

**VOLUME II OF II**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

**Aug 22 2025**

**SC Court of Appeals**

Appeal from Charleston County

Honorable Deadra L. Jefferson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

KARSEEM NICHOLAS HARDAWAY,

APPELLANT

APPELLATE CASE NO. 2024-001245

RECORD ON APPEAL

JORDAN WAYBURN  
Appellate Defender

ALAN WILSON  
Attorney General

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

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General

ATTORNEY FOR APPELLANT

TOMMY EVANS, JR.  
Assistant Attorney General  
PO Box 11549  
Columbia, SC 29211-1549

SCARLETT A. WILSON  
Solicitor Ninth Judicial Circuit  
101 Meeting Street  
Charleston, SC 29401

ATTORNEYS FOR RESPONDENT

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:  
STATE’S EXHIBIT 8-D (AUDIO), 8-F (VIDEO), 8-G (VIDEO), 8-H (AUDIO), 52 (TEN  
VIDEOS), 54 (THREE VIDEOS), STATE’S EXHIBIT 69 (PHOTO STILL OF GUN  
10MM)**



## MARIA HEFFRON - REDIRECT EXAMINATION.

1 no transcripts of them, and there will be no  
2 opportunity for anyone to annotate to say what they  
3 think is being said. You can talk about it in  
4 argument, but they say what they say. They are  
5 self-authenticating.

6 MR. SIMPSON: Understood, Your Honor.

7 THE COURT: Anything else before -- we need  
8 to take up before we bring in the jury from the  
9 State?

10 MR. SIMPSON: Yes, Your Honor. Sorry.  
11 Detective Daniel Wilson, while stuck in line for  
12 the security scanner downstairs, had some contact  
13 with a juror. He shared that promptly with me,  
14 which we, of course, promptly shared with the  
15 defense. I think the way they wanted to do is just  
16 maintain a record of that.

17 THE COURT: I can't just let it lay like  
18 that. I have to voir dire the juror and make sure  
19 there were no conversations, and their ability to  
20 be fair and impartial. What was the extent of the  
21 contact?

22 MR. SIMPSON: May I allow Detective Wilson to  
23 speak to that?

24 THE COURT: Sure.

25 DETECTIVE WILSON: Yes, ma'am. When I was --



MARIA HEFFRON - REDIRECT EXAMINATION.

1 I parked in the garage and walked through the lobby  
2 area. I was walking three of the security members  
3 of the county. We were discussing the restaurant  
4 Sorelle. Three or four of us were talking about  
5 how nice it is supposed to be, and how expensive  
6 it's supposed to be. A juror was coming in the  
7 door at the same time this conversation occurred,  
8 and, essentially, asserted himself into the  
9 conversation and said, Oh, I actually did the  
10 granite and some tile in Sorelle. And my response  
11 was merely, I've heard it's nice things. And  
12 literally at that point, I reached the security  
13 scanner and proceeded through.

14 THE COURT: Do you know which juror?

15 DETECTIVE WILSON: Honestly, it was so quick.  
16 He is about this height, in his 30s, shaggy  
17 blondish-brown hair. That was the brevity of our  
18 conversation.

19 THE COURT: Now, is there any need to voir  
20 dire the juror from the State?

21 MR. SIMPSON: No need from the State.

22 THE COURT: Defense?

23 MS. ARORA: I don't think so, Your Honor.

24 THE COURT: Does the defense have any  
25 concerns what appears to be an innocent interaction

## MARIA HEFFRON - REDIRECT EXAMINATION.

1 with the juror?

2 MS. ARORA: No, Your Honor.

3 THE COURT: And there is no request to remove  
4 the juror?

5 MS. ARORA: No.

6 THE COURT: All right. So, now, anything  
7 else before we proceed? And I'll let the jury know  
8 why we are delayed. When I left the courtroom and  
9 I was walking by at 2:05, I told them what was  
10 going on, and they were very congenial and  
11 accommodating.

12 So is there anything else we need to take up  
13 before we resume testimony from the State?

14 MR. SIMPSON: I just heard the scheduling  
15 conflict. I only tell you because you asked me the  
16 order I was going to call the witnesses. It's  
17 going to change slightly.

18 THE COURT: I was really only asking to see  
19 how many you had left. Just for scheduling, you  
20 know.

21 MR. SIMPSON: Understood. Thank you.

22 THE COURT: So are we ready to proceed from  
23 the State?

24 MR. SIMPSON: Yes, Your Honor.

25 THE COURT: From the defense?

MARIA HEFFRON - REDIRECT EXAMINATION.

1 MS. ARORA: Yes, Your Honor.

2 THE COURT: All right. Please bring in the  
3 jury.

4 (The jury enters at 3:18 pm., and the  
5 following is heard in the presence of the jury.)

6 THE BAILIFF: All jurors are present.

7 THE COURT: Thank you. Ladies and gentlemen,  
8 we appreciate your patience. I explained to you  
9 our delay from lunch with the Court dealing with a  
10 separate hearing unrelated to this matter. Again,  
11 we really appreciate your patience, and we don't  
12 take your time for granted.

13 In an effort to maximize some time, there was  
14 matters of law that counsel and I needed to deal  
15 with so we wouldn't have to stop and start. So we  
16 appreciate your patience. We'll now resume  
17 testimony.

18 Call your next witness.

19 MR. SIMPSON: We call Melissa High.

20 (MELISSA HIGH, having been duly sworn,  
21 testified as follows:)

22 THE CLERK: State your full name and spell  
23 your last name into the microphone.

24 THE WITNESS: Melissa High, H-I-G-H.

25 THE COURT: Pull that microphone towards you.

## MELISSA HIGH - DIRECT EXAMINATION.

1 THE WITNESS: Better?

2 THE COURT: Yeah. Speak directly into it.

3 Thank you.

4 You may proceed.

5 MR. SIMPSON: Thank you, Your Honor.

6 THE COURT: You're welcome.

7 **DIRECT EXAMINATION**

8 **BY MR. SIMPSON:**

9 Q Good afternoon, Ms. High.

10 A Good afternoon.

11 Q What is it that you do for a living?

12 A I work at the Al Cannon Detention Center. I  
13 am the records custodian.

14 Q Does the records custodian at the Al Cannon  
15 Detention Center have any sort of job duties  
16 related to the jail phone system?

17 A Correct. I maintain the records.

18 Q If you could, could you explain to the jury a  
19 little bit about how some of the system works at  
20 the detention center?

21 A When someone comes into the jail, they are  
22 given a pin number, which they use to make phone  
23 calls.

24 Q May I interrupt and ask a question?

25 A Yes.

## MELISSA HIGH - DIRECT EXAMINATION.

1 Q Is the pin number unique to each person?

2 A It is.

3 Q Okay. Continue.

4 A So whenever they want to make a call, they  
5 have to state their name, use the pin number to  
6 make the call, and the person they are calling has  
7 the option to accept or decline the call.

8 Q Does the jail utilize any form of voice  
9 recognition or voice software?

10 A Yes.

11 Q And can you explain a little bit about that?

12 A Whenever they first come in -- when they make  
13 that first call, it's automatically recorded. And  
14 any time they make a call after that, it recognizes  
15 their voice, or if it is not them, they recognize  
16 that also.

17 Q And if the system were to pick up distinctive  
18 change in voice, would it still allow the inmate to  
19 make a phone call?

20 A No.

21 Q When law enforcement is interested in  
22 obtaining any of these records -- oh, I didn't ask  
23 the question. Are these phone calls recorded?

24 A Yes, they are.

25 Q Are the inmates made aware they are recorded?

## MELISSA HIGH - DIRECT EXAMINATION.

1     **A**     Yes.

2     **Q**     How are they aware?

3     **A**     It is stated at the beginning of every call,  
4     and it's posted in every unit.

5     **Q**     Okay. And if law enforcement were interested  
6     in obtaining records of recorded conversations,  
7     would that be something that you would do?

8     **A**     Yes. They would send a search warrant or a  
9     subpoena telling me exactly which person they are  
10    requesting for and what date range.

11    **Q**     Okay.

12           MR. SIMPSON: Your Honor, may I approach the  
13    witness?

14           THE COURT: You may.

15           MR. SIMPSON: Thank you.

16           THE COURT: You're welcome.

17    **Q**     **(BY MR. SIMPSON)** I'm showing you what's  
18    marked as State's 81 for ID only. Without  
19    mentioning any dates, could you review that and  
20    tell me what that is?

21    **A**     This is a search warrant for jail calls.

22    **Q**     And can you identify the individual related  
23    to that?

24    **A**     It's for Karseem Nicholas Hardaway.

25

## MELISSA HIGH - DIRECT EXAMINATION.

1     **BY MR. SIMPSON:**

2     **Q**     Thank you. Upon receipt of a search warrant  
3 identifying a particular inmate, how do you respond  
4 to that?

5     **A**     I would pull the search warrant or subpoena,  
6 go into the records, pull whatever records they are  
7 requesting, put them on a disk, and I put them up  
8 front for them to be picked up.

9     **Q**     And who would come pick them up?

10    **A**     The attorney, the investigator, the officer,  
11 whoever is requesting.

12    **Q**     So you receive a search warrant from the  
13 detective. That detective would be able to come  
14 and pick up that document?

15    **A**     Correct.

16    **Q**     And from your recording records provided, in  
17 this specific case, would you have made those  
18 available?

19    **A**     Yes.

20    **Q**     And, Ms. High, were you present earlier as we  
21 reviewed some audio clips?

22    **A**     Yes.

23    **Q**     Are those consistent with the records you  
24 provided in this case?

25    **A**     Yes.

## MELISSA HIGH - DIRECT EXAMINATION.

1 MR. SIMPSON: Your Honor, at this point in  
2 time, the State seeks to publish 79-A.

3 THE COURT: Marked and admitted subject to  
4 the objection and the Court's contemporaneously  
5 rulings.

6 MR. SIMPSON: I would ask permission to  
7 temporarily shut off the air purifier machine to  
8 hear.

9 THE COURT: Sure.

10 (State's Exhibit 79-A admitted.)

11 THE COURT: The fans cause noise around the  
12 room, and we've called maintenance, and they have  
13 done all they can do.

14 (Published to the jury.)

15 MR. SIMPSON: Ms. High. Thank you. Answer  
16 any questions.

17 THE COURT: Any questions for the witness?

18 MS. ARORA: No, Your Honor.

19 THE COURT: Any objection to the witness  
20 being excused from the State?

21 MR. SIMPSON: No, Your Honor.

22 THE COURT: From the defense?

23 MS. ARORA: No, Your Honor.

24 THE COURT: You are excused.

25 THE WITNESS: Thank you, ma'am.



## JEROME DE SHEERS - DIRECT EXAMINATION

1 THE COURT: Call your next witness.

2 MR. SIMPSON: We call Jerome De Sheers, FBI  
3 Task Force.

4 (JEROME DE SHEERS, having been duly sworn,  
5 testified as follows:)

6 THE CLERK: State your full name spelling  
7 your last name.

8 THE WITNESS: Yes. Jerome De Sheers, D-E,  
9 space, S-H-E-E-R-S.

10 THE COURT: Proceed.

11 MR. SIMPSON: Thank you, Your Honor.

12 THE COURT: You're welcome.

13 **DIRECT EXAMINATION**

14 **BY MR. SIMPSON:**

15 **Q** Officer De Sheers, good afternoon.

16 **A** Good afternoon.

17 **Q** Thank you for being here. I would like to  
18 start by introducing you to the jury. Where do you  
19 currently work?

20 **A** So I'm currently employed by the City of  
21 North Charleston Police Department.

22 **Q** And is your current role with the North  
23 Charleston Police Department have an associated  
24 role?

25 **A** Yes, sir. So I'm assigned to the detective

## JEROME DE SHEERS - DIRECT EXAMINATION

1 division at North Charleston, but attached to the  
2 FBI on a task force. It's the Lowcountry Violent  
3 Crime Task Force.

4 Q And could you recount to the jury your  
5 history in law enforcement all the way back to your  
6 educationally background, going into law  
7 enforcement, and your history?

8 A Yes, sir. So I graduated Union College in  
9 New York. I have a bachelor's degree in managerial  
10 economics. When I graduated in 2007, I came to  
11 South Carolina, and I attended the South Carolina  
12 Criminal Justice Academy after I gained employment  
13 through the City of North Charleston.

14 Since then, I've continued my education for  
15 Level 1 police officer here in the state, but on  
16 the task force, I have obtained further education  
17 in the use and analysis of cell phone -- historical  
18 cell phone records through a unit in the FBI called  
19 the cellular analysis survey team. We call it  
20 CAST.

21 Q And Detective De Sheers (inaudible?)

22 A That will be fine.

23 Q Detective De Sheers, do you maintain any  
24 continuing education requirements as part of the  
25 CAST FBI task force?

## JEROME DE SHEERS - DIRECT EXAMINATION

1     **A**     Yes, sir. So after I got -- completed the  
2 training to get on the unit, every year we do  
3 participate in a CAST conference, which is a  
4 recertification process. It's meeting with cell  
5 phone providers and other Internet service  
6 providers to go over technologies, changes in the  
7 networks, and then changes in the records so that  
8 we can maintain our education and do our job.

9     **Q**     And any other related continuing education  
10 training?

11    **A**     Besides that, I do possess a Cellebrite  
12 certification through the Cellebrite program, and  
13 just my annual recertification to maintain my  
14 status as a Level 1 police officer in South  
15 Carolina.

16    **Q**     And could you breakdown what CAST stands for  
17 again?

18    **A**     It stands for the Cellular Analysis Survey  
19 Team.

20    **Q**     And that is affiliated by the federal agency?

21    **A**     That is a unit in the FBI, the Federal Bureau  
22 of Investigation.

23    **Q**     Have you ever been qualified in court as an  
24 expert in cellular analysis?

25    **A**     Yes, sir. Both in state and federal court.

## JEROME DE SHEERS - DIRECT EXAMINATION

1     **Q**     And, approximately, how many times?

2     **A**     Six times.

3           MR. SIMPSON: Your Honor, at this point in  
4 time, the State offers Jerome De Sheers as an  
5 expert in cellular analysis.

6           THE COURT: Any questions or objections?

7           MS. ARORA: No objections, Your Honor.

8           THE COURT: So admitted without objection;  
9 cellular analysis.

10          MR. SIMPSON: May I approach?

11          THE COURT: Yes, sir.

12     **Q**     **(BY MR. SIMPSON)** I'll show you what is  
13 premarked as 70-A, B, and C for identification  
14 only. Take as long as you need to recognize those.

15     **A**     Yes, sir. I do recognize this as part of a  
16 report that I produced for this investigation.

17     **Q**     And does the portion of your reviewing there  
18 cover what you do in a general sense?

19     **A**     That's correct.

20     **Q**     And do you think that 70 -- the exhibit  
21 before you right there would assist you  
22 demonstratively in explaining to the jury what it  
23 is that you do?

24     **A**     Yes, it will.

25          MR. SIMPSON: May I approach, Your Honor?

## JEROME DE SHEERS - DIRECT EXAMINATION

1 THE COURT: You may.

2 Q (BY MR. SIMPSON) Your Honor, I ask for  
3 permission to use 70-A, B, and C for demonstrative  
4 uses only?

5 THE COURT: Any objection?

6 MS. ARORA: No objection, Your Honor.

7 THE COURT: 70 ID only, A, B, and C without  
8 objection.

9 MR. SIMPSON: Thank you.

10 THE COURT: You're welcome.

11 Q (BY MR. SIMPSON) Detective De Sheers, because  
12 I'm not that smart, I'm going to rely on you to  
13 walk through these pages. If I could just get you  
14 to sort of explain to the jury what that is before  
15 you and what that explains and how it relates to  
16 what it is you do (inaudible)?

17 A Yes, sir. So this slide is how we show  
18 sectors on a map. So what a sector is, it's a  
19 one-third of a circle that shows coverage area of a  
20 particular cell site or cell tower, if you will.  
21 What we're seeing here is an example where in the  
22 call detail records, if a call or some sort of  
23 transaction with the network used this particular  
24 tower, it gave us an Azimuth or the degree that the  
25 cell site is facing would be zero, which is going

## JEROME DE SHEERS - DIRECT EXAMINATION

1 to be due north. What we do is we draw the wedge.  
2 So we have this section right here, and when we go  
3 120 degrees to divide the circle into three  
4 sections and we draw a line that shows 60 degrees  
5 on one side, 60 degrees on the other side of the  
6 Azimuth, and that is how we get our sector. So it  
7 is just the direction that the antenna faced when  
8 that call or transaction with the network used.

9 On the map, we don't show the diagram here of  
10 the tower. We just use a dot. In this case, it  
11 would be a black dot. We have this little shaded  
12 area here, it just helps orientate the eye to the  
13 direction of that cell site. That doesn't mean  
14 that the phone is actually in that shaded area. It  
15 is just for visual representation.

16 Q So what degree, in your experience, can cell  
17 towers like this tell us where a phone is located?

18 A So this will put a phone in a general area  
19 that is pretty specific to the coverage area of  
20 this particular tower. If I can delete this here.  
21 So we see a dot here, and then we see a dot here,  
22 which represents two towers. So within these few  
23 blocks of each of the towers being from each other,  
24 we know that if a phone is using this tower right  
25 here, it's going to be in this small general area.

## JEROME DE SHEERS - DIRECT EXAMINATION

1           So it's not going to be on the other side of  
2 the city. Like say if the map continues, it is not  
3 going to be down here. For example, here in  
4 Charleston, you wouldn't find a phone that is using  
5 a tower at the southern-most tip in Charleston.  
6 You wouldn't find that in North Charleston. It  
7 would have to be in the small area of the peninsula  
8 that that sector would cover. And that is also  
9 based on neighboring towers, which we'll see an  
10 example of later.

11       **Q**     Okay. And when you are composing these maps  
12 with cell phone tower records, what do the records  
13 look like that you are typically provided, and does  
14 70-B assist you?

15       **A**     So what we get is we get call detail records.  
16 We call them "CDRs" for short. So part of what is  
17 in those records is whether a call was incoming or  
18 outgoing, whether a text message would be incoming  
19 or outgoing. And with that information, we get a  
20 timestamp which includes the day and the time that  
21 that transaction started, and sometimes we get an  
22 ending time, but we usually we get a duration.

23           So what I show on my illustration in the  
24 slides that we will see is the timestamp that was  
25 -- that generated that transaction as being mapped,

## JEROME DE SHEERS - DIRECT EXAMINATION

1 along with what type of activities. So, in this  
2 example, the target phone or the phone that I'm  
3 mapping has made an outgoing call, and here we have  
4 that orientation that set the Azimuth, which again  
5 that is in degrees. We're taking 60 degrees on  
6 either side of that to make our 120-degree wedge.  
7 And then, finally, the number that is associated  
8 with that transaction.

9         So, in this example, at 7:10 p.m., an  
10 outgoing call was made to this 888 area code  
11 number. The cell identifier, that is the specific  
12 cell site, so which antenna was used to make that  
13 transaction.

14         I also have a note, in Verizon records, for  
15 this example, we do have to make a conversion. So  
16 the time we see here is local time, but the records  
17 come in UTC, which is Universal Time Coordinated.  
18 So it is the standard time zone for the world.

19         Q       So when you are compiling your report, you  
20 convert that time, UTC time?

21         A       That is correct.

22         Q       To what?

23         A       To whatever local -- whether it is here in  
24 South Carolina or whether it is in California, we  
25 do that local timestamp.



## JEROME DE SHEERS - DIRECT EXAMINATION

1     **Q**     And moving to specifically our area, and  
2 marked for our demonstrative purposes only as 70-C,  
3 does your line of work require you to have  
4 knowledge of where all of the cell towers are in  
5 this area?

6     **A**     Yes, it does.

7     **Q**     And where are they in this state?

8     **A**     So here is a geographic area of the greater  
9 Charleston County area. So in here there's two  
10 things that we are -- is going to be important, A,  
11 where the crime scene is or location that is  
12 relevant to the case, which is indicated by usually  
13 an indicator like this (indicates), and then the  
14 tower locations.

15            So, again, the tower locations are important  
16 because if a network is laid out where there is  
17 several towers say down here in the peninsula of  
18 Charleston, that means that there is a large  
19 amount, in this case, Verizon customers. So  
20 Verizon needs to make sure their customers are  
21 getting coverage, and they are going to put more  
22 antennas in an area where there is more people,  
23 which is why we go out to some of these forested  
24 areas, and we see that there is not a lot of  
25 coverage on cell towers, because they don't have to

## JEROME DE SHEERS - DIRECT EXAMINATION

1 service as many customers. They can be spread  
2 further apart and still not be overused by the  
3 people going in those areas or living in those  
4 areas. That also helps us generate how small of an  
5 area a phone can be, versus how large an area that  
6 a phone can be.

7 Q So would you be able to pinpoint the location  
8 of a phone more exact to the peninsula or out in a  
9 national forest?

10 A That's correct. You know, we can essentially  
11 get it down to blocks here in the area of the  
12 peninsula in Charleston, but in the forest, if you  
13 are heading this phone say in Wando or using this  
14 tower here in Wando, I mean, this is a much larger  
15 area to try to track a phone. You would need a lot  
16 more information to pinpoint that.

17 Q You indicated that the exhibit we're looking  
18 at does indicate a marker you added to indicate the  
19 crime scene (inaudible)?

20 A That's correct.

21 Q And where is that?

22 A So it's going to be this red indicator right  
23 here, which is an address on Bantry Circle in  
24 Charleston, South Carolina, and then we have to  
25 show what each of those indicators would mean.

## JEROME DE SHEERS - DIRECT EXAMINATION

1     **Q**     So jumping ahead. Were you asked to perform  
2 any of the CAST analysis for the present case we're  
3 here today for?

4     **A**     Yes, I was.

5     **Q**     And was that in the records for a single  
6 phone?

7     **A**     It was.

8     **Q**     And do you know what the phone number was?

9     **A**     Off the top of my head -- if I could refer to  
10 my report, I can read that off.

11    **Q**     Sure. I'll show you what is marked for ID  
12 only as 77-A, B, and C?

13    **A**     Yes, sir. Again, this is a portion of my  
14 report. So this is the phone number I was  
15 requesting to look at the records for is

16    5916 [REDACTED] which is noted to be a Verizon  
17 phone.

18    **Q**     Is there any time of time parameters given to  
19 you before you started doing that?

20    **A**     Yes. So I was asked to look at records and  
21 usage on the evenings of July 12, 2021, as well as  
22 July 13 of 2021.

23           MR. SIMPSON: May I approach?

24           THE COURT: You may.

25    **Q**     **(BY MR. SIMPSON)** Detective De Sheers, are

## JEROME DE SHEERS - DIRECT EXAMINATION

1 State's 77-B and C the results -- depicted results  
2 of the work you did related to that phone and those  
3 time periods that you just described?

4 **A** Yes, they are.

5 MR. SIMPSON: Your Honor, at this point in  
6 time we ask for 77-A, B, and C as evidence in this  
7 case.

8 THE COURT: Any objection?

9 MS. ARORA: I renew my pretrial objection.

10 THE COURT: I took it under advisement. I  
11 need to look at it, and then I'll make a decision.  
12 But you can use it for demonstrative purposes only  
13 at this time or to refresh his memory.

14 MR. SIMPSON: Thank you, Your Honor.  
15 Permission to publish.

16 THE COURT: Until it is admitted into  
17 evidence, you cannot publish -- well, you can use  
18 it demonstratively.

19 MR. SIMPSON: Okay. Thank you.

20 THE COURT: You're welcome.

21 **Q (BY MR. SIMPSON)** I'm showing you what is  
22 marked as 77-A. If you could, Detective De Sheers,  
23 can you explain what information we are looking for  
24 in the boxes and what information as far as the  
25 CAST analysis?

## JEROME DE SHEERS - DIRECT EXAMINATION

1     **A**     Yes, sir. Again, this is the network  
2 activity. So user activity that was generated,  
3 that created contact with the network that Verizon  
4 reported. This is for the phone number ending in  
5 5916. July 12, 2021, I looked at 3:20 p.m. to  
6 11:03 p.m. So starting on the right side over here  
7 in the Mount Pleasant area, there were two calls  
8 that used this tower. There are two IDs in this  
9 box. What that is is just multiple cells that face  
10 the same direction, and you can use any one of  
11 those cells.

12           But at 3:20 and 3:27, there is two calls  
13 there. And then movement west into West Ashley.  
14 Between 6:31 and 11:03 p.m., there was usage on  
15 these two towers that are both, again, facing this  
16 marker indicated for [REDACTED] Bantry Circle in  
17 Charleston, South Carolina.

18           Also, I would like to add that looking at  
19 these two sectors, we see that there is a call here  
20 at 10:41 p.m., which looking at the call time range  
21 shows that that phone was kind of bouncing between  
22 two towers, which looking at that, my opinion would  
23 be that a phone or this device would be kind of in  
24 an area that is covered by both of those towers.  
25 So it's going to be kind of generated in the center

## JEROME DE SHEERS - DIRECT EXAMINATION

1 of this geographical area.

2 Q Detective De Sheers, am I correct that these  
3 lists here is serviced by this tower, is that a --

4 A That is correct.

5 Q And then we have the one here that you say is  
6 serviced by both?

7 A That's correct.

8 Q And this is for July 12<sup>th</sup>; is that correct?

9 A Yes, sir.

10 Q And 77-B what times are we covering in this  
11 report?

12 A Okay. So same phone number. This is  
13 actually July 13 of 2021. This is a time frame  
14 between 4:17 p.m. and 5:36 p.m.

15 Q And this seems to be a closer-up view. Are  
16 these the same two towers that you were just  
17 referring to?

18 A Yes. The ones with the Azimuth of 200 is  
19 going to be this tower here, and then this box is  
20 referring to this tower here, with an Azimuth of  
21 355 degrees.

22 Q And you noted, again, the same notation where  
23 the crime scene --

24 A Yes. So, again, the coverage area, we're  
25 looking for overlaps where two towers meet, which

## JEROME DE SHEERS - DIRECT EXAMINATION

1 is in the center, which is generally in this area  
2 here around the crime scene.

3 Q And I believe you stated these two calls at  
4 these times serviced by this tower; is that  
5 correct?

6 A Yes. Two incoming calls by those two numbers  
7 was this tower where your pin is.

8 Q And 5:36, it was this tower?

9 A That's correct. Right here.

10 Q For demonstrative purposes, I'll show you  
11 77-C. Are we back -- zoomed out a bit?

12 A Yes, we are. So I zoomed out to show a  
13 little bit farther of a time frame.

14 Q And so to repeat: 5:08, 5:09 is this tower?

15 A That's correct.

16 Q And moving forward, chronology, 5:36, this  
17 tower?

18 A Yes, sir, that is correct.

19 Q 6:27, Johns Island?

20 A That's correct.

21 MR. SIMPSON: Court's indulgence.

22 (A brief pause in the proceedings.)

23 MR. SIMPSON: Your Honor, at this point we  
24 renew our request to admit --

25 THE COURT: I've taken it under advisement.

## JEROME DE SHEERS - CROSS EXAMINATION

1 MR. SIMPSON: Oh, thank you, Your Honor.

2 Detective De Sheers, answer any questions Ms.

3 Arora may have.

4 THE COURT: Any questions?

5 MS. ARORA: Yes, Your Honor.

6 THE COURT: You may proceed.

7 **CROSS EXAMINATION**

8 **BY MS. ARORA:**

9 Q Good afternoon, Detective. How are you?

10 A Doing well, thank you. Good afternoon.

11 Q You testified on direct how CAST analysis  
12 works, and I just want to make sure I'm  
13 understanding it correctly.

14 A Yes, ma'am.

15 Q There's a wedge point -- and I'm going to  
16 bring it up over there. I believe that is easier  
17 for demonstrative purposes.

18 So this is the wedge point I'm talking about.

19 THE COURT: Make sure you are referring to  
20 the number.

21 MS. ARORA: 77-A.

22 Q (BY MS. ARORA) This wedge point right here,  
23 so this is an arc, and that arc just shows  
24 direction?

25 A So in this -- we call it a "sector," and this



## JEROME DE SHEERS - CROSS EXAMINATION

1 shaded area -- it's really just to orientate the  
2 eye when we're looking at a map. Because,  
3 otherwise, we're just looking at a bunch of lines.  
4 It just helps to show the direction of where that  
5 -- where that sector is facing.

6 Q And this sector shows where the signal hit  
7 the tower?

8 A So the sector -- the signal is coming off of  
9 this antenna, the cell site, and the general idea  
10 is that it's covering one-third of this sector, and  
11 it's -- essentially, this blue arrow, if you just  
12 draw a bunch of arrows going out -- it is radio  
13 frequency. So radio waves, they travel. They will  
14 start in a small point and expand and go out, which  
15 is why we have this arc where the lines are getting  
16 further apart the farther away they go, because  
17 that's how radio waves work.

18 Q And so to go off of what you just said, it  
19 shows the general direction of (inaudible)?

20 A That's correct.

21 Q And it is specifically when that phone made a  
22 phone call?

23 A So this is -- this is only -- what we map,  
24 it's only going to be related to that time or that  
25 call or when that network activity started. It can

## JEROME DE SHEERS - CROSS EXAMINATION

1 move after that. But where it started, this is  
2 what is reported by the phone company, in this case  
3 Verizon. That is a showing at that time -- so the  
4 timestamp is listed on the report, it's -- that's  
5 when -- that is where the network activity began.

6 Q And the length of this arc does not give the  
7 exact general area of where the phone is -- this  
8 arc does not indicate the distance of where the  
9 phone is?

10 A That's correct. This arc, in no way, is  
11 representative of where the phone is within the  
12 sector. It is merely for a visualization aid.

13 Q Just a general direction?

14 A That's correct.

15 Q I'm now showing you what is marked for  
16 identification 77-B.

17 A Yes, ma'am.

18 Q On direct, you testified in regards to these  
19 two different towers in the West Ashley area?

20 A Yes, ma'am.

21 Q And I just want to make sure -- so if someone  
22 made a phone call in this area, it could ping from  
23 this tower?

24 A Yes, ma'am.

25 Q It could also ping to the tower -- I believe

## JEROME DE SHEERS - CROSS EXAMINATION

1 that is 1591331?

2 A That's correct.

3 Q And the person can be standing in the same  
4 place and it could ping here?

5 A That's correct. All the phone is doing is  
6 it's looking for the best signal at that time.  
7 Factors can change that. If there is a truck going  
8 by, if someone is standing perfectly still, there  
9 may be a large amount of vehicles or things that  
10 are going by that says, hey, one tower is better  
11 than the other, and bounces back and forth.

12 Q For follow up on that, you can't tell me  
13 exactly that cell phone signal is made inside a  
14 building or outside a building?

15 A That's correct, I wouldn't be able to say.  
16 And, again, in this example what I'm looking for --  
17 so if I'm looking for a phone at a particular time,  
18 and I have information like this, I'm not going to  
19 be able to say, hey, this is at one particular  
20 spot. But the use of two separate towers are  
21 facing each other shows is that it's going to be  
22 somewhere here in the center of where those two  
23 towers are.

24 MS. ARORA: Beg the Court's indulgence.

25 (A brief pause in the proceedings.)

## JEROME DE SHEERS - CROSS EXAMINATION

1     **Q**     **(BY MS. ARORA)** One more follow-up, Detective.  
2     I'm showing you what is marked for identification  
3     purposes as 77-A?

4     **A**     Yes, ma'am.

5     **Q**     This is for July 12 of 2021?

6     **A**     Yes, ma'am.

7     **Q**     And in this exhibit you can see two towers in  
8     West Ashley?

9     **A**     Yes, ma'am.

10    **Q**     And on this day you can't tell me where the  
11    phone is, if it is inside or outside?

12    **A**     Well, what I can say is it's going to be  
13    within the coverage area of these two towers or two  
14    sectors. Again, this is going to be a case where  
15    I'm going to look for where the overlap is if it's  
16    using two separate towers. We use -- you know,  
17    when locating phones or looking for phones, we're  
18    using other information. You know, does a person  
19    that -- does a person who uses the phone live in  
20    the area, or do they have contacts with people in  
21    the area? So this is the information that we get  
22    to see from when we're making these decisions on  
23    where we think a phone might be.

24            It becomes important like when, say, you are  
25    looking for a missing person. If we know a missing

## JEROME DE SHEERS - REDIRECT EXAMINATION.

1 person is in a particular area based on phone  
2 records, but they are also in contact with people  
3 in that area, that is where we're going to send  
4 someone to look. So we just use all of the  
5 information that we have at our disposal to try to  
6 locate a phone.

7 Again, part of that is going to be looking if  
8 there is overlap in these two towers where that  
9 overlap would be, and what makes sense for where  
10 someone would be in that area.

11 So we're kind of taking a larger area and  
12 reducing it based on the information that we have  
13 on hand.

14 Q Just to confirm, on July 12, this is only the  
15 general area?

16 A Yes. Yes. Same as I've been saying right  
17 there. Could be in the middle, but it is, again, a  
18 general area.

19 MS. ARORA: No further questions.

20 THE COURT: Any redirect?

21 MR. SIMPSON: Briefly, Your Honor.

22 THE COURT: You may proceed.

## 23 REDIRECT EXAMINATION

24 BY MR. SIMPSON:

25 Q Detective, returning your attention to 77-A,

## JEROME DE SHEERS - REDIRECT EXAMINATION.

1 you discussed a general area that you believe was  
2 in this overlap of two towers; is that correct?

3 A That's correct.

4 Q Is the marker you put there from the crime  
5 scene squarely within this area you have described  
6 as the overlap between the two towers?

7 A Yes, it is.

8 MR. SIMPSON: No further question.

9 THE COURT: Any objection to the witness  
10 being excused from the State?

11 MR. SIMPSON: No, Your Honor.

12 THE COURT: From the defense?

13 MS. ARORA: No, Your Honor.

14 THE COURT: Sir, you are excused.

15 THE WITNESS: Thank you, ma'am.

16 THE COURT: You're welcome.

17 You may call your next witness.

18 MR. SIMPSON: State calls Detective Daniel  
19 Wilson.

20 (DANIEL WILSON, having been duly sworn,  
21 testified as follows:)

22 THE CLERK: State your full name and spell  
23 your last name directly in the microphone.

24 THE WITNESS: Daniel Wilson, W-I-L-S-O-N.

25 THE COURT: You may proceed.

## DANIEL WILSON - DIRECT EXAMINATION.

1 MR. SIMPSON: I'll be approaching the witness  
2 a lot, Your Honor, and I would ask for your  
3 permission without --

4 THE COURT: That's fine.

5 MR. SIMPSON: Thank you, Your Honor.

6 THE COURT: You're welcome.

7 **DIRECT EXAMINATION**

8 **BY MR. SIMPSON:**

9 **Q** Detective Wilson, good afternoon.

10 **A** Good afternoon.

11 **Q** Where is it that you work?

12 **A** I work at the Charleston Police Department.

13 **Q** If you could for the jury -- have you been  
14 with us throughout this week?

15 **A** I have.

16 **Q** For the benefit of the jury, if you could,  
17 answer sort of the standard questions, introducing  
18 yourself to them, where you are from, educational  
19 background, what put you in law enforcement?

20 **A** Sure. I'm Daniel Wilson. I'm originally  
21 from the upstate. I've lived in Charleston since  
22 about 2007. I am currently assigned as a sergeant  
23 with the Charleston Police Department, and I'm in  
24 charge of our burglary detective division.

25 At the time of this incident, I was assigned

## DANIEL WILSON - DIRECT EXAMINATION.

1 to the Violent Crime Unit, which handles all  
2 felonious assaults involving weapons, death  
3 investigations, suicide investigation, and  
4 homicide.

5 I have been with the department since 2009.  
6 Prior to my current position, I was a detective  
7 with the department for about six-and-a-half years,  
8 and was on patrol for about the same amount of  
9 time, for about six-and-a-half, seven years.

10 THE COURT: If you could move the microphone  
11 so the equipment can pick up your testimony.

12 THE WITNESS: Yes, ma'am.

13 A My education, I hold a bachelor's degree from  
14 Presbyterian College in political science, and a  
15 master's degree in criminal justice from Charleston  
16 Southern.

17 Q (BY MR. SIMPSON) And you mentioned this, but  
18 in July of 2021, what unit were you working with?

19 A I was working with our crime and homicide  
20 unit.

21 Q And what rank?

22 A At that time my rank was master police  
23 officer, which was MPO.

24 Q Were you considered a detective at that  
25 point?



## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     Yes, I was. I was a detective at that point.

2     **Q**     We've heard mentions this week of a lead  
3 agent or an agent in charge. How does that work in  
4 the Violent Crimes Unit?

5     **A**     Sure. Generally, the way investigations are  
6 structured and the way they are assigned is we  
7 have -- at the time, we had a five-man unit. As  
8 cases arise, they are assigned by a supervisor  
9 based on either experience level, caseload, or any  
10 other factors that the supervisor of the unit  
11 would, essentially, incorporate into his decision  
12 as to how an investigation would be assigned.

13           A lead detective or lead agent would be  
14 responsible for the overall management of the  
15 investigation, and also the actual majority of the  
16 investigative work for that incident.

17     **Q**     As part of the job of lead agent including  
18 directing others?

19     **A**     Yes. That is especially true with a homicide  
20 investigation. Usually -- I think you've heard the  
21 phrase "all hands on deck" a couple of times this  
22 week. With a homicide investigation, that is most  
23 certainly a large-scale response requiring many  
24 additional resources outside of the scope of a  
25 single unit.

## DANIEL WILSON - DIRECT EXAMINATION.

1           So, often, the lead detective in conjunction  
2 with the supervisor of the unit will -- at the  
3 onset of the investigation will delegate tasks to  
4 other detectives within our investigative unit and  
5 within the entire central detective division to  
6 help kind of manage all of those tasks.

7       Q     And who was the assigned lead agent to this?

8       A     I was.

9       Q     And you mentioned you've been here with us  
10 all week?

11      A     Correct.

12      Q     How did you become involved in this case? At  
13 what point in time did you learn about this  
14 incident?

15      A     Sure. I was -- usually, we have a 24-hour  
16 coverage of detectives. So, at the time, I was not  
17 working. I received a call from our supervisor,  
18 who informed me that a homicide had occurred in  
19 West Ashley. He was in the process of procuring  
20 more resources for that and asked that I respond  
21 out to West Ashley, so I did so.

22            When I arrived out there, I was briefed on  
23 the investigation findings and the progress that  
24 occurred so far, and at that time, with the  
25 discussion with my then supervisor, he informed me

## DANIEL WILSON - DIRECT EXAMINATION.

1 that I would be the lead detective on the case, and  
2 essentially from that point on I began to either  
3 task defectives with work or conduct work myself.

4 So once I kind of got that established, I  
5 proceeded to the actual crime scene where I -- just  
6 to kind of familiarize myself with the scene, with  
7 how it was discovered, with any type of evidence  
8 collection or anything that I might see that needs  
9 to be directed.

10 When I got there, much of that had already  
11 occurred. There was always -- first responders had  
12 already been on scene for quite a while. Our  
13 evidence technicians, a search warrant was already  
14 obtained. So I briefly just kind of familiarized  
15 myself with the scene.

16 I discovered that David, the victim, had been  
17 found by his roommate. He had been shot as he  
18 appeared to have been coming inside the residence.  
19 I looked at the doors, looked at the windows, and  
20 didn't see any signs of a break-in. I didn't see  
21 any signs of forced entry. I didn't see any  
22 obvious signs of a struggle.

23 At that point, I learned that David's  
24 roommate was going to be transported to our station  
25 for a little more of in-depth interview, so I

## DANIEL WILSON - DIRECT EXAMINATION.

1 decided it leave the scene at that point and assist  
2 with that interview.

3 Q And is doing detailed interviews when you  
4 locate a body, is that standard procedure at that  
5 point?

6 A Yes, very much so.

7 Q In your role as a lead agent, were there any  
8 other people as the investigation proceeded that  
9 you wanted to speak to?

10 A Basically, when I arrived, there had already  
11 been resources and had already been a game plan  
12 established of who to talk to. Obviously, any  
13 investigation, especially a homicide investigation,  
14 we need information. That information is going to  
15 come from witnesses. It is going to come from  
16 neighbors, from co-workers. So the majority of  
17 those tasks were being handled by other detectives  
18 who were talking with David's co-workers, who were  
19 talking -- going door to door trying to talk to  
20 neighbors to try to see if anyone had heard  
21 anything, seen anything prior to that. So that was  
22 ongoing kind of as my tasks were occurring as well.

23 Q And that night in those efforts of canvassing  
24 that you mentioned, were there any people of  
25 interest?

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     There were no persons of interests that  
2     night. We talked to all of his co-workers, who  
3     were all forthcoming. They explained that most of  
4     their interactions and observations were pretty  
5     reasonable. We later would corroborate a lot of  
6     the information that they provided us.

7     **Q**     What was the first evidence that you came  
8     across or became aware of, of any difficulties that  
9     David Conner had with any person?

10    **A**     So the first -- the first idea that we had  
11    learned that David had a problem -- because on the  
12    outset there was nothing obvious that would have  
13    precipitated this. It was the following day, on  
14    the 14<sup>th</sup>, when we learned of the voicemail that  
15    was left at the leasing office. Obviously, when  
16    you have someone that is killed in their own home,  
17    that has no real obvious -- doesn't appear to be  
18    living a risky lifestyle, has no obvious animosity  
19    with anyone, when we discovered this voicemail that  
20    David left on the voicemail leasing office, that  
21    was very interesting. Unbeknownst to us, we didn't  
22    know he had this encounter with someone. It was  
23    concerning enough and negative enough for him to  
24    call the office and kind of relay this problem that  
25    he had and requested that that person to be removed

## DANIEL WILSON - DIRECT EXAMINATION.

1 by the staff of the apartment complex.

2 Q And, Detective, have you ever testified in a  
3 case before?

4 A Yes.

5 Q Does testimony typically sort of follow a  
6 chronological narrative?

7 A I wish things were nice and chronological.  
8 Sometimes they unfold that way, and sometimes they  
9 don't.

10 Q I would like to proceed with you a little  
11 differently, if that's okay?

12 A Okay.

13 Q And break down your investigation into  
14 subtopics. So we'll cover a topic, and then move  
15 on to another topic, and the chronology may be  
16 messed up.

17 A Okay.

18 Q The first topic I would like to talk about is  
19 timelines. Are establishing an individual's  
20 timelines important in an investigation?

21 A Very much so.

22 Q And beginning with the individual, you note  
23 immediately -- involved in this case, the victim,  
24 David Conner, would you want to establish the  
25 victim's timeline prior to his or her --

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     Most definitely.

2     **Q**     In that, did you locate or collect evidence  
3 at any time that David Conner got home?

4     **A**     We did. Through the previously mentioned  
5 interviews that my colleagues had conducted with  
6 his co-workers, we learned that David --

7             MS. ARORA: Objection; hearsay.

8             THE COURT: I think you should withdraw the  
9 question and rephrase it.

10            MR. SIMPSON: I'll withdraw the question.

11            THE COURT: Sustained.

12     **Q**     **(BY MR. SIMPSON)** Did you collect any  
13 evidence -- excluding anything anyone told you  
14 verbally -- of what time that David left his job?

15     **A**     We did.

16     **Q**     Can you explain that?

17     **A**     Yes, sir. David and his co-workers, their  
18 work trucks were equipped with GPS monitoring  
19 systems, and that GPS was activated in each truck  
20 as they traveled to and from job sites, home. I  
21 mean, pretty much anywhere the members of that crew  
22 went, they were GPS tracked.

23             We discovered that David left his job site --  
24 I believe his truck's ignition turned on around  
25 4:56, and David arrived at 5:31. We also knew that

## DANIEL WILSON - DIRECT EXAMINATION.

1 David had a phone call with his wife, which  
2 essentially spanned his entire trip home, beginning  
3 around 5 o'clock and terminating around 5:31 in the  
4 afternoon.

5 Q And was that phone call -- aside from what  
6 anyone told you, was that phone call corroborated?

7 A Yes. That phone call was reflected in his  
8 phone records.

9 Q I want to move now to the defendant with a  
10 timeline, the timeline of the defendant, Karseem  
11 Hardaway.

12 A Yes.

13 Q First of all, explain how Mr. Hardaway became  
14 a person you were interested in learning more  
15 about?

16 A At the onset of the investigation -- video  
17 canvass is crucial. As everybody knows, there are  
18 video cameras everywhere, so that is always our  
19 main push right at the beginning of an  
20 investigation, to find as much video as we can.

21 We discovered the video Ring doorbell camera  
22 on the neighboring apartment, just almost one door  
23 away from David's, and obtained video from that  
24 Ring camera showing Karseem leaving at 5:04 the  
25 afternoon that David was shot.



## DANIEL WILSON - DIRECT EXAMINATION.

1     **Q**     And is he the only one seen on that  
2 particular camera walking in the direction towards  
3 the victim's apartment between 5:04 and 5:32?

4     **A**     Yes. That's correct.

5     **Q**     That is 25, 30 minutes prior to the murder,  
6 correct?

7     **A**     Correct.

8     **Q**     So what were you interested in regarding that  
9 gap between 5:04 and the 5:32 when Mr. Conner died?

10    **A**     Well, that basically gives us a starting  
11 point. That gives us a person that we don't know  
12 what their involvement is. We know very little  
13 about, but we know that a person left a neighboring  
14 apartment at 5:04. So the next logical step would  
15 be to find out where that person was going, whether  
16 they left the complex right there, whether they  
17 stuck around and saw somebody coming home, saw  
18 David coming home or anything like that, so we  
19 wanted to learn more about that person.

20    **Q**     Are you aware of contact between that  
21 individual, Mr. Hardaway, and any members of your  
22 team?

23    **A**     Um....

24    **Q**     Following that.

25    **A**     Yes. So upon discovering that Ring camera,

## DANIEL WILSON - DIRECT EXAMINATION.

1 Ms. Hardaway provided us with about ten videos. We  
2 discovered that -- at 5:04 we see a person leaving.  
3 That is very interesting, obviously. Could be an  
4 investigative lead. Upon conducting a follow-up,  
5 as we saw Detective Crockett and Detective Jarrell  
6 do that afternoon --

7 Q Let me pause you for a second.

8 A Yes.

9 Q Would you have been aware of the actions of  
10 the other detectives at that time?

11 A Oh, certainly.

12 Q Was the contact that your other detectives  
13 had with Ms. Hardaway captured on video?

14 A Yes. That was captured on their body  
15 cameras.

16 Q And was that video shared with you back then?

17 A Yes.

18 Q And was it shared with you also this week?

19 A Yes, of course.

20 Q And were you here when we reviewed it?

21 A Yes.

22 Q Was that the first time you were able to get  
23 a version of the events?

24 A Essentially, yes.

25 Q And did you get the bullet points of Mr.

## DANIEL WILSON - DIRECT EXAMINATION.

1 Hardaway's version of his (inaudible)?

2 **A** As we saw, Mr. Hardaway confirmed that was  
3 him leaving the apartment at 5:04. During the  
4 encounter, we see him inside of his vehicle, which  
5 is a red Honda. And Mr. Hardaway informed us that  
6 at 5:04 he left to go to Johns Island. So that was  
7 the information that we learned from him that we  
8 went about then corroborating through other means.

9 **Q** So were you interested if Mr. Hardaway did,  
10 in fact, leave at 5:04?

11 **A** Yes.

12 **Q** And what is the first thing your team did to  
13 either confirm that that was true, or perhaps see  
14 if that was not?

15 **A** Sure. Like I mentioned, video is crucial.  
16 And so based on the things that were starting to  
17 unfold, we realized we needed to have a little  
18 broader video canvass in the attempt to locate any  
19 more information regarding Mr. Hardaway's travels.  
20 We collected video from the leasing office and from  
21 the Circle K right on Bees Ferry, which is in close  
22 proximity to the incident location as well.

23 **Q** I'm showing you what is marked and entered as  
24 State's 36 and 37. Beginning with 37, do you  
25 recognize that?

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     Yes, I do.

2     **Q**     What is that?

3     **A**     Exhibit 37 is a red Honda Accord. In the  
4 background is the image of Detective Crockett, and  
5 this is the footage from Detective Jarrell's body  
6 cam.

7     **Q**     So you -- at this point in time you  
8 associated in your investigation with Karseem  
9 Hardaway with this specific vehicle?

10    **A**     Yes.

11    **Q**     Is that depicted in 37?

12    **A**     That is.

13    **Q**     Looking now at 36, do we see a vehicle that  
14 appeared to you to match Mr. Hardaway's?

15    **A**     Yes, sir, it does.

16    **Q**     When we look at 36 and we see the vehicle in  
17 that video, do you know from where that camera is  
18 located and what that camera is showing?

19    **A**     That camera shows the roadway right at the  
20 leasing office for Bolton's Landing.

21    **Q**     And the road that the red Accord is traveling  
22 on, does that lead out of Bolton's Landing?

23    **A**     Yes.

24    **Q**     Towards what road?

25    **A**     What Bees Ferry?

## DANIEL WILSON - DIRECT EXAMINATION.

1     **Q**     And in that video, did you have a time  
2 related to when that car was captured leaving that  
3 Bolton's Landing?

4     **A**     Yes. That car was captured at 5:35 in the  
5 afternoon.

6     **Q**     Not 5:04?

7     **A**     Correct. Not 5:04.

8     **Q**     What was the significance to you of the  
9 vehicle leaving at 5:35?

10    **A**     Per Mr. Hardaway's previous statement, he  
11 informed us that he had left the apartment when he  
12 identified himself on the video at 5:04 that  
13 afternoon. Seeing his car on camera at  
14 5:35 passing the leasing office, going towards Bees  
15 Ferry, that was incongruent with what he originally  
16 told us.

17    **Q**     Detective Wilson, it's just a red Accord.

18    **A**     Right.

19    **Q**     Correct?

20    **A**     That's right.

21    **Q**     Not the only red Accord?

22            MS. ARORA: Objection; leading.

23            THE COURT: Sustained; leading.

24    **Q**     **(BY MR. SIMPSON)** Is that the only red Accord  
25 that exists?

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     That is not the only red Accord that exists.

2     **Q**     So did you want to do any more work aside  
3 from that as to whether or not that is the actual  
4 red Accord?

5     **A**     Yes.

6     **Q**     What was that?

7     **A**     We continued our video canvass in which we  
8 obtained video from the Circle K, which is down the  
9 road, essentially, from the intersection of Bantry  
10 Circle and Bees Ferry. In that video, which is  
11 essentially a direct route from that, we discovered  
12 the same red Accord traveling by that Circle K  
13 minutes later.

14    **Q**     I'll show you what is marked and entered as  
15 State's 18. Do you recognize this?

16    **A**     Yes, sir.

17    **Q**     And what is that?

18    **A**     I'm sorry?

19    **Q**     What is that?

20    **A**     This is, essentially, an overhead satellite  
21 view of the area in which we're discussing.

22    **Q**     And is the crime scene located there?

23    **A**     Yes, it is.

24    **Q**     And can you mark -- you can mark on the  
25 screen.

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     Okay. Essentially, here -- sorry. And we  
2     see the vehicle on this roadway.

3     **Q**     Your second "X" you marked, is that the  
4     exhibit we've already reviewed?

5     **A**     Yes.

6     **Q**     And that's leading to Bees Ferry?

7     **A**     Yes.

8     **Q**     What was the time on that?

9     **A**     The time, 5:35.

10    **Q**     Did you locate -- where is the Circle K you  
11    are speaking of?

12    **A**     If you travel down Bees Ferry, it is here.

13    **Q**     I'll hand you what is marked for ID only as  
14    State's 51.

15    **A**     Yes.

16    **Q**     Do you recognize that?

17    **A**     Yes, I do.

18    **Q**     What is that?

19    **A**     That is a red Honda Accord passing by the  
20    Circle K at 5:37.

21    **Q**     Is that what you obtained from the Circle K  
22    location and you marked on the exhibit?

23    **A**     Yes, we did.

24    **Q**     That was 5:37?

25    **A**     Correct.

## DANIEL WILSON - DIRECT EXAMINATION.

1 Q Does that appear to you to be the same car  
2 associated with --

3 A Yes, it does.

4 Q Detective Wilson, are there more than one red  
5 Accords?

6 A Yes, there are.

7 Q Were you still interested in looking for  
8 more, or could you see whether or not that was  
9 Karseem's red Honda?

10 A Yes, of course.

11 Q So how did you continue looking into it?

12 A During the course of this -- in trying to  
13 corroborate Karseem's direction of travel, you may  
14 not be aware, and you may, but the State maintains  
15 an array of what is called ALPR cameras, which is  
16 "Automated License Plate Reader" cameras. We, as  
17 law enforcement, have access to this system. You  
18 have to apply through the State for a user for  
19 access. In using that system, you can search a  
20 license plate, and it will tell you if that license  
21 plate -- it will tell you where that license plate  
22 has triggered a camera activation.

23 So we conducted a query of that, of Karseem's  
24 license plate, which we had from both DMV records  
25 and from our encounter with him, and discovered --



## DANIEL WILSON - DIRECT EXAMINATION.

1     **Q**     Hold for just one second. I'll show you  
2 State's 66 marked as ID only.

3     **A**     Yes, sir.

4     **Q**     Does that look familiar to you?

5     **A**     Yes, it does.

6     **Q**     What is that?

7     **A**     It is the vehicle registration information  
8 from Karseem Hardaway's Honda Accord.

9     **Q**     Does that include information on the  
10 specifics of that vehicle?

11    **A**     Yes. It includes everything from VIN, to  
12 title number, to owner information, to plate  
13 vehicle, weight, all of that background  
14 information.

15           MR. SIMPSON: I'll seek to admit State's 66.

16           MS. ARORA: No objection.

17           THE COURT: Marked and admitted without  
18 objection, State's 66.

19           (State's Exhibit 66 admitted.)

20    **Q**     **(BY MR. SIMPSON)** Go ahead.

21    **A**     I can't remember where I left off, but I'll  
22 try. In using the license plate reading system,  
23 we're able to find where vehicles go, essentially.  
24 In doing so, we discovered that Karseem's vehicle  
25 was captured on a license plate reader camera

## DANIEL WILSON - DIRECT EXAMINATION.

1 traveling into Johns Island from the Limehouse  
2 Bridge at approximately 5:42 p.m.

3 Q So I'll show you what is marked as ID only as  
4 State's 65. Do you recognize that?

5 A Yes, sir.

6 Q What is that?

7 A This is the actual ALPR display of the  
8 vehicle passing by the camera at 5:42.

9 MR. SIMPSON: At this time the State seeks to  
10 admit State's 65.

11 THE COURT: Any objection?

12 MS. ARORA: No objection.

13 THE COURT: Marked and admitted without  
14 objection, State's 65.

15 (State's Exhibit 65 admitted.)

16 Q (BY MR. SIMPSON) With the benefit of the  
17 actual exhibit, can you explain to the jury what  
18 we're looking at?

19 A Sure. We're looking at the actual image that  
20 the ALPR camera captures as the vehicle passes by  
21 the camera. They are oriented at an angle to where  
22 they, essentially, will capture the tail-end of a  
23 car and the license plate. The license plate is  
24 imposed just to show you what the camera actually  
25 saw, which is the [REDACTED].

## DANIEL WILSON - DIRECT EXAMINATION.

1           Below that yellow bar of [REDACTED], you have  
2 the read date, 7/13/2021 at 5:42 p.m., and then it  
3 tells you the system and the camera.

4     **Q**     Detective, I'll show what is marked as ID  
5 only as State's 19 and 67. Take a moment to look  
6 at those.

7     **A**     Yes, sir.

8           THE COURT: What numbers are those?

9           THE WITNESS: 19 and 67, ma'am.

10    **Q**     **(BY MR. SIMPSON)** Those are two types of maps  
11 of the area you described?

12    **A**     Yes, sir.

13    **Q**     Are these fair and accurate depictions of the  
14 subject area?

15    **A**     Yes, they are.

16           MR. SIMPSON: The state seeks to admit --

17           THE COURT: 19 was admitted without objection  
18 on March 26.

19           MR. SIMPSON: Thank you, Your Honor. State  
20 seeks to admit 67.

21           THE COURT: Any objection?

22           MS. ARORA: No objection.

23           THE COURT: 67 marked and admitted without  
24 objection.

25                   (State's Exhibit 67 admitted.)

## DANIEL WILSON - DIRECT EXAMINATION.

1 Q (BY MR. SIMPSON) Detective, do you recognize  
2 State's 19?

3 A I do.

4 Q Can you indicate where the crime scene is on  
5 that?

6 A Essentially, right up here.

7 Q And the Circle K?

8 A Right here.

9 Q And the location of the ALPR camera?

10 A What you are looking at is the Limehouse  
11 Bridge that travels over the river, and it is hard  
12 to do with my chubby fingers, but essentially the  
13 upper camera is at the base of that bridge going  
14 into Johns Island.

15 Q And 67, do you recognize this?

16 A Yes, I do.

17 Q Did you prepare that?

18 A I did.

19 Q What is that?

20 A Once I learned that route of travel, I was  
21 curious, number one, as to how far that was between  
22 the points; and number two, how long it would take  
23 somebody to go that route. So I did a quick Google  
24 map destination search to see how long that route  
25 would take.

## DANIEL WILSON - DIRECT EXAMINATION.

1     **Q**     And to review, indicate where the red Acura  
2     (sic) was captured on video at 5:35 p.m.

3     **A**     Roughly, here.

4     **Q**     And at 5:37 p.m.?

5     **A**     Here.

6     **Q**     And at 5:42 p.m.?

7     **A**     And, roughly, in this general area.

8     **Q**     Did you later develop further evidence --  
9     staying on the defendant's timeline -- that the  
10    defendant may not have left Bolton's Landing at  
11    5:04?

12    **A**     We did. That came a little later, but once  
13    we obtained the defendant's cell call detail  
14    records -- your cell records are held by your  
15    cellular provider. When you request that data,  
16    they are kind of technically referred to as the  
17    "call detail records."

18            So once we requested that data through a  
19    search warrant, we discovered that Karseem's phone,  
20    as you have just seen with Detective De Sheers,  
21    appeared to be in the area of the crime scene  
22    during the times that we were interested in.

23    **Q**     Did your team also later obtain a search  
24    warrant for seizure of Karseem's actual phone?

25    **A**     Yes. During the course of the investigation,

## DANIEL WILSON - DIRECT EXAMINATION.

1 when you establish what we call "probable cause" -  
2 probable cause is essentially the legal threshold  
3 that a law enforcement officer has to have to be  
4 able to seize property --

5 MS. ARORA: Objection; relevance.

6 THE COURT: Basis?

7 MS. ARORA: Relevance.

8 THE COURT: The question is withdrawn. You  
9 are to give no consideration to the question in  
10 your deliberations. You are to disregard that and  
11 take it from your mind.

12 Q (BY MR. SIMPSON) Were you granted legal  
13 authority to seize Mr. Hardaway's phone?

14 A Yes.

15 Q Were you present when that phone was seized?

16 A Yes.

17 Q Was it taken from the person of Mr. Hardaway?

18 A Yes, it was.

19 Q I'll show you what is marked as ID only as  
20 State's 53. Do you recognize that item?

21 A Yes, sir.

22 Q And what is that item?

23 A That is Karseem's phone.

24 Q Okay.

25 MR. SIMPSON: At this time the State seeks to

DANIEL WILSON - DIRECT EXAMINATION.

1 admit 53 into evidence.

2 MS. ARORA: Your Honor, just renewing my  
3 objection from pretrial.

4 THE COURT: Admitted subject to objection.  
5 Overruled.

6 (State's Exhibit 53 admitted.)

7 THE COURT: You may proceed.

8 MR. SIMPSON: Thank you, Your Honor.

9 THE COURT: You're welcome.

10 Q (BY MR. SIMPSON) Was the phone number  
11 attached to State's 53 the same as the phone number  
12 you requested from Verizon?

13 A Yes, it was.

14 Q And using your response from Verizon?

15 A I did.

16 Q And that response was passed onto who?

17 A Detective De Sheers.

18 Q What was the nature of the complaint that Mr.  
19 Conner left with the front office the night before  
20 his death?

21 A Mr. Conner relayed that he had just had a  
22 confrontation with someone outside of his door  
23 talking too loudly on the phone.

24 Q And what time did that complaint occur?

25 A 9:51 p.m.

## DANIEL WILSON - DIRECT EXAMINATION.

1 Q And did the Verizon records that were sent to  
2 you also include just a basic call log of calls  
3 made by the phone?

4 A Yes, it did.

5 Q I'll show you what is marked for ID only as  
6 State's 80. Do you recognize that exhibit?

7 A Yes, sir, I do.

8 Q What is that exhibit?

9 A This is the data which was provided by  
10 Verizon of Karseem Hardaway's cellular phone  
11 activity.

12 Q I'll ask you again: What was the nature of  
13 the complaint?

14 A That there was someone outside of his door  
15 talking too loudly on the phone.

16 Q What time again did that complaint occur?

17 A 9:51 p.m.

18 MR. SIMPSON: At this point in time, Your  
19 Honor, State seeks to admit State's 80.

20 THE COURT: Any objection?

21 MS. ARORA: Renewing my objection.

22 THE COURT: I'll take it under advisement.

23 (Whereupon, a bench conference was had.)

24 THE COURT: No. 80 is marked and admitted.

25 The objection is overruled based on pretrial.



## DANIEL WILSON - DIRECT EXAMINATION.

1 (State's Exhibit 80 admitted.)

2 Q (BY MR. SIMPSON) Detective Wilson, I'll you  
3 State's 80. Did you review these records when you  
4 received them from Verizon?

5 A I did.

6 Q Is there any period of time that you were  
7 checking to see if that phone was in use?

8 A Yes. Based on the knowledge that David had  
9 called the leasing office at 9:51, we wanted to  
10 look in Karseem's records to see what activity we  
11 were able to locate during that general time frame.

12 Q And was Karseem Hardaway phone active during  
13 that time?

14 A Yes. Karseem's phone was active as  
15 illustrated by this yellow highlighted portion.  
16 His phone was active. And that call, as you see on  
17 the top with the "record open, date and time," is  
18 when the call was initiated, and that call began at  
19 9:41 p.m. -- excuse me 9:46 p.m. I apologize.

20 Q Detective --

21 A Let me take that off. Yeah. You got it over  
22 there.

23 Q You also mentioned establishing a timeline?

24 A Yes, sir.

25 Q For Mark Mosier?

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     Yes.

2     **Q**     And at that time (inaudible)?

3     **A**     I'm sorry?

4     **Q**     Without testifying to anything someone else  
5     said, did you collect other evidence to establish a  
6     timeline?

7     **A**     Yes, sir.

8     **Q**     How so?

9     **A**     We established that by video evidence from  
10    Mark's job site at James Island High School, and we  
11    also established Mark's timeline based on the GPS  
12    tracker inside his work vehicle as well.

13    **Q**     And what time did he arrive at home?

14    **A**     According to that information, Mark arrived  
15    home at around 5:53 in the afternoon.

16    **Q**     Do you also, as your role as detective, have  
17    access to dispatch records?

18    **A**     Yes, I do.

19    **Q**     And do those dispatch records indicate when  
20    the first 911 call came in?

21    **A**     Yes.

22    **Q**     And what time was that?

23    **A**     Mark arrived home at 5:53, and that 911 call  
24    was at 5:55.

25    **Q**     A 5:55?

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     Yes.

2     **Q**     Detective Wilson, going to a different topic  
3 now. I would like to talk about social media and  
4 Facebook.

5     **A**     Yes.

6     **Q**     During the course of your investigation, did  
7 you establish what you believe to be a Facebook  
8 account?

9     **A**     Yes.

10    **Q**     And what did you do with that?

11    **A**     Once we established the defendant's Facebook  
12 account, we issued a search warrant to Facebook for  
13 that account information.

14    **Q**     And did Facebook respond with the records?

15    **A**     It did.

16    **Q**     And was it your task to review the response  
17 from Facebook with those records for any  
18 information that could be relevant to this case?

19    **A**     Yes.

20    **Q**     Did you do that?

21    **A**     Yes, I did.

22    **Q**     I'm showing you what is marked as ID only as  
23 State's 68.

24    **A**     Yes, sir.

25    **Q**     Did the Facebook records that were provided

## DANIEL WILSON - DIRECT EXAMINATION.

1 to you include portions from the Facebook  
2 Messenger?

3 A Yes, it did. It contained Facebook messages.

4 Q And State's 68, what is that?

5 A This exhibit is an example of one of the  
6 messages I found in examining Karseem's Facebook  
7 Messenger account.

8 MR. SIMPSON: Your Honor, at this point in  
9 time I would like to admit --

10 THE COURT: It's already been admitted  
11 subject to the objection on the 27<sup>th</sup>. You are  
12 speaking of 68?

13 MR. SIMPSON: Correct, Your Honor.

14 Q (BY MR. SIMPSON) Detective Wilson, I believe  
15 you testified these are conversations from Facebook  
16 Messenger?

17 A Yes, sir.

18 Q As I reach the second page of that exhibit,  
19 what is the name at the top of this?

20 A That is the author of the message.

21 Q What does it indicate here?

22 A The body says that the author sent a video.

23 Q And we have all of this information here?

24 A That's correct.

25 Q Did Facebook send you media files?

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     Yes.

2     **Q**     And are you able to put the information there  
3 to cross-reference that and see the video?

4     **A**     Yes.

5     **Q**     I'll show you what has been marked as ID only  
6 as State's 8. Have you ever seen this exhibit  
7 before?

8     **A**     Yes.

9     **Q**     Do you recognize it?

10    **A**     Yes.

11           MS. ARORA: Can you clarify --

12           MR. SIMPSON: I am (inaudible).

13    **Q**     **(BY MR. SIMPSON)** Did you review Exhibit 8-G  
14 on that flashdrive?

15    **A**     I believe so, yes.

16    **Q**     What was 8-G?

17    **A**     8-G I believe is a video sent on the 18<sup>th</sup>.

18    **Q**     Is that the video that cross-references to  
19 the video shared on the Facebook account?

20    **A**     Yes, sir.

21           MR. SIMPSON: At this point in time we seek  
22 to admit 8-G and publish.

23           MS. ARORA: Your Honor, I renew my pretrial  
24 objections.

25           THE COURT: 8-G is marked and admitted

## DANIEL WILSON - DIRECT EXAMINATION.

1 subject to the objection and overruled based on the  
2 Court's previous rulings.

3 (State's Exhibit 8-G admitted and published  
4 to the jury.)

5 Q (BY MR. SIMPSON) I'm showing you now what is  
6 marked as State's 69 for identification only. Do  
7 you recognize this exhibit?

8 A Yes, I do.

9 Q What is that?

10 A That is a video -- a still image from the  
11 video we just watched.

12 MS. ARORA: Wait, Chad, it's not --

13 THE COURT: You need to (inaudible), nor have  
14 I seen it.

15 MR. SIMPSON: We seek to admit State's 69,  
16 the still video.

17 THE COURT: Same objection, I assume?

18 MS. ARORA: Same objection.

19 THE COURT: Marked and admitted subject to  
20 the objection and overruled based on previous  
21 Court's ruling.

22 (State's Exhibit 69 admitted.)

23 Q (BY MR. SIMPSON) Does the Facebook app  
24 include the date that the message was sent?

25 A Yes. It says that that was sent on July 18,

## DANIEL WILSON - DIRECT EXAMINATION.

1 2021.

2 Q From observing that video, are you able to  
3 determine any other information?

4 A Yes, sir. What is depicted is -- the top  
5 portion of this is the slide of a handgun. The  
6 bottom portion is the grip and the trigger. There  
7 are markings on the side which are called "wall  
8 marks." Starting from my left to right, you have  
9 20, Gen 4, with the Glock emblem, logo. So you  
10 have a Glock 20, Gen 4 -- which Gen 4 denotes the  
11 generation of the pistol. Each generation of the  
12 pistol, Glock notates them as a Generation 4 or 5.  
13 Austria, where it was made, and the caliber,  
14 10-millimeter auto.

15 Q Moving to the next message of Mr. Hardaway,  
16 once again we see media here?

17 A Yes.

18 Q Were you able to cross-reference that as  
19 other media that was provided by Facebook?

20 A Yes, I was.

21 Q Without saying any words, what was it?

22 A That was an audio message.

23 Q Audio message. And you previously identified  
24 State's 8?

25 A Yes.

## DANIEL WILSON - DIRECT EXAMINATION.

1     **Q**     And you reviewed. Is 8-H an accurate and  
2 exact copy of the audio response that is linked to  
3 that message?

4     **A**     Yes, it is.

5           MR. SIMPSON: Your Honor, at this time point  
6 in time I seek to admit 8-H into evidence and  
7 publish.

8           THE COURT: Any objection?

9           MS. ARORA: Your Honor, I raise my same  
10 objection from pretrial.

11          THE COURT: Ladies and gentlemen, I have a  
12 matter of law to take up with counsel. During the  
13 break, please do not discuss the case, and leave  
14 your notepads in your seats.

15                 (The jury exits at 4:44 p.m., and the  
16 following is heard out of the presence of the jury.)

17          THE COURT: You may be seated. Have you ever  
18 played this?

19          MR. SIMPSON: We've discussed it.

20          THE COURT: It might be privy for the Court  
21 to hear it.

22          MR. SIMPSON: Sure, Your Honor.

23          THE COURT: I think that's wise. That is why  
24 I asked last night if we had anything else.

25          MR. SIMPSON: Ready, Your Honor?



## DANIEL WILSON - DIRECT EXAMINATION.

1 THE COURT: Yup.

2 (Published to the Court.)

3 MR. SIMPSON: Your honor, I think we have  
4 discussed that a lot.

5 THE COURT: Yeah. But, you know, you are all  
6 advocates. Don't take this in the wrong way, but I  
7 can't rely on it. Your perception of things is  
8 colored; mine's not. I don't have to win anymore.  
9 I can be completely objective. So what you tell me  
10 what something says and what it actually says may  
11 be colored by your perception. I need to hear it  
12 for myself. I think the appellant court would  
13 expect me to listen to it before I rule on it.  
14 Yeah. So play it for me again. (inaudible) it's  
15 just reality. You are supposed to be an advocate.  
16 That is your job.

17 Play it one more time.

18 (Published to the judge.)

19 THE COURT: What is your objection?

20 MS. ARORA: Your Honor, I would object to  
21 this coming in under the cell seizure extraction  
22 data.

23 THE COURT: So based on what you perceived  
24 was -- or what you argued was insufficiency of the  
25 warrant?

## DANIEL WILSON - DIRECT EXAMINATION.

1 MS. ARORA: Yes.

2 THE COURT: Which the Court ruled on. So  
3 that objection is overruled. The Court has already  
4 made a contemporaneous ruling after sense of  
5 argument on the issue. So it is admitted subject  
6 to the objection, which is overruled, and is based  
7 on the Court's previous ruling regarding the  
8 admissibility and sufficiency.

9 (State's Exhibit 8H admitted.)

10 Is there anything else that we need to take  
11 up while we have the jury out that might come up?  
12 8-H.

13 MR. SIMPSON: Your Honor, that is all of the  
14 contents of State's 8, and I would move that in as  
15 an entire exhibit.

16 THE COURT: Yeah. I think some of it came in  
17 without objection. Why don't -- I can deal with  
18 that later, okay.

19 Anything else with this witness that I need  
20 to deal with outside of the jury's presence?

21 MR. SIMPSON: I don't believe.

22 THE COURT: All right.

23 (Whereupon, the jury enters at 4:58 p.m., and  
24 the following was had in the presence of the jury.)

25 THE BAILIFF: All jurors are present.

## DANIEL WILSON - DIRECT EXAMINATION.

1 THE COURT: Ladies and gentlemen, we  
2 appreciate your patience.

3 You may proceed, Mr. Simpson.

4 MR. SIMPSON: Thank you.

5 THE COURT: You're welcome.

6 Q (BY MR. SIMPSON) Detective Wilson, we last  
7 left with the Facebook Messenger chat exchange.  
8 You said that a media link correlated to some media  
9 that you reviewed, and what was that again?

10 A Correct. That was an audio file sent during  
11 the course of that conversation.

12 Q And you have reviewed State's 8-H, and that  
13 is an audio file?

14 A Yes, sir.

15 Q I'll publish State's 8-H previously admitted  
16 into evidence.

17 (Published to the jury.)

18 Q (BY MR. SIMPSON) So that correlates with this  
19 file?

20 A Yes, it does.

21 Q Were you able to review -- you were here  
22 today for the testimony of Ms. Heffron?

23 A Yes.

24 Q Would you have been working with her as well  
25 in reviewing the data from the phone extractions?

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     Yes. We work and rely very heavily -- she's  
2     a member of our Digital Evidence Unit, so we rely  
3     on them for a lot of information.

4     **Q**     And we just reviewed a video that you  
5     obtained from Facebook?

6     **A**     That's correct.

7     **Q**     Was that same video also located on the  
8     defendant's phone?

9     **A**     Yes, it was.

10    **Q**     And were any additional videos located on the  
11    defendant's phone?

12    **A**     Yes, there were.

13    **Q**     I'll publish what is previously marked into  
14    evidence as State's 54, July 3, 2021, number one.

15           (Published to the jury.)

16    **Q**     **(BY MR. SIMPSON)** Did you review that video?

17    **A**     Yes, I did.

18    **Q**     July 3, 2021, number two.

19           (Published to the jury.)

20    **Q**     **(BY MR. SIMPSON)** And July 18, 2021.

21           (Published to the jury.)

22    **Q**     **(BY MR. SIMPSON)** This is the second video.  
23    Detective Wilson, does it appear -- from the phone,  
24    does it appear to be the same video from Facebook?

25    **A**     Yes.

## DANIEL WILSON - DIRECT EXAMINATION.

1     **Q**     And there were some additional videos there  
2 as well?

3     **A**     That's correct.

4     **Q**     In reviewing all of the videos from the  
5 phone, were you able to determine any more  
6 information regarding (inaudible)?

7     **A**     I was. I was able to -- from the videos, I  
8 was able to see -- once I paused the videos, I was  
9 able to see the serial number, which is printed on  
10 the side of the handgun.

11    **Q**     Do you recall what the serial number was?

12    **A**     If I can refer to my notes? I believe it is  
13 BNNR372.

14    **Q**     And as you previously testified, some of the  
15 markings, from your experience in law enforcement,  
16 led you to conclude the caliber of that weapon?

17    **A**     That's correct.

18    **Q**     Did you do any more work regarding the  
19 caliber at that point?

20    **A**     I did. Using that serial number, we've  
21 previously heard from the ATF that they maintain a  
22 way to search serial numbers of handguns. So I  
23 used that serial number and requested a search of  
24 that serial number through the ATF system and  
25 discovered that it was linked to a 10-millimeter

## DANIEL WILSON - DIRECT EXAMINATION.

1 handgun.

2 Q And did that trace of that serial number lead  
3 to any other information regarding sales or  
4 purchases of that?

5 A The E-trace report will give you the initial  
6 purchaser of a handgun -- in this case a handgun.  
7 That initial purchaser, we obtained his name. We  
8 know the date which that gun was purchased by him.  
9 The individual -- his name is Joseph Sphar. We  
10 looked up Mr. Sphar and conducted a search warrant  
11 in an attempt to find that handgun.

12 Q Did that search of that residence reveal the  
13 handgun or any related items of the 10-millimeter?

14 A It did not.

15 Q Did you nonetheless ask Mr. Sphar to talk to  
16 you about what may have happened to that gun he  
17 purchased?

18 A I did, and he declined to talk to me.

19 Q Is that a citizen's right, to decline to  
20 speak to you?

21 A Of course.

22 Q Was there also a photo of the defendant  
23 provided to you on his Facebook records that you  
24 believe was relevant?

25 A There was a photo that I observed from his

## DANIEL WILSON - DIRECT EXAMINATION.

1 records. That photo was of the defendant wearing a  
2 very specific pair of jeans with zippers on the  
3 front.

4 Q And I'm showing you what is marked as ID only  
5 as State's 71.

6 A Yes, sir.

7 Q Is that the photo you are referring to?

8 A That is the photo.

9 Q And why would jeans belonging to the  
10 defendant have any sort of connection to this  
11 investigation?

12 A That photo was publicly published on his  
13 Facebook in June of 2021. When I discovered the  
14 videos of the pistol that we just saw, on his  
15 phone, I recognized that the same jeans from the  
16 picture of him in June, which he is wearing, those  
17 appear in the same video in which the firearm is  
18 being presented.

19 MR. SIMPSON: Your Honor, at this point in  
20 time the State seeks to admit State's 71.

21 THE COURT: Any objection?

22 MS. ARORA: Your Honor, I would renew my  
23 pretrial objections in regards to the cell phone.

24 THE COURT: There were others discussed, but  
25 not this.

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1 MS. ARORA: Based on the extraction.

2 THE COURT: The objection is overruled based  
3 on the Court's previous rulings and the specific  
4 findings of fact that the Court made at that time.  
5 It is admitted subject to the objection and  
6 overruled.

7 (State's Exhibit 71 admitted.)

8 MR. SIMPSON: Thank you, Your Honor.

9 THE COURT: You're welcome.

10 Q (BY MR. SIMPSON) Detective Wilson, who  
11 appeared in this image?

12 A The defendant, Karseem Hardaway.

13 Q What is it about these jeans to you that was  
14 distinctive?

15 A The very specific zippers on the front of the  
16 legs of the jeans.

17 Q So even though you got the video of the gun  
18 from the defendant's phone and Facebook records,  
19 you still made more effort to confirm that that  
20 was, in fact, him?

21 A That's correct.

22 Q In that regard, I'll show you what is marked  
23 and admitted as State's 72 through 78. Do you  
24 recognize these exhibits?

25 A Yes, sir. These are the crime scene pictures



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1 of defendant's vehicle.

2 Q And, again, relevant to the -- were these  
3 relevant to further confirm Karseem was in  
4 possession of that handgun?

5 A Yes.

6 Q And in what manner?

7 A Using the video that was captured on his  
8 phone, which I see, number one, a unique pair of  
9 jeans, I see a handgun that is a 10-millimeter,  
10 which is the same caliber that was used in our  
11 crime. I also see in the background of that video  
12 certain characteristics of the vehicle in which the  
13 videographer is sitting. I used the crime scene  
14 pictures taken by the crime scene officers to  
15 cross-reference what I see in their pictures and  
16 what I see in the background of the videos.

17 Q To be clear that I understand you, you have  
18 one set of videos of the jeans?

19 A Yes.

20 Q And another set that appear to be in the car?

21 A I have -- I believe the video of the jeans is  
22 the defendant inside the car. I may be getting  
23 confused. .

24 Q I'll show you State's 69.

25 A Okay. I apologize. I was confused at the

## DANIEL WILSON - DIRECT EXAMINATION.

1 chronology of that.

2 Q Does this appear to be taken in the car?

3 A Yes.

4 Q And if we're going to go watch this video,  
5 would we get more and different views of the  
6 interior of that?

7 A Yes.

8 Q I'm showing you now State's 73, briefly, and  
9 State's 74. What was relevant to you about State's  
10 74 in that video of the handgun?

11 A In the background, I believe I saw the same  
12 -- some of the same characteristics of the vehicle.  
13 The button layout, the gear shifter, and some of  
14 the colors on the stereo faceplate up here.

15 Q And State's 74 taken from the interior of the  
16 car, is that associated with Karseem Hardaway?

17 A Yes.

18 Q I will move on to our next topic. Did you --  
19 in the course of your investigation, did you also  
20 come across information about a Google account  
21 belonging to Karseem Hardaway?

22 A Yes, I did.

23 Q And what was the name of that e-mail related  
24 to that?

25 A KarseemHardaway30@gmail.com.

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1     **Q**     What did you do with that information?

2     **A**     Based on that information, I issued a search  
3 warrant to Google to obtain the information related  
4 to that account.

5     **Q**     And did Google respond to your search warrant  
6 with information?

7     **A**     Yes, they did.

8     **Q**     And I'm showing you now what is marked as ID  
9 only as State's 76. Do you recognize that exhibit?

10    **A**     Yes, sir, I do.

11    **Q**     And is that -- what is that?

12    **A**     These are two YouTube searches conducted on  
13 July 13<sup>th</sup>, the day of the incident, around  
14 2:11 and 2:12 p.m.

15    **Q**     2:11 and 2:12 on July 13?

16    **A**     Correct.

17    **Q**     What is the significance of July 13th, again?

18    **A**     That is the incident date, and those two  
19 YouTube searches are hours before the homicide  
20 occurred.

21           MR. SIMPSON: Your Honor, at this time State  
22 seeks to admit and publish State's 76.

23           THE COURT: Marked and admitted subject to  
24 the objection, which has been ruled upon and  
25 overruled.

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1 (State's Exhibit 76 admitted.)

2 Q (BY MR. SIMPSON) Does State's 76, provided to  
3 you through Goggle, relevant to any Websites or app  
4 application?

5 A Yes.

6 Q What is that?

7 A These two -- in reference to the two YouTube  
8 searches, that was relevant.

9 Q And what is the title of the first video  
10 watched?

11 A It is titled, "Testing the SGM Tactical  
12 30-round 10-millimeter mags."

13 Q And the second search?

14 A "10-millimeter drum."

15 Q And this search was conducted on what date?

16 A July 13<sup>th</sup>.

17 Q Did the Google records also include  
18 information regarding Google searches conducted  
19 through that?

20 A Yes, it did.

21 Q I'm showing you what is previously marked and  
22 entered as State's 58 and 59. Do you recognize  
23 those documents?

24 A Yes, sir, I do.

25 Q Now, those are not from Google, are they?

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     No, sir, those are not?

2     **Q**     Does 58 and 59 show a series of Google  
3 searches?

4     **A**     Yes, it does.

5     **Q**     Do you recognize the source of those  
6 searches?

7     **A**     This is the phone transaction from Karseem's  
8 telephone.

9     **Q**     And Ms. Heffron testified to that earlier  
10 today?

11    **A**     Yes, she did.

12    **Q**     And did you cross-reference State's 58 and 59  
13 against the information you gleaned from the Google  
14 responses?

15    **A**     I did. I found these searches both contained  
16 in the devices itself and the Google records that  
17 were returned from Google.

18    **Q**     Let's go backwards chronologically.

19    **A**     Okay.

20    **Q**     What, again, was the date and time of the  
21 murder?

22    **A**     July 13, 5:32 p.m.

23    **Q**     Were you able to determine in the overall  
24 context of this series of searches the relevance of  
25 this address in Google maps?

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     Springdale is in close proximity to where the  
2     Sack Company is located in South Carolina.

3     **Q**     We see this occurring backing up from 5:25 to  
4     this search. What is this search for?

5     **A**     That appears to be a search of the "Sack  
6     Company," and the victim worked for Sack  
7     Construction Company.

8     **Q**     Going backwards in time. Here?

9     **A**     "Sack Company."

10    **Q**     Here?

11    **A**     "Sack truck."

12    **Q**     Here?

13    **A**     "Sack truck logo."

14    **Q**     Here?

15    **A**     "Sack, Inc."

16    **Q**     Here?

17    **A**     "Sack, Inc."

18    **Q**     Here?

19    **A**     "Star, Inc."

20    **Q**     What time frame are we in now?

21    **A**     11:36, July 12. So the night before the  
22    murder at 11:36 p.m.

23    **Q**     And here?

24    **A**     "Star, Inc. vehicle."

25    **Q**     Here?

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1     **A**     11:35 p.m., "Star, Inc., company truck."

2     **Q**     And the time again of the phone voicemail  
3     from the victim to the front office?

4     **A**     9:51 p.m.

5     **Q**     And the time that those searches begin on  
6     Karseem Hardaway's phone?

7     **A**     Approximately, 11:35.

8     **Q**     And the time those searches end on Karseem's  
9     phone?

10    **A**     5:25 p.m.

11    **Q**     And the time that David Conner was murdered?

12    **A**     5:32 p.m.

13    **Q**     Following the death of David Conner, was  
14    there any information on that phone or the Google  
15    searches indicating Karseem Hardaway's interest in  
16    the Sack Construction Company?

17    **A**     No, sir. There was none.

18    **Q**     So I'll move on to another topic.

19    **A**     Yes, sir.

20    **Q**     Ring camera. We had discussions about Ring  
21    cameras, correct?

22    **A**     Yes.

23    **Q**     And, initially, although it wasn't you, but  
24    are you aware that Ring cameras was provided to  
25    your team voluntarily?

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- 1     **A**     Yes, there was.
- 2     **Q**     How many videos?
- 3     **A**     Roughly, ten.
- 4     **Q**     And who were those provided from?
- 5     **A**     They were provided from Tiffany Hardaway.
- 6     **Q**     And when were they provided?
- 7     **A**     They were provided the night of the incident.
- 8     **Q**     Did you want to follow-up and see if you
- 9     could obtain more videos?
- 10    **A**     Yes.
- 11    **Q**     So how did you go about to do that?
- 12    **A**     I issued a search warrant to Ring to get data
- 13    from that specific time frame.
- 14    **Q**     Did you receive a response from that search?
- 15    **A**     I did.
- 16    **Q**     Did anything in response for the search
- 17    warrant from the Ring video say here is a video
- 18    that was deleted or a deletion of that or something
- 19    that is no longer here?
- 20    **A**     No. We subsequently learned that that data,
- 21    in any kind of deletion event, is not recorded by
- 22    Ring.
- 23    **Q**     Nevertheless, they did provide you with
- 24    videos?
- 25    **A**     Yes, they did. Upwards of a hundred or more.



## DANIEL WILSON - DIRECT EXAMINATION.

1 Q So they sent approximating about a hundred?

2 A I think so, yes.

3 Q Detective Wilson, I would like to start with  
4 number one and move through number one hundred.

5 Did you determine that any of those hundred  
6 videos were specifically relative to your  
7 investigation?

8 A Yes, there were.

9 Q And why were these relevant?

10 A They showed general comings and goings from  
11 the apartment on the dates we were interested in.

12 Q I'm showing you what is marked as State's 79;  
13 is this familiar?

14 A Yes.

15 Q Do you know what subfiles 79-B, C, D, and E  
16 are on State's 79?

17 A Not off the top of my head, but I believe  
18 they are Ring videos.

19 Q Are they the Ring videos we were discussing?

20 A Yes.

21 Q Out of the hundred?

22 A Yes.

23 MR. SIMPSON: Your Honor, at this point in  
24 time State seeks to admit 79-B, C, D, and E and  
25 publish, subject to previous discussion.

## DANIEL WILSON - DIRECT EXAMINATION.

1 MS. ARORA: I would just renew my pretrial  
2 objections.

3 THE COURT: Marked and admitted subject to  
4 the objection. Overruled based on the Court's  
5 previous ruling and findings of facts regarding the  
6 admissibility. You may proceed.

7 (State's Exhibit 79B-E admitted.)

8 Q (BY MR. SIMPSON) Did the Ring Camera Company  
9 provide you videos that had timestamps on the  
10 videos?

11 A They did not.

12 Q Did they provide you with documentation of  
13 the times matching each video?

14 A They did.

15 Q So how did you -- did you have to  
16 cross-reference that?

17 A They essentially provided one block of  
18 information, a big block of videos. And then they  
19 provided me with file names and dates. I had to  
20 cross-reference the Word document with the file  
21 names with the video files.

22 Q If you could, examine the titles of the files  
23 before you that is 79-B, C, D, and E. We see a  
24 date and time added to the file name?

25 A Yes.

## DANIEL WILSON - DIRECT EXAMINATION.

1     **Q**     Are those the dates and times you correlated  
2 by the data provided by Ring?

3     **A**     Yes, that would have been provided by Ring.

4     **Q**     But the original files weren't named?

5     **A**     Correct.

6     **Q**     Playing 79-B named "Ring 4:16 p.m., 7/12/21."

7             (Published to the jury.)

8     **Q**     **(BY MR. SIMPSON)** Is there anything after  
9 that?

10    **A**     No, sir.

11    **Q**     That was terrible.

12             Are you able to identify the individual  
13 walking into the apartment?

14    **A**     Yes. That is Karseem Hardaway.

15    **Q**     And 79-C is entitled "Ring, 8:00 p.m."

16             (Published to the jury.)

17    **Q**     **(BY MR. SIMPSON)** Detective, is there anything  
18 in particular that you noticed in this video?

19    **A**     Yes, there was. On this video, it appears  
20 that there are -- in Karseem's left pocket there is  
21 the butt or the bottom portion of the grip of a  
22 handgun.

23    **Q**     And the date and time again of that video?

24    **A**     7/12/21 at 8 o'clock p.m.

25    **Q**     This was taken soon after --

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     Yes, it does.

2     **Q**     And 81-E, "Ring cam 6:06, 7/13."

3             (Published to the jury.)

4     **Q**     **(BY MR. SIMPSON)** Now, you referenced you  
5 previously reviewed ten videos provided to you at  
6 the initial start of the investigation?

7     **A**     Correct.

8     **Q**     Were those also within the Ring camera?

9     **A**     Yes.

10    **Q**     So the Ring cameras you were provided by  
11 Ring.

12             Did it also include the videos of Karseem  
13 Hardaway leaving Ms. Hardaway's apartment at  
14 5:04 p.m.?

15    **A**     Yes.

16    **Q**     And what direction is he going?

17    **A**     He turns right in the direction of the  
18 victim's apartment.

19    **Q**     Do either of these additional Ring cam videos  
20 you receive show anyone else walking down this  
21 breezeway past this Ring cam from the time of 5:04  
22 when Karseem goes that way, until the time we see  
23 Mark Mosier enter?

24    **A**     No. Mark and the first responder are the  
25 next video.

## DANIEL WILSON - DIRECT EXAMINATION.

1     **Q**     So nothing changed with that when you  
2     obtained the Ring videos?

3     **A**     Correct.

4     **Q**     Let's address this head-on. Is there any  
5     Ring camera that shows Karseem walking towards the  
6     victim's apartment around the time the  
7     confrontation allegedly happened?

8     **A**     No.

9             MR. SIMPSON: Court's indulgence.

10            (A brief pause in the proceedings.)

11     **Q**     **(BY MR. SIMPSON)** I'm showing you what is  
12     marked as ID only as State's 75.

13     **A**     Yes, sir.

14     **Q**     Do you know what is contained in that bag?

15     **A**     Yes, sir.

16     **Q**     Did you later participate in the arrest of  
17     Mr. Hardaway?

18     **A**     I did.

19     **Q**     What was he wearing when he was arrested?

20     **A**     He was wearing a pair of light colored jeans  
21     with zippers on the front.

22     **Q**     Do they appear to be the same jeans from the  
23     video of the handgun?

24     **A**     Yes, they do.

25     **Q**     And that is State's Exhibit 75?

## DANIEL WILSON - DIRECT EXAMINATION.

1     **A**     Yes.

2           MR. SIMPSON:  At this time State seeks to  
3 enter State's Exhibit 75.

4           THE COURT:  Any objection?

5           MS. ARORA:  No objection.

6           THE COURT:  Without objection, marked and  
7 admitted, State's 75.

8                   (State's Exhibit 75 admitted.)

9           MR. SIMPSON:  Thank you very much.  Please  
10 answer any questions Ms. Arora has.

11          THE COURT:  Please approach.

12                   (Whereupon, a bench conference was had.)

13          THE COURT:  Ladies and gentlemen, we  
14 anticipate the cross of this witness will take  
15 about 20 additional minutes with this witness -- is  
16 this your last witness?

17          MR. SIMPSON:  Yes, ma'am.

18          THE COURT:  This witness would complete the  
19 State's case, and I anticipate we'll have closing  
20 argument and instruction on tomorrow.  However,  
21 we'll have a delayed start because I have an  
22 appointment in the morning.  I don't know if you  
23 all try to get doctor appointments, you have to  
24 take them when they give them to you.  They used to  
25 accommodate us and do them during chambers, and now

## DANIEL WILSON - DIRECT EXAMINATION.

1 they have amnesia. They said if you can't get  
2 here, wait a year. It's craziness trying to get  
3 doctor's appointments. I would reschedule if I  
4 could, but I can't.

5 So we will have a delayed start in the  
6 morning. But the point of my question is would it  
7 cause anybody any problems with their schedule to  
8 complete this witness before we go home tonight?  
9 If there is, please don't be shy to tell me.

10 Okay. So the lawyer needs a comfort break,  
11 and so does the Court. We're going to do that real  
12 quick and give you all one as well, which I  
13 anticipate will be about five minutes, as long as  
14 it takes us to walk down the hall and come back.  
15 And then we'll complete this witness' testimony.  
16 So I'll give you all an opportunity to do the same.

17 Please don't discuss the case, and leave your  
18 notepads in your seats.

19 (The jury exits at 5:17 p.m., and the  
20 following is heard out of the presence of the jury.)

21 THE COURT: We'll be at ease for five  
22 minutes, as long as it takes us to dart and dart  
23 back.

24 Officer Wilson, you are welcome to do the  
25 same, just don't discuss your testimony with

## DANIEL WILSON - CROSS EXAMINATION

1 anyone.

2 THE WITNESS: Yes, ma'am. Thank you.

3 (A recess was taken.)

4 THE COURT: Is the State ready to proceed?

5 MR. SIMPSON: Yes, Your Honor.

6 THE COURT: Defense ready to proceed?

7 MS. ARORA: Yes, Your Honor.

8 THE COURT: All right.

9 (Whereupon, the jury enters at 5:29 p.m.,  
10 and the following is heard in the presence of the  
11 jury.)

12 THE BAILIFF: All jurors are present, Your  
13 Honor.

14 THE COURT: Be seated.

15 You may proceed.

16 MS. ARORA: Thank you, Your Honor.

17 **CROSS EXAMINATION**

18 **BY MS. ARORA:**

19 **Q** Hello again, Detective Wilson.

20 **A** Hello.

21 **Q** You started your direct today with previous  
22 timelines of events, correct?

23 **A** Yes.

24 **Q** So during the course of your investigation  
25 you created a timeline of when this occurred, what



## DANIEL WILSON - CROSS EXAMINATION

1 occurred?

2 **A** Yes.

3 **Q** And you used GPS records?

4 **A** Yes.

5 **Q** As well as cell phone records?

6 **A** Correct.

7 **Q** So you were able to verify that he got home  
8 around 5:31?

9 **A** Yes.

10 **Q** And you also learned that Mark Mosier got  
11 home at 5:55?

12 **A** 5:53.

13 **Q** 5:53. And 5:55 is when that 911 call went  
14 through?

15 **A** Correct.

16 **Q** And so Mark found David in between 5:53 and  
17 5:55?

18 **A** Yes.

19 **Q** And so it's fair to say there's a window of  
20 when the shooting occurred? It could have occurred  
21 any time between 5:31 and 5:53?

22 **A** I suppose that is possible, yes.

23 **Q** That would be a 20-minute window?

24 **A** Okay.

25 **Q** Could have occurred at 5:32?

## DANIEL WILSON - CROSS EXAMINATION

- 1     **A**     Possibly, yes.
- 2     **Q**     Or occurred at 5:40?
- 3     **A**     Possibly.
- 4     **Q**     5:45?
- 5     **A**     Possibly.
- 6     **Q**     We just don't know the exact minute?
- 7     **A**     I don't think we can definitively say the
- 8     exact minute, no.
- 9     **Q**     Let's talk about the surveillance video, and
- 10    I'll start with what you observed. So you
- 11    testified that you viewed the Bolton's Landing
- 12    video, and this is a camera in the main office?
- 13    **A**     Yes.
- 14    **Q**     And this points towards the -- it points
- 15    towards a road that goes past the main office?
- 16    **A**     That's right.
- 17    **Q**     And this road goes both directions? It is a
- 18    two-way road?
- 19    **A**     That's right.
- 20    **Q**     You can see cars passing by going towards
- 21    Bees Ferry?
- 22    **A**     Right.
- 23    **Q**     And also the other direction?
- 24    **A**     That's right.
- 25    **Q**     You stated that you observed a vehicle that

## DANIEL WILSON - CROSS EXAMINATION

1 you believe was (inaudible)?

2 A Correct.

3 Q And you believe it was traveling on Blue  
4 Waterway towards Bees Ferry?

5 A I don't remember the exact name of the road,  
6 but it is the road captured by the camera that  
7 travels out to Bees Ferry, correct.

8 Q You believe this was at 5:35?

9 A Yes.

10 Q You stated that you believed it was Karseem's  
11 car because it matched a description?

12 A Yes.

13 Q You did not see the license plate on that  
14 car?

15 A No, you cannot.

16 Q You can't see who is driving that car?

17 A No, ma'am.

18 Q You can't tell the exact make of the car?

19 A You can't.

20 Q The exact make or model of the car?

21 A No, but it appeared to be consistent with  
22 Karseem's.

23 Q But you can't confirm that was Karseem's car?

24 A Correct.

25 Q And in reviewing that surveillance photo, you

## DANIEL WILSON - CROSS EXAMINATION

1 were looking for cars after 5:31, correct?

2 A Pretty much, yes.

3 Q Possibly 5:31 and 5:55 was the time range?

4 A Roughly.

5 Q And (inaudible)?

6 A Potentially, given the right context, yes.

7 Q And during the time period, other cars did  
8 pass by?

9 A I think I remember some, yes.

10 Q You also testified that you expanded your  
11 investigation and you got surveillance video from  
12 the Circle K gas station?

13 A That's right.

14 Q That is the gas station that is on the corner  
15 of Main Road and Bees Ferry?

16 A That's correct.

17 Q And, once again, you wanted to see if a car  
18 that was consistent with Karseem's was traveling  
19 by?

20 A Yes.

21 Q And so you watched the time frame -- I  
22 believe it was between 5 o'clock and 6 o'clock?

23 A That sounds right.

24 Q I think Detective Jackson that said --

25 A Right. Right.

## DANIEL WILSON - CROSS EXAMINATION

1     **Q**     So as your job as an investigator, you wanted  
2 to review these videos?

3     **A**     Yes.

4     **Q**     And you did, and you said you saw a car at  
5 5:37?

6     **A**     Uh-huh.

7     **Q**     And you believe it was Karseem's?

8     **A**     Correct.

9     **Q**     But you can't see the license plate on that  
10 car?

11    **A**     That's right.

12    **Q**     You can't see who is driving the car?

13    **A**     That's right.

14    **Q**     You can't see the make or model of the car?

15    **A**     It, essentially -- just like I said on the  
16 previous video, it appeared consistent with the  
17 Honda Accord.

18    **Q**     And you watched the hours' worth of time  
19 frame between 5:00 and 6 o'clock?

20    **A**     I don't recall watching the entire hours'  
21 worth, but I'm sure I watched the majority of it.

22    **Q**     And during this time, you saw other cars pass  
23 by?

24    **A**     Yes, there were other cars that passed by.

25    **Q**     That matched the description?

## DANIEL WILSON - CROSS EXAMINATION

1     **A**     I don't recall.

2     **Q**     But there was other cars that passed by?

3     **A**     There were other cars, yes.

4     **Q**     You previously discussed Google maps --

5     **A**     Yes.

6     **Q**     -- to show the direction (inaudible), and the  
7     reason is because Karseem's car was captured at an  
8     ALPR at 5:42?

9     **A**     Right.

10    **Q**     And so you wanted to investigate the route  
11    that he could have traveled?

12    **A**     Right.

13    **Q**     And just to verify, you ran the ALPR, and the  
14    vehicle was captured at 5:42?

15    **A**     Yes.

16    **Q**     It is at the base of the Limehouse Bridge, at  
17    491 Main Road?

18    **A**     I don't know the exact address, but it is  
19    essentially on the downslope of the base, yes.

20    **Q**     And you wanted to see how far away that was  
21    from the apartment?

22    **A**     I was. I was interested to see what that  
23    distance was.

24    **Q**     And you wanted to see what was the direction  
25    or how long it could have taken to get there?

## DANIEL WILSON - CROSS EXAMINATION

1     **A**     I was. I was curious to see how far that  
2     was.

3     **Q**     And so you did it on Google maps?

4     **A**     Uh-huh.

5     **Q**     Is google maps in (inaudible)?

6     **A**     I don't know that it accounted for any kind  
7     of traffic flow at that time. I don't know how  
8     Google would be able to do that. I know it gives  
9     me the distance between the two points.

10    **Q**     It gives you the distance, but wouldn't have  
11    told you on July 13<sup>th</sup> how long it would have  
12    taken to travel it?

13    **A**     That's right.

14    **Q**     And, in general, you testified that your  
15    (inaudible) Charleston Police Department and been  
16    doing it a long time?

17    **A**     Yes.

18    **Q**     And that means you know the City of  
19    Charleston area? You patrolled that area?

20    **A**     I know a lot of the City of Charleston. When  
21    I was a patrol, I was primarily -- I was strictly  
22    downtown. But Charleston has grown at such a rate,  
23    it is hard for me to even keep up.

24    **Q**     But you are in Charleston and you are  
25    familiar with it?

## DANIEL WILSON - CROSS EXAMINATION

1     **A**     Yes.

2     **Q**     And West Ashley is in your jurisdiction?

3     **A**     It is.

4     **Q**     And it is considered in the City of

5 Charleston?

6     **A**     Right.

7     **Q**     And in that area there is a number of

8 neighborhoods around Bolton's Landing?

9     **A**     Yes.

10    **Q**     First ones being actual houses next to the

11 apartments?

12    **A**     That's right.

13    **Q**     And then you have Bees Ferry and Grand Oaks?

14    **A**     Right.

15    **Q**     You also have Hunt Club, which is another

16 neighborhood?

17    **A**     Okay.

18    **Q**     Carolina Bay on 17 right there, the high

19 school right there?

20    **A**     I think the high school is further up, Glenn

21 McConnell, but it is in the general area.

22    **Q**     And these are -- Bees Ferry is a major route

23 of travel to get to these?

24    **A**     It is.

25    **Q**     And you traveled through those areas, and you



## DANIEL WILSON - CROSS EXAMINATION

1 know traffic can get congested?

2 A Yes, it can.

3 Q Especially during rush hour, which would be

4 4:30 to 6:30?

5 A That is kind of the usual rush hour, yes.

6 Q It can get congested or if there is an actual

7 accident --

8 A True.

9 Q I want to pull what you previously testified

10 to. This is that route of travel, State's Exhibit

11 67?

12 A Okay.

13 Q And you testified that you saw Karseem's car

14 pull out of the Bolton's Landing Apartments, which

15 is this spot right here?

16 A Roughly, yes.

17 Q And traveled down this blue line?

18 A Correct.

19 Q Past the Circle K right here?

20 A Correct.

21 Q And traveled straight through onto Johns

22 Island?

23 A That's right.

24 Q And there are other ways to get to Johns

25 Island from Bolton's Landing, correct?

## DANIEL WILSON - CROSS EXAMINATION

1     **A**     I assume there are. I'm not real familiar  
2 with that end of Charleston, but I would assume  
3 there are other ways.

4     **Q**     And you can see there is -- Bees Ferry Road  
5 continues past Publix? Do you see that?

6     **A**     I do.

7     **Q**     And it dead-ends into 17?

8     **A**     Yes.

9     **Q**     And there is a route of travel right here to  
10 17 and Main Road again?

11    **A**     Correct.

12    **Q**     And I believe it is Bojangles?

13    **A**     That is what it says.

14    **Q**     And you can turn right at that Bojangles?

15    **A**     Yes.

16    **Q**     There is also a route of travel that goes  
17 through this (inaudible) neighborhood?

18    **A**     Okay.

19    **Q**     Do you see the neighborhood?

20    **A**     I do. It is pretty faint, but I do see that.

21    **Q**     And do you see right here where there is a  
22 connection to 17?

23    **A**     Just barely I do, yes.

24    **Q**     And so there are other ways that you can get  
25 to Johns Island?

## DANIEL WILSON - CROSS EXAMINATION

1     **A**     True.

2     **Q**     There is not just one?

3     **A**     Correct.

4     **Q**     Shifting to some of your investigation, you  
5 testified on direct that you are the case agent?

6     **A**     Yes.

7     **Q**     So that means you're kind of leader of all of  
8 the detectives and everyone working on this?

9     **A**     Yes.

10    **Q**     You help compile the incident reports?

11    **A**     What do you mean "compile incident reports"?

12    **Q**     You are aware of all of the incident reports  
13 filed in this case?

14    **A**     So the way that works is that each individual  
15 detective, were they to take on a task during the  
16 course of the investigation, they would write a  
17 supplemental report, and that supplement report  
18 would go to the supervisor of the unit, who would  
19 ultimately approve that report. So at the time I  
20 did not -- while I had approval -- they call it  
21 "approval rights" to read supplemental reports, I  
22 don't recall being tasked with that particular  
23 duty.

24    **Q**     Part of being lead agent, though, is you are  
25 aware of what other officers are doing?

## DANIEL WILSON - CROSS EXAMINATION

- 1     **A**     To the best of my ability, yes.
- 2     **Q**     And you spoke with Detective Crockett?
- 3     **A**     Yes.
- 4     **Q**     Or Detective Jarrell?
- 5     **A**     Sure.
- 6     **Q**     And you knew what they were doing?
- 7     **A**     Yes.
- 8     **Q**     And you work together as a team?
- 9     **A**     I'm sorry?
- 10    **Q**     You work together as a team?
- 11    **A**     Yes.
- 12    **Q**     And so during the course of your
- 13    investigation, you learned that there could be a
- 14    possible witness that was outside around that time?
- 15    **A**     Who might that be?
- 16    **Q**     Richard Ivey?
- 17    **A**     Yes.
- 18    **Q**     He was interviewed by detectives?
- 19    **A**     Correct.
- 20    **Q**     And you were aware that he was outside?
- 21    **A**     I think he was outside at a point during
- 22    this. I don't recall the exact time frame he was.
- 23    **Q**     But you followed up with him?
- 24    **A**     Yes, we did.
- 25    **Q**     You tried to track him down?

## DANIEL WILSON - CROSS EXAMINATION

1     **A**     I don't remember who did that exactly, but we  
2 did try to track him down.

3     **Q**     And as of this date, there has been no other  
4 follow-up?

5     **A**     Not that I'm aware of, no.

6     **Q**     And you just stated as case agent you are  
7 familiar with what other detectives did on this  
8 case?

9     **A**     The majority of it, yes. I can't account for  
10 everyone at all times. It is a pretty daunting  
11 task to keep track of multiple people and a lot of  
12 moving parts, but to the best I can, yes.

13    **Q**     And you reviewed this case (inaudible)?

14    **A**     Yes.

15    **Q**     And so while you were working on this case,  
16 you were able to decide if leads needed to be  
17 followed up on (inaudible)?

18    **A**     If there were, yes.

19    **Q**     And you were made aware that Detective  
20 Jarrell learned about a motorcycle lead?

21    **A**     I do remember that, yes.

22    **Q**     And during the course of that investigation,  
23 you learned that there was a motorcycle in the  
24 parking lot?

25    **A**     We did locate a motorcycle in the parking

## DANIEL WILSON - CROSS EXAMINATION

1 lot.

2 Q And during -- there was no follow-up on that  
3 motorcycle?

4 A In what regards?

5 Q No one has reached out to the owner of that  
6 motorcycle?

7 A We did a cursory look into that motorcycle,  
8 the one that they found. There was no way to know  
9 which motorcycle that was, per se. That motorcycle  
10 was parked in the complex. It was registered to an  
11 individual, who I conducted a background check on.  
12 They had two minor traffic infractions, and as of  
13 most recently, they still reside at the complex.  
14 Anything beyond that, no, we did not.

15 Q But you haven't spoken to that individual?

16 A No. There was no real evidence leading us in  
17 that direction.

18 Q You mentioned previously that you are in  
19 charge of executing and serving search warrants?

20 A Yes.

21 Q You mentioned about the search warrant?

22 A Uh-huh.

23 Q You were also aware of all of the evidence in  
24 this case, correct?

25 A Aware, yes. Generally aware, yes.

## DANIEL WILSON - CROSS EXAMINATION

1     **Q**     And so you authorized a search warrant to  
2 collect evidence in this case on July 28<sup>th</sup>?

3     **A**     Which search warrant?

4     **Q**     This was the search warrant for Karseem's  
5 DNA.

6     **A**     Yes.

7     **Q**     And that was specifically what we call a  
8 "buccal swab"?

9     **A**     Buccal swab, yes.

10    **Q**     Buccal swab, excuse me.

11           And you got this because you wanted to  
12 compare Karseem's DNA to anything found at the  
13 crime scene?

14    **A**     Yes, that's correct.

15    **Q**     So you executed a search warrant and swabbed  
16 his cheek?

17    **A**     I think either I or Detective Crockett. I  
18 can't remember which one.

19    **Q**     And as of this day, you are not aware of his  
20 DNA compared to anything found?

21    **A**     I'm not sure that there was any DNA that we  
22 submitted to be tested that would be relevant to  
23 the case.

24    **Q**     There is no DNA that was submitted to be  
25 tested?

## DANIEL WILSON - CROSS EXAMINATION

1     **A**     None that appeared to be relevant, no.

2     **Q**     You also stated on direct that you went down  
3 to the station to interview Mark Mosier?

4     **A**     Yes.

5     **Q**     You were present on July 13<sup>th</sup> at the  
6 station?

7     **A**     Yes.

8     **Q**     And during this time you were aware that a  
9 gunshot residue kit was conducted?

10    **A**     Correct.

11    **Q**     And, by that, I mean his hands were swabbed  
12 for gunshot residue?

13    **A**     That's right.

14    **Q**     And this is done by a CSI?

15    **A**     It would have been, yes. I don't remember  
16 who, but that usually is conducted by a crime scene  
17 tech.

18    **Q**     As of today, you are not aware that that was  
19 ever sent off to SLED?

20    **A**     I don't believe so.

21    **Q**     I want to bring your attention to some of the  
22 Google searches you testified to. One of those  
23 searches you thought was significant, and that was  
24 for tampering with evidence?

25    **A**     Yes.



## DANIEL WILSON - CROSS EXAMINATION

1 Q And you believe that occurred on July 16<sup>th</sup>?

2 A That is what the records say, yes.

3 Q And you believe it was around 2:08 p.m.?

4 A I don't remember the exact time frame, but it  
5 was on the 16<sup>th</sup>, yes.

6 Q You are also aware that Tiffany Hardaway was  
7 arrested for obstruction of justice?

8 A Correct.

9 Q And she was arrested on July 16<sup>th</sup>?

10 A That's right.

11 Q And that was in the early morning hours?

12 A I think that's right.

13 MS. ARORA: Beg the Court's indulgence.

14 Q (BY MS. ARORA) I want to bring your attention  
15 now to the gun you previously testified to. This  
16 is in regards to this serial number?

17 A Okay.

18 Q We heard today -- this week from Agent  
19 Eikenberg, and that was in regards to how it was  
20 traced?

21 A Yes.

22 Q And you testified that he submitted a serial  
23 number to be traced?

24 A That's right.

25 Q And you also said today that you were

## DANIEL WILSON - CROSS EXAMINATION

1 successful in finding a trace on it?

2 A That's right.

3 Q And finding successful trace meaning a hit in  
4 the database?

5 A Yes. That serial number returned with  
6 information on it.

7 Q And this gun returned information, and it was  
8 for Joseph -- and I'll butcher his name -- Sphar?

9 A Sphar.

10 Q And so he was the registered owner, I  
11 believe?

12 A He was the registered purchaser of the gun.

13 Q Registered purchaser, excuse me.

14 So you went and conducted a search warrant at  
15 Joseph's house?

16 A Yes.

17 Q You located several firearm boxes?

18 A Uh-huh. That's right.

19 Q You did not locate this gun?

20 A No, I didn't.

21 Q And you tried to interview Joseph?

22 A Correct.

23 Q And he refused to cooperate?

24 A That's correct.

25 Q And that was it? Nothing further?

## DANIEL WILSON - CROSS EXAMINATION

1     **A**     That's correct.

2     **Q**     We also heard earlier today from Dr.  
3 Richards, and she testified that she found bullet  
4 fragments in David's head?

5     **A**     Okay.

6     **Q**     And those were entered into evidence.

7     **A**     Okay.

8     **Q**     And you are familiar with what was found in  
9 David's head?

10    **A**     Yes.

11    **Q**     As well as parts of a bullet?

12    **A**     I remember the fragments. Some were larger  
13 than others, yes.

14    **Q**     And this was returned to the police  
15 department, and I believe this was through  
16 (inaudible)?

17    **A**     Normally, once evidence is collected at  
18 autopsy, it is basically released back to the  
19 police department's evidence, yes.

20    **Q**     That was taken from MUSC and returned to the  
21 CPD evidence room or locker?

22    **A**     I don't have direct knowledge on how that  
23 happened, but that would be normal procedure, yes.

24    **Q**     But it would be normal for those fragments to  
25 be stored?

## DANIEL WILSON - CROSS EXAMINATION

- 1     **A**     Yes.
- 2     **Q**     And they were saved in a sealed envelope?
- 3     **A**     Like I said, I didn't have any direct action
- 4     with that, but that would be the procedure.
- 5     **Q**     And you are not aware that those fragments
- 6     were never sent out for testing after that?
- 7     **A**     There is very limited, if any, information
- 8     that you are able to obtain from those types of
- 9     fragments.
- 10    **Q**     And, to your knowledge, the gun that you
- 11    (inaudible)?
- 12    **A**     Correct.
- 13    **Q**     So there has been no gun linked to the shell
- 14    casings?
- 15    **A**     Um....
- 16    **Q**     Let me rephrase. The gun hasn't been found?
- 17    **A**     That's correct.
- 18    **Q**     I want to take us back to the actual
- 19    apartment and the layout of Bolton's Landing and
- 20    that breezeway. So when you show up on scene, you
- 21    do a walk-through of the apartment?
- 22    **A**     Right.
- 23    **Q**     And you did not observe any signs of forced
- 24    entry?
- 25    **A**     Correct.

## DANIEL WILSON - CROSS EXAMINATION

1     **Q**     Or observe anything that would relate to a  
2 break-in?

3     **A**     That's right.

4     **Q**     And you were also able to walk through that  
5 breezeway (inaudible)?

6     **A**     Yes.

7     **Q**     And, by that, I mean you saw there was two  
8 apartments on one side of the hallway, and then two  
9 apartments on the other side of the hallway?

10    **A**     Right. Right.

11    **Q**     And you were able to see where Tiffany  
12 Hardaway's Ring camera was?

13    **A**     Yes.

14    **Q**     And you saw from that Ring camera -- we  
15 talked about it?

16    **A**     Yes.

17    **Q**     And that Ring camera only shows what is  
18 across the -- directly across the hall?

19    **A**     It is not necessarily that limited that it  
20 shows directly across, but you do get some angle.

21    **Q**     I guess I would describe it as a fish-eye  
22 view. You see a little more?

23    **A**     I would say that is accurate, yeah.

24    **Q**     And as I stated, you have no video showing  
25 who came from any other side of the breezeway?

## DANIEL WILSON - CROSS EXAMINATION

1     **A**     Help me with that question.

2     **Q**     There is no video of David Conner coming  
3 home?

4     **A**     No. Not on that Ring camera, no.

5           MS. ARORA: Beg the Court's indulgence.

6           (A brief pause in the proceedings.)

7     **Q**     **(BY MS. ARORA)** Just a couple more questions  
8 to clarify on that Ring video.

9     **A**     Okay.

10    **Q**     You were not able to see someone else enter  
11 and exit on the other side?

12    **A**     Which other side?

13    **Q**     If I lived in the Apartment [REDACTED] I would not  
14 be able to see someone enter from the parking lot  
15 and go to [REDACTED]?

16    **A**     From the rear parking lot or from the  
17 front --

18    **Q**     From the rear.

19    **A**     That's correct.

20    **Q**     And what you believe is the murder weapon has  
21 not been recovered?

22    **A**     That's right.

23           MS. ARORA: No further questions.

24           THE COURT: Any redirect?

25           MR. SIMPSON: Yes, Your Honor.

DANIEL WILSON - REDIRECT EXAMINATION

1 REDIRECT EXAMINATION

2 BY MR. SIMPSON:

3 Q Detective Wilson, Ms. Arora began her  
4 questioning by asking you about the Google map app  
5 and its ability to, sort of, live-correct traffic?

6 | **A** Correct.

7 Q And then asked a series of questions, I  
8 believe, about traffic in this area during rush  
9 hour?

10 **A** Yes.

11 Q Would you like to -- it being in rush hour --  
12 maybe recheck the Google app now as to how long it  
13 would take between those distances?

14 MS. ARORA: Your Honor, I would object.

15 THE COURT: Basis?

16 MS. ARORA: I would just say it is calling  
17 for some speculation.

18 THE COURT: Did you not ask him that question  
19 -- please, approach?

20 (Whereupon, a bench conference was had.)

21 THE COURT: Objection is overruled.

22 Appropriate foundation has been laid. The State  
23 has the ability to rehabilitate their witness.  
24 That was approached in cross, and they are entitled  
25 to inquire into it. There is no prejudice to the

## DANIEL WILSON - REDIRECT EXAMINATION

1 defendant. If anything, the lapse of time will be  
2 more to his benefit. Overruled.

3 You may proceed.

4 MS. ARORA: Your Honor, Mr. Simpson is not a  
5 witness, so I believe it would be appropriate for  
6 Detective Wilson to do this.

7 THE COURT: Do you have your phone?

8 THE WITNESS: I do not.

9 THE COURT: Why don't you let him look at it  
10 on your phone?

11 A What would you like me to do, sir?

12 Q (BY MR. SIMPSON) If you are aware how to do  
13 it, check --

14 THE COURT: I need you to ask a question, and  
15 then (inaudible), but you can't direct him.

16 Q (BY MR. SIMPSON) Are you aware on Goggle maps  
17 how to search for directions between two spots?

18 A I am.

19 Q Could you -- is there a Circle K in close  
20 proximity -- in fact a bit farther -- than the LPR  
21 camera?

22 A Yes.

23 Q Could you search for the direction between  
24 Bolton's Landing Apartments and that Circle K?

25 A Yes.



## DANIEL WILSON - REDIRECT EXAMINATION

1     **Q**     Does it indicate how long it would take you  
2 to approximately travel between those?

3     **A**     It says it is two-point --

4             THE COURT: Before you answer that question,  
5 approach.

6             (Whereupon, a bench conference was had.)

7             THE COURT: You may proceed.

8             THE WITNESS: Thank you, ma'am.

9             THE COURT: I needed to make sure it was  
10 around the same time frame.

11     **A**     The Google maps says it is 2.7 miles away.

12     **Q**     **(BY MR. SIMPSON)** Does it indicate how long  
13 the travel would be?

14     **A**     This says seven minutes.

15             MR. SIMPSON: May I approach.

16     **Q**     **(BY MR. SIMPSON)** Are you aware of another  
17 Circle K closer to the ALPR cam?

18     **A**     Yes. That, I do not know the address for.

19     **Q**     Is it shown on the screen there?

20     **A**     There is Blue Waterway and then Bees Ferry  
21 Road, which is -- the Circle K at the -- closer at  
22 Bees Ferry and Main.

23     **Q**     Ms. Arora asked you about this large time  
24 period?

25     **A**     Yes.

## DANIEL WILSON - REDIRECT EXAMINATION

1 Q I'll bring you back to what you know about  
2 how the crime scene existed when Mr. Conner was  
3 located. Was there a small amount of blood or a  
4 large amount?

5 A Large amount.

6 Q What about the personal items of Mr. Conner,  
7 where were they located, specifically his keys?

8 A It appeared he had dropped his keys right  
9 where he was.

10 Q Was he sitting in a chair?

11 A No.

12 Q Was he -- where was he?

13 A Laying in the front entryway of the  
14 apartment.

15 Q Where was his feet?

16 A Nearest the door.

17 Q And where was his head?

18 A Nearest the short wall dividing the living  
19 area from the kitchen.

20 Q Was the body, in fact, blocking the door?

21 A That's correct.

22 Q Was he leaning against anything or face up?

23 A Face down.

24 Q Face down?

25 A Yes.

## DANIEL WILSON - REDIRECT EXAMINATION

1     **Q**     Face down, feet at the door?

2     **A**     Yes.

3     **Q**     Keys on the floor?

4     **A**     Correct.

5     **Q**     Small amount of blood or --

6           MS. ARORA:  Objection prior to this one;

7     leading.

8           THE COURT:  Sustained; leading.  Watch the

9     leading, Mr. Simpson.

10    **Q**     **(BY MR. SIMPSON)** Ms. Arora asked you a lot  
11    about a motorcycle, right?

12    **A**     Correct.

13    **Q**     What was the basis of the interest in a  
14    motorcycle?

15    **A**     At the time, one of the employees at the  
16    complex had just seen someone riding a motorcycle  
17    essentially at the time first responders get there.

18    **Q**     At the time first responders were getting  
19    there?

20    **A**     I'm not sure exactly when they saw it, but  
21    they mentioned a motorcycle being seen there.

22    **Q**     A motorcycle?

23    **A**     A motorcycle.

24    **Q**     Any further details than that?

25    **A**     No.

## DANIEL WILSON - REDIRECT EXAMINATION

1     **Q**     Tag number?

2     **A**     No.

3     **Q**     Color?

4     **A**     Of the motorcycle, no.

5     **Q**     Make? Model?

6     **A**     No, sir.

7     **Q**     Okay. And the motorcycle that you found --

8             MS. ARORA: Objection; leading.

9             THE COURT: I haven't heard the whole

10    question.

11    **Q**     **(BY MR. SIMPSON)** Referring to the motorcycle

12    that Ms. Arora asked you about, that you located in

13    the parking space --

14    **A**     Yes.

15    **Q**     -- any information you have that that is the

16    same motorcycle?

17    **A**     No, sir.

18    **Q**     So you said there would be no further -- can

19    you think of any reason you would need to talk to

20    the owner of that motorcycle?

21    **A**     Not particularly at the time, no.

22    **Q**     Ms. Arora asked you something about gunshot

23    residue?

24    **A**     Correct.

25    **Q**     Did you take a gunshot residue test from

## DANIEL WILSON - REDIRECT EXAMINATION

1 Mr. Mosier at the initial response?

2 A Yes.

3 Q Why did you not tell them to send the gunshot  
4 residue tests to be tested?

5 A Basically, Mr. Mosier -- number one, the time  
6 frame was appropriate for what he was reporting to  
7 us. Number two, Mr. Mosier, during our  
8 investigation, had manipulated David's body and had  
9 his hands on him, essentially.

10 Q Why would that be relevant to a gunshot  
11 residue test?

12 A Because that residue is transferable between  
13 individuals if you touch the person.

14 Q If a person touched a gunshot victim, what  
15 investigative purpose would it be if it came back  
16 positive?

17 A There would be no purpose.

18 Q Ms. Arora asked you about bullet fragments  
19 that weren't tested?

20 A Correct.

21 Q And, to be clear, what is the difference  
22 between a pristine -- and I'll use the term  
23 "projectile," if that's okay. What part of the  
24 bullet is the projectile?

25 A You have parts of the bullet. You have the

## DANIEL WILSON - REDIRECT EXAMINATION

1 actual casing, and then the projectile, which is  
2 the bullet.

3 Q I'm not judging, we keep calling them "bullet  
4 fragments" and we should call them "projectile  
5 fragments."

6 A Fair enough.

7 Q Can tests be done on a relatively untouched  
8 projectile?

9 A On an untouched projectile, no. If a  
10 projectile has been fired and that is recovered  
11 intact, there can be information gleaned from that,  
12 but if there are pieces of that fired projectile,  
13 there is not information you are able to take from  
14 that.

15 Q So the more denigrated -- if I can -- saying  
16 if a bullet is in pieces, it is less valuable?

17 A Yes.

18 Q The more denigrated, the less --

19 MS. ARORA: Objection; leading.

20 THE COURT: Sustained; leading.

21 Q (BY MR. SIMPSON) What value does a projectile  
22 have related to how much is broken apart?

23 A As the bullet degrades, and as the bullet is  
24 broken into larger -- essentially into more and  
25 more pieces, it is less and less likely that you

## DANIEL WILSON - REDIRECT EXAMINATION

1 can get any information from that projectile.

2 Q Ms. Arora asked you about the gun not being  
3 recovered; is that correct?

4 A That's right.

5 Q And she asked you about the gun not being at  
6 the Sphar residence?

7 A Correct.

8 Q Do you know where the gun is right now?

9 A I do not.

10 Q Do you know where the possession of the gun  
11 was on July 3, 2021?

12 A Yes, sir.

13 Q How do you know that?

14 A From the defendant's cell phone.

15 MS. ARORA: Objection; speculation.

16 Q (BY MR. SIMPSON) Do you have evidence of  
17 where that gun was?

18 THE COURT: Repeat the question, please. The  
19 original -- are you withdrawing?

20 MR. SIMPSON: I'll withdraw and rephrase.

21 THE COURT: Ladies and gentlemen, you are to  
22 disregard the last question as well as the answer,  
23 and give it no consideration in your deliberations.

24 You may proceed.

25 MR. SIMPSON: Thank you.

## DANIEL WILSON - REDIRECT EXAMINATION

1 THE COURT: You're welcome.

2 Q (BY MR. SIMPSON) Do you have evidence of  
3 where the gun was on July 3, 2021?

4 A Yes, I do.

5 Q Do you have evidence of where the gun was on  
6 July 18 --

7 MS. ARORA: Objection; speculation.

8 THE COURT: Overruled based on passages  
9 already having been admitted. Subject to the  
10 objection. They are self-authenticating. You can  
11 argue they don't show that, but....

12 MR. SIMPSON: No further questions.

13 THE COURT: She wants to approach.

14 (Whereupon, a bench conference was had.)

15 THE COURT: Objection is sustained you are to  
16 disregard the last question and his answer in its  
17 entirety and give it no consideration in your  
18 deliberations. Based on facts not in evidence.  
19 Sustained.

20 MR. SIMPSON: Thank you, Your Honor.

21 THE COURT: You're welcome.

22 Q (BY MR. SIMPSON) Detective Wilson, do you  
23 have evidence of where the 10-millimeter purchased  
24 by Joseph Sphar was or in whose possession it was  
25 on July 3, 2021?



## DANIEL WILSON - REDIRECT EXAMINATION

1     **A**     Yes, sir.

2     **Q**     Detective Wilson, do you have evidence of  
3 where the fireman purchased by Joseph Sphar, the  
4 10-millimeter -- in whose possession it was on  
5 July 18<sup>th</sup>?

6     **A**     Yes, sir.

7             MR. SIMPSON: No further questions.

8             THE COURT: You are excused.

9             State may proceed.

10            MR. SIMPSON: Court's indulgence.

11            (A brief pause in the proceedings.)

12            MR. SIMPSON: At this time we rest.

13            THE COURT: Ladies and gentlemen, we're going  
14 to take advantage of this break in testimony to  
15 take our evening recess.

16            The State has rested their case, and there is  
17 matters of law that the Court needs to entertain,  
18 and we'll do that prior to resuming on tomorrow --  
19 as the case resumes.

20            While you have heard the entirety of the  
21 State's case, you have not heard the entirety of  
22 the case, nor have you heard the Court's  
23 instructions or the parties' arguments. So it is  
24 essential that you maintain your impartiality and  
25 have no discussion about this case among yourselves

## DANIEL WILSON - REDIRECT EXAMINATION

1 or with anyone else.

2 Also, do not read, watch, or listen to any  
3 media accounts, and especially do not do any  
4 independent research on the Internet. As the  
5 finders of the facts, you are bound to decide the  
6 case according to the testimony from the sworn  
7 witnesses, and the other evidence that has been  
8 introduced in this case.

9 We are going to resume on tomorrow at 12:30.  
10 As I explained, I have a previously scheduled  
11 appointment that I cannot reschedule, and I  
12 appreciate you being so accommodating in that  
13 regard. I might get here earlier, but I would  
14 rather me wait for you all, then you all wait for  
15 me. I would suggest you have lunch before that,  
16 before you come in, because we're going to start  
17 and probably go for the rest of the afternoon, if  
18 necessary. I'm not certain if we will have closing  
19 arguments and instruction, but we may. So in the  
20 event we do, I ask that you go ahead and have lunch  
21 before you arrive at 12:30, and then we'll resume  
22 testimony at that time.

23 You have been accommodating. If you will  
24 leave your notepads in your seats, we'll secure  
25 them, and we'll see you tomorrow at 12:30.

## MOTIONS

1           (The jury exits at 6:10 p.m., and the  
2 following is heard out of the presence of the jury.)

3           THE COURT: Be seated.

4           State has rested. Are there any motions?

5           MS. ARORA: Yes, Your Honor. I would like to  
6 make a motion for a directed verdict.

7           THE COURT: I'm listening.

8           MS. ARORA: Thank you, Your Honor. As you  
9 are aware, I can make a motion under Rule 19, and  
10 this is in regards to the murder and the possession  
11 of a weapon in the commission of a violent crime.

12           When the State relies on circumstantial  
13 evidence, the Court must determine whether that  
14 evidence presented is sufficient to allow a  
15 reasonable juror to find the defendant guilty  
16 beyond a reasonable doubt. And it's my contention  
17 today that there has not been any evidence  
18 submitted into evidence that would leave a  
19 reasonable juror to believe that Mr. Hardaway is  
20 guilty beyond a reasonable doubt.

21           When the evidence made raises a mere  
22 suspicion that the accused is guilty, a directed  
23 verdict should be granted because suspicion applies  
24 a relief of guilt based on facts or circumstances  
25 which do not admit to prove. I contend what has

## MOTIONS

1 been submitted today, the mere suspicion, and in  
2 doing so, I looked to certain cases that involve  
3 circumstantial evidence and directed verdicts.

4 I looked at, essentially, what is called  
5 State v. Bennett, and that is 415 S.C. 232. In  
6 that case, Bennett was charged with petty larceny,  
7 burglary second, and malicious injury to property.  
8 Essentially what is being contended is that a  
9 computer -- or a TV was tampered with in a  
10 community center. There was two rooms in that  
11 community center. There was a room where the TV  
12 was tampered with, and then there was a second  
13 room, a computer room, where a TV was actually  
14 taken.

15 DNA blood spots were taken and compared to  
16 Bennett, and they came back to Bennett. There was  
17 testimony presented by the person that runs the  
18 community center that Bennett did have access to  
19 that center, but she's unclear or she was not  
20 certain whether he would have been allowed inside  
21 of these certain rooms. They found that there was  
22 evidence that a reasonable juror could find Bennett  
23 guilty.

24 Here, I believe our case is different. The  
25 State has presented evidence these last couple of

## MOTIONS

1 days that show that Karseem is present at the  
2 Bolton's Landing apartment complex. There's been  
3 evidence presented that his sister lived there, and  
4 that he went to her property and stayed overnight  
5 at her property. And then there's been evidence  
6 presented that he left that apartment complex, and  
7 as you heard, his license plate hit Johns Island  
8 ALPR at the 5:42 time.

9       There has been evidence submitted about a  
10 phone call made to the apartment complex that  
11 brings out a fight occurred on July 12. In that  
12 phone call, there was nothing to say that Karseem  
13 was the one fighting with Mr. Conner. There was no  
14 description, and I don't believe that there is any  
15 causal link to link Karseem to that phone call.

16       There has been evidence submitted that  
17 Karseem was on the phone around that time, but  
18 there was also other people that lived in the  
19 apartment complex. We heard that there was over 14  
20 building, three floors in each building. It's  
21 possible, if he was staying with his sister, he was  
22 on the phone, and that doesn't mean being on the  
23 phone that you were fighting with someone.

24       I think specifically compared to the Bennett  
25 case, there's evidence that Mr. Bennett maybe

## MOTIONS

1 didn't have access to the room. I think here, in  
2 our specific case, there is no evidence that  
3 Karseem wasn't allowed on the property. He was.  
4 And I don't know if there was a causal link between  
5 the shooting and Karseem.

6 I know evidence has been submitted about  
7 guns, but there, once again, has been no link that  
8 this 10-millimeter gun that was shown on video is  
9 the 10-millimeter that shot David Conner.

10 I also looked to another case, State v.  
11 Harry, 413 S.C. 534. This was a murder conviction  
12 under the hand of one is the hand of all theory.  
13 The facts were lengthy, but to summarize it, this  
14 was essentially a fight over a television. A  
15 couple breaks up, and in the course of that, his  
16 television is given to a third party. He wants  
17 that television back, possibly to get some money  
18 for probation. There is evidence presented that  
19 him and a couple other people -- they drive, they  
20 go out of the way to pick up people and drive to  
21 this residence where the television is. And then  
22 they approach this person. They believe he is a  
23 drug dealer who is armed. A fight ensues and a  
24 death occurs.

25 There, the Court ruled that there is

## MOTIONS

1 circumstantial evidence deems its strength from the  
2 combination with other evidence, and all of the  
3 circumstantial evidence presented in the case must  
4 be considered together to determine whether it is  
5 sufficient to submit to the jury.

6       Here, what the Court relies on is that they  
7 specifically went out of -- the parties involved in  
8 this case specifically went out of their way to  
9 have a discussion about getting this television  
10 back. And then they got someone with the gun to  
11 come with them and approached someone else with the  
12 gun. There seemed to be substantial circumstantial  
13 evidence in that case. Compared to our case today,  
14 I don't believe there is substantial circumstantial  
15 evidence.

16       There is circumstantial evidence, but the  
17 pieces aren't connecting. There is evidence that  
18 my client had a gun. There is evidence that he  
19 walked out of the Bolton's Landing Apartments.  
20 There is evidence that he traveled to Johns Island.  
21 And there is evidence that he did Google searches.  
22 But those taken together that doesn't mean that  
23 Karseem shot and killed David Conner.

24       I don't believe that the State has proved  
25 today the elements for murder and the elements for

## MOTIONS

1 possession of a weapon during the commission of a  
2 violent crime. So, in doing so, I ask that you  
3 grant the directed verdict motion.

4 THE COURT: You may respond.

5 MR. SIMPSON: Thank you, Your Honor. I don't  
6 need to remind you all the inferences in the light  
7 most favorable to the State and (inaudible). While  
8 a circumstantial case, I believe it's hard to  
9 imagine a stronger circumstantial case than this.

10 You have heard the evidence this week, Your  
11 Honor. As to the evening before, you have the  
12 voicemail from the victim to the management office.  
13 At that same time, you have the cell phone tower  
14 records confirming that Karseem Hardaway is not  
15 just in the area, but also on his phone, as well as  
16 the admissions of Karseem Hardaway himself that he  
17 was staying at his sister's house, which is mere  
18 feet away from the front door of the David Conner  
19 where the confrontation occurred.

20 You have seen the records, Your Honor, that  
21 Mr. Karseem was the owner or at least had access to  
22 and possession of a 10-millimeter handgun. You  
23 heard testimony from the Federal Bureau of Alcohol,  
24 Tobacco, and Firearms that a 10-millimeter handgun  
25 is a very uncommon gun to be used in a crime, and



## MOTIONS

1 that the last numbers in the last five years -- and  
2 that the numbers showed up as a percentage of trace  
3 numbers is less than 1 percent of data in the last  
4 five years. So it was an uncommon weapon.  
5 (inaudible) it was a 10-millimeter handgun that was  
6 used to kill Mr. Conner.

7 You see video of Mr. Hardaway exiting his  
8 sister's apartment with a handgun in his left  
9 pocket. Within 24 hours of the murder, you have  
10 seen Mr. Hardaway trying to rid himself of a Glock  
11 20, 10-millimeter -- or at least that can be  
12 construed to be getting rid of evidence, getting  
13 rid of a Glock 10-millimeter, following this  
14 murder.

15 Following the alleged contact that led to the  
16 difficulty between Mr. Conner and Mr. Hardaway, Mr.  
17 Hardaway begins searching on his phone for the  
18 construction company that is the employer of Mr.  
19 Conner. (Inaudible) search (inaudible). Other  
20 than a sudden interest in the comings and goings of  
21 the whereabouts of the victim, Mr. Conner, that's  
22 taking place on Mr. Hardaway's phone. That  
23 interest is almost obsessive in the number of  
24 searches that occurs on that phone, and that  
25 interest in Mr. Conner -- a wild coincidence --

## MOTIONS

1 ceases with Mr. Conner's life. (Inaudible) after  
2 Mr. Conner is deceased.

3 And, again, you've seen evidence that the  
4 timelines match up. You heard evidence about the  
5 scene of the crime which recreates a scene where it  
6 is reasonable to infer that Mr. Conner was killed  
7 right when he got home at 5:32. His feet were by  
8 the door. His face is face down. There is large  
9 amounts of blood when he is found, suggesting that  
10 some time had passed before his discovery and the  
11 time of the death.

12 Just a few minutes after the time where we  
13 had evidence to believe that Mr. Conner was killed,  
14 a car matching Karseem Hardaway was seen leaving  
15 Bolton's Landing apartment complex and in  
16 contradiction to his statements to the police, that  
17 he wasn't (inaudible).

18 Further video surveillance documents that Mr.  
19 Hardaway's vehicle passed by the nearby Circle K  
20 exactly when you would expect, just a couple of  
21 minutes after he left Bolton's Landing Apartments.  
22 If there was any doubt that that was the car that  
23 belonged to Karseem Hardaway, a short distance  
24 away, again there's the time period very consistent  
25 with the State's theory of the case. You have

## MOTIONS

1 video capturing Mr. Hardaway's license plate number  
2 matching the paperwork registration and previous  
3 interaction with Mr. Hardaway in this case.

4 While circumstantial, perhaps, I believe in  
5 analyzing this case with just the mere existence of  
6 evidence, I believe we can more than overcome our  
7 burden as far as how much evidence there is.

8 As to the elements of the crime itself, it is  
9 the theory of the State's case, and proven by the  
10 evidence presented, that Mr. Hardaway had  
11 difficulty with David Conner, thought about it for  
12 over a 24-hour period, and then committed the  
13 murder later the next day, which shows  
14 deliberation, malice, aforethought. If found  
15 guilty of that crime, and being in possession of  
16 the 10-millimeter handgun (inaudible), it certainly  
17 meets the elements of a possession of a weapon  
18 during a violent crime as well, and this motion  
19 should be denied. Thank you.

20 THE COURT: Anything further?

21 MS. ARORA: Nothing further, Your Honor.

22 THE COURT: In considering the motion for  
23 directed verdict, the Court is not the finder of  
24 fact. Its only concern is with the existence or  
25 non-existence of evidence and not its weight.

## MOTIONS

1           Our appellant courts have been very clear, if  
2 there is any evidence, direct or substantially  
3 circumstantial, that tends to prove the defendant's  
4 guilt, the motion should be denied. Again,  
5 emphasizing that this Court is only to be concerned  
6 with the existence or non-existence of evidence,  
7 and not the weight.

8           The Court must, however, determine that the  
9 evidence raises above a mere suspicion; however, if  
10 the State presents any evidence which reasonably  
11 tends to prove the defendant's guilt, or from which  
12 the defendant's guilt may be fairly and logically  
13 deduced, the case is required to go to the jury.

14           In conjunction with that, the Court -- our  
15 appellant courts have been very clear that a trial  
16 judge is not required to find that the evidence  
17 infers guilt to the exclusion of any other  
18 reasonable hypotheses. Again, emphasizing that the  
19 Court is not the finder of fact; it is only  
20 concerned with the existence or non-existence of  
21 evidence.

22           All of the arguments raised by the defense  
23 are factual in nature. It's not for the Court to  
24 weigh evidence. It's not for the Court to  
25 determine the credibility or believability of

## MOTIONS

1 witnesses.

2           However, the Court would observe in the light  
3 most favorable to the State that there is more than  
4 substantial circumstantial evidence reasonably  
5 tending to prove Mr. Hardaway's guilt, and without  
6 belaboring the hour or the record, there is -- what  
7 is distinctive in this case factually is the unique  
8 nature of the firearm that is alleged to have --  
9 according to the medical examiner -- created the  
10 mode and manner of Mr. Conner's death; that being  
11 his demise by a 10-millimeter -- the projectile  
12 from a 10-millimeter firearm, which is very unique.

13           There is -- there are multiple pieces of  
14 evidence that tie Mr. Hardaway to that gun -- to a  
15 10-millimeter gun, because it was not established  
16 that that particular gun we've been discussing --  
17 when I say "we" -- that has been presented by the  
18 State that that was a particular firearm that  
19 caused Mr. Conner's death. However, I'm certain  
20 the State will argue that, and that is within their  
21 prerogative to argue that due to the unique nature  
22 of the firearm.

23           But there is -- there are several pictures of  
24 Mr. Hardaway with the same type of firearm on  
25 Facebook. There is also -- appears to be the butt

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1 of a gun in his pocket as he leaves his sister's  
2 house on the Ring camera. That, coupled with the  
3 Internet searches, as well as the establishment of  
4 his close proximity to the event, as well as his  
5 desire to delete accounts with the information that  
6 is included on those accounts, as well as his  
7 important attempts to sell the weapon.

8       Again, that, in combination with the unique  
9 nature of the firearm -- and, again, without  
10 belaboring the hour, and we all have been here to  
11 hear the evidence, there is more than substantial  
12 circumstantial evidence reasonably tending to prove  
13 his guilt.

14       The case cited by the defense is not  
15 analogous, and as we know, cases turn on facts.  
16 Most findings are determined and are fact  
17 determinative. The factual circumstances cited in  
18 the cases by the defense are not factually  
19 analogous to this case, nor applicable. All the  
20 defense's arguments are factual. The Court is not  
21 the finder of facts. Those arguments are more  
22 appropriate to be made to the jury. The motion for  
23 direct verdict is denied.

24       Sir, if you will stand and raise your right  
25 hand and be sworn.

## EXAMINATION OF RIGHTS TO TESTIFY BY THE COURT

1           (KARSEEM HARDAWAY, having been duly sworn,  
2 testified as follows:)

**EXAMINATION****BY THE COURT:**

5     **Q**     What is your full name?

6     **A**     Karseem Nicholas Hardaway.

7     **Q**     Mr. Hardaway, how old are you?

8     **A**     24.

9     **Q**     Sir, we have reached the stage of the trial  
10 where you can present your defense, which means you  
11 have the right to testify. However, you have a  
12 decision to make regarding your right to testify,  
13 and nobody can make that decision except you.

14           However, the supreme court, as well as the  
15 South Carolina Supreme Court, requires that I  
16 advise you of your right against  
17 self-incrimination, as well as your right to remain  
18 silent pursuant to both the United States and South  
19 Carolina Constitution. I'm going to explain  
20 certain of your rights to you. If there is  
21 something you don't understand, let me know. If  
22 there is something you need me to repeat, let me  
23 know. If you have any questions at the end of this  
24 colloquy, let me know and I'll do my best to answer  
25 them for you, or I'll give you additional time to

## EXAMINATION OF RIGHTS TO TESTIFY BY THE COURT

1 speak with your lawyers about whether they can give  
2 clarity to any questions you may have.

3 Sir, as I've explained, we have reached the  
4 stage of the trial where you may present your  
5 defense. You have the right to claim the  
6 protections given to you by the Fifth Amendment of  
7 the Constitution of the United States, and that  
8 amendment states, in part, that no person shall be  
9 compelled in any criminal case to be a witness  
10 against himself. This means that you cannot be  
11 required to testify in this case. You have the  
12 right to testify on your own behalf; however, no  
13 one can make you testify. This is a personal  
14 right, and no one can waive this right except you.

15 If you decide to testify, you will be subject  
16 to the same rules that govern other witnesses, and  
17 you may be examined and cross examined on any  
18 relevant issue in this case. In addition, if you  
19 have any convictions involving dishonesty or false  
20 statement or crimes punishable by imprisonment for  
21 more than one year, and this Court determines that  
22 the admissibility and the probative value of  
23 admitting this evidence outweighs the prejudicial  
24 effect to you, the State will be allowed to  
25 introduce your record to attack your credibility.



## EXAMINATION OF RIGHTS TO TESTIFY BY THE COURT

1           If you decide to testify, this decision on  
2 your part must be made freely, voluntarily,  
3 knowingly, and intelligently with knowledge of the  
4 protections that are given to you by the Fifth  
5 Amendment, and the consequences of your decision to  
6 testify.

7           If you decide not to testify, I will instruct  
8 the jury that they cannot consider that fact in any  
9 manner, whatsoever. In fact, I'll instruct them  
10 that the State has the burden of proof to prove  
11 each and every element of the offense you have been  
12 charged with; that you can sit at that table and  
13 say absolutely nothing; that you have no burden of  
14 proof; that the burden of proof remains on the  
15 State to prove your guilt beyond a reasonable  
16 doubt.

17           I will further instruct them that they cannot  
18 discuss the fact that you did not testify in any  
19 manner, whatsoever, during their deliberative  
20 process; that you have the right to remain silent,  
21 and that right can never be used against you.

22           Again you have no burden of proof in this  
23 case, and the burden remains on the State to prove  
24 your guilt beyond a reasonable doubt. It is left  
25 entirely up to you whether or not you want to

## EXAMINATION OF RIGHTS TO TESTIFY BY THE COURT

1 testify. You may speak with your attorneys, family  
2 members, friends, or others, but ultimately the  
3 final decision is left up to you.

4 Have you understood your rights as I've  
5 explained them to you?

6 **A** Yes, ma'am.

7 **Q** Do you have any questions about your rights  
8 as I've explained them to you?

9 **A** No, ma'am.

10 **Q** Have you discussed with your lawyers whether  
11 you should or should not testify?

12 Have you discussed with your lawyers whether  
13 you should or should not testify?

14 **A** That's up to me.

15 **Q** I need you to answer my question. Have you  
16 discussed with your lawyers whether you should or  
17 should not testify?

18 **A** No.

19 THE COURT: Have you discussed with him  
20 whether he should testify?

21 MS. ARORA: I am not sure he understands the  
22 question.

23 **Q** Sir, I just need to know if you had a  
24 discussion with your lawyers about your rights and  
25 whether you should or should not testify.

## EXAMINATION OF RIGHTS TO TESTIFY BY THE COURT

1     **A**     No. I tell them I don't want to testify.

2     **Q**     I got that part. The law requires in order  
3 for you to make a knowing decision, that you have  
4 legal counsel about it. So listen to my question  
5 carefully. Don't presuppose what I'm asking.

6             I need to know if you have spoken with your  
7 attorneys about whether you want to testify?

8     **A**     Yes.

9     **Q**     Do you need to talk with them anymore?

10    **A**     No, ma'am.

11    **Q**     And do you wish to testify?

12    **A**     No, ma'am.

13             THE COURT: Okay. You may take your seat.

14             Does the defense have any other witnesses  
15 they wish to call?

16             MS. ARORA: No, Your Honor.

17             THE COURT: So that eliminates anything about  
18 the admissibility of prior convictions. That is  
19 moot because he's not testifying.

20             As far as I can tell from my notes, that  
21 wraps up the last motion that you all have.

22             MS. ARORA: Yes, Your Honor. And since we're  
23 -- I would just renew my directed verdict motion.

24             THE COURT: Well, we haven't gotten there  
25 yet.

## THE COURT AND ATTORNEYS

1 MS. ARORA: I'm sorry. I'm jumping ahead,  
2 too.

3 THE COURT: That's all right. I'm very  
4 methodical. It keeps me on track, if it's any  
5 consolation. (inaudible) doesn't mean I'm  
6 infallible or that I don't miss stuff sometimes,  
7 but I try to stay on track.

8 The State has rested. The defendant does not  
9 wish to testify. Counsel has advised the Court it  
10 does not have any witnesses it wishes to call.

11 So does the defense rest at this time?

12 MS. ARORA: Yes, Your Honor.

13 THE COURT: Are there any motions now that  
14 the defense has rested?

15 MS. ARORA: Your Honor, I renew my directed  
16 verdict motion.

17 THE COURT: Any response to the directed  
18 verdict motion?

19 MR. SIMPSON: No, Your Honor. We stand by  
20 our response to the initial --

21 THE COURT: The Court will stand by its  
22 original ruling and incorporate those findings of  
23 fact and conclusions of law into this portion of  
24 the record as if the Court restated them verbatim.

25 I'll allow you to rest in the presence of the

## THE COURT AND ATTORNEYS

1 jury.

2 Now, my other question is: How long is your  
3 argument going to take, Mr. Simpson?

4 MR. SIMPSON: Your Honor, I would approximate  
5 30 to 45 minutes.

6 THE COURT: How long do you think you will  
7 be, Ms. Arora?

8 MS. ARORA: I would say 30 minutes.

9 THE COURT: All right. Now -- well, what I  
10 would ask is that you all get here about 30 minutes  
11 -- get here about noon to go through all of the  
12 evidence and make sure that everything is in place.

13 And on that issue, there is something I took  
14 under advisement, and I'll go back through my notes  
15 so I can take that up.

16 MR. SIMPSON: I can save you some time.

17 THE COURT: I need to look at my notes. You  
18 are going to withdraw?

19 MR. SIMPSON: No. I have it here.

20 THE COURT: No. I make notes to myself. If  
21 you will bear with me.

22 (A brief pause in the proceedings.)

23 THE COURT: According to my notes, it is  
24 77-A, B, and C.

25 What is the nature of the defense's objection

## THE COURT AND ATTORNEYS

1 to those exhibits, which was the geo-fencing?

2 MS. ARORA: Your Honor, can you state that --  
3 I missed the numbers?

4 THE COURT: That's okay. According to the  
5 notes, it was 77-A, B, and C, marked for ID only,  
6 which was geo-fencing.

7 MS. ARORA: Your Honor, this was in regards  
8 to my pretrial motion, that this was based off of  
9 the Verizon records, and that would be in regards  
10 to the cell phone Verizon -- or search warrant, I  
11 apologize.

12 THE COURT: For what purpose would you be  
13 seeking to introduce these documents or exhibits,  
14 Mr. Simpson?

15 MR. SIMPSON: I believe they are extensively  
16 discussed by the witness, Detective De Sheers.  
17 They also contain a lot of data that he discussed  
18 that doesn't really subject itself to memorization,  
19 times of calls, locations on maps, things like  
20 that. I think they are tough for them to merely  
21 ingest as a demonstrative exhibit and then  
22 meaningful take them without referring to them.

23 THE COURT: Can I see them, please?

24 MR. SIMPSON: Certainly.

25 THE COURT: Thank you.

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1 (A brief pause in the proceedings.)

2 THE COURT: Whose number is 895-5000, and why  
3 would the jury need to know that?

4 MR. SIMPSON: Your Honor --

5 THE COURT: According to my notes, the  
6 defendant's phone number is [REDACTED]. So why  
7 are these other numbers -- it says incoming calls,  
8 and none of these are Mr. Hardaway's phone  
9 number -- oh, wait a minute.

10 MR. SIMPSON: I think that is the recipients  
11 or other makers of the call. I'm not particularly  
12 interested in that.

13 THE COURT: So why would you -- I mean, you  
14 have things here that are not -- this says "network  
15 activity for [REDACTED], but it has other phone  
16 numbers on here that do not reflect that phone  
17 number.

18 MR. SIMPSON: So those are the numbers that  
19 are either calling Mr. Hardaway's phone and all of  
20 the data --

21 THE COURT: This says "outgoing calls," so it  
22 would have originated from --

23 MR. SIMPSON: That's the number he's calling.  
24 All of the --

25 THE COURT: Oh, I see what you are saying.

## THE COURT AND ATTORNEYS

1 MR. SIMPSON: All of the data relates to his  
2 phone. It just indicates the number he's calling  
3 or who it's being called from.

4 THE COURT: So what purpose would you be  
5 seeking to admit these?

6 MR. SIMPSON: To use to illustrate in a more  
7 direct fashion that Mr. Karseem Hardaway was on the  
8 phone at the time -- not only on the phone at the  
9 time David Conner made the complaint to the  
10 property management office, but also in the  
11 location of David Conner's apartment.

12 THE COURT: What time is it that you allege  
13 that Mr. Conner and Mr. Hardaway had this  
14 interaction?

15 MR. SIMPSON: Mr. Conner places the call at  
16 9:51 to the front office. There is context in the  
17 voice message that --

18 THE COURT: What is the time again, I'm  
19 sorry?

20 MR. SIMPSON: 9:51 p.m.

21 THE COURT: So why would these --

22 MR. SIMPSON: There is a call of 9:46 --

23 THE COURT: And 11:03, I got that. But why  
24 would anything other than -- tell me the time again  
25 he called the office?



## THE COURT AND ATTORNEYS

1           MR. SIMPSON: He called at 9:51. Karseem  
2 makes a call at 9:46.

3           THE COURT: Yeah. So why are these calls  
4 relevant -- other calls relevant?

5           MR. SIMPSON: It shows the time that he was  
6 at the crime scene.

7           THE COURT: Well, between these two tabs. If  
8 you wanted something more particular, you would  
9 have had to use a GPS expert, and you didn't. You  
10 used geo-fencing. That is just an area. It  
11 doesn't pinpoint exactly where he was. It is just  
12 a range. And then he bounced off of these two  
13 towers with the best reception.

14          MR. SIMPSON: Correct. Admittedly, there is  
15 really, primarily, one phone call in the exhibit  
16 you are looking at that is relevant for us that he  
17 testified to.

18          THE COURT: There's one at 3:20 and 3:27.

19          MR. SIMPSON: That is not particularly  
20 relevant, Your Honor.

21          THE COURT: And then moving on to 77-B, this  
22 is from July 13 in that same area, same area, same  
23 cone, incoming calls. Who are these calls  
24 purportedly from?

25          MR. SIMPSON: We didn't offer any evidence as

## THE COURT AND ATTORNEYS

1 to who they are from.

2 THE COURT: So why does the jury need to see  
3 that?

4 MR. SIMPSON: They show his approximate  
5 location at the time the calls were made.

6 THE COURT: He testified to that?

7 MR. SIMPSON: He did.

8 THE COURT: This is the day of the incident,  
9 July 13<sup>th</sup>. So why is what he was doing on July  
10 12 -- that is when you allege the interaction, all  
11 right.

12 July 13, 7:02, 5:36. Okay.

13 And, tell me, the objection is based on the  
14 search warrant?

15 MS. ARORA: Your Honor, yes.

16 THE COURT: And I've already found that the  
17 search warrant was valid. It was for a reasonable  
18 and articulable suspicion that was the basis of  
19 that warrant. So if that is the objection, it is  
20 overruled based on the Court's previous detailed  
21 ruling on the search warrant, and the propriety of  
22 the search warrant, and the basis of the search  
23 warrant.

24 77-C would put him within a cone of location  
25 where this purported incident took place, and that

## THE COURT AND ATTORNEYS

1 he was receiving and making calls during the  
2 relevant time frames. So 77-C comes in subject to  
3 the objection that's been overruled.

4 77-B, which is the time that this purported  
5 incident is alleged to have taken place, places him  
6 within the cone; in other words, within the general  
7 area of this incident. That would certainly be  
8 relevant and probative, and any prejudicial effect  
9 would be outweighed by the probative value as it  
10 tends to establish an element of him being within  
11 the area of the incident.

12 The same would be true for 77-C.

13 And then 77-A would establish  
14 circumstantially that he was on the phone within  
15 the area of the purported complaint of Mr. Conner.  
16 The Court would find its probative value is  
17 outweighed by any prejudicial effect, and it is  
18 admissible.

19 (State's Exhibit 77A-C admitted.)

20 All right. That is all I had under  
21 advisement.

22 So what I will do is I'll allow you to rest  
23 in the presence of the jury, Ms. Arora.

24 I will instruct the jury as follows: I'll  
25 give them the general instruction regarding their

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1 responsibility and my responsibility, how they  
2 judge a witness' credibility and believability,  
3 general instruction on expert witness testimony, as  
4 well as statements to be made by the defendant  
5 pursuant to State v. Robert Lee Miller, which, in  
6 effect, tells the jury that there is statements  
7 alleged to have been made by the defendant which  
8 has been admitted into evidence -- and I'm  
9 referring to the body-worn camera. The Court  
10 determined that the statements are admissible, but  
11 that they make the ultimate decision as to whether  
12 or not the defendant actually made the statement.  
13 And they also make the ultimate decision on the  
14 credibility, weight, value and effect for any  
15 statements.

16 I'll give them a general instruction on the  
17 direct evidence and circumstantial evidence, as  
18 well as the charge on the arrest and the indictment  
19 not being evidence, and on presumption of  
20 innocence.

21 I'll instruct Victor v. Nebraska on  
22 reasonable doubt, and instruct the elements of  
23 murder, which will include the instruction of  
24 malice; that being expressed and inferred.  
25 However, the only reference to inferred malice will

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1 be an instruction that malice may be inferred from  
2 conduct showing a total disregard consistent with  
3 State v. Belcher and State v. Cardett (ph).

4 I'll then instruct on possession of a weapon  
5 during the commission of a violent crime. As we  
6 know, a firearm is -- I mean murder is defined as a  
7 violent crime pursuant to 16-1-60.

8 I'll then instruct on intent, as well as  
9 identification as to the defendant being the person  
10 who committed this offense.

11 I'll instruct about the defendant not  
12 testifying, which is consistent with his rights, as  
13 I've just instructed him.

14 I'll do an instruction on multiple offenses,  
15 and that each must be decided separately and  
16 independently on the evidence that has been  
17 presented to the jury.

18 And then I'll instruct on the form of the  
19 verdict.

20 Any exception or requests from the State?

21 MR. SIMPSON: None, Your Honor.

22 THE COURT: Exceptions or requests from the  
23 defense?

24 MS. ARORA: Your Honor, are you going to  
25 instruct the language on circumstantial evidence?

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1 THE COURT: (Inaudible).

2 MS. ARORA: (Inaudible).

3 THE COURT: Sure. Go right ahead.

4 (A brief pause in the proceedings.)

5 MS. ARORA: Our other request would be

6 whether or not the Court would consider

7 instructions on mere presence.

8 THE COURT: I know mere presence -- you know,

9 actually, I didn't instruct mere presence, but I

10 thought I included it, because usually I would.

11 But I usually instruct something else where mere

12 presence is incorporated into that. But I'll use

13 my instruction as to mere presence.

14 State has no exception?

15 MR. SIMPSON: I don't believe so, Your Honor.

16 May we take a look at that language?

17 MS. ARORA: I think in the general

18 instruction there is like one line that refers to

19 accomplice liability that wouldn't apply.

20 THE COURT: I'm not instructing accomplice

21 liability.

22 MS. ARORA: Right.

23 THE COURT: I'll instruct mere presence at

24 the scene is not sufficient enough to prove someone

25 guilty. A defendant's presence where a crime is

## THE COURT AND ATTORNEYS

1 being committed or mere association with a person  
2 who commits a crime does not make the defendant an  
3 accomplice -- I would modify it.

4 Normally I don't charge mere presence in  
5 conjunction with accomplice liability, but I can  
6 modify this to eliminate that language about being  
7 an accomplice, because I don't think it applicable.

8 So I would instruct mere presence at the  
9 scene is not sufficient to prove someone guilty of  
10 a crime. The defendant's presence where a crime is  
11 being committed -- mere presence at the scene is  
12 not sufficient to prove someone guilty of a crime,  
13 and the burden is on the State to prove every  
14 element of the crime charged.

15 If you find after reviewing all of the  
16 evidence that the State has proven that the  
17 defendant was only present at the scene of a crime,  
18 and that they have not proven beyond a reasonable  
19 doubt any participation in the crime, then you must  
20 find the defendant not guilty. The law is that  
21 proof of being at the scene of the crime is not  
22 sufficient to find someone guilty.

23 Although, State v. Green, which it is  
24 premised on, is an accomplice liability case, if my  
25 memory serves me correct.

## THE COURT AND ATTORNEYS

1 Any exception from the State?

2 MR. SIMPSON: I think subject to your  
3 modifications, none, Your Honor.

4 THE COURT: Any exception from the defense?

5 MS. ARORA: No, Your Honor.

6 THE COURT: Any requests from the State?

7 MR. SIMPSON:

8 MS. ARORA: No, Your Honor.

9 THE COURT: Any other requests from the  
10 defense?

11 MS. ARORA: No, Your Honor.

12 THE COURT: I see there is no request for any  
13 lesser included offenses?

14 MS. ARORA: No, Your Honor.

15 THE COURT: Would you approach and review the  
16 verdict forms? I would appreciate it.

17 (A brief pause in the proceedings.)

18 THE COURT: Any exceptions from the defense?

19 MS. ARORA: No, Your Honor.

20 THE COURT: From the State?

21 MR. SIMPSON:

22 MR. SIMPSON: No, Your Honor.

23 THE COURT: Anything else before we adjourn  
24 for the evening?

25 MR. SIMPSON: Nothing from the state.



MARCH 28, 2024

1 THE COURT: Anything from the defense?

2 MS. ARORA: What time was my client going to  
3 be transported?

4 THE COURT: I don't know. You might as well  
5 transport him first thing in the morning. I don't  
6 see any reason to deviate. Because if I get here  
7 earlier and all of the jurors are here, I'm going  
8 to start earlier. And this jury has typically been  
9 30 minutes early for everything. They are early  
10 back from lunch as well. So if we all -- if they  
11 are all here -- anything else we need to take up  
12 before we adjourn from the State?

13 MR. SIMPSON: No, Your Honor.

14 THE COURT: From the defense?

15 MS. ARORA: No, Your Honor.

16 THE COURT: Have a good evening, and I'll see  
17 you tomorrow.

18 (WHEREUPON, THE PROCEEDINGS FOR MARCH 27,  
19 2024 CONCLUDED.

20 (THE FOLLOWING WAS HAD ON MARCH 28, 2024 OUT  
21 OF THE PRESENCE OF THE JURY.)

22 THE COURT: Please be seated. I understand  
23 you have gone through the exhibits and everything  
24 is correct?

25 MR. SIMPSON:

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1 MS. BARBER: Yes, ma'am.

2 MS. ARORA: Your Honor, I still need to go  
3 through the exhibit and make sure. We can do it  
4 after.

5 THE COURT: Well, no, I asked you all to do  
6 that at noon.

7 MS. ARORA: Ms. Ehrlich did look at them.

8 THE COURT: Okay.

9 MS. EHRLICH: I think the Court's exhibits  
10 are not I -- think there was one that needed to be  
11 replaced.

12 THE COURT: Which one?

13 MS. EHRLICH: 64.

14 THE COURT: Has that not been replaced?

15 MS. BARBER: I don't know.

16 THE COURT: Look for it and see.

17 MS. BARBER: I think I can save us some time,  
18 Judge. It is not. I think the plan was to replace  
19 it here after.

20 THE COURT: The plan was what?

21 MS. BARBER: So we thought we were going to  
22 start at around 12:30, and when we realized 64 was  
23 missing, it was around that time. So we intended  
24 to replace it later, but I can --

25 THE COURT: It has been replaced now, yeah.

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1 MS. BARBER: Okay. Mr. Simpson should be  
2 back. He's in the restroom.

3 THE COURT: What is it?

4 MS. BARBER: 64 is when we initially  
5 discussed the phone, we had one set that was going  
6 to remain as a Court's exhibit, and one set that  
7 was going to be entered into evidence to go back.  
8 So 64 is one of those Court's exhibits.

9 THE COURT: The Court exhibit is the  
10 original. Your Exhibit is the redacted?

11 MS. BARBER: Right. Yes, ma'am.

12 THE COURT: So it shouldn't matter --

13 MS. BARBER: So 64 -- remember the one we  
14 cut?

15 THE COURT: Yes.

16 MS. BARBER: We never replaced it.

17 THE COURT: Got you. So we have it now?

18 MR. SIMPSON: Your Honor, I apologize. In  
19 the furry of getting ready for this morning, I did  
20 not do that. I'll do that right when the jury goes  
21 out to deliberate. I'll run over and make another  
22 copy.

23 I would also --

24 THE COURT: I have to deal with this in its  
25 totality first. So what is marked as State's 64?

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1 MR. SIMPSON: So we had the original, and all  
2 that was questionable was something at the top.

3 THE COURT: Yeah.

4 MR. SIMPSON: So rather than make a second  
5 copy, which I really should have done, I took a  
6 pair of scissors and cut off the top and threw it  
7 away and figured problem solved.

8 THE COURT: That is 64, and that has been  
9 marked?

10 MR. SIMPSON: It is 64, and it is in  
11 evidence.

12 THE COURT: But I don't have the original as  
13 a Court's exhibit.

14 MR. SIMPSON: I can make an exact copy of the  
15 original. I just failed to do so in all the flurry  
16 in preparing for a closing argument. That's on me,  
17 I apologize.

18 THE COURT: We can always get a Court's  
19 exhibit. That's not an issue, but I'm only doing  
20 that for presentation issues.

21 MR. SIMPSON: As to another exhibit, State's  
22 76, there was some tiny writing on there that  
23 Ms. Arora found objectionable. I agreed with her,  
24 and told her I would redact that out, and then  
25 entered the exhibit without that redaction. So

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1 what I would like to do now is replace State's 76  
2 that is in evidence with State's 76 in my hand that  
3 is redacted.

4 THE COURT: He showed it to you?

5 MS. ARORA: Yes, he did show it to me.

6 THE COURT: So that needs to be switched out,  
7 and the original 76 needs to be a Court's exhibit.

8 MR. SIMPSON: Thank you, Your Honor.

9 THE COURT: You're welcome. Put a sticker  
10 next to the other one so we know.

11 Is there anything else we need to proceed  
12 with the defense resting in the presence of the  
13 jury and commencing with closing arguments, Mr.  
14 Simpson?

15 MR. SIMPSON: No, Your Honor.

16 THE COURT: From the defense?

17 MS. ARORA: No, Your Honor.

18 THE COURT: Please bring in the jury.

19 (The jury enters at 1:10 p.m., and the  
20 following is heard in the presence of the jury.)

21 THE BAILIFF: All jurors are present, Your  
22 Honor.

23 THE COURT: Thank you, ladies and gentlemen.  
24 You may be seated. Ladies and gentlemen, the State  
25 has rested.

## CLOSING ARGUMENT - MR. SIMPSON

1           The defense may proceed.

2           MS. ARORA: Your Honor, the defense rests.

3           THE COURT: Ladies and gentlemen, both the  
4 State and the defense have rested their cases. We  
5 have now reached the stage of the trial where we  
6 will have closing arguments and the Court's  
7 instructions. I would ask that you give counsel  
8 your undivided attention.

9           You may proceed.

10          MR. SIMPSON: Thank you, Your Honor.

11          THE COURT: You're welcome.

12          MR. SIMPSON: Ladies and gentlemen, I'll  
13 start how I started my opening state with the  
14 State's profound thanks. I think at this point in  
15 time you understand more than when we spoke last  
16 time about the importance of your role. And I  
17 certainly understand the inconvenience I'm sure it  
18 caused each of you personally and financially this  
19 week, so I note your attention, and I really  
20 appreciate it. Thank you.

21           I also mentioned in my opening statement this  
22 concept of the jury as the perfect embodiment of  
23 the concept of common sense, and we'll talk about  
24 that again, because I'm going to be asking you  
25 today to rely on that common sense quite a bit.

## CLOSING ARGUMENT - MR. SIMPSON

1       As I look at you, I see a wonderful example  
2 of a jury in that has the sense of logic and reason  
3 of members of the community of different ages,  
4 different genders, different ethnicity, and  
5 everything you bring into this process is all we  
6 need.

7       Like I mentioned in the opening statement,  
8 this is not the technical application of confusing  
9 legal roles. It is just the application of your  
10 common sense and knowledge to the evidence that has  
11 been presented to you, and that's all the system  
12 asks of you, to take the law the judge gives you  
13 and use your common sense and apply it to the  
14 evidence we heard this week, and I'll be asking you  
15 to do that a lot. I think if you do that, you'll  
16 reach a lot of the same conclusions that I have.

17       I also in my opening statements used a very  
18 cliché overworked analogy, but I couldn't avoid it  
19 because I think it pertains to the evidence we've  
20 heard this week so perfectly, and that is that this  
21 case will be availed to you like a puzzle, where  
22 each individual piece may be interesting, but each  
23 individual piece isn't going to show you the whole  
24 picture. It is going to be a week of little pieces  
25 coming left and right and some out of order, and it

## CLOSING ARGUMENT - MR. SIMPSON

1 is not until we get the puzzle put together on the  
2 kitchen table that we really get an idea of just  
3 how overwhelming this evidence is when looked at in  
4 total, and we look at that kitchen table with the  
5 whole picture laid out in front of us.

6 So this is the opportunity that I have now to  
7 order things in a little more sensible manner, and  
8 present to you that kitchen table with that puzzle  
9 put together. I submit to you the (inaudible)  
10 reference by the defense in their opening statement  
11 is simply not there.

12 We are here this week in the State versus  
13 Karseem Hardaway. I have multiple screens here  
14 with a view of this. Mr. Hardaway is charged with  
15 murder and possession of a weapon during the  
16 commission of a violent crime. I'll discuss a  
17 little later in my closing argument what those  
18 offenses are.

19 Let's start and go chronologically with the  
20 few things we know about Karseem Hardaway. There  
21 is Karseem. We can recognize him. We know that  
22 Karseem Hardaway, at least in June of 2021,  
23 possessed a certain pair of jeans, a pretty unique  
24 set of jeans. You note mainly the zippers on both  
25 legs and the upper thighs of both legs. Why is



## CLOSING ARGUMENT - MR. SIMPSON

1 that important? Because on July 3 of 2021, Mr.  
2 Hardaway took a very -- two very short videos, and  
3 he took them on his phone. We know they were taken  
4 on his phone, because we remember the testimony of  
5 Maria Heffron. She told you that.

6 (Published to the jury.)

7 MR. SIMPSON: All right. On July 3, 2021,  
8 the second.

9 (Published to the jury.)

10 MR. SIMPSON: Now, you heard important things  
11 about that. That's from his phone taken by his  
12 phone, and it clearly show the jeans that he likes,  
13 liked so much that he was also wearing them when he  
14 was arrested, State's 75. I submit to you, if you  
15 want to, you can use the photograph. I think that  
16 is fine, but if you want to compare the jeans in  
17 those two videos, you won't have any doubt that  
18 that is Karseem taking the picture of that handgun.

19 So now is as good a time as any to discuss  
20 that handgun because we heard a lot about it this  
21 week, a lot of important things about it. They  
22 looked at the markings on the one side of the  
23 handgun, and the markings on the other side of the  
24 handgun, as you can too in the jury room, and you  
25 see that that is clearly a Glock 20,

## CLOSING ARGUMENT - MR. SIMPSON

1 Fourth Generation, 10-millimeter. Glock 20  
2 10-millimeter. Interesting. Almost everybody with  
3 experience in firearms and law enforcement that  
4 talked to you this week noted something about that.  
5 They were like, That was interesting. We haven't  
6 seen a lot of this.

7 Paul Kelly, who by his trade is a crime scene  
8 investigator. His job every day is to go to crime  
9 scenes and interact with things related to crime.  
10 He noted to you that he thinks -- kind of remembers  
11 one other time he saw a 10-millimeter handgun.  
12 Handguns are a huge part of his career, and he said  
13 he might have seen this one caliber of weapon one  
14 time.

15 Agent Eikenberg works for a federal agency,  
16 Federal Agency of Alcohol, Tobacco -- and what --  
17 firearms. It is his profession. It's his life.  
18 Can't recall a single time since -- I believe he  
19 said since 2000 until right now he can't recall a  
20 single time where his job has led him to cross  
21 paths with a 10-millimeter handgun. Very  
22 interesting. But that's the kind of evidence that  
23 we call antidotal evidence. That's just a person's  
24 experience.

25 Let's move on and get more scientific. ATF

## CLOSING ARGUMENT - MR. SIMPSON

1 data, five years of Lowcountry gun traces -- and I  
2 don't think I could name them all, but the nine  
3 counties of the Lowcountry. You heard that most  
4 large agencies like CPD, NCPD, Charleston County  
5 run every single gun they encounter. Five years of  
6 data, over 60,000 firearms run through that trace  
7 system, a 10-millimeter shows up less than  
8 1 percent of the time in over 60,000 firearms.

9       You also heard him rank the firearms and saw  
10 how far down the 10-millimeter was and the  
11 frequency that they came to. What the defense is  
12 going to do is say, Hey, this is the eighth most  
13 common gun. Remember when they say that, the real  
14 data is less than 1 percent. A 9-millimeter is  
15 60 percent of the time, other calibers, and  
16 10-millimeter is less than 1 percent.

17       So chronologically, before we're even talking  
18 about the crime that occurred here, we know about  
19 Mr. Hardaway and that he possessed a very uncommon  
20 gun that has a caliber of 10 millimeters. And in  
21 case you were wondering about that gap between the  
22 videos made on July 3<sup>rd</sup>, I draw your attention to  
23 July 12, the day before the murder, to the left,  
24 bottom pocket of Mr. Hardaway as he walked out of  
25 his sister's apartment.

## CLOSING ARGUMENT - MR. SIMPSON

1 (Published to the jury.)

2 MR. SIMPSON: Pause it. Watch it as many  
3 times as you want. Mr. Hardaway has a handgun in  
4 the left sweatpants pulling down his pants, and the  
5 butt of the gun is sticking out. This is 24 hours  
6 before David Conner is murdered.

7 So let's get to the events. July 12 -- and  
8 it is a lot of times to keep up, but very  
9 important. July 12, 2021, 9:51 p.m.

10 (Published to the jury.)

11 MR. SIMPSON: So we have a complaint from  
12 David Conner who identifies himself, but also  
13 identifies his apartment. Also, we saw on the  
14 phone records later that this was a call made by  
15 his phone. So I don't think we need to sit here  
16 and wonder about a mystery of who made this  
17 voicemail complaint to the front office. So we  
18 start there.

19 This is going to be -- obviously, I want you  
20 to apply your common sense through the entirety of  
21 the evidence, but this is one of the moments that  
22 I'll ask you to use your life experience to answer  
23 some questions. We've seen this, the breezeway  
24 where Tiffany Hardaway and David Conner live. We  
25 did hear some conflicting testimony about whether

## CLOSING ARGUMENT - MR. SIMPSON

1 it was four or three apartments. You can look at  
2 these photographs. It's three. A short breezeway  
3 going through the ground floor of an apartment  
4 complex.

5 The apartment complex, I would imagine every  
6 single one of you have seen a place like this or  
7 lived in several or seen a place like this. It is  
8 a short breezeway in the back, right building of an  
9 apartment complex. This is not an apartment  
10 complex with through traffic. You pull in and out.  
11 You don't go through. This is the back, right  
12 building. I ask you just logically and in common  
13 sense, who would be out there talking on the phone?  
14 Let me tell you who. What you may hear is, Oh, it  
15 could be anyone. That is technically true. I can  
16 drive from James Island and drive out to this  
17 breezeway and have a phone conversation, sure.

18 Someone from Charleston could drive down  
19 there, drive to the very back of the apartment  
20 complex and have a talk on the phone. But when we  
21 apply our common sense, we look at this and say  
22 that most likely a person who is inside is going to  
23 say, I'm going to step outside for this phone call.  
24 It is going to be one of the people from one of  
25 these apartments. Someone could have walked from

## CLOSING ARGUMENT - MR. SIMPSON

1 upstairs. Sure. This is one of those pieces that  
2 doesn't solve the case all on its own, but it is an  
3 important piece, an important starting point.

4       Who would be out there being loud on the  
5 phone? Most likely someone from these apartments.  
6 Where is Karseem Hardaway when this complaint takes  
7 place? Where is he at? We know where he is. And  
8 I'm not misleading you with evidence. You heard  
9 from the CAST analysis that this doesn't pinpoint a  
10 person to an exact location, but when you look at  
11 our crime scene, and you look at where the tower  
12 pings are happening, he's right in that zone that  
13 was described to you where this occurred when that  
14 complaint happened to the front office. Right  
15 where you think he would be in that hallway pingging  
16 on the towers that are correct for that.

17       Secondarily, he's asked at the car when he's  
18 pulling out the day after, What were you doing the  
19 night before the murder? I was at Tiffany's house  
20 spending the night. Believe the technology or  
21 believe Mr. Hardaway, doesn't matter to me, but he  
22 is one of the people in that very short hallway  
23 when that complaint takes place. But the question,  
24 All right, smart guy, if you are saying this is  
25 him, this will be easy. Let's look at his phone

## CLOSING ARGUMENT - MR. SIMPSON

1 and see if he's on the phone, because the victim is  
2 complaining about someone talking too loudly on the  
3 phone. And, of course, yes, it is.

4 The complaint, 9:51, Karseem Hardaway makes a  
5 phone call at 9:46 that lasts 14 minutes. The  
6 victim is complaining about someone on the phone in  
7 the hallway. Karseem Hardaway in an apartment in  
8 the same hallway -- that is in the same hallway  
9 talking on the phone at the right time. Things are  
10 starting to match up. Puzzle pieces, very slowly,  
11 but they are coming together at the bottom, left  
12 corner when you apply basic common sense.

13 Tiffany Hardaway's Ring camera. Okay. A big  
14 question here. Let's talk about it. Meeting One  
15 with Tiffany Hardaway has a certain tone to it.  
16 You heard more than one people talk about it. What  
17 is the tone of Meeting One? Cooperative, friendly.  
18 You need to see my Ring camera? No problem.  
19 Because Meeting One is happening in very close  
20 proximity in time to when her neighbor is murdered.

21 Tiffany Hardaway, at this point in time, has  
22 no reason to know who did it. No reason to believe  
23 in a billion years that it would have anything to  
24 do with her. Tiffany Hardaway says, Oh, would this  
25 help? Sure. What time are you looking? At this

## CLOSING ARGUMENT - MR. SIMPSON

1 point in time, the police don't know all of the  
2 details, so they are really only interested about  
3 that time around the murder.

4 So Tiffany Hardaway shares the Ring camera,  
5 and that includes the important Ring camera they  
6 realize later of her brother leaving at 5:04, the  
7 last person seen walking through the breezeway  
8 walking towards David's apartment.

9 Meeting Two with Tiffany Hardaway. The tone  
10 changes all the sudden. This is where you hear the  
11 testimony from the officer about clicking on phone  
12 and seeing something red come up, and later  
13 confirming that when you try to delete Ring videos,  
14 it prompts a red screen image. I think we've  
15 encountered this on computers saying, Are you sure?  
16 Are you sure you want to delete this? Right? He  
17 sees it on the phone, takes the phone, and confirms  
18 that red thing he saw was an attempt to delete  
19 videos. So we have a big change in Tiffany  
20 Hardaway's demeanor between Meeting One and Meeting  
21 Two.

22 What happened? What happened between Meeting  
23 One and Two? We know what happened. What is one  
24 thing we know happened? Karseem visited her. As  
25 Crockett and Jarrell walked up canvassing, they



## CLOSING ARGUMENT - MR. SIMPSON

1 talked to Karseem at his car. The meeting with  
2 Tiffany where she is alleged to have deleted  
3 things -- they talk to Karseem, and then they walk  
4 right over to Tiffany's house. So what do we know  
5 happened? Karseem is leaving as he just visited  
6 Tiffany. Tiffany and Karseem met, and that's when  
7 we have this drastic change in Tiffany Hardaway.

8 The work on the deleted Ring cam was done.  
9 Nobody likes the results, but the work was done.  
10 It wasn't just accepted what Crockett said. You  
11 heard from Detective Wilson, goes directly to the  
12 Ring company. I don't see in the search warrant  
13 results where anything was deleted. We can't do  
14 that. This is on the fly. The user keeps it, and  
15 can delete things. We can't provide you with that.

16 He then took the phone and seized it and  
17 sends it to Marie at DEU and says, Please, can you  
18 show me where these videos were deleted and maybe  
19 find the videos to show at least what time? You  
20 heard from Marie, and what an impressive expert she  
21 is. I have no reason to doubt when she tells you,  
22 again, that is not something we can find off of  
23 that phone. It is cloud-based storage.

24 Oh, just leave it there and say, Oh, well?  
25 No, we sure don't. Because what can Marie show us

## CLOSING ARGUMENT - MR. SIMPSON

1 about Tiffany Hardaway's phone? What she told us  
2 about Tiffany Hardaway's phone is that she accessed  
3 the Ring app 53 times on July 14<sup>th</sup>. Fifty-three  
4 times. I can't tell you what she's doing. But  
5 Detective Crockett said he saw her deleting  
6 something. And, to me, a Ring cam, 53 times, is a  
7 lot in a day. Someone is very interested in what  
8 is and is not on that Ring camera.

9       The only evidence that you have heard this  
10 week you've been here about any difficulties  
11 between David Conner and with any other human is  
12 that person, that confrontation that happens  
13 outside of his apartment in that small breezeway  
14 where three apartments share space. You haven't  
15 heard any other evidence of difficulties he had  
16 with others.

17       Let's talk about David Conner's timeline,  
18 David Conner's day. David Conner goes to work the  
19 next day. By all accounts, a pretty normal day.  
20 There was some attempts I think by the defense to  
21 say he went home for lunch. He did. He went back  
22 waiting on a washer and dryer. Went back to work,  
23 spent the afternoon, and comes home. We know  
24 exactly -- thanks to the technology, and it is kind  
25 of scary, but we know exactly when he gets home,

## CLOSING ARGUMENT - MR. SIMPSON

1 don't we? 5:32. We know it from the GPS in his  
2 truck, which was triggered when he cut the truck  
3 off.

4 And we know it, very sadly, when the last  
5 person he talked to. Last person he talked to was  
6 his wife. This screen shot there is the exact copy  
7 of an exhibit, and I had Maria testify to this.  
8 This includes the two most important calls from his  
9 phone: The call the night before to the office,  
10 and the last call to (inaudible), which is his pet  
11 name for his.

12 We can pinpoint that he gets home at 5:32.  
13 Here is the layout of the apartment. Here comes a  
14 question that the defense is going to try to really  
15 muddy up, and I don't think they are going to  
16 succeed. When was David Conner killed? You heard  
17 this idea deposited to you, and here we are at  
18 another point I want you to just use your common  
19 sense and your experience that you brought here  
20 with you today. This could have been in this big  
21 30-minute window. In the great range of human  
22 possibilities, maybe, but let's use some sense and  
23 see if we can figure out if this happened when he  
24 got home or later on.

25 You see the redaction of the black form

## CLOSING ARGUMENT - MR. SIMPSON

1 there. Is that the form of David Conner as he was  
2 found dead? No, it is not. Several witnesses said  
3 that the body was moved that way to render medical  
4 aid, and when first responders arrive, their first  
5 priority is medical aid, not preserving a crime  
6 scene, as it should be. But you heard a lot about  
7 what it was like where David Conner was. And where  
8 was he? Feet at the door, face down, keys on the  
9 floor next to him, large pool of blood. David  
10 Conner was shot as he walked in that door at 5:32.

11 You heard from all of the trained medical  
12 professionals that this bullet wound was so small  
13 in the back of the neck that for minutes -- 30  
14 minutes, maybe even longer -- they thought that  
15 this was a medical emergency. That's how unobvious  
16 this bullet wound was to the back of his head.

17 Yet, from several, several witnesses, you had  
18 a large amount of blood. Isn't it logical to say  
19 that it takes a long time for a tiny wound to  
20 create a large pool of blood? Isn't it logical to  
21 say that people don't walk home and -- how many  
22 just throw your keys on the floor? I'm guessing  
23 zero, most of the time. He is shot as he walked in  
24 the door, keys in hand. His feet by the door, so  
25 much that Mosier can't open it. His head faced

## CLOSING ARGUMENT - MR. SIMPSON

1 down, shot to the back.

2 We can use our sense and logic to conclude  
3 that David Conner was killed around 5:32 p.m. on  
4 the 13<sup>th</sup> by a 10-millimeter handgun, a handgun  
5 that shows up in less than 1 percent of traces by  
6 the ATF. A handgun that we know, prior to the  
7 murder, Karseem Hardaway had possession of. That  
8 is David's day. Let's talk about Karseem's day.

9 5:04 p.m., Karseem leaves. I draw your  
10 attention to his left pocket. Do you see a gun in  
11 his left pocket? I don't, but use your own eyes  
12 and see if you see a shape in his pocket, and we  
13 know where he likes to carry a handgun because  
14 we've seen in the other videos.

15 5:04 in this tiny breezeway, Karseem Hardaway  
16 leaves and walks right there. What do we know is  
17 in that direction? The victim's apartment and the  
18 parking lot. The parking lot that he seems to like  
19 to park at, because that is where he is found the  
20 next day parked in his car.

21 He gets in his car at 5:04. We'll see him  
22 scooting right out of Bolton's Landing at 5:06,  
23 5:07, 5:08. According to Karseem, he talked to  
24 police, Yeah, that's me in that video. That's me  
25 leaving. I left to go to the island. So we'll see

## CLOSING ARGUMENT - MR. SIMPSON

1 him on the video leaving at that time? No, we  
2 don't. We see him 31 minutes later. Karseem  
3 Hardaway leaves, goes back and does something for  
4 31 minutes, and in a few minutes we'll tell you  
5 exactly what it was. So should that have taken 30  
6 minutes to walk to that door to that back parking  
7 lot? It should take seconds, not 31 minutes. 31  
8 unaccounted for minutes.

9 We know -- we see here that the Karseem  
10 Hardaway has a red Accord. We don't see him  
11 leaving Bolton's Landing until 5:35 p.m. And I'll  
12 pause to address an issue that is important. You  
13 heard from two witnesses about a tiny discrepancy  
14 on this surveillance system of 28 minutes. I was  
15 concerned about that. I'll be real, because a lot  
16 of people have a distrust of government, and that's  
17 okay. A lot of people do. And I didn't want to  
18 leave you having to just believe somebody from the  
19 stand to take their word that there is a 28-minute  
20 time discrepancy on the videos. So let me offer  
21 you a couple of thoughts of why you know there is a  
22 28-minute time discrepancy.

23 One, it is reported by two independent  
24 people. Principio goes the night of and reports  
25 it, in his report he reports that, and Jarrell.

## CLOSING ARGUMENT - MR. SIMPSON

1 Two independent people reporting the same 28-minute  
2 discrepancy. That might do it for you. But  
3 Principio notes the 28-minute discrepancy when the  
4 law enforcement does not know who Karseem Hardaway  
5 is. Let me pose this to you. If this is some  
6 conspiracy to craft some time discrepancy, how does  
7 he nail it before he even knows who Karseem  
8 Hardaway is? He wouldn't have the ability to do  
9 that.

10 We were able to provide you this, and I think  
11 when we showed it up on the screen it is hard to  
12 see. But when Principio responds to this location  
13 on the night of the murder knowing very little  
14 about the facts of the case and notes a 28-minute  
15 differential on this time frame, he's wearing his  
16 body cam. His body cam, which you heard from  
17 testimony, is linked online to the correct time.  
18 It corrects itself every time he plugs it in.

19 So he has two locations where he can rely on  
20 this realtime, and then you can see. You can pass  
21 this around in the jury room. You see the screen  
22 of the surveillance system, and you see the time on  
23 his camera, and the time on the surveillance  
24 system, and you, with your own eyes, can note that  
25 28-time differential that they did. We don't have

## CLOSING ARGUMENT - MR. SIMPSON

1 to rely on what he said for that.

2 Detective Wilson keeps looking, that is red  
3 Accord. I think that is Karseem's car. Let's keep  
4 looking. Let's see. Where is he heading? Bees  
5 Ferry. Let's look around Bees Ferry to see if we  
6 can see his car again. And sure enough, we did:  
7 5:37. Not 5:06. Not 5:07.

8 And, finally, if there is any doubt, and you  
9 should be critical of all the evidence, but if  
10 there is any doubt that that red Accord belongs to  
11 Karseem Hardaway, that doubt is removed here on the  
12 third time it's checked because that is an ALPR  
13 camera that notes license tags. You'll note the  
14 same tag that was noted by Detective Crockett's  
15 body cam when he goes up to interview Karseem.  
16 Same number as the DMV records.

17 5:42:31 p.m. Exactly the times where you  
18 would think they would have been if the State's  
19 theory of this case is correct. Conner is killed  
20 at 5:32 p.m., Bolton's Landing apartment complex.  
21 5:35 p.m., Karseem Hardaway fleeing the scene.  
22 Three minutes to get from shooting David Conner to  
23 the entrance of the Bolton's Landing apartments.  
24 5:37:23 p.m., Circle K, heading out to the island.  
25 5:42:31 p.m., we've heard -- already heard can't do



## CLOSING ARGUMENT - MR. SIMPSON

1 that because sometimes Charleston has traffic.

2 They want you to rely on the basic assertion  
3 that sometimes Charleston has traffic, so this is  
4 impossible. That's when I say, one, you heard  
5 testimony that that is exactly about how long it  
6 takes to travel that distance.

7 Two, State's 77-C. What else do we know  
8 about Karseem leaving Bolton's Landing and heading  
9 out to the island? And when he did it, in that red  
10 Accord, we know where his phone is moving. Here,  
11 to here, to out in the island in the exact same  
12 time frame. So the idea that this timeline is one  
13 that can't be relied upon is not only nonsensical,  
14 it is disproven by the cell phone data.

15 Now, to take a deep breath, because this is  
16 the stuff that gets kind of chilling. This is the  
17 evidence that I would like you to focus on. I want  
18 you to focus on everything and spend some time,  
19 because this is an invitation into the mind of  
20 Karseem Hardaway, into what he's thinking about  
21 from the moment David Conner has this confrontation  
22 in the hallway in the breezeway of Bolton's  
23 Landing, to the moment David Conner is dead. What  
24 do we know about Karseem Hardaway's phone during  
25 that time?

## CLOSING ARGUMENT - MR. SIMPSON

1           July 12, 2021, 11:35 p.m. -- I would like to  
2 remind you that David Conner called the front  
3 office at 10:51. 11:35 p.m.: "Star, Inc." By  
4 itself, what does that mean? Right after that:  
5 "Star, Inc., company truck." Right after that:  
6 "Star, Inc., company truck." Right after that:  
7 "Star, Inc., vehicle." Right after that, several  
8 times: "Star, Inc." Going all the way to  
9 11:36 p.m. at night. Star, Inc., you have to  
10 consider that the context of the searches that is  
11 about to happen, because he wakes up and realizes  
12 something the next day, the day that David Conner  
13 died.

14           3:48 p.m., "Sack, Inc." Now you can see, oh,  
15 I've been searching the wrong company. It's Sack,  
16 Inc. Sack, Inc., David Conner's company searched  
17 on his phone at 3:48 p.m. Again on his phone:  
18 3:49, "Sack truck logo." "Sack truck" at 3:49.  
19 "Sack Company" at 3:49 p.m. Then it switches  
20 closer to the murder, and this is what really is  
21 shocking. This is 5:24:12. You are looking into  
22 Karseem Hardaway's mind minutes before David Conner  
23 is dead. Google maps, "Sack Company," "Sack  
24 Company," "Sack Company." He is searching on the  
25 map. Springdale, Springdale. Look at the search

## CLOSING ARGUMENT - MR. SIMPSON

1 terms. And this is minor detail, but Mosier  
2 mentioned in his testimony that in Lexington, the  
3 Springdale area, that is the satellite office.

4 This makes me sad, because I can't help to  
5 think what Karseem Hardaway is doing as he is  
6 waiting in the rear of that apartment building  
7 waiting for David Conner to get home, he is  
8 learning that maybe David Conner is all the way in  
9 Lexington. I always think if he would have just  
10 bailed at that point, but he didn't. Or if David  
11 Conner had gotten home minutes after.

12 But from 5:24 to 5:25, minutes before David  
13 Conner gets home, Karseem Hardaway is trying to  
14 figure out the location of where he works. Let me  
15 ask you this -- think about it -- what possible  
16 reason would Karseem Hardaway have from the moment  
17 of this confrontation in the breezeway to the  
18 moment David Conner is dead to search for his  
19 employer? To search what does his truck look like?  
20 What is the logo on the truck? Where does he work?  
21 Where might he be today? Zero reason. Zero.

22 Let me tell you something. There is a  
23 construction cap in his car. What are you going to  
24 think when they say he was looking for a job, and  
25 that is why he's searching those? Looking for a

## CLOSING ARGUMENT - MR. SIMPSON

1 job? His interest in the Sack Company begins at  
2 the moment of the confrontation in the breezeway.  
3 But more importantly, when does his interest in the  
4 Sack Company end? Where does Karseem all the  
5 sudden show no interest, whatsoever, in the Sack  
6 Construction Company? I'll tell you when: At  
7 5:32 p.m., the moment a bullet travels through  
8 David Conner's brain. No more interest in the Sack  
9 Company. Inconceivable excuse. 24 hours of Web  
10 searches related to David Conner is inconceivable  
11 when you apply common sense.

12 Just before the death of David Conner. He  
13 did take a break from the near obsessive search  
14 related to the victim in this crime to search for a  
15 few other items of interest. It's difficult to  
16 see. Remember, we correct for UTC. Remember that  
17 conversation about UTC? UTC is four hours off. So  
18 our time is 2:12 p.m., just a couple hours before  
19 the death of David Conner by a 10-millimeter  
20 bullet, Karseem watches a video titled "testing the  
21 SGM tactical 30 round 10-millimeter magazine," and  
22 searches for "10-millimeter drum." Hours before  
23 David Conner is killed with, what? A  
24 10-millimeter.

25 So we move now from all of that evidence

## CLOSING ARGUMENT - MR. SIMPSON

1 about what Karseem -- what shows Karseem committed  
2 this crime, leading up to the crime. Let's now  
3 contemplate with that common sense we keep talking  
4 about, what a person does and how a person acts  
5 after they have done something like this. Get rid  
6 of the gun, dude. Facebook Messenger. "Glizzy"  
7 for slang. Snapchat: "10 milly, Glock 20, throw  
8 price." That shit new? (inaudible). The gun we're  
9 discussing is a Glock 20. "I hit other people up,  
10 so if I sling, I'll let you know." I'm trying to  
11 get rid of this. If I sell it to someone else,  
12 I'll let you know. Facebook Messenger at the exact  
13 same time he sends someone "550," he sends them a  
14 video of that. Sends them a video and says "550."  
15 And after, sends a voice message to the person.  
16 What is the video he sends with the number 550?  
17 Take a look at this. 550. Want to know more  
18 details about it?

19 (Published to the jury.)

20 MR. SIMPSON: Get rid of the evidence. Get  
21 rid of the gun. And he did, on the same day. Put  
22 something like that up for sale, gone the same day.

23 But now we have a new problem for a guilty  
24 person. It wouldn't be any problem, whatsoever,  
25 for a person who is innocent. All of these

## CLOSING ARGUMENT - MR. SIMPSON

1 transactions related to the evidence that might  
2 show his guilt are documented. And where are they  
3 documented? We've seen it: Snapchat, Facebook,  
4 Google searches. This is the 2024 -- I think. I  
5 hardly remember. People know about technology.  
6 Your average person has an awareness of these  
7 things. So now he took care of his first problem,  
8 got rid of the gun. He has a second problem: All  
9 this stuff online. An innocent person wouldn't  
10 care about their online presence. He does. He has  
11 a good reason to.

12 So he instills a failed solution to this  
13 problem. You can hear it in State's 79-A. State's  
14 79 is a flashdrive that is in evidence. If you  
15 click on 79, File A is a recorded phone call from  
16 the jail made by Karseem Hardaway. You heard about  
17 that process, how we know it's him. He has to use  
18 a specific pin number identical to him. It also  
19 has a voice recognition system instilled in it.

20 I was going to play here in court and have  
21 this dramatic moment, but it is very difficult to  
22 hear in a setting this large. But I'm confident in  
23 the setting of a jury room you'll be able to hear  
24 the words that are spoken. To that point remember,  
25 what I say is not evidence. You listen to it and

## CLOSING ARGUMENT - MR. SIMPSON

1 draw your own conclusions for it.

2       What it is is a long recording of him talking  
3 on the phone. There are times, you know -- we do  
4 what is called "redact" where we take away things  
5 that are not relevant and don't matter. So there  
6 is gaps of silence in the clip, so don't cut it  
7 off. Listen to the whole thing. What you hear  
8 really quick in the beginning, Get rid of my  
9 Snapchat. Why does he have to get rid of the  
10 Snapchat? Because we just saw the message from the  
11 Snapchat. "10 milly, Glock 20."

12       After that quick clip, when he talks about  
13 getting rid of Snapchat, there is a gap of silence  
14 and then it starts again with another conversation  
15 about Facebook. Guess what? We got search  
16 warrants and got his Facebook records. You heard  
17 about this, so you know it's his account. Listen  
18 to that. He's explaining to the person in great  
19 detail. Here's my Facebook details: Islandboy4,  
20 here is my password. He gives them the password.  
21 We have to get rid of this stuff. This is the  
22 stuff that is going to sink me.

23       It goes on: Gmail account. We sat there and  
24 looked at the chilling searches found on his gmail  
25 account and his phone, all of these inquiries about

## CLOSING ARGUMENT - MR. SIMPSON

1 what the victim's truck looks like, where he might  
2 be working, what he might be doing, all on his  
3 gmail account. So on that jail phone, he wants  
4 these gone. He wants them disappearing. That in  
5 and of itself is evidence of guilt. That is our  
6 top, right corner of the puzzle coming into focus.  
7 He wants them gone.

8 He is told at the very end of that  
9 conversation, Oh, man, they can't delete this for  
10 30 days. What does he say? "Oh shit." Oh shit,  
11 indeed. When you put the pieces together on the  
12 kitchen table, it's different than Monday. It's  
13 different than sitting here all week and hearing  
14 little pieces coming left and right. When you lay  
15 everything out, what happened here should be clear  
16 to you all.

17 And remember my burden. It is a burden I  
18 accept. It is tough, but I accept it in this case.  
19 Firmly convinced. It is not complicated legal  
20 jargon. It is you are firmly convinced that  
21 Karseem did this. And what is he accused of doing?  
22 He is accused of the crime of murder.

23 In the criminal justice system, homicide  
24 typically falls in two types of cases. Sometimes  
25 things are complicated because we wonder what is



## CLOSING ARGUMENT - MR. SIMPSON

1 it, right? Sure we know someone is dead, and we  
2 know who shot this person, but was it self-defense?  
3 Voluntary manslaughter? Involuntary manslaughter?  
4 Murder? Those can be tough cases to put on. But  
5 that is not the case here. That is the easy part  
6 in this case.

7 Let me tell you, what happened to David  
8 Conner was murder, without a doubt. What is  
9 murder? To be the most serious offense in South  
10 Carolina law, it is a very short and to the point  
11 definition: Murder is the killing of another human  
12 being with malice aforethought. What you will hear  
13 is that malice means some kind of ill-will. You  
14 are intending harm upon another person. That is  
15 what malice is. Aforethought means it happens  
16 before the actual shooting, and then you hear  
17 something interesting from the judge. It can be  
18 half a second before a shooting. When I pull a gun  
19 and decide in a split second I want to hurt someone  
20 and kill someone, that is malice aforethought.

21 Again, in this case, we don't spend a lot of  
22 time about aforethought because we see during the  
23 phone Karseem thinking about this and planning it  
24 for 24 hours from the night before from the  
25 killing. What happens to David Conner was

## CLOSING ARGUMENT - MR. SIMPSON

1 absolutely murder. And so this is a who-did-it  
2 case. If you sit here right now firmly convinced  
3 it was Karseem Hardaway, then the correct verdict  
4 should be easy.

5 I am in a difficult position as a lawyer. We  
6 hate it, and that is that in a few moments I have  
7 to sit down, and I don't get a chance to talk to  
8 you. I don't know what Ms. Arora is going to say.  
9 I don't get a chance to come back and address all  
10 of those things, okay.

11 What might be said? What might be said is,  
12 No way this timeline fits. Traffic, sometimes  
13 Charleston has traffic. We've addressed that.  
14 Yeah, sometimes it does, but ten minutes is pretty  
15 obvious time to make that trip. And we have his  
16 phone, showing that his phone has been there at the  
17 exact same time. Not persuasive.

18 But there was a motorcycle. Someone told  
19 police there was a motorcycle in the area close in  
20 time to when the fire trucks arrived. What do we  
21 know about that time period in relation to David  
22 Conner's murder? We know -- we can use our common  
23 sense and see that he was shot and killed as he  
24 walked into his apartment right after cutting his  
25 truck off. He fell right in his front door with a

## CLOSING ARGUMENT - MR. SIMPSON

1 gunshot to his head.

2       The motorcycle was somebody -- literally gets  
3 no more complicated than someone drove a motorcycle  
4 by him at some point in time after the murder  
5 happened. What did the detectives do? They found  
6 a motorcycle -- I want to clear it up. They didn't  
7 find the motorcycle, as no good description was  
8 given of the motorcycle. They find a motorcycle in  
9 a giant apartment complex. They look into it. It  
10 appears to be someone that lives there, and  
11 Detective Wilson testified he still lives there.  
12 Other than the flashing headline that a motorcycle  
13 rode by, there is no other linkage to that,  
14 whatsoever, that links to this crime.

15       The GSR, you heard challenges of gunshot  
16 residue. I think you guys are clear. Daniel  
17 Wilson testified that there would be no purpose in  
18 getting the gunshot residue results on Mark Mosier.  
19 Why? He treated the victim for first aid. He even  
20 describes he was shot here, and what did Mark say  
21 on the phone? I was looking for a pulse all over  
22 his side, all over his neck. So we know -- we know  
23 Mark Mosier has gunshot residue on his hands. He  
24 had his hands all over a gunshot victim, so what is  
25 the point of sending that test? What is the point?

## CLOSING ARGUMENT - MR. SIMPSON

1 It would move the investigatory needle not one  
2 single bit.

3 Let's talk about Mark. He gets to that house  
4 at 5:53, he's on the phone with 911 at 5:55. There  
5 is absolutely no logical reason that Mark Mosier  
6 would have anything to do with this. He comes in,  
7 you hear him on 911 call trying to render first aid  
8 to his roommate. And he says live when he walks  
9 in -- they say, Can you just turn the body over?  
10 And what does he say? I'm not sure. I really  
11 don't think I can. There is too much blood.

12 By the time Mark Mosier gets to that  
13 apartment, David Conner had been laying there for a  
14 significant amount of time to create so much blood  
15 that Mark is worried if he can even physically flip  
16 over the body. All that blood is created by a  
17 single wound to the back of the head.

18 You may hear, Oh, there was no stippling or  
19 powder burns located on the gunshot wound. You  
20 heard from the ME that a close range gunshot that  
21 might be there -- it isn't always, it might not --  
22 and sometimes it is not if there is something in  
23 between -- the bullet goes through, and if there is  
24 something in between that wouldn't cause those  
25 burns like hair and clothing.

## CLOSING ARGUMENT - MR. SIMPSON

1 I'll remind you again that this wound was so  
2 confiscated and covered by his clothes and hair  
3 that trained medical professionals did not notice a  
4 gunshot wound for minutes, for a lengthy period of  
5 time. Maybe the wound was not that obvious. Do  
6 you think that maybe the wound was covered in the  
7 fact that EMTs couldn't find a gunshot wound?

8 Ms. Arora is about to have a chance to talk  
9 to you, and she's a lovely, wonderful person.  
10 She's a fantastic lawyer, and I'm sure she's going  
11 to raise points that I can't predict or come up  
12 with. I ask you though, and I'm confident in this,  
13 to use that common sense we were talking about, to  
14 look at all of the stuff we have laid out here, and  
15 if you apply your common sense to the things that  
16 she'll tell you about -- you have a job to do, and  
17 I applaud you for doing it, but think about it.

18 Couple of comments and I'll sit down and  
19 leave the rest to you. I'm sure each and every one  
20 of you feels for Mr. Conner's family. And I'll say  
21 something else that you don't expect. I bet a part  
22 of each and every one of you feel for Mr. Hardaway.  
23 I do. That is a hard place for a human being to  
24 sit.

25 It is a difficult thing to sit in judgment of

## CLOSING ARGUMENT - MR. SIMPSON

1 another human being. If you find yourself feeling  
2 sympathy for him, good. That means you are a good  
3 human being. But just like the sympathy you feel  
4 for Vicki and David Conner's family, what you have  
5 promised to do is take all of that sympathy for  
6 either side, take it and put it to the side. I'm  
7 asking you to do that on behalf of the Conners and  
8 for any feelings you might have for Mr. Hardaway as  
9 well. He is in a bad spot. It is okay to do that.  
10 Don't let your difficulty in comprehending this  
11 stand in the way of your logical analysis of the  
12 evidence.

13 We don't want to believe every human instinct  
14 and emotion battles this belief that someone would  
15 be shot in the back of the head over something this  
16 damn stupid: As a confrontation in a hallway.  
17 Unfortunately, what human nature tells us,  
18 especially about males, is what males will do when  
19 they feel disrespected -- you almost can't put any  
20 kind of sense to it, so don't let that feelings --  
21 you know, there is no way I live in a world where  
22 someone would be shot over something this stupid.  
23 Don't let that influence your logic and reason that  
24 you promised to apply to this. Violence is scary,  
25 and violence is stupid.

## CLOSING ARGUMENT - MR. SIMPSON

1           Let's talk about that for a second. Some of  
2 the other side of the coin other than Ms. Hardaway.  
3 Mr. Conner -- and I mean no disrespect to him or  
4 his memory at all -- he may have said some things  
5 in that conversation to Mr. Hardaway that weren't  
6 so nice, that weren't so kind. No harm to his  
7 memory, but that could have happened. He could  
8 have said things to him that were disrespectful to  
9 Mr. Hardaway.

10           Certainly, David Conner felt disrespected.  
11 You sense that on the voice message. You have two  
12 males that felt disrespected. Don't let your hope  
13 and belief that this -- that this kind of thing  
14 can't lead to this, don't let that flaw your  
15 judgment. This was calculated.

16           As senseless and stupid as it was, it was  
17 calculated and premeditated murder. I'm asking you  
18 today to do something that is a very difficult job.  
19 I'm asking you to hold Mr. Hardaway responsible for  
20 the death of David Conner and render a guilty  
21 verdict of murder and possession of a weapon during  
22 the commission of a violent crime.

23           I really do appreciate your time and  
24 attention this week. Thank you very much.

25           THE COURT: Ms. Arora.

## CLOSING ARGUMENTS - MS. ARORA

1 MS. ARORA: Thank you, Your Honor.

2 THE COURT: As a reminder, there should be no  
3 movements in the gallery during argument or the  
4 Court's instructions. Thank you.

5 You may proceed when you are ready, Ms.  
6 Arora.

7 MS. ARORA: Good morning. Thank you for  
8 being here. My voice is in and out, so I might  
9 have to take a break, so don't hold that against  
10 me.

11 I want to start by going back to my opening.  
12 I gave a story about my Philadelphia Eagles and  
13 their season. Just a little bit of background on  
14 that. I got my love for the Eagles from my dad.  
15 He grew up outside a small town in Philadelphia. I  
16 was told at a young age that the Eagles are the  
17 best team. They are it. As a young girl, I  
18 thought that was true. I have grown up, and I  
19 still love the Eagles. I see their flaws.

20 I have a daughter. She's four years old. I  
21 started seeing that she's imitating that. She  
22 loves the Eagles. She will sing the Fight Eagles  
23 Fight theme song. She tells me she wears green for  
24 the Eagles. And, to her, this is the only team in  
25 the NFL. She is aware that there is other teams.



## CLOSING ARGUMENTS - MS. ARORA

1 The cowboys are out there. She's also vaguely  
2 aware that there is a team that Taylor Swift is a  
3 fan of, but that is her limited view of NFL. It's  
4 very narrow, and it is just based off of her  
5 perspective of what I'm telling her, and what my  
6 dad is telling her.

7 You know, even this year when it got to the  
8 Superbowl she's asking are the Eagles going to win  
9 tonight. She couldn't comprehend (inaudible). I  
10 love that about her, and I hope she never losses  
11 the wonderment about the Eagles. But I'm asking  
12 you today: Don't be like my daughter.

13 At the beginning of this week, we talked  
14 about puzzle pieces. Take a step back. Open up  
15 your perspective. Look at each piece one by one  
16 and put them together. Do those pieces really go  
17 together? Are we missing pieces? Are there pieces  
18 that aren't really relevant to what we have that  
19 maybe aren't from this puzzle?

20 The pieces don't connect. Karseem Hardaway  
21 -- right here -- he did not shoot David Conner.  
22 The State has gone over what we know, and I'll  
23 summarize and do a quick timeline on that. We know  
24 David Conner left work and was on the phone with  
25 his wife. We know that phone call ended at 5:31.

## CLOSING ARGUMENTS - MS. ARORA

1 We also know that his car turned off at 5:32, and  
2 he was in the apartment building at Bolton's  
3 Landing. We know that Mark Mosier got home at  
4 5:53, and a 911 phone call came in at 5:55. We  
5 know that David died. We had Dr. Richards come in,  
6 and she testified that there was a gunshot wound to  
7 the back of David's neck that went up into his  
8 head. We know a 10-millimeter shell casing was  
9 found inside the apartment right next to that  
10 armchair, and that some bullet fragments were taken  
11 from David's head.

12 We also heard testimony this week that this  
13 was an apartment complex. There were 14 buildings.  
14 They were all around a U shape. And in those 14  
15 buildings, we have three floors and multiple  
16 breezeways. We heard that there was different ways  
17 to get out of that apartment complex. If you  
18 follow that U loop, you can exit. You can go  
19 towards Bees Ferry. You can always go through the  
20 neighborhood of Bolton's Landing, which brings you  
21 out to the 17 exit.

22 We know that Karseem Hardaway was seen at  
23 5:04 leaving Bolton's Landing, his sister's  
24 apartment. And we also know that his car was seen  
25 at 5:42 on Johns Island. What we don't know,

## CLOSING ARGUMENTS - MS. ARORA

1    though, is we don't have a witness that is saying  
2    Karseem Hardaway shot David Conner.

3           The State talked with you a little bit about  
4    their theory, and I want to remind you that they  
5    have to prove beyond a reasonable doubt that  
6    Karseem Hardaway killed David Conner. As Karseem  
7    sits here today, and as he's been here every day  
8    since Monday, he is innocent. He is innocent until  
9    the State can prove that he's guilty beyond a  
10   reasonable doubt. He's cloaked in that innocence  
11   until that burden has been met. It's not my  
12   responsibility or Karseem's responsibility to put  
13   up a defense. It is for the State to prove that he  
14   is guilty beyond a reasonable doubt.

15           What is beyond a reasonable doubt? The judge  
16   is going to instruct you on that today. But it's  
17   evidence that has you firmly convinced that Karseem  
18   committed this crime. To break it down in the  
19   simplest way I can, I think of it almost like a  
20   March Madness. We're in the middle of March  
21   Madness right now. As you go through, you fill out  
22   brackets. The first bracket, you have 16 and 1  
23   matchups, 16 C versus the number one C. I go  
24   through and usually pick the number one C.

25           Now, we have the matchups that are the 8 and

## CLOSING ARGUMENTS - MS. ARORA

1 9, or the 6 and 11 C. You hesitate. You think,  
2 What was the strength of that season? Who did they  
3 play? Let me see if I can research how many games  
4 they really won. That is a doubt. That  
5 hesitation. That is what I tell you reasonable  
6 doubt is, when you take a step back, and you are  
7 doubting what you should do before you make a  
8 decision.

9 There are doubts in this case, and I'm going  
10 to go through each doubt I have with you. We'll do  
11 it one by one. The first one, the timeline.  
12 Detective Wilson was up here, and he told you that  
13 they believed the murder happened at 5:32, and  
14 that's his assumption. You also heard Detective  
15 Wilson tells us that the murder could have been at  
16 5:45, 5:50. That there is a 20-minute window where  
17 they know that David Conner was alive at 5:32, and  
18 he was not at 5:55. We don't know the exact minute  
19 that David Conner was shot. We do know that  
20 Karseem's car was on Johns Island at 5:42. There  
21 is still a window where David Conner could have  
22 been alive during that time.

23 Let's talk about how the scene was laid out.  
24 We've heard that this was an apartment you walk in,  
25 and there is a TV room, and there is the kitchen.

## CLOSING ARGUMENTS - MS. ARORA

1 You heard that the firemen, when they arrived, and  
2 Officer Principio, when they arrived, that the body  
3 was positioned near a wall. The fireman said he  
4 had to push the door open. Mark Mosier also said  
5 he had to push the door open and had to slide  
6 through to get in. That doesn't exclude the  
7 possibility that someone could have been in that  
8 apartment when they shot him. Also, it means that  
9 the door was closed and Mark Mosier had to open it.  
10 There was no DNA found that matched Karseem  
11 Hardaway on that door. Someone shut that door as  
12 they left.

13 We made a big deal about the fact that  
14 Karseem has one eye. I asked Detective Wilson when  
15 he met with Karseem, he has one eye. You can see  
16 for yourself. He's sitting right here. He has one  
17 eye. That is significant to our case in a couple  
18 of ways. You heard Dr. Richards tell us that there  
19 is no soot or stippling present, and that  
20 (inaudible) close range if the shot was given  
21 (notenote). If none is present, she can't tell you  
22 how far away that body was to the barrel of the  
23 gun. I ask that you use your common sense about  
24 eyesight when you evaluate how that person could  
25 have been shot, if the person shooting has one eye,

## CLOSING ARGUMENTS - MS. ARORA

1 how that would have affected their aim and where  
2 they could have shot from.

3 The motive is that there was an altercation  
4 on July 12<sup>th</sup>. The altercation we know about  
5 because of the phone call that was left, the  
6 voicemail that was left. We know about that  
7 through Kristi Jones, and we listened to that.  
8 There was a fight, and all we know is that there  
9 was an altercation. The voicemail says there is a  
10 guy out here. It doesn't say there is a black guy  
11 out here. Doesn't say there is an old guy out  
12 here. Doesn't say that there is a young guy out  
13 here. It definitely doesn't say that there is a  
14 guy with one eye out here. That's a distinctive  
15 feature, and I ask that you use your common sense.  
16 If a call was going to be made to complain about  
17 someone, why wouldn't you use a feature?

18 Another thing you learned is that Mr. Conner  
19 spoke with his wife a couple times a day, on the  
20 way home specifically. He also spoke with his  
21 co-workers. Neither of them testified of having  
22 any knowledge of the altercation. It wasn't  
23 significant enough to tell your wife or to tell  
24 your best friend.

25 The State tells us that the breezeway is

## CLOSING ARGUMENTS - MS. ARORA

1 where, you know, people could have to, neighbors  
2 can walk through. Most likely, it was a neighbor  
3 that lived in that apartment. There are also 14  
4 other apartment buildings with people who have  
5 visitors. There is a number of people that could  
6 have been present at that apartment complex who  
7 could have gotten into an argument with Mr. Conner  
8 on July 12<sup>th</sup>. There is just no connection  
9 between Karseem and that voicemail. We have been  
10 told that Karseem was on the phone that night. His  
11 cell phone records indicate that. Being on the  
12 phone isn't a crime. If you are staying with your  
13 sister overnight, it's normal to whip out your  
14 phone and call someone or use that phone wherever  
15 you are.

16 Detective De Sheers got up here, and he  
17 stated he could pinpoint the region of where this  
18 phone was, and we know where it was. It was at  
19 Bolton's Landing. Karseem tells the detectives he  
20 was at Bolton's Landing. We don't know, though, if  
21 that phone was outside or inside of the apartment.  
22 If it was at the pool, checking the mail, or  
23 anywhere else on the premise. We don't know the  
24 exact location.

25 You saw Karseem speak with Detective Jarrell

## CLOSING ARGUMENTS - MS. ARORA

1 and Detective Crockett inside his car on  
2 July 14<sup>th</sup>. Detectives wanted to know at that  
3 point in time when Karseem left the apartment.  
4 They showed a picture on the Ring camera at 5:04.  
5 But when they are talking with him, they say, What  
6 did you do after? When did you leave the  
7 apartment? And he looks down and looks at his  
8 phone and says, oh, around this time. That body  
9 camera footage, which you all will have in  
10 evidence, has the timestamp on it, and it was  
11 around 5:31 at the bottom of that timestamp. He  
12 also tells detectives during this that he went to  
13 Johns Island. That's consistent with what his  
14 phone is saying. He's cooperating with detectives  
15 at this point, and he's not saying anything  
16 inconsistent with what we already know.

17 There has been a big deal made about his  
18 route of travel, and you've heard detectives. They  
19 saw what appeared to be a red Honda travel past the  
20 Blue Waterway surveillance videos, the one from the  
21 apartment complex that goes straight out. Then you  
22 see a couple minutes later that this car is seen  
23 near the Circle K. Detective Wilson testified that  
24 he thought it was Karseem's car, but he couldn't  
25 see the license plate. He couldn't see the make or



## CLOSING ARGUMENTS - MS. ARORA

1 the model or the person driving that car.

2 He also testified that there was many other  
3 cars that passed by during that time frame. You  
4 know detectives never asked Karseem how he got to  
5 Johns Island. There is multiple ways he could have  
6 gotten to Johns Island. He could have gone --  
7 still could have gone through Bees Ferry, could  
8 have gone through a different route instead of  
9 turning left near the Circle K. He could have gone  
10 straight to the end of Bees Ferry, turned on 17,  
11 and got on the road by Bo Jangles. He could have  
12 gone through the Bolton's Landing neighborhood and  
13 turned out on 17, and then made a left at that  
14 Bojangles.

15 You know, we made a big deal -- I made a big  
16 deal about the traffic. All of the detectives said  
17 that there could be traffic.

18 You heard that there is a lot of neighbors in  
19 that area. I ask that you use your common sense in  
20 knowing that just because someone says it is only  
21 3 miles, use your common sense on how long that  
22 takes you sometimes depending on the time of day to  
23 get where you need to go. There are just too many  
24 unknowns with what they are alleging with the route  
25 of traveling.

## CLOSING ARGUMENTS - MS. ARORA

1           With the layout of the apartment complex, I  
2 think it is significant. Detective Delucia, who  
3 was in the security office getting the camera  
4 footage, he testified that you didn't need a gate  
5 code to get on the property. He was able to just  
6 drive in. Kristi Jones said that as well. There  
7 is no gate code. This property is opened to  
8 anyone, that they can drive on. As I said, there  
9 is multiple ways to leave the apartment complex.  
10 It is U shaped. There is 14 buildings with at  
11 least three floors. A number of neighbors and  
12 people that could be present and visitors.

13           You heard that there is a parking lot that  
14 Karseem's car was in. He's not the only person  
15 that parked in that parking lot. Other people also  
16 access that parking lot who live there. You heard  
17 a lot this week about technology, specifically the  
18 extraction of the cell phone. Marie got up here  
19 this week and testified that the extraction is a  
20 large number of files. Essentially, everything on  
21 your phone is pulled off in this extraction. She  
22 stated that that extraction can be narrow. You can  
23 search it through filters, such as certain dates,  
24 videos. So from the thousands of Google searches  
25 and thousands of photos and the thousands of the

## CLOSING ARGUMENTS - MS. ARORA

1 videos that were on Karseem's phone, the State  
2 presented to you with what they wanted to present  
3 to you, what they thought that was relevant.

4 But I'm asking you to take a step back again  
5 and think about what is on your phone? Use your  
6 common sense. The amount of things that are on our  
7 phone: Google searches, different videos, and how  
8 one video or Google search might not necessarily be  
9 significant until you step back.

10 Let's talk about the 10-millimeter shell  
11 casing. We know that a 10-millimeter shell casing  
12 was found in that apartment. We've heard from  
13 Agent Eikenberg. The State gave us a percentage  
14 number, that 1 percent of guns recovered are  
15 10 milliliters. A couple of things I want you to  
16 remember that he testified to. There is no  
17 national gun registry. We do not know how many  
18 10-millimeters are sold in the nation.

19 He also testified that you can usually walk  
20 into a store and buy a 10-millimeter gun. If it's  
21 not there, the store can easily get it for you and  
22 make it readily available by ordering it.

23 He also testified that the guns that day have  
24 this data on, are only guns that are traced. So  
25 these are guns that are recovered in crimes and

## CLOSING ARGUMENTS - MS. ARORA

1 traced. So there are guns that are recovered that  
2 aren't traced at all, and so we're pulling from a  
3 smaller subsection. He also testified there are  
4 hundreds of calibers of guns. What they have data  
5 on is around 30 to 40 guns, and he listed those  
6 guns to you, and 10 milliliters come in eight out  
7 of 34. So I'm asking you once again, change your  
8 perspective. You heard 1 percent, but when you  
9 take a step back, look, there is also this eight  
10 out of 34, and there's hundreds of calibers of guns  
11 that exist.

12 There are videos and pictures of a  
13 10-millimeter gun on Karseem's phone. The State  
14 told you that, and they showed you. They also told  
15 you that there is a Google search for how to use a  
16 10-millimeter. Having a gun and having a picture  
17 of it on your phone does not mean you killed  
18 someone. It means you had a gun, and you Googled  
19 how to use a gun, but it doesn't mean you use a gun  
20 to shoot someone.

21 The State also showed you a video where they  
22 allege that Karseem walks out of an apartment with  
23 what appears to be a gun in his waist pocket. They  
24 are trying to tell you that Karseem had a gun  
25 around the time of this murder. If that were the

## CLOSING ARGUMENTS - MS. ARORA

1 case, I would ask you to use your common sense. If  
2 Karseem had a gun and was carrying it around, and  
3 he got in a fight with David on July 12<sup>th</sup>, why  
4 didn't he use that gun on July 12<sup>th</sup> during that  
5 fight instead of waiting until the next day?

6 The State also presented you with evidence  
7 that Karseem was selling a gun. They showed you  
8 those Snapchat messages and Facebook messages about  
9 a 10-millimeter gun being sold. This is on  
10 July 18<sup>th</sup>. On July 16<sup>th</sup>, we know that Tiffany  
11 Hardaway was arrested for obstruction of justice.  
12 So there was knowledge that Karseem might have been  
13 involved in some sort of crime at this point. Once  
14 again, I ask you to use your common knowledge --  
15 common sense. If you were under investigation for  
16 a crime and you knew that the police were out there  
17 looking, why would you want to leave a trace of  
18 possibly a murder weapon (inaudible).

19 The biggest thing about the gun -- the State  
20 makes a big deal about the 10-millimeter gun that  
21 they saw pictures of. No gun has been recovered  
22 that matches that shell casing. A gun that matches  
23 that shell casing has not been recovered in  
24 Karseem's car, in his house, or anywhere on him.  
25 The State cannot put the murder weapon in Karseem's

## CLOSING ARGUMENTS - MS. ARORA

1 hand.

2       There's also no testimony presented this week  
3 about 10-millimeter rounds, and if they can be used  
4 in just 10-millimeter handguns, or if they can be  
5 used with any other type of gun. The State talked  
6 about Tiffany Hardaway deleting her Ring video.  
7 Detective Crockett got up here and stated that he  
8 watched Tiffany go through her Ring and do the  
9 steps and see a red button on her phone. He also  
10 testified that he went through and he did the same  
11 steps, but he didn't delete a video.

12       We have heard that Ring only captures a  
13 fish-eye view so it can only see almost what is  
14 across to it, and a little bit to the sides. So we  
15 don't know if there is a video that would show  
16 David's apartment. We know there is no video that  
17 would show David's apartment at the time he was  
18 murdered. That can't exist because the video only  
19 shows what is directly across from the camera.

20       The detectives went back to talk with Tiffany  
21 and just asked for more information about the Ring.  
22 The detectives at this point didn't tell her about  
23 the voicemail that was left and the altercation  
24 that took place on July 12<sup>th</sup>. Use your common  
25 sense.

## CLOSING ARGUMENTS - MS. ARORA

1 I next want to go to the Google searches.  
2 One of the ones that the State presented you with  
3 was on July 16<sup>th</sup>. Karseem Googles (inaudible).  
4 It's significant because his sister was arrested  
5 that morning for obstruction of justice. I would  
6 ask that you look into and think what if one of  
7 your family members was arrested? What would you  
8 Google? Would you want to know more information  
9 about that?

10 The State also goes through Google searches  
11 that start with "Star" and then progressively move  
12 to "Sack Construction." Officer Kelly got up there  
13 and testified that he took pictures of the Sack  
14 vehicle, and that vehicle had a logo that was  
15 visible to someone, someone that could be walking  
16 by. We know that the people from Sack Construction  
17 had been at those apartments about three weeks.  
18 Not a significant amount of time. We also know  
19 that multiple co-workers lived in that same area,  
20 and they also drove construction trucks. You heard  
21 that Mark Mosier also drove a very similar truck to  
22 David Conner.

23 We learned from Officer Unterbrink that  
24 Karseem had a construction hat in the front seat of  
25 his car. I would ask you to use your common sense.

## CLOSING ARGUMENTS - MS. ARORA

1 If you see different vehicles with the same logo  
2 parked where you live, parked where you have been,  
3 would you Google those?

4 Also, Bruce got up here and told us that they  
5 could see the window from the parking lot, that  
6 they could see Karseem peek out of the blinds.  
7 Karseem could easily have seen these trucks, these  
8 workers, walking by from inside his apartment as  
9 well.

10 You next heard about a jail phone call, a  
11 phone call that Snapchat, Facebook, and what the  
12 State believes is the attempt to delete some of  
13 that. I ask you to use your common sense. If you  
14 were arrested and you know that the State is  
15 looking into you, you are concerned about your  
16 life. Everything we do now is digital: Facebook  
17 Instagram, Snapchat. Everything is on our phone.  
18 Do you want the police looking into every aspect of  
19 your private life? Do you feel comfortable with  
20 that? I would ask you to ask yourself.

21 Next thing I think is significant and raises  
22 some doubts is the lack of investigation done. I  
23 told you all in my opening that I believed that the  
24 State picked one piece of the puzzle and tried to  
25 build their narrative around it. They focused on



## CLOSING ARGUMENTS - MS. ARORA

1 Karseem and tried to build a piece around Karseem.  
2 They had their blinders on when looking at Karseem.

3 They failed to follow up on a lead, the  
4 motorcycle lead. They heard that there was a  
5 motorcycle leaving shortly before first responders  
6 got there. They knew there was a motorcycle in the  
7 parking lot. And you heard Detective Wilson say  
8 they know that person still lives there. As of  
9 this week, no one has talked to that person. They  
10 don't know what that person could have given. They  
11 didn't follow up on that. They didn't try to look  
12 at any other lead or any other evidence of who is  
13 leaving the apartment around that time. They just  
14 chose one person, and stuck with that person.

15 You heard Detective Delucia say that he got a  
16 list of co-workers and other people that were  
17 there, and he put that in his incident report.  
18 Detectives had that information, and they did not  
19 do any other cell phone dumps, no search warrants  
20 on other apartments, or any of the co-workers. You  
21 heard Detective Crockett get up here and say a  
22 pretty significant part of the case was Tiffany  
23 deleting the Ring cell phone video. He said it was  
24 an oversight that he didn't write it in his  
25 reports. They are investigating a murder, and he

## CLOSING ARGUMENTS - MS. ARORA

1 didn't write one single incident report to document  
2 what he did and to give to other detectives?

3       You also heard that there was a gunshot  
4 residue kit done on Mark Mosier, and the State just  
5 decided that's not significant. We don't think it  
6 can help us. They had the ability to send it off  
7 and get tested, and they didn't. They just  
8 disregarded that as well.

9       You also heard that there was a witness  
10 outside during the time of this incident.  
11 Detective Wilson stated that he tried to follow up  
12 with that person, Richard Ivey, no contact was ever  
13 made, and they just left it at that. They followed  
14 up with a potential witness once, even though they  
15 know where he lives, and they didn't get any other  
16 information.

17       On Monday, July 12, Karseem made a phone call  
18 while staying with his sister. That is not a  
19 crime. The voicemail regarding the altercation on  
20 July 12 was just absurd. We don't have any link to  
21 that voicemail to Karseem. We don't know if that  
22 voicemail is linked to the death of David Conner.

23       The next day, on July 13, Karseem walks  
24 outside of his sister's apartment at 5:54 and he  
25 drives to Johns Island. He tells detectives that.

## CLOSING ARGUMENTS - MS. ARORA

1 He puts himself in the apartment complex. His  
2 phone puts him at the apartment complex. That's  
3 it. That's not a crime to walk out of an apartment  
4 and drive. The police disregarded other leads in  
5 this case and focused on the investigation on  
6 Karseem. He has a picture of a 10-millimeter gun  
7 on his phone, but there was no evidence presented  
8 that that gun was actually the murder weapon.  
9 Karseem did not have the murder weapon.

10 Karseem Googles (inaudible) on July 16  
11 because his sister was arrested for obstruction of  
12 justice. He Googles "Sack Construction Company"  
13 because he sees that logo in his complex, and it  
14 has been a logo that's only been there for a couple  
15 of weeks. Karseem does what any nervous young  
16 person would do after they are being investigated  
17 for a crime. Any young person would do this. They  
18 would want to delete anything that is private that  
19 they don't want the police knowing. They don't  
20 want the police noticing anything about their  
21 lives.

22 Everything the state has presented to you  
23 this week, they're pieces to the puzzle. They are  
24 suspicions. If you put those together, though,  
25 there's crack, missing links. We're missing pieces

## CLOSING ARGUMENTS - MS. ARORA

1 to the puzzle.

2 I told you on Monday that we picked you  
3 because we believed you all can put your feelings  
4 aside and look at this case. You can rely not on  
5 emotions or your sympathies in making your decision  
6 today. Not only is this the most important day in  
7 Karseem's life, this is probably one of the most  
8 important days in your all's life. You're about to  
9 go back into the jury room and make a decision, a  
10 decision that affects the fate of Karseem.

11 The decision you are about to make -- and the  
12 Judge will give you more information about this --  
13 it is a collective decision. It is also an  
14 individual decision. Every single one of you make  
15 this decision. Each of you has life experiences  
16 that are important, and each have different  
17 viewpoints that are important. You might go back  
18 there, and you might see things differently, and  
19 that's okay. That's why you get to make the  
20 decision when you go back there and deliberate.

21 I do want you to remember, though, with this  
22 decision, once you have made it, you have one  
23 chance. Once you come out and the verdict is read,  
24 you can't change your decision after that. Not  
25 five minutes after the decision is read, not one

## CLOSING ARGUMENTS - MS. ARORA

1 day after the decision is read. So this is a  
2 decision you have to make, and that's your  
3 decision, and you have to be okay now and in the  
4 future.

5 Karseem has patiently waited for this day.  
6 Waited for each and every one of you to listen to  
7 the evidence in the case. What you heard this  
8 week -- as I said, there are many different puzzle  
9 pieces. The State has tried, but they have failed  
10 to connect those pieces. There are cracks in the  
11 foundation. There are too many cracks, and I think  
12 there are missing pieces.

13 I'm asking you today to go back there, review  
14 that evidence, take a step back. Don't be my  
15 daughter. Open up your perspectives, and use your  
16 common sense. When you do, you are going to render  
17 the only verdict that you can, and that is not  
18 guilty. Karseem is not guilty of murder, and he is  
19 not guilty of possession of a weapon during a  
20 violent crime. Thank you.

21 THE COURT: Ladies and gentlemen, I'm going  
22 to give you a brief comfort break. Do not discuss  
23 the case. Leave your notepads in your seats. As  
24 soon as you are done, let the bailiff know and the  
25 Court will begin its instructions.

## JURY INSTRUCTIONS

1           (The jury exits at 2:36 p.m., and the  
2 following is heard out of the presence of the jury.)

3           THE COURT: While we're waiting, I need you  
4 to go through the evidence and make sure everything  
5 is there.

6           (A recess was taken.)

7           THE COURT: All right. Bring in the jury.

8           (The jury enters at 3:03 p.m., and the  
9 following is heard in the presence of the jury.)

10          THE BAILIFF: All jurors are present, Your  
11 Honor.

12          THE COURT: You may be seated. If you all  
13 would move that -- I'm sorry, my mind went blank.  
14 Thank you.

15          During this trial, ladies and gentlemen, you  
16 and I have certain duties to perform -- is my  
17 microphone on? Yeah, it is. I'm sorry.

18          During this trial, ladies and gentlemen, you  
19 and I have certain duties to perform. As the trial  
20 judge, it is my responsibility to preside over the  
21 trial of this case. I also have the duty to rule  
22 upon the admissibility of evidence, which has been  
23 offered during this trial. You are to consider  
24 only the competent evidence before you, and you are  
25 to disregard and disabuse from your mind any

## JURY INSTRUCTIONS

1 testimony which has been ordered stricken from the  
2 record in this case, during the progress of the  
3 trial, if there has been any.

4       You are to consider only the testimony which  
5 has been presented from this witness stand,  
6 together with any exhibits which have been made a  
7 part of the record in this case.

8       I also have the duty to charge or instruct  
9 you on the law which applies to this case. As the  
10 presiding judge, I'm the sole judge of the law of  
11 this case. It is your duty as jurors to accept and  
12 apply the law as I now state it to you. If you  
13 have a preconceived idea as to what the law is or  
14 ought to be in a case, and it should not agree with  
15 what I now tell you what the law is, you are  
16 obligated under your oath to abandon this  
17 preconception of your part because you are sworn to  
18 accept the law and apply the law precisely as I now  
19 state it to you.

20       In every case tried in this court before a  
21 jury, the jury becomes the sole and exclusive  
22 judges of the facts in a case. You, the jury, are  
23 the judges of the facts in this case. This Court  
24 is the judge of the law. The constitution of our  
25 state has declared that a trial judge shall not

## JURY INSTRUCTIONS

1 intimate, state, comment on, or make any statement  
2 to a trial jury about the facts in a case. Since  
3 you, the jury, are the judges of the facts in this  
4 case, you are not to infer anything from what I  
5 have said during the progress of this trial in  
6 ruling upon the admissibility of evidence or  
7 otherwise, or anything that I say to you now during  
8 the course of this instruction that I have any  
9 opinion about the facts. The law does not allow me  
10 to have an opinion about the facts. This matter is  
11 solely a matter for you, the jury, to determine.

12 As jurors then, it is your duty, as I've  
13 instructed, to determine the effect, the value, the  
14 weight, and the truth of the evidence presented  
15 during this trial. Necessarily, you must assess  
16 the credibility of witnesses who have testified.  
17 Credibility is simply a legalistic term which means  
18 believability.

19 It becomes your duty as jurors to analyze and  
20 evaluate the evidence and determine that evidence  
21 which convinces you. Some of the things you may  
22 consider as you decide whether or not to believe a  
23 witnesses testimony about a particular matter  
24 include: What was the manner and appearance of the  
25 witness from the witness stand? Was he or she



## JURY INSTRUCTIONS

1 straightforward or hesitant in answering? Was the  
2 testimony of a witness consistent or inconsistent?  
3 How good did the witness come to know the facts  
4 that he or she testified to? What was his or her  
5 ability to know these facts? Is there some reason  
6 a witness would want to give testimony which would  
7 help or hurt one side or the other? In other  
8 words, was the witness biased or prejudiced? Was  
9 the testimony of a witness strengthened or weakened  
10 by other testimony or evidence?

11       You can believe as much or as little of each  
12 witness' testimony as you think proper. I further  
13 instruct you that in determining the question of  
14 the credibility or believability of witnesses who  
15 have testified, you may believe one witness as  
16 against several witnesses, or several witnesses as  
17 against one witness. You may believe a part of the  
18 testimony of a witness and reject the remaining  
19 part of the testimony of that same witness. If you  
20 have a good and sound reason, you may believe the  
21 testimony of a witness in its entirety, or reject  
22 the testimony of a witness in its entirety. You  
23 may consider the demeanor of a witness; that is,  
24 the manner and appearance of the witness from the  
25 witness stand.

## JURY INSTRUCTIONS

1 Ladies and gentlemen, again, as the finders  
2 of the facts, you can believe as much or as little  
3 of each witness' testimony as you think proper.  
4 You have but one objective during this process: To  
5 determine the facts as you find them and apply the  
6 law to those facts as I have instructed.

7 Ladies and gentlemen, our Rules of Evidence  
8 don't ordinarily permit witnesses to testify to  
9 opinions or conclusions. An exception to this rule  
10 exists for witnesses we call "expert witnesses." A  
11 witness who by their education, training, and  
12 experience has become an expert in some art,  
13 science, profession, or calling may state an  
14 opinion as to relevant and material matters in  
15 which the witness claims to be an expert and may  
16 also state the reasons for their opinion.

17 You should consider any expert opinion  
18 received in evidence in this case like any other  
19 evidence. Give it the weight you think it  
20 deserves. If you decide that the opinion of an  
21 expert witness is not based on sufficient  
22 education, training, and experience, or if you  
23 conclude that the reasons given in support of the  
24 opinion are not sound, or that the opinion is  
25 outweighed by other evidence, you may disregard the

## JURY INSTRUCTIONS

1 opinion entirely.

2 An expert witness' testimony is to be given  
3 no greater weight than that of other witnesses  
4 simply because the witness is an expert. Further,  
5 you are not required to accept an expert's opinion  
6 even though it is not contradicted.

7 There is statements alleged to have been made  
8 by the defendant which have been admitted into the  
9 evidence of this case. While this Court has  
10 determined that the statements are admissible, I  
11 instruct you that you make the ultimate decision of  
12 whether or not the defendant made the statements.  
13 You also make the ultimate decision of the  
14 credibility, weight, value, and effect to be given  
15 to any statements alleged to have been made by the  
16 defendant.

17 If you determine it was the defendant who  
18 made the statements, you may give the statements  
19 any further consideration that you deem proper. As  
20 the finder of fact, you must decide what weight,  
21 value, and effect, if any, should be given to the  
22 alleged statements of the defendant.

23 Ladies and gentlemen, there are two types of  
24 evidence which are generally presented during a  
25 trial: Direct evidence and circumstantial

## JURY INSTRUCTIONS

1 evidence. Direct evidence is the testimony of a  
2 person who asserts or claims to have actual  
3 knowledge of a fact, such as an eyewitness.  
4 Circumstantial evidence is proof of a chain of  
5 facts and circumstances indicating the existence of  
6 a fact. The law makes no distinction between the  
7 weight or value to be given to either direct or  
8 circumstantial evidence, nor is a greater degree of  
9 certainty required of circumstantial evidence than  
10 of direct evidence.

11 As I've already instructed, ladies and  
12 gentlemen, there are two types of evidence which  
13 are generally presented: Direct evidence and  
14 circumstantial evidence. Crimes may be proven by  
15 circumstantial evidence. Again, the law makes no  
16 distinction between the weight or value to be given  
17 to either direct or circumstantial evidence.  
18 However, to the extent the State relies on  
19 circumstantial evidence, all of the circumstances  
20 must be consistent with each other, and when taken  
21 together, point conclusively to the guilt of the  
22 accused beyond a reasonable doubt.

23 If these circumstances merely portray the  
24 defendant's behavior as suspicious, the proof has  
25 failed. The State has the burden of proving the

## JURY INSTRUCTIONS

1 defendant guilty beyond a reasonable doubt, and  
2 this burden rests on the State regardless of  
3 whether the State relies on direct evidence,  
4 circumstantial evidence, or some combination of the  
5 two.

6 Ladies and gentlemen, you should weigh all of  
7 the evidence in this case. I instruct you the fact  
8 that the defendant was arrested, charged, and  
9 indicted is not evidence and cannot be considered  
10 by you as evidence of guilt, nor does it create any  
11 presumption or inference of guilt. This  
12 documentation is simply the formal written  
13 instruments which contain the charge or charges  
14 made against a defendant. They simply serve as the  
15 formal documentation by which the case is processed  
16 or brought into the court.

17 Ladies and gentlemen, the defendant has pled  
18 not guilty to the indictments. That plea casts the  
19 burden on the State to prove the defendant guilty,  
20 because a person charged with committing a criminal  
21 offense in South Carolina is never required to  
22 prove himself innocent. I instruct you,  
23 Mr. Foreman, ladies and gentlemen, that it is a  
24 cardinal and important rule of the law of evidence  
25 that the defendant in a criminal trial, no matter

## JURY INSTRUCTIONS

1 what the seriousness of the charge or charges made  
2 against him may be, will always be presumed to be  
3 innocent of the crime for which he is indicted  
4 unless his guilt has been proven by evidence  
5 satisfying you of that guilt beyond a reasonable  
6 doubt.

7         This presumption of innocence does not cease  
8 when you retire to deliberate, but it accompanies  
9 the defendant from the time of his arraignment  
10 throughout the trial, until you reach a verdict in  
11 this case.

12         Our supreme court has said that the  
13 presumption of innocence is like a robe of  
14 righteousness placed about the shoulders of the  
15 defendant, and it remains with him and assigns him  
16 to that class of innocence until that presumptive  
17 robe of righteousness has been stripped from his  
18 person by evidence satisfying you of that guilt  
19 beyond a reasonable doubt.

20         The presumption of innocence is not a mere  
21 legal theory. It is not just a legal phrase. It  
22 is a substantial right to which every defendant is  
23 entitled unless you, the jury, are satisfied from  
24 the evidence of his guilt beyond a reasonable  
25 doubt. The State has the burden of proving

## JURY INSTRUCTIONS

1 defendant guilty beyond a reasonable doubt. Some  
2 of you may have served in the past on civil juries  
3 where you were told that it is only necessary to  
4 prove that a fact is more likely true than not  
5 true, such as by the greater weight or the  
6 preponderance of the evidence. In criminal cases  
7 the State's proof must be more powerful than that.  
8 It must be beyond a reasonable doubt.

9 Proof beyond a reasonable doubt is proof that  
10 leaves you firmly convinced of the defendant's  
11 guilt. There are very few things in this world  
12 that we know with absolute certainty, and in  
13 criminal cases, the law does not require proof that  
14 overcomes every possible doubt.

15 If based on your consideration of the  
16 evidence you are firmly convinced that the  
17 defendant is guilty of the crime charged, you must  
18 find the defendant guilty. If, on the other hand,  
19 you think that there is a real possibility that the  
20 defendant is not guilty, you must give the  
21 defendant the benefit of that doubt and find him  
22 not guilty.

23 The defendant is charged with murder. The  
24 State must prove beyond a reasonable doubt that the  
25 defendant killed another person with malice

## JURY INSTRUCTIONS

1   aforethought. Malice is hatred, ill-will, or  
2   hostility towards another person. It is the  
3   intentional doing of a wrongful act without just  
4   cause or excuse, and with an intent to inflict an  
5   injury or under circumstances that the law will  
6   infer an evil intent.

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

14           Malice aforethought may be expressed or  
15   inferred. These terms "expressed" and "inferred"  
16   do not mean different kinds of malice, but merely  
17   the manner in which malice may be shown to have  
18   exist; that is either by direct evidence or by  
19   inference from the facts and circumstances which  
20   are proven.

21           Expressed malice is shown when a person  
22   speaks words which express hatred or ill-will for  
23   another, or when the person prepared beforehand to  
24   do the act which was later accomplished. For  
25   example, lying in wait for a person, or any other



## JURY INSTRUCTIONS

1 acts of preparation going to show that the deed was  
2 within the defendant's mind would be expressed  
3 malice. Malice may be inferred from conduct  
4 showing a total disregard for human life.

5 The defendant is charged with possession of a  
6 weapon during the commission of or attempt to  
7 commit a violent crime. The State must prove  
8 beyond a reasonable doubt that the defendant was in  
9 possession of a firearm or visibly displayed what  
10 appeared to be a firearm during the commission of a  
11 violent crime.

12 A firearm means any machine gun, automatic  
13 rifle, revolver, pistol, or any weapon which will,  
14 is designed to, or may be readily converted to  
15 expel a projectile. In order to find the defendant  
16 guilty of possession of a weapon during the  
17 commission of a violent crime, you must first find  
18 the defendant guilty of committing a violent crime.  
19 I instruct you that murder is a violent crime as  
20 defined by South Carolina Code Annotated 16-1-60.

21 Ladies and gentlemen, in order to establish  
22 criminal liability, criminal intent is required.  
23 Criminal intent must be proven by the State beyond  
24 a reasonable doubt. Criminal intent is always a  
25 matter that must be determined by the jury from the

## JURY INSTRUCTIONS

1 circumstances surrounding the situation. There is  
2 no way to prove intent to a mathematical certainty.  
3 There is no way medical science can dissect a  
4 person's name and determine what the person had in  
5 mind, so the law says that criminal intent may be  
6 inferred from the circumstances shown to have  
7 existed. This is how you make a determination of  
8 whether or not criminal intent was present. It is  
9 not necessary to establish intent by direct and  
10 positive evidence, but intent may be established by  
11 inference in the same way as any other fact by  
12 taking into consideration the acts of the parties  
13 and all of the facts and circumstances of the case.

14 Criminal intent is a mental state, a  
15 consciousness of wrongdoing. It is up to you to  
16 determine what the defendant intended to do, based  
17 on the circumstances shown to have existed.  
18 Criminal intent must be proven by the State beyond  
19 a reasonable doubt.

20 Another issue in this case, ladies and  
21 gentlemen, is the identification of the defendant  
22 as the person who committed the crime charged. The  
23 State has the burden of proving identity beyond a  
24 reasonable doubt. You must be satisfied beyond a  
25 reasonable doubt of the accuracy of the

## JURY INSTRUCTIONS

1 identification of the defendant before you may  
2 convict the defendant.

3 Identification is an expression of belief or  
4 impression by a witness or by evidence presented  
5 during the course of the trial. You must determine  
6 the accuracy of the identification of the  
7 defendant.

8 I instruct you the burden of proof on the  
9 State extends to every element of the crime  
10 charged, and this specifically includes the burden  
11 of proving beyond a reasonable doubt the identity  
12 of the defendant as the person who committed the  
13 crime. If after examining the testimony you have a  
14 reasonable doubt as to the identification of the  
15 defendant, you must find the defendant not guilty.  
16 Ladies and gentlemen, I instruct you that mere  
17 presence at the scene is not sufficient to prove  
18 someone guilty of a crime.

19 The burden is on the State to prove every  
20 element of the crime charged. If you find after  
21 reviewing all of the evidence that the State has  
22 proven that the defendant was only present at the  
23 scene of a crime, and that they have not proven  
24 beyond a reasonable doubt any other participation  
25 in the crime, then you must find the defendant not

## JURY INSTRUCTIONS

1 guilty.

2       The law is that proof of at the scene of the  
3 crime is not sufficient to find someone guilty. I  
4 instruct you and emphasize that the fact that the  
5 defendant did not testify is not a factor to be  
6 considered by you in any manner, whatsoever, in  
7 your deliberations of this case and in your  
8 consideration of whether the State has met its  
9 burden of proof. It must not be considered by you  
10 in any manner, whatsoever.

11       A defendant has the constitutional right to  
12 remain silent, and the assertion of this right must  
13 not be considered by you in your deliberations. I  
14 repeat: Under your oath, you are to draw no  
15 conclusion, whatsoever, from the fact that the  
16 defendant in this case did not testify. The fact  
17 that this defendant did not testify should not even  
18 be discussed in any manner, whatsoever, in the jury  
19 room.

20       The burden of proof, as I've stated to you,  
21 is on the State. The defendant does not have a  
22 burden of proof in this case. The burden of proof  
23 remains on the State to prove guilt beyond a  
24 reasonable doubt.

25       Ladies and gentlemen, there are two

## JURY INSTRUCTIONS

1 indictments in this case and each alleges separate  
2 offenses. They are 2024-GS-10-589, murder; and  
3 590, possession of a weapon during the commission  
4 of a violent crime. Each indictment charges  
5 separate and distinct offenses. You must decide  
6 each indictment separately on the evidence and the  
7 law applicable to it uninfluenced by your decision  
8 as to any other indictment.

9 The defendant may be convicted or acquitted  
10 on any or all of the offenses charged, and you will  
11 be required to write a separate verdict of guilty  
12 or not guilty for each indictment.

13 Ladies and gentlemen, there are two possible  
14 verdicts for each indictment, and you don't have to  
15 try to write this down because the verdict forms  
16 will go into the jury room with you, and I'll go  
17 over them with you momentarily.

18 In order to reach a verdict in this case, it  
19 must be unanimous, which means all 12 must agree in  
20 order to reach a verdict in this case. Once the  
21 jury has reached a verdict, Mr. Foreman, it is your  
22 responsibility to fill out the verdict form, to  
23 sign and date the form, knock on the door and  
24 advise the bailiffs that the jury has reached an  
25 unanimous verdict regarding each indictment.

## JURY INSTRUCTIONS

1           It is also your responsibility to write out  
2 any questions the jury may have during  
3 deliberations. You should follow the same process  
4 by writing out any notes on the notebook you have,  
5 sign and date, knock on the door, advise the  
6 bailiff that the jury has a note. No notes should  
7 ever denote the numerical breakdown of the jury as  
8 that should remain within the confines of the  
9 deliberative process.

10           Ladies and gentlemen, I will tell you in  
11 advance that if you have any questions, there will  
12 be a delay in our response, but that is because  
13 there is a process we have to follow in answering  
14 your questions. So know if you have a question,  
15 there will be a brief delay before there is a  
16 response because we are following that procedure.

17           Again, ladies and gentlemen, your verdict  
18 must be unanimous, which means all 12 of you must  
19 agree. The verdict options are as follows: As to  
20 Indictment 2024-GS-10-589, we, the jury, by  
21 unanimous consent find the defendant guilty of  
22 murder or not guilty.

23           As to Indictment 2024-GS-10-590, we, the  
24 jury, by unanimous consent find the defendant  
25 guilty of a possession of a weapon during the

## JURY INSTRUCTIONS

1 commission of a violent crime, or not guilty.

2       There is no significance, whatsoever, to the  
3 order which I state these verdicts. It is simply  
4 that one must be stated first. Ladies and  
5 gentlemen, again, in order to reach a verdict, it  
6 must be unanimous, which means all 12 must agree.

7       I'll ask that you return to your jury room,  
8 but do not yet begin your deliberations. There is  
9 some matters of law that I need to take up with  
10 counsel that may require further instruction or  
11 correction of my instruction.

12       If you would, leave your notepads in your  
13 seats. If there is no further instruction, we will  
14 send in the evidence as well as your notepads and  
15 the verdict forms, and at that time we'll excuse  
16 the alternates, and you'll be allowed to begin your  
17 deliberations.

18       (The jury exits at 3:24 p.m., and the  
19 following is heard out of the presence of the jury.)

20       THE COURT: Be seated. Any exception from  
21 the State?

22       MR. SIMPSON: No, Your Honor.

23       THE COURT: From the defense?

24       MS. ARORA: No, Your Honor.

25       THE COURT: Could you just go through the

## JURY INSTRUCTIONS

1 evidence one more time and do it with the clerk so  
2 they can put it altogether so it can go back to the  
3 jury room, in collaboration with the court  
4 reporter. Anything you may have used in closing  
5 argument, make sure that is replaced.

6         Get the bailiff to get the alternates so they  
7 can get their notebooks together. You can turn my  
8 mic off, please. Thank you.

9         (A brief pause in the proceedings and the  
10 alternates enter courtroom.)

11         THE COURT: We thank you so much. I know  
12 that being an alternate seems thankless, but it is  
13 one of the most vital services you can provide  
14 during jury service. I would like you to hang  
15 around. Jimmy John's is fairly quick, and I would  
16 like you to take your lunch with you. I'll place  
17 you in one of the rooms near the end of the hallway,  
18 and as soon as your lunch arrives, you can stay with  
19 us. But I imagine you have better things to do, to  
20 get done today. You are welcome to discuss your  
21 jury service, but I ask you that you not do it until  
22 Friday when the entire panel is released.

23         You are excused with the Court's profound  
24 thanks. Hope you have a wonderful season. If you  
25 want, we'll destroy your notes, or if you want to --



## VERDICT

1 we'll give you the option.

2 (A discussion was had off the record.)

3 THE COURT: All evidence is received and in  
4 place?

5 MS. BARBER: Yes, ma'am.

6 THE COURT: From the defense?

7 MS. ARORA: Yes, Your Honor.

8 (Jury deliberations start at 3:28 p.m.)

9 MR. SIMPSON: I'm going to recreate that  
10 exhibit.

11 THE COURT: Thank you.

12 (A recess was taken.)

13 THE COURT: The jury has reached a verdict.  
14 Is there anything before we receive the jury from  
15 the State?

16 MR. SIMPSON: No, Your Honor.

17 THE COURT: From the defense?

18 MS. ARORA: New, Your Honor.

19 THE COURT: Please bring the jury in.

20 (The jury enters at 6:29 p.m., and the  
21 following is heard in the presence of the jury.)

22 THE BAILIFF: All jurors are present, Your  
23 Honor.

24 THE COURT: Mr. Foreman, is it correct that  
25 the jury has reached a verdict?

## VERDICT

1 FOREPERSON: Yes.

2 THE COURT: If you will, bring the verdict  
3 forms to the bailiff, please.

4 (A brief pause in the proceedings.)

5 THE COURT: Sir, if you will stand for the  
6 publication of the verdicts.

7 THE CLERK: The State of South Carolina,  
8 County of Charleston versus Karseem Nicholas  
9 Hardaway, in the Court of General Sessions. As for  
10 indictment 2024-GS-10-00589, we, the jury, by  
11 unanimous consent find the defendant guilty of  
12 murder. Signed by --

13 THE COURT: Please no reaction from the  
14 gallery.

15 THE CLERK: -- March 28, 2024.

16 The State of South Carolina versus Karseem  
17 Nicholas Hardaway, in General Sessions, as to  
18 Indictment 2024-GS-1-00590, we, the jury, by  
19 unanimous consent find the defendant guilty of  
20 possession of a weapon during the commission of a  
21 violent crime.

22 Signed by Mr. Foreman on March 28, 2024.

23 THE COURT: Is there any request to poll the  
24 jury from the State?

25 MR. SIMPSON: No, Your Honor.

## VERDICT

1 THE COURT: From the defense?

2 MS. ARORA: Yes, Your Honor, we would  
3 request.

4 THE COURT: Ladies and gentlemen, if you  
5 would give the clerk your attention, she'll ask you  
6 two questions. I would ask that you follow her  
7 instructions. You may take your seats.

8 You may proceed.

9 THE CLERK: Juror 113, please your raise  
10 right hand. Is this your verdict?

11 JUROR: Yes.

12 THE CLERK: Is this still your verdict?

13 JUROR: Yes.

14 THE CLERK: Juror 222, is in your verdict?

15 JUROR: Yes.

16 THE CLERK: Is this still your verdict?

17 JUROR: Yes.

18 THE CLERK: Juror 173, is this your verdict?

19 JUROR: Yes.

20 THE CLERK: Is it still your verdict?

21 JUROR: Yes.

22 THE CLERK: Juror 122, is this your verdict?

23 JUROR: Yes.

24 THE CLERK: Is it still your verdict?

25 JUROR: Yes.

## VERDICT

1 THE CLERK: Juror 51, is this your verdict?  
2 JUROR: Yes.  
3 THE CLERK: Is it still your verdict?  
4 JUROR: Yes.  
5 THE CLERK: Juror 215, is this your verdict?  
6 JUROR: Yes.  
7 THE CLERK: Is it still your verdict?  
8 JUROR: Yes.  
9 THE CLERK: Juror 183, is this your verdict?  
10 JUROR: Yes.  
11 THE CLERK: Is it still your verdict?  
12 JUROR: Yes.  
13 THE CLERK: Juror 280, is this your verdict?  
14 JUROR: Yes.  
15 THE CLERK: Is it still your verdict?  
16 JUROR: Yes.  
17 THE CLERK: Juror 215 -- sorry, 15. Is this  
18 your verdict?  
19 JUROR: Yes.  
20 THE CLERK: Is it still your verdict?  
21 JUROR: Yes.  
22 THE CLERK: Juror 38, is this your verdict?  
23 JUROR: Yes.  
24 THE CLERK: Is it still your verdict?  
25 JUROR: Yes.

## VERDICT

1 THE CLERK: Juror 265, is this your verdict?

2 JUROR: Yes.

3 THE CLERK: Is it still your verdict?

4 JUROR: Yes.

5 THE CLERK: Juror 87 --

6 JUROR: Yes.

7 THE CLERK: Is this your verdict?

8 JUROR: Yes.

9 THE CLERK: Is it still your verdict?

10 JUROR: Yes.

11 THE CLERK: The jurors have been polled and  
12 the verdict speaks.

13 THE COURT: Any post-trial motions from the  
14 State?

15 MR. SIMPSON: No, Your Honor.

16 THE COURT: From the defense?

17 MS. ARORA: I would renew all of my previous  
18 pretrial motions and objections, and based off of  
19 that, ask for a new trial.

20 THE COURT: And would the State respond?

21 MR. SIMPSON: Your Honor, we rely on our  
22 previous responses, Your Honor.

23 THE COURT: The Court will rely -- deny the  
24 motion based on its previous contemporaneous  
25 rulings, as well as those that were heard pretrial.

## VERDICT

1 The Court would incorporate the specific findings  
2 of law and conclusions of law as stated verbatim  
3 within this portion of the record.

4 The Court, likewise, would find that  
5 (inaudible) to a jury's verdict as any evidence to  
6 support the jury's verdict, and under these  
7 circumstances, there is more than ample substantial  
8 circumstantial evidence reasonably tending to prove  
9 the defendant's guilt, and upon which a reasonable  
10 jury could have found the verdicts which they  
11 found, and the motions are denied.

12 Ladies and gentlemen, we thank you for your  
13 time and your attention to this case. I know that  
14 jury service may seem thankless. We hold jury  
15 trials in Charleston County probably 49 weeks out  
16 of the year. Before Covid, we had three criminal  
17 courts and three civil courts operating  
18 simultaneously almost every week. Since Covid,  
19 we've been trying -- court administration -- I say  
20 "we" -- but new tactics to try to whittle down the  
21 dockets that sort of piled up, I guess for lack of  
22 a better way to putting it, during the Covid  
23 crisis. So you all have been part of our -- sort  
24 of our renovation of the system to try to rework  
25 some things and move cases. So we really

## SENTENCING

1 appreciate your participation.

2 I hope that you have learned that it is  
3 nothing like you see on television. I hope you  
4 know how important you are to this process. Our  
5 system is the only one in the world where 12  
6 ordinary citizens listen to facts, apply a very  
7 complex set of rules to those facts, and render  
8 verdicts. So I hope you know how valuable your  
9 service is to us.

10 Is there anyone that needs a work excuse  
11 before they leave today?

12 Okay. So we will get those for you.

13 Your checks will be mailed. You are done for  
14 the week, and you are done for the next three  
15 years, at least in this court. It tends to come in  
16 threes. So usually if you get circuit court, you  
17 get federal court and/or magistrates or city court.  
18 So I just tell you that antidotally.

19 In any event, is there anyone that wishes to  
20 remain for sentencing?

21 Okay. If anyone does wish to remain for  
22 sentencing, you are welcome to remain in your  
23 seats. For those who do not wish to, you are  
24 welcome to go on with your day. You are welcome to  
25 discuss this case. Your service has ended.

## SENTENCING

1 Sometimes the lawyers will contact you to get your  
2 commonsense interpretation or reflections on how  
3 they can do their jobs better. If someone should  
4 exceed your comfort level, notify the clerk's  
5 office so that we can take the appropriate action  
6 to protect your privacy. You have been very  
7 indulgent, and we appreciate your patience and your  
8 time.

9 Can you see if -- the alternates stayed --  
10 they are here? Perfect. If anyone wants to remain  
11 for sentencing, you are free to do so. You can  
12 remain in your seats. If anyone does not wish to  
13 remain, you are excused at this time.

14 It is my understanding -- what was the  
15 defendant's criminal history?

16 MR. SIMPSON: Thank you, Your Honor. The  
17 defendant had a juvenile adjudication in --

18 THE COURT: I'm not interested in any  
19 juvenile adjudication. As far as the law is  
20 concerned, when you turn 21, you no longer have a  
21 record. I'm interested in his adult convictions,  
22 if he has any.

23 MR. SIMPSON: The defendant has a 2016  
24 burglary second degree violent conviction, breaking  
25 and entering a motor vehicle, receiving stolen



1 goods, financial transaction card theft conviction.

2 THE COURT: Those are all in 2016?

3 MR. SIMPSON: 2016 and 2017, which he  
4 received a YOA -- active YOA sentence concurrent on  
5 all of those.

6 THE COURT: So in 2016 he had a burglary  
7 second violent?

8 MR. SIMPSON: Yes, Your Honor.

9 THE COURT: 2017, breaking and entering a  
10 motor vehicle, receiving stolen goods, and a  
11 financial transaction card theft, which he received  
12 an active YOA?

13 MS. EHRLICH: Those were all in 2017. I  
14 represented Karseem.

15 THE COURT: So the burglary second violent  
16 was in 2017?

17 MS. EHRLICH: The conviction was. I think he  
18 was 16 at the time of the arrest.

19 THE COURT: Was he treated as an adult?

20 MS. EHRLICH: He was. But all of the  
21 convictions were 2017 at the same time.

22 THE COURT: He was waived up as an adult?

23 MS. EHRLICH: This was before they raised the  
24 age, so because of the nature of the underlying  
25 offense, it was (inaudible) charged as an adult.

1 THE COURT: Okay. But he had an active Y?

2 MS. EHRLICH: He did.

3 THE COURT: He completed it?

4 MS. EHRLICH: He did.

5 THE COURT: Did he complete his YOA parole?

6 MS. EHRLICH: He did, Your Honor. And I

7 believe he served the three-year YOA.

8 THE COURT: He would have had to on a

9 burglary second.

10 So when did the YOA parole end? When was he  
11 released?

12 (A brief pause in the proceedings.)

13 THE COURT: Ma'am, the alternate, you can be  
14 seated up here with your co-jurors. You can come  
15 up here.

16 MS. EHRLICH: He believes he was released  
17 from custody in November of '21.

18 THE COURT: When did his parole end?

19 MS. EHRLICH: That, I don't know.

20 MS. ARORA: Your Honor, I don't have the  
21 date. I have a note that 2019 was release from  
22 custody.

23 THE COURT: So he would have been on parole  
24 for at least two years, I'm thinking?

25 MS. EHRLICH: Your Honor, he believes he was

1 on parole for a year.

2 THE COURT: Glad to hear from the State in  
3 regards to sentencing.

4 MR. SIMPSON: Thank you, Your Honor. I won't  
5 belabor the point. You have been here all week,  
6 and it's been a long week. I'll point out two  
7 quick things about this case that were striking to  
8 me, and I think incredibly relevant to the  
9 sentencing of Mr. Hardaway. One would be the --  
10 if, as the jury did, and we're thankful for that,  
11 the State's evidence and allegations are to be  
12 believed, this is perhaps -- it is a cliché to call  
13 a homicide senseless, but this is perhaps one of  
14 the most senseless acts of violence.

15 THE COURT: I need sentencing sheets. I  
16 forgot, I apologize.

17 MR. SIMPSON: May I use the table here?

18 THE COURT: Yes.

19 (A brief pause in the proceedings.)

20 MR. SIMPSON: As I was stating, we have been  
21 here and I don't think I need to spend a lot of  
22 time on this, but this mundane and type of  
23 encounter all of us probably have once a month,  
24 whether it's a small level of friction or a  
25 disagreement between us and another citizen or a

1 person to result in someone being shot in the back  
2 of the head and murdered after 24 hours is perhaps  
3 one of the most senseless crimes I've encountered  
4 in my career. I wish I could be more articulate,  
5 but for such a stupid reason to end a human life is  
6 shocking. I'll leave my commentary at that. I  
7 know Ms. Conner --

8 THE COURT: I was going to ask if there was  
9 any member of Mr. Conner's family that would like  
10 to address the Court?

11 MR. SIMPSON: Ms. Conner.

12 THE COURT: I'll hear from you.

13 MS. CONNER: Vicki Conner.

14 THE COURT: Yes, ma'am.

15 MS. CONNER: (witness crying).

16 THE COURT: Do you need tissue or water?

17 MS. CONNER: I'm fine. This senseless act  
18 destroyed my family. He was the rock of the  
19 family. He was a father, husband, grandfather. He  
20 was like a father to some of our grandchildren. We  
21 were raising our grandson. He was 15 at the time  
22 this happened. He lost his papa, slash, dad. It  
23 has destroyed us. He was my soul. I've known him  
24 since I was 19. There could have been a better way  
25 to handle this. I'm thankful this has come to an

1 end today, but it (inaudible) me, too, because of  
2 one senseless incident, one night, and it destroyed  
3 two families -- not only mine, but the defendant's  
4 family. And I feel for them, too. I just want  
5 the -- I don't understand. But I do understand how  
6 this has not only destroyed me. To take my husband  
7 from this world. He was so missed by everybody. I  
8 just want them to know how one senseless act has  
9 destroyed so many lives for everyone involved. I'm  
10 sorry.

11 THE COURT: No, ma'am, you don't have to  
12 apologize.

13 Anything further from the State?

14 MR. SIMPSON: No, Your Honor. Just to  
15 briefly point out that also there was a prolonged  
16 opportunity in this case for deliberations about  
17 his actions, almost 24 hours preceding it, and  
18 we'll leave it at that.

19 THE COURT: Ms. Arora.

20 MS. ARORA: May I approach with the  
21 sentencing sheets?

22 THE COURT: Yes, ma'am. Thank you.

23 (A brief pause in the proceedings.)

24 MS. ARORA: I would like you to know a little  
25 bit about Mr. Hardaway, and I apologize --

1 THE COURT: That's all right. Do you need  
2 some time?

3 MS. ARORA: I may talk slow.

4 THE COURT: That's okay.

5 MS. ARORA: Mr. Hardaway is 24 years old. I  
6 think it is important to know that his family is in  
7 the courtroom today. They are all in the front row  
8 section, and his parents are both here in support  
9 of him. He was the youngest of ten kids. He is  
10 the youngest of ten kids. He grew up on Johns  
11 Island. As a teen, he spent a good amount of time  
12 with his maternal uncle, who suffered from a  
13 stroke. He was virtually paralyzed and required  
14 day-to-day assistance. Karseem was someone that  
15 would cook and clean and help take care of his  
16 uncle many times a week.

17 He shared some things with me about his  
18 childhood, and at one point he was living with his  
19 brother, and his brother ended up going to prison  
20 for a significant amount of time, and that has  
21 impacted him in the way he's grown up. After that,  
22 he lived with his grandma for some time, and also  
23 lived with his mom and his step dad. He's  
24 experienced a significant amount of trauma in his  
25 life, which I think is important in understanding

1 him.

2 He witnessed an accidental suicide when he  
3 was a boy in his grandmother's neighborhood, who  
4 shot himself with a gun. He's also witnessed or  
5 dealt with some serious losses. His grandmother  
6 passed away, his best friend was murdered in May of  
7 2015, and he suffered from some troubling thoughts  
8 and had trouble sleeping after this. His uncle was  
9 later shot by a police in a confrontational case.  
10 It was a federal case. You saw on the video today  
11 he told police he had trust issues, and I think  
12 that is where those --

13 THE COURT: What was his uncle's name?

14 MS. ARORA: It was Darrell Drayton.

15 THE COURT: How long ago was that?

16 MS. ARORA: In 2016, I apologize.

17 THE COURT: No. That's okay.

18 MS. ARORA: As you can see, he did spend some  
19 time in the Department of Corrections for his YOA,  
20 and I think it is something where he was young and  
21 caught up in the system experiencing that type of  
22 trauma. After he was released, he, in fact, was  
23 shot, and as you can see, he has one eye from that.

24 THE COURT: Why doesn't he have a prosthetic?

25 MS. ARORA: He was shot and -- correct me if

1 I'm wrong, you still have bullet fragments in  
2 there.

3 THE COURT: That's why they never fitted him  
4 for a prosthetic?

5 MS. ARORA: He said they had to cut it open  
6 to get a prosthetic in.

7 But I think all of that just to say that  
8 someone who is so young, by the age of 16 has  
9 witnessed such significant trauma without the  
10 adequate ability to deal with that.

11 I think it's also -- you know, when he was  
12 talking to me about his childhood and growing up,  
13 he said it was hard. We lived in poverty. Bills  
14 were not being paid. There is not much food to  
15 eat, and I think that also coupled with the amount  
16 of trauma that he does have has made it difficult  
17 for him.

18 I will tell you, though, my relationship with  
19 Karseem and the type of person I have been able to  
20 work with and had the privilege to work with over  
21 the last couple of years. I was his second  
22 attorney on this case. I came in when another  
23 attorney was leaving the office, and I think that  
24 is always hard on clients. Maybe a little distrust  
25 is in there when you get a new attorney, but



1 Karseem's ability to work with me and show me  
2 grace, and just chatting with me. Every time I  
3 meet with him, he is more than willing to sit and  
4 talk with me about the facts of the case. He's  
5 probably one of the smartest people I've seen in  
6 just his ability to converse, and he's already  
7 reminded me during this process that we are a team,  
8 and he truly treats us like a team. He's always  
9 had respect for me and respect for everyone else  
10 around him.

11 I can tell you that I think he shows great  
12 leadership, and I do think that he can apply these  
13 skills, hopefully, some day in the future. He had  
14 dreams. He was finishing high school. He was  
15 supposed to start Trident in the fall of 2021.

16 THE COURT: How far did he go in school?  
17 Where did he go to school?

18 MS. ARORA: He got his GED, and he was  
19 supposed to start and do classes. He wanted to do  
20 civil engineering, and he was supposed to start in  
21 the fall of 2021. He was at the time working for  
22 Chevron to make ends meet.

23 I will say he's the one client that no matter  
24 how hard our conversations are, he is able to keep  
25 a positive outlook. I think hopefully that will go

1 with him, and he'll be able to maintain his outlook  
2 as he goes into this process.

3 I would ask for the 30 years. He is 24 years  
4 old. That is a significant portion of his life. I  
5 would ask that you consider that in his experience  
6 growing up in Charleston and how that has impacted  
7 him.

8 I can provide you some more information with  
9 regards to the time he has been incarcerated.

10 THE COURT: They'll calculate that. Court  
11 doesn't calculate time. Legislature delegated that  
12 to the Department of Corrections. I would assume  
13 he was in jail since the day of his arrest? Has he  
14 bonded out?

15 MS. ARORA: No, he has not. He's been in  
16 jail since September 7 of 2021.

17 THE COURT: Would the State like to respond?

18 MR. SIMPSON: No, Your Honor.

19 THE COURT: State take any position on  
20 sentencing?

21 MR. SIMPSON: Only that the Court consider  
22 the factors that were previously discussed about  
23 the length of deliberation, that he had to think  
24 about this is just absolutely a senseless nature of  
25 the loss of life.

1 THE COURT: Anything further from the  
2 defense?

3 MS. EHRLICH: Your Honor, we're checking to  
4 see if any of his family members would like to  
5 speak.

6 (A brief pause in the proceedings.)

7 MS. EHRLICH: I think his mom would like to  
8 speak.

9 THE COURT: Yes, ma'am. Tell us your name  
10 for the record.

11 MS. HARDAWAY: Samantha Hardaway.

12 THE COURT: Yes, ma'am.

13 MS. HARDAWAY: Karseem has been helping me  
14 with his younger brother and sister. I was hoping  
15 he would help his little brother to play basketball  
16 (inaudible), watching him graduate this year from  
17 high school (inaudible). This is one of the most  
18 difficult days of my life, difficult time. He had  
19 bad days and good days. (Inaudible) only count  
20 three bad days I had with him, and one is when he  
21 was getting arrested for this. Me just thinking  
22 about it (inaudible) worse day of my life  
23 (inaudible). Karseem has helped his uncle, my  
24 brother, who couldn't do for himself, my brother,  
25 his siblings. If you ask, he helps us any way he

1 could. (inaudible) diabetic, a bad kidney, getting  
2 phone calls from Karseem just lift me up. I'm just  
3 asking you for your leniency for my son. Thank  
4 you.

5 THE COURT: Yes, ma'am. Anything else?

6 MS. ARORA: No, Your Honor.

7 THE COURT: Would the State like to respond  
8 to the defense's request for the minimum penalty of  
9 30 years? As we know, the range is 30 years to  
10 life, and on the possession of a weapon it is  
11 mandatory five years.

12 MR. SIMPSON: Your Honor, just to repeat  
13 earlier, I don't know that a murder this mundane  
14 and -- when you study homicide, even back in law  
15 school, they talk about factors for murder, you  
16 know, that happen in an accident, murders that are  
17 in a high heat of passion, and then the murder, the  
18 worse kind, the ones that are thought about and  
19 considered, and here we have the 24-hour period  
20 where Mr. Hardaway could have made any number of  
21 different choices in that period. I'm entirely  
22 comfortable leaving sentencing in the Court's  
23 hands, but to answer your question, I don't think a  
24 murder of that nature is warranting the lowest  
25 sentence for murder in the law. I think it's got

1 to be something different than that.

2 (A brief pause in the proceedings.)

3 THE COURT: Stand for sentencing. On the  
4 sentence of murder, you are sentenced to the State  
5 Department of Corrections for a period of 40 years.

6 On the possession of a weapon during the  
7 commission of a violent crime, five years.

8 These sentences are concurrent with one  
9 another. You get credit pursuant to 24-13-40, to  
10 be calculated and applied by the Department of  
11 Corrections.

12 Ladies and gentlemen, we thank you for your  
13 time. I hope you all have a good holiday season.  
14 If you all need to be escorted to your cars, let  
15 Mr. Hall know so we can let the deputies do that,  
16 because I know it's getting dark. Thank you.

17 (WHEREUPON, COURT'S EXHIBITS 1-5 MARKED, AND  
18 THE TRIAL OF STATE v. KARSEEM NICHOLAS HARDAWAY  
19 CONCLUDED.)

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Natalie Dahl, Registered Professional  
Reporter and transcriber for the State of  
South Carolina



Device Info

 Generate preliminary device report



|                          |                                      |
|--------------------------|--------------------------------------|
| Advertising Id (IDFA) #1 | 00000000-0000-0000-0000-000000000000 |
| Advertising Id (IDFA) #2 | 4FA07B7B-2C81-454C-B54D-F980C6808712 |
| AirDrop ID               | 7c935834c105                         |
| Apple ID                 | karseemhardaway30@gmail.com          |
| Bluetooth device address | <string>A8:91:3D:AD:A3:C4</string>   |
| Detected Phone Model     | iPhone XR                            |
| Device Name              | iPhone                               |
| iCloud account present   | True                                 |
| Model number             | N841AP                               |
| Serial                   | DX5DXPF7KXKN                         |
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| IMEI2                    | 356831113210221                      |
| IMSI                     | 311480621313332                      |
| Last user ICCID          | 89148000006453412973                 |
| Last used MSISDN         | +18432595916                         |



Case Information

|                 |                              |
|-----------------|------------------------------|
| Examiner name   | Maria Heffron                |
| Case number     | 2110360                      |
| Evidence number | 1-201                        |
| Organization    | Charleston Police Department |

|                                 |                                        |
|---------------------------------|----------------------------------------|
| Advertising Id (IDFA) #1        | 39C43CFB-81C7-43E7-AACC-2779A873D49F   |
| Advertising Id (IDFA) #2        | C288C407-DC42-46E0-8231-0354E7594090   |
| Advertising Id (IDFA) #3        | 9C4CC409-C1AB-458E-B5FD-EA10899513E9   |
| Apple ID                        | dragon49ers@gmail.com                  |
| Bluetooth device address        | 08:F8:BC:8B:E1:C8                      |
| Detected model                  | iPhone 7                               |
| Detected Phone Model            | iPhone7 (A1660/A1779/A1780)            |
| Detected Phone Model Identifier | iPhone9,1                              |
| Device Name                     | SUPER DAVE                             |
| iCloud account present          | True                                   |
| Last Cloud Backup Date          | 2021-07-13T02:48:16.000+00:00          |
| Last restore from backup        | 2020-06-19T19:52:41.000+00:00          |
| Source of last restored backup  | iTunes Backup                          |
| Model number                    | D10AP                                  |
| OS Version                      | 14.6                                   |
| Serial                          | DX3CHFMZHG6W                           |
| Unique ID                       | 4130cd8bd9fe95cb6bf5fd89a0936db1351ffb |
| ICCID                           | 8914800002830666381                    |
| IMEI                            | 354913096370222                        |
| IMSI                            | 311480283469289                        |
| Last user ICCID                 | 8914800002830666381                    |
| Last used MSISDN                | +19125363749                           |

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| 8  |  |  |  |  | 7/12/2021 11:36:26 PM(UTC-4) | star inc - Google Search               | <a href="https://www.google.com/search?q=star+inc&amp;tbm=isch&amp;ved=2ahU...">https://www.google.com/search?q=star+inc&amp;tbm=isch&amp;ved=2ahU...</a>         | 1      |
| 9  |  |  |  |  | 7/12/2021 11:36:26 PM(UTC-4) | star inc - Google Search               | <a href="https://www.google.com/search?q=star+inc&amp;tbm=isch&amp;ved=2ahU...">https://www.google.com/search?q=star+inc&amp;tbm=isch&amp;ved=2ahU...</a>         | 1      |
| 10 |  |  |  |  | 7/13/2021 3:48:46 PM(UTC-4)  | sack inc - Google Search               | <a href="https://www.google.com/search?q=sack+inc&amp;client=safari&amp;sxsrf=A...">https://www.google.com/search?q=sack+inc&amp;client=safari&amp;sxsrf=A...</a> | 1      |
| 11 |  |  |  |  | 7/13/2021 3:48:47 PM(UTC-4)  | sack inc - Google Search               | <a href="https://www.google.com/search?q=sack+inc&amp;client=safari&amp;sxsrf=A...">https://www.google.com/search?q=sack+inc&amp;client=safari&amp;sxsrf=A...</a> | 1      |
| 12 |  |  |  |  | 7/13/2021 3:49:01 PM(UTC-4)  | sack inc - Google Search               | <a href="https://www.google.com/search?q=sack+inc&amp;client=safari&amp;prmd=s...">https://www.google.com/search?q=sack+inc&amp;client=safari&amp;prmd=s...</a>   | 1      |
| 13 |  |  |  |  | 7/13/2021 3:49:02 PM(UTC-4)  | sack inc - Google Search               | <a href="https://www.google.com/search?q=sack+inc&amp;client=safari&amp;prmd=s...">https://www.google.com/search?q=sack+inc&amp;client=safari&amp;prmd=s...</a>   | 1      |
| 14 |  |  |  |  | 7/13/2021 3:49:21 PM(UTC-4)  | sack truck logo - Google Search        | <a href="https://www.google.com/search?q=sack+truck+logo&amp;tbm=isch&amp;ve...">https://www.google.com/search?q=sack+truck+logo&amp;tbm=isch&amp;ve...</a>       | 1      |
| 15 |  |  |  |  | 7/13/2021 3:49:23 PM(UTC-4)  | sack truck logo - Google Search        | <a href="https://www.google.com/search?q=sack+truck+logo&amp;tbm=isch&amp;ve...">https://www.google.com/search?q=sack+truck+logo&amp;tbm=isch&amp;ve...</a>       | 1      |
| 16 |  |  |  |  | 7/13/2021 3:49:31 PM(UTC-4)  | sack truck - Google Search             | <a href="https://www.google.com/search?q=sack+truck&amp;tbm=isch&amp;ved=2a...">https://www.google.com/search?q=sack+truck&amp;tbm=isch&amp;ved=2a...</a>         | 1      |
| 17 |  |  |  |  | 7/13/2021 3:49:32 PM(UTC-4)  | sack truck - Google Search             | <a href="https://www.google.com/search?q=sack+truck&amp;tbm=isch&amp;ved=2a...">https://www.google.com/search?q=sack+truck&amp;tbm=isch&amp;ved=2a...</a>         | 1      |
| 18 |  |  |  |  | 7/13/2021 3:49:48 PM(UTC-4)  | sack company - Google Search           | <a href="https://www.google.com/search?q=sack+company&amp;client=safari&amp;b...">https://www.google.com/search?q=sack+company&amp;client=safari&amp;b...</a>     | 1      |
| 19 |  |  |  |  | 7/13/2021 3:49:49 PM(UTC-4)  | sack company - Google Search           | <a href="https://www.google.com/search?q=sack+company&amp;client=safari&amp;b...">https://www.google.com/search?q=sack+company&amp;client=safari&amp;b...</a>     | 1      |



[illegible]

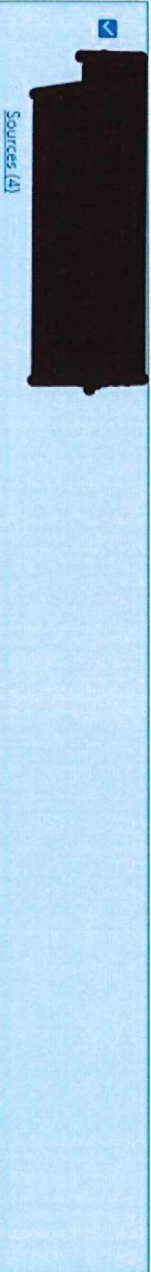
Participants (2)

SCM General  richboiloj13

Grab Em BigKnap  (owner)  
supastreetkd455

Conversation

✓ Select/Deselect all 2 messages



Grab Em BigKnap   
10 mill glock 20 throw prize  
7/19/2021 8:35:16 AM(UTC-4)

Source (4)



**Cellebrite**  
www.cellebrite.com

## Extraction Report - Apple iOS Full File system

### Participants



100068824180954  
Shoreslyfe Mann



100004968330374  
Hardaway KarSeem (owner)

### Conversation - Instant Messages (3)

From: 100004968330374 Hardaway KarSeem  
That shit new and Reggie G20

7/18/2021 12:05:16 PM(UTC-4)

Source Info:  
00008020-  
001004503C22402E\_files\_full.zip/private/var/mobile/Containers/Shared/AppGroup/2632ABAS-  
34E3-4964-9632-6834C422D478/lightspeed-100004968330374.db : 0xA6248B (Table: messages; Size: 14438400 bytes)

\*\*\*\*

From: 100004968330374 Hardaway KarSeem  
I done hit other ppl so if I sling ima let you know

7/18/2021 12:06:56 PM(UTC-4)

Source Info:  
00008020-  
001004503C22402E\_files\_full.zip/private/var/mobile/Containers/Shared/AppGroup/2632ABAS-  
34E3-4964-9632-6834C422D478/lightspeed-100004968330374.db : 0xA625EB (Table: messages; Size: 14438400 bytes)

\*\*\*\*\*

From: 100004968330374 Hardaway KarSeem  
Been gone same day

7/23/2021 4:50:05 PM(UTC-4)

Source Info:  
00008020-  
001004503C22402E\_files\_full.zip/private/var/mobile/Containers/Shared/AppGroup/2632ABAS-  
34E3-4964-9632-6834C422D478/lightspeed-100004968330374.db : 0xAE2792 (Table: messages; Size: 14438400 bytes)





100004968330374  
Hardaway KaiSeem (owner)

Conversation - Instant Messages (1)

From: 100004968330374 Hardaway KaiSeem  
Glizzy for sling

7/18/2021 11:29:02 AM(UTC-4)

Source Info:  
00008020-  
001004503C22402E\_files\_full.zip/private/var/mobile/Containers/Shared/AppGroup/2632ABAS-  
34E3-4964-9632-6834C422D478/lightspeed-100004968330374.db : 0xA57577 (Table:  
messages, Size: 14438400 bytes)



**Body** [REDACTED]

**Author** Hardaway KarSeem (Facebook: 100004968330374)

**Sent** 2021-07-18 15:43:06 UTC

**Body** You know who lookin for a glizzy ?

**Author** Hardaway KarSeem (Facebook: 100004968330374)

**Sent** 2021-07-18 15:46:05 UTC

**Body** You know i go high wit them number I kan even thing like that





**Author** Hardaway KarSeem (Facebook: 100004968330374)  
**Sent** 2021-07-18 15:46:59 UTC  
**Body** You sent a video.  
**Attachments** video-1626623219.mp4 (273664601223708)  
**Type** video/mp4  
**Size** 1625659  
**URL** [https://interncache-ldc.fbcdn.net/v/t42.3356-2/20115876\\_4404791942875174\\_1386071207687804847\\_n.mp4/video-1626623219.mp4?ccb=1-5&\\_nc\\_sid=060d78&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV92aWRlbyJ9&vabr=2167545&\\_nc\\_ht=interncache-ldc&oh=a51fdccb446e2071e6f52e60acd2c2bf&oe=6165648C&dl=1](https://interncache-ldc.fbcdn.net/v/t42.3356-2/20115876_4404791942875174_1386071207687804847_n.mp4/video-1626623219.mp4?ccb=1-5&_nc_sid=060d78&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV92aWRlbyJ9&vabr=2167545&_nc_ht=interncache-ldc&oh=a51fdccb446e2071e6f52e60acd2c2bf&oe=6165648C&dl=1)

**Author** Hardaway KarSeem (Facebook: 100004968330374)  
**Sent** 2021-07-18 15:46:59 UTC  
**Body** 550

[REDACTED]

**Author** Hardaway KarSeem (Facebook: 100004968330374)  
**Sent** 2021-07-18 15:47:35 UTC  
**Body** You sent a voice message.  
**Attachments** audioclip-1626623254000-3483.mp4 (250773190223985)  
**Type** audio/mp4  
**Size** 85343  
**URL** [https://interncache-ldc.fbsbx.com/v/t59.3654-21/218944310\\_250773193557318\\_8863005067050700081\\_n.mp4/audioclip-1626623254000-3483.mp4?ccb=1-5&\\_nc\\_sid=7272a8&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbyJ9&\\_nc\\_ht=interncache-ldc.fbsbx.com&oh=d07f9d7271791ef3fa5b5abe1479ec95&oe=6165C70D&dl=1](https://interncache-ldc.fbsbx.com/v/t59.3654-21/218944310_250773193557318_8863005067050700081_n.mp4/audioclip-1626623254000-3483.mp4?ccb=1-5&_nc_sid=7272a8&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbyJ9&_nc_ht=interncache-ldc.fbsbx.com&oh=d07f9d7271791ef3fa5b5abe1479ec95&oe=6165C70D&dl=1)

**Author** Hardaway KarSeem (Facebook: 10000496833037)

**Sent** 2021-07-18 16:06:56 UTC

**Body** I done hit other ppl so if I sling ima let you know

768

**Author** Hardaway KarSeem (Facebook: 100004968330374)

**Sent** 2021-07-23 20:50:05 UTC

**Body** Been gone same day



PENGAD 800-331-6989

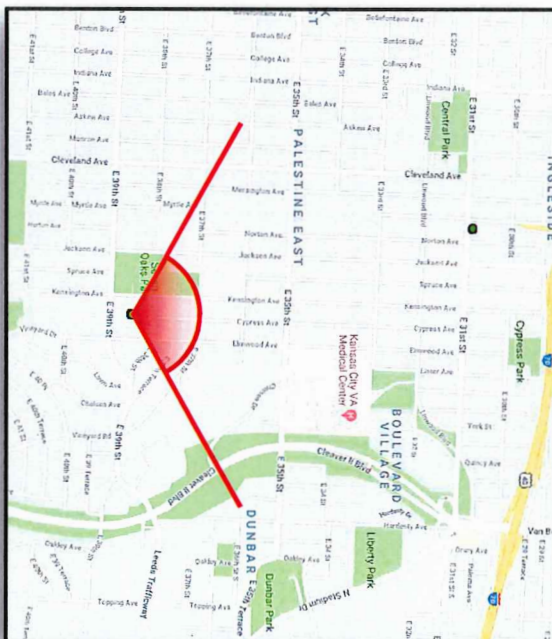
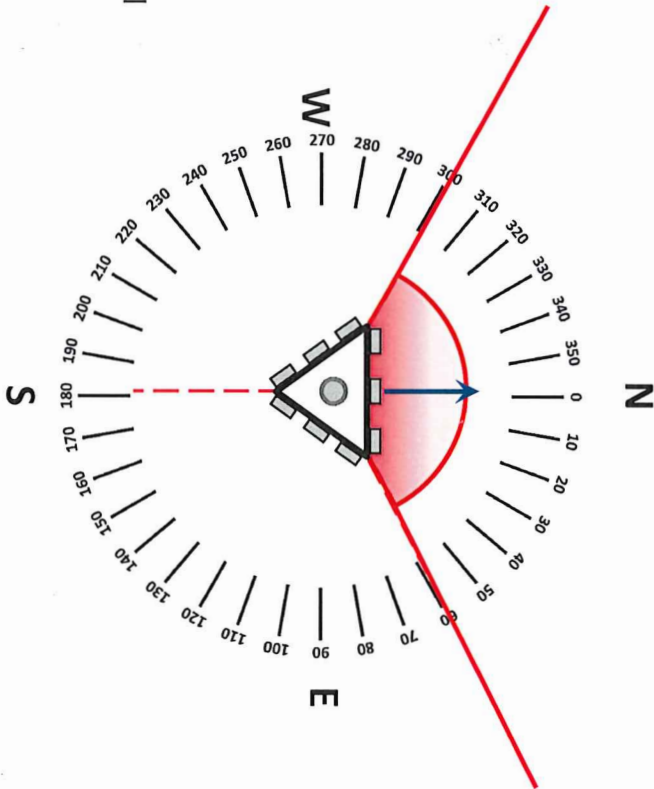
STATE'S  
EXHIBIT  
69





# SECTOR ORIENTATION AND ILLUSTRATION

- Displayed as a wedge with a shaded arc
- The shaded arc solely indicates the general direction of radio frequency signal
- Sector orientation will vary by cell site and service provider

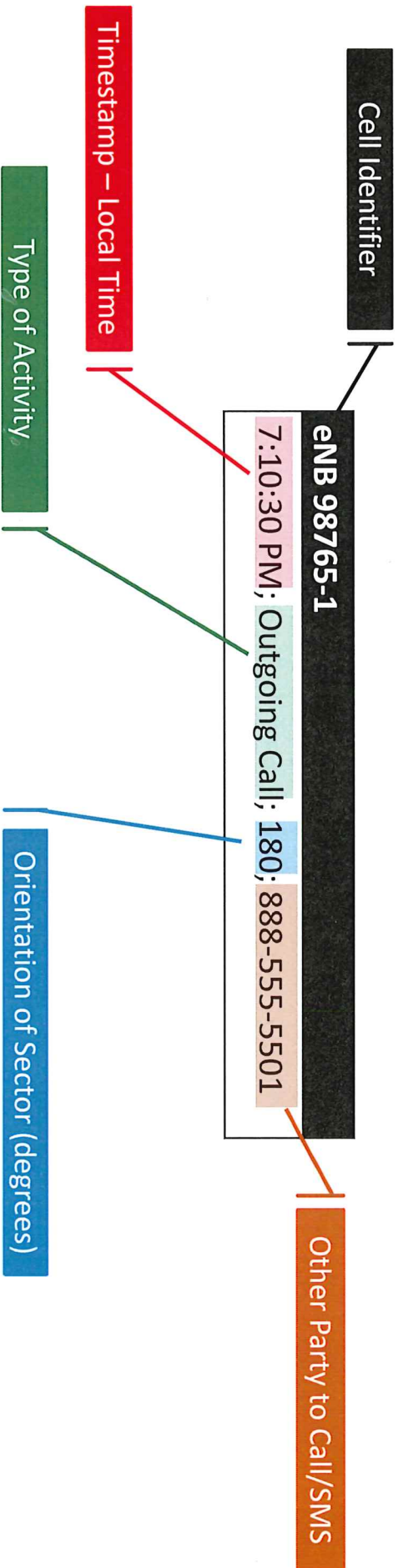


- When displayed on a map, a sector illustration shows the general area of coverage as it relates to a specific geographic area

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# SLIDE ILLUSTRATIONS



- Verizon Call Detail Records are produced in Universal Time Coordinated (UTC). To convert the time from UTC to Eastern Daylight Time (EDT), which was the time zone for South Carolina, for July 12-13, 2021, subtract 4 hours from the timestamp in the provided records.

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YouTube

Watched [Testing The SIGM Tactical 30 Round 10mm Mags!](#)

Jul 13, 2021, 6:12:05 PM UTC

Products:  
YouTube

YouTube

Searched for [10mm drum](#)

Jul 13, 2021, 6:11:10 PM UTC

Products:  
YouTube

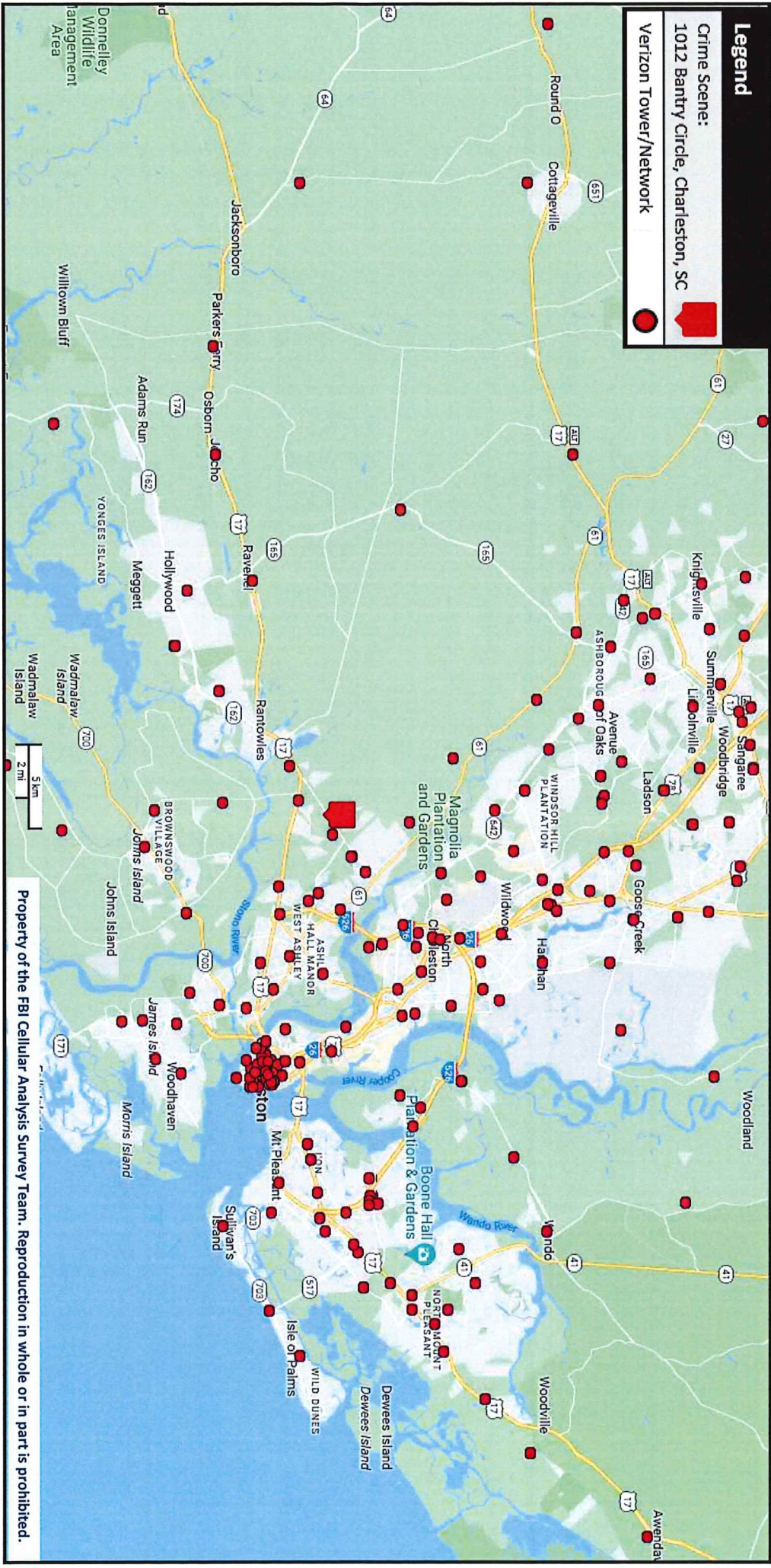




# GEOGRAPHIC OVERVIEW

## Legend

- Crime Scene:  
1012 Bantary Circle, Charleston, SC
- Verizon Tower/Network



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PENGAD 800-631-6989



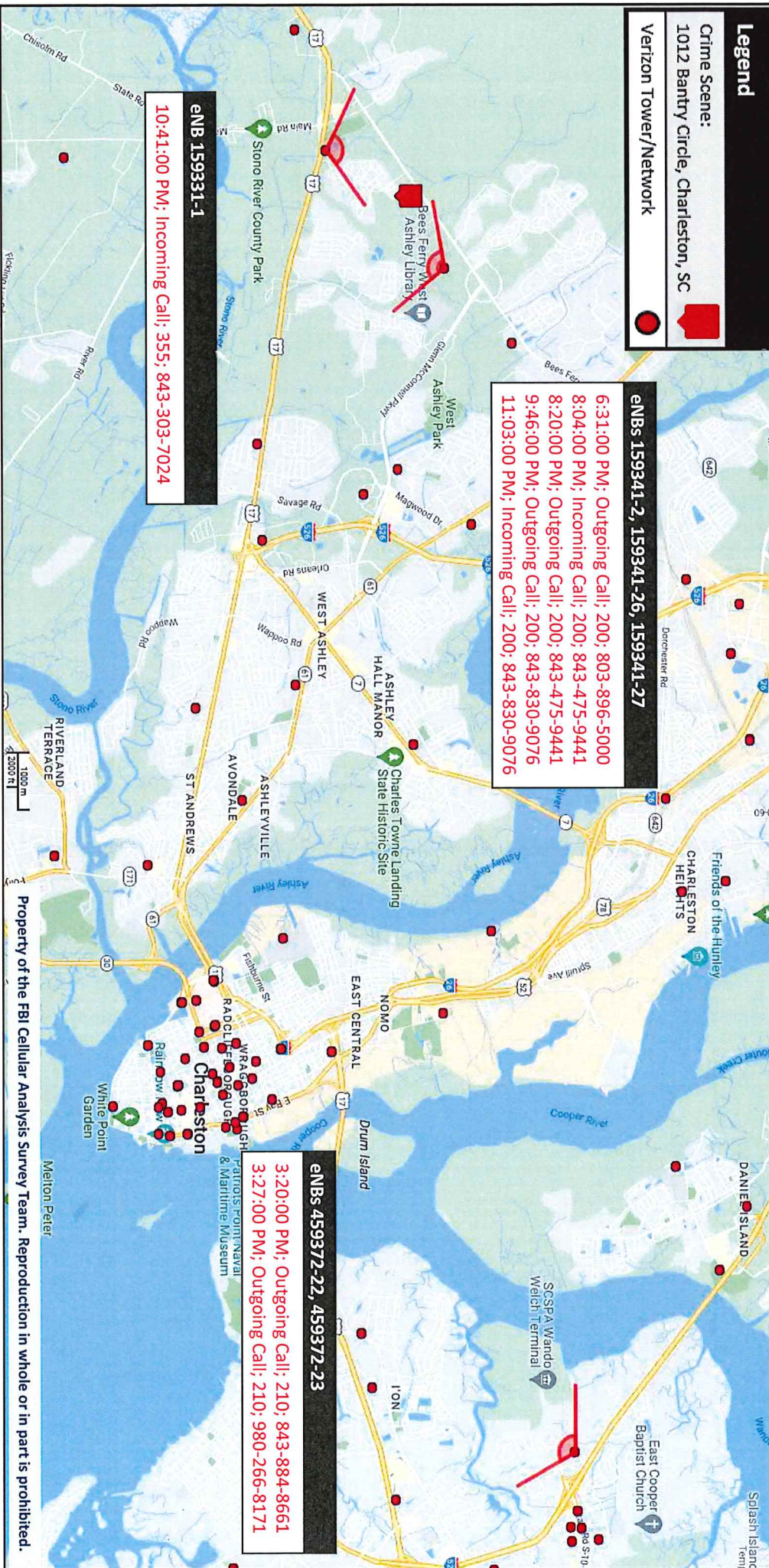


Network activity for **843-259-5916** on July 12, 2021, from 3:20 PM to 11:03 PM.



### Legend

Crime Scene:  
1012 Bantary Circle, Charleston, SC  
Verizon Tower/Network



eNB 159331-1

10:41:00 PM; Incoming Call; 355; 843-303-7024

eNBs 159341-2, 159341-26, 159341-27

6:31:00 PM; Outgoing Call; 200; 803-896-5000  
8:04:00 PM; Incoming Call; 200; 843-475-9441  
8:20:00 PM; Outgoing Call; 200; 843-475-9441  
9:46:00 PM; Outgoing Call; 200; 843-830-9076  
11:03:00 PM; Incoming Call; 200; 843-830-9076

eNBs 459372-22, 459372-23

3:20:00 PM; Outgoing Call; 210; 843-884-8661  
3:27:00 PM; Outgoing Call; 210; 980-266-8171





Network activity for **843-259-5916** on July 13, 2021, from 4:17 PM to 5:36 PM.

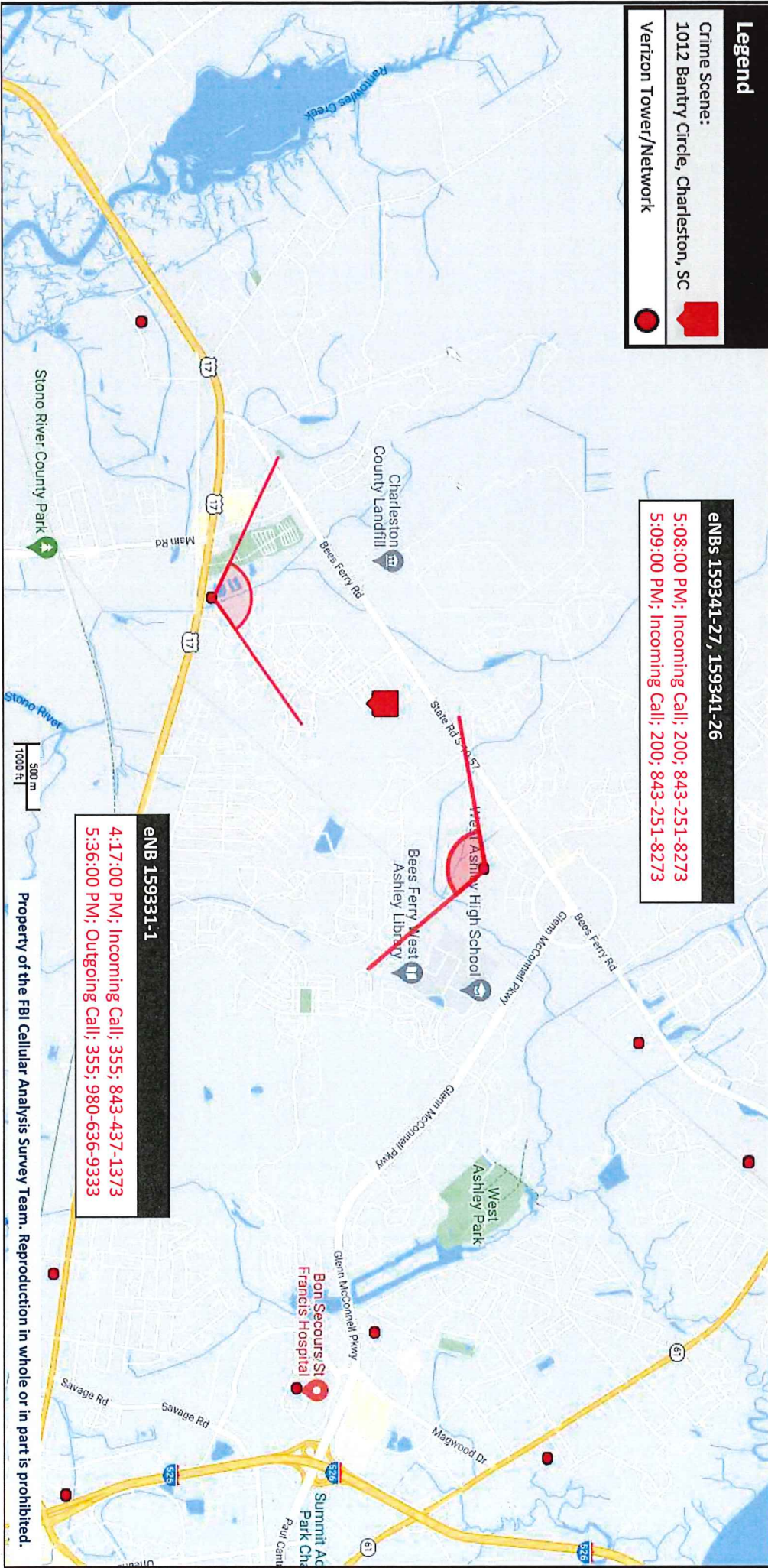


**Legend**

Crime Scene:  
1012 Bantary Circle, Charleston, SC  
Verizon Tower/Network

eNBs 159341-27, 159341-26  
5:08:00 PM; Incoming Call; 200; 843-251-8273  
5:09:00 PM; Incoming Call; 200; 843-251-8273

eNB 159331-1  
4:17:00 PM; Incoming Call; 355; 843-437-1373  
5:36:00 PM; Outgoing Call; 355; 980-636-9333



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Network activity for **843-259-5916** on July 13, 2021, from 4:17 PM to 7:02 PM.



### Legend

Crime Scene:  
1012 Bantary Circle, Charleston, SC  
Verizon Tower/Network



eNB 159331-1

4:17:00 PM; Incoming Call; 355; 843-437-1373  
5:36:00 PM; Outgoing Call; 355; 980-636-9333

eNB 159470-1

6:27:00 PM; Incoming Call; 40; 843-568-0622  
7:02:00 PM; Outgoing Call; 40; 843-830-9076

eNBs 159341-27, 159341-26

5:08:00 PM; Incoming Call; 200; 843-251-8273  
5:09:00 PM; Incoming Call; 200; 843-251-8273



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| A                               | B                      | C   | D   | E       | F         | G         | H      | I   | J        | K           | L           | M   | N   | O                | P   |
|---------------------------------|------------------------|-----|-----|---------|-----------|-----------|--------|-----|----------|-------------|-------------|-----|-----|------------------|-----|
| Record Open Date/Time           | Record Open Dt/Tm(GMT) | SID | NID | Cell ID | Cell Face | Market ID | eNB ID | Dir | MSISDN   | Called #    | CPN         | SOU | RAT | ENDPOINT VZWNE/V |     |
| 389 2021/07/12 07:18:25(GMT -4) | 7/12/2021 11:18 N/A    | N/A | N/A | N/A     | 27        | 159       | 159364 | MT  | 8.43E+09 | 18432595916 | 18432518273 | 28  | LTE | N/A              | N/A |
| 390 2021/07/12 07:19:58(GMT -4) | 7/12/2021 11:19 N/A    | N/A | N/A | N/A     | 27        | 159       | 159364 | MT  | 8.43E+09 | 18432595916 | 18432518273 | 85  | LTE | N/A              | N/A |
| 391 2021/07/12 07:21:32(GMT -4) | 7/12/2021 11:21 N/A    | N/A | N/A | N/A     | 27        | 159       | 159364 | MT  | 8.43E+09 | 18432595916 | 18432518273 | 13  | LTE | N/A              | N/A |
| 392 2021/07/12 07:21:52(GMT -4) | 7/12/2021 11:21 N/A    | N/A | N/A | N/A     | 27        | 159       | 159364 | MT  | 8.43E+09 | 18432595916 | 18432518273 | 6   | LTE | N/A              | N/A |
| 393 2021/07/12 15:20:42(GMT -4) | 7/12/2021 19:20 N/A    | N/A | N/A | N/A     | 22        | 459       | 459372 | MO  | 8.43E+09 | 8438848661  | 18432595916 | 10  | LTE | N/A              | N/A |
| 394 2021/07/12 15:27:46(GMT -4) | 7/12/2021 19:27 N/A    | N/A | N/A | N/A     | 23        | 459       | 459372 | MO  | 8.43E+09 | 19802668171 | 18432595916 | 76  | LTE | N/A              | N/A |
| 395 2021/07/12 18:31:09(GMT -4) | 7/12/2021 22:31 N/A    | N/A | N/A | N/A     | 2         | 159       | 159341 | MO  | 8.43E+09 | 8038965000  | 18432595916 | 9   | LTE | N/A              | N/A |
| 396 2021/07/12 20:04:27(GMT -4) | 7/13/2021 0:04 N/A     | N/A | N/A | N/A     | 2         | 159       | 159341 | MT  | 8.43E+09 | 18432595916 | 18434759441 | 191 | LTE | N/A              | N/A |
| 397 2021/07/12 20:20:16(GMT -4) | 7/13/2021 0:20 N/A     | N/A | N/A | N/A     | 2         | 159       | 159341 | MO  | 8.43E+09 | 18434759441 | 18432595916 | 333 | LTE | N/A              | N/A |
| 398 2021/07/12 21:46:54(GMT -4) | 7/13/2021 1:46 N/A     | N/A | N/A | N/A     | 26        | 159       | 159341 | MO  | 8.43E+09 | 18438309076 | 18432595916 | 840 | LTE | N/A              | N/A |
| 399 2021/07/12 22:41:05(GMT -4) | 7/13/2021 2:41 N/A     | N/A | N/A | N/A     | 1         | 159       | 159331 | MT  | 8.43E+09 | 18432595916 | 18433037024 | 14  | LTE | N/A              | N/A |
| 400 2021/07/12 23:03:31(GMT -4) | 7/13/2021 3:03 N/A     | N/A | N/A | N/A     | 27        | 159       | 159341 | MT  | 8.43E+09 | 18432595916 | 18438309076 | 288 | LTE | N/A              | N/A |
| 401 2021/07/13 10:12:47(GMT -4) | 7/13/2021 14:12 N/A    | N/A | N/A | N/A     | 16        | 159       | 159494 | MO  | 8.43E+09 | 8038965000  | 18432595916 | 124 | LTE | N/A              | N/A |
| 402 2021/07/13 10:16:30(GMT -4) | 7/13/2021 14:16 N/A    | N/A | N/A | N/A     | 36        | 159       | 159386 | MO  | 8.43E+09 | 8437247463  | 18432595916 | 228 | LTE | N/A              | N/A |
| 403 2021/07/13 10:52:53(GMT -4) | 7/13/2021 14:52 N/A    | N/A | N/A | N/A     | 3         | 159       | 159386 | MO  | 8.43E+09 | 2094818250  | 18432595916 | 10  | LTE | N/A              | N/A |
| 404 2021/07/13 12:06:31(GMT -4) | 7/13/2021 16:06 N/A    | N/A | N/A | N/A     | 32        | 459       | 459386 | MO  | 8.43E+09 | 18432518273 | 18432595916 | 15  | LTE | N/A              | N/A |
| 405 2021/07/13 12:06:54(GMT -4) | 7/13/2021 16:06 N/A    | N/A | N/A | N/A     | 3         | 159       | 159386 | MO  | 8.43E+09 | 18432518273 | 18432595916 | 495 | LTE | N/A              | N/A |
| 406 2021/07/13 18:54:21(GMT +0) | 7/13/2021 18:54 N/A    | N/A | N/A | N/A     | 13        | 459       | 459386 | MF  | 8.43E+09 | 18432595916 | 18432518273 | 2   | LTE | N/A              | N/A |
| 407 2021/07/13 18:54:21(GMT +0) | 7/13/2021 18:54 N/A    | N/A | N/A | N/A     | 13        | 459       | 459386 | MT  | 8.43E+09 | 18432595916 | 18432518273 | 2   | LTE | N/A              | N/A |

**U.S. Department of Justice**

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*Charleston Field Office*

1 Poston Rd. Suite 325  
Charleston, SC 29492  
www.atf.gov

March 7, 2024

**SUMMARY OF EVENT:**

Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent (SA) Bryce Eikenberg reviewed firearm tracing data as it relates to 10mm caliber firearm recoveries within the ATF Charleston Field Office.

**NARRATIVE:**

*law enforcement..*

1. The National Tracing Center (NTC) traces firearms associated with crimes and provides investigative leads for local, state, federal, and foreign law enforcement agencies. Firearms tracing begins when a law enforcement agency recovers a firearm during an investigation and submits a request for this firearm to be traced. NTC receives trace requests that detail the markings on the recovered firearm, to include the make, model, caliber or gauge, and serial number. NTC uses the information provided and proceeds to trace the firearm through the wholesale and retail distribution chain to identify the first retail purchaser of the firearm.
2. SA Eikenberg reviewed the tracing data associated to the ATF Charleston Field Office and spanning the dates of March 7, 2023, through present. During this one-year span of time, SA Eikenberg learned "15.28K" or approximately 15,280 firearms were recovered by law enforcement and traced. Of these recovered firearms, 197 had a listed caliber of 10mm. Using the information on hand, SA Eikenberg determined that approximately 1.28% of the firearms recovered and traced this past year were found to have a caliber of 10mm. →
3. SA Eikenberg reviewed the tracing data associated to the ATF Charleston Field Office and spanning the dates of March 7, 2021, through present. During this three-year span of time, SA Eikenberg learned "43.11K" or approximately 43,110 firearms were recovered by law enforcement and traced. Of these recovered firearms, 468 had a listed caliber of 10mm. Using the information on hand, SA Eikenberg determined that approximately 1.08% of the firearms recovered and traced these past three years were found to have a caliber of 10mm.
4. SA Eikenberg reviewed the tracing data associated to the ATF Charleston Field Office and spanning the dates of March 7, 2019, through present. During this five-year span of

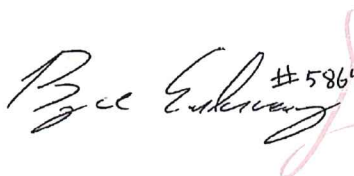


time, SA Eikenberg learned "60.99K" or approximately 60,990 firearms were recovered by law enforcement and traced. Of these recovered firearms, 567 had a listed caliber of 10mm. Using the information on hand, SA Eikenberg determined that approximately 0.92% of the firearms recovered and traced these past five years were found to have a caliber of 10mm.

5. Utilizing the same tracing data as discussed above, and filtering by caliber, SA Eikenberg created the below table to further analyze firearm trace data between the dates of March 7, 2023, to present (one year).

| Caliber | Firearms Traced | Total Firearms | Frequency |
|---------|-----------------|----------------|-----------|
| 9       | 8,876           | 15,280         | 58.08%    |
| .40     | 1,834           | 15,280         | 12.00%    |
| .380    | 1,014           | 15,280         | 6.63%     |
| .45     | 878             | 15,280         | 5.74%     |
| .22     | 513             | 15,280         | 3.35%     |
| 5.56    | 520             | 15,280         | 3.40%     |
| 7.62    | 340             | 15,280         | 2.22%     |
| 10      | 197             | 15,280         | 1.28%     |
| .223    | 184             | 15,280         | 1.20%     |
| 5.78x28 | 150             | 15,280         | 0.98%     |

6. From reviewing the firearm trace data, SA Eikenberg noted that although there are less frequently traced firearm calibers, the lack of popularity and infrequent of use of a 10mm caliber firearm was apparent.
7. Furthermore, a current ancillary duty of SA Eikenberg's is to prepare reports and official correspondence relating to the identification, origin, and classification of firearms and ammunition, referred to as "Firearms Interstate Nexus Determinations" by ATF. SA Eikenberg completed ATF's Advanced Interstate Nexus Training Program in April 2021, and in this capacity, regularly examines firearms and ammunition types. A query of previously prepared reports revealed SA Eikenberg has not yet examined a round of 10mm caliber ammunition, further supporting infrequent use and recovery.
8. SA Eikenberg notes the firearm trace data associated with the "ATF Charleston Field Office" includes nine South Carolina counties; Beaufort, Jasper, Hampton, Colleton, Dorchester, Clarendon, Georgetown, Berkeley, and Charleston. SA Eikenberg further notes this trace data does not include every firearm recovered by law enforcement or utilized in a crime; rather, this data includes only the firearms that were recovered and then subsequently traced by investigators.



Digitally signed by Bryce Eikenberg  
 DN: cn=Bryce Eikenberg, o=Charleston  
 Field Office, ou=Bureau of Alcohol,  
 Tobacco, Firearms and Explosives (ATF),  
 email=Bryce.Eikenberg@atf.gov, c=US  
 Date: 2024.03.07 12:23:31 -05'00'

Participants (2)

SCM General  
richbolloj13

Grab Em BigKnapp  
supastreetd4ss (owner)

Conversation

Select/Deselect all 2 messages

SCM General  
Wa kind how much  
7/19/2021 8:34:13 AM(UTC-4)

Sources (4)

Grab Em BigKnapp  
10 mill glock 20 throw prixe  
7/19/2021 8:35:16 AM(UTC-4)

Sources (4)



**Cellebrite**  
www.cellebrite.com

## Extraction Report - Apple iOS Full File system

### Participants



100068824180954  
Shoreslyfe Mann



100004968330374  
Hardaway KarSeem (owner)

### Conversation - Instant Messages (3)

From: 100004968330374 Hardaway KarSeem  
That shit new and Reggie G20

7/18/2021 12:05:16 PM(UTC-4)

Source Info:  
00008020-  
001004503C22402E\_files\_full.zip/private/var/mobile/Containers/Shared/AppGroup/2632ABA5-  
34E3-4964-9632-6834C422D478/lightspeed-100004968330374.db : 0xA6248B (Table:  
messages; Size: 14438400 bytes)

From: 100068824180954 Shoreslyfe Mann

Bet

7/18/2021 12:05:28 PM(UTC-4)

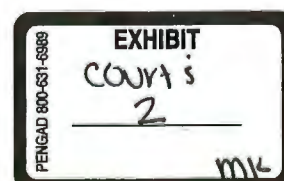
Source Info:  
00008020-  
001004503C22402E\_files\_full.zip/private/var/mobile/Containers/Shared/AppGroup/2632ABA5-  
34E3-4964-9632-6834C422D478/lightspeed-100004968330374.db : 0xA6255F (Table:  
messages; Size: 14438400 bytes)

From: 100004968330374 Hardaway KarSeem

I done hit other ppl so if I sling ima let you know

7/18/2021 12:06:56 PM(UTC-4)

Source Info:  
00008020-001004503C22402E\_files\_full.zip/private/var/mobile/Containers/Shared/AppGroup/2632ABA5-  
34E3-4964-9632-6834C422D478/lightspeed-100004968330374.db : 0xA625EB (Table: messages; Size:  
14438400 bytes)







## Extraction Report - Apple iOS Full File system

### Participants



100068824180954  
Shoreslyfe Mann



100004968330374  
Hardaway KarSeem (owner)

### Conversation - Instant Messages (3)

From: 100068824180954 Shoreslyfe Mann

U still gt da glizzy

7/23/2021 4:18:07 PM(UTC-4)

Source Info:  
00008020-  
001004503C22402E\_files\_full.zip/private/var/mobile/Containers/Shared/AppGroup/2632ABAS-  
34E3-4964-9632-6834C422D478/lightspeed-100004968330374.db : 0xAE2FA1 (Table:  
messages; Size: 14438400 bytes)

From: 100004968330374 Hardaway KarSeem

Been gone same day

7/23/2021 4:50:05 PM(UTC-4)

Source Info:  
00008020-  
001004503C22402E\_files\_full.zip/private/var/mobile/Containers/Shared/AppGroup/2632ABAS-  
34E3-4964-9632-6834C422D478/lightspeed-100004968330374.db : 0xAE2792 (Table:  
messages; Size: 14438400 bytes)

From: 100068824180954 Shoreslyfe Mann

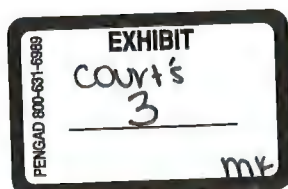
[REDACTED]

7/23/2021 4:50:21 PM(UTC-4)

Source Info:  
00008020-  
001004503C22402E\_files\_full.zip/private/var/mobile/Containers/Shared/AppGroup/2632ABAS-  
34E3-4964-9632-6834C422D478/lightspeed-100004968330374.db : 0xAE26F6 (Table:  
messages; Size: 14438400 bytes)

## Photo ID

1466152787053267

**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-12 23:07:16 UTC**Body** [REDACTED]**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-12 23:16:50 UTC**Body** [REDACTED]**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-12 23:17:26 UTC**Body** [REDACTED]**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-12 23:17:56 UTC**Body** [REDACTED]**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-12 23:18:08 UTC**Body** [REDACTED]**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-13 00:39:54 UTC**Body** Shoreslyfe sent a video.**Attachments** video-1626136793.mp4 (4201403476617388)**Type** video/mp4**Size** 2636388**URL** https://interncache-ldc.fbcdn.net/v/t42.3356-2/215067604\_4148955208522978\_3708517659650912028\_n.mp4/video-1626136793.mp4?ccb=1-5&\_nc\_sid=060d78&efg=eyJ1cmxhZW4iOiJwaHJlbnRpdHkvbWVzc2FnZV92aWRlbyJ9&vabr=2109110&\_nc\_ht=interncache-ldc&oh=70db81d818d57efd9ffa1792bba312e9&oe=6165A3FC&dl=1**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-13 00:44:59 UTC**Body** [REDACTED]**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-13 00:45:07 UTC**Body** [REDACTED]**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-18 15:43:06 UTC**Body** You know who lookin for a glizzy ?**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-18 15:45:08 UTC**Body** [REDACTED]**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-18 15:46:05 UTC**Body** You know i go high wit them number I can even thing like that

**Author**

Shoreslyfe Mann (Facebook: 100068824180954)

**Sent** 2021-07-18 15:46:19 UTC**Body** Send me a pix n da tixket**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-18 15:46:59 UTC**Body** You sent a video.**Attachments** video-1626623219.mp4 (273664601223708)**Type** video/mp4**Size** 1625659**URL** [https://interncache-ldc.fbcdn.net/v/t42.3356-2/20115876\\_4404791942875174\\_1386071207687804847\\_n.mp4/video-1626623219.mp4?ccb=1-5&\\_nc\\_sid=060d78&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV92aWRlbyJ9&vabr=2167545&\\_nc\\_ht=interncache-ldc&oh=a51fdcbb446e2071e6f52e60acd2c2bf&oe=6165648C&dl=1](https://interncache-ldc.fbcdn.net/v/t42.3356-2/20115876_4404791942875174_1386071207687804847_n.mp4/video-1626623219.mp4?ccb=1-5&_nc_sid=060d78&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV92aWRlbyJ9&vabr=2167545&_nc_ht=interncache-ldc&oh=a51fdcbb446e2071e6f52e60acd2c2bf&oe=6165648C&dl=1)**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-18 15:46:59 UTC**Body** 550**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-18 15:47:17 UTC**Body** Dats a 40**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-18 15:47:35 UTC**Body** You sent a voice message.**Attachments** audioclip-1626623254000-3483.mp4 (250773190223985)**Type** audio/mp4**Size** 85343**URL** [https://interncache-ldc.fbsbx.com/v/t59.3654-21/218944310\\_250773193557318\\_8863005067050700081\\_n.mp4/audioclip-1626623254000-3483.mp4?ccb=1-5&\\_nc\\_sid=7272a8&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbyJ9&\\_nc\\_ht=interncache-ldc.fbsbx.com&oh=d07f9d7271791ef3fa5b5abe1479ec95&oe=6165C70D&dl=1](https://interncache-ldc.fbsbx.com/v/t59.3654-21/218944310_250773193557318_8863005067050700081_n.mp4/audioclip-1626623254000-3483.mp4?ccb=1-5&_nc_sid=7272a8&efg=eyJ1cmxnZW4iOiJwaHBfdXJsZ2VuX2NsaWVudC9lbnRpdHkvbWVzc2FnZV9hdWRpbyJ9&_nc_ht=interncache-ldc.fbsbx.com&oh=d07f9d7271791ef3fa5b5abe1479ec95&oe=6165C70D&dl=1)**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-18 15:56:42 UTC**Body** [REDACTED]**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-18 15:56:49 UTC**Body** [REDACTED]**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-18 16:03:47 UTC**Body** Sen me a pix of both sides**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-18 16:04:13 UTC

**Body**

Ion got em with me right now why they want all that ?

**Author** Shoreslyfe Mann (Facebook: 100068824180954)

**Sent** 2021-07-18 16:04:23 UTC

**Body** [REDACTED]

**Author** Hardaway KarSeem (Facebook: 100004968330374)

**Sent** 2021-07-18 16:05:16 UTC

**Body** That shit new and Reggie G20

**Author** Shoreslyfe Mann (Facebook: 100068824180954)

**Sent** 2021-07-18 16:05:28 UTC

**Body** [REDACTED]

**Author** Hardaway KarSeem (Facebook: 100004968330374)

**Sent** 2021-07-18 16:06:56 UTC

**Body** I done hit other ppl so if I sling ima let you know

**Author** Shoreslyfe Mann (Facebook: 100068824180954)

**Sent** 2021-07-21 16:38:24 UTC

**Body** [REDACTED]

**Author** Hardaway KarSeem (Facebook: 100004968330374)

**Sent** 2021-07-21 17:15:57 UTC

**Body** [REDACTED]

**Author** Shoreslyfe Mann (Facebook: 100068824180954)

**Sent** 2021-07-21 17:16:16 UTC

**Body** [REDACTED]

**Author** Hardaway KarSeem (Facebook: 100004968330374)

**Sent** 2021-07-21 17:16:36 UTC

**Body** [REDACTED]

**Author** Shoreslyfe Mann (Facebook: 100068824180954)

**Sent** 2021-07-21 17:16:53 UTC

**Body** [REDACTED]

**Author** Hardaway KarSeem (Facebook: 100004968330374)

**Sent** 2021-07-21 17:17:25 UTC

**Body** [REDACTED]

**Author** Shoreslyfe Mann (Facebook: 100068824180954)

**Sent** 2021-07-21 17:17:47 UTC

**Body** [REDACTED]

**Author** Hardaway KarSeem (Facebook: 100004968330374)

**Sent** 2021-07-21 17:33:45 UTC

**Body** [REDACTED]

**Author** Shoreslyfe Mann (Facebook: 100068824180954)

**Sent** 2021-07-21 17:35:15 UTC

**Body** Whixh one fo da gun

**Author** Hardaway KarSeem (Facebook: 100004968330374)

**Sent** 2021-07-21 17:37:29 UTC

**Body** [REDACTED]

**Author**

Shoreslyfe Mann (Facebook: 100068824180954)

**Sent** 2021-07-21 17:37:48 UTC**Body** [REDACTED]**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-21 17:49:57 UTC**Body** [REDACTED]**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-21 17:51:44 UTC**Body** [REDACTED]**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-21 21:16:11 UTC**Body** [REDACTED]**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-21 21:36:47 UTC**Body** [REDACTED]**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-21 23:50:44 UTC**Body** [REDACTED]**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-23 20:18:07 UTC**Body** U still gt da glizzy**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-23 20:50:05 UTC**Body** Been gone same day**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-23 20:50:21 UTC**Body** [REDACTED]**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-23 20:50:26 UTC**Body** [REDACTED]**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-24 17:30:15 UTC**Body** [REDACTED]**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-24 17:30:37 UTC**Body** [REDACTED]**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-24 18:24:31 UTC**Body** [REDACTED]**Author** Shoreslyfe Mann (Facebook: 100068824180954)**Sent** 2021-07-24 20:56:04 UTC**Body** [REDACTED]**Author** Hardaway KarSeem (Facebook: 100004968330374)**Sent** 2021-07-24 20:56:26 UTC



YouTube

Watched [Testing The SGM Tactical 30 Round 10mm Mags!](#)  
[predawndeath](#)

Jul 13, 2021, 6:12:05 PM UTC

Products:  
YouTube

YouTube

Searched for [10mm drum](#)

Jul 13, 2021, 6:11:10 PM UTC

Products:  
YouTube





**Cellebrite**  
www.cellebrite.com

## Extraction Report - Apple iOS Full File system

### Participants



100016568530640  
War Witt Errybody



100004968330374  
Hardaway KarSeem (owner)

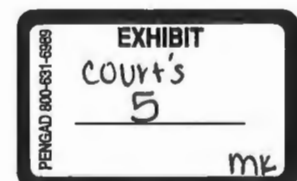
### Conversation - Instant Messages (1)

From: 100004968330374 Hardaway KarSeem

Glizzy for sling

7/18/2021 11:29:02 AM(UTC-4)

Source Info:  
00008020-  
001004503C22402E\_files\_full.zip/private/var/mobile/Containers/Shared/AppGroup/2632ABA5-  
34E3-4964-9632-6834C422D478/lightspeed-100004968330374.db : 0xA67977 (Table:  
messages; Size: 14438400 bytes)



BCS/0382500  
WITNESSES

Charleston City Police Department

AGENCY CASE NUMBER

2021-10360

ARREST WARRANT NUMBER

2021A1010900367

DATE OF ARREST

09/08/2021

ACTION OF GRAND JURY

TRUE BILL

FEB 12 2024

Date:

VERDICT

Guilty

Cory Lee March 28, 2024

Date:

Foreperson of Petit Jury

DOCKET NO. 2024-GS-10-00589

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

FEBRUARY TERM 2024

THE STATE

VS.

KARSEEM NICHOLAS

HARDAWAY

B/M DOB: [REDACTED]

Indictment for

MURDER

SC Code: § 16-03-0010

CDR Code: 0116



STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

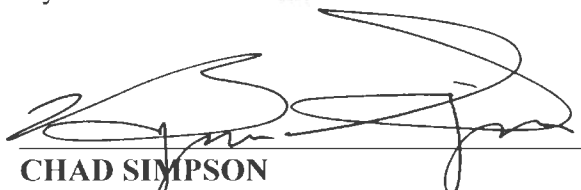
## INDICTMENT

At a Court of General Sessions, convened February 2024, the Grand Jurors of Charleston County present upon their oath:

**Murder**

That in Charleston County, South Carolina on or about July 13, 2021, the defendant, Karseem Nicholas Hardaway with malice aforethought did kill and murder David Conner by means of shooting him, and David Conner did die in Charleston County as a proximate result thereof on or about July 13, 2021 in violation of §16-3-10 of the South Carolina Code of Laws (1976) as amended.

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



**CHAD SIMPSON**  
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

STATE

INDICTMENT/CASE#: 2024-GS-10-00589

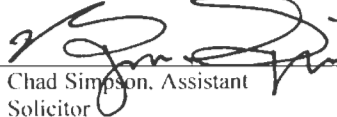
VS.

KARSEEM NICHOLAS HARDAWAYAKA: Kareem Nicholas Hardaway, Karseem HardawayRace: Black Sex: M Age: 24DOB: [REDACTED] SS#: [REDACTED]Address: [REDACTED]City, State, [REDACTED]Zip: [REDACTED]DL# [REDACTED] SID# [REDACTED]\*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐A/W#: 2021A1010900367Date of Offense: 07/13/2021S.C. Code §: 16-03-0010CDR Code #: 0116

## SENTENCE SHEET

In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADSTO: MurderIn violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

  
Chad Simpson, Assistant  
Solicitor

71257

SC Bar #

Defendant

Attorney for Defendant

102915

SC Bar #

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 40 days/months/years/Time Served ☐ Youthful Offender Act not to exceed    yearsand/or to pay a fine of \$   ; provided that upon the service of    days/months/years/Time Served and or paymentof \$   ; plus costs and assessments as applicable\*; the balance is suspended with **probation** for   

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

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence or: 2024-GS-10-00590☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDoc.  
days/months☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.

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

SPECIAL CONDITIONS:

792

STATE KARSEEM  
VS. NICHOLAS  
ILARDAWAYINDICTMENT/CASE#: 2024-GS-10-00589☐ **PTUP** after \_\_\_\_\_ months/years**And Other Terms Listed Below:**

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

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

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

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

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

**\*Fine:**

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

**TOTAL** \$ 128.75Clerk of Court/Deputy Clerk: \_\_\_\_\_  
Court Reporter: \_\_\_\_\_Chenagay  
Nana-ManuelPresiding Judge: \_\_\_\_\_  
Judge Code: \_\_\_\_\_  
Sentence Date: \_\_\_\_\_Dr. J. J. J.  
2128  
3/28/2024

BCS/0382500  
WITNESSES

Charleston City Police Department

*[Signature]*

AGENCY CASE NUMBER

2021-10360

ARREST WARRANT NUMBER

2021A1010900368

DATE OF ARREST

09/08/2021

ACTION OF GRAND JURY

TRUE BILL

FEB 12 2024

*[Signature]*  
Foreperson of Grand Jury

Date:

VERDICT

Guilty

*[Signature]* March 28, 2024

Foreperson of Petit Jury

Date:

DOCKET NO. 2024-GS-10-00590

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

FEBRUARY TERM 2024

THE STATE

VS.

KARSEEM NICHOLAS  
HARDAWAY

B/M DOB: [REDACTED]

Indictment for

POSSESSION OF A WEAPON DURING  
THE COMMISSION OF A VIOLENT  
CRIME

SC Code: § 16-23-0490  
CDR Code: 0549

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened February 2024, the Grand Jurors of Charleston County present upon their oath:

**Possession Of A Weapon During The Commission Of A Violent Crime**

That in Charleston County, South Carolina, on or about July 13, 2021, the Defendant, Karseem Nicholas Hardaway, did possess a firearm during the commission of a violent crime, to wit: Murder; in violation of Section 16-23-490, Code of Laws of South Carolina, (1976, as amended).

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



CHAD SIMPSON  
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF CHARLESTON

STATE

INDICTMENT/CASE#: 2024-GS-10-00590

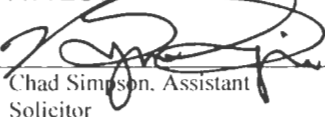
VS.

KARSEEM NICHOLAS HARDAWAYAKA: Kareem Nicholas Hardaway, Karseem HardawayRace: Black Sex: M Age: 24DOB: [REDACTED] SS#: [REDACTED]Address: [REDACTED]City, State, [REDACTED]Zip: [REDACTED]DL# [REDACTED] SID# [REDACTED]\*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐A/W#: 2021A1010900368Date of Offense: 07/13/2021S.C. Code §: 16-23-0490CDR Code #: 0549

## SENTENCE SHEET

In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADSTO: Possession Of A Weapon During The Commission Of A Violent CrimeIn violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

  
Chad Simpson, Assistant  
Solicitor

71257

SC Bar #

Defendant

Attorney for Defendant

102915

SC Bar #

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,for a determinate term of 5 days/months/years/Time Served ☐ Youthful Offender Act not to exceed    yearsand/or to pay a fine of \$   ; provided that upon the service of    days/months/years/Time Served and or paymentof \$   ; plus costs and assessments as applicable\*; the balance is suspended with probation for   

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

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: 2024-GS-10-00589☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDoc.  
days/months☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.

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

SPECIAL CONDITIONS:



796

STATE KARSEEM  
VS. NICHOLAS  
HARDWAYINDICTMENT/CASE#: 2024-GS-10-00590☐ **PTUP** after \_\_\_\_\_ months/years**And Other Terms Listed Below:**

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

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

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

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

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

**\*Fine:**

| Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ _____ Beginning _____ |         | \$               |
|---------------------------------------------------------------------------------------|---------|------------------|
| §14-1-206 (Assessments 107.5%)                                                        |         | \$               |
| §14-1-211 (A)(1)(Conv. Surcharge)                                                     | \$100   | \$ <u>100.00</u> |
| §14-1-211 (A)(2)(DUI Surcharge)                                                       | \$100   | \$               |
| §56-5-2995 (DUI Assessment)                                                           | \$12    | \$               |
| §56-1-286 (DUI Breath Test)                                                           | \$25    | \$               |
| §14-1-212 (Law Enforce. Funding)                                                      | \$25    | \$ <u>25.00</u>  |
| §14-1-213 (Drug Court Surcharge)                                                      | \$150   | \$               |
| §34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)             | \$41    | \$               |
| §50-21-114 (BUI Breath Test Fee)                                                      | \$50    | \$               |
| §56-5-2942(J) (Vehicle Assessment)                                                    | \$40/ea | \$               |
| 3% to County (if paid in installments)                                                | TBD     | \$ <u>3.75</u>   |

☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund**TOTAL** \$ 128.75Clerk of Court/Deputy Clerk: \_\_\_\_\_  
Court Reporter: \_\_\_\_\_Cheral Gray  
Maria Emanuel-HidenPresiding Judge: Al JeffersonJudge Code: 2128Sentence Date: 3/28/2024

**CERTIFICATE OF COUNSEL FOR APPELLANT**

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

Respectfully Submitted,

**RECEIVED****Aug 22 2025****SC Court of Appeals**

Jordan Wayburn  
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 22<sup>nd</sup> day of August, 2025.





**RECEIVED**

**Aug 22 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Charleston County

Honorable Deadra L. Jefferson, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

KARSEEM NICHOLAS HARDAWAY,

APPELLANT

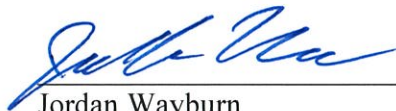
APPELLATE CASE NO. 2024-001245

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 22<sup>nd</sup> day of August, 2025.



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Jordan Wayburn  
Appellate Defender

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

ATTORNEY FOR APPELLANT