

STATE OF SOUTH CAROLINA

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TRANSCRIPT OF RECORD

COUNTY OF LAURENS

)

CASE NO. 2022-CP-30-00208

October 15, 2024

BEFORE: The Honorable Judge Donald B. Hocker

RECEIVED

Mar 04 2025

SC Court of Appeals

Wayne J. Rogers,

Plaintiff,

vs.

Tomika Craig and Arthur Rogers,

Defendants.

APPEARANCES:

Thomas J. Thompson, Esq.
Attorney for the Plaintiff

Clayton L. Jennings, Esq.
Attorney for the Defendant

Official Court Reporter, Transcriber
Cynthia D. Weaver

I-N-D-E-X

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1 (COURT REPORTER'S NOTE: Due to remote platform
2 interruption and audio interference throughout the
3 hearing, those instances are denoted with
4 (inaudible) in the transcript.)

5 P-R-O-C-E-E-D-I-N-G-S

6 THE COURT: -- this afternoon in the case of Wayne
7 J. Rogers v. Tamika Craig and Arthur Rogers, File Number
8 2022-CP-30-00208. Present representing the Plaintiff is Tom
9 Thompson. Clayton Jennings is present, representing the
10 Defendants. I have reviewed both the summons and complaint
11 and answer and unless there's anything we need to do prior
12 to taking testimony, I'm prepared to go ahead and start
13 hearing witnesses. Anything, Mr. Thompson?

14 MR. THOMPSON: May it please the Court?

15 I'd like for the witnesses to be sequestered.

16 THE COURT: Okay. You're moving for witnesses to
17 be sequestered; is that right? Okay.

18 Mr. Jennings, do you have any opposition to that?

19 MR. JENNINGS: Without objection, Your Honor.

20 THE COURT: Okay. All right. All right. Anybody
21 who's going to be or not -- if you're going to be the first
22 witness for the Plaintiff, certainly you can stay in, but
23 any other witnesses for the Plaintiff or the Defendants need
24 to -- and there's conference rooms outside. Mike, if you'll
25 show them where the rooms are, just need to be out there.

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 MR. JENNINGS: Your Honor, does that include the
2 parties?

3 THE COURT: No, no. Parties can stay in. Okay.
4 Mr. Thompson, you ready to call your first
5 witness?

6 MR. THOMPSON: Yes, sir. I am.

7 THE COURT: Okay.

8 MR. THOMPSON: The Plaintiff calls Jonathan
9 Williams.

10 THE COURT: Okay. Come around, Mr. Williams.

11 JONATHAN WILLIAMS, after being duly sworn,
12 testified as follows:

13 THE COURT: Okay. You may proceed.

14 DIRECT EXAMINATION

15 BY MR. THOMPSON:

16 Q. Give us your full name, please?

17 A. Jonathan Jamal Williams.

18 Q. And what is your address, sir?

19 A. It's 108 Holland Hill.

20 Q. Is that in Laurens?

21 A. Yes, it is.

22 Q. Is that right until up here on 104th area?

23 A. Yes.

24 Q. Okay. And how long have you been living in that
25 address?

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 A. Over 20 years. 20 years.

2 Q. Around 20 years. And who is your mother?

3 A. Janice Rogers.

4 Q. Okay. And is your mother married to Wayne Rogers,
5 the Plaintiff?

6 A. Yes.

7 Q. All right. You are not Wayne Rogers's biological
8 child; are you?

9 A. No. No, I'm not.

10 Q. You're -- you're his stepson, right?

11 A. Yes.

12 Q. Your mother and Mr. Rogers, do you recall
13 approximately when they married? How many years ago?

14 A. I was a kid. I can't recall. I was a kid, like
15 five years old.

16 Q. Okay. And you're how old now?

17 A. 37.

18 Q. Okay. And you live -- continue to live with your
19 mother and stepfather at his address?

20 A. Yes.

21 Q. Okay. And how far did you go in school?

22 A. 12th grade.

23 Q. 12th grade. Any military?

24 A. No.

25 Q. Are you currently employed?

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 A. Yes.

2 Q. Who is your employer?

3 A. Molouf. Molouf Furniture. It's right here past
4 the Waffle House, the old Michelin building.

5 Q. Okay. What exactly is your job? What do you do
6 at that location?

7 A. I'm a forklift driver. I -- I pick the furniture
8 that's --

9 THE COURT: Wait one a second, Mr. Williams.
10 We're not picking -- he's not picking him up?

11 THE REPORTER: Spell his employer.

12 THE COURT: Oh, spell the employer's name. Sorry.

13 THE WITNESS: M-O-L-O-U-F.

14 THE COURT: Okay. Thank you.

15 BY MR. THOMPSON:

16 Q. All right. And that employer, place of business
17 is in what community?

18 A. It's in Laurens.

19 Q. All right. And do you have a particular shift
20 that you work on?

21 A. Yes, first shift.

22 Q. Okay. Does that every from time to time?

23 A. No, 7:00 in the morning.

24 Q. Okay. All right. Now, when your mother and your
25 stepfather married, was your -- was your stepfather

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 employed?

2 A. Yes.

3 Q. What line or type of business was he in?

4 A. He was in the mill work. The mill.

5 Q. Worked in a textile?

6 A. Yes.

7 Q. And is he still working in textile?

8 A. No.

9 Q. Is -- is your stepfather working at all?

10 A. No.

11 Q. Do you recall approximately how long it's been
12 since Mr. Rogers was employed?

13 A. Since 2018.

14 Q. Okay. 2018. Was his employer at that time Enoree
15 Mills?

16 A. Yes, it was.

17 Q. Okay. Now, Mr. Rogers, did he -- did he take up
18 any other type of employment after that, the job at the
19 mill, odd jobs or anything like that?

20 A. No.

21 Q. Okay. Does Mr. Rogers drive a motor vehicle?

22 A. No, he doesn't.

23 Q. Did he at one time have a driver's license to
24 operate a motor vehicle?

25 A. Yes.

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 Q. Okay. What is your estimate as to how long it's
2 been since he'd been able to drive a motor vehicle?

3 A. Since 2018. Like --

4 Q. About the time he stopped working?

5 A. Yes.

6 Q. Okay. Is Mr. Rogers left alone in the home there
7 on 108 Hunters Court?

8 A. No.

9 Q. Okay. Who is there as his caretaker, for lack of
10 a better word?

11 A. Me and my mother, Janice Rogers.

12 Q. Okay. Your mother and yourself?

13 A. Yes.

14 Q. Does anyone else live there?

15 A. No.

16 Q. Do you employ or engage any other third parties to
17 help with the care and daily needs of Mr. Rogers?

18 A. No.

19 Q. What type of tasks does your mother have to do
20 deal with as far as your father's -- your stepfather's
21 concern?

22 A. Basically, all his needs. Like --

23 THE COURT: Could you speak up just a little bit,
24 Mr. Williams, please, sir?

25 THE WITNESS: Basically, all his needs. Like, she

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 gets him up, dresses him, she bathes him. She gets him
2 ready for the day. Make sure he's got his meals.

3 BY MR. THOMPSON:

4 Q. And does she transport him to where he needs to go
5 if --

6 A. And transport, yes.

7 Q. -- he needs to go somewhere?

8 A. Yes, sir.

9 Q. Does -- does any other individual handle the
10 transportation needs of your stepfather?

11 A. No.

12 Q. You work one shift that you -- you -- that you --
13 your mother works a different shift, I believe, right?

14 A. She doesn't work anymore not as this date.

15 Q. She does not work anymore?

16 A. No.

17 Q. But she did work up until very recently; did she
18 not?

19 A. Yes.

20 Q. Well, let's go back a couple of years. Let's say,
21 back to 2020 coming forward. You were working then; were
22 you not?

23 A. On and off.

24 Q. Okay. And was your mother working full time then?

25 A. Yes.

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 Q. Okay. How -- how was Mr. Rogers's situation
2 covered as far as having someone watching while your mother
3 was working?

4 A. I was there.

5 Q. And if you were not there, who was there?

6 A. She was.

7 Q. Okay. Do you recall leaving your stepfather alone
8 there for any appreciable length of time during the last
9 several years?

10 A. No.

11 Q. Okay. Now, the house that's up there, tell me a
12 little bit about it in terms of what -- what -- what do we
13 have there? How many bedrooms, baths? What all?

14 A. It's three bedrooms, two baths.

15 Q. Is there a living area?

16 A. A living room, yes, and a kitchen.

17 Q. Is that it?

18 A. Yes.

19 Q. How would you characterize it in terms of large,
20 small, medium, what?

21 A. I'd say right at a small, but medium, you know.

22 Q. All right. Mr. Rogers to -- to ambulate or get
23 around, is he able to do that without any assistance?

24 A. No, he doesn't.

25 Q. What -- what -- what does he use, if anything to

1 maneuver?

2 A. He -- he has a wheelchair. He has a walker. Or
3 -- or speaking of anything as transporting in a car, my
4 mother takes him if he needs to drive in a car.

5 Q. So who handles the financial business of the
6 household there where you live with your stepfather and
7 mother?

8 A. Well, my -- my mother really take care of all the
9 finances, but they discuss on any big purchases or whatever.

10 Q. From time to time, do issues come up, family
11 issues that needs to be discussed?

12 A. Yes.

13 Q. How is that handled generally?

14 A. Between them two; my mother and my stepfather.

15 Q. They -- are you saying they discuss those things?

16 A. Yes.

17 Q. Would it be common for -- for one to make a -- a
18 unilateral decision to do something without consulting the
19 other involving anything of any significance?

20 A. No.

21 Q. Okay. Now, did your grandmother at one time live
22 in Laurens County?

23 A. Yes.

24 Q. What -- what -- what is her name, again, please?

25 A. My grandmother?

1 Q. Yes.

2 A. Erlene Williams.

3 Q. Okay. And you have an aunt that continues to live
4 there; do you not?

5 A. Yes, I do.

6 Q. And her name is?

7 A. Annette.

8 Q. Okay. When you and your mother moved to your
9 current address with your stepfather, where -- where were
10 your -- where was your grandmother and aunt living?

11 A. They were living on 252 at first until he bought
12 the property.

13 Q. Okay. What made you say that? When you say "he
14 bought the property," who -- who -- who bought what?

15 A. Well, my stepfather, Wayne, he bought the property
16 for my -- my aunt and my grandmother.

17 Q. Okay. And is that the Westcliff property?

18 A. Yes, it is.

19 Q. And that's the property we're in -- we're in court
20 today about?

21 A. Yes.

22 Q. So what -- what exactly does that property consist
23 of?

24 A. I want to say it's like 2 -- 2 or 3 acres --

25 Q. Yeah.

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 A. -- with a mobile home on it.

2 Q. Okay. Okay. Was the purpose of purchasing that
3 to provide a home for your grandmother and aunt?

4 A. Yes, it was.

5 Q. Okay. Is your grandmother still living?

6 A. No.

7 Q. She died in 2013?

8 A. Yes.

9 Q. Okay. Who -- who lives at that property now?

10 A. My aunt.

11 Q. Okay. Annette?

12 A. Annette, yes.

13 Q. Annette Williams, right?

14 A. Yes.

15 Q. She lives there. And did -- does she -- does she
16 pay rent?

17 A. She pay the utilities.

18 Q. Okay. All right. To -- to your knowledge, does
19 she have another place to live if she was not living there?

20 A. No.

21 Q. Now, do you -- are you familiar with the fact that
22 -- that -- that this case involves a -- a deed to a certain
23 property?

24 A. Yes.

25 Q. And that is the Westcliff property, right?

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 A. Yes.

2 Q. And have -- have you seen that deed other than in
3 my office?

4 A. No, I haven't.

5 MR. THOMPSON: We'd like to put the deed in for
6 identification purposes.

7 THE COURT: Okay. All right. Do you want to let
8 Mr. Jennings take a look at it?

9 MR. THOMPSON: Plaintiff's No. 1 for
10 identification purposes.

11 THE REPORTER: Okay.

12 MR. JENNINGS: No objection -- excuse me -- no
13 objection.

14 THE COURT: You want to go ahead and move it into
15 evidence, Mr. Thompson, Mr. Jennings has no objection?

16 MR. THOMPSON: We can make it Plaintiff's Exhibit
17 1.

18 THE COURT: Okay. All right. Plaintiff's 1 into
19 evidence.

20 (WHEREUPON, PLAINTIFF'S EXHIBIT NO. 1 ADMITTED
21 INTO EVIDENCE)

22 BY MR. THOMPSON:

23 Q. Okay. Mr. Williams, let me hand you Plaintiff's
24 Exhibit No. 1, and ask you to take a moment to look at it
25 for me, please. When you have had a sufficient time to

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 review it just look up and let me know.

2 Let me -- let me ask you this: Is that the -- the
3 deed that you and I reviewed in my office --

4 A. Yes, it is.

5 Q. -- a couple of days ago?

6 A. Yes.

7 Q. Do you understand that to be the deed from
8 Mr. Wayne Rogers to his daughter, Tomika and his son,
9 Arthur?

10 A. That's what it's made out to be.

11 Q. I did not hear you.

12 A. That's what it's made out to be, it looks like it.

13 Q. Okay. And that's your understanding of what it
14 is?

15 A. Yeah, I understand.

16 Q. Let me have the exhibit back.

17 A. All right.

18 Q. Thank you. Did you play any part in having this
19 deed prepared, signed, or witnessed?

20 A. No.

21 Q. Did you have anything to do with it?

22 A. No.

23 Q. Okay. Let me hand it back to you. Let me hand
24 you Plaintiff's Exhibit back to you and ask you to look.
25 I'll do a little leading, if I get too far along you can

1 call my hand out.

2 Does it appear to be executed on January the 22nd,
3 2022?

4 A. Yes, it does.

5 Q. Okay. Do you have an independent recollection of
6 that particular day?

7 A. Yes, I do.

8 Q. Did you, at my request, refresh your memory on
9 that day sometime after the deed was signed and filed?

10 A. Yeah, I remember this day.

11 Q. Okay. What -- what -- why -- why do you remember
12 that day?

13 A. Well, this is the day after my cousin had died.
14 So it was a funeral on the 21st, so this is the next day.

15 Q. Okay. So on the 21st of January, 2022, your
16 cousin had a funeral?

17 A. Yes.

18 Q. This was a Friday; is that not correct?

19 A. Yes.

20 Q. And the next day was on a Saturday?

21 A. Yes, it was.

22 Q. Now -- I'll take it back.

23 A. All right.

24 Q. On Saturday, the 22nd of January, 2022, where were
25 you that day?

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 A. I was at home.

2 Q. That's the Holland Hill address?

3 A. Yes, correct.

4 Q. And were you alone?

5 A. No.

6 Q. Who was there?

7 A. My stepfather, Wayne, and my mother, Janice.

8 Q. Your mother --

9 A. Yes.

10 Q. -- your stepfather, and you?

11 A. Yes.

12 Q. Were -- were you there the entire day?

13 A. Yeah. All day long, yeah.

14 Q. And did you leave for any moment in time?

15 A. No. It was -- it was cold out. I remember, like,
16 snow on the ground.

17 Q. Okay. Did you have visitors in the home that
18 particular day?

19 A. No.

20 Q. Okay. If someone had knocked on the door that day
21 or any day, and your stepfather was there, can he normally
22 open the door, how is that handled?

23 A. He really can't stand up like that. Like, I would
24 have to get the door or my mother. So, no, he would not
25 stand up and get the door by himself.

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 Q. Okay. Now, could someone have been in the home on
2 the 22nd of January with your stepfather and you not have
3 known it?

4 A. No. Not at all.

5 Q. Why do you say that?

6 A. The home's not that big, like I mentioned before.
7 And my room was connected to the living room, which is --
8 the living room was connected to the front door. So I can
9 see -- if I open my door, I can see the whole living room.

10 Q. Okay. Now, I'll hand you Plaintiff's Exhibit No.
11 1 back again. If -- if -- if -- if -- there's a signature
12 purportedly of your stepfather. Are you familiar with your
13 stepfather's signature?

14 A. Yes.

15 Q. It is from a layman's standpoint, is -- is -- is
16 that -- does that appear to be his or you're not sure, sir?

17 A. It's not his.

18 MR. JENNINGS: Your Honor, I'm going to object to
19 this witness's opinion about a signature of his stepfather.
20 There's no basis for his opinion.

21 THE COURT: You may want to lay a foundation,
22 Mr. Thompson, as far as his familiarity with his
23 stepfather's signature.

24 MR. THOMPSON: Okay.

25 THE COURT: You may want to lay a little

1 foundation.

2 BY MR. THOMPSON:

3 Q. Okay. Let me have Plaintiff's Exhibit back.

4 You've lived with your stepfather a number of
5 years prior to this deed; is that not correct?

6 A. Yes.

7 Q. Does your stepfather maintain any type of bank
8 accounts or checking accounts?

9 A. Yes.

10 Q. Okay. Have you seen his signature on checks or
11 finance-related documents?

12 A. Yes. Numerous times.

13 Q. Okay. Have you seen his signature on perhaps
14 other documents?

15 A. Yes.

16 Q. Can you give us some examples of what you've seen?

17 A. I've seen him write checks. I've seen him sign
18 off on stuff I had for school. I mean, I've known him over
19 30 years.

20 Q. Okay. Anything else?

21 A. 30 years explains itself.

22 Q. And in January of 2022 was he capable of signing
23 documents?

24 A. Yeah. Yes, he's capable of signing. Yes.

25 Q. Okay. Are you aware of what health issues he may

1 have had?

2 A. Yes, I am.

3 Q. How are you knowledgeable as to the health issues?

4 A. Because I'm -- I'm in the home. I've been to --
5 to his doctor's visits. I mean, you want me to tell you,
6 like, what's his, you know, disease?

7 Q. Okay. In addition to his limitations in getting
8 around, walking, what -- what else are you -- are you aware
9 of?

10 A. He has Parkinson's disease and Alzheimer's. So he
11 can't move around like that. He freezes up a lot.

12 Q. Going back to the signature, would it be fair to
13 say that what -- what you've seen of his handwriting had
14 been rather limited or would you say it's extensive?

15 A. It's been limited lately.

16 Q. Lately. But before 2022, did you see him sign
17 numerous things before 2022?

18 A. I'm going to say before 2018, I've seen him sign
19 numerous things, but after that, it's been limited.

20 Q. All right. So based on what you've seen on your
21 stepfather's signature, what is your belief about the
22 signature that appears on Plaintiff's Exhibit No. 1?

23 A. It's not his. That's what I believe.

24 Q. Okay. Now, do you know Mr. Gary Williams?

25 A. No, I don't.

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 Q. Do you know a Roslyn Johnson?

2 A. No.

3 Q. Okay. How often did Tomika Craig, your
4 stepsister, visit in the home where you and your mother and
5 stepfather lived?

6 A. Two, three times.

7 Q. Pardon me?

8 A. Two or three times.

9 Q. Two or three times during what period?

10 A. When he got -- when he first got sick, so I would
11 say, like, 2020.

12 Q. What about your stepbrother, Arthur?

13 A. How many times?

14 Q. I mean, they -- they are frequent visitors?

15 A. No, no. No. They're not frequent. No.

16 Q. Did they make any contact -- contact with the home
17 by telephone or otherwise?

18 A. No.

19 Q. Do you or your mother try from time to time to --

20 A. My mother --

21 Q. -- get their help to help with their father?

22 A. Do me and my mother do?

23 Q. Are they requested to help with your father?

24 A. Oh, no. No, they're not. No.

25 Q. Do they help?

JONATHAN WILLIAMS DIRECT BY MR. THOMPSON

1 A. No.

2 Q. The relationship between your stepfather and your
3 aunt, who live at Westcliff, how would you describe that
4 relationship?

5 A. Very good.

6 Q. And does your stepfather complain about having to
7 provide her with the residence?

8 A. No.

9 Q. Do you believe your stepfather would, without
10 consultation with your mother, sell or give away the
11 property where your aunt lives?

12 MR. JENNINGS: Object to what his -- the intention
13 or mindset or his speculation about his stepfather's
14 motivation.

15 THE COURT: Sustained. Just -- just testify as to
16 what you know and you can't speculate on things, okay?

17 THE WITNESS: I wouldn't believe he would do that,
18 no.

19 BY MR. THOMPSON:

20 Q. Is it your position that on January 22, 2022 that
21 no one came to your home on -- on 108 Hunters Court, right?

22 A. Yes. That's my recollection. Yes.

23 Q. No one was there?

24 A. No one.

25 MR. THOMPSON: All right. Answer any questions.

JONATHAN WILLIAMS CROSS BY MR. JENNINGS

1 Mr. Jennings may have.

2 THE COURT: Mr. Jennings, any cross-examination?

3 MR. JENNINGS: Thank you. Yes, Your Honor.

4 CROSS-EXAMINATION

5 BY MR. JENNINGS:

6 Q. Mr. Williams, how long did you say you've been
7 living on the property at 108 -- what's the street address
8 again?

9 A. It's 108 Holland Hill.

10 Q. Holland Hill. How long have you been living
11 there?

12 A. I've been there since I was five years old. So I
13 said over 20; it's been over 30.

14 Q. Okay. And you worked the first shift?

15 A. Yes, I do now, yes.

16 Q. And were you working first shift in 2022?

17 A. No, I wasn't.

18 Q. Okay. What were you doing in 2022?

19 A. Basically, just helping -- helping my mother with
20 him, with my father, yeah.

21 Q. So you were unemployed in 2022?

22 A. Yes.

23 Q. Did you have a lady friend living with you?

24 A. When?

25 Q. Did you have anyone living with you?

JONATHAN WILLIAMS CROSS BY MR. JENNINGS

1 A. In Holland Hill?

2 Q. A girlfriend, or?

3 A. No.

4 Q. Okay. When was the last time Mr. Wayne Rogers
5 could be left alone?

6 A. It had to be before 2018.

7 Q. And why do you say it had to be then?

8 A. Because that's when he -- had to -- when had to
9 quit his job and he got sick.

10 Q. Now, when did Mr. Wayne Rogers quit walking and
11 have to use a wheelchair?

12 A. 2018.

13 Q. He hasn't walked since 2018?

14 A. He uses a wheelchair. He has Parkinson's, so he
15 freezes a lot. He can walk.

16 Q. He can walk now?

17 A. He can walk, but he freezes and might fall. He's
18 had two hip surgeries.

19 Q. Okay. So in 2022, he could walk, right?

20 A. Not perfectly, no.

21 Q. Well, was he always in a wheelchair in 2022?

22 A. A walker, a wheelchair, something that helped him,
23 yeah. Yes.

24 Q. A cane?

25 A. Yes.

JONATHAN WILLIAMS CROSS BY MR. JENNINGS

1 Q. Okay. Now, your mother and Mr. Wayne Rogers
2 sometimes don't get along, do they?

3 A. Excuse me?

4 Q. Sometimes your mother and Mr. Wayne Rogers don't
5 get along; is that right?

6 A. Can you repeat that? They're not -- not getting
7 along?

8 Q. Do your mother and Mr. Rogers ever have arguments
9 or not have -- or do they have a -- like a lot of couples, a
10 less than perfect relationship?

11 A. Disagreements? Yes.

12 Q. They have disagreements over what?

13 A. Life. Married couples.

14 Q. Can you give me an example?

15 A. He might not like what she cooked that day, and he
16 wanted something else or something simple.

17 Q. Okay. Did you know that they almost divorced
18 around 20 years ago?

19 A. Yeah. Yes, I do remember that.

20 Q. Okay. Now, you say there was a funeral on January
21 21st, 2022?

22 A. Yes.

23 Q. Who's funeral?

24 A. My cousin. His name is Tye.

25 Q. Todd?

JONATHAN WILLIAMS CROSS BY MR. JENNINGS

1 A. Tye.

2 Q. Tye?

3 A. T-Y-E.

4 Q. Okay. What's his -- what was his last name?

5 A. Simpson.

6 Q. All right. Where was his funeral?

7 A. It was -- we had it in Ware Shoals.

8 Q. Okay. And so you remember everything about
9 January 22nd because you remember the funeral the day
10 before?

11 A. I didn't do nothing in the day after. So I was at
12 home. It's nothing --

13 Q. Why didn't you do anything on January 22nd?

14 A. It was cold outside.

15 Q. So are you saying when it's cold outside, you
16 never leave the house?

17 A. No, it was a cold day. I just stayed in the house
18 that day.

19 Q. And what did you do? You watched TV? Did you --

20 A. I watched TV, just hung out.

21 Q. And who was there with you?

22 A. Me, Wayne, and my mother.

23 Q. Okay. What'd you do on Saturday before that?

24 A. I have to recall.

25 Q. Remember the weather on Saturday?

JONATHAN WILLIAMS CROSS BY MR. JENNINGS

1 A. Not really.

2 Q. What about on Thursday, January 20th, what'd you
3 do?

4 A. Thursday?

5 Q. Yes, Thursday, January 20th, 2022, the day before
6 the funeral.

7 A. The day before the funeral, I was at home.

8 Q. All day?

9 A. All day.

10 Q. Why'd you stay inside all day on Thursday?

11 A. Because we was getting ready to go to the funeral
12 the next day, Thursday.

13 Q. So you don't -- you can't leave the house if
14 there's going to be a funeral?

15 A. I had nothing to do. It was family -- family --
16 family matters. My cousin had just died.

17 Q. You didn't go to any family gathering for your
18 cousin?

19 A. No.

20 Q. All right. Now, you see -- do you ever see your
21 mother taking your stepfather's blood pressure in the house?

22 A. Yes.

23 Q. How often does she do that?

24 A. Three, four times a day.

25 Q. Okay. What time of day does she do it?

JONATHAN WILLIAMS CROSS BY MR. JENNINGS

1 A. Right when she wakes up, one at 11:30, one at
2 maybe 1:30 or 2:00, and then right before they go to bed.

3 Q. Okay. Does she always take blood pressure
4 readings in the afternoon?

5 A. Yeah.

6 Q. Okay. You said you're familiar with Wayne
7 Rogers's health?

8 A. Yeah.

9 Q. All right. And -- and how many doctor's visits
10 have you attended with him?

11 A. Probably three, four. But I know the gist. I
12 know the gist of it.

13 Q. Okay. What have you learned in those doctors'
14 visits?

15 A. He has Parkinson's, and he has Alzheimer's.

16 Q. When was he diagnosed with Alzheimer's?

17 A. I want to say beginning or end of 2018, beginning
18 of 2019.

19 Q. Okay. And what medicine does he take for
20 Alzheimer's?

21 A. Is there -- is -- there's no cure for Alzheimer's.

22 Q. Does he take any pills for his Alzheimer's
23 treatment?

24 A. I know he takes carbidopa for his Parkinson's. I
25 know that much.

1 Q. But you don't know if he takes anything for
2 Alzheimer's?

3 A. I don't -- I don't know if it's a medicine for
4 Alzheimer's.

5 Q. Okay. But you care for him, right?

6 A. Yes, yes.

7 Q. And you don't know -- who -- who gives him his
8 medicine?

9 A. Either me or my mother.

10 Q. Okay.

11 A. I don't know what's it called for Alzheimer's, but
12 I know what I give him. Yes, that's what I'm saying.

13 Q. All right. Now, you are not a handwriting expert;
14 are you?

15 A. Never said I was.

16 Q. Was that a no?

17 A. No.

18 Q. Okay. What does Wayne Rogers's signature look
19 like?

20 A. Well, what are you comparing it to?

21 Q. I'm just asking if you can describe it for me. Is
22 it loopy? Is it scratchy? How would you describe his --
23 his signature?

24 A. He almost signed like a doctor. You know -- you
25 know how a doctor sign?

JONATHAN WILLIAMS CROSS BY MR. JENNINGS

1 Q. I don't. I'm sorry.

2 A. No, it's like stretchy, big. I could tell it any
3 day, though.

4 Q. Okay. And -- and you said you watch him sign
5 checks?

6 A. I said I've seen him sign checks. I don't just
7 regularly watching -- watching him sign checks, no.

8 Q. So, yeah -- so you have seen him. So you've
9 watched him sign checks?

10 A. Yes. Yes. If that's what you're asking, yes.

11 Q. You've watched him sign checks?

12 A. I said I seen, I didn't say I was just watching.

13 Q. You've seen him?

14 A. Yeah.

15 Q. You've observed him signing a check?

16 A. Yes.

17 Q. On how many occasions?

18 A. Numerous of times.

19 Q. Would -- would that be more than 100 or less than
20 100?

21 A. Probably less than 100.

22 Q. Okay. And how was the signature on the deed that
23 Attorney Thompson showed you different from what you think
24 the normal signature of Wayne Rogers is?

25 A. It's got too much structure, you know? You know

JONATHAN WILLIAMS CROSS BY MR. JENNINGS

1 what I'm talking about? His handwriting is loose. That
2 handwriting it has structure. That's not his.

3 Q. When you say "structure," what do you mean?

4 A. It's formal. You can read it.

5 Q. Okay. You can see every letter in it?

6 A. Basically, yeah.

7 Q. Yeah. Let me show you that signature, if I could,
8 from Plaintiff's Exhibit No. 1. Do you see what is supposed
9 to be the signature of Wayne J. Rogers?

10 A. Yes, I've seen it.

11 Q. Can you read those letters in the last name?

12 A. Not in the last name, no.

13 Q. Now, there have been some times since 2018 when
14 Mr. Wayne Rogers had been alone in the home, right?

15 A. You said since 2018?

16 Q. Yes.

17 A. Not alone.

18 Q. Not alone?

19 A. Not alone.

20 Q. He's never been alone since 2018?

21 A. Not since he's been sick, no.

22 Q. Do you remember on January 22, 2022, when your
23 mother went to wash laundry?

24 A. She probably did, yeah.

25 Q. She did. And how long was she gone?

JONATHAN WILLIAMS CROSS BY MR. JENNINGS

1 A. Probably an hour and a half.

2 Q. Hour and a half? Do you know if that was the
3 morning or the afternoon?

4 A. It's always morning.

5 Q. Always morning? And where does she go to do that?

6 A. Right up the street past Li'l Cricket. It's the
7 little washing center right there.

8 MR. JENNINGS: Thank you. No further questions.

9 THE COURT: Any redirect, Mr. Thompson?

10 MR. THOMPSON: No, sir. Come down, please.

11 THE COURT: Okay. You can step down.

12 THE WITNESS: All right.

13 THE COURT: You're free to stay in the courtroom
14 or you're free to leave, either way.

15 MR. THOMPSON: I'd like for you to stay in the
16 courtroom, not go back.

17 THE COURT: Okay. All right. Next witness.

18 MR. THOMPSON: I call Mr. Rogers.

19 THE COURT: Okay. Does he need some assistance?

20 All right. All right.

21 MR. THOMPSON: Yeah.

22 THE COURT: Let's just -- yeah, park him right in
23 front of the witness stand. You just need to maneuver that
24 microphone a little bit.

25 WAYNE J. ROGERS, after being duly sworn,

WAYNE ROGERS DIRECT BY MR. THOMPSON

1 testified as follows:

2 THE COURT: Mr. Rogers, you're going to need to
3 speak up loud so we can all hear you, sir, okay?

4 MR. THOMPSON: Did you hear him?

5 THE WITNESS: Yes, sir.

6 MR. THOMPSON: Okay.

7 THE COURT: Okay. You may proceed.

8 DIRECT EXAMINATION

9 BY MR. THOMPSON:

10 Q. Can you hear me?

11 A. Yes, sir.

12 Q. Okay. You'll need to speak up, like the Judge
13 just mentioned as loud as you can into that fuzzy little --
14 into that microphone.

15 Give us your full name.

16 A. Wayne J. Rogers.

17 Q. And, Mr. Rogers, what is your address?

18 A. 108 Holland Hill.

19 Q. Okay. Are you currently employed?

20 A. No.

21 Q. When you were employed, what type of work did you
22 do?

23 A. Textile.

24 Q. Okay. And do you recall who your last employer
25 was?

WAYNE ROGERS DIRECT BY MR. THOMPSON

1 A. Yes. Enoree Mills.

2 Q. Enoree Mills? Did you retire from Enoree Mills?

3 A. Yes.

4 Q. Was it a voluntary -- voluntary retirement or was
5 it basically on health issues?

6 A. Basically on health issues.

7 Q. And what do you believe the health issues were at
8 that time that required you to leave the workforce?

9 A. I had Parkinson's.

10 Q. And who is your -- who was your doctor then?

11 A. Dr. Hope.

12 Q. Hope? It's hard for me to hear you -- okay.

13 A. Hope.

14 Q. Okay. And -- and since leaving Enoree Mills in
15 2018, have you rejoined the workforce?

16 A. No.

17 Q. And basically, since you left the workforce up
18 until now, how do you spend your days and nights?

19 A. Watching the news.

20 Q. What?

21 A. Watching the news.

22 Q. Do you -- do you know?

23 A. Look at the TV.

24 THE COURT: He watches TV. Is that what you said?
25 You watch TV?

WAYNE ROGERS DIRECT BY MR. THOMPSON

1 MR. THOMPSON: Okay.

2 THE COURT: You can get a little closer to him if
3 you need to, Mr. Thompson.

4 BY MR. THOMPSON:

5 Q. Okay. So, basically, you spend your days and
6 night watching TV?

7 A. Right.

8 Q. That's all right. Do you -- do you require any
9 assistance to get dressed in the morning?

10 A. Yes.

11 Q. Who helps you with that?

12 A. My wife.

13 Q. Is her name Janice?

14 A. Janice.

15 Q. Okay. And you've been married to her how long?

16 A. About 30.

17 Q. Okay. Do you all get along on every issue?

18 A. Not every issue, but we get along.

19 Q. Okay. You have disputes from time to time?

20 A. No.

21 Q. You do?

22 A. No. I don't get pretty sad.

23 Q. Okay.

24 A. No.

25 Q. Okay.

WAYNE ROGERS DIRECT BY MR. THOMPSON

1 A. I just walk off.

2 Q. Is your -- is your wife employed?

3 A. She was.

4 Q. Okay. That's right. And she recently stopped
5 working; is that correct?

6 A. Yes.

7 Q. Okay. And your stepson, who does he live with?

8 A. He lives with me.

9 Q. And has he been living with you a substantial
10 period of time?

11 A. Yes.

12 Q. So it's you and your wife and your stepson --

13 A. Correct.

14 Q. -- at the Holland Hill address?

15 A. Correct.

16 Q. Does anyone else live there with you?

17 A. No.

18 Q. Do you have a daughter named Tomika Craig?

19 A. Yes.

20 Q. Okay. Has she ever lived up there with you at
21 Holland Hill?

22 A. No.

23 Q. You have a son named Arthur Rogers. Does he live
24 there with you?

25 A. No.

WAYNE ROGERS DIRECT BY MR. THOMPSON

1 Q. Does he live down on Independence Avenue or do you
2 know?

3 A. I don't know.

4 Q. Okay. Did Arthur, at some point, live there with
5 you and your wife and stepson?

6 A. Yes.

7 Q. He did. Would it be fair to say he hadn't lived
8 there since 2018?

9 A. That'd be fair to say.

10 Q. When was the last year he was there?

11 A. He in and out, I don't know.

12 Q. Okay. Does he visit with you?

13 A. Yeah.

14 Q. He does. Does Tomika Craig visit with you?

15 A. No.

16 Q. Now, does Arthur help with your medical needs and
17 transportation?

18 A. Transportation.

19 Q. He does?

20 A. Yeah.

21 Q. When is the last time he's helped you with that?

22 A. Been in months.

23 Q. Huh?

24 A. I can't tell the date.

25 Q. Can't tell the date. Has it been in the last

WAYNE ROGERS DIRECT BY MR. THOMPSON

1 30 days?

2 A. More than that.

3 Q. Like -- has it been over a year?

4 A. About a year.

5 Q. About a year. Okay. What about Tomika Craig?

6 A. No.

7 Q. Does she help you with your medical issues?

8 A. No.

9 Q. No. Okay. Now, you have a sister-in-law that
10 lives out on Westcliff Drive here in Laurens; is that
11 correct?

12 A. That's correct.

13 Q. Who -- who -- who owns that property and the
14 mobile home on that property? Who -- who is it owned by?

15 A. I thought I did for a while. I did.

16 Q. You did. Okay. Did you buy that property?

17 A. Yes, sir.

18 Q. Do you remember about when you bought that
19 property?

20 A. No.

21 Q. You don't. Where did you get the money to buy
22 that property?

23 A. From work.

24 Q. Okay. Did you have some type of a savings
25 account?

WAYNE ROGERS DIRECT BY MR. THOMPSON

1 A. A 401(k).

2 Q. Okay. Did you cash out your 401(k) to buy that
3 property?

4 A. Yes, sir.

5 Q. Is there a loan on the property now?

6 A. Last time I checked, there wasn't no loan on it.

7 Q. There was not?

8 A. No.

9 Q. Do you know -- do you have a loan on that
10 property?

11 A. No.

12 Q. No. Okay. Who -- who do you want to be living
13 there?

14 A. My wife.

15 Q. You want your wife living there?

16 A. Yeah.

17 Q. At Westcliff.

18 A. Oh, no.

19 Q. Who -- who is supposed to be living at Westcliff
20 from your point of view?

21 A. Supposed to be?

22 Q. Yeah.

23 A. My wife.

24 Q. Okay. I thought your wife lived at Holland --
25 Holland Hill.

WAYNE ROGERS DIRECT BY MR. THOMPSON

1 A. We live up at Holland Hill. I thought you were
2 talking about the trailer.

3 Q. I am. I'm asking you, who is -- who do you want
4 to live at --

5 MR. JENNINGS: Your Honor, asked an answered.

6 THE COURT: Well, yeah. I'll -- I'll allow a
7 little bit more just because of his condition.

8 MR. THOMPSON: I'm not trying to confuse him.

9 THE COURT: You can proceed. You can proceed.

10 BY MR. THOMPSON:

11 Q. Let's start over for just a short period of time.

12 A. Okay. I got twisted up.

13 Q. The Westcliff property was bought by you, right?

14 A. Correct.

15 Q. When you bought it, you were living in Holland
16 Hill, right?

17 A. Correct.

18 Q. And who did you have move into Westcliff?

19 A. My mother-in-law.

20 Q. Anyone else?

21 A. Her daughter.

22 Q. Okay. Now, is the mother-in-law still living?

23 A. No.

24 Q. Your daughter -- your sister-in-law is, though?

25 A. Correct.

WAYNE ROGERS DIRECT BY MR. THOMPSON

1 Q. And where is -- where is -- who do you want to
2 live at Westcliff?

3 A. My sister-in-law.

4 Q. Okay. All right. Now, did you give away the
5 Westcliff property to Tomika Craig and --

6 A. No.

7 Q. -- wait, let me finish -- and Arthur Rogers? Did
8 you give that property to them?

9 A. No.

10 Q. Did -- did -- did Tomika Craig, or your son,
11 Arthur Rogers, ever tried to persuade you to give that
12 property to them?

13 A. Yeah.

14 Q. Okay. Why wouldn't you give it to them? Is there
15 a reason why you would not?

16 A. Ain't no reason.

17 Q. Okay. All right. Do you -- do you -- do you
18 remember back when this deed issue came up back in January
19 of 2022?

20 A. I remember.

21 Q. You remember some of it?

22 A. Yeah.

23 Q. Okay. Let me ask you this way, so it won't be so
24 leading, perhaps. Do you know Mr. Gary Williams, the
25 lawyer?

WAYNE ROGERS DIRECT BY MR. THOMPSON

1 A. I don't know him.

2 Q. You don't?

3 A. I mean, I met him --

4 Q. Where'd you meet him?

5 A. -- but I don't know him. At the -- and then I
6 always walk around on Sunday morning, and his office used to
7 be in that little building. That's how I noticed.

8 THE COURT: Mr. Rogers, can you speak up just a
9 little bit for us?

10 THE WITNESS: I'm sorry. You told me that.

11 THE COURT: It's okay. Repeat that last answer
12 concerning Gary Williams.

13 THE WITNESS: I just see his -- his office when I
14 jog around the building up on West Main at church. He'd be
15 in the corner.

16 BY MR. THOMPSON:

17 Q. Okay. Let me see if I got it. You see -- you see
18 him outside of his building --

19 A. No, I don't see him outside his building. I
20 noticed he -- notice his building. It was like a body shop
21 or something.

22 Q. All right. Did Mr. Williams -- has he handled any
23 business for you?

24 A. No.

25 Q. Okay. Have you ever been to his office for any

WAYNE ROGERS DIRECT BY MR. THOMPSON

1 reason at all?

2 A. No.

3 Q. Do you know him when you see him?

4 A. No.

5 Q. You don't? Do you remember Tomika Craig and a --
6 and -- and a gentleman and another lady come to your house
7 in January of 2022 --

8 A. No, I don't.

9 Q. -- about this property at Westcliff?

10 A. No.

11 Q. Did anybody come that way to talk to you about it?

12 A. No.

13 Q. Okay. Did -- did you sign a deed, Plaintiff's No.
14 1, where the property in question was transferred Tomika and
15 Arthur?

16 A. No.

17 Q. Let me hand it to you before you answer. I'm
18 handing you Plaintiff's Exhibit 1 and show it to you. Can
19 you see where your name is typed? Where your name is typed
20 by a typewriter?

21 A. I see it.

22 Q. Is there a signature above the typed name?

23 A. Wayne J. Rogers.

24 Q. Okay. Did you -- is that your signature?

25 A. No.

WAYNE ROGERS DIRECT BY MR. THOMPSON

1 Q. If -- if you don't have your wife and stepson to
2 help you with your medical issues, who would -- who do you
3 have?

4 A. No one.

5 Q. Okay. When you and your wife had to make
6 decisions concerning matters involving your marriage, did
7 you have discussions or did you just make your decisions on
8 your own?

9 A. I had discussions.

10 Q. Okay. Did you -- did you normally keep your wife,
11 Janice Rogers, informed of what -- of your business affairs?

12 A. Yes.

13 Q. Okay. Good. Who handles your bank account?

14 A. She do.

15 Q. Your wife?

16 A. Yeah.

17 Q. Anyone else?

18 A. No.

19 Q. Had your son, Arthur Rogers, forged checks on your
20 checking account?

21 A. Yes.

22 Q. How many times?

23 A. I don't know.

24 Q. Sir?

25 A. I don't know.

WAYNE ROGERS CROSS BY MR. JENNINGS

1 Q. Are you aware of the fact that your son, Arthur
2 Rogers, after being stopped by law enforcement, advised the
3 -- the officer that he was you, impersonating you?

4 MR. JENNINGS: Your Honor, I'm going to object to
5 any crimes more than ten years old in use.

6 MR. THOMPSON: I will withdraw that.

7 THE COURT: He's withdrawing the question.

8 BY MR. THOMPSON:

9 Q. Okay. All right. Did you ever have a meeting in
10 your house with Tomika, Gary Williams, and another lady
11 about signing the Westcliff property over to Tomika?

12 A. No. No.

13 MR. THOMPSON: Okay. Answer any questions --

14 THE COURT: Any cross-examination, Mr. Jennings?

15 MR. JENNINGS: Yes, sir.

16 CROSS-EXAMINATION

17 BY MR. JENNINGS:

18 Q. Good afternoon, Mr. Rogers. Can you hear me from
19 here?

20 A. Yeah.

21 Q. All right. And how is your memory?

22 A. It's not good.

23 Q. It's not good?

24 A. No.

25 Q. All right. Do you have Alzheimer's disease?

WAYNE ROGERS CROSS BY MR. JENNINGS

1 A. Yeah.

2 Q. You do. All right. How long have you had it?

3 A. A couple of years. I don't know exactly. Couple
4 of years.

5 Q. Do you take medicine for it?

6 A. Yeah.

7 Q. You don't know if you were diagnosed before 2022
8 or after 2022?

9 A. I have no dates.

10 Q. Okay. All right.

11 THE COURT: What was his answer? I didn't hear
12 it.

13 MR. JENNINGS: I have no dates.

14 THE COURT: Oh, okay.

15 BY MR. JENNINGS:

16 Q. How long has Jonathan Williams lived in your home?

17 A. Ever since he's probably about seven, I guess.

18 Q. Has he moved out at times?

19 A. Yeah.

20 Q. Is that a yes?

21 A. Yes.

22 Q. Okay. In 2021, he moved to Sullivan Street;
23 didn't he?

24 A. I have no idea.

25 Q. Do you remember him moving out of your house

WAYNE ROGERS CROSS BY MR. JENNINGS

1 around the year 2021, three years ago? You don't know if he
2 did?

3 A. No, I don't know.

4 Q. You don't know?

5 A. Right.

6 Q. Okay. All right. And you said you lived at 449
7 Westcliff Drive for some time; is that right?

8 A. That's right.

9 Q. Do you know how long you lived there?

10 A. I never lived there. I'm fixing it up. It's like
11 everybody come by that property, they want it for some
12 reason.

13 Q. Okay. Now, could you help me understand -- you
14 know who Gary Williams is?

15 A. No, I don't.

16 Q. You don't know who Gary Williams is?

17 A. I do now.

18 Q. All right. Did you used to walk by his office?

19 A. Yeah.

20 Q. On Sunday mornings?

21 A. Some Sunday mornings, yeah.

22 Q. You would see him through the window?

23 A. I see his office.

24 Q. All right. But have you ever seen Gary Williams?
25 Didn't you just tell us that you have seen him before?

WAYNE ROGERS CROSS BY MR. JENNINGS

1 A. I've seen him.

2 Q. You have. Where have you seen him? Do you know?

3 A. I don't know. I mean, I don't go by his office or
4 something right now on dates. I don't -- I really don't
5 know.

6 Q. Have you ever spoken with Gary Williams?

7 A. No.

8 Q. You never said a word to him?

9 A. I don't know him that good.

10 Q. But have you ever spoken to him at all, said
11 hello? Has he ever spoken to you?

12 A. No.

13 Q. No?

14 A. No.

15 Q. Never?

16 A. Can't say never to everything.

17 Q. Okay.

18 A. I don't know. I don't know.

19 Q. All right. Now --

20 A. All the time -- time -- time getting shorter.

21 Q. I'm sorry?

22 A. All the time, the time getting shorter, so dates,
23 stuff like that, I don't recall that, really.

24 Q. Okay. So you don't remember January 22nd, 2022?

25 A. Because I wasn't keeping dates, so.

WAYNE ROGERS CROSS BY MR. JENNINGS

1 Q. Right. Okay. Now, before this lawsuit started,
2 you had a great relationship with your daughter, Tomika
3 Craig, didn't you?

4 A. It was okay.

5 Q. It was okay? It was a healthy relationship?

6 A. No, it wasn't healthy, it was okay.

7 Q. Well, didn't she visit you and take you on the
8 walks?

9 A. No.

10 Q. She never went on walks with you?

11 A. No. She never brought me a baloney sandwich, man.
12 No.

13 Q. She bought you a baloney sandwich?

14 A. I said she never brought me nothing.

15 Q. Okay.

16 A. Never gave me nothing.

17 Q. Did she ever walk with --

18 A. She's my daughter. That's -- that's about it.

19 Q. Did she ever walk with you?

20 A. No.

21 Q. No?

22 A. No.

23 Q. Never been on a walk with Tomika Craig?

24 A. No.

25 Q. Did she ever drive you around?

WAYNE ROGERS CROSS BY MR. JENNINGS

1 A. No.

2 Q. Now, did -- you would get in her car occasionally
3 and drive around, right?

4 A. I would drive around?

5 Q. Well, you'd -- she'd drive you around.

6 A. No.

7 Q. Okay.

8 A. We live in Laurens. It ain't too much to go. Her
9 house is right behind my house.

10 Q. Yes.

11 A. So we don't walk anywhere.

12 Q. Well, now she would -- she would visit you at your
13 home, right?

14 A. A walk-through is a visit?

15 Q. Wouldn't she walk over from her house to your
16 house and -- and come to see you?

17 A. When they want something.

18 Q. Okay. So she did come to your house. Do you
19 remember when she stopped coming to your house? Was it when
20 you filed this lawsuit?

21 A. (No verbal response.)

22 Q. Did you understand my question?

23 A. I understood it.

24 Q. Did she quit coming to visit you after this
25 lawsuit began?

WAYNE ROGERS CROSS BY MR. JENNINGS

1 A. She'd come over to visit -- and the lawsuit, they
2 stopped coming.

3 Q. After the lawsuit, she stopped coming?

4 A. Yeah.

5 Q. Okay. Now, how did you learn that this deed had
6 been signed and recorded? This deed to 449 Westcliff, lot
7 24 of Westcliff?

8 A. They were putting notes on the fence.

9 Q. Who was putting notes on the fence?

10 A. I don't know who because I -- at the time I was
11 working. I don't know who.

12 Q. Where were you working?

13 A. Enoree.

14 Q. Enoree? So while you were working at Enoree, you
15 learned that this deed had been signed giving the property
16 at 449 Westcliff to Tomika and Arthur?

17 A. Yeah.

18 Q. Okay. And after you learned about this deed, do
19 you remember Arthur driving you around and taking you to
20 meet Tomika at Whiteford's Restaurant?

21 A. No.

22 Q. Do you remember asking Tomika and Arthur at
23 Whiteford's Restaurant whether they would give the property
24 at --

25 A. No.

WAYNE ROGERS CROSS BY MR. JENNINGS

1 Q. -- 449 Westcliff back to you?

2 A. No.

3 Q. Okay. Now, do you remember considering a divorce
4 from Janice Rogers during your marriage?

5 A. No. Never heard of it.

6 Q. Never heard that? But do you remember it?

7 A. No.

8 Q. At times, you've had a -- a -- at times the
9 marriage has been difficult, hasn't it?

10 A. Yeah.

11 Q. And I don't want to insult her, but --

12 A. No, you don't insult me.

13 Q. -- is she a bit bossy sometimes?

14 A. No, not her.

15 Q. No, she's not bossy?

16 A. No.

17 Q. Okay. Does she tell you what to do?

18 A. I hope she tells me more, but no.

19 Q. No? How -- how did Janice Rogers, your wife,
20 react when she found out about this deed to 449 Westcliff?

21 A. She was upset.

22 Q. She was --

23 A. She was mad.

24 Q. What did she say, do you remember?

25 A. I don't remember.

WAYNE ROGERS CROSS BY MR. JENNINGS

1 Q. Okay. How did you know she was upset and mad?

2 A. We've been married for about 18 years.

3 Q. Okay.

4 A. I know when she reacts to something.

5 Q. Okay. Does Janice Rogers get along well with
6 Tomika and Arthur?

7 A. No.

8 Q. Was Janice Rogers angry with you about signing
9 that deed to 449 Westcliff and giving it up?

10 A. No.

11 Q. No?

12 A. I don't sign no deed.

13 Q. Okay.

14 A. So she shouldn't get mad.

15 Q. All right. Well, then why did she get mad at you?

16 A. She never got mad at me for signing no deed,
17 though.

18 Q. But wasn't she upset about the property being
19 deeded to 449 Westcliff?

20 A. Yeah, she was upset about that, yeah.

21 Q. Yeah. And what did you tell her?

22 A. I told her don't worry about it.

23 Q. Okay.

24 A. It will all blow over, but it never did, it kept
25 coming.

WAYNE ROGERS CROSS BY MR. JENNINGS

1 Q. What kept coming?

2 A. Little notes on the fence, Get out of here. The
3 property's of a sale.

4 MR. JENNINGS: Okay. All right. No more
5 questions. Thank you.

6 THE COURT: Any redirect, Mr. Thompson?

7 MR. THOMPSON: No, sir.

8 THE COURT: Okay. You can go back to your seat.
9 Let's take a ten-minute break.

10 (WHEREUPON, A BREAK WAS HELD.)

11 THE COURT: All right. All right. Do you swear
12 or affirm that the testimony you're about to give will be
13 the truth?

14 THE WITNESS: Yes.

15 JANICE ROGERS, after being duly sworn,
16 testified as follows:

17 THE COURT: Okay. Have a seat. Sit close to the
18 microphone. Be sure to speak up loud so we can hear you.

19 MR. THOMPSON: Before we start, I asked you to
20 bring your --

21 THE WITNESS: Oh, that's fine.

22 MR. THOMPSON: -- is it a daily diary, for lack of
23 a better word of ask you about that --

24 THE WITNESS: Can I get it?

25 THE COURT: Yeah, just go -- go, ma'am, just go

JANICE ROGERS DIRECT BY MR. THOMPSON

1 back out where you were you can get it, you're fine.

2 Mr. Thompson, come up and let the court reporter
3 check to make sure your lapel mic is turned on.

4 MR. THOMPSON: Okay. It's in my pocket.

5 THE COURT: You may proceed.

6 MR. THOMPSON: Has she been sworn?

7 THE WITNESS: Yes.

8 THE COURT: Yes. I've already sworn her.

9 DIRECT EXAMINATION

10 BY MR. THOMPSON:

11 Q. Give us your full name, please?

12 A. Janice Rogers.

13 Q. And you are the wife of Wayne Rogers?

14 A. Yes.

15 Q. And you all have been married approximately how
16 many years?

17 A. 31.

18 Q. 31 years?

19 A. Yes.

20 Q. You have no children between you?

21 A. No.

22 Q. But you do have -- you -- you have children by
23 another man?

24 A. Yes.

25 Q. And he has --

JANICE ROGERS DIRECT BY MR. THOMPSON

1 A. Yes.

2 Q. -- two children by a lady. All right.

3 108 Hunters Court, is that where you --

4 A. Yes.

5 Q. -- you live?

6 A. That's correct.

7 Q. And you -- and you've lived there about how long?

8 A. About 31 years.

9 Q. Okay. And --

10 THE COURT: Now, we've been saying 108 Hunters
11 Court, but then I've heard Holland Hill. Not that it really
12 matters that much, but --

13 THE WITNESS: It's Holland Hill.

14 THE COURT: -- the -- the -- is it Holland Hill?

15 THE WITNESS: Holland Hill, yes.

16 MR. THOMPSON: Yeah. Is it Holland Hill?

17 THE WITNESS: Yes.

18 THE COURT: Yeah. You've been saying at times 108
19 Hunters Court.

20 THE WITNESS: It used to be Hunters Court.

21 THE COURT: Holland Hill. That's the address?

22 MR. THOMPSON: We'll call it Holland Hill.

23 THE COURT: There you go. You may proceed.

24 MR. THOMPSON: Okay.

25 BY MR. THOMPSON:

JANICE ROGERS DIRECT BY MR. THOMPSON

1 Q. Have you and Mr. Rogers lived at any other address
2 other than the Holland Hill address?

3 A. No.

4 Q. Okay. When you married Mr. Rogers, did your son
5 Jonathan move there with you?

6 A. Yes.

7 Q. And has Jonathan basically lived in the same house
8 with you and Mr. Rogers --

9 A. Yes.

10 Q. -- from that day up until now?

11 A. Yes. Yes, he has.

12 Q. He -- okay. Now, Mr. Rogers' children, Tomika
13 Craig, and Arthur Rogers. Let's take Tomika Craig to begin
14 with. Has she ever lived on any type of a permanent basis
15 at the Holland Hill address?

16 A. No.

17 Q. Okay. Arthur Rogers, has he lived there on a
18 permanent basis for any period of time?

19 A. He has.

20 Q. Okay. Do you recall the last time he lived there?
21 What year?

22 A. I don't recall the dates.

23 Q. Okay. It's been more than a year ago?

24 A. Yes.

25 Q. It's been more than two years ago?

JANICE ROGERS DIRECT BY MR. THOMPSON

1 A. Yes.

2 Q. All right. Now, up until recently, you were
3 employed is my understanding.

4 A. Yes.

5 Q. And what -- when was your last date of employment?

6 A. September 30th.

7 Q. Okay. And what shift did you work?

8 A. First.

9 Q. And your -- your husband, when you married, was
10 working, right?

11 A. Yes.

12 Q. And he was in the textile field, right?

13 A. Yes.

14 Q. Was his last employer Enoree Mills?

15 A. Enoree Mills, yes.

16 Q. Do you recall approximately what year he retired
17 from Enoree Mills?

18 A. 2015.

19 Q. Okay. And was that a voluntary retirement?

20 A. No.

21 Q. What did you understand the reason that he left?

22 A. He had started getting slower.

23 Q. Pardon me?

24 A. He had started working slower.

25 Q. Okay. Since leaving that position, did -- did he

JANICE ROGERS DIRECT BY MR. THOMPSON

1 take up any part-time work?

2 A. No.

3 Q. Okay. At some point in time after Mr. Rogers
4 ceased working at Enoree Mills, did he become more dependent
5 on you for his day-to-day needs?

6 A. Yes.

7 Q. And when did that begin, and -- and what did it
8 progress to?

9 A. He has Parkinson's.

10 Q. Okay. I'm not sure if I know all the symptoms of
11 that.

12 A. He gets slower. He moves slower. He don't get to
13 move around like he usually move around. He talks slower.

14 Q. And how long has this situation been with him,
15 this slow movement, lethargic lifestyle?

16 A. Ever since he's been diagnosed.

17 Q. Pardon me?

18 A. Ever since he's been diagnosed.

19 Q. Okay. Let's just start off a typical day. How is
20 his situation handled in the morning? What -- what do you
21 do for Mr. Rogers?

22 A. I have to help him get up --

23 Q. Okay.

24 A. -- to get started.

25 Q. What else?

JANICE ROGERS DIRECT BY MR. THOMPSON

1 A. Just the usual day-to-day things.

2 Q. Is he able to dress himself?

3 A. Sometimes.

4 Q. Okay. And if you're not going to be there to
5 watch him, what arrangements have you historically made to
6 make sure somebody has been there?

7 A. Yes, my son will be there if I'm gone.

8 Q. Would it be a rare occasion that Mr. Rogers would
9 be have -- be left alone there without some type of
10 supervision?

11 A. Yeah, very rare.

12 Q. Has there been times like that?

13 A. A few times.

14 Q. Okay. Any -- any times in the recent past?

15 A. No.

16 Q. Like, in 2021, was that -- was he left alone?

17 A. No.

18 Q. 2022?

19 A. No.

20 Q. 2023?

21 A. No.

22 Q. Okay. Okay. Who provides Mr. Rogers with
23 transportation?

24 A. I do.

25 Q. Are there other third parties that help with

JANICE ROGERS DIRECT BY MR. THOMPSON

1 transporting Mr. Rogers?

2 A. No.

3 Q. Have you called upon Tomika Craig and/or Arthur
4 Rogers to assist with medical help or needs or
5 transportation? Have you asked them to help you with your
6 husband?

7 A. A time or two.

8 Q. Not really?

9 A. Not really.

10 Q. Well, have you asked them, yes or no?

11 A. A time or two, yes.

12 Q. What -- what was their response? Did they help or
13 not?

14 A. Yes.

15 Q. They did help? Okay. Okay. And what kind of
16 help would they give?

17 A. Sit with him until I do what I had to do outside
18 the house.

19 Q. When is the last time Mr. Rogers drove a motor
20 vehicle?

21 A. Three or four years.

22 Q. How did Mr. Rogers negotiate around the house
23 there where you live? How does he get about?

24 A. He has a walker.

25 Q. Anything else?

JANICE ROGERS DIRECT BY MR. THOMPSON

1 A. He uses a walker. He has two walkers and a
2 wheelchair.

3 Q. Okay. If -- if Mr. Rogers is there alone, is he
4 capable of getting up to where he's at and letting folks in
5 the house?

6 A. No.

7 Q. Why do you say that?

8 A. He's a fall risk.

9 Q. He's a what?

10 A. A fall risk.

11 Q. I understand he's a fall risk, but what would --
12 other than the fall risk, why can't he do it?

13 A. He would need a walker to get up. A walker.

14 Q. Okay. If he gets his walker, he's able to let the
15 folks in?

16 A. Not all the time.

17 Q. Why?

18 A. He's unable to walk good.

19 Q. Okay. Well, if he's in the house and he has his
20 walker and someone knocks on the door and no one else is
21 there what's to prevent him from getting the walker and
22 opening the door?

23 A. He doesn't do it.

24 Q. He just doesn't do it? How would you say he
25 spends his days? What occupies his time?

JANICE ROGERS DIRECT BY MR. THOMPSON

1 A. He watches TV.

2 Q. Okay. And are you in charge of Mr. Rogers'
3 medication?

4 A. Yes.

5 Q. Do you keep any log or -- or memorandum in writing
6 --

7 A. Yes, I do.

8 Q. -- of his medications?

9 A. Yes.

10 Q. How long have you been doing that?

11 A. Two or three years.

12 Q. Okay. And it -- was that a suggestion of a
13 doctor?

14 A. Yes.

15 Q. Okay. And does that help you ensure that he gets
16 what he needs to get --

17 A. Yes.

18 Q. -- medication-wise?

19 A. Yes, it does.

20 Q. Do you have that -- that diary or whatever you may
21 call it, you have it with you?

22 A. I do.

23 MR. THOMPSON: Can we substitute the copy we gave
24 you during discovery as opposed to her putting her original
25 in?

JANICE ROGERS DIRECT BY MR. THOMPSON

1 THE COURT: Well --

2 MR. THOMPSON: Let's just do it at this point --
3 let me have that, please, we'll just mark -- we'll worry
4 about it later.

5 Let's mark this, the log, we'll mark it as
6 Plaintiff's Exhibit No. 2.

7 MR. JENNINGS: I'm sorry. Is Plaintiff asking
8 that it be admitted?

9 MR. THOMPSON: Yeah.

10 MR. JENNINGS: Or just marked?

11 THE COURT: I think what Mr. Thompson's wanting,
12 so Ms. Rogers could keep her original, put a copy of this
13 notebook diary in.

14 MR. JENNINGS: All right. I'm going to object --

15 THE COURT: Apart from admissibility, if it does
16 come in, are you okay with the copy?

17 MR. JENNINGS: Yes, sir, Your Honor. I'm fine
18 with the copy, but we would object --

19 THE COURT: Yeah.

20 MR. JENNINGS: -- based on hearsay.

21 THE COURT: Okay. Well, I think he's just
22 requesting it to be marked for ID right now, so let's go
23 with the copy.

24 MR. JENNINGS: Okay.

25 THE COURT: And then if he offers it into

JANICE ROGERS DIRECT BY MR. THOMPSON

1 evidence, then you can make your objection. Well, we'll go
2 with the copy.

3 MR. THOMPSON: Yes, sir.

4 THE COURT: That'll be marked for ID, the
5 Plaintiff's 2. Okay.

6 MR. THOMPSON: Okay. Thank you.

7 (WHEREUPON, PLAINTIFF'S EXHIBIT NO. 2 MARKED FOR
8 IDENTIFICATION.)

9 BY MR. THOMPSON:

10 Q. All right. Ms. Rogers, I'm going to hand you
11 Plaintiff's Exhibit 2 for identification purposes. Tell me
12 what that is.

13 A. It's a copy of the book that I keep.

14 Q. It's a what?

15 A. It's a copy of the book that I keep. It's the
16 medicine book.

17 Q. Who prepared the original?

18 A. I did.

19 Q. And when is it prepared -- how often is -- is it
20 filled in?

21 A. Every day.

22 Q. And when does the -- the exhibit that you have in
23 your hand, when does it begin? What day? What year? What
24 month?

25 A. This particular page starts 1/8/2022.

JANICE ROGERS DIRECT BY MR. THOMPSON

1 Q. All right. Is that when you first began keeping
2 these records?

3 A. No.

4 Q. When do you believe you first started keeping
5 these records?

6 A. It's been a -- it's been a year or two before
7 this. I have more copies. I have more books. This is not
8 the first that I started.

9 Q. And so this is the second one you found?

10 A. I'm not sure.

11 Q. It's hard to hear you, you're talking down into
12 the desk.

13 A. Okay. I'm not sure because this is -- this is not
14 the first book that I started.

15 Q. Let me ask you this: This one you're looking at,
16 who prepared that? Who put --

17 A. I did.

18 Q. -- all those entries in there?

19 A. I did.

20 Q. It -- what -- and it covered what period of time?

21 A. This is from 01/08/2022.

22 Q. Till when?

23 A. It goes all the way to 4/11/2022.

24 Q. Okay. Is it in -- primarily in your handwriting?

25 A. Yes, it is.

JANICE ROGERS DIRECT BY MR. THOMPSON

1 Q. And what exactly are you putting down on those
2 pages?

3 A. The times he take his medicine and the time I take
4 his blood pressure.

5 Q. Okay. Does it identify the medication he's
6 taking?

7 A. Yes, it does.

8 Q. And then it gives his blood pressure readings --

9 A. Yes.

10 Q. -- upper and lower?

11 A. Yes.

12 Q. And you put that on January the 8th, I believe you
13 said? The beginning --

14 A. The first page starts January the 8th.

15 Q. Yes. And -- and carries on out until --

16 A. Yes.

17 Q. -- the present?

18 A. Yes.

19 Q. All right. And that is your work?

20 A. This is my work, yes.

21 Q. And -- and you recognize it as your handwriting
22 and your work?

23 A. Yes.

24 Q. All right. And do you believe that adequately
25 reflects these medication that your husband took on each

JANICE ROGERS DIRECT BY MR. THOMPSON

1 day?

2 A. Yes, it does.

3 Q. And to the best of your ability the blood pressure
4 readings that was registered on the blood pressure cuff?

5 A. Yes.

6 MR. THOMPSON: Okay. All right. Well, we would
7 offer this in as Plaintiff's Exhibit No. 2, a diary or a
8 memorandum of the medications Mr. Rogers has received at the
9 hands of his wife from January 8th, 2022 to the present.

10 THE COURT: Okay. All right. Mr. Jennings, any
11 objection?

12 MR. JENNINGS: Your Honor, we would object based
13 on hearsay. And I don't think there's been any -- any
14 indication of -- of relevance or the purpose of this
15 document.

16 THE COURT: Okay. All right. Mr. Thompson, how
17 would these records assist the Court in making a
18 determination concerning the subject deed?

19 MR. THOMPSON: All right. If we would turn to the
20 -- the page --

21 THE COURT: Okay.

22 MR. THOMPSON: -- of January --

23 THE COURT: Let's -- before I make a ruling on
24 admissibility, let's -- let's go to the subject page and
25 let's see if you can tie things in.

1 BY MR. THOMPSON:

2 Q. What -- those pages are Bates numbered,
3 Ms. Rogers, in the right-hand corner. Would you turn to
4 Saturday, January 22, 2022 to the page that reflects the
5 entry for that date?

6 A. Okay. I have it.

7 Q. The page number in the right-hand corner?

8 A. The page number?

9 Q. The number on the bottom right-hand corner.

10 A. 15.

11 Q. What is it?

12 A. 15.

13 MR. THOMPSON: Okay. Thank you. For the Court's
14 information, we provided this -- this diary, for lack of a
15 better word, to opposing counsel in the course of discovery,
16 and Bates numbered every page, so that's where we are now.

17 If you look at the page in question it has, not
18 only the date, but the times certain medications were
19 administered and the times when blood pressure was taken.

20 THE COURT: All right. Let me -- Ms. Rogers, let
21 me take a look at that page, please. Is this -- is this the
22 page?

23 THE WITNESS: Yes.

24 THE COURT: Okay.

25 MR. THOMPSON: Does she have it at the right page?

JANICE ROGERS DIRECT BY MR. THOMPSON

1 THE COURT: Yes, she's -- yeah, page 15. So
2 you're re-offering that -- that diary or at least the page
3 the -- in the evidence?

4 MR. THOMPSON: It reflects that Ms. Rogers was
5 present in the home on that particular day at those
6 particular times.

7 THE COURT: I'll allow it in. I think it goes
8 more towards the weight as opposed to the relevancy issue.
9 Since the recordings are made by her I don't see where it's
10 hearsay, so. But I think let's just put that one page in.
11 I don't think I need to necessarily see other pages. So
12 just when we take another break, or whatever, let's just get
13 one page in, okay?

14 (WHEREUPON, PLAINTIFF'S EXHIBIT NO. 2 WAS ADMITTED
15 INTO EVIDENCE.)

16 MR. THOMPSON: All right, Judge. Thank you.

17 BY MR. THOMPSON:

18 Q. Okay, Ms. Rogers, would you return to the relevant
19 page of Saturday, January 22, 2022? Tell me when you're
20 there.

21 A. Okay.

22 Q. What is the first time entry you placed?

23 A. 7:27 A.M.

24 Q. Okay. And that was for the purpose of what?

25 A. Of his blood pressure.

JANICE ROGERS DIRECT BY MR. THOMPSON

1 Q. Okay. You checked his blood pressure. Then after
2 that, you checked it how many different times?

3 A. 13 times after that.

4 Q. Okay. And that covers the period from 7:27 A.M.
5 until 8:09 P.M. that night?

6 A. Yes.

7 Q. Okay. Is that your handwriting?

8 A. It is.

9 Q. Are those your entries?

10 A. Yes.

11 Q. Okay. During that time frame, 7:27 until 8:09,
12 did -- were -- you were in the Rogers' home, right?

13 A. Yes.

14 Q. Mr. Rogers was there, right?

15 A. Yes.

16 Q. And did you have any visitors to the home during
17 that time frame?

18 A. I did not.

19 Q. Okay. If you move to the left side of the page,
20 tell me what -- what -- what those -- are those medications?

21 A. Yes, they are.

22 Q. Okay. And the first one was given when?

23 A. At 9:30 A.M.

24 Q. Okay. And then the next one when?

25 A. 6:00 P.M.

JANICE ROGERS DIRECT BY MR. THOMPSON

1 Q. And then the last one is given twice?

2 A. The last one?

3 Q. Is it given in the morning and the night?

4 A. Yes.

5 Q. And the last time it was given was what, 12:30
6 P.M.?

7 A. Yes.

8 Q. Okay. Up to 12:30 P.M. on January 22, 2022, did
9 you have any visitors to the home?

10 A. No, I did not.

11 Q. Okay. All right. Let me -- we'll -- we'll figure
12 out how to get that page out of there a little bit later.
13 Just hand on to that, please.

14 THE COURT: I would just suggest since the copy is
15 being used, just pull -- just pull that and have that
16 actually marked. The page -- the copy of the page that she
17 has been testifying to, just pull that one page out. And
18 then we'll just have that one marked as Plaintiff's 2.

19 MR. THOMPSON: Let me just have the entire
20 document so -- (inaudible).

21 BY MR. THOMPSON:

22 Q. Have you reviewed the deed in question,
23 Ms. Rogers, from -- reportedly from your husband to his two
24 children? Plaintiff's Exhibit 1, and I hand it to you. Are
25 you familiar with that?

JANICE ROGERS DIRECT BY MR. THOMPSON

1 A. I've seen it.

2 Q. Pardon me?

3 A. I've seen it at the office.

4 Q. All right. When did you first see that document?

5 A. When we first started this, I don't recall the
6 date. It had to be -- it had to be after the 22nd.

7 THE COURT: Ms. Rogers, speak up a little bit,
8 please, ma'am?

9 THE WITNESS: Okay. It had to be after the 22nd.

10 BY MR. THOMPSON:

11 Q. You saw it on January the 22nd?

12 A. It had to be after.

13 Q. Oh, okay. I didn't understand you.

14 Was that -- was that document to your knowledge in
15 your home on January the 22nd, 2022?

16 A. No.

17 Q. Does this document -- does it bear a signature
18 purportedly to be your husband on page 2?

19 A. Repeat the question.

20 Q. Does the deed purportedly reflect a signature of
21 Mr. Rogers?

22 A. It has a signature on here.

23 Q. Okay. Can you make out the names of the witnesses
24 and notary on the deed?

25 A. Roslyn Smith Johnson.

JANICE ROGERS DIRECT BY MR. THOMPSON

1 Q. All right. Let's stop right there. Do you know
2 Roslyn Smith Johnson?

3 A. No, I don't.

4 Q. Do you acknowledge that she ever been in your home
5 at Holland Hill?

6 A. No.

7 Q. Okay. What -- is there any other signatures on
8 the document?

9 A. Gary L. Williams.

10 Q. Do you know Mr. Williams?

11 A. I do.

12 Q. Okay. Has he been in your home?

13 A. No.

14 Q. All right. Now, have you ever had an occasion to
15 drive your husband to -- to Mr. Williams' office for any
16 purpose whatsoever?

17 A. No.

18 Q. Do you know of any business your husband might
19 have had with Mr. Williams?

20 A. No.

21 Q. Okay. If Mr. Williams and Ms. Johnson were in
22 your home on January 22nd, 2022, do you believe you would
23 have been aware of that, of their presence?

24 A. I would have, yes.

25 Q. Describe the size of the house.

JANICE ROGERS DIRECT BY MR. THOMPSON

1 A. You first come into the living room. There are
2 three bedrooms, kitchen, and two baths.

3 Q. Do you have to go through the living room to get
4 to the bedrooms?

5 A. Yes.

6 Q. Okay. Are there any places where somebody can sit
7 at a table for lack of a better way of saying it,
8 Ms. Rogers?

9 A. Kitchen.

10 Q. Any place else?

11 A. No.

12 Q. Okay. Mr. Williams and Ms. Johnson are apparently
13 saying that they were there and saw your husband sign. Are
14 you in agreement with that proposition?

15 A. I didn't see them.

16 Q. Pardon me?

17 A. I did not see them.

18 Q. Well, could they have been there and you didn't
19 see them?

20 A. No.

21 Q. Do you -- were they there or not that day?

22 A. They were not.

23 Q. Okay. Now, the date of January 22nd, 2022, tell
24 me what you did that day to the best of your recollection.

25 A. I was at home all day. We didn't do anything.

JANICE ROGERS DIRECT BY MR. THOMPSON

1 Q. You did not leaver your residence?

2 A. I'm sorry. I can't hear you.

3 Q. I'm sorry. I said you did not leave the
4 residence?

5 A. No, I did not.

6 Q. Okay. Do you recall having any visitors?

7 A. No.

8 Q. Okay. Do you remember that date, the 22nd of
9 January, for any particular reason other than just a
10 Saturday in January?

11 A. It was after my nephew's funeral.

12 Q. What's the -- your nephew's name is?

13 A. Tye.

14 Q. Okay. So he was buried on -- on -- on a Friday?

15 A. Yes.

16 Q. Okay. And then the next day is when the deed was
17 supposedly signed in your home in January.

18 Who maintains the financial records and bank
19 accounts in your home?

20 A. I do.

21 Q. Okay. How are important decisions reached between
22 you and Mr. Rogers concerning let's say marital and property
23 or finances or vacations or whatever. How is that worked
24 out?

25 A. We discuss.

JANICE ROGERS DIRECT BY MR. THOMPSON

1 Q. Okay. What, in your -- in your -- is your opinion
2 of Mr. Rogers' relationship with your sister who lives at
3 Westcliff?

4 A. It's very good.

5 Q. It's favorable?

6 A. Yes.

7 Q. Okay. In your absence and in the absence of your
8 son, is there anyone that's available -- reasonably
9 available to take care of your husband's day-to-day needs
10 and medical affairs?

11 A. No.

12 Q. How did you find out that this deed, Plaintiff's
13 Exhibit No. 1, had been signed by someone and recorded in
14 the courthouse?

15 A. My sister had been getting letters.

16 Q. Your sister that lives at Westcliff --

17 A. Yes.

18 Q. -- notified you of something, right?

19 A. Yes.

20 Q. And based on what she told you -- don't tell me
21 what she told you, but based on what she told you, who --
22 who did you talk with about what she brought up?

23 A. Repeat the question.

24 Q. Okay. Your sister told you something about the
25 Westcliff property.

JANICE ROGERS CROSS BY MR. JENNINGS

1 A. Yes.

2 Q. Whatever. Did you have discussions with anybody
3 after that about the Westcliff property and the state of the
4 title?

5 A. My husband.

6 Q. Mr. Wayne?

7 A. Yes.

8 Q. Okay. Did you -- did you suspect that he had
9 signed the deed over to his daughter --

10 A. No.

11 Q. -- and son?

12 A. No.

13 Q. Was there an argument between you all about him
14 having given that property away?

15 A. No, there was no argument.

16 Q. Okay. Was it after that that you retained legal
17 counsel to look into the matter?

18 A. Yes.

19 MR. THOMPSON: Okay. I don't have any further
20 questions. Please answer any questions Mr. Jennings may
21 have.

22 THE COURT: All right. Mr. Jennings?

23 CROSS-EXAMINATION

24 BY MR. JENNINGS:

25 Q. Thank you, Ms. Rogers. When was the last time

JANICE ROGERS CROSS BY MR. JENNINGS

1 your husband Wayne could be alone?

2 A. When was the last time?

3 Q. Yes.

4 A. Explain.

5 Q. Well, as I understand it, you've said that he
6 requires 24-hour care or supervision, right?

7 A. Yes.

8 Q. When was the last time he did not need 24-hour
9 care and supervision?

10 A. It's been a while.

11 Q. Can you remember?

12 A. I don't recall.

13 Q. Well, was he able to be left alone after his
14 retirement at all?

15 A. No. That's when he started getting sick.

16 Q. And you said in 2015, he retired?

17 A. Yes.

18 Q. So for the last nine years he hasn't been able to
19 stay at home alone for -- for any time?

20 A. Right.

21 Q. And not even for ten minutes?

22 A. Maybe ten minutes.

23 Q. Okay. And back in 2015, he could still walk on
24 his own, right?

25 A. Yes.

JANICE ROGERS CROSS BY MR. JENNINGS

1 Q. When did he start requiring a wheelchair or a
2 walker?

3 A. Not too long after that.

4 Q. And do you mean -- what -- what would be -- do you
5 think within two years he couldn't walk on his own or?

6 A. Within a year or so.

7 Q. So by 2016 he couldn't walk without assistance of
8 a wheelchair or --

9 A. Right.

10 Q. I'm sorry?

11 A. That's right.

12 Q. Okay. All right. And your husband, Wayne, is
13 67 years old now?

14 A. Yes.

15 Q. All right. So since -- so nine years ago, he
16 would have been 58; is that right?

17 A. Yes.

18 Q. Okay. But you said occasionally you've left him
19 at home alone. How do you decide when he can be left alone?

20 A. It depends on the day.

21 Q. Okay. And through the years, at times, Tomika
22 Craig has relieved you of your care and supervision of
23 Wayne, your husband, and she's been available to care for
24 him when needed, right?

25 A. Not too many times.

JANICE ROGERS CROSS BY MR. JENNINGS

1 Q. Okay. But at times, she has, right?

2 A. A couple of times.

3 Q. Okay. And before this lawsuit began, she was
4 always available if needed, right?

5 A. Not all the time. No.

6 Q. Just -- did she ever tell you no?

7 A. Yes.

8 Q. How many times did she tell you no?

9 A. I don't recall.

10 Q. Okay. Now, before this lawsuit, Tomika Craig had
11 a good relationship with -- with your husband, Wayne, right?

12 A. I don't know.

13 Q. You don't know? All right. Now, can you tell us
14 again how you learned that this deed that has a date of
15 January 22, 2022, had been recorded in the Register of Deeds
16 Office? How did you learn about the deed?

17 A. When my sister had started getting letters coming
18 to her house.

19 Q. Your sister?

20 A. Yes, my sister.

21 Q. Go ahead. Go ahead.

22 A. That's the time when we started finding out about
23 all this.

24 Q. What kind of letters did your sister get?

25 A. I'm not sure what's on them, but new management or

JANICE ROGERS CROSS BY MR. JENNINGS

1 something to that effect.

2 Q. Okay. So did you look up and discover that this
3 deed had been recorded, or -- or who discovered the deed?

4 A. That's when we -- that's when I -- we went on and
5 got a lawyer.

6 Q. I -- I'm sorry --

7 A. That's when we went out and got a lawyer.

8 Q. Now, but what I mean, but who -- who discovered
9 that there was this deed out there that had been recorded
10 with the Register of Deeds?

11 A. I'm not understanding the question.

12 Q. Okay. Plaintiff's Exhibit 1 is a deed that
13 purports to be from Wayne Rogers to his two children, Tomika
14 and Arthur, it seems to have disappeared.

15 THE COURT: Is it up there with -- on the witness
16 stand?

17 BY MR. JENNINGS:

18 Q. All right. You -- you have a deed that's marked
19 Plaintiff's Exhibit 1.

20 A. Uh-huh.

21 Q. How did you discover that that deed existed?

22 A. It wasn't until we started getting the letters
23 that this came upon. This came upon after we looked at the
24 letters and stuff.

25 Q. But the letters did not include a copy of that

JANICE ROGERS CROSS BY MR. JENNINGS

1 deed, did they?

2 A. Well, we went to the lawyer's office.

3 Q. And the lawyer discovered the deed?

4 A. Yes.

5 Q. Okay. And how did you feel when you discovered
6 that deed had been filed?

7 A. How did I feel?

8 Q. Yeah. Were you upset?

9 A. Yes.

10 Q. Were you angry? I'm sorry?

11 A. No.

12 Q. All right. Now, your husband Wayne only has two
13 children, right?

14 A. Yes.

15 Q. Who are they?

16 A. Arthur Rogers, Tomika Craig.

17 Q. Okay. And you've had a rocky relationship with
18 your husband -- or -- or marriage with your husband, haven't
19 you?

20 A. I'm sorry?

21 Q. You've had a difficult marriage with your husband,
22 Wayne, haven't you?

23 A. No, I have not.

24 Q. Never?

25 A. No.

JANICE ROGERS CROSS BY MR. JENNINGS

1 Q. Well, what about when you almost divorced?

2 A. Almost divorced?

3 Q. Yes.

4 A. What are you talking about? I don't understand.

5 Q. Are you -- you saying that there was never
6 discussion about a divorce with Wayne?

7 A. No.

8 Q. And Wayne never told you that he might want to
9 divorce you?

10 A. No.

11 Q. Do you know if he ever told your son, Jonathan,
12 that he -- there might be a divorce?

13 A. No.

14 Q. And did you tell your son Jonathan that there
15 might be a divorce?

16 A. No.

17 Q. Okay. Did you become upset with your husband,
18 Wayne, when you discovered this deed?

19 A. No, because we didn't know what was going on.

20 Q. Okay. But you told Wayne that he better get that
21 property back into his name and out of the names of Tomika
22 and Arthur, didn't you?

23 A. Did I?

24 Q. Right. Didn't you tell him to fix it, get it
25 back?

JANICE ROGERS CROSS BY MR. JENNINGS

1 A. We discussed it.

2 Q. Yeah. Did you tell him to get the property back
3 in his name?

4 A. No.

5 Q. You didn't?

6 A. (No verbal response.)

7 Q. At this point, do you have a lot of control over
8 -- over your husband?

9 A. What do you mean when you say "control"?

10 Q. I mean, you're in charge of his healthcare, right?

11 A. Yes.

12 Q. And he depends on you?

13 A. Yes.

14 Q. All right. And without your care he would be at
15 risk, right?

16 A. Yes.

17 Q. Okay. Now, you testified about the signature on
18 that deed that's marked Exhibit -- Plaintiff's Exhibit 1,
19 didn't you?

20 A. That I saw all the signatures on the page.

21 Q. And -- and you are not a handwriting expert, are
22 you?

23 A. No, I am not.

24 Q. Do you know your husband's signature?

25 A. Yes.

JANICE ROGERS CROSS BY MR. JENNINGS

1 Q. And did you say that that was not his signature on
2 the deed?

3 A. I said I saw the signatures on the deed.

4 Q. Okay. Did -- do you remember saying that that was
5 not his signature?

6 A. It doesn't look like his.

7 Q. You don't think that's his signature? Is that a
8 yes or no?

9 A. No, I don't think it is.

10 Q. All right. And why not?

11 A. Why I don't think it is?

12 Q. Right.

13 A. He doesn't write like that.

14 Q. How does he write?

15 A. I don't know how am I supposed to describe how he
16 writes.

17 Q. Well, you -- you know what his -- his usual
18 signature looks like?

19 A. Pretty much.

20 Q. How would you describe it? Is it large? Is it
21 loopy? Is it scratchy? How would you describe it in your
22 own words?

23 A. It's small.

24 Q. Small? And signature on that deed, is it pretty
25 small?

JANICE ROGERS CROSS BY MR. JENNINGS

1 A. It's small.

2 Q. Okay. Any other ways you could describe his
3 signature?

4 A. No.

5 Q. Okay. And you don't want your sister to get
6 evicted from the house at 449 Westcliff; do you?

7 A. No, I don't.

8 Q. Are you worried that Tomika and Arthur might evict
9 her if -- if they are determined to be the owners of that
10 property?

11 A. Repeat the question.

12 Q. Are you worried that if Arthur and Tomika own the
13 property at 449 Westcliff, that they will evict your sister?

14 A. Yes.

15 Q. Okay. That would upset you if they evicted her;
16 wouldn't it?

17 A. Yes.

18 Q. All right.

19 MR. JENNINGS: One moment.

20 THE COURT: Sure.

21 MR. JENNINGS: No further questions.

22 THE COURT: Any redirect? Okay. You can step
23 down.

24 Okay. Next witness, Mr. Thompson.

25 MR. THOMPSON: We call Arthur Rogers.

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 THE COURT: Okay. Come around, Mr. Rogers.

2 MR. JENNINGS: And, Your Honor, I would object.
3 He's not listed as a witness and identified as a witness in
4 any of the discovery, and so we did --

5 THE COURT: Since he's a named party, I don't
6 think he would need to be listed as a -- as a witness, so.

7 MR. JENNINGS: All right.

8 THE COURT: You can certainly -- certainly call
9 him. Come around, Mr. Rogers.

10 No, no. We got -- we don't need anybody out
11 there.

12 THE CLERK: Do you solemnly swear or affirm that
13 the testimony you're about to give will be the truth, the
14 whole truth, and nothing but the truth, so help you God?

15 THE WITNESS: Yes.

16 ARTHUR ROGERS, after being duly sworn,
17 testified as follows:

18 DIRECT EXAMINATION

19 BY MR. THOMPSON:

20 Q. Give us your full name, please?

21 A. Arthur Rogers.

22 Q. And you live on Independence Avenue here in
23 Laurens?

24 A. Yes.

25 Q. Pardon me?

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 A. Yes.

2 Q. Okay. And I believe you work at BMW?

3 A. No.

4 Q. You no longer work there?

5 A. No.

6 Q. You were working there back in June of last year,
7 right?

8 A. Yes.

9 Q. Why aren't you working there?

10 A. Because I'm not working there.

11 Q. What?

12 A. Because I'm not working there.

13 Q. Okay. Did you voluntarily leave?

14 A. Because I'm not working there.

15 Q. All right. Were you discharged or did you leave?

16 A. Because I'm not working there.

17 THE COURT: Answer the question, Mr. Rogers.

18 THE WITNESS: I voluntarily left.

19 MR. THOMPSON: Okay.

20 THE COURT: Thank you.

21 BY MR. THOMPSON:

22 Q. Are you still working at House of Pizza?

23 A. Yes.

24 Q. Okay. I believe you told me when we took your
25 deposition back in June of 2023 the last time you lived with

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 your father was back in 2018?

2 A. Yes.

3 Q. So you haven't lived there '19, '20, '21, '22,
4 '23. Close to five years since you've lived with your
5 father; is that correct?

6 A. Close.

7 Q. Okay. Now, you have forged your father's name on
8 numerous checks; is that not correct?

9 A. Yeah.

10 Q. Okay.

11 A. Yes.

12 THE COURT: Okay. Just speak up a little bit.

13 Maybe get a little closer to the microphone, Mr. Rogers, so
14 we can hear you.

15 BY MR. THOMPSON:

16 Q. Approximately how many times did you forge --

17 A. I don't recall.

18 Q. -- your father's name on checks? You don't know.

19 Did you sign your father's name on checks that
20 were on his account, right?

21 A. Yes.

22 Q. And were you prosecuted for that?

23 A. Yes.

24 Q. Also, you have been stopped in the past for a -- a
25 -- a potential traffic violations, and you advised the --

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 the -- the officer --

2 A. Yes.

3 Q. -- that you were Arthur Rogers, right?

4 A. (No verbal response.)

5 Q. Pardon me?

6 A. Yes.

7 Q. How many times have you done that?

8 A. I don't recall.

9 Q. More than once?

10 A. I don't recall.

11 Q. So it was more than one?

12 A. I don't recall.

13 Q. Okay. Now, you -- you were not present when the
14 Plaintiff's Exhibit 1 was allegedly signed by your father;
15 were you?

16 A. No, I was not.

17 Q. But you were aware before it was signed that it
18 was probably going to be signed, and you had had --

19 A. No, I did not.

20 Q. -- discussions with your father about it?

21 A. No, I did not.

22 Q. You did not? All right.

23 Your attorney answered discovery questions on your
24 behalf concerning that issue. Let me hand you -- why don't
25 we mark this --

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 THE COURT: Sure, for identification?

2 MR. THOMPSON: Yeah.

3 THE COURT: Sure. It will be No. 3 for ID.

4 (WHEREUPON, PLAINTIFF'S EXHIBIT NO. 3 WAS MARKED
5 FOR IDENTIFICATION.)

6 MR. THOMPSON: Yeah, it's Defendant's Response to
7 Interrogatories.

8 BY MR. THOMPSON:

9 Q. Mr. Rogers, let me hand you Plaintiff's Exhibit
10 No. 3. I highlighted a response to a question. The
11 question was: Give the names of witnesses and what
12 information they may have about the case. What is your
13 response? I highlighted it in yellow.

14 A. This says that the witness has knowledge related
15 to the circumstances related to the Plaintiff's decision to
16 convey title to the subject real property to the Defendant's
17 relationship and transactions between the Plaintiff and the
18 Defendants and other relevant knowledge.

19 Q. Okay. So this response of yours by the way of
20 your attorney is dated February 9, 2023. So you did have
21 knowledge, prior knowledge, of the transaction concerning
22 the likelihood that property would be conveyed from your
23 father to you and your sister?

24 A. No.

25 Q. No? So is this incorrect that you read?

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 A. Apparently. No.

2 Q. Pardon me?

3 A. No.

4 Q. Is it correct?

5 A. It's -- it's incorrect.

6 Q. Incorrect. Okay. Why did you give that type of
7 information if it was incorrect?

8 A. I don't recall giving that information.

9 Q. Okay. You don't recall responding like that?

10 A. I don't recall giving that information.

11 Q. Well, let me just ask you this question: Did you
12 or did you not know about this transaction being put
13 together before it went down?

14 A. No.

15 Q. You did not know?

16 A. No.

17 Q. In this document here, you claim to have known, so
18 is this wrong?

19 MR. JENNINGS: Objection, Your Honor. First of
20 all, it's leading -- leading. It's argumentative. And
21 there's nothing in the discovery response that says he had
22 prior knowledge of this deed planning to be signed.

23 THE COURT: All right. Well, even though
24 Mr. Thompson did not request the Court to declare Mr. Rogers
25 as a hostile witness or adverse witness because he is a

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 Defendant in the case, I'll -- I'll give Mr. Thompson a
2 little latitude as far as examination.

3 Now, concerning the interrogatories, were they --
4 were they signed by your clients, Mr. Jennings, or just --

5 MR. JENNINGS: No, sir, Your Honor, they were
6 signed by me, and there's no reference to prior knowledge of
7 this.

8 THE COURT: I mean, I take the position that when
9 interrogatories, requests for production, whatever discovery
10 is done and not signed by the client, then really, the
11 client can't be held to what the attorney says as far as
12 responses. So I would just ask that you -- you go on to
13 something else.

14 MR. THOMPSON: Thank you, Your Honor. The rule
15 requires them to be sworn, the fact that they elected not to
16 do it.

17 THE COURT: Well, yeah. I know what the rule is
18 --

19 MR. THOMPSON: I know they were not signed.

20 THE COURT: -- but since they were not signed and
21 -- I mean, you can ask him questions about his knowledge,
22 but just not in reference to the interrogatories. All
23 right.

24 BY MR. THOMPSON:

25 Q. Do you also recall pleading guilty to the bank

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 fraud, Mr. Rogers?

2 MR. JENNINGS: Object to any criminal convictions
3 more than ten years old.

4 MR. THOMPSON: Well, there's a caveat to that
5 rule.

6 THE COURT: There is. Just tell me the -- the
7 date of that conviction and let me just read the rule real
8 quick.

9 MR. THOMPSON: 2008.

10 THE COURT: 2008, okay.

11 MR. JENNINGS: And Your Honor, I believe the rule
12 says that any -- any convictions intended to be used have to
13 be provided to opposing counsel prior to trial and -- and --

14 MR. THOMPSON: They were.

15 THE COURT: Sir?

16 MR. THOMPSON: We emailed a notification to
17 opposing counsel --

18 THE COURT: Okay. All right.

19 MR. THOMPSON: -- that we intended to bring up
20 the, even though they were outside the ten-year period where
21 they were released from prison or, but the Court would still
22 have some leeway to allow them anyway based on --

23 THE COURT: No. Let's go back.

24 MR. THOMPSON: -- the facts of this case.

25 THE COURT: Let me just refresh my -- always have

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 to refresh my -- my understanding of the impeachment rule.

2 MR. JENNINGS: Your Honor, I would just inform the
3 Court, I received an email at 12:03 P.M. today from opposing
4 counsel indicating that they intended to use this -- these
5 prior convictions. That's not sufficient under the rule. I
6 didn't even know they had sent it until I just checked my
7 email.

8 MR. THOMPSON: Oh, may I be heard?

9 THE COURT: Sure.

10 MR. THOMPSON: Opposing counsel is -- was aware of
11 Mr. Rogers' criminal record based on a deposition taken well
12 over a year ago where he admitted to all of these offenses.

13 Number two, we -- we did email our intention to
14 possibly use these, based on the rule, but my understanding
15 it went out yesterday. I realized that's sort of a short
16 fuse, but the -- one of the issues in this case is whether
17 the signature was forged or not. He's a grantee of the
18 alleged or fraudulent document and has a history of forgery
19 and bank fraud and other crimes. It goes to the weight. We
20 don't have to examine him -- (inaudible) -- the indictment's
21 in the record and in the evidence.

22 THE COURT: Well, you know, I guess you could
23 argue either way whether or not giving notice at 12:00 today
24 was sufficient. Advanced written notice -- I mean, it's,
25 you know, me being the fact finder and the judge of the law

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 there's, you know, we've got some latitude there. I'm going
2 to allow it in. It is a conviction of a -- involving
3 dishonesty and, you know, more than ten years. And I find
4 that more than likely that the probative value does slightly
5 outweigh the unfair prejudice to the Defense. And so I will
6 -- I will allow it in. But it's already been brought out,
7 2008 bank fraud. So can't go any further than that.

8 MR. THOMPSON: Bear with me here, Judge.

9 THE COURT: Sure.

10 MR. THOMPSON: Thank you. I'm sorting these out.
11 A couple of them pre-date -- some of them are before 2008,
12 we're not --

13 THE COURT: Okay.

14 MR. THOMPSON: -- offering those.

15 THE COURT: Okay. Very good.

16 MR. THOMPSON: We'll just offer and to put them
17 into the record.

18 THE COURT: Well, you know, again, if you're
19 wanting to offer them, then I need to know what they are and
20 certainly --

21 MR. THOMPSON: Okay.

22 THE COURT: -- allow Mr. Jennings to -- to offer
23 an objection as to any other convictions. All right.

24 BY MR. THOMPSON:

25 Q. All right. Mr. Rogers --

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 MR. JENNINGS: And -- and Your Honor, again, I --
2 I -- I would object. The only notice provided was at 12:03
3 P.M. today saying that, Plaintiff intends to offer
4 impeachment evidence, conviction of a crime, as to Defendant
5 Arthur Rogers, pursuant to rule 609(b). There's no
6 identification of what convictions or any details other than
7 what I just mentioned.

8 THE COURT: All right. And of course,
9 Mr. Thompson, your argument is that Defense already knows
10 what the prior convictions are through discovery. Let's
11 just go ahead and -- and just cut it off right here and move
12 on to something else. I think that's --

13 MR. THOMPSON: Okay.

14 THE COURT: -- probably going to be for the best.

15 MR. THOMPSON: Let me --

16 THE COURT: Now, if you want to offer them as a
17 Court's Exhibit and they would not be a part of the
18 evidentiary record in this case, certainly I will allow you
19 to do that, if you so like.

20 MR. THOMPSON: I've got so many -- to get through.
21 The one that we -- the one that we dealt with, with
22 Mr. Rogers, let me pull that one. All right. All right.

23 The document, the certified document the Plaintiff
24 submits to the Court and requests that be made part of the
25 record in the indictment for forgery in 2008. The victim is

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 Wayne Rogers, the plaintiff in this case. That would be the
2 only one.

3 THE COURT: All right. That -- all right. Is
4 that the 2008 bank fraud or is that something different?

5 MR. THOMPSON: It's forgery. The bank fraud is a
6 separate charge and it doesn't list an individual victim.

7 THE COURT: Okay. All right. But this forgery
8 charge is also 2008?

9 MR. THOMPSON: Yes. All right. Let me just
10 double-check it for you because --

11 THE COURT: Yeah.

12 MR. THOMPSON: -- I'm looking at the forgery in
13 '08. And the bank fraud is 2008 as well. Let me look at
14 the language --

15 THE COURT: Now -- now, we've already gotten into
16 evidence that he was prosecuted for forging his dad's
17 checks. Is that what you're referring to now? Is that the
18 same thing?

19 MR. THOMPSON: Yes.

20 THE COURT: Yeah. Well, I think the question was
21 asked of this witness and answered without objection that he
22 had forged his father's checks and was prosecuted. I don't
23 think any -- any other information was asked, but I think
24 that's already in.

25 MR. THOMPSON: All right.

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 THE COURT: I think that's already in. Okay.

2 MR. THOMPSON: That's in. I was planning to put
3 the indictment in.

4 THE COURT: Okay. Well, as far as what I'm
5 allowing in or some others that I'm not allowing in? What
6 indictments are you referring to, Mr. Thompson?

7 MR. THOMPSON: I was referring to the single
8 indictment of a forgery involving his father's checking
9 account.

10 THE COURT: Right. I think the fact that you
11 already got in --

12 MR. THOMPSON: Okay.

13 THE COURT: -- that he was prosecuted for forging
14 his dad's checks, I think that's sufficient for whatever
15 consideration that I'm going to give that.

16 MR. THOMPSON: All right.

17 THE COURT: I don't think that the indictments
18 necessarily need to come in.

19 MR. THOMPSON: Okay. We can move on.

20 THE COURT: Sure.

21 BY MR. THOMPSON:

22 Q. Now, Mr. Rogers, who -- who handled the
23 preparation of the deed in this case?

24 A. I don't know.

25 Q. You don't know? Did -- did you play any part in

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 that?

2 A. No.

3 Q. Were you present when --

4 A. No.

5 Q. -- the deed was allegedly signed?

6 A. No.

7 Q. You were not in the Rodgers' home on the day of
8 January the 22nd --

9 A. No.

10 Q. -- 2022?

11 A. No.

12 Q. How did you become aware of the fact that you now
13 are the half-owner of the Westcliff property?

14 A. I was informed through Tomika.

15 THE COURT: Mr. Rogers, can you speak up, please,
16 sir?

17 THE WITNESS: I was informed through Tomika.

18 BY MR. THOMPSON:

19 Q. She told you?

20 A. Yes.

21 Q. And what did she tell you?

22 A. She sent me copies of the documents.

23 Q. Did -- did she call you?

24 A. She sent me copies of the document.

25 Q. And -- by mail?

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 A. Through text.

2 Q. She texted you a copy of the deed?

3 A. Yes.

4 Q. And did you question her about how all this came
5 about?

6 A. No.

7 Q. Okay. And do you still have that text and that
8 deed?

9 A. The deed, yeah. Text, no.

10 Q. Okay. And but you're telling the Court that you
11 were unaware of the fact that -- that -- that you were going
12 to be the given this real property from your father?

13 A. I was unaware.

14 Q. You were surprised?

15 A. I was unaware.

16 Q. You were unaware? What reason would your father
17 have to turn the property over to you and Tomika and put out
18 his sister-in-law whose wife was caring for him?

19 A. Any explanation I give you would be hearsay.

20 Q. Pardon me?

21 A. Any explanation I give you would be hearsay.

22 Q. Well, give it to me anyway.

23 A. I don't know.

24 Q. You don't know?

25 A. No.

ARTHUR ROGERS DIRECT BY MR. THOMPSON

1 MR. THOMPSON: Let me look through my notes here.
2 Just a moment. I believe that's all we have, Judge, no
3 further questions.

4 THE COURT: Okay. All right.

5 Mr. Jennings, do you want to reserve examination
6 of your client in your case in chief or do you want to go
7 ahead and -- and do it now? Your call. Either way is fine
8 with me.

9 MR. JENNINGS: For the sake of judicial economy,
10 it may make sense to go ahead and do it now.

11 THE COURT: Okay. Let's -- let me -- let me just
12 see the lawyers for a quick second, and then I need to make
13 a quick phone call.

14 (WHEREUPON, A SIDEBAR BEGAN.)

15 THE COURT: All right. So examine him. You still
16 have Tomika, right? And then you still have Gary and
17 Rosalind, right?

18 MR. THOMPSON: He does, yeah.

19 THE COURT: And then --

20 MR. THOMPSON: Rosalind's here.

21 THE COURT: Huh?

22 MR. JENNINGS: I'm not -- I don't have Rosalind.

23 THE COURT: Okay. You calling Rosalind?

24 MR. THOMPSON: No.

25 THE COURT: Okay. Well, it just appeared on the

ARTHUR ROGERS CROSS BY MR. JENNINGS

1 witness list that --

2 MR. THOMPSON: Well, we tried to find her, but my
3 -- my process server couldn't find her.

4 THE COURT: Oh, okay. That's fine. Okay. You
5 think we can finish by 5:00? Because I need to be out of
6 here by 5:00.

7 MR. THOMPSON: Probably would not.

8 THE COURT: Okay. Okay. Well, if -- if we can't
9 finish by 5:00 -- well, I still have this week available, so
10 I'll work around y'all's schedule. The only time that I
11 would not have is Wednesday morning and Friday morning. But
12 other than that, if we have to regroup, then, you know, I'll
13 work around whatever y'all will have available, okay.

14 Okay. All right. Give me five minutes. I just
15 need to call the doctor's office real quick.

16 (WHEREUPON , THE SIDEBAR ENDED AND A BREAK WAS
17 HELD.)

18 THE COURT: Okay. We're back on the record.
19 Mr. Jennings, I think we're in cross-examination of your
20 client.

21 MR. JENNINGS: Thank you, Your Honor.

22 CROSS-EXAMINATION

23 BY MR. JENNINGS:

24 Q. Mr. Rogers, your father and Janice Rogers have not
25 gotten along very well during their marriage, have they?

ARTHUR ROGERS CROSS BY MR. JENNINGS

1 A. Not 100 percent, no.

2 Q. Did they almost divorce a number of years ago?

3 A. He brought it up one time before, yeah.

4 Q. Your father told you that he was going to divorce
5 her?

6 A. Once, yeah, about 20 years ago.

7 Q. Okay. And --

8 THE COURT: Need to speak up, sir, please.

9 BY MR. JENNINGS:

10 Q. And have you helped out with your father's care
11 and driven him around?

12 A. From time to time, not too often, no.

13 Q. Especially not since this lawsuit began?

14 A. No.

15 Q. Okay. Now, you would stop by your father's house
16 at times when Janice was not present, wouldn't you?

17 A. Yes.

18 Q. And you know she wasn't there because her car
19 wasn't there?

20 A. Right.

21 Q. All right. Now, after this deed was filed, do you
22 remember driving your father around and going to Whiteford's
23 Restaurant?

24 A. Yes.

25 Q. And did you ask Tomika Craig to meet you at

ARTHUR ROGERS CROSS BY MR. JENNINGS

1 Whiteford's?

2 A. Yes.

3 Q. And what did your father tell you and Tomika when
4 you were meeting at Whiteford's?

5 A. I don't know the discussion in full detail, but it
6 -- it was surrounded around the property and returning it
7 over or something.

8 Q. Did your father --

9 A. -- something like that.

10 Q. I'm sorry. Did your father ask you and Tomika to
11 give the property back to him?

12 A. Something to that effect, but I can't give -- I
13 can't say fully.

14 Q. And did your father indicate that Janice Rogers
15 was upset with him about signing the deed?

16 A. He didn't say that she was upset, no. He didn't
17 really even mention her.

18 Q. Okay. All right. Did -- you let Mr. Thompson and
19 the Plaintiff know at your deposition that -- that you
20 didn't know prior to the execution and signing the deed that
21 Tomika and Mr. Williams and your father had planned to do
22 it, right?

23 A. Right.

24 Q. Okay. And have you ever met Gary Williams?

25 A. In the past.

ARTHUR ROGERS REDIRECT BY MR. THOMPSON

1 Q. Okay. When did you meet him?

2 A. Just in passing -- passing. Not -- not an actual
3 meeting.

4 Q. Okay.

5 A. But I know who he is.

6 Q. All right. So you think Mr. Williams would know
7 the difference between you and your father in appearance?

8 A. Probably not, not necessarily.

9 Q. Okay. Do -- do you think you look identical to
10 your father?

11 A. Not identical.

12 MR. JENNINGS: Okay. No further questions.

13 THE COURT: Anything in redirect, Mr. Thompson?

14 REDIRECT EXAMINATION

15 BY MR. THOMPSON:

16 Q. Did -- did you sign your father's name to the
17 Plaintiff's Exhibit No. 1, the deed?

18 A. No.

19 Q. You did not? You didn't have any problem signing
20 his name in the checks in the past, have you?

21 MR. JENNINGS: Your Honor, this -- this is well
22 beyond the scope of cross, and I object to --

23 THE COURT: I believe so. I will sustain the
24 objection.

25 BY MR. THOMPSON:

ARTHUR ROGERS RECROSS BY MR. JENNINGS

1 Q. All right. What reason would you give for not
2 signing your father's name to the deed?

3 A. I wasn't there.

4 Q. Okay. You didn't have to be there.

5 Why wouldn't you sign his name?

6 A. Why wouldn't I?

7 Q. Yeah.

8 MR. JENNINGS: Your Honor, same objection.

9 THE COURT: I'll allow -- I'll allow that and
10 overrule. Answer the question, please, Mr. Rogers.

11 THE WITNESS: Because it's not the noble thing to
12 do. It's not me.

13 MR. THOMPSON: All right. Thank you, Mr. Rogers.

14 THE COURT: Anything on --

15 MR. THOMPSON: No further questions.

16 THE COURT: Oh, you're not -- are you finished?

17 MR. THOMPSON: Yes.

18 THE COURT: Oh, okay. All right.

19 Anything in follow-up?

20 RECROSS-EXAMINATION

21 BY MR. JENNINGS:

22 Q. Mr. Rogers, you didn't sign the deed that's been
23 admitted as Plaintiff's Exhibit 1, did you?

24 A. No, I did not.

25 Q. And you didn't even know about it being signed

ARTHUR ROGERS RECROSS BY MR. JENNINGS

1 until you received a copy of it; did you?

2 A. Correct.

3 MR. JENNINGS: No further questions.

4 THE COURT: Okay. You can step down, sir. Thank
5 you. Okay. All right, Mr. Thompson, next witness.

6 MR. THOMPSON: I think we'll call -- we call
7 Ms. Gary Williams. No, Annette Williams. Excuse me,
8 Annette Williams.

9 THE COURT: Oh, Annette Williams. I thought you
10 said Gary Williams.

11 MR. THOMPSON: Annette Williams.

12 THE COURT: Yeah.

13 MS. WILLIAMS: Yes, sir.

14 THE COURT: That's fine. That's good.

15 MR. THOMPSON: I -- I -- I -- may have said Gary.
16 I -- but I didn't mean to.

17 THE COURT: I thought I heard Gary, somebody say
18 Gary, but that's fine. Come around, Annette Williams.

19 MR. THOMPSON: Just go around by her. Place your
20 left hand right and your right hand over here, left hand,
21 right hand.

22 ANNETTE WILLIAMS, after being duly
23 sworn, testified as follows:

24 THE COURT: Just sit close to the microphone and
25 speak up loud, please, ma'am.

ANNETTE WILLIAMS DIRECT BY MR. THOMPSON

1 THE WITNESS: Okay.

2 THE COURT: Okay.

3 DIRECT EXAMINATION

4 BY MR. THOMPSON:

5 Q. All right. Give us your full name, please.

6 A. Annette Williams.

7 Q. And do you live on the Westcliff property?

8 A. Yes, sir.

9 Q. Okay. And who provided that property for you?

10 A. Wayne Rogers.

11 Q. Okay. And are you employed?

12 A. Yes, sir.

13 Q. Who with?

14 A. I work at Learning District 55 High School.

15 Q. Okay. What do you do?

16 A. A custodian.

17 Q. Oh, okay. All right. Good. Do you pay rent out
18 there for Westcliff, or do any type of -- any kind?

19 A. I pay the bills, the power bill, water bill, and
20 stuff like that.

21 Q. Okay. So you pay the utility bills?

22 A. Yes, sir.

23 Q. And they allow you to stay there?

24 A. Yes, sir.

25 Q. Was it -- was it the original idea to provide a

ANNETTE WILLIAMS DIRECT BY MR. THOMPSON

1 place for you and your mom to live in? Was that the
2 original plan?

3 A. Yes, sir.

4 Q. Mr. -- or no, you don't know --

5 MR. JENNINGS: Objection to what Mr. Rogers
6 intended.

7 THE COURT: Right. Right. Sustained.

8 BY MR. THOMPSON:

9 Q. Who initially -- when did you move there, to
10 Westcliff?

11 A. It's been a while.

12 Q. Who moved with -- there with you?

13 A. My mother.

14 Q. Okay. And she passed away?

15 A. Yes, sir.

16 Q. And you continued to live there?

17 A. Yes, sir.

18 Q. Was there any type of interruption in your stay
19 there from Tomika Craig that caused you concern and consult
20 with your sister?

21 A. I got a letter from her.

22 Q. From who?

23 A. Tomika.

24 Q. And basically, what was the gist of it?

25 A. She owned the property.

ANNETTE WILLIAMS DIRECT BY MR. THOMPSON

1 Q. I see. And she wants you to leave?

2 A. Yes, sir.

3 Q. Okay. Did that concern you?

4 A. I told my sister about it.

5 Q. Okay. What is your relationship with Wayne
6 Rogers, your brother-in-law?

7 A. My brother-in-law.

8 Q. Is it good or bad?

9 A. Good.

10 Q. Okay. Would there be any reason for him to want
11 to put you off that property?

12 A. No, sir.

13 Q. Okay. Have you had any arguments --

14 A. No, sir.

15 Q. -- for this deed taken over the property?

16 A. No, sir.

17 Q. Okay. Do you -- have you observed your sister's
18 marital life and environment with Mr. Wayne Rogers over the
19 years?

20 A. Yes, sir.

21 Q. Is it a perfect situation?

22 A. It's good.

23 Q. Okay. They had a spot -- they had a dispute from
24 time to time?

25 A. I guess, I don't know. They didn't have them when

ANNETTE WILLIAMS CROSS BY MR. JENNINGS

1 I was there.

2 Q. Did you detect any marital discord that they were
3 going to separate or divorce?

4 A. No, sir.

5 Q. Okay. How often do you see them?

6 A. I saw them every week.

7 Q. Okay. All right. And did you see any evidence
8 that the marriage was about to fall -- break up?

9 A. No, sir.

10 Q. Okay. All right. All right. And if -- if -- if
11 -- if -- if -- if the property is left in the name of Tomika
12 and Arthur, then you're going to have to move, right?

13 A. Yes, sir.

14 Q. Is that going to cause a hardship on you?

15 A. Yes, sir. My mother used to stay there.

16 Q. I understand. All right. But can you think of
17 any reason in the world why Wayne Rogers wouldn't want to
18 put you off the property?

19 A. No, sir.

20 MR. THOMPSON: All right. Thank you. Answer any
21 questions Mr. Jennings may have.

22 THE COURT: Mr. Jennings.

23 CROSS-EXAMINATION

24 BY MR. JENNINGS:

25 Q. Ms. Williams, you don't know who signed the deed

1 to the property at 449 Westcliff; do you?

2 A. No, sir.

3 MR. JENNINGS: All right. No further questions.

4 THE COURT: Okay. You can step down, ma'am.

5 MR. THOMPSON: Just have a seat in the courtroom.

6 THE COURT: You -- you can remain in the courtroom
7 if you like or you're free to leave.

8 MS. WILLIAMS: Okay. Thank you.

9 THE COURT: If Mr. Thompson wants you to stay,
10 then you might need to stay.

11 MR. THOMPSON: Why don't you stay till we see
12 where we're at here just a second?

13 The Plaintiff rests. That's our last witness.

14 THE COURT: Okay. She is your last witness?

15 MR. THOMPSON: Yes. She is.

16 THE COURT: Okay. All right. The Plaintiff
17 rests.

18 All right. Mr. Jennings?

19 MR. JENNINGS: Your Honor, I'd move for a directed
20 verdict in a light most favorable to the Plaintiff. The
21 Plaintiffs -- Plaintiff has failed to show by clear and
22 convincing evidence that the subject deed which has been
23 admitted into evidence and shown to be recorded in the
24 Register of Deeds Office, that it should be set aside where
25 a deed is valid and regular on its face. It is presumed to

1 be valid in all respects. And to overcome that presumption,
2 the Plaintiff must present clear and convincing evidence
3 otherwise. And so we would move for a directed verdict.

4 THE COURT: Okay. Well, since this is a non-jury
5 bench trial, I want to hear the whole -- both sides, so I
6 will respectfully deny your motion. Okay.

7 You may call you first witness.

8 MR. JENNINGS: Your Honor, the Defendants called
9 Gary Williams.

10 THE COURT: Okay. Now, Gary Williams.

11 GARY WILLIAMS, after being duly sworn,
12 testified as follows:

13 MR. WILLIAMS: Judge, may I say something at the
14 initiation without questions?

15 THE COURT: Sure.

16 MR. WILLIAMS: Before the question begin. I was
17 sitting in sequestration as a witness, and a man came out of
18 the courtroom and I felt intimidated by him. He said --

19 THE COURT: By who?

20 MR. WILLIAMS: It was a man that was sitting on
21 this side of the courtroom in a blue shirt.

22 THE COURT: Okay.

23 MR. WILLIAMS: And he had gone in the smaller
24 witness room and spoken with the last witness that you just
25 -- I think her name is a Ms. Williams.

1 THE COURT: Okay.

2 MR. WILLIAMS: He had spoken -- he had gone in
3 there twice, and I had heard my name coming out of that
4 smaller witness room.

5 THE COURT: Okay.

6 MR. WILLIAMS: But before -- the second time
7 before he went into that witness room, he had come over to
8 me indicating that my job is on the line --

9 THE COURT: Okay.

10 MR. WILLIAMS: -- and that I know I didn't go over
11 there.

12 THE COURT: Okay.

13 MR. WILLIAMS: And I felt as if he was trying to
14 intimidate me.

15 THE COURT: Okay. All right. And I can --

16 MR. WILLIAMS: But he's no longer in the
17 courtroom.

18 THE COURT: Right. I -- I have to assume, and
19 lawyers, correct me if I'm wrong, I think Mr. Williams would
20 be referring to Jonathan Williams, who was the first witness
21 and stepson of Wayne Rogers; would that be correct?

22 MR. JENNINGS: Yes, Your Honor.

23 THE COURT: Okay. You can certainly identify him.
24 Is -- is Mr. Williams still around or has he left the
25 courthouse, Mr. Thompson? Or would you know?

1 MR. THOMPSON: May it please the Court? I thought
2 he was in the courtroom. I never -- I --

3 THE COURT: He was for a period of time after his
4 testimony.

5 MR. THOMPSON: I thought I made it clear to my
6 people --

7 THE COURT: Yeah.

8 MR. THOMPSON: -- that there would be contact with
9 the --

10 THE COURT: Yeah.

11 MR. THOMPSON: -- sequestered witnesses or anybody
12 else.

13 THE COURT: Well -- right.

14 MR. THOMPSON: I never dreamed about it.

15 THE COURT: Sure.

16 MR. THOMPSON: Somebody --

17 THE COURT: Right.

18 MR. THOMPSON: -- for lack of a better word,
19 threatening.

20 THE COURT: Right. And I'm -- well, I'm -- I'm
21 sure you would not have any prior knowledge of this. I'm
22 not real concerned about potential violation of the
23 sequestration order. What I'm more concerned about is a --
24 a possible intimidation of a witness. And probably I'll
25 have to deal with that. Let's go ahead and take

GARY WILLIAMS DIRECT BY MR. JENNINGS

1 Mr. Williams' testimony and then maybe take a break.

2 And, Mike, would you go out and just see if
3 Jonathan Williams is still present, if so, he needs to stay
4 here, not necessarily in the courtroom, per se, but he needs
5 to -- he needs to be around, okay?

6 Okay. Joe, if you go out with Mike, please.

7 THE BAILIFF: Yeah. You just want him to hang
8 around?

9 THE COURT: Yeah. And -- yeah. Okay. But let's
10 go ahead and take -- Mr. Williams, take your testimony,
11 please, sir, and just get up close to the microphone. You
12 know what to do.

13 DIRECT EXAMINATION

14 BY MR. JENNINGS:

15 Q. All right. Mr. Williams, you're Gary L. Williams?

16 A. Yes.

17 Q. And are you an attorney in Laurens, South
18 Carolina?

19 A. I am.

20 Q. How long have you been practicing law?

21 A. About 34 years, too long.

22 Q. And you have experience with the preparation of
23 deeds and real estate transactions?

24 A. Yes.

25 Q. All right. Now, did Tomika Craig, around January

GARY WILLIAMS DIRECT BY MR. JENNINGS

1 2022, ask you to prepare a deed from her father, Wayne
2 Rogers, to Tomika Craig, and Arthur Rogers?

3 A. Yes. I think it -- it began around the end of
4 December, around Christmas time --

5 Q. Right.

6 A. -- when she initiated it, yes.

7 Q. Did you travel to the home of Wayne Rogers on
8 January 22nd, 2022?

9 A. Yes.

10 Q. And did anyone accompany you on that trip?

11 A. Rosalind Johnson.

12 Q. Rosalind Johnson? And do you remember was that in
13 the morning or afternoon of January 22nd?

14 A. I recall it was a Saturday. I had gone to the
15 post office initially and I think it was between 11:00 and
16 1:00 when we went over to that home.

17 Q. All right. And did you meet with Mr. Rogers on
18 that day?

19 A. I did.

20 Q. And could you tell the Court who was present on
21 January 22nd at Mr. Rogers' home?

22 A. So we arrived there and he was sitting in the
23 front room eating. I think he was in a lazy boy chair right
24 in the front of the TV with a card table eating when we
25 first arrived. And I want to say that Tomika Craig came a

1 little bit later than when we arrived.

2 Q. Okay.

3 A. And then I want to say there was a little child in
4 the kitchen. I don't know whether she may have come with
5 Tomika Craig or not.

6 Q. All right. Have you ever been to the home of
7 Mr. Rogers before or since that day?

8 A. No.

9 Q. All right. And do you know where his home is
10 located?

11 A. Yes. I've actually done deeds for almost all of
12 that street, a couple of houses on that street. And -- but
13 as -- it's about the third house on the right of Holland
14 Hill --

15 Q. Okay.

16 A. -- as you turn off of East Hampton, off of North
17 -- South or North Harper, I think that's South Harper, I
18 think.

19 Q. Okay.

20 A. Maybe North Harper, but anyway.

21 Q. Did you show Mr. Rogers the deed that is marked as
22 Plaintiff's Exhibit 1? Let me show that to you.

23 THE COURT: Keeps getting gone, doesn't it? It's
24 disappearing. Is there a deed up on the witness stand here?

25 MR. THOMPSON: Yeah. Sorry.

GARY WILLIAMS DIRECT BY MR. JENNINGS

1 THE COURT: Okay. All right. We found the
2 culprit.

3 BY MR. JENNINGS:

4 Q. All right. Let me show you the deed marked as
5 Plaintiff's Exhibit 1. Do you recognize that deed?

6 A. That's the deed I created.

7 Q. All right. You prepared that deed?

8 A. Yes.

9 Q. And is that the deed that you took to the home of
10 Mr. Rogers on January 22nd?

11 A. Yes.

12 Q. And on the second page of that deed, do you see
13 two witnesses?

14 A. Yes.

15 Q. Whose signatures are those two witnesses?

16 A. Rosalind Smith Johnson and myself.

17 Q. And there is an acknowledgment form below the
18 witness's section. Can you tell me if that is your
19 signature as a notary public?

20 A. It is.

21 Q. All right. And the date on there is January 22nd,
22 2022?

23 A. Yes.

24 Q. And did you record -- well, did you witness
25 Mr. Wayne Rogers sign that deed?

GARY WILLIAMS DIRECT BY MR. JENNINGS

1 A. Yes.

2 Q. Do you recognize Mr. Wayne Rogers in the courtroom
3 today?

4 A. He has -- I -- I recognize the man, but at the
5 time of him signing the deed, I believe he had on -- he
6 wasn't as well-shaved as he is today. And I think he had a
7 baseball cap on --

8 Q. Okay.

9 A. -- from my recollection.

10 Q. All right. And you confirmed his identity?

11 A. Yes.

12 Q. And do you see Mr. Arthur Rogers seated to the
13 left or to the right of my client, Tomika Craig?

14 A. I've never met Arthur Rogers.

15 Q. Okay.

16 A. He's never made contact with me --

17 Q. Are you certain --

18 A. -- that I can recall.

19 Q. Sorry. Are you certain that the person who signed
20 that deed was not Arthur Rogers?

21 A. Oh, I'm certain because I've never met that man
22 that's seated to the right of Tomika Craig.

23 Q. Would you risk your law license by fraudulently
24 attesting to the signature of someone who didn't actually
25 sign a deed?

GARY WILLIAMS DIRECT BY MR. JENNINGS

1 A. No. No. I -- I actually remember this because I
2 discussed with Mr. Rogers that he thought that he had two
3 lots, and there was one lot. When I went to look at the
4 record, he thought that he had gotten two lots. And I told
5 him the other lot apparently was owned by a -- some
6 Lattimore's. And we kind of discussed that. And -- and so
7 he -- we went ahead with the lot that I saw was in his name,
8 and that's how that kind of started.

9 Q. And that was Lot 24 Westcliff Estates, I believe?

10 A. 24, yes. I think 25 was in a Lattimore.

11 Q. Okay.

12 A. But he thought that when he purchased it from, I
13 think, a Bank of New York, that he had gotten two lots.

14 Q. Right.

15 A. I think.

16 Q. I understand. And the deed that you prepared was
17 in compliance or conformed to the form shown in South
18 Carolina Code Section 27-7-10 in that it recites the
19 language that is approved by our legislature for the
20 conveyance of an interest in real property?

21 A. I believe so.

22 Q. Okay. And you did record the deed you said,
23 right?

24 A. Yes. There was some delay. It seems like he
25 wanted to kind of -- they wanted to see about that other lot

1 before. And I think I was waiting on my money. I think the
2 deed was kind of recorded a couple of -- maybe a week or two
3 later, something like that. I can't remember. It wasn't
4 immediate.

5 Q. And to record the deed you needed two witnesses
6 and the acknowledgment section, right?

7 A. Yes, sir.

8 Q. Compliance with section 30-5-30 of the South
9 Carolina Code?

10 A. Yes, sir.

11 Q. All right. In the document shown -- and I -- I
12 may have already asked you this, and I apologize. The
13 document shown as Plaintiff's Exhibit 1 is a -- a true and
14 accurate copy of the deed signed by Mr. Rogers and recorded
15 by you?

16 A. Yes, sir.

17 Q. All right. And did Ms. Tomika Craig pay you for
18 your services?

19 A. Yes.

20 Q. \$265?

21 A. I believe it's 265 or 275.

22 Q. All right.

23 A. Actually, I think it was 265 because it was 250 to
24 -- to prepare it and 15 to record it. I think that's how it
25 is.

GARY WILLIAMS DIRECT BY MR. JENNINGS

1 Q. Okay. All right. And I'd like to just show you a
2 paid receipt and see if you can confirm that this was used
3 to pay you. I had it.

4 A. Yes. I think she -- she gave me a check, I think.

5 Q. Okay. All right.

6 A. But I gave her a receipt, yes.

7 Q. And that's your signature on the receipt?

8 A. It is.

9 MR. JENNINGS: All right. I would ask that that
10 receipt be marked as Defendant's Exhibit 1 --

11 THE COURT: Okay.

12 MR. JENNINGS: -- and ask that it be entered into
13 evidence.

14 THE COURT: Okay. Mr. Thompson, any objection?

15 MR. THOMPSON: No, sir. I already have a copy of
16 it.

17 THE COURT: Okay. All right. Defense 1 into
18 evidence.

19 (WHEREUPON, DEFENSE EXHIBIT NO. 1 WAS ADMITTED
20 INTO EVIDENCE)

21 BY MR. JENNINGS:

22 Q. Did Mr. Wayne Rogers confirm with you that he was
23 desirous of transferring the property at 449 Westcliff
24 Drive, also known as Lot 24 Westcliff Estates to his son and
25 to his daughter?

GARY WILLIAMS CROSS BY MR. THOMPSON

1 A. That's correct.

2 MR. JENNINGS: No further questions.

3 THE COURT: Mr. Thompson, any cross-examination.

4 MR. THOMPSON: Yes, sir.

5 CROSS-EXAMINATION

6 BY MR. THOMPSON:

7 Q. Mr. Williams, did -- did you go to the courthouse
8 to get the deed into Mr. Rogers in order to prepare the deed
9 in question, or did someone bring it to you?

10 A. I -- I went. I went.

11 Q. You came and got it?

12 A. Uh-huh.

13 Q. Okay. All right. Now, when you got to the Rogers
14 home, did you secure any identification for Mr. Rogers?

15 A. Well, when we entered, my recollection -- it's
16 been two years, but he and Ms. Johnson kind of knew each
17 other from -- from the days of -- of Jersey community.

18 Q. Yeah.

19 A. And I -- from my recollection, they talked about,
20 you know, just growing up in Jersey. And --

21 Q. All right. So there was --

22 A. -- Ms. Craig came later and...

23 Q. All right. So based on a conversation between
24 Ms. Johnson and Mr. Rogers, you concluded that he was the
25 Mr. Rogers in question?

GARY WILLIAMS CROSS BY MR. THOMPSON

1 A. Well, he -- he discussed the issue associated with
2 that other lot --

3 Q. Okay.

4 A. -- that -- that he thought that he had purchased.

5 Q. Well, I see where you when you did your deed, you
6 made a change in the deed from the Bank of New York and you
7 put "Portion" down.

8 A. Right.

9 Q. So I'm confident that you checked the title
10 because, you're right, the bank thought it was conveying --
11 we're getting off subject here -- but the bank thought it
12 was conveying two lots, but it only had one lot, it didn't
13 foreclose on both lots.

14 A. Right. I think the Lattimore's had -- had done a
15 mortgage where -- where they only mortgaged one of the lots.
16 And they -- I think they lost that lot, but they didn't lose
17 the other lot.

18 Q. Right. I'm satisfied back on what you told me and
19 what I know about the record is that you did go to the
20 record and look, but you didn't get the driver's license,
21 but I understand what you're telling me.

22 Now, was Mr. Rogers able to move around in the
23 house walking with --

24 A. No, he -- he never got up out -- out of that seat.

25 Q. Okay. And -- and --

GARY WILLIAMS CROSS BY MR. THOMPSON

1 A. But he was eating when --

2 Q. And then was -- do you know Janice Rogers, his
3 wife?

4 A. I saw her -- I think we went to school together.

5 Q. Okay.

6 A. But I -- I didn't know that was Janice Rogers. I
7 know her as Janice Williams.

8 Q. Okay. That's right. All right. Now, where was
9 she, Janice Williams Rogers? Was she in the house with her
10 husband when you got the deed signed?

11 A. Not that I know of, no.

12 Q. Who --

13 A. I don't think so because --

14 Q. Okay.

15 A. -- I only peered in the living room, in the first
16 room --

17 Q. Okay.

18 A. -- when you enter the door.

19 Q. You saw -- you didn't see her in the -- in the
20 place?

21 A. No, sir.

22 Q. She could have been there, but you didn't see her?

23 A. I didn't see her.

24 Q. Now, who -- who let you in, and who opened the
25 door to let you in the building -- in the premises?

GARY WILLIAMS CROSS BY MR. THOMPSON

1 A. I -- you know, it's been two years. If -- you
2 know, I did -- I've done deeds all along that street.

3 Q. Okay.

4 A. Now, I think there was a child there.

5 Q. A child?

6 A. I think so, but --

7 Q. Can you estimate the age of the child, the size of
8 the child?

9 A. About -- probably about, maybe, 10.

10 Q. Pardon me?

11 A. Maybe 10.

12 Q. Okay. Not a -- not a 16 or 17-year-old?

13 A. No.

14 Q. A -- a -- a younger person?

15 A. But that child may have been present when I did a
16 deed up the street.

17 Q. All right.

18 A. I may -- I may be getting the houses kind of --

19 Q. Okay. Now, Tomika Craig arrived after you were
20 already there?

21 A. She may have been there. I -- it's been -- I -- I
22 don't know of the real detail on that. She may have been
23 there when I -- when I -- when we arrived, but I don't think
24 -- I think she arrived right after we did, I think.

25 Q. How familiar, and based on your recollection, was

GARY WILLIAMS CROSS BY MR. THOMPSON

1 Mr. Rogers with the nature of your business that day, the
2 transaction? What -- what -- what did he seem to know about
3 it in advance, if anything?

4 A. Well, apparently, they did discuss about these two
5 lots that -- that -- because he was involved in talking
6 about -- he -- he felt that there were two lots. And I had
7 spoken to Tomika late December about those two lots that --
8 that were there, but only one lot was in the dad's name.
9 And apparently they had had some discussion about it because
10 when I brought it up he was ready to talk about it.

11 Q. Okay. So he was ready, eager, and --

12 A. It seemed like he was --

13 Q. -- able to sign the deed and was there any
14 reluctance on his part --

15 A. No.

16 Q. -- to sign the deed?

17 A. No.

18 Q. Okay. And then you took the deed and had it later
19 recorded based on a -- waiting on a fee to be paid?

20 A. That's correct.

21 Q. Okay. And did you give Tomika Craig that receipt,
22 or did someone in your office give her that?

23 A. No, I gave it to her.

24 Q. Okay. All right. And so in the absence of
25 somebody being in another room in the house, you told us who

GARY WILLIAMS CROSS BY MR. THOMPSON

1 all was there.

2 A. See, I recall Tomika being -- coming over. And
3 when we executed the deed, I think my recollection is that I
4 asked her to proceed, and I think she went into the kitchen.

5 Q. Yeah.

6 A. And I want to say with that little child, but.

7 Q. You may have answered this on direct but
8 (inaudible 2:45:38). Had you had prior visits with Mr.
9 Johnson -- Mr. Rogers other than this one transaction?

10 A. No, not that I can recall.

11 Q. This is all I want to ask.

12 MR. THOMPSON: May I talk to my client just one
13 second?

14 THE COURT: Sure. Yes, by all means.

15 BY MR. THOMPSON:

16 Q. Your estimated time of arrival and -- and
17 departure is -- it is not pinpointed, I think. It's a broad
18 -- kind of broad answer based on the fact that several years
19 have gone by --

20 A. Yes, sir.

21 Q. -- you were there in the afternoon. Is that what
22 you're telling me?

23 A. Yes, sir. It -- it was around -- it was around
24 noon, maybe a little --

25 Q. Okay.

GARY WILLIAMS REDIRECT BY MR. JENNINGS

1 A. -- later.

2 MR. THOMPSON: Okay. I don't -- I don't have any
3 further questions. Thank you.

4 THE COURT: Okay. Mr. Jennings?

5 MR. JENNINGS: One second.

6 REDIRECT EXAMINATION

7 BY MR. JENNINGS:

8 Q. One last question, Mr. Williams. You've already
9 confirmed that Mr. Wayne Rogers signed that deed, right?

10 A. Yes.

11 Q. You -- you -- you have no question about that?

12 A. I have no question that he signed that deed.

13 MR. JENNINGS: No further questions.

14 THE COURT: Okay. Anything follow-up?

15 MR. THOMPSON: No, nothing else.

16 THE COURT: Okay. All right. Concerning the
17 matter that Mr. Williams, Gary Williams, brought to the
18 Court's attention concerning Jonathan Williams, he was here,
19 but now it's my understanding that he has left.

20 MR. THOMPSON: No, I have him here.

21 THE COURT: Okay.

22 MR. THOMPSON: Bring him in?

23 THE COURT: Yes. I -- I was just told that he had
24 gone. Yeah. Yeah. Have him brought in. No, I'm just
25 going to -- All right.

1 Mr. Williams, just kind of stand right in that
2 opening there. No. No. Come on up. You can just kind of
3 stand in that opening. And Mr. Gary Williams, before he
4 started his testimony, relayed some information concerning
5 what you -- what he claims you did before he testified. And
6 I want you to hear it directly from -- from Gary Williams.

7 So Mr. Gary Williams, would you relay again what
8 you told the Court about Jonathan Williams prior to your
9 testimony?

10 MR. GARY WILLIAMS: I was sitting directly in
11 front of the courtroom, and I -- he came upon me and I told
12 him I was a sequestered witness, that I don't need to be
13 talking to anyone. And he -- he -- he said that, You know
14 you didn't come over to my -- my dad's house. Your job's on
15 the line. You know you didn't come over to my dad's house.
16 And he kept getting closer and closer. And I kept telling
17 him, I'm a witness. I can't talk to you.

18 THE COURT: Okay.

19 MR. GARY WILLIAMS: And -- and I saw him going
20 into the smaller witness room and speaking to the lady that
21 was in there. He went in that one time, and then I think he
22 came back into the courtroom. He came out and went back in
23 there.

24 THE COURT: Okay.

25 MR. GARY WILLIAMS: Because I was going to bring

1 up the initial contact he had with that witness when I
2 arrived here in the courtroom. And then when he came back,
3 said what he said to me and then went back to that witness
4 in that little smaller court -- witness room, I said I was
5 going to bring it up to the Court's attention as an officer
6 of the court.

7 THE COURT: Okay. All right. Thank you,
8 Mr. Williams. Jonathan Williams, you're still under oath.
9 What about what Attorney Williams has just told me?

10 MR. JONATHAN WILLIAMS: I did not get close to
11 Mr. Williams. I simply just said he -- I said, You know,
12 you didn't come to my house. I was just -- I didn't know
13 anything about not talking to him. I didn't know the rules
14 about that. But I said -- he just was looking at me like --
15 I'm like, You know you didn't come to my house man. But I
16 did not get close to him. And I walked off and said nothing
17 else more.

18 THE COURT: Okay. What about, Your job is on the
19 line?

20 MR. JONATHAN WILLIAMS: I don't -- I don't -- how
21 did you get that?

22 MR. GARY WILLIAMS: You said it.

23 THE COURT: I mean, that's -- that sounds pretty
24 intimidating to me.

25 MR. JONATHAN WILLIAMS: No. There was no

1 threatening words towards him at all. No, sir.

2 THE COURT: Well, do you admit that you said, Your
3 job is on the line?

4 MR. JONATHAN WILLIAMS: No. I did not say nothing
5 like that. I said, You've got a better job than that
6 deserve.

7 THE COURT: Okay.

8 MR. JONATHAN WILLIAMS: And then didn't do that.
9 You know --

10 THE COURT: Okay.

11 MR. JONATHAN WILLIAMS: It was no threat, man. I
12 just walked up all on him, all that. Just -- I just -- I'm
13 upset, man, that's it. That's all it is. Just I'm upset,
14 that's it.

15 THE COURT: Okay. Well, I can -- I can tell you
16 this, Mr. Williams, this matter may not be over with, okay,
17 you understand that?

18 MR. JONATHAN WILLIAMS: Yes, sir.

19 THE COURT: So I will -- I will decide how I want
20 to handle it and you'll be informed, okay?

21 MR. JONATHAN WILLIAMS: All right.

22 THE COURT: All right. Okay. Let me just see the
23 lawyers for just a second. Gary, you can step down. If you
24 want to just hang around here for a minute, that's fine.

25 (WHEREUPON, A SIDEBAR BEGAN.)

1 THE COURT: You got one more witness, Tomika?
2 Yeah. I hate to make you come back from Greenville. You
3 live -- you work in Granville; don't you?

4 MR. JENNINGS: Greenville.

5 THE COURT: Yeah.

6 MR. JENNINGS: That's all right.

7 MR. THOMPSON: (Inaudible).

8 THE COURT: Yeah. Well, I mean, I won't -- I
9 don't want to rush you.

10 MR. THOMPSON: Yeah.

11 THE COURT: But I really need to get out of here
12 by 5:00. But I don't certainly want to -- don't impose on
13 you to have to make a special trip back down here. But I
14 would imagine, unless -- unless Tom's willing to stipulate
15 what he anticipates she's saying, then probably need to --

16 MR. THOMPSON: Well, she can testify, I assume,
17 that was over there and her dad was signing the deed.

18 MR. JENNINGS: That's part of it.

19 MR. THOMPSON: But not this court and this
20 witness. (Inaudible).

21 THE COURT: Okay.

22 MR. THOMPSON: She's put down as a character
23 witness, but I mean, there's not much she can (inaudible).

24 THE COURT: Yeah. Yeah. Yeah. Yeah. All right.
25 Well, when -- when would y'all want to come back and finish

1 this up? And I need to decide what to do about Jonathan
2 Williams. That -- pretty -- pretty straightforward. But
3 when do y'all want to come back?

4 MR. JENNINGS: Thursday.

5 THE COURT: We could do --

6 MR. JENNINGS: All day Thursday.

7 THE COURT: Yeah, all day Thursday. I mean, I'll
8 go whatever -- whatever time y'all want if -- if Thursday
9 works.

10 MR. JENNINGS: Thursday afternoon works.

11 THE COURT: Okay. Okay.

12 MR. JENNINGS: Or any time Friday works.

13 THE COURT: Yeah. Let's -- let's just do --

14 MR. THOMPSON: Let me see. I want to work with
15 y'all. I -- I think I have, like, 12:00 Thursday that I can
16 put off a couple of clients.

17 THE COURT: Okay. That's fine. All right.

18 MR. THOMPSON: We can do it at 1:00 or 1:30.

19 THE COURT: Yeah. Sure. Yeah. What -- what time
20 suits you, Clayton?

21 MR. JENNINGS: We could do it at 1:00 on Thursday.

22 THE COURT: Yeah. Okay. All right. All right.

23 We're going to -- I'm sorry.

24 MR. THOMPSON: I can ask them if we can do 2:00?

25 THE COURT: Sure. Yeah. Yeah.

1 (WHEREUPON, THE SIDEBAR ENDED.)

2 THE COURT: Okay. We are going to recess this
3 case until 2:00 Thursday. And we'll finish up the
4 testimony. Certainly, Mr. Thompson, you would have the
5 right to put up any reply case that you felt like would be
6 important. Mr. Jonathan Williams, I want you back here at
7 2:00 on Thursday as well. You understand, sir?

8 MR. JONATHAN WILLIAMS: Yes, sir.

9 THE COURT: Okay. All right. Okay. We'll be in
10 recess until Thursday at 2:00. Thank -- thank the lawyers
11 for accommodating the Court's schedule.

12 (WHEREUPON, THE TRIAL RECESSED AT 4:46 P.M.)

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CERTIFICATE OF TRANSCRIBER

Case Name/Number: Wayne J. Rogers vs. Tomika Craig and
Arthur Rogers, 2025-CP-30-00208

Date of Hearing: October 15, 2024

Court Reporter/Monitor: DCRP

I, Cynthia D. Weaver, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that said proceedings were transcribed to the best of my ability from the audio recording and supporting information; and that I am neither Counsel for, related to, nor employed by any of the parties to this case, and I have no interest, financial or otherwise, in its outcome.

February 27, 2025

Cynthia D Weaver

Cynthia D. Weaver
Official Court Reporter/Transcriber
State of South Carolina