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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Hampton County

Honorable Robert J. Bonds, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

LORENZO BOLES,

APPELLANT

APPELLATE CASE NO. 2023-001824

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
STATE’S EXHIBIT NO. 34 (DVD), STATE’S EXHIBIT NO. 200 (911 CALL), STATE’S
EXHIBIT NOS. 254-260 (PHOTOGRAPHS), AND STATE’S EXHIBIT NO. 263
(PHOTOGRAPH).**

STATE OF SOUTH CAROLINA

IN THE GENERAL SESSIONS COURT

2018-GS-25-00215, -00219

COUNTY OF HAMPTON

-----)

State of South Carolina)

)

Plaintiff,)

vs.)

)

Tyrase Akil Collins and)

Lorenzo Boles,)

)

Defendants.)

TRANSCRIPT OF JURY TRIAL

VOLUME I

(PAGES 1 TO 138)

November 6, 2023

Beaufort, South Carolina

B E F O R E:

The Honorable ROBERT J. BONDS, Judge Presiding

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PROCEEDINGS**MONDAY, NOVEMBER 6, 2023****HAMPTON, SOUTH CAROLINA*********

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

THE COURT: Good morning, ladies and gentlemen. Good morning. My name is Bobby Bonds. I'm a resident circuit judge for the fourteenth judicial circuit. The fourteenth judicial circuit is comprised of Colleton, Hampton, Allendale, Jasper and Beaufort. I live in Walterboro, Colleton County.

I have been assigned by the Chief Justice to preside over a term of General Sessions or Criminal Court here in Hampton County this week.

One of the first things that we are going to do is we are going to have the clerk call the roll of the jurors. So she is going to do that and ask -- put you under oath and ask some questions of you. When she finishes, I am then going to ask some questions.

1 Now, I want you folks to know this. This
2 is going to be -- the case that we are going to
3 hear will likely bleed over until the first of
4 next week. I want you to know that.

5 Now, let me tell you why that is. I'm
6 going to tell you right now. The reason is,
7 number one, tomorrow you are not going to have
8 to be here, okay?

9 First of all, if you end up getting
10 selected on the jury, the chances of you having
11 to serve -- I don't know that we will try any
12 other cases. So, you could be home free.

13 So in the respect, it could be a good week
14 to serve. The reason the case -- it's not
15 because it's going to be a particularly long
16 case. Number one, tomorrow I have to be in
17 Columbia for a matter that I cannot escape. I
18 promise I would much rather be here in this
19 courtroom. But I have something that I am
20 required to be at a hearing that I am required
21 to attend tomorrow. As a result, we cannot have
22 court.

23 The other thing is that Friday, as many of
24 you may know, is a holiday. Friday is Veteran's
25 Day. At this point, the plan would be not to

1 work on Friday, the holiday. As a result, you
2 can see with the requirement of me being out on
3 Tuesday and not having court on Friday, then it
4 pushes the case, perhaps, to Monday or Tuesday
5 of next week.

6 It could be that we will end up finishing
7 the case this week, but I don't know that we
8 will. I want to make you aware of that right
9 now, okay?

10 There are a bunch of questions dealing with
11 -- I know it's an inconvenience for you to be
12 here. I apologize that we got a late start this
13 morning. I will take the blame for that, but we
14 will try to move and be as quick as we can. I
15 understand what a sacrifice it is for you to be
16 here. You would much rather be with your family
17 or work or doing whatever it is you want to be
18 doing rather than be here.

19 So, Madam Clerk, do you want to go ahead
20 and swear the jury in and then call the roll?

21 THE CLERK: Yes, sir.

22 THE COURT: Thank you very much.

23 **JURY SELECTION**

24 ******

25 THE COURT: Thank you, Madam Clerk.

1 All right. Ladies and gentlemen, I now
2 have certain questions to ask you to determine
3 your qualifications as jurors in this court.
4 These questions are to determine your general
5 eligibility to serve.

6 State law requires that I ask these
7 questions. Quite frankly, some of the questions
8 are personal. You may not want to stand and
9 disclose the information in the presence of your
10 fellow jurors.

11 After each question, if any juror needs to
12 respond, I am going to ask you to stand. If you
13 don't want to stand, that's fine. At the end of
14 this process, I will give you a chance to come
15 forward and speak privately with me and the
16 clerk. I don't want to cause anybody any
17 embarrassment.

18 So, if you don't want to stand, just make a
19 mental note and remember to come forward at the
20 end when I ask you to do so.

21 Ladies and gentlemen, it's important that
22 we receive accurate and complete information.

23 Folks, is any member of the jury not a
24 citizen of the United States?

25 If so, please stand.

1 (No indication.)

2 THE COURT: Is any member of the jury panel
3 not a citizen or resident of Hampton County,
4 South Carolina?

5 If so, please stand.

6 (No indication.)

7 THE COURT: Any member of the jury panel
8 unable to read, write, speak or understand the
9 English language?

10 If so, please stand.

11 (No indication.)

12 THE COURT: Does any member of the jury
13 panel have less than a sixth-grade education or
14 its equivalent?

15 If so, please stand.

16 (No indication.)

17 THE COURT: All right, ladies and
18 gentlemen, is any member of the jury panel
19 because of mental or physical infirmities unable
20 to render efficient jury service?

21 If so, I need you to stand. All right,
22 come on up, sir. Hey, sir, what's your name and
23 juror number?

24 THE PROSPECTIVE JUROR: Number 50.

25

1 THE COURT: All right, so what's up?

2 THE PROSPECTIVE JUROR: I have to take care
3 of my mom, and I have to pick up my son from
4 school.

5 THE COURT: All right, well, I'm not gonna
6 excuse you, but I can transfer you to another
7 term of court, if you want me to transfer you,
8 but I mean you're not gonna be here tomorrow,
9 you're not gonna be here -- if you're chosen on
10 the jury, it's very unlikely you're gonna be
11 here on Friday. So I can continue you to
12 another term of Court, or you can knock it out
13 right now. If you need to stand, if you need to
14 take a break, if you're on the jury, you just
15 nod, wave, let me know, that ain't gonna be a
16 problem.

17 THE PROSPECTIVE JUROR: That'll work.

18 THE COURT: Is that good?

19 THE PROSPECTIVE JUROR: That's good.

20 THE COURT: All right.

21 THE PROSPECTIVE JUROR: That'll work.

22 THE COURT: Great, thank you very much, all
23 right?

24 THE PROSPECTIVE JUROR: Thank you.

25 THE COURT: And what was your juror number,

1 sir?

2 THE PROSPECTIVE JUROR: 50.

3 THE COURT: All right, number 50's gonna
4 remain with us.

5 All right, ladies and gentlemen, slow down
6 here, any member of the jury panel been
7 convicted by a guilty plea or trial in a state
8 or federal court of record of a crime punishable
9 by imprisonment for more than one year, and your
10 civil rights have not been restored by pardon or
11 amnesty? Punishable by more than one year means
12 that you could have received a sentence of more
13 than one year, regardless of what sentence you
14 may have actually received. Several parts to
15 that question, I'm gonna repeat it, okay? Any
16 member of the jury panel been convicted by a
17 guilty plea or trial in a state or federal court
18 of record of a crime punishable by imprisonment
19 for more than one year, and your civil rights
20 have not been restored by pardon or amnesty?
21 And, ladies and gentlemen, punishable by more
22 than one year means that you could have received
23 a sentence of more than one year, regardless of
24 what sentence you may have actually received.

25 So if that question applies to you, I'd ask

1 you to please stand.

2 (No indication).

3 THE COURT: All right, any member of the
4 jury panel a clerk or deputy clerk of court,
5 constable, sheriff, or other commissioned law
6 enforcement officer, probate judge, county
7 commissioner, magistrate or other county
8 officer, or employed within the walls of any
9 courthouse?

10 If so, please stand.

11 (No indication).

12 THE COURT: All right, is there any member
13 of the jury panel who has previously served on
14 jury duty in circuit court, not city court,
15 magistrate's court or federal court, but in
16 circuit court during this calendar year, so
17 2023? Has anybody basically been in this
18 courtroom served in circuit court during this
19 calendar year?

20 (No indication.)

21 THE COURT: All right, any member of the
22 jury panel served as a member of the Hampton
23 County Grand Jury during the past several years?

24 If so, please stand.

25 And if you ask me, well, what's the Hampton

1 Grand Jury, it's real easy. If you served on
2 the Hampton County Grand Jury, you'd know. It's
3 a yearlong commitment, though it's not as bad as
4 it seems, but it's multiple visits throughout
5 the year. If you served on a grand jury, you'd
6 know what it is. So I tell people that, because
7 I've had people ask, "Well, Judge, I don't know
8 what a grand jury is." All right, you'd know if
9 it applied to you, all right?

10 All right, ladies and gentlemen, we now
11 move to jury exemptions. State law provides for
12 several exemptions to jury service. An
13 exemption does not mean you're not qualified to
14 serve, folks, it simply means you have a right
15 to say, I choose not to serve.

16 The first is pretty easy, if you are 65-
17 years-old or older, and I used to think 65 was
18 old, I don't think that anymore, because I'm
19 getting awful close, all right; but if you're 65
20 or older, and you don't want to serve, now we'd
21 love to have you serve, but if you're 65 and
22 you'd rather be someplace else today, you can
23 stand up right now and claim your exemption.
24 Anybody 65 or older who wishes to be exempt?

25 If so, please stand.

1 (No indication.)

2 THE COURT: Oh, we've got a lot of young
3 people here today. Folks, another exemption
4 concerns prior jury service. No person is
5 required to serve as a juror more often than
6 once every three calendar years. Therefore, if
7 any member of the jury panel has served on jury
8 duty during the last two calendar years, you may
9 be exempt from service this week, if you choose
10 to be exempted. Please note this exemption does
11 not apply if your jury service was in
12 magistrate's court, city court or federal court.

13 So if that exemption applies to you and you
14 wish to be exempted, I'd ask that you please
15 stand.

16 (No indication.)

17 THE COURT: All right, let the record
18 reflect no one's standing.

19 All right, individuals who have served as
20 grand jurors in the last five calendar years may
21 also be exempt from jury service. If any member
22 of the jury panel has served on a grand jury
23 during the last five calendar years, you may be
24 exempt from service, if you choose to be
25 exempted.

1 Ladies and gentlemen, does that apply to
2 anyone?

3 (No indication.)

4 THE COURT: All right, thank you. Now,
5 ladies and gentlemen, the next question deals
6 with those of you who have legal custody of
7 young children, and I ask that you listen,
8 because there are several parts, and every part
9 must apply to you to be able to claim this
10 exemption, okay?

11 So, folks, you may be exempted from jury
12 service, ladies and gentlemen, if you have a
13 child under the age of seven years, you have
14 legal custody of your child or children, you
15 have the principal care, custody and control of
16 your child or children, and you're unable to
17 make arrangements for the adequate care of your
18 child or children while performing jury duty.

19 Ladies and gentlemen, if that applies to
20 you, I'd ask that you please stand.

21 (No indication).

22 THE COURT: All right, let the record
23 reflect no one's standing.

24 All right, folks, if you're the primary
25 caretaker of a person 65-years-old or older, and

1 you're unable to provide adequate care for this
2 person while performing jury service, you may be
3 exempt from jury duty.

4 If this exemption applies to you and you
5 wish to be exempted, please stand.

6 (No indication.)

7 THE COURT: Ladies and gentlemen, if you
8 are the primary caretaker of a severely disabled
9 person, who is unable to care for himself or
10 herself, and cannot be left unattended and
11 you're unable to provide adequate care for the
12 person while performing jury service, you may be
13 exempted from jury duty this week.

14 If this exemption applies to you and you
15 wish to be exempted, please stand.

16 THE COURT: Come on up. Hey, sir.

17 THE PROSPECTIVE JUROR: Hello.

18 THE COURT: Doing great. What's your name
19 and number, sir?

20 THE PROSPECTIVE JUROR: 182.

21 THE COURT: 182? Yes, sir, what's up?

22 THE PROSPECTIVE JUROR: I take care of my
23 mom who is elderly.

24 THE COURT: Okay.

25 THE PROSPECTIVE JUROR: And I have a son I

1 have to pick up also.

2 THE COURT: All right, well, let me -- are
3 you employed?

4 THE PROSPECTIVE JUROR: Yes.

5 THE COURT: Where do you work?

6 THE PROSPECTIVE JUROR: Grayco.

7 THE COURT: All right, so who takes care of
8 your mom when you're at work?

9 THE PROSPECTIVE JUROR: I have certain days
10 that I take care of her.

11 THE COURT: Okay, well, what days? Are
12 there days that they're not gonna be there?

13 THE PROSPECTIVE JUROR: Thursday and
14 Friday.

15 THE COURT: All right, well, let me tell
16 you what I'll do, sir. If you want to be
17 transferred, I'll transfer you to another week,
18 but you'll just have to come back the next term
19 of court.

20 It may be that your mom's condition
21 improves, or it may be that you're able to make
22 arrangements, so that somebody can be there all
23 week.

24 THE PROSPECTIVE JUROR: I'll just do it and
25 get it over with.

1 THE COURT: You want to?

2 THE PROSPECTIVE JUROR: Yeah.

3 THE COURT: Okay, great. All right, so
4 number 118 he'll remain with us.

5 THE PROSPECTIVE JUROR: 182.

6 CLERK: 182.

7 THE COURT: 182, thank you, sir. All
8 right, he'll remain with us.

9 Hey, sir.

10 THE PROSPECTIVE JUROR: How are you doing,
11 sir?

12 THE COURT: Doing great. Yes, sir, what's
13 your juror number?

14 THE PROSPECTIVE JUROR: 468.

15 THE PROSPECTIVE JUROR: I have autistic
16 daughter. I have to pick her up from school.

17 THE COURT: Okay.

18 THE COURT: All right, so your daughter --
19 this is your daughter?

20 THE PROSPECTIVE JUROR: Yeah, ten years
21 old.

22 THE COURT: All right, and so based on what
23 you're telling me she's in school right now --

24 THE PROSPECTIVE JUROR: Yes, sir.

25 THE COURT: -- and she goes half days?

1 THE PROSPECTIVE JUROR: Yes.

2 THE COURT: And you're required to pick her
3 up?

4 THE PROSPECTIVE JUROR: Yeah.

5 THE COURT: I can transfer you to another
6 term of court.

7 THE PROSPECTIVE JUROR: What?

8 THE COURT: Well, I mean in other words I
9 don't think you're going to be entitled to be
10 exempted from service.

11 THE PROSPECTIVE JUROR: Okay.

12 THE COURT: But if this week is a bad week,
13 I can transfer you to another term of court.

14 THE PROSPECTIVE JUROR: Okay.

15 THE COURT: I mean, for instance, maybe in
16 the summer would be a better time, if it does
17 not conflict with her school.

18 THE PROSPECTIVE JUROR: All right.

19 THE COURT: I don't know, but I just can't
20 excuse you permanently. Certainly, I'm willing
21 to transfer you to another term, if you don't
22 want to serve this week.

23 Now, of course, like I told you, we're not
24 gonna be here tomorrow, and it's very unlikely
25 we'll be here Friday. Now, we could be here

1 Monday or Tuesday of next week, I don't know,
2 but I can continue you to another term of court,
3 whatever you want to do.

4 THE PROSPECTIVE JUROR: I'll stay.

5 THE COURT: I'll do whatever you want me to
6 do. I can transfer you, or you can stay with
7 us.

8 THE PROSPECTIVE JUROR: I can stay.

9 THE COURT: Okay, great. All right, 468
10 will stay with us. Thank you.

11 All right, ladies and gentlemen, the next
12 exemption involves those of you who may be
13 attending school at this time or working in some
14 capacity with a school. If this exemption
15 applies to you and you wish to be exempted,
16 we'll transfer your service to another term of
17 court at a time which will not conflict with
18 your school responsibilities.

19 Is there any member of the jury panel who
20 is a full-time student, schoolteacher, school
21 crossing guard, school bus driver, or ladies and
22 gentlemen, who serves in any other school-
23 related function, who's unable to serve on jury
24 duty this week, as a result of that school
25 involvement? If that applies, please stand.

1 (No indication.)

2 THE COURT: All right, is there any member
3 of the jury panel who's employed with the
4 Department of Corrections at a penitentiary,
5 and would like to be exempted?

6 If so, please stand.

7 Come on up, sir. Yes, sir?

8 THE COURT: All right, what's your name and
9 number again?

10 THE PROSPECTIVE JUROR: 126.

11 THE PROSPECTIVE JUROR: I work for the
12 sheriff's office.

13 THE COURT: I'm gonna excuse you from
14 service --

15 THE PROSPECTIVE JUROR: Okay.

16 THE COURT: -- this week, sir.

17 THE PROSPECTIVE JUROR: All right.

18 THE COURT: All right?

19 THE PROSPECTIVE JUROR: Thank you.

20 THE COURT: I'm gonna excuse you from
21 All right, number 126 is gonna be excused,
22 thank you.

23 THE PROSPECTIVE JUROR: I can go?

24 THE COURT: You can go ahead and go, yes,
25 sir.

1 THE PROSPECTIVE JUROR: Yes, sir.

2 THE COURT: You'll get a huge check in the
3 mail. Well, they don't send checks anymore,
4 they get a card, right?

5 CLERK: No, we send them.

6 THE COURT: All right, so, ladies and
7 gentlemen, this last question I'm telling you, I
8 know it's a sacrifice being here, and I know
9 what it is to be self-employed.

10 I was self-employed for 30 years before I
11 took this job, and so I understand the
12 sacrifices involved in being here and serving on
13 a jury this week; but, ladies and gentlemen, let
14 me ask you this any member of the jury panel who
15 performs services for a business, commercial or
16 agricultural enterprise, which are so essential
17 to the operation of the enterprise, that if you
18 are required to perform jury duty, the
19 enterprise would have to close the outfit or
20 stop functioning.

21 If so, and you wish to be exempted, please
22 stand. If that applies to you, I ask you to
23 come forward.

24 Hey, what's your name and number?

25 THE PROSPECTIVE JUROR: 470.

1 THE COURT: 470? Yes, sir, what's going
2 on?

3 THE PROSPECTIVE JUROR: This is just a
4 really bad workweek for me.

5 THE COURT: Uh-huh.

6 THE COURT: All right. Well, the way it
7 works I can transfer you to another term, but
8 I'm not gonna be able to excuse you from
9 service, based on what you're telling me.

10 THE PROSPECTIVE JUROR: Thank you.

11 THE COURT: All right, when do you want to
12 get transferred to?

13 THE PROSPECTIVE JUROR: January.

14 THE COURT: January. We'll have you come
15 back on January 8th, okay? And so you've got to
16 make arrangements --

17 THE PROSPECTIVE JUROR: Yeah.

18 THE COURT: 470 to January 8th term of
19 court, right?

20 THE PROSPECTIVE JUROR: Yes, sir, thank
21 you.

22 THE COURT: Good, thank you, sir.

23 All right, now, folks, that concludes the
24 statutory qualifications and exemptions for
25 service. It may be that you are qualified and

1 no exemption applies to you, but jury service
2 this week would constitute an extreme hardship
3 on you for some particular reason.

4 I cannot permanent excuse a qualified juror
5 from jury service, but under extreme and
6 compelling circumstances I may excuse a juror
7 from this term of court and transfer a juror to
8 another term of court, particularly, jurors who
9 have not been previously transferred.

10 Please understand that general
11 inconvenience is not a sufficient reason to
12 transfer to another term of court. To justify a
13 transfer to another term of court, service this
14 week and perhaps the very first of next week, I
15 told you that, earlier, must constitute an
16 extreme hardship for you.

17 So, ladies and gentlemen, I just want to
18 give you an idea, because it happens. I say you
19 have an extreme hardship, is there any reason
20 why you can't do it this week, and then nobody
21 says anything. Then they're selected on a jury
22 and they tell me, "Well, Judge, you know, I do
23 have a doctor's appointment on Wednesday," okay?
24 So, folks, I understand, if you've got a
25 doctor's appointment, if you're leaving on a

1 cruise for your anniversary, if you've got --
2 somebody's passed away, and you're supposed to
3 be leaving tomorrow to go to the funeral, these
4 are the types of things that we're talking
5 about, okay? Now, there may be others, those
6 are just three examples, but I just want to make
7 sure, if you've got a doctor's appointment,
8 because listen I know, it could take four months
9 to get into a doctor's office, but you've got
10 some type of plans of that nature, that's what
11 this is talking about, okay?

12 So, again, basically, if there's anybody
13 who wants to be transferred to another term of
14 court, because of some extreme or compelling
15 circumstances this week, I may transfer you. If
16 that applies, ladies and gentlemen, I'd ask that
17 you please come forward. Come on up. Hey, yes,
18 ma'am.

19 THE PROSPECTIVE JUROR: I'm taking care of
20 my little brother this week.

21 THE COURT: How old is your younger
22 brother?

23 THE PROSPECTIVE JUROR: 12.

24 THE COURT: -- because what I'm gonna do
25 is, I'm gonna transfer you to a January term of

1 court, ma'am, all right? And --

2 THE PROSPECTIVE JUROR: Okay.

3 THE COURT: -- and so that's what we'll do,
4 you'll come back then, and you'll be expected to
5 serve then, okay? All right, thanks.

6 THE COURT: What's your number, ma'am?

7 THE PROSPECTIVE JUROR: 260.

8 THE COURT: 260? All right. Yes, ma'am,
9 thank you.

10 THE COURT: Hey, sir, what's your name and
11 number?

12 THE PROSPECTIVE JUROR: 116.

13 THE COURT: Yeah. What's up?

14 THE PROSPECTIVE JUROR: So I have an eye
15 doctor appointment --

16 THE COURT: Uh-huh.

17 THE PROSPECTIVE JUROR: -- at 10:30.

18 THE COURT: What day is that?

19 THE PROSPECTIVE JUROR: Friday.

20 THE COURT: Friday?

21 THE PROSPECTIVE JUROR: No, Thursday.

22 THE COURT: All right, you have an eye
23 doctor's appointment?

24 THE PROSPECTIVE JUROR: Yes, sir.

25 THE COURT: All right. I will transfer you

1 to another term of court.

2 THE COURT: Yes, sir.

3 THE PROSPECTIVE JUROR: So I work the third
4 shift, so right now our assistant manager is
5 out, because her father died, and we have nobody
6 else to cover my shift right now, and she won't
7 be back until Saturday.

8 THE COURT: Okay, have you been transferred
9 before?

10 THE PROSPECTIVE JUROR: No, sir.

11 THE COURT: All right.

12 THE PROSPECTIVE JUROR: It's my first time
13 here, so --

14 THE COURT: All right, well I'll transfer
15 you to January 8th, ma'am, okay?

16 THE PROSPECTIVE JUROR: Thank you.

17 THE COURT: Uh-huh.

18 Hey, sir, what's your name and number?

19 THE PROSPECTIVE JUROR: 38.

20 THE COURT: Yes, sir, what's up?

21 COURT REPORTER: I can't hear him.

22 THE COURT: Oh, you've got to speak up a
23 little bit. You're coming off a 12-hour shift?

24 THE PROSPECTIVE JUROR: Yes.

25 THE COURT: All right, where do you work?

1 THE PROSPECTIVE JUROR: West Fraser.

2 THE COURT: Where?

3 THE PROSPECTIVE JUROR: West Fraser.

4 THE COURT: West --

5 THE PROSPECTIVE JUROR: West Fraser.

6 THE COURT: West Fraser. What is West
7 Fraser?

8 THE PROSPECTIVE JUROR: A mill.

9 THE COURT: A mill, is that what you just
10 said?

11 THE PROSPECTIVE JUROR: Right.

12 THE COURT: What does that mean? Is it
13 lumber?

14 CLERK: They make plywood.

15 THE COURT: All right. So you work 12
16 hours a day?

17 THE PROSPECTIVE JUROR: Yes.

18 THE COURT: Yes? So what days of week do
19 you work?

20 THE PROSPECTIVE JUROR: Almost every day.

21 THE COURT: Have you been transferred
22 before?

23 THE PROSPECTIVE JUROR: No, sir.

24 THE COURT: So when do you want to come
25 back and serve? Because you're gonna have to

1 serve.

2 THE PROSPECTIVE JUROR: Yes, sir.

3 THE COURT: -- if this is a bad week, no
4 problem. I'm just gonna transfer you to another
5 term, and you'll have to come back, and so you
6 tell me when.

7 January 8th?

8 THE PROSPECTIVE JUROR: Thank you.

9 THE COURT: All right, see you then. What
10 was your number, sir?

11 CLERK: Oh, 38.

12 THE COURT: 38, all right, see you on
13 January 8th.

14 All right, let's see, all right, I need
15 juror 212 and juror 133 to come see me. Hey,
16 sir.

17 THE PROSPECTIVE JUROR: Hi.

18 THE COURT: All right, you're juror number?

19 THE PROSPECTIVE JUROR: 133.

20 THE COURT: 133. Let me ask you something,
21 you've got a conviction for failure to stop at a
22 blue light back in '98?

23 THE PROSPECTIVE JUROR: Yes, sir.

24 THE COURT: I appreciate you coming in.

25 So I thank you for coming in, sir, and I'm going

1 to excuse you from service this week, okay, sir.

2 THE PROSPECTIVE JUROR: Yes, sir.

3 THE COURT: All right, thank you so much,
4 Mr. 212. it was a failure to stop for a blue
5 light, conviction in '92. All right, sir, are
6 you number 212?

7 THE PROSPECTIVE JUROR: Yes, sir.

8 THE COURT: Hey, and you're Mr. Fitzgerald?

9 THE PROSPECTIVE JUROR: Yes.

10 THE COURT: Hey, Mr. Fitzgerald, let me ask
11 you, did you get charged with burglary back in
12 2009?

13 THE PROSPECTIVE JUROR: Yes.

14 THE COURT: Really? All right. That's
15 been a long time ago, and I appreciate you
16 coming and honoring your summons, but I'm gonna
17 excuse you from service this week, okay?

18 THE PROSPECTIVE JUROR: Yes, sir.

19 THE COURT: All right, thank you very much.
20 All right, counsel?

21 (Bench conference.)

22 THE COURT: All right, ladies and
23 gentlemen, let me tell you what we're gonna do.
24 And, again, I'm sorry, I know we got off to a
25 little bit of a slow start this morning, and

1 you've been sitting here for two hours. I'm
2 gonna let you go take a break and ask that you
3 come back in here in probably 15 minutes, and
4 then I'm gonna go and ask some questions about
5 this particular case. And my plan is -- I'm
6 just gonna go ahead and tell you what the plan
7 is, okay?

8 The plan is that once I finish asking the
9 questions and qualifying the jury, that more
10 than likely what I'm gonna do is, I'm gonna ask
11 you to go home, or lunch, or whatever, and
12 probably come back around 2:30. And what we'll
13 do is, I've got another panel that I'm
14 qualifying that's supposed to start at 11:00.
15 I'm gonna qualify them, and I'm gonna ask them
16 to come back at 2:30 and we'll pull a jury. And
17 as you come back, if you're one of the lucky
18 ones that are selected, then you'll come up
19 here, and, if not, they'll tell you, "Hey, call
20 back tonight after 6:00," but to that extent
21 that's the plan.

22 So what's gonna happen is, I can tell you
23 once we go and do this next little bit after the
24 break, then I'm gonna ask you to come back at
25 2:30. And as you come in, they'll tell you to

1 come on in, and, if not, you'll be done, and
2 they'll tell you when to call back And it maybe
3 call back Monday night, tonight, and they may
4 say call back Tuesday night, but they'll give
5 you instructions what to do, okay?

6 So take a break, I'll see you back in here
7 about 15 after. Thank you very much.

8 (Jury panel exits the courtroom.)

9 THE BAILIFF: This juror would like to
10 speak with you. Do you want him to come back?

11 THE COURT: I can talk to him right now.
12 Let me get my lawyers over here.

13 Hold on, hold on, hold on, let him get by.
14 Yes, sir, what's your name?

15 THE PROSPECTIVE JUROR: Han.

16 THE COURT: Yeah, what's up?

17 THE PROSPECTIVE JUROR: I was in a case
18 with Mr. Langdale.

19 THE COURT: Well, yeah, I was involved in a
20 case involving Mr. Langdale, yes, sir.

21 THE PROSPECTIVE JUROR: I was the victim in
22 that case.

23 THE COURT: You're the victim in that case?
24 Okay. You just want to make me aware of it?
25 You're a potential juror, right, in this --

1 well, here today, right?

2 THE PROSPECTIVE JUROR: Yes.

3 THE COURT: Okay, all right.

4 He was a victim in a case where my law
5 firm, when I was there, represented the
6 Defendant.

7 MR. EVANS: And I was the prosecutor.

8 THE COURT: And he was the prosecutor. I
9 don't know that that disqualifies -- that
10 there's a conflict there, as it relates to that.
11 Do you'all --

12 MR. EVANS: I don't know if there's a
13 conflict, but I'm sure --

14 THE COURT: Well, I'll tell you what, out
15 of an abundance of caution --

16 MR. EVANS: Discretion better safe --

17 THE COURT: Yeah, I'm gonna excuse him.

18 Again, he was involved in a case, and it's
19 a recently resolved case that involved a
20 gentleman I represented during the actual call
21 of the case, and so defending him, the victim
22 was shot, and so out of abundance of caution I'm
23 going to excuse him. I'm going to excuse him
24 from service this week.

25 CLERK: Okay, Aaron?

1 THE COURT: Hand.

2 MR. EVANS: Hand.

3 THE COURT: All right, thank you sir,
4 you're good to go.

5 (Recess)

6 THE COURT: If there are any jurors who are
7 gonna try to come in after I start, they're just
8 gonna have to stick around and remain for the
9 second selection, and so we're gonna go ahead
10 and move forward.

11 Solicitor, are you ready to call your case?

12 MR. EVANS: Yes, sir, Your Honor.

13 THE COURT: Yes, sir.

14 MS. EVANS: Your Honor, the State's ready.

15 In Indictments 2018-GS-25-00130, 131, 132,
16 133, 134, 2018-GS-25 at 218, 216, 215, and 219.

17 Those are for respectively The State of
18 South Carolina v. Tyrase Collins for possession
19 of a weapon during the commission of a violent
20 crime; State v. Tyrase Collins for armed
21 robbery.

22 State v. Tyrase Collins for the murder of
23 Frank Johnson Jr.; the State v. Tyrase Collins
24 for the murder of Ghazi Duckett.

25 State v. Tyrase Collins for the murder of

1 Lamekia Warren.

2 State v. Lorenzo Boles for accessory after
3 -- before the fact, excuse me, to the armed
4 robbery of Frank Johnson Jr.; State v. Lorenzo
5 Boles for accessory before the fact to murder of
6 Frank Johnson Jr.; State v. Lorenzo Boles for
7 accessory before the fact to the murder of
8 Lamekia Warren; and the State v. Lorenzo Boles
9 for accessory before the fact to the murder of
10 Ghazi Duckett.

11 May I approach with the indictments, Your
12 Honor?

13 THE COURT: Yes, sir.

14 All right, so ladies and gentlemen of the
15 jury panel, we are about to begin the trial of
16 the case of the State of South Carolina against
17 Tyrase Collins and Lorenzo Boles, and before we
18 select the jury, there are gonna be several
19 questions that I'm gonna ask you.

20 And I will tell you, ladies and gentlemen,
21 this will be a time-consuming process, but I
22 assure you we are dealing with very important
23 matters in this court, and so I appreciate your
24 patience as we go through this and spend these
25 next few minutes together.

1 Now, ladies and gentlemen, the indictments
2 in this case charges the defendants with the
3 following: Indictment 2018-GS-25-00130, ladies
4 and gentlemen, that in Hampton County, South
5 Carolina on or about March 25th, 2018, the
6 Defendant, Tyrase Collins, did possess a firearm
7 visibly displayed what appeared to be a firearm
8 during the commission of a violent crime; to
9 wit, murder and/or armed robbery.

10 That would be the allegations contained in
11 that indictment.

12 Ladies and gentlemen, indictment 2018-GS-
13 25-00131 alleges that in Hampton County, South
14 Carolina on or about March 25th, 2018, the
15 Defendant Tyrase Collins while at [REDACTED] Pricilla
16 Lane did commit robbery while armed with a
17 pistol, dirk, sling shot, metal knuckles, razor,
18 or other deadly weapon while engaged in either
19 by action or words that he was armed while using
20 a representation of a deadly weapon or any
21 object in which a person present during the
22 commission of a robbery reasonably believed to
23 be a deadly weapon and did take away the goods,
24 monies, from the person or immediate presence of
25 Frank Johnson Jr. and Ghazi Duckett.

1 Ladies and gentlemen, indictment 2018-GS-
2 25-00132 alleges that in Hampton County, South
3 Carolina on or about March 25th, 2018, the
4 defendant Tyrase Akil Collins did with malice
5 aforethought kill and murder Frank Johnson, Jr.,
6 and Frank Johnson, Jr. did die in Hampton County
7 as a proximate result of Tyrase Collins'
8 actions.

9 Ladies and gentlemen, Indictment number
10 2018-GS-25-00133 alleges again, ladies and
11 gentlemen, that in Hampton County, South
12 Carolina on or about March 25th, 2018, the
13 Defendant Tyrase Collins did with malice
14 aforethought kill and murder, is it Ghazi?

15 MR. EVANS: Ghazi.

16 THE COURT: Ghazi, okay. Ghazi A. Duckett,
17 and that Ghazi A. Duckett did die in Hampton
18 County as a proximate result of Tyrase Collins'
19 actions.

20 Ladies and gentlemen, Indictment 2018-GS-
21 25-00134 alleges that in Hampton County, South
22 Carolina on or about March 25th, 2018, the
23 Defendant Tyrase Akil Collins did with malice
24 aforethought kill and murder Lamekia M. Warren,
25 and Lamekia M. Warren did die in Hampton County,

1 South Carolina as the proximate result of Tyrase
2 Akil Collins' actions.

3 Ladies and gentlemen, Indictment 2018-GS-
4 25-00218 alleges that in Hampton County, South
5 Carolina on or about March 25th, 2018, the
6 defendant, Lorenzo Boles, did aid in the
7 commission of a felony; to wit, the armed
8 robbery of the victim, Frank Johnson Jr.

9 2018-GS-25-00216 alleges, ladies and
10 gentlemen, that in Hampton County, South
11 Carolina on or about March 25th, 2018, the
12 Defendant Lorenzo Boles, did aid in the
13 commission of a felony; to wit, the murder of
14 Frank Johnson Jr.

15 Indictment 2018-GS-25-00215, ladies and
16 gentlemen, alleges that in Hampton County, South
17 Carolina on or about March 25th, 2018, the
18 Defendant Lorenzo Boles did aid in the
19 commission of a felony; to wit, the murder of
20 victim Lamekia M. Warren.

21 Ladies and gentlemen, in 2018-GS-25-00219,
22 it's alleged that in Hampton County, South
23 Carolina on or about March 25th, 2018, the
24 Defendant, Lorenzo Boles, did aid in the
25 commission of a felony; to wit, the murder of

1 Ghazi Duckett.

2 Does that cover all the indictments,
3 Solicitor?

4 MR. EVANS: Yes sir, I believe it does.

5 THE COURT: All right.

6 Now, folks, I want you to know right now
7 that these indictments, ladies and gentlemen,
8 are not proof or evidence, they're merely the
9 charging documents that bring this matter into
10 court, that's it. They are not evidence.
11 They're charging documents that bring the matter
12 in the court.

13 The Defendants in this matter have pled not
14 guilty and have requested a jury trial.

15 All right, now ladies and gentlemen, the
16 Defendants in this case are Tyrase Collins and
17 Lorenzo Boles, and what I would like to do is,
18 if I could have Mr. Collins and his attorney
19 stand, and if his attorney would introduce
20 himself, please?

21 MR. JOHNSON: Good morning, my name is
22 Charlie Johnson.

23 THE COURT: All right, thank you very much,
24 Mr. Johnson, and likewise Mr. Boles, if he could
25 stand with his attorney, and counsel if you

1 could introduce yourself, please.

2 MR. GIBBES: Good morning, my name is
3 Christopher Gibbes, and I represent Mr. Boles.

4 THE COURT: All right, thank you very much
5 Mr. Gibbes.

6 All right, is anyone on the jury panel
7 related by blood, connected by marriage or have
8 a close personal or business relationship or
9 connected in any fashion with Mr. Christopher
10 Gibbes or Mr. Charie Johnson, the lawyers in
11 this matter?

12 Anybody have any relationship with them,
13 ever been represented by them, friends with
14 them, related, any relationship with the lawyers
15 in this case at all?

16 If so, I need you to stand.

17 THE COURT: All right, thank you very much.

18 MR. EVANS: Judge?

19 THE COURT: Yes.

20 MR. EVANS: A gentleman in the back.

21 THE COURT: All right, come on up, sir.

22 Yes, sir. What's your juror number?

23 THE PROSPECTIVE JUROR: 149.

24 THE COURT: 149, yes, sir.

25 THE PROSPECTIVE JUROR: The defendants.

1 THE COURT: Okay, how about the Defendants?

2 THE PROSPECTIVE JUROR: Oh, yes.

3 THE COURT: Okay, all right. Well, let me
4 ask you this. The Defendants, how do you know
5 them? Are you related to them?

6 THE PROSPECTIVE JUROR: My girlfriend.

7 THE COURT: Your girlfriend is related to
8 who?

9 THE PROSPECTIVE JUROR: Both of them.

10 THE COURT: To both of them, all right.
11 Let me ask you this, do you socialize with
12 either one of these gentlemen or have in the
13 past?

14 THE PROSPECTIVE JUROR: Yes, sir.

15 THE COURT: All right, let me ask you this,
16 the fact that you know both these defendants, is
17 that gonna affect your ability to be fair and
18 impartial in this case?

19 Are you gonna be able to set that aside and
20 to weigh the evidence in this case and the law
21 that I instruct and determine a verdict that's
22 fair to the State and regarding each one of the
23 Defendants?

24 Would you be able to do that, or do you
25 think it's gonna be difficult to do that in this

1 situation?

2 THE PROSPECTIVE JUROR: I don't think I can
3 do it.

4 THE COURT: So let me ask you this, as a
5 result of that, do you think it would be hard
6 for you to be fair and impartial, given the --

7 THE PROSPECTIVE JUROR: Yes.

8 THE COURT: -- fact that you know both of
9 them?

10 THE PROSPECTIVE JUROR: Yes.

11 THE COURT: Okay. And that your girlfriend
12 is related to both of them?

13 THE PROSPECTIVE JUROR: I don't want to be
14 no part of it.

15 THE COURT: Well, I understand you don't
16 want to be a part of it, but what I want to know
17 is this, could you set aside, sir, the
18 relationship that you have with these gentlemen
19 and render a verdict that's fair to the State
20 and fair to the defense? That's what I need to
21 know.

22 THE PROSPECTIVE JUROR: Uh-huh.

23 THE COURT: And there is no right answer,
24 sir, or a wrong answer; either you can or you
25 can't, and like I said, there's not a right

1 answer or a wrong answer.

2 THE PROSPECTIVE JUROR: No.

3 THE COURT: You don't think you can?

4 THE PROSPECTIVE JUROR: Honestly.

5 THE COURT: And what --

6 THE PROSPECTIVE JUROR: Honestly, no.

7 THE COURT: All right. You are excused.

8 All right, ladies and gentlemen, any member
9 of the jury panel related by marriage, connected
10 by blood, friends with or have any business
11 relationship with either one of the Defendants
12 in this case, Tyrase Collins and Lorenzo Boles?
13 Anybody related by blood, connected by marriage,
14 friends, acquaintances, have business dealings
15 with either one of the Defendants, Mr. Tyrase
16 Collins, or Lorenzo Boles?

17 If so, I need you to come see me.

18 (No indication).

19 THE COURT: All right. All right, any
20 member of the jury panel friends, business
21 associates, related by blood or marriage, have
22 any type of relationship with the victims in
23 this matter, Frank Johnson Jr. -- I'm sorry, Mr.
24 Duckett, what was --

25 MR. EVANS: Ghazi.

1 THE COURT: Ghazi Duckett, and was it Ms.
2 Warren?

3 MR. EVANS: Yes.

4 THE COURT: Lamekia Warren. Anybody
5 related by blood, connected by marriage, have
6 any type of relationship with any of those three
7 individuals, Frank Johnson Jr., Ms. Warren, and
8 I'm sorry, the first name escapes me.

9 MR. EVANS: Ghazi.

10 THE COURT: No, not Ghazi Duckett. And,
11 I'm sorry, Lamekia Warren.

12 If so, you need to come see me, okay.

13 THE COURT: Hold on one second, okay?
14 That's all right. All right, great, come on up.
15 Hi.

16 THE PROSPECTIVE JUROR: How are you doing,
17 Judge?

18 THE COURT: I'm doing great. What's your
19 juror number?

20 THE PROSPECTIVE JUROR: 357.

21 THE COURT: 357, yes ma'am. So is it one,
22 or more than one of these individuals that you
23 might know?

24 THE PROSPECTIVE JUROR: Frankie Johnson is
25 my first cousin.

1 THE COURT: Frankie Johnson is Frank
2 Johnson? All right, let me ask you this, ma'am.

3 THE PROSPECTIVE JUROR: Uh-huh.

4 THE COURT: The fact that Frankie Johnson
5 is your first cousin -- I think it would be
6 difficult for you to be a juror in this case and
7 be fair. It would probably make it impossible.

8 THE PROSPECTIVE JUROR: Yes, sir.

9 THE COURT: I'm going to excuse you from
10 service as a juror in this case, it wouldn't be
11 fair, and it would make it impossible for you to
12 be fair and impartial.

13 I'm gonna excuse you from service in this
14 case, and, if you'll just go back and have a
15 seat, I'll give you some instructions about what
16 to do.

17 THE PROSPECTIVE JUROR: Thank you.

18 THE COURT: Ma'am, if there are any other
19 questions that come up, you don't need to come
20 up anymore, okay?

21 THE PROSPECTIVE JUROR: Okay.

22 THE COURT: All right, great, thank you.
23 All right, folks, I want to let you know, if I
24 end up excusing you, if you come see me and I
25 end up excusing you from service on this jury,

1 then as we ask additional questions you don't
2 have to come up again, okay? Because sometimes
3 I'll say okay, I'm going to excuse you, and then
4 I'll ask another question and then you come up
5 again, no need. If I excuse you, you don't have
6 to come up again, okay. All right, yes ma'am.
7 Hey, ma'am.

8 THE PROSPECTIVE JUROR: Hi.

9 THE COURT: What is your juror number?

10 THE PROSPECTIVE JUROR: White.

11 THE COURT: Yes, ma'am.

12 Yes, ma'am, Ms. White. Tell me about it.

13 Was it Mr. Johnson?

14 THE PROSPECTIVE JUROR: Johnson.

15 THE COURT: Was it Mr. Johnson?

16 THE PROSPECTIVE JUROR: Yes.

17 THE COURT: You're related?

18 THE PROSPECTIVE JUROR: Yes.

19 THE COURT: What's the nature of your
20 relationship? Were you cousins? Are you an
21 uncle, or?

22 THE PROSPECTIVE JUROR: Cousins.

23 THE COURT: Cousins, okay. All right, let
24 me ask you this, the fact that is your cousin,
25 is that going to make it hard for you to be fair

1 and impartial in this case? Will you be able to
2 set that aside, and to go and to make a
3 decision, based on the facts of this case, using
4 the law as you're instructed on, or you're not
5 sure?

6 THE PROSPECTIVE JUROR: I'm not sure.

7 THE COURT: All right, I'm gonna excuse you
8 from service in this case, you can go have a
9 seat. You don't have to come back for any other
10 questions in this case, but I'll give you
11 instructions about the rest of the week, okay?

12 THE PROSPECTIVE JUROR: Yes.

13 THE COURT: All right, thank you, I'm gonna
14 excuse her.

15 MR. EVANS: What number was that?

16 THE COURT: 271.

17 MR. EVANS: 271.

18 THE COURT: Hey, ma'am.

19 THE PROSPECTIVE JUROR: How are you doing?

20 THE COURT: I'm doing great, you doing,
21 okay?

22 THE PROSPECTIVE JUROR: I'm fine.

23 THE COURT: Good. Hey, what's your number;
24 do you know? What's your number?

25 THE PROSPECTIVE JUROR: Ms. Davis.

1 THE COURT: Ms. Davis?

2 THE PROSPECTIVE JUROR: Yes.

3 THE COURT: All right, Ms. Davis, who is it
4 that you know?

5 THE PROSPECTIVE JUROR: Frankie Johnson.

6 THE COURT: Frankie?

7 THE PROSPECTIVE JUROR: Yes.

8 THE COURT: All right, let me ask you this,
9 the fact that Frankie Johnson is known to you,
10 is that going to affect your ability in this
11 case --

12 THE PROSPECTIVE JUROR: I'm not sure.

13 THE COURT: That's all I want, you to be
14 honest, and I can tell you, you were gonna be
15 when you walked up. I'm gonna excuse you from
16 service in this case.

17 THE PROSPECTIVE JUROR: Yes, sir.

18 THE COURT: You can go back and have a
19 seat, and at the end of the morning, or as soon
20 as we finish, I'll give you some instructions
21 about the rest of the week. So I'm gonna excuse
22 you from the trial of this case, okay?

23 THE PROSPECTIVE JUROR: Thank you.

24 THE COURT: Thank you.

25 THE COURT: What's your name and number,

1 sir?

2 THE PROSPECTIVE JUROR: 184.

3 THE COURT: 184, yes, sir, is it Mr.
4 Duckett, or Ms. Warren, or all three of them, or
5 what?

6 THE PROSPECTIVE JUROR: Two of them.

7 THE COURT: Two of them, who do you know?

8 THE PROSPECTIVE JUROR: Warren and Johnson.

9 THE COURT: Let me ask you, what is the
10 relationship.

11 THE PROSPECTIVE JUROR: Close friends.

12 THE COURT: Close friends, okay, let me ask
13 you this, the fact that you are close friends
14 with Mr. Johnson and Ms. Warren, is that going
15 to make it difficult for you to be fair and
16 impartial in this case, sir?

17 THE PROSPECTIVE JUROR: Yes, sir.

18 THE COURT: I would think so. All right,
19 what I'm gonna do is, I'm gonna excuse you from
20 service in this case, okay? And just go back
21 and have a seat, and we'll give you some
22 instructions about the rest of the week.

23 THE PROSPECTIVE JUROR: Okay.

24 THE COURT: Let's take a recess.

25 (Bench conference.)

1 THE COURT: All right, folks, what I've got
2 to know is, I'm gonna go through a list of
3 potential witnesses in this case. Now, I want
4 you to know something, there's 23 of them. Now,
5 don't think, oh, gosh, this trial's gonna take 3
6 weeks, there's 23 witnesses. Some of these
7 witnesses may be very short witnesses, some of
8 them may be longer witnesses, and some of them
9 may not even be called at all, okay?

10 This is a list of all of the potential
11 witnesses, and that's why we err on the side of
12 including them. So that's what I'm gonna go
13 through right now. I'm gonna go through these
14 names in groups of about 8. I'm gonna call the
15 names out, and so I'm just gonna ask you, if you
16 have any relationship with any of these
17 individuals. I'm gonna ask you to come forward,
18 so I can ask you and inquire about that, all
19 right? So the potential witnesses in this case,
20 it looks like Tinish Bryson-Smith with the
21 Hampton County Dispatch, Marty Clapp, 14th
22 Circuit Solicitor's Office, Rasheeda Collins.
23 Hampton County South Carolina, Viola Collins of
24 Hampton County South Carolina, Albert
25 Crittington of Florida, Gabrielle Denizard of

1 SLED, Michelle Eicheniller of SLED, Michelle
2 Eckenmiller of SLED. Gabrielle Denizard of
3 SLED, Albert Crittington of Florida, Viola
4 Collins of Hampton South Carolina, Rasheeda
5 Collins of Hampton South Carolina, Marty Clapp,
6 14th Circuit Solicitor's Office, Tonish Bryson-
7 Smith with the Hampton Dispatch.

8 Ladies and gentlemen, if you're connected
9 by blood, related by marriage, have any business
10 or personal relationship with any of these
11 individuals, I'd ask that you please come
12 forward.

13 COURT REPORTER: It's Eichenmiller.

14 THE COURT: Eichenmiller, excuse me,
15 Eichenmiller of SLED, Michelle Eichenmiller.

16 (No indication).

17 THE COURT: All right, ladies and
18 gentlemen, other potential witnesses in this
19 case Melissa Fields of Hampton County South
20 Carolina, Sarah Goodman Greenville County
21 Sherrif's Office, Ranaldo Hosendove, Hampton
22 South Carolina, Billy Jarrell retired from
23 Hampton County Sheriff's Office, Richard Johnson
24 of SLED, Stacey Loadholt, Hampton Police
25 Department, Laura Meyer, Hampton EMS, Anthony

1 Russell, Sherrif of Hampton County, Dr. Cynthia
2 Schandl, MUSC. So that's Dr. Cynthia Schandl,
3 Anthony Russell, Laura Meyer, Stacey Loadholt,
4 Richard Johnson, Billy Jarrell, Randaldo
5 Hosendove, Sarah Goodman, and Melissa Fields.
6 Folks, if you're related by blood, connected by
7 marriage, have any relationship, business
8 dealings, or otherwise, with any of these
9 individuals, I need you to come see me, please.
10 Hey ma'am, what's your number?

11 THE COURT: Let me ask you. Was it more or
12 more than one of these names.

13 THE PROSPECTIVE JUROR: Just one. Laura
14 Meyer.

15 THE COURT: Okay.

16 THE PROSPECTIVE JUROR: I used to work EMS
17 with her.

18 THE COURT: How long ago did she leave EMS?

19 THE PROSPECTIVE JUROR: Five-plus years
20 ago.

21 THE COURT: The fact that you worked with
22 her on EMS over five, six years ago, can you be
23 fair and impartial in this case?

24 THE PROSPECTIVE JUROR: Yes.

25 THE COURT: All right, thank you. You can

1 stay with us.

2 You doing okay?

3 THE PROSPECTIVE JUROR: I am.

4 THE COURT: Good. Hey ma'am, what's your
5 name and number. I know you know your name.

6 So let me ask you this, was it one or more
7 than one of these names that I just called out.

8 THE PROSPECTIVE JUROR: One.

9 THE COURT: Right there, Mr. Russell?

10 THE PROSPECTIVE JUROR: Yes.

11 THE COURT: Okay, so let me ask you, how is
12 it that you know the Sheriff?

13 THE PROSPECTIVE JUROR: That's my uncle.

14 THE COURT: That's your uncle?

15 THE PROSPECTIVE JUROR: Uh-huh.

16 THE COURT: Okay, and so let me ask you
17 this, ma'am, the fact the Sheriff is your uncle,
18 would you be able to put aside that
19 relationship, and listen to the evidence in this
20 case, the evidence that's presented, and the law
21 that I instruct you, and bring back a verdict
22 that's fair, fair to the State, and fair to the
23 defense? That's what I want to know.

24 THE PROSPECTIVE JUROR: Yes.

25 THE COURT: You look like -- you have a

1 look on your face like maybe that would be
2 difficult for you to do. You know there is not
3 a right answer, or a wrong answer, I just want a
4 truthful response.

5 THE PROSPECTIVE JUROR: Yes.

6 THE COURT: So, yes, what? You can be fair
7 and impartial?

8 THE PROSPECTIVE JUROR: Yes.

9 THE COURT: Okay, great, you can stay with
10 us. Thank you.

11 All right, ladies and gentlemen, a few more
12 names. Samuel Shepard, Hampton South Carolina.
13 You'all can just stay right here. Michael
14 Smith, Hampton County Sheriff's Office, Nicklaus
15 Sprouse with SLED, Chauncey Solomon, Edisto
16 Police Department, Aaron Stokes, Hampton South
17 Carolina, Courtney Thompson with SLED, and it's
18 a Khadajah Williams, of Hampton South Carolina.
19 So, that's Khadajah Williams, Courtney Thompson,
20 Aaron Stokes, Chauncey Solomon, Nicklaus
21 Sprouse, Michael Smith, Samuel Shepard. Anybody
22 related by blood, connected by marriage, have
23 any relationship, business or otherwise,
24 personal, with these individuals?

25 (No indication.)

1 THE COURT: All right great, thank you.
2 All right, ladies and gentlemen, I've got a few
3 more questions for you, and, again, ladies and
4 gentlemen, I hope you understand the importance
5 of the matters and the situations that we're
6 dealing with here, and so I appreciate your
7 patience as we go through these very important
8 questions that I need to ask.

9 So what I want to do is, ladies and
10 gentlemen, I'm probably going to ask one or two
11 questions, and that way if either one or both
12 are going to apply, you can come up. I wouldn't
13 necessarily single anyone out as I ask these
14 questions. So, ladies and gentlemen, let me ask
15 you this, I'd ask any member of the jury panel,
16 have they ever been a victim of a violent crime,
17 or has anyone close to them been a victim of a
18 violent crime, okay? So, ladies and gentlemen,
19 if you, or someone close to you has been the
20 victim of a violent crime, I'm gonna need you to
21 come forward. Hold on one second.

22 I'd also ask if you'd please come forward,
23 if you, or someone close to you works, works, or
24 has worked in law enforcement, ladies and
25 gentlemen. So, law enforcement, present or

1 past, you or someone close to you been a victim
2 of a violent crime, I need you to come forward
3 and see me, please.

4 THE COURT: Yes, sir, number?

5 THE PROSPECTIVE JUROR: 346.

6 THE COURT: 246?

7 THE PROSPECTIVE JUROR: 346.

8 THE COURT: 346, yes, sir.

9 THE PROSPECTIVE JUROR: My mom used to work
10 for SLED.

11 THE COURT: Your mom used to work for SLED?

12 THE PROSPECTIVE JUROR: Yes.

13 THE COURT: Okay, well, let me ask you
14 this, the fact that your mom used to work for
15 SLED is that going to affect your ability to be
16 fair and impartial in this case?

17 THE PROSPECTIVE JUROR: No.

18 THE COURT: No, sir? Okay, great, thank
19 you very much.

20 Hey, ma'am, yes, ma'am?

21 THE PROSPECTIVE JUROR: I'm juror --

22 THE COURT: What's your number?

23 THE PROSPECTIVE JUROR: -- 266.

24 THE COURT: Yes, ma'am.

25 THE PROSPECTIVE JUROR: My husband is a

1 police officer.

2 THE COURT: He's a police officer? Where
3 is he a police officer?

4 THE PROSPECTIVE JUROR: He works in
5 Richland, but he used to work at Hampton.

6 THE COURT: He used to work with you in
7 Hampton, but he now works for Richland?

8 THE PROSPECTIVE JUROR: Yes.

9 THE COURT: All right, has he ever been
10 employed with Hampton?

11 THE PROSPECTIVE JUROR: Well, --

12 THE COURT: Yeah, but not Hampton County?

13 THE PROSPECTIVE JUROR: Yes.

14 THE COURT: Okay. Because this case was
15 investigated by Hampton County, in Varnville,
16 but he has not worked for Varnville, right?

17 THE PROSPECTIVE JUROR: No, sir.

18 THE COURT: All right, let me ask you this,
19 the fact that your husband is involved in law
20 enforcement, is that going to affect your
21 ability to be fair and impartial in this case,
22 ma'am?

23 THE PROSPECTIVE JUROR: No.

24 THE COURT: All right, thank you, please
25 stay with us.

1 Hey, ma'am, come on up.

2 Okay. Yes, ma'am. Let me ask you, how
3 long ago did that happen?

4 THE PROSPECTIVE JUROR: About five months.

5 THE COURT: Bout five months. Are there
6 charges presently pending on that matter?

7 THE PROSPECTIVE JUROR: Uh-huh.

8 THE COURT: Here in Hampton County?

9 THE PROSPECTIVE JUROR: Yes, sir.

10 THE COURT: All right. Let me ask you this
11 ma'am, the fact that your son was the victim of
12 a gun crime, is that going to affect your
13 ability in this case to be fair and impartial?

14 THE PROSPECTIVE JUROR: No.

15 THE COURT: I would think so. What I'm
16 gonna do is I'm gonna -- and that's fine, you
17 bring you're bringing your life experiences.
18 I'm gonna excuse her from service this week on
19 this case. If you'll just have a seat, I'll
20 give you instructions, okay?

21 THE PROSPECTIVE JUROR: My aunt works for
22 the Hampton Police Department, and my father was
23 a police officer.

24 THE COURT: So would your father have been
25 employed with the Hampton County Police

1 Department in 2018?

2 THE PROSPECTIVE JUROR: Yes.

3 THE COURT: What was the nature of his job?
4 What did he do?

5 THE PROSPECTIVE JUROR: Officer.

6 THE COURT: The Sheriff or the police?

7 THE PROSPECTIVE JUROR: Police.

8 THE COURT: Let me ask you this, the fact
9 that you have a father who used to be employed
10 with the Hampton Police Department, is that
11 going to affect your ability to be fair and
12 impartial in this case, sir?

13 THE PROSPECTIVE JUROR: No.

14 THE COURT: Hey, sir, yes, sir?

15 THE PROSPECTIVE JUROR: 482.

16 THE COURT: Yes, sir, yes, tell me about
17 it.

18 THE PROSPECTIVE JUROR: I was the victim of
19 a crime.

20 THE COURT: A violent crime? Okay, when
21 did that happen, sir?

22 THE PROSPECTIVE JUROR: Years ago.

23 THE COURT: Okay. Well, sir, let me ask
24 you this, is that gonna affect your ability to
25 be fair and impartial in this case?

1 THE PROSPECTIVE JUROR: Yes.

2 THE COURT: It will?

3 THE PROSPECTIVE JUROR: Yes.

4 THE COURT: All right, then I'm gonna
5 excuse you, sir. Thank you.

6 CLERK: 182?

7 THE COURT: All right, well, let me ask
8 this then, the fact that you had a friend who
9 was shot?

10 THE PROSPECTIVE JUROR: Yes.

11 THE COURT: All right. In 2020 is that
12 going to affect your ability to be fair and
13 partial in this case, be able to set that aside,
14 listen to the facts in this case, the law as I
15 instruct you, and bring back a verdict that's
16 fair to the State and fair to the defense?
17 That's what I want to know.

18 THE PROSPECTIVE JUROR: I'm not sure.

19 THE COURT: All right, well, let me ask you
20 this, try your best means you're not sure you
21 can; and what happens is there's no right or
22 wrong answer, not you might, but either you can
23 be, and you're going to be, or you're not sure.
24 You see what I'm saying? And I kind of just --
25 I've got to put you on the spot. Like I said,

1 there's not a right answer or a wrong answer,
2 but I've got to know. It's either, Judge, I can
3 be, or I'm not sure.

4 THE PROSPECTIVE JUROR: I don't think I
5 can.

6 THE COURT: All right, have a seat, I'll
7 give you instructions about the rest of the
8 week, okay?

9 CLERK: 214.

10 THE CLERK: Are you excusing her, Judge?

11 THE COURT: Yeah.

12 COURT REPORTER: Yes, 214.

13 THE COURT: Hey, sir, yes, sir, what's your
14 name and number?

15 THE PROSPECTIVE JUROR: My name is
16 Donovan, my number's 67.

17 THE COURT: Yeah, Mr. Donavan, what's up?

18 THE PROSPECTIVE JUROR: My wife worked for
19 the sheriff's office.

20 THE COURT: Uh-huh.

21 All right. So let me ask you this, what
22 was her job as a -- when she worked for the
23 Sheriff's Department?

24 THE PROSPECTIVE JUROR: She was an SRO.

25 THE COURT: Okay.

1 THE PROSPECTIVE JUROR: Yes.

2 THE COURT: So, in 2018 would she have been
3 an SRO Officer?

4 THE PROSPECTIVE JUROR: Correct.

5 THE COURT: All right. Let me ask you
6 this, sir, the fact that your wife was employed
7 with the Hampton County Sheriff's Office, is now
8 employed at the Colleton County Sheriff's
9 Office --

10 THE PROSPECTIVE JUROR: Right.

11 THE COURT: -- is that gonna affect your
12 ability to be fair and impartial in this case,
13 sir?

14 THE PROSPECTIVE JUROR: No, sir.

15 THE COURT: All right, thank you, and you?

16 THE PROSPECTIVE JUROR: My husband was the
17 victim of a crime.

18 THE COURT: '97?

19 THE PROSPECTIVE JUROR: '96.

20 THE COURT: In '96? All right. Let me ask
21 you this then, as the fact that your husband was
22 a victim of a violent crime back in 1996, let me
23 ask you, all right, is that going to affect your
24 ability to be fair and impartial in this case?
25 Are you able to set that aside and listen to the

1 facts that I give you and the law -- excuse me,
2 the facts that you hear from the evidence, the
3 law that I will instruct you on, and bring back
4 a verdict that's fair, fair to the State and
5 fair to the defense? That's what I want to
6 know. Will you be able to do that?

7 THE PROSPECTIVE JUROR: I don't think so.

8 THE COURT: I'll excuse you, okay?

9 THE PROSPECTIVE JUROR: Thank you.

10 THE COURT: No problem.

11 THE PROSPECTIVE JUROR: Okay, thank you.

12 THE COURT: All right, so, ladies and
13 gentlemen, let me ask you, this case arose about
14 a matter that allegedly occurred March 25th,
15 2018. What was the address Solicitor?

16 MR. EVANS: [REDACTED] Priscilla Lane in
17 Varnville.

18 THE COURT: Priscilla Lane in Varnville.
19 Any member of the jury panel read anything,
20 heard anything about this case, know anything
21 about the facts, or what the supposed facts of
22 this case might be, have heard anything on the
23 Internet, TV, radio, blogs, anything about this
24 case?

25 If so, I need you to stand.

1 (No indication).

2 THE COURT: All right, thank you. Anybody
3 got any bias or prejudice for the State or for
4 the defense in this matter?

5 If so, please stand.

6 (No indication.)

7 THE COURT: Let me ask you, any member of
8 the jury panel contribute to any groups such as
9 MADD, SADD, CAVE, any victim's rights groups, or
10 police advocacy groups? I couldn't spit that
11 out on Monday, I apologize.

12 So anybody contribute to any of those
13 groups or are members to any of those groups, I
14 need you to stand for me.

15 (No indication).

16 THE COURT: All right, thank you.

17 Hold on one second, ladies and gentlemen.
18 Any member of the jury panel ever been a witness
19 in a criminal trial?

20 If so, I need you to stand.

21 (No indication).

22 THE COURT: I think I just asked if anybody
23 heard or read anything about this case before
24 today, I need you to stand.

25 (No indication.)

1 THE COURT: Any member of the jury panel
2 ever been charged with a crime, but not
3 convicted?

4 If so, please stand.

5 (No indication.)

6 THE COURT: Any member of the jury panel
7 ever served on a jury panel before? I'd also
8 ask, has any member of the jury panel ever
9 served on a jury panel before?

10 If so, I need you to stand.

11 (No indication).

12 THE COURT: And, finally, I want to ask one
13 other question. Come on up, please. I want to
14 ask one other question. Any member of the jury
15 panel inclined to think that a person is guilty
16 of a crime simply because they were arrested?
17 Is there anybody out there who thinks that a
18 person is guilty of a crime simply because they
19 If so, I need you to come see me.

20 THE COURT: Yeah. Hey, ma'am. Yes, ma'am?

21 All right, Mr. Johnson, you got any other
22 questions? Does that cover it?

23 MR. JOHNSON: It does, Judge.

24 THE COURT: So, we're good on that?

25 MR. JOHNSON: We're good.

1 THE COURT: All right Mr. Gibbes, do you
2 have any other questions?

3 MR. GIBBES: No, sir.

4 THE COURT: All right, Solicitor, do you
5 have any other questions?

6 MR. EVANS: No, sir.

7 THE COURT: All right, so let me ask you
8 right now, as it relates to the jury on the
9 qualifications and the questions I've asked, any
10 objection to anything that I've done as it
11 relates to that?

12 MR. EVANS: No.

13 THE COURT: Okay, and I know you had
14 something you wanted to put on the record about
15 the indictment. We'll get to that later.

16 All right, we'll go ahead and do that.
17 That's not gonna stop the show today. All
18 right, so what I'm getting at is, I guess the
19 panel is qualified, and can serve, so I'm gonna
20 have them come back probably at 3:30 okay.

21 All right, ladies and gentlemen, there's
22 been another group that's been waiting since 11
23 o'clock. What I will tell you is, I find the panel
24 qualified. For those of you who I've excused from
25 this trial, what I will tell you is, if you've been

1 excused, then you do not have to come back at 3:30.
2 If you have not been excused, which the vast
3 majority of you have not been excused, I'm gonna
4 need you to come back at 3:30, and I'm just gonna
5 tell you what's gonna happen right now. I'm gonna
6 qualify the next group. I'm gonna tell them to come
7 back at 3:30, and then, basically, we're gonna
8 choose some names.

9 Now, when you report back, if your name's on the
10 list, you're gonna come on into the court room. If
11 not, you can go home, and I want you to call back
12 tonight after 6 o'clock. You got them a jury
13 information card?

14 CLERK: It was sent with their package.

15 THE COURT: All right, you should have the
16 number. What's the number Madam Clerk?

17 CLERK: 914-2257.

18 THE COURT: 914-2257, okay. You should
19 have a -- they should have sent that to you, all
20 right, but unless you've been excused, I need
21 you to be back here at 3:30, okay? So, I'll see
22 everybody back at 3:30, except for those of you
23 who I've excused from the trial of this case.
24 Thank you.

25 (Jury panel exits the courtroom.)

1 THE COURT: All right. All right, counsel.

2 MR. EVANS: Yes, sir.

3 THE COURT: Counsel, let me just -- we got
4 here a little late today. I've think we've got
5 about 64 or five, we've actually had a pretty
6 good turnout for Hampton with this crowd, also I
7 had a lot of people who wanted to be
8 transferred, released, for whatever reason, and
9 so that took a little extra time. We have
10 another panel here. I don't see why we don't go
11 ahead. Let's go ahead and bring them in. The
12 problem is, if I let these people come back at
13 3:30, I've got 65. Three or four people will
14 come in late, or not make it, let's face it.
15 The chances of everybody coming back, I'd be
16 surprised, who knows. Okay, so let's go ahead
17 and qualify this jury.

18 I'll try to move forward as quickly as I
19 can, and to that extent, then we'll have all the
20 names, and we'll have them pull probably 60 or
21 65 names, however many we need for the math,
22 we'll have enough. And then what we'll do is,
23 at 3:30, whoever those names are, they'll have
24 the list, they'll let those people into the
25 courtroom, and then at that point we can begin

1 the striking of the jury.

2 Mr. Johnson, is that satisfactory sir?

3 MR. JOHNSON: It's fine with me, Your
4 Honor.

5 THE COURT: Mr. Gibbes, is that okay?

6 MR. GIBBES: Yes, sir.

7 THE COURT: Solicitor?

8 MR. EVANS: Yes, sir. May I retrieve the
9 indictments while they're in process?

10 THE COURT: Sure, you can.

11 MR. EVANS: Thank you.

12 THE COURT: All right, let's go ahead and
13 get the other jury in here. You'all need to
14 take a break? You need to use the restroom?

15 (Recess)

16 THE COURT: All right, ladies and
17 gentlemen, I thank you for your patience, and I
18 want to know right now, we're dealing with
19 important matters, and this is not like TV, and
20 this is not for entertainment, and I will tell
21 you, we don't have the ability just to cut a
22 scene and refilm it, and I've got to try, and
23 the lawyer try, we've got to make sure we do
24 everything right, because we only got one chance
25 to deal with this, and so I appreciate it.

1 We're gonna move forward as quickly as possible.
2 My name's Bobby Bonds, I live over in
3 Walterboro.

4 I'm a resident Judge in the 14th Circuit,
5 that's Colleton, Hampton, Allendale, Jasper, and
6 Beaufort County. I've been assigned to preside
7 over criminal court here this week in Hampton.
8 Now, I want to let you know right off the bat,
9 this case may very well bleed over into next
10 week, bear with me, Monday or Tuesday, okay?
11 Let me tell you why. It's not that this case is
12 gonna be extraordinarily long, but Tuesday,
13 tomorrow, there's a matter that requires me to
14 be at a hearing in Columbia, and as a result, we
15 will not have court tomorrow. In addition,
16 Friday, as many of you may know, is a holiday,
17 Veterans Day, and thank you for those who have
18 served, and so to that extent I don't believe
19 we'll be working on Friday; and so as a result,
20 you can see it may be this case bleeds over
21 Monday or Tuesday of next week. I want to let
22 you know that right now, okay?

23 So, I apologize for the late start. We'll
24 move as quickly as we can. I promise you; I
25 know it's a sacrifice being here. There are a

1 million places you'd rather be than being here
2 this morning, but the first thing that's gonna
3 happen is, the Clerk's gonna call the role, and
4 I'm gonna turn that over to her. If you'd swear
5 the jury in, and call the role for me Ms.
6 Nettles, I thank you very much.

7 CLERK: Would you stand and raise your
8 right hand, please? Do you affirm that the
9 answers that you give the Court today will be
10 the truth, the whole truth, and nothing but the
11 truth, so help you God?

12 THE PROSPECTIVE JURY PANEL: Yes.

13 (Clerk asks questions about occupation,
14 etc.)

15 THE COURT: 99? 199, thank you all so
16 much. So as it relates to these initial
17 questions that you'all have already sat through,
18 you'all don't have to answer any of those.
19 We'll get to the questions about this particular
20 case in just a little bit, okay? Thank you so
21 much.

22 THE COURT: All right, Madam Clerk, thank
23 you very much. All right, ladies and gentlemen,
24 I now have certain questions to ask you to
25 determine your qualifications as jurors in this

1 court. These questions determine your general
2 eligibility to serve. The state law requires
3 that I ask these questions. And I will tell you
4 that some of these questions may be personal,
5 and you may not want to disclose the information
6 openly in the presence of your fellow jurors.
7 After each question, ladies and gentlemen, if
8 any juror needs to respond, I'm gonna ask you to
9 stand.

10 If you do not want to stand, that is fine,
11 at the end of the process I'll give you a chance
12 to come forward and speak privately with me and
13 the Clerk. We don't want any of you to suffer
14 any embarrassment. So, if you don't want to
15 stand, make a mental note and remember to come
16 forward at the end, when I ask you to do so.
17 It's important that we receive accurate
18 information. So here are the questions
19 basically regarding the qualifications as
20 jurors.

21 So the first question, any member of the
22 jury panel not a citizen of the United States?

23 If so, please stand.

24 (No indication.)

25 THE COURT: Any member of the jury panel

1 not a citizen and resident of Hampton County,
2 South Carolina?

3 If so, please stand.

4 (No indication.)

5 THE COURT: Is any member of the jury panel
6 unable to read, write, speak or understand the
7 English language?

8 If so, please stand.

9 (No indication.)

10 THE COURT: Does any member of the jury
11 panel have less than a sixth-grade education or
12 its equivalent?

13 If so, please stand.

14 (No indication.)

15 THE COURT: Is any member of the jury panel
16 unable because of mental or physical infirmities
17 to render efficient jury service?

18 If so, please stand.

19 (No indication.)

20 THE COURT: Has any member of the jury
21 panel been convicted by guilty plea or trial in
22 a state or federal court of record of a crime
23 punishable by imprisonment for more than one
24 year, and your civil rights have not been
25 restored by pardon or amnesty? Now, folks,

1 punishable by one year means that you could have
2 received a sentence of more than one year
3 regardless of what sentence you may have
4 actually received.

5 So if that applies to you, I'd ask that you
6 please stand and come see me. Does that apply
7 to anybody? Hey, ma'am, come on around here.
8 What's your name?

9 THE PROSPECTIVE JUROR: McNair.

10 THE COURT: McNair?

11 THE PROSPECTIVE JUROR: Yes.

12 THE COURT: And what's your juror number?
13 Do you know it, Ms. McNair?

14 THE PROSPECTIVE JUROR: No.

15 THE COURT: That's all right. So, McNair,
16 yes, ma'am, have you been convicted of a crime?

17 THE PROSPECTIVE JUROR: Yes.

18 THE COURT: What crime?

19 THE PROSPECTIVE JUROR: Shoplifting three
20 times.

21 THE COURT: Shoplifting three times, okay.

22 THE PROSPECTIVE JUROR: Yes.

23 THE COURT: All right.

24 All right, and that's all right. You're
25 gonna be excused from service, okay? You're not

1 gonna be eligible. She's been convicted of
2 shoplifting multiple times, and the charges are
3 in Colleton.

4 THE COURT: All right, any member of the
5 jury panel a clerk or deputy clerk of court,
6 constable, sheriff, or other commissioned law
7 enforcement officer, probate judge, county
8 commissioner, magistrate or other county
9 officer, or employed within the walls of any
10 courthouse?

11 If so, please stand.

12 THE COURT: Come on up. Yes, sir, what's
13 your name and juror number?

14 THE PROSPECTIVE JUROR: Robinson.

15 THE COURT: Mr. Robinson, that's all right.
16 Yes, sir, Mr. Robinson?

17 THE PROSPECTIVE JUROR: Law enforcement.

18 THE COURT: And so, do you work for the
19 Sheriff's Department?

20 THE PROSPECTIVE JUROR: No, sir.

21 THE COURT: Yeah, but you have a relative
22 who does?

23 THE PROSPECTIVE JUROR: No, my brother
24 does.

25 THE COURT: Your brother works --

1 THE PROSPECTIVE JUROR: Yes.

2 THE COURT: -- for the Sheriff's
3 Department?

4 THE PROSPECTIVE JUROR: Yes.

5 THE COURT: All right, well, we'll get to
6 that in just a minute, okay?

7 THE PROSPECTIVE JUROR: All right.

8 THE COURT: Thank you very much.

9 All right, any member of the jury panel who
10 has previously served on jury duty in circuit
11 court, that's not city court, magistrate's
12 court, and that's not federal court, but circuit
13 court. If you've served on circuit court during
14 this calendar year, 2023, I need you to come see
15 me. Has anybody basically been, for all
16 practical purposes, it would have been in this
17 courtroom sometime this calendar year, and
18 served as a juror?

19 (No indication.)

20 THE COURT: All right, has any member of
21 the jury panel served as a member of the Hampton
22 County Grand Jury during the past several years?

23 If so, please stand.

24 THE COURT: Come on up. And if you say, I
25 don't know what a Grand Jury is, believe me, if

1 you served on it, you know it. It's a year-long
2 commitment, it involves coming multiple times to
3 court. You'd know if you were on the Grand
4 Jury. Yes, ma'am?

5 All right, what is your name?

6 THE PROSPECTIVE JUROR: Wright.

7 THE COURT: Ms. Wright?

8 THE PROSPECTIVE JUROR: Yes.

9 THE COURT: All right, when did you serve
10 on the Grand Jury; do you know?

11 THE PROSPECTIVE JUROR: 2016.

12 THE COURT: 2016?

13 THE PROSPECTIVE JUROR: Yes.

14 THE COURT: All right, ma'am. What happens
15 is this, you say 2016. You'll stay with us,
16 okay?

17 THE PROSPECTIVE JUROR: Okay.

18 THE COURT: Thank you.

19 All right, ladies and gentlemen, we're now
20 going to move to jury exemptions. State law
21 provides for several exemptions to jury service.
22 An exemption does not mean that you're not
23 qualified to serve, folks, it simply means you
24 have a right to say, I choose not to serve.

25 The first one, very easy, if you are 65-

1 years-old, you'll want to stand and admit it,
2 and I used to think 65 was old, all right, and,
3 folks, you don't want to serve, 65 and you don't
4 want to serve, if you're 65 and you want to
5 serve, we want you here, but if you're 65, and
6 you'd rather be someplace else, you've just got
7 to stand and tell me right now.

8 (No indication.)

9 THE COURT: All right, just like the
10 younger folks that were here earlier this
11 morning, everybody is young people here today, I
12 like that, all right.

13 All right, another exemption concerns prior
14 jury service. No person is required to serve as
15 a juror more often than once every three
16 calendar years. Therefore, if any member of the
17 jury panel has served on jury duty during the
18 last two calendar years, you may be exempt from
19 service this week, if you choose to be exempted.
20 Please note this exemption does not apply,
21 again, to magistrate's court, city court or
22 federal court.

23 Is there anybody that has served as a juror
24 in the past three years in circuit court, and
25 you want to be excused, you come see me.

1 (No indication).

2 THE COURT: All right, thank you. Persons
3 who have served as grand jurors in the last five
4 calendar years may also be exempt from jury
5 service. If any member of the jury panel has
6 served on a grand jury during the last five
7 calendar years, you may be exempt from service,
8 you may choose to do so, but, ma'am, that's more
9 than five calendar years as I see it, okay? So
10 that would not apply to you, sorry.

11 All right, the next question deals with
12 those of you who have legal custody of young
13 children, and I ask that you listen carefully,
14 because there are several parts to this
15 question, all of them have got to apply to you,
16 for you to be able to claim this exemption.
17 Ladies and gentlemen, you may be exempted from
18 jury service, if you have a child under the age
19 of seven years, you have legal custody of your
20 child or children, you have the principal care,
21 custody and control of your child or children,
22 and you're unable to make arrangements for the
23 adequate care of your child or children while
24 performing jury duty. If all of these
25 requirements apply to you, then you may be

1 exempted on this basis.

2 If this exemption applies to you, and you
3 wish to be exempted, please stand.

4 (No indication.)

5 THE COURT: All right, ladies and
6 gentlemen, if you're the primary caretaker of a
7 person 65-years-old or older, and you're unable
8 to provide adequate care for this person while
9 performing jury service, you may be exempt from
10 jury duty.

11 If this exemption applies to you and you
12 wish to be exempted, again, I'd ask you to
13 please stand. Come on up. Yes, ma'am.

14 THE COURT: Hi. Yeah, what's your name?

15 THE PROSPECTIVE JUROR: Gardner.

16 THE COURT: Ms. Gardner?

17 THE PROSPECTIVE JUROR: Uh-huh.

18 THE COURT: Yes, ma'am, Ms. Gardner?

19 THE PROSPECTIVE JUROR: My husband. I'm
20 his primary caretaker.

21 THE COURT: Okay, and so where is he? Is
22 he at the V.A., or how does that --

23 THE PROSPECTIVE JUROR: Yeah, you know him?

24 THE COURT: Yes, he's a great guy. All
25 right, well, ma'am, I'm gonna just tell you, I

1 don't know that that's going to allow you to be
2 exempted --

3 THE PROSPECTIVE JUROR: Right.

4 THE COURT: -- from jury service, however,
5 I can transfer you to another term, but I'm not
6 gonna be able to excuse you from service. So,
7 what I'm saying is, if you want to be
8 transferred to another term, I could transfer
9 you to another term, but I can't say that if
10 you're working, you're not going to be able
11 to --

12 THE PROSPECTIVE JUROR: Okay.

13 THE COURT: Do you want to transfer?

14 THE PROSPECTIVE JUROR: No.

15 THE COURT: Okay. All right, she'll remain
16 with us, thank you.

17 CLERK: 397.

18 THE COURT: All right, ladies and
19 gentlemen, if you're the primary caretaker of a
20 severely disabled person, who's unable to care
21 for himself or herself, and cannot be left
22 unattended and you're unable to provide for the
23 adequate care of the person while performing
24 jury service, you may be exempt from jury duty.

25 If this exemption applies to you and you

1 wish to be exempted, I'd ask that you come see
2 me.

3 (No indication.)

4 THE COURT: All right, ladies and
5 gentlemen, the next exemption involves those of
6 you who may be attending school at this time or
7 working in some capacity with a school. If this
8 exemption applies to you and you wish to be
9 exempted, we'll transfer you service to another
10 term of court at a time that does not conflict
11 with your school responsibilities. So, ladies
12 and gentlemen, is there any member of the jury
13 panel who is a full-time student, schoolteacher,
14 school crossing guard, school bus driver, or who
15 serves in any other school-related function,
16 who's unable to serve on jury duty this week, as
17 a result of that school involvement?

18 If so, please stand. Come on up. Hey,
19 ma'am, what's your name?

20 THE PROSPECTIVE JUROR: Lawson.

21 THE COURT: Yes, ma'am, Ms. Lawson?

22 THE PROSPECTIVE JUROR: I work for school
23 system.

24 THE COURT: Okay, so let me ask you this,
25 so I'll transfer you to another week, but the

1 fact that you -- because that's year-round,
2 right?

3 THE PROSPECTIVE JUROR: (Indicates
4 affirmative response.)

5 THE COURT: Yes?

6 THE PROSPECTIVE JUROR: Uh-huh.

7 THE COURT: You've got to answer out loud.

8 THE PROSPECTIVE JUROR: Yes.

9 THE COURT: All right, so I mean you can
10 serve now, or I'll have you come back in
11 January. What you want to do?

12 THE PROSPECTIVE JUROR: I'll stay.

13 THE COURT: All right, great, she'll remain
14 with us. Thank you.

15 THE PROSPECTIVE JUROR: Uh-huh.

16 THE COURT: All right, is there any member
17 of the jury panel who's employed with the
18 Department of Corrections at a penitentiary.

19 If so, and you'd like to be exempted,
20 please stand.

21 All right, ladies and gentlemen, is there
22 any member of the jury panel who performs
23 services for a business, commercial or
24 agricultural enterprise, which are so essential
25 to the operation of the enterprise, that if you

1 are required to perform jury duty, the
2 enterprise would have to close the outfit or
3 stop functioning. If so, and you wish to be
4 exempted, you can certainly come and see me, and
5 we'll decide what we might be able to do.

6 If that applies to you, please come see me.
7 Madam Clerk, have you got something else?

8 CLERK: 345.

9 THE COURT: Hey, sir, what was your name?

10 THE PROSPECTIVE JUROR: Crosby.

11 THE COURT: What was your last name?

12 THE PROSPECTIVE JUROR: Crosby.

13 THE COURT: Crosby. Okay, so, Mr. Crosby,
14 yes, sir?

15 THE PROSPECTIVE JUROR: I would like to
16 transfer.

17 THE COURT: How about January 8th, is that
18 good? Will that get you past your busy season,
19 right?

20 THE PROSPECTIVE JUROR: Yes.

21 THE COURT: All right, well, we'll see you
22 January 8th, okay?

23 THE PROSPECTIVE JUROR: Thank you.

24 THE COURT: Yes, sir. You've got him,
25 Madam Clerk?

1 COURT REPORTER: What was his number?

2 THE CLERK. 353.

3 THE COURT: Thank you.

4 All right, ladies and gentlemen, which
5 concludes the statutory list of qualifications
6 and exemptions for jury service. It may be that
7 you're qualified, and no exemption applies to
8 you, but jury service this week would constitute
9 an extreme hardship on you for a particular
10 reason. I cannot permanently excuse a qualified
11 juror, but under extreme and compelling
12 circumstances I may excuse a juror from this
13 term of court, and transfer a juror to another
14 term of court, particularly, jurors who have not
15 been previously transferred. Please understand
16 that general inconvenience is not a sufficient
17 reason to transfer you to another term of court.
18 This just be some type of extreme hardship.

19 All right and let me tell you what that
20 means. What that means is this, okay? You've
21 got a doctor's appointment that you waited three
22 months for that's supposed to be on Wednesday,
23 because I've sat jurors, no, they don't have
24 anything, no problems, they don't need to be
25 continued or transferred, and then we get a

1 jury, the next thing the juror is saying, "Well,
2 you know, Wednesday morning I have a doctor's
3 appointment," all right. I know how hard it is
4 sometimes to get a doctor's appointment, all
5 right?

6 So, if there's a doctor's appointment,
7 you've got a cruise planned because it's your
8 10th anniversary, and you're gonna be leaving,
9 okay, on Thursday, well, that would be an
10 example, okay? You've got somebody who is ill,
11 or who has recently passed away, and there's a
12 funeral, or a wake, whatever, so that's an
13 example, okay? Those are just some examples,
14 there's gonna be plenty of others, but if you've
15 got some type of hardship, why this week and
16 perhaps the very first of next week, I already
17 told you about that, the case could bleed over a
18 little bit, so if you've got some extreme
19 hardship, I'm happy to hear from you. And, in
20 addition, ladies and gentlemen, now is the
21 chance for those of you who did not respond
22 earlier to any questions that I asked, and those
23 of you who have a compelling request to be
24 transferred to another term of court, I'd ask
25 that you now please come forward. If you

1 believe for any reason that you're disqualified
2 or exempt from jury service, I'd ask that you
3 please come and see me at this time.

4 THE COURT: Yes, sir. Hey, yes, ma'am,
5 what was your name?

6 THE PROSPECTIVE JUROR: Johnson.

7 THE COURT: Yes, ma'am, Ms. Johnson, what's
8 up?

9 THE PROSPECTIVE JUROR: I would like to be
10 transferred.

11 THE COURT: Uh-huh.

12 THE PROSPECTIVE JUROR: Yes.

13 THE COURT: Okay. Well, let me ask you
14 this, have you been transferred before?

15 THE PROSPECTIVE JUROR: Uh-uh.

16 THE COURT: No? I don't know that I can
17 excuse you from service. I don't know if
18 another week is going to be better. Would
19 another week be better?

20 THE PROSPECTIVE JUROR: Yes.

21 THE COURT: All right, we'll transfer you
22 to January 8th, okay?

23 THE PROSPECTIVE JUROR: Yes.

24 THE COURT: Thank you very much. We'll
25 transfer her to January 8th.

1 CLERK: What's her name?

2 THE COURT: Ms. Johnson, right?

3 THE PROSPECTIVE JUROR: Uh-huh.

4 THE COURT: Ms. Johnson. Thank you very
5 much.

6 (Bench conference.)

7 THE COURT: All right, Solicitor, you can
8 call your case, sir.

9 MR. EVANS: Thank you, Your Honor, the
10 State's ready, Indictment Numbers 2018-GS-25-
11 00130, 131, 132, 133 and 134, which is the State
12 of South Carolina against Tyrase Akil Collins,
13 as well as Indictment Numbers 2018-GS-25-00215,
14 216, 218 and 219, which is the State of South
15 Carolina against Lorenzo Boles. Charges against
16 Mr. Collins are possession of a weapon during
17 the commission of a violent crime, and that is
18 Indictment 130, number 131 is armed robbery.
19 132 is the murder of Frank Johnson, Jr., 133 the
20 murder of Ghazi A. Duckett, and 134, the murder
21 of Lamekia Warren, and that's the State of South
22 Carolina v. Tyrase Collins, State of South
23 Carolina v. Lorenzo Boles.

24 Indictment 215 is accessory before the
25 facts, and the murder of Lamekia Warren.

1 Indictment 18 at 216 is accessory before the
2 facts of the murder of Frank Johnson, Indictment
3 18 at 218 is accessory before the facts to the
4 armed robbery of Frank Johnson, and Indictment
5 18 at 219 is accessory before the facts to the
6 murder of Ghazi Duckett; and may I pass up the
7 indictments?

8 THE COURT: Yes, sir, please. All right,
9 ladies and gentlemen, we're about to begin the
10 trial of the case of the State of South Carolina
11 against Tyrase Collins and Lorenzo Boles. Now,
12 ladies and gentlemen, the indictments in these
13 cases are as follows: Indictment 2018-GS-25-
14 00130 alleges that in Hampton County, South
15 Carolina, on or about March 25th, 2018, the
16 Defendant, Tyrase Akil Collins did possess a
17 firearm, visibly displayed what appeared to be a
18 firearm during the commission of a violent
19 crime. Ladies and gentlemen, it's alleged in
20 Indictment 2018-GS-25-00131 that in Hampton
21 County, South Carolina, on or about March 25th,
22 2018, the Defendant, Tyrase Akil Collins, while
23 at [REDACTED] Priscilla Lane did commit robbery while
24 armed with a pistol, dirk, sling shot, metal
25 knuckles, razor, or other deadly weapon while

1 alleging either by action or words, that he was
2 armed while using a representation of a deadly
3 weapon or any object, which a person present
4 during the commission of a robbery reasonably
5 believed to be a deadly weapon, did take away
6 the goods, moneys, from the person or immediate
7 presence of Frank Johnson Jr. and Ghazi A.
8 Duckett.

9 Ladies and gentlemen, Indictment 2018-GS-
10 2500132 alleges that in Hampton County, South
11 Carolina, on or about March 25th, 2018, the
12 Defendant, Tyrase Akil Collins did with malice
13 aforethought, kill and murder Frank Johnson,
14 Jr., and that Frank Johnson Jr. did die in
15 Hampton County, as a proximate result of Tyrase
16 Collins' actions. Folks, in 2018-GS-2500133
17 it's alleged that in Hampton County, South
18 Carolina, on or about March 25th, 2018, the
19 Defendant, Tyrase Collins did with malice
20 aforethought kill and murder Ghazi A. Duckett,
21 and that Ghazi A. Duckett did die in Hampton
22 County as a proximate result of Tyrase Collins'
23 actions, ladies and gentlemen. Ladies and
24 gentlemen, Indictment 2018-GS-2500134, again,
25 it's an indictment, it alleges, folks, that in

1 Hampton County, South Carolina on or about March
2 25th, 2018, the Defendant, Tyrase Akil Collins
3 did with malice aforethought kill and murder
4 Lamekia M. Warren, and that Lamekia M. Warren
5 did die in Hampton County, South Carolina as the
6 approximate result of Tyrase Akil Collins'
7 actions.

8 Ladies and gentlemen, Indictment 2018-GS-
9 2500218 alleges that in Hampton County, South
10 Carolina, on or about March 25th, 2018, the
11 Defendant, Lorenzo Boles, did aid in the
12 commission of a felony, to wit the murder of
13 Lamekia M. Warren. 2018-GS-2500216 alleges,
14 ladies and gentlemen, that in Hampton County,
15 South Carolina, on or about March 25th, 2018,
16 the Defendant, Lorenzo Boles, did aid in the
17 commission of a felony, to wit the murder of the
18 victim, Frank Johnson Jr. Indictment 2018-GS-
19 2500218, ladies and gentlemen, alleges that in
20 Hampton County, South Carolina, on or about
21 March 25th, 2018, the Defendant, Lorenzo Boles
22 did aid in the commission of a felony, to wit
23 the murder of victim Lamekia M. Warren, and,
24 ladies and gentlemen, in 2018-GS-2500219, it's
25 alleged that in Hampton County, South Carolina

1 on or about March 25th, 2018, the Defendant,
2 Lorenzo Boles, did aid in the commission of a
3 felony to wit the armed robbery of Frank
4 Johnson, Jr.

5 And, ladies and gentlemen, in 2018-GS-
6 2500219, alleges that in Hampton County, South
7 Carolina, on or about March 25th, 2018, the
8 Defendant, Lorenzo Boles, did aid in the
9 commission of a felony, to wit the murder of
10 victim, Ghazi Duckett. Solicitor, are those all
11 of the indictments, sir, in these matters?

12 MR. EVANS: Yes sir, I believe so.

13 THE COURT: Ladies and gentlemen, here they
14 go. Those indictments, ladies and gentlemen,
15 they're mere pieces of paper, folks, and they
16 are the charging documents that bring this
17 matter into court. They are not evidence.
18 They're not evidence of anything. And you
19 noticed I said alleged in each one. They're
20 merely the charging documents that bring this
21 matter in the court. The Defendants in this
22 case have pled not guilty and have requested a
23 jury trial.

24 So, ladies and gentlemen, I would like if
25 each Defendant, I would have Mr. Tyrase Collins

1 stand, and if his attorney would stand. And let
2 me ask you this, would you please introduce your
3 client, and introduce yourself as counsel?

4 MR. JOHNSON: Thank you, Your Honor. Good
5 afternoon, my name is Charlie Johnson, I
6 represent Tyrase Collins.

7 THE COURT: Thank you so much gentlemen.
8 All right, and Mr. Boles, if you could please
9 stand, and, counsel, could you please introduce
10 yourself and introduce your client?

11 MR. GIBBES: Good morning, my name is Chris
12 Gibbes, and I represent Lorenzo Boles.

13 THE COURT: All right, thank you
14 gentlemen.

15 Ladies and gentlemen, let me ask you this,
16 any member of the jury panel related by blood,
17 connected by marriage, have any business
18 relationships, any personal relationship, ever
19 been represented by Mr. Johnson or Mr. Gibbes,
20 the attorneys in this matter? All right, come
21 on up here. Hey, man, what's your number, or
22 what's your name?

23 THE PROSPECTIVE JUROR: Harris.

24 THE COURT: Ms. Harris?

25 THE PROSPECTIVE JUROR: Uh-huh.

1 THE COURT: Yes, ma'am, was it one of the
2 attorneys that you know?

3 THE PROSPECTIVE JUROR: Yes.

4 THE COURT: Okay, which one?

5 THE PROSPECTIVE JUROR: Mr. Gibbes.

6 THE COURT: Mr. Gibbes. How do you know
7 Mr. Gibbes?

8 THE PROSPECTIVE JUROR: He is representing
9 me.

10 THE COURT: He's presently representing
11 you?

12 THE PROSPECTIVE JUROR: Yes.

13 THE COURT: All right, ma'am, well, given
14 the fact that he's presently representing you,
15 I'm gonna excuse you from service in this case,
16 okay?

17 THE PROSPECTIVE JUROR: Yes.

18 THE COURT: So, you can just go back and
19 have a seat. Thank you.

20 All right, Solicitor, would you stand and
21 introduce yourself, please?

22 MR. EVANS: Good afternoon, my name is Reed
23 Evans, I'm the Assistant Solicitor here in
24 Hampton and also Allendale County. Sitting my
25 left to your right is Marty Clapp, who is my

1 investigator of the 14th Circuit Solicitor's
2 Office.

3 THE COURT: All right, thank you,
4 Solicitor.

5 All right, any member of the jury panel
6 related by blood, connected by marriage to any
7 member of the Solicitor's Office? Ever been
8 represented by any of these individuals that
9 were introduced to you?

10 If so, I need you to please stand.

11 (No indication).

12 THE COURT: All right, thank you.

13 All right, ladies and gentlemen, what I
14 want to ask at this time is, I've got basically
15 a list of potential witnesses in this case. The
16 last has 23 names on it. That doesn't mean that
17 23 people will be called, and if they are, some
18 may be long, some may be short, as it relates to
19 their testimony, but it's a list of all the
20 potential witnesses in this case. So, I'm gonna
21 go through them in groups of probably about
22 eight, and so if there's any of these names that
23 you recognize, I'm gonna need you to come
24 forward and talk to me very briefly, okay?

25 All right, Tinish Bryson-Smith with,

1 Hampton Dispatch, Marty Clapp, 14th Circuit
2 Solicitor's Office, Rasheeda Collins, Hampton
3 County South Carolina, Viola Collins, Hampton
4 County South Carolina, Albert Crittington of
5 Ovieda, Florida --

6 MR. EVANS: Ovieda.

7 THE COURT: -- or Vado, Florida, excuse me,
8 Gabrielle Denizard with SLED, Michelle
9 Eicheniller with SLED. That's Michelle
10 Eckenmiller of SLED, Gabrielle Denizard of SLED,
11 Albert Crittington, Viola Collins, Rasheeda
12 Collins, Marty Clapp, Tinish Bryson-Smith.
13 Anybody related by blood, connected by marriage,
14 friends, associates with, has any business
15 dealings with any of those individuals?

16 If so, I need you to come see me.

17 Hey, yes, ma'am, hold on one second. Yes,
18 ma'am, what's your name?

19 THE PROSPECTIVE JUROR: Smith.

20 THE COURT: Ms. Smith, yes, ma'am, yes,
21 ma'am.

22 THE PROSPECTIVE JUROR: Ms. Collins.

23 THE COURT: Viola Collins?

24 THE PROSPECTIVE JUROR: Yes.

25 THE COURT: Okay, and so are you related to

1 Ms. Collins?

2 THE PROSPECTIVE JUROR: Yes.

3 THE COURT: All right then, so let me ask
4 you this, the fact that you are related to Viola
5 Collins, do you believe it's gonna make it
6 difficult to be fair and impartial in this case,
7 listen to the evidence that you hear, the law
8 that I instruct you, and then bring back a
9 verdict that's fair, and fair to the State and
10 fair to the defense?

11 THE PROSPECTIVE JUROR: No.

12 THE COURT: All right, do you think it
13 would make it difficult for you to do that?

14 THE PROSPECTIVE JUROR: Yes.

15 THE COURT: All right, then I'm gonna
16 excuse you from service in this case then.

17 How are you doing, sir?

18 THE PROSPECTIVE JUROR: How are you doing?

19 THE COURT: I'm doing great. What's going
20 on? The name?

21 THE PROSPECTIVE JUROR: Crittington.

22 THE COURT: Mr. Crittington, yes, sir. Are
23 you related to Mr. Crittington?

24 THE PROSPECTIVE JUROR: No.

25 THE COURT: That's the name?

1 THE PROSPECTIVE JUROR: Yes.

2 THE COURT: Who is this?

3 THE PROSPECTIVE JUROR: That's another one.

4 THE COURT: Hampton has two Crittingtons?
5 Three? All right. So let me ask you this, are
6 you related to Ms. Crittington?

7 THE PROSPECTIVE JUROR: Yes.

8 THE COURT: All right, is that the name
9 that you recognized? Remember I called these
10 names out, and you're coming to see me about the
11 name Crittington?

12 THE PROSPECTIVE JUROR: Uh-huh.

13 THE COURT: Okay, how is he related to you?

14 THE PROSPECTIVE JUROR: Cousin.

15 THE COURT: All right, the fact he's your
16 cousin and a potential witness in this case, is
17 that going to make it difficult for you to be
18 fair and impartial in this case --

19 THE PROSPECTIVE JUROR: No.

20 THE COURT: -- or are you going to be fair
21 and impartial?

22 THE PROSPECTIVE JUROR: Yes.

23 THE COURT: All right, great, I'll have you
24 stay with us. Thank you.

25 All right, a couple more potential

1 witnesses in this case, I may have called it out
2 a minute ago, Melissa Fields of Hampton County
3 South Carolina, Sarah Goodman of Greenville
4 County Sherrif's Office, Ranaldo Hosendove of
5 Hampton South Carolina, Billy Jarrell retired
6 from Hampton County Sheriff's Office, Richard
7 Johnson of SLED, Stacey Loadholt, Hampton Police
8 Department, Laura Meyer with the Hampton EMS,
9 Anthony Russell, Hampton County Sheriff's
10 Department, Dr. Cynthia Schandl, MUSC. Anybody
11 related by blood, connected by marriage, have
12 any business dealings with, friends that I've
13 just named out, Melissa Fields, Sarah Goodman,
14 Ranaldo Hosendove, Billy Jarrell, Richard
15 Johnson, Stacy Loadholt, Anthony Russell, Dr.
16 Cynthia Schandl, you need to come see me.

17 Hey, buddy. Okay, what's your name, again?

18 THE PROSPECTIVE JUROR: Billy.

19 THE COURT: Yes.

20 THE COURT: How do you know about Billy
21 Jarrell.

22 THE PROSPECTIVE JUROR: They're both my
23 cousins.

24 THE COURT: They're both your cousins? All
25 right. So let me ask you this, the fact that

1 they are both your cousins, is that going to
2 affect your ability to be fair and impartial in
3 this case? Can you set that aside and listen to
4 the evidence in this case, and bring back and
5 verdict that's fair to the State and fair to the
6 defense? That's what I need to know.

7 THE PROSPECTIVE JUROR: No.

8 THE COURT: All right, then I'm going to
9 excuse you from service in this case. Just go
10 back and have a seat, okay?

11 THE PROSPECTIVE JUROR: All right.

12 THE PROSPECTIVE JUROR: Albert Johnson.

13 THE COURT: Yeah, Ms. Johnson, was it one,
14 or more than one of those names?

15 THE PROSPECTIVE JUROR: One and then this
16 is my cousin.

17 THE COURT: All right, I'm gonna excuse you
18 from service in this case. Thank you. All
19 right, you got that, Ms. Nettles, I'm excusing
20 her?

21 CLERK: Yes, sir.

22 All right, just a few more names.

23 All right, Samuel Shephard of Hampton,
24 Michael Smith of the Hampton County Sheriff's
25 Office, Nicklaus Sprouse with SLED, Chauncey

1 Solomon, Edisto Police Department, excuse me,
2 folks, Aaron Stokes of Hampton, Courtney
3 Thompson of SLED, and Khadajah Williams of
4 Hampton. Khadajah Williams, Courtney Thompson,
5 Aaron Stokes, Chauncey Solomon, Nicklaus
6 Sprouse, Michael Smith and Samuel Shephard,
7 anybody related by blood, connected by marriage,
8 business, social dealings with, acquaintances,
9 any relationship with any of these individuals,
10 I need you to come see me. Sir, you've already
11 been excused, so you're good. You can have a
12 seat.

13 THE PROSPECTIVE JUROR: I can go?

14 THE COURT: Yeah, well, you've got to stay,
15 and I'll give you instructions about leaving --

16 THE PROSPECTIVE JUROR: Okay.

17 THE COURT: -- but you don't have to come
18 up for any other questions.

19 THE PROSPECTIVE JUROR: All right.

20 THE COURT: You can just take a seat and
21 chill out, okay?

22 All right, so, yes, ma'am, is it one or
23 more than one name?

24 THE PROSPECTIVE JUROR: Michael Smith.

25 THE COURT: Michael Smith? How do you know

1 Mr. Smith?

2 THE PROSPECTIVE JUROR: My son.

3 THE COURT: Michael Smith is your son?

4 THE PROSPECTIVE JUROR: Yes.

5 THE COURT: All right.

6 THE PROSPECTIVE JUROR: Sheriff.

7 THE COURT: All right, and he works for the
8 -- your son is a Deputy Sheriff?

9 THE PROSPECTIVE JUROR: Yes.

10 THE COURT: All right, I'm gonna excuse you
11 from service in this case, okay?

12 THE PROSPECTIVE JUROR: Thank you.

13 THE COURT: Thank you.

14 Ma'am, what was your number? Ma'am?

15 THE PROSPECTIVE JUROR: Oh, my number?

16 Sorry, 540.

17 THE COURT: 540.

18 All right, so that's all the witnesses,
19 right?

20 CLERK: Right.

21 THE COURT: I think I've got them all.

22 MR. EVANS: Yes, sir, I believe.

23 THE COURT: All right, ladies and
24 gentlemen, any member of the jury panel related
25 by blood, connected by marriage, have any

1 acquaintances, or have dealt with Craig Johnson,
2 Jr., I'm sorry, what's Ms. Warren's name?

3 MR. EVANS: Lamekia.

4 THE COURT: Lamekia Warrant or Ghazi
5 Duckett? Anybody related by blood, connected by
6 marriage to Lamekia Warren, Ghazi Duckett or
7 Craig Johnson, Jr.?

8 MR. EVANS: You've already excused this
9 juror.

10 THE COURT: I've already excused you,
11 you're good. Yes, sir?

12 THE PROSPECTIVE JUROR: Craig Johnson.

13 THE COURT: Craig Johnson? How do you know
14 Craig Johnson?

15 THE PROSPECTIVE JUROR: Cousin.

16 THE COURT: He's your cousin?

17 THE PROSPECTIVE JUROR: Uh-huh.

18 THE COURT: All right, yes, sir, he was the
19 victim?

20 THE PROSPECTIVE JUROR: Yeah.

21 THE COURT: All right, and so let me ask
22 you, the fact that your cousin was the victim in
23 this matter, is that going to affect your
24 ability to be fair and impartial in this case?

25 THE PROSPECTIVE JUROR: No.

1 THE COURT: What cousin was he? Was he a
2 first cousin, or second cousin, or --

3 THE PROSPECTIVE JUROR: Way down --

4 THE COURT: Way down the line?

5 THE PROSPECTIVE JUROR: Yes.

6 THE COURT: Okay. All right, thank you,
7 sir, stay with us.

8 All right, I've got several other
9 questions, and I appreciate you bearing with me,
10 but you can see we're dealing with important
11 matters, folks, and this, like I said, isn't
12 like TV. I can't just cut and do something
13 again, we've got to do our best to make sure we
14 get it right.

15 All right, so ladies and gentlemen, has any
16 member of the jury panel ever been the victim of
17 a violent crime, or someone close to you been a
18 victim of a violent crime? And I need you to
19 come see me, if you or someone close to you
20 presently or in the past have worked in law
21 enforcement? I know that's gonna be a bunch of
22 you, but, ladies and gentlemen, if you, or
23 somebody close to you has been a victim of a
24 violent crime, if you or someone close to you
25 presently works or in the past has worked in law

1 enforcement, I need you to come see me.

2 THE PROSPECTIVE JUROR: And then my wife
3 was a former officer.

4 THE COURT: All right, let me ask you, the
5 fact that you've got family members who work
6 with the Sheriff's Department, is that going to
7 affect your ability to be fair and impartial in
8 this case?

9 THE PROSPECTIVE JUROR: No, sir.

10 THE COURT: All right, thank you, you can
11 stay with us.

12 Now, folks, if I've already excused you,
13 then you don't have to come up anymore, okay?
14 So, if I've already excused you from the case,
15 you don't have to come up. Yes, sir?

16 THE PROSPECTIVE JUROR: John Ditton.

17 THE COURT: Yes, sir.

18 THE PROSPECTIVE JUROR: My brother-in-law
19 is in law enforcement.

20 THE COURT: All right. The fact that your
21 brother-in-law has worked in law enforcement,
22 and presently works in law enforcement, is that
23 going to affect your ability to be fair and
24 impartial in this case, sir?

25 THE PROSPECTIVE JUROR: I'm not 100 percent

1 sure.

2 THE COURT: I'll excuse you, thank you.

3 THE CLERK: What's his name, Judge?

4 THE COURT: what was your name?

5 THE PROSPECTIVE JUROR: John Ditton, D-I-T-
6 T-O-N.

7 THE CLERK: Thank you, Your Honor.

8 THE COURT: Hey, yes, sir, what's your
9 name?

10 THE PROSPECTIVE JUROR: Larry Priester.

11 THE COURT: Yeah, Mr. Priester, yes, sir.

12 THE PROSPECTIVE JUROR: My dad is Varnville
13 officer --

14 THE COURT: She's what?

15 THE PROSPECTIVE JUROR: Father a police
16 officer.

17 THE COURT: All right, well, the fact that
18 your father is a police officer in Varnville, is
19 that going to affect your ability to be fair and
20 impartial in this case, the evidence in this
21 case, the law that I instruct you, and bring
22 back a verdict that's fair to the State and fair
23 to the defense?

24 THE PROSPECTIVE JUROR: Yes.

25 THE COURT: You can be fair?

1 THE PROSPECTIVE JUROR: Yeah, I can be
2 fair.

3 THE COURT: All right, great, you can stay
4 with us.

5 Well, what about your name again?

6 CLERK: What's your name?

7 THE COURT: Give me your name again?

8 THE PROSPECTIVE JUROR: Larry Priester.

9 CLERK: Priester.

10 THE COURT: Priester.

11 MR. EVANS: Larry Priester.

12 THE COURT: Hey, ma'am, yes, ma'am, what's
13 your name?

14 THE PROSPECTIVE JUROR: Yolanda Williams.

15 THE COURT: Yes, ma'am, Ms. Williams.

16 THE PROSPECTIVE JUROR: My husband retired
17 police officer.

18 THE COURT: All right. The fact that your
19 husband is a retired police officer, is that
20 going to affect your ability to be fair and
21 impartial in this case?

22 THE PROSPECTIVE JUROR: No.

23 THE COURT: All right, great, thank you
24 very much.

25 Yes.

1 THE PROSPECTIVE JUROR: My husband is
2 retired from the police.

3 THE COURT: Okay. Well, let me ask you
4 this, the fact that your husband was in law
5 enforcement, is that going to affect your
6 ability to be fair and impartial in this case?

7 THE PROSPECTIVE JUROR: No.

8 THE COURT: Okay.

9 THE COURT: All right, ladies and
10 gentlemen, any member of the jury panel have any
11 bias or prejudice in this matter? Does any
12 member of the jury panel have any prejudice for
13 or against the State or the defense? Any bias
14 or prejudice for or against the State or defense
15 in this matter? I'm gonna need you to stand, if
16 that applies to you.

17 (No indication).

18 THE COURT: Any member of the jury panel
19 who can't serve and be a fair and impartial
20 juror in this case? I need you to stand.

21 Doe any member contribute to police
22 advocacy groups, or victim's rights groups,
23 CAVE, SADD, MADD, Mothers Against Drunk Driving,
24 CAVE, CADV, Citizens Against Domestic Violence?
25 Any member contribute to any organizations like

1 that I need you to come see me.

2 Come on up, yes, ma'am. Hey, ma'am, what
3 was your name?

4 THE PROSPECTIVE JUROR: Martha Dean Tholl.

5 THE COURT: Ms. Dean?

6 THE PROSPECTIVE JUROR: Martha Dean Tholl,
7 T-H-O-L-L.

8 THE COURT: T-H-O-L-L, yes, ma'am. Yes,
9 ma'am.

10 THE PROSPECTIVE JUROR: I am a member of
11 MADD.

12 THE COURT: All right, well, let me ask
13 you, the fact that you belong to that
14 organization, can you be fair and impartial in
15 this case, ma'am?

16 THE PROSPECTIVE JUROR: Yes.

17 THE COURT: All right, what was your
18 number?

19 THE PROSPECTIVE JUROR: 556.

20 THE COURT: All right, I'm gonna excuse you
21 from service in this case, okay? Thank you.
22 Hey, sir.

23 THE PROSPECTIVE JUROR: Related to the
24 defendant.

25 THE COURT: Well, let me ask you this, sir,

1 given the fact that the Defendant is your
2 cousin, is that going to make it difficult for
3 you to be fair and impartial in this case?

4 THE PROSPECTIVE JUROR: Yes.

5 THE COURT: All right.

6 I'm going to excuse you from service in
7 this case, okay? Thank you. Let's see, all
8 right, what was the address?

9 MR. EVANS: [REDACTED] Priscilla Lane in
10 Varnville.

11 THE COURT: All right, ladies and
12 gentlemen, this matter is alleged to have
13 occurred at [REDACTED] Priscilla Lane in Hampton.

14 THE COURT: In Varnville.

15 THE COURT: In Varnville. Let me just ask,
16 and the Defendants again in the case, Tyrase
17 Collins and Lorenzo Boles, so what I want to
18 know is, has anybody heard anything about this
19 case, read anything about this case, TV, blogs,
20 Internet, radio, or anybody know anything about
21 this case, or perceive to know anything about
22 this case, I want to ask you about that.

23 Have you heard anything about this case in
24 any of the media? I've already excused you, all
25 right? Anybody else? Well, I need you to

1 stand, if that's the case. If you've already
2 been excused, I don't need you to stand. Have I
3 excused you? Come on up.

4 THE PROSPECTIVE JUROR: I know about this
5 case.

6 THE COURT: What have you heard about it?

7 THE PROSPECTIVE JUROR: Just different
8 things.

9 THE COURT: Where did you hear this from?

10 THE PROSPECTIVE JUROR: Everyone.

11 THE COURT: All right, so I'm gonna excuse
12 you from service in this case. Thank you. All
13 right? 351. Hold on one second. I'm just
14 gonna put on the record that that gentleman,
15 it's got to be the tenth time he's come forward.

16 Any member of the jury panel ever been a
17 witness in a criminal trial, if so, come see me,
18 if you've ever been a witness in a criminal
19 trial. I think I've already asked, if you heard
20 anything, or ready anything about this case, I
21 already asked that. Any member of the jury
22 panel discussed this case with anyone?

23 Any member of the jury panel ever been
24 charged with a crime, but not convicted of a
25 crime?

1 (No indication.)

2 THE COURT: Okay, any member of the jury
3 panel ever served as a juror before in a civil
4 or criminal case?

5 (No indication).

6 THE COURT: Any member of the jury panel
7 ever witness a crime? A violent crime, let me
8 put it that way.

9 (No indication).

10 THE COURT: Now, let me ask you this,
11 finally, ladies and gentlemen, does any member
12 of the jury panel believe that just because
13 somebody is arrested, they're guilty of the
14 crime charged? Or to word it another way, are
15 you inclined to think that a person is guilty of
16 a crime simply because they're arrested? Any
17 member of the jury panel believe that to be the
18 case?

19 (No indication).

20 THE COURT: all right, any additional voir
21 dire, Mr. Gibbes?

22 MR. GIBBS: No, Your Honor.

23 THE COURT: Mr. Johnson?

24 MR. JOHNSON: No.

25 MR. EVANS: Not from the State.

1 THE COURT: Mr. Evans? All right,
2 gentlemen, are there any objections, as it
3 relates to the questions that I've asked in the
4 process thus far, as it relates to the jury from
5 the State?

6 MR. EVANS: No, sir.

7 THE COURT: Defense, Mr. Johnson?

8 MR. JOHNSON: No.

9 THE COURT: Mr. Gibbes?

10 MR. GIBBS: No, sir.

11 THE COURT: We're good? Okay, so then what
12 I'm gonna do is, I'm gonna find this jury
13 qualified. I'm going to tell them to come back
14 -- did I tell the other one 3:30? I told the
15 other one 3:30, right?

16 CLERK: Yes, sir.

17 COURT REPORTER: Yes, sir.

18 THE COURT: I'm gonna tell them to come
19 back at 3:30, and then, basically, by that time
20 we'll have a list. Whoever's on the list will
21 come in, and we'll pick the jury. I'll give
22 them some other instructions and probably send
23 them home after that; is that all right?

24 MR. EVANS: Yes, sir.

25 THE COURT: Satisfactory, Mr. Gibbes?

1 MR. GIBBS: Yes, sir.

2 THE COURT: Mr. Johnson?

3 MR. JOHNSON: Yes, sir.

4 THE COURT: Solicitor? All right.

5 MR. EVANS Yes.

6 THE COURT: All right, ladies and
7 gentlemen, I'm gonna find the panel qualified.
8 Let me tell you what's gonna happen. What's
9 gonna happen is this, I'm gonna ask that you
10 come back at 3:30, okay? Bear with me. You're
11 not gonna have to be here tomorrow, so I'm gonna
12 ask that you come back at 3:30.

13 Now, if I have already excused you from
14 service on this case, if I have excused you from
15 service on this case, you do not have to come
16 back. You should have a number. There'll be a
17 number that they gave you and sent you, it's the
18 jury information line, okay? If you don't have
19 that number, someone will give you that number
20 when you leave.

21 If I've excused you, then I'm going to tell
22 you to call back tonight after 6:00. If I have
23 not excused you, and that applies to the vast
24 majority of you, you need to be back at 3:30.
25 And what's going to happen is this, you're gonna

1 come in, we're gonna pick the jury. There will
2 be no more questions, it'll just be a matter of
3 the lawyers picking the jury. Once the jury is
4 selected, I'm going to give the jury some
5 information and send them home. The remaining
6 jurors, who are not selected on the jury, I'll
7 probably just have you'all also just call back
8 tonight after 6:00, and they will give you
9 instructions on what you need to do.

10 So, unless you've been excuse, which that
11 applies to a few of you, I'll see you back at
12 3:30 for the actual selection of the jury.
13 Thank you very much.

14 (Jury panel exits the courtroom.)

15 THE COURT: All right, I think we've got
16 all our jurors excused, so let me ask you,
17 anything from the defense before we break, I
18 guess, for a late lunch, and then come back a
19 few minutes before 3:30?

20 MR. EVANS: Judge, the court reporter
21 stepped out.

22 THE COURT: Okay, well, she's not here, but
23 anything before we break from the defense?

24 MR. JOHNSON: Your Honor, just to be clear,
25 we're gonna pick the jury, and then we'll

1 probably --

2 THE COURT: I'll summarize for you. All
3 right, so I've got my Court Reporter, it's my
4 fault, I did not even look down, we've been
5 going at it for two hours, and so she's stepped
6 away for a moment. I asked counsel if there's
7 anything from the defense before we broke for a
8 late lunch and got back here a few minutes
9 before 3:30.

10 They indicated, I think, the only question
11 they had, Mr. Johnson was wondering if we were
12 going to select, and then go ahead and start the
13 trial on Wednesday. I said I think that's what
14 the Solicitor wanted to do, and the Solicitor
15 informed me that half of you'all had caucused,
16 and that's all what you would like to do also;
17 is that correct, Mr. Johnson?

18 MR. JOHNSON: Yes, Your Honor.

19 THE COURT: Mr. Gibbes?

20 MR. GIBBES: Yes, Your Honor.

21 THE COURT: All right, so what I'm gonna do
22 is, there's enough jurors, so we can get
23 everybody who we qualified, and get them back in
24 here, okay, because they'll all fit. My concern
25 is that they weren't going to fit, if we were

1 gonna have too many, but they will all fit.

2 So, when they come back at 3:30, she'll
3 pull the list, we'll have it, we'll pick the
4 jury, ten, ten, ten on strikes. The alternates,
5 we're gonna have 3 alternates. You'all think 3
6 alternates is enough?

7 MR. EVANS: Judge, I'm never gonna turn
8 down more, because I've seen things happen here.

9 THE COURT: Four alternates?

10 MR. JOHNSON: I was gonna say 5, Your
11 Honor, six.

12 MR. EVANS: I'll take them, if they're
13 willing.

14 THE COURT: I tell you; I think 4
15 alternates will be enough. I think 4 alternates
16 will be enough in this case. So, we're gonna
17 pick 4 alternates. With each alternate, two
18 strikes, two strikes, one strike. So each
19 alternate will be potentially 5 strikes for each
20 alternate; is that right?

21 MR. EVANS: Yes, sir.

22 THE COURT: So that's another 20 people.

23 MR. EVANS: I'm not as concerned -- yes,
24 that's what I think, Judge, and I'm gonna
25 double-check and see if I get to, since there

1 are two defendants, but I think because we're
2 talking about alternates that is not the case,
3 so I'm gonna err on the side of caution, and
4 just give myself --

5 THE COURT: All right.

6 MR. EVANS: Of course, we're talking about
7 alternates, I don't want to create a problem.

8 THE COURT: At the end of the day what I
9 want you'all to do is, before we come back, I
10 want you'all to do the math, to make sure that
11 we have enough people out there, so that we've
12 got 12 jurors, five alternates. We're gonna
13 have all the strikes. Everybody will make sure
14 we have enough, all the strike, and I want
15 you'all to caucus and make sure we've got that
16 straight, okay?

17 MR. EVANS: That's fine, Your Honor.

18 CLERK: 102.

19 THE COURT: How much?

20 CLERK: 102.

21 THE COURT: We'll have 102 people I've
22 qualified.

23 MR. EVANS: That should be about 85.

24 THE COURT: So, we should be good, all
25 right? Anything else before we break?

1 MR. JOHNSON: Your Honor, we'll be going
2 over the motion?

3 THE COURT: All right, that's fine. Any
4 other motions that I'm gonna need to hear?

5 MR. EVANS: I'm not aware of any
6 substantive pretrial motions, Your Honor.

7 THE COURT: Gentlemen?

8 MR. JOHNSON: I'm not aware of any
9 pretrial.

10 THE COURT: Mr. Gibbes?

11 MR. GIBBES: No, Your Honor.

12 THE COURT: Okay. All right, well, then
13 you'all just let me know, that's fine, and we'll
14 go from there. And I want you to know, truly,
15 I'd rather be here than where I've got to go
16 tomorrow, okay?

17 THE COURT: All right, thanks, guys, we'll
18 see you back in a little bit.

19 MR. EVANS: Thank you, Your Honor.

20 (Luncheon recess)

21 THE COURT: All right, ladies and
22 gentlemen --

23 CLERK: You ready?

24 THE COURT: Yeah, go ahead and pull it.

25 Ladies and gentlemen, what we're gonna do

1 right now is, we're gonna go ahead and we're
2 gonna pull the jury. And so there is a list,
3 the computer puts it together, it takes a
4 moment. I'll tell you my favorite story. It
5 used to be the law was that a blind person or a
6 child had to pull -- your names were put on a
7 piece of paper, put into a capsule for the rest
8 of the week -- so bear with us for 1 second.
9 All right, ma'am, so we can proceed.

10 CLERK: Ready?

11 THE COURT: Yes, ma'am.

12 CLERK: When I call your name, if you would
13 just stand in place, and then there are some
14 questions that we have to go to the attorneys.
15 Number 69, Robert Edwards. What says the State?

16 MR. EVANS: Please present the juror.

17 CLERK: What says Defendant Boles?

18 MR. GIBBES: Please seat the juror.

19 CLERK: What says Defendant --

20 MR. GIBBES: Please present.

21 CLERK: Okay.

22 MR. JOHNSON: Please seat the juror.

23 CLERK: Okay, all right. You need to come
24 have a seat in the jury box.

25 THE COURT: And when you come up, just

1 bring everything you've got. So, if you've got
2 a book, or a bag, or whatever, just come on up.

3 CLERK: Christopher Walls. What says the
4 State?

5 MR. EVANS: Please present the juror.

6 CLERK: What says Boles?

7 MR. GIBBES: I'm sorry, did you say 265?

8 CLERK: 265.

9 MR. JOHNSON: 265.

10 CLERK: Christopher Walls.

11 MR. GIBBES: Please seat the juror.

12 CLERK: Defendant Collins?

13 MR. JOHNSON: Please excuse the juror.

14 CLERK: All right, you can have a seat.

15 Number 76, Kennedy Fairey. What says the State?

16 MR. EVANS: Please present the juror.

17 CLERK: What says Defendant Boles?

18 MR. GIBBES: Please excuse this juror.

19 CLERK: You can have a seat. Number 278,

20 Alverta Williams. What says the State?

21 MR. EVANS: Please present the juror.

22 CLERK: What says Defendant Boles?

23 MR. GIBBES: Please present the juror.

24 CLERK: Collins?

25 MR. JOHNSON: Please present the juror.

1 COURT REPORTER: Did he say excuse the
2 juror?

3 THE COURT: No, he said present the juror.

4 CLERK: Present.

5 COURT REPORTER: Oh, okay.

6 CLERK: Number 17, Jalisa Bostick. What
7 says the State?

8 MR. EVANS: Please present the juror.

9 CLERK: What says Boles?

10 MR. GIBBES: Please present the juror.

11 CLERK: Collins?

12 MR. JOHNSON: Please excuse the juror.

13 CLERK: Number 262, Peter Tubbs. What says
14 the State?

15 MR. EVANS: Please present the juror.

16 CLERK: Boles?

17 MR. GIBBES: Please excuse the juror.

18 CLERK: Number 195, Alison Pittinger. What
19 says the State?

20 MR. EVANS: Please present the juror.

21 CLERK: Boles?

22 MR. GIBBES: Please excuse.

23 CLERK: Number 149, Henry Kearse. What
24 says the State?

25 MR. EVANS: Please present the juror.

1 CLERK: Number 104, Conrad Grant. What
2 says the State?

3 MR. EVANS: That was 104, ma'am?

4 CLERK: 104.

5 MR. EVANS: Please present the juror.

6 CLERK: Defendant Boles?

7 MR. GIBBES: Please present the juror.

8 CLERK: Collins?

9 MR. JOHNSON: Please seat the juror.

10 CLERK: Number 223, Charles Sanders. What
11 says the State?

12 MR. EVANS: Please present the juror.

13 CLERK: Defendant Boles?

14 MR. GIBBES: Please present the juror.

15 CLERK: Collins?

16 MR. JOHNSON: Please seat the juror.

17 CLERK: Number 51, LaToya Daniels. What
18 says the State?

19 MR. EVANS: Please present the juror.

20 CLERK: Defendant Boles?

21 MR. GIBBES: Please present the juror.

22 CLERK: Collins?

23 MR. JOHNSON: Please seat the juror.

24 CLERK: Number 219, Jerry Rooker. What
25 says the State?

1 MR. EVANS: Please present the juror.

2 CLERK: What says the defense?

3 MR. GIBBES: Please present the juror.

4 CLERK: Collins?

5 MR. JOHNSON: Please seat the juror.

6 CLERK: Number 5, Laura Atkinson. What

7 says the State?

8 MR. EVANS: Please present the juror.

9 CLERK: Defendant Boles?

10 MR. GIBBES: Please excuse the juror.

11 CLERK: Number 226, Paige Sauls. What says

12 the State?

13 MR. EVANS: Please present the juror.

14 CLERK: Defendant Boles?

15 MR. GIBBES: Please present the juror.

16 CLERK: Collins?

17 MR. JOHNSON: Please excuse the juror.

18 CLERK: Number 225, Charlie Sauls. What

19 says the State?

20 MR. EVANS: Please present the juror.

21 CLERK: Defendant Boles?

22 MR. GIBBES: Please excuse the juror.

23 CLERK: Number 10, Clay Bishop. What says

24 the State?

25 MR. EVANS: Please excuse the juror from

1 the trial of this case.

2 CLERK: Number 61, D. S. Deloache. What
3 says the State?

4 MR. EVANS: Please present the juror.

5 CLERK: Defendant Boles?

6 MR. GIBBES: Please present the juror.

7 CLERK: Collins?

8 MR. JOHNSON: Please seat the juror.

9 CLERK: Number 227, William Segars. What
10 says the State?

11 MR. EVANS: Please present the juror.

12 CLERK: Defendant Boles?

13 MR. GIBBES: Please excuse the juror.

14 CLERK: Number 215, Michelle Robinson.

15 What says the State?

16 MR. EVANS: Please present the juror.

17 CLERK: Defendant Boles?

18 MR. GIBBES: Please present the juror.

19 CLERK: Collins?

20 MR. JOHNSON: Please seat the juror.

21 CLERK: Number Sidney Williams. What says
22 the State?

23 MR. EVANS: Please present the juror.

24 CLERK: Defendant Boles?

25 MR. GIBBES: Please present the juror.

1 CLERK: Collins?

2 MR. JOHNSON: Please seat the juror.

3 CLERK: Number 127, Jonathan Harvey. What
4 says the State?

5 MR. EVANS: Please present the juror.

6 CLERK: Defendant Boles?

7 MR. GIBBES: Please excuse the juror.

8 CLERK: Number 137, Omehlia Jackson. What
9 says the State?

10 MR. EVANS: Please excuse the juror from
11 the trial of this case.

12 CLERK: Number 191, Shannon Padgett. What
13 says the State?

14 MR. EVANS: Please present the juror.

15 CLERK: Defendant Boles?

16 MR. GIBBES: Please present the juror.

17 CLERK: Collins?

18 MR. JOHNSON: Please excuse the juror.

19 CLERK: Number 80, Kelvin Fennell. What
20 says the State?

21 MR. EVANS: Please present the juror.

22 CLERK: Defendant Boles?

23 MR. GIBBES: Please present the juror.

24 CLERK: Collins?

25 MR. JOHNSON: Please seat the juror.

1 CLERK: Number 248, Catherine Sullivan.

2 What says the State?

3 MR. EVANS: Please present the juror.

4 CLERK: Defendant Boles?

5 MR. GIBBES: Please excuse the juror.

6 CLERK: Number 152, Donald Lewis. What

7 says the State?

8 MR. EVANS: Please present the juror.

9 CLERK: Defendant Boles?

10 MR. GIBBES: Please present the juror.

11 CLERK: Collins?

12 MR. JOHNSON: Please seat the juror.

13 CLERK: Number 98, Katelyn Ginn. What says

14 the State?

15 MR. EVANS: Please present the juror.

16 CLERK: Defendant Boles?

17 MR. GIBBES: Please present the juror.

18 CLERK: Collins?

19 MR. JOHNSON: Please excuse the juror.

20 CLERK: Number 161, Kyashia McClay. What

21 says the State?

22 MR. EVANS: Please present the juror.

23 CLERK: Defendant Boles?

24 MR. GIBBES: Please excuse the juror.

25 CLERK: Number 284, Lawrence Williams.

1 What says the State?

2 MR. EVANS: Please present the juror.

3 CLERK: Defendant Boles?

4 MR. GIBBES: Please excuse the juror.

5 CLERK: Number 72, Nyle Elmquist. What
6 says the State?

7 MR. EVANS: Please present the juror.

8 CLERK: Does Boles want to use your strike?

9 MR. GIBBES: I'm sorry?

10 CLERK: Do you want to use your strike?

11 MR. GIBBES: Oh, no, I'm good, Your Honor,
12 please seat the juror.

13 CLERK: Collins?

14 MR. JOHNSON: What's the number again?

15 CLERK: 72.

16 MR. JOHNSON: Please seat the juror.

17 THE COURT: That's 12? So, ladies and
18 gentlemen, what we're gonna do is, we're gonna
19 have five alternates, two strikes for each
20 Defendant, and 1 for the state, correct,
21 Solicitor?

22 MR. EVANS: Yes.

23 THE COURT: All right, correct, gentlemen?
24 You each get two strikes for alternate 1 to the
25 Defendant, and we're gonna pick five alternates,

1 okay?

2 MR. JOHNSON: Five?

3 THE COURT: Yes, sir. Is that
4 satisfactory, Mr. Gibbes?

5 MR. GIBBES: Yes, sir.

6 THE COURT: Thank you. Go ahead.

7 CLERK: 286, Rodney Williams.

8 THE COURT: All right, 286, Mr. Williams.

9 All right, by agreement I believe we're gonna
10 skip over that name; is that correct, gentlemen?
11 Solicitor?

12 MR. EVANS: Yes, sir.

13 THE COURT: Mr. Gibbes?

14 MR. GIBBES: Yes, sir.

15 THE COURT: Mr. Johnson?

16 MR. JOHNSON: Correct, Your Honor.

17 THE COURT: All right, go ahead.

18 CLERK: 170, Lorraine Mixon. What says the
19 State?

20 MR. EVANS: Present the juror.

21 CLERK: Okay, thank you. Defendant Boles?

22 MR. GIBBES: Please excuse the juror.

23 THE COURT: I'm sorry what, Mr. Gibbes?

24 MR. GIBBES: Please excuse the juror.

25 THE COURT: Excuse the juror, thank you.

1 CLERK: Okay. Number 42, Lynn Corbin.

2 What says the State?

3 MR. EVANS: Please present the juror.

4 CLERK: Defendant Boles?

5 MR. GIBBES: Please present the juror.

6 CLERK: Collins?

7 MR. JOHNSON: Please seat the juror.

8 CLERK: 154, Shaquille Ling. What says the
9 State?

10 MR. EVANS: Please present the juror.

11 CLERK: Boles?

12 MR. GIBBES: Please present the juror.

13 CLERK: Collins?

14 MR. JOHNSON: Please excuse the juror.

15 CLERK: 185, Willie Orr. What says the
16 State?

17 MR. EVANS: Please present the juror.

18 CLERK: Defendant Boles?

19 MR. GIBBES: Please present the juror.

20 CLERK: Collins?

21 MR. JOHNSON: Please present the juror.

22 CLERK: Number 142, Kristi Jarrell. What
23 says the State?

24 MR. EVANS: Please present the juror.

25 CLERK: Defendant Boles?

1 MR. GIBBES: Please excuse the juror.

2 CLERK: Number 178, Theresa Morris. What
3 says the State?

4 MR. EVANS: Please present the juror.

5 CLERK: Defendant Boles?

6 MR. GIBBES: Please present the juror.

7 CLERK: Collins?

8 MR. JOHNSON: Please seat the juror.

9 CLERK: Number 200, Amy Priest. What says
10 the State?

11 MR. EVANS: Please present the juror.

12 CLERK: Defendant Boles?

13 MR. GIBBES: Please present the juror.

14 CLERK: Defendant Collins?

15 MR. JOHNSON: Please seat the juror.

16 CLERK: Number 50, Dean Damato.

17 What says the State?

18 MR. EVANS: Please present the juror.

19 CLERK: Defendant Boles?

20 MR. GIBBES: Please present the juror.

21 CLERK: Collins?

22 MR. JOHNSON: Please seat the juror.

23

24 THE COURT: -- of the jury selection
25 process. Solicitor, do you have any motions,

1 sir?

2 MR. EVANS: No, not from the State, Your
3 Honor.

4 THE COURT: Mr. Gibbes, do you have any
5 motions, sir, on behalf of your client that we
6 need to take up concerning qualifications of the
7 jury selection? Nothing at all?

8 MR. GIBBES: Nothing.

9 THE COURT: All right, Mr. Johnson, no
10 motions on behalf of your client?

11 MR. JOHNSON: Not on behalf of my client.

12 THE COURT: All right, thank you very much.
13 All right, ladies and gentlemen, thank you.
14 It's been a long day, you've been patient, I
15 appreciate it. Let me tell you what I'm gonna
16 do. I'm gonna give you a couple little quick
17 instructions. I'd like you to be back here on
18 Wednesday morning at 9:15. You're going to
19 report directly to the jury room. And the
20 Bailiff here is going to lead you out that door,
21 show you where the jury room is, because that's
22 where you're gonna report back to, okay? Number
23 two, when you get there at 9:15, can you take a
24 minute or two, and could you see if you'all
25 could elect a Foreperson? The only rule is the

1 Foreperson can't be 1 of the 5 alternates, okay?
2 It's got to be 1 of my 12. Now, they can be
3 involved in the process of electing a
4 Foreperson.

5 Sometimes the Foreperson, it's like church,
6 you show up late, you're a chairman of a
7 committee, okay? So there's no magic in being a
8 Foreperson, all you do is you're the
9 spokesperson for the jury when there's a
10 question, it will be written down by the
11 Foreperson, who will hand it to the Bailiff, who
12 will hand it to me, and we would basically see
13 if there's something that we can do to answer a
14 question, or, you know, if the jury room's too
15 hot, or whatever the case may be. Because in
16 this courtroom, I'm gonna tell you you're not
17 gonna talk to anybody, and nobody's gonna talk
18 to you. The only talking that's gonna be done
19 is in the courtroom itself, the talking that I'm
20 doing to you just like right now, okay?

21 Now, tonight, tomorrow do not go on the
22 Internet and conduct research about this matter,
23 about the parties, the lawyers, the Judge. You
24 are to conduct no research at all. You are not
25 to basically research anything you think might

1 be helpful on this matter. Also, you are not to
2 talk with anyone about this matter. So I do not
3 want you talking amongst yourselves. I will
4 tell you that throughout the trial I will
5 constantly remind you, you are not to talk about
6 this case, even amongst yourselves, until the
7 end of the case when I will tell you that you
8 can talk about this case. Now, when you'all are
9 back there, when you'all have lunch, or whatever
10 the case may be, man, if you'all want to talk
11 about the football game, if you'all want to talk
12 about whoever won the Nascar race yesterday, if
13 you'all want to talk about NBA starting either
14 last week or this week, whatever you want to
15 talk about it don't matter, just not the case,
16 nothing to do with the case. I want you to
17 please do not watch any TV and news cast,
18 anything about this you may find on the blogs.
19 And I don't know if there's gonna be any news
20 coverage of this, but in the event there was,
21 folks, I'm telling you, you are not to watch it.
22 You're not to read anything about this.

23 I'm also going to tell you I've already
24 instructed my lawyers; we'll go over this stuff
25 on Wednesday, I'm gonna tell you right now, I've

1 already told my lawyers that they are not to
2 talk to you. So when you walk by and they don't
3 give you the low country nod to say how you
4 doing, it's not because they're being mean, or
5 they're not personable, they are, but I told
6 them they're to have no contact with you
7 whatsoever, so I want you to please know that.
8 What else?

9 CLERK: I don't have anything.

10 THE COURT: Yeah. All right, let me ask
11 you this, any additional instructions, anything
12 I've omitted from the State, Solicitor?

13 MR. EVANS: No, your Honor.

14 THE COURT: Mr. Gibbes?

15 MR. GIBBES: No, Your Honor.

16 THE COURT: Mr. Johnson?

17 MR. JOHNSON: I have nothing, Your Honor.

18 THE COURT: All right, so ladies and
19 gentlemen, what I'm gonna do is, I'm gonna go
20 ahead and discharge you. Again, no research, no
21 communication in any way, directly or
22 indirectly, through any means, and I think you
23 understand what I'm talking about. And any
24 other matters we'll take up Monday morning.
25 I'll see you at 9:15 --

1 CLERK: Wednesday.

2 THE COURT: Wednesday morning I will see
3 you at 9:15 So, Bailiff, if you'll just take
4 them right out and show them where they need to
5 report to, okay? Thank you'all very much.

6 (Jury exits the courtroom.)

7 THE COURT: So, what we're gonna do is, we
8 will deal with that Wednesday morning, and see
9 what situation is. I have no idea, and we will
10 make an inquiry to see if we can find out what
11 that relationship, if any, is, and whether or
12 not he can be fair and impartial, and why that
13 was not brought to the Court's attention.

14 All right, Mr. Evans, anything you want to
15 tell me concerning that?

16 MR. EVANS: No, sir, that sounds like a
17 good plan to me.

18 MR. GIBBES: Your Honor, what juror was
19 that?

20 MR. JOHNSON: Number 69. She was the first
21 one drawn.

22 THE COURT: Mr. Gibbes, is that
23 satisfactory?

24 MR. GIBBES: Yes, sir.

25 THE COURT: The juror, while my bailiff who

1 was basically seated right there and escorting
2 the juror out -- all right, in the meantime, I
3 want to make certain that everyone knows that
4 there is to be no contact with any of the
5 potential witnesses, or any of the jurors in
6 this case, and that means direct and indirect
7 contact. That is a friend, or acquaintance, or
8 a coworker reaching out to a juror, or to a
9 witness.

10 MR. EVANS: Yes, Your Honor.

11 MR. GIBBES: Yes.

12 MR. JOHNSON: Understood, Your Honor.

13 THE COURT: I will see everyone Wednesday
14 morning. Thank you.

15 (At 5:40 p.m. the proceedings were
16 continued until Wednesday, November 8, 2023,
17 without interruption.)

18 **

19 **END OF VOLUME I**

20 **

CERTIFICATE OF REPORTER

* * *

I, Kymberlee M. Williams, Certified Shorthand Reporter/Registered Professional Reporter for the 14th Circuit of the State of South Carolina do hereby certify that the foregoing is a true, accurate and complete transcript of the proceedings held in this case, relative to appeal, in the General Sessions Court for Beaufort County, South Carolina on the 6th Day of November 2023.

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

This, the 10th day of June 2024.

Kymbrell M. Weerans

Kymberlee M. Williams, CSR/RPR

STATE OF SOUTH CAROLINA	IN THE GENERAL SESSIONS COURT
	2018-GS-25-00215, -00219
COUNTY OF HAMPTON	
-----)	
State of South Carolina)	
)	
Plaintiff,)	
vs.)	TRANSCRIPT OF JURY TRIAL
)	VOLUME II
Tyrase Akil Collins and)	(PAGES 139 - 368)
Lorenzo Boles,)	
)	
<u>Defendants.)</u>	

November 8, 2023
 Beaufort, South Carolina

B E F O R E:

The Honorable ROBERT J. BONDS, Judge Presiding

Kymberlee M. Williams, CSR/RPR
 Official Circuit Court Reporter III
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PROCEEDINGS********WEDNESDAY, NOVEMBER 8, 2023****HAMPTON, SOUTH CAROLINA**

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

THE COURT: It looks like the jury has named a foreperson. It looks like Conrad Graham. I made the note with the juror's name on it as Court's Exhibit 1.

(Court's Exhibit 1 was admitted into evidence.)

MR. EVANS: Thank you, Your Honor.

THE COURT: We can take that up. I had already discharged the jury and then needed to release the jury panel, and they were sitting there. So I wanted to go ahead and address that this morning.

Any objection to bringing the juror back and questioning that juror as to what is going on?

For the State?

MR. EVANS: Not from the State, Your Honor. The only thing I will note is we do have some other matters that I wrote to your law clerk and

1 emailed out last evening that we need to take up
2 before openings.

3 THE COURT: Let's get this juror out of
4 here.

5 Any objection to bringing the juror out and
6 questioning him, Mr. Johnson.

7 MR. JOHNSON: No objection, Your Honor.

8 THE COURT: Mr. Gibbes?

9 MR. GIBBES: No objection.

10 THE COURT: Let's bring in the juror.

11 (Juror enters courtroom.)

12 THE COURT: Good morning, sir. Would you
13 give me your name?

14 THE JUROR: Robert Evans.

15 THE COURT: Mr. Edwards, on Monday the
16 bailiff approached me and indicated that you
17 have some concern once you actually were seated
18 in the jury box. Can you tell me what that
19 concern was or is?

20 THE JUROR: I know one of the defendants.

21 THE COURT: All right, well, let me ask
22 you, which defendant do you know? What is the
23 name of the defendant that you know?

24 (Indicating).

25 THE COURT: You know Mr. Collins?

1 THE JUROR: Yes, sir.

2 THE COURT: How is it that you know Mr.
3 Collins?

4 THE JUROR: I went to school with him. We
5 played ball and stuff like that.

6 THE COURT: I had folks stand. I had the
7 defendants stand and identify themselves. How
8 is it that you didn't recognize that? There was
9 an opportunity for you during jury selection to
10 have you come forward. I tell people to come
11 forward and talk to me.

12 How is it that you didn't recognize him
13 such that you come up and talk to me about that?

14 THE JUROR: When you said that, I didn't
15 want to get up by myself. I didn't expect to
16 get called.

17 THE COURT: All right. Let me ask you
18 this. How old are you, sir?

19 THE JUROR: 26.

20 THE COURT: It was high school that you
21 knew Mr. Collins?

22 THE JUROR: Yes, sir.

23 THE COURT: Since high school, sir, have
24 you had any dealings with Mr. Collins?

25 THE JUROR: Not really.

1 THE COURT: You all don't socialize. You
2 don't go to parties together?

3 THE JUROR: No, sir.

4 THE COURT: You haven't been over to his
5 house and he hasn't been over to your house?

6 Do you have any family in common, to your
7 knowledge?

8 THE JUROR: No, sir.

9 THE COURT: Do you have any mutual friends
10 that you are aware of?

11 THE JUROR: Some of them. They know my
12 wife.

13 THE COURT: Is this your wife?

14 PERSPECTIVE JUROR: No, sir.

15 THE COURT: Okay. Do you have any
16 relationship with any of his family?

17 PERSPECTIVE JUROR: No, sir.

18 THE COURT: All right, let me ask you this,
19 sir, the fact that you have this relationship
20 with Mr. Collins that dates back to high school,
21 do you believe that that's gonna affect your
22 ability to be fair and impartial in this case,
23 sir?

24 PERSPECTIVE JUROR: It will.

25 THE COURT: It will? Okay. All right, Mr.

1 Bailiff, what I'd like you to do, if you could
2 take the juror right outside for a second.
3 Don't take him -- oh, 1 other thing I've got to
4 ask, have you talked to any of the other jurors
5 about this?

6 PERSPECTIVE JUROR: No, sir.

7 THE COURT: So you have not mentioned to
8 any juror --

9 PERSPECTIVE JUROR: No, sir.

10 THE COURT: -- that you had this
11 relationship, or you had this concern, or you
12 need to talk to the Judge about it? Have you
13 talked to anybody?

14 PERSPECTIVE JUROR: No, sir.

15 THE COURT: Okay, all right. Let me get
16 you to take him right outside. I'll get you
17 back in here in 1 second, okay, sir?

18 PERSPECTIVE JUROR: Okay.

19 BAILIFF: Stand right out here in the hall,
20 sir? Judge, right here in the hall?

21 THE COURT: Yeah, that's fine, yes, sir.

22 (Juror exits the courtroom.)

23 THE COURT: The juror says he can't be fair
24 and impartial. He didn't want to come up. He
25 thought he wasn't gonna get called, and then he

1 gets called and regrets that he didn't come up.
2 At this point, I don't think that there is any
3 -- and he also indicated that he did not talk to
4 any of the jurors about this matter. I believe
5 the responses that he gave me were truthful. I
6 think he's quick to want to get off the jury,
7 but at the same time I believe that most of the
8 responses he gave me were truthful.

9 I think it would be appropriate to remove
10 him from the jury, and then place 1 of the
11 alternates, and make 1 of the alternates a
12 juror. What say the State?

13 MR. EVANS: Judge, I think it could have
14 been an interesting question, if he had said he
15 could be fair and impartial, but once he said he
16 could not, I think you have no choice.

17 THE COURT: All right.

18 MR. EVANS: Fortunately, you were generous
19 on granting five alternates, so we have plenty
20 to spare. Unfortunately, this does keep
21 happening over and over again these days, but at
22 least in this case we have quite a few good
23 alternates.

24 THE COURT: All right, so, Mr. Gibbes, any
25 objection to dismissing this juror, and moving

1 forward and replacing the juror with 1 of the
2 alternates, sir?

3 MR. GIBBES: No, Your Honor.

4 THE COURT: Mr. Johnson?

5 MR. JOHNSON: I have no objection, Your
6 Honor.

7 THE COURT: So what I need to do is, we've
8 got -- we should have, basically, 1 through five
9 alternates, and I need to go and, if my Clerk
10 will write -- tear off some sheets of paper, or
11 how do you want to do it?

12 CLERK: No, that's okay.

13 THE COURT: All right, so, Madam Clerk, if
14 you could walk around front --

15 CLERK: Yes, sir.

16 THE COURT: -- or whoever wants to do it.
17 I want everybody to see it.

18 CLERK: Can y'all see?

19 THE COURT: Any objection to the Clerk
20 picking the alternate number out of the cup?

21 MR. EVANS: Not from the State.

22 THE COURT: Mr. Gibbes?

23 MR. GIBBES: No, Your Honor.

24 THE COURT: Mr. Johnson?

25 MR. JOHNSON: I have no objection.

1 THE COURT: All right, so if you'd shake
2 those up, please, Madam Clerk, and if you would
3 not look, reach in and pull 1 out, please.

4 CLERK: Reach in and pull 1 out.

5 THE COURT: Yes, ma'am. All right, and
6 what's the lucky number?

7 CLERK: Well, we've got a name.

8 THE COURT: You've got a name? Okay.

9 CLERK: 140, Faye Jarrell.

10 THE COURT: All right, 140, Faye Jarrell.
11 I want to make that slip of paper a Court's
12 exhibit also. Any objection to the process from
13 the State?

14 MR. EVANS: No objection.

15 THE COURT: Mr. Gibbes?

16 MR. GIBBES: No objection.

17 THE COURT: Mr. Johnson?

18 MR. JOHNSON: No objection.

19 THE COURT: All right, so what matters do
20 we need to take up before we bring the jury in?

21 MR. EVANS: Thank you, Your Honor. As you
22 can see, I clicked a number of photographs in
23 your Chambers before your arrival. The email
24 that I sent it did not go through, because I
25 attempted to attach digital copies of the

1 photos.

2 The issue is that the crime scene
3 photographs, which both Defendants' attorneys
4 have indicated to me they have an objection to.
5 We had a chance after you finished picking the
6 jury on Monday to review the physical evidence,
7 as well as the photographs, which, obviously, I
8 have digital copies of through discover, but
9 this was the first chance to see the
10 photographs, which we plan to actually put into
11 evidence.

12 They have indicated to me that under 403
13 they are objecting to any photograph with any
14 body or body parts depicted at the crime scene.

15 I have prepared black-and-white copies of
16 each photograph in that stack with the same
17 proposed exhibit number pre-marked on there, for
18 Your Honor to review, if that makes a
19 difference.

20 Obviously, our argument is going to be that
21 they are not unduly prejudicial, not intending
22 to inflame the passions of the jury, but merely
23 to set the scene. Some of them are highly
24 relevant to additional scientific DNA evidence
25 that will come in later on --

1 THE COURT: All right.

2 MR. EVANS: -- in the case. I understand
3 that some of them are graphic, but there are a
4 number of cases which have come down in the area
5 of autopsy photos.

6 THE COURT: Is the juror out there? What
7 did I do with my young man?

8 MR. EVANS: I don't think you excused him
9 yet, sir.

10 THE COURT: Oh, bring him in.

11 MR. EVANS: Yes, sir.

12 THE COURT: I mean, not that you're
13 arguing --

14 MR. EVANS: No, Your Honor.

15 THE COURT: Let's get him in there, I'm
16 gonna let him go.

17 (Juror enters courtroom.)

18 THE COURT: I am going to excuse you at
19 this time, and so you'll be good for 3 years,
20 but if you come back -- and you'll get pulled
21 again, it's a small county, please let the Judge
22 know, if there's a problem, err on the side and
23 come forward and explain, okay?

24 THE JUROR: Thank you.

25 (Juror exits courtroom.)

1 THE COURT: All right, I'm sorry, Mr.
2 Evans, I wanted to go ahead and get him out of
3 here before I forgot.

4 MR. EVANS: No, Your Honor, I think that
5 was exactly right. I apologize for jumping in.

6 THE COURT: Hold on, hold on. Mr. Bailiff,
7 he does not go back to the jury room.

8 BAILIFF: right.

9 THE COURT: Okay. All right, go ahead,
10 sir.

11 MR. EVANS: Thank you, Your Honor. As I
12 was about to get into, Judge, there are a few
13 new cases on merit autopsy, which I'm sure will
14 come up.

15 We'll need to do this either at the end of
16 the day today, or early tomorrow before the
17 pathologist testifies, but there's gonna be some
18 objections. This is a little bit different.
19 It's a related area of law, but there are not
20 new cases, as far as I'm aware, concerning
21 specifically a crime scene, as opposed to
22 gruesome autopsy photos.

23 THE COURT: Are you talking about the
24 recent case that basically said, you know, you
25 need to take -- they didn't say the Judge was

1 wrong, but they said you need to try to cool it
2 on these photographs --

3 MR. EVANS: Yes.

4 THE COURT: -- is that the case you're
5 talking about?

6 MR. EVANS: And the body of law --

7 THE COURT: Mr. Johnson? I think they
8 affirmed the Judge, but basically said, you
9 know, cool it.

10 MR. JOHNSON: right.

11 THE COURT: I mean for lack of better
12 words. What's that case?

13 MR. EVANS: There's Nelson and Heyward,
14 Judge.

15 THE COURT: All right.

16 MR. EVANS: But, again, those --

17 THE COURT: I'm listening.

18 MR. EVANS: -- and --

19 THE COURT: I'm listening.

20 MR. EVANS: -- I think you can draw
21 inferences from those.

22 COURT REPORTER: You said Nelson and what
23 else?

24 MR. EVANS: Nelson and Heyward.

25 COURT REPORTER: Heyward, okay.

1 MR. EVANS: Nelson from August, that's
2 891SC2d508, and Heyward from October 2023.

3 THE COURT: All right.

4 MR. EVANS: It gives great inference to the
5 trial court. Obviously, you're gonna be the 1
6 who ultimately makes the decision, so I don't
7 want to argue too long and belabor the point,
8 but we did make an effort to tone down, as the
9 Supreme Court has asked us to.

10 The photos are black and white, but,
11 particularly, the photographs which depict Mr.
12 Johnson deceased in a chair where he was, in
13 fact, shot, and the blood, which comes quite
14 clearly from him, that blood is going to connect
15 to a difference crime scene later. And so the
16 fact that it expelled from his body in such a
17 manner, as depicted in the photographs, which I
18 don't believe an officer could adequately convey
19 the explosiveness of it, Judge.

20 It's highly relevant to evidence, which is
21 going to come in through other crime scene
22 witnesses and the DNA expert, who we believe
23 will testify tomorrow.

24 THE COURT: All right.

25 MR. EVANS: So having said that, I've

1 marked them all. I guess I would ask any that
2 you do keep out to be made court's exhibits, or
3 any that you decide, the black and white is
4 preferable to the color, the same thing, they're
5 all pre-marked, so once you've made your
6 decision, we'll be ready to go.

7 THE COURT: All right, Mr. Gibbes?

8 MR. GIBBES: Yes, Your Honor, we, you know,
9 I spoke with the Solicitor on that Monday, went
10 over some of the photos that we had issues with.
11 And he's made his case a little excessive too,
12 Your Honor.

13 I think it's -- of course, we don't believe
14 that not stating that is the State's position
15 that will try to play the jury, but we certainly
16 feel just with, you know, the multiple
17 photographs, the graphic nature of it, we think
18 it's a little overkill.

19 THE COURT: All right. All right, Mr.
20 Johnson?

21 MR. JOHNSON: Your Honor, if I may, as it
22 relates to the recent case is, that this case is
23 a case where we're not disagreeing as to how the
24 deceased was killed. This case was basically a
25 case about who did it. I think -- I ask the

1 Court to hold its decision on this until we get
2 to that point, because I think between opening
3 and how the evidence is going to show that
4 there's no disagreement about how the person was
5 killed, where they were killed, or whatever.

6 A lot of the evidence the prosecution
7 talked about were actually extracted from the
8 autopsy, so it's not even relevant to the
9 pictures of identifying the individual. You
10 don't have to show the pictures of all that
11 blood that was at the scene, to indicate that
12 the blood came from all of the victims, we're
13 not arguing about that, but that's going to be
14 the issue.

15 THE COURT: All right.

16 MR. EVANS: If --

17 THE COURT: Yes, sir?

18 MR. EVANS: If I may, Judge, we're not
19 saying that the known standard for Mr. Johnson's
20 blood comes from the scene, rather there is
21 blood in an automobile, which was seized the day
22 after the murder, and was associated with Mr.
23 Boles. We believe that was Mr. Johnson's blood,
24 that's what I was getting at.

25 THE COURT: All right. Do you'all have

1 these pictures?

2 MR. JOHNSON: I don't have the one that has
3 been discussed.

4 THE COURT: I understand, and I also saw
5 where it looks like the Solicitor has reproduced
6 them in black and white. Have you seen those?

7 MR. EVANS: They have not seen those the
8 other day, yesterday.

9 THE COURT: All right.

10 MR. EVANS: Yes.

11 THE COURT: All right, and so this is
12 unduly prejudicial. The Solicitor indicated to
13 me he's going to be able to tie up certainly I
14 think the probative value to this, and I think
15 this is an unfortunate situation that existed.

16 I'm gonna allow that, and it's in black and
17 white?

18 MR. EVANS: Yes, sir.

19 THE COURT: All right, on 205 --

20 THE COURT: This is a separate decedent?

21 MR. EVANS: Correct.

22 THE COURT: All right. I think 205, again,
23 I don't think that's unduly graphic, unduly
24 prejudicial, and I think certainly if the proper
25 foundation is laid for its submission, I feel

1 that most probably the probative value outweighs
2 the prejudicial effect. The prejudicial effect
3 does not -- the probative value does not
4 substantially outweigh --

5 MR. EVANS: Unduly.

6 THE COURT: -- unduly outweighed by the
7 prejudicial effect. I can't get my mind to work
8 here this morning. I'm going to allow 205.

9 MR. EVANS: Yes, sir.

10 THE COURT: 206, Solicitor, I think this is
11 just a closeup of 205?

12 MR. EVANS: More or less, Judge.

13 THE COURT: All right, I'm not gonna allow
14 that. I think if we've got the 1 picture in
15 that shows the body, that shows the decedent,
16 and, in fact, it gives a better view. It shows
17 the room, and I think later perhaps there's
18 actually some photographs of some shells.

19 MR. EVANS: Correct. These first four or
20 five were taken before SLED started putting
21 down --

22 THE COURT: Placards?

23 MR. EVANS: -- the placards, yes.

24 THE COURT: All right, so I'm not gonna
25 allow 206. 207, I'm not gonna allow 207. 207,

1 I think the prejudicial effect substantially
2 outweighs the probative effect.

3 MR. EVANS: If I may, Judge?

4 THE COURT: Yeah.

5 MR. EVANS: It still show the relatively
6 short distance between the area in which he was
7 shot, and where the other shells were. I
8 understand --

9 THE COURT: If you want to cut it off, if
10 you want to remove him from the picture, I
11 think, certainly, you can -- or if you want to
12 put the chair right there, it shows the arm, but
13 I think that can be relayed. I think that scene
14 is a different angle, but I'm just not --

15 MR. EVANS: I think indicating that that's
16 a possibility, but I will abide by your ruling
17 either way.

18 THE COURT: I understand.

19 MR. EVANS: If he's not able to do it in
20 time, we'll pull it out.

21 MR. JOHNSON: And, Your Honor, if I may?

22 THE COURT: Yes, sir.

23 MR. JOHNSON: One of the main issues we
24 both have is that the Solicitor is attempting to
25 also enter into evidence a Dollar General video,

1 which occurred, allegedly, about after the
2 actual incident. And in that actual video my
3 client is seen purchasing dog food, which seems
4 to be the exact same brand of this particular
5 dog food.

6 MR. EVANS: I was not planning on using
7 that purchase to tie him to the scene in that
8 way --

9 MR. JOHNSON: Well, I --

10 MR. EVANS: -- but it's going to be --

11 MR. JOHNSON: -- think that -- well --

12 MR. EVANS: It's gonna be blocked out.

13 THE COURT: But I mean if I'm going to --
14 my ruling would not have included the dog. I
15 don't think the Solicitor indicated --

16 MR. EVANS: excluded.

17 THE COURT: -- excluded.

18 MR. EVANS: Which is already prior to your
19 rulings, since you're asking us to cut off --

20 THE COURT: Well, I'm asking you to cut him
21 off.

22 MR. EVANS: I'm gonna --

23 THE COURT: However you want to do it.

24 MR. EVANS: If possible, I'm gonna make
25 sure that --

1 THE COURT: But you're not interested in
2 the dog picture?

3 MR. EVANS: I'm interested in different dog
4 food.

5 THE COURT: Dog food?

6 MR. EVANS: Yes.

7 THE COURT: So then that dog food can be
8 out.

9 MR. EVANS: Okay.

10 THE COURT: All right?

11 MR. EVANS: I'm happy with that then.

12 THE COURT: Number 1, or two, excuse me,
13 208, I'm assuming you wanted that for the
14 placard?

15 MR. EVANS: Correct, Judge, that shows a
16 shell casing, as opposed to a different shell
17 casing. And in this case, we have shell casings
18 from two different guns, so it's very important
19 to the State between the various markers.

20 MR. JOHNSON: Your Honor, one other
21 addition, the prosecution also has a diagram
22 that he showed me, that he is going to present
23 to the jury, that actually shows that. So it
24 would just be the indication that --

25 MR. EVANS: The diagram is very

1 demonstrative, and will not be taken --

2 THE COURT: All right.

3 MR. EVANS: -- it would not go back to the
4 jury.

5 THE COURT: 208 I'm gonna keep out, okay?

6 209 I think is probative, as it relates to the
7 shell casings. And what we're gonna do with
8 that is -- and, again, everything is black and
9 white, I'm not doing anything in color.

10 MR. EVANS: Other than to --

11 THE COURT: And do I have any objection?

12 MR. JOHNSON: No objection.

13 THE COURT: Okay.

14 MR. GIBBES: No objection.

15 THE COURT: Okay. I think that's fine. I
16 don't think that's unduly prejudicial, shell
17 casings, and showing very little blood. I don't
18 think it's repetitive. Hold on. I'm sorry,
19 that's all right, Solicitor.

20 MR. EVANS: Okay.

21 THE COURT: Yes, sir.

22 Okay, I'm not gonna allow -- I think I'm
23 gonna keep 213 out. I think that it is helpful.
24 All right, 215 I will allow. I don't think
25 that's -- I think certainly that's gonna be

1 probative, if it's properly identified. I'm
2 assuming at each place it shows a shell casing,
3 and I think that goes to show --

4 MR. EVANS: Yes, sir.

5 THE COURT: -- the amount of shots and
6 what's going on.

7 MR. EVANS: Yes, sir.

8 THE COURT: I will allow that. I think --

9 MR. EVANS: About whether there were any
10 additional witnesses, and I indicated that I
11 know -- I didn't realize until yesterday that I
12 left a name off in error, that is Brittney
13 Gaston.

14 Her testimony would be to corroborate this
15 testimony of Ms. Melissa Fields. She is a
16 Hampton County resident, which she's in the
17 courtroom this afternoon. Ms. Gaston is here.
18 I'm respectfully and humbly moving for the Court
19 to inquire of the jury whether anybody knows Ms.
20 Gatson, and whether they can be fair and
21 impartial. And I understand if the Court has
22 any concerns about that, or if the defense
23 counsel does, but she is here to prepare to
24 testify if called.

25 THE COURT: All right. Mr. Gibbs?

1 MR. GIBBES: Your Honor, we would, you
2 know, just object, Your Honor, just on the basis
3 that, you know, the jury was pulled, and
4 questions were asked. And in consideration of
5 the current jury pool, you know, does not
6 include other individuals that we were not aware
7 of that would be testifying today.

8 THE COURT: All right, Mr. Johnson?

9 MR. JOHNSON: Your Honor, the witness list
10 was given prior to picking a jury. The jurors
11 were asked about that witness list. The State
12 indicated to the Court that there was no
13 additions, and we object to there being any
14 additions.

15 THE COURT: All right, Solicitor,
16 unfortunately, I'm not gonna be able to grant
17 your request, sir. The witness list was read to
18 the jury. I'm not comfortable now bringing a
19 jury out, and then asking them do they know this
20 person, because also we may have additional
21 jurors who decide that they want to have an
22 opportunity to get off the jury.

23 I don't know that, but, you know, I just
24 don't think that's appropriate.

25 MR. GIBBES: In addition, Your Honor, the

1 State if attempting to present into evidence the
2 Dollar General --

3 THE COURT: All right, Mr. Gibbes, we've
4 got the jury coming in, all right? The jury's
5 getting ready to come in.

6 MR. EVANS: I will be several witnesses
7 down the line, Judge, so I'm sure we'll have a
8 chance to --

9 MR. GIBBES: I figured that was the case,
10 Your Honor, and I just wanted to make Your Honor
11 aware that we would object to that.

12 THE COURT: All right. All right, look,
13 can we get the jury in here? It's not going to
14 be relevant during the opening, is it?

15 MR. JOHNSON: Correct, Your Honor.

16 MR. EVANS: No, Your Honor, it's not.

17 MR. JOHNSON: I just didn't know how you
18 wanted to handle it.

19 THE COURT: No problem.

20 (Jury enters the courtroom.)

21 THE COURT: I appreciate your willingness
22 to serve everybody. Now, I also want to welcome
23 Ms. Jarrell.

24 Ms. Jarrell, congratulations, you are now
25 one of the 12, okay? And so 1 of our jurors was

1 excused this morning, and to that extent you
2 don't need to worry about that, and why or what
3 reasons there were for that, but as a result of
4 that, that's why we have alternates, and so,
5 basically, Ms. Jarrell, you were selected to go
6 and to now join the 12 jurors.

7 All right, first thing that's gonna happen
8 is the Clerk is going to go and swear you in.
9 So could you go ahead, Madam Clerk, and please
10 swear in the jury?

11 CLERK: Yes, sir. Would you stand and
12 raise your right hand, please?

13 (Jury sworn)

14 THE COURT: At times, what I've got to let
15 you know is, this trial is not for
16 entertainment, it's a fundamental part of our
17 democracy, and it is often a slow, a
18 deliberative and repetitive process, the exact
19 opposite of books, TVs and movies. And the
20 simple reason is this, we don't have the ability
21 to take a word processor and just delete or
22 backspace and type in a new scene.

23 We don't have the ability to just say cut
24 and reshoot a scene. We've got to do everything
25 we can to make sure we get it right today to

1 process, and I point that out, because I want to
2 make sure that you understand that, and why it
3 moves that way.

4 Now, the courtroom's a place of honor
5 that's dedicated to the protection and
6 preservation of citizens' right, to what many
7 have called the greatest justice system ever
8 created. The attorneys will appear for the
9 parties they represent, but first and foremost
10 both are officers of the court, and you should
11 expect them to be professional, competent and
12 ethical in their representation. And, likewise,
13 folks, you are expected to be professional,
14 reasonable and ethical.

15 Now, what I'm saying right now is intended
16 to serve as an introduction to the trial of the
17 case. These are also not a charge on the law,
18 I'll instruct you on the law applicable to this
19 case at the end of the trial before you retire
20 to consider your verdict.

21 This is merely an explanation to the
22 procedure that we're gonna follow in the trial
23 of this case, okay?

24 Notes, some Judges are pro-notes and some
25 Judges don't want notes. I don't want my jurors

1 taking notes and let me just tell you why.
2 Number 1, sometimes whoever has the neatest
3 handwriting, that's perceived as being the best
4 notetaker, okay?

5 If you go back and remember your school
6 days, I mean whoever's handwriting was neater,
7 they were often perceived as the better
8 notetakers. And, of course, someone who takes a
9 lot of notes, as opposed to someone who takes
10 fewer notes, there's a reliance maybe these
11 notes since they're in more detail those are the
12 notes that I should follow, or we should follow,
13 or be influenced by.

14 That notetaker could have been writing down
15 the wrong thing. The evidence today is gonna
16 come from the witness stand and exhibits that
17 are entered into evidence through witnesses.

18 Folks, you're gonna be, and I'm gonna tell
19 you a little bit about this, but I've got to go
20 over some of this information, in just a second.

21 During the findings of fact in this case,
22 and the facts are coming from the witness stand,
23 and as a result you've got to observe the
24 witness, or observation of the witness. You've
25 got to look at, observe and draw your

1 conclusions from the evidence that comes from
2 this witness stand, ladies and gentlemen, and
3 that's why I think that notes can be a
4 distraction, so I'm gonna ask, folks, that you
5 please don't take notes. One other thing about
6 notes, "Tell me, why is it that we can't take
7 notes, but you are taking notes?"

8 Do you know why? Because I'm not the
9 finder of facts, I'm the judge of the law, and
10 you'll hear that throughout this trial. I don't
11 find the facts, you find the facts, and that's
12 the big difference, and that's why, folks, your
13 focus needs to be on what comes from this
14 witness stand, that's the difference in the role
15 I play and the role you play here throughout
16 this trial.

17 Now, the Defendants in this matter are
18 charged by an indictment, and they're charged,
19 let's see, Mr. Collins is charged with
20 possession of a weapon during a violent crime.
21 Mr. Collins is charged with armed robbery.

22 Mr. Collins is charged with murder. Mr.
23 Collins is charged with murder. Mr. Collins is
24 charged with a third murder. And Mr. Boles,
25 ladies and gentlemen, is charged with accessory

1 before the fact of a felony. Mr. Boles is
2 charged with accessory before the fact of a
3 felony on account of that. Mr. Boles is charged
4 with accessory before the fact of a felony, and
5 a third count there.

6 And Mr. Boles is also charged with
7 accessory before the fact of a felony once
8 again. Now, folks, the elements of the charges
9 will be explained to you later, but, again, I
10 want you to know, I told you this Monday, I told
11 you yesterday, Monday, the indictments are
12 simply the charging documents that bring this
13 case into court, and they are not in any sense
14 evidence of the allegations that are contained
15 therein, okay? That is evidence.

16 Where does the evidence come from? The
17 witness stand, witnesses and exhibits that they
18 identify as the evidence, that's the evidence,
19 not indictments, okay?

20 Now, the Defendants in this matter they've
21 pled not guilty to the indictments, and the
22 State, therefore, has the burden of proving the
23 elements of the indictments beyond a reasonable
24 doubt; and it'll be your duty, folks, to
25 determine whether the State has met that burden.

1 Your purpose as jurors is to find and determine
2 the facts.

3 You're the sole judge of the facts, so if
4 at any time I make any comment regarding the
5 facts, you must disregard it. You are to
6 determine the facts from the testimony you hear
7 and the evidence introduced in court, and it's
8 up to you to determine if the inferences, which
9 you feel doesn't properly draw from the
10 evidence. It's especially important that you
11 perform your duties to determine the facts
12 diligently and conscientiously, because
13 ordinarily, ladies and gentlemen, there's no way
14 to correct an erroneous determination of the
15 facts by a jury.

16 On the other hand, as I spoke earlier with
17 equal emphasis, the same law that makes you the
18 judge of the facts, makes me the judge of the
19 law. The law as given to you by the Court is
20 the only law you may consider.

21 You must expect and follow, even though you
22 may disagree with it. I cannot tell you what
23 the facts are, and you cannot disagree with me
24 about what the law is and should be. It's your
25 job to take the law as I give it to you and

1 apply it to the facts as you find them from the
2 testimony of witnesses and any other evidence
3 that's introduced. After doing that, you will
4 render your verdict under the solemn oath that
5 you just took.

6 Now, ladies and gentlemen, this is very
7 important, until I advise you to begin your
8 deliberations you must not discuss this case
9 with anyone, including your fellow jurors,
10 families, friends, and anyone involved in the
11 case. This includes face-to-face
12 communications, telephone communications,
13 emails, texts, blogs, or any other method of
14 communication.

15 You may not use a computer, cellular
16 telephone or other electronic device with
17 communication capabilities at any time while in
18 the courtroom, or during your deliberations,
19 okay? During your breaks, or meals, or
20 overnight, you may use these devices; however,
21 you may not at any time use the devices to get
22 or send information about the case. This
23 includes information about a party, a witness,
24 an attorney, a court officer, news accounts
25 about the case, research on any topic range, or

1 any topic that you think might be helpful.

2 Now, during the trial, do not read, do not
3 listen or watch any news reports about the case.
4 This includes anything that may be in the
5 newspapers or on the Internet or radio, TV.

6 You must not consider anything that you may
7 have read or have heard about the case outside
8 this courtroom, whether before or during the
9 trial. Now, after the case is submitted to you,
10 you must discuss it only in the jury room with
11 your fellow jurors.

12 The attorneys and parties in this case have
13 been advised that they're not to talk to you at
14 all on Monday. So if you see anybody involved
15 in the case and doesn't say hello, or give you a
16 nod, okay, they're not being unfriendly, they're
17 just following the instructions that I've given.

18 Now, it's important that you keep an open
19 mind, and not decide any issue in the case until
20 all the evidence has been presented, the parties
21 have made their closing arguments, and I've
22 instructed you on the law of the case.

23 It's your solemn responsibility to
24 determine whether the State has proved the
25 Defendant guilty beyond a reasonable doubt, and

1 your verdict must be based on the evidence as
2 its presented to you in this trial, and on the
3 law that I'm going to instruct you during the
4 close of the trial.

5 Now, in just a minute the Solicitor's going
6 to make what is called an opening statement.
7 And when the Solicitor will explain to you the
8 issues in the case, or at least what the
9 Solicitor thinks the issues in the case are.
10 The attorneys for the Defendants may make an
11 opening statement, although they're not required
12 to do that. And I want you to know what the
13 attorneys tell you during their opening
14 statements is not evidence in the case, it's
15 only their contention as to what the issues are.
16 The evidence in the case, again, will be
17 presented to you by witnesses, who are sworn,
18 and will testify, take the stand, and exhibits
19 that are entered into evidence.

20 Now, I want you to know from time-to-time
21 you're gonna hear 1 of the lawyers say, "Your
22 Honor, I believe we've got a question on the
23 law, or a matter of law we need to discuss with
24 you," or, "Your Honor, may we approach the
25 bench," or sometimes I may say, "Ladies and

1 gentlemen, I'm gonna have to excuse you from the
2 courtroom for a short while, while the attorneys
3 and I discuss a matter of law." Let me tell you
4 what I've got to do that, the reason is because
5 you're the judge of the facts, and I'm the judge
6 of the law, and sometimes when I'm discussing
7 matters of law with the attorneys, it may be
8 necessary for me to make some comment, as to the
9 facts in connection with my ruling, as to
10 whether or not it's applicable.

11 When you are deciding whether to believe a
12 witness you have the right to consider the
13 interest of any witness, the bias of any
14 witness, the presence of any witness, the
15 opportunity for the witness to have seen the
16 matters and things about which the witness may
17 testify, and the way the witness acts on the
18 witness stand.

19 You have the right to consider anything
20 that's in the record that will help you evaluate
21 the testimony of the witnesses. That means it's
22 your duty, ladies and gentlemen, to pay close
23 attention to these witnesses, observe the
24 witnesses, listen to these witnesses, and pay
25 close attention to the attorneys and the

1 instructions given to you by the Court.

2 Is there any objection from the State, as
3 it relates to the introductory words that I
4 shared with the jury?

5 MR. EVANS: Not from the State.

6 THE COURT: Mr. Gibbes?

7 MR. GIBBES: None, Your Honor.

8 THE COURT: Mr. Johnson?

9 MR. JOHNSON: I have none, Your Honor.

10 THE COURT: All right, thank you very much.
11 All right, ladies and gentlemen, we will now
12 begin the trial of the case. Solicitor?

13 MR. EVANS: Thank you, Your Honor. May it
14 please the Court?

15 THE COURT: Yes, sir.

16 **

17 **OPENING STATEMENT BY MR. EVANS**

18 MR. EVANS: Mr. Gibbes, Mr. Johnson, ladies
19 and gentlemen of the jury, when I was getting
20 ready to try this case and put these list of
21 witnesses before you, I started reflecting.
22 That these days a lot of folks like to spend
23 their free time playing video games, it's a
24 popular recreation people can do at home. You
25 can play online with thousands of people all

1 over the world while you're doing it. And a lot
2 of these people are what they call first person
3 shooters, where you're going through World War
4 II, or you're James Bond, and you've got a gun
5 in front of you, and that's all you see, and you
6 take out anybody who gets in your way. And what
7 do you do after you kill an enemy that came to
8 you, pick up their gun, add it to your
9 collection and move on.

10 If you get killed, your character gets
11 killed in a game, no big deal, you start over,
12 it's called responding, and there's not a lot of
13 blood that they show in these games. The
14 problem is life isn't like a video game. You
15 don't go around killing people, and get their
16 gun, and nobody responds, and murder is messy.
17 It's taken us a long time to get here. This
18 incident occurred on March 25th of 2018, at [REDACTED]
19 Priscilla Lane, in the Varnville area, just
20 about shy of Varnville town limits here in
21 Hampton County. You're gonna hear those words
22 Hampton County over and over and over again from
23 a lot of the witnesses. We have to show that
24 this all happened in Hampton County.

25 Now, [REDACTED] Priscilla Lane, you can't even

1 find it on Google Maps. This is a dirt road in
2 a quiet little neighborhood, with a couple of
3 trailers, it's unassuming, it is hard to find,
4 if you don't know where you're going. Early,
5 very early in the day around 5:00 or 5:30 on
6 March 25th, 2018, Frankie Johnson is sitting in
7 ■■■ Priscilla, and he's playing video games
8 online.

9 Ghazi Duckett is there too, and Lamekia
10 Warren lies in her bed. Folks come to the
11 trailer, it's not a burglar, these gentlemen
12 aren't charged with burglary, they're welcomed
13 inside. Then all of a sudden in this quiet
14 little trailer at the end of a quiet unassuming
15 street turns into a slaughterhouse, because
16 Frankie Johnson is shot in the head 1 time,
17 executed, Ghazi Duckett shot in the head 1 time,
18 executed, both to the left side of their heads.
19 And the men responsible for those killings turn
20 their fury on Lamekia Warren, and she is shot
21 over and over and over again.

22 And you'll hear later on from a
23 pathologist, who works for MUSC to determine how
24 they died, that she suffered more than 30
25 gunshot wounds, and the men responsible left.

1 And if no one else was in the house, they might
2 have gotten away, they might not be here today
3 five and a half years later, but in a back
4 bedroom closet lies one other person in the
5 house, Khadajah Williams.

6 She's going to testify to you in just a few
7 moments that she didn't see who was responsible,
8 but she heard these horrible events, gunshots
9 fired over and over and over and over again.

10 And when she felt it was safe, she called
11 for help, she called friends, family 911. So
12 what happens when 911 is called? Law
13 enforcement goes to the scene. On the way
14 Officer Michael Smith sees something very
15 important, a distinctive automobile, a red
16 Charger with a Texas tag.

17 This isn't the Lone Star state, we're here
18 in South Carolina. Texas tags are on the front,
19 as well as the back, so that sticks out. Also,
20 Smith gets to the scene, other law enforcement
21 officials get to the scene, they start
22 communicating with each other, and this is early
23 in the morning. They're looking for a red Dodge
24 Charger with a distinct license plate.

25 Detective Marty Clapp, to my right, he

1 knows that the red Dodge Charger because of 1
2 name, Lorenzo Boles. And he knows that Lorenzo
3 Boles means another name, Tyrase Collins, and he
4 knows that 1 place that they might find them is
5 ■ Crews Street in Varnville, showed up right
6 away.

7 You're going to hear law enforcement
8 officers talk about what they found when they
9 got to ■ Crews Street, 3 guns, a murder weapon,
10 and two guns stolen from the scene associated
11 with the victims, Frankie Johnson and Ghazi
12 Duckett. All 3 at ■ Crew Street, where Tyrase
13 Collins is living and where Lorenzo Boles is
14 seen.

15 What else do they find? The Dodge Charger.
16 You'll hear about the evidence that they pulled
17 from that Dodge Charger, and you're gonna hear
18 how the evidence in that car connect to these
19 men, Tyrase Collins and Lorenzo Boles to that
20 crime scene at ■ Priscilla, because remember
21 is messy, when you shoot someone in the head.
22 Fingerprints, not actual fingerprints, but
23 metaphorically, that signature, that chemical
24 that we all have inside of us is unique, it's 3
25 letters, you've heard that, DNA. It comes with

1 you. And you're gonna hear from expert
2 witnesses, like the pathologist I just
3 mentioned, Dr. Schandl from MUSC, she's gonna
4 testify to you tomorrow, I think. You'll hear
5 from other expert witnesses from SLED, State
6 Police who helped out, when local law
7 enforcement has a big case like this.

8 You'll hear from a firearms expert, a
9 serologist, a person who deals with determining
10 the presence of various bodily fluids, and
11 you're gonna hear from a DNA expert, again, I
12 believe tomorrow, who's gonna tell you about the
13 many, many items. The Judge is right, it's
14 gonna be a long and deliberate trial.

15 You're gonna hear all kinds of pieces of
16 evidence coming in through witnesses on that
17 stand, and it might not make a lot of sense,
18 believe me. Because when you're dealing with
19 scientific evidence, it takes a lot of physical
20 pieces to go up to Columbia to get those
21 results, so, please, be patient.

22 I'm sure the Defendants' attorney will ask
23 you not to draw any conclusions until all the
24 evidence is before you. That's 1 of the few
25 things that they and I agree with, and it's

1 gonna be a long process of collecting these
2 puzzle pieces. At the end that's when we're
3 gonna put them altogether.

4 One other thing the defense attorneys might
5 tell you, and they'll make an opening statement
6 to you here in a minute, is that these gentlemen
7 deserve a fair trial, and that's another thing,
8 the State of South Carolina completely agrees
9 with them on.

10 They deserve your full attention, they
11 deserve a fair trial from a jury of their peers,
12 that's you. As the Judge told you, you are the
13 finders of the facts, and he's the judge of the
14 law. So, yes, they deserve a fair trial, this
15 is the most important week in their lives, but
16 the State of South Carolina is also entitled to
17 a fair trial.

18 Frankie Johnson, Ghazi Duckett and Lamekia
19 Warren are entitled to a fair trial, and their
20 families. So we ask that you pay close
21 attention, be patient. If you need a break,
22 give the Judge a sign, we don't want anybody
23 uncomfortable, because we need that full
24 attention over the next few days. And when all
25 the puzzle pieces are before you, I'm gonna

1 stand up before you again, put them altogether,
2 and you'll see that Tyrase Collins is guilty of
3 the murders, and the armed robbery, and Lorenzo
4 Boles is guilty of being an accessory, that
5 means helping, potentially, for the three
6 murders and the robbery. I'm gonna ask you to
7 find them both guilty. Thank you.

8 THE COURT: Defense? Yes, sir.

9 **

10 **OPENING STATEMENT BY MR. GIBBES**

11 MR. GIBBES: Now, this morning I have the
12 opportunity, and better yet the privilege to
13 spend time with you'all for the next few days.

14 First of all, I'd like to thank you for
15 your duty that you all have embarked on. For
16 many of you this will be your first time.
17 Throughout this process I want you to understand
18 that I represent Lorenzo Boles, an accessory
19 before the fact, an accessory before the fact,
20 accessory before the fact.

21 Now, Your Honor did a great job laying
22 everything out, Lorenzo Boles is being charged
23 with accessory before the fact. March 23rd,
24 2018, to witness the birth of my first child,
25 9.5 pounds. Like most young parents I was

1 afraid. Like most fathers, I wasn't bothered by
2 the responsibility that I have, that I brought
3 her into. She came into a world where you can
4 be charged with accessory before the fact,
5 whether you're guilty or not. You can be
6 charged with accessory before the fact, if the
7 evidence is there or not there. It's not for
8 me, because I understand, and I'm confident in
9 the law, and I'm confident that today and this
10 week, when the evidence is presented, you'll
11 have an opportunity to set aside the emotions,
12 analyze the facts, determine whether or not a
13 witness is credible or not, and set aside
14 whatever emotion that you may have in this, and
15 have that opportunity to determine whether or
16 not my client, Lorenzo Boles, is guilty of
17 accessory before the fact.

18 I won't take much time today in the opening
19 statement, but most of these attorneys have
20 stated far more than most would say. On March
21 23rd, 2018, when my daughter came into this
22 world. Two days later is when this crime was
23 committed.

24 Now, the world that we're in today in this
25 courtroom you have the opportunity to defend the

1 fact that an individual can be accused of doing
2 something, but you will have your opportunity
3 and your day to have the evidence presented
4 against you, and for individuals to analyze that
5 evidence to see if it applies to you.

6 I'm confident that once you review the
7 evidence today, set aside whatever emotion that
8 may come from this trial this week, I'm
9 confident that you will be able to return a not
10 guilty verdict for my client, Lorenzo Boles.
11 Thank you for the opportunity of having talked
12 today. Look forward to spending time with you.

13 THE COURT: Thank you.

14 MR. GIBBES: Thank you, Your Honor.

15 THE COURT: Mr. Johnson?

16 MR. JOHNNSON: Thank you, Your Honor.

17 THE COURT: Yes, sir.

18 **

19 **OPENING STATEMENT BY MR. JOHNSON**

20 MR. JOHNSON: Ladies and gentlemen, my name
21 is Charlie Johnson, I represent Tyrase Collins,
22 when he was arrested in 2018, and 17-years-old,
23 was a high school student here in Hampton. It's
24 been five years since this case happened. You
25 will find that there are 3 people that was

1 killed, they were murdered, we're not arguing
2 that. They have a right, those 3 people that
3 was killed, to have justice brought. You'all
4 are here to determine that. My argument of at
5 least my client is that he is not the person
6 that killed these people, it's just as simple as
7 that.

8 You, the jury, you're gonna have the
9 opportunity to do something that we don't get
10 the opportunity to do very often, that is,
11 you're going to get the opportunity to think for
12 yourselves. You're not gonna see any
13 commercials, you're not gonna see anybody
14 feeding you notes, you're gonna be able to use
15 your minds, and make your own decisions based on
16 what you see, not what I give you, not what the
17 State gives you, you put all of that including,
18 but they have no evidence of my client.

19 You will not see any witness, not 1 witness
20 that placed my client at the scene of that
21 crime, not 1. Not gonna be any witness that
22 placed my client in a car. You'll not see any
23 witness that said my client had an argument with
24 these people, or even knew these people. 1 of
25 them 32 times, that personal. You will see that

1 my client had nothing personal, or no
2 interaction with them. The only thing that
3 connects my client with the crime is DNA, and
4 we're gonna get into DNA. You see the stuff on
5 TV, where they say DNA, they can get it off of a
6 rake.

7 What they don't tell you is that that DNA
8 could have been there for a year. That DNA
9 could have been there for six months. Having
10 DNA on something does not put you there at that
11 particular spot at a particular time. They
12 can't tell you what time it happened. You're
13 going to get an education on DNA, as it relates
14 to my client. And after you get that education
15 of that DNA, you will find out that there's a
16 lot to know about DNA, and it's not an exact
17 science, as they tell you all the time.

18 Now, I live in the Low Country, and we put
19 these blinders on the mules. And what they do
20 that for is so that mules can see straight down
21 the road, and not be distracted with stuff
22 around the sides.

23 The police have a tendency to have blinders
24 on. The Solicitor told you in his opening, but
25 then how did this crime happen? They've already

1 decided who did it. They decided Mr. Boles and
2 my client.

3 I worked for a while as a prosecutor, and
4 my main argument with the police was not that
5 that they were not paying attention or they
6 didn't care, but police have a tendency of
7 deciding who did it.

8 And then you go and look for evidence to
9 prove that person did it. Think about this,
10 March the 25th of 2018, three individuals were
11 brutally killed. This was on a late Friday
12 night going into a Saturday. By Monday of that
13 same -- two days later, they'd already arrested
14 four individuals, collected the car, did all
15 this evidence.

16 On April the 8th, which is 14 days later my
17 client was arrested and charged with murder, 14
18 days. Ten days after that he was charged with
19 murder. So in 24 days the police solved the
20 crime with 3 individuals killed, with no
21 witnesses, based on DNA. And by the way, the
22 DNA that they're talking to you about, the
23 police didn't get the DNA back from the lab to
24 determine what was in the DNA until June the 4th
25 of 2021, of June the 4th, 2021, 3 years later.

1 So ask yourself, how can the police have DNA, or
2 know who's identified, based on DNA they didn't
3 have at the time they arrested my client? Ask
4 yourself all of these questions.

5 The person that did this -- the person that
6 killed these 3 individuals need to go to jail,
7 but it is not justice to send the wrong person.
8 When people go fishing, they put nets out there,
9 and they catch all kinds of different fish, but
10 they're only out there fishing for one. What
11 they did was, the police decides who did it, and
12 then they spent 24 days to prove who did it with
13 no evidence at all. And in looking at this
14 case, you'll come to the same conclusion, that
15 three people have been killed, and we still
16 would not know who did it. Thank you.

17 THE COURT: Thank you.

18 Solicitor, you can call your first witness.

19 MR. EVANS: Thank you, Your Honor. The
20 State calls Tinish Bryson-Smith.

21 **TINISH BRYSON-SMITH,**

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

23 **DIRECT EXAMINATION**

24 BY MR. EVANS:

25 Q Good morning.

1 A Good morning.

2 Q Will you please identify yourself for
3 the Court Reporter, and spell your last name?

4 A Tinish Bryson-Smith, B-R-Y-S-O-N - S-M-
5 I-T-H.

6 Q All right, and, Ms. Bryson-Smith, what
7 do you do, ma'am?

8 A Hampton County 911 Director.

9 Q Can you just very briefly describe the
10 duties of your job there?

11 A Over the day-to-day operations of the
12 911 Center, providing data from audio recordings
13 requested by law enforcement, attorneys,
14 etcetera.

15 Q So when the 911 call comes in, what do
16 you do?

17 A So it's automatic recorded once the
18 phone starts ringing, and it will continue to
19 record until the call has ended.

20 Q And so the recording is made
21 automatically?

22 A Correct.

23 Q All right, and is that in every single
24 911 call that comes in for all of Hampton
25 County, regardless of which agency?

1 A Correct.

2 Q Okay. Fire, police, Varnville, Hampton
3 County?

4 A Correct.

5 Q Okay. And how long have you been doing
6 this?

7 A I've been dispatching for 17 years,
8 Director since December of last year.

9 Q Okay, well, congratulations on your
10 promotion. So I take it that you were at EMS in
11 March of 2018?

12 A Correct.

13 Q Were you the 911 dispatcher who picked
14 up the phone in this case?

15 A I was not.

16 Q All right, but have you reviewed a
17 recording made on March 25th, 2018 --

18 A Yes.

19 Q -- or a series of recordings received
20 that night?

21 A A series of recordings for it.

22 MR. EVANS: May I approach the witness,
23 Your Honor?

24 THE COURT: You may.

25 BY MR. EVANS:

1 Q Do you recognize that?

2 A I do.

3 Q What is that?

4 A This is a 911 recording that I listened
5 to.

6 Q All right, so you reviewed that disk in
7 preparation for your testimony here today?

8 A Correct.

9 Q All right. Are these recordings from
10 March 25th, 2018?

11 A Yes, sir.

12 Q Made in the same manner that you've
13 described?

14 A They are.

15 Q All right, and did 911 provide these to
16 law enforcement later on in the course of this
17 investigation?

18 A They did.

19 Q And have these recordings been changed
20 or altered in any way?

21 A Not to my knowledge.

22 Q All right.

23 MR. EVANS: Your Honor, the State would
24 move this disk in as State's Exhibit 200.

25 THE COURT: Any objection, Mr. Gibbes?

1 MR. GIBBES No, Your Honor.

2 THE COURT: Mr. Johnson?

3 MR. JOHNSON: Your Honor, I would have an
4 objection to it, just based on the fact that
5 it's --

6 THE COURT: Come on up.

7 (Bench conference.)

8 THE COURT: State's 200 I'm gonna admit
9 into evidence, subject to objection.

10 f's Exhibit 200 was admitted into
11 evidence.)

12 MR. EVANS: Thank you, Your Honor.

13 THE COURT: Uh-huh.

14 MR. EVANS: I believe that's all I have.

15 THE COURT: Mr. Gibbes?

16 MR. GIBBES: No questions, Your Honor.

17 THE COURT: Mr. Johnson?

18 MR. JOHNSON: Yes, sir.

19 **

20 **CROSS-EXAMINATION BY MR. JOHNSON**

21 BY MR. JOHNSON:

22 Q Good morning.

23 A Good morning.

24 Q Do you know if that tape was altered?

25 A I don't know.

1 Q So you wasn't the one who received the
2 call, did you?

3 A I was not.

4 Q Could you tell me what time that call
5 occurred?

6 A I can't.

7 Q What time?

8 A I can't recall.

9 Q So we don't know what time the call came
10 in?

11 A No.

12 Q We don't know if the tape was altered?

13 A No.

14 Q So you definitely don't know whether my
15 client committed this crime, do you?

16 A No.

17 MR. JOHNSON: I have no other questions for
18 this witness.

19 THE COURT: All right, any redirect,
20 Solicitor?

21 MR. EVANS: No, sir.

22 THE COURT: All right, thank you so much,
23 ma'am, have a great day, okay?

24 WITNESS: You as well.

25 THE COURT: She's here, can she be released

1 from any subpoena?

2 MR. EVANS: Yes, sir.

3 THE COURT: Okay, any objection to her
4 being released from the subpoena, Mr. Gibbes?

5 MR. GIBBES: No, Your Honor.

6 THE COURT: Mr. Johnson?

7 MR. JOHNSON: No objection, Your Honor.

8 THE COURT: Have a good one.

9 WITNESS: Thank you, you too.

10 **

11 **KHADAJAH WILLIAMS,**

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

13 ***

14 **DIRECT EXAMINATION**

15 BY MR. EVANS:

16 Q And I'm sure she's gonna tell you that
17 she needs you to speak up, because there is a
18 microphone in front of you, but we need this
19 from everybody, especially so these folks here
20 to be able to hear you, and this lady here is
21 going to take down everything you say.

22 A Khadajah Williams, W-I-L-L-I-A-M-S.

23 Q Okay, Ms. Williams, where do you live
24 now?

25 A Pardon?

1 Q Where do you live?

2 A Fairfax.

3 Q Fairfax, Allendale County --

4 A Uh-huh.

5 Q -- just up the road here?

6 A Yes.

7 COURT REPORTER: I can't hear.

8 THE COURT: Ms. Williams, you're gonna have
9 to answer yes, no, whatever you want to
10 answer --

11 WITNESS: Yes.

12 THE COURT: -- okay? Thank you so much.

13 MR. EVANS: Thank you, Your Honor.

14 BY MR. EVANS:

15 Q Where did you live in 2018?

16 A In Varnville.

17 Q In Varnville. Do you remember the
18 address?

19 A Not exactly.

20 Q Was it on Priscilla?

21 A Yes.

22 Q Okay, Priscilla Lane in the Varnville
23 area?

24 MR. JOHNSON: Your Honor, objection.

25 THE COURT: Hold on.

1 MR. JOHNSON: He's leading the witness.

2 THE COURT: I'm gonna overrule that, go
3 ahead.

4 MR. EVANS: Thank you, Your Honor.

5 BY MR. EVANS:

6 Q Was it on Priscilla Lane?

7 A Yes.

8 Q Okay. Who did you live there with?

9 A Frank.

10 Q I've got to have you speak up, I'm so
11 sorry.

12 A Frank.

13 Q Frank?

14 A Yes.

15 Q Frankie Johnson?

16 A Yes.

17 Q Okay. Who is he to you?

18 A My boyfriend.

19 Q Okay, and you lived -- it was his home?

20 A Yes.

21 Q Could you describe the home? What kind
22 of building was it?

23 A It was a trailer.

24 Q All right. How many other people lived
25 there, anybody?

1 A Yes, two others.

2 Q Who were they?

3 A I don't know.

4 Q What are their full names, if you
5 recall? You didn't know?

6 A No.

7 Q But you knew Ghazi?

8 A Uh-huh.

9 Q And let me --

10 THE COURT: Say yes, ma'am.

11 BY WITNESS:

12 A Yes.

13 MR. EVANS: Thank you, Your Honor.

14 BY MR. EVANS:

15 Q And Lamekia --

16 A Yes.

17 Q -- was the other one?

18 A Yes.

19 Q Okay, were they boyfriend and
20 girlfriend?

21 A Yes.

22 Q They were? Did they stay in the same
23 room then at the house?

24 A Yes.

25 Q All right. Were you there on March 25th

1 of 2018?

2 A Yes.

3 Q Can you tell us about the events of that
4 morning in your own words?

5 A I don't know everything; I just remember
6 it happening.

7 Q Okay. Was this late at night, early in
8 the morning? And if you don't remember the
9 exact time, didn't look at the clock, but just
10 tell --

11 A I don't know, late.

12 Q Okay, before the sun came up?

13 A Right.

14 Q And you said you were laying where?

15 A In the bed.

16 Q And would that be the room that you
17 shared with Frankie?

18 A Yes.

19 Q Where was Frankie at this time; do you
20 know?

21 A Not exactly.

22 Q Okay, so you don't -- are you telling me
23 you don't know where he was, but he wasn't with
24 you?

25 A He was there, but he wasn't in the room.

1 Q All right, how Ghazi and Lamekia, were
2 they in the building?

3 A I didn't know if they were there or not.

4 Q Okay. And what is the first strange
5 thing that you remember that led to today?

6 A I heard something.

7 Q You heard something?

8 A Yes.

9 Q What did you hear?

10 A "What's up, bro."

11 Q Okay, so --

12 A And bullets.

13 Q And bullets. So friendly gunfire?

14 A Right.

15 Q And you said a moment ago you heard
16 somebody say, "What's up, bro?"

17 A Uh-huh.

18 Q Who --

19 THE COURT: Can we get you to scoot up a
20 little bit? Scoot up a little bit and speak
21 into that as close to that as you can, and that
22 would be great.

23 If you could just speak right into that
24 microphone, I think that would help the court
25 reporter, and help everybody, all the jurors

1 here. Go ahead, rephrase your question.

2 BY MR. EVANS:

3 Q What was the first of those things that
4 you heard?

5 A I don't remember.

6 Q You testified a moment ago that you
7 heard both gunfire and somebody say, "What's up,
8 bro?" Which did you hear first?

9 A The gunshot and then, "What's up, bro."

10 Q Okay, was the sound of gunfire unusual
11 in that area, in your experience?

12 A No.

13 Q So were you alarmed by that when you
14 heard it?

15 A No.

16 Q Did you become alarmed later?

17 A Yes.

18 Q Okay. So then you heard somebody say,
19 "What's up, bro?" Could you tell who that was
20 saying that?

21 A Which part?

22 Q Who said, "What's up, bro?"

23 A Ghazi.

24 Q Ghazi, one of the people that lives
25 there?

1 A Uh-huh.

2 Q Okay.

3 THE COURT: Yes?

4 BY WITNESS:

5 A Yes.

6 Q That's another thing, Khadajah, is,
7 since she's writing down everything we say --

8 A Yeah.

9 Q Yeah, there's not gonna be a movie of
10 the trial, it's just gonna be a transcript, a
11 written, so she needs Y-E-S or N-O, okay?

12 A Right.

13 Q All right. So you heard Ghazi say,
14 "What's up, bro?"

15 A Yes.

16 Q What was the next thing that you heard?

17 A Gaggging.

18 Q Gaggging?

19 A Yes.

20 Q Okay, what about after that?

21 A I'm not sure.

22 Q Did you come out of the room to look and
23 see what was happening?

24 A No.

25 Q What did --

1 A I walked --

2 Q Okay.

3 A I walked, but I stopped.

4 Q And why did you stop?

5 A Because I heard gagging.

6 Q You heard gagging

7 A Yes.

8 Q Please keep speaking up, I know it's
9 hard. Is that what you heard?

10 A Uh-huh.

11 THE COURT: Yes?

12 COURT REPORTER: Yes?

13 BY MR. EVANS:

14 Q Yes or no, please.

15 A Yes.

16 Q Thank you. What did you do after you
17 heard the gagging and when you stopped? What
18 did you do next?

19 A I made a phone call.

20 Q Okay, where did you make the phone
21 calls, and who did you call?

22 A First I called my mom, I think my dad,
23 because they live close, and then I called 911.

24 Q I see. And did you speak to 911 loudly
25 like I'm asking you to do here today, or did you

1 whisper, or how did you do that?

2 A I talked in the closet.

3 Q In the closet?

4 A Yeah.

5 Q Why were you in the closet?

6 A Because I didn't want them to hear me.

7 Q I'm gonna need you to repeat that, and
8 please speak much louder, please.

9 A Because I was afraid they was gonna come
10 back there so I hid in the closet.

11 Q Were you afraid?

12 A Yeah. Yes, sir.

13 Q And what had you heard that made you
14 afraid?

15 A I knew something was going on.

16 Q I take it you didn't want to come out
17 and see what was happening?

18 A No.

19 Q When you made those calls what happened
20 next?

21 A My mind went blank.

22 Q Okay. Did anybody ever come to the
23 house?

24 A Did anyone come in?

25 Q Uh-huh. Did the police come?

1 A Yes.

2 Q Okay, eventually?

3 A Yes.

4 Q Were you upset with them in any way?

5 A Yes.

6 Q Can I get a verbal answer from you?

7 A Yes.

8 Q Why were you upset with them on that
9 day?

10 A Because they were taking too long.

11 Q Were you afraid?

12 A Yes.

13 Q Did you see with your own eyes any of
14 what happened?

15 A No.

16 Q Did you eventually come out of that
17 room?

18 A Yes.

19 Q What did you see when you came out of
20 that room?

21 A I don't know.

22 Q Did you see Frankie?

23 A Yes.

24 Q Where was he?

25 A In the chair.

1 Q And what did he look like?

2 A I don't remember.

3 Q Did you see Lamekia or Ghazi?

4 A No.

5 Q But Frankie was in the chair?

6 A Uh-huh.

7 Q What did you do after you saw him in the
8 chair?

9 A I hugged him.

10 Q I'm sorry?

11 A I hugged him.

12 Q Did he hug you back?

13 A No.

14 Q Could you tell what had happened to him?

15 A No.

16 Q Could you tell whether he was alive or
17 not?

18 A No.

19 Q Could you tell whether he was still
20 alive?

21 A No.

22 Q Were you worried about him?

23 A No.

24 Q Why not?

25 A He was gone.

1 Q He was gone. Did you meet with police
2 when they arrived?

3 A Yes.

4 Q Did you tell them what had happened?

5 A Yes.

6 Q Khadajah, I'm gonna ask you to step down
7 here, and I showed you this when we talked
8 earlier this week; do you remember that poster?

9 A Yes.

10 Q Why don't you just come on down. It's
11 gonna be okay. Would you prefer I bring it to
12 you?

13 A Yes.

14 THE COURT: And you'all feel free to move
15 about, do whatever you need to do.

16 MR. EVANS: And, Judge, if I'm gonna bring
17 it up to her, you may want to see this as well.

18 THE COURT: All right.

19 MR. EVANS: Thank you, Judge.

20 THE COURT: Go ahead.

21 BY MR. EVANS:

22 Q Do you remember when we looked at this
23 earlier this week? Yes, or no?

24 A Yes.

25 Q All right. Do you recognize this as

1 being the house?

2 A Yes.

3 Q Okay. Which bedroom were you in?

4 Either point or use the descriptors.

5 A Right here.

6 Q Okay, so bedroom two?

7 A Uh-huh.

8 THE COURT: yes?

9 BY WITNESS:

10 A Yes.

11 THE COURT: Thank you.

12 BY MR. EVANS:

13 Q If this the closet that you were in?

14 A Yes.

15 Q Can you show us where Frankie was?

16 A (Indicating).

17 Q Okay. In the area marked living room
18 for the record? Is that a, yes?

19 A Yes.

20 Q Okay. Which bedroom did Ghazi and
21 Lamekia stay in? Bedroom number 1, for the
22 record, yes, or no?

23 A Yes.

24 Q Okay, and, again, you were in bedroom
25 two when you made the calls in the closet there?

1 A Yes.

2 Q Okay. Was it drawn -- was it closed or
3 open when all this was going on?

4 A It stayed close.

5 Q It stayed close all the time?

6 A Yes.

7 Q Okay. Did anybody come down that
8 hallway when this happened? No?

9 A No.

10 Q And where did you -- how far did you
11 make it, when you said you got up and you
12 started heading that way when you heard things?
13 How far did you get?

14 A Not far.

15 Q Okay. Just not even quite halfway down
16 the hallway?

17 A No.

18 Q And then you went back to this closet
19 here?

20 A Yes.

21 Q All right.

22 MR. EVANS: Thank you, Your Honor.

23 BY MR. EVANS:

24 Q Who was there at that time?

25 A Who was there?

1 Q Could you tell whether anybody, other
2 than the usual people were in the house at the
3 time you started making the calls?

4 | A I don't understand.

5 Q Well, were you afraid when you made the
6 calls?

7	A Was I afraid?

8 Q Were you afraid?

9	A Yes.

10	Q	Yes? What were you afraid of?

11	A Everything that was going on.

12 | Q Everything that was happening out there?

13	A Yeah.

14 Q Were you afraid that there were strange
15 people in the house still?

16	A Yes.

17 Q Okay, those are all the questions that I
18 have. Please answer any questions that these
19 gentlemen may have.

20 THE COURT: All right, Mr. Gibbes, yes,
21 sir.

22 MR. GIBBES: No questions, Your Honor.

23 THE COURT: Mr. Johnson?

24 MR. JOHNSON: Thank you, Your Honor.

25 * *

CROSS-EXAMINATION BY MR. JOHNSON

BY MR. JOHNSON:

Q Good morning. I just have two questions for you. I want you to be real calm, I want you to make sure that you tell the truth, okay? When you first called 911, you called 911 after your boyfriend and the individual had been shot; is that correct?

A Yes.

Q I can't hear you.

A I don't remember.

Q You don't know?

A I don't remember.

Q You don't remember?

A No.

Q So did you call -- I mean why did you call 911?

A Why did I?

Q Yeah, why did you call 911?

A Why I wouldn't?

THE COURT: No, ma'am, your job is not to ask questions, your job is to answer the question, assuming you understand the question, so, please, rephrase the question, sir.

BY MR. JOHNSON:

1 Q Why did you call 911?

2 A I don't know.

3 THE COURT: All right, we're gonna take a
4 break, ladies and gentlemen. I'm gonna ask you
5 to step back in the jury room. I appreciate it.
6 Don't talk about the case, and I'll get you back
7 in here in just a few minutes, okay? Thank you.

8 (Jury exits the courtroom.)

9 THE COURT: All right, ma'am, did you not
10 understand this question? Ma'am? All right,
11 what do you want me to do with this witness, Mr.
12 Johnson?

13 MR. JOHNSON: I would ask, if she refuses
14 to testify, Your Honor, I can't cross-examine
15 her, and she can tell the jury. I have another
16 question to ask her.

17 THE COURT: Well, I understand that but she
18 hasn't answered the first question.

19 MR. JOHNSON: I understand.

20 THE COURT: Okay, so I'm gonna ask you what
21 you want me to do?

22 MR. JOHNSON: I guess I would ask at least
23 to allow me to ask her the questions I wanted
24 the jury to hear, and she refused, then I'd ask
25 the jury to disregard her testimony.

1 THE COURT: All right. Mr. Gibbes, I guess
2 you join in the same?

3 MR. GIBBES: Yes, Your Honor.

4 THE COURT: All right, Solicitor, what do
5 you propose, given the nonresponsive nature of
6 the witness to Mr. Johnson's questions, sir?

7 MR. EVANS: Judge, I'm not aware of a rule
8 by which the jury can be instructed to disregard
9 the testimony.

10 I would just ask the court, I do not want
11 anything bad to happen to her, but perhaps the
12 Court could advise her of the consequences of
13 her refusing to testify, as difficult as we
14 understand it is. She's been through an
15 incredibly traumatic event.

16 THE COURT: Of course.

17 MR. EVANS: This is very sensitive stuff
18 that we're dealing with here. If Mr. Johnson
19 has any prior inconsistent statements that he
20 can impeach her with, he's welcome to bring
21 those up, but I'm not aware of anything she said
22 -- she's just, literally, going through a
23 breakdown, Judge.

24 THE COURT: All right.

25 MR. EVANS: And I think --

1 THE COURT: I understand that.

2 MR. EVANS: I'm sure the cross won't be,
3 you know, unduly lengthy. I'm sure she can get
4 through it.

5 THE COURT: Well, let me -- you're telling
6 me that --

7 MR. EVANS: -- she --

8 THE COURT: She's not responded to
9 anything, and so to that extent I mean I don't
10 know. Let me see counsel in chambers, and,
11 ma'am, you can just sit right there.

12 (Meeting in chambers.)

13 **

14 **PROCEEDINGS CONTINUED**

15 BY THE COURT:

16 Q All right, Ms. Williams, I'm going to
17 tell you that, if you refuse to answer the
18 questions that Mr. Johnson is asking, that I
19 will have no other option than to hold you in
20 contempt of court. Do you understand that?

21 A Yes.

22 Q All right, do you understand, ma'am,
23 that if you refuse to answer the questions that
24 Mr. Johnson asks, and that I hold you in
25 contempt of court, ma'am, that will mean that I

1 will have you taken into custody. Do you
2 understand that?

3 A Yes.

4 Q Okay. Well, in that case what we're
5 gonna do is, we're gonna have the jury come out,
6 and I'm gonna have him ask you a question, or
7 ask you any questions that he is going to ask,
8 and we'll see how you respond to that, and then
9 we'll move forward from there, okay?

10 A Yes.

11 Q Thank you.

12 THE COURT: All right, is there any
13 objection to getting the jury in from the State?

14 MR. EVANS: Not from the State.

15 THE COURT: Defense?

16 MR. JOHNSON: No, Your Honor.

17 THE COURT: All right, thank you very much.

18 (Jury enters the courtroom.)

19 THE COURT: All right, Mr. Foreman, ladies
20 and gentlemen, welcome back.

21 Mr. Johnson, will you proceed with your
22 questions?

23 MR. JOHNSON: Thank you.

24 BY MR. JOHNSON:

25 Q Ms. Williams, I'm not trying to upset

1 you, I'm just gonna ask you just a few more
2 questions. What time did -- when you made your
3 911 call, that was after your boyfriend had been
4 shot; is that correct?

5 A I don't know.

6 Q You don't know? And then it goes back
7 to the original question, why did you call 911?

8 A I heard gagging.

9 COURT REPORTER: I can't hear.

10 THE COURT: You've got to speak up, ma'am.

11 BY MR. JOHNSON:

12 Q You heard gagging?

13 A Yes.

14 Q Okay.

15 THE COURT: Yes? Is that a yes, ma'am?

16 BY WITNESS:

17 A Yes.

18 Q Okay. And when the police did show up
19 -- well, it was a long time before the police
20 came out to your call, correct?

21 A Yes.

22 Q Okay. Would you say an hour or --

23 A I don't know.

24 Q You don't know, but it was a long time?

25 And when the police did show up, did you not

1 tell them that you heard the voice of the
2 shooter inside your house, and that you
3 recognized the voice?

4 A Yes.

5 THE COURT: I can't hear you, ma'am, you've
6 got to speak up.

7 BY WITNESS:

8 A I'm trying.

9 THE COURT: Yes, ma'am. What was your
10 answer to the question, ma'am?

11 BY WITNESS:

12 A Could you rephrase that?

13 Q Did you tell the police that you
14 recognized the voice of someone that was there
15 at the house?

16 A Yes.

17 Q And the person that was, as you told the
18 police, were the people that were doing the
19 shooting, correct?

20 A I recognized the voice.

21 Q One voice, correct?

22 A Yes.

23 Q And the person that you recognized was
24 Harris, correct?

25 A Yes.

1 Q Is Mr. Harris in this courtroom today?

2 A No.

3 Q So the person that came in the house,
4 that was participating in killing your boyfriend
5 and your friend is not here in the courtroom
6 today, is he?

7 A No.

8 Q I have no other questions for you.

9 THE COURT: All right, any redirect?

10 **

11 **REDIRECT EXAMINATION**

12 BY MR. EVANS:

13 Q You recognized the one voice?

14 A Uh-huh.

15 Q Can I get a verbal?

16 A Yes.

17 Q Okay, were there others?

18 A One woman.

19 Q 1 woman? Did you recognize that voice?

20 A No.

21 Q That's all I have.

22 THE COURT: All right, anything else, Mr.
23 Gibbes?

24 MR. GIBBES: No, Your Honor.

25 THE COURT: Mr. Johnson?

1 MR. JOHNSON: No, Your Honor.

2 THE COURT: Any objection from the witness
3 being excused from the subpoena?

4 MR. EVANS: None, Your Honor.

5 THE COURT: Mr. Gibbes?

6 MR. GIBBES: No, Your Honor.

7 THE COURT: Can we excuse this witness?

8 MR. JOHNSON: I have no objection, Your
9 Honor.

10 THE COURT: Thank you very much, and you
11 have a great day. All right, you can call your
12 next witness, please.

13 MR. EVANS: The State calls Michael Smith.

14 **

15 MICHAEL SMITH,

16 BEING DULY SWORN TESTIFIED AS FOLLOWS:

17 DIRECT EXAMINATION

18 BY MR. EVANS:

19 Q Would you please identify yourself, and
20 spell your last name for our court reporter,
21 sir?

22 A I'm Michael Smith, S-M-I-T-H.

23 Q All right, and, Mr. Smith, where do you
24 work, sir?

25 A Varnville Police Department.

1 Q How long have you been at Varnville PD?

2 A A little over 15 years.

3 Q Not 50?

4 A 15.

5 Q 15, okay, all right. And I see by your
6 shirt that you're the Assistant Chief. How long
7 have you had that rank?

8 A 2017.

9 Q Okay, so you were the Assistant Chief of
10 Varnville PD on March 25th, 2018?

11 A Yes, I was.

12 Q Do you recall the events of that morning
13 that led us here today?

14 A Yes, I do.

15 Q What can you tell us about that? Let's
16 start with how and when you were dispatched.

17 A Well, I was just getting to work around
18 5:30. The call went out to the Sheriff's
19 Department --

20 Q Is that in the a.m. or the p.m.?

21 A A.M.

22 Q All right.

23 A In the a.m. And the call came out to
24 the Sheriff's Department. I said, "Let's just
25 start to ride toward that way in case they need

1 our help."

2 Q Okay, now, when you say the call went
3 out to the Sheriff's Department, what does that
4 mean?

5 A That means the incident took place
6 outside the Town of Varnville, but --

7 Q I see.

8 A -- usually when the calls like that go
9 out, we try to assist each other.

10 Q Because the -- what was the address, if
11 you recall?

12 A I think it was [REDACTED] Priscilla Lane.

13 Q All right, and were you familiar with
14 that area?

15 A Yes, I am.

16 Q Is that near the Town of Varnville?

17 A Yeah, about two miles outside the town.

18 Q Okay, so would you'all be the closest
19 agency, even though the Sheriff's Department had
20 the jurisdiction?

21 A Yes, we would.

22 Q All right. And I think you said that's
23 common for you'all to help them in situations
24 like that?

25 A Yes, we help each other.

1 Q Everybody helps everybody? Hampton

2 PD --

3 A Yes, sir.

4 Q -- Sheriff's Office --

5 A Yes.

6 Q Okay. And so you said this was around
7 5:30 a.m. when you were just getting to work?

8 A Yes, sir.

9 Q That's when the Sheriff's Office was
10 dispatched, and you responded?

11 A Yes.

12 Q What happened on the way to Priscilla
13 Lane from your office? Well, describe very
14 briefly where your office is located.

15 A We're right off of 95 eastbound. The
16 back of our office runs into Mill Pond Road, and
17 that is the road that we often go and took to go
18 to --

19 Q Okay.

20 A -- yes.

21 Q So you knew where you were going based
22 just off the address? You didn't need to Google
23 Map it, or anything like that?

24 A No, sir,

25 Q All right, and you said Mill Pond Road?

1 A Yes, sir, Mill Pond Road.

2 Q What did you see on your way there --

3 A Well --

4 Q -- if anything?

5 A When we got outside the town on Mill
6 Pond Road, we got near a red Dodge Charger, and
7 another black vehicle.

8 Q Okay. How could you tell it was a red
9 Dodge Charger? I mean red -- you're not
10 colorblind, right?

11 A Yeah, yeah.

12 Q So --

13 A I mean when it passed me, it was right
14 there at the corner with me on Mill Pond, and
15 the streetlights were going, so --

16 Q Did you see any other vehicles passing
17 you, or coming up behind you for that matter,
18 that you didn't recognize?

19 A No, the only other vehicles behind me
20 were other officers.

21 Q And then --

22 A I was the lead vehicle.

23 Q And this is before 6:00 a.m.?

24 A This is before 6:00 a.m.

25 Q A lot of people driving in Varnville at

1 that time of morning?

2 A Pretty much, most people going to work
3 on 278, yes.

4 Q On 278?

5 A Yes.

6 Q But how about on Mill Pond?

7 A Not that many people we have on Mill
8 Pond. I mean we used to run traffic there, but
9 not much.

10 Q All right, and did you make a mental
11 note of that red car that you saw --

12 A Yes, I did.

13 Q -- the Charger? All right. What did
14 you find when you got to Priscilla Lane?

15 A When I got to Priscilla Lane, Deputy
16 Loadholt had already made it to the scene. He
17 was making contact with a young black female,
18 who was hysterical. She was hollering, and
19 Deputy Loadholt asked her, you know, was she
20 hurt, or was she shot? She said, "No."

21 He said, "Was anybody in the house hurt or
22 shot?" And she said, "Everybody in the house
23 was shot."

24 Q Okay. Was -- had the sun come up yet?

25 A It was about to come up, it wasn't --

1 Q Just started, so --

2 A Just started coming up.

3 Q: -- not dawn, but, you know, daybreak, or
4 whatever?

5 A Yeah, I think I arrived -- according to
6 my Dispatch, I might have arrived at 5:44.

7 Q 5:44?

8 A Yeah.

9 Q And you think the call came in at 5:30
10 when you got to work?

11 A Yeah.

12 Q All right. Any delays unnecessary?
13 Anything happen on your way there?

14 A No, other than just passing -- there was
15 two -- there were only two vehicles on the road
16 that we passed, but when we got to -- on our way
17 going to Priscilla Lane.

18 Q And you said local was already there?

19 A Yes, Deputy Loadholt was already there,
20 he was the first officer that made it on the
21 scene.

22 Q And he was with the Sheriff's Office?

23 A He was with the Sheriff's Department.

24 Q And you were there, I guess, to assist?

25 A Yes, sir.

1 Q Okay.

2 A We were there to assist.

3 Q Did you go inside with Deputy Loadholt?

4 A Yes, I -- after we talked to the young
5 lady, and she said there were some people in the
6 house that were shot, myself, and Deputy
7 Loadholt got together, and I was the lead
8 person, we went in the house, and that's when we
9 came in contact with the two victims.

10 Q Okay.

11 MR. EVANS: All right, may I approach the
12 witness, Your Honor?

13 THE COURT: Yes, sir.

14 BY MR. EVANS:

15 Q I'm gonna pass you four photographs that
16 have been previously marked but not entered yet,
17 as State's Exhibits 201, 202, 204 and 205, I
18 wonder if you can identify those for me, sir?
19 Do you recognize those photographs, sir?

20 A Yes, I do.

21 Q All right, what is that?

22 A It's the crime scene.

23 Q Okay, do they fairly and accurately
24 depict the way that -- other than some are in
25 black and white; is that correct?

1 A Yes, sir.

2 Q Other than that, do they fairly and
3 accurately depict the way that the crime scene
4 appeared when you arrived on March 25th, 2018?

5 A Yes, sir.

6 Q Did you take these photographs?

7 A No, I didn't.

8 Q But they look the way you remember it?

9 A Yes, sir.

10 Q All right.

11 MR. EVANS: Your Honor, the State would
12 move into evidence State's Exhibits 201, 202,
13 204 and 205.

14 THE COURT: Any objection, Mr. Gibbes?

15 MR. GIBBES: No, Your Honor.

16 THE COURT: Mr. Johnson?

17 MR. JOHNSON: I Have no objection.

18 THE COURT: All right, thank you very much.
19 201, 202, 204 and 205 are admitted without
20 objection.

21 (State's Exhibits 201, 202, 204 and 205
22 were admitted into evidence.)

23 MR. EVANS: May we publish, Your Honor?

24 THE COURT: Yes, sir.

25 BY MR. EVANS:

1 Q All right, this is State's Exhibit 201,
2 Mr. Smith, could you tell us what that is?

3 A That's the residence that we entered,
4 the crime scene.

5 Q All right, and this is, obviously, taken
6 after you'all had been there for a while?

7 A Yes, sir.

8 Q Okay, we've got -- what do we have here?

9 A The crime scene tape.

10 Q Okay, so there was no crime scene tape?

11 A No, sir.

12 Q What are these vehicles?

13 A I think the gold one is the one Deputy
14 Loadholt was driving, I think. I have already
15 left and went onto the hospital. And I know
16 that the crime scene was one of the victim's
17 vehicles.

18 Q Okay, so that's 201. This is State's
19 Exhibit 202. What do we have here?

20 A That's the front door of the crime
21 scene.

22 Q Okay, and what is that under there?

23 A 140.

24 Q Is this in Hampton County?

25 A Yes, it is.

1 Q I want to publish these two just here.

2 THE COURT: Yes, sir.

3 BY MR. EVANS:

4 Q This is State's Exhibit 204, can you see
5 that?

6 A Yes.

7 Q What is this showing?

8 A That's to show Mr. Johnson.

9 Q Okay, did you know him from prior
10 dealings?

11 A Yes, I did.

12 Q So did you recognize him when you saw
13 him?

14 A Yes, I did.

15 Q That was Frankie Johnson?

16 A That's Frankie Johnson.

17 Q Did he appear to be deceased?

18 A Yes, he did.

19 Q Did you check that?

20 A When I first entered the house, I took
21 my foot and kicked the bottom of the chair, and
22 I didn't get no movement. I called out, "Hey,
23 man, hey, man," and I didn't get no response.

24 Q No response.

25 A Yes, then I could see the gunshot wound

1 that he had.

2 Q I see, you saw -- what is this?

3 A The blood.

4 Q Okay, you could see that as well?

5 A Yes, sir.

6 Q All right, and this is 205.

7 A Yeah, that's --

8 Q What 205 depicts?

9 A That's the room that the Duckett victim
10 and the young lady was in.

11 Q All right.

12 A Yes.

13 Q There were two victims in there?

14 A Yeah, it was off to the right.

15 Q Okay. Did they appear to be deceased?

16 A When I took my foot and kicked the
17 Duckett -- yeah, Ghazi Duckett's foot, he made a
18 gurgling noise, and then when I kicked the young
19 lady, she didn't make no noise, so that's when
20 we backed out and -- after we cleared the house,
21 we backed out and called EMS to come get --

22 Q You can take the stand.

23 A -- Mr. Duckett and take him to the
24 hospital.

25 Q I see, yeah, you mentioned something

1 about the hospital. Can you tell us a little
2 bit about that?

3 A Yes. After we cleared the house, we
4 went up and got EMS, then we got Mr. Duckett and
5 transported him to the hospital.

6 Q All right, when you say cleared the
7 house, what does that mean, sir?

8 A Going through the house, making sure
9 there's no more victims or no suspects in the
10 house.

11 Q And why do you do that?

12 A To make sure the scene was safe for EMS
13 to come in, and to make sure we didn't miss
14 nobody else in the house.

15 Q Okay, and did EMS arrive?

16 A Yes, they did.

17 Q Okay, is that, in fact, who you went to
18 the hospital with?

19 A Yeah, I'm following.

20 Q Okay, so they've got -- how do they go
21 to the hospital? I mean do they have blue
22 lights like you?

23 A Yeah, they had red lights.

24 Q They have red?

25 A Yeah.

1 Q Okay, and you're running your blue
2 lights?

3 A Yes, yes.

4 Q And you saw them take -- well, you
5 identified all these 3 folks by name. Did you
6 know Miss Lamekia and Mr. Ghazi --

7 A I knew her, but I mean I've seen her
8 around, but I didn't know her, but I knew
9 Frankie and I knew Ghazi, both of them were
10 students when I was a School Resource Officer.
11 Ghazi played football for me when I was a coach
12 at the middle school, so I knew both of those
13 young men, known them very well.

14 Q All right. I'm gonna ask you actually
15 to step down one more time and show you
16 something.

17 THE COURT Hold on one second.

18 BY MR. EVANS:

19 Q Okay, Mr. Smith, do you recognize -- can
20 you tell what this is

21 A Yeah, it's like a diagram of the
22 trailer.

23 Q Okay, and come on up closer, so, you
24 know what we are looking at, but will you
25 indicate the stuff that we saw in the

1 photographs, where Number 204 and 205 were?

2 Where was Mr. Johnson?

3 A When we came in the front door Mr.
4 Johnson was sitting right about here in the
5 chair, with the TV on, and he had a game console
6 and it was still on.

7 Q Okay, it was still --

8 A Yeah.

9 Q -- like the game appeared to still be
10 going?

11 A Yeah, the game would still be going.

12 Q Could you hear anything coming from the
13 TV?

14 A You could hear the game, the game
15 itself, and I think it was a basketball game --

16 Q Okay.

17 A -- that they were playing.

18 Q How about where was Miss Lamekia and
19 where was Ghazi?

20 A When we cleared -- when we came and
21 cleared this area here, we came to the right,
22 and that's when we'd seen the young lady lying
23 down right about here, Ghazi was laying down by
24 the dresser.

25 Q So the person we saw in photo 205, where

1 is that?

2 A 205, that was the young lady?

3 Q Yeah.

4 A Yes.

5 Q Looking through that door?

6 A Yes.

7 Q Okay, thank you, sir.

8 A And the door was wide open.

9 Q It was still open when you'all got
10 there?

11 A Yes, sir.

12 MR. EVANS: Oh, I'm sorry, are you okay?
13 Beg the Court's indulgence.

14 THE COURT: Yes, sir.

15 MR. EVANS: Thank you, Your Honor.

16 BY MR. EVANS:

17 Q Chief Smith, those are all the questions
18 I have. Please answer any questions defense
19 counsel may have.

20 A Yes, sir.

21 THE COURT: Mr. Gibbes?

22 MR. GIBBES: No questions, Your Honor.

23 THE COURT: Mr. Johnson?

24 MR. JOHNSON: Thank you, Your Honor.

25

CROSS-EXAMINATION BY MR. JOHNSON

BY MR. JOHNSON:

Q Good morning.

A Good morning, how you doing, sir?

Q I'm doing good. Just two questions for you. I want to get the timeline right. So you were notified at 5:30?

A No, I came to work at 5:30.

Q Okay.

A Yeah.

Q What time did you receive the call?

A I -- it came between 5:30 and 5:44, because I arrived on the scene around 5:44.

Q So between 5:30 and 5:44?

A Yeah, I came to work at 5:30, yes, sir.

Q You received a call?

A No, I didn't receive the call at 5:30, I came -- the call came between 5:30 and 5:44.

Q And 5:44?

A Yes, sir.

Q So no later than 5:44 you had already received a call --

A Yes.

Q -- telling you to go there, before 6 o'clock?

1 A Before 6 o'clock, yes, sir.

2 Q Are you privileged to the police reports
3 and stuff related to this crime? Have you seen
4 those reports?

5 A The one that I looked at, yes, sir.

6 Q Okay. Now, when you got the call, did
7 it come from the Dispatch, or you just heard it
8 over the radio, or what?

9 A It came across the radio.

10 Q Okay.

11 A Yes, sir, it came across the radio at
12 the Sheriff's Department.

13 Q So now normal procedure is, if they get
14 a call into 911, how long does it take for
15 Dispatch normally to get it out and make calls
16 to people?

17 Because I noticed in the tape that they
18 didn't know the address and all this stuff at
19 the time, so about how long would it take before
20 they actually put it out?

21 A I couldn't really answer that, because I
22 don't know how Dispatch --

23 Q But did you not receive --

24 A Usually before --

25 THE COURT: Hold on 1 second.

1 MR. JOHNSON: oh, I'm sorry.

2 THE COURT: Make sure that he finishes his
3 question before you answer, and make sure that
4 he finishes his answer before you follow-up,
5 okay?

6 MR. JOHNSON: I'm sorry, Your Honor.

7 THE COURT: No, go ahead. Ask your
8 question again.

9 MR. JOHNSON: I don't remember what I said.

10 BY MR. JOHNSON:

11 Q Once again, the time between the 911
12 operator getting the call, and by the time it
13 goes out to Dispatch, there's a lag time; is
14 that correct?

15 A Yes, sir.

16 Q How many years have you been an officer?

17 A Will be 28.

18 Q Okay, so would you say with your
19 experience as an officer, that the average may
20 be ten, 15 minutes or so?

21 A If it was a serious call --

22 Q Right.

23 A -- so they try to get it out between two
24 to 3 minutes, whatever they've got, they've got
25 to get it to us, and then go ahead and get the

1 rest of the information while we're en route,
2 give us the rest of the information.

3 Q Okay. Now, you're aware that apparently
4 there was some -- but you probably wouldn't
5 know, but your timeframe is between 5:30 and
6 5:44 you was getting notice that somebody had
7 been killed?

8 A There was -- the call went out, yes,
9 sir.

10 Q Okay.

11 A Definitely.

12 Q So it would be fair to say that the
13 shooting occurred before 5:30?

14 A No, I came to work at 5:30.

15 Q No, but I'm saying, but within a 15-
16 minute period it would be fair to say that it
17 happened before 5:30?

18 For the shooting you wouldn't get it within
19 two minutes.

20 A Well, I came to work at 5:30. The call
21 came out after I came to work, that's what I'm
22 trying to get at.

23 Q Would it be fair to say that the person
24 was killed before 5:44?

25 A Yes, sir.

25 Q Did you hear his name as a person being

1 involved --

2 A Yes, sir.

3 Q -- over the dispatch?

4 A Yes, sir.

5 Q So when you left Varnville PD, you were
6 aware that you were looking for something
7 involving Frankie Johnson, and you knew where
8 you were going?

9 A Yes, sir.

10 MR. EVANS: That's all I have.

11 THE COURT: Anything else, Mr. Gibbes?

12 MR. GIBBES: One question real quick, Your
13 Honor.

14 THE COURT: Yes, sir.

15 **

16 **CROSS-EXAMINATION BY MR. GIBBES**

17 BY MR. GIBBES:

18 Q Did you notice my client in that
19 vehicle?

20 A No, sir.

21 MR. GIBBES: No further questions, Your
22 Honor.

23 THE COURT: All right.

24 Anything else, Mr. Johnson?

25 MR. JOHNSON: I have nothing else, Your

1 Honor.

2 THE COURT: Anything else, Solicitor Evans,
3 in response to the last question?

4 **

5 **FURTHER REDIRECT EXAMINATION**

6 BY MR. EVANS:

7 Q Yeah, in response to Mr. Gibbes'
8 question, could you tell anything about who was
9 driving the vehicle from passing it going in the
10 other direction

11 A No, I couldn't.

12 Q Okay.

13 THE COURT: All right, anything else,
14 gentlemen?

15 MR. JOHNSON: No, Your Honor.

16 MR. GIBBES: I have nothing else, Your
17 Honor.

18 THE COURT: All right, great. All right,
19 may he be excused?

20 MR. EVANS: Yes, sir.

21 THE COURT: Mr. Gibbes?

22 MR. GIBBES: Yes, Your Honor.

23 THE COURT: Mr. Johnson?

24 MR. JOHNSON: Yes, sir.

25 THE COURT: Have a great day. All right,

1 let's call your next witness.

2 MR. EVANS: The State calls Melissa Fields.
3 I believe she's in the Family courtroom. Okay,
4 thank you.

5 THE COURT: All right, the State's next
6 witness?

7 MR. EVANS: Judge, the next witness is
8 Stacy Loadholt.

9 THE COURT: All right, is Ms. Loadholt
10 here?

11 MR. EVANS: Yes, sir.

12 COURT REPORTER: Mr. Loadholt.

13 THE COURT: Mr. Loadholt.

14 MR. EVANS: Yes.

15 THE COURT: Let's get Mr. Loadholt in here.

16 MR. EVANS: The State calls Stacy Loadholt.

17 **

18 **STACY LOADHOLT,**

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

20 **

21 **DIRECT EXAMINATION**

22 BY MR. EVANS:

23 Q Will you please identify yourself, and
24 spell your last name for our Court Reporter,
25 sir?

1 A Stacy Loadholt, spelling Loadholt, L-O-
2 A-D-H-O-L-T.

3 Q And where do you work, Mr. Loadholt?

4 A Hampton Police Department.

5 Q All right, what's your rank there?

6 A Lieutenant over Investigations.

7 Q Lieutenant, how long have you been with
8 the Hampton Police Department?

9 A I've been with the Hampton Police
10 Department for approximately six years.

11 Q All right, where'd you work before that?

12 A The Hampton County Sheriff's Office.

13 Q How long have you been in law
14 enforcement total?

15 A A total of 27 years, sir.

16 Q All in Hampton County?

17 A No, sir, Orangeburg County and Jasper
18 County.

19 Q Okay, so a little Midlands and mostly
20 Low Country?

21 A That's correct.

22 Q Okay. Which agency were you working at
23 on March 25th, 2018?

24 A I was employed with the Hampton County
25 Sheriff's Office, as a Deputy Sheriff doing road

1 patrol.

2 Q Okay, you weren't doing investigations
3 at that time?

4 A No, sir.

5 Q What is road patrol? What are the
6 duties of that position.

7 A I was patrolling the area checking
8 property, you know, answering calls for the
9 Sheriff's Office.

10 Q Okay, so when you say answering calls,
11 what does that mean?

12 A We get a call come in through 911
13 needing law enforcement assistance, we'd be
14 dispatched to that location.

15 Q And is that how you became involved in
16 this case?

17 A That's correct, sir.

18 Q Can you tell us about what you -- your
19 observations and experiences of March 25th,
20 2018?

21 A Yes, sir. Received a call from
22 Dispatch, myself and Corporal Draper was on duty
23 at the time, we were working nightshift. We
24 received a call that there was a shooting on
25 Priscilla Lane, you know, which is in the Sandy

1 Run area of the county in Varnville.

2 Q In Varnville?

3 A In Varnville.

4 Q Hampton County?

5 A On the outskirts of Varnville.

6 Q Okay.

7 A Outskirts of Varnville.

8 Q Because if it was in Varnville --

9 A That'd be the Town of Varnville.

10 Q Right, okay.

11 A Uh-huh.

12 Q So since it was just outside, in this
13 case --

14 A It would be the Hampton County Sheriff's
15 Office where you were working?

16 A That's correct, sir.

17 Q All right, please continue, I'm sorry.

18 A All right, we responded to that
19 location. As I arrived on-the-scene I was met
20 by a female coming around the back side of the
21 residence running towards a vehicle.

22 Q Did you know her? Did you have dealings
23 with her?

24 A I didn't know who I was talking to at
25 the moment, until she got closer to me. I know

1 of her, but not, you know, not --

2 Q Yes, sir.

3 A And I asked her what was going on. She
4 said, "Officer," she said, "Deputy Loadholt,
5 there's 3 individuals in the house that's got
6 shot." And I asked her were the shooters there,
7 did she know who did the shooting? She said,
8 "No."

9 Q Okay.

10 A So at that time Assistant Chief Michael
11 Smith and Officer Tyler with the Varnville
12 Police Department arrived to back me up on the
13 -- at the residence.

14 Q All right, what did you do after you
15 spoke to her?

16 A After I spoke to her, with the other
17 officer on-scene, we formed a little team just
18 to go do a quick search of the house, and I
19 secured her in my vehicle.

20 At that point we went in the house, myself,
21 Assistant Chief Michael Smith and Officer
22 Draper. Once we entered the residence, I
23 observed to my left that was Mr. Johnson sitting
24 in the chair slumped over.

25 Q All right. And what was his condition?

1 A He was covered in blood, sir.

2 Q Did he appear to be deceased?

3 A Yes, sir.

4 Q All right, and what else did you find
5 inside the house?

6 A Okay, as I turned to my right to the
7 room immediately to the right, right there, I
8 saw Mr. Ghazi Duckett laying on the floor
9 gasping for air, and then there was another
10 female, who I didn't know at the moment, she was
11 -- she was in the back side of the room, she was
12 unresponsive at the time.

13 Q Passed?

14 A Yes, sir.

15 Q Now, you mentioned the two males by
16 name, did you know them by sight?

17 A Yes, sir.

18 Q You knew them from prior dealings?

19 A Yes, sir.

20 Q Okay, and they were -- Frankie Johnson
21 was one?

22 A That's correct, sir.

23 Q And the other?

24 A Mr. Ghazi Duckett, sir.

25 Q Okay. What else did you find? You said

1 you found a female who you didn't know. I
2 assume --

3 A That's correct.

4 Q I don't want to lead you, so did you
5 learn her name later?

6 A Yes, sir.

7 Q Okay. What else did you find while
8 you'all were there?

9 A At that point we backed out. I
10 immediately called for EMS to respond to the
11 scene, and once at the scene, my supervisor
12 arrived also, we secured the residence. We went
13 to do a protective sweep, to make sure nobody
14 else was in the residence.

15 And once we pulled back from that, we
16 secured the residence, and roped it off with CID
17 and for SLED to arrive.

18 Q I see.

19 A Yes, sir.

20 Q All right, did you do that personally,
21 or people you were supervising everyone?

22 A No, we always -- it's a team effort.

23 Q Everybody pitched in?

24 A Yes, sir.

25 Q Okay, but you made sure it was safe for

1 EMS?

2 A That's correct, sir.

3 Q Who notified SLED? You?

4 A One of the supervisors, sir.

5 Q All right.

6 A Yes, sir.

7 Q Did EMS arrive?

8 A Yes, sir.

9 Q When, approximately, did they get there?

10 A I guess about five to seven minutes
11 after the initial call came out, because they
12 couldn't come to the residence until we secured
13 it to make sure no threat was there.

14 Q And you said the initial call, do you
15 know when that came out?

16 A Not right off the top of my head. You
17 know, I know it was early in the morning. Our
18 shift was getting ready to get off. I know
19 about an hour prior to our shift was getting
20 ready to off.

21 Q Do you know what a CAD report is?

22 A Yes, sir.

23 Q Okay, would it refresh your recollection
24 to take a look at one?

25 A Yes, sir.

1 MR. JOHNSON: I am going to object.

2 THE COURT: Approach.

3 (Bench conference.)

4 BY MR. EVANS:

5 Q Mr. Loadholt, do you recognize what
6 that is in front of you?

7 A Yes, sir.

8 Q Without reading it aloud, please use
9 that to refresh your recollection and let me
10 know when you are ready to continue to testify.

11 A Okay. What was the question?

12 Q I was asking you about what time you
13 were dispatched.

14 A Around 5:44.

15 Q Is that when you were sent to the scene?

16 A Yes, sir.

17 Q Is that when you arrived?

18 A No, sir.

19 Q Took time to get there?

20 A Yes, sir.

21 Q About when did you get there?

22 A Five or six minutes later. I was
23 somewhere in the area.

24 Q You were already in the car and moving
25 about in Hampton County?

1 A Yes, sir.

2 Q Is all of this in Hampton County?

3 A Yes, sir.

4 Q Town of Varnville, is that in Hampton
5 County?

6 A Yes, sir.

7 Q Is Crews Street in Varnville, Hampton
8 County?

9 A That's correct, sir.

10 Mr. EVANS: Approach the witness?

11 THE COURT: Yes, sir.

12 BY MR. EVANS:

13 Q Pass you a photograph marked as 203.

14 Do you recognize that, sir?

15 A Yes, sir.

16 Q What is that photograph?

17 A It's a photograph of [REDACTED] Pricilla Lane.

18 Q Fair and accurately depict the way that
19 [REDACTED] Parcel Lane looked on the morning of March
20 25, 2018?

21 A That's correct, sir.

22 MR. EVANS: The State would move this
23 photograph into evidence as State's Exhibit 203.

24 THE COURT: Any objection, Mr. Gibbes?

25 MR. GIBBES: No, Your Honor.

1 THE COURT: Mr. Johnson?

2 MR. JOHNSON: I have none, Your Honor.

3 THE COURT: 203 Solicitor?

4 MR. EVANS: Yes, sir.

5 THE COURT: In evidence without
6 objection.

7 (State's Exhibit 203 admitted into
8 evidence.)

9 BY MR. EVANS:

10 Q What part of [REDACTED] Pricilla Lane is this
11 showing?

12 A When you walk in the front entrance.

13 Q Hand it back to you.

14 A Yes.

15 A From this picture it looks like Mr.
16 Johnson.

17 Q I will ask you to take a look at it
18 again?

19 You said that is a view of the front
20 door as you are heading in?

21 A Yes, sir.

22 Q Is that all it shows? A view of the
23 front door?

24 A View of the front door, uh-huh.

25 MR. EVANS: Those are all the questions

1 I have, Mr. Loadholt. Please answer any
2 questions these gentlemen may have.

3 THE COURT: Mr. Gibbes?

4 MR. GIBBES: No questions.

5 THE COURT: Mr. Johnson.

6 MR. JOHNSON: Yes, Your Honor. I have a
7 few.

8 THE COURT: Yes, sir. Go ahead.

9 **

10 **CROSS-EXAMINATION BY MR. JOHNSON**

11 BY MR. JOHNSON:

12 Q I was going to say good morning. It's
13 afternoon. You used the paperwork to refresh
14 your memory as far as the times.

15 `But you don't really know what time it
16 was, do you?

17 A I know it was early in the morning
18 because I was getting ready to get off, sir.

19 Q What time do you get off?

20 A We get off at 7:00 in the morning.

21 Q That paperwork that you used to refresh
22 your memory, it wasn't your notes, was it?

23 A No, sir That was not my notes.

24 Q So you are not sure what time you got
25 there?

1 A I know it was about an hour before I was
2 getting ready to get off, sir.

3 Q When you arrived at the scene, as you
4 said, you have been trained to be an
5 investigator and tell whatever that you see;
6 correct?

7 A That's correct.

8 Q Did you see my client there?

9 A No, sir.

10 Q Did you see anything indicating that my
11 client was there?

12 A No, sir.

13 Q You don't have any evidence to get to
14 the jury that my client committed this murder,
15 do you?

16 A Your client was not at the scene when I
17 was there.

18 Q You don't have anything to say that he
19 had anything to do with it, do you?

20 A Your client was not at the scene.

21 Q You answered it. Thank you.

22 THE COURT: All right.

23 MR. EVANS: No redirect, Your Honor.

24 THE COURT: Anything else, Mr. Gibbes?

25 MR. GIBBES: No, Your Honor.

1 THE COURT: Can he be released from any
2 subpoena that he is under?

3 MR. EVANS: Yes, sir.

4 THE COURT: Gentlemen, any objection to
5 that?

6 MR. JOHNSON: No objection, Your Honor.

7 THE COURT: You are excused. Thank you
8 very much.

9 Call your next witness.

10 MR. EVANS: The State calls Ms. Fields.

11 **

12 **MELISSA FIELDS,**

13 **being duly sworn testified as follows:**

14 **

15 **DIRECT EXAMINATION**

16 BY MR. EVANS:

17 Q Good afternoon. I will ask you to
18 identify yourself and spell your last name for
19 the Court.

20 A Melissa Fields, F-i-e-l-d-s.

21 Q Ms. Fields, who is Lamekia Fields to
22 you?

23 A My second-oldest daughter.

24 Q Your second-oldest daughter?

25 A You, sir.

1 Q I understand this is a very difficult
2 thing for you to talk about, but please answer
3 the questions that I have and then any questions
4 that they may have later. Give those answers
5 out loud for the court reporter.

6 Can you do that for me?

7 A Yes, sir.

8 Q I know it will be hard for you. We will
9 get through it, okay?

10 A Yes.

11 Q The first thing I am going to ask about
12 is more to do with you than with her.

13 I will ask you about your criminal
14 record. Is that okay?

15 A Yes, sir.

16 Q You were convicted of defacing a license
17 plate with intent to defraud back in 2018?

18 A Yes, sir.

19 Q Did you do that?

20 A Yes, sir.

21 Q 2019, failure to stop for a blue light.
22 Do you remember that?

23 A Yes, sir.

24 Q Tell us -- before we get into the day,
25 tell us briefly about Lamekia.

1 A My baby was very smart, very
2 intelligent. She was working at Pizza Hut ever
3 since she was 15 years old. She graduated from
4 high school. She still continued to work
5 throughout all of that. There be a lot of
6 people here. She never got into trouble. None
7 of that. My baby had a beautiful soul. She
8 loved everyone. Never a troublemaker. Never.
9 She did what a lot of people that think --
10 because of her life -- regardless of what they
11 say about me, my child was always in school.

12 She didn't hurt nobody. She was here for
13 everybody around here. For my child to be
14 killed the way she was killed was not right.
15 And family was involved

16 Q Let's slow down. I will only ask you a
17 few questions.

18 Where did Lamekia live at that time,
19 March of 2018?

20 A She was living with her boyfriend.

21 Q Who was he?

22 A His name was Ghazi Duckett.

23 Q Do you know the address they lived at?

24 A No, but I know the direction.

25 Q Where?

1 A Sandridge.

2 Q Near Varnville?

3 A Yes.

4 Q Were you there on the morning that it
5 happened?

6 A No, but I saw the cars that passed me.

7 Q Did you see her die or see any of the
8 events leading up to it?

9 A No, sir.

10 Q I know you have feelings, but we can
11 only talk about what we know and what we
12 observed.

13 Where were you before you found out what
14 happened?

15 Q I was dealing with the death of my ex-
16 boyfriend getting murdered on the side of the
17 road. My aunt had died too. I my told my
18 sister, Brittany, I said, I should go and check
19 on my baby. I couldn't get her off my mind, so
20 we went a second club.

21 Q In Walterboro?

22 A Yes, sir.

23 Q Do you recall the names by chance?

24 Q One of them was Hang Time.

25 Q You are not sure what the other one is?

1 A No, sir. The last one we went to was
2 Hang Time. We left that club around 5:15.

3 Q In the morning?

4 A Yes, sir.

5 Q What time did you leave to go there?
6 How long had you been out?

7 A We probably left my mom's house about
8 9:00. Me and her went to Bull Club. I was in
9 my car. My baby be on my mind the whole time.

10 Q You were thinking about Lamekia the
11 whole time?

12 A Yeah. Out of the blue. I just thought
13 that I need to go check on her.

14 Q I will ask you. Were you impaired? Had
15 you been drinking at these clubs?

16 A We was drinking at the first club, they
17 wouldn't serve at the second club.

18 Q So you hadn't had a drink in awhile?

19 A No.

20 Q Were you safe to drive back?

21 A Yes. I drove back.

22 Q You drove yourself and your sister?

23 A Yes.

24 Q You all were heading back?

25 A Yes.

1 Q About what time?

2 A Probably about 5:15.

3 Q You said you were worried about Lamekia
4 and you just had a feeling.

5 A Me and my baby was very playful. I
6 wanted to just pop up on her. I would do it
7 from time to time. If she asleep, then she
8 comes outside mad. My sister, Brittany said, we
9 ain't going there this hour of the morning. She
10 might come out fussing.

11 Q Did Mr. Duckett mind when you dropped
12 by?

13 A I loved him to death, and he had loved
14 me to death.

15 Q That was your plan, to show up
16 unannounced?

17 A Yes, sir.

18 Q You said you passed something?

19 A Coming in from Walterboro, we got past
20 the stop sign to come towards Sandridge.

21 Brittany Gadsden was in the passenger side.

22 Q You are coming Highway 63 from Colleton
23 County?

24 A Yes.

25 As I am riding, Brittany Gadsen in the

1 passenger seat right. I wasn't driving that
2 fast because it was dark. There was some bright
3 lights. When the lights came up so quick, when
4 it passed me it was a red Charger in front of my
5 car. A white Crown Vic was right behind that
6 car. It

7 rocked my car to side to side.

8 I told my sister, maybe I should turn
9 around. As I am going, either you can make this
10 right or left. They made this left on the road
11 where my child was staying at. I don't know who
12 was in the car, but those are the two cars that
13 I saw turned to where my child lived at.

14 Q So you saw a red Dodge Charger and a
15 Crown Vic.

16 A Yes, sir.

17 Q Towards where your daughter lives?

18 A Yes, sir.

19 Q Did you let the police know this
20 information later on?

21 A Right then and there.

22 Q At some point?

23 A At some point I did. Right then, my
24 child got murdered, and I couldn't believe it.
25 I was struck.

1 Q After you saw the vehicles, you said you
2 were thinking about turning around.

3 A Yes.

4 Q Did you in fact turn around?

5 A I did, but not right then.

6 Q So you are coming back from Waltherboro.
7 Is it a left there to go to Sandridge off of 63?

8 A On my left.

9 Q When you were coming back?

10 A Yes.

11 Q You don't do that because you are going
12 to drop Maria off?

13 A Yes, sir.

14 Q You came all the way back into town to
15 do that?

16 A Yes, sir.

17 Q Roughly how long did that take?

18 A 5:45, 6:00 when we got to her house. We
19 got out and we went in. She did not want to
20 stay. She asked me to take her back to
21 Sandridge. I drove her back to Sandridge.

22 Q Is that the area where Lamekia lived?

23 A Yes, sir.

24 Q You obviously learned what happened or
25 learned her condition at some point.

1 A I learned at the time that I dropped her
2 off that my child was already dead.

3 Q Did you learn by somebody telling you,
4 calling you, or did you go to her house?

5 A I had a phone call that morning. When I
6 compared the autopsy reporter from the coroner.
7 I compared the times. I was down there at 6:00
8 at Sandridge.

9 Q Did you find out by going to Lamekia's
10 house? Is that how you found out she had died.

11 A No, sir.

12 Q You got a call?

13 A I got a call from her best friend.

14 Q Did you eventually go to her home that
15 morning?

16 A Yes, sir.

17 Q Did you see her there?

18 A They wouldn't let me.

19 Q Did you ever see her again?

20 A In the casket.

21 Q We are almost done, Ms. Fields. I know
22 this is really hard. I want to just turn your
23 attention back very briefly, and then I will
24 turn you over to these gentlemen.

25 I will ask you to answer any questions

1 that they have. The red Charger, did that car
2 mean anything to you, or is it just something
3 that stuck out because it rocked your car?

4 A It's a family member of mine's car.

5 Q Whose car?

6 A A Boles.

7 It's Lorenzo Bole's brother's, but
8 Lorenzo Boles was always driving the car. He
9 was in charge of the car because his brother was
10 only down her but one time.

11 Q Who is Lorenzo Boles to you?

12 A He is very close. My father's name is
13 Lorenzo Boles.

14 Q Is Lorenzo Boles who drives the red
15 Charger in the courtroom today?

16 A Yes.

17 Q Can you identify him.

18 A He is right there (indicating).

19 Q Do you know Tyrase Collins?

20 A I don't know him like that. My kids do.

21 Q Have you met him?

22 A I have seen him before. I didn't know
23 him.

24 Q I am just asking if you know him.

25 A He be around my area.

1 Q Is he in the courtroom today?

2 A Yes.

3 Q Can you identify him by something he is
4 wearing?

5 A He is in the purple shirt, and Lorenzo
6 is wearing a brown-and-white shirt.

7 MR. EVANS: May the record reflect she
8 has identified the defendants.

9 THE COURT: She has. Yes, sir.

10 MR. EVANS: Thank you, Ms. Fields.
11 Those are all the questions I have for you.
12 Again, I will ask you to answer any questions
13 that Mr. Gibbes or Mr. Johnson has, okay.

14 THE COURT: All right.

15 Mr. Gibbes, do you have any questions,
16 sir?

17 MR. GIBBES: Yes, sir.

18 THE COURT: Go right ahead.

19 **

20 **CROSS-EXAMINATION BY MR. GIBBES**

21 BY MR. GIBBES:

22 Q Good afternoon, Ms. Fields. I just have
23 a few quick questions. You mentioned that you
24 are related to Lorenzo Boles?

25 A Yes.

1 Q What is that relation?

2 A Very close kin. Not even third cousins.

3 Q I want to get down a timeline. You said
4 you left the club at 5:15 a.m.

5 A 5:00, 5:15 Somewhere in that area.

6 Q Where were you headed?

7 A Back home to my mother's on Brian Road
8 in Hampton, South Carolina.

9 Q You mentioned that you saw one or two
10 vehicles?

11 A I saw two vehicles.

12 Q Which vehicles were those?

13 A The red Charger first, and then the
14 white Crown Vic right behind it.

15 Q You said those vehicles were speeding?

16 A They were speeding. They rocked my car.

17 Q Was this before or after?

18 A After what?

19 Q The incident?

20 A What incident?

21 Q The murder.

22 A I am not sure because I wasn't there.

23 The only thing I can tell you is when I was
24 going to take my ride home, those cars were in
25 that hole. It had to be before the murder. I

1 wanted to first turn around, but my sister said,
2 no.

3 I went ahead and took my ride home. We had
4 plans to go home. She didn't want to stay home.
5 When I went back there to take her not on this
6 road where my child got murdered at, but on the
7 next road, my baby was already dead.

8 I get out of my car. She didn't want to
9 walk down the road. I wasn't going down that
10 dirt road where she wanted me to go.

11 Q Your testimony today is you were leaving
12 from the club around 5:15, and you saw a white
13 Crown Vic and a red Charger speeding in the
14 direction of Pricilla Lane?

15 A Yes.

16 Q Quick question. Did you have any
17 opinions as to why individuals would speed to go
18 commit a crime?

19 A I have no idea. Maybe because there was
20 nobody else on that road that night.

21 I guess I am the only car that is coming
22 this way. I don't know why they were speeding.
23 You have to ask them that. My car was rocking.

24 Q You said I would have to ask them that
25 question. When you say "them" who do you mean?

1	A	The drivers of the car. Ask Lorenzo
2		because he was the driver of the red car.

3 Q Last question. Does Lorenzo Boles own
4 that vehicle? Is it registered to him?

5	A I am not sure who owned the vehicle.

6	Q Thank you.

7	A You are welcome.

8 THE COURT: Mr. Johnson, any questions,
9 sir? MR. JOHNSON: Yes, sir.

10	**

11	CROSS-EXAMINATION BY MR. JOHNSON

12 BY MR. JOHNSON:

13	Q I am sorry for your loss.

14	A Thank you. How are you?

15	Q I am doing good.

16	You didn't see who was in the car?

17	A No, sir.

18 Q You didn't see my client in that car
19 because you couldn't see?

20 A I didn't see nobody in the car. Your
21 client -- I didn't know who was in the car.

22 MR. JOHNSON: That is all. Thank you.

23 THE COURT: Anything else?

24 MR. EVANS: Very briefly, Your Honor.

25 THE COURT: Yes, sir.

REDIRECT EXAMINATION

BY MR. EVANS:

Q Ms. Fields, you mentioned that the car belongs to Lorenzo's brother, but he drives it? -SZ?

A He was driving it. He live in Texas.

Q Do you know the full name of Lorenzo's brother?

A Craig. I am not sure.

Q And you know he lives in Texas?

A Yes. During that time I thought he was. I'm not sure.

Q Fair enough.

MR. EVANS: Those are all the questions, Judge.

THE COURT: Anything else, Mr. Gibbes?

RECROSS-EXAMINATION BY MR. GIBBES

BY MR. GIBBES:

Q Quick question. You don't know if that was his brother in the vehicle?

A His brother wasn't in town at that time. His brother was living in Texas. That's why he had the car.

Q I thought you stated just now that you

1 wasn't sure if he was in Texas or not at that
2 time.

3 A During the time this red Charger was
4 down here, his brother wasn't normally around
5 here. As far as everybody knew, regardless of
6 however his brother was down here or not, his
7 brother wasn't driving that red Charger.
8 Lorenzo Boles was.

9 MR. GIBBES: Thank you.

10 THE COURT: Anything else, Mr. Johnson?

11 **MR. JOHNSON: A quick follow-up.**

12 ******

13 **RECROSS-EXAMINATION BY MR. JOHNSON**

14 BY MR. JOHNSON:

15 Q Do you know a Tousant Harris?

16 MR. EVANS: I will object to that, Judge

17 THE COURT: Counsel approach.

18 (Bench conference.)

19 THE COURT: I will sustain the
20 objection.

21 Mr. Johnson, do you have anything else,
22 sir?

23 MR. JOHNSON: No, Your Honor.

24 THE COURT: Anything else, Solicitor?

25 MR. EVANS: No, Your Honor. I ask that

1 she be allowed to sit in the gallery because she
2 is a victim in the case.

3 THE COURT: Any objection now that she
4 has given her testimony? You're not looking to
5 recall this witness, are you, sir?

6 Mr. Gibbes?

7 MR. GIBBES: No objection.

8 THE COURT: So no objection to her being
9 allowed to remain in the courtroom?

10 Mr. Johnson?

11 MR. JOHNSON: No objection, Your Honor.

12 THE COURT: Counsel approach.

13 (Bench conference.)

14 THE COURT: Ladies and gentlemen, I
15 think we have one more quick witness, and then
16 we will go to lunch.

17 MR. EVANS: The State calls Laura Meyer.

18 **

19 LAURA MEYER,

20 being duly sworn testified as follows:

21 **

22 DIRECT EXAMINATION

23 BY MR. EVANS:

24 Q Please identify yourself and spell your
25 last name for our court reporter.

1 A Laura Meyer, M-e-y-e-r.

2 Q Where do you work, Ms. Meyer?

3 A Hampton County EMS.

4 Q What do you do there?

5 A I am a paramedic.

6 Q What is the definition of a paramedic?

7 A We provide free hospital care for the
8 citizens of Hampton County.

9 Q How long have you been doing that?

10 A About 20 years.

11 Q Is there a difference between a
12 paramedic or an EMT, or do you all use them
13 interchangeably?

14 A Yes. Paramedic is the higher level.
15 It's about 1,100 class hours, whereas EMT basic
16 is about 200 hours.

17 Q How long have you been doing this sort
18 of work?

19 A Twenty years.

20 Q All in Hampton County?

21 A Yes, sir.

22 Q You have been to a crime scene before
23 like the one we are going to talk about?

24 A Yes.

25 Q Roughly how many times, ballpark?

1 A Quite a few.

2 Q Many, many times?

3 A Yes.

4 Q Tell us about March 25, 2018, your part
5 of the story.

6 A We got called to a possible shooting
7 incident. We have to wait for law enforcement
8 to secure the scene.

9 Q Were they able to do that for you?

10 A Yes.

11 Q Do you recall where that was?

12 A [REDACTED] Pricilla Lane.

13 Q Hampton County?

14 A Yes. In Varnville.

15 Q You said that law enforcement cleared
16 the scene for you?

17 A Yes, sir.

18 Q How long did that take?

19 A Not exactly sure of the time. Sometimes
20 it could be a few minutes. Depending on where
21 they are located in the county, sometimes it
22 takes a little bit longer.

23 Q What did you do once they had cleared
24 the scene for you?

25 A We proceeded to the scene. That is when

1 we started to check on the patients.

2 Q By the patients who do you mean?

3 A Duckett, Warren, and Johnson.

4 Q How did you -- where approximately did
5 you find them?

6 A The first patient was located just
7 inside of the front door. There was a bedroom
8 just to the right. He was in that doorway.

9 The second patient was in that same room
10 in the corner.

11 The third patient was in the front room,
12 probably a few steps from the doorway, maybe
13 four or five steps from the doorway.

14 Q Did you assess all of them?

15 A Yes.

16 Q What did you find?

17 A Two were DOA, dead on arrival, due to
18 injuries incompatible with life.

19 The third one, he had a GSW to the head.

20 Q What is GSW?

21 A Gunshot wound.

22 We did backboard him and prepared to
23 transport him to the hospital.

24 Q Were you able to take him to the
25 hospital then?

1 A Yes.

2 Q You did not take the other two?

3 A No.

4 Q What happened when you started going to
5 the hospital?

6 A His respirations slowed down. We did
7 have to use a VBM, which basically means we
8 assisted his ventilations. We helped him
9 breathe.

10 Then I gave him IV access so I could give
11 him some fluid. Not a whole lot of time to do a
12 bunch of things, but that was about it, other
13 than he started posturing, which is typical.
14 You see them with a traumatic brain injury

15 Q I see. What does that mean visibly?
16 Describe that a little bit.

17 A They draw up.

18 Q So did that while he was still in the
19 ambulance?

20 A Yes.

21 Q On the way to -- which hospital are you
22 taking him to?

23 A We took him to Hampton.

24 Q Would have had to go to another hospital
25 hypothetically on?

1 A If he survived his injuries, but they
2 were so severe that Hampton was where we needed
3 to take him.

4 Q That is where he expired?

5 A Yes, sir.

6 Q Did you identify which victim that was
7 His name?

8 A Yes.

9 Q How did you do that?

10 A He had ID in his pants pocket.

11 Q You took a loot look at that?

12 A Yes.

13 Q What did it say?

14 A Ghazi Duckett.

15 MR. EVANS: Those are all the questions
16 I have, Your Honor.

17 THE COURT: Mr. Gibbes

18 MR. GIBBES: No questions.

19 THE COURT: Mr. Johnson?

20 MR. JOHNSON: I have no questions, Your
21 Honor.

22 THE COURT: Thank you so much ma'am.
23 Have a great day.

24 MR. EVANS: I think that would be a
25 great time to break.

1 THE COURT: Ladies and gentlemen, what
2 we are going to do is now break for lunch. I
3 will ask that you be back at 2:00, and we will
4 pick up with the testimony.

5 In the meantime, what I want you to know
6 is, please do not discuss this case among
7 yourselves, with anyone else, conduct no
8 research on this matter or any issue that you
9 think might be helpful.

10 I look forward to seeing everything back
11 at 2:00. We will try to start promptly and
12 continue with the testimony.

13 Thank you for your attention that you
14 all paid this morning. We appreciate it. Thank
15 you very much.

16 (Jury exits courtroom.)

17 (Luncheon recess.)

18 **

19 **PROCEEDINGS CONTINUED**

20 THE COURT: All right. Anything before
21 we bring the jury in?

22 MR. GIBBES: Like I mentioned earlier,
23 there is evidence that we would like to exclude.

24 THE COURT: All right. What is it that
25 you are trying to exclude?

1 MR. GIBBES: The Dollar General video.
2 It's 30 hours after the actual murders.

3 THE COURT: All right. Tell me about
4 it.

5 MR. GIBBES: That video shows my client
6 going in Dollar General. It shows the Dodge
7 Charger pull up, and my client got out of the
8 vehicle going to Dollar General to purchase some
9 dog food. My client is charged with accessory
10 before the fact.

11 THE COURT: So there is a Dollar General
12 video that is showing 30 hours after the
13 incident. It shows that your client, I guess,
14 gets out of the red Dodge vehicle; is that it?

15 MR. GIBBES: Correct.

16 THE COURT: It shows him purchasing some
17 food, dog food or whatever. Then he gets back
18 into the vehicle and leaves?

19 MR. GIBBES: Yes, Your Honor. He
20 leaves.

21 THE COURT: Is that the extent of what
22 is the video shows

23 MR. GIBBES: Correct, Your Honor.

24 THE COURT: Why are you asking that that
25 be excluded?

1 MR. GIBBES: The probative value of it
2 kind of outweighs the prejudicial effect to
3 suggest that because my client was seen on the
4 video 30 hours after the incident that perhaps
5 he was also seen going to the scene or coming
6 from the scene. The relevance of it, Your
7 Honor, I still don't know the purpose for which
8 the Solicitor is putting it up today. Again,
9 particularly with the fact that my client is not
10 charged with accessory after the fact. He is
11 charged with accessory before the fact. They
12 are presenting evidence showing him pulling up
13 in a vehicle some 30 hours after the actual
14 murders.

15 THE COURT: All right. Anything else,
16 sir?

17 MR. GIBBES: No, Your Honor.

18 THE COURT: Let me hear from you.

19 MR. EVANS: Yes. Thank you, Your Honor.
20 I completely disagree with that fact, Judge. We
21 are going to take this a little bit out of order
22 of my explanation.

23 When they found the Dodge Charger and
24 executed the search warrant, SLED crime scene
25 witness, Gabriel Denizard, found in the Charger

1 a receipt from that Dollar General. He took a
2 photo of that. That receipt was, in fact, for
3 dog food, and it was for approximately 10:15 --
4 a short time before law enforcement arrived at
5 ■ Crews Street in Varnville not far from the
6 Dollar General where they saw the red Dodge
7 Charger.

8 Mr. Boles was not in the red Dodge Charger
9 when they arrived at ■ Crews Street, but he and
10 the car were both onsite. I assume that Mr.
11 Gibbes in cross-examination and in his closing
12 he is going to contest whether Mr. Boles ever
13 operates the vehicle. I understand that he is
14 charged with accessory before the fact, and that
15 this video took place after the fact; however,
16 it's still probative of the fact that Mr. Boles
17 operates regularly this Dodge Charger.

18 The video shows a red car with clearly a
19 front license plate pulling into the Dollar
20 General parking lot. Mr. Boles gets out from
21 the driver's side. He makes a purchase. That
22 purchase matches up with the receipt. He then
23 leaves. Again, this is all time stamped and
24 it's shortly before law enforcement arrived at
25 the scene, not the Pricilla scene, the Crews

1 scene, where they saw Mr. Boles running away
2 from when they were trying to find persons of
3 interest the day following the murders.

4 Mr. Clapp having the receipt went to
5 Dollar General to check it out. He saw the
6 video. The video was procured and a physical
7 copy given to the sheriff the following day or
8 shortly thereafter. Dollar General just
9 required a subpoena for the record. So Mr.
10 Clapp knew that that is who I intended to put it
11 in through because he could say it fairly and
12 accurately depicts the video which he watched
13 when he went to Dollar General to view it in
14 person.

15 I think it is probative of the fact that
16 Lorenzo Boles drives this red Dodge Charger
17 where further on in the case both victims' DNA
18 and DNA from both defendants will be known.

19 THE COURT: Anything else, Mr. Gibbes?

20 MR. GIBBES: No, Your Honor. I think I
21 said it. Again, I think it doesn't prove that
22 he drives it regularly. It shows that he was
23 driving it that day, which is, again, 30 hours
24 after the actual murders took place. I think
25 that would it would do is just more so confuse

1 the jury. That's just more so misleading.

2 THE COURT: Anything, Counsel, that you
3 want to add to this? I don't know that you have
4 a dog in this hunt.

5 MR. JOHNSON: I got no dog in that hunt,
6 Judge.

7 THE COURT: Wel, number one, I have to
8 disagree with you, Mr. Gibbes. I think there is
9 nothing confusing as it relates to what would be
10 presented by -- this evidence being presented to
11 the jury. I don't think there is anything that
12 would confuse them.

13 I think that it's relevant. I think
14 given the testimony that we have received so
15 far, I believe -- I believe that it's highly
16 probative. There are issues about who owns the
17 car, who drives the car. This has already come
18 up in testimony and on cross-examination issues
19 concerning the driving of the vehicle, whose
20 vehicle it was. Where somebody was.

21 So I think that it is highly probative.
22 probative. While I do think it's prejudicial,
23 of course any evidence against you, sir, could
24 be perceived as prejudicial. As a result of
25 that, I don't think that the prejudicial effects

1 substantially outweigh the probative value. As
2 such, sir, I will respectfully deny your
3 request. I am going to assume that the
4 appropriate foundation is laid as it relates to
5 this matter. Then I would allow that into
6 evidence.

7 All right, sir?

8 MR. GIBBES: Thank you, Your Honor.

9 THE COURT: Yes, sir. Certainly, you
10 can make mention when he gets ready to renew and
11 protect your motion for the record, sir. I will
12 allow you to do that. You don't have to say
13 anything, but just remember to bring that to the
14 Court's attention, and I will deny your motion
15 so we can preserve the record as it relates to
16 that.

17 Anything else?

18 MR. EVANS: Not from the State.

19 THE COURT: Mr., Gibbes, anything else?

20 MR. GIBBES: No, Your Honor.

21 THE COURT: Anything else, Counsel?

22 MR. JOHNSON: I have nothing, Your
23 Honor.

24 THE COURT: All right. Mr. Johnson
25 approached me as I was going to lunch and

1 indicated that maybe some of his clients, folks,
2 or people were not allowed into the courtroom
3 because I was charging the jury. That is not
4 the. case. At the appropriate time if he has
5 folks who are not supposed to be sequestered and
6 they want to come in, it's not going to disturb
7 the Court. They can come in, and that's not a
8 problem. I wanted to say that.

9 MR. JOHNSON: I spoke to your sheriff.
10 He told me he will take care of it.

11 THE COURT: At this point, Mr. Johnson,
12 I do want to tell you this, sir. The reason I
13 am telling you now is because I don't want to
14 pop this on you later as we are leaving.

15 I am going to require that your client
16 be taken into custody at the conclusion of the
17 trial today. I will tell you why and what I am
18 doing

19 I will just be honest. Your client is
20 not a flight risk. Heck, he showed up in
21 Allendale by himself to appear at a hearing. I
22 don't think he is a flight risk at all.

23 Mr. Johnson, I have heard arguments so
24 far. I have seen the testimony of two
25 witnesses. I am assuming you are still moving,

1 Solicitor, to have him taken into custody now
2 that the case has been called.

3 MR. EVANS: That would be the State's
4 request.

5 THE COURT: I didn't want to tell you
6 this at 5:00 or whenever we break today.

7 Now what I am going to do is this: Over
8 the overnight hours -- this is volatile inside
9 and outside the courtroom. I am going to lunch,
10 and I am sure you were hearing some of the same
11 things that I was hearing as we were leaving.

12 I am not sure exactly what was said, but
13 there was a lot of very emotional conversation
14 that is being taken place, and I understand
15 that. I am not condoning that or condemning
16 that. I just think that this is a volatile
17 situation. So to that extent, I think that it's
18 in the public's best interest that he be taken
19 into custody at the conclusion of the day's
20 business.

21 In the morning, as far as I am
22 concerned, at 7:30 if somebody wants to be there
23 to pick him up so that he can go get a shower
24 and put on clothes and meet with you, I don't
25 have a problem with that.

1 During the day, he can move about this
2 courtroom freely. Talk with you, converse with
3 you. At nighttime, right now with what is going
4 on in this case, I believe it's in the best
5 interest of the public. I just think that I
6 have to at this point as far as bond and the
7 fact that he is off bond at this point. So I
8 think it's my discretion as to whether or not he
9 remains out while he is off bond. So my ruling
10 is going to be that he needs to be taken into
11 custody once it's completed and at 7:30 in the
12 morning, if he wants to be released, then if
13 somebody wants to pick him up, mom or a relative
14 or whoever and if he wants to get a shower and
15 breakfast and meet with you, then fine. During
16 the day, he is fine to move about.

17 Do you understand my order?

18 MR. JOHNSON: I have already told him
19 that, Your Honor. So he is kind of prepared.

20 THE COURT: You didn't tell him I was
21 going to let him out at 7:30, so he could go
22 take a shower at home, did you?

23 MR. JOHNSON: No. That was icing on the
24 cake.

25 THE COURT: Solicitor, do you have a

1 problem or any concerns about what my ruling is,
2 that he is to be taken into custody?

3 MR. EVANS: None whatsoever.

4 THE COURT: Also, sir, you do understand
5 that

6 if you were not to appear, you would be
7 tried in your absence and the case would
8 continue on without you here in the courtroom.
9 You understand that?

10 THE DEFENDANT: Yes, sir. I understand.

11 THE COURT: Super. No problem. Thank
12 you very much.

13 Yes, sir.

14 MR. EVANS: Judge, the last thing is a
15 quick housekeeping matter for this afternoon.

16 Mr. Clapp is going to be the longest
17 witness of the case because he entered a great
18 number of exhibits. He is going to enter or at
19 least lay a foundation for a great number of
20 exhibits.

21 He will obviously be on the stand, so I
22 will be getting them ready and marking them on
23 my own without his assistance. Just wanted to
24 make the Court aware that that is going to be
25 long testimony. So perhaps after the second

1 witness, the jury might get a bathroom break as
2 I expect they will need one sooner or later this
3 afternoon.

4 THE COURT: All right. That sounds
5 great.

6 We need the jury, please, sir.

7 (Jury enters courtroom.)

8 THE COURT: Welcome back, ladies and
9 gentlemen of the jury. We are ready to continue
10 with the testimony in this matter.

11 Solicitor, call your next witness.

12 MR. EVANS: The State calls Nicklaus
13 Sprouse.

14 **

15 NICKLAUS SPROUSE,
16 being duly sworn testified as follows:

17 **

18 DIRECT EXAMINATION

19 BY MR. EVANS:

20 Q Good afternoon.

21 A Good afternoon.

22 Q Please identify yourself and give your
23 last name to our court reporter.

24 A Nick Sprouse.

25 Q What do you do for a living, Mr.

1 Sprouse.

2 A I work with Dominion Energy at this
3 time.

4 Q What did you do before you got that job?

5 A I worked with the South Carolina Law
6 Enforcement Division.

7 Q Commonly referred to as SLED?

8 A SLED.

9 Q What did you do at SLED?

10 A I was a crime scene investigator.

11 Q Tell us about what that means, sir.

12 A We are a responsive agency. SLED is a
13 responsive agency. When we get requests
14 throughout the state or local or county
15 jurisdictions, they could request crime scene to
16 come in to process the scene and collect
17 evidence and to write up any kind of
18 disciplinary reports that we have to, such as
19 bloodstain pattern analysis, shooting
20 reconstruction, crime scene reconstruction.

21 Q Are you based in Columbia?

22 A Yes, sir.

23 Q Go all over the state whenever there is
24 a call?

25 A Statewide jurisdiction.

1 Q Did you do that in the case we are here
2 about today?

3 A Yes, sir.

4 Q March 25, 2018?

5 A Yes, sir.

6 Q Do you remember the events of that
7 morning -- your part of it, I should say?

8 A I was part of it.

9 Q Tell us about how you found yourself
10 here in Hampton.

11 A We get a request that comes through the
12 operations desk, which is commonly referred to
13 at SLED as OD. That request came approximately
14 7:00 a.m. on that morning. We were advised that
15 there had been a homicide in the County of
16 Hampton. At that point in time, typically we
17 get contact information from someone on the
18 scene. They give us an address, and we roll
19 just as soon as we get it.

20 That is the crime scene procedures.

21 Q Probably took you a while to get down
22 here?

23 A Yes, sir. From Columbia, yes, sir.

24 Q What did you find when you arrived?
25 Where were you dispatched to?

1 A I believe it was Pricilla Lane in
2 Hampton County.

3 Q Would like a copy of your report?

4 A If you don't mind, yes, sir.

5 Q Is that the same report that you
6 prepared in this case?

7 A The reports do verify my signature and
8 my initials.

9 Q So Pricilla Lane. Is that where you
10 said you went?

11 A Yes, sir. [REDACTED] Pricilla Lane, Varnville,
12 South Carolina 29944.

13 Q Hampton County?

14 A Yes, sir.

15 Q What did you find when you got to
16 Pricilla Lane?

17 A There was a law enforcement presence
18 obviously on scene once we get there. It was a
19 frailer that we arrived to. The residence was a
20 frailer. We were advised on scene that there
21 were decedents in the residence, and one had
22 been transported from the scene at that time.

23 We were also advised at that time upon

24 SLED crime scene's arrival that there was
25 no suspects at that time known for us to be able

1 to process.

2 Q Other than the report which I have
3 handed you, did you document your findings in
4 any way?

5 A Yes, sir. Myself and Special Agent
6 Denizard were the two crime scene agents that
7 reported to the scene. At that time, that day,
8 we processed that entire scene.

9 Q Did you take photographs?

10 A We took a lot of photographs.

11 Q Quite a few?

12 A Quite a few.

13 Q Did you review any of the photographs at
14 my request in preparation for trial today?

15 A I have, but in no particular order.

16 Q Mr. Sprouse, I am going to hand you -- I
17 will read off the numbers very quickly.

18 These are photos which have been
19 previously marked as State's Exhibits 207, 209,
20 210, 211, 212, 214, 215, 216, 218, 219, 220,
21 221, 222, 223, 224, 225, 226, 227, 228, 229,
22 230, 231, 232, 233, 234, 235, 236, 237, 238,
23 239, 240, 241.

24 Do you recognize those photos?

25 A As you were flipping through them, yes,

1 sir.

2 Q Are they some of the many photos that
3 you reviewed prior to testifying today?

4 A Correct. Yes, sir.

5 Q Of the many photos that you took at the
6 scene?

7 A Yes, sir.

8 MR. EVANS: Your Honor, the State would
9 move the photographs into evidence at this time.

10 THE COURT: Any objection?

11 MR. JOHNSON: Your Honor, we have an
12 objection to the last two pictures that he just
13 showed.

14 THE COURT: Is that not covered in what
15 we talked about this morning?

16 MR. EVANS: Correct, Judge.

17 THE COURT: All right.

18 MR. EVANS: Judge, we are removing 240
19 and 241 at this time. We move to enter the
20 others.

21 THE COURT: Any objection other than the
22 previous objection to the matters that we
23 discussed as it relates to these photographs?
24 Have you all agreed on these photographs?

25 MR. JOHNSON: Yes, we did, Your Honor.

1 That was the prior time.

2 THE COURT: So you have no objection to
3 these photographs?

4 MR. JOHNSON: No objections to those.

5 MR. GIBBES: The ones that he is
6 attempting to put in now.

7 THE COURT: All right. Admitted without
8 objection.

9 (State's Exhibits 207, 209, 210, 211,
10 212, 214, 215, 216, 218, 219, 220, 221,
11 222, 223, 224, 225, 226, 227, 228, 229,
12 230, 231, 232, 233, 234, 235, 236, 237,
13 238, 239 were admitted into evidence.)

14 BY MR. EVANS:

15 Q We are going to publish those, Mr.
16 Sprouse.

17 Q What is State's Exhibit 201?

18 A This is looking at the front of the
19 residence at [REDACTED] Pricilla Lane, the scene where
20 we were.

21 Q How about State's Exhibit 202?

22 A There is just establishing the scene.

23 Q What about 203?

24 A That is establishing the entryway.

25 THE COURT: Are you finished with the TV

1 right now? Go ahead.

2 MR. EVANS: I am very satisfied.

3 BY MR. EVANS:

4 Q What do we have in State's Exhibit 204?

5 A Going into the door that you have just
6 seen in the previous photos, as soon as you walk
7 into the door to your immediate left, this seat
8 would be right here at your immediate left.

9 Q What else did you see about the
10 decedent's body? What else can you describe for
11 us there?

12 A You will have blood staining and blood
13 pooling that is below him here. A cell phone
14 that is still on the charger. That is a head
15 set to like an Xbox or a gaming system.

16 Obviously, you can see he is slumped
17 over. I don't know if you can tell, but there
18 is not a lot of space in between this chair and
19 the single-seated chair.

20 Q What is in that back corner here?

21 A That is a like a bed sheet of some sort
22 that is just hanging down. Once you move past
23 that, it would be a hallway that you would go
24 down further into the mobile home.

25 Q What do we have in State's 205?

1 A Once you walk into the main door we saw,
2 further to your immediate right, this is the
3 doorway leading into this bedroom, which I
4 labeled as Bedroom 1.

5 This is if you were standing where the
6 other decedent is to my back looking forward
7 into this room.

8 Q Is this one of the diagrams that you
9 prepared?

10 A Yes, sir.

11 Q I am going to mark this as State's
12 Exhibit 293. Is it the same, other than the
13 borders and what have you, the same as the
14 diagram that you prepared.

15 A Yes, sir.

16 Q Would it assist you in your testimony.

17 A Yes, sir. As far as orientation, yes,
18 sir, it would.

19 This way in this threshold is what I
20 located as Bedroom Number 1.

21 Q State's Exhibit 207.

22 A This is into the living room. The
23 decedent would be located here with a single set
24 of chairs.

25 We located items of evidence and marked

1 them. Now you see markers on the ground. We
2 are still shooting a picture through that way,
3 through the bedroom door of Number 1.

4 Q State's Exhibit 209. What do we have
5 with 209?

6 A Evidence marker. Cartridge case lying
7 on top of blood pooling on the carpet.

8 Q Are there occasions where multiple law
9 enforcement puts down the markings before you
10 arrive?

11 A Yes, sir.

12 Q Was this one of those occasions, or did
13 SLED? I believe we did. And the reason why I
14 believe we did is because this is specifically
15 my marker.

16 Q How could you tell that?

17 A We use very distinct markers. Most
18 County agencies -- sometimes they may be
19 smaller. We typically have very large markers
20 that have one -- they have a larger number and a
21 smaller number. In the bottom-right corner.
22 Particularly when we take a far-away picture,
23 obviously, you see the big one.

24 Q In this case, you guys put the markers?

25 A Yes, sir. This is all us.

1 Q State's Exhibit 210.

2 A This is standing in the main door of the
3 residence. This is going to be in to the right.
4 That is Bedroom 1. You can see Markers 2, 3, 4
5 and 5 in this particular photo.

6 Q I will mark this as 295. One of the
7 diagrams you prepared.

8 A This is a rough diagram of the living
9 room area. This is an approximate location on
10 my diagram, not to scale of the decedent that is
11 in the single-seated chair that you have seen.

12 This will obviously be markers. If you
13 look at 3, 4, 5 in the photographs, we are
14 considering that to be in Bedroom 1.

15 Therefore, you do not see, 3, 4, 5 on this
16 one. We will have descriptions. So in this
17 particular point, we didn't want to just go and
18 locate where 1 and 2 were. We wanted to be able
19 to place the body in the chair back. We did the
20 measurements that way.

21 Q State's 211.

22 A This is inside of Bedroom 1. It's
23 facing towards the living room.

24 Q Another diagram marked at 294.

25 A This is Bedroom 1. Decedent here off

1 again like representing the previous diagram.

2 Q State's 212.

3 A Take one or two steps inside the
4 threshold of Bedroom 1. Again, you can see 7,
5 8, 9, a little bit of 10. You can see the lower
6 extremities of the second decedent.

7 Q State's 214.

8 A This is a midrange photograph of Markers
9 9 and 10 showing two cartridge cases by the left
10 foot of the decedent.

11 Q How about State's 215.

12 A Same thing. Additional cartridges. We
13 are labeling them here. This is going to be
14 inside the living room basically into Bedroom 1.

15 Q Even on the top of the laundry basket
16 you have a cartridge casing.

17 A I do believe so.

18 Q State's 216.

19 A This is the same angle. A little bit
20 closer-up and to the right. Marker 13.

21 You are just looking from this way in
22 this particular midrange shots.

23 Q When you say shots, you mean
24 photographs?

25 A Midrange photographs.

1 Q 218.

2 A Bedroom 1 facing towards the decedent.
3 Marker 14.

4 Q State's 219.

5 A This is going to be closer-up photograph
6 indicating a cartridge case, which is being
7 marked by Marker 14.

8 Q State's 220.

9 A Marker 15. Another shell casing.

10 Q State Exhibit 221?

11 A Same thing. It will be very hard to
12 see. This particular cartridge case is facing
13 up towards you. It's in between the linoleum
14 and the wall, and it's indicated by Marker 16.

15 Q 222.

16 A You can see where it's wedged.

17 Q 223.

18 A Still in Bedroom 1. We have marker 17
19 here in the corner. As you have seen when we
20 were looking, the door was opened. This was
21 behind the door during the search.

22 Q 224.

23 A Cartridge casings back here.

24 Q This is all in Bedroom 1.

25 A Yes.

1 Q 225.

2 A Length and the width of suspected bullet
3 defect.

4 Q How about State's 226.

5 A This is going to be a closer-up of what
6 we saw in the previous photograph.

7 Q 227.

8 Q Shut the door in Bedroom 1. We have
9 located a suspected exit defect on the backside
10 of the door or the interior side of the door as
11 well as a defect on the right-side wall there as
12 you can see indicated by the sketch.

13 Q 228.

14 A Midrange photograph here of the defect
15 behind the door.

16 Q 229.

17 A This is going to be the wall. If you
18 remember looking at the door being closed on the
19 inside, you had a defect on the interior side.
20 Then we had one on the wall. This is the one
21 that is on the wall. You can tell due to the
22 pattern of the wood.

23 Q State's Exhibit 230?

24 A This is going to be a shot from the
25 inside of the living room facing -- this is

1 going to be your front door. This is going to
2 be the defect that we have running a laser. I
3 know it's extremely hard to see, but once we
4 have shut the door, that is where the laser dot
5 was when we ran our trajectory.

6 Q 231.

7 A Opened the door and had the trajectory
8 rod run through the suspected defects.

9 Q State's Exhibit 232?

10 A Angle scale to get an angle on the
11 defect.

12 Q What is the angle?

13 A That lets us know that this bullet
14 entered from a higher-up elevation.

15 Q State's 233.

16 A Bedroom 1. The decedent has been
17 removed from the scene. What you are seeing now
18 is scale of the suspected defects that we have
19 found.

20 Q 234.

21 A Bedroom Number 1 with the door fully
22 shut. Showing the trajectory rod and what
23 direction it would be pointed if that door was
24 shut and that projectile had traveled in that
25 direction.

1 Q 235.

2 A The exterior of the residence. It's
3 obviously facing the front. To the left would
4 be the main entryway.

5 Q Any defects on this?

6 A Right here.

7 Q How about State's 236.

8 A Yes, sir.

9 Q Is that a close-up of the one I just
10 asked you about?

11 A Yes.

12 Q 237. Tell us about this one.

13 A Facing the front of the mobile home on
14 the right side, there is going to be where this
15 is. This is going to be Bedroom Number 1. We
16 are phasing that way. We will be facing from
17 the bedroom door into the living room.

18 If you remember where the decedent was,
19 you remember where their head was. That is that
20 wall.

21 Q State's 238.

22 A This is a closer-up photograph of where
23 that defect is. That is up through a plastic
24 trash can that we saw outside of the exterior
25 wall.

1 Q 239.

2 A Scaled version of said defect with the
3 trajectory rod in it showing up to down
4 trajectory from inside the house.

5 Q Coming from bedroom one?

6 A Yes, sir.

7 Q Those are all the photos. I think you
8 can return to the stand.

9 Did you in fact collect all those by
10 yourself or with Mr. Denizard?

11 A Gabe was with me, yes, sir. The other
12 special agent was with me.

13 Q Tell me how you work.

14 A Typically what you have when you go to a
15 crime scene with SLED, you have a primary and
16 secondary special agent. Primary will be taking
17 the case. Notes, diagrams, everything will fall
18 under that primary officer.

19 Safety officers will be there for any
20 kind of assistance. Primarily, that particular
21 agent is there to photograph and any other needs
22 the primary has.

23 Q Did you all work in that fashion in this
24 particular case?

25 A Yes, sir.

1 Q You keep an eye on each other at all
2 times?

3 A Yes.

4 Q As a team collect the projectiles and
5 shell casings?

6 A Yes, sir.

7 A What is that?

8 A This is an overall package of Items 7
9 through 31. Firearm evidence that was collected
10 by us that day at Pricilla Lane.

11 Q I see that it's open. Was it that way
12 when you left the area?

13 A No, sir. This actually occurred once we
14 made it to SLED. Once we go and itemize it and
15 put it into a system to make it nice and clean
16 on a sheet, then we take all of the cartridge
17 casings that we have.

18 Each of these have been individually
19 sealed, signed, and initialed by me dated. Then
20 it was put into a container, so they would all
21 be together.

22 Q This have been premarked as State's
23 Exhibits 7 through 31.

24 Would you mind taking a quick look and
25 making sure that those are the same that went up

1 in that bag to Columbia back in 2018.

2 A Yes, sir. All of them have my initials
3 on them and the item description on them.

4 Q SLED Lab Number as well?

5 A Yes.

6 Q Tell us briefly what a lab number means.

7 A A specific number that is going to be
8 assigned to a particular case. From there you
9 can have -- that would be the parent number then
10 you have sequence numbers to different
11 departments. Each of them will be based off
12 that number to keep everything together as a
13 case.

14 Q Each one has its own item number?

15 A Yes.

16 Q Do the proposed exhibit numbers match
17 your original item numbers?

18 A They do.

19 MR. EVANS: The State would move the
20 shell casings and projectiles into evidence as
21 State's Exhibits 7 through 31?

22 THE COURT: Any objection, Mr. Gibbes?

23 MR. GIBBES: No objection.

24 THE COURT: Mr. Johnson?

25 MR. JOHNSON: I have no objection.

1 THE COURT: Thank you. Admitted into
2 without objection, 7 through 31.

3 (State's Exhibits 7 - 31 admitted into
4 evidence.)

5 MR. EVANS: Thank you.

6 BY MR. EVANS:

7 Q Talk about each one so we match them up
8 to those markers with your report.

9 A Yes, sir.

10 Q Exhibit 7 is Item 7?

11 A Correct.

12 Q So on and so forth?

13 A Correct.

14 Q We have how many shell casings and how
15 many projectiles?

16 A 25 total items of firearms evidence that
17 we collected from this.

18 Q That is fine.

19 Q Match each shell casing to which placard
20 number to match up from your report.

21 A Yes. A rundown of that?

22 Q If you would, please, sir.

23 A Item 7 would have come from Marker 1;
24 Item 8, Marker 2; Item 9, Marker 3; Item 10,
25 Marker from 4; 11 came from 5; 12 came from 6;

1 13 came from 7; 14 came from 8; 15 came from 9;
2 16 came from 10; 17 came from 11; 18 from 12; 19
3 from 13; 20 from 14; 21 from 15; 22 from 16; 23
4 from 17; 24 is a casing. We didn't mark it. 25
5 also came from the removal of the female
6 decedent. Again, the same reason why we didn't
7 mark it. 26 also came from underneath the female
8 decedent. 27 also came from under the female
9 decedent.

10 Q 27 is a projectile?

11 A 27 is a projectile. 28 also is a
12 projectile that came from underneath the female
13 decedent.

14 29 came from underneath the blanket near
15 the female decedent. That was a projectile as
16 well.

17 30 was another projectile that was also in
18 the striped blanket with the female decedent.
19 31 was another projectile that was collected
20 from Marker I.

21 Q So physically inside the wall?

22 A Yes.

23 Q Does the report indicate which defect
24 marker I was?

25 A I was on the floor north of the female

1 decedent's hand, underneath of her.

2 Q After you finished at Pricilla any other
3 physical items that you yourself and Mr.
4 Denizard collected from Pricilla?

5 A We collected three sets of suspected
6 blood swabs while we were there. They were in
7 the areas of all of the decedents.

8 Q What else did you do before you left
9 Hampton County that day? Did you go anywhere
10 else?

11 A Yes. We do a final walk-thru at
12 Pricilla to make sure that we didn't miss
13 anything. We always do a final walk-thru of the
14 premise inside and out. At that point in time,
15 we were advised to be en route to ■ Sparrow
16 Road in Varnville, South Carolina for evidence
17 collecting.

18 Q How about the Hampton County Medical
19 Center? Did you go there?

20 A We did go to the medical center that
21 day.

22 Q Why did you do that?

23 A We had one decedent that we had not
24 documented with photographs or any kind of
25 notes. We had to obviously go there. While we

1 are there, we also collected post-mortem
2 fingerprints. It's a requirement that we do
3 that in the investigation when we have a
4 decedent.

5 Q Did you observe the third decedent?

6 A We did.

7 Q All of this is in Hampton County?

8 A Yes, sir.

9 MR. EVANS: I am going to move in as
10 exhibits State's 293, 295, 294.

11 MR. JOHNSON: No objection.

12 MR. GIBBES: No objection.

13 THE COURT: Admitted without objection.

14 (State's Exhibits 293 - 295 admitted into
15 evidence.)

16 MR EVANS: Thank you. Nearly done.

17 BY MR. EVANS:

18 Q One more diagram. This is 296.

19 A Yes, sir.

20 Q Is that another one of the diagrams that
21 you prepared blown up to poster size?

22 A Yes, sir.

23 Q What if anything does this one reflect?

24 A This one shows the living room area
25 where the male decedent was located. It's

1 showing where the additional cartridge cases
2 were found. Showing the orientation to where
3 the kitchen was and the body positioning of the
4 decedent and where Bedroom 1 is.

5 MR. EVANS: The State would move this
6 diagram in as State's 296.

7 THE COURT: Mr. Gibbes?

8 MR. GIBBES: No objection, Your Honor.

9 MR. JOHNSON: No objection.

10 THE COURT: Admitted without objection.

11 (State's Exhibit 296 admitted into
12 evidence.)

13 BY MR. EVANS:

14 Q This the additional cartridge casing
15 that you mentioned earlier?

16 A Yes.

17 Q That would be the one down here at the
18 corner?

19 A Yes, sir.

20 MR. EVANS: Mr. Sprouse, those are all
21 the questions I have. Please answer any
22 questions that these gentlemen may have.

23 THE COURT: Mr. Gibbes.

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CROSS-EXAMINATION BY MR. GIBBES

BY MR. GIBBES:

Q Mr. Spouse, I represent Lorenzo Boles.
Did you collect any DNA that day?

A From Pricilla Lane?

Q Correct.

A No, sir, other than the suspected swabs that I mentioned earlier.

Q No blood swabs or any DNA that you know
of related to my client, Lorenzo Boles?

A I have not looked at any DNA reports.
As I know of, no.

MR. GIBBES: Those are all the questions, I have. Thank you.

THE COURT: Mr. Johnson, sir.

MR. JOHNSON: Thank you, Your Honor.

*** ***

CROSS-EXAMINATION BY MR. JOHNSON

BY MR. JOHNSON:

Q Please explain to the jury why you collected so much evidence at a scene.

A The short answer is, because it was there.

Q Is it important for you to try to get all the evidence you can?

1 A Correct.

2 Q Explain to the jury why you do that.

3 A To better assist the investigators
4 during their investigation.

5 Q So that you can probably help to
6 determine who was there and to make sure that
7 you get all the evidence that is available to
8 you?

9 A I would say to collect the facts that
10 were present.

11 Q The facts that are present?

12 A The facts that are present. The hard
13 evidence that is present.

14 Q Would you say that you are good at doing
15 that?

16 A I would like to think so.

17 Q Would you say that you think you got all
18 the evidence that you were charged with
19 collecting?

20 A That I was charged with collecting?
21 After doing a walk-thru, I would think that
22 everything that was going to be probative, yes,
23 sir. We felt like we collected it.

24 MR. JOHNSON: I have no further
25 questions, Your Honor.

1 THE COURT: Anything else, Mr. Evans?

2 **

3 **REDIRECT EXAMINATION**

4 BY MR. EVANS:

5 Q What does State's 227 show again?

6 A The interior side of Bedroom 1 with the
7 two defects scaled.

8 Q What is in the corner.

9 A Two long rifles.

10 Q Could those rifles have fired the shell
11 casings that you collected?

12 MR. JOHNSON: Your Honor, objection.

13 THE COURT: I will sustain that
14 objection.

15 BY MR. EVANS:

16 Q Did you collect those rifles?

17 A No, sir.

18 MR. EVANS: That is all, Your Honor.

19 THE COURT: Anything else?

20 MR. GIBBES: Nothing further.

21 MR. JOHNSON: No, Your Honor.

22 THE COURT: Thanks so much. Have a
23 great day. You are free to leave.

24 Counsel approach.

25 (Bench conference.)

1 THE COURT: I believe our next witness
2 may be a little lengthy. This is a good time to
3 go back for bathroom break, stretch, whatever
4 your need. We will have you back in here in
5 about 10, 15 minutes at the most, and we will
6 keep moving forward.

7 Don't talk about the case.

8 (Jury exits courtroom.)

9 THE COURT: Anything before we take our
10 break from the State?

11 MR. EVANS: Not from the State.

12 THE COURT: Anything, Mr. Gibbes?

13 MR. GIBBES: No, Your Honor.

14 THE COURT: Mr. Johnson, anything before
15 we take our break?

16 MR. JOHNSON: Nothing, Your Honor.

17 THE COURT: Great. See you back in 10
18 to 15 minutes.

19 (Recess.)

20 **

21 **PROCEEDINGS CONTINUED**

22 THE COURT: Ready for the jury?

23 MR. EVANS: State is ready.

24 MR. JOHNSON: Defense is ready.

25 MR. GIBBES: We are ready, Your Honor.

1 THE COURT: Let's bring in the jury.

2 (Jury enters courtroom.)

3 THE COURT: Good afternoon. We will go
4 ahead and move forward with other witnesses.

5 Solicitor.

6 MR. EVANS: Thank you, Your Honor.

7 The State calls Marty Clapp.

8 **MARTY CLAPP,**

9 **Being duly sworn testified as follows:**

10 ******

11 **DIRECT EXAMINATION**

12 BY MR. EVANS:

13 Q Please identify yourself and spell your
14 name for the court reporter.

15 A Marty Clapp, C-l-a-p-p.

16 Q Where do you work?

17 A Currently, I work for the 14th Circuit
18 Solicitor's Office.

19 Q With me; right?

20 A Correct.

21 Q Where did you work before you joined our
22 office?

23 A Investigator for the Hampton County
24 Sheriff's Office.

25 Q For how long?

1 A Since 2016, when I came back to the
2 area. I went back to work for Hampton County.

3 Q You grew up around here?

4 A Yes.

5 Q How much total law enforcement
6 experience do you have, sir?

7 A Thirty-two-and-a- half years.

8 Q Between here and Hampton and where else
9 did you say?

10 A I was employed with Greenville County
11 before I moved back home. I have been employed
12 with a lot of local agencies in our area. I
13 moved to Greenville,, and I worked for
14 Greenville County forensics division.

15 Q Were you the lead case officer on the
16 case we are here about today?

17 A I was.

18 Q Tell us how you became involved.

19 A March 25, 2018, I received a call from
20 my supervisors. They advised me of a shooting
21 yesterday on Pricilla Lane just outside of
22 Varnville in the Sandridge Community.

23 They requested all hands on deck. I
24 responded to the scene. I met with the Hampton
25 County on-scene officers as well as numerous

1 SLED agents, who had also responded to the scene
2 to help us.

3 Q What is the first thing that you do at
4 the scene Is it presented to you as you are the
5 lead on this at that point?

6 A It was presented and I was told.

7 Q You were ordered to take it on.

8 A That is correct.

9 Q What is the first thing you did.

10 A The first thing I did is all the
11 officers meet together to get an idea of what is
12 going on, what do we have.

13 So upon arrival I was told that there
14 had been a shooting. There was at least two
15 people deceased inside the residence and one had
16 been transported to the hospital. I was
17 informed that there was another person who had
18 survived the shooting who had been hiding in a
19 back bedroom. She was still on-scene and seated
20 in Officer Loadholt's police car.

21 Q And was that Khadajah who we saw earlier
22 today?

23 A Yes. That is Khadajah Williams.

24 A That he was her.

25 Q Did you speak with her?

1 A Yes.

2 Q What if anything did you learn her
3 without quoting her directly?

4 A Ms. Williams was visibly shaken, upset.
5 She spoke with myself, Charleston Solomon and a
6 SLED agent while she was still on-scene.

7 She was basically telling us that she
8 didn't know what had happened. She had heard
9 some people inside of the house when they
10 started shooting. She hid in the closet and
11 that she thought she recognized one of the
12 voices that she heard.

13 Q Did you learn the name of the person
14 whom she thought she recognized?

15 A I did. She gave us the name of Fuquan
16 Harris.

17 Q Not Tyrase Collins?

18 A No.

19 Q Not Lorenzo Boles?

20 A That's correct.

21 Q Do you know these gentlemen from prior
22 dealings during the course of this
23 investigation?

24 A Yes.

25 Q Is Tyrase Collins in the courtroom

1 today?

2 A He is seated with the purple shirt.

3 Q Next to Mr. Johnson?

4 A That's correct.

5 Q Is Lorenzo Boles in the courtroom today?

6 A He is seated next to Mr. Gibbes.

7 A Yes.

8 MR. EVANS: Your Honor, may the record
9 reflect he has identified the defendant.

10 THE COURT: He has.

11 BY MR. EVANS:

12 Q Did you know them before March 25, 2018?

13 A I was familiar with the suspects. I had
14 not had any one-on-one dealings with them, but I
15 knew the names and who they were.

16 Q You were speaking with Ms. Williams?

17 A That's correct.

18 Q She gave you another name, Fuquan
19 Harris; is that right?

20 A Khadajah gave us the name as Fuquan
21 Harris as the voice that she heard.

22 Q What if anything did you do with that
23 information?

24 A While we were questioning her for a
25 short time, after we were done questioning her,

1 we wanted to get her out of the scene. It was
2 rough. I was told that the name Fuquan Harris
3 was being discussed between law enforcement on
4 scene, we need to find this guy. It was passed
5 on to our officers who had secured the road.
6 The road was cut off from traffic other than law
7 enforcement.

8 Q Before you move on, give a brief sort of
9 geographical description of the area?

10 A Sure.

11 This road Pricilla Lane come out of
12 Varnville on 63 past the fire tower like you are
13 going to Walterboro, once you get to Sandy Run
14 Road, make a turn on Sparrow Road. We call that
15 area the bird land. A lot of streets are named
16 after birds.

17 As soon as you turn onto Sparrow Road, you
18 make a right just past ■ Sparrow Road. It's a
19 dirt street that branches off and goes straight
20 back to where the scene was where Mr. Frankie's
21 trailer was at the end of that dirt road. A
22 couple of trailers back there. At the time Mr.
23 Johnson was Ghazi and these folks here were the
24 only ones back in that little area.

25 Q Easy to find?

1 A No. Not if you don't know where you are
2 going.

3 Q Was Mr. Harris in the area?

4 A He approached one of the Hampton County
5 deputies standing around He was known to the
6 sheriff's department. They alerted us via
7 radio, Mr. Harris is standing right here. We
8 advised to take him to the sheriff's office,
9 pick him up for questioning. He was picked up
10 by Hampton County Sheriff's Office and taken to
11 our office here just outside of Varnville.

12 Q Did you conduct an interview with him?

13 A I did.

14 Q Was it that day?

15 A I left the scene at Pricilla Lane and
16 went to the sheriff's office to interview Mr.
17 Harris.

18 Q Did Mr. Harris provide you with a DNA
19 sample?

20 A Mr. Haris did voluntarily provide me
21 with a buccal swab sample.

22 Q What is the purpose of that?

23 A To collect a saliva sample for testing
24 for DNA.

25 Q Were you trained how to do that?

1 A Over the course of my career, I have
2 done it many times.

3 Q Mr. Harris did that voluntarily?

4 A He did.

5 Q Did ever charge him in this case?

6 A He was initially charged in this case.

7 Q He is no longer charged?

8 A The case has currently been put on hold
9 or dismissed against him.

10 Q Over the course of your investigation,
11 did you develop any evidence -- you reviewed the
12 result of the tests?

13 A That's correct.

14 Q Did you develop any scientific evidence
15 against Mr. Harris.

16 A DNA results that I receive from SLED,
17 there was never an indicator --

18 MR. JOHNSON: Your Honor.

19 THE COURT: Yes, sir.

20 MR. JOHNSON: I have an objection. The
21 evidence has not been made a part of the record
22 yet.

23 THE COURT: I will sustain that.

24 MR. EVANS: I am not asking for the
25 results. I am just asking him if what he

1 perused helped with the charge against Mr.
2 Harris.

3 THE COURT: I will sustain the
4 objection. Let's rephrase the question.
5 Proceed.

6 BY MR. EVANS:

7 Q Did any of the scientific results that
8 you received improve the case against Fuquan
9 Harris?

10 MR. JOHNSON: Same objection.

11 MR. EVANS: He doesn't have to give the
12 results to give the answer.

13 The expert will be testifying about it
14 hopefully tomorrow.

15 THE COURT: I will overrule that and
16 allow him to answer the question you just asked.

17 MR. EVANS: I will ask yes or no, Mr.
18 Clapp.

19 THE WITNESS: No.

20 BY MR. EVANS:

21 Q Did you have any evidence against Mr.
22 Harris, other than the statement by Khadajah we
23 heard from earlier this morning?

24 A No.

25 Q How did your investigation turn towards

1 the gentlemen who are the courtroom today?

2 A While on-scene at Pricilla Lane, I was
3 informed by law enforcement as this
4 investigation started to take shape and which
5 direction we should go to figure this out, we
6 learned that Officer Michael Smith saw a red
7 Charger while he was responding to the scene on
8 Mill Pond Road. A red Charger with Texas
9 plates.

10 Q Did that mean anything to you based on
11 your experience in Hampton County?

12 A Yes, it did. The only red Charger I was
13 familiar with in our area with Texas plates
14 belonged to Mr. Lorenzo Boles.

15 Q Did it belong to Mr. Boles or somebody
16 in his family?

17 A It was later determined that --

18 MR. JOHNSON: Your Honor, objection;
19 none of this is part of the record. He is
20 making facts that are not part of the record.

21 THE COURT: I will sustain that
22 objection. BY MR. EVANS:

23 Q Were you familiar with the red Charger
24 with the Texas tags?

25 A Yes.

1 Q It indicated to you that Mr. Boles would
2 be a person of interest?

3 A That's correct.

4 Q What else did that make you realize, if
5 anything?

6 A It made us want to locate Mr. Boles
7 timely.

8 Q How about Mr. Collins?

9 A Mr. Collins -- at this time his name had
10 not come up initially in this. The only
11 information was about the red Charger.

12 MR. JOHNSON: I have to object. He is
13 talking about conversations he had with other
14 people. None of this is admissible.

15 THE COURT: I thought what he was
16 telling us as a result of the conversation what
17 the investigation was. I will sustain the
18 objection.

19 Rephrase the question.

20 BY MR. EVANS:

21 Q Are you familiar with ■ Crews Street?

22 A I am.

23 Q How did you know to look there?

24 A I knew the Collins family lived at ■
25 Crews Street in that area.

1 Q How is Mr. Boles associated with that
2 address?

3 A My understanding is that he is related
4 to the Collins family.

5 Q Is [REDACTED] Crews a place that you wanted to
6 look during the course of your investigation?

7 A Yes.

8 Q When did you go to [REDACTED] Crews Street?

9 A We responded to Crews Street Monday
10 morning, sometime around 11:00 a.m.

11 Q So March 26, 2018, about 11:00 a.m.

12 A That's correct.

13 Q Where is [REDACTED] Crews Street?

14 A It runs off of Maple Street near where a
15 lot of people refer to it as the Varnville
16 projects.

17 Q In Hampton County?

18 A In Hampton County.

19 Q Was [REDACTED] Priscila Lane in Hampton County?

20 A It was.

21 Q Were you one of the first to arrive at
22 that address on that morning?

23 A I was en route as other officers were
24 arriving at the scene.

25 Q Was Mr. Chauncey Solomon one of the

1 original officers?

2 A He was.

3 Q When you arrived, what did you do?

4 A When I arrived -- there was an
5 investigation that was going on. We secured a
6 search warrant for the address of [REDACTED] Crews
7 Street.

8 MR. JOHNSON: Objection. He is
9 referring to what "we" did. The question was,
10 what did he do. He is using other people while
11 he is testifying.

12 MR. EVANS: Judge, he is not sponsoring
13 the search warrant. He is the lead investigator
14 of the case.

15 THE COURT: I will overrule that. Go
16 ahead.

17 BY MR. EVANS:

18 Q You were saying.

19 A A search warrant was obtained for [REDACTED]
20 Crews Street.

21 Q Do you know who obtained the search
22 warrant?

23 A I believe Sergeant Brooker secured the
24 search warrant.

25 Q Where is Sergeant Brooker today?

1 A He sadly passed away.

2 Q When you say execute a search warrant,
3 what do you mean?

4 A That means -- it's a term we use. It
5 means that we have the search warrant in hand
6 when we go into that place, be it wherever, and
7 we search it.

8 Q Is that what you did at ■ Crews Street
9 Varnville on March 26, 2018?

10 A It is.

11 Q Did you document your findings in any
12 way?

13 A Yes.

14 Q With photographs?

15 A The scene was photographed.

16 Q I will pass you some photographs that
17 have previously been marked as State's Exhibit
18 242, 243, 244, 245, 246, 247, 248, 251.

19 I will ask you if recognize those, sir.

20 A I do.

21 Q I don't think you need to go through
22 them one by one. Just give us a brief
23 description of what those photographs depict,
24 please.

25 A They depict ■ Crews Street. They

1 depict the interior of ■ Crews Street and items
2 that I assisted in collecting within the
3 residence.

4 Q Do they fairly and accurately represent
5 what you found at ■ Crews Street on March 26,
6 2018, when you were present there?

7 A Yes, it does. All of them do.

8 Q I will direct your attention only
9 specifically to the last one.

10 What is the last one a picture of?

11 A The last one is the picture of the red
12 Dodge Charger with Texas plates.

13 Q Was that picture taken at ■ Crews or
14 somewhere else?

15 A It was taken at Hampton County Sheriff's
16 Office impound lot after being towed from ■
17 Crews Street.

18 Q Does it fairly and accurately depict the
19 red Dodge Charger?

20 A It does.

21 MR. EVANS: Your Honor, the State would
22 move these photographs into evidence.

23 MR. JOHNSON: I renew my same objection.

24 MR. GIBBES: Same here, Your Honor.

25 THE COURT: I will overrule the

1 objection. I think he has laid a foundation and
2 identified that is the scene as he saw it that
3 day. I will overrule that.

4 Go ahead, Solicitor.

5 (242, 243, 244, 245, 246, 247, 248, 251
6 were admitted into evidence.)

7 BY MR. EVANS:

8 Q Are these the same photographs that you
9 just described?

10 A They are.

11 Q 242. What is this?

12 A This is a photograph of the front door
13 at ■ Crews Street in Varnville.

14 Q Same one that you helped execute the
15 search warrant at?

16 A That's correct.

17 Q 243. What is that a photograph of?

18 A It is a photograph of an ID from the
19 local high school for Tyrase Collins.

20 Q It says Tyrase Collins' name on it?

21 A Yes.

22 Q Which room in the house did you find
23 that ID?

24 A It was located in what we referred to as
25 the front-left bedroom. As you enter the front

1 door of the residence, there is a bedroom,
2 bathroom, and what we referred to as the front-
3 left bedroom. As you come in to the right
4 between the bathroom, these items were located
5 in the front-left bedroom.

6 Q What does 244 show?

7 A 244 is a photograph entering the front
8 or the front-left bedroom, as I labeled it where
9 the ID was found. This bag was also found
10 hanging on like a nail.

11 Q 245, what does that show?

12 A Once that bag was opened, two handguns
13 and a jar. I can't say what material, but it
14 was a green, leafy-like substance.

15 Two Glock handguns.

16 Q Did you collect those handguns?

17 A Yes.

18 Q You told us the make. Glock?

19 A Yes.

20 Q What was the caliber?

21 A One was a .40 handgun and the other was
22 a .45 handgun.

23 Q Was that of interest to you after
24 learning about the scene at Pricilla?

25 A Yes. It was very interesting to us.

1 Q Why is that?

2 A From the preliminary crime scene
3 information, the shell casings recovered at the
4 scene were 40 caliber.

5 Q All of them?

6 A All of them.

7 Q The other gun is?

8 A 45.

9 Q I will withdraw that. A different
10 caliber?

11 A That's correct.

12 Q State's 246. What is in State's 246?

13 A The same bedroom. A dresser against the
14 wall. That is a 762 caliber, what is commonly
15 known on the streets as a Draco.

16 Q Do you know why they call it that?

17 A I have no idea.

18 Q Is that the official name for it?

19 A No.

20 Q You found that in a drawer as depicted?

21 A That's correct. Once it's drawer was
22 opened, that is the way it was sitting.

23 Q That was in the same bedroom?

24 A Yes.

25 Q What is State's 247?

1 A A photograph of the weapon once it had
2 been collected and brought back to the law
3 enforcement center when I photographed that one.

4 Q How about State's 8.

5 A 247 physically at the sheriff's office,
6 where you took the photo?

7 A Yes.

8 Q 248 is back at the house?

9 A Yes. These photographs are from the
10 same room with the information on Tyrase Collins
11 on a card and some paperwork.

12 Q Those are the weapons that you found
13 depicted in the other photos?

14 A That's correct. Same room.

15 Q This is 251. I will publish if by hand.
16 This is the Charger?

17 A That's correct.

18 Q Where was this photo taken?

19 A That photo was taken at the Sheriff's
20 Office impound lot right across from our office.

21 Q Anything distinctive that you remember
22 about this car when this photo was taken?

23 A I went there to let the tow truck people
24 back the car in. On the car I placed evidence
25 tape on the lower portion of the door, the rear

1 passenger's doors, and both sides of the car.

2 Q You did that to protect the integrity of
3 when you searched the vehicle?

4 A Yes.

5 Q Was that car at ■ Crews Street when you
6 executed the search warrant for the house?

7 A It was.

8 Q That photo was taken at the impound lot?

9 A At our impound lot.

10 Q Next to the Sheriff's Office?

11 A Directly across the street from the
12 Hampton County Sheriff's Office next door to the
13 animal shelter.

14 Q How did it get from ■ Crews to there?

15 A It was towed.

16 Q At your request?

17 A We call the rotation wreckers. Whoever
18 was up would respond and pick it up. I don't
19 recall at this time who that was.

20 Q Why did you tow it?

21 A The vehicle was obviously of interest to
22 us. We intended on obtaining a search warrant
23 for it. We towed it to a secured area. When it
24 came time to do the search warrant, we would
25 actually have the vehicle in our possession to

1 do it.

2 Q Roughly, when did that take place?

3 A I would have to look at on the actual
4 search warrant. I am not exactly sure on that
5 date. It was pretty soon thereafter.

6 Q Did you ask for SLED's assistance in
7 executing that?

8 A We did. We requested SLED crime scene
9 come and do the search warrant.

10 Q Turning back to the search warrant at
11 the actual house, ■ Crews. I will start
12 passing up some physical items.

13 Previously marked as State's Exhibits 2,
14 2.10 and 2.11.

15 Do you recognize those items?

16 A I do.

17 Q What are those?

18 A This is the weapon recovered from ■
19 Crews Street on our search warrant. This is the
20 magazine that was in the weapon and the unfired
21 projectiles taken as well.

22 Q When you found it, were the projectiles
23 in a plastic bag like that?

24 A No, they were not. They were in the
25 magazine, which was in the gun, as the

1 photograph indicated.

2 Q You collected this weapon yourself?

3 A Yes.

4 Q How can you send it? Where did you send
5 it and how did you do it?

6 A I don't know who actually took this out
7 of the house that day. It was Officer Brooker or
8 Officer Singleton.

9 Q Hate to ask, but where is Officer
10 Singleton?

11 A Officer Singleton has also suddenly
12 passed away.

13 Q You observed the collection of this
14 weapon, magazine, and the live rounds?

15 A Yes.

16 Q Who transported them to SLED eventually?

17 A Without looking on the actual paperwork,
18 it could have been any officer, a deputy sheriff
19 with the sheriff's office who we designated for
20 the transport to SLED to their evidence
21 custodian.

22 Q I will not enter this. What is this
23 box?

24 A This is a gun box.

25 Q Was it that way in 2018?

1 A Not initially. It did have some
2 collapse to it in the middle.

3 Q Sure. Was it taped up?

4 A It was sealed and initialed by myself.

5 MR. EVANS: Your Honor, the State would
6 move into evidence Exhibits 2 and 2.10.

7 THE COURT: Any objection?

8 MR. JOHNSON: No objection.

9 MR. GIBBES: No, Your Honor.

10 THE COURT: Without objection, yes, sir.

11 (State's Exhibits 2 and 2.10 were
12 admitted into evidence.)

13 BY MR. EVANS:

14 Q Previously marked as State's Exhibit 1.
15 Can you identify that?

16 A Yes. It is a Glock 23, .40 caliber
17 collected from the front left bedroom, ■ Crews
18 Street in Varnville.

19 Q How can you tell that?

20 A It has an evidence label on here. It is
21 also written on the box by myself and initialed
22 by me.

23 Q You sealed it and initialed it?

24 A I did.

25 MR. EVANS: Your Honor, the State would

1 move the box and it's contents in as State's
2 Exhibit 1.

3 THE COURT: Mr. Gibbes?

4 MR. GIBBES: No objection.

5 THE COURT: Mr. Johnson.

6 MR. JOHNSON: No objection.

7 THE COURT: Admitted without objection.

8 (State's Exhibit 1 admitted into
9 evidence.)

10 THE COURT: Let's take a break. Hold on
11 one second to my witness.

12 Ladies and gentlemen, let me excuse you
13 from the courtroom for just a minute. Take a
14 break, and I will get you back in here in just a
15 few moments.

16 Thank you very much. Please do not talk
17 about the case.

18 THE COURT: Is there any objection to
19 Mr. Loadholt putting the apparatus on the gun?
20 Any objection from the defense?

21 MR. GIBBES: No, Your Honor.

22 MR. JOHNSON: No, Your Honor.

23 (Recess.)

24 **

25 PROCEEDINGS CONTINUED

1 THE COURT: Let's get the jury in.

2 (Jury enters courtroom.)

3 THE COURT: Thank you. I think we are
4 ready to proceed.

5 Solicitor.

6 **

7 **DIRECT EXAMINATION CONTINUES**

8 BY MR. EVANS:

9 Q State's Exhibit 115. Without opening
10 it, can you tell us what that is.

11 A This is a Glock Model 38, .45 pistol
12 with a magazine. It was collected from a red-
13 and-white bag hanging in the left bedroom at ■
14 Crews Street.

15 Q Was this the other gun seen with State's
16 Exhibit 1 in the photos that we saw earlier?

17 A It is.

18 Q It's sealed now.

19 A It is.

20 Q Have you and I and Mr. Gibbes and Mr.
21 Johnson reviewed the contents of that box prior
22 to today?

23 A I don't recall if we looked at this box.
24 We have reviewed it at some point.

25 Q Is this the same gun that you collected

1 back in 2018?

2 A Yes, that appears to be that weapon.

3 MR. EVANS: The box and the contents as
4 Exhibit 115.

5 THE COURT: Any objection?

6 MR. GIBBES: No objection.

7 MR. JOHNSON: No objection.

8 THE COURT: Admitted without objection.

9 (State's Exhibit 115 was admitted into
10 evidence.)

11 BY MR. EVANS:

12 Q Mr. Clapp, is that the same state
13 Exhibit 1 that we were referring to earlier?

14 A It is.

15 Q That's correct. Those are the two
16 weapons found in that bag.

17 Q Those were sent to SLED?

18 A They were.

19 Q Did you find anything else at ■ Crews?

20 A In the laundry room area, we found -- I
21 found a hoodie, like a Nike hoodie in the
22 laundry room area.

23 Q Do you recognize that bag? Previously
24 marked as State's Exhibit 71.

25 A I do recognize the bag.

1 Q What is that bag?

2 A The bag is the packaging. It contains
3 black Nike hoodie with unknown stains.

4 Q You said you collected that?

5 A I did.

6 Q Did you bag it up and seal it?

7 A I did.

8 Q Is it still sealed or has it been
9 unsealed?

10 A It has been sealed in butcher paper.

11 MR. EVANS: The State will move this
12 hoodie into evidence as State's Exhibit 71.

13 THE COURT: Any objection, Mr. Gibbes?

14 MR. GIBBES: No, Your Honor.

15 THE COURT: Mr. Johnson?

16 MR. JOHNSON: No, Your Honor. No
17 objection.

18 THE COURT: Admitted without objection.

19 (State's Exhibit 71 admitted into
20 evidence.)

21 BY MR. EVANS:

22 Q Is that the same hoodie sweatshirt that
23 you found in the laundry room of ■ Crews
24 Street?

25 A Yes.

1 Q Is it in the same condition as it was
2 when you sealed it up?

3 A It is.

4 Q Did you collect anything from the
5 outside of the house?

6 A I collected -- yes, I did collect
7 something from the outside.

8 Q What is that?

9 A Five fired cartridge casings.

10 Q I will pass you an envelope previously
11 marked as State Exhibit 70. Tell me what that
12 is.

13 A Yes. It is an envelope containing four
14 fired cartridge casings collected from the yard
15 at ■ Crews Street.

16 A Yes.

17 Q Are these the one you just testified
18 about?

19 A Yes.

20 Q How can you tell they are the same?

21 A The envelope was sealed by me and
22 initialed by me with the date and time.

23 Q And sent to SLED?

24 A Yes.

25 MR. EVANS: I will mark the envelope and

1 its contents in as State's Exhibit 70.

2 THE COURT: Mr. Gibbes, any objection?

3 MR. GIBBES: No, Your Honor.

4 THE COURT: Mr. Johnson?

5 MR. JOHNSON: No objection.

6 (State's Exhibit 70 admitted into
7 evidence.)

8 BY MR. EVANS:

9 Q We talked earlier about buccal swabs.
10 You said you collected one from Fuquan Harris,
11 correct?

12 A That's correct.

13 Q Did you collect any other buccal swabs
14 in this case?

15 A I did. I collected a buccal swab from
16 Mr. Tyrase Collins, and I assisted in the
17 collection of a buccal swab from Mr. Lorenzo
18 Boles.

19 Q Show you what has been previously marked
20 as State's Exhibit 61 and 111. Do you recognize
21 those?

22 Q Yes. 61 is the envelope containing the
23 buccal swab from Tyrase Collins collected by
24 myself.

25 Exhibit number 111 is two buccal swabs

1 collected from Lorenzo Boles. I was present
2 when this was collected, and I packaged it.

3 Q You packaged it up, sealed it, and sent
4 it off to SLED?

5 A Yes.

6 Q In a tamper proof envelope, this exact
7 evidence bag?

8 A Yes.

9 MR. EVANS: Your Honor, the State would
10 move these buccal swabs into evidence as State's
11 Exhibits 6 and 111.

12 THE COURT: Mr. Gibbes, any objection?

13 MR. GIBBES: No, Your Honor.

14 THE COURT: Mr. Johnson?

15 MR. JOHNSON: No objection.

16 THE COURT: Admitted without objection.

17 (State's Exhibit 6 and 111 admitted into
18 evidence.)

19 BY MR. EVANS:

20 Q This is marked as Exhibits 3, 4, 5, and
21 6.

22 Tell us what that is.

23 A These are the DNA swabs from the
24 firearm.

25 Q Since you are dealing with swabs from

1 two different guns, each swab has their own
2 envelope?

3 A That's correct.

4 MR. EVANS: State moves State's Exhibits
5 3, 4, 5, 6 into evidence.

6 THE COURT: Mr. Gibbes, any objection?

7 MR. GIBBES: No, Your Honor.

8 THE COURT: Mr. Johnson?

9 MR. JOHNSON: No objection.

10 THE COURT: Admitted without objection.

11 (State's Exhibits 3 - 6 were admitted
12 into evidence.)

13 BY MR. EVANS:

14 Q Did you also obtain or serve as a piece
15 of the chain for any evidence which came from
16 the autopsy?

17 A Yes. I received items collected at
18 autopsy transported to me by then coroner
19 Washington.

20 Q What were those items?

21 A Items of clothing with blood spots,
22 fingernail clippings, autopsy photos, items that
23 I sent to the pathologist packaged and sealed,
24 and sent I put them into our evidence.

25 Q I will pass you, what has been

1 previously marked as State's Exhibits 50, 51,
2 52, and a large envelope marked 62 through 67.

3 Tell us what those are.

4 A An envelope containing known blood
5 spots, victim Frank Johnson collected at MUSC
6 Charleston.

7 Q 51.

8 A Item 51, envelope containing known blood
9 spot from Know Lameika Warren collected at MUSC
10 Charleston.

11 Q 52.

12 A Envelope containing known blood spots
13 from Ghazi Duckett collected at MUSC Charleston.

14 A 62 TO 67 a bag containing six
15 projectiles collected at autopsy from Lameika
16 Warren.

17 Q You were not the start of this chain of
18 custody; correct?

19 A That is correct. I was not.

20 Q You didn't attend the autopsy?

21 A I did not.

22 Q You received these from the coroner?

23 A Yes.

24 Q Mr. Clapp, did you do any investigation
25 about where -- the origin of these guns, these

1 three that have been moved into evidence as 1,
2 2, 115?

3 A Yes. 1, 2, 115, I requested an ATF
4 trace be conducted on these weapons. I informed
5 the ATF-designated trace person.

6 Q Pass you two documents previously marked
7 as 249 and 250. Tell us what those documents
8 are.

9 A Yes Item 249 is an ATF firearm trace
10 report on a Glock model 23, .40 caliber.

11 Q The second one.

12 A ATF firearm trace report conducted on a
13 Glock Model 38, caliber .45.

14 MR. EVANS: Your Honor, the State would
15 move these documents in as State's 249 and 250.

16 THE COURT: Mr. Gibbes, any objection?

17 MR. GIBBES: No, Your Honor.

18 THE COURT: Mr. Johnson?

19 MR. JOHNSON: No objection.

20 THE COURT: Admitted without objection.

21 (State's Exhibits 249 - 250 admitted
22 into evidence.)

23 BY MR. EVANS:

24 Q State's Exhibit 56. What is this?

25 A This is a jacket fragment as listed that

1 I collected at autopsy from Frank Johnson.

2 Q Passing you a document marked as State's
3 Exhibit 33.

4 What is that, sir?

5 A This is a receipt reprinted by the gun
6 store in Walterboro.

7 MR. EVANS: Your Honor, the State would
8 move these document in as State's Exhibit 33.

9 THE COURT: Mr. Gibbes, any objection?

10 MR. GIBBES: No, Your Honor.

11 THE COURT: Mr. Johnson?

12 MR. JOHNSON: No objection.

13 THE COURT: Admitted without objection.

14 (State's Exhibit 33 admitted into
15 evidence.)

16 BY MR. EVANS:

17 Q Who was the purchaser of the Draco gun,
18 sir?

19 A Rashida Collins.

20 Q Mr. Clapp, you testified earlier about
21 the Dodge Charger.

22 Did anything -- let me ask you this.
23 You asked SLED for assistance with the Dodge
24 Charger and searching?

25 A Yes we did.

1 Q You did not personally open it and
2 search it and collect evidence from it?

3 A No.

4 Q Were you aware of some of the evidence
5 you collected from it?

6 A Yes.

7 Q Did any of the evidence collected send
8 you to another location?

9 A Yes.

10 Q Where did you go and why?

11 A During the investigation, a receipt was
12 found in the Dodge Charger for Dollar General in
13 Varnville. The receipt was dated the 26th of
14 March, 2018.

15 Q Was that the significance of that date?

16 A March 26?

17 Q Yes.

18 A It was the day after the victims were
19 killed.

20 Q Was it the day of the execution of the
21 search warrant at ■ Crews Street?

22 A Yes. It was the day of the search
23 warrant.

24 Q And what did you do after you saw that
25 receipt?

1 A Myself and Sergeant Brooker at the time
2 went to Dollar General and asked to view their
3 video footage. They let us see the video. On
4 the video, we observed based on the time from
5 the receipt and within a few minutes on the
6 video the time -- saw a red Dodge Charger pull
7 into the front of the parking lot at Dollar
8 General in Varnville.

9 Well, we saw Mr. Boles gets out of the
10 charger --

11 MR. JOHNSON: Your Honor, I renew my
12 previous objection.

13 THE COURT: You are renewing your
14 objection as it relates to this evidence?

15 MR. JOHNSON: Yes, sir.

16 THE COURT: Yes, sir. I note that.

17 BY MR. EVANS:

18 Q Let's not describe what the video shows,
19 Mr. Clapp. You watched the security video cam
20 footage which was of interest to you in the
21 case.

22 A I did.

23 Q Were you able to obtain a copy of that
24 video on that day?

25 A No. Dollar General -- I believe it was

1 a subpoena they wanted. They made us jump
2 through hoops, I guess, to protect themselves,
3 which is understandable.

4 Q Did you eventually obtain a copy of it?

5 A Yes.

6 Q Have you prepared a copy of portions of
7 that video that you observed back then in
8 preparation for trial?

9 A Yes. I have.

10 Q I will had you what has been marked as
11 State's Exhibit 34 and State's Exhibit 263.

12 A State's Exhibit 34 is a CD with the
13 Dollar General that I initialed and dated.

14 Q You and I prepared that from the
15 original video in preparation for trial?

16 A We did.

17 Q The other exhibit.

18 A 263 is a photograph of the Dollar
19 receipt dated 3-26-18 at 10:06 a.m.

20 Q Is that a photograph of the same receipt
21 that led you down that path of the
22 investigation?

23 A It is.

24 MR. EVANS: Move State's Exhibit 34 and
25 263 into evidence.

1 THE COURT: Admit 34 subject to the
2 objection of Mr. Gibbs. 263 Admitted without
3 objection.

4 (State's Exhibits 34 and 263 admitted without
5 objection.)

6 MR. EVANS: May I publish the video?

7 THE COURT: Yes, sir.

8 (Surveillance video published to the jury.)

9 BY MR. EVANS:

10 Q And what is Exhibit 35.

11 A 35 is a screen shot taken from the
12 Dollar General video which was just shown.

13 MR. EVANS: Your Honor, the State would
14 move these document in as State's Exhibit 33.

15 THE COURT: Mr. Gibbs, any objection?

16 MR. GIBBES: No, Your Honor.

17 THE COURT: Mr. Johnson?

18 MR. JOHNSON: No objection.

19 THE COURT: Admitted without objection.

20 (State's Exhibit 35 admitted without
21 objection.)

22 MR. EVANS: That's all, Your Honor.

23 Please answer any questions these
24 gentlemen may have.

25 THE COURT: Mr. Gibbs.

1 **CROSS-EXAMINATION BY MR. GIBBES**

2 BY MR. GIBBES:

3 Q Mr. Clapp, you spent a substantial
4 amount of time going over a gun called a Draco.

5 A That is the way it has been referred to.

6 Q Was that gun found at the scene of the
7 homicide?

8 A It was not.

9 Q Any of those bullets or shells that you
10 spent time showing the jury and going over
11 today, was that found at the scene?

12 A In relation to the Draco?

13 Q Correct?

14 A Nothing from the Draco.

15 Q The video that you showed with the red
16 Charger pulling up, that video was more than 30
17 hours after the actual murder?

18 A The murder was sometime in the early
19 morning hours. That video was on the morning of
20 the 26th. The video was time-stamped 10:06 a.m.

21 Q About 24 hours?

22 A Correct. Yes, sir.

23 MR. GIBBES: No further questions.

24 THE COURT: Thank you, Mr. Gibbs.

25 Mr. Johnson, do you have any questions

1 of this witness?

2 MR. JOHNSON: Yes, I do.

3 THE COURT: Come on up.

4 **

5 **CROSS-EXAMINATION BY MR. JOHNSON**

6 Q I have a few questions for you.

7 Q You were the lead investigator in this
8 case, correct?

9 A Correct.

10 Q And you interviewed an eyewitness that
11 was at the scene in the closet?

12 A Yes.

13 Q She told you that she recognized one of
14 the individuals that was in the house that
15 killed the individual in the house?

16 A No, sir. That is not what she said.

17 Q What did she say?

18 A She said she recognized the person's
19 voice. She never stated anything about anybody
20 killing anybody.

21 Q She said she recognized the individual
22 who was in the house voice, Fuquan Harris as
23 somebody she knew. She had heard his voice
24 before?

25 A Yes.

1 Q She told you she was certain of that?

2 A Yes.

3 Q When that person left, there were three
4 dead individuals in the house?

5 A Yes.

6 Q Wouldn't be it be fair to say that is
7 the person who killed them?

8 MR. EVANS: Objection, Your Honor.

9 THE COURT: I will sustain that
10 objection.

11 BY MR. JOHNSON:

12 Q Since that time, that is the only
13 evidence that you have against this individual,
14 an eyewitness. You dropped the charges on them?

15 A No, sir. It was not my call to drop the
16 charges.

17 Q Someone else dropped the charges?

18 A Yes.

19 Q You are not following up on him at the
20 time?

21 A That is not entirely true.

22 Q You are working for the prosecution now.
23 You are not investigating it, are you?

24 A Not at this time.

25 Q Now, I have a copy of your report that

1 you did. In your report you stated that, I was
2 informed by Hondel (phonetic) that they have
3 identified a red Dodge Charger.

4 MR. EVANS: Objection, calls for
5 hearsay.

6 THE COURT: Repeat your question.

7 BY MR. JOHNSON:

8 Q The investigator's police report. That
9 is what I was reading from.

10 THE COURT: His report.

11 MR. JOHNSON: His report. He stated
12 that he was informed by the deputy that there
13 was a red Dodge Charger with Texas tags, but she
14 has already testified to that.

15 THE COURT: I will overrule your
16 objection.

17 BY MR. JOHNSON:

18 Q The other defendant here and my client's
19 brother, were known hang together?

20 A I am sorry. They were known to
21 associate together. Then friends.

22 Q You just showed a video of the two of
23 them riding together.

24 A Mr. Boles, yes.

25 Q So my client was arrested because he was

1 related?

2 A No, sir. I knew that your client was
3 supposed to be related to Mr. Boles, that
4 family.

5 Q You went to the scene. Eyewitness who
6 told you that she heard that voice you
7 identified with Fuquan Harris.

8 A Correct.

9 Q You questioned that individual, right?

10 A That's correct.

11 Q You took his DNA?

12 A Correct.

13 A He was already at the police office by
14 the time -- where you left the scene of the
15 crime.

16 A Yes. He had already been transported to
17 the law enforcement center.

18 Q One of other officers took him up for
19 transportation?

20 A Yes.

21 Q One of the eyewitnesses said he was in
22 the house and participated in the crime?

23 A The survivor that was hiding in the
24 closet, said that she recognized Fuquan Harris'
25 voice.

1 Q Then after you left there, you went over
2 to my client 's trailer where I lived, correct?

3 A Yes. The following day.

4 Q Were you arrived at the trailer, who was
5 at the trailer at that particular time,
6 defendant-wise?

7 A When I arrived at the trailer, as far as
8 the defendants -- your defendant was not there.

9 Q Where was he?

10 A I was informed he was in school.

11 Q In school.

12 A Yes.

13 Q Who was at the trailer?

14 A Hassan Collins.

15 Q Who was my client's brother?

16 A Correct.

17 Q Where did you find Mr. Crittington?

18 A Inside ■ Crews Street.

19 Q Inside the house where you found the
20 guns?

21 A Yes.

22 Q Where did you find him in the house
23 where the guns were found?

24 A I did not find Mr. Crittington. He was
25 already in custody at that time.

1 Q As the lead investigator, where did the
2 officers find him out?

3 A He was found hiding under a bed.

4 Q Which one?

5 A Front left bedroom.

6 Q My client's bedroom?

7 A As far as I know, yes.

8 Q When you found the guns, they were not
9 connected to my client, they were connected to
10 Mr. Crittington?

11 A Mr. Crittington was in that room.

12 Q Did Mr. Tyrase Collins have a criminal
13 record?

14 A Not to my knowledge.

15 Q And he was in school?

16 A Yes. As far as I know, he was in
17 school.

18 Q You found three guns.

19 A Yes.

20 MR. JOHNSON: I have nothing else, Your
21 Honor.

22 THE COURT: All right. Any redirect?

23 **REDIRECT EXAMINATION**

24 BY MR. EVANS:

25 Q When did you arrest Mr. Collins?

1 A I would have to look at the date.

2 Q Would it help you to take a look at the
3 warrant?

4 A Yes.

5 A April 18 of 2018.

6 THE COURT: All right. That is all for
7 today folks. We will break for the day. I will
8 ask you to come back at 9:00 tomorrow morning.
9 I think we will start at 9:00 sharp. We are
10 continuing to work through the case.

11 Now, do not talk about the case. You
12 have been paying attention, every one of you.
13 You realize how important the matters are that
14 we are dealing with to the State and to the
15 defense.

16 I appreciate you not talking about the
17 case, not doing any research on the case.

18 See you back tomorrow morning at 9:00.

19 Everyone else remain seated.

20 (Jury exits courtroom.)

21 THE COURT: Let's have order.

22 Is there anything we need to take up for
23 from the State before we break for the evening?

24 MR. EVANS: No, sir, not from the State.

25 THE COURT: Anything, Mr. Gibbes?

1 MR. GIBBES: No, Your Honor.

2 THE COURT: Mr. Johnson?

3 MR. JOHNSON: No, Your Honor.

4 THE COURT: You are to take Mr. Collins
5 into custody. He needs to spend the night at
6 the jail. Tomorrow morning at 7:30 he can leave
7 and be ready for court.

8 I have already told him if he is not
9 here, we will proceed to complete the trial in
10 his absence. Also, I want to reiterate that you
11 are not to have any contact with any of the
12 jurors, directly or indirectly, by the
13 defendant, family members, victims' family
14 members. No one is to have any contact with any
15 of the jurors.

16 Anything else before we break, from the
17 State?

18 MR. EVANS: Not from the State.

19 THE COURT: Mr. Gibbs?

20 MR. GIBBES: No, Your Honor.

21 THE COURT: Mr. Johnson.

22 MR. JOHNSON: No, Your Honor.

23 THE COURT: Folks, thank you all very
24 much. See you at 9:00 tomorrow.

25 (At 6:18 p.m. the trial was continued

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END OF VOLUME II

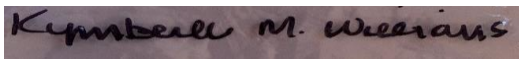
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CERTIFICATE OF REPORTER

I, Kymberlee M. Williams, Certified Shorthand Reporter/Registered Professional Reporter for the 14th Circuit of the State of South Carolina do hereby certify that the foregoing is a true, accurate and complete transcript of the proceedings held in this case, relative to appeal, in the General Sessions Court for Beaufort County, South Carolina on the 8th Day of November, 2024.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

This, the 9th day of August, 2024.



Kymberlee M. Williams, CSR/RPR

STATE OF SOUTH CAROLINA	IN THE GENERAL SESSIONS COURT
	2018-GS-25-00215, -00219
COUNTY OF HAMPTON	
-----)	
State of South Carolina)	
)	
Plaintiff,)	
vs.)	TRANSCRIPT OF JURY TRIAL
)	VOLUME III
Tyrase Akil Collins and)	(PAGES 369 - 672)
Lorenzo Boles,)	
)	
<u>Defendants.)</u>	

November 9, 2023
 Beaufort, South Carolina

B E F O R E:

The Honorable ROBERT J. BONDS, Judge Presiding

Kymberlee M. Williams, CSR/RPR
 Official Circuit Court Reporter III
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PROCEEDINGS**THURSDAY, NOVEMBER 9, 2023****HAMPTON, SOUTH CAROLINA*********

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

MR. EVANS: I'm sure there'll be some other legal housekeeping matters, but not right now.

THE COURT: Mr. Gibbes, is there anything before we bring the jury in, sir?

MR. GIBBES: No, sir.

THE COURT: All right. And what about Mr. Johnson?

MR. JOHNSON: I have nothing else.

THE COURT: All right. Well, let's go ahead and bring the jury in, and we'll proceed with the next witness. And, again, hold on one second, my plan is to probably around lunch -- let's check with the Solicitor as to his case, and probably what I'm gonna do is, I'm gonna give the jury the option at lunch to decide to work tomorrow, and I think probably finish the case. I think we'd be able to probably finish the case, argue and charge and give it to them

1 tomorrow, if they want to work tomorrow.

2 MR. EVANS: I do have some good news for
3 the Court on that subject.

4 Judge, the witness I mentioned in chambers
5 yesterday, who was hit with the subpoena in
6 Horry County, now she was released from that,
7 and so she is coming today.

8 THE COURT: I quashed that.

9 MR. EVANS: You quashed it?

10 THE COURT: Yes, sir. No, just kidding.

11 MR. EVANS: That would be impressive for
12 your jurisdiction to reach all the way up there,
13 so anyway, that potential source of delay I
14 believe has been resolved, she would be on her
15 way *.

16 THE COURT: So my preference is to just let
17 the jurors decide whether they want to work and
18 finish this matter tomorrow, because I think
19 they would -- I don't know how long deliberation
20 will take. And, of course, we've got motions,
21 and I'm not foreshadowing what the results of
22 those motions would be, gentlemen, but just
23 looking at this, at this point, I think that I
24 would probably give them that option. If they
25 don't want to, then we would have them come in

1 on Monday and finish the case. My Law Clerk has
2 already put together some draft jury charges in
3 printed form, and, again, not foreshadowing
4 anything as it relates to your motions. I'd
5 like to jump on that when we can.

6 He will not be here this afternoon, and
7 we'll be back tomorrow for finishing, and, if
8 not, on Monday he is being sworn in, and his
9 parents and grandparents are coming to Columbia
10 for that; and so the racist Judge that I am, I
11 allowed him to miss work tomorrow, use a
12 vacation day of course.

13 And to that extent, you know, if we are
14 here on Monday I'm -- if there's any changes or
15 modifications, but I'm sure counsel and the
16 Clerk's Office usually makes those things
17 happen, we all know that.

18 So with that having been said, I think
19 we're ready to bring the jury in to continue the
20 trial of this case, all right?

21 (Jury enters the courtroom.)

22 THE COURT: All right, Mr. Foreman, ladies
23 and gentlemen of the jury, we're getting closer
24 to starting on time, okay? I want to let you
25 know that. I know 15 minutes that's a record so

1 far, and I'm shooting that we be able to start
2 on time. What I will tell you is, a lot of
3 times there are various motions and other
4 matters that have to be taken care of outside of
5 your presence, and so when we're working on
6 those, I promise you what it's really doing is,
7 it's focusing in, and I think ultimately kind of
8 narrowing some matters, such that you can do
9 your work, and I want you to know we're mindful
10 of your time.

11 So we are ready to proceed, and so the
12 State -- Solicitor, you can call your next
13 witness, sir.

14 MR. EVANS: The State call Viola Thomas.

15 THE COURT: All right.

16 **

17 **VIOLA THOMAS,**

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

19 ***

20 THE COURT: Good morning.

21 WITNESS: Good morning.

22 THE COURT: Your witness, Solicitor.

23 MR. EVANS: Thank you, Your Honor.

24 **

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DIRECT EXAMINATION

Q Good morning.

A Good morning, sir.

Q Could you please identify yourself, and spell your last name for our Court Reporter?

A My name is Viola Collins, last name C-O-L-L-I-N-S.

Q And, Ms. Collins, do you know Tyrase Collins?

A Yes, sir.

Q Who is he to you?

A My son.

Q Is he in the courtroom today?

A Yes, sir.

Q Can you identify him by what he's wearing or where he's sitting?

A In the green shirt over there.

Q Next to Mr. Johnson?

A By Mr. Johnson.

Q Do you know Lorenzo Boles?

A I do.

Q All right, who is he to you?

A Nephew.

Q A nephew of yours? And is he in the courtroom today?

1 A Yes, sir.

2 Q Can you identify him by something he's
3 wearing, or where he's sitting?

4 A He's the one right there.

5 Q Next to Mr. Gibbes?

6 A Next to Mr. Gibbes.

7 MR. EVANS: Your Honor, let the record
8 reflect she's identified the Defendants.

9 THE COURT: Yes, sir.

10 BY MR. EVANS:

11 Q Ms. Collins, do you know a Craig
12 Collins?

13 A I do.

14 Q Who is he to you?

15 A My nephew.

16 Q And who is he to Mr. Boles?

17 A Brother.

18 Q That's his brother? Ms. Collins, I only
19 have a few other questions for you. Are you
20 familiar with ■ Crews Street?

21 A Yes, sir.

22 Q All right. Who was living there in
23 March of 2018?

24 A I don't know who all lived there.

25 Q Okay, was your son staying there?

1 A Yes, sir.

2 Q All right, which room was his?

3 A Repeat it again?

4 Q Which was his bedroom, ma'am?

5 A It's a doublewide, as you come in, I
6 think you'd go to the left side.

7 Q Okay.

8 A It's a small room, with a bathroom, and
9 then the room on the end.

10 Q The room on the end?

11 A Yes.

12 Q Yes? All right.

13 MR. EVANS: May I approach the witness,
14 Your Honor?

15 THE COURT: Yes.

16 BY MR. EVANS:

17 Q I'm gonna pass you what's been
18 previously entered into evidence as State's
19 Exhibit 242. Do you recognize that photo?

20 A I do.

21 Q What's that?

22 A That my mobile home.

23 Q That's your mobile home?

24 A Yes.

25 Q What's the address?

1 A █ Crews Street.

2 Q All right, and this is where your son
3 was staying in 2018?

4 A Yes.

5 Q Okay. This is State's Exhibit 243. Do
6 you recognize the area depicted in this photo?

7 A I do.

8 Q Okay, what --

9 A That's --

10 Q -- is this area, and is it in the house?

11 A Yes.

12 Q And that was State's Exhibits 242, the
13 front?

14 A Yes.

15 Q And 243?

16 A Yes.

17 Q 243 is his room?

18 A Yes.

19 MR. EVANS: Those are all the questions I
20 have, Your Honor.

21 BY MR. EVANS:

22 Q Ms. Collins, please answer any questions
23 these gentlemen may have.

24 A Okay.

25 THE COURT: Mr. Gibbes, do you have any

1 questions, sir?

2 MR. GIBBES: No questions.

3 THE COURT: Mr. Johnson?

4 MR. JOHNSON: Yes, I have a few, Your
5 Honor.

6 THE COURT: Okay.

7 **

8 **CROSS-EXAMINATION**

9 BY MR. JOHNSON:

10 Q Good morning, Ms. Collins?

11 A Good morning.

12 Q How you doing? Okay, just a couple
13 questions. Hasad -- I mean Tyrase was staying
14 in the house, but your other son was staying
15 there at that time too, correct?

16 A Yes, sir.

17 Q And what was his name?

18 A Hasan Collins.

19 Q Now, Hasan has since passed since
20 that --

21 A Yes.

22 Q -- time? It was about two years ago?

23 A Yes, sir.

24 Q Okay, he was in a car accident?

25 A Yes, sir.

1 Q I'm so, so sorry for your loss there.

2 A Thank you.

3 Q So the two of them was living there at
4 the trailer? You were living them at one time,
5 but you moved out, correct?

6 A Yes, sir.

7 Q And they stayed there. At that time
8 Tyrase was, what, 17?

9 A Yes, sir.

10 Q And he continued to go to school?

11 A Yes, sir.

12 Q Did you have to make him go?

13 A No, sir.

14 Q As a matter of fact, he was an honor
15 student, wasn't he?

16 A Yes, sir.

17 Q And he was on honor roll

18 A Yes, sir.

19 Q Have you ever had any problems with him?

20 A No, sir.

21 Q Had he been in any trouble before?

22 A No, sir.

23 Q He always -- so you felt good leaving
24 him there with his older brother, correct?

25 A Yes, sir.

1 Q Now, when you say you don't know who was
2 living there, there was friends that was living
3 there?

4 A Yes, sir.

5 Q And they would just come and go like the
6 boys in the neighborhood, right?

7 A Yes, sir.

8 Q You didn't have any concerns about it at
9 the time, did you?

10 A No, sir.

11 Q But Hasan was the juvenile, but he got
12 up and went to school every day?

13 A Yes, sir.

14 Q And he was about three months from
15 graduation when this happened?

16 A Yes, sir.

17 Q And he's been unable to graduate or do
18 anything since that time?

19 A Yes, sir.

20 Q And it's been about five years, correct?

21 A Yes, sir.

22 Q Would you have any reason to think that
23 Hasan was some threat to the community or
24 something?

25 A No, sir.

1 Q Have you ever seen him attack anybody?

2 A No, sir.

3 Q Threaten anybody?

4 A No, sir.

5 MR. JOHNSON: I have no other questions.

6 THE COURT: Do you have any redirect?

7 MR. EVANS: No, sir.

8 THE COURT: Did you have another question?

9 MR. JOHNSON: Your Honor, I just want to
10 clarify for the record that was brought to me.

11 THE COURT: Okay.

12 MR. JOHNSON: I said Hasan, I meant Tyrase,
13 I'm just clarifying, sir.

14 THE COURT: Okay. You were referring to
15 your client?

16 MR. JOHNSON: My client.

17 THE COURT: Tyrase?

18 MR. JOHNSON: Right.

19 THE COURT: And you wanted to ask her if
20 she understood that?

21 MR. JOHNSON: Yeah, I was to clear that up.

22 THE COURT: Yes, sir.

23 **FURTHER CROSS-EXAMINATION**

24 BY MR. JOHNSON:

25 Q When I say Hasan, I meant Tyrase. Did

1 you have any problems with him, or anything at
2 that point in time?

3 A No, sir. I understand what you're
4 saying.

5 Q Okay.

6 MR. JOHNSON: Thank you.

7 THE COURT: Yes, sir, Mr. Johnson. All
8 right.

9 MR. EVANS: No redirect.

10 THE COURT: Anything else, Mr. Gibbes?

11 MR. GIBBES: No, Your Honor.

12 THE COURT: Thank you very much, ma'am, you
13 have a great day. She can be excused, so at
14 this point, if she wants to remain in the
15 courtroom, would that be appropriate?

16 MR. JOHNSON: yes, Your Honor.

17 MR. EVANS: I was just about to say just
18 that, Your Honor.

19 THE COURT: Gentlemen? All right, so,
20 ma'am, would you like to remain in the
21 courtroom?

22 WITNESS: Yes, sir.

23 THE COURT: You're free to do so, you can
24 go right back and have a seat in the gallery.
25 Thank you very much.

1 WITNESS: Thank you, sir.

2 THE COURT: All right, you can call your
3 next witness.

4 MR. EVANS: The State calls Rashina
5 Collins.

6 **RASHINA COLLINS,**
7 **BEING DULY SWORN TESTIFIED AS FOLLOWS:**

8 ***

9 **DIRECT EXAMINATION**

10 BY MR. JOHNSON:

11 Q Good morning, ma'am.

12 A Good morning.

13 Q Would you please identify yourself and
14 spell your last name for our Court Reporter?

15 A Rashina Collins, C-O-L-L-I-N-S.

16 Q And, Ms. Collin, how are you doing this
17 morning?

18 A I'm all right.

19 Q Are you comfortable?

20 A Yeah.

21 Q All right. Were you here all day
22 yesterday waiting?

23 A I was.

24 Q Were you'all uncomfortable yesterday
25 physically?

1 A Yes.

2 Q Why is that?

3 A Because currently in the last stage of
4 pregnancy.

5 Q All right, let me get you out of here as
6 fast as we can, okay? Do you know Frankie
7 Johnson?

8 A I do.

9 Q Who is he to you?

10 A He's my daughter's father.

11 Q Okay. You'all were in a relationship?

12 A No.

13 Q Okay, but you had a child together?

14 A Yes.

15 Q And where does he live?

16 A He's dead.

17 Q Did you know Ghazi Duckett?

18 A I did.

19 Q And Lamekia Warren?

20 A I did.

21 Q Do you know Tyrase Colins or Lorenzo
22 Boles?

23 A I do.

24 Q Which one and how? Well, let me ask you
25 one-by-one. Do you know Tyrase Collins?

1 A I do.

2 Q How do you know him?

3 A He's my cousin.

4 Q He's a cousin of yours. How about
5 Lorenzo Boles, do you know him?

6 A Yes, he's my cousin.

7 Q Another cousin? What kind of car does
8 Lorenzo drive, or did he at the time in 2018?

9 A He was driving a Charger.

10 Q Okay, what color was it?

11 A Red.

12 Q Ms. Collins, do you recognize this?

13 MR. EVANS: May I approach the witness,
14 Your Honor?

15 THE COURT: Sure.

16 BY MR. EVANS:

17 Q I'm showing you what's been previously
18 entered into evidence as State's Exhibit 2. Do
19 you recognize this?

20 A I do.

21 Q What is this?

22 A It's a Draco.

23 Q A Draco? It's a gun?

24 A Yes.

25 Q All right, everybody's calls it the

1 Draco? That's what everybody calls it?

2 A Yeah.

3 Q All right. How do you know this
4 particular gun, State's Exhibit 2?

5 A I purchased it.

6 Q All right. Do you remember when,
7 approximately?

8 A I don't.

9 MR. EVANS: May I approach the witness,
10 Your Honor?

11 THE COURT: Sure.

12 BY MR. EVANS:

13 Q This has been previously entered as
14 State's Exhibit 33, can you tell what that is

15 A The receipt for the gun.

16 Q All right, is that your name right
17 there?

18 A It is.

19 Q And what's the date that you purchased
20 it on? Appears in the upper left.

21 A 2/13/2018.

22 Q All right, so you bought that gun
23 February 13th, 2018; is that what you're telling
24 us?

25 A Yes.

1 Q Why did you buy it?

2 A Because Frankie Johnson asked me to.

3 Q Frankie asked you to purchase it for
4 him?

5 A Yes.

6 Q Did you give it to him?

7 A I did.

8 Q All right. When did you give it to him,
9 approximately, after you purchased it?

10 A Probably a couple days after I purchased
11 it.

12 Q And did you see it in his possession
13 between giving it to him and the date that he
14 passed?

15 A I did.

16 Q Approximately when?

17 A I'm not really sure, but he had it.

18 Q Can you say just very roughly, was it
19 soon before he died?

20 A Yes.

21 Q Within a week?

22 A Yes.

23 Q Are you still living at 52 Crews Street,
24 Ms. Collins?

25 A Yes.

1 Q Did you ever take anything over there?

2 A I didn't.

3 Q What kind of stuff did you take over
4 there?

5 A Nothing.

6 Q Oh, nothing? All right. You didn't
7 take this gun over there?

8 A No.

9 Q Did you take any other guns over there?

10 A No.

11 Q Ever?

12 A Ever.

13 Q When all this happened, did you meet
14 with law enforcement at any point?

15 A I did.

16 Q Did you tell them about this gun?

17 A I did.

18 Q Did they show it to you, physically?

19 A No.

20 Q Okay. Any pictures, or anything like
21 that?

22 A No.

23 Q You told them about it?

24 A Yes.

25 Q Were you at [REDACTED] Crews Street when they

1 were searching it?

2 A I came over there.

3 Q Okay. Did you see the gun at that
4 point?

5 A Yes.

6 Q All right. Where was it coming from?

7 A Out of my aunt's trailer.

8 Q Your aunt being Viola?

9 A Viola Collins, yes.

10 Q And so out of her trailer meaning ■
11 Crews Street?

12 A Yes.

13 Q Who was carrying it?

14 A One of the deputies.

15 Q Okay, a police officer?

16 A Yes.

17 Q All right, you saw this gun, State's
18 Exhibit 2, coming out of that trailer at that
19 time?

20 A Yes.

21 Q All right, and is this the day after
22 Frankie died?

23 A Yes.

24 Q Those are all the questions I have,
25 please answer any questions these gentlemen may

1 have.

2 THE COURT: All right. Mr. Gibbes, do you
3 have any questions, sir?

4 MR. GIBBES: Yes, Your Honor.

5 **

6 **CROSS-EXAMINATION**

7 BY MR. GIBBES:

8 Q Good morning, Ms. Collins, how you
9 doing?

10 A Fine, and you?

11 Q Pretty good. One question for you. You
12 mentioned that Lorenzo Boles drives a red
13 Charger, correct?

14 A Yes.

15 Q Do you know who owns that vehicle?

16 A I'm not really sure.

17 Q All right. And so, you know, if anyone
18 else ever drove that vehicle?

19 A Yes.

20 Q Okay. How many other people would you
21 say drove that vehicle?

22 A Probably about two.

23 Q Okay. And who are those two
24 individuals?

25 A His brother and his mom.

1 Q And could you state names?

2 A Oh Juanita Boles and Craig Collins.

3 Q Okay. All right.

4 MR. GIBBES: Thank you, no further
5 questions.

6 THE COURT: All right, Mr. Johnson, do you
7 have any questions, sir?

8 MR. JOHNSON: Yes, I do.

9 THE COURT: All right.

10 **

11 **CROSS-EXAMINATION**

12 BY MR. JOHNSON:

13 Q Good morning, Ms. Collins.

14 A Good morning.

15 Q Just a couple questions. You bought the
16 gun for Frankie Johnson?

17 A Yes.

18 Q Why did you have to buy it?

19 A Because he asked me to.

20 Q Is that because he had a criminal record
21 and he couldn't buy a gun?

22 MR. EVANS: Counsel --

23 THE COURT: I'm gonna overrule that, and I
24 think she's answered this.

25 BY MR. JOHNSON:

1 Q And did he?

2 A I'm not sure.

3 Q Did he tell you why he wanted you to buy
4 the gun?

5 A No.

6 Q Okay. You know Tyrase, correct?

7 A Yes.

8 Q Did you ever see Tyrase threaten
9 anybody?

10 A No.

11 Q Did you ever see Tyrase ever hurt
12 anybody?

13 Q Are you afraid of Tyrase?

14 A No.

15 Q Did Tyrase have a reason to kill Frankie
16 Johnson?

17 A No.

18 MR. JOHNSON: I have no other questions.

19 THE COURT: All right, anything else,
20 Solicitor?

21 MR. EVANS: Yes, very briefly, sir.

22 THE COURT: Sure.

23 **REDIRECT EXAMINATION**

24 BY MR. EVANS:

25 Q You testified on direct that Frank

1 Collins' is Lorenzo Boles cousin?

2 A Yes.

3 Q Okay, and he's a cousin of yours as
4 well?

5 A Yes.

6 Q Where was your cousin, Frank Collins, in
7 March of 2018

8 A I would guess he was in Texas.

9 Q In Texas?

10 A Yes.

11 Q Not in Hampton County?

12 A Yes.

13 Q All right.

14 MR. EVANS: Those are all the questions.

15 THE COURT: Mr. Gibbes, anything else?

16 MR. GIBBES: Yes.

17 **

18 **RECROSS-EXAMINATION**

19 BY MR. GIBBES:

20 Q Ms. Collins, you mentioned that Juanita
21 Boles also drove that vehicle?

22 A Yes.

23 Q Where was she at on the day of this
24 murder, March 25th, 2018?

25 A I'm not sure.

1 Q Okay. And although you saw other people
2 driving their vehicle, two other people beside
3 my client, you can't confirm whether --

4 A NO.

5 Q -- actually ten other individuals,
6 correct?

7 A Correct.

8 MR. GIBBES: Nothing else.

9 THE COURT: Mr. Johnson, anything else?

10 MR. JOHNSON: I have nothing, Your Honor.

11 THE COURT: Solicitor, anything else?

12 MR. EVANS: No, Your Honor.

13 THE COURT: All right. Thank you so much,
14 ma'am, you've been excused.

15 Can she be released from any subpoena?

16 MR. EVANS: Yes, sir.

17 THE COURT: All right, have a great day,
18 ma'am.

19 WITNESS: You too.

20 THE COURT: All right, Solicitor, you can
21 call your next witness.

22 MR. EVANS: The State calls Chauncy
23 Solomon.

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CHAUNCY SOLOMON,
BEING DULY SWORN TESTIFIED AS FOLLOWS:

THE COURT: Good morning, sir.

WITNESS: Good morning, sir.

MR. EVANS: Thank you, Your Honor.

**

DIRECT EXAMINATION

BY MR. EVANS:

Q Would you please, sir, identify
yourself, and spell your last name for our Court
Reporter?

A My name is Chauncy Solomon, S-O-L-O-M-O-
N.

Q Where do you work, Mr. Solomon?

A The Edisto Police Department.

Q What is your rank there at Edisto?

A I'm the Chief of Police.

Q All right, and is that a relatively new
position for you?

A Well, about a year and a half. I got
sworn in September the 15th of last year.

Q Congratulations on the big job.

A Great fun.

Q Where did you work before?

1 A 28 years of law enforcement. Came from
2 the Sheriff's Office most recently. Also, the
3 drug enforcement administration --

4 Q Okay.

5 A -- or the DEA.

6 Q And which agency were you working in in
7 March of 2018?

8 A Both, I was working for the Sheriff's
9 Office, and assigned to the DEA --

10 Q Quickly, how does that work where you
11 can do both?

12 A Well, my parent agency was Hampton
13 County Sheriff's Office, but I was assigned into
14 a federal agency, a drug taskforce --

15 Q Okay.

16 A -- in Charleston.

17 Q So you go --

18 A Dual.

19 Q -- all over the State doing some stuff,
20 but then you're helping the Sheriff's Office
21 with other stuff?

22 A All over the country, and still help the
23 Sheriff's Office. The Sheriff at that time had
24 a homicide team, which he used criminal
25 investigations, and used narcotics

1 investigations, and I was a part of that, the
2 making of the homicide team.

3 Q Were you part of the investigation of
4 this case?

5 A Yes, sir, I was.

6 Q Tell us about what you did on March
7 26th, 2018?

8 A Okay. Of course, you know, we got a
9 phone call from Dispatch, saying that it was a
10 triple homicide. They will call out all the
11 investigators, and actually I was one of those
12 investigators, so we always respond to the scene
13 and just help out whatever you can --

14 Q Okay.

15 A -- whether it's gathering evidence,
16 interviewing people and just -- and looking for
17 suspects and witnesses so we can interview.

18 Q All right, were you the lead officer on
19 this case?

20 A No, sir.

21 Q So you went to the actual original scene
22 on March 25th?

23 A Yes, sir.

24 Q Okay. How about the following day, what
25 was your part of the investigation on the day

1 after?

2 A Well, based on our investigation,
3 started creating leads, so we tried to go out
4 and look for people who we'd be getting
5 information about.

6 Q About?

7 A Who could be involved.

8 Q People and places?

9 A Yes.

10 Q Okay. Where was one of the places that
11 you were interested in going?

12 A Well, throughout our investigation it
13 led us to ■ Crews Street in Varnville, South
14 Carolina.

15 Q Is that in Hampton County?

16 A In Hampton County in Varnville.

17 Q Okay.

18 A In Varnville.

19 Q How about the original scene, ■
20 Priscilla, is that in Hampton County?

21 A It's also in Hampton County, yes.

22 Q All right. So ■ Crews Street in the
23 Town of Varnville?

24 A In the Town of Varnville, over there by
25 the projects.

1 Q Did you proceed to go there on March the
2 26th, 2018?

3 A Yes.

4 Q Did you'all have a warrant at that
5 point, or any --

6 A No.

7 Q What was the posture that you were
8 going?

9 A Well, we went -- our leads led us to the
10 Defendant in this case, and one of the
11 Defendants in this case is Lorenzo Boles, and we
12 had active warrants on him, so we went there
13 with the intentions of putting him in custody,
14 and bringing him back to the Sheriff's Office.

15 Q For this case or other matters?

16 A For this case.

17 Q Okay.

18 A And, apparently, we had active arrest
19 warrants for him also.

20 Q I see. And did you -- so you went to
21 visit ■ Crews Street to look for him?

22 A Myself and a group of investigators from
23 the Sheriff's Office, also the United States
24 Marshall Service.

25 Q All right. What did you find when you

1 got there?

2 A Well, when we got there, there were
3 several people there, obviously. Some people
4 were able to run away, got out through the back
5 door and ran away. And some people got away,
6 but we were able to -- I think three or four
7 people that was at the house that day, they --
8 we put them in custody.

9 Q Was Lorenzo Boles one of the people who
10 was put in custody, or -- well, actually, let me
11 ask, was he there at all?

12 A He wasn't there. We believe that he was
13 one of the ones that actually escaped through
14 the back.

15 Q You saw multiple people --

16 A Yes.

17 Q -- fleeing the scene?

18 A Yes.

19 Q All right. Did you later determine that
20 one of those was Lorenzo Boles?

21 A Yes.

22 Q Okay.

23 A Throughout our investigation in talking
24 with people, we believed that Lorenzo Boles was
25 there. His car was there --

1 MR. GIBBES: Objection.

2 BY WITNESS:

3 A -- so we just believed that --

4 THE COURT: Hold on a minute, what's your
5 objection?

6 MR. GIBBES: Well, he's saying that he
7 believed through other people that Lorenzo Boles
8 was there. He just said he believes that he was
9 there, so --

10 THE COURT: I'm going to overrule that, I
11 think he was saying that through their
12 investigation, and so I'm going to allow that.
13 We'll move on.

14 MR. EVANS: Yes, sir.

15 THE COURT: He identified the vehicle. Go
16 ahead.

17 MR. EVANS: Thank you, Your Honor.

18 BY MR EVANS:

19 Q Did you see a red car there?

20 A Yes, sir. His red Dodge Charger that
21 belonged to Lorenzo Boles was there, and we
22 believed he was there.

23 MR. GIBBES: Objection.

24 THE COURT: Yes, sir?

25 MR. GIBBES: Your Honor, he's saying that

1 vehicle belongs to Lorenzo Boles. It's not even
2 registered.

3 THE COURT: Well, you can bring that up on
4 cross-examination.

5 MR. GIBBES: Okay.

6 THE COURT: I'll overrule your objection.

7 BY MR. EVANS:

8 Q So you saw a red Charger there, yes?

9 A Yes.

10 Q Okay. What further involvement did you
11 have? Did you bring the U.S. Marshalls back
12 into the case at a later point?

13 A Well, when we wasn't able to find him,
14 obviously, you know, we continued to look for
15 him.

16 Q When you say him, you mean?

17 A Lorenzo Boles.

18 Q Okay.

19 A And throughout our investigation,
20 through techniques we use when it comes to this
21 gathering of information, we determined that he
22 was in Savannah, Georgia.

23 Q You and the U.S. Marshall's Office work
24 together?

25 A Myself and the United States Marshals

1 Service, we determined that he was I Savannah,
2 Georgia. We got a location, I think it was at
3 the Motel 6 off of 206, Exit 94, in Savannah,
4 Georgia, myself and the United States Marshals
5 Service, Savannah Metro SWAT Team; we went to
6 Savannah, Georgia and actually found Lorenzo
7 Boles, along with others at the hotel.

8 Q You were there personally for it?

9 A Yes.

10 Q Okay. When you saw that gentleman, did
11 you recognize him from earlier?

12 A Recognized him, and I actually talked to
13 him.

14 Q Okay. Did you recognize him from [REDACTED]
15 Crews Street?

16 A No, but meaning where did I see him at
17 Crews Street?

18 Q Yes, sir.

19 A I didn't see him at Crews Street that
20 day, no, sir.

21 Q Did you see anybody else at the house,
22 turning back to March 26th, did you see Mr.
23 Crittington in there?

24 A Mr. Crittington was there. Mr. Collins
25 also was there. There was a young lady that was

1 there.

2 Q When you say Mr. Collins, there's a few
3 Mr. Collins'; do you know which one you're
4 referring to?

5 A Tyrase Collins, I think, the Defendant,
6 the other Defendant in this case.

7 Q You think?

8 A I know it was him.

9 Q Well, okay. Not Hassan?

10 A Hassan also was there.

11 Q All right.

12 A Hassan was in the front yard, Mr.
13 Collins was in one of the bedrooms.

14 Q How about Mr. Crittington, did you'all
15 investigate him?

16 A Yes.

17 Q Did you interview him at any point?

18 A Myself and an agent from SLED, we went
19 up to Columbia to the Department of Juvenile
20 Justice.

21 Q All right, now, why was he in the
22 Department of Juvenile Justice?

23 A I think it was an unrelated case.

24 Q He was in custody on a different matter?

25 A Yes.

1 Q And that's referring to Mr. Crittington?

2 A Yes.

3 Q All right. And you'all looked into him
4 in this case?

5 A Yes.

6 Q Thank you, Chief, those are all the
7 questions that I have. Please answer any
8 questions these gentlemen have.

9 THE COURT: All right, Mr. Gibbes?

10 **

11 **CROSS-EXAMINATION**

12 BY MR. GIBBES:

13 Q Good morning, Chief, how you doing?

14 A Hey, good.

15 Q I have just a quick question. I just
16 want to confirm, on March 26th you never saw
17 Lorenzo Boles at --

18 A At the house?

19 Q Yes.

20 A No, sir.

21 Q Okay. Can you tell me who owns the red
22 Charger?

23 A I -- to my recollection, I don't know
24 exactly who owns the car, but I can say that
25 every time I've seen the car, Mr. Boles is

1 driving it.

2 Q Okay. And you mentioned that someone
3 was arrested with Lorenzo Boles, another --

4 A Yes.

5 Q -- individual?

6 A Yes.

7 Q Who was that individual?

8 A Hassan --

9 Q Hassan Collins

10 A Yes.

11 Q Okay. Did you see Hassan Collins at [REDACTED]
12 Crews Street?

13 A Yes, he was there also.

14 Q Okay, and, of course, we're talking
15 about March 26th

16 A Yes, correct.

17 Q All right.

18 A The day of the search warrant.

19 Q Yes, okay. And where's Hassan today?

20 A He's no longer with us. I think he
21 died --

22 Q Okay.

23 A -- in a crash or something.

24 Q All right. Thank you, sir, no other
25 questions.

1 THE COURT: All right, Mr. Johnson, do you
2 have any questions, sir?

3 MR. JOHNSON: Yes, I do, Your Honor.

4 THE COURT: Sure.

5 **

6 **CROSS-EXAMINATION**

7 BY MR. JOHNSON:

8 Q Good morning, Chief.

9 A How you doing, sir?

10 Q Good to see you.

11 A Good to always see you, sir.

12 Q All right. I want to clarify something.
13 I think you made a misstatement. When you went
14 to the house to arrest the people at ■ Crews
15 Street --

16 A Yes, sir.

17 Q Tyrase wasn't there.

18 A He wasn't there? It seemed like I just
19 remembered him being there.

20 Q Well --

21 A It's been five, six --

22 Q I understand.

23 A -- back in 2018, but I thought he was
24 there that day.

25 Q Yesterday the lead investigator

1 testified that Tyrase was in school. His
2 brother was there. And I just want to clarify,
3 because --

4 A yes --

5 Q -- it's very important. Hassan.

6 A Well, I know his brother was there. I
7 remember him being there, but to my
8 recollection, maybe I thought he was there in
9 the bedroom.

10 Q Do you remember somebody ran in the
11 bedroom, and you found somebody up under the
12 bed?

13 A Someone was in the bedroom, and we got
14 him in custody from in the bedroom.

15 Q Could that have been Mr. Crittington?

16 A It could have been. There were several
17 people in the house, but I -- for some reason I
18 just thought that, you know, Mr. Collins was --

19 Q But you're not sure?

20 A I'm not sure. I can't -- my mind is
21 telling me he was there.

22 Q Okay. Did you ever have any run-ins
23 with Tyrase?

24 A No.

25 Q Any problems with him?

1 A He was a 17-year-old boy at the time. I
2 remember the case, he was 17 at the time of his
3 arrest. I don't remember ever having any
4 dealings with him at that point.

5 Q Okay. And then -- actually, when you
6 went to the house, you didn't go there for
7 Tyrase, did you? You went there --

8 A No.

9 Q -- because of -- I guess you said Mr.
10 Boles --

11 A We went there -- actually, you know,
12 obviously, we investigated the triple homicide.
13 Our intentions was, because Mr. Lorenzo Boles'
14 name came up. We went there with the warrants
15 that he currently had, but we were still holding
16 to anything that we could find there.

17 Q And you say there was a number of people
18 there?

19 A Several.

20 Q How many, more than five, more than six

21 A Well, from what I can remember is, the
22 house was right next to another house --

23 Q Right.

24 A -- and there were several people in the
25 yard, and people in the house. It was a chaotic

1 scene at the time, but, yeah, there was several
2 people around.

3 Q Okay. And you don't have any notes, or
4 anything to refresh your memory, because it's
5 kind of important who was there at that time?

6 A In my mind I'm thinking we did find
7 someone in that particular bedroom.

8 Q Okay.

9 A In my mind it was him. I don't know
10 whether it was Crittington or not, but it seemed
11 like --

12 Q Okay.

13 A -- but Crittington was at DJJ at that
14 time.

15 Q But if the lead investigator testified
16 that he found Crittington up under the bed that
17 day. Would you disagree with what he said?

18 A No, I'm not gonna disagree with nothing
19 that he, or any other investigators -- you're
20 talking 2018, and I'm 55-years-old, I think I
21 can tell you right now I can't remember what
22 happened last week sometimes.

23 MR. JOHNSON: That's all.

24 THE COURT: Solicitor, have you got any
25 questions for the Chief?

1 MR. EVANS: No, sir.

2 THE COURT: All right. Mr. Gibbes?

3 MR. GIBBES: No, sir.

4 THE COURT: All right, Chief, thank you so
5 much, appreciate it.

6 WITNESS: Yes, sir.

7 MR. EVANS: The State calls Samuel Shepard.

8 THE COURT: No objection to the Chief being
9 released, Solicitor?

10 MR. EVANS: I have none.

11 THE COURT: All right.

12 **SAMUEL SHEPARD,**

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

14 ***

15 **DIRECT EXAMINATION**

16 BY MR. EVANS:

17 Q Good morning, sir.

18 A Good morning.

19 Q Would you please identify yourself, and
20 spell your last name for our Court Reporter?

21 A Samuel Shephard, S-H-E-P-A-R-D.

22 Q Mr. Shepard, did you know Ghazi Duckett?

23 A Yes.

24 Q How did you know him, sir?

25 A I've known him from childhood.

1 Q A friend of yours?

2 A You can call him kind of a friend.

3 Q I'm sorry?

4 A You can call him kind of a friend.

5 Q Kind of a friend?

6 A I guess so.

7 Q Did you ever loan him anything?

8 A Yes.

9 Q What did you give him back in 2018 before
10 he died?

11 A Can you repeat that?

12 Q What did you give Mr. Duckett before he
13 died; do you remember?

14 A Glock model 38.

15 Q A Glock 38?

16 A Yes.

17 MR. EVANS: May I approach the witness,
18 Your Honor?

19 THE COURT: Yes, sir.

20 BY MR. EVANS:

21 Q I'm gonna show you what's been marked --
22 or actually, entered as State's Exhibit 115.
23 Can you tell us what that is, sir?

24 A You might have to turn it on its side.

25 Q Well, I'll do my best, but it's kind of

1 secured here. Is this a gun?

2 A Yes, it is a gun.

3 Q And I'll show you what's been previously
4 entered into evidence as State's Exhibit 250.
5 Have you ever seen this document before?

6 A Yes.

7 Q You have?

8 A Well, not that document before, but I
9 know what it is.

10 Q Okay. What's this right here?

11 A My name.

12 Q Your name?

13 A Yes.

14 Q All right, and what's this say up here?

15 A Glock GH, Model G38.

16 Q Okay, and how about that right there?

17 A Okay.

18 Q Oh, just below that, sir --

19 A Okay.

20 Q -- if you don't mind.

21 A VHH952.

22 Q VHH952? Would you mind reading the
23 serial number on this gun? Right there.

24 A VHH952.

25 Q Okay, same as you read from this form?

1 A Yes.

2 Q All right, so did you purchase a Glock --

3 A Yes.

4 Q -- 38? You did?

5 A I purchased it.

6 Q Okay, you're the original purchaser of
7 this gun?

8 A Yes.

9 Q All right. Is this the gun that you
10 loaned to Mr. Duckett?

11 A In fact, initially, yes.

12 Q Okay. Well, guns sort of look alike
13 mostly, right?

14 A Yeah.

15 Q Is that why they have serial numbers?

16 A Yes.

17 Q Okay, but you remember loaning Mr.
18 Duckett a Glock 38?

19 A Yes, a while back, yes.

20 Q All right, and it's one that you
21 purchased originally?

22 A Yes.

23 Q Approximately, when was that? I
24 understand it's hard to remember, it's been a
25 long time, I get that, but just, roughly, when

1 was it?

2 A May, 2017, early 2018.

3 Q Okay.

4 A As far as that date I can't remember.

5 Q I understand that, but in either late
6 2017 or early 2018?

7 A Yes.

8 Q And do you remember approximately when
9 you heard about Mr. Duckett's death?

10 A I know it was a weekend that I got told,
11 that was it.

12 Q The spring of 2018, does that sound
13 right?

14 A Either spring, or right there about
15 summertime, I don't really remember.

16 Q Between the time that you loaned him --
17 was it a loan, or a gift, let me ask you that.

18 A A loan, not a gift.

19 Q A loan, not a gift, so you expected to
20 get it back?

21 A Yeah, I did expect to get it back.

22 Q The Glock 38 that you loaned to him, did
23 you see it in his possession between the date
24 that you loaned it, and the time of his death,
25 Mr. Duckett?

1 A Yes.

2 Q Okay. Again, I know it's been a long
3 time, but do you remember approximately when
4 that was?

5 A No, I cannot tell you.

6 Q Sometime between the time --

7 MR. JOHNSON: Objection, it's been asked
8 and answered three or four times.

9 THE COURT: Overruled. Go ahead.

10 BY MR. EVANS:

11 Q Would it have been between late 2017 and
12 early 2018, when you gave it to him and the time
13 that he died? All right --

14 A Yes.

15 Q -- sometime in that timeframe?

16 A In that timeframe.

17 Q All right. Those are all the questions I
18 have, Mr. Shepard, please answer any questions
19 these gentlemen may have.

20 THE COURT: All right, Mr. Gibbes, do you
21 have any questions?

22 MR. GIBBES: No, sir.

23 THE COURT: All right, and let me ask Mr.
24 Johnson, do you have any questions

25 MR. JOHNSON: I have none, Your Honor.

1 THE COURT: All right. Can he be released
2 from subpoena, Solicitor?

3 MR. EVANS: Yes, sir.

4 THE COURT: Gentlemen, any objection?

5 MR. GIBBES: No, Your Honor.

6 MR. JOHNSON: No, Your Honor.

7 THE COURT: Mr. Shepard, have a great day,
8 sir. Thank you.

9 WITNESS: All right.

10 THE COURT: Yes, sir.

11 MR. EVANS: The State calls Gabriel
12 Denizard.

13 THE COURT: Yes, sir.

14 MR. EVANS: Thank you, Your Honor.

15 **GABRIEL DENIZARD,**

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

17 ***

18 **DIRECT EXAMINATION**

19 BY MR. EVANS:

20 Q Good morning.

21 A Good morning.

22 Q Can you please identify yourself, and
23 spell your last name for our Court Reporter?

24 A Special Agent Gabriel Denizard, G-A-B-R-
25 I-E-L, last name D-E-N-I-Z-A-RD.

1 Q And where do you work, Mr. Denizard?

2 A South Carolina Law Enforcement Division,
3 also known as SLED.

4 Q What do you do at SLED?

5 A I currently work in the Crimes Unit.

6 Q All right, and we've already heard a
7 little bit about that, but give us a very quick
8 summary of what you do.

9 A So our Crime Scene Unit is a little
10 different than others. We are an assisting
11 agency. SLED as a whole, we travel the entire
12 state, we're a very local agency, or whatever
13 our people at SLED need, specifically, crime
14 scene resources, that's what we are here for.

15 Q All right. Did you become involved,
16 through the course of that, in this case that
17 we're here about today?

18 A Yes.

19 Q Back in March of 2018?

20 A Correct.

21 Q Did you come down to Hampton once, or
22 more than once?

23 A More than once.

24 Q All right. We've heard about the
25 original scene from Mr. Sprouse. Can you tell

1 us, again, very briefly what you did at that
2 original scene?

3 A So Special Agent Sprouse who testified
4 yesterday, he was the lead agent, and I was the
5 secondary. We flip-flopped, sometimes it's just
6 -- so there was another scene I was running with
7 Nick Sprouse, then I would relieve that.

8 Q Okay.

9 A So at that time he was lead, so my
10 primary duties were to do more documentation
11 than anything, which is photographing, but also,
12 of course, the gameplan with him, any ideas he
13 has, or anything he needs me to do for him to
14 help him process the scene.

15 Q Okay. And then that was at the original
16 scene, but --

17 A Correct.

18 Q -- you came back later?

19 A Yeah, so Special Agent Sprouse, at the
20 time, was not available, so there was a follow-
21 up request by Hampton County Sheriff's Office
22 that vehicle may have been involved with the
23 incident. He was not available, I was somewhat
24 familiar with the scene. My Captain had advised
25 me and requested me to go to the scene and

1 process this vehicle, and I was running the
2 investigation on the vehicle, and had taken a
3 trainee at the time with me to document the car,
4 to help document it.

5 Q Okay, so what did the trainee do, and who
6 was that?

7 A The trainee at the time was Tara Watson,
8 she's no longer with us. She -- her primary
9 duties what was pretty much what my primary
10 duties were most likely taking photos than
11 anything at that time.

12 Q When you say she's no longer with us, do
13 you mean --

14 A Excuse me.

15 Q -- with SLED, or --

16 A She is --

17 Q Oh.

18 A She works currently for the Columbia
19 Police Department in the Crime Scene Unit up
20 there.

21 Q Okay. And you brought her to help you
22 with the scene, the way that you were helping
23 Mr. Sprouse the first scene?

24 A Yes.

25 Q She took the photos is what you're

1 saying?

2 A She did.

3 Q On the second scene?

4 A On the second scene.

5 Q You took photos of the first scene?

6 A Correct.

7 Q Okay. What was the second scene? You
8 said a car, tell us a little more.

9 A Correct, so it was a follow-up. The
10 second scene consisted of a red in color Dodge.
11 May I refer to my notes, Your Honor.

12 Q Sure.

13 THE COURT: Yes. Any objection referring
14 to his notes?

15 MR. EVANS: Not from the State.

16 THE COURT: Mr. Gibbes, Mr. Johnson?

17 MR. GIBBES: No, Your Honor.

18 MR. JOHNSON: No objection, Your Honor.

19 THE COURT: All right, go ahead, yes, sir.

20 BY WITNESS:

21 A A red Dodge Charger. It was at the
22 impound lot right across the street from the
23 Hampton County Sheriff's Office.

24 Q All right. Here in Hampton County?

25 A Yes.

1 MR. EVANS: May I approach the witness,
2 Your Honor?

3 THE COURT: Of course.

4 BY MR. EVANS:

5 Q You said that Ms. Waters? Tara?

6 A Tara Watson.

7 Q Watson, I'm sorry, that she took a number
8 of photographs?

9 A Correct.

10 Q All right. I'm passing you what have
11 been previously marked, but not entered, as
12 State's Exhibits 258, 257, 259, 260, 261, 252,
13 253, 254, 255, 256, and 262. Do you recognize
14 those photographs?

15 A Do you mind if I --

16 Q Not a problem.

17 A Okay.

18 Q Do those photos fairly, and accurately,
19 depict the way that that second crime scene
20 looked March the 27th, 2018?

21 A Yes.

22 MR. EVANS: Your Honor, the State would
23 move these photographs into evidence at this
24 time.

25 THE COURT: Any objection, Mr. Gibbes?

1 MR. GIBBES: No, Your Honor.

2 THE COURT: Mr. Johnson?

3 MR. JOHNSON: No objection, Your Honor.

4 THE COURT: All right then, without
5 objection.

6 (State's Exhibits 252 - 262 were admitted
7 into evidence.)

8 MR. EVANS: May I publish those, Your
9 Honor.

10 THE COURT: Yes, sir.

11 BY MR. EVANS:

12 Q And, Mr. Denizard, I'm gonna ask you, if
13 you don't mind, we're gonna publish these on
14 this screen here --

15 A Sure.

16 Q -- along with the 2 others that were
17 already put into evidence.

18 THE COURT: All right, if you'll turn that
19 TV.

20 MR. EVANS: Yes, sir, I'm about to.

21 THE COURT: Turn it this way, or just make
22 sure everybody can see it, okay?

23 All right. If anybody needs to move to be
24 able to see that. Let's turn those lights down,
25 please.

1 BY MR. EVANS:

2 Q Can you see okay from there, Mr.
3 Denizard?

4 A So far.

5 Q So far, it's good?

6 A Yes.

7 Q All right, how's that? Is that okay for
8 you? If you want to come down, let's, you just
9 wave at me.

10 A I can see it fine like that.

11 Q All right.

12 THE COURT: Can all my jurors see the
13 screen? Thank you.

14 BY MR. EVANS:

15 Q All right, Mr. Denizard, this is State's
16 Exhibit 251. Can you tell us what this depicts?

17 A That is the Dodge Charger.

18 Q All right, the same one that you took a
19 look at in detail. How about State's 252?

20 A The rear side showing the Texas tag.

21 Q Okay. Same tag number as on the front
22 side?

23 A Yes.

24 Q All right, State's Exhibit 253, what do
25 we have here?

1 A That's the driver's area showing the
2 steering wheel.

3 Q Okay.

4 A And the driver's seat.

5 Q How about State's Exhibit 254?

6 A That is the rear passenger side of the
7 vehicle.

8 Q Is there anything we need to note in this
9 photograph, or in some of the others coming up?

10 A There were some reddish-violet stains
11 that were observed --

12 Q Okay.

13 A -- on the interior of the car.

14 Q State's Exhibit 255? Is this what you
15 mean by the reddish-brown stains?

16 A Yes.

17 Q What, if anything, did you do in this
18 area of the car?

19 A We did a presumptive test.

20 Q What does that mean?

21 A So anytime we have a stain that
22 resembles, possibly being, maybe blood, we have
23 these tests that we do to give us a little more
24 confidence. So what we use is like a Phenol
25 kit, it's these 3 little glass bottles that you

1 do in order. To get a swab, we swab just a
2 little part of the area, we don't want to do the
3 whole stain yet, and we test that stain. So the
4 first droplet will be water, sterile water. The
5 second would be the Phenol itself chemical, and
6 then the third is hydrogen peroxide. And what
7 that does by the third droplet, within a matter
8 of seconds, it should turn like a pinkish color.
9 That indicates then, that this stain is most
10 likely blood, and it gives us more confidence.

11 Q You did that in this area --

12 A I did.

13 Q -- that's depicted in 255?

14 A Yes.

15 Q What were the results of that test?

16 A It was positive. It was presumptive
17 presence for blood.

18 Q Presumptive presence for blood?

19 A Correct.

20 Q Okay. What about State's Exhibit 256?
21 Where is this in that car?

22 A That's the same door right below the
23 window.

24 Q All right, was there a test done on this
25 area as well?

1 A Same thing --

2 Q Okay.

3 A -- the Phenol.

4 Q Presumptive positive again?

5 A Presumptive positive.

6 Q What about State's Exhibit 257?

7 A That is also the rear side near the
8 seatbelt area.

9 Q Okay. Any testing done in this area?
10 Any swabs collected?

11 A I collected swabs from there, and I don't
12 recall presumptive testing.

13 Q I'm gonna ask you to speak up just a tad
14 for me, okay.

15 A I apologize, sure.

16 Q 258?

17 A That is a closer, more closeup shot of
18 that area we last swabbed.

19 Q Okay. Just taking and collecting --
20 again, in this part you're not doing a blood
21 test, you're just --

22 A Right.

23 Q -- collecting --

24 A Correct.

25 Q -- what exactly? What are you looking

1 for, or trying to preserve?

2 A Any type of DNA evidence. And it
3 resembled -- it could be possible suspected
4 blood, so we went ahead and swabbed that area
5 also.

6 Q Is this something you have done a number
7 of times in other vehicles --

8 A Yes.

9 Q -- prior to coming here?

10 A Yes.

11 Q Okay. State's Exhibit 259, is this that
12 same door?

13 A It is.

14 Q All right. What do we have on this
15 photograph?

16 A So then I did do further chemical testing
17 on the door, which is LCV Liquid Crystal Violet.

18 Q Okay, so we've got a different visual
19 appearance of the same door at this stage?

20 A Correct, right.

21 Q Okay, so this photo, does that mean this
22 is taken later in the process?

23 A Yes.

24 Q And what does that, Liquid Crystal
25 Violet, what does that mean, and what does it

1 show?

2 A So, LCD is another chemical re-agent we
3 use to possibly find any latent blood that we
4 can't see with our eyes. It also acts as a
5 double, as a presumptive test. So these are not
6 swabs, it's basically this little package that
7 we put these chemicals together, we follow the
8 directions on the package, we go ahead and put
9 it in a spray bottle, we spray that door, and if
10 it starts popping purplish color, then it's
11 giving us more presumptive for blood, and even
12 make blood that we can't see appear.

13 Q And is that what happened in the Dodge
14 Charger, as evidence by this photograph?

15 A Yes.

16 Q Is that after you've collected swabs for
17 blood and touch DNA?

18 A Correct.

19 Q Okay, and why is it important to get the
20 swabs first before you do the Liquid Crystal?

21 A As far as the suspected blood swabs, or
22 any swabs in general?

23 Q I guess just -- before we move onto the
24 next photo, explain the importance of the
25 sequence of all this.

1 A Sure. LCV does not ruin any DNA or
2 anything like that is recalled, but we do a
3 certain sequence of things when we process the
4 scene, touch DNA, what we can see with our eyes,
5 test those things that we see with our eyes,
6 further swab, and if there's something I don't
7 see, then I'll go into using further chemicals,
8 and if anything pops from there, we will collect
9 further swabs from that stain.

10 Q Okay. Go to State's 260. Is this the
11 same door?

12 A Yes.

13 Q What are we seeing here? Do you need to
14 sit down? It's a little --

15 A Another photograph of the rear passenger
16 door, with the Liquid Crystal Violet added.

17 Q Okay, so it's -- do you want to step down
18 and show us --

19 A Sure.

20 Q -- where it's popping up?

21 A It's kind of hard with the flash here.
22 There is some here, right here in the arm rest,
23 here on the handle. This is the stain I
24 swabbed. I don't recall seeing it with the
25 naked eye, but it popped better, gave me more

1 confidence, presumptive, it's a little purple,
2 and we went ahead and swabbed there too, and I
3 believe there was some more positive areas up
4 here.

5 Q All right, and, again, this is the --
6 which door?

7 A The rear passenger door.

8 Q Rear passenger door?

9 A Yes.

10 Q Okay. Step back to the stand. Just a few
11 more. State's 261, do you recall finding that
12 document?

13 A That's some vehicle paperwork, or --

14 Q Okay.

15 A -- paperwork we'd done on the car.

16 Q And 262? Is this just a closeup of 261?

17 A Yes.

18 Q All right. Can you tell the name on the
19 upper right?

20 A Last name -- I can't tell.

21 Q You're not sure?

22 A Yes.

23 Q Do you want me to just pass these to you?

24 A Yes. Craig Collins.

25 Q And last is, for the photos at least,

1 State's 263.

2 A Right.

3 Q What is that, sir?

4 A A receipt.

5 Q Is that something you found in the
6 vehicle?

7 A Yes.

8 Q You and Ms. Tara -- I've already
9 forgotten her last name again.

10 A Watson.

11 Q Watson.

12 A Right.

13 MR. EVANS: That's all for the photos, Mr.
14 Johnson and Mr. Gibbes.

15 THE COURT: All right. You can go ahead
16 and turn the lights back on. Thank you, ma'am.

17 BY MR. EVANS

18 Q Mr. Denizard, did you notice on some of
19 these, and we can flip back a page, this is
20 described as a red Dodge Charger, is that right?

21 A Yes.

22 Q Okay, we see more than one color here,
23 right?

24 A I do.

25 Q Can you explain that?

1 A It's a possibility the car has been
2 painted.

3 Q Okay. So with the blue is just the
4 interior?

5 A That was the interior.

6 Q Here?

7 A Yes.

8 Q All right, but this is the same car that
9 we saw in the pictures of the full exterior?

10 A Yes.

11 Q You only photographed one car that day?

12 A Correct.

13 Q Okay. Tell us, you've already touched on
14 this a little bit, but tell us in detail,
15 everything that you collected from that car, and
16 if you need to refer to your report, I'm sure
17 they won't mind.

18 A Sure. So we began with, of course, the
19 digital photographs. We went ahead and also
20 collected a gunshot residue kit, or a GSR kit,
21 from the gear shift, steering wheel. We
22 processed the front passenger door, and the
23 driver's door, with a black powder, and saw some
24 prints that possibly had some rich detail,
25 collected those prints, took photographs of them

1 also. Collected touch DNA swabs from the
2 exterior handles, and interior handles of the
3 door of the car. We then collected the areas of
4 suspected blood from the vehicle, which was the
5 rear passenger armrest handle, which was Phenol
6 positive, the rear passenger seatbelt panel,
7 right there where that seatbelt was, that little
8 stain, the rear passenger armrest, and these are
9 all suspected blood swabs, rear passenger window
10 button, the rear passenger door below the
11 window, the rear passenger's armrest handle, and
12 the rear passenger door below the window, that
13 was Phenol positive, so we took a sample of the
14 Phenol, and then we took further samples from
15 that same area, and then where we have the LCV
16 positive, the purple stain, we took from the
17 rear passenger door armrest, near the window
18 button.

19 Q All right, and did you package all those
20 swabs up that you collected?

21 A Yes.

22 Q Did you take them back with you to
23 Columbia?

24 A Correct.

25 Q Okay. Did your associate help you with

1 that?

2 A She did.

3 Q Okay.

4 MR. EVANS: May I approach the witness,
5 Your Honor?

6 THE COURT: Yes.

7 BY MR. EVANS:

8 Q Mr. Denizard, I'm gonna pass you 2
9 containers, I think you'all's term is. They
10 have not been marked yet as exhibits --

11 A Sure.

12 Q -- but they're containers P and Q.

13 Do you recognize those containers, sir?

14 A Yes.

15 Q Okay. What are those, sir?

16 A This one here, that says -- has Nicklaus
17 Sprouse there, his name on the front, inside are
18 these envelopes, these ones are specifically to
19 put on storage, and these are more swabs by
20 Nicklaus Sprouse, we finished packaging these,
21 and these are going to DNA blood.

22 Q All right. Are these the same that we've
23 been talking about this morning?

24 A Yes.

25 Q All right, so why do they say Mr. Sprouse

1 on the front, as opposed to you?

2 A Since he is the lead, he is the lead of
3 this case, so he needs to continue logging in
4 the evidence from the first scene. So the way
5 we did this is, even though he ran lead for this
6 case, that evidence stays in my custody until I
7 give it into his custody, and then he finishes
8 logging it in, and putting it in the system from
9 there.

10 Q Okay. Are there any indicators on the
11 interior packaging that you and Tara were
12 involved in the immediate collection of this
13 evidence?

14 A Yes.

15 Q Okay. What sort of indicators?

16 A We have dates, we have times, initials, I
17 can see that's my writing.

18 Q Okay, and all that's consistent with
19 these being collected on March 27th --

20 A Correct.

21 Q -- 2018, by you and her?

22 A Correct.

23 Q All right. How do you keep those secure?
24 I mean this is sensitive evidence, right?

25 A Sure. So on-scene with swabs, we have a

1 protocol that when we get any kind of swabs, we
2 get either a blood DNA, or a touch DNA, what we
3 do is, we put them in these little coin
4 envelopes, and there's this yellow tape here
5 that says SLED on it, and that is seal tape; and
6 once that goes on, that is not supposed to come
7 off until it gets to the proper department, who
8 will then take those swabs out of those
9 envelopes, and further test those swabs.

10 For that scene, and the follow-up, we put
11 these in the coin envelope, sealed them, take
12 them back to Columbia, at the lab, we put them
13 in further -- another bag and seal those, have
14 an evidence tag on there saying that this is
15 sensitive evidence, and then until it goes into
16 process custody, we will then further package,
17 and send these to the proper departments.

18 Q Okay. And did you follow all those
19 procedures, when it comes to all these swabs
20 here?

21 A Yes.

22 MR. EVANS: Beg the Court's indulgence.

23 THE COURT: Yes, sir.

24 MR. EVANS: May I approach the witness,
25 Your Honor?

1 THE COURT: Yes, sir.

2 BY MR. EVANS:

3 Q Mr. Denizard, I want to pass you a large
4 document with binder clips on it. It's been
5 previously marked, but not entered, as State's
6 Exhibit 105. Can you tell us what State's
7 Exhibit 105 is?

8 A This is through our database. It's like
9 electronic chain of custody of where the
10 evidence is going to.

11 Q Is that something that's produced in
12 every case that SLED gets any kind of evidence
13 in?

14 A Yes.

15 Q How -- I mean did you participate in any
16 part of the preparation of this specific
17 document?

18 A No, I did not log in any evidence, when
19 it came to the database, only what we did on the
20 follow-up, what I assisted with on the original
21 scene. Special Agent Sprouse was responsible
22 for logging everything into the computer
23 database.

24 Q All right, but you're familiar with the
25 process of how --

1 A Yes.

2 Q -- logging in creates this document?

3 A Yes.

4 Q Can you just briefly summarize that?

5 A If I was to log in, let's say 2 swabs,
6 let's say I collected 2 swabs from a crime
7 scene, I would take it to the lab, go ahead and
8 log them in, get the descriptions and where I
9 want them to go. I want one to go to DNA touch,
10 one to go to DNA blood. It generates a receipt,
11 which is this document here that's in the
12 summary, which I was reading from, with a
13 description.

14 Like this one says it's going to DNA blood,
15 that they're swabs, what item number, and you
16 get an item number that's attached to it. From
17 there it's still in my custody at that time. So
18 then what I do is, when I'm done logging it in,
19 I take that physical evidence, those 2 swabs,
20 and I go to the evidence login people at the
21 lab, and they scan it into their custody. And
22 from there, they put it on a shelf, waiting for
23 those proper departments to come down, grab that
24 evidence for them to further process it.

25 So if DNA wants to come and grab it, they

1 should get alerted too, when we put an analysis
2 on a piece of evidence, there's something
3 generated, let's them know, on the computer on
4 their end. So when they come down and get the
5 evidence, they then go to evidence login, and
6 then they put that evidence into their custody,
7 process it, and whenever they're done, they
8 typically run it back, and put it back into
9 evidence login's custody.

10 Q And every time a piece is moved from one
11 place to the other up there, a is a --

12 A Yes.

13 Q -- record is generated?

14 A Yes, so every -- like, for instance, if I
15 wanted to get a piece of evidence back in my
16 custody, because there's something that I forgot
17 to do with it, I will say, "Hey, can I get that
18 evidence back?" They're like, "Sure, I need
19 your barcode." We have a specific barcode
20 that's assigned to us. They scan that barcode,
21 and then now, it's gonna say, in this report,
22 back in Special Agent Denizard's custody. I do
23 what I need to do, I give it back to them, they
24 scan it in their barcode, and now, it's gonna
25 say, again, it's back in the evidence locker.

1 MR. EVANS: All right, Your Honor, the
2 State would move this document in as State's
3 Exhibit 105.

4 THE COURT: All right. Mr. Gibbes, any
5 objections?

6 MR. GIBBES: No, Your Honor.

7 THE COURT: Mr. Johnson?

8 MR. JOHNSON: No, Your Honor.

9 THE COURT: All right. It will be moved
10 without objection.

11 (State's Exhibit 105 was admitted into
12 evidence.)

13 MR. EVANS: And for the record, I'm gonna
14 put it in an envelope, so that it's nice and
15 contained later, with that same 105 on the
16 exterior of the envelope, since it is quite a
17 few loose pieces of paper, will that --

18 THE COURT: That'll be fine.

19 BY MR. EVANS:

20 Q Okay. Mr. Denizard, before I turn you
21 over to these gentlemen, I just want to make
22 sure that the record is clear. Can you give us
23 the item number, and the location for every DNA
24 swab that you took? Which they're all in these
25 containers that we've laid some foundation for,

1 correct?

2 A Correct.

3 Q Just --

4 A For the swabs?

5 Q Yes, sir, just the DNA swabs, to just
6 tell us which item number goes with which
7 location.

8 A So for the touch -- these are touch DNA
9 swabs, driver's door handle, 89, front passenger
10 door handle, these are the exterior, 90, rear
11 driver's door handle, 91, rear passenger door
12 handle, 92, front passenger door latch interior,
13 93, rear driver's door handle, 94, rear
14 passenger door latch, 95, rear driver's door
15 latch, 96. These are the blood swabs. Rear
16 passenger door armrest handle, same Phenol
17 positive, 97, rear passenger seat panel seat
18 belt area interior, 98, rear passenger armrest,
19 99, rear passenger window button, 100, rear
20 passenger door below the window, 101, rear
21 passenger armrest handle, 102, rear passenger
22 door below window, this is Phenol positive, 103,
23 and the rear passenger door armrest near window
24 button, LCV positive, and that is item 104.

25 Q All right. You collected all those, and

1 A Yes.

2 Q Thank you. Mr. Denizard, are you
3 familiar with secondary DNA transfer?

4 A Can you give me further on what you're
5 asking me?

6 Q All right, have you ever heard of
7 secondary DNA transfer.

8 A I believe so.

9 Q Okay. To your knowledge --

10 A Yes.

11 Q -- touch DNA, the transfer of touch DNA.

12 A I gotcha, that --

13 Q All right.

14 A -- rings a bell.

15 Q So are you familiar with that?

16 A I am, sir.

17 Q Could you explain that to the jury?

18 A Shook his hand, he asked me to touch the
19 water bottle, his DNA was on it most likely, or
20 possibly, my DNA is on the water bottle. That
21 is basically my DNA, his DNA on there, me
22 shaking his hand, me touching something, most
23 possibly his DNA's on my hand.

24 Q Mr. Denizard, did you have any positive
25 hits for DNA, from the red Charger for my

1 client, Lorenzo Boles?

2 A I wasn't privy to any -- as far as touch
3 DNA, I wasn't privy to any information.

4 Q Okay. So today the State has provided
5 you some evidence. You're not providing any
6 evidence related to my client, Lorenzo Boles,
7 with regard to any DNA, correct?

8 A As far as my area, we collect -- as far
9 as what DNA has in their report, I don't recall
10 any known fact that your client has anything to
11 do with the swabs.

12 Q Okay. Thank you, sir.

13 A Yes, sir.

14 MR. GIBBES: No further questions.

15 THE COURT: All right. Mr. Johnson, any
16 questions, sir?

17 MR. JOHNSON: A few, Your Honor.

18 THE COURT: Okay, go right ahead.

19 **

20 **CROSS-EXAMINATION**

21 BY MR. JOHNSON:

22 Q Good morning.

23 A Good morning.

24 Q I kind of want to pick up on what the
25 prior attorney just asked you.

1 A Yes, sir.

2 Q Could you explain to the jury the
3 difference between touch DNA, and the different
4 types of DNA?

5 A So touch DNA is areas that we may touch,
6 the your water bottles, your remote control,
7 things that are touched the most is usually
8 areas that we think someone may want to touch,
9 or might have touched, so we swab those areas.
10 As far as, could you repeat the second part of
11 it?

12 Q Well, then the transfer DNA.

13 A And then the transfer DNA is, if you
14 touch something, like the remote, somebody
15 might, if somebody is sweating profusely, and
16 touching something like the remote -- and then
17 you touch it, it's most likely you might have
18 got some of their DNA, and then you could have
19 touched something else, and that DNA could be
20 somewhere else now.

21 Q Okay. Now, did -- as it relates to DNA,
22 do you have like, before it started, you would
23 have to have like, blood, or skin, or something
24 solid, to get DNA off of it, correct? Is that
25 more like a material type stuff, like, my blood,

1 my hair, something like that, and you could get
2 DNA off of it, correct?

3 A DNA is related to skin cells, hair,
4 blood.

5 Q But you've gotten better in testing for
6 DNA, so now you can get touch DNA, and transfer
7 DNA, correct?

8 A That's going beyond my scope.

9 Q Okay. Do you know about how long DNA can
10 remain on surfaces?

11 A That is beyond my scope.

12 Q Okay. So, basically, all you do is swab,
13 and look for areas, put it in a bag, and give it
14 to whoever gonna test it?

15 A Yes, sir.

16 Q Okay, and in this case, you located
17 certain areas in the car that you felt were
18 suspicious enough for you to get swabs off of?

19 A Yes, sir, that is correct.

20 Q Okay. Thank you.

21 A You're welcome.

22 THE COURT: Solicitor, anything else?

23 MR. EVANS: Not for this -- well, let me --
24 the Court's indulgence.

25 THE COURT: Okay.

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REDIRECT EXAMINATION

BY MR. EVANS:

Q Mr. Denizard, I think you said this already when you said it's beyond your scope, but you don't do the DNA analysis, right?

A That is correct.

Q Okay. Somebody else at SLED does that?

A Yes.

Q They receive the items which you collect, and they use them?

A Yes.

Q Okay, and that's why it's so important to make sure everything's packaged up nice, and tight, and secure?

A That's correct.

Q Can you do anything about these transfer DNA issues, before you get to the scene?

A No.

Q Okay. Is the packaging intended to prevent transfer after you leave the scene --

A That is correct.

Q -- in part?

A That is correct, yeah.

MR. EVANS: That's all, Your Honor.

THE COURT: Mr. Gibbes?

RECROSS-EXAMINATION

BY MR. GIBBES:

Q One more question Mr. Denizard.

A Yes, sir.

Q Transfer DNA, to your knowledge, Could last more than a week, would you say?

A That's beyond my scope.

Q Okay.

A I don't have that. Sir, I don't know that much when it comes to DNA --

Q Okay.

A -- when it comes to time.

Q No further questions.

A Thank you.

THE COURT: Mr. Johnson?

MR. JOHNSON: I have none, Your Honor.

THE COURT: All right. May he be excused?

MR. EVANS: He may, Your Honor.

THE COURT: Have a great day, sir. All right, ladies and gentlemen, we're gonna take a break, but I want -- Mr. Foreman, I want to talk to you for a minute, because there is something I'd like you'all to talk amongst yourselves about. Not the case, okay, not the case. I believe that there is a strong probability that

1 we may finish all the testimony today, okay? If
2 the testimony is finished, and when the
3 testimony is concluded, then typically what
4 happens is, there will be closing arguments, and
5 then there would be, for instance, my charge of
6 the law, you heard me talk about that earlier.
7 Keep an open mind throughout, until you've heard
8 the closing arguments, and until you hear my
9 charge of the law. What I'd like you to do is,
10 to consider what you want to do. If you want to
11 work tomorrow, we can work tomorrow.

12 I'm very confident that the case would be
13 in your hands, for you to potentially consider,
14 arrive at your verdict by midday. I would have
15 the Clerk provide you with a wonderful steak
16 dinner to eat while you're deliberating.
17 Probably some pizza, or subs, or something along
18 those lines maybe, but then you could deliberate
19 at that time. However, it is a holiday, I
20 believe it's Veteran's Day, and I'm certainly
21 aware of that. And so, Mr. Foreman, the other
22 option would be, is to break today, come back on
23 Monday, and conclude your work, to have closing
24 arguments, my charge on the law, and get this
25 case to you, most probably, by lunch time on

1 Monday. It's completely up to you what you'all
2 want to do. I told you on Monday, that I
3 thought that we would take Friday as a holiday.
4 It was a holiday, but I also thought we'd be
5 longer, in terms of this case going into the
6 week, but I want you'all to decide that, and so,
7 as a jury, I'd ask that you consider whatever
8 you'all want to do, but the case is moving
9 along, and I'm confident that it'll be in your
10 hands by the middle of the day tomorrow, or
11 middle of day Monday.

12 So, you'all just let me know what you want
13 to do. Hold on one second. Any objection, or
14 clarifications, as it relates to the information
15 that I've just provided the jury from the State?

16 MR. EVANS: Not from the State, Your Honor.

17 THE COURT: Mr. Gibbes?

18 MR. GIBBES: No, Your Honor.

19 THE COURT: Mr. Johnson?

20 MR. JOHNSON: I have none, Your Honor.

21 THE COURT: Great, so we'll go back and
22 take a break. You'all can talk about that, and
23 if you could let me know. Write something down
24 for me, and we're happy to accommodate you'all
25 with whatever you want to do. Thank you again,

1 for the attention that you've been giving this
2 case. Please don't talk about the merits of
3 this case itself. Thank you.

4 (Jury exits the courtroom.)

5 THE COURT: Court Administration has been
6 blowing up my Law Clerk's email, because believe
7 it or not Chief Justice has to approve a special
8 term of court, to proceed on a holiday. I don't
9 have the authority to order that, the Chief has
10 to order that. And so they were wanting to
11 know, but now since he's just informed me the
12 Chief has decided to approve that request,
13 whether we need it or not. He has preemptively
14 decided that I have the authority now to move
15 forward with Court on Friday, whatever
16 determination of the jury what they want to do,
17 so I want to let you'all know that.

18 All right, is there anything else we need
19 to discuss before we take a break from the
20 State?

21 MR. EVANS: Judge, would you like to take
22 up the autopsy photo issue now. The pathologist
23 I had asked to arrive at 1:50, and she'll be
24 coming from Charleston, so it's not quite time
25 for her testimony, but since we do have a jury

1 break, and it's up to you, it's just
2 something --

3 THE COURT: Why don't we do this, why don't
4 we stretch our legs for a moment, and then we'll
5 come back in, and we can look at those
6 photographs, and I could make some rulings as it
7 relates to the photographs. Is that okay, Mr.
8 Gibbes?

9 MR. GIBBES: Yes, sir.

10 THE COURT: Mr. Johnson?

11 MR. JOHNSON: That's fine, Your Honor,
12 during the break.

13 THE COURT: All right. Gentlemen, let me
14 ask you this, other than that anything else that
15 we need to take up at this point before we
16 break, from Mr. Gibbes?

17 MR. GIBBES: No, sir.

18 THE COURT: Mr. Johnson.

19 MR. JOHNSON: I have none.

20 THE COURT: Great. Well, I'll see you --

21 MR. EVANS: One other very brief, very
22 small. So these pictures boards which I entered
23 into evidence without objection yesterday --

24 THE COURT: Yes.

25 MR. EVANS: -- I realize the Clerk would be

1 concerned with their physical size, so I told
2 her after we broke off the record yesterday,
3 that I was going to ask defense counsel if they
4 were okay with me converting actual exhibits
5 into 8 1/2x11s, and having posters being
6 strictly demonstrative. I've already gotten Mr.
7 Johnson's okay, and Mr. Gibbes?

8 MR. GIBBES: I agree.

9 MR. EVANS: Okay, so I'll do it in front of
10 the jury, so they understand.

11 THE COURT: That's fine, I agree with that.

12 MR. EVANS: Great, sir.

13 THE COURT: Thank you very much, gentlemen.

14 MR. EVANS: Thank you, Your Honor.

15 (RECESS)

16 THE COURT: All right, so we've got some
17 autopsy photographs we're gonna look at?

18 MR. EVANS: Yes, sir.

19 MR. GIBBES: Your Honor, may we approach?

20 THE COURT: Yes. Well, hold on, let me get
21 my Court Reporter.

22 CLERK: Oh, yeah, she went to the restroom.

23 THE COURT: That's fine. Is it something
24 we need to be on the record?

25 MR. GIBBES: Not necessarily.

1 THE COURT: All right, what's up?

2 (Bench conference.)

3 THE COURT: All right, so what do we've got
4 here?

5 MR. EVANS: Yes, sir. They have indicated
6 to me --

7 THE COURT: All right, let's go back on the
8 record, let's come to order.

9 MR. EVANS: Some --

10 THE COURT: All right, let's have order.

11 MR. EVANS: Some are measured, some are not
12 measured. I'll show you the ones they find not
13 acceptable, these are 264 and 265.

14 THE COURT: Well let's look at what's
15 acceptable first, if you don't mind, because
16 that kind of gives me an idea of what is already
17 in there.

18 MR. EVANS: Do you want to take them
19 victim-by-victim?

20 THE COURT: Sure.

21 THE COURT: Okay, hold on. Any other
22 photographs that you agree, as it relates to Mr.
23 Johnson, are all the photographs now, Mr.
24 Johnson, the ones you disagree with?

25 MR. JOHNSON: Yeah.

1 (Bench conference)

2 THE COURT: Okay, so what are the
3 photographs that you --

4

5 THE COURT: All right, let's get the jury
6 in.

7 BAILIFF: Yes, sir.

8 THE COURT: Counsel approach.

9 (Bench conference.)

10 (Jury enters the courtroom.)

11 THE COURT: All right, I had a feeling this
12 was going to go this way. My Law Clerk didn't
13 think it was, okay? I had a feeling it would.
14 All right, folks, in regard to the question, all
15 are in agreement that we will return to jury
16 duty tomorrow, Friday, February 10th, 2023.

17 COURT REPORTER: February 10th?

18 MR. EVANS: February 10th?

19 THE COURT: November. I have to tell you I
20 must've been up late last night. I promise you
21 I wasn't. November 10th, 2023, and so what I'm
22 gonna do is I'm gonna make this Court's exhibit,
23 and ladies and gentlemen, I thank you very much,
24 and so, what we will do is, we will plan on
25 working tomorrow, and I'm hopeful it will be in

1 your hands tomorrow, and the Clerk will make the
2 necessary arrangements.

3 CLERK: Yes, sir.

4 THE COURT: Yeah, let me -- if the
5 Foreperson would go ahead and sign his name to
6 that, that'd be awesome. Here's a pen right
7 here, he can use that. All right, Solicitor,
8 are we ready to proceed?

9 MR. EVANS: Yes, sir, Your Honor. Just one
10 quick bit of housekeeping that we mentioned
11 outside of the jury's presence before we went to
12 the break, before the next witness, State's
13 Exhibit's 293 ,294, 295, and 296, which were
14 entered yesterday as these posters.

15 THE COURT: All right, gentlemen, do we
16 have an agreement, as it relates to the posters,
17 basically, being reduced to the page size that
18 will be easier for the jury to look at, and
19 handle as they see fit?

20 MR. GIBBES: Yes, Your Honor.

21 MR. JOHNSON: Yes, Your Honor.

22 THE COURT: Mr. Gibbes, Mr. Johnson, thank
23 you very much.

24 MR. EVANS: The State calls Michelle
25 Eichenmiller. Michelle Eichenmiller.

1

2

MICHELLE EICHENMILLER

3

BEING DULY SWORN TESTIFIED AS FOLLOWS:

4

5

DIRECT EXAMINATION

6

BY MR. EVANS:

7

Q Good afternoon, or are we still morning?

8

Good morning.

9

A Good morning.

10

Q Could you identify yourself, and spell

11

your last name for our Court Reporter, ma'am?

12

A Michelle Eichenmiller, E-I-C-H-E-N-M-I-L-

13

L-E-R.

14

Q And, Ms. Eichenmiller, where do you work,

15

ma'am?

16

A I work for the South Carolina Law

17

Enforcement Division, also known as SLED. I

18

work in the Firearms Department of the Forensic

19

Laboratory.

20

Q All right, and how long have you been

21

doing that?

22

A 17 and a half years.

23

Q Did you have to go through any special

24

training, or education, to get that job?

25

A In order to get hired at SLED, you need a

1 Bachelor's degree. I have a Bachelor's degree
2 in biology and psychology. I also have a Master
3 of Science, and forensic science. When you get
4 to firearms identification, there's no college
5 you can attend. It's an apprenticeship program.
6 So once I got hired at SLED, I went in with
7 examiners that were already there, and I did a
8 lot of reading, and practiced case work on my
9 own. I passed a comprehensive exam at the end
10 of approximately 3 years, and then once I passed
11 that test, they deemed me competent, and I did
12 case work on my own.

13 Q All right, and how long ago was that?

14 A 2010.

15 Q All right. You've been doing the same
16 firearms analysis ever since then?

17 A Yes.

18 Q And you've been qualified as an expert in
19 the courts of this state before?

20 A I have.

21 Q Approximately, how many times?

22 A Approximately, 120 times.

23 MR. EVANS: Your Honor, the State would
24 move Ms. Eichenmiller in as an expert in
25 firearms.

1 BY MR. EVANS

2 Q Would you say firearms identification, is
3 that accurate?

4 A Yes.

5 MR. EVANS: Firearms identification.

6 THE COURT: Any objections, Mr. Gibbes?

7 MR. GIBBES: No, sir.

8 MR. JOHNSON: I have none, Your Honor.

9 THE COURT: All right, ladies and
10 gentlemen, I want you to know that a person
11 cannot normally give opinion testimony.
12 Normally, when a person testifies, they must
13 testify as to something they saw, heard, sensed,
14 maybe smelled, or something of that nature.
15 However, there's an exception when someone's
16 qualified, because of education or experience.
17 They're permitted to give their opinion in
18 certain areas, if the court qualifies them in
19 that way.

20 I am, in fact, qualifying this witness as
21 an expert in firearm identification, and as
22 such, she will be able to give opinion testimony
23 in that area. Now, ladies and gentlemen, I want
24 you to know, that does not mean that you must
25 accept the opinion, but, again, it's evidence

1 for you to use, any way you see fit. Thank you.

2 MR. EVANS: Thank you, Your Honor.

3 BY MR. EVANS:

4 Q Ms. Eichenmiller, are you familiar with
5 LAT04391?

6 A I am.

7 Q What's that number I just told you?

8 A It's the SLED lab number. Once a case
9 arrives at SLED, it's given its own unique lab
10 number, so we can identify anything related to
11 that case in the laboratory.

12 Q And are there names associated with that
13 lab number?

14 A Yes.

15 Q Who are those names?

16 A I have a victim, deceased, Frankie
17 Johnson, victim deceased, Ghazi Duckett, and
18 victim, deceased, Lamekia Warren.

19 Q Okay. So the case that we're dealing
20 with here this week, you haven't been able to
21 see any testimony, but that's what you're here
22 to testify about?

23 A That's correct.

24 Q All right. When did you become involved,
25 ma'am?

1 A Whenever a case comes into the lab it's
2 assigned to an examiner. I go pick up the
3 evidence, and then I examine the evidence.

4 Q Okay. Does it go through anybody else
5 before it comes to you, or did it, in this case,
6 I should ask?

7 A If I can refer to my notes.

8 THE COURT: Yes, ma'am.

9 MR. EVANS: Any objection?

10 MR. GIBBES: No objection.

11 MR. JOHNSON: No objection.

12 BY WITNESS:

13 A The evidence first goes through the
14 logging department. It might go to other
15 departments as well, if different testing is
16 necessary. So sometimes evidence will go
17 through DNA, if they need DNA processing. They
18 can also go through latent prints. In general,
19 firearms is the last department to get the
20 evidence, because if it's dirty, or has
21 biological debris on it, we'll clean it, because
22 we have to touch the evidence with our hands.

23 Q Okay, and did you receive any evidence in
24 this case?

25 A I did.

1 Q Okay. Are you familiar with item 2?

2 A Yes.

3 Q Is that one of the items that you
4 received in this case?

5 A Yes.

6 Q Okay. I'm gonna pass you what's been
7 previously entered into evidence as State's
8 Exhibit 2. Do you recognize State's Exhibit 2?

9 A This is the firearm I examined in this
10 case, or one of them.

11 Q One of, okay.

12 MR. EVANS: I beg the Court's indulgence.

13 BY MR. EVANS:

14 Q I'm gonna pass you some more items. Do
15 you recognize what's been previously entered
16 into evidence as State's Exhibit 2.10?

17 A This is one of the magazines I examined
18 in this case.

19 Q Okay. How did the State's 2.10 arrive?

20 A I believe that's one of the ones that
21 arrived with item 2, so with a firearm.

22 Q All right. How about State's Exhibit 1?

23 A Whenever I receive evidence in a case,
24 I'll mark it with my initials, the case number,
25 and the item number, so I can identify it later.

1 This is the firearm I examined as item 1, in
2 this case.

3 Q Okay, so Exhibit 1 is the same as item 1?

4 A Yes.

5 Q All right, and last, well not last, but
6 last of the firearms, State's Exhibit 115.

7 A I did not examine this firearm.

8 Q Okay. I'll retrieve that. What caliber
9 is that firearm there?

10 A .45.

11 Q .45.

12 A I can't tell, it's on the other side.

13 Q That's okay. All right, so, you did not
14 examine the State's Exhibit 115?

15 A I did not.

16 Q Okay. I'm gonna pass you container B,
17 which has a number of items. They've been
18 previously entered into evidence as State's
19 Exhibits 7 through 31; is that the same as the
20 item numbers?

21 A Yes.

22 Q Okay. Did you receive container B, and
23 its contents?

24 A I did.

25 Q All right, and was that part of your

1 analysis in this case?

2 A It was.

3 Q Okay.

4 MR. EVANS: May I approach the witness,
5 Your Honor?

6 THE COURT: Yes, sir.

7 BY MR. EVANS:

8 Q I'm gonna keep on passing you some items.
9 This has been previously marked, but not
10 entered, as State's Exhibit 2.11. Do you
11 recognize that item?

12 A Yes, these are outside cartridges that I
13 examined in this case.

14 Q All right. Did they come to you in that
15 fashion, in a little bag like that?

16 A No.

17 Q How did they arrive?

18 A That's how I received them.

19 Q Is it? Okay. From another department in
20 SLED?

21 A Yes.

22 Q All right.

23 MR. EVANS: I beg the Court's indulgence.
24 May I approach the witness, Your Honor?

25 THE COURT: Yes, sir.

1 BY MR. EVANS:

2 Q I'm gonna pass you what's been previously
3 marked, but not entered, as State's Exhibit 1.1.
4 Can you tell us what that is?

5 A These are test fires I completed by item
6 1.

7 Q All right. When you say a test fire,
8 what does that mean?

9 A When we receive a firearm in the
10 laboratory, we need to have test specimens that
11 we know were fired by that firearm. So I shot
12 it into our water tank, which at that time, was
13 a vertical tank, two stories high. We would
14 shoot it into a hole in the second floor, and
15 then there was a tiny cup at the bottom that we
16 would pull up with a chain, so I knew those
17 bullets, and cartridge cases came from that
18 firearm.

19 Q And what's the purpose behind that?

20 A The purpose is, if I receive any fired
21 evidence from a scene to compare to the firearm,
22 I want to know that those came from that
23 firearm, and then I'll compare anything I
24 receive to that firearm.

25 Q Because you have to have an apple-to-

1 apple comparison, so to speak?

2 A Yes.

3 Q Okay, and is that what you did with
4 Exhibit 1? You created Exhibit 1.1 from that
5 gun?

6 A That's correct.

7 MR. EVANS: Your Honor, the State would
8 move Exhibit 1.1 into evidence at this time.

9 THE COURT: All right, Mr. Gibbes, any
10 objection?

11 MR. GIBBES: No objection.

12 MR. JOHNSON: No objection.

13 (State's Exhibit 1.1 entered was admitted
14 into evidence.)

15 BY MR. EVANS:

16 Q All righty. Okay, and I'm almost done,
17 Ms. Eichemiller. I'm showing you items, and
18 then we can get into your testing. I'm gonna
19 approach with what's been previously marked as
20 State's Exhibit 56. I'd ask if you could tell
21 me what this is?

22 A This is SLED item 56.

23 Q All right, did you review that as part of
24 your analysis?

25 A Yes, I did.

1 Q Okay. And how about -- this has been
2 previously marked, it's an envelope marked as
3 containing State's 62 through 67. Do you
4 recognize that?

5 A Yes, this is item, SLED items, 62 through
6 67 that I examined.

7 Q Okay. As part of your overall analysis
8 in this case?

9 A Yes.

10 Q All right, so you've touched on this a
11 bit already, Ms. Eichenmiller, but how do you
12 analyze firearms, like the kinds that we have
13 here in this case? What's the process?

14 A So, at the beginning we'll document how
15 we received it. So, we take pictures, document
16 the condition it was received, the packaging. I
17 fill out worksheets, based on its -- and fill
18 in, manufacturer, model, caliber, condition. If
19 I see any trace evidence on there, I'll write it
20 down. Then we create test fires, then I go test
21 fire the firearm.

22 Q Okay.

23 A If we receive cartridge cases or bullets,
24 it's the same process. We take pictures, we
25 document how it was received. If there was any

1 trace evidence present, we'll collect it, and
2 then we compare those test specimens to the
3 fired evidence.

4 Q All right, and did you do that with both
5 Exhibit 1 and Exhibit 2?

6 A Yes.

7 Q Okay. And that's by -- you fire that
8 into the giant, water drum; is that what you
9 call it?

10 A Yes. Uh-huh.

11 Q Okay. What did you find, sorry, what did
12 you compare the test firings from Exhibit 1
13 against?

14 A Whenever I get evidence I evaluate it, if
15 it's the same caliber as the firearm. So any
16 .40 S&W caliber cartridge cases or bullets that
17 I received, I would compare to the firearm.

18 Q All right, and did you receive any shell
19 casings that were a caliber other than .40 in
20 this case?

21 A No.

22 Q All right, and I said that I was done
23 passing you items, but I left one out. I'm
24 gonna --

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

1 THE COURT: Yes, sir.

2 BY MR. EVANS:

3 Q This has been previously entered in
4 evidence as State's Exhibit 7. Do you remember
5 the contents of that envelope?

6 A Yes.

7 Q All right. Did you analyze those as
8 well?

9 A Yes.

10 Q As part of this case, do you remember
11 what they are, or can you find it in your
12 report?

13 A Item 70 was a fired .40 S&W caliber
14 cartridge case, and then, in addition, there
15 were 3 more in that envelope, so I create -- or
16 4 more, then, I created items 81, 82, 83, and
17 85.

18 Q If you want to check inside, like I said
19 it's already in evidence, but will you check
20 inside, and confirm that Exhibit 70 contains
21 items 70, 81-83? Make sure I have those numbers
22 right.

23 A Yes, they're all here.

24 Q Okay, so they're all sealed in one
25 package --

1 A Yes.

2 Q -- and that's why we have them in this
3 one exhibit number?

4 A Yes.

5 Q But there are multiple item numbers?

6 A Correct.

7 Q Okay. I just wanted to clarify that.
8 All right, so walk us through the comparison,
9 however you want to do it. You start off, and
10 I'll interrupt when I need to. What did you
11 compare, as far as these .40 caliber shell
12 casings that you were presented with?

13 A So I received -- in addition to the
14 firearm, I received items 7 through 26, were
15 fired .40 S&W caliber cartridge cases, as well
16 as items 70, 81 through 83.

17 Q Okay, and did you receive some
18 projectiles as well that are up there in front
19 of you?

20 A Yes.

21 Q In that same container. Tell us about
22 comparing projectiles, versus comparing shell
23 casings, cartridge casings.

24 A Cartridge cases are marked by the firearm
25 as it's fired. So the breach face of the

1 firearm will hit the firing pin of the cartridge
2 case, and, potentially, leave marks that we can
3 use to identify it back to the firearm that
4 fired it. Bullets are also marked when they're
5 fired. As they come out of the barrel, there's
6 rifling, which basically stabilizes the bullet,
7 and gives it a good rotation, like a football --
8 a quarterback throwing a football, it gives it a
9 good rotation. Those are also marked by the
10 firearm.

11 Q So both the casing and the projectile get
12 marks?

13 A Correct.

14 Q But they get different kinds of marks?

15 A Yes, from different parts of the firearm.

16 Q Are they both unique to each individual
17 firearm?

18 A Yes.

19 Q Okay, and can you compare a shell, a
20 cartridge -- I always say shell, a cartridge
21 casing against a projectile?

22 A No, there's no test for that.

23 Q Okay. Which in this case you had casings
24 to compare to other casings; is that right?

25 A Correct.

1 Q And some projectiles compared to some
2 other projectiles?

3 A Correct.

4 Q Okay. Tell us about what you found when
5 you compared the cartridge casings contained in,
6 I think it's 7 through 26, with Exhibit 1.1, the
7 test casings from 1.1.

8 A When I compared all the .40 caliber
9 cartridges I received, I found matching
10 individual identifying characteristics, on items
11 8 through 15, 20, and 21, and the cartridge
12 cases test fired by item 1, and it was -- I
13 concluded in my opinion, that those items were
14 fired by item 1.

15 Q All right. Items 7, I just want to make
16 sure we get all these clear, and sort of one-by-
17 one, and I know it's a lot. Correct me, you
18 said item 7 was fired by?

19 A Item 7 is in the second group.

20 Q Okay, so I apologize. Let's start with
21 8.

22 A Okay.

23 Q You're right.

24 A So, items 8-15, 20, and 21, were fired by
25 item 1.

1 Q All right, and item 1 is the same as
2 Exhibit 1, which is up here?

3 A Yes.

4 Q This firearm fired 8 through 15, 20, and
5 21?

6 A That is correct.

7 MR. EVANS: Beg the Court's indulgence.

8 BY MR. EVANS:

9 Q All right, I believe I'm passing you back
10 just 8-15, 20, and 21. Will you check that I'm
11 right?

12 A Yes, they're all here.

13 Q Okay. Those shell casings, cartridge
14 casings, which I handed to you, were fired by
15 this gun, which is States Exhibit 1?

16 A Yes.

17 Q All right. How about the remainder of
18 the cartridge casings, which I've got now, over
19 here on my desk?

20 A So matching individual identifying
21 characteristics were found on items 7, 16
22 through 19, 22 through 26, 70, 81, and 83. It
23 was concluded that they were fired by 1 firearm.

24 Q Okay. Will you check and make sure that
25 these are the shell casings that you're talking

1 about, short of 70 and 81 and 82.

2 A Yes, these are correct.

3 Q And it's also fired -- well, I shouldn't
4 say it. Those were fired by the same gun?

5 A Yes.

6 Q Which is not item 1?

7 A Correct.

8 Q Exhibit 1. Did it also fire Exhibit 70,
9 which is item 70, and 81 through 83?

10 A Yes.

11 Q All right. I'll stick these over here.
12 Were you presented with any gun, which fired
13 those shell casings, the ones I just referred
14 to, 7, 16 through 19, 22, 26, and 70, 81, 83?

15 A I was presented with an additional
16 firearm, that I compared to those cartridge
17 cases, and there weren't enough markings for me
18 to determine if they were fired by that firearm.

19 Q Okay. So, no conclusive determination,
20 other than these cartridge casings were all
21 fired by the same weapon?

22 A Correct.

23 Q All right. Could a .45 caliber handgun,
24 or any kind of gun, have fired these cartridge
25 casings? All the ones we've reviewed so far.

1 A No. They're all .40 S&W caliber.

2 Q Okay. What happens when you fire a gun,
3 of the type such as item 1, Exhibit 1? Tell us
4 how these cartridge casings end up at a crime
5 scene like this.

6 A Item 1 is a semi-automatic pistol. So
7 you insert a magazine, full of unfired
8 cartridges, into the magazine well, and you
9 close the slide, which is the bar on top. That
10 will load one round into the chamber. Once you
11 pull the trigger, that cartridge will fire. The
12 bullet will come out the barrel, and the
13 cartridge case, due to the force of firing, will
14 force, the explosion will force the slide back,
15 and the cartridge case will get kicked out. It
16 will then load the next cartridge into the
17 chamber, and another pull of the trigger will do
18 the same action. The bullet will get fired, and
19 the cartridge case will eject. This will keep
20 happening until the magazine is empty.

21 Q And when you say the cartridge casing, is
22 ejecting, what is that? Can you describe that a
23 little bit more?

24 A The cartridge case, which is empty now,
25 it's fired, it doesn't have a bullet, it doesn't

1 have gun powder anymore, will get thrown out of
2 the firearm. So, it'll get thrown out, travel
3 through the air, and land on the ground.

4 Q Is there any way to scientifically say
5 how far it should travel, or, you know, where,
6 based on where it was found, that it was fired
7 from?

8 A No, there's no testing for that.

9 Q Okay. It just sort of depends on a
10 variety of factors?

11 A Yeah. There's a lot of variables into
12 where a cartridge case will land, so that's why
13 there's no testing for it.

14 Q Right, okay. Did you do any comparisons,
15 with regard to Exhibit/item 2?

16 A I didn't receive any fired evidence that
17 was the same caliber as item 2. In that case,
18 we just enter test fires from that firearm into
19 the ballistic identification system, which is
20 like our database, like the fingerprint
21 database, but it's for cartridge cases.

22 Q All right.

23 MR. EVANS: And may I approach, Your Honor?

24 THE COURT: Yes, sir.

25 BY MR. EVANS:

1 Q I'm gonna pass you item 2.9, it's not
2 been previously marked as an Exhibit. What is
3 that?

4 A These are the test fires I created for
5 item 2.

6 Q Okay. Let's mark it.

7 MR. EVANS: Your Honor, the State would
8 move item 2.9 into evidence as Exhibit 2.9.

9 THE COURT: Any objections?

10 MR. GIBBES: No objections, Your Honor.

11 THE COURT: All right, admitted without
12 objection.

13 (State's Exhibit 2.9 was admitted into
14 evidence)

15 BY MR. EVANS:

16 Q And these, again, are the test firings,
17 the samples, I guess would be another way to put
18 it, from item 2, Exhibit 2.

19 A Yes.

20 Q You didn't receive anything that you
21 could compare these against?

22 A That's correct.

23 Q These are just for recordkeeping? Is
24 that a way to?

25 A Yeah, any firearm that's submitted to the

1 lab, we enter into the database, if it's a
2 caliber that the database accepts.

3 Q Okay, and you reviewed rounds, which have
4 been marked, not entered yet, as State's Exhibit
5 2.11, that came with item 2; is that right?

6 A Yes.

7 Q Are these the appropriate rounds,
8 caliber, and type, and all that sort of thing,
9 for that gun, in that magazine?

10 A If I could see them again, because I
11 received 2 different calibers for these
12 firearms.

13 Q Sure.

14 A Yes, these are the correct cartridges for
15 this firearm.

16 Q Okay. Now, did you review -- I'll take
17 those back, because I don't think I put a
18 sticker on it.

19 Did you review any -- you've already seen
20 these, but did you review any projectiles, in
21 addition to the cartridge casings? Was that
22 part --

23 A Yes.

24 Q -- of your analysis, as well?

25 A Yes, I did.

1 Q Would those be 27, 28, 29, 30, and 31?

2 A Yes.

3 Q Okay, which are already in evidence, and
4 what did you compare them against?

5 A So they were most consistent with bullets
6 loading into some .40 S&W, or 10 millimeter auto
7 cartridges. Based on a bullet, we can't tell
8 you the cartridge it might have been in, but the
9 diameter of the bullet is the same for a .40
10 S&W, or a 10 millimeter.

11 Q Okay. Did you take a look at them
12 against items 62 through 67, which you've --

13 A Yes.

14 Q -- identified, but not entered?

15 A Yes.

16 Q Okay, and where did you receive these
17 from, again, or what was your understanding of
18 where they were received from?

19 A According to the paperwork, they were
20 collected at autopsy, from victim Lamekia
21 Warren.

22 Q Were you able to make any determinations,
23 regarding items 62 through 67?

24 A They were also consistent with bullets
25 loaded into a .40 S&W, or 10 millimeter auto

1 caliber cartridges.

2 Q Were you able to determine if they came
3 form the same firearm as items 27 through 21,
4 which are Exhibits 27 through 21?

5 A They all had the same general
6 characteristics, so they were .40 S&W, or 10
7 millimeter auto caliber. They were also all
8 fired by a firearm that was rifled with 6 lands
9 and grooves, with a right-hand twist, with
10 rifling. So they were all the same general
11 characteristics.

12 Q But you weren't able to make a final
13 expert determination, an expert opinion, that
14 they came from the same gun?

15 A No. In firearms identification, we have
16 4 different conclusions. One is, it was fired
17 by the firearm, one was, it wasn't, one is,
18 unsuitable, so too damaged for me to determine,
19 and then, inconclusive. Inconclusive means
20 there's just not enough marks for me to say, in
21 my opinion, that they were fired by a certain
22 firearm, or by the same firearm. That's what
23 happened in this case. I compared all the
24 bullets I received to the firearms of the
25 appropriate calibers, and they have limited

1 marks of value. So, in my opinion, I couldn't
2 determine which one it was fired from.

3 Q All right, but you took a look, you made
4 an effort to compare?

5 A Yes, uh-huh.

6 Q Okay, and how about Exhibit 56, which I
7 showed you earlier, it's not in yet, but you've
8 identified it as something you saw. Were you
9 able to get anything off of that? Can you
10 remind the jury what it is again?

11 A Item 56 was a bullet jacket fragment. It
12 had no marks of value, so I couldn't do anything
13 with that.

14 Q Okay.

15 A It was unsuitable.

16 Q It was presented to you, you made an
17 effort to use it, but it didn't turn up
18 anything?

19 A Correct. I looked at it under a
20 microscope, and there were no microscopic marks
21 that I could use for identification.

22 Q All right.

23 MR. EVANS: I beg the court's indulgence.

24 BY MR. EVANS:

25 Q Do you remember recording this case?

1 A Yes.

2 Q In your report did you cross-reference
3 these items numbers, which are now the same as
4 our Exhibit numbers, and you found that to be
5 the case so far in your testimony, right?

6 A Yes.

7 Q That the Exhibit's match?

8 A Uh-huh.

9 Q Okay. I want to make sure, because I'm
10 the one who labeled them. All right. Did you,
11 sort of cross-reference those items, now
12 exhibits, with where they were collected from?

13 A No, that's not part of my area of
14 expertise. I just examine the evidence as I
15 receive it at the lab.

16 Q I suppose I just mean, did you include
17 the descriptions that the crime scene folks
18 included on the coin purse --

19 A Yes.

20 Q -- the coin envelopes?

21 A Yes.

22 Q Okay. I'm going to ask you --

23 I'm gonna ask you to go through those
24 again. I know you've already testified about
25 them, but this time I want you to include the

1 description of each firearm, of each cartridge
2 casing that you received, and indicate what was
3 written down on it by the crime scene photos --

4 A Okay, so I --

5 Q -- starting with 7.

6 A Okay. Item 7 was a .40 S&W caliber
7 cartridge case collected from marker 1.

8 Q Okay, and, again, that was fired by the
9 -- that was not fired by Exhibit 1?

10 A Correct. Item 7 was fired by a different
11 firearm.

12 Q Okay. Moving onto item 8.

13 A Item 8 was a .40 S&W caliber cartridge
14 case collected from marker 2.

15 Q Okay. 8 goes to marker 2; is that right?

16 A Yes.

17 Q Okay. How about, I've got one more for
18 demonstrative, we'll skip ahead slightly, item
19 24?

20 A 24 was a .40 S&W caliber cartridge case,
21 listed as, "From behind living room male victim
22 Johnson, Jr.".

23 Q Okay. Back up towards the top, with item
24 in Exhibit 9.

25 A Item 9 was listed as collected from

1 marker 3.

2 Q Okay, 10.

3 A 10 is collected from marker 4.

4 Q All right, and Exhibit 11.

5 A Collected from marker 5.

6 Q Item, Exhibit 12.

7 A Collected from marker 6.

8 Q 13?

9 A Marker 7.

10 Q 14?

11 A Marker 8.

12 Q 15?

13 A Marker 9.

14 Q How about 16?

15 A 16 was marker 10.

16 Q How about 17?

17 A 11.

18 Q 18?

19 A Marker 12.

20 Q 19?

21 A Is marker 13.

22 Q 20?

23 A Marker 14.

24 Q Here it is, 21?

25 A Is marker 15.

1 Q 22?

2 A Marker 16.

3 Q 23?

4 A Marker 17.

5 Q 24, we already went over --

6 A Correct.

7 Q Correct?

8 A Uh-huh.

9 Q 25?

10 A 25 is from comforter, female victim.

11 Q And 26, is that the same?

12 A The same.

13 Q Okay. All right.

14 MR. EVANS: I beg the Court's indulgence.

15 BY MR. EVANS:

16 Q And were you able to -- as I was putting
17 these stickers up as demonstrative, Ms.
18 Eichenmiller, I realized the angle is a little
19 tough for you. Were you able to see what I was
20 doing more or less?

21 A Yes.

22 Q As far as the colors go?

23 A Yes.

24 Q Was I able to distinguish, as far as your
25 results go about which item number came from

1 item 1, as supposed to be the missing firearm?

2 A Yes.

3 Q Okay. So, let's just go over, briefly,
4 in terms of your actual opinion, as an expert,
5 what your findings were? Do you have an expert
6 opinion, to a reasonable degree of scientific
7 certainty, as to which firearm fired
8 Exhibits/items 8, 9, 10, 11, 12, 13, 14, 15, 20,
9 and 21?

10 A Yes.

11 Q And what is that opinion?

12 A They were fired by item 1.

13 Q Which is Exhibit 1?

14 A Correct.

15 Q Do you have an opinion, to a reasonable
16 degree of scientific certainty, as to the source
17 of items 7, items and Exhibits, 7, 16, 17, 18,
18 19, 22, 23, 24, 25, 26, Exhibit 70, which
19 contains item 70, 80, 81, 82, and 83?

20 A In my opinion, I saw sufficient
21 differences in characteristics to say that they
22 were not fired by item 1.

23 Q And did you find sufficient
24 characteristics as compared to each other?

25 A Yes, those items were fired by 1 firearm.

1 Q The items indicating on these diagrams in
2 green were fired by 1 firearm?

3 A Correct.

4 Q As well as Exhibit 70?

5 A Yes.

6 Q Would you remind us of what the
7 description of Exhibit 70 was? I withdraw that.

8 MR. EVANS: I beg the Court's indulgence.

9 BY MR. EVANS:

10 Q Those are all the questions I have.
11 Please answer any questions these gentlemen
12 have.

13 THE COURT: Mr. Gibbes.

14 MR. GIBBES: No questions.

15 THE COURT: Mr. Johnson.

16 MR. JOHNSON: Thank you, Your Honor.

17 **

18 **CROSS-EXAMINATION**

19 BY MR. JOHNSON:

20 Q Still a good morning. How you doing?

21 A I'm good.

22 Q All right, just a couple questions. So
23 from your examination, considering that all
24 these casings was found at the scene, there
25 appeared to be at least 2, maybe 3 guns?

1 A At least 2.

2 Q At least 2, but you were going to even
3 examine 1, a Glock .23.

4 A I examined that firearm.

5 Q And you examined some other firearms that
6 wasn't connected, but you only found 1 firearm,
7 the Glock .23, that compared to the rounds that
8 you had, or may connect, with the, I guess,
9 would be rounds 8 through 15, 20, 21, those
10 rounds; is that correct, according to your --

11 A Correct. Of the 2 potential firearms
12 that we have, based on cartridge cases, I only
13 was able to identify 1 firearm to the cartridge
14 cases.

15 Q All right, but the other 2 firearms here,
16 did not match into the rounds that you found?

17 A Didn't match any of the cartridges, well,
18 it was inconclusive.

19 Q Inconclusive.

20 A With 1 of the firearms.

21 Q Okay.

22 MR. JOHNSON: I have no other questions.

23 THE COURT: All right, Mr. Gibbes, do you
24 have anything, sir?

25 MR. GIBBES: Yes, Your Honor.

* *

CROSS-EXAMINATION

BY MR. GIBBES:

Q Good afternoon, Ms. Eichenmiller. You
doing all right today?

A Great.

Q That's good. Where are you from?

A Originally?

Q Yes.

A Cleveland, Ohio.

Q Okay. You ever heard of the game, 3 Card Molly?

A No.

Q No? All right. It's a game, or somewhat of a hustle, where you put 3 cards, people shuffle them around, and someone has to pick which card was the original card. You never heard of that game?

A I didn't know that was it's name.

Q Yeah, but are you familiar with it?

A Yes.

Q Yes. The reason why I asked you where you're from, is because, typically, if you go to a place like New York, there will be people playing 3 Card Molly, hustling people who may

1 not be as, well, they think may not be as
2 sophisticated, but you're not familiar with that
3 game?

4 A No.

5 Q Okay. Now, you guys shuffled around a
6 lot of evidence a few minutes ago, and you
7 showed, you were going off an Exhibit, pointing
8 to bullets, correct? That big gun there, is
9 that called a Draco?

10 A It's similar to a Draco.

11 Q Okay. Could you grab the gun for the
12 jury, just so they're clear on what I'm
13 referencing? All right. What's the name of
14 that gun?

15 A It's a model PAPM92PB.

16 Q Okay. Was that gun, is there any
17 evidence that that gun was used at this scene?

18 A No.

19 Q Okay. So all the evidence you'all
20 shuffled around for the jury, put in front of
21 them, what evidence was actually identified as
22 being at the scene?

23 A The .40 caliber cartridge cases were
24 picked up, I received with marker numbers.
25 There were also bullets that I received.

1 Q Okay. None of those were associated with
2 what we'll was just call the big gun, correct?

3 A Correct.

4 Q Okay, thank you.

5 MR. GIBBES: No further questions.

6 THE COURT: All right. Anything else,
7 Solicitor?

8 MR. EVANS: No, Your Honor.

9 THE COURT: Mr. Johnson?

10 MR. JOHNSON: I have none, Your Honor.

11 THE COURT: All right, great. Can she be
12 excused?

13 MR. EVANS: Yes, sir.

14 THE COURT: Thank you so much. Have a
15 great day ma'am.

16 MR. EVANS: May I just have a moment to
17 retrieve everything up there?

18 THE COURT: Yes, sir. Solicitor, are you
19 ready to call your next witness?

20 MR. EVANS: Yes, sir. The State calls
21 Courtney Thompson.

22 THE COURT: All right.

23 COURTNEY THOMPSON,

24 BEING DULY SWORN TESTIFIED AS FOLLOWS:

25 **

1

2

DIRECT EXAMINATION

3

BY MR. EVANS:

4

Q Good morning.

5

A Good morning.

6

7

Q Would you please identify yourself, and
spell your last name for our Court reporter
ma'am?

8

9

10

A My name is Courtney Thompson, last name
is T-H-O-M-P-S-O-N.

11

Q And what do you do, Ms. Thompson?

12

13

A I am a DNA analyst in the DNA casework
department for the South Carolina Law
Enforcement Division, also referred to as SLED.

14

15

16

17

Q All right, and do you have any other
duties that sort of falls under the umbrella of
DNA up there?

18

19

20

21

A Yes, in addition to training to be a DNA
analyst, I am still currently performing the
work of my previous position as a forensic
serologist.

22

23

Q Okay. You're now also doing DNA, and
analysis; is that right?

24

A I'm in training to do that, yes.

25

Q In the case that we're here about though,

1 you served as a serologist; is that right?

2 A That is correct.

3 Q Can you tell us about that field,
4 serology. What is that, and how do you, you
5 know, you've done this many times before, I
6 know, so give us the usual.

7 A Forensic serology is the identification
8 of different bodily fluids. Predominately
9 bodily fluids such as blood, semen, and saliva.
10 The reason that identifying bodily fluids is
11 useful for DNA analysis, is because those body
12 fluids actually, are wonderful sources for DNA,
13 and they can help develop a future DNA profile,
14 potentially, later on down the road.

15 Q Okay. So the serologist, which in this
16 case, was you, and now, you're on the other end
17 of it, but the serologist, is that like a
18 checkpoint along the way towards DNA; is that
19 what you'd say?

20 A Yes. A serologist is someone who will be
21 looking at different items of evidence, and
22 examining them for potential bodily fluid
23 stains, potentially, and any type of DNA that
24 could be left behind on an item. A serologist
25 could also attempt to collect DNA left behind,

1 from handling an item, or wearing an item, as
2 well as examining items for potential hair, and
3 if that hair has any root material on it, that
4 could potentially be forwarded for further
5 analysis.

6 Q Okay. What sort of education, training,
7 experience, do you have to go through to become
8 a serologist at SLED?

9 A I was hired by SLED in 2012, and before
10 that, I completed my Bachelor's Degree in
11 forensic science and biology, from Southern
12 Wesleyan University --

13 COURT REPROTER: I'm sorry, say it again,
14 what University?

15 BY WITNESS:

16 A Southern Wesleyan University. And upon
17 being hired at SLED, I began my training
18 program, which lasted a little over a year,
19 which involved being trained on how to handle
20 items in evidence, the types of testing
21 performed, report writing, and courtroom
22 testimony. Before I was allowed to work on
23 casework by myself, I had to be deemed competent
24 to do so, by taking a series of tests that
25 involve a mock case, a written exam, an oral

1 exam, and a mock court, and after a successful
2 completion of those, I was deemed competent in
3 forensic serology, and allowed to begin
4 independent case work.

5 Q All right, and about how long ago was
6 that, that you began your independent case work?

7 A I started independent case work at the
8 end of 2013.

9 Q And have you been qualified as an expert
10 in serology in courts of this state before?

11 A Yes, I have.

12 Q Approximately how many times?

13 A It's been approximately 50 times now.

14 Q All right.

15 MR. EVANS: Your Honor, the State would
16 tender Ms. Thompson as an expert in the field
17 of --

18 BY MR. EVANS:

19 Q Was it just serology, or do we say
20 forensic serology?

21 A Typically forensic serology.

22 MR. EVANS: In the field of forensic
23 serology.

24 THE COURT: Any objection, Mr. Gibbes?

25 MR. GIBBES: No, Your Honor.

1 MR. JOHNSON: I have none, Your Honor.

2 THE COURT: All right, well in that case,
3 without objection, I'm going to approve her of
4 being able to give testimony in the field of
5 forensic serology, and will declare her an
6 expert in that field.

7 MR. EVANS: Thank you, Your Honor.

8 BY MR. EVANS:

9 Q Would you please tell us a little about,
10 before we get into the specifics of this case,
11 tell us about just the basics of how you do this
12 work.

13 A Sure, so items of evidence, from criminal
14 cases are submitted to SLED's laboratory for
15 examination, for various types of DNA that could
16 be collected and processed. This can range in a
17 variety of items, such as, like, clothing, or
18 weapons. It can also be things like swabs, and
19 I can handle all different types of evidence
20 when I'm looking for a potential bodily fluid,
21 or trying to collect a DNA form a potential item
22 of evidence, and the way that I would handle
23 each item, is based on, essentially, what does
24 the agency that submitted this item want to know
25 about it? Are they looking for a particular