not be granted.

2 THE COURT: And the fact that Rogers didn't
3 testify about him, so he can't ask it that way.
4 And whether he can -- but the fact that many
5 people --

6 MR. LEE: The problem is the genie's out of
7 the bottle now. He's already asked that
8 question.

9 THE COURT: I know.

10 MR. LEE: With his --

11 THE COURT: I understand that.

12 MR. LEE: With the underlying suggestion
13 that he knows, I guess, that Rogers told him
14 that, or something, he's representing that to be
15 something that Rogers said. And that's the
16 problem about all this vouching, and the
17 credibility of the prosecutor. That's why he
18 can't say, "I think he did it," or, you know,
19 you can't put yourself in the position of,
20 essentially, vouching for testimony to the jury.

21 You know, the prosecutor can't say, "We all
22 know that he did this, because it puts the
23 inherent trustworthiness and trust that we all
24 have in the Solicitor into the trial --

25 THE COURT: Well --

1 MR. LEE: -- and they can't do that.

2 THE COURT: -- I understand that, that's
3 not what he said. He's found evidence that he's
4 gonna ask him about, if he can get it in
5 properly, and it may come in. I don't think
6 it's a Lyle issue, because it's not per se
7 against the law, and it's not a prior bad act,
8 and may not have anything to do with it.

9 MR. LEE: It doesn't need to be a bad act,
10 it's just -- I'll read you the -- it's called
11 prior bad act, 404B is titled, "Other crimes,
12 wrongs or acts." So it's crimes, it's wrongs
13 and it's acts.

14 And it says, "Evidence of other crimes,
15 wrongs or acts it not admissible to prove the
16 character of a person, in order to show action
17 and conformity therewith. It may, however, be
18 admissible to show motive, identity, the
19 existence of common planners, schemer plan, the
20 absence of mistake or accident or intent. So it
21 doesn't have to be a crime, even if I think that
22 could be interpreted as a crime, it doesn't have
23 to be a crime.

24 It can be, literally, anything, a wrong, an
25 act. It certainly is an act, the act of holding

1 up a gun is an act. And so the general rule and
2 the strong rule, and the strong default position
3 is not admissible, because we're talking about
4 character evidence, that's what 404 talks about.
5 The strong default is it's not admissible.

6 And if it's used to prove the character of
7 a person, in order to show action and conformity
8 therewith, which is propensity evidence, which
9 is exactly what they're trying to do, and say,
10 "Hey, he had one a few weeks before, saying he's
11 got a gun, what a coincidence. They're trying
12 to show that -- they have to show that how many
13 minutes on March 5th not only that he have a
14 gun, that it was a .45, that he fired that gun,
15 and that he is responsible for what happened
16 during that time.

17 And that's exactly what they're trying to
18 show is propensity evidence, the character
19 evidence, and that is what's so damning about
20 this type of testimony. I clearly think it's
21 under 404, and, you know, 404 -- inherent a 404
22 analysis is a 403 analysis, but I don't even
23 think you've got to get to the 403 analysis, but
24 I don't think they can satisfy any of -- it may
25 not be admissible to show motive, identity, the

1 existence of a common scheme or plan, absent of
2 a mistake or accident, or intent. So if he can
3 fit it into one of those five, we can talk about
4 it, but until he fits it squarely into one of
5 those five it doesn't even get through the front
6 door, which is why we always file these things
7 pretrial, so that it can be discussed, and I
8 know in advance to prepare for things like this.

9 THE COURT: And to most of us sitting here
10 it's like bringing up the fact that he was a
11 gang member, or something that has nothing to do
12 -- there's no evidence.

13 MR. LEE: I would make a note there is not
14 a single piece of evidence that's been produced
15 in four days of trying this case that would be
16 more prejudicial, unfairly prejudicial, other
17 than the one that we're talking about.

18 THE COURT: Okay.

19 MR. LEE: Not good for the State's case,
20 prejudicial to my client, and improper.

21 THE COURT: All right, I'm gonna take a few
22 minutes, I'll be back.

23 (Recess.)

24 **PROCEEDINGS CONTINUED**

25 BAILIFF: All rise.

1 THE COURT: Thank you, you can be seated.

2 MR. LEE: Judge, the Solicitor will be back
3 in one minute.

4 THE COURT: Sure, okay.

5 MR. STONE: I apologize, Judge.

6 THE COURT: No problem, I came back quick.

7 MR. STONE: I had to leave.

8 MR. LEE: The last thing I did say is I'm
9 not even sure that's a .45. I'm not sure what
10 testimony there is that it is a .45, and, in
11 fact, that honestly could make a big difference,
12 and they cannot clearly establish that.

13 THE COURT: I understand, and I've looked
14 at 404 in the case that goes along with it, and
15 it is highly prejudicial.

16 And the problem I see in this case is that
17 Mr. Rogers did not testify in this case-in-chief
18 about him telling him that these photos exist.
19 And the fact it is highly prejudicial in this
20 particular case, that they've got a photograph
21 of him holding a pistol, that these would be
22 identified as a .45, it happened a month ahead
23 of time. And so I think probably the
24 prejudicial fact outweighs the probative fact on
25 this impeachment.

1 If this photograph on the phone had been
2 taken after the shooting, or close to the
3 shooting, or a few days afterwards, then I think
4 it would be admissible; but the fact it was
5 taken a month ahead of time, and the nature of
6 this case, I don't think it would make it out of
7 Columbia, so I rule -- I'm going to sustain your
8 objection, and that photograph doesn't come in.

9 MR. STONE: And, Your Honor, I was planning
10 on withdrawing that from that sampling anyway,
11 Your Honor. I do think, however, I have the
12 ability, considering that the victim was shot by
13 a .45, and that we have all of this evidence of
14 a .45, to ask him, if he carries a .45,
15 especially since we haven't recovered the .45.

16 Now, if he says -- well, it depends on what
17 he says. If he says, no, then I think that
18 photograph becomes relevant then, but I've
19 already -- I agree with you, I was trying to
20 withdraw it.

21 I thought I'd been clear about that, but I
22 do believe I have, under cross-examination, the
23 ability to ask him, if he carries a gun that
24 happens to be the exact same caliber, especially
25 since there is testimony in the record already

1 that he did.

2 MR. LEE: He --

3 MR. STONE: Not just carry it, but actually
4 shot it.

5 MR. LEE: He can ask him, did he possess a
6 .45 caliber handgun between the hours of 11:05
7 p.m. and 11:28, when the shooting happened.
8 Everything else, quite frankly, asking him is
9 improper. I mean carrying, what does that mean?
10 Do you carry? Well, he's been in jail for two-
11 and-a-half years. No.

12 Well, did you used to carry one? I mean
13 that's just -- that really has no relevance, and
14 certainly no probative value. It doesn't mean -
15 - again, it doesn't mean it's more likely than
16 not. It can be, under 404B the exact same way
17 as an act.

18 THE COURT: I agree.

19 MR. LEE: Okay.

20 THE COURT: I think the scenario, if it's
21 in evidence, and that he's known to carry, and
22 I've had many trials where everybody said, "We
23 know he carries a gun." And I've had witnesses
24 testify to that, "Yeah, everybody's getting him,
25 because he's always carrying." There is no

1 evidence of this in this record, so you probably
2 need to stay away from that.

3 You can ask him, if he had one that night,
4 or whatever, but the fact that he carried one
5 prior you probably need to stay away from.

6 MR. STONE: We'll say that you're telling
7 me to argue it, but the photograph is two weeks
8 before the shooting. He was incarcerated
9 already. It was on his phone, and it's the same
10 caliber -- it appears to be the same caliber as
11 the shells that were recovered at the scene, and
12 the bullet that was recovered from D. J. Fields.
13 And, look, if he says, "Yes," then --

14 THE COURT: All right.

15 MR. STONE: -- I won't put anything in.

16 THE COURT: But I thought the evidence came
17 in with the fact he didn't bring the guns, that
18 M.A. brought one.

19 MR. STONE: No, sir, I don't think
20 that's --

21 THE COURT: I mean --

22 MR. STONE: The testimony was specifically
23 from Harold Rogers was that they had two guns,
24 one was a mini-assault rifle --

25 THE COURT: Right.

1 MR. STONE: -- and the other one was a .45,
2 and that Chaneyfield was shooting the .45, and
3 he was shooting it out of the front passenger
4 side of the car, and there were shouts and all
5 this. I asked -- by the way the person that put
6 this in was not Harold Rogers, this is a
7 ballistics expert, which is actually probably
8 the right term, but that's what that was.

9 THE COURT: Right.

10 MR. STONE: The question is, is this on
11 your list that would have produced the bullet
12 that was taken out of D. J. Fields --

13 THE COURT: Yeah, I don't --

14 MR. STONE: -- and all of that's in, so I
15 think the fact that he has it two weeks before
16 and is holding the same caliber of a gun that is
17 actually the same caliber that was used in this
18 murder, we have not recovered the gun, I think
19 is at least a relevant cross-examination
20 question. This is not my case-in-chief, this is
21 not me trying to offer into evidence that, what
22 typically happens with Lyle and 404B, this is
23 cross-examination. I can't ask him if he had a
24 gun --

25 MR. LEE: No.

1 MR. STONE: -- that shot the same caliber
2 that they never recovered?

3 MR. LEE: Of the Defendant, he wants to
4 say, hey, is it his habit to carry around a .45?
5 Yeah. Is it routine practice? Yes. Does he
6 have a reputation for carrying a .45, yes.
7 That's the way you do it. You don't do it
8 through cross-examination of a Defendant in a
9 case where no gun was found.

10 And I don't think -- I can't think of a
11 single way in the world that that should come
12 in, once you decide the prejudicial effect. I
13 think everything else kind of goes out the
14 window, if you make that determination, which I
15 think you've already made about the prejudice.

16 THE COURT: But I -- the prejudice there
17 was the photograph. You know, I ruled the
18 photograph wasn't admissible, because that's
19 what you -- the fact that he can ask him whether
20 he carries a .45, I mean he's charged with that,
21 and he's put on notice of that.

22 I mean, how come he can't ask him that? I
23 mean I --

24 MR. LEE: Because the reason they're trying
25 to use it, which is propensity evidence, he

1 carries one, if he answers that, but if he
2 carries one in the past, that means he was
3 carrying it this night. That is propensity
4 evidence, showing that somebody doing something
5 in the past makes it more likely they're doing
6 something at the relevant time, and that's
7 exactly what Lyle and 404B keeps telling us,
8 it's propensity evidence.

9 MR. STONE: So let me make sure I'm clear
10 on what the Court understands. I'm not trying
11 to show any propensity evidence, I'm trying to
12 show that he took a .45 and shot and killed the
13 victim, and he also owns a .45, and he's got a
14 picture of a .45 two weeks before the murder.
15 We know it's -- I'm not talking about prior bad
16 acts.

17 MR. LEE: -- he didn't have it; he can't
18 prove otherwise.

19 THE COURT: I mean you didn't --

20 MR. LEE: Judge, once it's a 403 it doesn't
21 matter what kind of question you ask, it's the
22 result. It is the putting it --

23 THE COURT: I --

24 MR. LEE: -- is the putting it into
25 evidence that is the prejudice.

1 THE COURT: I --

2 MR. LEE: it is the --

3 THE COURT: I understand your 403, but that
4 has something necessarily to do -- I kept the
5 picture out, because it is highly prejudicial.
6 I mean in Lyle and 403, are you a gang member,
7 and there's no evidence of that. Those are the
8 kind of questions he can ask.

9 MR. LEE: Well --

10 THE COURT: but --

11 MR. LEE: I don't even know what the
12 question is. Are you known to carry a .45,
13 okay?

14 THE COURT: He asked him if he had a .45
15 and whether or not he shot one.

16 MR. LEE: He can ask him that. Did you
17 have a .45 that night? Did you shoot this guy?
18 Ask him that all you want, but don't put in a
19 picture of a what he says appears to be a .45.

20 I mean we don't even know if it's the same
21 kind of gun, same caliber, we don't know that.

22 THE COURT: I think --

23 MR. LEE: But what's gonna happen is, he's
24 gonna ask him, and I don't know what his answer
25 is gonna be. If it's no, guess what his next

1 step is? Well, Judge, I want to try to impeach
2 him through extrinsic evidence, which is a
3 picture saying, what do you mean no? Here's a
4 picture of it right --

5 MR. STONE: It all depends on if he lies.
6 If he lies, Judge, I can do that. If he says
7 the truth, then, no, I can't.

8 THE COURT: Right.

9 MR. LEE: What's the question, do you
10 regularly carry a .45? Well, that picture
11 doesn't prove anything, other than arguably that
12 it depicts what it shows, which is on February
13 19th he took a picture of a gun, which may or
14 may not be a .45, that's all that picture shows.

15 It does not prove or establish
16 extrinsically that he's lying like the Solicitor
17 wants to say. Well, if he says, "No, I have
18 never had a pistol, I never handled a pistol, I
19 never did any of that," then he's got proof that
20 that may not be true with this picture. So
21 we'll have to see what he says.

22 MR. LEE: I understand and I'll sit down,
23 but my position is, if you've made, and I think
24 you've had, the correct prejudice v. probative
25 analysis of this picture coming into evidence, I

1 think the inquiry is done.

2 I don't care if he comes up with the most
3 roundabout question you want, you shouldn't be
4 able to get an otherwise inadmissible under 403
5 evidence depending on what the question is.

6 THE COURT: Well, it always go down to the
7 question though of any --

8 MR. LEE: No.

9 THE COURT: so --

10 MR. LEE: If it's prejudicial, it's
11 prejudicial no matter how they attempt to get it
12 in. They can't try to trip somebody up, or try
13 to -- is he gonna use it for a difference
14 purpose? It's prejudicial for whatever reason
15 of admissibility --

16 THE COURT: Yeah, I --

17 MR. LEE: I need to slow down. It doesn't
18 matter what question you ask, if evidence is
19 unduly prejudicial, looking at the entire case,
20 the entire situation, how everything's gone so
21 far, if it's prejudicial, it's prejudicial, it's
22 prejudicial, it doesn't matter what the question
23 is.

24 THE COURT: I understand, but all evidence
25 that he's offered is prejudicial, that's not the

1 test. It's whether it outweighs the probative
2 value.

3 MR. LEE: But you've already made that
4 analysis you said.

5 THE COURT: Based on where we were, the
6 probative value may change. The probative value
7 changes, if it's more prejudicial than
8 probative. If it's more prejudicial --
9 everything of what the State's offered. If it's
10 more prejudicial than it is probative, it
11 doesn't come in.

12 MR. LEE: All right.

13 THE COURT: Sometimes, based on the
14 question, just like if we had a pathologist on
15 the stand, if he doesn't act -- lay the proper
16 foundation, then photographs at autopsy may not
17 come in. The pathologist has got to have a
18 reason why this photograph or this diagram is
19 more probative, and it shows something that the
20 jury needs to know, but without establishing
21 probative value, and it's nothing but
22 prejudicial, it doesn't come in.

23 At the point that I ruled the prejudicial
24 value outweighed the probative. That may change
25 as this question goes.

1 MR. LEE: I don't understand how the
2 question by advocate on one side could change
3 the probative evidentiary whole case value of a
4 piece of evidence.

5 THE COURT: It does all the time because
6 you --

7 MR. LEE: Based on what the question is?

8 THE COURT: Absolutely. If you don't ask
9 the right question, you don't lay the right
10 foundation, it doesn't come in.

11 MR. LEE: But it's not -- it's prejudicial,
12 because of the big picture.

13 THE COURT: Okay.

14 MR. LEE: It is an unknown caliber. They
15 may say they think they know what it is. It is
16 from two weeks prior.

17 THE COURT: I understand and it depends on
18 the answer.

19 MR. LEE: And they don't gratuitously enter
20 it.

21 THE COURT: And right now it doesn't come
22 in unless the probative value outweighs the --
23 the fact that it's prejudicial is not the test.
24 The test is whether it's more prejudicial than
25 probative.

1 MR. LEE: Yes, sir.

2 THE COURT: And that may change. Many
3 times I've had many young prosecutors who did
4 not know how to get evidence in, and they tried
5 to put it in before the established the
6 foundation it was absolutely probative.

7 MR. LEE: Well, I'm trying to think of a
8 single example in 30 years, where a question
9 materially affected the probative value. The
10 question by an advocate -- by a prosecutor on
11 cross-examination, how that could possibly
12 change the probative value of a piece of
13 evidence, in light of the entire case.

14 If he can do it with one question, I want
15 to see it.

16 THE COURT: I don't know that he can, it
17 has to do with the questions and the answers and
18 where that goes, we'll just have to see. You
19 can object again, and we may not, you know, I
20 don't know.

21 MR. LEE: Could I at least -- if he is
22 going to make an attempt to introduce it,
23 because he think he's asked the right question,
24 that he tell us beforehand?

25 THE COURT: Solicitor.

1 MR. STONE: Sure.

2 THE COURT: Okay.

3 MR. STONE: Yes, sir.

4 THE COURT: We can do it outside the
5 presence of the jury.

6 MR. STONE: Yeah, I'll do that, I just --

7 THE COURT: Okay.

8 MR. STONE: Okay.

9 THE COURT: Great.

10 MR. STONE: Again, it depends on what he
11 says.

12 THE COURT: Okay.

13 MR. STONE: Okay, well, let's see what he
14 says. Ask him now.

15 MR. STONE: Thank you.

16 **

17 **VOIR DIRE TESTIMONY BY MR. STONE**

18 BY MR. STONE:

19 Q You've been sitting here the whole
20 trial?

21 A Yes, sir.

22 Q Pardon me?

23 A Yes, sir.

24 Q Okay. You know that D. J. Fields was
25 killed with a .45 caliber bullet?

1 A Yeah, that's what you'all told me.

2 Q Pardon me?

3 A That's what you'll told me, correct?

4 Q From what you told him?

5 A From what you'all told me, correct,
6 sitting here.

7 Q Well, you've sat there and been
8 watching, right?

9 A Correct.

10 Q Okay. You also heard the Officer say
11 that they pulled .45 caliber shells from the
12 crime scene?

13 A Correct.

14 Q You also heard an expert talk about this
15 type of gun that carries a .45?

16 A Correct.

17 Q And shoots .45s?

18 A Correct.

19 Q Do you carry a .45?

20 A No, sir.

21 Q You don't?

22 A No, sir.

23 Q Ever carried a .45?

24 A No, sir.

25 MR. STONE: Your Honor --

1 MR. LEE: I object to the question.

2 He's --

3 MR. STONE: I'm not finished, I apologize.

4 MR. LEE: That's an improper question.

5 MR. STONE: I'm not finished with the
6 camera.

7 COURT REPORTER: One at a time.

8 MR. LEE: Sorry, Kymberlee.

9 THE COURT: To carry a .45 is not against
10 the law.

11 MR. LEE: Right, so why do we need to prove
12 it up?

13 THE COURT: Go on.

14 BY MR. STONE:

15 Q Let me show you what's been marked as
16 State's Exhibit 105, is this you in this
17 photograph?

18 A Correct.

19 Q Is this a still photograph from a video
20 that was in your cell phone?

21 A Correct.

22 Q And is that a .45 caliber gun in your
23 hand?

24 A No, sir.

25 Q What caliber is that?

1 A I don't know.

2 Q You don't remember what caliber it is?

3 A No, sir.

4 Q So you're not saying you don't know what
5 caliber that is; is that --

6 A No.

7 Q -- your answer?

8 MR. STONE: Your Honor, I don't know how to
9 make it more relevant than that. I mean he's
10 clearly lying, and I've got a picture of him
11 holding a gun, and his only response is, I never
12 carried a .45.

13 MR. LEE: Objection.

14 MR. STONE: Oh and I don't know what
15 caliber that is.

16 MR. LEE: Relevance isn't the question.
17 He's trying to attack his character, which he
18 just did, that's a perfect example of it, to get
19 this jury ticked off that he's saying he's a bad
20 dude, through a picture of some -- that is not
21 the way to do it, Judge.

22 If he isn't worried about the sanctity of
23 any conviction, and wants to go forward on this
24 issue, I think that's a mistake, but it's not my
25 decision to make. This is clearly improper. I

1 cannot make any more argument about it.

2 I believe the Court has made a recent
3 analysis under 403 and 404. I don't think that
4 changes the probative value of the evidence at
5 all. He may say, well, he looks even worse.
6 Yeah, he looks worse because that's increasing
7 the prejudice.

8 You may increase probative, but you're also
9 increasing prejudice, and prejudice is still way
10 out there. I mean what's next? Have you ever
11 gotten in a fight before? He couldn't ask that
12 if he was charged with assaulting somebody.

13 THE COURT: I understand that.

14 MR. LEE: He couldn't even ask the question
15 because he's doing -- he's putting in bad
16 conduct. We couldn't say -- suppose he's never
17 had -- let's assume he's never had a .45 on him
18 in his entire life, I couldn't say, you've never
19 had a .45 on you in your entire life, have you?

20 That would be good character evidence.
21 They would object to that. I can't just put in
22 randomly put in character evidence. I can't put
23 in good, he can't put in bad, unless it complies
24 with the rules. And when you're looking at the
25 rules from their side, it is the prejudice, as

1 to the entire four-day case with all the
2 evidence, with all the witnesses, with all of
3 that, that is what you look at.

4 You don't look at some little gotcha moment
5 there about, oh, you've never had one, well
6 here's one, and, you know, it may be a .45, it
7 may not. Well, is it a .45? I don't know, I
8 don't remember. That's just -- all that is is
9 character assassination. He's trying to tell
10 that jury, bad dude, gun toting you know what.
11 And if he's a gun toter and they've got a
12 picture of him, he probably did this too.

13 MR. STONE: I'm sorry, I don't mean to
14 interrupt.

15 MR. LEE: I'm finished.

16 MR. STONE: Sorry.

17 THE COURT: Okay.

18 MR. STONE: It's on cross-examination, and
19 which, by the way, this is the first time I've
20 ever done a cross-examination outside of the
21 presence of the jury, but he could have tanked
22 the whole thing by telling the truth, but he
23 didn't, he lied. And am I trying to show that
24 to the jury that he's a liar? I am, and I think
25 it's appropriate. Am I trying to show that he

1 killed that boy? Yes, I am, I think that's
2 appropriate.

3 All he had to do was say, yeah, but he
4 didn't, he lied. How is that in the world a not
5 proper cross-examination question? He has
6 subjected himself to cross-examination by taking
7 the witness stand, and his credibility now is
8 crucial. And he has lied in front of this
9 Court, and I should be able to bring that out in
10 front of the jury.

11 MR. LEE: He hasn't established it's a .45.
12 His question was, have you carried a .45? He
13 hasn't established this is a .45, number one.

14 I mean there's just all this speculation,
15 Judge. I mean it is just the most backwards way
16 I've ever seen, to try to get around the clear
17 rules of evidence. Yes, it's cross-examination,
18 knock yourself out. It's very important to make
19 this guy look like a liar and impeach him, but
20 you've got to follow the rules, and it's not
21 just a cart watch to just go after somebody,
22 because you want to show something that's
23 harmful to them. He's not using that to try to
24 show he's not telling the truth, he's trying to
25 use it as substantive evidence to show once a

1 gun carrier, always a gun carrier, always a gun
2 carrier, had it this night, thank you, that's
3 what he's trying to do.

4 He's not trying to use it to impeach him,
5 you know? He's got plenty of ways he can
6 impeach him that don't involve showing what may
7 or may not be a .45, involving a crime where we
8 never found the gun. And I mean what's the next
9 suggestion? Hey, I bet that gun was the gun
10 that was used in the shooting.

11 MR. STONE: I would ask him, but I don't
12 expect him to tell me the truth about that,
13 Judge.

14 THE COURT: Okay. How old was the
15 Defendant when this occurred?

16 MR. LEE: How old was he?

17 THE COURT: How old was he March 5th?

18 BY MR LEE: 18.

19 Q Were you 18?

20 A Yes, sir.

21 THE COURT: Defendant in the trial, isn't
22 it a crime for an 18-year-old to possess
23 firearms, a pistol? You can possess a rifle,
24 but you can't possess a handgun.

25 MR. STONE: Possessing I believe is 18,

1 purchasing is 21, possessing is 18. And I will
2 be honest with you, I got that from Mr.
3 Hightower who does the gun stuff, I'm not for
4 sure.

5 THE COURT: I knew he had to be 21 to
6 purchase it, but I didn't know what possession.

7 MR. LEE: Well, Judge --

8 THE COURT: So --

9 MR. LEE: -- just to try to say it a little
10 different way is, the wants and needs of the
11 parties to get evidence in are, obviously,
12 subservient to the underlying rules of the
13 evidence. And quite frankly, even the truth
14 does not always come into evidence. The fact
15 that -- if somebody was charged with murder, and
16 ten years prior they had killed somebody, and
17 they went to trial, and they were acquitted
18 based on self-defense, under this theory that
19 they are proposing, they could ask the
20 defendant, isn't it true that you've killed
21 somebody before?

22 That clearly wouldn't be admissible because
23 he was acquitted of the crime. So I think that
24 the priority of what you need to look at and
25 what controls isn't whether something's true,

1 isn't whether it helped somebody what they
2 believe happened, and it helps prove their case,
3 the -- it -- in the Court it's proof versus
4 truth, and we're talking about proof.

5 And we're talking about proof, and whether
6 it's properly admissible under the rules of
7 evidence. Whether it's true or not, quite
8 frankly doesn't matter. I know that sounds
9 crazy to people that don't do this kind of work,
10 but it doesn't because there's a lot of things
11 that are true that don't come into evidence.
12 The jury doesn't get to hear everything that's
13 true, they get to hear things that have been
14 properly looked at by the gatekeeper of the
15 evidence, which is you, and the reason the rules
16 are out there, and the underlying basis is for
17 fundamental fairness.

18 And when it gets down to it, what he's
19 trying to do violates all kinds of evidentiary
20 rules, it is a denial of due process. In
21 general, in this case it is crucial, it is a
22 crucial piece of evidence, and the jury -- I
23 think the jury puts tremendous weight on this,
24 when, in fact, it's, you know, a picture like
25 this. Having a picture of him with a gun in his

1 hand, and we don't know what caliber it is. We
2 don't know any of the situation behind that, and
3 so sometimes the truth gives way to what is
4 fair, and what's the right way to do things, and
5 what the rule book says; but I mean this Lyle
6 stuff and this character stuff is a dangerous
7 road to go down, to start letting stuff like
8 this in. Particularly, in a case like this,
9 where there is a legitimate dispute, as to where
10 he was for the time in question that is
11 paramount to the State proving the case.

12 This isn't just some harmless area, you
13 know, hey, there's a ton of evidence anyway,
14 what's the big deal showing another gun in his
15 hand two weeks before, this is crucial in the
16 case. And it's because of the unique
17 circumstances of this case and the evidence that
18 has -- you've heard the whole case, essentially,
19 every bit of evidence, and everybody knows why
20 they're trying to do this, not to impeach him
21 and say, oh, he's not really telling the truth,
22 I mean he's a defendant testifying.

23 Of course they're gonna say he was lying,
24 but they want to get in other little things that
25 go straight to his character, straight to the

1 things that are presumed to be inadmissible,
2 unless they're very specific circumstances and
3 exceptions that they can get in. And in my
4 opinion, it doesn't matter what the question is,
5 it matters what does -- if this comes in, what
6 affect is this gonna have on this jury and on
7 this entire case?

8 Whether it's just shown to them, whether
9 it's admitted, whatever questions he asks, the
10 prejudicial effect is the prejudicial effect in
11 the case, as a whole. And I don't think there's
12 any doubt about that, and I think that you
13 looked at it right the first time, in looking at
14 the whole picture, rather than how the question
15 is styled, and whether or not there's a
16 technical lie on his part.

17 And even if there is a lie, excuse me, a
18 bunch of lies, one more isn't going to make a
19 whole lot of difference, but the introduction of
20 that picture is going to make a huge, huge
21 difference, because of the issue that it
22 surrounds, which is it a missing gun, don't have
23 any guns, so we're just gonna put this picture
24 in to kind of fix that part.

25 THE COURT: Well, I mean if the State can

1 try to offer this evidence in its case-in-chief
2 and the prior bad act of him having a gun, it
3 probably wouldn't come in, just like they can't
4 offer evidence of his prior criminal record to
5 be used for impeachment purposes.

6 The question is, whether they have the
7 right to impeach him on this evidence that has
8 come in.

9 MR. LEE: Not through Lyle.

10 THE COURT: Well --

11 MR. LEE: Lyle doesn't say whether --

12 THE COURT: I understand, sir.

13 MR. LEE: Judge, Lyle is something that can
14 say, look, it can come in, Lyle doesn't matter
15 whether the person testifies or not.

16 THE COURT: I understand, but --

17 MR. LEE: So the fact that he's on cross-
18 examination, should not say well, now it will
19 come in if he did testify or not, and so I mean
20 it doesn't come in, if he did testify.

21 There's no way you can do anything on
22 cross-examination to change what happened
23 between the State's case and our case. There's
24 nothing that's changed, other than him getting
25 on the stand, and they want to couch it, in

1 terms of cross-examination. And I still don't
2 think I've heard a direct rule of evidence under
3 which Mr. Stone says this is admissible.

4 MR. STONE: Rule 611, scope of cross-
5 examination, "A witness may be cross-examined on
6 any matter relevant to any issue in the case
7 including credibility," which I think it hits on
8 both of those issues.

9 Second, if we need an example of something
10 that would not be able to be used in a case-in-
11 chief versus cross-examination, I would suggest
12 that the Defendant's prior criminal history. It
13 happens in every trial we have. I can't bring
14 that in --

15 MR. LEE: Well --

16 MR. STONE: -- in the case-in-chief, but if
17 he gets on the stand, I can cross him on it.
18 This, Your Honor --

19 MR. LEE: But it shows you can't.

20 MR. STONE: -- is two entirely different
21 things.

22 MR. LEE: of course, it says that if a
23 defendant testifies, you can use his prior
24 record. I mean that sets up -- that tells you,
25 hey, this is a different analysis, Judge, if the

1 person's testifying versus not testifying. If
2 they testify and put themselves up there, you
3 can get into the certain limited 609
4 convictions, if they testify.

5 If they don't testify, it's not even an
6 issue. So there is -- and, now, if there was a
7 conviction, he couldn't use it in his case-of-
8 chief, if he didn't testify, unless you can fit
9 it into something else.

10 MR. STONE: Of course I can.

11 MR. LEE: So it --

12 MR. STONE: I couldn't do it in my case-in-
13 chief, but I could on cross-examination; but,
14 again, this isn't really an analysis of that,
15 the point is, is the analysis is under 611,
16 which is the cross-examination, and I can cross-
17 examine on any matter that is relevant, or that
18 it deals with credibility, and in this case the
19 questions I just posed deal with both.

20 MR. LEE: The first sentence of 609A says,
21 "For the purpose of attacking the credibility of
22 a witness." It presupposes that someone is a
23 witness before the rule even applies, Lyle does
24 not. Lyle is --

25 MR. STONE: Your Honor, I'm sorry, we keep

1 going down rabbit holes. I'm not trying to put
2 in his criminal record. He wanted the example
3 of when something couldn't be used in a case-in-
4 chief versus cross-examination.

5 That's not the issue, the issue is whether
6 or not I can cross-examine this individual on
7 the relevant evidence, and on evidence that
8 directly impacts his credibility, and whether I
9 can do it in front of the jury, that's the
10 issue.

11 And that issue is clearly under 611, it's
12 not 609, it has nothing to do with it.

13 MR. LEE: That --

14 MR. STONE: I'm not trying to get into his
15 prior criminal history.

16 MR. LEE: Judge --

17 MR. STONE: That's just a rabbit hole the
18 defense is trying to take this down, so we don't
19 actually get to the exact point, which is, quite
20 frankly, I think at this stage, obvious.

21 MR. LEE: He has to comply with every
22 single rule of admission, Your Honor, has to be
23 complied with. He may violate ten rules of
24 admissibility or one, but as long as there's
25 one, it's not admissible.

1 So he can say he's gonna get under this,
2 under this, but it can be inadmissible for a
3 variety of reasons and cannot get around 403 and
4 404. 611 doesn't give anybody unfettered right
5 to ask them whatever they want on cross-
6 examination.

7 There's no question about that, that is
8 clear, but they cannot get around 404 or 403, no
9 matter how they slice it, say it, propose it,
10 there's no way to get around it, because the end
11 result is the prejudice, okay? And he's not
12 doing this to say, hey, he -- I caught him in a
13 lie, you know, on the stand.

14 He can say, this guy he's got a gun two
15 weeks before, we know exactly the purpose, it's
16 not to do an effective cross-examination, it's
17 to use relevant evidence, character evidence,
18 propensity evidence to argue the ultimate
19 decision, which is on this night at this time
20 did he shoot? And there's no way, in fact, to
21 minimize that, there's no way to get around
22 that, I don't care what the question is, there's
23 no question that's the result. I don't want to
24 get in his head.

25 I think I know why he's trying to do it,

1 but the end result is if that comes in, it's
2 inadmissible character evidence, it's unduly
3 prejudicial, and it doesn't matter how he tries
4 to get it in, it doesn't begin -- nothing my
5 client says can -- you can't open the door to
6 inadmissible character evidence.

7 You cannot open the door at trial, at your
8 trial testifying, you cannot open the door to
9 otherwise inadmissible 404 and 403 evidence, and
10 that's what he's trying to suggest. He's
11 opening the door to evidence, which is clearly
12 prejudicial, because of prior.

13 THE COURT: Okay. And the whole purpose of
14 Lyle and the 404 and 403 analysis is to keep
15 prejudicial evidence out. The fact that he did
16 this this time he's guilty of the crime that
17 he's charged.

18 And out of abundance of caution, I will
19 agree with defense that you can't. I think he's
20 got a good chance to get it sent back, if you
21 do, because it is a closed question; but the
22 fact that he had it prior to then, the day of,
23 the day after, so leave it alone.

24 Do you'all need a break before I bring the
25 jury in?

1 MR. LEE: No, sir.

2 THE COURT: Okay, bring the jury.

3 BAILIFF: Yes, Your Honor.

4 (Jury enters the courtroom.)

5 THE COURT: Ladies and gentlemen, I
6 appreciate your patience. I was scared you'all
7 got mad and left. I'm sorry about the delay,
8 but there's many times in a trial there's a
9 legal matter we have to deal with outside of
10 your presence, so I appreciate your patience.
11 Mr. Stone, you can continue.

12 MR. STONE: Thank you, Judge.

13 **

14 **CROSS-EXAMINATION CONTINUES**

15 BY MR. STONE:

16 Q M.A., this guy that you said you saw when
17 you went back to School Cut Road, that's M.A.
18 , correct?

19 A Correct.

20 Q The day that you saw him, was he wearing
21 an ankle monitor?

22 A No, sir.

23 Q Okay. You go by 30, don't you?

24 A Correct.

25 MR. STONE: I don't have anything else.

1 MR. LEE: No further questions.

2 THE COURT: Thank you. You can step down.

3 MR. LEE: Your Honor, the State calls Jason
4 Wilson.

5 **

6 JASON WILSON,

7 BEING DULY SWORN TESTIFIED AS FOLLOWS:

8 ***

9 DIRECT EXAMINATION

10 BY MR. LEE:

11 Q Thanks, Mr. Wilson. Can you tell the
12 jury where you are employed?

13 A I'm currently the operator of Platinum
14 Investigations.

15 Q All right, and are you the owner of
16 Platinum Investigations?

17 A Yes, sir.

18 Q Okay, and so you are a private
19 investigator?

20 A Yes, licensed in the State of South
21 Carolina.

22 Q All right, and how long have you been
23 licensed as a private investigator in the State
24 of South Carolina?

25 A A little over three years.

1 Q Okay, and prior to Platinum
2 Investigations, opening your PI business, where
3 did you work?

4 A In law enforcement.

5 Q Where?

6 A At the Beaufort County Sheriff's Office.

7 Q Beaufort County Sheriff's Office?

8 A Yes.

9 Q How long did you work there?

10 A 22 and-a-half years down here. I'm
11 retired law enforcement, so --

12 Q Right, okay. Did you work in law
13 enforcement prior to coming to Beaufort?

14 A No, I had Fire service before then.

15 Q Okay, all right. And so the 22 and-a-
16 half years at Beaufort County Sheriff's Office,
17 at what rank did you retire?

18 A Staff Sergeant.

19 Q Staff Sergeant? And during your time at
20 the Sheriff's Office, did you, in fact, work
21 with Mr. Stone and Mr. Thornton and Mr.
22 Hightower?

23 Do you know all of them?

24 A No, not directly, but for criminal
25 cases, yes.

1 Q Okay.

2 A For prosecution cases, yes.

3 Q Okay. While you worked at the Sheriff's
4 Office you had some cases that involved the
5 Solicitor's Office no doubt, right?

6 A The ones that would --

7 Q Yeah.

8 A -- meet that criteria.

9 Q Thank you, that's right.

10 A Okay.

11 Q And so you did all the requisite law
12 enforcement training prior to going into law
13 enforcement; is that right?

14 A Yes.

15 Q Okay.

16 A Did you ever do any work as an
17 investigator?

18 A Not a direct investigator.

19 Q For the Sheriff's Office?

20 A Yes, sir.

21 Q Okay. But you are now a private
22 investigator, and you are using your law
23 enforcement experience in doing the PI work,
24 right --

25 A Yes.

1 Q -- essentially? Okay. Let me call to
2 your attention -- do you know what case we're
3 here today for with Mr. Chaneyfield, right?

4 A Yes.

5 Q Okay. And were you contacted by me to
6 assist in our investigation of the Ty Leic
7 Chaneyfield case?

8 A Yes.

9 Q Okay. And as part of that, were you
10 provided certain discovery, certain documents,
11 et cetera, in order for you to look at and
12 evaluate, and get familiar with the case?

13 A Yes, sir.

14 Q Okay, and part of what we concentrated
15 on, Mr. Wilson, was an area, a vicinity in
16 Bluffton, South Carolina that's at issue today;
17 is that right?

18 A Yes, sir.

19 Q All right, and what we're talking about
20 is the Station 300 area, correct?

21 A Yes, sir.

22 Q Okay. And have you reviewed and looked
23 at the various timelines that the State has set
24 forth for the timeline events of the night of
25 March 5th, 2021?

1 A The ones that I've been provided?

2 Q Yes.

3 A Yes.

4 Q But you have been provided with those,
5 correct?

6 A I've been provided with that
7 information.

8 Q Yes, okay. Such as the timeline videos
9 for the Station 300 bowling alley, the videos of
10 that, correct?

11 A I have not been provided the video, but
12 I was given the timeframes for it.

13 Q The timeframe prepared by the law
14 enforcement, correct --

15 A From my --

16 Q -- that you got from --

17 A -- understanding that I got from your
18 office --

19 Q All right.

20 A -- yes.

21 Q All right. And have you had an occasion
22 to actually drive to the various locations over
23 in Bluffton that we talked about during this
24 trial?

25 A Yes, sir.

1 Q Okay, and when did you do that?

2 A Can I turn to my notes?

3 Q Sure.

4 A September 19th of this year.

5 Q September 19th of 2023 you physically
6 took your vehicle over to these locations, we're
7 gonna talk about, to conduct your investigation,
8 right?

9 A Yes, sir.

10 Q Okay. And you were specifically
11 requested to drive certain routes, based upon
12 the allegations in this case, as far as
13 landmarks. You were asked to drive a certain
14 route, and make certain observations, right?

15 A Yes, sir.

16 Q Okay. Can you tell us, for example, did
17 you drive -- do you know where the Station 300
18 bowling alley is?

19 A Yes, sir.

20 Q Okay. Have you been there?

21 A Yes, sir.

22 Q Okay. And you went there on the 19th?

23 A Yes, sir.

24 Q Okay, did you drive your vehicle from
25 Station 300 to -- for example, the Wendy's?

1 A Yes, I did.

2 Q Okay. And did you take notes and take
3 mileage and take times of how long that took?

4 A Yes, sir.

5 Q Okay. Did you go some other routes as
6 well that were provided to you?

7 A Yes, sir.

8 Q Like into a place called Edgefield?

9 A Yes, sir.

10 Q Okay, to the Wendy's and Parker's; is
11 that correct?

12 A Yes, sir.

13 Q Okay. All right, well, let me -- and
14 were you advised, or were you told exactly where
15 the shooting happened and where the car -- the
16 shooting was, and where the car went off the
17 road?

18 A Yes.

19 Q Are you familiar with all that
20 information?

21 A Yes, sir.

22 Q And you went to those places, and you're
23 familiar with that part of Bluffton, to where
24 you know where all those places are?

25 A Yes, sir.

1 Q Okay, all right, well, let's cut to the
2 chase.

3 Mr. Wilson, did you -- let me give you a
4 hypothetical.

5 A Uh-huh.

6 Q Driving a vehicle from Station 300 going
7 out --

8 A Uh-huh.

9 Q -- into the Edgefield Subdivision --

10 A Okay.

11 Q -- okay? From there then driving to
12 Wendy's.

13 A Okay.

14 Q Okay, do you know the route that it
15 would take?

16 A Yes.

17 Q Okay. We've looked at the maps a
18 hundred times, and I think we all know that.
19 Can you tell us the route, or do you just want
20 to look at a map? Station 300 to Edgefield, how
21 do you get there?

22 A How would I get there?

23 Q Yeah, sure.

24 A Okay.

25 Q All right, so this is a map we've looked

1 at.

2 A That's Station 300.

3 Q That's Station 300, okay.

4 A Yes.

5 Q Okay.

6 A Come down the Bluffton Parkway --

7 Q Okay.

8 A -- and take a left --

9 Q Okay.

10 A -- to the Buckwalter Parkway --

11 Q Okay.

12 A -- take a right.

13 Q Okay.

14 A And the very first subdivision -- well,
15 entrance to many subdivisions on the right-hand
16 side.

17 Q Okay.

18 A So like and you take a right and --

19 Q All right, so Edgefield's down here?

20 A Yes, sir.

21 Q Okay.

22 A On the way to Point Drive.

23 Q On the way to Point Drive?

24 A Yes, sir.

25 COURT REPORTER: A little bit louder.

1 BY MR. STONE:

2 Q Is there another subdivision in there
3 known as Willow May, or Willow -- something like
4 that?

5 A Yes.

6 Q That's right by Edgefield?

7 A Yeah, the Willows?

8 Q Yeah, the Willows.

9 A Yes, sir.

10 Q Okay, all right, is that very close to
11 Edgefield?

12 A It's just past Edgefield --

13 Q Okay.

14 A -- a little ways up on the right-hand
15 side.

16 Q Okay, all right. So that's Edgefield,
17 so how do you get from Edgefield to the Wendy's
18 and the Parker's?

19 A Well, you --

20 Q The Edgefield's right here, right?

21 A Yes, sir.

22 Q Okay, so --

23 A Which way would I go, or there's two
24 ways to get there?

25 Q Okay, let's go the short way.

1 A We took the route that I'd been advised
2 on.

3 Q All right.

4 A We'd be coming from Edgefield --

5 Q Uh-huh.

6 A -- out to Buckwalter Parkway --

7 Q Right.

8 A -- and take a left.

9 Q Correct.

10 A Or Bluffton -- yeah, Bluffton Parkway
11 and take a left on the Bluffton Parkway.

12 Q Okay.

13 A Follow that down to Highway 170.

14 Q Okay.

15 A Take a left on the 170 --

16 Q Okay.

17 A -- and follow that down --

18 Q To where that is right there?

19 A Yes, sir.

20 Q Okay.

21 A Yes.

22 Q Okay.

23 A Yes.

24 Q The incident location is already marked.

25 The incident location is right here, correct?

1 A Yes, sir.

2 Q Okay, so let's -- we've got that
3 straight, let's talk about timing of doing that.
4 Let's talk about how long it would take, based
5 on your observations, to drive from Station 300
6 to Edgefield, and then from Edgefield to
7 Wendy's.

8 Did you run that route in your vehicle?

9 A Yes, sir, I did.

10 Q Okay, and what time of day or night did
11 you do it?

12 A Well, I did that also on the 19th of
13 this year --

14 Q Okay.

15 A -- in between the hours of 9:00 and
16 11:00 a.m.

17 Q A.M.?

18 A Yes, sir.

19 Q All right. Was there any type of
20 unusually -- any traffic wrecks, or anything
21 that would abnormally affect traffic?

22 A Traffic -- that I reported traffic as
23 being moderate.

24 Q Okay.

25 A Anytime I came to a stoplight --

1 Q Uh-huh.

2 A -- I stopped my time --

3 Q Uh-huh.

4 A -- to, you know, I was unsure how far --
5 or how long it would have taken me to do that.

6 Q Sure.

7 A And I kept my speed within five miles of
8 the posted speed limit, not increasing more than
9 five miles that was posted.

10 Q Okay. And so just to cut to the chase,
11 from Station 300 to Edgefield, and then
12 Edgefield to the Wendy's and Parker's, how long
13 did that take on your average -- doing an
14 average speed, average everything that day?

15 A From Station 300, the starting point, to
16 Edgefield, and I went to White Oak, which is the
17 back side of Edgefield.

18 Q Okay, did you go to the back just to get
19 as much --

20 A The farthest distance possible.

21 Q Okay. Like the number --

22 A Yes.

23 Q -- as far as you could go in Edgefield,
24 correct?

25 A Yes, sir.

1 Q Okay. As far as you could go back, you
2 went out?

3 A Yes, so I left Station 300, took the
4 route that I explained on the map --

5 Q Uh-huh.

6 A -- to Live Oak.

7 Q Uh-huh.

8 A It took me five minutes and nine
9 seconds.

10 Q Okay.

11 A And then from leaving from that location
12 to the Wendy's/Parker's parking lot, it took me
13 15 minutes and 25 seconds.

14 Q Okay. So from Station 300 to Edgefield,
15 back out of Edgefield to Wendy's into the
16 parking lot at Parker's, you're saying on an
17 average day, average speed, all things being
18 considered, and going to the very back of
19 Edgefield, it took 15 minutes and 25 seconds?

20 A Yes, sir.

21 Q Okay. And it sounds dumb to say, but,
22 obviously, if you drove faster, you could speed
23 that time up, correct?

24 A Oh definitely.

25 Q Okay, all right, but you weren't

1 excessively speeding, or anything like that
2 during that trip, right?

3 A No, sir.

4 Q Okay. So we're looking, give or take,
5 and, again, you went to the back of Edgefield so
6 you could give all the benefit of the doubt, as
7 far as -- because Edgefield goes way, way back
8 like that, right?

9 A Yes, sir.

10 Q And you went to the farthest part back?

11 A Yes, sir.

12 Q okay. So if you only went halfway back,
13 Edgefield would be even less time than that
14 because there wasn't much traffic, right?

15 A Yes.

16 Q Okay. And then did you track the
17 distance from Wendy's to the location where the
18 shooting was?

19 Do you know approximately how far that is?

20 A From Evans Way, which is the
21 Wendy's/Parker's parking lot --

22 Q Yes, sir.

23 A -- to the shooting scene was 2.7 miles.

24 Q Okay. And how long of a ride would that
25 be; do you know?

1 A Wendy's to the shooting site was four
2 minutes and 33 seconds.

3 Q Okay. Now, there was some questioning
4 earlier by Mr. Chaneyfield, when Mr. Stone was
5 suggesting that it'd only take maybe two minutes
6 to get from Station 300 into Edgefield; that's
7 not right, is it?

8 A My times have it at five minutes and
9 nine seconds.

10 Q Just one way?

11 A Yes.

12 Q And then you've got to go back out?

13 A Yes, sir.

14 Q Okay. Did you hear any other estimates
15 that Mr. Stone made that was asking Mr.
16 Chaneyfield that?

17 A Yes.

18 Q Anything else to add?

19 A Not that I knew.

20 Q Okay, but bottom line is you went there,
21 you used your odometer, you used your stop
22 clock, you did this, and you did it as an
23 investigator would, and these times are
24 documented, because you actually did the drive,
25 right?

1 A Yes, sir.

2 Q Okay. Have you had a chance to review
3 the video timeline, the times that have been
4 provided by the Solicitor's Office. Did you get
5 that information?

6 A The only ones that I've seen personally
7 are from October.

8 Q Okay.

9 A Yes.

10 Q The times, yes.

11 A I looked at some of those and noticed
12 the timeline.

13 Q And wasn't there a Station 300 times
14 that you looked at? Do you have it?

15 A Off the top of my head I do not.

16 Q Okay.

17 A I know there's a -- I was advised that
18 there was a time difference.

19 Q Okay. And actually the time difference
20 that you were advised of, originally, was about
21 30 minutes, right?

22 A Yes, sir.

23 Q Okay, and now there's been testimony
24 that came out that -- and actually when we talk
25 about this, you actually made an adjustment a

1 little bit from the 30 minutes; did you not?

2 A Yes, sir.

3 Q Okay, and that was because you actually
4 timed how long it took to go a certain distance,
5 versus the time that the two videos show the
6 same car, right?

7 A Yes, sir.

8 Q All right. It has come out in testimony
9 it's not 30 minutes, and it's not the 24 or 30.
10 I think you figured out it's actually 19 minutes
11 and 54 seconds different, that the Station 300
12 clocks are off; have you been advised of that?

13 A As of just now.

14 Q Okay.

15 A Yes. I did mine at 24 minutes and 30
16 seconds.

17 Q Okay.

18 A Where the adjustment was is the time
19 distance.

20 Q Right. So did you do any type of
21 calculations looking at the video, looking at
22 the times, making the adjustments to the times,
23 to see if that 15 minutes and 25 seconds that it
24 takes to do the entire route, did you look at
25 those videos, make time adjustments accordingly,

1 et cetera, and see whether or not -- how much
2 time that was between when the Santa Fe left the
3 parking lot, in the camera view, to when the
4 shooting happens?

5 A We have the Santa Fe leaving for the
6 adjustment time, the 11:09 p.m., and that's what
7 the standard -- that's the 24 minutes and 30
8 seconds; is that --

9 Q Okay.

10 A -- what you're asking?

11 Q But it's not the 24, it's the 19, so
12 --

13 A The 19 would be the back road.

14 Q So taking five minutes off of that is
15 what they presented. Take five minutes off,
16 would it be 2:04 -- I mean 11:04?

17 A Roughly, 11:04.

18 Q Okay. And then the 911 call comes in at
19 11:28; is that your understanding?

20 A Yes, the time is 11:28.

21 Q Okay, so it went from 11:04 to 11:28?

22 A Yes, sir.

23 Q Okay. Listen -- and, obviously, there
24 might have been a little bit of time between
25 when it happened and when the call went to 911,

1 but in your experience, isn't that relatively
2 quick, when people respond, as long as they're
3 able to do it?

4 A You would expect to know that.

5 Q Right.

6 A You can see a delay in the camera --

7 Q Okay.

8 A -- so a minute and-a-half --

9 Q Okay.

10 A -- easily so a minute and-a-half.

11 Q Okay.

12 A Easily --

13 Q So --

14 A -- getting in and out of the car, and
15 calling 911, things of that nature.

16 Q So if the wreck was instantaneous to the
17 911 call, when you're looking at 24 minutes,
18 right, 11:04, when the Santa Fe leaves the
19 parking lot, to when the shooting happens,
20 correct?

21 A Yes, sir.

22 Q Okay.

23 A 24 minutes.

24 Q That's 24 minutes. If you take two
25 minutes off to the time you call 911, that would

1 | be 22 minutes, right?

2	A Yes, sir.

3 Q Okay, and how long does it take to run
4 the whole route that we talked about?

5	A 15 minutes and 25seconds.

6 Q So 15 could obviously -- that route that
7 you looked at could easily have been done, under
8 normal circumstances, within the 22 minutes?

9 A Oh, yes, sir.

10 Q All right, thank you.

11 * *

12	CROSS-EXAMINATION

13 BY MR. STONE:

14 Q I just want to make sure I'm
15 understanding that, and I think I do, but the
16 Santa Fe you're not disputing left somewhere
17 around 11:04 from Station 300; is that --

18 A Oh, no, sir.

19 Q -- right?

20	A No, sir.

21 Q No, sir as in that's not right, or --

22 A Undisputed? No, not that.

23 Q Okay, that's what I thought, I wanted to
24 make sure I was on the same page with you. And
25 then when you went and did the Edgefield trip,

1 and then you went back, you to the farthest back
2 spot of Edgefield, right? That wasn't --

3 A Okay.

4 Q -- the specific address, you just went
5 to the specific address, you just went to the
6 farthest part --

7 A Yes.

8 Q -- right? You didn't go to Shakira's
9 house, or whoever's house that was, you didn't
10 get that specific address I'm assuming.

11 A Of course I heard that name.

12 Q Me too. All right, so then when you
13 left --

14 MR. LEE: I object to leading.

15 MR. STONE: When you left Edgefield --

16 MR. LEE: -- he's supposed to be asking
17 questions, rather than putting his personal
18 thoughts into it.

19 MR. STONE: Okay.

20 MR. LEE: Thank you.

21 BY MR. STONE:

22 Q When you left -- when you got down to
23 Edgefield, did you stop, or did you just go
24 down, turn and come back out?

25 A That section it's like a cul-de-sac, so

1 I was able just to loop around.

2 Q So you went down, okay, I got you.

3 A It was like you go down all the way, and
4 it circles right back around, and it goes into
5 that cul-de-sac, so I went into that cul-de-sac
6 and came straight back out.

7 Q And then you took the left way from
8 Buckwalter and I guess you got out here and went
9 straight here -- that's not very -- oh, I got
10 you too far down. That's right at the -- come
11 on down. I just want to make sure I understand
12 what we're saying here. All right, so the
13 Edgefield area is --

14 A Over here.

15 Q -- like right here, this is that first
16 turn in from there, and you say it took you
17 about five minutes and 25 seconds going all the
18 way down as far as you could possibly go and
19 turn back out; is that right?

20 A To get to the farthest point in that
21 five minutes and 40 seconds, or something like
22 that.

23 Q And, again, you didn't stop, you just
24 kept --

25 A Correct.

1 Q -- going. And from there then you went
2 left and straight out here, and I'm assuming is
3 that going to be about the same as if you'd have
4 taken a right down --

5 A No.

6 Q -- here, or do you know?

7 A I do not really know.

8 Q But this took you this whole route, the
9 entire thing took you 15 minutes and 35 seconds,
10 something like that?

11 A About 15, 25, something like that.

12 Q And so when -- what appears here is that
13 the car is spotted at 11:22, and it doesn't have
14 the seconds, but have you leaving at 11:04, then
15 that's going to be pretty close to about the
16 right time, about 17 -- it's got 17 minutes
17 here, but you've got 15 and-a-half, 15-plus
18 minutes.

19 A For what, I don't know --

20 Q No, it's pretty close, 17 minutes and 15
21 and-a-half minutes, that's pretty close to the
22 timeframe; would you agree?

23 In other words, you're right, you're dead-
24 on, you're pretty close.

25 A I'm not arguing, Solicitor, I just don't

1 know what the question is, so --

2 Q Okay, well, let me rephrase it. You
3 said from here going down to Edgefield, turning
4 around, coming back out, coming down here, going
5 down to Parker's, the 15 minutes and the 35
6 seconds.

7 On this our records show that they left at
8 11:05, and they get down here at 11:22, which is
9 17 minutes, it's pretty close.

10 A Yes, sir.

11 Q And you got, obviously, sometime
12 daytime, nighttime, track the lights and that
13 kind of stuff.

14 A Yes.

15 Q And you didn't even stop, and then you
16 circled around and went back out?

17 A Yes.

18 Q Okay. When -- from here, from this -- I
19 keep going too far down, sorry. Up here at
20 Edgefield this to this intersection up here, how
21 long does that take you?

22 A I am not sure.

23 Q Okay, all right. Okay, well, I won't
24 ask you then. All right, and then the other
25 thing is, let me give you -- this is the part

1 that I was a little bit confused about. So the
2 shooting took place, or the 911 call came in at
3 11:28:20, and from there what were you telling
4 us about that just now? I'm sorry.

5 A From the -- from this location?

6 Q Yes, from the Parker's --

7 A To the shooting was like 40 minutes.
8 I'd have to check my notes for exact, but
9 whatever that time is, like four minutes, 11
10 seconds, something like that.

11 Q All right, so that would make it 11:26 I
12 guess?

13 A Yes, sir.

14 Q Okay, so the concept of the timing of
15 the shots. Were you here when they were talking
16 about the shots?

17 A No, sir.

18 Q It was about -- okay, so it's - okay.
19 All right, and then from here, where did you go
20 from there after you drove that route to the
21 incident location? Did you drive anywhere else?

22 A My destination was to drive at this
23 incident and the timeframes it took from that
24 distance.

25 Q Oh okay, just to get to the shooting

1 time? Okay, that's --

2 A It wasn't establishing the shooting
3 time, it was how long would it take to travel,
4 and there was time to do that, but the times.

5 Q Oh, okay, thank you, I appreciate it.

6 A Uh-huh.

7 MR. STONE: No further questions.

8 **

9 **REDIRECT EXAMINATION**

10 BY MR. LEE:

11 Q The route that you rode, which would be
12 mirroring the Hyundai Santa Fe on that night,
13 according to cameras and times, that you ran
14 that route, and it fits within the time that is
15 the State has said -- the times that the State
16 has said, right?

17 A Yes, sir.

18 Q Okay. And that is from leaving Station
19 300 to the shooting site?

20 A Yes.

21 Q Okay.

22 MR. LEE: Nothing further.

23 MR. STONE: That's it, Your Honor, I don't
24 have any questions.

25 THE COURT: Okay, you can step down.

1 WITNESS: Thank you, sir.

2 MR. STONE: Judge, at this point, the
3 defense rests.

4 **

5 **DEFENSE RESTS**

6 THE COURT: Okay, do you need a few minutes
7 before we go into closing?

8 MR. LEE: Yes, sir.

9 THE COURT: So --

10 MR. STONE: Can we approach just briefly?

11 THE COURT: Yes, sir.

12 (Bench conference.)

13 THE COURT: So, ladies and gentlemen, you
14 have heard all of the evidence that you're going
15 to hear in this case. The next part of the case
16 is, you're gonna hear the closing arguments of
17 the attorneys, and then I'm gonna charge you on
18 the law, and we'll give you this case to decide.
19 Having said that, we may run late tonight.

20 You know, we maybe finish this case
21 tonight, if not, it'll be tomorrow.

22 So I'm gonna take a ten, 15-minute break.
23 And the reason I say it might run late was, if I
24 give you the case, you get to go back there and
25 decide, and I have no idea how long that will

1 take, and neither do you.

2 We will go until a reasonable time, and
3 then we will see, okay? You can go to your room
4 just -- I will not leave you back there for an
5 hour again, just for a few minutes until we kind
6 of regroup, and find out if we have another
7 matter of law, and then we'll have closing
8 arguments from the attorneys, and I will charge
9 you in this case, okay?

10 (Jury exits the courtroom.)

11 BAILIFF: the jury's cleared, the doors are
12 closed, Your Honor.

13 THE COURT: Okay, thank you.

14 Motions?

15 MR. LEE: Yes, sir.

16 Judge, at this time I would renew all my
17 previous motions, including the motion of
18 directed verdict for the same reasons argued at
19 the closing of the State's case. I also would
20 renew all motions I had during the case.

21 Again, the introduction of the photograph
22 with the -- raising the middle finger for the
23 reasons I set forth on that, as well as any
24 other motions I previously made, I'll renew all
25 of those at this time as part of my directed

1 verdict.

2 THE COURT: Okay, and I understand you are
3 protecting the record.

4 MR. LEE: Yes, sir.

5 THE COURT: Okay. I respectfully deny that
6 motion.

7 MR. STONE: Nothing else from the State,
8 Judge, for the next --

9 THE COURT: All right.

10 MR. STONE: -- I guess you told them about
11 ten or 15 minutes.

12 THE COURT: We'll take ten or 15 minutes;
13 we'll come back and see where we are.

14 MR. STONE: Thank you, Your Honor.

15 (Recess.)

16 **

17 **PROCEEDINGS CONTINUED**

18 THE COURT: Let's bring them in.

19 THE BAILIFF: Jury is entering the
20 courtroom, Your Honor.

21 (Jury enters courtroom.)

22 THE BAILIFF: The jury is seated, Your
23 Honor.

24 THE COURT: Thank you.

25 MR. STONE: May it please the Court, Your

1 Honor.

2 THE COURT: Yes, sir.

3 **

4 CLOSING ARGUMENT BY MR. STONE

5 **

6 MR. STONE: Ladies and gentlemen, I told
7 you a few days ago what this case was about. I
8 told you what I thought the evidence was going
9 to show. I told you that on March 5, 2021, that
10 there were three individuals out looking for the
11 people who shot at Jimmie Green's house.

12 Those three individuals were Jimmy Green,
13 Ty Leic Chaneyfield, and M.A. [REDACTED].

14 I told you that they were looking for those
15 people and that it was a retaliation shooting.
16 I told you that they went armed.

17 They first went to Station 300. They went
18 from Station 300, the Voids, who is the
19 girlfriend of Jimmie Green, who called and said,
20 "The people that you're looking for are over
21 here at Wendy's and Parker's." They knew, they
22 called them, told the Voids to call them, and to
23 tell them where they were, because they knew
24 they were looking for them, and they knew they
25 were looking for them because at Station 300

1 that's what they were talking about.

2 "We're looking for the guys. We're looking
3 for the ops," not my words, their words. I told
4 you that they then left, they went to Parker's,
5 they followed behind the cars, they followed
6 them onto Bluffton Parkway, and they shot those
7 people in those cars.

8 I told you that they used two guns, a .45
9 caliber pistol, and a mini- assault rifle. The
10 .45 pistol shoots .45 caliber guns -- shells,
11 and the assault rifle shoots either what are
12 called .223's or .556s. And I told you that all
13 of the evidence you would hear is that those
14 three people were Jimmie Green, Ty Leic
15 Chaneyfield and M.A. [REDACTED], and that this
16 trial was about one of those hunters, Ty Leic
17 Chaneyfield.

18 Mr. Lee has already told you I think, that
19 Jimmie Green's case is over, and he pled guilty,
20 and he's in prison. This case is now about who
21 was driving, and not who was driving, but who
22 was shooting out of the right front passenger
23 side of that car. So, let's talk very briefly
24 about what we know, the issues that there is no
25 question about.

1 And so let's start with the night about
2 9:30, we know for a fact, because cell phone
3 records back it up, and, eventually, even the
4 Defendant would admit to it, that Jimmie Green
5 and Ty Leic Chaneyfield talk that night. They
6 talked about 9:30. We know that when they
7 started talking, Ty Leic Chaneyfield was in
8 Ridgeland, and when they stopped talking, both
9 of those calls were in Hardeeville, which is
10 exactly where Jimmie Green lives. We know that
11 at 10:24, Jimmie Green's mother's car enters
12 into Beaufort County, at an LPR reader. I'm
13 gonna put this up, because I'm gonna refer to
14 it a number of times throughout this closing.
15 We know that Jimmie Green's mother's car, a car
16 that you would later know, without a doubt, held
17 those three individuals, M.A. [REDACTED], Ty
18 Leic Chaneyfield and Jimmie Green, that car came
19 through this reader at 10:24 p.m. on March the
20 5th. The other car that was listed to Ty Leic
21 Chaneyfield's mother, who he said he was
22 driving, didn't go through that.
23 Only one car came through, but regardless of
24 that, everyone ended up at Station 300, even by
25 the Defendant's own testimony. We know they

1 were there at the same time and they came
2 together. We know they were in this car, and we
3 know, because we have photographs of them at
4 Station 300, and perhaps without these
5 photographs, I'm not so sure that Mr.
6 Chaneyfield would have even admitted that. We
7 know that's Jimmie Green. We know that's Ty
8 Leic Chaneyfield, and we know that's M.A. [REDACTED]
9 [REDACTED].

10 We know that according to, or at least according
11 to the Voids, that there was a discussion about
12 looking for the people who had shot up Jimmie
13 Green's house. We also know at that point, that
14 they had guns, and they had guns that looked
15 like this. This is not a small gun that gets
16 hidden in a glove compartment. This is a
17 relatively large gun, and this gun, even if it's
18 referred to as a mini-assault rifle, is
19 something that you would have seen if you got in
20 the car.

21 We know that they were at Station 300
22 together. We know that they did not go inside
23 Station 300, but they stayed in the parking lot,
24 and you know that because you saw the videos.
25 You watched both cars go in, and you watched

1 both cars go out. You know that the boys leave
2 at 11:04, and you know that the car carrying
3 Chaneyfield, Green, and Anderson leaves at
4 11:05.

5 You see that same vehicle again at 11:22,
6 when this blue car, driven by
7 the boys, leaves Parker's right behind, first,
8 the victims in this car D. J. Fields, D. J.
9 Graham, and Kylan Simmons in the black car that
10 left out first.

11 Then the car that sped by, which, at this
12 point, I think everyone has testified, is the
13 Hyundai, and then the blue car, the boys. As
14 they pulled out, this time stamp 11:22:14. We
15 know that they went down 170. They took a right
16 onto Bluffton Parkway, and we know because the
17 sound on the shot camera, is that the shots were
18 fired somewhere around 11:23, 24, or 25,
19 something like that.

20 And the gentlemen that talked about his
21 Ring Camera said that it's generally off two to
22 four minutes, it's gonna be somewhere in there.
23 We know the latest point that it could have been
24 was 11:28, because that's when Kylan Simmons was
25 able to get his body out of the car and call

1 911, and you heard the 911 call, and you heard
2 him seeing his friend D. J. Fields, and you
3 heard all of that, clearly immediately after the
4 incident.

5 And then this is what's interesting, from
6 this spot on, and we know the shooting took
7 place somewhere around 11:23, 24, or something
8 like that, at 11:31 at the intersection of 278,
9 and Buckwalter Parkway, Ty Leic Chaneyfield's
10 cell phone is hitting off that tower, and we
11 have followed cell phone tower hits throughout
12 this entire case.

13 You saw them together, you saw them coming
14 from Ridgeland, you saw them coming into
15 Hardeeville, you saw them together at Station
16 300. Not only did you have a photograph at
17 Station 300, you also had the cell tower hits,
18 they were clearly together, and here, from the
19 time of the shooting to right there, works
20 perfectly.

21 That timeline is perfect. Ty Leic
22 Chaneyfield's cell phone hits off this tower,
23 because he was in that car. He didn't get
24 dropped off. I appreciate the fact that the
25 investigator actually kind of helps. He says it

1 takes about five minutes to get to Edgefield,
2 and, of course, Mr. Chaneyfield says he went to
3 Edgefield to see somebody who he didn't really
4 know their name, and he just parked his car in
5 the driveway, and he waited, and then got a
6 phone call from Jimmie Green, and they just
7 decided to go off together.

8 How long does it take to get from here to
9 here? Not very long. If they leave at 11:05,
10 it takes them five minutes to get there. Let's
11 say it takes them five minutes to get back, just
12 like what Mr. Lee said.

13 It would be about here, six minutes, that's
14 gonna be about 11:11, 11:10, not 11:31. The
15 timeframe fits for Ty Leic Chaneyfield to be in
16 that car. It does not fit for him not to be.
17 He didn't say he sat there for a while, he
18 didn't say he drove around, he didn't say he got
19 confused, he said, "Oh I've got to get back",
20 and by the way, wasn't that odd?

21 I had to get back, immediately back to
22 Hardeeville. He had only been there for 25
23 minutes. The timeline that you know, that there
24 is no question about, fits perfectly. We know
25 that this was the end of that incident. We know

1 that this car was shot up multiple times. 17
2 assault rounds, three .45's were left at the
3 scene, one .45, and one assault round taken out
4 of the body of D. J. Fields, which killed him.
5 Two guns, not three, not four, not one, two, and
6 those two guns fired these shells.

7 The experts told you not only what rounds
8 these were, but Agent Eichenmiller told you that
9 those were shot by the same gun. You've got
10 somebody -- you've got testimony from the Voids,
11 and I think this is also undisputed, is that you
12 see multiple shots out of both windows. E. J.
13 Grahm told you, "As we were going down 170,
14 everything started going in slow motion, and all
15 of a sudden, I saw muzzle flashes out of the
16 passenger window. I saw other flashes out of
17 the back passenger window."

18 So we know there were two shooters. We
19 know there were two people with guns, and we
20 know, because of the science that tells us that
21 the shells came from those two guns, and
22 somebody is driving. Every piece of evidence
23 that we have put in, every piece of evidence
24 that you've seen, and, quite frankly, neither
25 cross examination, nor the testimony the

1 Defendant disputes, the fact that three people
2 in that car. Jimmie Green is driving, Ty Leic
3 Chaneyfield is riding in the passenger seat, and
4 M.A. [REDACTED] is in the backseat. What else
5 do we know?

6 That DNA was taken from that car. Not just
7 anywhere in the car, but on the seatbelt, where,
8 as the analyst told you, "We check around the
9 seatbelt, because that's where people take the
10 seatbelt and they hook it into the plastic
11 thing, so that's why we check that." They did
12 that for the front seat, they did that for the
13 backseat, and the DNA said what? Right front
14 passenger, Ty Leic Chaneyfield, back passenger,
15 M.A. [REDACTED]. And that DNA test is science,
16 the great thing about ballistics testing and
17 DNA, and all the other type things.

18 The gunshot residue, heavily in that car,
19 and particularly on the right side of the car,
20 they don't know these things beforehand.

21 They're doing these tests, and this is what the
22 test comes back to tell you.

23 So you know, and, quite frankly, the Defendant
24 even admitted this, that he rode in the right
25 passenger seat, and that M.A. [REDACTED] was in

1 the backseat.

2 When he says he got dropped off, he didn't
3 say anybody got added. Look at the third person
4 then? Driving down the road, I guess, but that
5 seems kind of interesting too, the timeframe,
6 the expert that they put up, and the
7 investigator put up said, "I drove in -- I drove
8 to Buckwalter Parkway, I came back out and I got
9 over here, it was, roughly, 15 and-a-half
10 minutes. I would suggest to you that the cell
11 tower actually indicated that they went the
12 other way, but regardless, you're pretty much
13 tied into that timeframe.

14 And what did he say he did? "I went as far
15 back, but I just turned around and came back
16 out." So he didn't stop. It's a pretty tight
17 timeframe. It's exactly, exactly the concept
18 that, when they got into Edgefield, they got the
19 phone call that said, "The people you're looking
20 for are over here at the Parker's", and they had
21 just enough time to get there when they got that
22 call.

23 A call by the way, that Jayden Void
24 actually tells you, she heard not only, because
25 it was on the speaker, not only Jimmie Green,

1 but also some guy named 30. For that time
2 frame, they didn't even have time to drop
3 anybody off, and, certainly, they didn't have
4 time to pick anybody up, and I don't know where
5 they're going to get the guns that supposedly
6 Mr. Chaneyfield never saw.

7 The timeframe doesn't fit, except for that.
8 Now, that timeline in itself, if that's all we
9 had, is pretty tight. I would suggest to you
10 that if you look at that timeline, it's very
11 hard to understand how this could have happened
12 any other way than that. You see photographs of
13 Ty Leic Chaneyfield with Jimmie Green and
14 M.A. [REDACTED], just those three people, not
15 four.

16 There's nobody else there, it's just those
17 three. You've got DNA putting them in those
18 right seats in exactly the same time, you've got
19 them leaving, you've got them appearing again,
20 you've got them shooting at exactly the right
21 timeframe, and then you've got Chaneyfield's
22 phone hitting about five minutes right after the
23 911 call was made, in just enough time to get up
24 to that intersection. If that's all we had,
25 it's pretty good. That's not what we had. You

1 also heard from Harold Rogers.

2 Now, let me just start by telling you, I'm
3 not asking you to believe Harold Rogers, because
4 he's a good guy, he's not. He is what I would
5 call a career criminal. He's been in prison 30
6 years, a long time. Enough time to actually
7 establish a paralegal license. Enough time to
8 know his way around the law library.

9 I'm not asking you to believe him, because
10 he's a good guy, I'm asking you to believe him
11 because he's not. I'm asking you to believe
12 him, because he's not a good guy, because he's
13 exactly the person Ty Leic Chaneyfield would
14 talk to about his case, and if you've got any
15 real questions about that, think about what
16 Harold Rogers told you. He told you that the
17 shooting was in retaliation.

18 It was in retaliation for somebody shooting
19 up Slim's, Slim's house. Slim he knew Jimmie
20 Green as. He knew Jimmie Green as Slim. He
21 knew Ty Leic Chaneyfield as 30. He knew
22 Chaneyfield, according to Chaneyfield he didn't
23 even talk to him. He knew that they used two
24 guns, and not two just any type of guns. He
25 knew one was a mini-assault rifle, and the other

1 one was a .45 caliber. Understanding Harold
2 Rogers was in the State of Maryland when this
3 event took place. He didn't get there until
4 April of 2022.

5 Where's he getting that information from?
6 He said that what Mr. Chaneyfield also told him
7 was that it was annoying, because Jimmie Green
8 was talking to Shaniyah Boyd, his girlfriend,
9 the whole time. He was talking to her
10 beforehand, and he was talking to her after, and
11 the cell phone records back that up. He says
12 that they start talking early, and that he goes
13 over and they all get together with M.A. [REDACTED]
14 [REDACTED], and M.A. [REDACTED] [REDACTED], excuse me,
15 M.A. [REDACTED] [REDACTED], M.A. [REDACTED] [REDACTED], and Ty Leic
16 and Jimmie Green.

17 M.A. [REDACTED] [REDACTED] didn't leave because he
18 had an ankle monitor. You know all that. In
19 fact, when Mr. Chaneyfield testified, he didn't
20 even call him M.A. [REDACTED] [REDACTED]. He called him
21 M.A. [REDACTED], until I asked him, "That was M.A. [REDACTED]
22 [REDACTED] right?". "Oh, yeah."

23 How did Harold Rogers know that he was
24 hanging out with M.A. [REDACTED] [REDACTED] then? Because
25 Chaneyfield told him. Everything Harold Rogers

1 told you is backed up by either science, cell
2 phone technology, testimony of other witnesses,
3 or plain common sense. He told you what the
4 motive of the shooting was. He told you they
5 shot the wrong guy by accident. He told you
6 that they were using two guns, one was an
7 assault rifle, one was a .45 caliber. He even
8 told you the shells, although he said .233
9 instead of .223.

10 I'm not a ballistics expert, so, whatever
11 the ballistics expert tells you is true, and she
12 called it a .223, or a .556. And he actually
13 even mentioned some five number as well. He
14 said Stacy Void was talking to Jimmie Green the
15 whole time, that she saw the guns in the
16 backseat. He said that Scott Lee had his cell
17 phone. How would Harold Rogers know that Scott
18 Lee, number one, was even his lawyer, but, most
19 importantly, had his cell phone?

20 Unless of course, Ty Leic Chaneyfield had
21 told him, and he was telling him everything
22 else. Everything, including where he was
23 sitting. "I was sitting in the right front
24 passenger seat. M.A. [REDACTED] was in the
25 backseat, and Jimmie Green was driving." And

1 that, by the way, Harold Rogers was transferred
2 out of the Beaufort County Detention Center in
3 April of 2000, excuse me, of December of 2022,
4 and the DNA results that came back that
5 confirmed where they were sitting in the car was
6 not until four or five months later.

7 There's not some miraculous report out
8 there that everybody read. This is information
9 that they are getting, and that Harold Rogers
10 got, because Ty Leic Chaneyfield told him.
11 Everything, the timeline, the whole thing. I'm
12 not asking you to believe him because he's a
13 good guy. I'm asking you to believe him,
14 because he's exactly the kind of person that Ty
15 Leic Chaneyfield would tell about his case.

16 I'm asking you to believe him, because
17 every piece of evidence that he told you was
18 true. Points that no one would know, unless
19 they were there, unless they participated, and
20 not just a little bit, and not just at Station
21 300. they had to be there at the shooting. In
22 this case, Ty Leic Chaneyfield wasn't just at
23 the shooting, he was the shooting.

24 Was it his fight? No, and he said that on
25 the stand. Why was he doing it? He was

1 hunting, and it was fun.

2 I'm gonna let Mr. Lee stand up and talk to
3 you for a few minutes, but think very seriously
4 about the evidence that you've heard, the
5 credibility that you're gonna have to make, the
6 determinations that you're gonna have to make,
7 either from people who testified, but also for
8 evidence that came in that is undisputable, what
9 we know, what we've heard, the testimony that
10 you have heard from that witness stand, and I'm
11 going to ask you to come back and give us a
12 verdict that tells the truth. Thank you.

13 MR. LEE: May it please the Court.

14 THE COURT: Yes, sir.

15 **

16 **CLOSING ARGUMENT BY MR. LEE**

17 **

18 MR. LEE: I'm not gonna lie to you, I'm
19 stunned by what I just heard. I'm stunned Mr.
20 Stone is asking you to convict beyond a
21 reasonable doubt in this case, based upon what
22 he just said.

23 I told you on Monday morning, let's talk
24 about what we're gonna see and hear, and what
25 you're not gonna see and what you're not gonna

1 hear. I started that Monday. I told you and
2 everybody else there is no question about where
3 this happened, how it happened, where it
4 happened, the way it happened, no dispute.

5 I said what's important is who, truthfully,
6 in this period of time, it's never been a
7 dispute, but the real issue is in dispute. The
8 Solicitor heard that, they knew that. So what
9 did they do to prove their case? First of all,
10 they tried to get to your emotions, and we'll
11 talk about that. They proceeded to call 27
12 witnesses over four days.

13 I hate taking it from my notes, but I'll
14 go, they called the 911 operator, they upset
15 somebody. He's trying to get you emotional.
16 She has nothing to do with it. She knows
17 nothing about what happened during that 20-to-
18 30-minute period, from when the Hyundai left
19 Station 300 and when the shooting happened,
20 nothing.

21 Then we talked about people picking up
22 bullets, and then we talked about the
23 paramedics, and the serious injuries these guys
24 have, nothing to do with the central issue in
25 the case. And then we went onto Derek Church,

1 the guy with the doorbell, noting to do with the
2 central issue of the case.

3 Then a couple officers from the Town of
4 Bluffton, picked up the casings. The guy from
5 Parker's, "Yeah, I did the video." Kylan
6 Simmons, E. J. Graham, "Yeah, I was in the car,
7 I got hit, I got hurt, I don't know what
8 happened," nothing to do with the shooting, and
9 they seem like great kids.

10 I mean it looks like they've got a lot
11 going on, and they went through it, and their
12 families went through it. Jala Quick, the girl
13 that they met up with in the parking lot. What
14 does she know about it? There's proven things
15 we already know. Then we've got Charles Kennedy
16 from ACE, and Dwane Fromaen from Station 300,
17 "Hey, I'm the IT guy, I do the cameras," which
18 we'll get to in a minute.

19 The cameras were off. Everything in this
20 case was off, I guess, except for the camera
21 department, they're way off, but everything else
22 is a little bit here, a little bit there, a
23 little bit adjustment, a little bit of maybe,
24 could have, a lot of assumptions.

25 So at that we knew nothing. So what did

1 this case turn into next? Jayden Void, the guy
2 who is in jail, whose charged as well, the
3 brother. The guy that was here doing his civic
4 duty, who just had no other thing to do on a
5 Tuesday afternoon but to come up here and
6 testify.

7 Had testified and you don't do that
8 lightly, it can be dangerous to be known as a
9 snitch in the jail wherever you are. That's not
10 something people take lightly. That's not
11 something people do for free, or because they
12 want to because they're good citizens, we know
13 that. And what did he say, "Yeah, we were at
14 Station 300," again they've proven for the 17th
15 time, "all of us were at Station 300, we left.
16 I never saw Ty Leic Chaneyfield again."

17 Are they cutting him some kind of a deal to
18 come in and say that? Of course they are. He's
19 going to tell you what it is, when the Judge
20 takes it into consideration in the sentencing.

21 The Solicitors brought these people in to
22 prove his case to you, and he doesn't even say -
23 - tell you what they said. He's not even
24 arguing that they said anything worthwhile for
25 his case, because they didn't. Stacy Void told

1 me on the stand he wasn't quite sure when she
2 first said something about a gun and all that,
3 she told me it was when she met with these guys.
4 But what she did say was, Jimmie Green was on
5 that phone that night, the guy that does have
6 motive to shoot up a car.

7 The guy whose house had been shot up, same
8 as Jimmie Green. The guy that lives right
9 beside Edgefield, right in the route of dropping
10 Ty Leic off and going back to take care of
11 business. Scoop up Jayden, three people in the
12 car, everything that he says he's proven is
13 consistent with that. And it was a very
14 interesting thing to listen to is, and we'll
15 talk about the forensic stuff and the science
16 stuff in a minute, but it was very interesting
17 to hear in his closing statement, closing
18 argument, he talked about some cell towers.

19 Of course, it may or may not be the right
20 one. There was one that Dylan Hightower was --
21 he thought that it wouldn't hit off this one, it
22 would hit off another one. Cell towers are
23 sometimes full, they bounce to the next one.
24 So, essentially, yeah, it's scientific, it is
25 impressive to put all those things up there, but

1 cell towers are very -- they give you the
2 general vicinity, approximation, almost, sort of
3 close, that's what they do. And what I wanted
4 to make a point was, Mr. Stone said, "Look we
5 presented all this evidence, and it only leads
6 to one logical conclusion, and that's that Ty
7 Leic Chaneyfield was in the car, and the way we
8 prove that," he went through it, he goes -- I
9 wrote it down, he goes, "Because up to that
10 point," he goes, "that's pretty good." Pretty
11 good is how he told you his evidence, up to that
12 point, was pretty good.

13 Pretty good does not equal proof beyond all
14 reasonable doubt. How are you feeling today?
15 Pretty good. I've been in Court for four days,
16 I'm feeling pretty good. How as the new
17 restaurant? Pretty good. He said that his
18 case, he analyzed his own case, and said it was
19 pretty good at that point. And then he said,
20 "But what saves the day, what makes the
21 difference is what Harold Rogers," and he makes
22 it good because he's such a bad guy.

23 That's their case in a nutshell. The heck
24 with four days of testimony where I rarely asked
25 any questions, because it didn't matter. He

1 didn't need me to cross-examine that doctor or
2 the EMT or whatever, it didn't matter, but
3 they're putting it -- throwing it on, throwing
4 it on, saying, be impressed, look at all this
5 evidence we have for the same thing, or maybe I
6 can get a little bit emotional.

7 Maybe I can hold up bullets and show the
8 blood. That doesn't prove anything. Does it
9 prove it pretty good? Maybe, but we ain't here
10 for pretty good, we're here because this is
11 serious. This kid is fighting for his life.
12 He's charged with murder, attempted murder
13 twice, a gun charge, assault and battery by a
14 mob times three. We heard what Jayden Void who
15 was just charged with assault and battery by a
16 mob is looking at 58 years, and those are the
17 less serious charges, and he wants you to take
18 some pretty good evidence and convict him, but
19 add in Harold Rogers, that's what takes us home
20 right there, Harold Rogers.

21 He didn't even mention his two other
22 snitches, witnesses, Jayden Void, who no doubt
23 was going to get some kind of deal, there's no
24 question about that.

25 Stacy Void, do we believe her? The

1 interesting thing about Stacy Void is, we
2 talked, we questioned her, she was all over the
3 place, and then the next morning the State said,
4 "Hey, we want to show you some video of her
5 interview, because we think that she clearly
6 said, 'Ty Leic Chaneyfield, 30, had a gun He
7 had a long gun stuck in his shirt," something
8 like that, which isn't borne out by the
9 pictures, which they showed by the way.

10 He's only trying to get to your emotions,
11 so he showed that to you. Take it for what it's
12 worth. Okay, Stacy Void who said, "I heard them
13 talking something about shooting somebody."
14 When we listen to the tape, that isn't what they
15 said, but what was the most instructive thing is
16 they didn't want you'all to see that tape,
17 knowing it wouldn't come in.

18 That tape once they got it -- because
19 technology is a great thing, if it works.
20 Science does a lot, unless you ask the wrong
21 questions. That tape pulls back the curtain for
22 us. You haven't been interrogated by the police
23 before, you weren't involved in it. Pulled back
24 the curtain for us to look and see what really
25 goes on. Stacy, the one with the red hair, she

1 comes in, what's the first thing he shows that
2 she starts talking about, her kid, the baby a
3 little bit, and we know she's already lied.

4 But by a couple minutes in, they're leading
5 her, I think that lady would say the moon's made
6 out of cheese, if you ask her the right way,
7 quite frankly.

8 Their interpretation of that is, that she
9 says, "Ty Leic Chaneyfield -- I heard him on
10 Facetime, well, there's Facetime, there's a
11 picture with Stacy." "You didn't see him?"
12 "No, I heard him on Facetime, even though I was
13 in the car. And he was saying something to them
14 -- they were saying something in the background
15 about shooting."

16 It's always them, it's only Jimmie, or --
17 they want them to include everybody with them
18 when they talk about the shooting. So I guess
19 they kind of get that out of her, and, you know,
20 take it for what you want. And then they really
21 start laying into her about that baby. That
22 child is six-months-old, and you had to go to
23 the back of the car. What is going on at your
24 car, and you've got that baby in there, and she
25 got upset, understandably, because we all want

1 to protect our family, no question. We all want
2 to protect our freedom, regardless of what
3 Harold Rogers says.

4 We would do anything for our freedom and
5 our family, anything. So Stacy Void said, "You
6 shouldn't have done this, you could have been in
7 trouble, we're not gonna arrest you, we're gonna
8 arrest your brother and sister. We're not gonna
9 call DSS, we're not gonna take the baby from
10 you," but she -- that baby was in that car.
11 "What if somebody shot back and you were right
12 in the middle of it?"

13 And she gets a little teary-eyed. And one
14 more question, Mr. Hightower, "Did you see any
15 guns when you were at Station 300?" Tears
16 rolling down her face, "Oh, yeah, I saw." "Was
17 it a long gun?" "Yeah, I saw a long gun. 30
18 had a long gun like down his shirt."

19 As she's wiping the tears of relief and
20 sadness from her eyes, that is their great
21 evidence, and maybe they know his focus. Maybe
22 that's why he didn't bother to talk about Stacy
23 Void. I don't know, maybe when he gets back up
24 he will talk about it, I don't know.

25 So that -- so, again, Jayden Void, we got

1 to Stacy Void, and then let's see.

2 Oh, they put up Walker Michaud, because
3 they wanted to put up that tape I was just
4 talking about. Well, the technology didn't
5 work, kind of the theme of the case, close
6 enough, almost, sort of, pretty good, to use the
7 Solicitor's words. That wouldn't work with
8 either of them trying to do it.

9 So he had to go -- they had to jump around
10 a little bit, so let's call the guy with the
11 LPR, the License Plate Reader. We have one
12 photo of a Hyundai Sante Fe with the right
13 license plate at 10:24 going through the License
14 Plate Reader. Nobody disputes that. It doesn't
15 prove anything at all. And then when I asked
16 Dyland Hightower -- well, and that guy even
17 said, "Hey, this stuff's pretty good, but it's
18 not infallible, it's not perfect."

19 You need to think -- I mean people are
20 driving by there, there's no question it's not
21 perfect. Mr. Hightower even admitted, I believe
22 on the stand, that one of the LPRs that I had
23 him run for me broke -- tagged the wrong number,
24 the wrong tag. It wasn't.

25 So LPR doesn't mean a whole lot. Yeah,

1 it's a little spooky, I guess to watch it, and
2 they only have, what, two of them that are
3 working in all of the Bluffton area and stuff
4 like that. So the Solicitor would have you
5 suggest though that Ty Leic Chaneyfield's green
6 Acura wasn't picked up by the LPR at the exact
7 same place, that same camera, as the Santa Fe
8 that means he lied. I guess that's the pretty
9 good evidence that he -- I think he included
10 that in his pretty good evidence that he
11 presented to you.

12 So then we get the ladies from Verizon,
13 again, "Do you keep records?" "Yes." What did
14 she not say? What was she not asked? Are those
15 Verizon times accurate?

16 Is what's on there accurate? Because we
17 have all kinds of adjustments we're making, all
18 kinds of here and there and whatnot, and the
19 timeline is important, it's important. Time is
20 important every day, but when you get down to
21 this, where they're saying, "Oh, the timeline
22 doesn't fit," well, our Investigator proved that
23 it does fit exactly what we said.

24 And then he said, "Well, it kind of fits to
25 what we're saying too, that he would have been

1 farther away at a certain time." Well if the
2 time's messed up, or if people drive really
3 fast, Jimmie Green and M.A. [REDACTED] and maybe Jala.
4 If they had just shot somebody, would they be
5 driving the speed limit, you know, driving ten
6 and two, and, you know, like that? No.

7 So that doesn't mean anything. And we
8 timed it to where it works clearly within the
9 time period driving the speed limit. We built
10 as much -- gave as much credit to the time line
11 as we could, and it fits, and it makes sense.
12 And we don't have to prove anything at all.
13 They have to disprove anything we say, and they
14 have to prove their case beyond a reasonable
15 doubt, and they haven't done it.

16 So they asked Derek Nelson about the phone
17 that we turned over. I know they're not
18 suggesting that I hid the phone or anything, we
19 turned it over to them. We've got nothing to
20 hide, got nothing to hide. So then they got the
21 Hightower up, and did all these cool graphics,
22 you know, all these things, and, again, what we
23 essentially learned was, that science doesn't
24 lie, unless you ask the wrong question.

25 And sometimes it's close, sometimes it's

1 pretty good, sometimes, you know, but it's a
2 cool presentation. And, again, Mr. Hightower
3 there was one he goes, "I don't think tower so
4 and so would have been the one he hit."

5 Do you know why? Because it didn't fit in
6 their narrative. He doesn't think? And what
7 happens if one tower is at capacity, it goes to
8 the next tower, which can be miles and miles and
9 miles away of where somebody might be. What if
10 two of them are at capacity?

11 It goes to a third, so that doesn't mean a
12 whole lot, particularly, if you're using it to
13 prove beyond a reasonable doubt that somebody
14 committed a crime at a certain time and a
15 certain place. It doesn't make any sense.

16 So that is the pretty good thing, well,
17 we've already -- that's extra from the pretty
18 good case, but anyway let's talk about Harold
19 Rogers. How can we not? Harold Rogers is a bad
20 guy. I agree with that, we can all agree on
21 that, with four armed robberies, a kidnapping, a
22 gun charge, he couldn't even remember, a breach
23 of trust, or stealing something, he couldn't
24 remember all of them.

25 It was almost like he was proud that he'd

1 been in jail for almost 30 years, but I guess he
2 got released just in time in 2012 to come to our
3 County and commit an armed robbery and a grand
4 larceny and a gun charge, one of the small times
5 he was out in 2012.

6 Thanks, Harold, you're a real asset to
7 Beaufort County. We appreciate you coming today
8 and enlightening us with all of your details.
9 Details, detail, details, that's what they think
10 gives him credibility I think. What else could
11 they say? "Listen, this guy has so many
12 details, he's got to be telling the truth. And
13 the one way he got details was from Ty Leic
14 Chaneyfield, because he was there."

15 Hold on a minute, Harold Rogers I guess is
16 now a -- I've never known a jailhouse
17 paralegal, but he's got this paralegal degree
18 online or something. I don't know what kind of
19 -- I mean I don't think they go to the prison
20 and teach a two-year paralegal degree, probably
21 online. So he has access to the computer, and
22 he has access to the internet, and it takes a
23 while to do that. Everything can be found on
24 the Internet.

25 He said that he looked and saw -- looked up

1 me, and said that I had a 1998 armed robbery
2 case. How did he figure that out? Internet.
3 How would he know that Scott Lee is Ty Leic
4 Chaneyfield's lawyer? Well, people talk about
5 that. There's also something called the public
6 index, which if I could grab my phone right now
7 and I could look up a name, and I could see
8 that's who your lawyer is, what the charge is,
9 you know, when the person was arrested, and it's
10 public.

11 So it's no secret I'm his lawyer. He did
12 not mention the people talking on that pod,
13 there's a lot going on in that pod, so that's a
14 possibility. The Internet can find out anything
15 on the Internet. "Yeah, but these are some
16 pretty specific facts." I asked Harold Rogers
17 if he knew what it was when the Solicitor sends
18 information to the defense. "No, that's
19 discovery, that's discovery," he said that
20 several times. Yeah, discovery.

21 Discovery is all the reports, all the
22 investigative things, all of the ballistic
23 results, all of those details, all of those
24 details that Harold Rogers tried to come across
25 as being so impressive. It comes right out of

1 the police reports. And who has police reports
2 in pod A1, Jimmie Green, same case, same
3 discovery, Ty Leic Chaneyfield. He can get that
4 stuff in the jail.

5 So Jimmie Green goes to play basketball,
6 leaves his door open, his discovery is sitting
7 on his bed. Harold Rogers, apparently, is a
8 rock star over there, and people are just dying
9 to talk to him. Yeah, ballistics, .45 and two
10 .223 bullets were found at the scene. That's
11 how he knew that. That is not evidence of
12 anything. But he knows the law a little bit.
13 The one thing he does know is the system of
14 Harold Rogers. He knows how to play the game.
15 He knows what to say and what not to say, and
16 not to say, and he knew in this case what he
17 needed to say was what was missing, what the
18 Solicitor needed, Ty Leic Chaneyfield in that
19 car, get him in the front seat, maybe shoot a
20 .45, and all those things.

21 Harold Rogers. So he sends back what they
22 need, and maybe he figured it out himself what
23 they needed, because he's a paralegal, maybe
24 he's handled this case pretty good, so you've
25 got some problems, you've got that gap of time,

1 you cannot account for it. I'm gonna fill that
2 gap up. And just because he says it, it doesn't
3 mean it's true. Certainly, it doesn't mean that
4 somebody who knew it told him, it just means
5 that he said it. What some of these guys don't
6 know, the guy that collects the bullets doesn't
7 know anything about the, you know, the car, the
8 evaluation of the car, or the statements and
9 stuff, but the lead investigator does, because
10 he gets all the stuff together and puts it
11 together.

12 You need a lead investigator. And you
13 cannot bring a lead investigator to Court, to
14 help the jury to tie them altogether to answer
15 any questions? Because it's a lot of stuff.
16 And it's not like he's gone or anything. He's
17 not here. It is what you don't see and you
18 don't hear. We didn't see it; we didn't hear
19 it.

20 What else did you not see or not hear?
21 Well, they didn't call Jimmie Green, he's
22 already pled, he's up the road. We know he was
23 there, they proved that 100 times, Jimmie Green
24 was there, it's his car, he was driving, no
25 question about it.

1 Jimmie Green's already pled. He doesn't
2 have any Fifth Amendment privilege against
3 saying anything. They can get him here. We
4 know why they didn't call him. Shayna, who's
5 been charged in this just with her brother.
6 Stacy, whatever the reason was. Shayna Void.
7 let's bring her up. They seem to do a good job
8 of like getting people up here to testify, and
9 all they're offering is consideration -- the
10 Judge taking into consideration.

11 Let's get Shayna Void in here, Solicitor,
12 you have the hammer over her, you have the
13 ultimate power, and, yeah, you didn't have to
14 cut her a deal, but let's get her here, because
15 we want to know the truth.

16 We want to figure some of these things out.
17 She wasn't here. M.A. [REDACTED], co-
18 defendant, let's get him out here. Nobody seems
19 to mind talking to the prosecutor, let's get him
20 up here. So sometimes reasonable doubt is what
21 you see and hear, but many times, as I've told
22 you Monday, it's found in what you don't see and
23 you don't hear, this case is both.

24 And but for us cross-examining the
25 witnesses that needed to be cross-examined, you

1 wouldn't have heard a lot of that stuff that I
2 just told you. We certainly didn't have an
3 obligation to put Ty Leic Chaneyfield on the
4 stand, but we did, and we knew he'd get cross-
5 examined.

6 He has a high school education, runs with
7 some people he probably shouldn't, has family,
8 has support, he's certainly not the patron saint
9 of Hardeeville. But think about what he said
10 though, he set forth the scenario that is
11 entirely makes sense, and it kind of ties all
12 this stuff together, because when they drop him
13 off in Edgefield, on the way out of there -- and
14 that fits into everything, but most importantly
15 what Ty Leic said compared to Harold Rogers is,
16 I asked Harold Rogers, "Why are you here?" "I'm
17 just trying to take it day-to-day." "Then why
18 are you here?" "To testify."

19 What did Ty Leic Chaneyfield say when I
20 said, "Why are you here?" He said, "To tell the
21 truth." Harold Rogers didn't tell the truth,
22 and he had every opportunity. Listen, this guy
23 is good, Harold Rogers, and he knows how to work
24 it, and they've taken the bait.

25 You can't take the bait off Harold Rogers.

1 This guy is so good. How did he get in touch
2 with the Solicitor's Office with all of this
3 great information he had somehow gotten? He
4 managed to get a cell phone number of an
5 investigator in the Solicitor's Office. So you
6 know and I know probably not real happy about
7 that.

8 This dude is just trying to go day-to-day,
9 and just people are rushing up to him to just
10 cast their sins on him, having never met him,
11 that sort of thing. He manages through hook or
12 by crook, or however they did it, to get the
13 cell phone number of an investigator with the
14 Solicitor's Office to say, "Hey, I want to
15 talk."

16 That tells you all you need to know about
17 how he got details that nobody else would know.
18 He has access to all kinds of things, because he
19 plays the system, and he played the Solicitor,
20 in his last act that he's going to try to do is
21 he's going to play you all, but you'all have
22 been able to hear the rest of the story, and the
23 other things that you need to know. You also
24 have a higher standard for believing and acting
25 the way he wants you to act. They may believe

1 part of it, and they may think it's pretty good
2 what he said.

3 In order for you'all believe and to convict
4 my client on the shoulders of Harold Rogers, you
5 have to believe what he said beyond a reasonable
6 doubt.

7 And what is a reasonable doubt? The type
8 of doubt that would cause a reasonable person in
9 making one of life's important decision to
10 hesitate to act, to leave you firmly convinced
11 of a person's guilt. Is that house built on
12 Harold Rogers? And if Harold Rogers isn't a
13 good foundation, and you don't trust him, you
14 don't believe him, you're not absolutely
15 convinced of what he said, the only verdict is
16 not guilty under your oath.

17 And the way that I would -- and I'll say in
18 this -- I'm getting ready to sit down, the way
19 that I would put it to you, when you get home
20 tonight, or next week, and you get home and you
21 may have the doorbell ring a little bit, look
22 outside the window, Harold Rogers. Number one,
23 do you open the door for Harold Rogers? Come on
24 in, I know you're trying to sell me something.
25 Maybe you open the door, maybe you don't.

1 But Harold Rogers, hey, Mr. and Miss juror,
2 whatever, remember me from last week, I got up
3 there and testified, and, you know, I wasn't
4 there for any reason, just to, you know, I'm
5 about to turn my life around, and I'm just there
6 to do the right thing, my civic duty.

7 But as part of doing my civic duty I really
8 tried to -- I got this new job, and what it is,
9 is I am selling this really cool investment
10 portfolio, and, obviously, I need clients, so,
11 you know, I'm Harold Rogers, I want to sell you
12 something, and I want you to invest some money
13 with me, you heard me testify. You know about
14 my convictions; you know why I was there. I had
15 all those details, remember? I want you to
16 invest with me, but, hey, you ought to see the
17 return you're gonna get in six months, or a
18 year, all you've got to do is invest with me and
19 trust."

20 How much money are you gonna give Harold
21 Rogers? He's trustworthy, he's the bedrock of
22 the State's case, he's what makes -- elevates
23 that case to prove beyond a reasonable doubt.

24 How much money are you going to give Harold
25 Rogers? Not a red cent, if you even open the

1 door. That's how you evaluate credibility,
2 that's how you evaluate whether somebody's
3 telling the truth, whether they have anything to
4 gain by their testimony.

5 I have no idea how many times he was
6 briefed, debriefed, talked to. I don't know his
7 cell phone number, but he's here, and he's the
8 one that takes their case from pretty good to
9 over the top.

10 And I just think they are over the top of
11 proof of reasonable doubt. Well, what is it?
12 But the science, all these impressive exhibits
13 we had, all these 120 degree things like that,
14 science don't lie.

15 It lies if you ask a lot of questions, and
16 if you ask the wrong questions, you get the
17 wrong answers. It also can give you answers to
18 things you don't need to know or aren't
19 important. And so don't be overwhelmed or wowed
20 by the slick pictures, the one thing right there
21 to match, dozens and dozens and dozens.

22 I think we all knew by Monday afternoon or
23 Tuesday morning where they proved it over and
24 over. They tried to use duplicity to keep
25 proving things they didn't need to prove that

1 were not there, they tried to get on your
2 emotions, and they tried to impress you, and
3 throw in there two of pictures to illustrate the
4 kind of case it is that's to take your eye off
5 the prize.

6 That's to give that conviction they so
7 dearly want. And it's taking your eyes off the
8 prize then. Then I told you -- first thing I
9 talked to you Tuesday morning, was about they
10 had to change, and they had to prove it, and
11 they can't do it, and you haven't heard the
12 evidence that it does prove. Jury duty is a
13 tough job, you only get \$10 a day for your time
14 and stuff like that, but it is a very important
15 job, and, you know, people on both sides deserve
16 a just verdict, something that's fair to
17 everybody, and regardless of what you do, it's
18 not gonna bring home the bacon.

19 But what we don't want to do, the one thing
20 I think everybody in this courtroom would agree
21 is, we don't want to convict the wrong guy. If
22 you return a guilty verdict against Ty Leic
23 Chaneyfield, you'll be convicting the wrong guy,
24 ladies and gentlemen.

25 We trust you and turn Ty Leic's future over

1 to you to do the right thing. And a famous
2 quote by Martin Luther King that says, "The time
3 is always right to do what is right." As soon
4 as the Judge tells you the law, the time's gonna
5 be right, and I think and I hope that we all
6 know the right thing to do, and that's not
7 guilty.

8 THE COURT: Thank you.

9 Solicitor.

10 **

11 **FINAL CLOSING ARGUMENT BY MR. STONE**

12 MR. STONE: And the Judge, when you guys
13 were qualified said, "I want to make sure you
14 can be fair and impartial," he said something
15 else, he said, "Make your decision based on the
16 facts and the evidence that you heard in Court,
17 that you've heard in Court."

18 Make no mistake about it, what Mr. Lee
19 wants you to do is to ignore everything you
20 heard in Court and make your decision on stuff
21 that you didn't hear in Court, that you have no
22 evidence about.

23 He wants you to believe that Ty Leic
24 Chaneyfield -- or not Mr. Lee, Ty Leic
25 Chaneyfield wants you to believe this. Mr. Ty

1 Leic Chaneyfield wants you to believe that he
2 wasn't with M.A. and this other lady.

3 Did you hear from M.A. or the other lady?

4 "And then I went to this girl's house, I was
5 gonna meet up with her, and I parked my car I in
6 her -- I don't know her last name, but she just
7 happens to be where I needed her to be," did you
8 hear from her?

9 MR. LEE: Your Honor, I'm gonna object, he
10 can't shift the burden to the defense. We don't
11 have to prove anything.

12 MR. STONE: Judge --

13 MR. LEE: We don't have to prove anything.

14 MR. STONE: -- I'm not shifting the burden.
15 I'm sorry, he's talking about witnesses that --
16 he's talking about what his case is about. I
17 think I've got an opportunity to do that.

18 MR. LEE: I don't think it's fair to call
19 witnesses who were not here to prove your case.
20 You need to do that.

21 MR. STONE: He says the Verizon records may
22 not have been accurate. Did you hear anything
23 about the Verizon records being accurate?
24 Harold Rogers was able to come testify, because
25 he got his hand on a police report, what police

1 report? What police report would have -- by the
2 way Ty Leic Chaneyfield's phone is in the
3 possession of Scott Lee, his lawyer.

4 What police report would have that in
5 there? What police report would have the DNA
6 results that hadn't come out yet? There wasn't
7 a police report. There was a report all right,
8 it was a report given by Ty Leic Chaneyfield.

9 And the cell phone by the way, they
10 voluntarily turned over after the phone calls
11 were deleted. Why did you delete the phone
12 calls, and just from March the 5th by the way?

13 The evidence that you've heard, everything
14 fits. The concept that the investigator that he
15 put up on the witness stand, showed you a
16 timeframe that was wrong, ignores one central
17 problem, if the shooting takes place at 11:23,
18 and Ty Leic Chaneyfield's phone is hitting this
19 tower on Highway 278 and Buckwalter, what did
20 his investigator tell you about how long it
21 takes to get from there to there? Nothing.
22 Why? Because he didn't drive over there.

23 What Mr. Lee just suggested to you is that
24 he provided a timeline that said that's
25 absolutely true. In fact, his investigator

1 didn't drive over there, but he did say it
2 doesn't take very long, it's pretty close, you
3 can kind of tell; but then, again, ladies and
4 gentlemen, you can tell that on your own. If Ty
5 Leic Chaneyfield got dropped off, and somehow
6 somebody had replaced it, and then they got some
7 guns and they did all that kind of stuff, it
8 would have taken them longer than 17 minutes it
9 took them to get to that place to Parker's.

10 And you know he didn't stop there, because
11 everybody saw him. If they would have dropped
12 him off there, at this girl's house, or
13 whatever, if they picked him up at the girl's
14 house, and dropped him off at the girl's house,
15 it would have taken them 25 minutes to get to
16 that intersection.

17 It would have taken about four or five,
18 exactly how long it takes that he told the
19 investigator to get there. I told you I had to
20 prove this case beyond a reasonable doubt. My
21 job is to do just that, and I have. Do your
22 job, and when you come back say not guilty.
23 This shooting took place at the exact time, and
24 we know when it was, and we know exactly when
25 he's hitting off that cell tower, and we all

1 know that if you go from one cell tower to
2 another, and you keep driving down the road,
3 you're gonna hit another cell tower.

4 It was a six-second phone call, and it hit
5 on that tower at that time. Everything works,
6 everything is consistent because that's what the
7 truth is. The truth is consistent. Stop making
8 it about maybe the Verizon records are wrong,
9 the cell phone records are wrong. Maybe Stacy
10 Void -- did we show you that video? Yeah, we
11 did.

12 I did, by the way, talk about Stacy Void, I
13 said -- what did I say. I said, "Stacy Void
14 heard 30 on the phone talking, when they were
15 saying, 'These are what ops are.'" Why is that
16 so damaging to their case? Because he's still
17 in the car, just enough time to leave and to get
18 there, he's still with them.

19 They haven't kicked him to the curb, and
20 put somebody else in his place. Why did we show
21 you that? Mr. Lee said she never said that
22 before. Oops, yes, she did. She said it the
23 very first day she was questioned. Not today,
24 not yesterday, not before yesterday, but March
25 the 6th, 2021.

1 You don't abandon your common sense when
2 you come in and take a role in the jury. I'd
3 ask you to consider everything. I don't want
4 you to ignore anything, just take everything in,
5 and you judge the credibility.

6 Is somebody lying between Harold Rogers and
7 Ty Leic Chaneyfield? Absolutely, absolutely,
8 one of them certainly is.

9 THE COURT: I need to see the lawyers.
10 Instead of running the jury out, we're gonna
11 hold on just a minute.

12 (Bench conference.)

13 **

14 **JURY CHARGE**

15 **

16 THE COURT: It's going to probably take me
17 15 to 20 minutes, you'all okay? You need a
18 break? Okay.

19 And now that you've heard all the evidence
20 in this case, as well as the closing arguments
21 of the State and the Defendant, I'm going to
22 tell you the law that you are to apply to this
23 case. Under our Constitution and Code of Law,
24 you, the jury, are the only ones that can make
25 the finding of facts in the case. I am not

1 allowed to have an opinion about the facts of
2 the case.

3 So if I've said anything or done anything
4 in this case that you think I have an opinion
5 about the facts, you are to disregard that,
6 because you and only you are to determine the
7 facts of this case, based on the evidence that's
8 been presented to you in this case. And that
9 same Constitution and Code of Laws that makes
10 you the exclusive judge of the facts, makes me
11 the exclusive judge of the law.

12 So if you have some ideas of what you think
13 the law is, or what the law ought to be, and it
14 differs from what I now tell you the law is,
15 then you are to disregard your idea and accept
16 the law exactly as I give it to you.

17 And the fact that this Defendant was
18 arrested, charged and indicted in this case,
19 it's not evidence in this case. It cannot be
20 considered as evidence in this case by you. It
21 cannot be considered as evidence of guilt in
22 this case, nor does it create any presumption or
23 inference of guilt. An indictment is simply the
24 formal written instrument, which contain the
25 charges against this Defendant, and serves as

1 formal documents to get this case to the Court.

2 Now, the Defendant has pled not guilty to
3 these indictments, and this plea casts the
4 burden upon the State to prove each and every
5 element of these indictments to you beyond a
6 reasonable doubt. A person charged with
7 committing a criminal offense in South Carolina
8 is never required to prove himself or herself
9 innocent. It is an important rule of law in
10 this country, that a defendant in a criminal
11 trial is always presumed to be innocent for the
12 crime for which he or she is charged, unless and
13 until his guilt has been proven by evidence that
14 satisfies you of that guilt, beyond a reasonable
15 doubt.

16 The presumption of innocence is not a mere
17 legal theory, it is not just a legal phrase, it
18 is a substantial constitutional right to which
19 every Defendant is entitled. The presumption of
20 innocence accompanies the Defendant from the
21 time he's charged, and throughout the trial,
22 until you reach the verdict of guilt, based on
23 evidence that satisfies you of that guilt beyond
24 a reasonable doubt.

25 Now, reasonable doubt is a doubt which

1 makes an honest, sincere, conscientious juror,
2 in search of the truth, to hesitate to act.
3 Proof beyond a reasonable doubt must, therefore,
4 be proved to such a convincing character, that a
5 reasonable person would not hesitate to rely
6 upon it, in the most important of his or her own
7 affairs. Proof beyond a reasonable doubt can
8 also be described as proof that leaves you
9 firmly convinced of the Defendant's guilt. And
10 there are very few things in this world we know
11 with absolute certainty, and in a criminal case
12 the law does not require proof that overcomes
13 every possible doubt, but based on the
14 consideration of the evidence, you are firmly
15 convinced of the Defendant's guilt of the crime
16 charged, you must find him guilty.

17 On the other hand, if you think there's a
18 real possibility that he is not guilty, you must
19 give him the benefit of that doubt.

20 In determining the facts of the case, you
21 must necessarily pass upon the credibility,
22 which simply means believability of the witness,
23 and the weight to be given to their testimony.
24 You alone must decide strength and truth of that
25 testimony. In making these decisions, there are

1 many things that you may and should take into
2 consideration, such as the appearance and manner
3 of the witness on the stand, sometimes referred
4 to as the demeanor of the witness. Was the
5 witness forthright or hesitant? Was the
6 witness' testimony consistent, or did it contain
7 discrepancies? What was the ability of the
8 witness to know the facts about which he or she
9 testified. And did the witness have a cause or
10 reason to be biased or prejudiced in favor of
11 the testimony. Was the witness' testimony
12 corroborated and made strong about other
13 testimony in evidence, or was it made weaker, or
14 impeached by such evidence and testimony and
15 evidence?

16 Now, under the rules, ordinarily from any
17 witness to testify to opinions or conclusions.
18 An exception to this rule exists for witnesses
19 we call expert witnesses. A witness, who by
20 education and experience has become an expert in
21 some art, science, professional or calling, may
22 state an opinion as to relevant material in a
23 manner to which the witness claimed to be an
24 expert, and they may also state a reason for
25 that opinion.

1 You should consider an expert's opinion
2 received in evidence in this case like any other
3 evidence. You give the weight you think it
4 deserves. You decide on whether the opinion of
5 the expert if it's not based on sufficient
6 education and experience, or whether you
7 conclude that the reason given in support of the
8 opinions are not sound, or that the opinion is
9 outweighed by other evidence. You may disregard
10 the opinion of an expert in its entirety. An
11 expert witness' testimony is to be given no
12 greater weight than that of any other witness,
13 simply because the witness is an expert. And
14 you are not required to accept the expert's
15 opinion, even though it is not contradicted.

16 As a juror, you have the right to believe a
17 small portion of a witness' testimony and can
18 disregard a large portion of the testimony and
19 disregard the rest. You may believe all of the
20 witness' testimony or none. You may believe the
21 testimony of a single witness against that of
22 many, or the other way around.

23 Now, criminal intent is a necessary element
24 of each crime that must be proven by the State
25 beyond a reasonable doubt.

1 Criminal intent is always the matter that
2 must be determined by the jury and the
3 circumstances surrounding the situation. There
4 is no way to prove intent to a mathematical
5 certainty. There's no way medical science can
6 dissect a person's brain and determine what she
7 or he had in mind. So the law states that
8 criminal intent may be inferred from the
9 circumstances shown to have existed both before
10 and after-the-fact.

11 This is how you, the jury, make a
12 determination of whether or not the element
13 requiring intent was present. Criminal intent
14 is a state of mind that operates jointly with an
15 act or omission in the commission of a crime.
16 Criminal intent is a mental state of conscious
17 wrongdoing, so it is up to you, the jury, to
18 determine what the Defendant intended, based on
19 the circumstances shown to have existed. And I
20 tell you the statement criminal intent beyond a
21 reasonable doubt, just as the State must prove
22 each element beyond a reasonable doubt.

23 Now, there are two type of evidence that
24 are generally presented in trial, direct
25 evidence and circumstantial evidence. Direct

1 evidence directly proves the existence of a fact
2 and does not require deduction. Circumstantial
3 evidence is proof of a chain of facts or
4 circumstances indicating the existence of a
5 fact. A crime may be proven by circumstantial
6 evidence, and the law makes no distinction
7 between the weight or value being given to
8 direct or circumstantial evidence.

9 However, to the extent the State relies on
10 circumstantial evidence, all of the
11 circumstances must be consistent with each
12 other, and when taken together one conclusively
13 proves guilt of the accused beyond a reasonable
14 doubt. If these circumstances merely portray
15 the Defendant as suspicious, the proof has
16 failed. The State has the burden of proving the
17 Defendant's guilt beyond a reasonable doubt, and
18 this burden rests with the State, whether the
19 State relies on direct, circumstantial evidence,
20 or the combination of the two.

21 Now, if a crime is committed by two or more
22 people, who are acting together in committing
23 the crime, the act of one is the act of all. A
24 person who joins with another to commit an
25 unlawful act is criminally responsible for

1 everything done by the other person, which
2 happens as a probable and natural consequence of
3 the acts done, in the carrying out of the common
4 plan and purpose.

5 For example, two people can be guilty of
6 killing another person, when only one of the two
7 have a gun, and there was only one gun, and only
8 one of the two fired the shot that caused the
9 death. If two or more people are together,
10 acting together, assisting each other in
11 committing the crime, the act of one is the act
12 of all, sometimes referred to as the hand of one
13 is the hand of all.

14 Prior knowledge that the crime is going to
15 be committed without moral justification is not
16 sufficient to make a person guilty of that
17 crime. Mere knowledge that another person is
18 going to commit a crime, even if the Defendant
19 is present when the crime is committed, is not
20 sufficient to convict the Defendant as a
21 principle is shown by actual or constructive
22 presence at the scene, as a result of a prior
23 arrangement, therefore, a finding of prior
24 arrangement plan or -- I'm sorry, a prior
25 arranged plan or common scheme is necessary for

1 the finding of guilt as a principle.

2 The State must prove beyond a reasonable
3 doubt by common evidence the theory of the hand
4 of one is the hand of all. A principle in kind
5 is going to be the person who commits the crime,
6 or who is present, aiding, abetting, or
7 assisting in the commission of the crime. When
8 a person doesn't act in the presence of and with
9 the assistance of another, the act is done by
10 both. Where two or more acting together with a
11 common plan or intent, or present at the scene
12 of the crime, it does not matter who actually
13 commits the crime, all are guilty, the hand of
14 one is the hand of all.

15 Presence at the commission of a crime means
16 to be sufficiently present to aid, abet, and
17 assist in the commission of the crime; however,
18 mere presence at a crime scene is not sufficient
19 to prove as a principle on the theory of aiding
20 and abetting.

21 Intent is also a necessary element. There
22 must have been a common purpose to intent to
23 commit the crime, and the crime must have been
24 committed pursuant thereto, with the person
25 acting, abetting or some overt act with the

1 crime, which means intent as a result of what
2 actually occurred, not accidentally, and
3 voluntarily, it must be shown that the acts and
4 conduct of the Defendants and other
5 circumstances that you may naturally and
6 reasonably infer; therefore, the State must
7 prove these elements beyond a reasonable doubt.
8 And mere presence at the scene is not sufficient
9 to prove someone guilty of a crime.

10 A Defendant's presence where the crime has
11 been committed, or mere association with the
12 person who commits the crime, does not make a
13 Defendant an accomplice, or an aider or embedder
14 of the person committing the crime. The burden
15 is on the State to prove each and every element
16 of this crime.

17 And after reviewing all of them, the State
18 must prove that the Defendant was only present
19 at the crime scene, and they were not -- they
20 did not prove beyond a reasonable doubt any
21 participation in the crime, then you must find
22 the Defendant not guilty. The law is that proof
23 of participation at the scene of the crime is
24 not sufficient alone to convict someone or find
25 someone guilty.

1 And the Defendant is charged with murder.
2 The State must prove beyond a reasonable doubt
3 the Defendant killed another person with malice
4 and forethought.

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

11 Malice, therefore, does not require that
12 malice exist -- I'm sorry, malice aforethought
13 does not require that malice exist in any
14 particular time before the act is committed, but
15 malice must exist in the mind of the Defendant
16 just before and at the time the act is
17 committed.

18 Therefore, there must be a determination of
19 the previous evil intent and the act. Malice,
20 therefore, may be expressed or inferred. The
21 term expressed and inferred do not mean
22 different kinds of malice, but merely the manner
23 in which the malice may be shown to have
24 existed. That is either by direct evidence, or
25 by inference from the facts and circumstances,

1 which will prove expressed malice is shown when
2 a person speaks words, or expresses hatred or
3 ill-will to another person, or when the person's
4 prepared beforehand to do an act whose purpose
5 shows malice. For example, lying in wait for a
6 person, or any other act of preparation that are
7 going to show that the deed was within the
8 Defendant's mind with the expressed malice.
9 Malice may be inferred in the conduct, showing a
10 total disregard for human life.

11 Now, the Defendant is also charged with
12 attempted murder. In order to prove it, the
13 State must prove that the Defendant acted with
14 specific intent to kill another person, and the
15 Defendant attempted to kill another person with
16 malice aforethought either expressed or implied.
17 And I just defined express or implied malice to
18 you.

19 Now, malice may be inferred conduct,
20 showing a total disregard of human life. If the
21 facts are proven beyond a reasonable doubt,
22 sufficient to raise an inference of malice to
23 your satisfaction, this inference would be
24 simple, simply an evidentiary fact for you to
25 consider. The jury alone -- I'm sorry, along

1 with all the other evidence in this case for you
2 to consider, you should give it the weight you
3 think it deserves.

4 Specific intent is an element in attempted
5 murder. Intent means intending results which
6 actually occur, not accidentally, but voluntary.
7 Intent may be shown by acts and conduct of the
8 Defendant, and other circumstances which you may
9 naturally and reasonably infer intent. Evidence
10 of the character of the act, the character of
11 the instrument used, the manner in which it was
12 used, the purpose to be accomplished, the
13 resulting wounds or injuries may be considered
14 in determining the intent in which the act was
15 committed.

16 Intent may also be inferred when it's
17 demonstrated that the Defendant voluntarily and
18 willfully committed an act which intends to
19 destroy another's life.

20 Now, the Defendant is also charged with the
21 crime of assault and battery by a mob in the
22 first degree.

23 In order to prove assault and battery by a
24 mob in the first degree, the State must prove
25 beyond a reasonable doubt that an act of

1 violence was committed by a mob on the body of a
2 person, which resulted in the death of the
3 person.

4 A mob is a gathering of two or more
5 persons, without color or authority of law, for
6 the premediated purpose, and with the
7 premediated intent to commit an act of violence
8 on another person.

9 The Defendant's also charged with the crime
10 of assault and battery in the second degree. In
11 order to prove assault and battery in the second
12 degree, the State must prove beyond a reasonable
13 doubt that the act of violence was committed by
14 a mob on the body of a person that resulted in
15 serious bodily injury.

16 The Defendant is also charged with assault
17 and battery, third by a mob. In order to prove
18 assault and battery mob third, the State must
19 prove beyond a reasonable doubt the acts of
20 violence was committed by a mob on the body of a
21 person, which resulted in bodily injury to that
22 person.

23 And I've given you the definition prior of
24 a mob.

25 Now, the Defendant is also charged with the

1 crime of possession of a weapon during the
2 commission of a violent crime. The State must
3 prove beyond a reasonable doubt that the
4 Defendant was in possession of a firearm, or
5 visibly displayed what appeared to be a firearm
6 during the commission of a violent crime.

7 A firearm means any machine gun, automatic
8 rifle, revolver, pistol, or any weapons which
9 will and a projectile. In order for the
10 Defendant to be found guilty of possession of a
11 weapon during the commission of a violent crime,
12 you must first find the Defendant guilty of
13 either committing a violent crime or can be
14 committing a violent crime. And I will present
15 to you that murder is a violent crime.

16 Now, Mr. Foreman, and ladies and gentlemen
17 of the jury, you're not here to award your
18 friends or punish your enemies, you were
19 selected as fair and impartial jurors, to
20 determine the facts of this case. And when you
21 go to deliberation, you determine what the facts
22 are in this case.

23 Now, Mr. Foreman, I've had my Law Clerk
24 print out a verdict form in this case, which
25 basically spells out the charges.

1 The order that she's placed them in you
2 should draw no conclusion to it whatsoever. And
3 it basically is the caption of the case, and
4 then it says, "One, we, the jury, unanimously
5 finds the Defendant, Ty Leic Chaneyfield, guilty
6 of murder of D. J. Fields, Jr., or not guilty of
7 the murder of D. J. Fields, Jr."

8 Number two is, "We, the jury, unanimously
9 find the Defendant, Ty Leic Chaneyfield guilty
10 of attempted murder of Edwin -- E. J. Graham, or
11 not guilty of attempted murder of E. J. Graham."

12 Number three, we, the jury, unanimous find
13 the Defendant, Ty Leic Chaneyfield, guilty of
14 attempted murder of Kaylan Simmons, or not
15 guilty of attempted murder of Kaylan Simmons."

16 Number four, "We, the jury, unanimously
17 find the Defendant, Ty Leic Chaneyfield, guilty
18 of possession of a weapon during the commission
19 of a violent crime, or not guilty of possession
20 of a weapon during the commission of a violent
21 crime."

22 Number five is, "We, the jury, unanimously
23 find Ty Leic Chaneyfield guilty of assault and
24 battery by a mob, first degree of D. J. Fields,
25 or not guilty of assault and battery by a mob,

1 first degree of D. J. Fields.

2 Number six is, "We, the jury, unanimously
3 find the Defendant, Ty Leic Chaneyfield guilty
4 of assault and battery by a mob, second degree,
5 of E. J. Graham, or not guilty of assault and
6 battery by a mob, second degree." And number
7 seven, "We the jury, unanimously find the
8 Defendant, Ty Leic Chaneyfield, guilty of
9 assault and battery by a mob, third degree of
10 Kaylan Simmons, or not guilty of assault and
11 battery by a mob, third degree, of Kaylan
12 Simmons. You will check the appropriate box,
13 and I'll let you go down this list.

14 The verdict must be unanimous. All 12 of
15 you must agree on this verdict before you can
16 sign it and date it. And when you've reached a
17 verdict, you simply knock on the door and let
18 the Bailiff know that you have reached a
19 verdict, and we will bring you back out and
20 receive your verdict.

21 Now, I've got to talk to the lawyers to be
22 sure I have not left something out. If I have
23 failed to charge you on a law that I need to, I
24 will bring you back out and correct that, and
25 charge you further. If I've not, you know, if

1 I've covered everything, then I will send you
2 this verdict form, along with the evidence in
3 the jury room, and when you receive that verdict
4 form, you can begin your deliberation.

5 Now, I understand it's 4:45, or ten minutes
6 to 5:00, and you can start tonight and work as
7 long as you want to, or you cannot even start
8 tonight, and come back in the morning and
9 deliberate. And if you'all want to go to the
10 jury room and discuss that, that's fine, I will
11 -- before I can let you go though, I have to be
12 sure I've charged you correctly and haven't left
13 anything out, so I'll cover that when you leave
14 in just a minute.

15 So I'll send you to the jury room, and
16 before I send the evidence in, if you'all will
17 talk among yourselves whether you want to talk
18 about it tonight, or whether you want to start
19 tonight. And you can start tonight and decide
20 the case tonight, and not have to come back
21 tomorrow, or you can come back in the morning
22 and start fresh, but you'all talk about it.

23 I'll talk to the lawyers to be sure I've
24 covered everything, and if you'll tell the
25 Bailiff your answer of what you want to do. If

1 your answer is we're gonna start in the morning,
2 and not do anything tonight, then I'm not gonna
3 send any of this stuff back there to you.

4 If your answer is you want to start, I'll
5 send it to you, and once you get it, you can
6 start your deliberations. Now, if for some
7 reason, somebody has to be excused, that they've
8 got to go to the restroom, or whatever, you've
9 got to stop talking about it. You can only talk
10 about this case when all 12 of you are present
11 with each other, okay?

12 So if you'all will go to the jury room and
13 let me know what you'all want to do.

14 And the two alternates, I need the
15 alternates to go in a separate right now, okay,
16 and I'll address you'all in just a minute. I
17 only needed you'all, if I lose somebody, and I
18 hope I won't. Okay.

19 (Jury exits the courtroom.)

20 BAILIFF: The jury's cleared and the door's
21 closed, Your Honor.

22 THE COURT: Okay. Any exceptions from the
23 State?

24 MR. STONE: No, sir, not from the State.

25 THE COURT: From the defense?

1 MR. LEE: None from the defense, Your
2 Honor.

3 THE COURT: Okay, then I will wait on the
4 jury to decide what they want to do. Now, as
5 far as the alternates are concerned, the statute
6 requires they don't go in the room, and I
7 dismiss them. That's what the statute says.

8 Now, some Judges think -- so there was a
9 bill introduced into Legislature this year to
10 change that that says that they actually stay
11 here, because if we lose one during the
12 deliberation, that can cause an issue; but when
13 you read the statute I'm not supposed to ever go
14 in the room.

15 Now, there was some concern across the
16 state among the judiciary and everybody else
17 that that may be a bad idea, so they introduced
18 a bill to change that statute to keep them,
19 okay? And the intent was if we do keep them,
20 and then we lose one during the deliberation, we
21 may have to put an alternate in, and they have
22 to start all over with the new alternate in
23 there.

24 Now, I don't think that bill passed. I
25 just saw it go through because they talked about

1 it.

2 Do you'all know whether that passed?

3 MR. STONE: I have not heard that, I can
4 check, but I have not heard that.

5 THE COURT: So --

6 MR. STONE: I don't think so. I think I
7 would have known that, but I can check.

8 THE COURT: Okay.

9 MR. LEE: Mr. Stone's a lot more in tune
10 with Columbia than I am, so I would defer to
11 his judgment.

12 MR. STONE: Well, it goes to -- the
13 Prosecution Commission would have weighed in on
14 that.

15 MR. LEE: Yeah, sure.

16 MR. STONE: So I don't know about it.

17 THE COURT: So I think the normal practice
18 was to keep them. And then if an issue came up
19 on this, you know, Judge Cooper wrote this is
20 what the statute said, that you're supposed to
21 let them go, and that's what the statute says.

22 MR. LEE: And what if somebody falls out
23 during the deliberations, does it come to me to
24 see if I consent to going with 11 and would he
25 consent?

1 MR. STONE: I think --

2 THE COURT: Yeah, I mean --

3 MR. STONE: -- probably.

4 THE COURT: -- if somebody falls out, we
5 might end up in a mistrial, and that was why the
6 statute has concerns and asked the Legislature
7 to correct that statute, where we wouldn't do
8 what we've done all week, and we'd have to start
9 over.

10 THE COURT: -- it's coming through, and I
11 guess we're gonna have to answer that, when I
12 get an answer back from the jury, but I'm just
13 throwing that out to you. I saw it when it was
14 introduced. I saw it on the docket. Whether
15 that passed or not, I don't know the answer to
16 that. Because I couldn't find it in the list
17 the Court Administration gave me that the bill
18 had passed.

19 MR. LEE: My position is, I want a verdict
20 from 12 jurors, so keep them around in case of
21 that, if you want to know, that's my position.

22 THE COURT: Okay.

23 MR. STONE: It'll pass the house, Judge.
24 It didn't pass the Senate. It passed the House,
25 sits in Judiciary in the Senate, and they've got

1 the rest of next year for the decisions.

2 THE COURT: Well, the problem I've got is
3 the statute says one thing. If I'm deviating
4 from the statute, you'all have got to agree. I
5 mean you'all tell me what you want to do,
6 understanding the potential -- especially if we
7 let the jury go home.

8 If they're going to stay here, there's a
9 lot less chance of losing one, like the heart
10 attack issue, and we could get a verdict. When
11 I let them go home, they, you know, can have an
12 accident going home, a number of things could
13 happen, and I just want to put that out to
14 you'all.

15 MR. STONE: And I'll -- I'm sorry, I'll
16 consent to whatever the defense wants to do on
17 that.

18 THE COURT: Okay.

19 MR. LEE: Our position is we need to hold
20 them until we know that they aren't needed,
21 until 12 people come out with a verdict.

22 THE COURT: Okay, I will ask, once I hear
23 from the jury, I'm going to keep the alternates
24 in a separate room. They can't go in that room,
25 I have to keep them separate, and I assume

1 you'all have got another room I can keep them.

2 Ask them to come back in the morning, until
3 we at least can get far enough that we know, you
4 know, okay. All right, well, we'll wait on them
5 to give us an answer of what they want to do
6 tonight.

7 THE COURT: I'm going to let them go.

8 BAILIFF: Yes, sir, I understand.

9 THE COURT: I'm going to send the jury home
10 soon. I'm not even gonna give them the evidence
11 until the morning.

12 MR. STONE: No, sir.

13 THE COURT: Okay.

14 MR. LEE: Just make it real clear they
15 can't talk about it, can't even think about it.

16 THE COURT: All right, do you want me to
17 bring them back out and talk to them again about
18 it?

19 I thought I made it clear enough, but I'll
20 be glad to do it again.

21 MR. LEE: Now, if you were to bring them
22 back, don't bring them back just for that.

23 THE COURT: Okay. I've been preaching at
24 them, but you never know.

25 THE COURT: The bailiff tells me that they

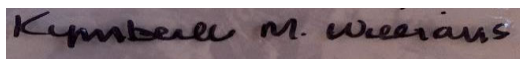
15	END OF VOLUME IV

CERTIFICATE OF REPORTER

I, Kymberlee M. Williams, Certified Shorthand Reporter/Registered Professional Reporter for the 14th Circuit of the State of South Carolina do hereby certify that the foregoing is a true, accurate and complete transcript of the proceedings held in this case, relative to appeal, in the General Sessions Court for Beaufort County, South Carolina on the 28th Day of September 2023.

I do further certify that I am not related, of counsel, or interest to any party hereto.

This, the 17th day of March 2024.



Kymberlee M. Williams, CSR/RPR

STATE OF SOUTH CAROLINA	IN GENERAL SESSIONS COURT
COUNTY OF BEAUFORT	FOR THE 14 TH JUDICIAL CIRCUIT
	2021-GS-07-00449
	2020-GS-07-02312

-----)	
State of South Carolina)	
)	
)	
Plaintiff,)	
vs.)	TRANSCRIPT OF JURY TRIAL
)	VOLUME V
Ty Leic Chaneyfield,)	(PAGES 910 - 958)
)	
----- <u>Defendant.</u>)	

September 29, 2023
 October 2, 2023
 Beaufort, South Carolina

B E F O R E:

The Honorable R. Ferrell Cothran, Judge Presiding

Kymberlee M. Williams, CSR/RPR
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PROCEEDINGS CONTINUED*********FRIDAY, SEPTEMBER 29, 2023****BEAUFORT, SOUTH CAROLINA**

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

THE COURT: Good morning. The jury is all here as well as the alternates. I think we will hold them for a little while until we get a verdict.

(Recess.)

********PROCEEDINGS CONTINUED**

THE COURT: We have a note from the jury. I need the attorneys up here.

(Bench conference.)

THE COURT: Bring them in.

(Jury enters courtroom.)

THE COURT: Mr. Foreman, I got a note from the jury through you the foreman that says, can you provide in writing the definition of each charge as you read it yesterday.

THE FOREMAN: Yes, Your Honor.

THE COURT: I cannot provide it to you in writing. I can read it to you.

1 Do you want the entire charge or the
2 definitions of the crime? If you all need to go
3 back and discuss that, you can. I can't give it
4 to you in writing, but I can recharge you on all
5 of it or any portion of it.

6 (Recess.)

7 THE COURT: Bring them back in.

8 (Jury enters courtroom.)

9 THE COURT: Mr. Foreman, my understanding
10 from your last note is you would like me to re-
11 charge you on the charge of murder and attempted
12 murder.

13 THE FOREMAN: That's correct, Your Honor.

14 THE COURT: Thank you.

15 And the Defendant is charged with murder.
16 The State must prove beyond a reasonable doubt
17 the Defendant killed another person with malice
18 and forethought.

19 Malice is hatred, ill-will, or hostility
20 towards another person. It is the intentional
21 doing of a wrongful act without just cause or
22 excuse, and with the intent to inflict an
23 injury, and under a circumstance that the law
24 I'm sorry, infer evil intent.

25 Malice, therefore, does not require that

1 malice exist -- I'm sorry, malice aforethought
2 does not require that malice exist in any
3 particular time before the act is committed, but
4 malice must exist in the mind of the Defendant
5 just before and at the time the act is
6 committed.

7 Therefore, there must be a determination of
8 the previous evil intent and the act. Malice,
9 therefore, may be expressed or inferred. The
10 term expressed and inferred do not mean
11 different kinds of malice, but merely the manner
12 in which the malice may be shown to have
13 existed. That is either by direct evidence, or
14 by inference from the facts and circumstances,
15 which will prove expressed malice is shown when
16 a person speaks words, or expresses hatred or
17 ill-will to another person, or when the person's
18 prepared beforehand to do an act whose purpose
19 shows malice. For example, lying in wait for a
20 person, or any other act of preparation that are
21 going to show that the deed was within the
22 Defendant's mind with the expressed malice.
23 Malice may be inferred in the conduct, showing a
24 total disregard for human life.

25 Now, the Defendant is also charged with

1 attempted murder. In order to prove it, the
2 State must prove that the Defendant acted with
3 specific intent to kill another person, and the
4 Defendant attempted to kill another person with
5 malice aforethought either expressed or implied.

6 You may now return to your jury room. If
7 you need anything else, write it down and give
8 it to the bailiff, and we will get back to you
9 as soon as we can. Thank you.

10 (Jury exits courtroom.)

11 THE COURT: We will be at ease.

12 (Recess.)

13 **

14 **PROCEEDINGS CONTINUED**

15 **

16 THE COURT: Mr. Foreman, I got a note that
17 you all want to review the testimony of Ty Leic
18 Chaneyfield. I can play the audio back to you.
19 Okay. She is going to start it; the Court
20 reporter will start it now. If you cannot hear
21 her, raise your hand and let me know.

22 (Testimony of Ty Leic Chaneyfield replayed
23 for the jury.)

24 THE COURT: We will excuse you to your jury
25 room. Let us know if you need anything else.

1 (Jury exits courtroom.)

2 THE COURT: We will stand at ease in this
3 matter.

4 (Recess.)

5 THE COURT: The jury has sent a note saying
6 they would like to resume deliberations on
7 Monday morning, so that is what we will do.

8 MR. STONE: No objection.

9 MR. LEE: No objection.

10 THE COURT: Bring them in.

11 (Jury enters courtroom.)

12 THE COURT: Mr. Foreman, I understand the
13 jury wishes to stop for today and resume your
14 deliberations on Monday.

15 THE FOREMAN: That's correct.

16 THE COURT: Very well. Over the weekend
17 recess, do not talk about the case or allow
18 anyone to talk to you or watch or read anything
19 about the case. This is especially important
20 because you have not yet reached a verdict in
21 the case.

22 So we will see you back on Monday morning
23 at 9:30. Have a good weekend.

24 (Jury exits courtroom.)

25 THE COURT: Anything before we recess for

1 the day?

2 MR. STONE: Not from the State.

3 MR. LEE: No, Your Honor.

4 THE COURT: See everyone back at 9:30 on
5 Monday morning. Have a good weekend.

6 (At 6:18 p.m. the trial was continued to
7 the following workday without interruption.)

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1 PROCEEDINGS CONTINUED

2 **

3 MONDAY, OCTOBER 2, 2023

4 BEAUFORT, SOUTH CAROLINA

5 ***

6 (The following proceedings were held in open
7 court. All parties were present.)

8 **

9 THE COURT: The jury is in the jury room
10 and continuing their deliberations.

11 Are there other matters today?

12 MR. STONE: Yes, Your Honor. I believe
13 they have some unrelated matters for you as
14 well.

15 THE COURT: Okay. They we will be in
16 recess in this matter.

17 (Recess.)

18 **

19 PROCEEDINGS CONTINUED

20 THE COURT: I understand the jury has
21 reached a verdict.

22 Okay, bring the Defendant in.

23 BAILIFF: May I approach, Your Honor?

24 THE COURT: Yes.

25 (Bench conference.)

1 BAILIFF: The jury's entering the
2 courtroom, Your Honor.

3 (Jury enters the courtroom.)

4 **

5 **READING OF THE VERDICT**

6 **

7 BAILIFF: The jury's seated, Your Honor.

8 THE COURT: Thank you.

9 Mr. Foreman, I understand you've reached a
10 verdict?

11 MR. FOREMAN: We have, Your Honor.

12 THE COURT: Is it unanimous?

13 MR. FOREMAN: It is unanimous, Your Honor.

14 THE COURT: Okay, if you would pass it up
15 here, sir.

16 Okay, you may publish it, Madam Clerk.

17 CLERK: All right, Mr. Chaneyfield, the
18 State of South Carolina, Beaufort County, the
19 first, Ty Leic Dae Jhon Chaneyfield, we, the
20 jury, unanimously find the Defendant, Ty Leic
21 Dae Jhon Chaneyfield guilty of the murder of
22 D'won D. J. Fields.

23 We, the jury, unanimously find the
24 Defendant, Ty Leic Dae Jhon Chaneyfield, guilty
25 of attempted murder of Edwin E. J. Graham. We,

1 the jury, unanimously find the Defendant Ty Leic
2 Dae John Chaneyfield, guilty of attempted murder
3 of Kaylan Simmons.

4 We, the jury unanimously find the
5 Defendant, Ty Leic Dae Jhon Chaneyfield, guilty
6 of possession of a weapon during a violent
7 crime.

8 We, the jury, unanimously find the
9 Defendant, Ty Leic Dae Jhon Chaneyfield, guilty
10 of assault and battery by a mob, first degree,
11 of D'won D. J. Fields.

12 We, the jury, unanimously find the
13 Defendant, Ty Leic Dae Jhon Chaneyfield, guilty
14 of assault and battery by mob, second degree of
15 Edwin E. J. Graham.

16 We, the jury, unanimously find the
17 Defendant, Ty Leic Dae Jhon Chaneyfield, guilty
18 of assault and battery by mob, third degree of
19 Kaylan Simmons. Thank you.

20 THE COURT: Anything from the State before
21 I dismiss the jury?

22 MR. STONE: No, sir.

23 THE COURT: Anything from the defense?

24 MR. LEE: Yeah, I would ask the jury be
25 polled, please.

1 THE COURT: Okay. Madam Clerk, if you'd
2 poll the jury.

3 CLERK: All right, I'm gonna call you just
4 by your number, and ask you one question, we
5 just need one answer from the question.

6 Juror number 180, your number is on your
7 tag, juror number 180, is this your verdict?

8 JUROR 180: Yes, it is.

9 CLERK: Is it still your verdict?

10 JUROR 180: Yes, it is.

11 CLERK: Okay. Juror number 27, is this
12 your verdict?

13 JUROR 27: Yes, it is.

14 CLERK: Is it still your verdict?

15 JUROR 27: Yes, it is.

16 CLERK: Juror number 130, is this your
17 verdict?

18 JUROR 130: Yes.

19 CLERK: Is it still your verdict?

20 JUROR 130: Yes.

21 CLERK: Juror number 5, is this your
22 verdict?

23 JUROR 5: Yes.

24 CLERK: Is it still your verdict?

25 JUROR 5: Yes.

1 CLERK: Juror number 203, is this your
2 verdict?

3 JUROR 203: Yes.

4 CLERK: Is it still your verdict?

5 JUROR 203: Yes.

6 CLERK: Juror number 71, is this your
7 verdict?

8 JUROR 71: Yes.

9 CLERK: Is it still your verdict?

10 JUROR 71: Yes.

11 CLERK: Juror number 333, is this your
12 verdict?

13 JUROR 333: Yes.

14 CLERK: Is it still your verdict?

15 JUROR 33: Yes.

16 CLERK: Juror number 211, is this your
17 verdict?

18 JUROR 211: Yes.

19 CLERK: Is it still your verdict?

20 JUROR 211: Yes.

21 CLERK: Juror number 224, is this your
22 verdict?

23 JUROR 224: Yes.

24 CLERK: Is it still your verdict?

25 JUROR 224: Yes.

1 CLERK: Juror number 154, is this your
2 verdict?

3 JUROR 154: Yes, it is.

4 CLERK: Is it still your verdict?

5 JUROR 154: Yes, it is.

6 CLERK: Juror number 252, is this your
7 verdict?

8 JUROR 252: Yes.

9 CLERK: Is it still your verdict?

10 JUROR 252: Yes.

11 CLERK: Juror number 307, is this your
12 verdict?

13 JUROR 307: Yes.

14 CLERK: Is it still your verdict?

15 JUROR 307: Yes.

16 CLERK: Have I left anybody out? Okay,
17 thank you so much.

18 THE COURT: Ladies and gentlemen, I want to
19 thank you for your service. You have paid very
20 close attention throughout this trial, and you
21 worked very hard, as hard as any jury I've ever
22 had. I've been telling you you couldn't talk
23 about this case.

24 Now you can talk about it to anybody you
25 want to. You don't have to. This concludes

1 your jury service. You are free to go if you
2 want to, but you're welcome -- the next phase is
3 I have to sentence the Defendant in this case.
4 You're welcome to sit through the sentencing, if
5 you want to, or you can go; but if you're gonna
6 stay, you need to stay through the whole thing.
7 If you want to go -- and it shouldn't take that
8 long, but I'm just, you know, I just don't want
9 you getting up in the middle of it and walk out,
10 so if you want to leave now you're welcome to
11 leave, but you can stay if you want to, okay?

12 Mr. Solicitor. And if you want to come
13 around at the back, you can do that too,
14 whatever you want to do.

15 (Jury exits courtroom.)

16 MR. STONE: It's gonna take me a few
17 minutes to get the sentencing sheet prepared,
18 Judge, I'm sorry.

19 BAILIFF: The jury's cleared and the doors
20 are closed, Your Honor.

21 MR. STONE: I don't fill this out until --

22 THE COURT: I understand.

23 MR. STONE: I apologize for the delay.

24 THE COURT: I don't know either.

25 Do you need a few minutes before I --

1 MR. STONE: Sir?

2 THE COURT: -- deal -- huh?

3 MR. STONE: I'm sorry.

4 THE COURT: Do you need a few minutes
5 before I deal with his motion?

6 MR. STONE: No, sir, we can go ahead and do
7 that.

8 THE COURT: Okay. Shoot.

9 MR. LEE: Okay. Your Honor, as far as
10 post-trial motions, obviously, I want to renew
11 my two previous directed motions that were made
12 at the close of the State's case, as well as the
13 close of our case.

14 And just to reiterate the basis for those
15 motions, which, obviously, we were not granted.
16 At this point, I would renew our previous
17 directed verdict motions that we made, that
18 would be my first.

19 I would renew all objections made during
20 the course of the trial. Certainly, the motion
21 about keeping out the pictures and the Snapchat
22 video, that took pictures of flipping the bird
23 on the camera. Again, our position was that
24 that was solely used to suggest that Mr.
25 Chaneyfield was not a good person. I think it

1 improperly went into character evidence. I
2 think there was no probative value whatsoever,
3 other than their argument that's showing he was
4 there. Him being at Station 300 before all this
5 happened was never an issue in this case. It
6 was conceded in our opening statement, and it
7 was proven over and over and over again.

8 So, again, I don't think that picture was
9 necessary. I don't think it should have been
10 admitted, but I would renew as to that. I would
11 renew my prior objection to the introduction of
12 that picture, or the two pictures and the
13 Snapchat video.

14 I also would renew the issue we had about
15 the transport order that we found after the
16 close of the State's case, showing that
17 Investigator Hightower, the order provided
18 Investigator Hightower was supposed to, in fact,
19 pick up Harold Rogers from the Dorchester County
20 Detention Center.

21 Again, it was simply to be out there that
22 how did Mr. Rogers have all this information,
23 and it was part of our defense that Mr. Rogers
24 had access, was around law enforcement, had
25 many, many ways to gather information, that

1 otherwise he supposedly shouldn't have, and,
2 obviously, the motion was not mean to suggest
3 that Dylan Hightower fed him information, but,
4 you know, we didn't know anything about, you
5 know, circumstances of the three hour -- or I
6 guess hour and-a-half their trip there. So I
7 would renew that motion, as it goes to the heart
8 of the defense, as far as saying that Harold
9 Rogers was not credible.

10 The impact of that was best shown by Mr.
11 Stone's closing argument, where he really
12 vouched for Harold Rogers, and said that he was
13 pretty much the best part of their case, and
14 that that's what put them over the top, from
15 pretty good to reasonable doubt. So he clearly
16 relied on and emphasized the veracity, in his
17 opinion, of Mr. Rogers' testimony, and, again, I
18 think that was an opportunity lost for us by
19 that ruling to not say there's plenty of places
20 that Harold Rogers, including having access to
21 law enforcement personnel, where he could have
22 overheard something, he could have heard
23 something on the radio, we just don't know.

24 And, again, our position was what was in
25 Harold Rogers' mind, as far as him getting some

1 attaboys or good treatments or better treatment,
2 reward, whatever, is what is in Harold Rogers'
3 mind. He certainly did get some transportation
4 that took placoe while given to the one person
5 being moved from one jail to another. So those
6 individually, but I guess the motion for a new
7 trial is really taking those two rulings, and
8 then superimposing them over the entire case.

9 It was our position that there was an
10 attempt, or at least a suggestion, to try to get
11 an emotional verdict from the jury. This is a
12 terrible, sad, tragic case, and, you know,
13 there's no doubt, nobody in Court disputes that.
14 It was because of the nature of the victims,
15 because it was, you know, unintended
16 consequences, unintended victims, mistaken
17 identity, whatever you want to call it, that
18 emotion is paramount in this, and trying to keep
19 that out, particularly, in a case like this.

20 They have deliberated all day Friday and
21 deliberated a couple hours this morning.
22 Clearly, this jury took this seriously and
23 deliberated a great deal, and we certainly
24 accept and respect their decision; but as to the
25 motion for a new trial, I'm trying to point out

1 some of the things that occurred that could have
2 caused the jury to make a decision, based not on
3 the facts or what's there, as we said what's not
4 there, but turn it into kind of an emotional
5 decision. So those two things, and I guess the
6 backdrop of the trial, the things that we
7 objected to, and, again, I want to kind of look
8 at this as a cumulative effect.

9 The first one, and the one that probably
10 upset us the most was during the cross-
11 examination of Mr. Chaneyfield, when the
12 question was asked -- and we heard this
13 testimony twice, so it was enhanced, in my
14 opinion, about, "Didn't Harold Rogers -- or
15 didn't you tell Harold Rogers that you had
16 incriminating photos of guns on your phone?" He
17 answered, "No." The response to that was going
18 to the State's table, pulling out a pre-marked
19 exhibit, and rather than bringing it over here
20 for me to look at, as is customary the case, and
21 what's done in every other piece of evidence,
22 that picture of Mr. Chaneyfield with his face,
23 and a gun pointing towards the camera was taken
24 by the prosecutor towards the witness.

25 Is this -- I'm trying to find the exact

1 language, but, basically, was, "Is this you?
2 Was this taken with your camera?" At that
3 point, I objected, we had about an hour sidebar
4 or hearing on that. I was unable to see what,
5 if anything, the jury saw or didn't see, but
6 that was crucial in our opinion, and when taken
7 in conjunction with everything else, is one of
8 the pieces that we believe resulted in an unfair
9 trial and would entitle Ms. Chaneyfield to a new
10 trial.

11 It's hard to recover from that. And,
12 again, they asked to review Mr. Chaneyfield's
13 testimony, and that exchange was heard again
14 during the replay of the testimony. Again,
15 going forward an emotional appeal to the jury.
16 Then in the closing argument we had at least
17 three burden shifting arguments by the
18 prosecutor, which is clearly improper, arguably,
19 the four of them.

20 There was a statement about where was
21 M.A. [REDACTED] and Alexis Wright, the people
22 that Mr. Chaneyfield testified were at their
23 house, before and after this happened? Where
24 are they? How about Shakira what's her name,
25 the girl that he said he went to her house, and

1 dropped off his car? Those both -- and,
2 actually, the first one I didn't stand up, the
3 second I did object, it was upheld, but, again,
4 that is -- that can tend to result in an
5 emotional verdict, and, clearly, it's improper,
6 clearly just not the proper way to do it. Later
7 in the closing there was a statement about, "And
8 they want you to think," or, "they want you to
9 believe that the times on the Verizon records
10 were incorrect."

11 I did not question that witness, because
12 she never once in her testimony said, "These are
13 the times, and these are verified correct." We
14 had all kinds of problems with dates and times
15 that were off, the doorbell was off. The
16 Station 300 was off. There's all kinds of
17 things, and all of these things are important,
18 because of the timeline and the timeframe in
19 which we're looking.

20 Again, the comment at closing was, "There
21 was no testimony, there was no evidence the time
22 was off." We don't have a burden that would
23 show anything, so that, you know, as a whole,
24 makes it difficult to get a fair, unemotional
25 verdict. The other thing that came up again

1 during Mr. Chaneyfield's testimony, talking
2 about M.A. [REDACTED], who has a pending case
3 with the Solicitor's Office, there was a comment
4 or question, "Did he have an ankle monitor on
5 when you saw him?" Clearly that's not supported
6 by the evidence, it's clearly not probative
7 under the law, it's prejudicial, it's showing
8 who he's supposedly hanging out with, and it's
9 just not appropriate under the circumstances.
10 So, again, it's kind of death by a thousand
11 papercuts argument, Judge.

12 Each one of those in and of themselves are
13 objectionable and improper, and I, you know,
14 objected to some of them, but the toothpaste is
15 already out of the tube, so our position, Your
16 Honor, again, we accept and respect the jury's
17 verdict, but our position for a motion for a new
18 trial is that all of those things cumulative.
19 The end result is that the verdict that was just
20 received is not appropriate, under the
21 circumstances of the arguments that I just made;
22 and so for that reason we would respectfully
23 make a motion for a new trial.

24 Again, it is not our position that there's
25 any ill-will, or, you know, intent, or anything

1 like that, but, again, when you look at
2 everything together, in my opinion, to make sure
3 my client had a fair trial, that's the position
4 of our motion for a new trial.

5 THE COURT: Okay.

6 MR. LEE: Thank you, sir.

7 THE COURT: And as far as the photograph of
8 your client at the Station with the other
9 suspect, you know, it -- that photograph
10 corroborated the witness' testimony that he was
11 present. It describes the address, as well as
12 M.A. [REDACTED], who was present with him. At that time
13 in the trial your client had not testified, so
14 later in the trial he testified that he was, in
15 fact there, but that he had let him off prior --
16 between there and prior to the murder. At the
17 time that photograph came in, I ruled the
18 probative value outweighed the prejudicial
19 value, and I still think that's correct, so I
20 will not grant you a new trial on that basis.

21 As far as the transportation of Mr. Rogers
22 is concerned, there was absolutely nothing in
23 this record that the Solicitor's Office did
24 anything wrong, as far as that transportation is
25 concerned. There was no evidence of promises

1 made, there was no evidence of special
2 treatment. They were concerned, because he had
3 certain information he had provided to them,
4 that he was in a jail situation that may have
5 been dangerous to his health and well-being, and
6 they transported him to another facility.

7 The fact that they did, the Solicitor's
8 Office, and not the Sheriff's Office, but I
9 still had nothing that directed that anything
10 improper was done as a result of that. And the
11 cross-examination of your client and the
12 photograph. The Solicitor brought that up. I
13 was watching them when he presented the
14 photograph. I did not see that it in any way
15 turned towards the jury. I don't think they
16 could have seen it.

17 And the question that we argued for an hour
18 about the probative value versus the prejudicial
19 value, and the -- it had potential probative
20 value, based on the facts in this case, and the
21 fact that your client had deleted certain
22 information from his cell phone. One of the
23 things he deleted from his cell phone was him in
24 that picture pointing a pistol that had a barrel
25 that could have been consistent with a .45, and

1 it had the same frame as a Glock, and it was
2 green.

3 And based on the evidence that had come in,
4 as to whether the question was asked outside of
5 the presence of the jury, I felt at that time
6 that the prejudicial value outweighed potential
7 probative value, and I did not let that
8 photograph in.

9 MR. LEE: I don't mean to interrupt you at
10 all, and maybe we can figure it out. I don't
11 believe that there was any testimony, I don't
12 think it was brought out that that picture was
13 retrieved from Cellebrite from them, and there
14 was a suggestion that my client had deleted that
15 picture, and they had found it, nonetheless.

16 I think that, at least from my
17 understanding, the phone call of the night in
18 question had actually showed up on the phone
19 records. Again, I'm not arguing that, I just
20 want to make sure that you have an
21 understanding, and you've been making a ruling
22 that I don't think there was any suggestion, and
23 I don't know whether that was suggested or even
24 argued that that photo that we objected to, that
25 didn't come in, had been deleted by my client.

1 I don't think it had.

2 THE COURT: And I don't know that it had or
3 not, but other than those --

4 MR. LEE: It had not been deleted.

5 THE COURT: Okay, and --

6 MR. LEE: Okay.

7 THE COURT: -- other than -- and I -- maybe
8 I misspoke. There was a question that things
9 had been deleted from his phone, and then this
10 photograph was produced of him with a gun. And
11 the fact that if that photograph had been taken
12 or presented within a day or so of this trial,
13 or even that night, I think the probative value
14 had far outweighed the prejudicial value; but
15 the fact that it occurred two weeks prior to
16 that, you know, and you made a good argument at
17 trial, and you did a very good job of
18 representing your client, you made a great
19 argument about prior bad acts on Lyle, on Ellis,
20 and the fact that they had not presented any
21 Lyle of prior bad acts to you concerning your
22 client, and that this fell within that, and I
23 think clearly -- that's why I didn't let it in.

24 I didn't let the jury see it. And the
25 facts of this case, and him holding a pistol in

1 this manner would have been highly prejudicial
2 against your client, and I did not let it in.
3 And it was close, and you made a very good
4 argument, and you talked me out of letting it
5 in, and the jury didn't see it.

6 MR. LEE: And we appreciate it, but, again,
7 part of mine is I don't know whether the jury
8 saw, I don't think there was any intent at all,
9 I just don't know whether they saw it, it's just
10 the appearance of it that we were concerned
11 about sitting over here, and what led up to the
12 actual taking it up there.

13 THE COURT: And I understand.

14 MR. LEE: I understand.

15 THE COURT: And --

16 THE COURT: The Solicitor brought up in his
17 closing argument comments about witnesses to
18 your client. Your client brought up people's
19 names throughout his testimony of where he went
20 and what he did, whose house he went to. The
21 Solicitor made a comment that none of those
22 people were present.

23 You made an objection, I sustained your
24 objection, and that ended that. And the other
25 issues about cell towers, I think that you

1 identified each one of those well, and they came
2 back for instructions. I don't think the issue
3 was necessarily a big deal in this case. And I
4 observed this jury throughout this trial. They
5 paid close attention. I didn't see any of them
6 -- many times I've had trials where juries have
7 cried, and had emotions, I didn't see that in
8 any of these jurors.

9 They were really conscientious; they were
10 paying close attention throughout. And the fact
11 that they wanted to go home Friday, and come
12 back fresh today, you know, many times when you
13 have an emotional trial, and emotions are
14 occurring at trial, and when those emotions are
15 hot and raw, then the jury makes an emotional
16 decision.

17 This jury had all weekend to sleep on this
18 evidence, and many times sleeping overnight kind
19 of dilutes the emotional aspects, and they
20 decided that based on the evidence before them.
21 I think there was clearly sufficient evidence
22 offered to support their verdict. And I would
23 respectfully deny your motion.

24 MR. LEE: Thank you, Your Honor.

25 THE COURT: Yes. Anything else from either

1 side?

2 MR. LEE: No, sir.

3 MR. STONE: No, sir.

4 **

5 **SENTENCING HEARING**

6 **

7 THE COURT: Do you have the sentencing
8 sheet, or do you want me to do something first?

9 MR. STONE: They're still on the way. I
10 have two people who would like to speak.

11 THE COURT: Sure.

12 MR. STONE: I also have one little, short
13 clip that I'd like to show, Your Honor, but we
14 can do that at whatever time you'd rather do.

15 THE COURT: I'll be glad to hear from
16 whoever you want me to see, and then I'll be
17 glad to hear from anybody on your side, if
18 you've got anybody.

19 MR. STONE: Would you like them to stand
20 there, come around here?

21 THE COURT: Whatever easiest for my Court
22 Reporter.

23 MR. STONE: I think it would be better and
24 you could probably hear them.

25 THE COURT: Sure.

1 MR. STONE: Your Honor, this is Elizabeth
2 Morrow, M-O-R-R-O-W, correct?

3 MS. MORROW: YES.

4 MR. STONE: Step up on here, I just want to
5 make sure the Judge can hear you.

6 MS. MORROW: Your Honor, I am a relative of
7 Ron Fields, we're actually first cousins, our
8 fathers are brothers.

9 As you consider your sentencing today, no
10 one won today. D. J. received a death sentence,
11 we will never see him again. Erica, Vicky and
12 E. J., Sr., along with his kids. The two moms,
13 in particular, whose kids made it out of that
14 wreck that night by the grace of God, the
15 shooting, because it was a shooting. They're
16 carrying survival skills; their sons will never
17 be the same.

18 I've always been taught, I've fired
19 automatic weapons before, sir, and I fired some
20 automatic weapons, and the one thing -- some
21 things that I heard during this trial about
22 hunting, and it being for fun, you never point a
23 gun at someone, if you don't intend to shoot
24 them, warn them, or kill them.

25 That's the safety I've been taught about

1 gun usage. That night when you young men made a
2 decision to get in a car and drive down that
3 highway, it destroyed a community. Things are
4 not the same in Bluffton, they are not the same
5 in Jasper County. We are close families, our
6 families are co-located, where we live most of
7 us, and I'll tell you this, the Fields-Hill, as
8 we refer to where our families gather for family
9 reunions, our kids played in the dirt together
10 as children, our kids played outside until the
11 lights came on, until the senior person on the
12 hill, which is typically the matriarch of the
13 family, the eldest grandmother calls everybody
14 home.

15 The Fields-Hill is not the same. Sister
16 Fields- Hill, D. J.'s grandmother's not the
17 same. Hattie Brown Hill, my grandmother, our
18 Hill is not the same. The Bryant Hill is not
19 the same, because we're missing a link in our
20 chain, D. J.

21 I know that the justice that is delivered
22 today won't bring D. J. back, and the visits
23 today are going to be to the graveyard
24 unfortunately. The young men and the woman
25 involved in this, their parents will continue to

1 get to see them, via video, or they'll get to
2 talk to them via phone, or they'll be able to
3 write them letters.

4 These -- unfortunately for them, they'll
5 never get that again. They'll never see their
6 gun again, except in memories of pictures,
7 videos and visiting the gravesite. I wish that
8 fateful had not occurred.

9 We are here now, and I ask you to please
10 take into consideration the fact of what it has
11 done to all of the families involved, and
12 especially D. J.'s parents, he was an only
13 child, and their only child now lies in a
14 cemetery in Palmetto Bluff. Thank you.

15 THE COURT: Thank you.

16 MR. STONE: Your Honor, this is Dwon
17 Fields, he is D. J.'s father.

18 THE COURT: Yes, sir.

19 MR. FIELDS: Good morning. I stand before
20 you, because I have lost our best friend, and
21 that's what our son was to us. Your Honor, on
22 the day of March 5th about 5:30 was the last
23 time I saw my son alive. We had a conversation
24 because the day before he just had made his
25 college decision.

1 That was one of the best days of my life,
2 to know my son was getting ready to go to
3 college. And for me to receive a phone call on
4 Friday night at 11:45 from his best friend,
5 telling me that I need to get to Buckwalter. I
6 was out of town, not knowing what was going on.
7 And, Your Honor, it hurts me every day to get up
8 in my house, and knowing I can never talk to my
9 son again. I have to go to a cemetery.

10 Your Honor, so when you do your sentence,
11 it hurts me every day to know my son is not
12 coming back. To go to my mom's house every day
13 is a struggle, because we used to meet there
14 every day. And sometimes when I go there I
15 cannot get out of my truck to go in the house,
16 because that's how bad it hurts.

17 There are days that I can't do my job, and
18 my job is to help children. Because knowing
19 that I cannot help my own it kills me, Your
20 Honor, so when you do your sentence, please take
21 that into consideration. I never want to see
22 anybody lose their kid, but the way I lost mine
23 was not right. You have to -- it hurts me.
24 When -- your kids is supposed to bury you,
25 you're not supposed to bury your kids. This was

1 our only kid that did everything the right way.
2 We begged him to enroll in college early, but he
3 told us he wanted to be with his friends.

4 All he ever did was help people.

5 THE COURT: Thank you, sir, and I'm sorry
6 about your loss. I understand the pain.

7 MS. BRYANT: Hello, my name is Kima Bryant,
8 I'm D. J.'s mom. Like his dad said, he was
9 definitely our best friend. And the funny
10 thing, when he was a little kid, I would always
11 tell him, "I'm not your best friend, I'm not
12 supposed to be your best friend, I'm your mom,"
13 but as he got older, he definitely became my
14 best friend. On that night of March 5th I had
15 no idea what I was arriving to. That night I
16 saw my baby laying lifeless in front of his car
17 with a white sheet over him.

18 No parent should ever have to witness that.
19 I sat out there for hours, until they confirmed
20 it was him. They would not let me go to my
21 baby. He was my only child. He just paid for
22 his cap and gown on Thursday night. I have a
23 cap and gown sitting in his closet now still in
24 the plastic, because he was not able to wear it.
25 He lived with me most of the time, and sometimes

1 I can't even go in his room.

2 I won't move, because that was our place.
3 People tell me, "You know, you should move, get
4 a new place." I'm like, "I still have memories,
5 my baby is still with me, no matter where I go,
6 he's always going to be with me."

7 My house is decorated with pictures of me
8 and him on our travels. We won't get to go on
9 our vacations. We traveled; we did everything
10 together. I don't have that anymore, because he
11 was my only child.

12 My baby is gone forever. I don't know what
13 to do with myself since he's been gone. I had
14 to be put on medication to actually come to
15 Court, to live every day. Like his dad said,
16 for us to get up every single morning is a
17 struggle, knowing that he's not in the other
18 room, I'm not gonna get that hey, mom text
19 anymore.

20 I don't get the phone calls asking for
21 money. I don't get any of that anymore. All I
22 have are old text messages, pictures and videos
23 of my child. That is not how it was supposed to
24 be. He's supposed to be at college right now
25 making a better life for himself, which we

1 talked about, and he was so looking forward to
2 his next phase in life, and it was all taken
3 from him in a blink of an eye on that night.

4 I just hope you give him the longest you
5 can give him in prison. His parents can still
6 see him, I cannot see my child, I cannot touch
7 my child, I can't hear my child's voice, it is
8 all gone forever. I will never get that back.

9 THE COURT: Thank you, ma'am, I'm so sorry.

10 MR. STONE: May it please the Court, Your
11 Honor?

12 THE COURT: Yes, sir.

13 MR. STONE: I know your decision today is
14 like your decision in every sentencing. You've
15 got to try to decide the difference, I guess,
16 between the wicked and the wayward. The issue
17 here is now, who is Ty Leic Chaneyfield? I'd
18 like to show you something, because I don't know
19 that I think you can always see about somebody,
20 when they're in a courtroom wearing a tie and a
21 shirt.

22 This is Ty Leic Chaneyfield in the Beaufort
23 County Detention Center. Dylan, would you come
24 up? This is from a number of inmates and
25 detainees.

1 (Video being played for the Court.)

2 MR. STONE: That's Ty Leic Chaneyfield
3 there. Someone walking in on a fight, it may or
4 may not have been his, but he joined with a
5 bunch of other people to hurt somebody for fun.
6 It's exactly the same thing he did in this case,
7 and I said that to the jury. It wasn't his
8 house that got shot up, but he joined in with it
9 anyway. I think that gives you a really good
10 indication of who he is. I have to make a
11 decision of what recommendation to make to you,
12 and I don't have any problem making it in this
13 case, Your Honor.

14 I think Ty Leic Chaneyfield should receive
15 life.

16 THE COURT: Yes, sir, do you want to tell
17 me something?

18 MR. LEE: Yes, sir. Judge, this is always
19 -- this part from this side of the courtroom to,
20 you know, argue, fight, advocate, and all of a
21 sudden, you know, you're in a position to talk
22 about your client and what the appropriate
23 sentence would be. I was considering that since
24 the beginning, the families of the victims have,
25 even from looking from afar, have displayed the

1 grace and humility and class.

2 I don't know how they did it. I'm a
3 lawyer, I'm a criminal defense lawyer, I'm an
4 advocate, but my first job that I consider is
5 being a dad, I've got two kids. And I cannot
6 imagine what they're going through, and the way
7 that they have handled this has been nothing
8 short of amazing, as far as looking at it from
9 this side. And I hope that they understand that
10 nobody ever said this should happen, nobody ever
11 questioned at all, all these guys, particularly,
12 what a great person he was; and, quite frankly,
13 he has been a resident of Beaufort County for 20
14 some years, Beaufort County is missing out on
15 the opportunity to have D'won Fields, D.J., come
16 back after all the big things he was gonna do,
17 and it's like someone said, no one won.

18 She was exactly right in that. And so I
19 certainly on a personal note, hope that they
20 can't understand, if they don't now, that our
21 questions was never -- was always about the
22 evidence, not about them, or the victims, or
23 anything like that, and I certainly hope that I
24 did in this case, by being an advocate, that I -
25 - ten percent of the grace and humility class

1 that they are required to take.

2 I hope that they feel like I at least
3 reciprocated in representing Mr. Chaneyfield,
4 and any arguments or disagreements we had in the
5 case was simply about evidence and the
6 admissibility and legal stuff.

7 So Ty Leic Chaneyfield I've gotten to know
8 him over the past two-and-a-half. I've enjoyed
9 getting to know him, and his family. It's
10 difficult after the verdict, but he's got a lot
11 of people that support him. I think a couple of
12 them may want to say something too, Your Honor,
13 if you would let them, a little bit about Ty
14 Leic.

15 And we certainly accept the jury's finding.
16 That I've never seen a jury come back and ask
17 for more time to deliberate, and I was really
18 impressed with the amount of thought that I
19 believed the jury put into this case; and,
20 again, no one won this fight or verdict, but
21 we're here to get past the verdict and talk
22 about sentencing.

23 And I would point out the young man has no
24 record, had been doing well for himself when
25 this happened, and we would ask for whatever

1 compassion and mercy, whatever you can muster
2 up, because it is a tough thing to make a
3 decision on.

4 THE COURT: Yes, sir.

5 MR. LEE: Say your name and spell it for
6 the court reporter.

7 MS. NELSON: Hi, I am Nelson, N-E-L-S-O-N.
8 I am the first cousin. I want to say that I'm
9 sorry for what happened to D.J. and E. J.,
10 because I lost my brother too. So I know that
11 boy, and I'm so sorry that that happened, but Ty
12 Leic is not the monster that the State would
13 like to make him out to be. They are missing a
14 link, and Ty Leic is our link to our family.

15 His mom is not here, but her child could
16 possibly be going away for the rest of his life,
17 for something that he said he did not do, and we
18 stand behind him 150 percent, the same way the
19 Fields family needs closure, we need him.

20 He's alive, but to watch him rot away in a
21 cage to never see him live his life, because
22 he's a beautiful human being. He's one of the
23 best and happiest people you'd ever meet in your
24 life. So when you sentence him, I understand
25 that they are mourning and stuck and they will

1 probably never heal, but when you see his mom
2 and his dad and our family, we will never let us
3 see - we want you to know that he is a beautiful
4 human being. He's amazing, and you can't see
5 that from the evidence, but we stand behind him,
6 and we love him.

7 I'm sorry that happened to you'all, I'm so
8 sorry, but Ty Leic is beautiful.

9 MR. LEE: If I could add one more thing
10 too, and I told the Solicitor and Mr. Hightower,
11 I can't tell them how much -- I appreciate a
12 hard fight and a far fight, and they fought hard
13 and they fought fair, and I know that at times
14 there were some questions that we had to bring
15 up, as far as questioning reasonable doubt, but
16 I want to personally say that they've made
17 available and cooperated throughout this
18 discovery process.

19 I mean Dylan Hightower; I did meet with him
20 a couple times. I probably own five or six
21 thumb drives, and he has walked a technology
22 challenged lawyer through some of these things
23 like I've never seen before.

24 So I just want to put that on the record
25 that, yeah, they fought hard, but they fought

1 fair, and anything that may have come across in
2 my arguments, emotional arguments, or anything
3 like that, certainly, is not reflective of my
4 thoughts about them.

5 And it is nice to have a prosecutor's
6 office, who is doing their jobs and completely
7 cooperating, despite some suggestions I may have
8 made, they didn't do anything intentionally, or
9 anything out of bounds at all. We're in the
10 middle of a trial, but they went completely
11 above and beyond to cooperate, and I do
12 appreciate that in this matter.

13 THE COURT: All right.

14 MR. LEE: I think that's all we have, Your
15 Honor. I asked my client if he'd like to
16 address the Court. I don't think that he feels
17 like -- he's able to right now, and I certainly
18 hope that you don't use that against him in any
19 way. I think that's the presentation from his
20 family.

21 I appreciate your time. This is a tough
22 job, because there's a million things to
23 balance, and we know you'll do the right thing.

24 THE COURT: And I want to thank both sides.
25 You were both advocates for your positions and

1 did a very good job, and I appreciate it. You
2 fought hard, and you fought hard for your
3 clients throughout this trial, you know?

4 You covered every base, you did a really
5 good job, and I also commend the Solicitor's
6 Office, you'all both did exceptional jobs.

7 Okay, I've taken into consideration and
8 heard all of the evidence in this trial, and
9 this truly was a senseless act. You know, to go
10 out in the first place and try to retaliate, to
11 shoot up a car that you didn't even know if the
12 shooter was in it, in fact, you know, two
13 totally innocent people were shot, one killed.

14 Anyway, on the indictment ending in 224,
15 assault and battery, third, by mob, third
16 degree, the sentence of the Court is you are
17 committed to the State Department of Corrections
18 for the term of one year, and that's to run
19 concurrent with all the other sentences.

20 On assault and battery by a mob, second
21 degree, the sentence of the Court is you be
22 committed to the State Department of Corrections
23 for a term of 25 years, and this is to run
24 concurrent.

25 On assault and battery, first degree, by a

1 mob, the Court will sentence you be committed to
2 the State Department of Corrections for the term
3 of 30 years, and this will run concurrent as
4 well.

5 On assault and -- I mean possession of a
6 weapon during the commission of a violent crime;
7 the sentence of the Court is you be committed to
8 the State Department of Correction for the term
9 of five years.

10 On attempted murder on indictment 447, the
11 sentence of the Court is you be committed to the
12 State Department of Corrections for the term of
13 30 years to run concurrent.

14 On indictment 448, assault and battery -- I
15 mean attempted murder, the sentenced of the
16 Court is you be committed to the State
17 Department of Correction for the term of 30
18 years to run concurrent.

19 And for the crime for the murder, the
20 sentence of the Court is you be committed to the
21 State Department of Corrections for the term of
22 your natural life. Thank you.

23 MR. STONE: Thank you, Your Honor.

24 THE COURT: Okay, anything before we
25 adjourn?

1 MR. STONE: No, sir.

2 MR. LEE: No, sir.

3 THE COURT: The Court's adjourned.

4 (Court's Exhibits 3 - 10 were entered into
5 evidence.)

6 (At 2:04 p.m. the trial was concluded.)

7 **

8 END OF VOLUME V

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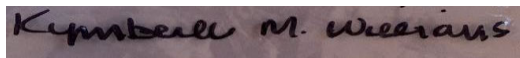
25

CERTIFICATE OF REPORTER*******

I, Kymberlee M. Williams, Certified Shorthand Reporter/Registered Professional Reporter for the 14th Circuit of the State of South Carolina do hereby certify that the foregoing is a true, accurate and complete transcript of the proceedings held in this case, relative to appeal, in the General Sessions Court for Beaufort County, South Carolina on the 29th day of September and the 2nd day of October 2023.

I do further certify that I am not related, of counsel, or interest to any party hereto.

This, the 17th day of March 2024.



Kymberlee M. Williams, CSR/RPR



RESEARCH

Fourteenth Circuit Solicitor's Office

Post Office Box 1880, Bluffton, SC, 29910 Phone: 843-779-8477 Fax: 843-705-7479
<http://www.scsolicitor14.org/>

HAROLD DEAN ROGERS Subject

DOB [REDACTED]/1966

SSN [REDACTED]

Ethnicity White

Gender Male

FBI No. [REDACTED]

State Crim No.

Incident No.

Booking No. 38778

Created 4/20/2022 9:48:43 AM

Source NCIC

QH 0035253160 from III - April 20, 2022 at 09:46:58

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.QH.0035253160.III.20220420 09:46:58

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FROM: III-2437472 20220420 09:46:58

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SC007015A

THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
 INQUIRY ON ATN/VICTORIA BUTLER NAM/ROGERS,HAROLD

SOC/[REDACTED] PUR/C

NAME FBI NO. INQUIRY DATE

ROGERS,HAROLD D [REDACTED] 2022/04/20

SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR PHOTO
 M W 1966/[REDACTED] 509 165 BLU BRO Y

BIRTH PLACE
 MARYLAND

FINGERPRINT CLASS PATTERN CLASS
 PO PM PI PI PO
 PI 19 PO PM PI

ALIAS NAMES

HOWARD,HENRY HURST	HURST,HOWARD
HURST,HOWARD HENRY	HURST,HOWARD HENRY JR
LUNSFORD,NICHOLAS	RODGER,MICHAEL
ROGER,HAROLD	ROGERS,DAVID
ROGERS,DAVID DEAN	ROGERS,HAROLD D JR
ROGERS,HAROLD D-JR	ROGERS,HAROLD DEAN
ROGERS,HAROLD DEAN JR	ROGERS,HAROLD DEAN-JR
ROGERS,MICHAEL	ROGERS,MICHAEL CHRISTOPHER
ROGERS-JR,HAROLD D	ROGERS-JR,HAROLD DEAN

OTHER SCARS-MARKS-

BIRTH DATES	TATTOOS	SOCIAL SECURITY	MISC NUMBERS
1966/[REDACTED]	SC R ARM	[REDACTED]	OA-10007975
1966/[REDACTED]	SC FHD	[REDACTED]	
1966/[REDACTED]	SC R SHLD	[REDACTED]	

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Printed: 4/20/2022 9:48:44 AM

Page: 1 of 25



960

General Criminal History

1968/ [REDACTED] PRCD L EAR [REDACTED]

1983/ [REDACTED]
[REDACTED]
[REDACTED]

IDENTIFICATION DATA UPDATED 2022/04/19

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:

VIRGINIA - STATE ID/ [REDACTED]

NORTH CAROLINA - STATE ID/ [REDACTED]

FLORIDA - STATE ID/ [REDACTED]

SOUTH CAROLINA - STATE ID/ [REDACTED]

FBI - FBI/ [REDACTED]

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.ICHR.003F3AA10A.SCCH.20220420 09:47:29

TO: BEUSL415-54052 20220420 09:47:29 003F3AA10A

FROM: SCCH-3842314 20220420 09:47:29

ICHR REQUEST FOR RAP SHEET

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ATN-VICTORIA BUTLER

AUTHORIZED CRIMINAL JUSTICE AGENCY USE ONLY. CONTACT CONTRIBUTING AGENCY FOR SPECIFIC/MORE DATA ABOUT CHARGES AND/OR DISPOSITIONS. BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

PAGE-01 DATE-04/20/2022 TIME-09:47:52

REQ ORI-SC007015A BEAUFORT SOLICITOR

SID- [REDACTED] FBI- [REDACTED]

NAME-ROGERS, HAROLD DEAN SEX-M RACE-W

HEIGHT-510 WEIGHT-286 EYES-BLU HAIR-BRO SKIN- BORN-MD

FPC- HENRY-

PHOTOGRAPH AVAILABLE

PALM PRINTS AVAILABLE

1-FINGERPRINT IMAGES ON THIS SUBJECT ARE STORED ON SCAFIS

DATE RECORD ENTERED--04/19/2022 DATE OF LAST UPDATE--04/19/2022

ADDITIONAL IDENTIFIERS BIRTH
NAME DATES MARKS SOC SEC MISC NUM

[REDACTED] 1966 [REDACTED]

CONTRIBUTOR/SUBJECT DOA/RCVD CHARGE/DISPOSITION/ETC

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General Criminal History

 ROGERS, HAROLD DEAN 04/19/2022
 SC0070000 BEAUFORT CNTY SO
 CASE-
 ATN-071500032392
 WARR-2012A0710300215
 CIT-16-11-330(A)-FELONY

ARREST CHARGE 1-ARMED ROBBERY
 WITH A DEADLY WEAPON
 OFFENSE DATE-09/19/2012
 PHOTOGRAPH AVAILABLE
 PALM PRINTS AVAILABLE

WARR-2012A0710300214
 CIT-16-13-0030(B)-FELONY

ARREST CHARGE 2-GRAND LARCENY
 VALUE \$10,000 OR MORE
 OFFENSE DATE-09/19/2012

WARR-2012A0710300213
 CIT-16-23-490-FELONY

ARREST CHARGE 3-POSS OF A
 WEAPON DURING VIOLENT
 CRIME
 OFFENSE DATE-09/19/2012

BASED ON SEARCH OF SCLED CJIS CCH FILE USING FBI/398557DA7
 REQUESTED FOR CRIMINAL JUSTICE PURPOSES

SCLED CJIS RECORD INDICATES SUBJECT HAS OUT OF STATE ARREST INFORMATION
 REQUEST FORWARDED TO NCIC FOR OUT-OF-STATE INFORMATION
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INQUIRY WILL BE FORWARDED TO: NCIC WANTED PERSONS

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CR 0AC549C25E from NLETSWS - April 20, 2022 at 09:47:37

BEUSL415

.CR.0AC549C25E.NLETSWS.20220420 09:47:37
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 FROM: NLETSWS-4833886 20220420 09:47:36
 CR.WVFBINF00
 06:47 70629
 04/20/2022 17150 SC007015A
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HDR/2L0107340055322QR

ATN/VICTORIA BUTLER

***** CRIMINAL HISTORY RECORD *****

***** Introduction *****

This rap sheet was produced in response to the following request:

For authorized investigative purposes only

Printed: 4/20/2022 9:48:44 AM

Page: 3 of 25

General Criminal History

Purpose Code C
Attention VICTORIA BUTLER

The information in this rap sheet is subject to the following caveats:

This record is based only on the FBI number in your request-UCN:
398557DA7 Because additions or deletions may be made at any time, a new
copy should be requested when needed for subsequent use. (US)
All entries contained in this FBI record are based on fingerprint
comparisons and pertain to the same individual. (US)
The use of this record is regulated by law. It is provided for official
use only and may be used only for the purpose requested. (US)

***** IDENTIFICATION *****

Subject Name(s)

ROGERS, HAROLD D
HOWARD, HENRY HURST (AKA)
HURST, HOWARD (AKA)
HURST, HOWARD HENRY (AKA)
HURST, HOWARD HENRY JR (AKA)
LUNSFORD, NICHOLAS (AKA)
RODGER, MICHAEL (AKA)
ROGER, HAROLD (AKA)
ROGERS, DAVID (AKA)
ROGERS, DAVID DEAN (AKA)
ROGERS, HAROLD D JR (AKA)
ROGERS, HAROLD D-JR (AKA)
ROGERS, HAROLD DEAN (AKA)
ROGERS, HAROLD DEAN JR (AKA)
ROGERS, HAROLD DEAN-JR (AKA)
ROGERS, MICHAEL (AKA)
ROGERS, MICHAEL CHRISTOPHER (AKA)
ROGERS-JR, HAROLD D (AKA)
ROGERS-JR, HAROLD DEAN (AKA)

Subject Description

FBI Number State Id Number
[REDACTED] VA [REDACTED]

NC [REDACTED]
FL [REDACTED]
SC [REDACTED]

Social Security Number

[REDACTED]

Miscellaneous Numbers
10007975 OA

For authorized investigative purposes only

General Criminal History

Sex	Race	
Male	White	
Height	Weight	Date of Birth
5'09"	165	1966- [REDACTED]
		1983- [REDACTED]
		1966- [REDACTED]
		1966- [REDACTED]
		1968- [REDACTED]
		1966- [REDACTED]
Hair Color	Eye Color	
Brown	Blue	
Scars, Marks, and Tattoos		
Code	Description, Comments, and Images	
SC R ARM	, SCAR ON RIGHT ARM	
SC R SHLD	, SCAR ON RIGHT SHOULDER	
SC FHD	, SCAR ON FOREHEAD	
PRCD L EAR	, PIERCED L EAR	
Place of Birth	Citizenship	
Maryland	United States	

***** CRIMINAL HISTORY *****

===== Cycle 1 =====

Earliest Event Date 1984-11-05

Arrest Date 1984-11-05
 Arrest Case Number 80204
 Arresting Agency MD0160400 MONTGOMERY CO PD
 Charge 1
 Charge Literal ASSAULT & BATTERY
 Severity Unknown
 Charge 2
 Charge Literal DEST OF PROPERTY
 Severity Unknown

Court Disposition (Cycle 1)
 Court Case Number
 Court Agency MD0160400 MONTGOMERY CO PD
 Charge 1
 Charge Literal BATTERY
 Charge Description Charge Severity:Unknown
 Disposition (; DDT/02111985 NOLLE PROSEQUI)
 Charge 2
 Charge Literal BATTERY
 Charge Description Charge Severity:Unknown
 Disposition (; DDT/02111985 NOLLE PROSEQUI)

===== Cycle 2 =====

Earliest Event Date 1985-04-04

Arrest Date 1985-04-04

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General Criminal History

Arrest Case Number 80204
Arresting Agency MD0160400 MONTGOMERY CO PD
Charge 1
Charge Literal THEFT OVER \$300
Severity Unknown

Court Disposition (Cycle 2)
Court Case Number
Court Agency MD0160400 MONTGOMERY CO PD
Charge 1
Charge Literal THEFT/MISDEMEANOR
Charge Description Charge Severity:Unknown
Disposition (; DDT/06281985 NOLLE PROSEQUI)

===== Cycle 3 =====
Earliest Event Date 1985-04-24

Arrest Date 1985-04-24
Arrest Case Number 80204
Arresting Agency MD0160400 MONTGOMERY CO PD
Subject's Name ROGERS, HAROLD D-JR
Charge 1
Charge Literal ROBBERY
Severity Unknown

Court Disposition (Cycle 3)
Court Case Number
Court Agency MD0160400 MONTGOMERY CO PD
Charge 1
Charge Literal ROBBERY-GENERAL
Charge Description Charge Severity:Unknown
Disposition (; DDT/09201985 NOLLE PROSEQUI)
Charge 2
Charge Literal THEFT/MISDEMEANOR
Charge Description Charge Severity:Unknown
Disposition (; DDT/09201985 NOLLE PROSEQUI)
Charge 3
Charge Literal BATTERY
Charge Description Charge Severity:Unknown
Disposition (; DDT/09201985 NOLLE PROSEQUI)

===== Cycle 4 =====
Earliest Event Date 1985-06-04

Arrest Date 1985-06-04
Arrest Case Number 80204
Arresting Agency MD0160400 MONTGOMERY CO PD
Charge 1
Charge Literal ROBBERY-STRONG ARM
Severity Unknown
Charge 2
Charge Literal CONSPIRACY-ROBBERY
Severity Unknown
Charge 3
Charge Literal FALSE IMPRISONMENT
Severity Unknown
Charge 4
Charge Literal THEFT

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General Criminal History

Severity Unknown
Charge 5
Charge Literal ASS BATT
Severity Unknown

Court Disposition (Cycle 4)
Court Case Number
Court Agency MD0160400 MONTGOMERY CO PD
Charge 1

Charge Literal ROBBERY
Charge Description Charge Severity:Unknown
Disposition (; NOLLE PROSEQUI)

Charge 2
Charge Literal SOLICITATION/COMIT ROBBERY
Charge Description Charge Severity:Unknown
Disposition (; GUILTY AND WAS GIVEN A SENTENCE OF 4 YRS
OF WHICH 30 MOS WAS SUSPENDED AND GIVEN
PROBATION OF 5 YRS)

===== Cycle 5 =====
Earliest Event Date 1985-12-05

Arrest Date 1985-12-05
Arrest Case Number 80204
Arresting Agency MD0160400 MONTGOMERY CO PD
Subject's Name ROGERS,HAROLD D-JR
Charge 1

Charge Literal CONSPIRACY TO COMMIT ROBBERY 7399
Severity Unknown

Charge 2
Charge Literal CONCEALED WEAPON 5212
Severity Unknown

Charge 3
Charge Literal THEFT 2399
Severity Unknown

Court Disposition (Cycle 5)
Court Case Number
Court Agency MD0160400 MONTGOMERY CO PD
Charge 1

Charge Literal CONSPIRACY
Charge Description Charge Severity:Unknown
Disposition (; DDT/01031986 NOLLE PROSEQUI)

Charge 2
Charge Literal HANDGUN-WEAR/CARRY ETC
Charge Description Charge Severity:Unknown
Disposition (; DDT/01031986 NOLLE PROSEQUI)

Charge 3
Charge Literal THEFT/MISDEMEANOR
Charge Description Charge Severity:Unknown
Disposition (; DDT/01031986 NOLLE PROSEQUI)

===== Cycle 6 =====
Earliest Event Date 1987-04-15

Arrest Date 1987-04-15
Arrest Case Number 80204
Arresting Agency MD0160400 MONTGOMERY CO PD

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General Criminal History

Subject's Name ROGERS,HAROLD DEAN

Charge 1

Charge Literal BURGLARY RESIDENTIAL

Severity Unknown

Charge 2

Charge Literal DCBW FTA-HIT AND RUN-2 CTS

Severity Unknown

Charge 3

Charge Literal FUGITIVE-THEFT P G C0

Severity Unknown

Charge 4

Charge Literal FUGITIVE FROM JUST-LOUDON CO VA

Severity Unknown

Court Disposition (Cycle 6)

Court Case Number

Court Agency MD0160400 MONTGOMERY CO PD

Charge 1

Charge Literal BURGLARY - INT/STEAL/DAY

Charge Description Charge Severity:Unknown

Disposition (; DDT/05221987 NOLLE PROSEQUI)

Charge 2

Charge Literal BURGLARY - INT/STEAL/DAY - CON

Charge Description Charge Severity:Unknown

Disposition (; DDT/05221987 NOLLE PROSEQUI)

===== Cycle 7 =====

Earliest Event Date 1987-08-29

Arrest Date 1987-08-29

Arrest Case Number 80204

Arresting Agency MD0160400 MONTGOMERY CO PD

Charge 1

Charge Literal FUGITIVE FROM JUSTICE BURGLARY-30-4902

Severity Unknown

===== Cycle 8 =====

Earliest Event Date 1988-01-19

Arrest Date 1988-01-19

Arrest Case Number 80631

Arresting Agency MD0020200 CO POLICE DEPARTMENT

Subject's Name ROGERS,MICHAEL CHRISTOPHER

Charge 1

Charge Literal THEFT OVER \$300-AUTO

Severity Unknown

Court Disposition (Cycle 8)

Court Case Number

Court Agency MD0020200 CO POLICE DEPARTMENT

Charge 1

Charge Literal THEFT/FELONY

Charge Description Charge Severity:Unknown

Disposition (; DDT/07081988 NOLLE PROSEQUI)

===== Cycle 9 =====

Earliest Event Date 1988-07-29

Arrest Date 1988-07-29

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General Criminal History

Arrest Case Number 80204
 Arresting Agency MD0160400 MONTGOMERY CO PD
 Charge 1
 Charge Literal KIDNAPPING 2CTS
 Severity Unknown
 Charge 2
 Charge Literal FALSE IMPRISONMENT
 Severity Unknown
 Charge 3
 Charge Literal ASSAULT & BATTERY
 Severity Unknown
 Charge 4
 Charge Literal FUGITIVE FROM JUSTICE
 Severity Unknown

 Court Disposition (Cycle 9)
 Court Case Number
 Court Agency MD0160400 MONTGOMERY CO PD
 Charge 1
 Charge Literal KIDNAPPING
 Charge Description Charge Severity:Unknown
 Disposition (; NOT GUILTY)
 Charge 2
 Charge Literal FALSE IMPRISONMENT
 Charge Description Charge Severity:Unknown
 Disposition (; GUILTY BUT NO SENTENCE INFORMATION WAS
 RECEIVED)
 Charge 3
 Charge Literal BATTERY
 Charge Description Charge Severity:Unknown
 Disposition (; GUILTY BUT NO SENTENCE INFORMATION WAS
 RECEIVED)
 Charge 4
 Charge Literal VOP
 Charge Description Charge Severity:Unknown
 Disposition (; GUILTY AND WAS GIVEN A SENTENCE OF 7 YRS)
 Charge 5
 Charge Literal VOP
 Charge Description Charge Severity:Unknown
 Disposition (; GUILTY AND WAS GIVEN A SENTENCE OF 7 YRS)

===== Cycle 10 =====
 Earliest Event Date 1988-08-27

 Arrest Date 1988-08-27
 Arrest Case Number 80204
 Arresting Agency MD0160400 MONTGOMERY CO PD
 Charge 1
 Charge Literal FTA BURGLARY FUGITIVE OUT OF STATE
 Severity Unknown
 Charge 2
 Charge Literal A & B ON OFFICER
 Severity Unknown
 Charge 3
 Charge Literal RESISTING ARREST
 Severity Unknown

 For authorized investigative purposes only

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General Criminal History

Court Disposition (Cycle 10)

Court Case Number

Court Agency MD0160400 MONTGOMERY CO PD

Charge 1

Charge Literal BATTERY

Charge Description Charge Severity:Unknown

Disposition (; DDT/07201989 NOT GUILTY)

Charge 2

Charge Literal RESISTING ARREST

Charge Description Charge Severity:Unknown

Disposition (; DDT/07201989 NOT GUILTY)

===== Cycle 11 =====

Earliest Event Date 1989-03-01

Arrest Date 1989-03-01

Arrest Case Number 149244

Arresting Agency MS0170000 SHERIFF'S OFFICE

Subject's Name ROGERS,HAROLD DEAN

Charge 1

Charge Literal THEFT

Severity Unknown

===== Cycle 12 =====

Earliest Event Date 1989-03-17

Arrest Date 1989-03-17

Arrest Case Number 80204

Arresting Agency MD0160400 MONTGOMERY CO PD

Charge 1

Charge Literal BURGLARY-3-COUNTS

Severity Unknown

Charge 2

Charge Literal THEFT-2-COUNTS

Severity Unknown

Court Disposition (Cycle 12)

Court Case Number

Court Agency MD0160400 MONTGOMERY CO PD

Charge 1

Charge Literal THEFT 0/300

Charge Description Charge Severity:Unknown

Disposition (; GUILTY AND WAS GIVEN A SENTENCE OF 15 YRS

OF WHICH 15 YRS WAS SUSPENDED AND GIVEN

PROBATION OF 5 YRS)

Charge 2

Charge Literal VOP

Charge Description Charge Severity:Unknown

Disposition (; GUILTY AND WAS GIVEN A SENTENCE OF 15 YRS)

===== Cycle 13 =====

Earliest Event Date 1989-12-27

Arrest Date 1989-12-27

Arrest Case Number 80204

Arresting Agency MD0160000 SHERIFF'S OFFICE

Subject's Name ROGERS,DAVID

Charge 1

Charge Literal THEFT OVER \$300 FTA CIRCUIT COURT WARR #55620

Severity Unknown

For authorized investigative purposes only

General Criminal History

===== Cycle 14 =====

Earliest Event Date 1990-01-10

Arrest Date 1990-01-10

Arrest Case Number 80204

Arresting Agency MD0160000 SHERIFF'S OFFICE

Subject's Name ROGERS, DAVID DEAN

Charge 1

Charge Literal FUGITIVE FROM JUSTICE

Severity Unknown

===== Cycle 15 =====

Earliest Event Date 1990-05-27

Arrest Date 1990-05-27

Arrest Case Number 431244

Arresting Agency DCMPD0000 POLICE DEPARTMENT

Subject's Name HURST, HOWARD HENRY JR

Charge 1

Charge Literal ROBBERY FORCE AND VIOLENCE

Severity Unknown

Charge 2

Charge Literal FUGITIVE FROM JUSTICE MONT CO MD

Severity Unknown

Charge 3

Charge Literal FUGITIVE FROM JUSTICE PG CO MD

Severity Unknown

Court Disposition (Cycle 15)

Court Case Number

Court Agency

Charge 1

Charge Literal ROBBERY FORCE AND VIOLENCE

Charge Description Charge Severity: Unknown

Disposition (; 07-09-90 DISMISSED)

Charge 2

Charge Literal FUGITIVE FROM JUSTICE

Charge Description Charge Severity: Unknown

Disposition (; 07-09-90 DISMISSED)

Charge 3

Charge Literal FUGITIVE FROM JUSTICE

Charge Description Charge Severity: Unknown

Disposition (; 07-09-90 DISMISSED)

===== Cycle 16 =====

Earliest Event Date 1990-05-30

Arrest Date 1990-05-30

Arrest Case Number 80204

Arresting Agency MD0160000 SHERIFF'S OFFICE

Charge 1

Charge Literal HOUSEBREAKING

Severity Unknown

===== Cycle 17 =====

Earliest Event Date 1990-08-28

Arrest Date 1990-08-28

Arrest Case Number 95775

Arresting Agency MD0020200 CO POLICE DEPARTMENT

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General Criminal History

Charge 1
Charge Literal THEFT OVER \$300
Severity Unknown
Charge 2
Charge Literal FALSE STMT -TO-PEACE OFFICER
Severity Unknown

Court Disposition (Cycle 17)
Court Case Number
Court Agency MD0020200 CO POLICE DEPARTMENT
Charge 1
Charge Literal THEFT/FELONY
Charge Description Charge Severity:Unknown
Disposition (; DDT/08201991 GUILTY AND WAS GIVEN A
SENTENCE OF 60 DAYS)
Charge 2
Charge Literal FALSE STMT-TO PEACE OFFICER
Charge Description Charge Severity:Unknown
Disposition (; DDT/08201991 NOLLE PROSEQUI)

===== Cycle 18 =====
Earliest Event Date 1990-11-22

Arrest Date 1990-11-22
Arrest Case Number 151641
Arresting Agency MD0172100 CO POLICE DEPARTMENT
Charge 1
Charge Literal ROBBERY DEADLY WEAPON
Severity Unknown

Court Disposition (Cycle 18)
Court Case Number
Court Agency MD0172100 CO POLICE DEPARTMENT
Charge 1
Charge Literal MRD/ASSAULT W/I TO ROB
Charge Description Charge Severity:Unknown
Disposition (; MRD/NOLLE PROSEQUI)
Charge 2
Charge Literal MRD/ROBBERY W/DW
Charge Description Charge Severity:Unknown
Disposition (; MRD/GUILTY AND WAS GIVEN A SENTENCE OF 20
YRS)
Charge 3
Charge Literal MRD/USE OF HANDGUN
Charge Description Charge Severity:Unknown
Disposition (; MRD/GUILTY AND WAS GIVEN A SENTENCE OF 5
YRS)

===== Cycle 19 =====
Earliest Event Date 1990-11-23

Arrest Date 1990-11-23
Arrest Case Number 149244
Arresting Agency MD0170000 SHERIFF'S OFFICE
Subject's Name ROGERS,HAROLD DEAN
Charge 1
Charge Literal ROBBERY
Severity Unknown

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General Criminal History

 Court Disposition (Cycle 19)
 Court Case Number
 Court Agency MD0170000 SHERIFF'S OFFICE
 Charge 1
 Charge Literal ROBBERY W/DW
 Charge Description Charge Severity:Unknown
 Disposition (; NOLLE PROSEQUI)

Charge 2
 Charge Literal ROBBERY
 Charge Description Charge Severity:Unknown
 Disposition (; GUILTY AND WAS GIVEN A SENTENCE OF 10 YRS
 OF WHICH 10 YRS WAS SUSPENDED AND GIVEN
 PROBATION OF 5 YRS)

===== Cycle 20 =====
 Earliest Event Date 1990-11-28

 Arrest Date 1990-11-28
 Arrest Case Number 80204
 Arresting Agency MD0160400 MONTGOMERY CO PD
 Subject's Name ROGERS,HAROLD DEAN
 Charge 1
 Charge Literal ARMED ROBBERY 7 COUNTS 1201
 Severity Unknown

 Court Disposition (Cycle 20)
 Court Case Number
 Court Agency MD0160400 MONTGOMERY CO PD
 Charge 1
 Charge Literal ROBBERY WITH DANGEROUS &
 Charge Description Charge Severity:Unknown
 Disposition (; GUILTY AND WAS GIVEN A SENTENCE OF 10 YRS)

===== Cycle 21 =====
 Earliest Event Date 1990-11-29

 Arrest Date 1990-11-29
 Arrest Case Number 80204
 Arresting Agency MD0160400 MONTGOMERY CO PD
 Subject's Name ROGERS,HAROLD DEAN
 Charge 1
 Charge Literal ROBBERY BUSINESS HANDGUN
 Severity Unknown
 Charge 2
 Charge Literal USE OF A HANDGUN IN CRIME
 Severity Unknown
 Charge 3
 Charge Literal CONSPIRACY TO COMMIT ARMED ROBBERY
 Severity Unknown

 Court Disposition (Cycle 21)
 Court Case Number
 Court Agency MD0160400 MONTGOMERY CO PD
 Charge 1
 Charge Literal ROBBERY-GENERAL-CON
 Charge Description Charge Severity:Unknown

For authorized investigative purposes only

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General Criminal History

Disposition (; DDT/01041991 NOLLE PROSEQUI)

Charge 2

Charge Literal ROBBERY WITH DANGEROUS &

Charge Description Charge Severity:Unknown

Disposition (; GUILTY AND WAS GIVEN A SENTENCE OF 10 YRS)

Charge 3

Charge Literal USE HANDGUN IN COM OF VIOL

Charge Description Charge Severity:Unknown

Disposition (; GUILTY AND WAS GIVEN A SENTENCE OF 10 YRS)

=====
Earliest Event Date 1990-12-10

Arrest Date 1990-12-10

Arrest Case Number 149244

Arresting Agency MD0170000 SHERIFF'S OFFICE

Subject's Name ROGERS,HAROLD DEAN

Charge 1

Charge Literal ROBBERY WITH A DEADLY WEAPON

Severity Unknown

Court Disposition (Cycle 22)

Court Case Number

Court Agency MD0170000 SHERIFF'S OFFICE

Charge 1

Charge Literal ROB:W/DEADLY WEAPON BUSINESS

Charge Description Charge Severity:Unknown

Disposition (; DDT/01211991 DISMISSED BY STATE)

=====
Earliest Event Date 1990-12-29

Arrest Date 1990-12-29

Arrest Case Number 149244

Arresting Agency MD0170000 SHERIFF'S OFFICE

Subject's Name ROGERS,HAROLD DEAN JR

Charge 1

Charge Literal ROBBERY W/DEADLY WEAPON

Severity Unknown

Court Disposition (Cycle 23)

Court Case Number

Court Agency

Charge 1

Charge Literal DSPE/27-488 ROBBERY WITH A DEADLY WEAPON

Charge Description Charge Severity:Unknown

Disposition (1992-05-22; OTHER DSPE/60931C, 05/22/1992

GUILTY, TIME IMPOSED: 15 YRS CONSECUTIVE)

Charge 2

Charge Literal DSPE/27-36-B USE HANDGUN IN COM OF VIOLENT CRIME

Charge Description Charge Severity:Unknown

Disposition (1992-05-22; OTHER DSPE/05/22/1992 GUILTY,
TIME IMPOSED: 5 YRS)=====
Earliest Event Date 1991-01-18

Arrest Date 1991-01-18

Arrest Case Number 212385

For authorized investigative purposes only

General Criminal History

Arresting Agency MD004015C RECEPTION CENTER

Subject's Name ROGERS, HAROLD DEAN

Charge 1

Charge Literal VIOL OF PROB

Severity Unknown

Charge 2

Charge Literal VIOL OF PROB

Severity Unknown

Charge 3

Charge Literal VIOL OF PROB

Severity Unknown

Charge 4

Charge Literal VIOL OF PROB

Severity Unknown

Charge 5

Charge Literal VIOL OF PROB

Severity Unknown

Court Disposition (Cycle 24)

Court Case Number

Court Agency

Charge 1

Charge Literal VIOL OF PROB

Charge Description Charge Severity: Unknown

Disposition (; 7 YRS)

Charge 2

Charge Literal VIOL OF PROB

Charge Description Charge Severity: Unknown

Disposition (; 10 YRS CC)

Charge 3

Charge Literal VIOL OF PROB

Charge Description Charge Severity: Unknown

Disposition (; 10 YRS CC)

Charge 4

Charge Literal VIOL OF PROB

Charge Description Charge Severity: Unknown

Disposition (; 15 YRS CC)

Charge 5

Charge Literal VIOL OF PROB

Charge Description Charge Severity: Unknown

Disposition (; 15 YRS CC)

===== Cycle 25 =====

Earliest Event Date 2022-03-23

Arrest Date 2022-03-23

Arrest Case Number MD001715C

Arresting Agency MD001715C DPSCS INTELL INVEST

Subject's Name ROGERS, HAROLD DEAN JR

Charge 1

Charge Literal FUGATIVE - SOUTH CAROLINA

Severity Unknown

***** INDEX OF AGENCIES *****

Agency MONTGOMERY CO PD; MD0160400;

Agency CO POLICE DEPARTMENT; MD0020200;**For authorized investigative purposes only**

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General Criminal History

Agency SHERIFF'S OFFICE; MS0170000;

Agency SHERIFF'S OFFICE; MD0160000;

Agency POLICE DEPARTMENT; DCMPD0000;

Agency CO POLICE DEPARTMENT; MD0172100;

Agency SHERIFF'S OFFICE; MD0170000;

Agency RECEPTION CENTER; MD004015C;

Agency DPSCS INTELL INVEST; MD001715C;

Agency MONTGOMERY CO PD; MD0160400;

Agency CO POLICE DEPARTMENT; MD0020200;

Agency CO POLICE DEPARTMENT; MD0172100;

Agency SHERIFF'S OFFICE; MD0170000;

*** END OF RECORD ***

Triple I Status: Multi-state

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CR 0AC549C25F from NLETSWS - April 20, 2022 at 09:47:37

BEUSL415

.CR.0AC549C25F.NLETSWS.20220420 09:47:37

TO: BEUSL415-54058 20220420 09:47:37 0AC549C25F

FROM: NLETSWS-4833887 20220420 09:47:37

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06:47 36679

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ATN/VICTORIA BUTLER

***** CRIMINAL HISTORY RECORD *****

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Printed: 4/20/2022 9:48:44 AM

Page: 16 of 25

General Criminal History

***** Introduction *****

This rap sheet was produced in response to the following request:

Purpose Code C
 Attention VICTORIA BUTLER

The information in this rap sheet is subject to the following caveats:

This record contains Florida information only. When explanation of a charge or disposition is needed, communicate directly with the agency that contributed the record information. ()

This record may only be used for the purpose requested as defined by the Code of Federal Regulations and/or Florida Statute. ()

This is a multi-source offender record. ()

***** IDENTIFICATION *****

Subject Name(s)

LUNSFORD, NICHOLAS

Subject Description

FBI Number State Id Number
 [REDACTED] FL [REDACTED]

Sex Race
 Male White

Height Weight Date of Birth
 5'10" 210 1983-[REDACTED]

Hair Color Eye Color
 Brown Blue

***** CRIMINAL HISTORY *****

===== Cycle 1 =====

Tracking Number 0614075105
 Earliest Event Date 2012-09-28 Incident Date 2012-09-28

Arrest Date 2012-09-28
 Arrest Case Number
 Arresting Agency FL0060000 Broward County Sheriffs Office
 Charge 001

Charge Literal Cocaine-Possess
 Charge Description POSSESSION OF COCAINE
 Statute Possess Cocaine (;)
 NCIC Offense Code 3532
 Cocaine-Possess (text)
 State Offense Code 893.13.6a
 Counts 1
 Severity Felony

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General Criminal History

Charge 002
Charge Literal Obstruct Police
Charge Description OBSTRUCT-POSS CONCEALED HANDCU
Statute Poss Concealed Handcuff Key While In Custody (;
)
NCIC Offense Code 4899
Obstruct Police (text)
State Offense Code 843.021.2
Counts 1
Severity Felony
Charge 003
Charge Literal Resist Officer
Charge Description RESIST OFFICER-OBSTRUCT WITHOU
Statute Obstruct Wo Violence (;)
NCIC Offense Code 4801
Resist Officer (text)
State Offense Code 843.02
Counts 1
Severity Misdemeanor

Prosecutor Disposition (Cycle 1)
Prosecutor Case Number 062012CF014295A88810
Prosecutor Agency FL006015J Broward County Clerk of Court
Charge 1
Charge Tracking Number 1
Charge Literal Cocaine-Possess
Charge Description POSSESSION OF COCAINE
Statute Possess Cocaine (;)
NCIC Offense Code 3532
Cocaine-Possess (text)
State Offense Code 893.13.6a
Counts 1
Severity Felony
Disposition (2012-10-17; Same As Above)

Prosecutor Disposition (Cycle 1)
Prosecutor Case Number 062012CF014295A88810
Prosecutor Agency FL006015J Broward County Clerk of Court
Charge 2
Charge Tracking Number 2
Charge Literal Obstruct Police
Charge Description POSS HANDCUFF KEY WHILE IC
Statute Poss Concealed Handcuff Key While In Custody (;
)
NCIC Offense Code 4899
Obstruct Police (text)
State Offense Code 843.021.2
Counts 1
Severity Felony
Disposition (2012-10-17; Same As Above)

Prosecutor Disposition (Cycle 1)
Prosecutor Case Number 062012CF014295A88810
Prosecutor Agency FL006015J Broward County Clerk of Court
Charge 3

For authorized investigative purposes only

General Criminal History

Charge Tracking Number 3

Charge Literal Resist Officer

Charge Description RESISTOBSTRUCT WO VIOLENCE

Statute Obstruct Wo Violence (;)

NCIC Offense Code 4801

Resist Officer (text)

State Offense Code 843.02

Counts 1

Severity Misdemeanor

Disposition (2012-10-17; Same As Above)

Court Disposition (Cycle 1)

Court Case Number 062012CF014295A88810

Court Agency FL006015J Broward County Clerk of Court

Charge 1

Charge Literal Cocaine-Possess

Charge Description POSSESSION OF COCAINE

Statute Possess Cocaine (;)

NCIC Offense Code 3532

Cocaine-Possess (text)

State Offense Code 893.13.6a

Counts 1

Severity Felony

Disposition (2012-10-24; Same)

Court Disposition (Cycle 1)

Court Case Number 062012CF014295A88810

Court Agency FL006015J Broward County Clerk of Court

Charge 2

Charge Literal Obstruct Police

Charge Description POSS HANDCUFF KEY WHILE IC

Statute Poss Concealed Handcuff Key While In Custody (;)

NCIC Offense Code 4899

Obstruct Police (text)

State Offense Code 843.021.2

Counts 1

Severity Felony

Disposition (2012-10-24; Same)

Court Disposition (Cycle 1)

Court Case Number 062012CF014295A88810

Court Agency FL006015J Broward County Clerk of Court

Charge 3

Charge Literal Resist Officer

Charge Description RESISTOBSTRUCT WO VIOLENCE

Statute Obstruct Wo Violence (;)

NCIC Offense Code 4801

Resist Officer (text)

State Offense Code 843.02

Counts 1

Severity Misdemeanor

Disposition (2012-10-24; Same)

For authorized investigative purposes only

General Criminal History

Sentencing (Cycle 1)
Sentencing Agency FL006015J Broward County Clerk of Court
Charge 0
Charge Literal Cocaine-Possess
Charge Description POSSESSION OF COCAINE
Statute Possess Cocaine (;)
NCIC Offense Code 3532
Cocaine-Possess (text)
State Offense Code 893.13.6a
Counts 1
Severity Felony
Disposition (2012-10-24;)
Sentence CRT PROVISIONS-Sentenced Under Sentencing
Guidelines
Sentence CREDITED TIME-0 days
Sentence PROBATION-2 years
Sentence COURT COST-70.0
Sentence FINE-0.0
Sentence RESTITUTION-0.0
Sentence SENT PROVISIONS-N/A - Not Applicable null

Sentencing (Cycle 1)
Sentencing Agency FL006015J Broward County Clerk of Court
Charge 0
Charge Literal Obstruct Police
Charge Description POSS HANDCUFF KEY WHILE IC
Statute Poss Concealed Handcuff Key While In Custody (;)
NCIC Offense Code 4899
Obstruct Police (text)
State Offense Code 843.021.2
Counts 1
Severity Felony
Disposition (2012-10-24;)
Sentence CRT PROVISIONS-Sentenced Under Sentencing
Guidelines
Sentence CREDITED TIME-27 days
Sentence PROBATION-2 years
Sentence COURT COST-236.0
Sentence FINE-0.0
Sentence RESTITUTION-0.0
Sentence SENT PROVISIONS-Concurrent 12014295CF10A

Sentencing (Cycle 1)
Sentencing Agency FL006015J Broward County Clerk of Court
Charge 0
Charge Literal Resist Officer
Charge Description RESISTOBSTRUCT WO VIOLENCE
Statute Obstruct Wo Violence (;)
NCIC Offense Code 4801
Resist Officer (text)
State Offense Code 843.02
Counts 1
Severity Misdemeanor
Disposition (2012-10-24;)
Sentence CRT PROVISIONS-Sentenced Under Sentencing

For authorized investigative purposes only

General Criminal History

Guidelines

Sentence CONFINEMENT- - 27 days
 Sentence CREDITED TIME-27 days
 Sentence COURT COST-90.0
 Sentence FINE-0.0
 Sentence RESTITUTION-0.0
 Sentence SENT PROVISIONS-Concurrent 12014295CF10A
 ***** INDEX OF AGENCIES *****

Agency Broward County Clerk of Court; FL006015J;

 Agency Broward County Sheriffs Office; FL0060000;

 Agency Broward County Clerk of Court; FL006015J;

*** END OF RECORD ***

Additional sentencing information may be available from originating agency

Top of page or Menu

CR 0AC549C260 from NLETSWS - April 20, 2022 at 09:47:37

BEUSL415

.CR.0AC549C260.NLETSWS.20220420 09:47:37

TO: BEUSL415-54059 20220420 09:47:37 0AC549C260

FROM: NLETSWS-4833888 20220420 09:47:37

CR.VAIII0000

06:47 50037

04/20/2022 17152 SC007015A

*0734005532

TXT

HDR/2L0107340055322QR

ATN/VICTORIA BUTLER

THE FOLLOWING RECORD PERTAINS TO FBI/ [REDACTED]

VIRGINIA CRIMINAL RECORD 04/20/2022 PART 1

SID: VA [REDACTED] FBI: [REDACTED]

NAMES RECORDED IN VIRGINIA FILES: SEX RACE DATE OF BIRTH
 ROGERS HAROLD D JR M W [REDACTED]/1966

LAST REPORTED ADDRESS: NOT RECORDED PRIOR TO 7/1/1994

PLACE OF BIRTH: FREDERICKSBURG

SOCIAL SECURITY NO(S): [REDACTED]
 [REDACTED]
 [REDACTED]

For authorized investigative purposes only

980

General Criminal History

* =>CONVICTED FELON<= *
* FELONY CONVICTIONS: 1 *

CONTRIBUTOR/CASE DATE CHARGE/DISPOSITION

=====

SO LOUDOUN CO VA 09/01/1987 FINGERPRINTED
ORI:VA0530000 OCA:D1259

CHARGED WITH

#001 FELONY

BREAK AND ENTER

LOUDOUN CO 08/19/1987

***** DISPOSITION NOT RECEIVED

DCN:D413318 0136/3803

SO LOUDOUN CO VA 09/01/1987 FINGERPRINTED
ORI:VA0530000 OCA:D1259

CHARGED WITH

#002 FELONY

LARCENY

LOUDOUN CO 08/19/1987

***** DISPOSITION NOT RECEIVED

DCN:D413319 0136/3804

SO LOUDOUN CO VA 08/02/1988 FINGERPRINTED
ORI:VA0530000 OCA:0530000

CHARGED WITH

#001 FELONY

BREAK AND ENTER

LOUDOUN CO OFF DT N/R

***** DISPOSITION NOT RECEIVED

DCN:D355067 0231/3440

SO LOUDOUN CO VA 08/02/1988 FINGERPRINTED
ORI:VA0530000 OCA:0530000

CHARGED WITH

#002 FELONY

LARCENY

LOUDOUN CO OFF DT N/R

***** DISPOSITION NOT RECEIVED

DCN:D355068 0231/3441

SO LOUDOUN CO VA 01/15/1990 FINGERPRINTED
ORI:VA0530000

CHARGED WITH

#001 FELONY

FAILURE TO APPEAR

LOUDOUN CO OFF DT N/R

LOUDOUN CO CIRCUIT 01/17/1990 GUILTY

ORI:VA053015J ==> FELONY

CCN:107CR8800606300 FAIL TO APPEAR

DCN:D914482 0398/3246 2241/1200

RECORD AUTOMATED: 09/21/1987 LAST RECORD UPDATE: 04/09/1999

For authorized investigative purposes only

General Criminal History

ALL ARREST ENTRIES CONTAINED IN THIS RECORD ARE BASED ON FINGERPRINT COMPARISON AND PERTAIN TO THE SAME INDIVIDUAL.

THIS INFORMATION MAY NOT CONTAIN THE CHARGE DATE AND/OR CHARGE ORI FOR FILES SUBMITTED THROUGH THE SUPREME COURT OF VIRGINIA EMAGISTRATE INTERFACE.

*** CAUTION ***

THIS RESPONSE IS BASED ON COMPARISON OF REQUESTOR FURNISHED INFORMATION AGAINST DATA CONTAINED IN THE FILES OF THE VIRGINIA STATE POLICE CRIMINAL RECORDS EXCHANGE ONLY AND DOES NOT PRECLUDE THE EXISTENCE OF OTHER CRIMINAL HISTORY INFORMATION WHICH MAY BE CONTAINED IN THE REPOSITORY OF OTHER LOCAL, STATE OR FEDERAL CRIMINAL JUSTICE AGENCIES.

CHANGES TO THIS RECORD MAY BE IN PROCESS. A NEW INQUIRY SHOULD BE MADE FOR SUBSEQUENT USE. THE RECIPIENT(S) IS RESPONSIBLE FOR MAINTAINING AN AUDIT TRAIL OF ALL SECONDARY DISSEMINATION OF ANY OF THIS INFORMATION.

*** UNAUTHORIZED DISSEMINATION WILL SUBJECT THE DISSEMINATOR TO CRIMINAL AND CIVIL PENALTIES. ***

THIS IS A MULTI-SOURCE RECORD. ADDITIONAL CRIMINAL HISTORY INFORMATION IS INDEXED IN NCIC-III FOR OTHER STATE OR FEDERAL OFFENSES.

END OF RECORD

Top of page or Menu

CR 0AC549C264 from NLETSWS - April 20, 2022 at 09:47:41

BEUSL415

CR.0AC549C264.NLETSWS.20220420 09:47:41

TO: BEUSL415-54060 20220420 09:47:41 0AC549C264

FROM: NLETSWS-4833892 20220420 09:47:41

CR.NCIII0000

06:47 33114

04/20/2022 17156 SC007015A

*0734005532

TXT

HDR/2L0107340055322QR

ATN/VICTORIA BUTLER

***** CRIMINAL HISTORY RECORD *****

***** Introduction *****

This rap sheet was produced in response to the following request:

Purpose Code C

Attention VICTORIA BUTLER

The information in this rap sheet is subject to the following caveats:

BASED ONLY ON SID NUMBER (NC)

THIS CRIMINAL HISTORY IS FOR A MULTI-STATE RECORD. (NC)

THIS RESPONSE CONTAINS ONLY NORTH CAROLINA CHARGES. (NC)

A MULTI-STATE NCIC RESPONSE WILL BE PROVIDED BY THE FBI. (NC)

For authorized investigative purposes only

Printed: 4/20/2022 9:48:44 AM

Page: 23 of 25

General Criminal History

THIS CRIMINAL HISTORY RECORD INFORMATION ON THE ABOVE-NAMED INDIVIDUAL IS A CERTIFIED COPY SUBSTANTIATED BY FINGERPRINTS, AS IT APPEARS IN THE SBI/DCI FILES. STATE/FEDERAL REGULATIONS REQUIRE A ONE-YEAR RECORD OF DISSEMINATION. *** CAUTION *** CHANGES TO THIS RECORD MAY OCCUR AT ANY TIME AND A NEW INQUIRY SHOULD BE MADE FOR SUBSEQUENT USE. (NC)

***** IDENTIFICATION *****

Subject Name(s)

ROGERS, HAROLD D JR

Subject Description

FBI Number

State Id Number

NC

Social Security Number

Sex

Male

Race

White

Skin Tone

Medium

Height

5'10"

Weight

185

Date of Birth

1966-

Hair Color

Brown

Eye Color

Blue

Place of Birth

North Carolina

***** CRIMINAL HISTORY *****

===== Cycle 1 =====

Tracking Number 01

Earliest Event Date 1990-04-16

Arrest Date 1990-04-16

Arrest Case Number 832197

Arresting Agency NC011013Y ASHEVILLE-BUNCOMBE BUREAU OF ID

Subject's Name ROGERS, HAROLD D JR

Offender Id Number D03096J

Comment(s) Arrest Provisions: SECURED \$2500 BOND

Charge 01

Charge Literal POSS OF STOLEN VEHICLE

Court Disposition (Cycle 1)

Court Case Number 1990CR 008642

Court Agency NC011025J BUNCOMBE CO DIST CRT-ASHEVILLE

Charge Literal POSS STOLEN GOODS/PROP (F)

Statute (14-71.1; NC)

NCIC Offense Code 2804

Severity Felony

Disposition (1990-05-03; Dismissal Without Leave (By DA))

For authorized investigative purposes only

General Criminal History

***** INDEX OF AGENCIES *****

Agency ASHEVILLE-BUNCOMBE BUREAU OF ID; NC011013Y;

Agency BUNCOMBE CO DIST CRT-ASHEVILLE; NC011025J;

*** END OF RECORD ***

Top of page or Menu

For authorized investigative purposes only

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WITNESSES

Dylan Hightower

ARREST WARRANT NUMBER

2021A0720200039

ACTION OF GRAND JURY

True Bill

Melinda Hagins
Foreperson of Grand Jury
Date: AUG 11 2022

VERDICT

Guilty

Joseph M. Hoff
Foreperson of Petit Jury
Date: 10/2/23
INDICT

DOCKET NO. 2021GS0700446

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

August Term 2022

THE STATE

vs.

TY LEIC DAE JHON CHANEYFIELD

Indictment For

Possession of Weapon During
Violent Crime

SC Code: 16-23-490

CDR Code: 0549

After being fully advised as to my
legal rights, I hereby waive
presentment to the Grand Jury.

Defendant

I
hereby appear in my own proper
person and plead guilty to the within
indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)

INDICTMENT

COUNTY OF BEAUFORT)

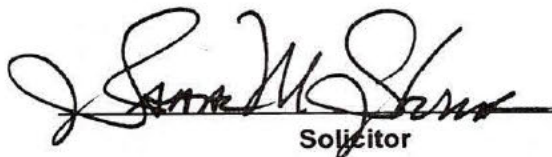
2021GS0700446

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Possession of Weapon During Violent Crime

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, TY LEIC DAE JHON CHANEYFIELD, did possess a firearm, visibly displayed what appeared to be a firearm, or visibly displayed a knife during the commission of a violent crime, to wit: Murder and/or Attempted Murder and/or Assault and Battery by a Mob Resulting in Death, and TY LEIC DAE JHON CHANEYFIELD was convicted of committing or attempting to commit a violent crime as defined in Section 16-1-60, to wit: Murder and/or Attempted Murder and/or Assault and Battery by a Mob Resulting in Death, all in violation of Section 16-23-490, et al. of the Codes of Law of South Carolina.

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


Solicitor

986

WITNESSES

Dylan Hightower

DOCKET NO. 2021GS0700447

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

August Term 2022

THE STATE

vs.

TY LEIC DAE JHON CHANEYFIELD

ARREST WARRANT NUMBER

2021A0720200040

ACTION OF GRAND JURY

True Bill

Melinda Hagenis
Foreperson of Grand Jury
Date: AUG 11 2022

VERDICT

Guilty

Christopher M. Naff
Foreperson of Petit Jury
Date: INDICT 10/2/23

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)

INDICTMENT

COUNTY OF BEAUFORT)

2021GS0700447

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Attempted Murder

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, TY LEIC DAE JHON CHANEYFIELD, did, with intent to kill and with malice aforethought, attempt to willfully kill Edwin Graham, to wit: By shooting at him, all in violation of Section 16-3-29, et al. of the Codes of Law of South Carolina.

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



Isaac M. St. John
Solicitor

WITNESSES

Dylan Hightower

ARREST WARRANT NUMBER

2021A0720200041

ACTION OF GRAND JURY

True Bill

Melinda Hagins
Foreperson of Grand Jury
Date: AUG 11 2022

VERDICT

Guilty

Victor M. Noff
Foreperson of Petit Jury
Date: 10/2/23
INDICT

DOCKET NO. 2021GS0700448

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

August Term 2022

THE STATE

vs.

TY LEIC DAE JHON CHANEYFIELD

Indictment For
Attempted Murder

SC Code: 16-3-29

CDR Code: 3410

After being fully advised as to my
legal rights, I hereby waive
presentment to the Grand Jury.

Defendant

I
hereby appear in my own proper
person and plead guilty to the within
indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)

INDICTMENT

COUNTY OF BEAUFORT)

2021GS0700448

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Attempted Murder

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, TY LEIC DAE JHON CHANEYFIELD, did, with intent to kill and with malice aforethought, attempt to willfully kill Kylon Simmons, to wit: By shooting at him, all in violation of Section 16-3-29, et al. of the Codes of Law of South Carolina.

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


Solicitor

990

WITNESSES

Dylan Hightower

ARREST WARRANT NUMBER

2021A0720200042

ACTION OF GRAND JURY

True Bill

Melinda Hagins
Foreperson of Grand Jury
Date: AUG 11 2022

VERDICT

Guilty

Christopher M. Hoff
Foreperson of Petit Jury
Date: INDICT 10/2/23

DOCKET NO. 2021GS0700449

The State of South Carolina
County of Beaufort

COURT OF GENERAL SESSIONS

August Term 2022

THE STATE

vs.

TY LEIC DAE JHON CHANEYFIELD

Indictment For

Murder

SC Code: 16-3-10

CDR Code: 0116

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I
hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)

INDICTMENT

COUNTY OF BEAUFORT)

2021GS0700449

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Murder

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, TY LEIC DAE JHON CHANEYFIELD, did, with malice aforethought, kill Dwan Fields and {victim's name} did die as a proximate result of TY LEIC DAE JHON CHANEYFIELD and JIMMIE LEWIS GREEN's actions, to wit: {conduct description, all in violation of Section 16-3-10, et al. of the Codes of Law of South Carolina.

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


Solicitor

WITNESSES

Dylan Hightor

ARREST WARRANT NUMBER

2022GS0701223

ACTION OF GRAND JURY

True Bill

VERDICT

Guilty

Foreperson of Petit Jury

Date:

INDICT

10/2/23

DOCKET NO. 2022GS0701223

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

August Term 2022

THE STATE

vs.

TY LEIC DAE JHON CHANEYFIELD

Indictment For

Mob Violence

SC Code: 16-3-210(B)

CDR Code: 3431

After being fully advised as to my
legal rights, I hereby waive
presentment to the Grand Jury.

Defendant

I
hereby appear in my own proper
person and plead guilty to the within
indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)

INDICTMENT

COUNTY OF BEAUFORT)

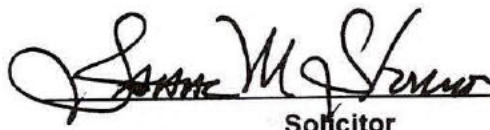
2022-GS-07-01223

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Mob Violence

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, TY LEIC DAE JHON CHANEYFIELD, did, as part of a mob and without color or authority of law, for the premeditated purpose and with the premeditated intent of committing an act of violence upon the person of another, inflict an act of violence upon the body of Dwan Fields, Jr., which resulted in the death of Dwan Fields, Jr., all in violation of Section 16-3-210(B), et al. of the Codes of Law of South Carolina.

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



Solicitor

994

WITNESSES

D. Ian Hightower

DOCKET NO. 2022GS0701224

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

August Term 2022

THE STATE

vs.

TY LEIC DAE JHON CHANEYFIELD

Indictment For

Mob Violence

SC Code: 16-3-210(D)

CDR Code: 3433

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

2022GS0701224

ACTION OF GRAND JURY

True Bill

Melinda Hagins

Foreperson of Grand Jury

Date:

AUG 11 2022

VERDICT

Guilty

Defendant

Witness:

C.C.C. PLS. and G.S.

Foreperson of Petit Jury

Date:

INDICT

10/2/23

STATE OF SOUTH CAROLINA)

INDICTMENT

COUNTY OF BEAUFORT)

2022-GS-07-01224

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Mob Violence

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, TY LEIC DAE JHON CHANEYFIELD, did, as part of a mob and without color or authority of law, for the premeditated purpose and with the premeditated intent of committing an act of violence upon the person of another, inflict an act of violence upon the body of Kylon Simmons, which resulted in bodily injury to Kylon Simmons, all in violation of Section 16-3-210(C), et al. of the Codes of Law of South Carolina.

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


Solicitor

WITNESSES

Dylan Hightower

ARREST WARRANT NUMBER

2022GS0701225

ACTION OF GRAND JURY

True Bill

Melinda Hagen
Foreperson of Grand Jury
Date: AUG 11 2022

VERDICT

Guilty

Christopher Noff
Foreperson of Petit Jury
Date: 10/2/23
INDICT

DOCKET NO. 2022GS0701225

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

August Term 2022

THE STATE

vs.

TY LEIC DAE JHON CHANEYFIELD

Indictment For

Mob Violence

SC Code: 16-3-210(C)

CDR Code: 3432

After being fully advised as to my
legal rights, I hereby waive
presentment to the Grand Jury.

Defendant

I
hereby appear in my own proper
person and plead guilty to the within
indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)

INDICTMENT

COUNTY OF BEAUFORT)

2022-GS-07-01225

At a Court of General Sessions, convened on August 11, 2022, the Grand Jurors of Beaufort County present upon their oath:

Mob Violence

That in Beaufort County, South Carolina, on or about March 5, 2021, the Defendant, TY LEIC DAE JHON CHANEYFIELD, did, as part of a mob and without color or authority of law, for the premeditated purpose and with the premeditated intent of committing an act of violence upon the person of another, inflict an act of violence upon the body of Edwin Graham, which resulted in Serious Bodily Injury to Edwin Graham, all in violation of Section 16-3-210(C), et al. of the Codes of Law of South Carolina.

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


Solicitor

5 years

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2021GS0700446

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2021GS0700446

TY LEIC DAE JHON CHANEYFIELD

A/W#: 2021A0720200039

AKA:

Date of Offense: 03/05/2021

Race: Black Sex: Male Age:

S.C. Code §: 16-23-490

DOB: /2002

SS#:

CDR Code #: 0549

Address: RIDGELAND, SC 29936 6786,

Jasper County

City, State, Zip:

DL#*

SID#

SENTENCE SHEET

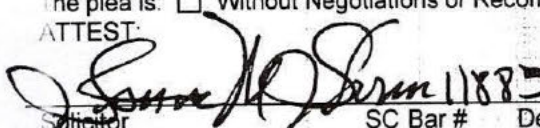
*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS

TO: Possession of a Weapon During the Commission of a Violent Crime

In violation of § 16-23-490 of the S.C. Code of Laws, bearing CDR Code # 0549

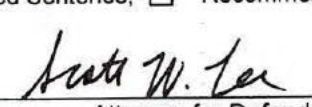
☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:



 SC Bar # 11883

Defendant



 Attorney for Defendant

 66471

 SC Bar #
WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 5 days/months/years/Time Served ☐ Youthful Offender Act not to exceed yearsand/or to pay a fine of \$; provided that upon the service of days/months/years/Time Served and or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with probation for

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

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: ☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDoc. days/months☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2021GS0700446

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

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

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

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

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

 Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

*Fine:

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

 Clerk of Court/Deputy Clerk: Kimberly Williams
 Court Reporter:

 Presiding Judge: R. Small
 Judge Code: 2144
 Sentence Date: Oct. 2, 2023

1000

0-30 years

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2021GS0700447

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2021GS0700447

TY LEIC DAE JHON CHANEYFIELD

A/W#: 2021A0720200040

AKA:

Date of Offense: 03/05/2021

Race: Black Sex: Male Age: _____

S.C. Code §: 16-3-29

DOB: /2002 SS#:

CDR Code #: 3410

Address: , RIDGELAND, SC 29936 6786,Jasper County

City, State, Zip: _____

SENTENCE SHEET

DL#* _____

SID# _____

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADSTO: Attempted MurderIn violation of § 16-3-29 of the S.C. Code of Laws, bearing CDR Code # 3410☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. _____ (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Quail Dora 1883
Solicitor SC Bar # DefendantScott W. Lu
Attorney for Defendant66471
SC Bar #WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 30 days/months/years/Time Served ☐ Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$____; provided that upon the service of _____ days/months/years/Time Served and or payment

of \$____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

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

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDoc. _____ days/months☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.

SCCA/217 (07/2021)

Page 1 of 2

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2021GS0700447

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

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

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

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

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

 Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

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

 Clerk of Court/Deputy Clerk: _____
 Court Reporter: _____

 Presiding Judge: _____
 Judge Code: 2144
 Sentence Date: Dec. 2, 2023

1002

0-30 years

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2021GS0700448

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2021GS0700448

TY LEIC DAE JHON CHANEYFIELD

A/W#: 2021A0720200041

AKA:

Date of Offense: 03/05/2021

Race: Black Sex: Male Age:

S.C. Code §: 16-3-29

DOB: [REDACTED] /2002 SS#: [REDACTED]

CDR Code #: 3410

Address: [REDACTED] RIDGELAND, SC 29936 6786,

Jasper County

City, State, Zip:

DL#* SID#

SENTENCE SHEET

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS

TO: Attempted Murder

In violation of § 16-3-29 of the S.C. Code of Laws, bearing CDR Code # 3410

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

 The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)
The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

 [Signature] 11893
 Solicitor SC Bar # Defendant

 [Signature] 66471
 Attorney for Defendant SC Bar #
WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 30 days/months/years/Time Served ☐ Youthful Offender Act not to exceed ___ years

and/or to pay a fine of \$___; provided that upon the service of ___ days/months/years/Time Served and or payment

of \$___; plus costs and assessments as applicable*; the balance is suspended with **probation** for _____

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

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____
☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDoc.
 days/months
☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.

SCCA/217 (07/2021)

Page 1 of 2

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2021GS0700448

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

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

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

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

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

 Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

Fine:		\$ _____
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____ Beginning	_____
§14-1-206 (Assessments 107.5%)		\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ 100.00
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	TBD	\$ 375
☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$ _____
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
TOTAL		\$ 1237.5

 Clerk of Court/Deputy Clerk: _____
 Court Reporter: _____

 Presiding Judge: _____
 Judge Code: _____
 Sentence Date: _____

 2144
 Dec 2 2023

1004

30 years - life

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2021GS0700449

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2021GS0700449

TY LEIC DAE JHON CHANEYFIELD

A/W#: 2021A0720200042

AKA:

Date of Offense: 03/05/2021

Race: Black Sex: Male Age:

S.C. Code §: 16-3-10

DOB: [REDACTED] /2002 SS#: [REDACTED]

CDR Code #: 0116

Address: [REDACTED] RIDGELAND, SC 29936 6786,

Jasper County

City, State, Zip:

SENTENCE SHEET

DL#* SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS

TO: Murder

In violation of § 16-3-10 of the S.C. Code of Laws, bearing CDR Code # 0116

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

[Signature] 11883
Solicitor SC Bar # Defendant[Signature] W. La 66471
Attorney for Defendant SC Bar #WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of Life w/o Parol days/months/years/Time Served ☐ Youthful Offender Act not to exceed ____ years

and/or to pay a fine of \$____; provided that upon the service of ____ days/months/years/Time Served and or payment

of \$____; plus costs and assessments as applicable*; the balance is suspended with **probation** for ____

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

The sentence shall run

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDoc.
____ days/months☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.

SCCA/217 (07/2021)

Page 1 of 2

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2021GS0700449

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

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

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

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

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

 Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

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

 Clerk of Court/Deputy Clerk: _____
 Court Reporter: _____

 Presiding Judge: _____
 Judge Code: _____
 Sentence Date: _____

 2144
 Oct. 2, 2023

1006

not less than 30 years

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2022GS0701223

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2022GS0701223

TY LEIC DAE JHON CHANEYFIELD

A/W#: DIRECT INDICTMENT

AKA:

Date of Offense: 03/05/2021

Race: Black Sex: Male Age:

S.C. Code §: 16-3-210(B)

DOB: [REDACTED]/2002 SS#: [REDACTED]

CDR Code #: 3431

Address: [REDACTED], RIDGELAND, SC 29936 6786,

Jasper County

City, State, Zip:

SENTENCE SHEET

DL#* SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS

TO: Assault and Battery by Mob, First Degree

In violation of § 16-3-210(B) of the S.C. Code of Laws, bearing CDR Code # 3431

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

[Signature]

SC Bar #

Defendant

[Signature]

Attorney for Defendant

66471

SC Bar #

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 30 days/months/years/Time Served ☐ Youthful Offender Act not to exceed ___ years

and/or to pay a fine of \$___; provided that upon the service of ___ days/months/years/Time Served and or payment

of \$___; plus costs and assessments as applicable*; the balance is suspended with probation for ___

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

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDCC. days/months☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.

SCCA/217 (07/2021)

Page 1 of 2

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2022GS0701223

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

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

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

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

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

 Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

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

 Clerk of Court/Deputy Clerk: _____
 Court Reporter: _____

 Presiding Judge: _____
 Judge Code: _____
 Sentence Date: _____

1008

0-1 year

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2022GS0701224

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2022GS0701224

TY LEIC DAE JHON CHANEYFIELD

A/W#: DIRECT INDICTMENT

AKA:

Date of Offense: 03/05/2021

Race: Black Sex: Male Age:

S.C. Code §: 16-3-210(D)

DOB: [REDACTED]/2002

SS#: [REDACTED]

CDR Code #: 3433

Address: [REDACTED] RIDGELAND, SC 29936 6786,

Jasper County

City, State, Zip:

SENTENCE SHEET

DL#:

SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS

TO: Assault and Battery by Mob, Third Degree

In violation of § 16-3-210(D) of the S.C. Code of Laws, bearing CDR Code # 3433

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

[Signature] 11883

Solicitor

SC Bar #

Defendant

[Signature]

Attorney for Defendant

66471

SC Bar #

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 1 days/months/years/Time Served ☐ Youthful Offender Act not to exceed yearsand/or to pay a fine of \$; provided that upon the service of days/months/years/Time Served and or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with **probation** for

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

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: ☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC. days/months☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.

SCCA/217 (07/2021)

Page 1 of 2

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2022GS0701224

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

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

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

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

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

 Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

Fine:

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

 Clerk of Court/Deputy Clerk: _____
 Court Reporter: _____

 Presiding Judge: _____
 Judge Code: _____
 Sentence Date: _____

1010

not more than 25 years

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2022GS0701225

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

VS.

INDICTMENT/CASE#: 2022GS0701225

TY LEIC DAE JHON CHANEYFIELD

A/W#: DIRECT INDICTMENT

AKA:

Date of Offense: 03/05/2021

Race: Black Sex: Male Age:

S.C. Code §: 16-3-210(C)

DOB: [REDACTED] /2002 SS#: [REDACTED]

CDR Code #: 3432

Address: [REDACTED] RIDGELAND, SC 29936 6786

Jasper County

City, State, Zip:

SENTENCE SHEET

DL#* SID#

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS

TO: Assault and Battery by Mob, Second Degree

In violation of § 16-3-210(C) of the S.C. Code of Laws, bearing CDR Code # 3432

☒ NON-VIOLENT ☐ VIOLENT ☒ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury: (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

[Signature] 11883
Solicitor SC Bar # Defendant[Signature] 66471
Attorney for Defendant SC Bar #WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 25 days/months/years/Time Served ☐ Youthful Offender Act not to exceed ___ years

and/or to pay a fine of \$___; provided that upon the service of ___ days/months/years/Time Served and or payment

of \$___; plus costs and assessments as applicable*; the balance is suspended with probation for ___

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

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC.
days/months☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.

SCCA/217 (07/2021)

Page 1 of 2

STATE

TY LEIC DAE JHON CHANEYFIELD

INDICTMENT/CASE#: 2022GS0701225

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

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

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

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

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

 Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

*Fine:

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

 Clerk of Court/Deputy Clerk: _____
 Court Reporter: _____

[Signature]
[Signature]

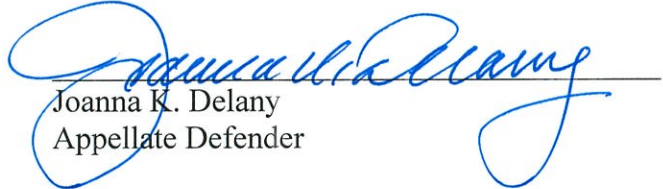
 Presiding Judge: _____
 Judge Code: _____
 Sentence Date: _____

[Signature]
 2144
 06.2.2023

CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,

RECEIVED**Jan 03 2025****SC Court of Appeals**

Joanna K. Delany
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 3rd day of January, 2025.

RECEIVED

Jan 03 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County

Honorable R. Ferrell Cothran, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

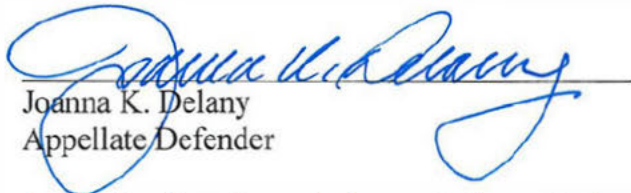
TY LEIC DAE JHON CHANEYFIELD,

APPELLANT

APPELLATE CASE NO. 2023-001595

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon Brian H. Gibbs, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 3rd day of January, 2025.


Joanna K. Delany
Appellate Defender

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

ATTORNEY FOR APPELLANT