

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County
Honorable W. Greg Seigler, Family Court Judge
Honorable Debra R. McCaslin, Circuit Court Judge

RECEIVED

Sep 05 2025

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

NAZARETH N SANCHEZ-PERALTA,

APPELLANT

APPELLATE CASE NO. 2023-001588

RECORD ON APPEAL

GARY H. JOHNSON
Appellate Defender

ALAN WILSON
Attorney General

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

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

ATTORNEY FOR APPELLANT

R. BRANDON LARRABEE
Assistant Attorney General
Rembert Dennis Building
Post Office Box 11549
Columbia, SC 29211-1549
(803)734-6305

S. RICHARD HUBBARD, III
Solicitor, Eleventh Judicial Circuit
205 East Main Street
Lexington, South Carolina 29072
(803) 785-8285
ATTORNEYS FOR RESPONDENT

INDEX

INDEX	i
TRANSFER HEARING TRANSCRIPT DATED MAY 2-6, 2022	1
OPENING STATEMENT BY MS. CATES	11
OPENING STATEMENT BY MS. SELERT	22
TESTIMONY	
CHRISTOPHER MORRIS	
Direct Examination by Ms. Mayes	25
Cross-Examination by Ms. Selert	40
Redirect Examination by Ms. Mayes.....	42
Recross-Examination by Ms. Selert.....	43
MOLLY NATIONS	
Direct Examination by Ms. Mayes	44
Cross-Examination by Ms. McGrady	93
Redirect Examination by Ms. Mayes.....	96
Recross-Examination by Ms. McGrady.....	99
JOE PRESTON SIMPSON III	
Direct Examination by Ms. Mayes	101
Cross-Examination by Ms. McGrady	128
Redirect Examination by Ms. Mayes.....	130
SISTER	
Direct Examination by Ms. Mayes	132
Cross-Examination by Ms. Selert	147
PABLO CARVAJAL	
Direct Examination by Mr. Hubbard	153
Cross-Examination by Ms. McGrady	192
Redirect Examination by Mr. Hubbard.....	209
Recross-Examination by Ms. McGrady.....	213
BRANDON MILLER	
Direct Examination by Mr. Hubbard	217
Cross-Examination by Ms. McGrady	224
BRENDA SNELGROVE	
Direct Examination by Ms. Mayes	226
Cross-Examination by Ms. McGrady	253

KEVIN BAUM

Direct Examination by Ms. Mayes	267
Cross-Examination by Ms. McGrady	344
Redirect Examination by Ms. Mayes.....	361
Recross-Examination by Ms. McGrady.....	371

AMANDA METZ

Direct Examination by Ms. Mayes	372
Cross-Examination by Ms. McGrady	386
Redirect Examination by Ms. Mayes.....	388
Recross-Examination by Ms. McGrady.....	388

ANGELINA PHILLIPS

Direct Examination by Mr. Hubbard	391
Cross-Examination by Mr. Chehoski.....	414

JAN SCARBURY

Direct Examination by Ms. Cates	419
Cross-Examination by Ms. McGrady	430

KIANNA BENSON

Direct Examination by Ms. Cates	436
Cross-Examination by Ms. McGrady	442
Redirect-Examination by Ms. Cates	450

MARGUERITE CRAPPS

Direct Examination by Ms. Mayes	452
Cross-Examination by Ms. McGrady	466

JASMINE HARRIS

Direct Examination by Ms. Mayes	475

VICTORIA SHEPARD

Direct Examination by Ms. Mayes	480
Cross-Examination by Ms. McGrady	493
Redirect Examination by Ms. Mayes.....	494

SHAKI FRANKLIN-JOHNSON

Direct Examination by Ms. Mayes	495
Cross-Examination by Ms. Selert	510
Redirect Examination by Ms. Mayes.....	515
Recross-Examination by Ms. Selert.....	516

CASSANDRA ODOM	
Direct Examination by Ms. Mayes	517
Cross-Examination by Ms. Selert	531
Redirect Examination by Ms. Mayes.....	533
HEIDI DAWN	
Direct Examination by Mr. Hubbard	536
Cross-Examination by Ms. McGrady	588
Redirect Examination by Mr. Hubbard.....	719
LUKE PINCELLI	
Direct Examination by Ms. McGrady	728
Cross-Examination by Mr. Hubbard.....	734
CHRISTOPHER WATKINS	
Direct Examination by Ms. McGrady	737
<i>Voir Dire</i> Examination by Ms. Mayes	740
Cross Examination by Ms. Mayes	740
STATE’S MOTION TO EXCLUDE CHRISTOPHER WATKINS’ TESTIMONY	
PERTAINING TO DIGITAL FORENSICS BY MS. MAYES	744
RESPONSE BY MS. MCGRADY	745
COURT’S RULING GRANTING STATE’S MOTION TO EXCLUDE TESTIMONY	746
TESTIMONY	
GERTIE FRAZIER-WILLIAMS	
Direct Examination by Ms. McGrady	749
Cross-Examination by Ms. Mayes	752
CHERIDA MCCRAY	
Direct Examination by Ms. McGrady	755
Cross-Examination by Ms. Mayes	758
BRENDA WILSON	
Direct Examination by Ms. McGrady	761
Cross-Examination by Mr. Hubbard.....	763
LAUREN PENNY	
Direct Examination by Ms. Selert.....	765
Cross-Examination by Ms. Cates.....	772

MIKE PINILLA

Direct Examination by Ms. McGrady.....	782
Cross-Examination by Mr. Hubbard.....	790

SHERRY HIGHBAUGH

Direct Examination by Ms. McGrady.....	795
Cross-Examination by Mr. Hubbard.....	801
Redirect Examination by Ms. McGrady	803

DEMETRA CAUGHMAN

Direct Examination by Ms. McGrady.....	805
Cross-Examination by Mr. Hubbard.....	809

PATRICK HAWKINS

Direct Examination by Ms. Selert.....	813
Cross-Examination by Ms. Mayes.....	817
Redirect Examination by Ms. Selert	818

DAVID JORDAN

Direct Examination by Ms. Selert.....	820
Cross-Examination by Ms. Mayes.....	825
Redirect Examination by Ms. Selert	832

DEANA BROOKS

Direct Examination by Ms. Selert.....	833
Cross-Examination by Ms. Mayes.....	835
Redirect Examination by Ms. Selert	837

STEPHEN GRANT

Direct Examination by Ms. Selert.....	839
Cross-Examination by Ms. Mayes.....	841
Redirect Examination by Ms. Selert	842

BRIGITTE DEGUZMAN

Direct Examination by Ms. Selert.....	844
Cross-Examination by Ms. Mayes.....	866
Redirect Examination by Ms. Selert	875

CHERLITCH JOJANA PERALTA CERRATO

Direct Examination by Ms. McGrady.....	878
Cross-Examination by Ms. Mayes.....	906

KRISTEN ANDERSON

Direct Examination by Ms. McGrady.....	927
Cross-Examination by Ms. Mayes.....	975
Redirect Examination by Ms. McGrady	988

Recross-Examination by Ms. Mayes	989
JASMINE HARRIS	
Direct Examination by Mr. Hubbard	991
Cross-Examination by Mr. Chehoski.....	994
CLOSING ARGUMENT BY MR. HUBBARD	997
CLOSING ARGUMENT BY MS. MCGRADY	1011
DEFENDANT’S EXHIBIT 68 (JUVENILE’S MOTION).....	1020
DEFENDANT’S EXHIBIT 69 (JUVENILE’S MOTION).....	1031
TRANSFER PETITION DATED MAY 3, 2021	1066
NOTICE OF MOTION FOR WAIVER TO GENERAL SESSIONS COURT DATED MAY 11, 2021	1076
MOTION FOR WAIVER TO GENERAL SESSIONS COURT DATED MAY 11, 2021.....	1077
ORDER OF WAIVER DATED JUNE 8, 2022.....	1080
TRIAL TRANSCRIPT DATED MAY 15-19, 2023	1133
COURT’S RULING GRANTING DEFENSE MOTION TO EXCLUDE REFERENCES TO PUBLIC DEFENDER’S OFFICE	1236
COURT’S RULING GRANTING DEFENSE MOTION TO SEQUESTER WITNESSES	1237
COURT’S RULING GRANTING DEFENSE MOTION TO EXCLUDE IMMIGRATION STATUS	1238
COURT’S RULING GRANTING STATE’S MOTION FOR ADMISSION OF STATEMENTS IN FURTHERANCE OF THE CONSPIRACY	1253
TESTIMONY	
MOLLY NATIONS (<i>in-camera</i>)	
Direct Examination by Ms. Mayes	1254
Cross-Examination by Ms. Mauldin	1284
Redirect Examination by Ms. Mayes.....	1289

PABLO CARVAJAL (<i>in-camera</i>)	
Direct Examination by Mr. Hubbard	1293
Cross-Examination by Ms. Mauldin	1327
Redirect Examination by Mr. Hubbard.....	1334
KEVIN BAUM (<i>in-camera</i>)	
Direct Examination by Ms. Mayes	1335
Cross-Examination by Ms. Mauldin	1346
Redirect Examination by Ms. Mayes.....	1348
OPENING STATEMENT BY MS. MAYES.....	1367
OPENING STATEMENT BY MS. SELERT	1381
TESTIMONY	
CHRISTOPHER MORRIS	
Direct Examination by Ms. Mayes	1386
DEFENSE MOTION FOR MISTRIAL BY MR. MAULDIN.....	1388
REPOSE BY MR. HUBBARD	1389
COURT’S RULING DENYING MOTION FOR MISTRIAL	1390
TESTIMONY	
CHRISTOPHER MORRIS	
Direct Examination Continued by Ms. Mayes.....	1394
Cross-Examination by Mr. Mauldin	1420
RAYLAN HEMINGWAY	
Direct Examination by Mr. Hubbard	1423
Cross-Examination by Mr. Mauldin	1434
Redirect Examination by Mr. Hubbard.....	1437
Recross-Examination by Mr. Mauldin.....	1437
SISTER	
Direct Examination by Ms. Mayes	1438
Cross-Examination by Ms. Mauldin	1481
Redirect Examination by Ms. Mayes.....	1487
MOLLY NATIONS	
Direct Examination by Ms. Mayes	1490
Cross-Examination by Ms. Mauldin	1530
Redirect Examination by Ms. Mayes.....	1534

Recross-Examination by Ms. Mauldin	1536
PABLO CARVAJAL	
Direct Examination by Mr. Hubbard	1546
Cross-Examination by Ms. Mauldin	1598
Redirect Examination by Mr. Hubbard.....	1606
PRESTON SIMPSON	
Direct Examination by Ms. Mayes	1607
Cross-Examination by Ms. Mauldin	1643
Redirect Examination by Ms. Mayes.....	1645
Recross-Examination by Ms. Mauldin	1650
KEVIN BAUM	
Direct Examination by Ms. Mayes	1653
Cross-Examination by Ms. Mauldin	1708
Redirect Examination by Ms. Mayes.....	1718
DAVID GASKINS	
Direct Examination by Mr. Hubbard	1720
Cross-Examination by Ms. Mauldin	1736
BRANDON MILLER	
Direct Examination by Mr. Hubbard	1744
Cross-Examination by Ms. Mauldin	1765
Redirect Examination by Mr. Hubbard.....	1767
BRENDA SNELGROVE	
Direct Examination by Ms. Mayes	1770
Cross-Examination by Mr. Mauldin	1830
Redirect Examination by Ms. Mayes.....	1846
JAMES WESTBURY	
Direct Examination by Mr. Hubbard	1853
AMANDA METZ	
Direct Examination by Mr. Hubbard	1856
Cross-Examination by Mr. Mauldin	1880
Redirect Examination by Mr. Hubbard.....	1895
Recross-Examination by Mr. Mauldin.....	1899
ANGELINA PHILLIPS	
Direct Examination by Mr. Hubbard	1900
Cross-Examination by Mr. Mauldin	1925
Redirect Examination by Mr. Hubbard.....	1931

BRYAN SHARPE	
Direct Examination by Ms. Mayes	1934
Cross-examination by Ms. Mauldin.....	1942
KERRI MCCLARY	
Direct Examination by Ms. Mayes	1943
Cross-Examination by Mr. Mauldin	1954
ASHLEIGH DIXON	
Direct Examination by Ms. Mayes	1955
Cross-Examination by Mr. Mauldin	1959
JOHN BARRON	
Direct Examination by Ms. Mayes	1961
Cross-Examination by Mr. Mauldin	1995
Redirect Examination by Ms. Mayes.....	2002
Recross-Examination by Mr. Mauldin.....	2006
JURY NOTE #1	2008
TESTIMONY	
ALLON ADAMS (<i>in-camera</i>)	
Direct Examination by Mr. Hubbard	2009
Cross-Examination by Ms. Mauldin	2016
Redirect Examination by Mr. Hubbard.....	2022
Recross-Examination by Ms. Mauldin	2025
Further Redirect-Examination by Mr. Hubbard.....	2025
STATE’S ARGUMENT FOR INCLUSION OF COURT’S 14 BY MS. MAYES	2028
RESPONSE BY MS. MAULDIN	2028
CONTINUED ARGUMENT FOR INCLUSION OF COURT’S 14 BY MR. HUBBARD	2029
COURT’S RULING FINDING COURT’S 14 ADMISSIBLE.....	2031
COURT’S RESPONSE TO JURY NOTE #1	2039
TESTIMONY	
ALLON ADAMS	
Direct Examination by Mr. Hubbard	2040
Cross-Examination by Ms. Mauldin	2066

Redirect Examination by Mr. Hubbard.....	2093
Recross-Examination by Ms. Mauldin	2097
TRIAL TRANSCRIPT DATED MAY 22ND AND MAY 23RD, 2023	2101
TESTIMONY	
CELIA MODELL	
Direct Examination by Ms. Mayes	2106
Cross-Examination by Mr. Mauldin	2111
BRENDA SNELGROVE	
Direct Examination by Ms. Mayes	2116
Cross-Examination by Mr. Mauldin	2128
Redirect Examination by Ms. Mayes.....	2131
Recross-Examination by Mr. Mauldin.....	2132
PABLO CARVAJAL	
Direct Examination by Mr. Hubbard	2134
CASSANDRA ODOM	
Direct Examination by Ms. Mayes	2139
Cross-Examination by Ms. Selert	2145
Redirect-Examination by Ms. Mayes	2145
BRANDON MILLER	
Direct Examination by Mr. Hubbard	2146
DEFENSE OBJECTION TO STATE’S EXHIBITS 252 (INSTAGRAM AUDIO MESSAGE), 241 (INSTAGRAM AUDIO MESSAGE), 242 (INSTAGRAM AUDIO MESSAGE), 243 (INSTAGRAM AUDIO MESSAGE) PURSUANT TO RULES 402, 403, AND 404, SCRE BY MS. SELERT	
	2151
RESPONSE BY MR. HUBBARD	2152
COURT’S RULING FINDING STATE’S EXHIBITS 252 (INSTAGRAM AUDIO MESSAGE), 241 (INSTAGRAM AUDIO MESSAGE), 242 (INSTAGRAM AUDIO MESSAGE), 243 (INSTAGRAM AUDIO MESSAGE) ADMISSIBLE	
	2153
TESTIMONY	
BRANDON MILLER	
Direct Examination Continued by Mr. Hubbard.....	2155
Cross-Examination by Ms. Selert	2166
Redirect Examination by Mr. Hubbard.....	2167

STATE RESTS	2167
DEFENSE MOTION FOR DIRECTED VERDICT BY MS. MAULDIN	2168
RESPONSE BY MR. HUBBARD	2169
COURT’S RULING DENYING MOTION FOR DIRECTED VERDICT	2170
TESTIMONY COLLOQUY WITH DEFENDANT	2171

TESTIMONY

MICHAEL HENDRIX

Direct Examination by Mr. Mauldin	2183
Cross-Examination by Ms. Mayes	2184
Redirect Examination by Mr. Mauldin	2186

SEAN SINNOTT

Direct Examination by Ms. Mauldin	2187
Direct Examination <i>in-camera</i> by Ms. Mauldin	2189
Cross-Examination <i>in-camera</i> by Ms. Mayes	2191

DEFENSE MOTION TO ADMIT DEFENDANT’S STATEMENT UNDER THE EXCITED UTTERANCE EXCEPTION TO HEARSAY BY MS. MAULDIN	2193

RESPONSE BY MS. MAYES	2193

COURT’S RULING DENYING DEFENSE MOTION TO ADMIT DEFENDANT’S STATEMENT	2196

TESTIMONY

SEAN SINNOTT

Cross-Examination by Ms. Mayes	2197
Redirect Examination by Ms. Mauldin	2199

DEFENSE RESTS	2199

DEFENSE RENEWS MOTION FOR DIRECTED VERDICT BY MS. MAULDIN	2199

COURT’S RULING DENYING DEFENSE MOTION FOR DIRECTED VERDICT	2200

CLOSING ARGUMENT BY MS MAULDIN	2202

CLOSING ARGUMENT BY MR. HUBBARD	2219
CHARGE ON THE LAW	2245
VERDICT	2265
POLLING OF THE JURY	2266
SENTENCING HEARING TRANSCRIPT PURSUANT TO <u>AIKEN V. BYARS</u> DATED AUGUST 28, 2023	2271
TESTIMONY	
SUSAN KNIGHT	
Direct Examination by Ms. Mauldin	2307
Cross-Examination by Ms. Mayes	2374
Redirect Examination by Ms. Mauldin	2407
STATEMENT IN MITIGATION BY MS. MAULDIN	2417
STATEMENT IN MITIGATION BY MS. SELEK	2434
RESPONSE BY MR. HUBBARD	2479
SENTENCING	2625
DEFENSE MOTION FOR NEW TRIAL BY MS. MAULDIN	2625
COURT’S RULING DENYING DEFENSE MOTION FOR NEW TRIAL	2626
NOTICE OF MOTION AND MOTION TO RECONSIDER SENTENCE DATED SEPTEMBER 7, 2023	2636
EXHIBIT 1 TO MOTION TO RECONSIDER SENTENCE DATED SEPTEMBER 7, 2023	2637
RECONSIDERATION OF SENTENCE TRANSCRIPT DATED SEPTEMBER 28, 2023	2640
DEFENSE RENEWS MOTION FOR NEW TRIAL BY MS. MAULDIN	2677
COURT’S RULING DENYING MOTION FOR NEW TRIAL	2677
INDICTMENTS	2679
SENTENCE SHEETS	2683

CERTIFICATE OF COUNSEL 2687

[THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:]

- A. Juvenile Waiver Hearing Exhibits: State's Exhibit 29 (DVD), State's Exhibit 30 (DVD), State's Exhibit 31 (DVD).**
- B. General Sessions Trials: State's Exhibit 1 (DVD), State's Exhibit 2 (DVD), State's Exhibit 3 (DVD), State's Exhibit 4 (DVD), State's Exhibit 5 (DVD), State's Exhibit 6 (DVD), State's Exhibit 7 (DVD), State's Exhibit 8 (DVD), State's Exhibit 9 (DVD), State's Exhibit 10 (DVD), State's Exhibit 11 (DVD), State's Exhibit 12 (DVD), State's Exhibit 18 (DVD), State's Exhibit 19 (DVD), State's Exhibit 28 (DVD), State's Exhibit 29 (DVD), State's Exhibit 30 (DVD), State's Exhibit 31 (DVD), State's Exhibit 61 (DVD), State's Exhibit 62 (DVD), State's Exhibit 63, (DVD), State's Exhibit 64 (DVD), State's Exhibit 65 (DVD), State's Exhibit 241 (Instagram Audio Message), State's Exhibit 242 (Instagram Audio Message), State's Exhibit 243 (Instagram Audio Message), State's Exhibit 252 (Instagram Audio Message).**

STATE OF SOUTH CAROLINA	)	
	)	IN THE FAMILY COURT
COUNTY OF LEXINGTON	)	
	)	
THE STATE	)	
	)	
PLAINTIFF	,)	
vs.	)	TRANSCRIPT OF RECORD
	)	2021-JU-32-0072
NAZARETH NICOLLE	)	
SANCHEZ-PERALTA	)	
DEFENDANT	.)	

MAY 2-6, 2022
LEXINGTON, SOUTH CAROLINA

B E F O R E:

THE HONORABLE W. GREG SEIGLER, JUDGE

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

SAMUEL R. HUBBARD, III, SOLICITOR
ATTORNEY FOR THE PLAINTIFF

SUZANNE MAYES, ASSISTANT SOLICITOR
ATTORNEY FOR THE PLAINTIFF

CATHY D. CATES, ASSISTANT SOLICITOR
ATTORNEY FOR THE PLAINTIFF

ROBERT M. MADSEN, ESQUIRE
ATTORNEY FOR THE DEFENDANT

KATHRYN E. McGRADY, ESQUIRE
ATTORNEY FOR THE DEFENDANT

HALI M. SELERT, ESQUIRE
ATTORNEY FOR THE DEFENDANT

JASON S. CHEHOSKI, ESQUIRE
ATTORNEY FOR THE DEFENDANT

SANYA L. KAISER
COURT REPORTER

I N D E X O F W I T N E S S E S

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
CHRISTOPHER MORRIS,				
BY MS. MAYES	17		34	
BY MS. SELERT		32		35
MOLLY NATIONS,				
BY MS. MAYES	36		88	
BY MS. McGRADY		85		91
JOE PRESTON SIMPSON, III,				
BY MS. MAYES	93		122	
BY MS. McGRADY		120		
Sister [REDACTED]				
BY MS. MAYES	124			
BY MS. SELERT		139		
PABLO CARVAJAL,				
BY MR. HUBBARD	145		201	
BY MS. McGRADY		184		205
BRANDON C. MILLER,				
BY MR. HUBBARD	208			
BY MS. McGRADY		216		
BRENDA SNELGROVE,				
BY MS. MAYES	218			
BY MS. McGRADY		245		
KEVIN L. BAUM,				
BY MS. MAYES	259		353	
BY MS. McGRADY		336		363
AMANDA METZ,				
BY MS. MAYES	364		380	
BY MS. McGRADY		378		381
ANGELINA PHILLIPS,				
BY MR. HUBBARD	383			
BY MR. CHEHOSKI		406		

2(a)

I N D E X O F W I T N E S S E S

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
JAN SCARBURY,				
BY MS. CATES	411			
BY MS. McGRADY		423		
KIANNA BENSON,				
BY MS. CATES	428		442	
BY MS. McGRADY		434		
MARGUERITE J. CRAPPS,				
BY MS. MAYES	446			
BY MS. McGRADY		459		
JASMINE HARRIS,				
BY MS. MAYES	467			
BY MR. HUBBARD	983			
BY MR. CHEHOSKI		986		
VICTORIA SHEPARD,				
BY MS. MAYES	472		486	
BY MS. McGRADY		485		
SHAKI FRANKLIN-JOHNSON,				
BY MS. MAYES	488		507	
BY MS. SELERT		502		508
CASSANDRA ODOM,				
BY MS. MAYES	509		525	
BY MS. SELERT		523		
HEIDI DAWN,				
BY MR. HUBBARD	528		711	
BY MS. McGRADY		580		
LUKE PINCELLI,				
BY MS. McGRADY	720			
BY MR. HUBBARD		726		
CHRISTOPHER J. WATKINS,				
BY MS. McGRADY	729			
BY MS. MAYES		733		
GERTIE FRAZIER-WILLIAMS,				
BY MS. McGRADY	741			
BY MS. MAYES		745		

I N D E X O F W I T N E S S E S

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
CHERIDA McCRAY, BY MS. McGRADY 747				
BY MS. MAYES		750		
BRENDA WILSON, BY MS. McGRADY 753				
BY MR. HUBBARD		756		
LAUREN PENNY, BY MS. SELERT 758				
BY MS. CATES		764		
MIKE PINILLA, BY MS. McGRADY 774				
BY MR. HUBBARD		782		
SHERRY HIGHBAUGH, BY MS. McGRADY 787			795	
BY MR. HUBBARD		794		
DEMETRA CAUGHMAN, BY MS. McGRADY 797				
BY MR. HUBBARD		801		
PATRICK HAWKINS, BY MS. SELERT 805			811	
BY MS. MAYES		809		
DAVID JORDAN, BY MS. SELERT 812			824	
BY MS. MAYES		817		
DEANA BROOKS, BY MS. SELERT 825			829	
BY MS. MAYES		827		
STEPHEN GRANT, BY MS. SELERT 831			835	
BY MS. MAYES		834		

I N D E X O F W I T N E S S E S

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
BRIGITTE DeGUZMAN, BY MS. SELERT	836		868	
BY MS. MAYES		859		
CHERLITCH JOJANA PERALTA CERRATO, BY MS. McGRADY	871			
BY MS. MAYES		899		
KRISTEN ANDERSON, BY MS. McGRADY	920		980	
BY MS. MAYES		968		981
CERTIFICATE OF REPORTER				1011

E X H I B I T S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EV</u>
P-2	DVD		22
P-3	DVD		22
P-4	DVD		22
P-5	DVD		22
P-6	DVD		22
P-7	PHOTO		22
P-8	PHOTO		22
P-9	PHOTO		22
P-10	PHOTO		22
P-11	MISSING PERSON POSTER		43
P-12	PHOTO		22
P-13	PHOTO		22
P-15	CD		122
P-16	CD		122
P-17	DVD		122
P-18	INSTAGRAM BUSINESS RECORD		59

E X H I B I T S

	<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EV</u>
1	P-19	INSTAGRAM BUSINESS RECORD		67
2	P-20	ACCOUNT PROFILE		89
3	P-21	INSTAGRAM BUSINESS RECORD		90
4	P-22	CELLULAR ANALYSIS		99
5	P-24	DVD		134
6	P-25	FACEBOOK BUSINESS RECORD		150
7	P-26	FACEBOOK BUSINESS RECORD		150
8	P-27	INSTAGRAM BUSINESS RECORD		183
9	P-28	PHOTO		181
10	P-29	DVD		181
11	P-30	DVD		177
12	P-31	DVD		177
13	P-32	PHOTO		174
14	P-33	DVD		169
15	P-34	DVD		169
16	P-35	DVD		169
17	P-36	PHOTO		174
18	P-37	PHOTO		235
19	P-38	PHOTO		228
20	P-39	PHOTO		228
21	P-40	PHOTO		237
22	P-41	PHOTO		244
23	P-42	PHOTO		244
24	P-43	PHOTO		244
25	P-44	PHOTO		240
	P-45	PHOTO		240
	P-46	PHOTO		240
	P-47	PHOTO		240
	P-48	PHOTO		240
	P-49	PHOTO		240
	P-50	PHOTO		240
	P-51	PHOTO		240
	P-52	PHOTO		240
	P-56	PHOTO		240
	P-58	PHOTO		240
	P-59	PHOTO		240
	P-60	PHOTO		240
	P-61	PHOTO		240
	P-62	PHOTO		240
	P-63	PHOTO		240
	P-64	PHOTO		237
	P-65	PHOTO		238
	P-66	PHOTO		238
	P-67	PHOTO		238

	<u>E X H I B I T S</u>			
	<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EV</u>
1				
2				
3				
4	P-68	PHOTO		243
	P-70	PHOTO		243
5	P-72	PHOTO		240
	P-73	PHOTO		240
6	P-74	PHOTO		240
	P-75	PHOTO		240
7	P-77	PHOTO		240
	P-79	PHOTO		240
8	P-80	PHOTO		210
	P-81	PHOTO		210
9	P-82	PHOTO		210
	P-83	PHOTO		210
10	P-84	PHOTO		210
	P-85	PHOTO		210
11	P-86	PHOTO		210
	P-87	PHOTO		210
12	P-88	PHOTO		210
	P-89	PHOTO		210
13	P-90	PHOTO		210
	P-91	PHOTO		210
14	P-92	PHOTO		210
	P-93	PHOTO		210
15	P-94	PHOTO		210
	P-95	PHOTO		210
16	P-96	PHOTO		210
	P-97	PHOTO		210
17	P-98	PHOTO		210
	P-99	PHOTO		210
18	P-100	PHOTO		210
	P-101	PHOTO		210
19	P-102	PHOTO		214
	P-103	PHOTO		214
20	P-104	PHOTO		214
	P-105	PHOTO		214
21	P-116	DVD		281
	P-119	FACEBOOK BUSINESS RECORD		293
22	P-120	CD		264
	P-121	PHOTO		281
23	P-122	PHOTO		281
	P-123	DVD		313
24	P-124	DVD		307
	P-129	DIAGRAM		223
25	P-130	MARKERS LISTING		232
	P-133	INSTAGRAM BUSINESS RECORD		357

E X H I B I T S

	<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EV</u>
1				
2				
3				
4	P-134	INSTAGRAM BUSINESS RECORD		357
	P-138	PHOTO		334
5	P-139	PHOTO		334
	P-140	PHOTO		241
6	P-141	TRUE BILL		325
	P-142	TRUE BILL		325
7	P-143	DIAGRAM		387
	P-144	SCDJJ PREADJUDICATORY		
8		TRANSFER EVALUATION		532
	P-145	JUVENILE SUMMONS		428
9	P-146	DJJ EVENT REPORTS		471
	P-147	SCHOOL RECORDS		414
10	P-148	PHOTO		403
	P-149	PHOTO		403
11	P-150	PHOTO		403
	P-151	PHOTO		403
12	P-152	PHOTO		403
	P-153	PHOTO		403
13	P-154	PHOTO		403
	P-155	FACEBOOK BUSINESS RECORD		284
14	P-156	FINAL ORDER		479
	P-158	COPY OF LETTER		500
15	P-159	COPY OF LETTER		500
	P-160	COPY OF LETTER		500
16	P-161	COPY OF ENVELOPE		500
	P-162	INSTAGRAM BUSINESS RECORD		278
17	P-164	PHOTO		331
	P-165	INSTAGRAM BUSINESS RECORD		313
18	P-166	DVD		289
	P-167	DVD		334
19	P-168	PHOTO		289
	P-169	PHOTO		289
20	P-170	PUBLISHED MEDIA REPORTS		480
	P-171	PROGRAMS REENTRY AND		
21		REHABILITATIVE SERVICES		455
	P-172	PHOTO		334
22	P-173	INSTAGRAM BUSINESS RECORD		316
	P-174	INSTAGRAM BUSINESS RECORD		317
23	P-175	INSTAGRAM BUSINESS RECORD		317
	P-176	INSTAGRAM BUSINESS RECORD		317
24	P-178	PALMETTO UNIFIED SCHOOL DISTRICT		455
	P-179	SCDSS DETERMINATION FACT SHEET		484
25	P-180	NOTE		548
	P-181	LETTER		548

E X H I B I T S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EV</u>
P-182	SCDJJ FACT SHEET		769
P-183	INSTAGRAM BUSINESS RECORD		823
P-184	SCDJJ EVENT REPORT		984
D-1	DVD 191		
D-2	COPY OF LETTER 249		
D-3	SCDJJ COMMUNITY PSYCHOLOGY EVAL.		583
D-4	DISPOSITION SHEET		723
D-5	DISPOSITION SHEET		723
D-7	ARREST WARRANT		817
D-8	ARREST WARRANT		817
D-9	ARREST WARRANT		817
D-10	PHOTO		851
D-11	PHOTO		851
D-12	PHOTO		851
D-13	PHOTO		851
D-14	PHOTO		851
D-15	PHOTO		851
D-16	PHOTO		851
D-17	PHOTO		851
D-18	PHOTO		851
D-19	PHOTO		851
D-20	PHOTO		851
D-21	PHOTO		851
D-22	PHOTO		851
D-23	PHOTO		851
D-24	PHOTO		851
D-25	PHOTO		851
D-26	PHOTO		851
D-27	PHOTO		851
D-28	PHOTO		851
D-29	PHOTO		851
D-30	PHOTO		851
D-31	PHOTO		851
D-32	PHOTO		851
D-33	PHOTO		851
D-34	PHOTO		851
D-35	PHOTO		851
D-36	PHOTO		851
D-37	PHOTO		851
D-38	PHOTO		851
D-39	PHOTO		851

E X H I B I T S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EV</u>
D-40	PHOTO		851
D-41	PHOTO		851
D-42	PHOTO		851
D-43	PHOTO		851
D-44	PHOTO		851
D-45	PHOTO		851
D-46	PHOTO		851
D-47	PHOTO		851
D-48	PHOTO		851
D-49	PHOTO		851
D-50	PHOTO		851
D-51	PHOTO		851
D-52	PHOTO		851
D-53	PHOTO		851
D-54	PHOTO		851
D-56	PHOTO		928
D-57	PHOTO		931
D-58	PHOTO		932
D-59	PHOTO		941
D-60	PHOTO		941
D-62	PHOTO		949
D-63	CYCLE OF ABUSE DIAGRAM		952
D-64	TEEN POWER AND CONTROL WHEEL DIAGRAM		955
D-65	TIMELINE		960
D-66	TIMELINE		960
D-67	ANDERSON MITIGATION REPORT		968
D-68	JUVENILE'S MOTION		1010
D-69	JUVENILE'S MOTION		1010

1 THE COURT: All right. Solicitor, y'all ready?

2 MS. MAYES: Yes, Your Honor.

3 THE COURT: Ms. McGrady?

4 MS. McGRADY: Yes, Your Honor.

5 THE COURT: All right. Ms. Mayes, go ahead.

6 MS. CATES: Your Honor, the State stands on the
7 grounds of our motions that--

8 THE COURT: Ms. Cates, let me interrupt you. I
9 don't want to interrupt you because I told you to go
10 ahead but let them get everybody in here.

11 MS. CATES: Yes, sir.

12 THE COURT: Then I need to probably swear the
13 interpreter in, too.

14 (Pause.)

15 THE COURT: Let me have all the individuals who
16 intend on interpreting today stand up and raise your
17 right hand, please.

18 KYLE CRIMINGER and SANDRA ADAIR McDERMOT, after
19 being duly sworn, testified as follows:

20 THE COURT: Thank you very much.

21 All right, Solicitor.

22 MS. CATES: Your Honor, the State stands on the
23 grounds of our written motions that were previously
24 submitted. We are prepared to go forward and argue
25 each if Your Honor would like. Your Honor, we are

1 prepared to go forward with trial.

2 THE COURT: I read all the motions and case law
3 attached.

4 Ms. McGrady, anything that you want to add to
5 the motions that the defense has made?

6 MS. McGRADY: Your Honor, we are prepared to
7 argue our motions.

8 THE COURT: I don't necessarily -- do you have
9 anything to add beyond what you have provided to me?

10 MS. McGRADY: Not necessarily, Your Honor.

11 THE COURT: Ms. Cates?

12 MS. CATES: No, Your Honor.

13 THE COURT: All right. If there is nothing
14 further in regard to the motions requested by the
15 defense, specifically that the Confrontation Clause,
16 their motions to exclude hearsay, motions to exclude
17 co-defendant statements are respectfully denied. I
18 don't believe that's properly before me to determine
19 initially. And even if it were based on the case
20 law and portions of the Constitution that I'm to
21 consider, it is very clear that the motions
22 requested by the defense are inapplicable here
23 today. But if I were to consider it, they would be
24 denied.

25 MS. McGRADY: Thank you, Your Honor.

1 THE COURT: All right.

2 MS. McGRADY: We do have hard copies of all of
3 the case law for Your Honor if you would like it at
4 this time.

5 THE COURT: Just give it to me at the break
6 because I won't be able to look at it right now
7 anyway because --

8 MS. McGRADY: Yes, Your Honor.

9 THE COURT: -- obviously we are getting ready
10 to start the trial.

11 MS. McGRADY: Also, we were wondering if the
12 interpreters could perhaps move to somewhere else
13 within the courtroom. Them being directly behind us
14 is distracting us.

15 THE COURT: Sure. Where would you like for
16 them to go? Just further back?

17 MS. McGRADY: Could they be in the jury box?

18 MR. HUBBARD: We might have that same problem,
19 Your Honor, if that's the case.

20 THE COURT: I don't think that's appropriate.
21 Just have them move back further where it doesn't
22 affect the defense's hearing.

23 We don't need them up here, Ms. McGrady, by the
24 court reporter. She is going to have enough
25 difficulty as it is. They can move further back but

1 they were not coming any closer.

2 MS. McGRADY: Okay. Thank you, Your Honor.

3 THE COURT: Now in regard are there any
4 witnesses that are going to need interpreting?

5 MS. McGRADY: Yes, Your Honor. We do intend on
6 calling the juvenile's mother and she speaks Spanish
7 almost exclusively.

8 THE COURT: Well, then they can come up at that
9 time.

10 MS. McGRADY: Okay. Thank you, Your Honor.

11 THE COURT: All right. Thank you.

12 All right. Anything else, Solicitor, before we
13 begin?

14 MS. MAYES: Nothing from the State, Your Honor.

15 THE COURT: Anything from the defense?

16 MS. McGRADY: Nothing, Your Honor.

17 THE COURT: All right.

18 MS. MAYES: Thank you, Your Honor. May it
19 please the court. The defendant in this case,
20 Nicolle Sanchez-Peralta, is charged by petition with
21 murder and kidnapping for the abduction and shooting
22 death of SA [REDACTED], age 15, taken from
23 Richland County and into Lexington County on the
24 night of April 5th, 2021.

25 Your Honor, this investigation began in

1 Richland County after SA's [REDACTED] mother reported her
2 missing when she failed to return home after
3 spending time with the defendant, Nicolle
4 Sanchez-Peralta, who SA [REDACTED] thought was a friend.
5 SA [REDACTED] was last seen in the presence of Nicolle while
6 sitting on a swing outside of her apartment complex
7 with her little sister, Sister [REDACTED]

8 SA [REDACTED] would never be seen alive again by her
9 family or anyone else, except her killers. Hours
10 turned into days and then into weeks as the
11 Amenhotep family desperately searched for SA [REDACTED].
12 Her story gripped the community as media outlets
13 gave numerous updates about the search for her
14 whereabouts. Her family pleaded with the community
15 and with the defendant for clues surrounding her
16 disappearance.

17 Law enforcement learned that SA [REDACTED] had last
18 been seen with Sanchez-Peralta; however, when
19 confronted by family members of SA [REDACTED], Peralta
20 refused to cooperate in providing any truthful
21 information. She intentionally gave them false
22 information as to SA's [REDACTED] whereabouts and lead them
23 to believe that she was actually alive and that she
24 had left her home that night in the company of a
25 boyfriend. In reality, Your Honor, evidence will

1 show that Nicolle Sanchez-Peralta had played a key
2 role in the abduction of SA [REDACTED] on the night of April
3 5th.

4 Nicolle was the girlfriend of Treveon Nelson.
5 And that's the name that you are going to hear a lot
6 during this proceeding, Your Honor. Treveon Nelson
7 is one of the adult co-defendants of
8 Sanchez-Peralta. He was 18 years of age when this
9 crime occurred. Nicolle was 16 years of age, just
10 85 days short of her 17th birthday.

11 Nicolle had known SA [REDACTED] for some time. SA [REDACTED]
12 trusted her and so she was the one who lured SA [REDACTED]
13 into their vehicle. That vehicle was stolen, Your
14 Honor, stolen by the defendant Nicolle
15 Sanchez-Peralta herself earlier that day. And just
16 hours later after stealing that vehicle, she, along
17 with her two adult co-defendants, being Treveon
18 Nelson as I mentioned who was 18 years of age, and
19 Jaylen Wilson, who was 17 years of age, those three
20 then went to the residence of SA [REDACTED] for the purpose
21 of kidnapping her.

22 The law enforcement investigation revealed a
23 motive for SA's [REDACTED] kidnapping as follows. Treveon
24 Nelson and the defendant had a vendetta against
25 SA [REDACTED] because they believed that she had possibly

1 been the one who gave an address to a mutual
2 acquaintance in Columbia, Raysean Jenkins, which
3 preceded an incident where shots had been fired into
4 the residence of Treveon Nelson.

5 Now we have found no evidence through this
6 investigation, Your Honor, to even support that
7 notion or that SA [REDACTED] had anything at all to do with
8 providing or divulging the address of Treveon Nelson
9 to any other individual. But that is what they
10 believed and from there they concocted and conspired
11 to carry out a plan to abduct SA [REDACTED] from her home in
12 northeast Richland County.

13 It began with a FaceTime call where Nicolle
14 made plans to see SA [REDACTED]. Treveon and Jaylen brought
15 Nicolle to SA's [REDACTED] home around 9:45 p.m. on the
16 night of April 5th where Nicolle then urged SA [REDACTED] to
17 get into their vehicle. SA [REDACTED] did. And as stated,
18 that's the last time anyone else would ever see her
19 alive.

20 In a voluntary statement provided by Nicolle
21 Sanchez-Peralta as they proceeded down I-77 around
22 the location of Fort Jackson Boulevard, SA's [REDACTED]
23 phone goes dead. Your Honor, that phone was seized
24 while guns were drawn by the other occupants of that
25 vehicle. From there, Your Honor, the facts are

1 horrendous and difficult to speak about openly in
2 this courtroom with her loved ones present.

3 SA [REDACTED] was taken to a secluded vacant field in
4 the Leesville area of Lexington County. She was
5 physically assaulted at gun point, beaten and
6 tortured. She was interrogated on whether or not
7 she had divulged that address of Treveon Nelson.
8 She denied it. She was shot 14 times, multiple
9 gunshot wounds to her back and to her legs as she
10 attempted to flee from her assailants.

11 All three defendants, including Nicolle
12 Sanchez-Peralta, left the scene, retrieved shovels,
13 then returned back and participated in burying SA [REDACTED]
14 in a shallow grave there in Leesville. The
15 defendant Nicolle Sanchez-Peralta would make
16 numerous false statements to law enforcement, Your
17 Honor, denying knowledge of key aspects of the
18 investigation and minimizing her role in this crime.

19 When eventually caught and confronted with
20 false and misleading statements, her story would
21 continue to evolve. She would also claim that she
22 was forced to participate in this crime by her
23 boyfriend, Treveon Nelson. Your Honor, the evidence
24 the State will present is that both Nicolle
25 Sanchez-Peralta and Treveon Nelson are extremely

1 violent people in a violent relationship with one
2 another. In words and actions they were equal
3 participants in this crime. Under the Hand of One
4 Hand of All doctrine, both are equally responsible
5 for this crime and its consequences along with their
6 other co-defendant, Jaylen Wilson.

7 You will hear testimony regarding a statement
8 from an acquaintance of both Nicolle Sanchez-Peralta
9 and Treveon Nelson. His name is Allon Adams; that
10 Nicolle openly admitted that she fired shots at
11 SA [REDACTED] that night as well as her co-defendants; that
12 she bragged and boasted about her role in the murder
13 of her friend, SA [REDACTED]. It is most
14 significant that all three defendants carried out
15 this crime against a 15-year-old girl who was
16 unarmed and completely defenseless that night.

17 Your Honor, we know that at least two guns were
18 used in SA's [REDACTED] murder based on physical evidence
19 that was recovered from the crime scene. We have
20 credible information to believe that all three
21 defendants, Treveon Nelson, Jaylen Wilson and
22 Nicolle Sanchez-Peralta, pulled the trigger and
23 fired shots at SA [REDACTED], including that statement from
24 her own mouth. In addition, physical evidence at
25 the scene supports that a third gun was also used in

1 this murder. And that gun, Your Honor, has yet to
2 be recovered by law enforcement.

3 Evidence will establish that after SA's
4 murder, and the concealing of her body in a grave in
5 Lexington County, they went about their business as
6 usual. In a cold and calculated manner Nicolle
7 taunts SA's family by claiming to know her
8 whereabouts and that she had simply run away.

9 Nicolle maintained that relationship with
10 Treveon Nelson which is supported by extensive
11 evidence, Your Honor, including her Instagram
12 communications. And in those communications between
13 she and Treveon Nelson, it is obvious that they are
14 involved in a sexual relationship by choice. And in
15 addition to that, Your Honor, that she makes
16 numerous threats to Treveon after the murder where
17 she is angry that he may be seeing another girl.

18 It is clear from this evidence that her
19 relationship with Treveon Nelson is one of choice
20 and that her desire to be with him appears to
21 supersede every other aspect of her life. ,
22 Eventually, Your Honor, on April 25th Nicolle and
23 Treveon had an argument which turned physical. A
24 third party made a report to law enforcement and to
25 the Springdale Police Department. At that point in

1 time, Your Honor, on April 25th, 20 days after the
2 murder, the Richland County Sheriff's Department was
3 searching for Nicolle because they knew that she had
4 been the last person with SA [REDACTED].

5 As stated earlier, Nicolle provided false
6 information to law enforcement. But as that
7 investigation progressed, she eventually made
8 voluntary statements admitting to her role in the
9 abduction of SA [REDACTED] and that she had direct knowledge
10 of SA's [REDACTED] murder. It was Nicolle who led the
11 Lexington County sheriff's department to that field
12 in Leesville on April 28th and showed them where
13 SA's [REDACTED] body had been buried by all three of them.

14 Your Honor, given the egregious and violent
15 nature of this crime and the totality of the
16 circumstances, the State will demonstrate pursuant
17 to the Kent factors why general sessions court is
18 the most appropriate forum for the adjudication of
19 this case against the defendant. Likewise, I submit
20 that the sentencing options available through
21 general sessions court afford the most long-term
22 prospects for rehabilitation of the defendant, both
23 educational and therapeutic. And of great
24 significance, Your Honor, is the balancing factor
25 that adjudication in general sessions court is the

1 only means to ensure adequate protection of the
2 public and our community.

3 Thank you, Your Honor.

4 THE COURT: Thank you, Solicitor.

5 Yes, ma'am.

6 MS. SELERT: Good morning, Your Honor. May it
7 please the Court. This is a story of victimization
8 and failure of a little girl, victimization and
9 failure of Nazareth Nicolle Sanchez-Peralta, also
10 known as Nicolle, victimized by family, friends,
11 significant others, the government, failed by all of
12 those same people time and time again.

13 Nicolle was only two years old when she was
14 left by her parents in Honduras. She spent her
15 childhood being raised in the violent capital of
16 Honduras where she and her family were victimized by
17 extortionists and gangs. Years later when her
18 parents finally summoned her to live with them in
19 the United States, she and her sister, also a
20 juvenile, made the month-long journey alone to the
21 United States.

22 Once she arrived in the U.S. she began the
23 process of living with a family she didn't really
24 know. She was failed by not having proper supports
25 put in place like counselling to help her

1 reintegrate into this new society and new family.

2 Then began the failure by the government.

3 As Nicolle grew older she gave several cries
4 for help. Run away after run away, suicide
5 attempts, she was begging for someone to really help
6 her, for someone to care, someone to do something
7 but no one ever did, not really. Teachers, DSS, the
8 police, DJJ, never really cared enough to actually
9 step in and turn this girl's life around.

10 Back to victimization. In efforts to build a
11 family of her own making, Nicolle met Treveon
12 Nelson. At first it was young love. Things were
13 great. She finally had someone to love her, someone
14 to protect her until that stopped. Her protector
15 became her abuser and her captor. You will hear and
16 see how Treveon Nelson would beat her repeatedly;
17 how she would be returned to her parents bloodied
18 and bruised; how the government and her family
19 failed to keep her safe from him for years, just
20 more victimization and failure.

21 And now the biggest failure of them all.
22 Nicolle, the youngest of three alleged
23 co-defendants, is here to have you determine her
24 fate. This is an opportunity to stop the cycle of
25 victimization and failure of Nicolle once and for

1 all. This is an opportunity to truly turn her life
2 around.

3 After you hear all of the testimony and see all
4 of the evidence, we hope that you will see that
5 Nicolle needs to stay in family court and that you
6 will not waive her up. Thank you, Your Honor.

7 THE COURT: Thank you.

8 All right. Solicitor, how does the State wish
9 to proceed?

10 MS. MAYES: The State calls Detective Chris
11 Morris, West Columbia Police Department.

12 THE COURT: All right. Come on up, sir. Have
13 a seat and tell us what your full name is, please.

14 THE WITNESS: Chris Morris.

15 THE COURT: All right. Mr. Morris, if you
16 would, raise your right hand.

17 CHRISTOPHER MORRIS, after being duly sworn,
18 testified as follows:

19 THE COURT: Thank you very much. Just speak up
20 loudly and clearly so everybody can hear you,
21 please.

22 THE WITNESS: Yes, sir.

23 THE COURT: Solicitor.

24 DIRECT EXAMINATION

25 BY MS. MAYES:

1 Q Good afternoon. Can you tell us a little bit
2 about yourself? Where are you employed and how
3 long have you been with that agency?

4 A I have been employed by the City of West
5 Columbia for a little over 10 years. Currently
6 I'm a lieutenant over the investigation
7 division.

8 Q All right. Tell us how you became involved in
9 the theft of a stolen vehicle on or about April
10 5th of 2021.

11 A After officers responded to 2222 Platt Springs
12 Road in West Columbia, which is an Exxon gas
13 station, it was in reference to a larceny of a
14 vehicle and a hit and run. They called for an
15 investigator to come out to help process and
16 interview witnesses, and obtain evidence.

17 Q All right. So I'll ask you a little bit more
18 about that. We are talking about April 5th of
19 2021. And what time did you receive that call
20 regarding the theft of that stolen vehicle?

21 A 12:59 is when we received the call.

22 Q And again, is this a.m. or p.m.?

23 A That would be p.m.

24 Q All right. So just before 1:00?

25 A Yes, ma'am.

1 Q And what is the location in which that reported
2 vehicle was stolen from?

3 A 2220 Platt Springs Road.

4 Q Okay. Can you tell us what type of business
5 that is?

6 A It is a convenience store and a gas station.

7 Q Okay. Do you know whether or not that's an
8 Exxon?

9 A It is.

10 Q All right. At that point in time what
11 information was known about the subject who had
12 stolen the vehicle?

13 A After speaking to the victim it was -- he
14 described the suspect who had stolen the
15 vehicle because he had picked her up.

16 Q Okay. Did he have a name for the suspect?

17 A He knew her by Nicolle.

18 Q Okay. So Nicolle was known to be the suspect.
19 Tell us what you were able to observe when you
20 retrieved video surveillance.

21 A When I retrieved the video surveillance I was
22 able to see a black male with long, long dreads
23 and a Hispanic female in one of the frames.

24 Q All right. And what did you observe next?

25 A They were casually talking to each other. They

1 ended up walking off together and then the
2 victim, Mr. Hemingway, you see his vehicle
3 arrive and pull off to [REDACTED] Drive, which
4 runs next to the gas station. And then you see
5 Nicolle get into that vehicle.

6 Q All right. Now before we get into the actual
7 video surveillance, let me ask you a few
8 questions in regard to the context of this.
9 What is the name and age of the complainant in
10 this case who had his vehicle stolen?

11 A His name is Raylan Everett Hemingway.

12 Q All right.

13 A And he was 22 years old at the time of this.

14 Q And tell us, if you can, some more information
15 about that specific vehicle, including a tag
16 number and the make and model.

17 A The make was a black, black Toyota Camry, 2004
18 bearing South Carolina tag [REDACTED]. And the
19 VIN was [REDACTED].

20 Q All right. Can you tell us the estimated value
21 of that vehicle based on that report?

22 A The value of the vehicle had approximately
23 \$5,000.

24 Q Ultimately can you tell us whether or not the
25 defendant in this case, Nicolle

1 Sanchez-Peralta, was charged by petition for
2 that grand larceny of a vehicle?

3 A She was.

4 Q Now you mentioned that Robin or that Raylan
5 Hemingway is the actual complainant. Who did
6 you determine that that vehicle actually
7 belonged to? Whose name had the title on that
8 vehicle?

9 A His mother, Robin Nelson Hemingway.

10 Q And did you note any type of property items
11 that were also inside the vehicle that were
12 stolen along with it?

13 A Yes. There was a iPhone 12, car seat and
14 stroller.

15 Q Okay. Now how did you learn what the
16 connection or acquaintanceship was between
17 Nicolle and this subject, Raylan Hemingway, who
18 had the vehicle stolen?

19 A They had communicated through Instagram for her
20 to pick him -- or for him to pick her up and I
21 guess to hang out.

22 Q Okay. And so there had been an Instagram
23 communication with her previously. Do you know
24 whether or not there was an agreement to meet
25 at that location of the Exxon on that

1 particular date and time?

2 A Yes.

3 Q Okay. And, can you tell us whether or not that
4 appears to be supported by the video
5 surveillance?

6 A Yes, it was.

7 Q I'm going to show you some items and ask you
8 whether or not you recognize them. This is
9 going to be State's 2, 3, 4 and 5 and 6, all
10 video surveillance clips.

11 A Yes, ma'am. I recognize these.

12 Q You had an opportunity to review those?

13 A I have.

14 Q Did those appear to be fair and accurate
15 depictions of the video surveillance that you
16 originally retrieved?

17 A They are.

18 Q I'm also going to show you State's 7, 8, 9, 10,
19 12 and 13. And ask you whether or not you
20 recognize the items depicted in those
21 photographs?

22 A I do.

23 Q Can you tell us whether 7, 8, 9, 10 and, 9 and
24 10 appear to be fair and accurate
25 representations from the video surveillance?

1 A They are.

2 Q And can you tell us whether 12 and 13 appear to
3 be a fair and accurate representation of the
4 stolen vehicle?

5 A They are.

6 (Pause.)

7 MS. MAYES: No objection?

8 MS. McGRADY: No objection, Your Honor.

9 THE COURT: Hearing no objection, Solicitor,
10 y'all want that entered into evidence as State's 2
11 through 6, 7 through 10 and 12 and 13, correct?

12 MS. MAYES: Correct, Your Honor.

13 THE COURT: All right.

14 (Whereupon, State's Exhibit Nos. 2, 3, 4, 5, 6,
15 7, 8, 9, 10, 12, 13 were marked and received
16 into evidence.)

17 DIRECT EXAMINATION

18 BY MS. MAYES:

19 Q Now, first, I want to ask you to take a look
20 here at State's 12. Do you have information as
21 to whether or not this stolen vehicle was
22 eventually recovered?

23 A Yes. I was advised that it was recovered.

24 Q Okay. And do you have with you the date in
25 which that vehicle was recovered?

1 A Yes. It was removed from NCIC, it looks like,
2 on 4/16/2021 according to the report.

3 Q All right. Can you tell us the general
4 location in which that vehicle was recovered?

5 A On [REDACTED] Road in Lexington County.

6 Q So, well over a week or 10 days after it was
7 originally stolen?

8 A Yes, ma'am.

9 Q Was there any damage to the vehicle when it was
10 recovered?

11 A There was damage to the front end after
12 reviewing that video surveillance because it
13 was wrecked in that parking lot.

14 Q Okay. And that is also depicted on the video
15 surveillance?

16 A It is.

17 Q Was anyone injured in that event?

18 A If there were, there was minor injuries but
19 nobody went to the hospital.

20 Q Okay. Do you recall whether or not Raylan
21 Hemingway made a report in that regard?

22 A Yes, he did.

23 Q How so?

24 A As he was trying to enter back into his vehicle
25 after it was stolen, his foot was ran over in

1 the process.

2 Q Okay. Now I'm going to show you what is in
3 evidence as State's 9 and ask you specifically
4 as to this frame from the video surveillance.
5 What are we looking at here? What is this
6 location here in the parking lot?

7 A That is 2220 Platt Springs Road Exxon. That's
8 an exterior camera pointing toward Platt
9 Springs Road.

10 Q All right. And were you able to determine
11 whether this is a female subject or a male
12 subject?

13 A I believe that was a male subject with longer
14 dreads.

15 Q Okay. And were you able to determine if anyone
16 was with him?

17 A Yes. There was a female with him.

18 Q And can you tell us whether or not that female
19 matched the description of the defendant in
20 this case, Nicolle Sanchez-Peralta?

21 A It did.

22 Q Now at any point in time as you are watching
23 this, where did the subjects appear to go?

24 A They appeared to go off to the right side of
25 that photograph toward [REDACTED] like [REDACTED]

1 Q Did you ever see this subject exert any type of
2 force or physical coercion against Nicolle
3 Sanchez-Peralta on this date?

4 A No. She was casually following him.

5 Q Now looking at State's 10, again, this may be
6 blurry but what are we looking at over here on
7 the edge of the roadway?

8 A So that camera is an exterior camera pointing
9 toward [REDACTED] Drive. The vehicle is the one
10 in question, the Toyota Camry that Mr.
11 Hemingway was operating and that's where he
12 stops to pick up Nicolle.

13 Q When observing this portion of the video
14 surveillance, do you see a subject get into the
15 vehicle?

16 A I do.

17 Q And were you able to determine whether or not
18 that person matched the description of Nicolle
19 Sanchez-Peralta?

20 A It did.

21 Q All right.

22 MS. MAYES: Permission to publish the video
23 surveillance, Your Honor?

24 THE COURT: Go ahead.

25 DIRECT EXAMINATION

1 BY MS. MAYES:

2 Q What are we looking at here in terms of this
3 camera location?

4 A That is an interior camera of the store kind of
5 catching the parking lot exterior and the front
6 door.

7 Q Okay. What about over here?

8 A That is Mr. Nelson, Ms. Nicolle.

9 Q Appearing to be in the company of one another?

10 A That's correct.

11 Q And again, you're understanding that Treveon
12 Nelson is the adult co-defendant, one of the
13 two adult co-defendants in this case?

14 A Yes, ma'am.

15 Q And this particular angle?

16 A That's the exterior pointing out toward Platt
17 Springs and that's Mr. Nelson.

18 Q Okay. And again, the time noted now on the
19 video surveillance is?

20 A 12:54.

21 Q All right. Of course, your call was 12:59?

22 A That's correct.

23 And that's the black vehicle right there.

24 Q Belonging to Mr. Hemingway?

25 A Yes, ma'am.

1 Q And at this point in time, the subject that you
2 mentioned previously, Mr. Nelson, where does he
3 appear to be?

4 A He is walking away from the location.

5 Q And State's 4. Now what did you determine
6 about the appearance of this individual?

7 A That was Ms. Nicolle Sanchez-Peralta.

8 Q Okay. And you indicated there was previously
9 an agreement via Instagram to meet this subject
10 at this location?

11 A Yes. According to Mr. Hemingway.

12 Q Okay. Appears to get into the vehicle?

13 A That's correct.

14 Q So this actually precedes the video where the
15 car is actually stolen?

16 A That's correct. That's minutes before.

17 Q Okay. The time now 12:55?

18 A That's correct.

19 Q Do you recognize this vehicle now coming into
20 view?

21 A Yes. That's the black Toyota Camry to Mr.
22 Hemingway.

23 Q And this is going to be at what time?

24 A 12:56. Mr. Hemingway exits the vehicle.

25 Q Okay. So based on what we just saw we know now

1 that Ms. Peralta is inside the vehicle?

2 A That's correct.

3 Q And here the driver is going to enter this
4 location. What happens next?

5 A He was inside trying to make a purchase and
6 then she will back out and circle around and
7 Mr. Hemingway comes out to try to stop it. And
8 then as she comes around, she strikes another
9 vehicle that's parked.

10 Q Okay. So the driver comes running out after he
11 sees the vehicle stolen?

12 A Yes.

13 MS. MAYES: And finally, Your Honor, State's 6.

14 DIRECT EXAMINATION

15 BY MS. MAYES:

16 Q And this is going to be 12:56. So this is
17 another angle depicting her leaving?

18 A That's correct.

19 Q So at this point she strikes this vehicle?

20 A She does. And this is where his foot got ran
21 over as she is trying to flee. And up here she
22 goes toward the same direction that Mr. Nelson
23 was in.

24 Q Okay. The same direction you had seen
25 Mr. Nelson walking?

- 1 A That's correct.
- 2 Q All right. Now that truck that we saw
- 3 stricken, did that -- did the owner of that
- 4 truck also report damage to that vehicle?
- 5 A He did.
- 6 Q Can you tell us what the make and model of that
- 7 vehicle was?
- 8 A That was a gray in color 2000 GMC pick-up truck
- 9 belonging to Mr. I believe it is Timothy
- 10 Morris.
- 11 Q All right. And what were the estimated damages
- 12 to that truck?
- 13 A He estimated the damage at approximately
- 14 \$3,500, I believe. The truck was totaled.
- 15 Q It was totaled?
- 16 A Yes.
- 17 Q Now on the video as State's exhibit 9 also
- 18 reflects we see that vehicle head out in this
- 19 direction. You worked the region of West
- 20 Columbia?
- 21 A I do.
- 22 Q Can you tell us whether or not that is
- 23 consistent with the direction toward [REDACTED]
- 24 Street?
- 25 A That is.

1 Q Are you familiar with whether or not Treveon
2 Nelson at this point in time had a residence at
3 [REDACTED] Street?

4 A I did know he had one there.

5 Q Based upon all the information available to you
6 as well as your communications with Raylan
7 Hemingway, the driver, and the knowledge of the
8 Instagram communications did this appear to be
9 a planned and premeditated event?

10 A Yes.

11 MS. MAYES: Beg the court's indulgence.

12 (Pause.)

13 DIRECT EXAMINATION

14 BY MS. MAYES:

15 Q Were you able ultimately to determine whether
16 or not the suspect in that case that you were
17 alerted about on April 5th also involved a
18 subject who was wanted by the Richland County
19 Sheriff's Department being Nicolle
20 Sanchez-Peralta?

21 A (There was no response.)

22 Q Do you recall notifying Molly Nations of
23 anything in this regard?

24 A Ms. Nations actually contacted me.

25 Q Okay. On what date?

1 A I'm quite unsure of the date exactly. I was up
2 here in general sessions when I first received
3 the phone call. I had to return her phone call
4 in the parking lot.

5 Q Okay. Did your investigation determine whether
6 or not Nicole was actively living at her own
7 residence?

8 A Yes. She was actually reported missing from
9 our jurisdiction before this.

10 Q Okay. And can you tell us whether or not that
11 was reported as a runaway?

12 A She was reported as a runaway.

13 Q And she had been considered on runaway status?

14 A She was. She was in NCIC listed as a missing
15 person.

16 Q And do you have with you the date in which she
17 was reported as a runaway to your agency?

18 A I do not have that in front of me but I believe
19 it was the end of March, March 29th possibly.
20 I'm not quite sure of that date.

21 Q Okay. Since the end of March?

22 A Yes.

23 MS. MAYES: I have nothing further of this
24 witness.

25 THE COURT: Ms. McGrady.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

Q I don't want to mess up any technical stuff going on.

How did you identify the female suspect as Nicolle?

Q Thank you. And did the messages between
Nicolle and Mr. Hemingway indicate why they
were meeting up?

Q Okay. And she was 16 years old at the time?

Q And he was 22?

Q And were the Instagram records of their communications pulled?

A They were. I just got what he had at the time, either he showed me and I took pictures or just showing me.

1 Q How did you identify the male subject as
2 Treveon Nelson?

3 A I had during the missing persons from March or
4 the end of March, her mother had showed me a
5 photo and we talking to other agencies were
6 able to identify who Treveon Nelson was and
7 that there was a shooting possibly at this
8 house before all this.

9 Q So it was believed that while she was on
10 runaway status she was with Treveon Nelson?

11 A That's correct.

12 Q Do you know what Mr. Hemingway was going into
13 the store to purchase?

14 A I believe he told me cigars.

15 Q Which would further the fact that they were
16 going to smoke?

17 A More than likely, yes.

18 Q And whenever Nicolle arrived to the store she
19 was with Treveon Nelson?

20 A Yeah. When they walked up together.

21 Q And it is believed that after she left the
22 store she met back up with Treveon Nelson?

23 A That's what we believe.

24 Q Thank you.

25 MS. SELERT: I beg the court's indulgence.

1 (Pause.)

2 MS. SELERT: No further questions.

3 MS. MAYES: Just briefly, Your Honor.

4 REDIRECT EXAMINATION

5 BY MS. MAYES:

6 Q You mentioned the shooting of the residence of
7 Treveon Nelson. I know you mentioned [REDACTED]
8 Street as well. Is [REDACTED] Street in the
9 general area of West Columbia?

10 A It is. It is right on the boarder of West
11 Columbia into Cayce.

12 Q Okay. And can you tell us whether in the early
13 morning hours of April 5th, prior to the theft
14 of this vehicle, there had been a report of
15 shots fired in that area?

16 A There had been.

17 Q And can you tell us whether or not that
18 included the residence of [REDACTED] Street
19 being the residence of Treveon Nelson?

20 A Yes.

21 MS. MAYES: Thank you.

22 MS. SELERT: Thank you. I just have one final
23 question.

24 RECROSS-EXAMINATION

25 BY MS. SELERT:

1 Q So we know that there was a 22-year-old male
2 with a 16-year-old female. They were meeting
3 up to likely smoke marijuana and have sex.
4 Were any charges brought against Mr. Hemingway?

5 A No. But he was advised that was a bad choice
6 and a bad idea. He had not committed any crime
7 at that point.

8 Q Okay. Was any investigation done to see
9 whether the two of them had had sex before or
10 anything like that?

11 A It was asked of him and he said this was the
12 first time they had hung out in a long time and
13 he denied any sexual being with her.

14 Q And you took his word for it?

15 A I did at the time.

16 MS. SELERT: Thank you.

17 THE COURT: You can step down, sir. Thank you
18 very much.

19 MS. MAYES: The State calls Molly Nations,
20 Richland County Sheriff's Department.

21 THE COURT: Ma'am, come on up and have a seat
22 if you would, please. Tell us what your full name
23 is.

24 THE WITNESS: Molly Nations.

25 THE COURT: All right. Would you raise your

1 right hand?

2 MOLLY NATIONS, after being duly sworn, testified
3 as follows:

4 THE COURT: All right. Just speak up clearly
5 and loudly so everybody can hear you, please.

6 THE WITNESS: Yes, sir.

7 DIRECT EXAMINATION

8 BY MS. MAYES:

9 Q Good morning. Tell us a little bit about
10 yourself, where you are employed.

11 A Good morning. My name is Molly Nations. I'm
12 an investigator with the Richland County
13 Sheriff's Department.

14 Q All right. How long have you been an
15 investigator for Richland County?

16 A I have been with the department since 2011.
17 I've been in investigations for the latter part
18 of that.

19 Q So take us through -- first of all, you are
20 experienced as an investigator. I know you
21 said you have done it a long time. How long
22 have you worked specifically in that role of
23 investigations?

24 A Approximately nine years. Specifically missing
25 persons. And we have two investigators of

1 missing persons. We have somebody who works
2 adults and then somebody who works juveniles.
3 I have since been moved over to our special
4 victims unit.

5 Q Okay. Can you tell us whether or not the
6 missing persons unit includes juveniles who may
7 be on runaway status?

8 A Yes, ma'am. It does.

9 Q Does it also include persons of any age who are
10 believed to have been abducted under suspicious
11 circumstances?

12 A Yes, ma'am.

13 Q I am going to take you back to April of 2021,
14 last year and ask you how you became involved
15 in the missing person case of SA [REDACTED]?

16 A Yes, ma'am. So on April 6th of 2021 I received
17 a phone call from Ms. Graham asking me if I
18 had -- she was inquiring about the report that
19 she had filed on her daughter, SA [REDACTED],
20 who she said was last seen at her apartment
21 complex playground the previous night on
22 April 5th. She told me that SA [REDACTED] was at the
23 playground with her sister taking pictures and
24 that her sister had come up around 9:45 on the
25 5th at night back to the apartment saying that

1 SA was still down there and that she was
2 with her friends Nicolle and a few guys who had
3 arrived at the complex in an unknown vehicle.
4 But she said that she had come back up before
5 SA left.

6 And Ms. Graham told me that SA's phone was
7 off and that this was not normal; she has it
8 attached to her; she's always answering; she is
9 going to text mom; she is going to at least keep mom
10 in the loop as to where she is at. So mom
11 reiterated that this was very abnormal behavior for
12 SA.

13 Q Can I stop you right there?

14 A Yes.

15 MS. MAYES: Your Honor, if we could have the
16 interpreter and any other persons connected with
17 that move a little bit further back. It is
18 interfering with our ability to hear the witness as
19 well.

20 (Pause.)

21 DIRECT EXAMINATION

22 BY MS. MAYES:

23 Q Now what time specifically did Ms.
24 Graham-Fleming, being SA's mom, make that
25 call to the Richland County Sheriff's

1 Department?

2 A She filed the missing person's report at 11:57
3 on the 5th, that night.

4 Q So that is on the 5th before midnight. And
5 what information did you receive as to where
6 SA [REDACTED] was last seen?

7 A Ms. Graham said that SA [REDACTED] was last seen at the
8 playground within their apartment complex, was
9 last seen wearing jeans, some pink Crocks and a
10 dark colored, possibly a brown shaw blanket
11 type piece around her shoulders.

12 Q And was there an approximate time for that,
13 Detective Nations?

14 A Around 10 p.m., between 9:45 and 10.

15 Q Okay. And is it your understanding that she
16 had been outside at the swing with her sister,
17 Sister [REDACTED]

18 A Yes, ma'am.

19 Q And Sister [REDACTED] was what age at this point in time?

20 A I know she is younger than SA [REDACTED]. I want to
21 say 13. I don't have her birthday in front of
22 me. I'm sorry.

23 Q Okay. And then do you have a date of birth for
24 SA [REDACTED]?

25 A I do. She was born [REDACTED].

1 Q And her age at the date she was reported
2 missing?

3 A Fifteen.

4 Q Now I know you reported that her mom made that
5 call before midnight. What other indications
6 did you receive from her mom, Ms.
7 Graham-Fleming, that she had also made attempts
8 to reach Nicolle, to reach SA [REDACTED] by phone,
9 including calls or texts?

10 A Yes, ma'am. Ms. Fleming said that she had
11 called her multiple times. Her phone was off.
12 She started calling around 11 when she noticed
13 that she wasn't back at the apartment. Ms.
14 Graham said she couldn't sleep. She was on the
15 couch waiting for her to come in, couldn't
16 reach her through text, phone, anything.

17 Q Okay. And the indications were that when she
18 would call SA's [REDACTED] number it would go straight
19 to voicemail?

20 A Yes, ma'am.

21 Q Indicating the phone was off?

22 A Yes, ma'am.

23 Q And about Nicolle, how did you learn that
24 Nicolle Sanchez-Peralta, the defendant in this
25 case, was the person last known to have been in

1 the company of SA [REDACTED]?

2 A Sister SA's [REDACTED] sister who was down there at the
3 playground with her, actually walked out of the
4 apartment with SA [REDACTED] before they went to the
5 playground with the intentions of meeting
6 Nicolle who had asked SA [REDACTED] to come by and
7 borrow a tampon.

8 Q Okay. And so it is your understanding that
9 SA [REDACTED] had gone out to meet Nicolle for what
10 purpose?

11 A To get a tampon.

12 Q Now after you received that call from her mom,
13 what actions did the Richland County Sheriff's
14 Department take to put out information
15 regarding SA [REDACTED] as a missing person?

16 A So SA [REDACTED] was originally not entered into NCIC.
17 So I went ahead and did that which is a
18 nationwide database for law enforcement to use.
19 In case somebody did come upon her they would
20 run her and see she was listed as a missing
21 person. We began creating flyers. We got her
22 information out into social media as well as to
23 other law enforcement agencies in the nearby
24 area.

25 Q And can you tell us whether as early as the

1 next day, April 6th into April 7th in that
2 first 48 hours, whether or not the family and
3 others were involved in posting flyers of
4 SA [REDACTED] ?

5 A Very much so.

6 Q And did that also include multiple social media
7 posts?

8 A Yes, ma'am.

9 Q I'm going to show you an item and ask you
10 whether or not you recognize it. This is
11 marked as State's 11.

12 A Yes, ma'am.

13 Q And who actually prepared this missing person
14 poster?

15 A I did.

16 Q And can you tell us whether or not this item
17 was released to multiple other law enforcement
18 agencies?

19 A Yes, ma'am. It was.

20 Q As well as to media and news outlets?

21 A Yes, ma'am.

22 MS. MAYES: State's 11 for evidence, Your
23 Honor. I believe there is no objection, Your Honor.

24 MS. McGRADY: No objection.

25 THE COURT: All right.

1 (Whereupon, State's Exhibit No. 11 was marked
2 and received into evidence.)

3 DIRECT EXAMINATION

4 BY MS. MAYES:

5 Q At this point in time did you have a
6 description of SA's clothing?

7 A So we weren't certain. Mom knew for sure that
8 she had on the throw, dark in color throw. Mom
9 knew for sure that she had on pink Crocks and
10 jeans. We weren't certain on the shirt.
11 Initially it was a sweatshirt but then that
12 came to be, you know, she didn't have on a
13 sweatshirt after, I'm sorry, before the NASA
14 shirt. But then we ended up finding the NASA
15 shirt in her room, I believe.

16 Q And you are going to use the term throw but are
17 you referring to a blanket?

18 A Yes, ma'am.

19 Q That she had around her shoulders--

20 A Yes, ma'am.

21 Q -- as she went outside.

22 And then of course the pink Crocks you
23 indicated as well?

24 A Yes, ma'am.

25 Q What information did you have about SA's

1 physical description?

2 A That she was 5' 5" in height and approximately
3 160-pounds.

4 Q All right. And were you putting out to the
5 media and everyone else who would potentially
6 see this poster as to where she had last been
7 seen and the approximate time?

8 A Yes, ma'am.

9 Q Was that confirmed to be the area of her
10 residence off [REDACTED] Blvd.?

11 A Yes, ma'am.

12 Q At approximately 10 p.m.?

13 A Yes, ma'am.

14 Q And throughout your investigation had it been
15 confirmed that there had been no reliable
16 sightings of SA [REDACTED] since that date?

17 A Yes, ma'am.

18 Q And that she had not made communication with
19 any other person?

20 A Yes, ma'am.

21 Q What efforts did you make to track her phone
22 and the phone that would have been on her
23 person when she left her house at 10 p.m. that
24 night?

25 A So on the 6th, the next day, after speaking to

1 mom, and hearing the concern in mom's voice and
2 that motherly instinct of knowing that she just
3 knew something was wrong, I went ahead and did
4 an exigent circumstance form for SA's [REDACTED] cell
5 phone through T-Mobile. And what that is it
6 won't get historical data that we would with a
7 search warrant, but it would give us the last
8 48 hours to include location, phone numbers
9 that she's been in contact with through text,
10 through phone call. And you know, obviously
11 that's crucial information that we needed at
12 that point to see where she had gone after
13 leaving the complex.

14 Q In addition to getting the information from
15 T-Mobile regarding the cell tower locations for
16 SA [REDACTED], who else did you obtain cell tower data
17 on?

18 A I had also -- so mom had also stated that she
19 had a boy friend named Raysean and that she
20 possibly could have made plans to hang out with
21 him. So I went ahead and did an exigent
22 circumstance on Raysean's phone. It is a
23 Verizon phone number.

24 Q Can you tell us whether or not phone records
25 were obtained for the defendant in this case,

1 Nicolle Sanchez-Peralta?

2 A Yes, ma'am.

3 Q And on what date did you obtain those records?

4 A I received those records the following day.

5 Q All right. So that would be on the 7th?

6 A The 7th, yes, ma'am.

7 Q Can you tell us specifically what phone number
8 you retrieved data from regarding the defendant
9 in this case, Nicolle Sanchez-Peralta?

10 A So I didn't get Sanchez's phone information at
11 that point but I did get a phone number from
12 mom that Nicolle provided to her.

13 Q And the phone number that you received for
14 Nicolle at that point in time was what number?

15 A [REDACTED]-7614. This was a phone number that
16 Nicolle had provided to mom.

17 Q Okay. And when you say to mom, you are
18 referring to Ms. Graham-Fleming?

19 A Ms. Graham, yes, ma'am.

20 Q To SA's [REDACTED] mom?

21 A Yes, ma'am.

22 Q So just kind of cover a little bit more
23 information here. I know you said you received
24 this information on 4/7, April 7th. So that's
25 going to be two days after SA [REDACTED] was missing.

1 Are you aware as to whether or not SA's
2 family members were reaching out to Nicolle
3 between this time period of April 5th and
4 April 7th?

5 A Through social media, yes, ma'am.

6 Q All right. And ultimately did Nicolle provide
7 Ms. Graham-Fleming with a phone number?

8 A Yes, ma'am.

9 Q And is that the phone number you just
10 referenced?

11 A Yes, ma'am. She also provided a home number
12 for her as well for her mom.

13 Q All right. Now regarding this particular
14 number on April 7th, when you received that
15 number what action did you take?

16 A First I researched the number to see who it
17 could come back to.

18 Q Tell us about that. Who did it come back to?

19 A It came back -- I'm going to spell his name.
20 He goes by Chi, C-H-I. I'm sorry. Let me grab
21 his name.

22 Q You can just spell the last name. Is it Ajoku?

23 A Yes, ma'am.

24 Q Okay. And so when you called that number, who
25 answered?

1 A Chi. He identified himself as Chi. Chi
2 answered phone.

3 Q And then what happened next after you called
4 that number on April 7th?

5 A I had asked Chi if he knew who Nicolle was, to
6 which he responded he did. He told me that he
7 was with her and so I asked him if I could
8 speak to her.

9 Q Okay. And did you in fact speak with her on
10 that date of April 7th?

11 A Yes, ma'am.

12 Q Now at this point in time when you spoke with
13 Nicolle did she appear to be under any type of
14 duress?

15 A No, ma'am.

16 Q Could you hear anyone in the background
17 instructing her what to say or anything of that
18 nature?

19 A No, ma'am.

20 Q Did you have later communications with Chi as
21 well?

22 A Yes, I did.

23 Q And how did he indicate he knew Nicolle?

24 A I had again called Chi on the 12th, two
25 different times. First time he didn't answer.

1 The second time he told me, I only know Nicolle
2 whenever -- I only see her whenever we go to
3 the library.

4 Q So he indicated that he had seen her at the
5 library?

6 A Yes, ma'am.

7 Q And when you spoke with Nicolle on April 7th,
8 two days after SA [REDACTED] disappeared, what did she
9 tell you about SA [REDACTED]?

10 A Nicolle told me that she did see SA [REDACTED] on the
11 night of April 5th; told me that she went to
12 her apartment complex but that SA [REDACTED] was making
13 plans with Raysean, which was her boyfriend at
14 the time to spend the night with him and to
15 leave with him from the complex.

16 Q And is that noted in your report?

17 A Yes, ma'am.

18 Q Did you ask her specifically as to if she had
19 knowledge as to SA's [REDACTED] whereabouts?

20 A Yes, ma'am.

21 Q And what if anything did she tell you?

22 A She had no idea.

23 Q Other than that she had left that night without
24 SA [REDACTED]?

25 A Yes, ma'am.

1 Q And SA [REDACTED] was planning to see a boyfriend?

2 A Yes, ma'am and that she would call me if she
3 finds anything else out.

4 Q Now I want to move forward and ask you whether
5 or not you had an opportunity to speak with the
6 defendant's mother in this case?

7 A Yes, ma'am.

8 Q And what is the name of her mother?

9 THE COURT: Solicitor, while she is looking for
10 that, what did you say Chi's name was, last name was
11 and spell it for the court reporter, please.

12 MS. MAYES: Yes, Your Honor. Ajoku, A-J-O-K-U.

13 THE COURT REPORTER: Thank you.

14 THE COURT: When you locate that name, ma'am,
15 spell it for the court reporter as well.

16 THE WITNESS: For mom I have the name of
17 Jojana. She does not speak English.

18 DIRECT EXAMINATION

19 BY MS. MAYES:

20 Q Okay. Do you have a last name for Jojana?

21 A I do not have that written down. No, ma'am.

22 Q Okay. And your understanding is that this is
23 the mother of Nicolle Sanchez-Peralta?

24 A Yes, ma'am.

25 Q Where did you make contact with her?

- 1 A I went to her house.
- 2 Q And when you went to her house, what was your
3 understanding of her last contact with Nicolle?
- 4 A She told me that Nicolle had run away. They
5 live in West Columbia so she had run away from
6 West Columbia's jurisdiction on March 31st and
7 that she has not had any contact with her
8 since.
- 9 Q Okay. Did she seem to have any concerns that
10 Nicolle had been abducted?
- 11 A No, ma'am.
- 12 Q Or was being held against her will or anything
13 of that nature?
- 14 A No, ma'am.
- 15 Q Did she indicate whether or not Nicolle had run
16 away previously in the past as well?
- 17 A Yes, ma'am.
- 18 Q When you spoke with her mother, did she have
19 any further means for you to contact Nicolle or
20 reach Nicolle?
- 21 A No, ma'am.
- 22 Q And why were you looking for Nicolle?
- 23 A Because she was last seen with SA [REDACTED].
- 24 Q Were you making any progress whatsoever in
25 locating SA [REDACTED]?

1 A No, ma'am.

2 Q Now what about Treveon Nelson? When did you
3 learn that name and what action did you make to
4 potentially locate him?

5 A Nicolle's mom had told me about Treveon because
6 they were in a relationship and had been for
7 some time.

8 Q Let me stop you right there. Her mother
9 described it as a relationship?

10 A Yes, ma'am.

11 Q That she had knowledge of?

12 A Yes, ma'am.

13 Q And can you tell us whether or not her mother's
14 description was that this was a voluntary
15 relationship?

16 A Yes, ma'am.

17 Q And what action did you take upon learning the
18 name Treveon Nelson?

19 A From there I researched any information I
20 could, found that he lived at [REDACTED] [REDACTED] in
21 Cayce.

22 Q Okay. I want to move forward now and ask you
23 whether or not you had an opportunity to go to
24 that location, being [REDACTED] [REDACTED] Street.

25 A Yes, ma'am. So from learning that that was his

1 address, I went to that address. Appeared to
2 be empty. There was nobody home. And so went
3 around to talk to different neighbors, got one
4 to answer the door.

5 Q And let me stop you. What date was this
6 according to your report?

7 A (There was no response.)

8 Q Can I refer you to the time frame around
9 April 14th?

10 A Yes.

11 Q And I ask you whether you have any notations
12 regarding that date?

13 A Yes, ma'am, I do.

14 Q Does that appear to be consistent?

15 A Yes, ma'am.

16 Q Is that documented in your report?

17 A Yes, ma'am.

18 Q So looking now at that time frame of
19 April 14th, can you tell us what occurred when
20 you arrived at [REDACTED] Street, having been
21 the address of Treveon Nelson?

22 A Went around to different neighbors' houses.
23 Got one to answer the door and told me that she
24 knew that there was a shooting at that house
25 previously.

1 Q And you are referring to the shooting in the
2 early morning hours of April 5th?

3 A Yes, ma'am.

4 Q Prior to the stolen car?

5 A Yes, ma'am.

6 Q And prior to SA's [REDACTED] disappearance?

7 A Yes, ma'am.

8 Q And what did the neighbor indicate that she had
9 observed about that house since that shooting
10 the early morning hours of April 5th?

11 A So the neighbor told me that she had not seen
12 anybody at that house, any activity since the
13 shooting but that she did observe a Hispanic
14 female in the roadway picking up shell casings.

15 Q So again, that would be a Hispanic female in
16 the roadway picking up shell casings?

17 A Yes, ma'am.

18 Q Now ultimately did you also have any contact
19 with Treveon Nelson's mother, Ms. Goodman?

20 A Yes, ma'am.

21 Q And so you are familiar with Treveon Nelson?

22 A Yes, ma'am.

23 Q Is he an African American male?

24 A Yes, ma'am.

25 Q Is Ms. Goodman an African American female?

1 A Yes, ma'am.

2 Q Other than the defendant are you aware of any
3 other Hispanic females that would be at that
4 location?

5 A No, ma'am.

6 Q So what was reported regarding the house after
7 it had been shot and the Hispanic female had
8 picked up casings?

9 A That it appeared vacant and according to Ms.
10 Goodman they were in the process of finding a
11 new place to live.

12 Q Okay. Was there any indication that anyone had
13 been at that house to live, that people had
14 come and gone from that residence following
15 April 5th of 2021?

16 A No, ma'am.

17 Q Again, when you spoke with Chi and Nicolle on
18 the 7th the indication is that she had been at
19 a public library?

20 A Yes, ma'am.

21 Q And when people are runaways or homeless, can
22 you tell us whether or not a library would have
23 free wifi?

24 A Yes, ma'am.

25 Q As well as being open throughout the day--

1 A Yes, ma'am.

2 Q -- for the public?

3 A Yes, ma'am.

4 Q Now the stolen vehicle that we heard about
5 previously, what do your notes indicate about
6 when that vehicle was located off [REDACTED]
7 Road near Leesville?

8 A So the vehicle was reported stolen on April 5th
9 through West Columbia Police Department. And
10 it was reported as recovered with Lexington
11 County Sheriff's Department on the 16th with
12 the complainant stating that he had seen that
13 vehicle there for two days.

14 Q Okay. Now I want to move forward to your
15 contact with the mother of Treveon Nelson. I
16 believe you indicated that her name is Ms.
17 Goodman. Can you give us any more information
18 about her, a first name? And I'll refer you to
19 your report regarding the time frame of
20 April 18th.

21 A Yes, ma'am. I'm going to spell that. It is
22 K-E-N-S-H-U-N-D-R-A.

23 Q Now what date specifically does your report
24 indicate you spoke to with Ms. Goodman?

25 A I talked to her on April 18th.

- 1 Q At that point in time did she have any idea
2 where her son Treveon Nelson was?
- 3 A No, ma'am.
- 4 Q What did she say if anything about Nicolle?
- 5 A She said that she does not allow Nicolle at
6 their house.
- 7 Q And did she provide a date of birth for Treveon
8 Nelson?
- 9 A No, ma'am. I don't have that in front of me.
10 I'm sorry.
- 11 Q You are familiar with him as the 18-year-old
12 offender?
- 13 A Yes, ma'am.
- 14 Q Now I want to move forward to your missing
15 person investigation. You mentioned previously
16 **Sister** who was 13, having been present that
17 night. What action did you and the sheriff's
18 department take to obtain additional
19 information from **Sister**
- 20 A **████** allowed us to look at her phone. We spoke
21 to her and then we had her forensically
22 interviewed at the Metropolitan Children's
23 Advocacy Center.
- 24 Q Was that interview, the forensic interview done
25 for the purpose of obtaining information

1 relating to SA's disappearance?

2 A Yes, ma'am.

3 Q And can you tell us whether or not you were
4 able to learn if Nicolle was communicating with
5 family members of SA by social media?

6 A Yes, ma'am.

7 THE COURT: Solicitor, if you would spell Sister
8 for the court reporter.

9 MS. MAYES: Yes, Your Honor. S-A-D-E. And
10 Amenhotep, A-M-E-N-H-O-T-E-P.

11 THE COURT REPORTER: Thank you.

12 MS. MAYES: SA, SA.

13 THE COURT REPORTER: Thank you.

14 (Pause.)

15 DIRECT EXAMINATION

16 BY MS. MAYES:

17 Q I'm going to refer to you what is marked as
18 State's 18 and ask you whether or not you
19 recognize the information contained in these
20 accounts, one being Instagram account I am
21 Sister the next being Dabratt.

22 A Yes, ma'am.

23 Q And I know you indicated that you had access to
24 that information via Sister phone?

25 A Yes, ma'am.

1 Q Do you know whether or not Sister reached out to
2 Nicolle on Instagram?

3 A Yes, ma'am, she did.

4 MS. MAYES: And, Your Honor, pursuant to SC
5 code 19-5-520, the State previously provided notice
6 of evidence regarding these Instagram records. This
7 would be State's 18 for evidence.

8 MS. McGRADY: No objection.

9 THE COURT: State's 18.

10 (Whereupon, State's Exhibit No. 18 was marked
11 and received into evidence.)

12 DIRECT EXAMINATION

13 BY MS. MAYES:

14 Q When there was communication between Nicolle
15 and Sister did she ever indicate to Sister that
16 SA had been harmed in any way?

17 A No, ma'am.

18 Q The Instagram records being UTC time so we will
19 subtract 4 but on April 6th of 2021, within the
20 first 24 hours of SA's abduction and murder,
21 is there a message sent from Nicolle to Sister

22 A Yes, ma'am.

23 Q If you could, read for us that message.

24 A Nicolle is asking Sister She home yet, meaning
25 SA.

1 Q And Sister response?

2 A No.

3 Q And then Sister says?

4 A When did she leave from you?

5 She was wanting an answer. About two hours
6 later she had responded with question marks after
7 not hearing from Nicolle.

8 Q And subtracting four from 10:32 p.m. this would
9 be roughly 6:32 p.m.?

10 A Yes, ma'am.

11 Q So less than 24 hours from SA's murder?

12 A Yes, ma'am.

13 Q And Nicolle says what to Sister

14 A We smoked in the Arbors parking lot. Raysean
15 called her and she said she was fixing to go
16 with him.

17 Q Raysean being a reference to a boyfriend of
18 SA's?

19 A Yes, ma'am.

20 Q Sister says what?

21 A So where is she now?

22 Q Was there a response from Nicolle?

23 A Nicolle says, I don't know. I texted her but
24 she ain't hit me back yet. Should be with Old
25 Boy though.

1 Q Again, a reference to?

2 A Raysean.

3 Q **Sister** says?

4 A He said she never went with him nor spoke to
5 him at all.

6 Q Referring to Raysean?

7 A Yes, ma'am.

8 Q And **Sister** additional response?

9 A She was with you.

10 Q Does Nicolle respond to that? And again, what
11 date are we looking at now?

12 A On the 7th.

13 Q So this would be a follow-up response the next
14 day?

15 A Yes, ma'am. She was on the phone with ND.
16 After we got done smoking she said she was
17 fixing to go with him.

18 Q **Sister** says?

19 A No, she wasn't. They didn't speak yesterday.
20 Plus didn't y'all say y'all was leaving the
21 complex to do something and Tre was going to
22 bring her back?

23 Q Was there an indication as to whether or not
24 there was a video call?

25 A Yes. Two indications.

1 Q And do you also know if Sister mom and SA's
2 mom, Saleemah Graham-Fleming, also had contact
3 with Nicolle during this time at which point
4 she retrieved this phone number being Chi's
5 phone number?

6 A Yes, ma'am.

7 Q Was she consistently telling the family she had
8 no knowledge as to her whereabouts?

9 A Yes, ma'am.

10 Q From Sister

11 A says, My mom wants your number.

12 Q And one number was provided by Nicolle?

13 A -5123.

14 Q And Nicolle also says?

15 A My phone off though.

16 Q Okay. And is there a follow-up as to an
17 additional number?

18 A Yes. Sister says, Okay.

19 Nicolle asks for her mom's number and Sister
20 gives her mom's number to Nicolle, being
21 -3376.

22 Q All right. Now later that same day on
23 April 7th, what if anything does Nicolle say to
24 Sister

25 A Nicolle says, Did you hear anything from her.

1 [Sister] says, No.

2 Two days later Nicolle asks, Did you hear from
3 her. Is she home already.

4 [Sister] says, Not yet. [Sister] then says, Do you
5 know which apartment the 29 year old that SA was
6 talking to in our complex lives.

7 Q All right. So let me ask you about this. As a
8 missing person investigator, when you have a
9 teen or a 15 year old who completely vanishes
10 into thin air, and the person who was last
11 known to be with her also claims to have no
12 knowledge, what actions if any do you take to
13 look for other potential suspects in her
14 kidnapping?

15 A So we canvassed the apartment complex obviously
16 looking for cameras, talking to neighbors who
17 may have seen SA in the past or know where
18 she frequents within the complex. There was
19 word that, you know, that she had a friend, a
20 29 year old. So we were working on identifying
21 who that was.

22 Q All right. And regarding that potential
23 suspect, what does Nicolle respond regarding
24 him?

25 A Nicolle says, No, I don't know the man. She

1 told me of him but never really said his name
2 or where he lived at.

3 Q Now I want to move forward to April 17th and
4 the day prior to that, April 16th. What if
5 anything does Nicolle say to **Sister**

6 A On April 16th Nicolle says, Hey, have you guys
7 heard anything.

8 **Sister** says, We really need to talk about my
9 sister. We have talked to most of her friends but
10 for some reason we can't talk to you.

11 Q All right. Now you had indicated that a phone
12 number had been given to Ms. Graham-Fleming and
13 that Nicolle maintained that she had no
14 knowledge as to **SA's** whereabouts. Had you
15 been able to locate Nicolle between the date of
16 **SA's** disappearance on the 5th and these
17 messages on the 17th?

18 A No, ma'am. We were working closely with West
19 Columbia Police Department who had the active
20 missing person's report out on her to try to
21 locate her.

22 Q As a runaway?

23 A As a runaway, yes, ma'am.

24 Q And what is Nicolle's response to **Sister**

25 A Nicolle says, What do you mean. We can talk.

1 That's fine.

2 And **Sister** asks if they can meet up.

3 Q Was there an indication of a video call on
4 April 17th?

5 A Yes, ma'am.

6 Q Multiple communications there?

7 A Yes, ma'am.

8 Q April 17th, after the video calls.

9 A **Sister** asks Nicolle, What's the issue with
10 meeting up? I thought **SA** was your friend.
11 And a little over an hour later she sends
12 question marks after not hearing back.

13 The next day **Sister** says to Nicolle, It is weird
14 how you are watching my story but not responding.

15 Q And when you talk about my story, can you tell
16 us whether or not Instagram has a feature known
17 as stories?

18 A Yes, ma'am.

19 Q And are you aware as to whether or not **Sister** and
20 other family members had **SA's** missing status
21 in their stories?

22 A Yes, ma'am.

23 Q Seeking information about her disappearance?

24 A Yes, ma'am.

25 Q And Nicolle says?

1 A What the fuck man. Y'all weird.

2 Q Sister says?

3 A No, you weird. How it is supposed to be your
4 friend and you not even trying to help find
5 her. Not to mention you was the last person
6 that seen her. That's suspect if you ask me.

7 Q Okay. Is it your understanding that Nicolle
8 denied any information throughout the entire
9 investigation regarding the Amenhotep family?

10 A Yes, ma'am.

11 Q Let me get you to the 18th. What if anything
12 does Nicolle say to Sister on the 18th at
13 approximately 21:22 minus 4?

14 A Nicolle says to Sister I understand you miss
15 your sis but you can't take it out on me. I
16 miss her too, Sister me and that was close as
17 fuck. We did so much shit that you would have
18 even imagine. Whoever has her is going to pay
19 for this.

20 Q Whoever has her is going to pay for this?

21 A Yes.

22 MS. MAYES: Also pursuant to South Carolina
23 code 19-5 --

24 THE COURT: Wait just a minute, Solicitor. The
25 witness is saying something.

1 What did you say, ma'am?

2 THE WITNESS: I have Chi's last name here now I
3 can spell for you.

4 THE COURT: I think she already did but go
5 ahead.

6 THE WITNESS: Okay.

7 THE COURT: Didn't you already spell it?

8 MS. MAYES: Yes.

9 THE COURT: Okay. Thank you.
10 Go ahead, Solicitor.

11 MS. MAYES: Pursuant to SC code, Your Honor,
12 19-5-520 also Instagram records regarding SA [REDACTED]
13 [REDACTED], also pursuant to notice of evidence would
14 be admitted. This would be State's 19, Your Honor.

15 THE COURT: Hearing no objection, State's 19.
16 (Whereupon, State's Exhibit No. 19 was marked
17 and received into evidence.)

18 DIRECT EXAMINATION

19 BY MS. MAYES:

20 Q Are you also familiar as to whether or not
21 Nicolle communicated with the Instagram account
22 of SA [REDACTED]?

23 A Yes, ma'am.

24 Q And did that include communication sent to
25 SA [REDACTED] after SA's [REDACTED] murder?

- 1 A Yes, ma'am.
- 2 Q State's Exhibit 19, on the 6th, 14:14 minus 4
- 3 is going to be roughly 10 a.m. in the morning?
- 4 A Yes, ma'am.
- 5 Q What message does Nicolle's Instagram account
- 6 send to SA [REDACTED] ?
- 7 A Nicolle asks SA [REDACTED] on April 6th around
- 8 10:14 a.m., Yo what are you doing.
- 9 Q And based on the investigation you are aware
- 10 SA [REDACTED] had already been murdered at this point?
- 11 A Yes, ma'am.
- 12 Q What follow-up messages does she send?
- 13 A You fake. You left me to go with your
- 14 boyfriend last night.
- 15 Q And that is on what date?
- 16 A That is on April 6th. I have two minutes after
- 17 the first message.
- 18 Q And also on April 6th?
- 19 A Later that night Nicolle again asks SA [REDACTED], Yo
- 20 where you at.
- 21 Q All right. And the following day on the 7th?
- 22 A Nicolle asks SA [REDACTED] on April 7th, NaNa, where
- 23 you at.
- 24 Q Is NaNa one of the nicknames for SA [REDACTED] ?
- 25 A Yes, ma'am.

1 Q And then final message on the 7th?

2 A Shortly after that first message she said to

3 SA [REDACTED], Answer me.

4 Q Now how as an investigator into missing persons
5 does this type of activity affect your ability
6 to investigate the kidnapping?

7 A We look at it as two ways. It could possibly
8 be a cover up or she genuinely could be
9 wondering why SA [REDACTED] is not talking to her.

10 Q Okay. And at this point in time on the 7th
11 were you and other members of the Richland
12 County Sheriff's Department operating with the
13 knowledge that Nicolle did not know where SA [REDACTED]
14 was?

15 A Yes, ma'am.

16 Q And that SA [REDACTED] had not left with Nicolle?

17 A Yes, ma'am.

18 Q Or with Treveon Nelson?

19 A Yes, ma'am.

20 Q Or Jaylen Wilson?

21 A Yes, ma'am.

22 Q I want to move forward to April 22nd. You had
23 mentioned that Nicolle was already being
24 searched for by law enforcement and in NCIC as
25 a runaway. What action did you take to release

1 the name of her as a juvenile to the public?

2 A So I had reached out to an investigator with
3 West Columbia urging him to put Nicolle on the
4 media. At that point we knew that she was our
5 key to finding SA [REDACTED] and he told me that he
6 would have to speak to his captain since she
7 doesn't meet their certain criteria. And I
8 later got word that they would release her
9 given the circumstances.

10 Q All right. Now who is Preston Simpson with the
11 State Law Enforcement Division?

12 A Preston is he is I call him the tech guy. He
13 is who I went to for any Instagram, any cell
14 phone information that I needed.

15 Q Okay. The numbers that you had already told us
16 about, including SA's [REDACTED] number and that number
17 that you had for Chi, had you provided that
18 information to Preston?

19 A Yes, ma'am.

20 Q And these Instagram accounts, including
21 Nicolle's Instagram account, had you provided
22 that information to Preston?

23 A Yes, ma'am.

24 Q Was he able to use resources to determine
25 whether Nicolle was in communication with any

1 other persons via Instagram?

2 A Yes, ma'am.

3 Q What information did you learn on April 24th
4 regarding Nicolle's other Instagram contacts?

5 A Preston Simpson with SLED told me that Nicolle
6 had been in contact with, I'm going to spell
7 it, Lul_tre3 on--

8 Q Do --

9 A I'm sorry?

10 Q Do you understand that to be an Instagram
11 account of Treveon Nelson?

12 A Yes, ma'am.

13 Q Lul_tre3?

14 A Yes, ma'am.

15 Q And what is your understanding about whether
16 Nicolle and Treveon were having frequent or
17 infrequent contact by Instagram?

18 A Yes, ma'am. According to Preston they had been
19 in communication a good bit over the weekend.

20 Q Okay. So following that information, how if at
21 all did law enforcement become familiar with
22 the whereabouts of Nicolle on or about
23 April 25th?

24 A On the evening of April 25th, I received a call
25 from an investigator with Springdale who was

1 also aware of what had gone on and also knew
2 that we were looking for Treveon and Nicolle,
3 told me that Nicolle was on her way to the
4 hospital after claiming to be assaulted by
5 Treveon.

6 Q All right. And was this the first time you had
7 a good location for Nicolle Sanchez-Peralta?

8 A Yes, ma'am.

9 Q Despite this investigation over the last 20
10 days?

11 A Yes, ma'am.

12 Q What action did you take upon learning that
13 information?

14 A So right then I got I guess excited isn't the
15 best word, but I went to the hospital. I
16 couldn't see her of course but was told that
17 she would be released that night. Called
18 her -- we had a translator call Nicolle's mom
19 that next day to ask if Nicolle was home just
20 to confirm that she was. We were told that she
21 was. So we immediately went to her house that
22 next morning to talk to Nicolle.

23 Q Okay. And were you able to actually do a
24 formal interview on that date?

25 A No, ma'am.

1 Q On what date were you able to actually do a
2 formal interview?

3 A Nicolle had agreed to come in the following
4 day, which would have been April 27th.

5 Q April 27th?

6 A Yes, ma'am.

7 Q And again, your concern is locating SA [REDACTED] ?

8 A Yes, ma'am.

9 Q Can you tell us whether this interview was free
10 and voluntary based on your observations?

11 A It was. Yes, ma'am.

12 Q At this point in time was she a suspect?

13 A No, ma'am.

14 Q Did you believe she might have information as a
15 witness that could potentially lead you to
16 SA's [REDACTED] whereabouts?

17 A Yes, ma'am.

18 Q Or more information?

19 A Yes, ma'am.

20 Q Was she free to leave during the course of this
21 interview?

22 A Yes, ma'am.

23 Q Tell us who was present for this interview on
24 April 27th and where it was conducted.

25 A So initially it was myself and then Lieutenant

1 Lindler who was my supervisor at our office at
2 1931 Pine View Road, Columbia.

3 Q All right. And can you tell us whether she was
4 questioned specifically about SA's
5 whereabouts?

6 A Yes, ma'am.

7 Q What information did she give you?

8 A (There was no response.)

9 Q Do you have notes regarding that interview?

10 A I do. Yes, ma'am.

11 Q I'm going to ask you to refer directly to your
12 notes.

13 A Yes, ma'am.

14 Q Was she questioned point blank about SA's
15 whereabouts?

16 A Yes, ma'am.

17 Q Can you tell us whether or not she continued to
18 deny knowledge of SA's whereabouts?

19 A She did continue to deny knowledge. Yes,
20 ma'am.

21 Q What was the first story she told you during
22 the course of this interview?

23 A Nicolle told me that she, Tre and Smoove--

24 THE COURT: Spell that.

25 THE WITNESS: S-M-O-O-V-E.

DIRECT EXAMINATION

BY MS. MAYES:

Q And to clarify, when we talk about Smoove,
Smoove is the name for which individual?

A I'm sorry. I don't have that in front of me.

Q Okay. Are you familiar with Jaylen Wilson?

A Yes, ma'am. That's who it is.

Q She was referring to him as Smoove?

A Yes, ma'am.

Q So the first story is that she, Treveon and
Smoove did what?

A They drove to SA's apartment complex.

Q And what happened next?

A Her intention was to get a tampon so they went
there. Nicolle told me that whenever she got
there, SA was on the phone with an unknown
man that she believes that SA met at the
store, who also happens to live in the complex.
Nicolle said that she, Tre and Smoove all left
after SA told her that she was going to hang
with Raysean that night.

Q Okay. So first she tells you that SA had
been on the phone with an unknown male?

A Yes, ma'am.

Q And then later says she was going to hang out

1 with Raysean?

2 A Yes, ma'am.

3 Q How, if at all, does her story evolve after
4 this?

5 A So from there we then told her that we had a
6 map of cell phone pings showing Nicolle and
7 SA's cell phones kind of both going in the
8 same direction.

9 Q After--

10 A From the complex.

11 Q -- they leave the apartment complex?

12 A Yes, ma'am.

13 Q Indicating they were together?

14 A Yes, ma'am.

15 Q What if anything did she say in response to
16 that?

17 A Nicolle then said that she, Tre and Smoove were
18 in the car. SA got in and they -- SA was
19 under the impression that they were just going
20 to go hang out at Tre's house at [REDACTED].

21 Q Okay. So now she is putting SA in the car
22 with them?

23 A Yes, ma'am.

24 Q And says they went to what location?

25 A [REDACTED] Street in Cayce.

1 Q Is this the first time she has acknowledged
2 SA being in the vehicle?

3 A Yes, ma'am.

4 Q She indicates that they go to [REDACTED] [REDACTED]
5 Street?

6 A Yes, ma'am.

7 Q What else does she say?

8 A She says that they are just hanging out.
9 Nicole says that she ends up passing out,
10 waking up around midnight, which would have
11 been on the 6th; calling Tre after noticing
12 that she is the only one at the house around
13 12:30 a.m.

14 Q She indicates that she wakes up alone after
15 passing out?

16 A Yes, ma'am.

17 Q And all of the other individuals are gone?

18 A Yes, ma'am.

19 Q Including Tre?

20 A Yes, ma'am.

21 Q And Jaylen Wilson?

22 A Yes, ma'am.

23 Q And SA [REDACTED]?

24 A Yes.

25 Q And that she calls Tre?

1 A She called Tre about 12:30 in the morning. Tre
2 tells her that they are dropping SA off at
3 home and that he would be back.

4 Q Okay. She does not indicate being with them at
5 this point?

6 A No, ma'am.

7 Q All right. So she tells you that Tre says he
8 is taking SA home. . What else does she tell
9 you?

10 A Nicolle told me that she then woke up between 7
11 and 8 a.m. on the 6th to Tre in her room or in
12 the room that she was sleeping in changing
13 clothes.

14 Q Okay. So she reports that Tre comes home?

15 A Yes, ma'am.

16 Q And what does she say about his clothing when
17 he arrived?

18 A That he was changing.

19 Q And again indicating she had no knowledge of
20 SA's whereabouts?

21 A Yes, ma'am.

22 Q So that was a very detailed description that
23 she gave you?

24 A Yes, ma'am.

25 Q Does she later change that story?

1 A She does.

2 Q In the same interview?

3 A Yes, ma'am.

4 Q Can you tell us whether or not during the
5 course of the time she was there at the
6 Richland County Sheriff's Department if
7 Richland County investigators came?

8 A Yes, ma'am.

9 Q Regarding the homicide investigation?

10 A Yes, ma'am.

11 Q They were homicide investigators. Is this the
12 first time you were getting an indication that
13 SA [REDACTED] may not be alive?

14 A Yes, ma'am.

15 Q Can you tell us whether you directly confronted
16 Nicolle with the fact that SA's [REDACTED] phone
17 appears to go dead at 10:06 p.m. on the night
18 of the 5th?

19 A Yes, ma'am. And she said she doesn't know.
20 She doesn't know why.

21 Q Indicating no knowledge of that?

22 A Yes, ma'am.

23 Q When the homicide investigators arrived, can
24 you tell us whether or not this appears to
25 still be a free and voluntary interview?

1 A It is still free and voluntary. Yes, ma'am.

2 Q Was she in custody?

3 A No, ma'am.

4 Q Was she free to leave?

5 A Yes, ma'am.

6 Q Ultimately does she leave after this interview?

7 A She does. Yes, ma'am.

8 Q How does the story change now?

9 A Two homicide investigators, Carwell and
10 Eisenhower, then walk in with the evidence,
11 with the cell phone records showing that
12 SA's [REDACTED] phone goes dead in the area of 77 and
13 Jackson Blvd. with Nicolle's phone continuing
14 on the interstate. And at that point she
15 breaks down.

16 Q Okay. And up to this point she had always
17 indicated that she was a witness?

18 A Yes, ma'am.

19 Q And had no involvement whatsoever?

20 A Yes, ma'am.

21 Q At this point does she indicate knowledge that
22 SA [REDACTED] has been murdered?

23 A Yes, ma'am.

24 Q She's still indicating that she is only a
25 witness?

1 A Yes, ma'am.

2 Q Where does she indicate SA [REDACTED] was murdered?

3 A She stated that she could take us to the
4 incident, to the site, to the burial site.

5 Q Does she tell you what allegedly happened after
6 SA [REDACTED] was murdered?

7 A Yes, ma'am. Nicole tells us that she was
8 taken to a trailer after SA [REDACTED] was murdered.

9 Q And does she tell you who she alleges shot and
10 murdered SA [REDACTED]?

11 A She says that Tre and Smoove dropped her off
12 after killing SA [REDACTED].

13 Q All right. And she said she was dropped off
14 where?

15 A She was dropped off at a trailer at [REDACTED] [REDACTED]
16 Road.

17 Q And does she indicate whose trailer or camper
18 this was?

19 A Kilo lived there.

20 Q And based upon your knowledge of this
21 investigation is Kilo Allon Adams?

22 A Yes, ma'am.

23 Q And is she very detailed and specific in this
24 story?

25 A Yes, ma'am.

- 1 Q Does she state that she is dropped off at
2 Kilo's house? Where do Tre and Smoove go?
- 3 A They go back to where the murder took place.
- 4 Q So she indicates she is not with them?
- 5 A Yes, ma'am.
- 6 Q And does she acknowledge any role whatsoever in
7 burying SA [REDACTED]?
- 8 A No, ma'am.
- 9 Q Does she acknowledge any information whatsoever
10 as to the burial of SA [REDACTED]?
- 11 A No, ma'am.
- 12 Q Does she in fact indicate that she is being
13 held hostage at that location by Kilo when they
14 go to bury SA [REDACTED]?
- 15 A Yes, ma'am. She said that at Kilo's trailer,
16 Kilo was told by Tre and Smoove that she was to
17 stay there and not to let her use a phone.
- 18 Q All right. Would investigators later determine
19 that story is also completely false?
- 20 A Yes, ma'am.
- 21 Q And that she was in fact present the entire
22 time for the burial of SA [REDACTED]?
- 23 A Yes, ma'am.
- 24 Q And never held hostage by Kilo?
- 25 A No, ma'am.

1 Q I want to move forward now and ask you whether
2 or not you also had the opportunity the
3 following day to ride along with Lexington
4 County investigators as they worked with
5 Nicolle?

6 A Yes, ma'am. So the same day, on the 27th that
7 she came in to our office, she told us that she
8 would take us to where SA [REDACTED] was. So we rode
9 in the car together. She sat in the front
10 seat, took us to the 44 Truck Stop in Gilbert
11 and we coordinated with Lexington County
12 Sheriff's Department since this was within
13 their jurisdiction to go to the site.

14 Q Okay. And can you tell us whether or not that
15 involved coordination with Detective Kevin Baum
16 as well as Detective Pablo Carvajal?

17 A Yes, ma'am.

18 Q And at this point in time was her story
19 continuing to evolve?

20 A Yes, ma'am.

21 Q She is now acknowledging being present for all
22 of this?

23 A Yes, ma'am.

24 MS. MAYES: Beg the court's indulgence.

25 (Pause.)

DIRECT EXAMINATION

BY MS. MAYES:

Q Ultimately, the following day, on the 28th and into the early morning hours of April 29th, can you tell us whether or not SA's [REDACTED] body was found off [REDACTED] Road in Leesville?

A Yes, ma'am, it was.

Q Can you tell us whether on the 28th she did not actually take them to the body?

A On the 27th she did not take us to the body. She said that she didn't know where it was exactly but she did take us to the trailer off [REDACTED] and showed us where she was left.

Q So the initial story was that she couldn't remember or could not locate it?

A Yes, ma'am.

Q And then eventually she takes investigators directly to that location?

A The following day, yes, ma'am.

Q In a secluded, wooded area?

A Yes, ma'am.

MS. MAYES: Nothing further of Detective Nations, Your Honor.

CROSS-EXAMINATION

BY MS. McGRADY:

- 1 Q Good morning.
- 2 A Morning.
- 3 Q Has SA [REDACTED] been on runaway status before?
- 4 A Yes, ma'am.
- 5 Q Do you know how many times?
- 6 A I do not have the exact amount from Richland
- 7 County. No, ma'am.
- 8 Q Is it more than once?
- 9 A Yes, ma'am.
- 10 Q Did your agency take seriously SA [REDACTED] being
- 11 reported as missing by her mother initially?
- 12 A Yes, ma'am.
- 13 Q But you mentioned that SA [REDACTED] was not in NCIC.
- 14 When did you enter her into NCIC?
- 15 A I entered SA [REDACTED] in on the 6th after speaking to
- 16 her mom.
- 17 Q Okay. I want to shift gears and talk about
- 18 Instagram. Can other people log in to
- 19 anybody's Instagram account if they have the
- 20 user name and password?
- 21 A Yes, ma'am.
- 22 Q How did you identify Dabratt as Nicolle?
- 23 A Through Sister [REDACTED]
- 24 Q So you took Sister [REDACTED] word?
- 25 A Yes.

1 Q Are you able to detect who is logged into
2 Nicolle's Instagram account?

3 A We could look at location but specifically we
4 can't.

5 Q So there is no way to prove that Nicolle sent
6 the messages to **Sister** just that they were sent
7 from her account?

8 A Yes, ma'am.

9 Q So it could have been anybody using Nicolle's
10 phone or Nicolle's Instagram account?

11 A Yes, ma'am.

12 Q Do you know if it is common in domestic
13 violence situations for the aggressor to be
14 controlling and have his partner's social media
15 account information?

16 A Yes, ma'am.

17 MS. MAYES: Objection, Your Honor. That calls
18 for speculation.

19 THE COURT: Rephrase the question.

20 MS. McGRADY: I'll withdraw.

21 CROSS-EXAMINATION

22 BY MS. McGRADY:

23 Q When you interviewed Nicolle after the incident
24 on April 25th, what did she look like? What
25 did her face look like?

1 A You could tell she was in pain.

2 Q Did she have swelling?

3 A Yes, ma'am.

4 Q Did she have bruises?

5 A Yes.

6 Q Could you tell that she was on any medication?

7 A Not that I could tell. No, ma'am.

8 Q Did you investigate Raysean Jenkins?

9 A For?

10 Q The disappearance of SA [REDACTED].

11 A Yes, ma'am, we did.

12 Q How old is Raysean Jenkins?

13 MS. McGRADY: And Raysean is spelled

14 R-A-Y-S-E-A-N.

15 THE COURT REPORTER: Thank you.

16 (Pause.)

17 THE WITNESS: I do not have that in front of
18 me.

19 CROSS-EXAMINATION

20 BY MS. McGRADY:

21 Q Do you know if he is an adult?

22 A I believe he is a juvenile.

23 Q Would it surprise you if I told you he was 20
24 years old at the time of the investigation?

25 A Okay.

1 Q How old was SA ?

2 A Fifteen.

3 Q I realize it was out of your jurisdiction but
4 did you and your agency investigate the
5 shooting at Treveon's house as a potential
6 motive for SA's abduction and murder?

7 A We did not investigate that shooting.

8 Q Did you know about the death of SA or the
9 burial site prior to Nicolle's testimony?

10 A No, ma'am.

11 Q Did Nicolle ultimately lead law enforcement to
12 the body of SA ?

13 A Yes.

14 Q And how far was the body at Road from
15 where she led you to Allon's house on
16 Road?

17 A Within a mile.

18 MS. McGRADY: No further questions.

19 THE WITNESS: Thank you.

20 REDIRECT EXAMINATION

21 BY MS. MAYES:

22 Q Counsel was asking you how you are familiar
23 with that account of Nicolle. Again, pursuant
24 to the Instagram notice of evidence you are
25 familiar with that profile?

1 A Yes, ma'am.

2 Q Can you tell us whether or not that's
3 consistent with the defendant in this case,
4 Nicolle Sanchez-Peralta?

5 A Yes, ma'am.

6 MS. MAYES: State's 20 for evidence, Your
7 Honor.

8 MS. McGRADY: Your Honor, I'm going to object.
9 That's not my client in the picture. That's a
10 celebrity.

11 THE COURT: You can address that when you
12 recross her. That's overruled.

13 That's State's 20.

14 (Whereupon, State's Exhibit No. 20 was marked
15 and received into evidence.)

16 REDIRECT EXAMINATION

17 BY MS. MAYES:

18 Q This particular photograph of Nicolle or this
19 particular account attributed to Nicolle, does
20 it have a photograph of a female with a gun?

21 A Yes, ma'am.

22 Q And can you tell us whether or not that was her
23 Instagram profile throughout this
24 investigation?

25 A Yes, ma'am.

1 Q And still continues to be her profile picture
2 today?

3 A Yes, ma'am.

4 Q Now counsel was asking you about how you are
5 familiar with who is using the account. Let me
6 just ask you this. I'll show you what is
7 State's 21 also pursuant to the notice of
8 evidence. Was that account in communication
9 with Lul_Tre or Treveon Nelson throughout this
10 investigation?

11 A Yes, ma'am.

12 (Whereupon, State's Exhibit No. 21 was marked
13 and received into evidence.)

14 REDIRECT EXAMINATION

15 BY MS. MAYES:

16 Q So someone's actually using this account
17 attributed to Nicolle to communicate with
18 Treveon Nelson; is that accurate?

19 A Yes, ma'am.

20 Q And in addition to Treveon Nelson, do your
21 notes also indicate as to whether or not that
22 account was in communication with Kilo or Allon
23 Adams?

24 A Yes, ma'am.

25 Q And with Chi or Chi Ajoku?

1 A Yes, ma'am.

2 Q All via Instagram?

3 A Yes, ma'am.

4 Q Are the communication responses that you saw
5 where on April 6th there is a statement, You
6 went with your boyfriend last night. And of
7 course the similar statements already in
8 evidence made to **Sister** Is all of that
9 consistent with what she told you when you
10 spoke with her on April 7th?

11 A Yes, ma'am.

12 Q All the same story?

13 A Yes, ma'am.

14 Q That **SA** left with Raysean?

15 A Yes, ma'am.

16 MS. MAYES: Nothing further.

17 THE COURT: Ms. McGrady.

18 RECROSS-EXAMINATION

19 BY MS. McGRADY:

20 Q So you are indicating that the profile picture
21 for the account associated with Nicolle, the
22 profile picture did not change?

23 A No, ma'am.

24 Q And you believe that to be Nicolle?

25 A I don't know who it is. I just know that that

1 was her profile.

2 Q Okay. Would it be news to you if I told you
3 that that was a young lady called Molly Brazy
4 who was some kind of celebrity?

5 A Okay. I didn't know that.

6 Q And can more than one person be logged into an
7 Instagram account at a time?

8 A I'm not sure.

9 Q Okay.

10 MS. McGRADY: No further questions.

11 THE COURT: Spell Brazy for the court reporter.

12 MS. McGRADY: B-R-A-Z-Y, I believe.

13 THE COURT: You can step down, ma'am. Thank
14 you very much.

15 All right. Solicitor, do y'all want to take a
16 five-minute break?

17 MS. MAYES: We can do that, Your Honor.

18 MS. McGRADY: Please.

19 THE COURT: All right.

20 (Whereupon, a recess was taken.)

21 MS. MAYES: The State calls Preston Simpson.

22 THE COURT: All right. We are back on the
23 record.

24 Solicitor.

25 MS. MAYES: Yes, Your Honor.

1 THE COURT: Go ahead.

2 Tell us what your full name is, sir.

3 THE WITNESS: It is Joe Preston Simpson, III.

4 THE COURT: Joe Preston Simpson, III.

5 THE WITNESS: Yes, sir. But I go by Preston.

6 THE COURT: All right. Raise your right hand.

7 JOE PRESTON SIMPSON, III, after being duly

8 sworn, testified as follows:

9 THE COURT: All right. Just please speak up
10 clearly and loudly so everyone can hear you.

11 THE WITNESS: Yes, Your Honor.

12 THE COURT: All right.

13 DIRECT EXAMINATION

14 BY MS. MAYES:

15 Q Agent Simpson, I want to start by asking you a
16 little bit about yourself. Where are you
17 employed?

18 A I'm employed with the South Carolina Law
19 Enforcement Division.

20 Q All right. And what specific department are
21 you with there at SLED?

22 A I work in the Fusion Center.

23 Q Can you tell us what work the Fusion Center
24 does with cell tower tracing, location data and
25 mapping?

1 A So the unit that I'm with, we specifically look
2 at tower data to locate missing people, along
3 with fugitives from justice and look at a lot
4 of those records, analyze them and try to
5 determine the location of, you know, people's
6 last known location of their phone in order to
7 try to locate them.

8 Q All right. And prior to working with SLED,
9 what agency were you with?

10 A I was with the Lancaster County Sheriff's
11 Office.

12 Q And can you tell us what team you were with at
13 Lancaster?

14 A I was a part of our generalized investigations
15 unit. So I worked a lot of different types of
16 investigations.

17 Q Did that include homicide investigations?

18 A That did.

19 Q And can you tell us whether that also included
20 some use of cell tower data for tracing or
21 locating suspects?

22 A Yes, ma'am. In a limited capacity there we
23 would look at cell phone records to assist in a
24 lot of different types of investigations.

25 Q All right. Now I want to go to 2018 and ask

1 you whether or not you received training in
2 cell site analysis through a course conducted
3 by CAST known as the Cell Analysis Survey Team?

4 A Yes, ma'am.

5 Q Can you tell us whether or not you also
6 received training in 2017 regarding cell phone
7 investigations introduction?

8 A Yes, ma'am.

9 Q What other specific training do you have
10 regarding cell tower analysis related to
11 location data?

12 A I've also been through a couple of different.
13 We use PenLink software. I went through a
14 two-day course with them about how to use the
15 software and they kind of cover historical cell
16 record analysis and those. And the company
17 that we use now in mapping is known as
18 Gladiator Forensics. And they put on a course
19 for us, I don't remember the dates, but earlier
20 last year and they also cover cell phone
21 mapping.

22 Q All right. Now regarding phone extractions,
23 can you tell us whether or not in 2019 you were
24 certified by Cellebrite as a physical analysis?

25 A Yes, ma'am. That's correct.

1 Q And also in 2019 as a Cellebrite certified
2 operator?

3 A Yes, ma'am.

4 Q Can you tell us whether those phone extractions
5 also contain location data depending on the
6 type of extraction it may be?

7 A That's correct, depending on what information
8 may be extracted from the phone.

9 Q And then you mentioned your PenLink analysis
10 training. Can you tell us whether or not that
11 was in the year 2021?

12 A That sounds correct.

13 Q How frequently, if at all, there at the Fusion
14 division of State Law Enforcement Division do
15 you have the opportunity to actually conduct
16 cell tower mapping or analysis?

17 A Generally on a daily basis.

18 Q All right. How common is that for SLED when
19 tracing the locations or whereabouts of
20 potential suspects?

21 A Obviously, there is a lot of people that carry
22 cell phones with them, whether that be, like I
23 said, fugitive and/or missing people. So
24 trying to determine the location of, you know,
25 somebody's phone becomes vital to try to

1 determine the location of them.

2 Q Okay. And does that also include fugitives?

3 A Yes, ma'am.

4 Q Now in addition to analyzing cell tower data
5 pursuant to provider records, do you also have
6 experience in mapping that data?

7 A Yes, ma'am.

8 Q Were you able to obtain records of SA [REDACTED]
9 [REDACTED] in this case?

10 A I was.

11 Q As well as the defendant, Nicolle
12 Sanchez-Peralta?

13 A Yes, ma'am, I was.

14 Q As well as other potential suspects in this
15 case?

16 A That's correct.

17 Q As to SA [REDACTED] and Nicolle, were you able to
18 develop mapping?

19 A Yes, ma'am.

20 Q Was all of that in accordance with your
21 experience and training in this field?

22 A Yes, ma'am.

23 Q Was it also subject to peer review?

24 A It was.

25 MS. MAYES: At this time, Your Honor, the State

1 would offer Agent Preston Simpson as an expert in
2 the field of cell tower data analysis and mapping.

3 MS. McGRADY: No objection.

4 THE COURT: All right.

5 DIRECT EXAMINATION

6 BY MS. MAYES:

7 Q I want to start by showing you what is marked
8 as State's Exhibit 22 and ask you whether or
9 not you recognize this document?

10 A Yes, ma'am, I do.

11 Q And who prepared this document?

12 A I prepared this.

13 Q Okay. Does it reflect the information that you
14 learned regarding the whereabouts of Nicolle
15 Sanchez-Peralta on or about April 5th?

16 A Yes, ma'am, it does.

17 Q Through the date of her arrest on April 28th,
18 2021?

19 A It covers, I think, just through April 6th. I
20 think she was arrested a little later.

21 Q Okay. But there was multiple amount -- there
22 was multiple dates that you were asked to chart
23 or take a look at?

24 A Yes, ma'am. I think right around the time of
25 SA's [REDACTED] kind of last reported sighting.

1 Q Does this also contain that information
2 regarding SA [REDACTED]?

3 A Yes, ma'am.

4 MS. MAYES: State's 22 for evidence, Your
5 Honor, previously provided to the defense pursuant
6 to discovery.

7 MS. McGRADY: No objection.

8 THE COURT: State's 22.

9 (Whereupon, State's Exhibit No. 22 was marked
10 and received into evidence.)

11 DIRECT EXAMINATION

12 BY MS. MAYES:

13 Q I want to start by asking you about the phone
14 records themselves that were obtained through
15 the provider. How do you go about obtaining
16 this information from cell phone providers?

17 A So to obtain historical, I guess, location for
18 historical records, you have to provide the
19 company with a search warrant.

20 Q Okay. And in addition to the cell phones were
21 you also able to receive information regarding
22 social media accounts for SA [REDACTED]?

23 A I was provided with some accounts that I guess
24 she had thought to be or thought to use.

25 Q And did that include an account for the

1 defendant, Nicolle Sanchez-Peralta?

2 A That did.

3 Q Including the one under the name Dabratt?

4 A That sounds correct. Yes, ma'am.

5 MS. MAYES: Beg the court's indulgence.

6 (Pause.)

7 DIRECT EXAMINATION

8 BY MS. MAYES:

9 Q I am going to show you three documents. They
10 are marked as State's 15, State's 16 and
11 State's 17. I'll ask you to take a look at the
12 provider name as well as the phone numbers
13 associated and whether or not you are familiar
14 with each of those provider records as they
15 were given to you pursuant to search warrants.

16 A So the first one is SA's [REDACTED] phone records,
17 [REDACTED]-3886.

18 Q All right. I'll stop you right there for a
19 moment.

20 A Yes, ma'am.

21 Q All right. So one more time with SA's [REDACTED]
22 number.

23 A [REDACTED]-3886.

24 Q 3886. All right.

25 And there was a phone number associated with an

1 individual known as Chi also associated with
2 Nicolle. That is [REDACTED]-7614. Can you tell us
3 whether or not you were able to obtain records for
4 that number?

5 A I believe I did obtain records for that number.

6 Q And do you have those records before you?

7 A I do. Yes, ma'am.

8 Q Okay. And who was the provider for that
9 particular phone number?

10 A That was Verizon.

11 Q Okay. Now did you have any other cell phone
12 numbers associated with Nicolle
13 Sanchez-Peralta?

14 A Yes, ma'am.

15 Q And who was the provider?

16 A It was T-Mobile.

17 Q All right. And what is that number?

18 A [REDACTED]-5123.

19 Q [REDACTED]-5123?

20 A Yes, ma'am.

21 Q Regarding that particular cell phone, is it
22 your understanding that that is the personal
23 cell phone of Nicolle Sanchez-Peralta on
24 April 5th?

25 A That's what was indicated to me is that was the

1 number she was utilizing during that time
2 frame.

3 Q And believed to be the phone that would have
4 been on her person on that date?

5 A Yes, ma'am.

6 Q Were you able to track and map that phone in
7 connection to SA's [REDACTED] phone?

8 A Yes, ma'am, I was.

9 Q All right. So we are going to be focusing
10 specifically on Nicolle being [REDACTED]-5123 and
11 SA [REDACTED], [REDACTED]-3886. These documents here in
12 State's 22, you prepared them yourself?

13 A Yes, ma'am.

14 Q And what are we looking at here?

15 A So this is just kind of an overall overview of
16 what is indicated in a report. So obviously
17 the last time or I think that SA [REDACTED] had been
18 seen was April 5th. So that was kind of our
19 starting point and then the activity through
20 April 6th on this phone.

21 The two phone numbers are listed there for each
22 of the subjects in the investigation. I was
23 provided with the last known location of where SA [REDACTED]
24 had been seen and then ultimately her body was
25 recovered and that's the location of where it is.

1 So at the time those were two, I guess, significant
2 locations I had to analyze the records against.

3 Q Okay. So again, looking here at the last
4 sighting of SA [REDACTED] at [REDACTED] being her residence?

5 A Yes, ma'am.

6 Q And at this point you have already learned that
7 her body was recovered in Leesville?

8 A Yes, ma'am. That's correct.

9 Q Tell us what we are looking at here.

10 A This is just obviously when, you know, when we
11 assist agencies they provide us with a little
12 bit of background into the case. And this is
13 just, you know, a brief overview of ultimately
14 why we were involved in looking at historical
15 records in this case.

16 Q And the knowledge that Nicolle and SA [REDACTED] may
17 have been together when SA [REDACTED] disappeared?

18 A Correct. This is information that was
19 ultimately indicated to me regarding the
20 investigation.

21 Q All right. What are we looking at here, Agent
22 Simpson?

23 A So this is obviously as this progressively
24 zoomed in on some these locations but this is
25 kind of an overall map of the Columbia down to

1 the Batesburg-Leesville area. And then also
2 there is a legend up in the top left-hand side
3 there where it indicates significant locations
4 that were provided, you know, to me throughout
5 the investigation. They are ultimately color
6 coded.

7 Q Yellow is?

8 A That was ended up being the location of SA's
9 body.

10 Q Shown here on the map?

11 A Yes, ma'am.

12 Q All right. And the [REDACTED] Windsor Lake being
13 SA's [REDACTED] address in Richland County is located
14 where?

15 A It is up in the, I believe, the top right-hand
16 corner.

17 Q Do you want to show us which one?

18 A It should be right there.

19 Q Okay.. Decatur Street being the residence of
20 Treveon Nelson is located where?

21 A It is orange, right there.

22 Q Okay. And [REDACTED] Leaphart Road being the address
23 of Jaylen Wilson also known as Smoove is
24 located where?

25 A It's just to the upper left right there.

1 Q All right. I'm going to start with the night
2 of April the 5th at 9:45 when it was believed
3 that Nicolle was present at the area near the
4 park or swing of SA's [REDACTED] apartment complex.
5 Tell us what we are looking at.

6 A So as you mentioned, I think 9:45 was time
7 frame that was kind of given to me. I had, you
8 know, both phone numbers and what we are
9 looking at here is a specialized location
10 report that T-Mobile provides where they
11 ultimately give you an estimated distance of
12 their subscriber from a target. As you can see
13 here, well -- back up a little bit. So
14 illustrated in blue is SA's [REDACTED] phone records
15 and then illustrated in green is Nicolle
16 Sanchez's phone records.

17 Q Okay.

18 A As we went up there, I guess a few slides ago
19 that show you a sample of a three-sided tower
20 looks like which they are sectorized. So when
21 phone calls are ultimately made on the network
22 or in this case estimated distance from the
23 tower, you are ultimately provided with that
24 sector.

25 So if we are looking here, you can see the [REDACTED]

1 is basically a 0-degree azimuth or kind of due north
2 which is right along the line of where those two
3 sectors would come together. Both phones are
4 ultimately .39 miles. SA's [REDACTED] is in a 60-degree
5 azimuth whereas Sanchez is in a 300-degree azimuth.
6 But the, you know, the residence is roughly the same
7 distance from the tower as well and ultimately both
8 phones at this point are the same distance from the
9 tower.

10 Q All right. And they are both hitting the same
11 tower being 67078?

12 A That's correct. They were on the same tower
13 but they were on two different sides of that
14 sector.

15 Q Is this consistent with them being in close
16 proximity to one another at 9:45 p.m. on the
17 night of April 5th?

18 A With where that residence is, it is hard to say
19 which, you know, either side of that tower
20 could have basically serviced them or serviced,
21 you know, the sector. So it would be -- it
22 appears they are the same distance. So if they
23 are saying that they both were at or near this
24 residence, I would say that is a very real
25 possibility in this case.

1 Q Okay. And this being the residence?

2 A Correct.

3 Q Next I want to move to April 5th at 10:06 p.m.

4 A Okay.

5 Q What, if anything, significant is noted when
6 you analyzed the records at this time?

7 A So this is the last distance from tower that we
8 have of SA's [REDACTED] phone, which is at 10:06. And
9 so looking at that also I looked at where
10 Ms. Sanchez's phone was during that same time
11 frame. And as you can see they are both using
12 the same tower; they are both in the same
13 azimuth. One is estimated to be 2.28-miles but
14 the other one is estimated to be 2.23-miles
15 from that cell ID, the 58150.

16 Q And do they appear to be moving or at a
17 different location than they were previously
18 there at the [REDACTED] address?

19 A This is a different location. I believe this
20 is a little further south than the residence.
21 So it appears at this point they are utilizing
22 a new tower, which obviously, you know, your
23 tower's what your phone is looking for is the
24 place to get the best signal from and now they
25 are utilizing a different tower.

1 Q Is this hitting the same tower also consistent
2 with the two of them being in close proximity
3 or at the same location?

4 A So I mean, obviously they could be anywhere
5 along that ark. But, you know, if there is
6 other factors that supported in the case about
7 them being together in this time frame, I think
8 this further establishes that these devices are
9 the same distance from tower, therefore they
10 may be together.

11 Q Now you indicated that this is the last
12 activity on SA's phone. Is that 10:06 p.m.?

13 A Yes, ma'am.

14 Q If her phone has been cut off or otherwise
15 deactivated, including destroyed, can you tell
16 us whether or not it would hit voicemail at
17 every point thereafter?

18 A That's a likely conclusion I would think.

19 Q After SA's phone shows no activity
20 whatsoever, can you tell us whether there
21 appears to be continued activity including
22 location data for the phone of Nicolle
23 Sanchez-Peralta?

24 A Yes, ma'am. There is additional information
25 from her phone.

1 Q We are going to look now at 10:28 p.m. What if
2 anything did you observe regarding the location
3 of the phone at this point?

4 A So I'm not overly familiar with the Columbia,
5 Batesburg area but looking at this on a map the
6 South Congaree is further south of call it the
7 greater Columbia area. So it appears at this
8 point that, you know, what is that, 22 minutes
9 after the last transaction that I had mapped
10 there, the phone is utilizing a different tower
11 and it appears it is moving further south away
12 from the [REDACTED] Blvd.

13 Q All right. Is this now in Lexington County
14 regarding the area near exit 39 in Leesville?

15 A I'm not super familiar with this area but to be
16 honest with you, I think South Congaree is in
17 Lexington County. But I don't know how far
18 away we are from exit 39.

19 Q All right. Well, you would know that you are
20 looking at an area here that would be below
21 South Congaree?

22 A Yes, ma'am.

23 Q What happens next?

24 A So next is at 10:53 p.m. This is another
25 estimated distance which is 2.96 from cell ID

1 147214 on the T-Mobile network and it is a
2 300-degree azimuth. As you can see at this
3 point some of the other or previous significant
4 locations that we had discussed the phone
5 appears to be closer to those locations at this
6 point.

7 Q All right. So among those locations include
8 the location of SA's [REDACTED] body?

9 A That's correct.

10 Q As it was ultimately recovered?

11 A Yes, ma'am.

12 Q Near [REDACTED] Road.

13 A Correct.

14 Q As well as locations at [REDACTED] [REDACTED] Road and
15 other [REDACTED] Road locations?

16 A Yes, ma'am.

17 Q What can you tell us about the proximity of the
18 phone at 10:53 to the crime scene where SA's [REDACTED]
19 body was ultimately found?

20 A I mean, it is a little bit away from it at this
21 point. You know as mentioned, the ark is an
22 estimated distance along that sector of where
23 the phone is. I mean, clearly it is a closer
24 proximity than where it was previously during
25 the slide we showed with South Congaree. But

1 it does appear that the phone is in that exit
2 39 area along that ark.

3 Q Okay. All consistent with that area near [REDACTED]
4 Road?

5 A Yes, ma'am.

6 Q Now we are looking at 11:15?

7 A That's correct.

8 Q And specifically in regard to the yellow marker
9 being the location of SA's [REDACTED] body, the crime
10 scene, what can you tell us about this device
11 attributed to Nicolle Sanchez-Peralta?

12 A Well, at this point the phone is roughly the
13 same distance from towers where the location of
14 the body is, which obviously gives some weight
15 to the fact that she could have been present at
16 the crime scene or at the location of the body.

17 Q Now we are going to move from 11:15 to 11:49
18 and 11:50. Again regarding this device?

19 A Yes, ma'am.

20 Q And the location of the crime scene, what if
21 anything can you tell us about her proximity?

22 A So these two towers, they are basically two
23 transactions, one at 11:49 and one at 11:50.
24 So they are in, I guess, close time frame to
25 one another. And we have seen if you have a

1 known location and you see where the distance
2 from tower ultimately overlap, a lot of times
3 where that overlap is, is where the phone
4 ultimately be pretty close to. You know if you
5 have a DMV address of somebody and you kind of
6 saw this, you would feel comfortable that the
7 phone was ultimately out there.

8 Obviously here we have another known location
9 and where those two distance from towers ultimately
10 intersect, one being 180-degrees from the 7320, well
11 it's 2.77-miles from cell ID 7320 and the other one
12 being 1.777-miles from cell ID 147214 and 300-degree
13 azimuth, you have the location of the body right
14 near where that intersection occurs.

15 Q Okay. And so at 11:49 and 11:50 can you tell
16 us whether or not that is consistent with that
17 device being at the crime scene?

18 A That is correct.

19 Q Now were you also requested to review data
20 analysis from the following day, including the
21 early morning hours after midnight?

22 A Yes, ma'am, I was.

23 Q We are going to move forward about one hour.
24 We are now at 12:55 a.m., the early morning
25 hours of April 6th. What can you tell us about

1 the location of the phone at this time?

2 A There was I guess some significant
3 communication that had occurred. So I was
4 asked to look around 12:55 a.m. to the
5 estimated distance of where Ms. Sanchez's phone
6 may be. And I was also provided with that [REDACTED]
7 [REDACTED] Road as a significant location of
8 somebody involved in the case and how that
9 correlated to where she was or where that phone
10 was at the time that communication had
11 occurred.

12 Q Okay. I want to ask you a little bit more
13 about that.

14 A Okay.

15 Q [REDACTED] [REDACTED] Road, are you familiar with someone
16 indicated by the defendants in this case to be
17 known as Gotto?

18 A Yes, ma'am. I heard that name several times.

19 Q Gotto, also known as David Gaskins?

20 A Yeah.

21 Q Okay. And are you familiar with whether or not
22 there was a report of retrieving shovels from
23 this location?

24 A Yes, ma'am. I think that's why we had looked
25 at 12:55 a.m. because there was a communication

1 recovered from something about asking about
2 shovels.

3 Q Okay. So at 12:55 a.m., this particular
4 residence, being that of Gotto, a/k/a David
5 Gaskins at [REDACTED] Road, what can you tell us
6 about the proximity of that phone to that
7 location?

8 A So it is estimated that the -- her phone is
9 estimated 1.65-miles in a 60-degree azimuth
10 from that tower. As you can see here, the
11 residence is relatively consistent. I didn't
12 measure how far the actual residence is from
13 that tower but at the same time, it is, you
14 know, relatively close.

15 Q Closer to that location than the original crime
16 scene?

17 A Yeah.. That's correct. We are actually on a
18 different side of the tower at this point.

19 Q Okay. Now I'm going to move forward about 40
20 minutes to 1:35 a.m., after leaving that
21 residence where it was indicated that shovels
22 were retrieved. 1:36 a.m. and 1:35 a.m. in the
23 early morning hours of April 6th, what can you
24 tell us again about the proximity of that
25 device to the crime scene including SA's [REDACTED]

1 body?

2 A So here again is I think it was 2 or 3 slides
3 ago, you have in a very short duration two
4 distances from tower transactions on
5 Ms. Sanchez's phone, one being the 2.77-miles
6 and the other being 1.7-miles. And very near
7 where those I mean obviously there's two
8 overlaps there but one of them is consistent
9 with where the location of her body would be.

10 Q Can you tell us whether or not this is
11 indicative that they have -- that this phone
12 has left the [REDACTED] Road and returned to the
13 crime scene?

14 A It appears that that is the case. They are no
15 longer utilizing the side of the tower of where
16 that [REDACTED] Road is, utilizing the other side
17 along with that additional tower.

18 Q All right. Now is it your understanding that
19 all of this occurs within the jurisdiction of
20 Lexington County?

21 A Yes, ma'am.

22 Q Were there any indications that there is travel
23 after this point in time, including travel
24 potentially along an interstate?

25 A I mean, that would be the I think the most

1 reasonable way to get back to Columbia from
2 that area would be I-20.

3 Q I'm going to take a look here at this device at
4 2:25 a.m. and ask you where we see the phone.

5 A So it is an estimated .78-miles in a 60-degree
6 azimuth from cell ID 73272. As you can see
7 where that cell tower is located is, you know,
8 right near I-20 and between I guess the
9 Batesburg-Leesville area and Oak Grove I see
10 something on the map there. So it doesn't
11 appear this is, you know, any longer in the
12 Batesburg-Leesville area or right off that exit
13 39.

14 Q Okay. Does the phone appear to be moving?

15 A So this is 2:37 so it is several minutes later.
16 I was provided with that [REDACTED] Road
17 which I believe is the residence of Jaylen
18 Wilson. And anyway, this is a transaction of
19 2:37. The house is on a different side of the
20 tower during this time frame but it does put
21 the device similarly in the area of his
22 residence.

23 Q Okay. So looking here at the purple, it
24 appears purple to me, but the purple marker
25 being [REDACTED], the residence of Jaylen

1 Wilson?

2 A Yes, ma'am.

3 Q Is this consistent with it being within that
4 area?

5 A You know, it is roughly the same distance.
6 Obviously it is not on the same tower or the
7 sector that is facing it but I think it does
8 put the phone in the near vicinity of the house
9 at that point.

10 Q All right. And then down here in orange would
11 be the [REDACTED] the residence of Treveon
12 Nelson?

13 A That's correct.

14 Q Do we see the phone move in that direction as
15 well?

16 A Yes, ma'am. There is a consistent distance
17 from tower or his residence.

18 Q So we are going to take a look now at
19 2:57 a.m., the early morning hours of
20 April 6th. What if any indication is there
21 that the device now arrives at that residence
22 of Treveon Nelson?

23 A So as you mention there at 2:57 a.m. it is
24 2.39-miles from that tower that is right near
25 the [REDACTED] Street. And additionally, and

1 I think I kind of narrowed that phone it kind
2 of changes distance from .39 to .34 miles from
3 that tower up until about 9:13 that following
4 morning, which tells me it looks like the phone
5 spent a I don't know if you significant but a
6 long amount of time from 3 a.m. to 6 a.m. that
7 following morning.

8 Q Okay. Appears to stay there over night?

9 A Yes, ma'am.

10 Q You mention that the phone appears to be moving
11 around again the following day?

12 A Yeah. There eventually is some activity that
13 appears to take the phone away from the [REDACTED]
14 [REDACTED].

15 Q All right. Where do we see the phone at
16 10:50 a.m. that next day on April 6th?

17 A So these are additionally two kind of close by
18 so 10:50, 10:51 two distance from towers and
19 they are two separate azimuths and separate
20 distances from tower. And as I mentioned
21 earlier, where they overlap there is kind of a
22 likelihood of where that phone may be. And it
23 looks like it is closer to the Springdale area
24 at that point or I guess downtown Springdale.
25 And so the phone doesn't appear to be

1 consistent with being at a residence of that
2 [REDACTED] Street during that time.

3 MS. MAYES: Beg the court's indulgence.

4 (Pause.)

5 DIRECT EXAMINATION

6 BY MS. MAYES:

7 Q I show you State's 23 and ask you whether or
8 not you recognize it?

9 A Yes, ma'am.

10 Q Does that appear to be consistent with the
11 location you just described?

12 A On this one?

13 Q Yes.

14 A No, ma'am.

15 Q What is depicted in State's 23?

16 A This looks like it is back down in the kind of
17 the Batesburg-Leesville area. If I'm not
18 mistaken, that's 178.

19 Q Okay.

20 MS. MAYES: Begging the court's indulgence.

21 (Pause.)

22 DIRECT EXAMINATION

23 BY MS. MAYES:

24 Q Were you able to account for any additional
25 information regarding the phone of SA [REDACTED]

1 [REDACTED] after this night?

2 A That I'm aware of I think that was the last
3 known estimated location of her phone by
4 T-Mobile.

5 Q And that was at Fort Jackson Blvd.?

6 A That sounds consistent. I think it was just --
7 yeah. I guess right near the Heathwood I-77
8 south area.

9 Q We'll take a look at this.

10 A Yes, ma'am. I see the Fort Jackson visitor
11 center. It is pretty close by that tower.

12 Q Still in Richland County?

13 A I believe so. Yes, ma'am.

14 Q At 10:06 p.m.

15 MS. MAYES: Nothing further, Your Honor.

16 THE COURT: All right.

17 MS. McGRADY: Beg the court's indulgence.

18 (Off-the-record discussion was had, after which
19 the following proceedings were held.)

20 (Pause.)

21 CROSS-EXAMINATION

22 BY MS. McGRADY:

23 Q Good afternoon.

24 A Good afternoon.

25 Q Is cell phone mapping an imperfect science?

1 A It can be. Yes, ma'am.

2 Q I heard you say appears, and things like that.

3 Does that make all of this an estimation?

4 A I mean, from I always you know with historical.

5 mapping you are trying to do the best you can

6 to approximate the location of that phone

7 depending on what tower is being used at a

8 given time.

9 Q So it is an approximation?

10 A Yes, ma'am. As you can see those are the

11 sectors that are used are it is 120-degrees and

12 then we are looking at basically the distance

13 of that that phone may be along that 100 or

14 120-degree bandwidth.

15 Q Could a phone not physically move but change

16 towers?

17 A That is possible and I think that's what is

18 somewhat illustrated here is what appears

19 happened.

20 Q So we can't be absolutely certain of any

21 location?

22 A Yeah. Without being there, no, ma'am.

23 Q And where the cell phone is doesn't necessarily

24 mean that's where the person is?

25 A That's correct. Not on the phone or at any

1 given time.

2 Q Do you have any maps showing where Treveon
3 Nelson or Jaylen Wilson's phones are at during
4 these times?

5 A I do not.

6 MS. McGRADY: No further questions.

7 REDIRECT EXAMINATION

8 BY MS. MAYES:

9 Q Again, for purposes of this hearing you're
10 mapping SA [REDACTED] and Nicolle?

11 A That's correct.

12 Q And are you familiar as to whether or not
13 records were obtained on the additional
14 defendants in this case?

15 A I'm not 100 percent sure. I know there was
16 some additional phone numbers for them.

17 Q Okay. And all of these phone records you used
18 in this analysis?

19 A Yes, ma'am. This one is just the phone numbers
20 for Nicolle and SA [REDACTED].

21 Q Okay.

22 MS. MAYES: And Your Honor, pursuant to the
23 notice of evidence again 15, 16 and 17 are in
24 evidence.

25 THE COURT: All right.

1 (Whereupon, State's Exhibit Nos. 15, 16, 17
2 were marked and received into evidence.)

3 MS. MAYES: Nothing else.

4 THE COURT: Anything else?

5 MS. McGRADY: No, Your Honor.

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

7 MS. MAYES: The State calls Sister [REDACTED].

8 THE COURT: Solicitor, just for scheduling
9 purposes, is this going to be a lengthy witness or
10 are we going to have to break?

11 MS. MAYES: I think this is will be the last
12 witness before lunch.

13 THE COURT: I understand that but it is 12:15.
14 I mean, we can go as long as you like but I would
15 prefer not to cut her off and then resume.

16 MS. MAYES: I think that we can definitely do
17 it within that time period.

18 THE COURT: All right.

19 (Pause.)

20 THE COURT: Come up and have a seat if you
21 would, please, ma'am. All right. Would you tell us
22 your full name, please?

23 THE WITNESS: Sister [REDACTED].

24 THE COURT: Would you raise your right hand,
25 please, ma'am?

1 Sister [REDACTED], after being duly sworn,
2 testified as follows:

3 THE COURT: All right. If you would just,
4 please, speak into the microphone clearly and loudly
5 so everybody can hear you, okay?

6 THE WITNESS: Okay.

7 DIRECT EXAMINATION

8 BY MS. MAYES:

9 Q What I'm going to do, Sister, is I'm going to
10 move up a little bit closer to you like this.
11 Okay. And the only person who needs to hear
12 your testimony today is the judge and he is
13 seated right there beside you on your left,
14 okay?

15 A (Nods head.)

16 Q How old are you today?

17 A Fourteen.

18 Q Okay. All right. How did you know SA [REDACTED] ?

19 A That was my sister.

20 Q Okay. How did you know Nicolle?

21 A That was somebody to my sister.

22 Q Okay. Had you met Nicolle before that night?

23 A Yes.

24 MR. MADSEN: Judge, I don't think the
25 interpreters can hear. She is kind of whispering

1 and that's making it tough for them.

2 THE COURT: Well, just speak up if you could,
3 okay, ma'am, as best you can.

4 MR. MADSEN: The solicitor.

5 MS. MAYES: I'll speak louder.

6 DIRECT EXAMINATION

7 BY MS. MAYES:

8 Q Had you met Nicolle before the night of
9 April 5th?

10 A Yes.

11 Q About how many times had you met Nicolle
12 before?

13 A A lot.

14 Q Okay. Had she been to events with your family?

15 A Not really events, no, not really.

16 Q Okay. Had she met your mom?

17 A Yes.

18 Q And had she met your little sister Layla?

19 A Yes.

20 Q Did SA [REDACTED] trust Nicolle?

21 A I think so. Not -- to a certain extent.

22 Q Okay. Sister, on the night of April 5th, did
23 your sister get a call?

24 A Yes.

25 Q Were you there for that?

1 A Yes.

2 Q You witnessed that yourself?

3 A Yes.

4 Q So a lot of times with grownups we are used to
5 calling people and we just call on the phone
6 and we talk and we hear voices. What kind of
7 calls did SA [REDACTED] usually make?

8 A FaceTime.

9 Q Okay.

10 A But Nicolle called. Nicolle called her on
11 Instagram.

12 Q Okay. And when you say that she called her
13 that way, could you hear her on the other end
14 of the phone?

15 A Yes.

16 Q And who was she talking to?

17 A She was talking to SA [REDACTED].

18 Q Okay. What did she say to your sister?

19 A She was basically asking for tampons and like
20 begging her to come with her.

21 Q Okay. Now I know you said you had met Nicolle
22 before?

23 A Yes.

24 Q She had met your mom before?

25 A Yes.

1. Q Were you able to recognize her voice?
- 2 A Yes.
- 3 Q And she's begging SA [REDACTED] for tampons?
- 4 A She wasn't begging for the tampons. She was
- 5 trying to convince her to come with her.
- 6 Q Okay. Begging her to come with her?
- 7 A Uh-huh.
- 8 Q And where did SA [REDACTED] go?
- 9 A So as we was walking back from the store, she,
- 10 Nicolle, called SA [REDACTED] and then we walked in the
- 11 house, she grabbed the tampons, we came back
- 12 down. And when we came back down, Nicolle was
- 13 already sitting on the swing where we were
- 14 headed to anyways.
- 15 Q Okay. And how close is that swing to the
- 16 apartment that your family lived in?
- 17 A You could see it from the apartment.
- 18 Q Okay. And was anyone with Nicolle when she was
- 19 on the swing?
- 20 A No. She was by herself but she said they was
- 21 in the car.
- 22 Q Okay. Who did she say was in the car?
- 23 A Smoove and Tre.
- 24 Q Okay. And so the names she used were Smoove
- 25 and Tre?

- 1 A Yes.
- 2 Q Could you see the car from where you were?
- 3 A No.
- 4 Q What did you hear Nicolle saying to SA [REDACTED] ?
- 5 A She was basically like, oh, can you please come
6 with me because they are being weird to me and
7 I'm the only girl. Like, just basically --
- 8 Q Okay. How insistence was she? Can you
9 describe how she acted toward SA [REDACTED] in trying
10 to get her in the car?
- 11 A She kept asking.
- 12 Q Did Nicolle appear to you to be afraid or
13 scared?
- 14 A No. But she was acting suspicious.
- 15 Q Okay. If Nicolle was afraid or scared or
16 anything like that, could she have gone up to
17 talk to your mom?
- 18 A Yes.
- 19 Q And she knew your mom?
- 20 A Yes.
- 21 Q And instead, what was her focus regarding
22 SA [REDACTED] ?
- 23 A To get her in the car.
- 24 Q Do you ever see your sister again?
- 25 A No.

- 1 Q Do you remember what shoes she had on?
- 2 A I think she had on her pink Crocks.
- 3 Q Did she have anything around her?
- 4 A I think she had that blanket.
- 5 Q Was that a blanket that belonged to you and
- 6 your family?
- 7 A Yes.
- 8 Q After that night did you talk to Nicolle?
- 9 A Yes.
- 10 Q Did you send her messages on Instagram?
- 11 A Yes. The very next day I called her and she
- 12 told me a made-up story.
- 13 Q Okay. And did you want to believe the made-up
- 14 story?
- 15 A I wanted to. I didn't believe it from the
- 16 beginning but I pretended that I did.
- 17 Q Okay. And do you know if she also spoke with
- 18 your mom?
- 19 A I think she did. She did.
- 20 Q And throughout all of your communications with
- 21 her, Sister, both on the phone and on Instagram,
- 22 did she tell you the made-up story?
- 23 A Yes. She kept telling me that made-up story.
- 24 Q I'm going to show you something and ask you
- 25 whether or not you recognize it. It will be

1 State's 24.

2 Did you come in on a plane to get here?

3 A Yes.

4 Q When did your plane arrive?

5 A Like 2:00.

6 Q Was that yesterday?

7 A Yes.

8 Q Did you have a chance to listen to this
9 recording?

10 A Yes.

11 Q Did you recognize the voices you heard on the
12 recording?

13 A Yes.

14 Q Whose voice was that?

15 A That was my voice and Nicolle's voice. And my
16 father was in the background.

17 Q Okay. So I want to ask you a little bit more
18 about that. Do you recognize all the voices
19 you heard on here?

20 A Yes.

21 Q Did that appear to be a fair and accurate
22 recording of your conversation with Nicolle?

23 A Yes.

24 Q When you were looking for SA [REDACTED]?

25 A Yes.

1 MS. MAYES: This would be State's 24 as
2 evidence, Your Honor, previously provided as
3 discovery.

4 (There was no response.)

5 THE COURT: Hearing no objection, State's 24.

6 MS. McGRADY: Your Honor, we are going to
7 object. We don't believe that was provided to us in
8 discovery.

9 MS. MAYES: We will take a break, Your Honor.
10 We can pull our discovery records.

11 (Whereupon, a recess was taken.)

12 MS. MAYES: She is pulling records, Your Honor,
13 I believe since per her request we have had to pull
14 discovery records today.

15 (Whereupon, a recess was taken.)

16 MS. MAYES: We have located the original
17 recording, Your Honor. We are going to check on
18 that discovery record. We leave it up to Your Honor
19 whether you want to take a lunch break at this time
20 or resume. I think we should be able to find that
21 within the next five minutes.

22 THE COURT: After you find it, how long are you
23 going to need to further examine this witness?

24 MS. MAYES: Just publishing the CD, Your Honor.

25 THE COURT: You can find it in five minutes?

1 MS. MAYES: (Nods head.)

2 THE COURT: Any objection to taking a
3 five-minute break?

4 MS. McGRADY: No objection.

5 THE COURT: All right. Everybody take five
6 minutes and respectfully I request everybody be back
7 in here timely because every minute's precious in
8 this county and hearing, okay?

9 MR. HUBBARD: Thank you.

10 THE COURT: Ma'am, if you want to step down,
11 you can. If you want to stay right there, whatever
12 you prefer.

13 THE WITNESS: Okay.

14 (Whereupon, a recess was taken.)

15 MS. MAYES: We are ready to resume, Your Honor,
16 if the witness may return. We have an e-mail that
17 was sent to the evaluator in this case, Dr. Dawn, on
18 November 10th, 2021 at 7:22 a.m. Copied on this
19 e-mail is Ms. McGrady. It contains the video file
20 of this recording and it is noted that this is the
21 video-audio recording between the defendant and Sister
22 [REDACTED]. According to the victim's mother the
23 communication was recorded on Saturday. We believe
24 that to be Saturday, April 17th. So this was sent.

25 I will say, Your Honor, for the record that

1 this is the third time we have been requested to
2 pull discovery that has already been provided. We
3 received an e-mail over the weekend when a paralegal
4 was at her graduation ceremonies also requesting to
5 pull phone records that had been previously
6 provided. So if there are any other questions about
7 discovery, we just ask that we get those written
8 notifications now so that we can prevent this from
9 reoccurring.

10 State requests permission to publish, Your
11 Honor.

12 MS. McGRADY: Can I ask was it only sent
13 Dr. Dawn and I was CCed or was it sent directly to
14 my office?

15 MS. MAYES: You were CCed on the e-mail which
16 contains the video-audio file and that is the same
17 method in which the doctor received it.

18 THE COURT: Well, let her look at the
19 correspondence.

20 MS. McGRADY: But it was never sent directly to
21 my office?

22 MS. MAYES: Our understanding is that it was
23 one minute later on November 10th at 7:22 a.m, this
24 time again sent to Ms. McGrady, Attached please find
25 a video audio.

1 (Pause.)

2 MS. MAYES: We can make this part of the
3 court's record if we need to.

4 MS. McGRADY: We still maintain our objection,
5 Your Honor, that it was not received by our office
6 directly.

7 THE COURT: Let me see it.

8 MS. McGRADY: But we understand if Your Honor
9 feels the need to put it into the record.

10 THE COURT: Thank you.

11 MS. MAYES: I will say, Your Honor, that e-mail
12 has always been an acceptable form of us delivering
13 discovery to the defense in this case. It is
14 certainly more efficient than hand delivering items
15 and we don't risk them getting lost, as often
16 happens with CDs or hard copies. We know by the
17 e-mail that there is always going to be a record.
18 It is also easily accessible where the recipient can
19 listen to it right then on any type of mobile or
20 laptop device. And it is routinely used in most of
21 our cases.

22 THE COURT: It looks like it was sent. The
23 objection is noted but overruled.

24 Go ahead. State's 24.

25 (Whereupon, State's Exhibit No. 24 was marked

1 and received into evidence.)

2 DIRECT EXAMINATION

3 BY MS. MAYES:

4 Q Now you mentioned, Sister, that your dad was with
5 you. What had you and your dad been doing
6 since the morning after SA [REDACTED] disappeared up
7 through the recording?

8 A We were passing out flyers and looking for her
9 around the state.

10 Q Okay. And the flyers you are talking about are
11 like the flyers we see there in State's number
12 11?

13 A Yes.

14 Q And did you have your own flyers as well with
15 SA's [REDACTED] picture?

16 A Yes.

17 Q And in addition to going around talking to
18 people, were you also putting things on social
19 media?

20 A Yes.

21 Q And on this particular recording, we can hear a
22 male voice. Who is the male voice that we
23 hear?

24 A That's my father.

25 Q Okay. Was he -- where were y'all at when you

1 recorded this?

2 A We were in the car.

3 Q And was he with you?

4 A Yes.

5 Q And just one moment.

6 (Pause.)

7 DIRECT EXAMINATION

8 BY MS. MAYES:

9 Q I'm going to show you something real quick.

10 Okay. Looking here at State's 18 already in
11 evidence, whose account is the Sister [REDACTED]

12 A That's my account.

13 Q On Instagram. And whose account did you know
14 or understand Dabratt to be?

15 A That's Nicolle.

16 Q Okay. What are we looking at here on
17 April 17th? What's going on here?

18 A That's the video calls.

19 Q Okay. And video calls is a way you can
20 actually talk to somebody on Instagram and
21 communicate?

22 A Yes.

23 Q And can you tell us whether or not you believe
24 it is that time period of April 17th that you
25 are recording this or talking to her on

1 Instagram?

2 A Well, I did call her a lot of times so I don't
3 really know if that's the exact --

4 Q Okay.

5 A -- call.

6 Q But you recognize the voices?

7 A Yeah.

8 Q And you remember the call.

9 (Exhibit is played.)

10 DIRECT EXAMINATION

11 BY MS. MAYES:

12 Q Is that your dad?

13 A Yes.

14 (Exhibit is played.)

15 DIRECT EXAMINATION

16 BY MS. MAYES:

17 Q All right. Sister, did Nicolle ever come to meet
18 with you or your family to help look for SA [REDACTED]?

19 A No.

20 Q Did she ever provide any truthful information
21 to you about SA [REDACTED]?

22 A No.

23 Q In that recording you are talking about Tre.

24 And you ask her if she has ever seen Tre since
25 that night that you guys were all outside at

1 the swing. What did she say about that?

2 A She said no.

3 Q When you were talking with her on the phone
4 that time or any other time, did she ever
5 appear to be scared or afraid?

6 A She like on the phone?

7 Q On the phone when you were looking for SA [REDACTED].

8 A She was seeming nervous, like, like, she didn't
9 know what to say.

10 Q Okay. All right. Did she ever tell you that
11 she needed help or anything like that when you
12 talked to her on the phone looking for SA [REDACTED]?

13 A No.

14 Q And going back to SA [REDACTED], you said that SA [REDACTED]
15 had been friends with Nicolle. Did anything
16 happen within the 24 to 48 hours before your
17 sister went missing where you heard Nicolle say
18 anything to SA [REDACTED]?

19 A Well, she made a threat.

20 Q What did you hear her say?

21 A She was all like, oh, it is no hard feelings
22 but whatever happens happens.

23 Q It is no hard feelings but whatever happens
24 happens?

25 A Yes.

1 Q And she said that to who?

2 A She said that on the phone to my sister. I was
3 sitting right there.

4 Q And how close in time was that to when--

5 A That was the day before.

6 Q The day before SA [REDACTED] disappeared?

7 A Yes.

8 MS. MAYES: Beg the court's indulgence.

9 (Pause.)

10 MS. MAYES: Nothing further.

11 CROSS-EXAMINATION

12 BY MS. SELERT:

13 Q I just have a couple of questions for you. So
14 the night that you met at the swings, did
15 Nicole call SA [REDACTED] or did SA [REDACTED] call Nicole?

16 A Nicole called SA [REDACTED].

17 Q And when you and your sister were at the swings
18 with Nicole, Nicole said that the boys had
19 been acting so weird all day, right?

20 A Yes.

21 Q Okay. Thank you.

22 MS. SELERT: Beg the court's indulgence.

23 (Pause.)

24 MS. SELERT: No other questions.

25 MS. MAYES: Your Honor, we ask that she be

1 released.

2 THE COURT: Have a good day, ma'am. You can
3 step down.

4 It is 12:52 per my device. Everybody be back
5 in their seats by 2 p.m. so we can resume.

6 MR. HUBBARD: Yes, sir.

7 THE COURT: Danny, I want you to instruct when
8 we resume at 2 p.m. I don't want anybody coming in
9 here after we resume testimony.

10 THE DEPUTY: Yes, sir.

11 THE COURT: So the bailiff needs to stop
12 anybody from coming in. It is distracting to me.
13 It is distracting to the court reporter. I
14 understand the attorneys are going to have to exit
15 in and out in their respective areas to deal with
16 certain issues but I don't want anybody coming
17 through those doors after we resume throughout this
18 proceeding, okay?

19 THE DEPUTY: Yes, sir.

20 THE COURT: All right. Y'all have a good
21 lunch. Thank you so much.

22 MS. McGRADY: Thank you, Judge.

23 MS. MAYES: Your Honor, we did discuss the
24 possibility of a stipulation as to DNA. Our
25 understanding is that the defense side does not

1 stipulate regarding the DNA report.

2 MS. McGRADY: That's correct.

3 THE COURT: Is this something y'all want me to
4 address on the record after the people in the
5 gallery exit the courtroom?

6 MS. MAYES: I don't think so, Your Honor. We
7 can call that witness tomorrow most likely.

8 THE COURT: Okay. Y'all have a good lunch.
9 See y'all at 2.

10 (Whereupon, a lunch break was taken.)

11 THE COURT: All right. Solicitor, y'all just
12 let me know when y'all are ready.

13 MR. HUBBARD: Yes, sir.

14 MS. SELERT: Your Honor, if I may, I would just
15 like to put on the record addressing some concerns
16 about some allegations of things that happened over
17 the lunch break. It is our understanding that over
18 the lunch break at some point in time members either
19 of the victim's family or associated with the
20 victim's family approached the family of our client
21 in their car, took photos of them and were yelling.

22 Nicole's parents don't speak English so they
23 don't know what was said. They were in the process
24 of filing a police report before we came in. We
25 brought this to the attention of the deputies but I

1 wanted to bring it to your attention as well.

2 THE COURT: Solicitor, y'all want to be heard?

3 MR. HUBBARD: Your Honor, I don't have anything
4 to say. I know there was discussions out in the
5 hall. Frankly, I was in here.

6 THE COURT: This is a very emotional time and I
7 understand but I would encourage y'all to stay away
8 from each other.

9 MR. HUBBARD: Yes, sir.

10 THE COURT: It will be easiest for everyone
11 throughout this proceeding. Again, I understand
12 this is emotional for the families but I would
13 encourage y'all to stay away from each other.

14 MR. HUBBARD: Thank you, Your Honor.

15 MS. SELERT: Thank you, Your Honor.

16 MS. MAYES: Your Honor, our understanding is
17 that a police report has been filed by the victim's
18 family. They reported that the other family was
19 taking pictures of them. Regardless, both parties
20 have been advised that they will refrain from
21 contact. And due to the sensitive nature of the
22 next witness, Your Honor, the State is requesting
23 that the victim's family not be present for this
24 portion of the testimony due to the graphic nature.
25 And they are in agreement with that.

1 THE COURT: That's fine. But Solicitor, you've
2 spoken with them about communicating--

3 MR. HUBBARD: Yes, sir.

4 THE COURT: -- with the defendant's family?

5 Ms. McGrady, have you spoken with your client's
6 family about not communicating with them?

7 MS. McGRADY: We have and we will again, Your
8 Honor.

9 THE COURT: Okay.

10 MS. McGRADY: We are just requesting that
11 perhaps the families be let downstairs at separate
12 times once we have adjourned for recesses or--

13 THE COURT: Well, they are adults. Law
14 enforcement is stretched out as it is. If they feel
15 like they have time to honor your request, that's
16 fine but I'm not going to order them to.

17 MS. McGRADY: All right. Thank you.

18 THE COURT: So I mean, Solicitor, you feel like
19 that's necessary?

20 MR. HUBBARD: No, sir. I think we are good. I
21 think we are good.

22 THE COURT: Okay. So y'all do what y'all need
23 to do for the family and then we will get started,
24 okay?

25 MR. HUBBARD: Yes, sir.

1 THE COURT: They want to go out?

2 MR. HUBBARD: Do y'all want to go ahead?

3 THE COURT: Andy, make sure they can come back
4 in easily after Solicitor tells you they are ready
5 for them to come back in because I instructed Danny
6 who has the doors locked so nobody can come in and
7 out and interrupt the proceedings.

8 THE DEPUTY: Yes, sir, Your Honor.

9 MR. HUBBARD: Thank you, Your Honor.

10 THE COURT: Whenever you are ready, sir.

11 MR. HUBBARD: State calls Detective Carvajal.

12 THE COURT: Come on up and have a seat if you
13 would to my right, please, sir.

14 THE WITNESS: Yes, sir.

15 THE COURT: Have a seat. Tell us what your
16 full name is, please.

17 THE WITNESS: Good afternoon. My name is
18 Detective Pablo, P-A-B-L-O, Carvajal,
19 c-A-R-V-A-J-A-L.

20 THE COURT: Would you raise your right hand,
21 sir?

22 PABLO CARVAJAL, after being duly sworn,
23 testified as follows:

24 THE COURT: Thank you very much.

25 Solicitor.

DIRECT EXAMINATION

BY MR. HUBBARD:

Q Detective, you are the guy I keep butchering
your last name.

A That's okay, sir.

Q So occasionally, I may just call you Pablo or
Detective. Is that good?

A Perfect.

Q I don't want to insult you.

Who do you work for?

A I work with Lexington County Sheriff's
Department, sir.

Q How long have you been with them?

A Almost nine years.

Q And how long have you been in law enforcement?

A Almost nine years.

Q Okay.

A Besides this I worked for the Manhattan
district attorney's office up in New York in
sort of a semi-law enforcement role. I was a
supervisor of a bunch of paralegals.

Q How long did you do that?

A I did that for about 18 years, sir.

Q Okay. And with the county sheriff's department
what have you been doing? What's your primary

1 role?

2 A My primary role right now I'm assigned to a
3 major crimes unit and it is a team of four of
4 us and we basically catch any crimes that
5 happen in the county that require further
6 investigation.

7 Q Okay. And back April 27th of last year, 2021,
8 were you brought in to this case where they
9 were searching for SA [REDACTED]?

10 A Yes, sir, I was.

11 Q And did this investigation where did it
12 originate from?

13 A We were briefed that SA [REDACTED] was gone missing in
14 Richland County.

15 Q And Richland County was working that?

16 A Correct, sir.

17 Q At some point did they reach out to Lexington
18 County Sheriff's Department?

19 A Yes, sir. They reached out to chain of command
20 and Sergeant Miller, which is our team
21 sergeant, got briefed that we were to meet a
22 team of Richland County investigators along
23 with a victim at the 44 Truck Stop in order to
24 assist them with searching for the body of
25 SA [REDACTED].

1 Q When you say a victim, at this point who are we
2 talking about?

3 A SA [REDACTED].

4 Q Okay. But they brought, you said they brought
5 a victim.

6 A No. I'm sorry, sir. They brought the
7 defendant along with them at the time.

8 Q And the defendant is?

9 A That's going to be Ms. Nicolle Sanchez.

10 Q The one seated in the courtroom?

11 A Yes, sir.

12 Q Now you speak Spanish obviously?

13 A I do, sir.

14 Q And was that part of the thought in having you
15 work on this case so that you could speak to
16 her and her family?

17 A I'm sure that was a factor, yes, sir.

18 Q On the 27th of April where did you meet law
19 enforcement officers from Richland County?

20 A We all met them at the 44 Truck Stop which is
21 off I-20 and this was some time in the
22 afternoon.

23 Q Right outside of Gilbert in Lexington County?

24 A Yes, sir.

25 Q And from there what was the plan? Why were

1 y'all meeting on that day at that spot?

2 A The briefing that we received is that the
3 defendant was located by Richland County and
4 upon questioning she was able to tell them that
5 she knew where SA [REDACTED], our victim, was murdered
6 and buried, which was in the Gilbert, Leesville
7 area of Lexington County. Because of our
8 familiarity and because it is our county, they
9 assisted us to -- they asked for assistance to
10 try to locate the location where she was
11 murdered.

12 Q Were you also briefed on the fact that this
13 incident occurred April 5th, that that's when
14 the actual kidnapping occurred?

15 A Yes, sir. We were briefed on that.

16 Q Were you briefed that prior to that, some other
17 things had happened during that day on
18 April 5th?

19 A Yes, sir.

20 Q Were you briefed about a fellow by the name of
21 Treveon, Treveon Nelson, his home being shot up
22 in Cayce?

23 A Yes, sir.

24 Q In the early morning hours of April 5th?

25 A Yes, sir.

1 Q Were you briefed of a car being stolen out of
2 West Columbia involving the defendant and
3 Treveon Nelson?

4 A Yes, sir.

5 Q In between those two times on the 5th, were you
6 also made aware that there was Facebook
7 messaging where Treveon Nelson, who was also
8 implicated in this, correct?

9 A Correct.

10 Q Was searching for 9-millimeter bullets?

11 A Right. Once we received the records, I did
12 review those records.

13 Q I want to show you two of these records,
14 Facebook records.

15 MR. HUBBARD: And pursuant to 19-5-520, Your
16 Honor, with no objection from the defense.

17 DIRECT EXAMINATION

18 BY MR. HUBBARD:

19 Q Are these the records?

20 A Yes, sir, they are.

21 Q Now looking at that, you minus four hours from
22 that?

23 A Yes, sir. The time here you have to minus four
24 hours. This is UTC, which is central time, I
25 believe, that they use.

1 Q And so about what time would that be then
2 standard time?

3 A About 2:30.

4 Q And both of these messages went out about the
5 same time, 2:30 on the 5th?

6 A One message is at 18:30. Minus 4 hours that
7 will be 2:30, 4:30. Around that time, sir.

8 Q So it is 2:30?

9 A Yes, sir. Trying to do the math. My
10 apologies.

11 Q That's all right. That's why I have to write
12 it down or I won't get it.

13 In looking at that, does that have Facebook
14 message identifying Treveon Nelson reaching out to
15 other individuals looking for 9-millimeter bullets?

16 A Yes, sir. The author here is Treveon Nelson.

17 MR. HUBBARD: Your Honor, I offer State's 25
18 and 26 into evidence.

19 MS. McGRADY: Can I see them?

20 (Pause.)

21 MS. McGRADY: No objection.

22 THE COURT: All right.

23 (Whereupon, State's Exhibit Nos. 25, 26 were
24 marked and received into evidence.)

25 DIRECT EXAMINATION

1 BY MR. HUBBARD:

2 Q Detective, I'm going to hand you the top
3 button. Looking at State's 25 down at the very
4 bottom, do you see who it is to?

5 A Yes, sir. That is from Treveon to Kareem
6 James.

7 Q And down at the bottom, what is Treveon asking
8 him?

9 A Right there he's saying, Ite mob, which I
10 believe means okay, my brother, u got some 9
11 bullets I can buy, which is a reference to
12 9-millimeter bullets.

13 Q And again, looking at State's 26 you see
14 Treveon Nelson's name reaching out to a -- who
15 do you see him reaching out to?

16 A That's going to be Amigo. And I can't read it
17 from here but that's going to be Amigo.

18 Q All right. Looks like Blooded up, or
19 something, Blooded up?

20 A Yes, sir.

21 Q All right. And what's he asking for there?

22 A And right here he is asking, U got sum 9
23 bullets, again referencing 9-millimeter
24 bullets.

25 Q All right. So on the 5th you have a shootout

1 at Treveon's home?

2 A Yes, sir.

3 Q He's searching for 9-millimeter bullets and
4 then we also know he steals or with the
5 defendant steals a car out of West Columbia?

6 A Yes, sir.

7 Q A black Camry?

8 A Correct.

9 Q All of that takes place before SA [REDACTED] went
10 missing?

11 A Yes, sir.

12 Q Now with that information, y'all were briefed
13 on this information and other information from
14 Richland County?

15 A Correct.

16 Q Y'all meet at the 44 Truck Stop?

17 A Yes, sir.

18 Q And where do y'all proceed at that point?

19 A Well, the decision was for me to sit in the
20 vehicle with the defendant and her mother and
21 Molly Nations, which was the detective assigned
22 to our victim being missing. I drove -- I rode
23 in the passenger seat and basically at the
24 instructions of the defendant we made right
25 turns or left turns to what I believed was

- 1 going to be the murder site.
- 2 Q Okay. What area were y'all in as you were
- 3 driving?
- 4 A This is the Leesville area down south in what
- 5 we call the south region of Lexington County.
- 6 Q Now at this time was Nicolle Sanchez-Peralta
- 7 under arrest?
- 8 A Not at all.
- 9 Q Up to this point were you aware that her story
- 10 to Richland County had kind of changed and
- 11 evolved?
- 12 A To a degree, sir. To a degree.
- 13 Q You were still getting informed of what was
- 14 going on?
- 15 A Absolutely. It was a fast-developing
- 16 situation.
- 17 Q And she was not under arrest at the time?
- 18 A She was not.
- 19 Q Were her parents at the 44 Truck Stop that day?
- 20 A Her mother was in the backseat with her sitting
- 21 next to her.
- 22 Q And so her mother did not object?
- 23 A Not at all, sir.
- 24 Q And you could communicate with her mother?
- 25 A Yes. I introduced myself and explained to her

1 what we were about to do.

2 Q All right. Now do you remember whereabouts in
3 Lexington County y'all were, what road?

4 A Well, the 44 Truck Stop that's going to be Pond
5 Branch Road right off the express way. But
6 ultimately we wound up on [REDACTED] Road after
7 making several lefts and right turns at the
8 defendant's direction.

9 Q Okay. Is that in the Leesville community?

10 A Yes, sir. The Leesville area.

11 Q Still in Lexington County?

12 A Still in Lexington County.

13 Q And while y'all were doing this did she seem
14 familiar with the area?

15 A Sir, I worked south region for about three
16 years and it is a very rural, farm land
17 community and I still get lost. The defendant
18 knew. She might not have known the roads but
19 she knew exactly when to make a right and when
20 to make a left turn. So she was very familiar.

21 Q Did y'all end up at some point on [REDACTED] Road?

22 A We did, sir.

23 Q Did she point out or what if anything did she
24 point out at [REDACTED] [REDACTED] Road?

25 A Sir, as we were driving down [REDACTED] Road trying

1 to locate the site where the victim was
2 murdered, she pointed out to a camper at [REDACTED].
3 I asked her is this the place where she was
4 murdered and she said, No. This is where we
5 came after she was murdered.

6 Q Okay. Did you in your later investigation
7 determine who owned [REDACTED] [REDACTED] Road?

8 A That is the residence of Allon Adams.

9 Q Allon Adams?

10 A Yes, sir.

11 Q After that, as y'all were driving along, what
12 if anything did she say about the location of
13 the body?

14 A We decided to make a u-turn and we stopped off
15 at a dirt road. In order to fully understand
16 where we were going, what we were doing, the
17 initial impression that I received was that she
18 was taking us to the murder site and then she
19 pointed out instead of the murder site, that
20 that was where they went afterwards.

21 The defendant told me that she didn't know the
22 location. She described the location as a cut in
23 the road with two trees side by side. She said that
24 it was late at night; that after the victim was
25 murdered, it took them about 15 minutes to get to

1 Rish Road, to the camper. She couldn't -- I tried
2 to use a map on my phone to try to see if she could
3 use the map to possibly remember where the site was
4 but she couldn't. Tried to use some terrain
5 association because at one point when we made a
6 turn, there is a pasture with cows and that was very
7 familiar for her, to her. And she used that as some
8 sort of association, terrain association to where to
9 make the turn. But we weren't able to get a
10 location.

11 Q Did she tell you who she had been with that
12 evening on April the 5th?

13 A She did. She said that she was with at the
14 time her boyfriend, which is going to be
15 Treveon Nelson and she was also with Jaylen,
16 Jaylen Wilson.

17 Q Okay. Did she call him Smoove?

18 A Yes. Smoove.

19 Q Did she make any admissions about talking to
20 SA [REDACTED] on FaceTime?

21 A She did.

22 Q Okay. And that was prior to picking up SA [REDACTED]?

23 A Yes, sir.

24 Q On April 5th?

25 A On April 5th.

- 1 Q Did she say when she went to pick up SA [REDACTED] who
2 was with her at that time?
- 3 A Yes. Both of them was.
- 4 Q Okay. Did she say what car they were in?
- 5 A It was a black Toyota.
- 6 Q Did she say -- on the 27th was she saying that?
- 7 A I stand corrected, sir. That was not on the
8 27th when she told me about the black Toyota.
9 That's going to be the following day.
- 10 Q Okay. I just wanted to make sure about that.
- 11 A Yes, sir.
- 12 Q Whose car did she say they were in when they
13 did that, if you can recall?
- 14 A I don't recall that, sir.
- 15 Q That's fine. We will move on.
16 But it was not in the stolen vehicle?
- 17 A I don't believe so. Correct.
- 18 Q In fact, did you question her about that stolen
19 vehicle that was stolen on April 5th?
- 20 A The following day I did, sir. Yes, sir.
- 21 Q Okay. And just did she admit at any time on
22 the 27th using or being in that stolen vehicle
23 when all this occurred?
- 24 A No.
- 25 Q Okay. Once they picked up SA [REDACTED], what did she

1 say happened once SA got in the car?

2 A The ruse was to get SA to come downstairs to
3 smoke some marijuana.

4 Q Okay.

5 A And once she came inside the car, they
6 basically kidnapped her, they pulled guns out
7 on her and then they took her down to the
8 country.

9 Q Is that what they called the Leesville area?

10 A Yes, sir. Lexington is known as a country.

11 Q Okay. That's good to know.

12 A The idea initially was to beat the victim up.
13 And she was aware that that was going to
14 happen.

15 Q Okay. Did she admit that?

16 A Yes, sir, she did.

17 Q We will get a little bit more into that.

18 Did she tell you on the 27th who shot SA, if
19 you recall?

20 A I believe my conversation with her was on the
21 following day regarding that.

22 Q Okay. Well, let's talk about the following
23 day, the 28th.

24 A Yes, sir.

25 Q Now Nicolle still has not been placed under

1 arrest?

2 A Not at all.

3 Q When you see her the next day, is she there
4 voluntarily?

5 A Absolutely.

6 Q Did her mother show up that time?

7 A No. I actually was working on another case and
8 because of the language I was asked to call her
9 mother and arrange for the defendant to come to
10 the Lexington County Sheriff's Department for
11 further questioning. Her mother agreed to
12 that. Initially she told me that she wanted to
13 be present. So what we did is we sent our
14 Victim Assistant Nieves who also speaks Spanish
15 to go pick up the defendant.

16 Q And at that point did Nicolle's mother change
17 her mind?

18 A After speaking to -- after finding out that
19 Nicolle showed up by herself, I asked Nieves
20 what happened and he advised me that her mother
21 decided not to come because she was busy,
22 either she was waiting for her husband or her
23 kids but she did not object to the defendant
24 riding with Nieves.

25 Q Now when you spoke to Nicolle on the 28th,

1 where did y'all have a conversation? Where did
2 all this take place?

3 A So prior to me speaking to Nicolle, detectives
4 had already spoken to her, had already
5 questioned her and I was aware that she was
6 Mirandised.

7 Q She had been Mirandised earlier?

8 A She was Mirandised earlier by Detective Baum
9 and Detective Hart.

10 Q Okay.

11 A The idea was for the defendant and I to drive
12 down to that area again to see if maybe she
13 could remember where the murder occurred. So
14 we decided that she was going to drive in my
15 vehicle and Sergeant Miller was going to
16 follow.

17 Q Would that be Brandon Miller?

18 A Brandon Miller, yes, sir.

19 Q Now in your conversation with her, did she
20 finally admit that what she had said on the
21 27th and the previous days about not knowing
22 where the body was, did she say anything about
23 that?

24 A Yes, sir. So after some time of both of us
25 talking, she finally admitted that she knew

1 exactly where the body was and that she was
2 ready to take us to the body. She did admit
3 that the following day she was -- she wasn't
4 being completely honest about where the body
5 was.

6 Q So on the 27th she hadn't been honest?

7 A Correct.

8 Q But on the 28th she said, I know where the body
9 was?

10 A Correct. And she also admitted that the black
11 car was stolen and that she had stolen it the
12 previous day.

13 Q And that it was used in this incident?

14 A That they showed up to the victim's house in
15 that black car.

16 Q Okay.

17 A In the Toyota.

18 Q And that's the car SA [REDACTED] got into?

19 A Yes, sir.

20 Q Did she tell you why all this took place?

21 A Yes. So the shooting of Treveon's house was in
22 retaliation to a gang beef basically. The
23 allegation that Treveon had burned Raysean's
24 colors, his flag, Raysean being a victim's
25 possible boyfriend. And the thought process

1 was that our victim knew where Treveon lived
2 and she had given that address to Raysean who
3 then went ahead and shot up the house.

4 Q So Raysean shot up Treveon's house because
5 Treveon had burned his colors?

6 A Yes, sir.

7 Q When you say colors, are you talking gang
8 colors?

9 A Gang colors, yes, sir.

10 Q And the thought was SA [REDACTED] had given that
11 address to Raysean?

12 A That was the belief, yes, sir.

13 Q Did they make that clear? Did Nicolle say that
14 was made clear to SA [REDACTED] while she was being
15 held in that car?

16 A She was questioned once she was taken into the
17 vehicle. Guns were drawn and she was
18 questioned at the murder location.

19 Q Okay. And but this was the motive--

20 A Yes, sir.

21 Q -- according to Nicolle.

22 Now as they were driving to pick up SA [REDACTED], what
23 if anything did she say about Treveon's intent when
24 he dealt with SA [REDACTED]?

25 A The defendant told me that the plan was to just

1 beat her up; that she did not know that a
2 murder was going to occur but she was well
3 aware that the intent was to beat her up.

4 Q So she agreed to participate in a kidnapping
5 that would result in an assault?

6 A Correct, sir. They used her friendship in
7 order to lure the victim out of the house.

8 Q And of course even with that statement you as a
9 detective know that if a murder occurs, you got
10 the hand of one is the hand of all?

11 A Absolutely, sir.

12 Q Can I ask you at this point did you stop and
13 say I need to go get a warrant?

14 A No, sir.

15 Q Can you explain that?

16 A This is a murder investigation. I think it is
17 just prudent to continue the investigation. At
18 the same time we were -- I was not completely
19 sure about her involvement. I just felt I
20 needed further investigation in order to make
21 the murder charge.

22 Q Were you trying to figure out her level of
23 involvement?

24 A Absolutely, sir. Like I say, it was a fast
25 moving investigation. Things were changing and

1 happening really quickly so I felt that it was
2 just prudent to wait and investigate further,
3 follow up more leads.

4 Q And y'all were still looking for the body?

5 A Absolutely. We hadn't found the body yet.

6 Q Now she said once they got in the vehicle, you
7 mentioned something about guns?

8 A Yes, sir. The defendant said that once they
9 got into the vehicle, that guns were pulled on
10 both of them and that both of them were
11 threatened with the guns.

12 Q Okay. So she claimed she was a victim at this
13 point?

14 A Yes, sir. She stated that because of her
15 friendship with the victim, that she was also
16 targeted.

17 Q Let's go back to the question asked about the
18 warrant. Was this part of what you were trying
19 to flesh out?

20 A Absolutely, sir.

21 Q Okay. Did she say what happened after SA [REDACTED]
22 was shot?

23 A Yes, sir. Once after the victim was shot, the
24 defendant explained that they went to get some
25 shovels from an individual they called Gotto,

1 which is going to be David. And I'm going
2 to -- David Gaskins. David Gaskins lives on
3 ██████ Road.

4 They went to get shovels. He was not present.
5 They came back to the murder location where they
6 found some gloves inside the stolen vehicle. Each
7 of the males grabbed a glove, pulled the victim to a
8 wooded area. They dug a hole with the shovels and
9 buried her. The defendant said that she held the
10 flashlight and assisted them as they were burying
11 her.

12 Q Did she say what type of weapons were used?

13 A Yes. She said that there was a .380 in the
14 hands of Treveon and then a Glock in the hands
15 of Jaylen or a black gun in the hands of
16 Jaylen.

17 Q And after the shooting did she mention anything
18 about fellows talking about urinating?

19 A Yes. She said that she overheard both males
20 talking about urinating on their hands to get
21 the powder residue of the firearm off their
22 hands.

23 Q All right. We will come back to all of that
24 too.

25 Now let me talk about did she tell you what

1 happened when they actually got to that field with

2 SA [REDACTED] ?

3 A Yes, sir. When they got to the field, both
4 males had them exit the vehicle. Her phone was
5 taken at the time, both phones, the victim's
6 and the defendant's. They were both made to
7 stand side to side as both males questioned
8 both of them about who gave the address so that
9 Raysean could shoot up his house. The
10 defendant said that at one point she was called
11 over and as she was walking over, the victim
12 was shot.

13 Q Okay. So at this point she is still claiming
14 she is a victim as well?

15 A Yes, sir.

16 Q That although she participated in the
17 kidnapping knowing there is going to be an
18 assault, that she is a victim?

19 A Yes, sir.

20 Q Now Detective, you have been doing this quite a
21 while.

22 A I have.

23 Q Who was she staying with a week or so prior to
24 this kidnapping?

25 A With Treveon.

1 Q And did she mention any type of threats about
2 this incident or about any kind of threatening
3 behavior with Treveon before this?

4 A No, sir. Not that I'm aware of.

5 Q And throughout earlier in the day, on the 5th,
6 did she mention any kind of threatening
7 behavior from Treveon?

8 A She did not, sir. Not to me.

9 Q Involving a car?

10 A Not at all.

11 Q Earlier as they are driving to SA's [REDACTED] ?

12 A No.

13 Q But this night she is claiming she is a victim
14 once they get out to that field?

15 A Yes, sir.

16 Q What did she say happened -- where did they go
17 after the shooting?

18 A After the shooting they went back to the
19 trailer where Allon Adams lived.

20 Q Okay.

21 A So a lot happened right afterwards.

22 Q Okay.

23 A I believe they went back to the trailer for
24 some time but then they dropped off -- Jaylen
25 drove himself home.

1 Q Now is this her statement from the 27th or is
2 this the 28th?

3 A This is the 28th. This is the statement from
4 the 28th.

5 Q Okay.

6 A This is once we discovered the body.

7 Q Let me ask you this. I want to be clear. The
8 black Camry that was stolen, did she say they
9 all three took that to Leesville?

10 A Yes, sir.

11 Q And that they all left in that black Camry?

12 A Yes, sir.

13 Q Okay. And then they go and regardless of who's
14 driving, they go to Jaylen's at some point and
15 drop him off?

16 A Jaylen is dropped off at his house and then
17 Treveon drives to his house where he parks the
18 vehicle a couple of blocks away from his house
19 in West Columbia and then they stay, the
20 defendant and Treveon, at his house for about a
21 week.

22 Q Okay. Let me ask you. When you were out in
23 the field with her on the 28th, did you use any
24 kind of recording device when you talked to
25 her?

1 A I did. I had a body-worn camera and I
2 activated it.

3 Q Okay. I want to show you three separate clips,
4 State's 33, 34, 35. Let me do this so I don't
5 get them mixed up. Looking at 33, do you see
6 your signature on that?

7 A Yes, sir. Right there.

8 Q Your initials?

9 A Yes, sir.

10 Q Thirty four?

11 A Yes, sir.

12 Q Thirty-five?

13 A I do, sir.

14 Q So have you watched these to verify these are
15 clips from your body camera, your body-worn
16 camera?

17 A Yes, sir.

18 Q Your conversation with Nicolle?

19 A Yes, sir.

20 MR. HUBBARD: I offer these into evidence.

21 MS. McGRADY: No objection.

22 THE COURT: State's 33 and 34, 35.

23 (Whereupon, State's Exhibit Nos. 33, 34, 35
24 were marked and received into evidence.)

25 DIRECT EXAMINATION

1 BY MR. HUBBARD:

2 Q Detective, this is State's 33. And this is at
3 the grave site or where the body is found?

4 A Correct.

5 Q Okay.

6 A It is called Hallman Field right on [REDACTED] Road.

7 Q Who are we seeing there?

8 A That's going to be Sergeant Miller to the right
9 and to the left is our number three for the
10 department.

11 Q Okay.

12 (Exhibit is played.)

13 DIRECT EXAMINATION

14 BY MR. HUBBARD:

15 Q Had she already shown you where the body is,
16 pointed in the area?

17 A Absolutely. She actually told me to keep on
18 driving and where to stop.

19 Q Okay.

20 (Exhibit is played.)

21 DIRECT EXAMINATION

22 BY MR. HUBBARD:

23 Q Detective, again, this is in Leesville?

24 A Yes, sir.

25 Q Of Lexington County?

1 A Correct.

2 (Exhibit is played.)

3 DIRECT EXAMINATION

4 BY MR. HUBBARD:

5 Q So what you pointed out, what was it that you
6 were pointing out?

7 A So initially when we walked over it was a
8 Crock, a pink Crock that I knew that the victim
9 was wearing based on the investigation and what
10 Richland County told us that she was last seen
11 wearing.

12 Q Okay. And then walking out you see the other
13 one?

14 A I believe it is the same -- I believe it is the
15 same one, sir. I'm not sure if -- I don't
16 believe we found the second Crock, sir.

17 Q Okay. On the video there you didn't say that's
18 the other one?

19 A I don't -- I think I might have gotten mistaken
20 if that was the second Crock, sir. I'm not
21 sure.

22 Q That's fine.

23 And did they appear there was something about
24 being burned?

25 A Right. They looked burned and I know that

1 later on it was confirmed that the black
2 residue on the Crock was because it was burned.

3 Q Okay. I want to show you another video and
4 this is State's 34. And you get back to the
5 truck and you get Nicolle out.

6 A Yes, sir.

7 (Exhibit is played.)

8 DIRECT EXAMINATION

9 BY MR. HUBBARD:

10 Q What are we pointing out there? You have seen
11 the body site. So what is this?

12 A So we had two investigators arrive and try to
13 look for shell casings. I was pointing to our
14 number 3 in the department. That's Hampton
15 Taylor and using sort of like association of
16 where the initial shooting occurred and I was
17 telling him to stop, that's where it was so for
18 us to begin searching for any possible
19 evidence.

20 Q Had she indicated that after SA [REDACTED] was shot
21 that they moved the body before they buried
22 her?

23 A Yes, sir. They dragged her to the location
24 where we ultimately found her.

25 Q Okay. But that's where it started and then

1 they dragged her into the wood line?

2 A Yes, sir.

3 Q Okay. We have one more clip. And this is
4 State's Exhibit 35, you in the truck with
5 Nicolle?

6 A Yes, sir.

7 Q Or standing at the window.

8 (Exhibit is played.)

9 DIRECT EXAMINATION

10 BY MR. HUBBARD:

11 Q Okay. Detective, so when he is getting Nicolle
12 to describe the shooting, does it appear from
13 what she is saying that SA [REDACTED] was shot, fell
14 but got up and actually tried to run?

15 A Yes, sir.

16 Q And that they shot her some more?

17 A They did.

18 Q Okay. I want to show you two photographs.
19 They are more aeriels, State's 32 and 36, to
20 see if this would help describe a little bit
21 better the location where this occurred. In
22 here do you see the area where all this
23 occurred?

24 A Yes, sir, right here. I can see it.

25 Q Okay.

1 MR. HUBBARD: Your Honor, I offer these,
2 State's 32, 36 into evidence.

3 MS. McGRADY: No objection.

4 THE COURT: 32, 36 without objection.

5 MR. HUBBARD: Yes, sir.

6 (Whereupon, State's Exhibit Nos. 32, 36 were
7 marked and received into evidence.)

8 DIRECT EXAMINATION

9 BY MR. HUBBARD:

10 Q Detective, looking at State's 32, do you still
11 have that pointer?

12 A I do, sir.

13 Q Can you point to the area of -- well, first of
14 all, what road is that we are seeing?

15 A That's going to be [REDACTED] Road, sir.

16 Q All right. Now where is the body located?
17 Where did y'all locate the body?

18 A I believe that's the opening. We came in this
19 way and we stopped somewhere here and it is at
20 the bend right about here, sir.

21 Q That's where y'all found SA [REDACTED]?

22 A Yes, sir.

23 Q And the shooting that Nicolle pointed out,
24 where did that take place, most of it anyway?

25 A From here from my best estimate. We are

- 1 talking about somewhere around here.
- 2 Q Okay. And looking at State's 36, is that just
- 3 a blown up version of the same thing?
- 4 A Yes, sir.
- 5 Q Of these areas?
- 6 A Yes, sir.
- 7 Q And again, while y'all were talking she is
- 8 holding herself out as a victim as well?
- 9 A She is, sir.
- 10 Q Now during your investigation, did you have an
- 11 opportunity to talk to a fellow by the name of
- 12 Allon Adams?
- 13 A Yes, sir.
- 14 Q And does he have a nickname Kilo?
- 15 A He goes by Kilo, yes, sir.
- 16 Q What area is he from?
- 17 A Kilo is from -- he resides at the camper.
- 18 Q Okay. The camper right near [REDACTED] Road?
- 19 A Right down the road, sir. [REDACTED] I believe is the
- 20 marks.
- 21 Q You had an opportunity to talk to him as well?
- 22 A Yes, sir.
- 23 Q Now when you spoke to him, where did you speak
- 24 to him at?
- 25 A At the Lexington County Sheriff's Department.

1 Q And was he under arrest?

2 A At the time he was. He had an outstanding
3 warrant.

4 Q It wasn't for this case?

5 A No. Not at all.

6 Q Was it a bench warrant?

7 A I believe so, yes, sir.

8 Q And when he came to speak to y'all, did y'all
9 have a family member there?

10 A His grandmother showed up to the scene and
11 requested that she speak to him first. She was
12 very concerned about his wellbeing and she
13 wanted to assist law enforcement with getting
14 him to cooperate with us.

15 Q So anything he would know, she wanted him to
16 tell you?

17 A Yes, sir.

18 Q Okay. And this was at the sheriff's
19 department?

20 A It was, sir. One of our interview rooms.

21 Q And was it recorded?

22 A It was recorded.

23 Q And when his grandmother and Allon were in the
24 room by themselves, did that recording run?

25 A Yes, it did, sir.

1 Q Were they made aware that the recording was
2 running?

3 A Yes, sir. Actually his grandmother pointed to
4 the cameras to let him know that we are
5 recording.

6 Q Okay. I'm going to show you State's 30 and 31
7 to see if these look familiar to you. Do you
8 see your initials on these disks?

9 A Yes, sir.

10 Q And do they accurately reflect the conversation
11 that went on with Allon's grandmother and Allon
12 Adams?

13 A Yes, sir.

14 MR. HUBBARD: I offer these at this time.

15 MS. McGRADY: Your Honor, we are just renewing
16 our objections from earlier about hearsay and
17 confrontation clause.

18 THE COURT: Note your objection, ma'am. That's
19 already been addressed.

20 (Whereupon, State's Exhibit Nos. 30, 31 were
21 marked and received into evidence.)

22 MR. HUBBARD: One moment.

23 (Pause.)

24 DIRECT EXAMINATION

25 BY MR. HUBBARD:

1 Q All right. Detective, I'm going to show you
2 State's 30. And this records their
3 conversation about this case while they are in
4 there by themselves?

5 A Yes, sir. Now I have to apologize that the
6 sound quality is poor. We are having issues
7 with our audio.

8 (Exhibit is played.)

9 DIRECT EXAMINATION

10 BY MR. HUBBARD:

11 Q Let me ask you a few things about that. I know
12 the sound quality is horrible.

13 A Yes, sir.

14 Q But when Nicolle is talking to him she said, We
15 kidnapped SA [REDACTED]?

16 A She did.

17 Q She said something to the effect, Bitch
18 wouldn't die?

19 A Correct.

20 Q And that they hit SA [REDACTED] eight times?

21 A Yes, sir.

22 Q But she wouldn't talk?

23 A Correct.

24 Q And when he is talking about no carrying her
25 hard, is that after she talks about -- how does

1 he describe Nicolle's behavior toward SA's
2 family?

3 A She basically says that that was my best
4 friend; I have been there to family reunions; I
5 have pictures with her family. He is basically
6 describing how though they were close friends,
7 she didn't care.

8 Q How cold she was?

9 A Yes, sir.

10 Q His words were, I think, harsh?

11 A Yes, sir. And I believe that it affected him
12 emotionally, he says at one point.

13 Q I'm going to play another clip and this is
14 State's 31. This is the second part of that
15 same interview.

16 MS. McGRADY: Your Honor --

17 THE INTERPRETER: I apologize. The
18 interpreters we were unable to hear a good part of
19 this last clip of the previous recording. I'm not
20 sure how you would like to address that matter, Your
21 Honor.

22 THE COURT: I couldn't hear all of it either.
23 So you are just going to have to deal with the sound
24 quality.

25 THE INTERPRETER: Understood.

1 THE COURT: Do the best you can. Like I say,
2 the sound quality is awful. It is going to
3 affect -- I didn't understand all of it.

4 THE INTERPRETER: Understood, Your Honor. I
5 just wanted that on the record. Thank you, Your
6 Honor.

7 (Exhibit is played.)

8 DIRECT EXAMINATION

9 BY MR. HUBBARD:

10 Q Detective, who was little brother?

11 A That's going to be Jaylen.

12 Q Okay. And in listening to this, does she admit
13 to Allon Adams that she did some shooting too?

14 A Yes, sir.

15 Q That she played her role?

16 A She did.

17 Q Now I want to show you State's 28. Is this you
18 and Investigator Baum with Allon Adams in that
19 same interview room?

20 A Yes, sir.

21 Q Is this the same day?

22 A Same day, sir.

23 Q And it was still being recorded?

24 A Yes, sir. We did not stop the recording. We
25 continued.

1 Q And did you do an audio recording as well?

2 A Yes, sir. We tend to do that because we know
3 that the audio is bad. We use our phone,
4 county issued phone and we use the app to
5 record these into evidence.

6 Q I want to show you State's 29. Is this the
7 audio recording that y'all made?

8 A Yes, sir.

9 Q The snippet of that?

10 A Yes, sir.

11 MR. HUBBARD: I offer these into evidence.

12 THE COURT: Twenty-nine and what other number?

13 MR. HUBBARD: The 28 is the photograph and 29
14 is the DVD.

15 MS. McGRADY: No objection.

16 THE COURT: Twenty-eight and 29 without
17 objection.

18 (Whereupon, State's Exhibit Nos. 28, 29 were
19 marked and received into evidence.)

20 MS. McGRADY: Your Honor, we do renew our
21 objection earlier for the confrontation clause.

22 THE COURT: I'm sorry?

23 MS. McGRADY: We renew our objection over the
24 confrontation clause.

25 THE COURT: So noted.

1 (Exhibit is played.)

2 DIRECT EXAMINATION

3 BY MR. HUBBARD:

4 Q This is you talking?

5 A Yes, sir. That's me.

6 Q And when y'all were talking about he's a girl
7 killer, who are you talking about?

8 A Treveon.

9 Q Okay.

10 (Exhibit is played.)

11 DIRECT EXAMINATION

12 BY MR. HUBBARD:

13 Q Now Detective, at the beginning of State's 29,
14 Treveon says, Nicolle says, I got the car, I
15 got the girl, let's go do this shit?

16 A Yes, sir.

17 Q Showing Nicolle's involvement?

18 A Correct.

19 Q And later, she speaks directly to Allon and
20 says what she did?

21 A It was a telephone conversation that she had
22 with Allon.

23 Q And that she did shooting as well? .

24 A Correct.

25 Q At one point even said she said she did all the

1 shooting?

2 A Correct.

3 Q Using the word gangster?

4 A Yes, sir.

5 Q And again, talked about her behavior toward
6 that family?

7 A Of how she had pictures of the family, yes,
8 sir.

9 Q And she didn't care?

10 A Correct.

11 Q I want to show you State's 27, Instagram
12 business record about that phone call from
13 Nicolle to Allon Adams. Does it show up as
14 video call?

15 A Yes, it does, sir.

16 MR. HUBBARD: Your Honor, I offer this into
17 evidence, State's 27.

18 MS. McGRADY: No objection.

19 THE COURT: Twenty-seven without objection.

20 (Whereupon, State's Exhibit No. 27 was marked
21 and received into evidence.)

22 DIRECT EXAMINATION

23 BY MR. HUBBARD:

24 Q So this actually shows there was a conversation
25 between Nicolle and Allon Adams?

1 A Yes, sir.

2 Q Just like he said?

3 A Correct.

4 Q And of course, minus four hours due to the
5 time?

6 A Yes, sir.

7 MR. HUBBARD: Beg the court's indulgence.

8 (Pause.)

9 MR. HUBBARD: Your Honor, that's all I have at
10 this time.

11 Please answer any questions the defense has.

12 THE WITNESS: Yes, sir.

13 CROSS-EXAMINATION

14 BY MS. McGRADY:

15 Q Hi, Detective.

16 A How are you, ma'am?

17 Q Good. How are you doing?

18 A Good. Thank you.

19 Q Thanks.

20 I have quite a bit of questions for you so I
21 apologize ahead of time.

22 A No problem, ma'am. I'll try to answer them as
23 fast as possible.

24 Q On April 27th was Nicolle Mirandised?

25 A No.

1 Q And then on April 28th you made contact with
2 Nicolle's mother?

3 A Correct.

4 Q And she agreed to the interview?

5 A Correct.

6 Q But she said that she would only agree if she
7 could be present?

8 A Yes, ma'am.

9 Q And then she was not present for the interview?

10 A She was not.

11 Q Why did you proceed with the interview without
12 her mother present?

13 A So I spoke to the detective. I did not become
14 aware that Nicolle did not show up with her
15 mother until much later. I was dealing with
16 another case with the FBI. And Detective Baum
17 and Detective Hart decided to go ahead and
18 interview her.

19 Once I spoke with Detective Nieves, he advised
20 me that he did show up to the incident location --
21 excuse me, to pick up the defendant and her mother
22 did not object. She actually said that she would
23 pick her up later and I believe that either she was
24 waiting for her husband or one of her kids to come
25 home. But there were no objections.

1 Q All right. How many times did you interview
2 Nicolle?

3 A Initially when we met with Richland County at
4 the 44 Truck Stop that day, the following day
5 when we were in my vehicle, and when we found
6 the murder location and then the following day
7 she was being interviewed by Springdale I
8 believe due to her CSC allegation but and we
9 Mirandised her and she decided not to speak to
10 us without an attorney present.

11 Q And just to clarify, you said CSC allegation.
12 She is the victim of that CSC?

13 A Yes, ma'am.

14 MR. HUBBARD: Objection to characterization of
15 her being the victim. It was under investigation.

16 THE COURT: Overruled. I'll allow it.

17 Go ahead.

18 MS. McGRADY: Thank you.

19 CROSS-EXAMINATION

20 BY MS. McGRADY:

21 Q So you interviewed Nicolle a couple of times.
22 Were her statements consistent as far as who
23 was involved?

24 A Yes, except her.

25 Q Okay. Were Nicolle's statements consistent as

1 far as why the crime took place?

2 A Yes because of retaliation against the shooting
3 of Treveon's house.

4 Q Were Nicolle's statements consistent as far as
5 who did the shooting?

6 A Yes, except her.

7 Q Did Nicolle ultimately tell you what happened
8 in this crime?

9 A She told me a story of what happened. Yes,
10 ma'am.

11 Q Did Nicolle ultimately lead you to SA's
12 body?

13 A She did.

14 Q And she led you to the body. You were with
15 her?

16 A Absolutely. She was sitting in my passenger
17 seat in my vehicle.

18 Q Changing gears just a little bit, you
19 interviewed Allon as we heard on April 30th; is
20 that correct?

21 A Yes, ma'am.

22 Q Do you remember if Allon called Nicolle by her
23 name?

24 A Calls her little sis.

25 Q Little sis?

- 1 A Sis.
- 2 Q Does he also call Treveon bro?
- 3 A Yes.
- 4 Q Little bro.
- 5 A Treveon is going to be, I believe, Big Bro and
- 6 Jaylen is Little Bro.
- 7 Q Okay.
- 8 A They use it interchangeably. I'm sorry.
- 9 Q Okay. Now the State, Mr. Hubbard, he
- 10 introduced Instagram records where there were
- 11 calls between Nicolle and Allon, a/k/a, Kilo,
- 12 over Instagram?
- 13 A The last one I believe?
- 14 Q Yes.
- 15 A Okay. Yes, ma'am.
- 16 Q Do you agree that there were calls between them
- 17 on Instagram?
- 18 A Yes, ma'am. I did see them, yes.
- 19 Q But do you remember in the interview with Allon
- 20 that Allon was quite insistent that there was a
- 21 telephone call over Snapchat between he and
- 22 Nicolle?
- 23 A That's what he said. Yes.
- 24 Q And he said that?
- 25 A He said Snapchat at one point, then he said by

1 telephone. But yes, he did say at one point
2 Snapchat.

3 Q He never said Instagram?

4 A I don't believe so, no.

5 Q Did you look at the phone records for Snapchat?

6 A I did not personally look at all the records.
7 There was a collaborative investigation. I
8 know Detective Baum took a deep dive on those
9 records.

10 Q Do you know if Nicolle called Allon on Snapchat
11 as he says?

12 A No, ma'am. I can't say.

13 Q You don't know?

14 A I did not see those records for Snapchat.

15 Q After Allon says that Nicolle called him, he
16 says that he confronted Treveon; is that
17 correct?

18 A Correct. He said that he confronted Treveon
19 regarding the murder.

20 Q Did Allon say that Treveon -- did Allon say
21 that Treveon said that Nicolle was lying?

22 A Well, as you can hear, he says, Deny, deny,
23 deny that he initially denied, denied, denied
24 that anything like that happened.

25 Q Did Tre call Nicolle a lying ass bitch and

1 that's not how it went?

2 A I believe so. Yes, ma'am.

3 Q Does that imply that what she said happened is
4 not true?

5 A At the same time that he admitted that it did
6 happen, yes, ma'am.

7 Q But that's not how it went, were his words?

8 A I don't recall exactly what he said. You would
9 have to play it back to me.

10 Q Did Treveon say that he shot SA [REDACTED] 8 to 10
11 times?

12 A Treveon told Allon that he also shot her.

13 Q Did he say that Jaylen finished the job?

14 A Yes.

15 Q Did Allon say that Nicolle's story was fake?

16 A I'm not sure if he used that word but I know
17 that he denied initially to Allon.

18 MS. McGRADY: Your Honor, may I approach the
19 witness?

20 THE WITNESS: If you can play it back again, it
21 would be good.

22 CROSS-EXAMINATION

23 BY MS. McGRADY:

24 Q This is interview with Allon Adams. I know you
25 haven't had a chance to review it but this is

1 directly from the solicitor's office.

2 A Yes, ma'am.

3 MS. McGRADY: Your Honor, I would like to
4 introduce this as Defense Exhibit number 1. It is
5 an interview between Detective Baum and Detective
6 Carvajal with Allon Adams, the full interview.

7 MR. HUBBARD: They want to put in the full
8 interview, play the full interview or just put in
9 the interview?

10 MS. McGRADY: The audio--

11 THE COURT: Can't hear you.

12 MS. McGRADY: It is the audio of the full
13 interview and I'm only going to play pieces.

14 THE COURT: But you want to enter the entire
15 interview as evidence but you only want to play a
16 part of it?

17 MS. McGRADY: Right.

18 THE COURT: Solicitor?

19 MR. HUBBARD: Your Honor, that's fine.

20 MS. McGRADY: I mean, we can play the whole
21 thing.

22 THE COURT: Defendant's 1 without objection.

23 (Whereupon, Defendant's Exhibit No. 1 was
24 marked and received into evidence.)

25 (Exhibit is played.)

1 CROSS-EXAMINATION

2 BY MS. McGRADY:

3 Q Detective Carvajal, I'm going to play this
4 audio recording starting at 33 minutes and 25
5 seconds.

6 A Okay. I believe it is over an hour interview.

7 (Exhibit is played.)

8 CROSS-EXAMINATION

9 BY MS. McGRADY:

10 Q So did Allon Adams refer to Nicolle's story as
11 fake?

12 A Yes.

13 Q When Allon was referring to Jaylen who was he
14 referring to?

15 A When Allon was referring to Jaylen? You mean
16 his nickname?

17 Q He referred to Jaylen as Little Bro a few
18 times?

19 A Yes, ma'am.

20 Q And he referred to Jaylen as being in the house
21 at the time of the shooting?

22 A Correct.

23 Q Was Allon referring to Jaylen the actual Blood
24 Little Brother of Treveon or was he referring
25 to Jaylen Wilson a/k/a Smoove?

- 1 A So a/k/a -- we are talking about Smoove, yes,
2 ma'am. He is referring to Smoove, Jaylen
3 Wilson.
- 4 Q Did Allon say that SA's [REDACTED] boyfriend shot up
5 Allon's house?
- 6 A He said that that's the story that he received.
- 7 Q Did Allon say that Treveon said that Jaylen
8 stood over her and emptied a clip on her?
- 9 A Yes, ma'am. He did say that.
- 10 Q Did Allon ever see Nicolle with a gun?
- 11 A No.
- 12 Q Did Allon ever see Treveon with a gun?
- 13 A I believe at one point he does say that he has
14 a lot of guns just like him. And we were like,
15 it is okay. We don't care about that.
- 16 Q Did Allon feel that Nicolle had guilt or
17 sympathy about this?
- 18 A No.
- 19 Q All right.
- 20 A So he talks about how the defendant told him
21 about pictures and how close she was to the
22 family and how she was the best friend. And I
23 believe his interpretation is that that was
24 just cold and ruthless.
- 25 Q I'm going to play the audio of Allon Adams with

1 you and Detective Baum starting at 29:58.

2 A Yes, ma'am.

3 (Exhibit is played.)

4 CROSS-EXAMINATION

5 BY MS. McGRADY:

6 Q And then he goes on to talk about other things.

7 A Yes, ma'am.

8 Q But does he mention that he thinks that Nicolle
9 has remorse?

10 A He thinks she probably does by now since she
11 turned herself in, which my understanding she
12 did not turn herself in.

13 Q Did you tell Allon that his only trouble that
14 he had with law enforcement and you and
15 Detective Baum in particular was a general
16 sessions bench warrant?

17 A Yes, ma'am.

18 Q So you had already decided that he had nothing
19 to do with this crime, and that he was not
20 going to have any charges as a result of this
21 crime?

22 A Well, at the time the information that we
23 received was that he wasn't involved in the
24 shooting. Could things change? Absolutely.

25 Q Did you do a lie detector test on Allon?

1 A No, ma'am. We did not.

2 Q In another investigative report by, I believe
3 it's Sergeant Miller, Brandon Miller--

4 A Okay.

5 Q He mentions that after the interrogation with
6 Allon, that is when it is decided to charge
7 Nicolle with murder. Whose decision was it to
8 charge Nicolle with murder?

9 A I have not read that report, ma'am.

10 Q Well, whose decision was it to charge Nicolle
11 with murder?

12 A So it was not my decision to charge her with
13 murder. I did not make that decision.

14 Q Do you know whose decision it was?

15 A I'm going to say that it is Detective Baum. He
16 is the lead investigator here.

17 Q So you didn't charge her with murder yourself?

18 A I did not, ma'am. I was assisting the
19 investigation.

20 Q So how did Nicolle look when you were
21 interviewing her these days following the 25th
22 of April?

23 A How did she look? Physically?

24 Q Yeah. Yeah, physically.

25 A On which exact date, ma'am? On when we met at

1 the 44 Truck Stop?

2 Q On any of the dates that you met with her. Did
3 she have any bruising or swelling on her face?

4 A She wore a mask but I know that she had some
5 bruising to her face.

6 Q Could you tell that she was on any medication?

7 A I'm trying to remember if we had that
8 conversation and I don't remember if we had
9 that conversation whether she was on any
10 medication or not.

11 Q That's okay.

12 So you mentioned that they pulled guns out on

13 SA ?

14 A Yes, ma'am.

15 Q In the car?

16 A Yes.

17 Q Who was they?

18 A That's going to be Jaylen Wilson and Treveon.

19 Q But not Nicolle?

20 A No. Nicolle told me that the gun was pulled
21 out on her as well.

22 Q When Nicolle told you that she held the
23 flashlight, was it to assist, that she wanted
24 to help or was she forced to?

25 A That she was forced to hold that light. She

1 explains further on that she dropped that light
2 and that she was hit with a shovel.

3 Q That she was hit with a shovel?

4 A Right. By Treveon and told to pick up and hold
5 the light.

6 Q Are you aware of a pending domestic violence
7 against Treveon where Nicolle is listed as the
8 victim?

9 A I am not.

10 Q Okay. Did Nicolle tell you what kind of gun
11 Treveon had the night of the murder?

12 A I'm sorry. Just to go back, I do know that
13 Springdale has a report where she was assaulted
14 by Treveon with the CSC.

15 Q Yes.

16 A If that's what you are referring to, yes,
17 ma'am. Prior to that?

18 Q It is prior to that.

19 A No, ma'am. I was not aware about that.

20 Q Okay. Did Nicolle tell you what kind of gun
21 Treveon had the night of the murder?

22 A She mentioned a .380.

23 Q Did Nicolle tell you what kind of gun Jaylen
24 had the night of the murder?

25 A Just a black gun.

- 1 Q She wasn't able to be specific?
- 2 A No.
- 3 Q Where was Nicolle when she allegedly called
- 4 Allon?
- 5 A So she never mentioned that she called Allon.
- 6 So this is Allon telling us. Allon just
- 7 basically told us that he was somewhere in West
- 8 Columbia at a friend's house but he didn't tell
- 9 us where Nicolle was.
- 10 Q Was he able to tell you specifically where he
- 11 was at?
- 12 A At a girlfriend's house. Who is the
- 13 girlfriend? I don't know. I think that's what
- 14 he said.
- 15 Q And this was the call that was received over
- 16 Snapchat?
- 17 A He told us that the call was via Snapchat, yes,
- 18 ma'am.
- 19 Q When did Nicolle tell Allon?
- 20 A I could not give you a timeline on that.
- 21 Q When did Allon confront Tre?
- 22 A I believe it was a couple of days later, a day
- 23 or maybe two days later.
- 24 Q Where was Tre?
- 25 A Again, West Columbia at a friend's house.

1 Q Where was Allon?

2 A They were together. It was a face-to-face
3 confrontation, conversation.

4 Q So it was in person, face-to-face?

5 A Yes, ma'am.

6 Q Were you aware that Allon had pending charges?

7 A That Allon had pending charges. I knew that he
8 had a warrant for his arrest, a bench warrant.
9 That's as far as I know, I knew.

10 Q And you decided that Allon had nothing to do
11 with this crime and decided not to charge him?

12 A So everything is open at the time. We had
13 enough information to know that he was involved
14 and we needed to figure out what his
15 involvement was. But nothing is set in stone,
16 ma'am. Ultimately at the end of the day we
17 follow the evidence.

18 Q So the evidence here is partly Allon Adams'
19 testimony; is that correct?

20 A Yes, ma'am.

21 Q So he told you that Tre told him that Treveon
22 and Jaylen shot SA [REDACTED] ?

23 A Yes, ma'am.

24 Q He also told you that Nicolle told him that she
25 did all the shooting gangster style?

1 A Yes, ma'am. At one point.

2 Q How do you determine which version of events
3 from Allon to believe?

4 A Well, you weigh that with the rest of the
5 evidence and that's when you establish a
6 probable cause. But that was not up to me to
7 make that decision regarding the murder charge.

8 Q So you are not going to take responsibility for
9 believing Allon's story?

10 A I'm not sure if I understand the question about
11 response --

12 Q Do you believe Allon's stories?

13 A I think that there is more to it. I think that
14 everybody lies to the police. I think that
15 everybody tries to hold back and give
16 self-serving statements and our job is to
17 corroborate what people tell us.

18 Q Were you able to corroborate that Nicolle shot
19 the gun?

20 A No, ma'am.

21 Q You were not?

22 A No.

23 Q Did y'all look into the shooting of Treveon's
24 mother's home as motive for this crime?

25 A When you say look into it, what do you mean?

1 Investigate?

2 Q Did you investigate?

3 A I don't believe that's our jurisdiction. I
4 believe that was already being investigated by
5 West Columbia.

6 Q Okay.

7 MS. McGRADY: No further questions.

8 THE WITNESS: Thank you.

9 MS. McGRADY: Thank you, sir.

10 MR. HUBBARD: A few follow-ups, Your Honor.

11 THE WITNESS: Yes, sir.

12 REDIRECT EXAMINATION

13 BY MR. HUBBARD:

14 Q Detective, dealing with Nicolle did she tell
15 you a lot of different stories?

16 A Yes, sir. There was a lot of contradicting
17 statements she gave us.

18 Q And she claimed to be a victim numerous times?

19 A She did, sir.

20 Q In numerous cases, numerous situations?

21 A Yes. She spoke about being sexually abused by
22 an uncle when she was in another country, yes,
23 sir.

24 Q And she brought up all this stuff but you
25 couldn't verify or corroborate that, correct?

1 A Correct.

2 Q And in talking to her, her story would change
3 when it came to the events that we are here
4 about?

5 A To a degree, yes, sir.

6 Q Now there is talk about Allon Adams referring
7 to her story as fake?

8 A Yes, sir.

9 Q But wasn't that when she told Allon that the
10 body was near a pond?

11 A Correct.

12 Q And it wasn't near a pond, was it?

13 A Correct.

14 Q So Allon Adams was right. That was a fake
15 story?

16 A Yes, sir.

17 Q But Nicolle eventually took you to where the
18 body really was?

19 A Yes, sir.

20 Q And about this remorse or feeling sorry for
21 what happened, Nicolle never said that, did
22 she?

23 A She never used those words. When I interviewed
24 her in my vehicle, at one point she did break
25 down and she did say that she just wanted to

1 get this, not her exact words, but wanted to
2 get over it and get it off her chest, off her
3 shoulders, that she wasn't able to sleep.

4 Q All right. It bothered her?

5 A Yes, sir.

6 Q But everything she had expressed to non-law
7 enforcement individuals, including Allon, was
8 in boastful terms, wasn't it?

9 A Yes.

10 Q And this bit that she told Allon she felt bad,
11 the defense exhibit shows that's Allon's
12 impression because he understood she turned
13 herself in and just assumed that meant she felt
14 bad?

15 A Right. That's an assumption that he's made
16 that she probably feels bad because she turned
17 herself in because he heard she turned herself
18 in.

19 Q And we know she didn't turn herself in?

20 A Correct. She did not. There was no,
21 nothing -- there wasn't a warrant out for her
22 arrest at the time. There was no warrant out
23 for her arrest.

24 Q And there was talk about the different stories.
25 Treveon told a story and then Nicolle told a

- 1 story, correct?
- 2 A Correct.
- 3 Q Now they dovetailed in their facts?
- 4 A Yes, sir.
- 5 Q But they both admit their own individual
- 6 involvement?
- 7 A They do.
- 8 Q In this case, in this murder?
- 9 A Yes, sir.
- 10 Q Detective, one thing I didn't ask you. Was
- 11 there evidence from the scene in Leesville of a
- 12 third gun?
- 13 A We found, well, CSI found a shell casing and
- 14 I'm going to try to describe this as best as
- 15 possible. CSI found a shell casing closer to
- 16 where the body was was found in similar shell
- 17 casings, to similar shell casings that were
- 18 found further away in a cluster, if I explained
- 19 that correctly, sir.
- 20 Q So let me ask you this. To your knowledge,
- 21 were .380 shell casings found?
- 22 A Yes, sir.
- 23 Q Were two separate 9-millimeter casings found
- 24 and collected?
- 25 A Yes, sir.

1 Q Okay. Three guns?

2 A Yes, sir.

3 MR. HUBBARD: That's all I have at this time.

4 MS. McGRADY: I just have a few more questions.

5 RECROSS-EXAMINATION

6 BY MS. McGRADY:

7 Q Did you get any help finding SA's body from
8 Tre or Jaylen?

9 A No.

10 Q Nicolle is younger than both Tre and Jaylen,
11 correct?

12 A At the time she was 16 and I know that Treveon
13 is over 18. And I'm not -- I believe Jaylen's
14 same age as her. You can correct me there,
15 ma'am.

16 Q Jaylen is older than Nicolle.

17 A Okay.

18 Q All of your testimony regarding Allon's
19 knowledge is based on what Allon told you?

20 A Yes, ma'am.

21 Q Were Allon's statements self-serving?

22 A I did not see them that way.

23 Q Were you able to corroborate that Jaylen shot
24 the gun or a gun?

25 A That he actually shot a gun? No. But that gun

1 was recovered, one of the guns was recovered.

2 Q From where?

3 A From maybe I'm speaking out of term here.

4 Maybe there is somebody else that's going to
5 testify on this but there were two guns that
6 were recovered from his house.

7 Q From Jaylen's house?

8 A Yes, ma'am.

9 Q Were the shell casings you just referenced
10 closer to the body and others further away?

11 A There were several shell casings grouped
12 together and apart, ma'am.

13 Q Could that have been from a different event as
14 this was a dove field?

15 A Possibly. I don't know, ma'am.

16 Q And just lastly, I want to ask again, were you
17 able to corroborate that Nicolle shot a gun?

18 A No, ma'am.

19 MS. McGRADY: No further questions.

20 Thank you, sir.

21 THE WITNESS: Thank you.

22 MR. HUBBARD: Nothing else, Your Honor.

23 THE COURT: Thank you. Step down. Thank you,
24 sir.

25 THE WITNESS: Thank you.

1 Is the other half of the victim's family coming
2 back in?

3 MS. MAYES: Maybe at some point, Your Honor.
4 They have elected not to hear this portion of the
5 testimony.

6 THE COURT: Because I'm having the deputies
7 lock the door.

8 MS. MAYES: Okay. That's correct, Your Honor.
9 And I believe the next witness as well, CSI, they
10 will not be present for that due to the nature.

11 THE COURT: Andy, you got the doors locked.
12 All right. Ms. McGrady, y'all ready?

13 MS. McGRADY: I believe so.

14 THE COURT: All right. Solicitor, who is your
15 next witness, sir?

16 MR. HUBBARD: State calls Brandon Miller.

17 THE COURT: Mr. Miller, come up here and have a
18 seat to my right, please, sir. All right. Tell us
19 what your full name is, please.

20 THE WITNESS: My name is Brandon Cole Miller.

21 THE COURT: Would you raise your right hand,
22 sir?

23 BRANDON C. MILLER, after being duly sworn,
24 testified as follows:

25 THE COURT: Thank you very much.

DIRECT EXAMINATION

1

2 BY MR. HUBBARD:

3 Q Would you please tell the court where you work?

4 A I work at the Lexington County Sheriff's
5 Department.

6 Q And what do you do there?

7 A I'm a major crime sergeant and I work in our
8 major crimes unit at the sheriff's department
9 and oversee a team of detectives.10 Q Back last year in April of 2021, were you
11 assisting in this case involving SA [REDACTED] ?

12 A Yes, sir.

13 Q And at some point, specifically April 28th of
14 last year, did you execute a search warrant on
15 Jaylen Wilson's home?

16 A I did.

17 Q At the time of the execution of that search
18 warrant, was Mr. Wilson under arrest?

19 A Yes, he was.

20 Q And was that search warrant documented as y'all
21 went through?

22 A Yes, sir.

23 Q I want to show you some photographs, State's 80
24 through 101, see if you recognize those
25 photographs.

1 {Pause.}

2 THE WITNESS: I recognize these.

3 MR. HUBBARD: Your Honor, I offer these into
4 evidence at this time, I believe without objection.

5 THE COURT: Hearing no objection, State's 80
6 through 101.

7 (Whereupon, State's Exhibit Nos. 80 through 101
8 were marked and received into evidence.)

9 DIRECT EXAMINATION

10 BY MR. HUBBARD:

11 Q Detective, I'm going to show you State's 84.

12 This photograph that we are seeing, 84, is this
13 Jaylen's room?

14 A Yes, sir.

15 Q And his bed?

16 A Yes, sir.

17 Q What are we seeing here?

18 A So looking at the bed, looks like there is a
19 Dell laptop and I believe that's an Apple
20 iPhone.

21 Q You are going to have to speak up a little bit
22 into that microphone.

23 A I'm sorry. How is this? A little better?

24 Q Yes.

25 A How about now?

1 Q Yes.

2 A Okay. It appears to be a Dell laptop and a
3 cell phone.

4 Q Eighty-five is a close up of that Dell laptop?

5 A Yes.

6 Q State's 86, what do you see there?

7 A It appears to be money as well as a bullet.

8 Q An unspent bullet?

9 A Yes.

10 Q Again, that's from the bedroom?

11 A Yes.

12 Q Another shot of that, 87, a little backing up a
13 little bit more?

14 A The same.

15 MR. HUBBARD: Just a second.

16 (Pause.)

17 DIRECT EXAMINATION

18 BY MR. HUBBARD:

19 Q Now going back to this bed that you see in 85,
20 when y'all removed the mattress pad, did y'all
21 find a gun?

22 A We did.

23 Q State's 91, is that the pistol?

24 A Yes.

25 Q Again, 92, is that a close up?

1 A Yes.

2 Q What caliber is this Ruger?

3 A It is a .380.

4 Q 93 just a little bit closer up. It is a .380
5 Ruger?

6 A Yes.

7 Q Let me ask you, did y'all talk to Jaylen about
8 this?

9 A I did not.

10 Q Okay. When you lifted that bed up and lifted
11 the mattress up, did you find another gun?

12 A Yes.

13 Q I'll show you State's 88. Is that what you
14 found?

15 A I did. It appears to be a Glock 43,
16 9-millimeter.

17 Q Nine-millimeter?

18 A Yes.

19 Q Again, State's 89, another shot of that
20 9-millimeter.

21 And 90, State's 90, another shot of that same
22 pistol?

23 A Yes.

24 Q With an extended mag?

25 A Yes.

1 Q And the .380 that was found, did it also have
2 an extended magazine?

3 A It did.

4 Q State's 94, in a drawer you see a Crown Royal
5 bag?

6 A That's correct.

7 Q State's 95, are these some of the items from
8 that drawer?

9 A Yes.

10 Q A casing?

11 A Yes.

12 Q 94, 96, excuse me.

13 A Same. The same.

14 Q Do you see some bullets or a casing in there?

15 A Yes. Still the same casing.

16 MR. HUBBARD: Beg the court's indulgence.

17 (Pause.)

18 DIRECT EXAMINATION

19 BY MR. HUBBARD:

20 Q State's 97, do you see a bag there?

21 A I do.

22 Q Did y'all also look into that bag?

23 A Yes, we did.

24 Q And in a minute I'm going to go back to State's
25 94.

1 Can you look at those photos, 105, 104, 102,
2 103? These also come from that room?

3 A Yes, they did.

4 MR. HUBBARD: I offer these into evidence as
5 well.

6 THE COURT: What were the numbers again?

7 MR. HUBBARD: 102 through 105.

8 MS. McGRADY: No objection.

9 THE COURT: 102 through 105 without objection.
10 (Whereupon, State's Exhibit Nos. 102 through
11 105 were marked and received into evidence.)

12 DIRECT EXAMINATION

13 BY MR. HUBBARD:

14 Q Looking at that Crown Royal bag, now looking at
15 105, Crown Royal bag is in 94. Now looking at
16 105, do you see what's in that bag?

17 A Yes. What was in that bag was a Glock 43
18 magazine as well as a Ruger LCP .380 magazine.

19 Q So the original mags are in that bag but what's
20 actually found in the guns are extended mags?

21 A It appears so.

22 Q Now going to the bag we talked about, looking
23 at State's 104, do you see another weapon in
24 that bag?

25 A There is. There is an unidentified 1911

1 handgun.

2 Q State's 101 a little bit better picture of
3 that?

4 A Yes.

5 Q State 100, with a magazine extended mag?

6 A Yes.

7 Q Ninety-nine with the magazine pulled out?

8 A Yes.

9 Q And then 98, same picture?

10 A Yes.

11 Q Was this gun ever associated to this crime?

12 A I don't believe so.

13 Q But it was found in the defendant's room?

14 A Correct.

15 Q Now looking at 103, that bag we were talking
16 about, what do you see in that bag?

17 A There is a box of Blazer 9-millimeter
18 ammunition.

19 Q And in looking at State's 102?

20 A This is the same box opened up and I believe
21 there are 21 rounds in there but 20 were Blazer
22 9-millimeter.

23 Q Say that again. I could not hear you.

24 A I'm sorry. So that box opened up. There are
25 21 rounds in it and 20 of those rounds were

1 Blazer 9-millimeter Ruger.

2 Q So how many are missing from that box? Is it a
3 box of 50?

4 A I believe 29 would be missing.

5 Q Okay.

6 MR. HUBBARD: I believe that's all I have at
7 this time.

8 THE COURT: Ms. McGrady.

9 CROSS-EXAMINATION

10 BY MS. McGRADY:

11 Q Hello.

12 A Hey.

13 Q So were you at the search warrant at Jaylen's
14 house?

15 A Yes.

16 Q Did you take these photos that were entered
17 into evidence by the State?

18 A I did not.

19 Q Who took those photos?

20 A CSI Cody Weyandt.

21 Q Do you know if he is planning to testify?

22 A I don't know.

23 Q Did you participate in the search warrant at
24 Jaylen's house?

25 A I did.

1 Q Nicolle didn't live with Jaylen, correct?

2 A To my knowledge, no.

3 Q Is anything from Jaylen's house connected to
4 Nicolle?

5 A I don't know.

6 Q Was there any fingerprints of Nicolle's on any
7 of the items recovered at Jaylen's house?

8 A I don't know.

9 Q Was there any DNA from Nicolle on any of the
10 evidence collected from Jaylen's house?

11 A I'm not aware.

12 Q Are any of these items hers?

13 A I don't know. I can't say.

14 MS. McGRADY: No further questions.

15 MR. HUBBARD: Nothing further, Your Honor.

16 THE COURT: Thank you, sir.

17 THE WITNESS: Thank you.

18 MS. MAYES: The State calls Brenda Snelgrove.

19 THE COURT: I didn't hear you, Solicitor.

20 MS. MAYES: Brenda Snelgrove, CSI.

21 THE COURT: Come up here to my right, if you
22 would, please, ma'am. Tell us what your name is,
23 please.

24 THE WITNESS: Brenda Snelgrove,

25 S-N-E-L-G-R-O-V-E.

1 THE COURT: Okay. Would you raise your right
2 hand, please, ma'am?

3 BRENDA SNELGROVE, after being duly sworn,
4 testified as follows:

5 THE COURT: Thank you.

6 DIRECT EXAMINATION

7 BY MS. MAYES:

8 Q Sergeant, can you tell us a little bit about
9 yourself? Where are you employed?

10 A I am employed with Lexington County Sheriff's
11 Department.

12 Q All right. And what type of work do you do
13 there?

14 A I am a crime scene investigator.

15 Q How long have you been with CSI there at the
16 Lexington County Sheriff's Department?

17 A This July will be seven years.

18 Q All right. Now during this course of time can
19 you tell us how many, if you could estimate,
20 homicide investigations you have conducted as a
21 crime scene investigator?

22 A Ten, 15.

23 Q And does that include making notes regarding
24 the location and the surrounding area?

25 A That's correct.

- 1 Q Including sketches and diagrams of scenes?
- 2 A Yes, ma'am.
- 3 Q Measurements when needed?
- 4 A Yes, ma'am.
- 5 Q Documentation of the location in which any key
- 6 evidence items are recovered?
- 7 A Yes, ma'am.
- 8 Q Does that include ballistics?
- 9 A Yes, ma'am.
- 10 Q And do you also correspond all of your findings
- 11 into a written report?
- 12 A That's correct.
- 13 Q And was all of that done in this case?
- 14 A Yes, ma'am.
- 15 Q And then as well can you tell us whether or not
- 16 you had an opportunity to prepare a diagram of
- 17 that scene in which the body of SA [REDACTED]
- 18 was located?
- 19 A Yes, ma'am, I did.
- 20 Q I'm going to start by asking you about the
- 21 area.
- 22 A Okay.
- 23 Q I'm going to give you a chance to look at this
- 24 with the naked eye. Do you have a laser
- 25 pointer up there with you?

1 A I believe this is it. Okay.

2 Q Are you familiar with what is depicted in
3 State's 32 and 36?

4 A Yes, ma'am.

5 Q Okay. We are going to start with 32 here.
6 Looking here at this photo, Sergeant, what can
7 you tell us about the general location in which
8 you and other CSI officers responded on
9 April 28th, 2021 in order to attempt to locate
10 SA's [REDACTED] body?

11 A This area is known as the Hallman Dove Field.
12 It is leased by the DNR. A lot of people go
13 out there to hunt doves.

14 Q Okay. And when dove hunting, is it normal to
15 hunt with Glocks?

16 A No. It is not.

17 Q Okay. Or .380s?

18 A No.

19 Q What can you tell us about the general area in
20 which you arrived and what if anything you
21 observed?

22 A So when we came in, we came in up here. It was
23 just a big old field. This area actually just
24 recently had been plowed when we were there and
25 you have this wood. So along this wood line is

1 where cartridge cases were located prior to our
2 arrival.

3 Q And when you say cartridge cases, I'm going to
4 ask you specifically were you able to see them
5 atop the soil?

6 A Yes, ma'am.

7 Q Did they appear to be buried or weathered
8 extensively?

9 A No, ma'am.

10 Q All right. So on April 28th when you first
11 began processing this scene, how much time has
12 transpired since the murder of SA [REDACTED] on the
13 night of April 5th?

14 A Twenty some days.

15 Q Roughly 23 days?

16 A Yes, ma'am.

17 Q Did the shell casings that you have described
18 all appear to be consistent with that time
19 period of 23 days?

20 A All I can say is they were fresher than other
21 things that we have seen before.

22 Q Okay. They all appeared to be consistent with
23 that time frame?

24 A Yes, ma'am.

25 Q Now in addition to the shell casings that you

1 noted and can you show us here on the diagram
2 where you recall seeing those?

3 A Along this edge of these woods right here.

4 Q Okay. What else did you observe while walking
5 that area?

6 A Well, we located a sock, an earring back, a
7 stud earring, a tampon applicator, package for
8 the tampon. I have to look at my notes. I'm
9 sorry.

10 Q Please take your time.

11 A I also located a false eyelash. And there were
12 some paper material with reddish brown stains
13 on them.

14 Q All right. So you mentioned some personal
15 items that you are seeing along the way in
16 conjunction with observing fresh casings on the
17 ground?

18 A Yes, ma'am.

19 Q I say fresh but let me just say casings on the
20 ground.

21 A Yes. Yes, ma'am.

22 Q Now did you have an opportunity to note all of
23 this in your diagram of that scene?

24 A What was along the woods, yes. Yes, ma'am.

25 Q Okay. I'm going to show you what is State's

1 129 and ask you whether or not you recognize
2 this diagram?

3 A Yes, ma'am. That's the diagram I created.

4 Q Is this a fair and accurate representation of
5 what you observed and the evidence items that
6 you recovered from that scene?

7 A Yes, ma'am. Scale is off but it is there.
8 Yes, ma'am.

9 Q Is that routine in your CSI sketch work?

10 A Yes, ma'am.

11 MS. MAYES: 129 for evidence, Your Honor.

12 MS. McGRADY: No objection.

13 THE COURT: State's 129.

14 (Whereupon, State's Exhibit No. 129 was marked
15 and received into evidence.)

16 DIRECT EXAMINATION

17 BY MS. MAYES:

18 Q I am going to move up close and we are going to
19 take these items as we go. All right. Now
20 looking here, you have noted casings of
21 different calibers that you recovered. How
22 were you going about documenting the type of
23 casings that you were recovering?

24 A So when we compile our list of evidence that we
25 have collected, we put the headstamp on our

1 list.

2 Q How many did you determine were .380 shell
3 casings?

4 A Seven.

5 Q All right. Now do you also have a copy of the
6 Richland County Sheriff's Department firearm's
7 report?

8 A Not with me but I do.

9 Q All right.

10 MS. MAYES: Beg the court's indulgence.

11 (Pause.)

12 MS. MAYES: I know we discussed this over
13 lunch, Your Honor, but do we have a stipulation
14 regarding the firearm's report, that being the
15 report of Amanda Metz? And if I may approach?

16 MS. McGRADY: We don't have a stipulation.

17 MS. MAYES: Okay.

18 DIRECT EXAMINATION

19 BY MS. MAYES:

20 Q Now you are familiar, Sergeant Snelgrove, with
21 multiple shell casings that were submitted to
22 the Richland County Sheriff's Department crime
23 lab for analysis?

24 A Yes, ma'am.

25 Q Did that include various .380 shell casings?

1 A Yes, ma'am.

2 Q All right. How many .380 shell casings were
3 submitted?

4 A Seven.

5 Q How many 9-millimeter shell casings were
6 submitted associated with a Glock?

7 A That would be nine.

8 Q Can you tell us whether there were also
9 projectiles recovered from autopsy?

10 A From autopsy, yes.

11 Q How many projectiles were recovered from
12 autopsy?

13 A Four.

14 Q All right. Now in addition, can you tell us
15 whether or not there were any other
16 9-millimeter shell casings recovered at the
17 scene and nearby?

18 A Yes, ma'am. There was five 9-millimeter
19 cartridge cases that were also collected at the
20 scene that did not correlate to the Glock
21 9-millimeter that we had in evidence but they
22 correlated to each other.

23 Q All right. So I'm going to ask you about that.
24 First thing I want to ask you is the additional
25 five 9-millimeter rounds that were recovered

1 and not associated with the Glock, what type of
2 headstamp did they have?

3 A A Blazer 9-millimeter Luger.

4 Q And you have had an opportunity in your
5 evidence room to review an ammunition that was
6 ammunition that was recovered from the bedroom
7 of Jaylen Wilson as depicted in State's 102 and
8 103?

9 A I looked at the photos, yes, ma'am.

10 Q All right. And looking here at 102 from the
11 bedroom of Jaylen Wilson and again, that being
12 a box of 50, how many were in that box?

13 A Twenty-one. However, one appeared to be
14 different than the other ones.

15 Q All right. And again, this is a Blazer brand?

16 A Yes, ma'am.

17 Q And these are 9-millimeter rounds?

18 A Yes, ma'am.

19 Q Can you tell us specifically are these
20 9-millimeter Luger Blazer rounds?

21 A Yes, ma'am. The headstamps have Luger on them.

22 Q Did you also recover a 9-millimeter Blazer
23 Luger round, just like the ones that we are
24 looking at here that had been fired by the
25 Glock?

- 1 A We did collect Blazer 9-millimeter Luger
2 rounds, well, cartridge cases from the scene.
- 3 Q All right. And did at least one of those turn
4 out to have been fired from the Glock?
- 5 A Yes.
- 6 Q So the ammunition found in the room of Jaylen
7 Wilson, based on your testimony, corresponds
8 with or is identical to numerous 9-millimeter
9 rounds found fired at the scene?
- 10 A Yes.
- 11 Q One of which was associated with the Glock?
- 12 A Talking about a Blazer Luger?
- 13 Q Yes.
- 14 A Yes, ma'am.
- 15 Q And at least five all Blazer Lugers associated
16 with an unrecovered gun?
- 17 A Yes, ma'am.
- 18 Q I'm going to show you what is State's 38 and 39
19 and ask if you are familiar with what's
20 depicted in these photographs?
- 21 A Yes, ma'am.
- 22 Q Is that a fair and accurate representation of
23 the evidence that was found at the scene?
- 24 A Yes, ma'am.
- 25 Q By yourself?

1 A By myself? We had a couple other CSIs there.

2 Oh, I'm sorry. Yes. Yes.

3 Q You personally.

4 A Yes. I was with them, yeah.

5 MS. MAYES: State's 38 and 39 for evidence,

6 Your Honor.

7 MS. McGRADY: No objection.

8 THE COURT: 38 and 39.

9 (Whereupon, State's Exhibit Nos. 38 and 39 were
10 marked and received into evidence.)

11 DIRECT EXAMINATION

12 BY MS. MAYES:

13 Q Now you have shown us this scene shown here in
14 State's 32. How expansive is this area, this
15 area where casings are found all the way across
16 to where ultimately SA's [REDACTED] located? Is it a
17 lot farther than the distance between you and
18 I?

19 A Yes, ma'am, it is.

20 Q Would it be fair to say it is at least a
21 football field in length?

22 A Altogether to where she was, yes, ma'am.

23 Q Roughly a hundred yards?

24 A Roughly.

25 Q 300 feet.

1 So where she is actually located, can you tell
2 us whether or not any rounds known to be fired from
3 the Glock in Jaylen Wilson's room was located near
4 her?

5 A Yes, ma'am. As you see in the green, those
6 were the rounds that were shot by the Glock
7 that was collected on that search warrant. And
8 you see this 33 right here, that is one of
9 those rounds that came back to that Glock that
10 we had in evidence.

11 Q Okay. So here we see green depicting numerous
12 Glock casings. Here we see blue depicting
13 numerous .380 casings. And then up here, 33
14 depicts a fired casing from that same Glock?

15 A Yes.

16 Q The Glock you submitted to Richland County from
17 the room of Jaylen Wilson?

18 A I don't believe I submitted it but it was --

19 Q Sheriff's department?

20 A Yes. The sheriff's department submitted it to
21 Richland County for testing.

22 Q And when we talk about 31, 32, 34, how close
23 are they in proximity to 33?

24 A They are right there together. Thirty-one, 32,
25 33, 34 is all next to each other.

- 1 Q I'm going to show you what is 38 in evidence.
2 Thirty-three being the Glock round?
- 3 A Yes, ma'am.
- 4 Q That particular Glock round, can you tell us
5 whether or not that was a Blazer round?
- 6 A It was a Blazer round, yes.
- 7 Q Thirty-one, 32, 34, not associated with the
8 Glock and not associated with a .380. What
9 type of rounds were those?
- 10 A Nine-millimeters Blazer Luger.
- 11 Q All consistent with the ammunition found in the
12 bedroom of Jaylen Wilson?
- 13 A That's correct.
- 14 Q Having been out to the scene, what proximity
15 are we talking about here between 33 and these
16 three casings here 31, 32 and 34?
- 17 A A few inches.
- 18 Q A few inches?
- 19 A Yeah. A foot at the most.
- 20 Q Can you tell us whether the appearance of those
21 casings in 31, 32 and 34 appear to be of the
22 same general appearance as 33?
- 23 A Yes.
- 24 Q And in terms of color and weathering and
25 anything of that regard?

1 A Yes, ma'am.

2 Q Were they also located atop the surface here of
3 the pinestraw or within the pinestraw just as
4 33 was?

5 A Yes, ma'am.

6 Q Just as all those other rounds from the scene
7 were?

8 A Yes, ma'am.

9 Q As a CSI investigator can you tell us whether
10 this is consistent with shooters standing side
11 by side as those guns are fired?

12 A If they are not side by side, they are really
13 close to each other.

14 Q How close is SA's [REDACTED] body to what we are seeing
15 here?

16 A About 10, 15 feet maybe.

17 Q I'm going to show you what is 130 and ask you
18 whether you are familiar with this exhibit
19 prepared for court purposes?

20 A Yes, ma'am.

21 Q Does this exhibit reflect all of the marker
22 numbers labeled by the Lexington County
23 Sheriff's Department?

24 A Yes, ma'am, besides the ones collected from
25 autopsy.

1 Q Okay. And can you tell us whether or not a
2 representative from the Lexington County
3 Sheriff's Department and coroner's office would
4 have been present at autopsy?

5 A Yes, ma'am.

6 Q So that's all evidence that you would have been
7 had access to as well?

8 A Yes, ma'am.

9 Q And aware of?

10 A Yes, ma'am.

11 MS. MAYES: Your Honor, this would be 130 for
12 evidence.

13 MS. McGRADY: No objection. No objection, Your
14 Honor.

15 THE COURT: 130 without objection.

16 (Whereupon, State's Exhibit No. 130 was marked
17 and received into evidence.)

18 DIRECT EXAMINATION

19 BY MS. MAYES:

20 Q And this exhibit reflecting the numerous rounds
21 associated with the .380. So that's 1, 2, 3,
22 4, 5, known to be associated with the .380?

23 A Excuse me. Yes, ma'am.

24 Q From the bedroom of Jaylen Wilson, the Ruger
25 .380?

- 1 A Oh, yes, ma'am. Yes.
- 2 Q And then there is one unfired cartridge casing.
- 3 What can you tell us about that?
- 4 A It was just an unshot bullet.
- 5 Q And then 1, 2, 3, 4, 5, 6, 7, 8, 9 rounds from
- 6 the Glock 9-millimeter, also recovered from the
- 7 bedroom of Jaylen Wilson?
- 8 A Yes, ma'am.
- 9 Q Now was that all the same ammo or mixed ammo?
- 10 A That was shot by the Glock that was collected.
- 11 It was different makes of ammo.
- 12 Q And I think you told us already about 33, which
- 13 was found in that cluster with the other
- 14 rounds. That was a Blazer round?
- 15 A Yes.
- 16 Q And now 30, 31, 32 and 34, all being the rounds
- 17 you collected marked Blazer?
- 18 A Yes.
- 19 Q And the sheriff's department has not located a
- 20 third gun known to be a 9-millimeter; is that
- 21 correct?
- 22 A That is correct.
- 23 Q Now during the course of this investigation
- 24 after you discovered the body of SA [REDACTED], was
- 25 Treveon Nelson wanted? Was he on the run?

1 A I can't say for sure.

2 Q Okay. That was another detective handling that
3 aspect?

4 A Yes, ma'am.

5 Q Okay. And looking here at the four projectiles
6 recovered from autopsy, one of those consistent
7 with a .380 round?

8 A Yes, ma'am.

9 Q And three consistent with the 9-millimeter
10 Glock?

11 A Yes, ma'am.

12 Q Looking here at 39 in evidence without
13 objection, is that the same cluster that you
14 spoke about earlier?

15 A Yes, ma'am.

16 Q And then what are we looking at here?

17 A That was another round. It was actually on top
18 of that limb and that is number 30 which is
19 also consistent with that 9-millimeter gun that
20 we do not have.

21 Q Okay. Can you tell us whether that is
22 consistent with the shooter moving as the gun
23 is being fired?

24 A They could have been moving or even in the same
25 general area.

1 Q Now looking at the map, you have noted multiple
2 casings here and then an additional known Glock
3 round here associated with the gun of Jaylen
4 Wilson, four additional rounds. And what is
5 located here?

6 A That's where the victim is located.

7 Q What is located here, 24 and 25?

8 A Twenty-four and 25, those are Crocks, pink
9 Crocks.

10 MS. MAYES: I believe these are offered without
11 objection, Your Honor, State's 37 which depicts
12 three, three photographs.

13 (Whereupon, State's Exhibit No. 37 was marked
14 and received into evidence.)

15 DIRECT EXAMINATION

16 BY MS. MAYES:

17 Q Were you present when the Crocks were
18 recovered?

19 A Yes, ma'am.

20 Q I'm going to take a look here, State's 37,
21 first depicting markers 24 and 25. Can you
22 tell us what we are looking at here?

23 A That's two pink Crocks. They were on the
24 brown, black side. It appears that they might
25 have been burned.

1 Q Does this one have evidence of burning?

2 A Yes, ma'am.

3 Q And then this one, was it more damaged than the
4 other?

5 A One was damaged more than the other. I don't
6 remember which one for sure.

7 Q Okay. We will take a close-up look at those,
8 first 24. You worked multiple crime scenes.
9 Can you tell us whether or not this damage
10 appears consistent with some type of burning?

11 A I would say so.

12 Q And then State's 25, did there appear to be ash
13 residue present?

14 A Yes, ma'am.

15 Q Also consistent with the bottom portion of the
16 Crock?

17 A Yes, ma'am.

18 Q Now are you familiar with Crocks?

19 A Yes, ma'am.

20 Q They are plastic in nature?

21 A Yes, ma'am.

22 Q We are going to take a look now at State's 40.
23 I know it is dark. You were working that scene
24 after midnight and into the early morning
25 hours?

- 1 A Yes, ma'am.
- 2 Q What are we looking at here?
- 3 A Those are several pieces of evidence that we
- 4 collected trying to get as much as we could in
- 5 one shot.
- 6 Q What is 23?
- 7 A Twenty-three is the stud earring.
- 8 Q Now are these items scattered about throughout
- 9 this area?
- 10 A Yes, ma'am.
- 11 Q Can you tell us whether or not there was
- 12 evidence of those items being in multiple
- 13 locations, the personal effects?
- 14 A Yes. They were in different areas. They
- 15 weren't all in one pile.
- 16 MS. MAYES: State's 64, also without objection,
- 17 Your Honor.
- 18 THE COURT: Solicitor, did you ask that 40 be
- 19 admitted?
- 20 MS. MAYES: We do, Your Honor. That was also
- 21 without objection.
- 22 MS. McGRADY: No objection.
- 23 THE COURT: So that's 40 and what's the next
- 24 one?
- 25 MS. MAYES: 64, Your Honor, which is going to

1 depict--

2 THE COURT: Forty and 64 without objection.

3 MS. MAYES: 64 depicts three photographs, Your
4 Honor, of the same item.

5 (Whereupon, State's Exhibit Nos. 40 and 64 were
6 marked and received into evidence.)

7 DIRECT EXAMINATION

8 BY MS. MAYES:

9 Q We are looking at 64. Who found that item?

10 A I did.

11 Q Okay. And is that a close-up view in 64?

12 A Yes, ma'am. Yes, ma'am.

13 Q I think you mentioned some other items of a
14 personal nature that were found along the way.
15 What were those items?

16 A Actually, I found the earring back, an earring
17 backer first before we found the stud. There
18 is also a false eyelash. I guess that's how
19 you say it was a set for one eye. We had a
20 tampon applicator, tampon package; paper
21 material that was like, it was like tissue or
22 it had reddish brown stain on it. We also
23 found a sock.

24 MS. MAYES: I believe without objection, Your
25 Honor, are State's 67 the eyelash as well as 65 and

1 66.

2 MS. McGRADY: No objection.

3 THE COURT: Sixty-five, 66, 67 without
4 objection.

5 (Whereupon, State's Exhibit Nos. 65, 66, 67
6 were marked and received into evidence.)

7 DIRECT EXAMINATION

8 BY MS. MAYES:

9 Q Looking here at 67 and now back at the map, it
10 is marker 14. Where was it located? And then
11 you mentioned a tampon and associated wrapper,
12 65, 66. And if you could show us on the map
13 where those items were located.

14 A Right there.

15 THE COURT: Do that again, ma'am.

16 THE WITNESS: I'm sorry. Right there.

17 THE COURT: Okay.

18 DIRECT EXAMINATION

19 BY MS. MAYES:

20 Q Can you tell us whether or not that tampon was
21 submitted to the Richland County Sheriff's
22 Department for DNA analysis in comparison with
23 the defendant in this case, Nicolle
24 Sanchez-Peralta?

25 A I honestly do not know.

1 Q That would have been another individual
2 submitting those items?

3 A That's correct.

4 Q Now where the casings are concerned I'm going
5 to show you those all together. We are going
6 to start with 44, 45, 46, 47, 48, 49, 50, 51,
7 52, 56, 58, 59, 60, 61, 62, 63, 72, 73, 75, 77.
8 Can you tell us whether or not and one more,
9 79, 80, 81, 82 and 83, are these all consistent
10 with the casings that you discovered at the
11 scene?

12 A Yes, ma'am.

13 Q And noted there on your map?

14 A Yes, ma'am.

15 MS. MAYES: I offer all for evidence, Your
16 Honor.

17 (Pause.)

18 THE COURT: Any objections?

19 MS. McGRADY: No objection, Your Honor.

20 THE COURT: All right. As recited by the
21 solicitor those exhibits are admitted without
22 objection.

23 (Whereupon, State's Exhibit Nos. 44 through 52,
24 56, 58 through 63, 72, 73, 74, 75, 77, 79 were
25 marked and received into evidence.)

DIRECT EXAMINATION

BY MS. MAYES:

Q And as we look here 44 for example, which depicts the casing in number one; 58 for example, which depicts the casing in 17, marked by 17; 73 which depicts the casing with marker 31; 74 which depicts the casing with marker 32; 75 which depicts the casing with marker 33; 77 which depicts the casing with marker 34; 79 which depicts the casing with marker 29. Can you tell us whether these all appear to have been left at that scene within the same general time frame?

A Yes, ma'am.

Q You mentioned a sock. I'm going to show you what is State's 140.

MS. McGRADY: No objection.

MS. MAYES: No objection, Your Honor, to 140.

THE COURT: 140.

(Whereupon, State's Exhibit No. 140 was marked and received into evidence.)

DIRECT EXAMINATION

BY MS. MAYES:

Q That sock noted here by marker 10 is located where on your map?

1 A Right there.

2 Q Now, finally, looking at the map, how did you
3 first go about discovering SA's body?

4 A As when I was told?

5 Q Your own observations from the scene.

6 A Okay. So when I first arrived, I was walked
7 along here very carefully and walked around the
8 bend to where the Crocks were. And then in
9 this little opening, there is like a little
10 opening and we could see where she had been
11 buried.

12 Q What do you mean by that?

13 A She wasn't fully buried because there was a
14 patch of fabric that we could see sitting on
15 top. And upon closer we could actually see two
16 pieces of fabric, an animal print one and a
17 denim type. And you could smell the very --
18 the decomp. smell that's associated with
19 bodies.

20 Q All right. What else did you observe around
21 the body? Any type of instruments that you
22 recall or noted?

23 A That night we didn't.

24 Q Okay. I'm going to show you what is labeled
25 State's 70 and State's 68 and ask you whether

1 or not you recognize this item?

2 A Yes, ma'am.

3 Q How so?

4 A When we were out there that next day in the
5 afternoon, an investigator saw it. There was a
6 tree, a really fairly large pine tree next to
7 where SA [REDACTED] was buried. Behind it, under the
8 limbs there was a broken, what appeared to me
9 to be a broken handle from possibly a shovel.

10 Q And you had this marked as 28 out at the scene?

11 A I would have to refer to my report. I don't
12 even remember what number was in that picture.
13 Yes. That was it.

14 MS. MAYES: And I believe, Your Honor, this is
15 68 and 70 without objection.

16 THE COURT: All right.

17 (Whereupon, State's Exhibit Nos. 68, 70 were
18 marked and received into evidence.)

19 DIRECT EXAMINATION

20 BY MS. MAYES:

21 Q Now the 68, is that the establishing shot?

22 A Yes, ma'am.

23 Q And then now at 70?

24 A That is a closer up of the broken end.

25 Q When you observed the scene, was SA [REDACTED] buried

1 deep enough that it would have required a
2 shovel to place her there?

3 A Some of the areas, yes, ma'am, especially to
4 cover her back up.

5 Q I'm going to show you what is 41, 42 and 43 and
6 ask if you are familiar with these items?

7 A Yes, ma'am. That's the animal print blanket
8 that I, well, I said fabric earlier, but it is
9 part of a blanket. You can also see denim
10 there.

11 Q From the victim?

12 A Which was the victim. It is her backside.

13 Q All right. And then that throw that you
14 recalled, also being around the victim?

15 A Yes, ma'am.

16 MS. MAYES: This would be 41, 42 and 43 for
17 evidence.

18 (Pause.)

19 THE COURT: Hearing no objection, 41 through
20 43.

21 MS. McGRADY: No objection.

22 (Whereupon, State's Exhibit Nos. 41 through 43
23 were marked and received into evidence.)

24 DIRECT EXAMINATION

25 BY MS. MAYES:

1 Q On looking here at 41, are you depicted in this
2 photograph?

3 A Am I? Yes, ma'am. My arm is.

4 Q So you assisted in that recovery?

5 A Yes, ma'am.

6 MS. MAYES: Beg the court's indulgence.

7 (Pause.)

8 MS. MAYES: Nothing else for this witness at
9 this time, Your Honor.

10 CROSS-EXAMINATION

11 BY MS. McGRADY:

12 Q Sergeant Snelgrove, I just have one question.
13 Is there anything that ties Nicolle to the
14 scene?

15 A I don't think I can say.

16 MS. MAYES: Again, Your Honor, an objection
17 unless there is a stipulation of DNA. If there is a
18 stipulation of DNA, the witness can answer this
19 question and we can submit the DNA report.

20 MS. McGRADY: Withdrawn.

21 No further questions.

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

24 Solicitor, what do y'all want to do?

25 MS. MAYES: We leave that to the court, Your

1 Honor. Our next witness would likely be lengthy.

2 It is unlikely we would finish that witness by 5.

3 THE COURT: Y'all want to break or if we
4 start -- I don't like to start a witness and then
5 break and come back. It just seems to create
6 problems in any forum. But again, I'll work as long
7 as y'all want to but I want to avoid that scenario.

8 MS. MAYES: And we don't think we can get all
9 that testimony up today, Your Honor, because it does
10 include multiple exhibits; however, we are making
11 good time. We have gotten through, I believe, seven
12 today and should be able to -- this should not
13 change our schedule.

14 THE COURT: Do you have any short witnesses
15 that we can go ahead and take care of?

16 MS. MAYES: Not at this time, Your Honor.

17 THE COURT: Okay. All right. Defense have a
18 position? It sounds like they are requesting we
19 adjourn until in the morning.

20 MS. McGRADY: Your Honor, we are in agreement
21 to adjourn.

22 THE COURT: Okay. Now so everybody knows, and
23 I'm sure everybody knows this but here in Lexington
24 we back up any trial, whether it is one of this sort
25 or a private domestic case. And I have a four-day

1 trial that's supposed to start tomorrow, which of
2 course is not going to take place because this case
3 is going. But they do have an agreement and I'm
4 going to do that at 9:15 and we should be able to
5 start right at 9:30 or shortly thereafter. Same
6 thing for Wednesday. We had a three-day back up and
7 it has an agreement so I'm going to do it at 9:15.

8 I am going to ask, Andy, if you would, verify
9 that y'all have the resources to do so, walk the
10 victims down and ensure that they are gone and then
11 the defendants can go. I'm going to grant the
12 request by the defense because I don't want anything
13 to occur that may affect this proceeding.

14 MS. McGRADY: Thank you, Your Honor.

15 THE COURT: Anything else, Solicitor?

16 MS. MAYES: Nothing from the State, Your Honor.

17 THE COURT: Ms. McGrady?

18 MS. McGRADY: Nothing, Your Honor. Thank you.

19 THE COURT: Thank you for everybody's courtesy.
20 Look forward to seeing you in the morning.

21 MS. MAYES: Thank you.

22 (Whereupon, the proceedings were concluded for the day.)

23 THE COURT: All right. We are back on the
24 record in the interest of Nicolle Sanchez-Peralta's
25 waiver hearing. This is day two of a waiver hearing

1 scheduled to last five days. I had a conference
2 call with Solicitor Hubbard and Ms. McGrady last
3 night. And I think Ms. Mayes was present if I
4 recall correctly. So the four of us spoke regarding
5 an issue that the defense has raised as to Ms.
6 Fullwood's health and what their claim is that
7 precludes her from being present.

8 I'll let Mr. Hubbard confirm but I believe they
9 agreed to continue this matter for today only and
10 that everybody agrees that this will not prevent the
11 case from being tried fully this week. So I'll be
12 glad to hear from you, Ms. McGrady and then I'll
13 hear from the solicitor.

14 MS. McGRADY: Your Honor, before I begin I
15 would like to submit Ms. Fullwood's medical
16 documentation from Urgent Care from yesterday.

17 THE COURT: They have it?

18 MS. McGRADY: I think I included it on the
19 e-mail. We would like this marked as a court's
20 exhibit, Your Honor.

21 THE COURT: Defendant's 2 unless there is an
22 objection.

23 MR. HUBBARD: No objection, Your Honor.

24 THE COURT: All right. Do you have an original
25 you want to give to the court reporter to mark?

1 MS. McGRADY: We don't have an original. That
2 is what we have.

3 THE COURT: I believe Sanya gave y'all some of
4 her stickers so y'all can mark it as Defendant's 2.

5 MS. McGRADY: Yes.

6 (Whereupon, Defendant's Exhibit No. 2 was
7 marked and received into evidence.)

8 THE COURT: This is dated May 2nd, Urgent Care,
9 May return to work May the 9th.

10 MS. McGRADY: That is correct, Your Honor.

11 THE COURT: And y'all are asking that this
12 matter be continued until 9:30 in the morning for
13 the purposes of preparing for what Ms. Fullwood
14 would have addressed on behalf of your client?

15 MS. McGRADY: That is correct, Your Honor. We
16 are requesting still at least a one-day continuance
17 due to Ms. Fullwood's medical emergency. She has
18 been prepping this case for almost two months and we
19 cannot fill her shoes on such short notice. It is a
20 due process violation, a Sixth Amendment right to
21 counsel violation and opens us up to PCR or
22 potential malpractice.

23 Your Honor, if, let's say, Jack Swerling were
24 in here trying a case and he got sick, you would not
25 call his associate to come and fill his shoes on

1 such short notice.

2 THE COURT: Respectfully, you don't know that,
3 Ms. McGrady, what I might do under those
4 circumstances. So and also, this was the concern I
5 had last night when you said at least a one-day
6 continuance. The Solicitor, and I'll give him a
7 chance to confirm this based on our conversation
8 last night he was consenting to today.

9 MS. McGRADY: That is correct, Your Honor. And
10 we are consenting to at least one day. We are good
11 with today. We are just saying that realistically
12 that's not adequate time but we should be prepared
13 to go tomorrow. And I will renew our objection to
14 continuing tomorrow.

15 THE COURT: You are going to renew your
16 objection to continuing tomorrow?

17 MS. McGRADY: Yes.

18 THE COURT: That's not the position that you
19 related to me and the solicitor's office last night.

20 MS. McGRADY: That is what we talked about in
21 our office this morning, Your Honor.

22 THE COURT: Solicitor.

23 MR. HUBBARD: Your Honor, you are exactly
24 right. That was not our conversation last night.
25 We were fine giving a one-day continuance because we

1 think we will have the bulk of our stuff up by
2 Wednesday and I think one witness Thursday morning
3 and we will be done.

4 I feel like I'm being sandbagged here. I
5 agreed to let that medical report come in and now
6 that's going to be used for a PCR later down the
7 road. That is just absolutely inappropriate. Ms.
8 McGrady has been on this case since the beginning.
9 She's been the lead on this since the beginning.
10 Mr. Madsen was involved in this at least until a
11 couple weeks ago. He was in court and argued in
12 court before Your Honor the other day.

13 Ms. Fullwood's role, she was brought in to us
14 we were told just a few weeks ago. And if she has a
15 few witnesses, well, Your Honor, we cover that all
16 the time. We have covered for one another witnesses
17 that someone else had prepared. Somebody's done the
18 homework; you get to get in; you get to see what
19 they have done. That's what we do as attorneys.
20 Ms. McGrady's been on this thing from the beginning
21 and to say that they don't have adequate time, Your
22 Honor, is just I'm stunned. I know I have not dealt
23 with Ms. Selert.

24 MS. McGRADY: Selert.

25 MR. HUBBARD: Selert. I'm sorry. We just

1 introduced ourselves yesterday. I've seen her.
2 Your Honor, she has been involved in this. She's
3 handled witnesses too. They have a team of
4 attorneys over there, just like we do and we do this
5 all the time. I mean, we've put cases on the docket
6 and had people who didn't have anything to do with
7 preparation of it walk in and try it. That's what
8 trial attorneys do.

9 Beth Fullwood's role has been peripheral at
10 best and they have a whole day to go over whatever
11 witnesses to be ready. And to me that's not
12 unreasonable. And that was the conversation last
13 night and to now to build it up as a PCR is just --
14 that's holding a gun at your head and mine and it is
15 just absolutely outrageous.

16 And I will let you know too, Ms. Fullwood is
17 set for a date certain attempted murder trial right
18 now at the end of the month, May 23rd. Right now
19 she is like first up, a 2019 case set by our chief
20 judge for general sessions. So she can come in here
21 and say, Judge, I haven't had time because I have a
22 general sessions case that predated this one. I
23 mean, this can go on and on and on.

24 And Mr. Madsen he is not here today. We have
25 county counsel. I'm going to be here working on

1 this case because that's what I committed to my team
2 for. Someone else can cover money matters. I'm
3 just -- I'm just stunned.

4 THE COURT: Well, my understanding was Mr.
5 Madsen's absence wasn't due to a budget meeting or
6 counsel meeting. It was due to his father having
7 knee surgery.

8 MR. HUBBARD: I did forget that. You are
9 right. You are right, Your Honor. I would like to
10 have seen him here this morning on this.

11 THE COURT: Ms. McGrady, how many witnesses did
12 Ms. Fullwood anticipate examining?

13 MS. McGRADY: Potentially five, Your Honor.

14 THE COURT: And y'all got all day and night to
15 address those five witnesses.

16 MS. McGRADY: We do. We just want to point
17 out, Your Honor, that with Mr. Hubbard saying that
18 they have attorneys come in and try cases that don't
19 belong to them, that they have never seen the file
20 before, that's fine for them, for the State but they
21 don't have a client who has rights. It is different
22 for defense attorneys and I believe Your Honor would
23 know that.

24 THE COURT: I understand your position. But,
25 again, this was not the request that you relayed to

1 me last night. We had a conference call at whatever
2 time 6:30, 7:00 and they agreed. I specifically
3 said when you said at least one day that it wasn't
4 going to be no more than one day. You have
5 indicated that today would give y'all ample time to
6 address the absence of Ms. Fullwood.

7 MS. McGRADY: And it should, Your Honor.

8 THE COURT: But that's not what you said now,
9 Ms. McGrady. Now you are changing your position and
10 saying we talked about this morning, we going to
11 object to going forward tomorrow. That's not what
12 you relayed to me via telephone last night. And I'm
13 not sure what has transpired because Ms. Fullwood's
14 witness list hasn't went up or down. You indicated
15 this would be plenty of time. They consented to it
16 and now what's changed?

17 MS. McGRADY: Your Honor, we had a conversation
18 with Mr. Madsen this morning and --

19 THE COURT: Then where is he since Mr. Madsen
20 indicated that y'all needed to object to going
21 forward tomorrow? He instructed you to do that?

22 MS. McGRADY: Yes, Your Honor.

23 THE COURT: Okay. Well where is he to tell me
24 what his basis is?

25 MS. McGRADY: I'm not sure, Your Honor.

1 THE COURT: All right. Well, I'm going to
2 continue it today by consent. And I would encourage
3 y'all to abide by what you requested initially, not
4 based on what Mr. Madsen has said who's not present
5 to explain to me why what the public defender's
6 office told me last night has changed in about 12
7 hours.

8 MS. McGRADY: Yes, Your Honor.

9 THE COURT: Anything else?

10 MS. McGRADY: No, Your Honor.

11 MR. HUBBARD: Nothing from the State. I will
12 state that if there is a witness that Ms. Fullwood
13 is going to handle that we could stipulate to or
14 work around, I will do whatever I can from my side
15 to make that happen.

16 THE COURT: Y'all feel comfortable giving them
17 the five witness' names? He may be able to cut down
18 on your work.

19 MS. McGRADY: Yeah. We can do that.

20 MR. HUBBARD: Thank you, Your Honor. We will
21 work with Ms. McGrady on that.

22 THE COURT: Again, we got another agreement at
23 9:15 in the morning that I'm going to do before we
24 begin.

25 MR. HUBBARD: Yes, sir.

1 THE COURT: So I appreciate y'all's courtesy.

2 See y'all bright and early. Thank you.

3 MR. HUBBARD: Thank you.

4 MS. McGRADY: Thank you, Your Honor.

5 (Whereupon, the proceedings were concluded for the day.)

6 THE COURT: All right. Solicitor, you have all
7 your people in here that needs to be in here?

8 MR. HUBBARD: Except we don't have our victims
9 here. Just so Your Honor knows, we told them this
10 morning we would have some fairly graphic stuff
11 because we plan to getting into the pathologist. So
12 we've told them that and advise that they not show
13 up. They may be here later today unless they change
14 their mind but we've told them good idea not to be
15 here this morning.

16 THE COURT: All right.

17 MR. HUBBARD: I think we have everyone else,
18 yes.

19 THE COURT: The interpreters are still under
20 oath as they will be all week.

21 Ms. McGrady, y'all have everybody here that you
22 need?

23 MS. McGRADY: We do, Your Honor.

24 THE COURT: For the record, we adjourned
25 yesterday based on a continuance request by the

1 defense. I believe at that time y'all anticipated
2 that there were five witnesses that Ms. Fullwood
3 would be addressing but afterwards y'all determined
4 there were only two.

5 MS. McGRADY: Yes.

6 THE COURT: So you have had ample time to
7 prepare for those witnesses?

8 MS. McGRADY: We have had time, Your Honor. I
9 would not say ample but we have had time and we just
10 renew our objection that we requested more than one
11 day. We are ready to go today, Your Honor, but we
12 ideally would have liked more than one day.

13 THE COURT: To prepare for two witnesses, Ms.
14 McGrady, that y'all have known about?

15 MS. McGRADY: Yes, Your Honor, because one of
16 them includes the evaluator from DJJ and her
17 testimony is crucial.

18 THE COURT: And you didn't have time to address
19 that prior to commencement of this trial and in
20 addition giving you another day?

21 MS. McGRADY: Ms. Fullwood was prepared to go
22 forward with the DJJ evaluator. And because she's
23 been doing this as long as she has, she can just fly
24 by the seat of her pants going through the
25 evaluation report with the doctor. I, on the other

1 hand, am not comfortable doing that and I had to go
2 through painstakingly line by line, page by page and
3 come up with my cross-examination questions on my
4 own. So it took a while.

5 That being said, we are prepared, Your Honor.
6 We are just begrudgingly prepared.

7 THE COURT: That's fair enough. Thank you so
8 much for that explanation.

9 Solicitor.

10 MR. HUBBARD: Just for the record too, we
11 anticipate that witness coming in Thursday morning,
12 our last witness. That gives them a little bit more
13 time. And also I believe Ms. McGrady was there
14 during the evaluation process. So anyway, I just
15 wanted that to be on the record. Thank you.

16 THE COURT: That's good. That gives y'all some
17 additional time this afternoon as well.

18 All right. Anything before we call your first
19 witness, Solicitor?

20 MR. HUBBARD: No, sir.

21 THE COURT: Ms. McGrady, anything else before
22 the first witness is called?

23 MS. McGRADY: No, sir, Your Honor.

24 THE COURT: All right. Thank you both so much.
25 Go ahead whenever y'all are ready.

1 MS. MAYES: May it please the Court. The State
2 calls Investigator Kevin Baum.

3 THE COURT: All right. Sir, if you would come
4 up here to my right and have a seat, please. All
5 right. Tell us what your full name is and spell
6 your last name for the court reporter, please.

7 THE WITNESS: Yes, sir. It is Kevin Levene
8 Baum, B-A-U-M.

9 THE COURT: All right. Would you raise your
10 right hand, sir?

11 KEVIN BAUM, after being duly sworn, testified as
12 follows:

13 THE COURT: Thank you so much.

14 DIRECT EXAMINATION

15 BY MS. MAYES:

16 Q Good morning, Investigator Baum. I want to
17 start by asking you a little bit about
18 yourself. How long have you been a member of
19 law enforcement?

20 A Since 2011. So 11 years.

21 MS. MAYES: Your Honor, the interpreter may
22 move somewhat back. I can hear her.

23 THE COURT: All right. Y'all move back as far
24 as you can and also being able to hear.

25 DIRECT EXAMINATION

1 BY MS. MAYES:

2 Q And how long have you been an investigator
3 there with the sheriff's department?

4 A I was promoted to investigations in 2020. So
5 two years.

6 Q All right. Now during this course of time have
7 you had the opportunity to be involved in
8 homicide investigations?

9 A Yes, ma'am.

10 Q And what role did you have regarding the
11 abduction and murder of 15-year-old SA [REDACTED]
12 [REDACTED]?

13 A I was the lead investigator.

14 Q I want to start by asking you to go back in
15 time. If you would pull that microphone a
16 little bit closer to you.

17 A Is that better?

18 Q Go back in time to April of 2021 and tell us
19 how you first became involved in any contact
20 with the defendant in this case, Nicolle
21 Sanchez-Peralta.

22 A Yes, ma'am. So on April 27th, 2021 I was
23 approached by Sergeant Miller, which was my
24 sergeant at the time for major crimes division.
25 He advised us to meet to the major crime suite

1 because Captain Laintz wanted to speak to us
2 about helping out Richland County on a case of
3 theirs. So we met briefly and Captain Laintz
4 advised us that Richland County was asking for
5 assistance in reference to a missing person, a
6 15-year-old SA [REDACTED] that had been
7 kidnapped out of Richland County and they had a
8 potential witness that was going to lead us to
9 the body of where she was murdered at.

10 So we met with Richland County investigators at
11 the 44 Truck Stop that afternoon. I didn't have
12 contact with Nicolle, Ms. Peralta, that day.
13 Detective Carvajal originally stepped into the
14 vehicle. I was the second vehicle to follow them.
15 After we weren't able to locate the incident
16 location that day, we searched for a little bit
17 until it got night and then we called it off that
18 day.

19 The following day, on the 28th, Ms. Peralta was
20 brought to headquarters at Lexington County by one
21 of our victim assistance officers Nieves, which is
22 where I interviewed her at.

23 Q Okay. So I want to talk specifically about
24 that contact that you had with her on the 28th.

25 A Yes, ma'am.

1 Q Now who was with you and present during the
2 course of this interview?

3 A It was myself and Detective Michael Hart and
4 then later a Richland County detective stepped
5 in as well.

6 Q Okay. And you mentioned earlier that your
7 initial involvement with her was one with the
8 thought of her being a witness?

9 A Yes, ma'am.

10 Q Can you elaborate on that further?

11 A We were advised that Nicolle had told Richland
12 County that her part in this was that she was
13 taken with SA [REDACTED], confronted at the murder
14 location and that it was ended up that SA [REDACTED]
15 got shot but Nicolle had no part into it; that
16 she was just a victim or a witness at that
17 point.

18 Q All right. During that interview and first,
19 let me preface this by saying did she come to
20 this interview voluntarily?

21 A Yes, ma'am.

22 Q Did she appear to be freely and voluntarily
23 participating in this interview?

24 A Yes, ma'am.

25 Q During that contact with her, Investigator

1 Baum, at any point did something change?

2 A Well, during the interview we noticed some
3 inconsistencies that she was telling us when we
4 were asking her about some facts of the case,
5 which it kind of raised some red flags.

6 Originally she wasn't Mirandised because we
7 thought she was a victim, a witness at that
8 point. But when she started giving multiple
9 inconsistencies, she was Mirandised at that
10 point.

11 Q All right. And were you present when that
12 occurred?

13 A Yes, ma'am.

14 Q And who actually advised her of her Miranda
15 rights?

16 A Detective Hart.

17 Q Okay. I'm going to show you an item which is
18 State's 120 and ask you whether or not you are
19 familiar with this?

20 A Yes, ma'am.

21 Q And can you tell us whether the video that we
22 received from the Lexington County Sheriff's
23 Department depicts the Miranda rights that
24 Nicolle Sanchez-Peralta was advised of on
25 April 28th?

1 A It does.

2 MS. MAYES: This would be 120 for evidence,

3 Your Honor, I believe without objection.

4 MS. McGRADY: No objection.

5 THE COURT: 120.

6 (Whereupon, State's Exhibit No. 120 was marked
7 and received into evidence.)

8 (Exhibit is played.)

9 DIRECT EXAMINATION

10 BY MS. MAYES:

11 Q That's audio. Was this also video recorded?

12 A Yes, ma'am.

13 Q Is it that same room that has been referenced
14 before with the poor audio?

15 A Yes, ma'am.

16 Q And this would be a separate audio recording of
17 that same event?

18 A It would be on our phone, yes, ma'am.

19 Q Now in that recording, State's 120, it was
20 mentioned that she was not in custody. Was she
21 free to leave at this point?

22 A She was.

23 Q Was she free to stop the interview at any point
24 in time?

25 A She was.

1 Q Was she coerced or threatened in any way by
2 yourself or Detective Hart?

3 A No, ma'am.

4 Q Was she made any promises by you or Detective
5 Hart in order to participate in this interview?

6 A No, ma'am.

7 Q And ultimately after this interview, was she
8 free to go about her business?

9 A She was. She ultimately went home that night
10 to her mom.

11 Q Based upon all of your observations on that
12 date, Investigator Baum, can you tell us
13 whether it appears that Nicolle
14 Sanchez-Peralta's waiver of Miranda rights was
15 free and voluntary?

16 A It was.

17 Q Now following the waiver of Miranda, what
18 happens next during the course of the
19 interview?

20 A So she's confronted about some inconsistencies,
21 about a stolen vehicle that was used the day of
22 the murder. Multiple times she denied it. She
23 said the vehicle was stolen but it was stolen a
24 couple of days prior and that they had already
25 gotten rid of that vehicle.

1 Q So I want to stop you right there. You are
2 referring to the black Camry that has already
3 been referenced in this case that was stolen on
4 the afternoon of the 5th around 12:57 p.m.?

5 A Yes, ma'am.

6 Q Now at this point in time were you aware of
7 video surveillance?

8 A I'm not sure we had a copy of the police report
9 in front of us that had the date and the time
10 on it and she was shown that and she still
11 denied that it was stolen that day.

12 Q All right. And so just to clarify, you did
13 have a copy of that West Columbia Police
14 Department incident report noting that that
15 particular vehicle had been stolen on that date
16 and at that time?

17 A Yes, ma'am.

18 Q And when confronted with that, what version of
19 events did Nicolle state to you?

20 A So the original version of the stolen vehicle
21 is what you are asking about? I'm sorry.

22 Q Yes.

23 A So the original version is that, yes, they had
24 stolen that vehicle; that Tre had made Nicolle
25 set this guy up on Instagram but this happened

1 days prior; at one point she says, yeah, the
2 vehicle was involved and says no, no, not the
3 stolen vehicle. I mean, I think it was about
4 10 times she says that vehicle wasn't involved
5 in this case.

6 Q All right. And when you say involved in this
7 case, you mean she is denying that that is the
8 vehicle that was used to abduct SA [REDACTED]?

9 A Yes, ma'am.

10 Q What story did she tell you instead regarding
11 any type of vehicle that was used in the
12 abduction of SA [REDACTED]?

13 A She said that Smoove, which was going to be
14 Jaylen Wilson, had come over to pick up Nicolle
15 and Treveon in his mother's car. She described
16 the car. I think it was a dark car with rims
17 on it. Said this was his mom's car.

18 Q All right. So one story is that they are using
19 Jaylen's mother's car?

20 A Yes, ma'am.

21 Q Now was she questioned about how she left the
22 crime scene that night?

23 A She had said that they had got an Uber to go
24 back to [REDACTED] Street. And that would be
25 Treveon and Nicolle.

1 Q All right. So she says that SA [REDACTED] was abducted
2 in Jaylen's mother's car and that she leaves
3 the crime scene how?

4 A In an Uber. She was picked up.

5 Q And how descriptive was she in giving the Uber
6 story?

7 A She was pretty descriptive. If you give me a
8 second, I'll actually tell you what she said.

9 Q Okay.

10 A She described the Uber driver to be a black
11 male, had glasses, didn't look that old. It
12 was a grayish SUV, long four-door, three rows
13 of seats. I believe that's what she told us
14 about that Uber ride.

15 Q Okay. So she's giving you a very descriptive
16 account of the driver?

17 A Yes, ma'am.

18 Q And as well as the vehicle itself?

19 A Yes, ma'am.

20 Q Now had you had the opportunity to check to see
21 if there was any record of an Uber going out to
22 Leesville in the early morning hours of the 6th
23 when SA [REDACTED] had been murdered?

24 A We did. Prior to this interview we had
25 Detective Cob did a emergent request with Uber

1 to see if there had been any pick ups relating
2 to that area on that day and time and there was
3 none.

4 Q Okay. And when you were able to determine that
5 that story was not accurate, what did you do?

6 A Again, she was asked about the stolen vehicle
7 but she would always deny that that stolen
8 vehicle was used that night.

9 Q Okay. So she continued to deny that?

10 A Yes, ma'am.

11 Q What other inconsistencies did you note?

12 A (There was no response.)

13 Q Let me ask you this. Did she originally admit
14 to being present for the burial of SA [REDACTED]?

15 A She did not. She said that after the shooting,
16 Treveon took her to Kilo's house, which is
17 going to be Allon Adams, which is where she
18 said Kilo kept her there, wouldn't let her
19 leave.

20 Q Okay. So story is that after the shooting, she
21 was taken to Kilo's. Is that going to be the
22 camper at [REDACTED] [REDACTED]

23 A Yes, ma'am.

24 Q And when you say Kilo kept her there, she is
25 describing that as by force?

1 A No. I specifically asked her whether she tried
2 to get up and leave and she just said, no, Kilo
3 wouldn't let her leave. But she didn't
4 describe any force.

5 Q So it was that Kilo wouldn't let her leave?

6 A Correct.

7 Q Now did you later during the course of your
8 conversation with her learn that that also was
9 not a true statement?

10 A So her story changed multiple times. I'm not
11 sure exactly when her story about Kilo left.
12 I'm not sure if that changed when
13 Detective Pablo talked to her afterwards. I
14 think she remained the story about staying at
15 Kilo's house and taking an Uber home that
16 night.

17 Q Ultimately is a statement made to the Lexington
18 County Sheriff's Department where she
19 acknowledges she had been with Treveon and at
20 the crime scene following the murder?

21 A She was. She finally ultimately changed her
22 story to where she was forced to hold a
23 flashlight while they buried SA [REDACTED].

24 Q Okay. So ultimately admits being at the scene
25 for the burial?

1 A Yes, ma'am.

2 Q Now you mentioned that she was free to leave
3 that night. What else can you tell us about
4 the course of your interview and how you
5 eventually turned that over to Detective
6 Carvajal?

7 A So I interviewed her. I'm not sure exactly how
8 long it went on for. She would never
9 acknowledge the fact that that stolen car was
10 used that day. Richland County ends up coming
11 into the room because they had been involved.
12 He reinforced the fact that, you know, she is
13 free to leave; she is not under arrest. She
14 still remains the same story that the stolen
15 Camry is not involved in the case; he had
16 already stolen it, sold it to I believe she
17 said she sold it to Allon at that point.
18 Again, she denies the stolen Camry. She kept
19 denying the stolen Camry. So at that point I
20 think we take a break and I leave to go get a
21 search warrant done and she is passed over to
22 Detective Carvajal.

23 Q During the course of your interview with
24 Nicolle, did you ask her specifically about the
25 day after the shooting?

1 A Yes, ma'am. I believe she said that the day
2 after for about a week she was held captive at
3 Treveon's house on [REDACTED] Street and wasn't
4 allowed to leave.

5 Q All right. And did you ask her during the
6 course of the interview if Treveon was her
7 boyfriend?

8 A I did. I believe that was the first question I
9 asked her and she said, no, that was her
10 ex-boyfriend. I actually ask her one point was
11 she in love with Treveon and she says, Hell,
12 no.

13 Q So she tells you that she is not in love with
14 Treveon?

15 A Yes, ma'am.

16 Q And that he was holding her hostage after the
17 murder?

18 A Correct. For about a week.

19 Q And she says that that was at [REDACTED] Street?

20 A Yes, ma'am.

21 Q Now did she also acknowledge that Tre was known
22 to have weapons, including firearms before the
23 murder and after the murder?

24 A I believe she did. I would have to go back and
25 look at my notes but she said I think Tre had

1 a -- I want to get it correct.

2 Q And you can refer directly to your report.

3 A Yes, ma'am.

4 (Pause.)

5 THE WITNESS: She said that Treveon always has
6 a different gun. That night he had a .380, a .380
7 was silver with a black clip. Treveon had a gun
8 that was all black. I'm sorry or Smoove, a/k/a
9 Jaylen Wilson had a gun that was all black.

10 DIRECT EXAMINATION

11 BY MS. MAYES:

12 Q All right. And I'm going to refer you to your
13 report as well being the portion where you are
14 asking specifically about whether Tre had
15 different guns.

16 A I'm sorry. It is a very long report.

17 Q Yes. I'm going to refer you to page five at
18 the bottom.

19 A Page five. That was the one I just quoted,
20 Treveon always has a different gun. That night
21 he had a .380.

22 Q Okay. Now prior to you ending that interview,
23 and I know you indicated it is a long
24 interview, and that she had made continual
25 denials but moving on to where you are ending

1 the interview, what if anything did Nicolle say
2 about her communications with Sister [REDACTED],
3 the victim's sister?

4 A So we asked her about that. I believe she said
5 that Treveon had made her send messages because
6 he had taken her phone at that point.

7 Q All right. And what, if anything, did she say
8 about whether Tre and Smoove, who is Jaylen
9 Wilson, communicated together about the murder
10 after it had occurred?

11 A She said at some point they had joked around
12 about it; they had laughed about it; they had
13 made fun of SA [REDACTED].

14 Q And do you have that in your report?

15 A Yes, ma'am. Let me find that.

16 Q I'll refer you to page 7.

17 A So Tre and Smoove were laughing about the
18 incident afterward saying, That is what
19 snitches get.

20 Q All right. So she said she would have been
21 present when they were laughing about it?

22 A Yes, ma'am.

23 Q Now during the course of this investigation did
24 you ever know of any nicknames that the
25 co-defendants or other witnesses referred to

1 Nicolle as?

2 A I believe it was Sis.

3 Q Okay. So she was known as Sis?

4 A Yes, ma'am.

5 Q And I knew you have indicated that Jaylen
6 Wilson was Smoove?

7 A Yes, ma'am.

8 Q Can you tell us whether or not you've heard
9 Nicolle refer to Treveon or Tre as Bru?

10 A I have.

11 THE COURT: As what?

12 MS. MAYES: Bru.

13 DIRECT EXAMINATION

14 BY MS. MAYES:

15 Q Now during your interview did you ask Nicollette
16 if she knew where SA [REDACTED] was?

17 A I believe we did multiple times and she said
18 no.

19 Q And specifically as to the location of her
20 body?

21 A She said no.

22 Q Now given all of that, Investigator Baum, I
23 know you indicated that that interview with her
24 was on April 28th. Since that time and
25 pursuant to the investigation, have you had the

1 opportunity to investigate certain aspects of
2 this story, including her involvement?

3 A Yes, ma'am. We pulled multiple social media
4 records and reviewed most of those.

5 Q Okay. So I want to go now to the stolen car,
6 which we know to be on April 5th at
7 approximately 12:57 p.m. What if any evidence
8 have you uncovered regarding any search for
9 ammunition by any of these parties following
10 the theft of that vehicle?

11 A So there are messages on Treveon's account
12 asking for 9 bullets, which we assume to be
13 9-millimeter bullets.

14 Q And what time have those messages been observed
15 in relation to the stolen car?

16 A About an hour and a half later.

17 Q Okay. Do you have a copy of any of those with
18 you?

19 A I do.

20 Q Now during the course of your interview with
21 Nicolle, did she acknowledge having been with
22 Treveon up before the stolen car?

23 A Yes. She acknowledged that morning she woke up
24 at Treveon's house.

25 Q Okay.

1 A They took a shower at some point and then
2 Smooove came over but she never acknowledged the
3 stolen vehicle.

4 Q Okay. There's been a reference to her having
5 been on runaway status since March 31st, I
6 believe. Can you tell us whether or not she
7 acknowledged having been in the company of
8 Treveon Nelson between March 31st up through
9 April 5th?

10 A She was.

11 Q And that includes spending the night together,
12 waking up together and spending the day
13 together?

14 A Yes, ma'am.

15 Q During the course of your interview did she
16 acknowledge being with Treveon Nelson after
17 this period where you believe the car was
18 stolen?

19 A Yeah. I mean, she doesn't give specific
20 details but the whole day she was with him.

21 Q The entire day?

22 A Yes, ma'am.

23 Q So that search for the 9-millimeter bullets, I
24 believe you said it occurs about an hour and a
25 half later?

1 A Yes, ma'am.

2 Q And again, we are doing the minus four on the
3 UTC. But I'm going to show you what is State's
4 162 and ask you whether or not you are familiar
5 with this item?

6 A Yes, ma'am.

7 Q Okay. And this is from whose account?

8 A This is from account called OPP Grinding and
9 this is sent to Little Tre which is going to be
10 Treveon.

11 Q Okay. You were able to verify that Lul_tre3
12 account as belonging to Treveon Nelson?

13 A Yes, ma'am.

14 Q Okay.

15 MS. MAYES: And this would be pursuant to the
16 19-5-520 notice of evidence, Your Honor. State's
17 162 for evidence.

18 MS. McGRADY: No objection.

19 THE COURT: 162.

20 (Whereupon, State's Exhibit No. 162 was marked
21 and received into evidence.)

22 DIRECT EXAMINATION

23 BY MS. MAYES:

24 Q So here we see the April 5th, 18:29 minus 4.

25 So roughly 2:29 p.m.?

1 A Yes, ma'am.

2 Q And that's to an associate of Treveon Nelson
3 known as OPP Grndn?

4 A Yes, ma'am.

5 THE COURT REPORTER: I'm sorry. Known as what?

6 MS. MAYES: Opp, O-P-P, Grndn, G-R-N-D-N.

7 DIRECT EXAMINATION

8 BY MS. MAYES:

9 Q All right. So that's at 2:29 with that
10 individual. And I believe already in evidence
11 is State's 25 with Keem James. You are
12 familiar with that communication also around
13 2:31 p.m. down here at the bottom, Ite mob got
14 sum bullets I can buy.

15 A Yes, ma'am.

16 Q And then also State's 26 already in evidence,
17 4/5 around 2:30 p.m. You got sum 9 bullets,
18 there at the top?

19 A Yes, ma'am.

20 Q All right. So based on Nicolle's account of
21 her whereabouts that day, she was with Treveon
22 Nelson during this time frame that those
23 messages would have been sent?

24 A Yes, ma'am.

25 Q Did you ever observe during your review of

1 social media Nicolle having access to firearms
2 as well as Treveon?

3 A I believe we recovered some pictures or video.
4 I don't remember if it was Snapchat. It was
5 one of the social media accounts.

6 Q I'm going to show you what is State's 121 and
7 122 for evidence. I just ask if you can
8 identify those?

9 A Yes, ma'am.

10 Q Can you tell us whether or not those were
11 recovered from social media during the course
12 of this investigation?

13 A They were.

14 Q Were you able to identify the two subjects
15 depicted in both of those photographs?

16 A They both appear to be Treveon and Nicolle.

17 Q Okay. And is there a video that goes with that
18 as well?

19 A There is.

20 Q And are firearms present?

21 A They are.

22 Q And handled by both of the subjects?

23 A Yes, ma'am.

24 Q And this video depicts what is shown in these
25 screen caps?

1 A Yes, ma'am.

2 MS. MAYES: This will be State's 116 being the
3 video, Your Honor, and State's 121 and 122 being
4 screen caps.

5 MS. McGRADY: No objection.

6 THE COURT REPORTER: What were the numbers
7 again?

8 THE COURT: 116, 122 and 124, correct?

9 MS. MAYES: 121 and 122, Your Honor, would be
10 the screen caps and 116 would be the video.

11 (Whereupon, State's Exhibit Nos. 116, 121, 122
12 were marked and received into evidence.)

13 DIRECT EXAMINATION

14 BY MS. MAYES:

15 Q Starting here with 122, is that a screen cap
16 from the video?

17 A Yes, ma'am.

18 Q And then State's 121, is the defendant present
19 here in this frame?

20 A Yes, ma'am.

21 (Exhibit is played.)

22 DIRECT EXAMINATION

23 BY MS. MAYES:

24 Q Now I want to move forward. You have talked
25 about the events on April 5th that you have

1 been able to document leading up to the murder
2 and again, beginning with the abduction of
3 SA [REDACTED]. Are you familiar with that
4 time frame being that that would be around
5 9:45 p.m. to 10 p.m. in which SA [REDACTED] is abducted
6 from Richland County?

7 A Yes, ma'am.

8 Q Can you tell us whether or not you are also
9 familiar with the time frame that SA's [REDACTED] phone
10 stops all activity at 10:06 p.m.?

11 A I am, yes, ma'am.

12 Q And then you are familiar with the arrival at
13 the crime scene here in Lexington County around
14 11:30 p.m.?

15 A Yes, ma'am.

16 Q And then remaining at that location through the
17 night?

18 A Uh-huh.

19 Q What if anything was significant about the
20 address at [REDACTED] [REDACTED] Road in the early morning
21 hours of the 6th that was noted?

22 A So that's going to be Gotto's. I don't know if
23 it is his primary residence, but it is a house
24 that he uses. I think it was a meeting there,
25 abandoned at that point but he uses it, he told

1 us, to just to hang out, like a hang out house.

2 Q And Gotto's real name is what?

3 A David Gaskins or David Williams, depending on
4 if you ask him which day.

5 Q All right. And looking here at State's 22 in
6 evidence, being the cell tower report prepared
7 by Agent Preston Simpson, we see here that at
8 12:55 the phone of Nicolle Sanchez-Peralta is
9 within the area of [REDACTED] Road being marked
10 there in red. And that [REDACTED] Road is the
11 location you just referred to as a home of
12 Gotto, also known as David Gaskins?

13 A Yes, ma'am.

14 THE COURT REPORTER: Can you spell Gotto?

15 THE WITNESS: I believe it's G-O-T-T-O.

16 THE COURT REPORTER: Thank you.

17 DIRECT EXAMINATION

18 BY MS. MAYES:

19 Q That's going to be 12:55 a.m. on the 6th, early
20 morning hours of the 6th.

21 Is it your belief that the murder of SA [REDACTED] has
22 already occurred at this point?

23 A It is.

24 Q I'm going to show you what is State's 155 being
25 a Facebook record and ask you whether or not

1 you are familiar with this item?

2 A Yes, ma'am.

3 Q And whose account is this and who is it
4 communicating with?

5 A This is Treveon's account communicating with
6 David Williams, a/k/a Gotto.

7 Q Okay. David Williams is yet another name for
8 Gotto?

9 A Yes, ma'am.

10 Q And that is the name in his social media
11 account?

12 A Yes, ma'am.

13 MS. MAYES: Also pursuant to 19-5-520, Your
14 Honor, for evidence 155.

15 MS. McGRADY: No objection.

16 (Whereupon, State's Exhibit No. 155 was marked
17 and received into evidence.)

18 DIRECT EXAMINATION

19 BY MS. MAYES:

20 Q All right. Looking here at these
21 communications, again with the minus four, is
22 there a reference at 4:06 at 2:56 which
23 subtracting the 4 would be around 10:56 p.m. on
24 the 5th, is there a reference as to Treveon
25 Nelson's location?

1 A He says, The country.

2 Q Okay. And that's in response to a question

3 from Gotto which says?

4 A I'm in city bro, where you at.

5 Q And his response is, Country?

6 A Yes, ma'am.

7 Q And 10:56, can you tell us whether or not you

8 are familiar with Lexington County?

9 A I am.

10 Q And the proximity to Richland County?

11 A Yes, ma'am.

12 Q If her phone goes dead, if SA's [REDACTED] phone goes

13 dead at 10:06, is that ample time to make it to

14 the Leesville area?

15 A It is.

16 Q Can you tell us whether or not in that part of

17 Lexington County that location is referred to

18 as country?

19 A It is.

20 Q Now I want to move forward to this time here

21 that we see on the board at 12:55 which is when

22 Agent Simpson noted the phone of Nicolle

23 Sanchez-Peralta to be in proximity to [REDACTED]

24 [REDACTED] of being the home of Gotto. What is the

25 communication between Treveon Nelson to Gotto

1 at that exact time, 4:55 minus 4, 12:55 a.m.?

2 A Treveon asks Gotto, You got a shove, which we
3 assume to be shovel.

4 Q All right. So he is asking for what appears to
5 be a shovel from Gotto?

6 A Yes, ma'am.

7 Q Now were search warrants executed at the home
8 of David Gaskins, David Williams, also known as
9 Gotto?

10 A They were.

11 Q And can you tell us what indications David
12 Gaskins gave to law enforcement about whether
13 or not he had previously had a shovel at that
14 [REDACTED] Road location?

15 A Yes, ma'am. So he was interviewed by some
16 detectives. I wasn't present but he did freely
17 take them over there to the [REDACTED] Road location
18 and he says, Yes, I know where a shovel is
19 supposed to be in this house, takes them inside
20 and says, The shovel's not here.
21 So he is basically missing a shovel.

22 Q Now I want to move forward to April 7th, which
23 is going to be the time frame that Nicolle
24 Sanchez-Peralta has reported that she was being
25 held at [REDACTED] Street by Treveon Nelson?

1 A Yes, ma'am.

2 Q First, in regard to April 6th, you are familiar
3 with the location of her phone on the 6th in
4 the early morning hours around 10 a.m. or
5 10:30 a.m. according to Agent Preston's report
6 of being somewhere in the area of Cayce or
7 Springdale?

8 A Yes, ma'am.

9 Q And that would have been on the 6th. And you
10 are familiar with Agent Molly or Officer Molly
11 Nations reaching out to Ms. Sanchez-Peralta as
12 well on the 7th?

13 A I believe she spoke to a Chi and through Chi
14 spoke to Nicolle.

15 Q Okay. What if anything did you uncover during
16 the course of your investigation to dispel that
17 Nicolle was at [REDACTED] Street with Treveon
18 Nelson?

19 A So we had some social media records come back
20 that there was a video showing Treveon and
21 Nicolle at a Quality Inn.

22 Q And I want to show you State's 163. You were
23 able to recover Snapchat records of Treveon
24 Nelson pursuant to this investigation?

25 A Yes, ma'am.

1 Q Originally did you question Nicolle as to
2 whether she had a Snapchat?

3 A We did. She gave us Snapchat as I believe it
4 was Tre and _23, something along those lines.
5 But the Snapchat that we found later in the
6 investigation she never disclosed, the Bad
7 little bitch NX.

8 Q So the account known as Bad Little Bitch was
9 not disclosed to you. And did you ask her
10 specifically for her Snapchat account?

11 A I asked her for her social media accounts.

12 Q And you were able to find that through other
13 means during the course of the investigation?

14 A Yes, ma'am. There's some correspondence
15 between Bad Little Bitch and a known Snapchat
16 account of SA's [REDACTED] where the name Nazareth is
17 brought up. So it is easily seen that the Bad
18 Little Bitch is Nicolle.

19 Q Okay. And regarding 166, 169 and 168, based on
20 your review of this Snapchat of Treveon Nelson
21 that was recovered, who appears to be present
22 during the course of this video?

23 A It is Treveon and Nicolle.

24 Q And is there a date associated with this video?

25 A Yeah. It is the day after the 7th, I believe.

1 Q I'm going to ask you to take a look at this.

2 Would April 7th --

3 A Yeah, April 7th.

4 Q Okay. And is that within the time frame she
5 had reported she had been held at [REDACTED]
6 Street?

7 A Yes, ma'am. She said she was held at [REDACTED]
8 Street for a week afterwards.

9 Q And where do they appear to be in this video?

10 A It is a Quality Inn.

11 Q And does it appear based on this video that
12 Nicolle has access to a phone?

13 A It does. So the video is obviously recorded
14 with Treveon's phone and there is a phone that
15 you can see sitting on a counter near Nicolle.

16 Q Is that depicted in State's 168?

17 A Yes, ma'am.

18 MS. MAYES: This would be 168, 169 and 166 for
19 evidence, Your Honor, also pursuant to 19-5-520.

20 MS. McGRADY: No objection.

21 (Whereupon, State's Exhibit Nos. 166, 168, 169
22 were marked and received into evidence.)

23 DIRECT EXAMINATION

24 BY MS. MAYES:

25 Q Start here with 169. You said based on the

1 review of the video, it appears to have been
2 taken by Treveon Nelson?

3 A Yes, ma'am.

4 Q And at some point does the individual there in
5 the frame turn around so that her face is
6 visible?

7 A She does.

8 Q Were you able to identify that, the other
9 person in this video?

10 A It is Nicolle.

11 (Exhibit is played.)

12 DIRECT EXAMINATION

13 BY MS. MAYES:

14 Q All right. Now I'm going to show you 168, 168.
15 being a screen cap from that same video. I
16 realize the quality of this photograph may not
17 translate. Looking at it with the naked eye,
18 can you identify that object here?

19 A It is better if you look at it up close on the
20 picture but it does appear to be a phone.

21 Q Okay. And I'm going to show you 168, again for
22 review.

23 (Pause.)

24 DIRECT EXAMINATION

25 BY MS. MAYES:

- 1 Q Now throughout this time did you ever see any
2 indications upon watching these videos from
3 Snapchat and other social media accounts that
4 Nicolle appeared to be under duress?
- 5 A No. Not at all.
- 6 Q Or being held against her will?
- 7 A No, ma'am.
- 8 Q On this same date being the 7th in which this
9 video was made, can you tell us whether there
10 were any other additional videos made between
11 the two of them?
- 12 A There are. There's a sexually explicit video
13 of them in the shower.
- 14 Q And having observed that video and how it was
15 filmed and your observations of the parties,
16 does that appear to be consensual?
- 17 A It does.
- 18 Q Were there any signs of duress during the
19 filming of that video?
- 20 A Not at all.
- 21 Q Now I want to move forward to the 17th. Does
22 it appear by the 17th that Nicolle is using a
23 phone?
- 24 A It does. She is active on her social media.
- 25 Q What if any change has occurred in the

1 relationship between Nicolle and Treveon Nelson
2 at this point based upon your review of social
3 media?

4 A So it appears that Treveon is possibly with
5 another female. There is multiple threats made
6 by Nicolle to Treveon, pretty explicit threats.

7 Q Does that include both audio recorded and by
8 written message?

9 A Yes, ma'am.

10 Q I'm going to show you what is State's 119 and
11 ask you how familiar you are with this item and
12 who is communicating to who. This would be
13 State's 119.

14 A This is a Facebook record between Nicolle
15 Sanchez and Treveon Nelson.

16 Q And what account is Nicolle using?

17 A She is using a Facebook account.

18 Q All right. And what account is Treveon using?

19 A He is using his own Facebook account.

20 Q Now when you recovered Nicolle's Facebook
21 account did it appear to have any deleted
22 entries?

23 A It did. So she didn't originally disclose this
24 and later on when we found out she had a
25 Facebook account we did a search warrant and it

1 came back and none of this was on there. It's
2 all been gone.

3 Q Okay. So her account had deleted entries but
4 the account of Treveon Nelson did not?

5 A That's because we originally got Treveon's I
6 guess before he could delete stuff.

7 Q In looking here at this account in
8 communications between Nicolle and Treveon,
9 does it include any of the threats that you
10 previously mentioned?

11 A It does.

12 MS. MAYES: And this would be also 19-5-520,
13 Your Honor, 119. This would be from April 6th
14 through the date of April 21st, the communications
15 between Nicolle and Treveon.

16 MS. McGRADY: No objection.

17 THE COURT: 119.

18 (Whereupon, State's Exhibit No. 119 was marked
19 and received into evidence.)

20 DIRECT EXAMINATION

21 BY MS. MAYES:

22 Q Do you have a copy of this document as well?

23 A I do. Let me dig it up.

24 Q Okay.

25 (Pause.)

1 THE WITNESS: Yes, ma'am.

2 DIRECT EXAMINATION

3 BY MS. MAYES:

4 Q I'm going to move forward to page 1,017. And
5 again, what is significant about the 17th that
6 we are looking at here in relation to Nicolle
7 having a phone of her own, if anything?

8 A I mean, she is making these messages to
9 Treveon. So obviously she has to have some
10 kind of device to make them.

11 Q And are you familiar with the recording that
12 has been offered as evidence in this case from
13 Nicolle Sanchez to Sister [REDACTED] regarding the
14 whereabouts of SA [REDACTED]?

15 A Yes, ma'am. That was the same date.

16 Q That was also on the 17th?

17 A Yes, ma'am.

18 Q So it is the same day?

19 A Uh-huh.

20 Q Now does she appear to be in the company of
21 Treveon Nelson during this time frame when you
22 are seeing these messages?

23 A She is not.

24 Q So I'm going to begin here with messages on the
25 17th at 22:14. So we are going to subtract 4

1 and roughly 6 p.m.?

2 A You just want me to continue to read the whole
3 line?

4 Q We are going to go through them. I'm going to
5 ask you again, were you able to verify this as
6 a Facebook account belonging to Treveon Nelson?

7 A Yes, ma'am.

8 Q And then also the communications with Nicolle
9 Sanchez were you able to verify that as an
10 account belonging to her?

11 A Yes, ma'am.

12 Q All right. So it begins with, Bro, you lied?

13 A Yes, ma'am. Nicolle is talking to Treveon,
14 Bro, you lied.

15 Q All right. And what do we see here at 22:15?

16 A Nah, thug. U good. U go ahead and stay with
17 that bitch you with.

18 Q And do you know who she was referring to based
19 on your investigation?

20 A We believe that to be Samantha Roebuck.

21 Q Also goes by the name London?

22 A Yes, ma'am.

23 Q Is that believed to be a residence that Treveon
24 Nelson was staying at during this period of
25 time of April?

1 A It is going to be, yeah, one of Allon's
2 ex-girlfriends.

3 Q Okay. All right.

4 And then what do we see here at 22:17?

5 A I'm done and over with you. I hope she F with
6 you hard because I told you we could have left
7 and all but instead you staying at a white girl
8 house.

9 Q All right. And then what do we see at 22:19?

10 A Don't ever --

11 Q Talk to me?

12 A -- talk to me in your life ever again, Tre.
13 Ain't no bitch going to ever ride for you like
14 I did no matter what and that's facts.

15 Q All right. Now what do we see here at 22:43?

16 A I'm finna kill myself. I'm not playing. I
17 just want to let you know that I love you and I
18 always will. Just please don't ever forget me.

19 Q All right. And I know you said that during the
20 course of your investigation when she told you
21 the story of what had happened and you asked
22 her whether she loved Tre, she denied that?

23 A It is, Hell, no.

24 Q And then does it appear whether she is making
25 calls to Treveon?

- 1 A It does.
- 2 Q And again, this is from Treveon's account?
- 3 A Yes, ma'am.
- 4 Q Does it reflect multiple missed calls from
- 5 Nicolle?
- 6 A It does.
- 7 Q And that she wants him to answer?
- 8 A Yes, ma'am.
- 9 Q Now at the top, what statement is made to
- 10 Treveon Nelson at 2:29, again minus the 4? So
- 11 roughly 10:29 p.m. on the night of the 17th?
- 12 A You on that house on Taylor Street, right.
- 13 Q Okay. And at 2:30?
- 14 A You on Taylor Street at Kilo ex house, right.
- 15 Q All right. 2:30?
- 16 A Come outside for that shot, get shot up.
- 17 Q 2:31?
- 18 A Bet, don't say I ain't tell you.
- 19 Q 2:32?
- 20 A That's fucked up. How you living with Kilo ex
- 21 when I told you and me -- I told you me and you
- 22 could leave and all but you picked to be living
- 23 with Kilo ex that white bitch instead.
- 24 Q All right. 2:32.
- 25 A And she talking about if you going to be

1 staying at her house your dick better be good.

2 Q 2:39?

3 A 2:39.

4 Q I'm sorry. 2:33:49?

5 A Watch this though. I'm going to tell you one
6 time you and that bitch better not be at this
7 ugly ass house on Taylor Street right now.

8 Q All right. And 2:33, is that a reference to
9 tonight?

10 A Tonight.

11 Q And 2:34?

12 A Because shoots coming through that bitch and
13 you and just to be petty I'm going to walk up
14 close to that bitch.

15 Q All right. Is she implying that she has
16 possession of a firearm?

17 A She is.

18 Q And based upon your observations of the social
19 media account of Treveon Nelson, did he
20 maintain possession of firearms after the date
21 of April 5th?

22 A He did.

23 Q During the course and time he was with Nicolle?

24 A Yes, ma'am.

25 Q All right. And then go here to 2:34. Again,

1 this would translate to roughly 10:34 p.m. on
2 the night of the 17th?

3 A Just know is up.

4 Q And next?

5 A And that white bitch better play it safe
6 because on your baby it ain't going to end well
7 for both of y'all.

8 Q Now had she made references during this period
9 of time to being pregnant with Treveon Nelson's
10 baby?

11 A She does tell him that.

12 Q Were you ever able to verify that in any way?

13 A There is no evidence showing that she was.

14 Q All right. And again, any calls made to
15 Treveon from Nicolle?

16 A Yes, ma'am.

17 Q Does he appear to be answering?

18 A No.

19 Q What is stated at 2:35 translating to 10:35 on
20 the night of the 17th?

21 A Watch this though.

22 Q Next.

23 A Taylor Street getting lit up tonight.

24 Q Next.

25 A Nasty ass white hoe.

- 1 Q Next.
- 2 A If you staying with her because you don't got
3 nowhere to go just say that lame ass mother
4 fucker right along with her.
- 5 Q All right. Again, more attempted phone calls?
- 6 A Yes, ma'am.
- 7 Q All right. 10:36 p.m. on the 17th?
- 8 A On your head I'm going to kill your bitch ass.
- 9 Q Next.
- 10 A Watch.
- 11 Q Next.
- 12 A Come outside right now.
- 13 Q And here at the top of the page?
- 14 A Better save her.
- 15 Q Next.
- 16 A Because I promise you is over with.
- 17 Q Next.
- 18 A I'm tired of you doing this to me, bro.
- 19 Q And again, bro and bru are references you have
20 seen to Treveon Nelson?
- 21 A Yes, ma'am.
- 22 Q By Nicolle. Next?
- 23 A But watch.
- 24 Q And now at 2:37?
- 25 A I'm going to kill you on some real shit.

1 Q Next.

2 A So have your pole because I'm going to get this
3 car from the country and I'm going to come up
4 there by myself so be ready and hope she is
5 ready too.

6 Q All right. The term pole is known by law
7 enforcement to be a reference to what?

8 A A firearm.

9 Q So have your pole because I'm going to get this
10 car from the country and I'm going to come up
11 there by myself so be ready and I hope she
12 ready too.

13 The reference to the car from the country,
14 again this is on the 18th. Where had they last left
15 the stolen vehicle, that black Toyota Camry?

16 A It is on [REDACTED] Road in Lees-Burg.

17 Q Also known as the country?

18 A Yes, ma'am.

19 Q I believe that car had been abandoned two days
20 earlier on the 16th?

21 A Yes, ma'am.

22 Q Now at 2:38.

23 A Because I'm going to kill both of y'all.

24 Q Next.

25 A Watch.

- 1 Q Next.
- 2 A And I dare you to shoot back and hit me.
- 3 Q Next.
- 4 A Please do.
- 5 Q All right. And do these threats continue?
- 6 A They do.
- 7 Q Now are there indications that she is outside
- 8 Taylor Street?
- 9 A It does.
- 10 Q All right. Going to move forward to 2:39. So
- 11 roughly 10:39 on the night of the 17th.
- 12 A Come outside.
- 13 Q Next.
- 14 A And she can come outside too.
- 15 Q Again, a reference to Taylor Street?
- 16 A Yes, ma'am.
- 17 Q And finally, does Treveon Nelson respond back
- 18 to her?
- 19 A He does. He says, I'm at home.
- 20 Q All right. What does she say in response to
- 21 that?
- 22 A On your head I'm going to kill both of y'all.
- 23 I don't give a fuck.
- 24 Q And then next?
- 25 A Answer me.

1 Q All right. And then does 2:39 indicate what
2 she appears to be upset about?

3 A That he had posted something on Instagram.

4 Q Okay. So that's a reference to you posted on
5 Instagram with her?

6 A Yes, ma'am.

7 Q Again, referencing that she would have access
8 to a phone and has seen his post?

9 A Correct.

10 Q Now I know you mentioned some sexually explicit
11 videos of the two of them that had been taken
12 at what appeared to have been taken on the 7th.
13 I'm going to ask you whether you had an
14 opportunity in this case to also be familiar
15 with whether any voicemail messages were being
16 sent to Treveon during this time?

17 A Yes, ma'am. Those right there.

18 Q And we will get back to that in a moment but
19 you have had an opportunity to listen to those
20 clips?

21 A I have.

22 Q And does that appear to be her voice?

23 A It does.

24 Q And then, in addition -- were those of a
25 threatening nature?

1 A They were.

2 Q And then in addition to those, what is she
3 saying to him now?

4 A And you can't answer the phone because now
5 because you with her.

6 Q All right. So at the top of the page, again,
7 around 10:44 p.m. on the night of the 7th what
8 is she saying to Treveon?

9 A Answer bitch.

10 Q She is referring to him as a bitch?

11 A Yes.

12 Q What if anything does she say at 10:45 p.m. on
13 the 17th in reference to this other female?

14 A And she going to get hit too.

15 Q Next.

16 A So keep it up.

17 Q 2:46 minus 4, 10:46 on the night of the 17th,
18 what communication does she send to Treveon?

19 A On your head I'm killing you.

20 Q And next.

21 A And let your homeboys know now that if anything
22 happened to you I did it because I want all the
23 smoke and I dare a bullet to hit me.

24 Q So let all your homeboys know that if anything
25 happened to you I did it?

- 1 A Yes, ma'am.
- 2 Q Because I want all the smoke?
- 3 A Yes, ma'am.
- 4 Q At any point in time does she appear to be
- 5 under duress or in fear of Treveon Nelson?
- 6 A No, ma'am.
- 7 Q And next, 10:46 on the night of the 17th?
- 8 A On your head I'm going to kill your hoe ass.
- 9 Q And next.
- 10 A You ain't seen crazy yet.
- 11 Q And throughout that time were there numerous
- 12 again attempts to reach Treveon by phone, by
- 13 phone?
- 14 A Yes, ma'am.
- 15 Q And then ultimately does it appear that he
- 16 responds back to her by phone?
- 17 A It does.
- 18 Q And what is the date of this time where he
- 19 appears to respond back?
- 20 A 4/19/2021.
- 21 Q At 2:06?
- 22 A Yes.
- 23 Q So minus the four that would be on the night of
- 24 the 18th?
- 25 A Yes, ma'am.

1 Q And then what are we looking at here where it
2 says, Nicolle unsent a message?

3 A So on Facebook there is an option to unsend a
4 message that you send which permanently deletes
5 it off the server and we don't have access to
6 it.

7 Q All right. And then moving forward here on the
8 19th, was there evidence that Nicolle was
9 sending him any of the sexually explicit videos
10 of the two of them?

11 A She did.

12 Q And again, was there one or more than one that
13 was recovered by social media of the two of
14 them?

15 A More than one.

16 Q Okay. And what does she say when she sends
17 this explicit video?

18 A I hope you fuck her like this.

19 Q Now I know you mentioned that you have listened
20 to the audio recordings that go along with
21 that. Were those also preserved pursuant to
22 this investigation?

23 A Yes, ma'am.

24 Q And do those correspond with the audio clips
25 that we see here reflected in the Facebook

1 records of Treveon Nelson?

2 A Yes, ma'am.

3 Q So roughly going to be 10:41 p.m. on the night
4 of the 17th and 10:42 p.m. on the night of the
5 17th?

6 A Yes, ma'am.

7 Q I'm going to show you State's 124.

8 A Yes, ma'am.

9 MS. MAYES: 124 for evidence, Your Honor, also
10 pursuant to 19-5-520, audio recordings from the
11 Facebook.

12 MS. McGRADY: No objection.

13 THE COURT: 124.

14 (Whereupon, State's Exhibit No. 124 was marked
15 and received into evidence.)

16 (Exhibit is played.)

17 DIRECT EXAMINATION

18 BY MS. MAYES:

19 Q I'm fixing to shoot that shit up.

20 Can you tell us whether that's consistent with
21 the written text messages that you observed?

22 A Yes, ma'am.

23 Q Based on all of those observations does it
24 appear that Nicolle Sanchez-Peralta is the
25 person sending these messages?

1 A It does.

2 Q You had an opportunity to interview her as you
3 stated on the 5th and that's video recorded.
4 You've had a chance to review that video and
5 audio. Does that appear to be her voice?

6 A It does.

7 Q And there was a reference to own blood. Can
8 you tell us whether or not in the course of her
9 interview she acknowledged that Treveon Nelson
10 had connections to Blood, to the Blood gang?

11 A He does.

12 Q Specifically the 9 Tre set?

13 A Yes.

14 Q And that information came from Nicolle herself?

15 A Yes, ma'am.

16 (Exhibit is played.)

17 DIRECT EXAMINATION

18 BY MS. MAYES:

19 Q All right. Do those messages appear to be
20 consistent with Nicolle possessing a firearm?

21 A It does.

22 Q So all of that is on the 17th. I believe
23 that's going to be the night of the 17th where
24 there are threats by Facebook and audio or
25 voicemail. And I believe you indicated this is

1 also the same date of the recorded call with
2 Sister [REDACTED] ?

3 A Yes, ma'am.

4 Q Now I want to move forward to 4/20, in that
5 same document that is already in evidence,
6 specifically page 1,039.

7 A Yes, ma'am.

8 Q Were there any indications on this date, 4/20,
9 that Nicolle wanted to remain in the
10 relationship with Treveon?

11 A It did.

12 Q And at any point in time based upon the
13 communications between the two of them, did you
14 ever see her express anger over the murder of
15 SA [REDACTED] ?

16 A I'm sorry?

17 Q Anger toward Tre over the murder of SA [REDACTED], did
18 she ever express anything in that regard?

19 A I don't believe so.

20 Q What did she appear to be angry about?

21 A She is angry that he is with another girl.

22 Q Okay. Did she ever appear to want to cut ties
23 with him because he had murdered SA [REDACTED] ?

24 A No.

25 Q I'm going to refer you specifically to this

1 message on 4/20. If you could share with us
2 what that message reflects. And again, this
3 message is from who to who?

4 A This is from Nicolle to Treveon.

5 Q Okay. And again, when she is talking about
6 something hurting her, has she expressed
7 throughout the message what she is hurt or
8 upset about?

9 A I guess that he doesn't love her basically.

10 Q And does she still appear to be angry over the
11 relationship with Samantha Roebuck?

12 A She does.

13 Q And the message on the 20th?

14 A This shit really hurts me Tre for real. I got
15 a whole child on the way and you don't care
16 about nothing. Tre I told you we could find a
17 way together, a way together. We have been in
18 this shit together since day one. No matter
19 what bro and you doing this to me at the worst
20 time Tre. I can't force you to be with me
21 because I can't love you to death and you know
22 all this shit we have done and the shit I do
23 for you Tre. Please stop hurting me Tre and
24 come back for me Tre. I can't do this without
25 you. I can't Tre without you. I'm lost even

1 though you with a whole bitch I still love you
2 bro. That's how deep this shit is.

3 Q Okay. So even though you are with a whole
4 bitch is a reference to Samantha Roebuck and
5 then there is a reference that, You know all
6 the shit we have done and the shit I do for
7 you?

8 A Yes, ma'am.

9 Q And that she still loves him?

10 A Yes, ma'am.

11 Q Now I want to move forward to roughly the night
12 of the 23rd into the early morning hours of the
13 24th. What if any indications did you have
14 that the sexual relationship between the two of
15 them was a consensual one?

16 A She sent some pretty explicit voicemails to
17 Treveon.

18 Q Okay. And at any point in time did she appear
19 to be under duress during the course of these
20 communications?

21 A No, ma'am.

22 Q Or threatened by him in any way?

23 A No, ma'am.

24 Q I'm going to show you what is State's 165 and
25 then State's 123.

1 A So this is an Instagram record between Nicolle
2 and Treveon.

3 Q Okay. Does it indicate that there are audio
4 messages and audio clips being sent back and
5 forth?

6 A Yes, ma'am. On the 24th.

7 Q Okay. That's roughly going to be 3:15 a.m. on
8 the 24th?

9 A So minus 4, so the 23rd around 11:15.

10 Q Around 11:15 p.m. And does this continue
11 through the course of that evening?

12 A Yes, ma'am.

13 Q With the final message being around 11:37 p.m.
14 on the night of the 23rd?

15 A Yes, ma'am.

16 Q And were you able to identify the voices on
17 these communications as well?

18 A They are messages from Treveon to Nicolle and
19 then from Nicolle to Treveon.

20 Q All consistent with the voices as you know
21 them?

22 A Yes, ma'am.

23 Q And again, this is all reflected by the
24 Instagram record?

25 A Yes, ma'am.

1 Q Between Dabratt being the Instagram account of
2 Nicolle?

3 A Yes, ma'am.

4 Q And Lul_tre3 being the Instagram account of
5 Treveon Nelson?

6 A Yes, ma'am.

7 MS. MAYES: 165 and 123 for evidence, Your
8 Honor, pursuant to 19-5-520.

9 MS. McGRADY: No objection.

10 (Whereupon, State's Exhibit Nos. 123, 165 were
11 marked and received into evidence.)

12 (Exhibit is played.)

13 DIRECT EXAMINATION

14 BY MS. MAYES:

15 Q That was the voice of Treveon Nelson?

16 A Yes, ma'am.

17 (Exhibit is played.)

18 DIRECT EXAMINATION

19 BY MS. MAYES:

20 Q Pop out is a reference to?

21 A Come here or show up.

22 Q Okay. Show up?

23 A Yeah.

24 (Exhibit is played.)

25 DIRECT EXAMINATION

1 BY MS. MAYES:

2 Q The reference to having wheels is a reference
3 to?

4 A Having a car.

5 (Exhibit is played.)

6 DIRECT EXAMINATION

7 BY MS. MAYES:

8 Q All right. That is roughly 11:27 to 11:37 p.m.
9 on the 23rd. I want to move forward now to the
10 24th. Based on those communications on the
11 23rd, did it appear that she and Treveon were
12 together?

13 A No.

14 Q And did it appear he had begun a new
15 relationship?

16 A It did.

17 Q All right. On the 24th can you tell us whether
18 or not you were able to observe any
19 communications of discord between them by the
20 following day?

21 A There was social media returns that there is
22 some correspondence between the two.

23 Q Okay. Any indication that Nicolle was
24 communicating with who she calls Kilo but is
25 known to be Allon Adams?

1 A There was. I believe there is a phone call
2 made between the two.

3 Q Okay. And your understanding that that was
4 some time prior to the report of her being
5 assaulted by Treveon Nelson on the 25th?

6 A Yes, ma'am.

7 Q All right. I'm going to show you what is
8 already in evidence, State's 27. Does it
9 appear that there are video communications
10 between the two of them?

11 A Yes, ma'am.

12 Q And subtracting the four would that be on the
13 night of the 24th?

14 A It would.

15 Q And if they are noted at 1:26 a.m. subtracting
16 the 4, that's roughly going to be 10:26 p.m.

17 A (There was no response.)

18 Q I'm sorry, 9:26 p.m. Would that be accurate?

19 A Yes, ma'am.

20 Q Okay. So 9:26 p.m. there are video call
21 communications between Nicolle and Kilo?

22 A Yes, ma'am.

23 Q And now I'm going to show you what are
24 communications between both Nicolle and Treveon
25 on the 24th. I show you what is 173.

1 A Yes. These are messages between Nicolle and
2 Treveon on Instagram.

3 Q Does that have a reference to potentially
4 turning herself in?

5 A It does.

6 Q Does that indicate some type of discord between
7 them?

8 A It does.

9 MS. MAYES: All right. It would be 173 for
10 evidence, Your Honor, also pursuant to 19-5-520.
11 Beg the court's indulgence.

12 (Pause.)

13 (Whereupon, State's Exhibit No. 173 was marked
14 and received into evidence.)

15 DIRECT EXAMINATION

16 BY MS. MAYES:

17 Q All right. I'm going to show you what is also
18 174, 175 and 176. Did these all appear to be
19 consistent with communications in that same
20 time frame?

21 A Yes, ma'am.

22 Q Again, these communications between Dabratt and
23 Lul_Tre?

24 A Yes. It is going to be Nicolle and Treveon.

25 MS. MAYES: 175, 176 and 174 for evidence, Your

1 Honor, also pursuant to 19-5-520.

2 MS. McGRADY: No objection.

3 THE COURT: 174, 175 and 176.

4 (Whereupon, State's Exhibit Nos. 174, 175, 176
5 were marked and received into evidence.)

6 DIRECT EXAMINATION

7 BY MS. MAYES:

8 Q All right. Looking at page 964, being now on
9 the 25th, because of the early morning hours of
10 the 25th what if anything does she say at the
11 bottom which would be roughly 12:26 a.m. on the
12 25th?

13 A I did more than love you. I tried to please
14 you in a type of way I wanted you to be my
15 everything but you chose to leave me knowing I
16 ain't got nobody. There is so much going on
17 and I'm turning myself in tomorrow because I
18 ain't got even nowhere to stay and I can't just
19 be out here.

20 Q All right. So this is sent to Tre and it's a
21 reference to turning herself in?

22 A Yes, ma'am.

23 Q Now was she specific in what she means by that?

24 A She wasn't.

25 Q Okay. So Tre gets a message that she is

1 turning herself in?

2 A Yes, ma'am.

3 Q And now State's 175. Does she continue to make
4 references to turning herself in?

5 A She does again.

6 Q Okay. And do they appear to be together at
7 this time?

8 A They don't.

9 Q Now 176, being page 977, I'm going to refer you
10 to this message sent roughly at 1:12 a.m. on
11 the 25th. If you can tell us what is stated
12 here.

13 A I ain't never felt real love before I met you
14 and it is hard but I got to let you go. I
15 can't hold this in any longer because it kills
16 me and I just can't even look at you anymore.
17 You called me a hoe so let me be me that and
18 find you a god ass girlfriend.

19 Q All right. So now there is a reference to, I
20 can't hold this in anymore?

21 A Yes, ma'am.

22 Q And then State's 174 being page 980. What does
23 she state at approximately, I'll move up here,
24 15:50 minus the 4, so roughly 1:50?

25 A I'm fixing to do that shit in a minute.

1 Q I'm fixing to do that shit in a minute?

2 A Uh-huh.

3 Q And then does it appear to be that there were
4 video calls?

5 A It does.

6 Q And then plans to what, to meet up?

7 A Yeah. Treveon is trying to get her to meet at
8 that point.

9 Q Okay. When she's sending messages regarding
10 fixing to turn herself in and I'm fixing to do
11 this, does he appear to respond to that?

12 A He does. He becomes, I guess you would say,
13 aggressively getting her to meet.

14 Q And starts responding to her calls?

15 A Yes, ma'am.

16 Q And to her messages?

17 A Yes, ma'am.

18 Q And then ultimately are you familiar with the
19 report to the West Columbia Police Department
20 by the Springdale Police Department that
21 Nicolle had been physically assaulted on the
22 25th?

23 A I am aware of that.

24 Q And who is the subject alleged to have
25 assaulted her on that date?

1 A Treveon Nelson.

2 Q And that assault is roughly going to be
3 2:18 p.m.?

4 A Yes, ma'am.

5 Q So these messages that we just looked at and
6 these references to turning herself in and then
7 plans to meet up with Tre, all preceded that?

8 A They do.

9 Q Just by an hour or so?

10 A Yes, ma'am.

11 Q Now when she was assaulted by Treveon on
12 April 25th, was he actually taken into custody
13 on that day?

14 A No, ma'am.

15 Q Can you tell us whether or not he fled the
16 scene?

17 A He did.

18 Q And all of this action on the 25th at this
19 point in time is law enforcement aware of
20 anything regarding SA's [REDACTED] disappearance being
21 connected directly to these two individuals?

22 A No. I think Richland County at that point had
23 been looking for Nicolle because she was the
24 last one seen with her but that's the only
25 information they had.

1 Q So at this point in time nothing had ever been
2 disclosed to law enforcement about Nicolle
3 having knowledge or Treveon and Nicolle being
4 directly involved?

5 A Nicolle never came forward.

6 Q And was it Nicolle herself who reported the
7 physical assault or a third-party bystander?

8 A I believe it was a neighbor or somebody on
9 scene that witnessed it I believe and that he
10 called it in.

11 Q Okay. So it was called in by some type of
12 witness on the scene?

13 A Yes, ma'am.

14 Q Now after this date of the 25th, I believe the
15 timeline previously provided by Detective Molly
16 Nations is that she first attempts to interview
17 her on the 26th but the decision's made to wait
18 until the 27th?

19 A I believe she went to the hospital the day of
20 the assault. She waited to the next day to
21 interview her and the 27th is when they brought
22 her over to our Lexington County.

23 Q With both Carvajal and Molly Nations present
24 for the first attempt--

25 A Yes, ma'am.

1 Q -- to obtain information from Nicolle--

2 A Yes, ma'am.

3 Q -- regarding the whereabouts of SA [REDACTED]. All
4 right.

5 So looking here at how all of these events
6 proceeded in time, what can you tell us about that
7 video call between Nicolle and Allon Adams in
8 relation to this assault by Treveon Nelson?

9 A So it appears that's when Nicolle disclosed to
10 Allon what he told us in the interview is that
11 she disclosed the murder to Allon and then
12 Allon was with Tre or met Tre and confronted
13 Tre that Nicolle had disclosed this information
14 which is prior to the messages about turning
15 herself in --

16 MS. McGRADY: Objection. This is speculation.

17 MS. MAYES: We can clarify, Your Honor, and I
18 can lay a foundation.

19 DIRECT EXAMINATION

20 BY MS. MAYES:

21 Q Were you also able through social media to
22 determine that Tre Nelson was in communication
23 with Allon Adams following this time period
24 that he had video calls with Nicolle?

25 A Yeah. There are messages between the two.

1 Q Okay. And then 2:18 p.m. is going to be the
2 time that Springdale Police Department is
3 alerted that Nicolle has been assaulted?

4 A I don't have the report in front of me but I
5 believe so.

6 Q Okay. Now moving on to your actual
7 investigation where you were interviewing Allon
8 Adams yourself, I know we previously saw
9 communications with Detective Carvajal. Were
10 you present and participating in those
11 interviews with Allon Adams?

12 A Yes, ma'am.

13 THE COURT: Solicitor, tell me when you get to
14 a good breaking point so I can give everybody a
15 break.

16 MS. MAYES: I'm good, Judge.

17 THE COURT: Do it now?

18 MS. MAYES: Yes. You can do it now.

19 THE COURT: All right. Five minute break.

20 MS. McGRADY: Yes, Your Honor.

21 THE COURT: All right. Thank you.

22 (Whereupon, a recess was taken.)

23 MS. MAYES: Whenever you are ready, Your Honor.

24 DIRECT EXAMINATION

25 BY MS. MAYES:

- 1 Q Now regarding Kent factor number 4 as to
2 indictments, are you familiar with whether the
3 adult co-defendants, Treveon Nelson and Jalen
4 Wilson, have been indicted?
- 5 A They have.
- 6 Q And does that include indictments for murder?
- 7 A Yes, ma'am.
- 8 Q And kidnapping?
- 9 A Yes, ma'am.
- 10 Q And conspiracy?
- 11 A Yes, ma'am.
- 12 Q Can you tell us whether or not in the
13 conspiracy indictment it includes a conspiracy
14 with a juvenile?
- 15 A Yes, ma'am, it does.
- 16 Q N-N-S-P?
- 17 A Yes, ma'am.
- 18 Q Date of birth [REDACTED] ?
- 19 A Yes, ma'am.
- 20 Q That's a reference to who?
- 21 A That is Nazareth Nicolle Sanchez-Peralta.
- 22 Q I'm going to show you State's 141 and 142.
- 23 A Yes, ma'am.
- 24 Q Certified copies of those true billed
25 indictments?

1 A Yes, ma'am.

2 MS. MAYES: 141 and 142 for evidence, Your
3 Honor.

4 MS. McGRADY: No objection.

5 MS. MAYES: Being indictments on Treveon Nelson
6 and Jaylen Wilson.

7 (Whereupon, State's Exhibit Nos. 141 and 142
8 were marked and received into evidence.)

9 DIRECT EXAMINATION

10 BY MS. MAYES:

11 Q Now during your interaction with Allon Adams,
12 was that audio and video recorded?

13 A Yes, ma'am.

14 Q I realize that the quality of the video is
15 somewhat poor but you are present and
16 participating in those interviews?

17 A I was.

18 Q What, if anything, is stated by Allon Adams
19 from Nicolle as to who set this up?

20 A So he makes references and I could quote what
21 he quotes. At one point he said, That she did
22 the shooting; she was on some ganger shit and
23 that we killed that girl. She said that, They
24 got the stow low, which is reference to stolen
25 vehicle, got the boys or whatnot, questioned

1 the girl, the girl wouldn't cooperate and
2 that's what happened.

3 Q All right. And that information according to
4 Allon came directly from who?

5 A From Nicolle.

6 Q And is that reflected in the evidence that has
7 already been offered, State's 29?

8 A Yes, ma'am.

9 MS. MAYES: Permission to publish, Your Honor.

10 THE COURT: All right.

11 (Exhibit is played.)

12 DIRECT EXAMINATION

13 BY MS. MAYES:

14 Q And during the course of this communication
15 does he also indicate any information that came
16 to him from Treveon Nelson?

17 A He does.

18 Q In reference to who pushed this, pushed being a
19 direct reference to that communication?

20 A That Nicolle pushed up on them.

21 Q What else does he say in regard to Nicolle
22 pushed up on them?

23 A That she, I think it was, played her part; set
24 the thing up. I don't remember exactly what he
25 said Tre said.

1 MS. McGRADY: Your Honor, we would like to
2 renew our objection about the confrontation clause
3 since Mr. Adams is not present.

4 THE COURT: So noted.

5 (Exhibit is played.)

6 DIRECT EXAMINATION

7 BY MS. MAYES:

8 Q So I got the car, I got the bitch, let's go do
9 this shit?

10 A Yes.

11 Q And then regarding information directly from
12 Nicolle as you have already testified to?

13 A She got the stolen vehicle, the stow low as she
14 called it; got the boys or whatnot; questioned
15 the girl, the girl wouldn't cooperate and
16 that's what happened.

17 Q Okay.

18 (Exhibit is played.)

19 DIRECT EXAMINATION

20 BY MS. MAYES:

21 Q In referencing the kidnapping and the murder,
22 did you determine during the course of this
23 interview whether it was all directed at Tre or
24 Jaylen or whether there was a reference to the
25 word we?

1 A There was a lot of wes.

2 (Exhibit is played.)

3 DIRECT EXAMINATION

4 BY MS. MAYES:

5 Q And that is information coming directly from
6 Nicolle during this interview?

7 A Yes, ma'am.

8 (Exhibit is played.)

9 DIRECT EXAMINATION

10 BY MS. MAYES:

11 Q All right. So the information that he got from
12 Nicolle is that she got the stow low and then
13 got the boys or whatnot?

14 A Yes, ma'am.

15 Q And the girl wouldn't cooperate and that's what
16 happened?

17 A Yes, ma'am.

18 Q Now were you present and observing when Allon
19 Adams was having communications with his
20 grandmother?

21 A I was. We were observing from a monitor in a
22 different room inside the building.

23 Q And during the course of that interview, did
24 you also hear Allon Adams make admissions to
25 his grandmother about information he received

1 directly from the defendant, by Nicolle
2 Sanchez-Peralta?

3 A I did.

4 Q Is that in reference to what's offered as
5 State's Exhibit 31 and 30, previously
6 identified in this case?

7 A Yes, ma'am.

8 MS. McGRADY: Your Honor, we are going to renew
9 our objection for confrontation again.

10 THE COURT: Objection noted.

11 (Exhibit is played.)

12 DIRECT EXAMINATION

13 BY MS. MAYES:

14 Q All right. She had showed up, played her role,
15 got it set up?

16 A Yes, ma'am.

17 Q Is a reference to who?

18 A That's Nicolle.

19 (Exhibit is played.)

20 DIRECT EXAMINATION

21 BY MS. MAYES:

22 Q All right. Again, that we had kidnapped her
23 and questioned her was a quote directed to who?

24 A It is from Nicolle to Allon.

25 Q Okay. Now we have covered the time frame

1 through the 25th. And you indicated that after
2 the Springdale Police Department became aware
3 of an assault and interviewed Nicolle, that
4 Treveon Nelson was not apprehended at the
5 scene?

6 A He was not.

7 Q In fact, he fled the scene?

8 A He did.

9 Q By the date of the 27th and the 28th when
10 Nicolle is working with the Lexington County
11 Sheriff's Department in terms of voluntary
12 interviews, and ultimately by the 28th when you
13 discovered the body of SA [REDACTED], was
14 Treveon Nelson wanted?

15 A I think he had some warrants at that point out
16 of Richland County and our fugitive task force
17 was actively looking for him.

18 Q All right. By the 29th what, if anything,
19 happened in regard to this investigation and
20 notification of the media that Treveon Nelson
21 was wanted in Lexington County on charges of
22 murder and kidnapping?

23 A I believe there was an interview that Leon Lott
24 had put out with Treveon's face on it.

25 Q All right. You observed that and it was live

1 streamed by, I believe, by WIS?

2 A Yes, ma'am.

3 Q You observed that press conference?

4 A I did.

5 Q Leon Lott posted Treveon Nelson's photograph to
6 the media?

7 A Yes, ma'am.

8 Q I'm going to show you State's 164. Looking
9 here at 164, can you tell us whether or not
10 this was recovered from Snapchat of Treveon
11 Nelson?

12 A It was.

13 Q Does it indicate that Treveon Nelson has
14 knowledge at this point that he is wanted by
15 authorities?

16 A He is watching his own picture on the news so,
17 yeah.

18 MS. MAYES: This will be State's 164 for
19 evidence, Your Honor.

20 MS. McGRADY: No objection.

21 (Whereupon, State's Exhibit No. 164 was marked
22 and received into evidence.)

23 DIRECT EXAMINATION

24 BY MS. MAYES:

25 Q And in addition to media outlets carrying the

1 information that Treveon Nelson was wanted, was
2 it also prolific on social media?

3 A It was.

4 Q As well as the entire search for SA [REDACTED]
5 [REDACTED] had been throughout the month of
6 April?

7 A Yes, ma'am.

8 Q And you indicated that press conference was the
9 29th?

10 A I believe it was.

11 Q So we know this is some time between the 29th
12 and when he was apprehended?

13 A Yes, ma'am.

14 Q Do you have the information regarding his
15 apprehension on the 30th and who carried that
16 out?

17 A I believe it was our fugitive task force and
18 the U.S. Marshal, SLED. There were a bunch of
19 agencies involved.

20 Q All right. I'm going to show you some items
21 being State's 138, 139 and 172 and ask you if
22 you are familiar with these items as well as
23 State's 167?

24 THE COURT: Those numbers again, Solicitor.

25 MS. MAYES: Yes, Your Honor. 138, 139, 172,

1 and 167.

2 THE COURT: Thank you.

3 THE WITNESS: I am familiar. Yes, ma'am.

4 DIRECT EXAMINATION

5 BY MS. MAYES:

6 Q And based on your review of social media, did
7 Treveon Nelson appear to have photographs and
8 videos depicting the possession of firearms
9 prior to April 5th?

10 A Yes, ma'am.

11 Q And following the date of April 5th?

12 A Yes, ma'am.

13 Q And specifically on the date of April 27th,
14 2021, did you recover any type of social media
15 evidence that Treveon Nelson was in possession
16 of firearms?

17 A I believe it was the Snapchat media that we got
18 pictures of.

19 Q Is that one firearm or more than one firearm?

20 A It is a Taurus and this is going to be a Ruger.

21 Q Okay.

22 MS. MAYES: For evidence, Your Honor. Again,
23 pursuant to 19-5-520. I believe 167 without
24 objection, Your Honor.

25 MS. McGRADY: No objection.

1 (Whereupon, State's Exhibit Nos. 138, 139, 167,
2 172 were marked and received into evidence.)

3 DIRECT EXAMINATION

4 BY MS. MAYES:

5 Q Again, the date on this would be April 27th?

6 A Yes, ma'am.

7 (Exhibit is played.)

8 DIRECT EXAMINATION

9 BY MS. MAYES:

10 Q All right. And then as to State's 139, do you
11 recognize the person in this photograph?

12 A It is Treveon Nelson.

13 Q And can you tell us whether or not that is the
14 same firearm? Again, is this photograph -- is
15 this the screen cap from that same video?

16 A I believe so, the 27th.

17 Q On the 27th?

18 A Yes, ma'am.

19 Q All right. And looking here at this video,
20 screen cap, I'm going to show you what is
21 State's 138. Does that appear to be the same
22 firearm?

23 A It does.

24 Q Also a screen cap from that same video?

25 A Yes, ma'am.

1 Q Regarding that particular firearm which is
2 labeled Ruger P89, can you tell us whether or
3 not that's consistent with a 9-millimeter
4 firearm?

5 A Yes, ma'am.

6 Q Now that's on the 27th. We know that by the
7 29th Treveon Nelson is aware that he is wanted
8 by authorities. Was U.S. Marshals Office also
9 involved in that search?

10 A Yes, ma'am.

11 Q As well as the entire fugitive team?

12 A Yes, ma'am.

13 Q When Treveon Nelson was apprehended on the
14 30th, did he have any firearms in his
15 possession?

16 A He did not.

17 Q Were you ever able to recover that Ruger P89,
18 the 9-millimeter that we just looked at?

19 A No, ma'am.

20 Q But you know he had it on the 27th?

21 A Yes, ma'am.

22 MS. MAYES: Beg the court's indulgence.

23 (Pause.)

24 MS. MAYES: That's all for Detective Baum at
25 this time, Your Honor.

1 THE COURT: When did you say he was
2 apprehended, Solicitor or did you?

3 MS. MAYES: Yes, Your Honor. That's going to
4 be April 30th.

5 THE COURT: Okay.

6 Ms. McGrady.

7 CROSS-EXAMINATION

8 BY MS. McGRADY:

9 Q Good morning.

10 A Good morning.

11 Q How are you?

12 A Afternoon at this point.

13 Q Is it afternoon? I just I have a lot of
14 questions for you just to prepare you.

15 Why was your report from April 28th, 2021
16 written on April 26th, 2022?

17 A Why was it completed at that point?

18 Q Yes.

19 A I mean, it takes a while to go back and write
20 supplements. It is not done the next day. It
21 could take a while.

22 Q It took a year?

23 A I guess it did, yeah.

24 Q Okay. Did Nicolle admit to having stolen a
25 vehicle out of West Columbia?

1 A I believe that she did in her interview, yes.

2 Q When you testified about Nicolle's testimony to
3 law enforcement while she was explaining the
4 situation and the crime, you testified that
5 Nicolle was forced to hold the flashlight at
6 the burial of the victim; is that correct?

7 A I believe that's what she told Pablo. I wasn't
8 there for that interview but that's what he
9 referred to us later on that she had told him.

10 Q And then Nicolle said she was held captive by
11 Treveon Nelson?

12 A Yes, ma'am.

13 Q Did she specify that she was at [REDACTED]
14 Street with him?

15 A I believe so. She said they stayed there for a
16 week. She wasn't allowed to leave the house.

17 Q Did she specify that she was not allowed to
18 leave the house or that she was not allowed to
19 leave Treveon?

20 A Can I check my notes real quick?

21 Q Absolutely.

22 (Pause.)

23 THE WITNESS: So the day after the shooting,
24 Nicolle's at Treveon's house on [REDACTED] Street.
25 Treveon had taken her phone after dropping her off.

1 Treveon tells Nicolle she can't tell anyone and to
2 tell the police that SA [REDACTED] never left if they were
3 questioned. Treveon threatened Nicolle's sister and
4 other family members. Treveon won't let her leave,
5 can't even use the bathroom alone. Treveon's mom
6 wasn't living there. It was just the two of them.
7 She does -- Treveon says or she says Treveon leaves
8 to go to the store to smoke stuff, to get stuff to
9 smoke with, taking two phones with him, tells her
10 not to leave the house at which point that's when
11 she notifies a friend over Snapchat and the friend
12 comes and gets her.

13 CROSS-EXAMINATION

14 BY MS. McGRADY:

15 Q Did Nicolle testify or mention in her talks
16 with law enforcement that Treveon had a gun on
17 the night of the shooting, the shooting of
18 SA [REDACTED] ?

19 A Yeah. Her original statement was that Treveon
20 and Jaylen did the shooting.

21 Q But she said that Treveon had a gun?

22 A Yeah. To shoot somebody you have to have a
23 gun.

24 Q What kind of gun was it?

25 A I'm sorry. I'll refer to my notes. Give me

1 one second.

2 Q You are fine.

3 (Pause.)

4 THE WITNESS: So she said that night he had a
5 .380 silver with a black clip.

6 CROSS-EXAMINATION

7 BY MS. McGRADY:

8 Q And Jaylen had a gun the night of the shooting?

9 A She called him Smoove at that point but said
10 Smoove's gun was all black.

11 Q Okay. Did Nicolle say that Treveon took her
12 phone?

13 A Yeah, after the shooting.

14 Q Did she say that Tre made her lie to Sister,
15 SA's sister?

16 A That was when she asked why she made messages.
17 She said Treveon made her do it.

18 Q And then Treveon Nelson was asking people on
19 social media for 9-millimeter bullets; is that
20 correct?

21 A Yes, ma'am.

22 Q So he was soliciting for bullets?

23 A That's what the messages reflect, yes, ma'am.

24 Q Did you find out who OPP Grndn was?

25 A So we did a search for it on his account. It

1 came back with a name that doesn't register to
2 anything. We passed it on to our gang unit and
3 they didn't recognize him either so it was kind
4 of a dead end.

5 Q Did you find out who me go blooded up moraq,
6 which is spelled M-O-R-A-Q, is?

7 A So I can tell you we didn't find out who any of
8 these people were that he asked.

9 Q So y'all didn't try to find out who provided
10 him with bullets?

11 A We did search warrants. On Instagram you don't
12 have to give you a real name. When you get it
13 back, it just gives you a name that they put in
14 there and that's as far as we got. We passed
15 it on to our gang unit who deals with these
16 individuals on a daily basis. They didn't
17 recognize him either.

18 Q But you didn't actively try to find out who
19 gave Treyeon 9-millimeter bullets?

20 A I'm confused. So we did a search warrant on
21 that snap or that Instagram account to try to
22 locate who that is because Tre's not going to
23 tell us because he lawyered up. So when we got
24 that back, it was a dead end at that point. So
25 we tried but we didn't make headway, I guess.

1 Q Okay. So you gave up?

2 A Yes.

3 Q Okay. So the state showed a lot of back and
4 forth on Facebook between Treveon and Nicolle.
5 Because she was using Facebook does that
6 automatically mean that she was using it on her
7 phone?

8 A I believe you can log into Facebook on any
9 phone.

10 Q And just because Nicolle referenced shooting
11 someone, it doesn't mean that she actually had
12 a gun?

13 A Yes. I wasn't there. I don't know if she
14 actually had a gun or not.

15 Q Were there any shootings at Samantha Roebuck's
16 house?

17 A So Kilo had gotten shot but I don't think that
18 was at his house. And we asked him about that.
19 He said that he had shot himself he thinks but
20 then maybe somebody shot him. He didn't want
21 to give us details on his shooting. Whether
22 that happened at Samantha Roebuck's house or
23 not, we don't know.

24 Q Was Samantha Roebuck ever shot?

25 A No. Not I'm aware of.

1 Q Was Treveon Nelson ever shot?

2 A Not that I'm aware of.

3 Q Was her house ever shot up?

4 A Not that I'm aware of.

5 Q There was never a firearm seized from Nicolle,
6 correct?

7 A No, ma'am.

8 Q And none of the guns that were found at
9 Jaylen's house were linked to Nicolle, correct?

10 A No. They were at Jaylen's house.

11 Q And then on 4/25 or April 25th, Nicolle said
12 via Instagram that she had nowhere to stay and
13 that she was turning herself in; is that
14 correct?

15 A I don't know the exact wording but, yeah, she
16 mentioned turning herself in.

17 Q On April 25th when Nicolle said that she was
18 going to turn herself in, do you admit that
19 Treveon Nelson became aggressive with Nicolle?

20 A Yeah to try to get her to meet at that point.

21 Q Via social media?

22 A It was all I love you, meet with me, type of
23 stuff.

24 Q So Treveon Nelson basically ignored Nicolle
25 until she said she was turning herself in?

1 A He ignored the threats originally, yeah. And
2 then, I guess, when she said that, that's when
3 he started communicating.

4 Q And when she said that she was going to turn
5 herself in, he was -- Treveon was saying he
6 wanted to talk and to repair their
7 relationship?

8 A I don't know if it was to repair but, yeah, he
9 wanted to meet and talk.

10 Q So he manipulated her into meeting with him?

11 A If that's the way you see it. I mean, they
12 talked back and forth and they ended up meeting
13 up.

14 Q And then he assaulted her?

15 A I wasn't there for the assault but, yeah, the
16 assault did take place.

17 Q It was reported that she was physically
18 assaulted?

19 A Correct.

20 Q And it was reported that she was sexually
21 assaulted?

22 A That was the report she made, yes.

23 Q That wasn't the report that just Nicolle made.
24 That was a report from a third-party witness as
25 well, correct?

1 A I don't believe he saw the sexual assault. I
2 think he just called in the assault after it
3 happened.

4 Q But he saw the physical assault?

5 A Like I said, I don't have the report in front
6 of me but I think that he saw something taking
7 place that prompted a 911 call.

8 Q And Treveon only stopped assaulting Nicolle
9 once someone else saw her or saw him?

10 A I wasn't there. I don't know why he stopped.

11 Q Are you aware that Treveon was telling Nicolle
12 during the assault that he would kill her too?

13 A No. I don't think so. We didn't talk much
14 about the assault aspect.

15 Q When you interviewed Nicolle, did she appear --
16 after the 25th, did she appear to have facial
17 swelling?

18 A She was injured, yes.

19 Q Did she have bruises?

20 A Yes.

21 Q Did she appear that she was on any medication?

22 A I don't know if I asked her about medication.

23 I did ask her I believe how she was feeling.

24 She said her face was still hurting.

25 Q Was she hurt anywhere else that you could see?

1 A Not that I can recall.

2 Q Okay. Again, why was your report about Allon
3 Adams' interview from April 30th, 2021 written
4 and completed on April 26th of 2022?

5 A Like I said, sometimes it takes a while with
6 caseloads. I have 40 other active cases and
7 another murder on my docket. It takes a while
8 to catch back up and review footages and things
9 like that to write these supplements.

10 Q Did you type up the report after you realized
11 you couldn't find Allon to subpoena him to come
12 to court?

13 A No.

14 Q Is there anything -- well, let me backtrack.
15 You were here all day yesterday, correct?

16 A Yes. Sorry. I wasn't here yesterday. I was
17 here the day before.

18 Q I'm sorry. This week has been a blur. Monday,
19 when we had testimony?

20 A Yes, ma'am.

21 Q You were here all day?

22 A Yes, ma'am.

23 Q Was there anything entered into evidence that
24 shows that Nicolle called Allon?

25 A That she called Allon? I believe it was the

1 24th there was a communication between the two.

2 Q But Allon says that Nicolle called him on
3 Snapchat; is that correct?

4 A I believe during his interview he mentioned
5 Snapchat, yes.

6 Q Is there anything entered into evidence that
7 says that Nicolle called Allon on Snapchat?

8 A I don't think so. I think it was an Instagram
9 that was entered in.

10 Q Okay. Did Allon's story change multiple times
11 when you and Detective Carvajal interviewed
12 him?

13 A So when he was first brought in and we talked
14 about it, he didn't want to give details about
15 the case. Tre's like a little brother to him.
16 He said that he knew something has happened but
17 he is not going to give us details. At that
18 point he was taken back to the jail, booked in.
19 His grandmother showed up. Grandmother wanted
20 to talk with him. We said, okay, well it is
21 going to be recorded. She understood that. We
22 brought -- we asked Allon if he wanted to talk
23 to his grandmother. He said yes. We brought
24 him back up and that's when the conversation
25 took place between those two.

1 Q And then after he spoke with his grandmother he
2 spoke with you and Detective Carvajal?

3 A Yes, ma'am.

4 Q And he gave differing accounts of what happened
5 the night of the murder of SA [REDACTED]?

6 A No. I don't believe so. He gave us an account
7 that Nicolle told him and that he confronts
8 Treveon and Treveon denies it and then Treveon
9 tells him.

10 Q Is the story that Treveon tells Allon or Kilo
11 different than that of the story of Nicolle?

12 A I think that when Treveon was talking about the
13 murder, he doesn't actually say Nicolle pulled
14 the trigger at all. But again, Nicolle told
15 him that he did so.

16 Q So Treveon admits that he and Jaylen shot
17 SA [REDACTED]?

18 A That's what he says in his -- when Treveon
19 talks to Allon that's what he tells him.

20 Q So Treveon does not tell Allon that Nicolle
21 fired the weapon, any weapon?

22 A No. He did not.

23 Q She did not shoot SA [REDACTED]?

24 A He didn't say she didn't shoot. He just didn't
25 say she did.

1 Q So you have these two differing stories. You
2 have the story that Allon told where Nicolle
3 called him and confessed the crime to him and
4 then you have the story that he tells of him
5 confronting Treveon because that's his brother
6 and they are staying with him that Nicolle did
7 not pull the trigger but Jaylen and Treveon
8 pulled the trigger?

9 A He doesn't say Nicolle did not pull the
10 trigger. He just doesn't say that she didn't.

11 Q But he does say that he and Jaylen pulled the
12 trigger?

13 A Yes. He said him and Jaylen shot SA .

14 Q Okay. So how did you decide which story to
15 believe?

16 A Well, I mean, we look at everything in the
17 case. There is other evidence pointing toward
18 a possible third gun theory. There is evidence
19 or testimony put forward by a co-defendant that
20 Nicolle had a gun that night. So taking all
21 that into consideration that's what we went off
22 of.

23 Q Whose decision was it to charge Nicolle with
24 murder?

25 A So that would be a collaboration between

1 Captain Laintz, the whole team, which is going
2 to be Miller, myself, Sharpe and Pablo
3 Carvajal. We all kind of sat and talked about
4 what we had and what we all gathered and then a
5 decision was made.

6 Q Carvajal told me on Monday that he didn't make
7 that decision.

8 MS. MAYES: Objection to pitting witnesses.

9 THE COURT: That's sustained.

10 Ask another question.

11 CROSS-EXAMINATION

12 BY MS. McGRADY:

13 Q What was your reasoning for charging Nicolle
14 with murder?

15 A So we had Allon's testimony, of course. We had
16 Jaylen Wilson tell us that he saw Nicolle that
17 night with a firearm. Everything put together,
18 that's how we made the decision to charge her
19 with murder.

20 Q How many times did you interview Nicolle?

21 A It would be the day on the 28th I interviewed
22 her and then we attempted to interview again at
23 Springdale which is when she invoked her right
24 to counsel and that was it.

25 Q Did you observe any other interviews with

1 Nicolle that you were not physically part of?

2 A No. I wasn't there for Pablo's. I guess I did
3 watch some of his body cam. I wasn't there the
4 first day with them in the vehicle. I don't
5 think there is camera footage of that. There
6 might be some audio. I don't think I've seen
7 that.

8 Q So you said you watched some body cam where
9 other people had interviewed Nicolle?

10 A I think when Pablo's talking to her in the car
11 when I get done interviewing and she goes with
12 Pablo. Before she takes us to the body there
13 is audio footage there.

14 Q You are the lead investigator on this case?

15 A Yes, ma'am.

16 Q So you reviewed all the materials that your
17 peers and other investigators have compiled?

18 A I wouldn't say it all, no. But I have reviewed
19 a lot of the case, yes.

20 Q Were Nicolle's statements consistent as far as
21 who was involved with this crime?

22 A So Nicolle's original statements was that it
23 was SA [REDACTED], Nicolle, Jaylen and Treveon and then
24 have been pretty consistent from start to
25 finish.

1 Q Were Nicolle's statements consistent as far as
2 why the crime took place?

3 A Yeah. It was over the burning of a flag and
4 then a shooting up of a house, Treveon's house
5 and then they wanted to know who gave that
6 address to Treveon's house on [REDACTED] Street to
7 get it shot up. I guess they assumed it was
8 SA [REDACTED], which is why this whole thing happened.

9 Q And you mentioned burning of a flag. Is that
10 in reference to Raysean Jenkins?

11 A Yeah. So there was a theory or some witness
12 testimony at some point that we talked to. I
13 don't have it in front of me. But the theory
14 was that a flag of Raysean was burned by
15 Treveon which prompted Raysean to shoot
16 Treveon's house which prompted the kidnapping
17 and murder of SA [REDACTED].

18 Q And the burning of the colors or burning of the
19 flag, that's in reference to gang affiliation?

20 A Right. So I believe it shows disrespect.

21 Q Okay. Are Raysean Jenkins and Treveon Nelson
22 members of different gangs?

23 A So I don't think Treveon is validated at this
24 point. I think he is just a suspected gang
25 member. I don't think he is in NCIC as

1 validated gang member. Raysean I'm not sure
2 exactly. I don't have it in front of me.

3 Q Did your agency investigate Raysean?

4 A No.

5 Q Did your agency assist Cayce Department of
6 Public Safety in investigating the shooting at
7 Treveon's mother's house?

8 A I don't have the report. We might have
9 responded but I don't think we investigated it,
10 no.

11 Q So you didn't look into the motive behind this
12 crime?

13 A So we looked at the facts we had in front of us
14 and that's what we went off of.

15 Q Were you on scene when the body was found,
16 SA's [REDACTED] body?

17 A Not originally but I did come later.

18 Q So you responded to the scene?

19 A Yes, ma'am.

20 Q Did Nicolle ultimately lead your agency to
21 SA's [REDACTED] body?

22 A Yes.

23 Q Would you have found SA's [REDACTED] body without
24 Nicolle's help?

25 A I mean, I can't say whether we would have or

1 not have without her help but we found it with
2 her help.

3 Q Did you have any leads to where SA [REDACTED] was at
4 prior to that point?

5 A No. I don't believe so.

6 MS. McGRADY: Beg the court's indulgence.

7 (Pause.)

8 MS. McGRADY: No further questions for this
9 witness.

10 REDIRECT EXAMINATION

11 BY MS. MAYES:

12 Q All right. In response to some of those
13 questions there by defense counsel, one she
14 asked was any evidence linking Nicolle to a
15 gun?

16 A Yes, ma'am.

17 Q Did Jaylen Wilson give a statement in this
18 case?

19 A He did when he was interviewed at Richland
20 County.

21 Q All right. And who did he say was in
22 possession of a firearm on the night that SA [REDACTED]
23 was murdered?

24 A So Jaylen's statement is going to be that
25 Treveon and Nicolle had the firearms that night

1 tucked in her waistband.

2 Q And did he indicate he observed Nicolle with a
3 firearm?

4 A He did.

5 Q And where was it about her person?

6 A Tucked in her waistband.

7 Q And did he indicate as to whether or not
8 Nicolle was angry with SA [REDACTED]?

9 A So he indicated that he overheard an argument.
10 He claimed he was in the house, I guess or I
11 don't know if he was in or outside the house
12 but he overheard an argument between Nicolle
13 and I think Treveon about him trying to sleep
14 with another girl.

15 Q And can you tell us whether or not there was a
16 reference to another girl trying to sleep with
17 Tre?

18 A So --

19 Q To Jaylen hearing Nicolle make a statement to a
20 girl that she was trying to sleep with Tre?

21 A Yeah. So Nicolle was confronting Treveon about
22 sleeping with another female.

23 Q Okay. While SA [REDACTED] was present?

24 A Yes, ma'am.

25 Q And based on that statement from Jaylen Wilson,

1 was there any other female present other than
2 SA that she was accusing of trying to sleep
3 with Treveon?

4 A No, ma'am.

5 Q And during the course of your investigation I
6 believe one of the questions you got was did
7 you explore this motive as well as other
8 motives?

9 A Yes, ma'am.

10 Q And I'm going to show you what is State's 177
11 and ask you whether or not you also had an
12 opportunity to review communications between
13 the defendant and SA prior to SA's death?

14 A I have Instagram record.

15 Q And prior to SA's death, had there been
16 points in time where the defendant confronted
17 SA about her relationship with Tre?

18 A So the defendant messaged SA at one point in
19 time asking her why Treveon was calling her and
20 she was upset that, I guess, she thought
21 SA was --

22 MS. McGRADY: Your Honor, we are going to
23 object. This is outside the scope of
24 cross-examination.

25 THE COURT: Solicitor, where are you going with

1 this?

2 MS. MAYES: Yes, Your Honor, just covering that
3 other motives were explored and I can rephrase.

4 REDIRECT EXAMINATION

5 BY MS. MAYES:

6 Q Did you recover evidence during the course of
7 your investigation that the defendant was angry
8 with SA [REDACTED]?

9 A There are messages between the two where she is
10 angry that Treveon is contacting her.

11 Q Had contacted SA [REDACTED]?

12 A SA [REDACTED].

13 Q Now one of the questions that defense counsel
14 posed to you was about Nicolle's statement that
15 Tre made her give false stories regarding
16 SA's [REDACTED] whereabouts?

17 A Yes, ma'am.

18 Q And on the timeline regarding the time period
19 of the 16th, based upon the communications
20 between the parties on or about April 16th,
21 were Nicolle and Tre still together or was he
22 now with Samantha Roebuck?

23 A No. He was with Samantha at that time.

24 Q And did Nicolle appear to have a phone in her
25 possession throughout that time?

1 A She did use some kind of electronic device to
2 access social media.

3 Q All right. I'm going to show you what is
4 State's 133 and 134 being communications
5 between Dabratt and an Instagram account known
6 as arrogant and an Instagram account known as
7 need for short?

8 A Yes, ma'am.

9 Q Do those appear to be communications from the
10 account of Nicolle as well?

11 A Yes, ma'am.

12 MS. MAYES: State's 133 and 134, Your Honor,
13 pursuant to 19-5-520.

14 MS. McGRADY: No objection.

15 (Whereupon, State's Exhibit Nos. 133, 134 were
16 marked and received into evidence.)

17 REDIRECT EXAMINATION

18 BY MS. MAYES:

19 Q All right. Throughout this time when she is no
20 longer with Treveon, looking here at 134, does
21 she continue to give false statements to others
22 regarding the whereabouts of SA [REDACTED]?

23 A She does.

24 Q Here she is making a reference to she is
25 talking to a grown man, a man that lives in her

1 apartment complex?

2 A Yes, ma'am.

3 Q I don't know who you is but SA [REDACTED] was with me,
4 we smoked but then she left to go meet up with
5 Raysean which is the boy she was talking to?

6 A Yes, ma'am.

7 Q And then in State's 135 (sic) also on the 16th
8 a message from Dabratt?

9 A Yes, ma'am.

10 Q All right. And what is that message?

11 A We linked up to smoke right, okay. So she came
12 out of the house with Sister [REDACTED] and me and NaNa
13 walked to the park and we smoked and while we
14 were smoking she was on the phone with who she
15 said was Raysean. And after we smoked she gave
16 me a hug and walked off because she said he was
17 coming to pick her up.

18 Q He was coming to pick her up?

19 A Yes, ma'am.

20 Q Again, a reference to Raysean?

21 A Yes, ma'am.

22 Q Now one of the questions that the defense was
23 asking you about in addition to the firearms
24 that were recovered from the bedroom of Jaylen
25 Wilson being the .380 and the Glock, was

1 whether you had any evidence linking Nicolle or
2 any other defendants to other guns. And you
3 mentioned what you called a third gun theory.

4 A Yes.

5 Q What do you mean by that?

6 A So the crime scene had collected some evidence
7 of shell casings that are not matched to
8 9-millimeter that we have in evidence that were
9 in close proximity with a shell casing of a
10 9-millimeter we do have in evidence.

11 Q Okay. I believe here looking at State's 38,
12 that's going to be a reference to 33 being a
13 Glock round?

14 A Yes, ma'am. That's the one that we have in
15 evidence that matches the Glock and the 31, 32
16 and the 34 are unknowns.

17 Q All right. Unknown 9-millimeter rounds?

18 A Yes, ma'am.

19 Q Also known to be Blazer rounds?

20 A Yes, ma'am.

21 Q And can you tell us if those rounds are
22 consistent with the box of Blazer rounds found
23 in Jaylen Wilson's room?

24 A They are Blazer rounds, yes.

25 Q And only 20 in that box of 50?

- 1 A I believe so.
- 2 Q So 30 were missing?
- 3 A Yes, ma'am.
- 4 Q Now the defense asked you who made the decision
5 to charge the defendant with murder in this
6 case. You are familiar as a law enforcement
7 officer with hand of one?
- 8 A Yes, ma'am.
- 9 Q And you are familiar with those indictments
10 charging both Treveon Nelson and Jaylen Wilson?
- 11 A Yes, ma'am.
- 12 Q Where the charge of murder is concerned,
13 whether acting alone or in concert with
14 another, can you tell us whether or not Treveon
15 Nelson was charged under hand of one, hand of
16 all?
- 17 A I believe so, yes.
- 18 Q And Jaylen Wilson?
- 19 A Yes, ma'am.
- 20 Q As to the charge of kidnapping, whether acting
21 alone or in concert with another, can you tell
22 us whether or not he was charged with
23 kidnapping under hand of one?
- 24 A Yes, ma'am.
- 25 Q As well as Jaylen Wilson?

1 A Yes, ma'am.

2 Q Can you tell us whether or not law enforcement
3 would proceed with an indictment regarding
4 Nicolle Sanchez-Peralta under hand of one, hand
5 of all?

6 A Yes, ma'am.

7 Q For murder?

8 A Murder, yes, ma'am.

9 Q And for kidnapping?

10 A Yes, ma'am.

11 Q Does she admit to her role in the kidnapping?

12 A She does.

13 Q All right. And I believe one of her statements
14 is that when she finally acknowledged the
15 kidnapping, she was saying that it was for the
16 purpose of a physical assault?

17 A Right. She told Detective Carvajal that she
18 understood that the kidnapping was going to
19 take place and it was so that they could, Beat
20 her up.

21 Q She also indicated to you that Treveon Nelson
22 always has a gun?

23 A Yes, ma'am.

24 MS. MAYES: Beg the court's indulgence.

25 (Pause.)

REDIRECT EXAMINATION

BY MS. MAYES:

Q Defense was asking you about the flag or the bandanna that was burned and you indicated that was burned by Treveon Nelson and it had belonged to Raysean Jenkins. Were any items belonging to SA [REDACTED] also found burned there at that crime scene?

A So there is a pair of pink Crocks that SA [REDACTED] was last seen wearing that we found burned at the crime scene.

Q As depicted in State's 37?

A Yes, ma'am.

Q So regarding that motive of some type of beef between Raysean Jenkins and Treveon Nelson, can you tell us whether or not that's supported by the physical evidence at the scene?

A It is.

Q And the desire to burn the shoes of SA [REDACTED] [REDACTED] nearby her body that's been buried in a shallow grave?

A Yes, ma'am.

MS. MAYES: Nothing further.

MS. McGRADY: Just briefly, Your Honor.

RECROSS-EXAMINATION

1 BY MS. McGRADY:

2 Q Detective, were you present for Jaylen's
3 interview with law enforcement?

4 A No, ma'am.

5 Q Did Jaylen change his story multiple times?

6 A He did. I believe so, yes.

7 Q Did he also deny his involvement?

8 A He did, yes.

9 MS. McGRADY: No further questions.

10 THE COURT: Step down, sir. Thank you so much.

11 THE WITNESS: Thank you.

12 MS. MAYES: State calls Amanda Metz.

13 THE COURT: Come up here and have a seat if you
14 would, please, ma'am. Tell us what your full name
15 is, please.

16 THE WITNESS: Amanda Metz, M-E-T-Z.

17 THE COURT: Would you raise your right hand,
18 ma'am?

19 AMANDA METZ, after being duly sworn, testified
20 as follows:

21 THE COURT: Thank you so much. Just speak into
22 that microphone clearly and loudly so everybody can
23 hear you, please.

24 THE WITNESS: Yes, sir.

25 DIRECT EXAMINATION

1 BY MS. MAYES:

2 Q Good morning. Tell us a little bit about
3 yourself. Where are you employed?

4 A I'm employed at Richland County Sheriff's
5 Department in the forensic scientist
6 laboratory.

7 Q All right. And what type of work do you do
8 there in the Richland County crime lab?

9 A I'm a firearm and tool mark examiner.

10 THE COURT REPORTER: I'm sorry. A what?

11 THE WITNESS: A firearm and tool mark examiner.

12 DIRECT EXAMINATION

13 BY MS. MAYES:

14 Q All right. And how long have you done that
15 work?

16 A Approximately 10 years.

17 Q Okay. And have you been qualified previously
18 as an expert in the field of firearms
19 examination?

20 A Yes.

21 Q What specific educational background and
22 training do you have that allows you to be a
23 firearms examiner?

24 A So the specific training for firearm and tool
25 mark examination is not through schooling but I

1 do have a bachelor's of arts in both art
2 history and anthropology as well as a master's
3 of science in forensic archaeology and
4 international crime scene investigation.

5 Once I was hired with the sheriff's department
6 I went through an extensive three-year training
7 program and that entailed the ATF's National Firearm
8 and Tool Mark Examiner Academy. That was a yearlong
9 program. And after that was complete, I did an
10 in-house training program for the next two years
11 under a qualified firearm and tool mark examiner.

12 Q All right. How long have you actually done the
13 work in the crime lab of examining firearms as
14 well as analysis of any type of casings or
15 projectiles associated with those firearms?

16 A As like through training?

17 Q Right.

18 A I finished training in 2012, 2013. That would
19 be approximately 10 years as qualified.

20 Q And how many times would you estimate you have
21 testified previously as an expert in the field
22 of firearms examination?

23 A Approximately eight times.

24 Q All right. And how involved are you with the
25 analysis of firearms evidence there in Richland

1 County?

2 A So any cases I'm given by either my technical
3 lead or investigators, I work the firearms and
4 firearms related evidence and produce my
5 findings in a report that are presented in
6 court.

7 Q All right. Now you said you have been
8 qualified previously as an expert. Does that
9 include opinions regarding the results of your
10 own test fires in the lab?

11 A I'm sorry. I'm not sure I understand the
12 question.

13 Q You test fire evidence in the lab?

14 A Oh, test fire. Yes, correct.

15 Q And your testimony includes the results of your
16 own test fire work?

17 A Yes. Correct. So any time I get a firearm, I
18 test fire it as the firearm and tool mark
19 examiner to test for functionality as well as
20 to create standards or exemplars of that
21 firearm.

22 Q And it also includes your microscopic
23 examination of any tool marks along the casings
24 of fired cartridges?

25 A Yes. Fired cartridge cases as well as

1 projectiles.

2 Q Okay.

3 MS. MAYES: Your Honor, at this time the State
4 offers Amanda Metz as an expert in the field of
5 firearms examination.

6 MS. McGRADY: No objection.

7 THE COURT: All right.

8 DIRECT EXAMINATION

9 BY MS. MAYES:

10 Q Do you have a copy of your report with you
11 today?

12 A I do.

13 Q I'm going to ask you to refer directly to your
14 report, okay?

15 A Yes.

16 Q I want to start by asking you about several
17 firearms that were submitted to you for
18 analysis. The first firearm is going to be a
19 Glock and the second firearm is going to be a
20 Ruger .380. Can you tell us whether or not
21 those weapons were test fired?

22 A So more specifically, I received a Glock model
23 43X 9-millimeter Luger caliber pistol. The
24 serial number is BMG G304 as well as an
25 extended magazine.

1 Q All right.

2 A And the Ruger, more specifically, is a Ruger
3 model LCP .380 auto caliber pistol. And its
4 serial number is 371-556686 and again, another
5 extended magazine assembly.

6 Q All right. So I'm going to take a look here at
7 State's 105 already in evidence being items
8 that were recovered during the course of this
9 investigation, one being a Glock magazine and
10 the other being a .380 Ruger magazine. Based
11 upon your knowledge of this case were those
12 original magazines being utilized at the time
13 these guns were recovered or did they have in
14 them extended magazines?

15 A So as I received them, I can't speak to the
16 incident, but as I received them they came with
17 aftermarket extended magazines.

18 Q All right. And do you have any notes to tell
19 you to what extent those magazines held rounds?

20 A Yes.

21 Q How many rounds would be held in each? I'm
22 sorry.

23 A The .380 auto caliber magazine made by ProMag
24 it holds a capacity of 10, which means the
25 maximum firearm capacity is 11.

1 Q And that's for which firearm?

2 A For the .380. It is the aftermarket ProMag
3 magazine. So the manufacturer is ProMag,
4 P-R-O-M-A-G. And the aftermarket extended
5 magazine by ETS group for the Glock holds a
6 capacity of 19, which means the maximum
7 capacity of the firearm is 20.

8 Q All right. And then did you also have the
9 opportunity to note particular headstamps on
10 each of the fired cartridge casings that you
11 analyzed?

12 A Yes. That's part of our documentation process.
13 MS. MAYES: Beg the court's indulgence.

14 (Pause.)

15 DIRECT EXAMINATION

16 BY MS. MAYES:

17 Q All right. I'm going to move forward now to
18 the results of your examination, okay? We are
19 going to talk about the Ruger, the .380. Were
20 you able to match any casings specifically to
21 that .380?

22 A Yes.

23 Q What can you tell us about how many casings
24 from the crime scene that were submitted to you
25 you were able to match to that .380?

1 A So when cartridge cases are submitted to our
2 agency or all evidence gets put into our
3 evidence and property system called ASIS and it
4 is given a new item number. So I can either
5 refer to my item numbers or make the
6 correlation with your marker numbers.

7 Q Can you do both?

8 A Sure. So what my item 39 is the Ruger firearm.
9 It fired items, my items 17 through 23
10 cartridge cases. So that would be your marker
11 numbers M1, M2, M3, M4, M5, M6.

12 Q Okay. I'm going to ask you to hold on. You
13 are referring to your own report. I'm going to
14 refer to a report that is in evidence, 130.
15 But regarding that .380, those are going to
16 correspond here with your 17, your 18, your 19,
17 your 20 and your 21?

18 A As well as 22 and 23.

19 Q And those account for the seven rounds?

20 A Seven cartridge cases, yes.

21 Q Okay.

22 A And I'm sorry. I misspoke. It does not
23 include your M4. So it is M1, 2, 3, 5, 6, 17
24 and 29 are your marker numbers.

25 Q Okay. Now referencing the Glock with the

1 extended magazine, also recovered from the
2 bedroom of Jaylen Wilson, how many casings from
3 the crime scene were you able to match directly
4 to that Glock as noted here in green?

5 A So for me, my marker or my item numbers are
6 item 40, firearm the Glock, fired items 24
7 through 32 cartridge cases. And again, I can
8 correspond them with your marker numbers.

9 Q Yes. Yes.

10 A That would be your M7, M8, M9, M18, 19, 20, 21,
11 22 and 33.

12 Q All right. You mentioned 33. I want to
13 preface by asking you whether or not early on
14 in this investigation you had concerns about
15 some additional casings that had been submitted
16 to the Richland County Sheriff's Department but
17 did not match either the Glock or the .380?

18 A I'm not sure what you mean by concerned. So
19 when I do my examination I just treat the
20 evidence as evidence and do my comparisons to
21 all of my unknowns first. So that would be all
22 the cartridge cases. I don't know who they are
23 fired by. So I start by analyzing them and
24 comparing them to one another and break them
25 into the groups. And then if I do have

1 firearms, I create their standards that I then
2 compare to my unknown cartridge cases.

3 Q All right.

4 A And so I had one group of cartridge cases that
5 did not go to either of the firearms submitted.

6 Q And when I say concerns, I mean concerns based
7 on your observations that they could
8 potentially be related.

9 A Again, I'm not sure I understand what you mean
10 by related.

11 Q Did you relay that to law enforcement?

12 A I let law enforcement know that they had a
13 group of cartridge cases that did not go to
14 either of the firearms that they submitted.

15 Q What observations did you make about those
16 casings?

17 A That they were all fired by one unknown
18 firearm; and that they were fired by a
19 9-millimeter Luger caliber pistol and not fired
20 by the item 40 or the Glock that was submitted.

21 Q Okay. So regarding cartridge cases linked to
22 the Glock, how many are we talking about
23 altogether?

24 A The ones linked to the Glock?

25 Q Yes.

1 A That's nine.

2 Q Okay. And then how many were determined to all
3 be fired by the same gun which is not the Glock
4 and not the .380?

5 A That's my items 33 through 37, which is five.

6 Q And the sheriff's department numbers?

7 A Thirty-three through 37. But your item
8 numbers, your marker numbers would be 15, 30,
9 31, 32 and 34.

10 Q All right. And through your examination how
11 were you able to tell that all of these were
12 fired by a single firearm?

13 A So the same way I did all my other comparisons.
14 We use a comparison microscope which is two
15 microscopes combined by an ocular bridge. That
16 allows us to view two separate items under the
17 same lighting and magnification. So I start
18 with all my unknown cartridge cases first, all
19 my unknown fired evidence and compare them to
20 one another using individual characteristics or
21 microscopic imperfections.

22 And what happens is during firing, the
23 microscopic imperfections of the firearm are
24 transferred either by impressions or striations on
25 to fired evidence, so the cartridge cases or

1 projectiles. And so I look at those individual
2 characteristics. The microscopic imperfections are
3 a fingerprint essentially and compare them to one
4 another and that's also how I came to the conclusion
5 that they were fired, that you had groups fired by
6 two firearms that were submitted.

7 Q All right. And then looking here at State's 38
8 already in evidence, based on your numerical
9 markings and comparing those over with the
10 sheriff's department markings, it's 33 that's
11 going to be the Glock round?

12 A Yes. Correct. Your marker 33 is my item 32
13 which is fired by the Glock firearm.

14 Q And 31, 32 and 34 would be from the unrecovered
15 9-millimeter weapon?

16 A That's correct. Yes.

17 Q And then looking here at State's 39 already in
18 evidence, again, 33 would be the Glock round?

19 A Yes. Correct. Thirty-three is my item 32.

20 Q Thirty-one, 32 being the unrecovered weapon?

21 A Yes.

22 Q And then here we see off in the distance 30.
23 And which weapon accounts for Lexington County
24 Sheriff's Department number 30?

25 A Again, my item 30 or your item 30?

1 Q Marker 30.

2 A Your marker 30. Your marker 30 is my item 34,
3 which is from the unknown firearm.

4 Q Okay. So unknown firearm for 30, 31 and 32 and
5 then the Glock for 33.

6 Now were you also able to review the appearance
7 of the cartridges with the naked eye?

8 A Yes. So every piece of evidence that comes in
9 we do a visual examination first and document
10 anything that we see, any trace that we see,
11 debris, weathering, oxidation as well as the
12 other things that we look for as examiners
13 which is class characteristics. So what
14 caliber they are, firing pin shape, breech face
15 marks and other things that we use during our
16 comparisons.

17 Q And what, if any, observations did you make in
18 that regard concerning the appearance of these
19 cartridges, both the unrecovered and the Glock
20 rounds?

21 A In what, you mean like brand or --

22 Q Did you make any observations regarding their
23 physical appearance?

24 A So, no. I didn't have any trace or anything
25 but I think what you are asking is what

1 investigators asked me, which was whether the
2 question was whether the cartridge cases had
3 been out there for any length of time. And my
4 answer was that there is no evidence of
5 weathering or oxidation or dirt, debris,
6 insects. A lot of times you will get insects
7 that like to make cartridge cases their homes.
8 So I didn't have any trace or weathering.

9 Q And that includes on the rounds for the
10 unrecovered gun?

11 A That is all cartridge cases that were submitted
12 to me, yes.

13 Q Okay. We are going to take a look here at
14 State's 80 depicting 31. And the sheriff's
15 department 31 is going to be your 35. So
16 that's going to be from the unrecovered
17 firearm?

18 A Yes.

19 Q State's 81, bearing sheriff's department marker
20 32 which is going to be your 36?

21 A Yes.

22 Q Sheriff's department 33 here in State's 82
23 which is going to be your 32?

24 A Yes. That's not from the unknown firearm.

25 Q Okay. That's from the Glock?

1 A Correct.

2 Q And then 83, State's 83, being marker 34,
3 sheriff's department 34, your 37?

4 A Yes.

5 Q Can you tell us and again, this is going to be
6 from the unrecovered gun?

7 A Yes. It is from the unknown firearm.

8 Q Did they all seem to have the same appearance
9 regarding exterior factors such as weathering?

10 A Yes. Correct. No fired evidence that I
11 received had any sort of weathering, oxidation,
12 dirt, debris, insects making their home into
13 them.

14 Q Okay. As we talked about this group being the
15 34, 32, 31, all from the unrecovered firearm,
16 what type of headstamp did those cartridge
17 casings have?

18 A So their brand and headstamp were Blazer.

19 Q And again, we are talking about 9-millimeters
20 for each of these?

21 A Yes. 9-millimeter Luger caliber cartridge
22 cases.

23 Q Okay. And then for the State's 82 being marker
24 33 from the Glock, what type of headstamp did
25 that bear?

1 A That is also a Blazer.

2 Q All right. So all of those there in that
3 cluster together had the same headstamp?

4 A Yes. Correct.

5 Q Being the Blazer 9-millimeter rounds.

6 MS. MAYES: Nothing further at this time, Your
7 Honor.

8 CROSS-EXAMINATION

9 BY MS. McGRADY:

10 Q Just briefly, how much exposure would cause
11 weathering or oxidation to a casing?

12 A I mean, I can't give a certain amount of time.
13 There are papers on it but it really depends on
14 brand and the metallurgy of the cartridge case.
15 But you do expect to see especially in South
16 Carolina, we have a lot of humidity, heat,
17 rain, a lot of moisture which causes oxidation
18 or rusting. And like weathering, it is like
19 this black kind of coloring on the cartridge
20 case. I think you would expect to see that,
21 you know, again I can't give a timeline but a
22 few weeks, a month or so.

23 It just there is not a specific paper that
24 references our climate for what happens to cartridge
25 cases when they are left out in the weather. But it

1 just quickly you do see insects making their home.
2 You'll see dirt and debris such as pine straw or
3 things getting in just because we have a lot of rain
4 and wind and animals moving things around. So for
5 them to not have any of the dirt or debris kind of
6 also makes it seem like it happened close to the
7 incident date or the time that they were recovered.

8 Q So is it surprising to you that the shell
9 casings had been found almost a month later?

10 A The cartridge cases?

11 Q Yes.

12 A I mean, that wouldn't be surprising.

13 Q Okay.

14 A I wouldn't expect it to be as oxidized as,
15 let's say, six months later. So but to not
16 have insects at least starting to make their
17 homes. Again, I get it though after it is
18 passed through crime scenes hands so I can't
19 attest to how they are found at scene or what
20 is or isn't in the cartridge case. I can only
21 attest to how they come to me in the
22 laboratory.

23 MS. McGRADY: Okay. Thank you.

24 No further questions.

25 REDIRECT EXAMINATION

1 BY MS. MAYES:

2 Q You did have an opportunity as well though to
3 review the crime scene photographs?

4 A Yes. Correct.

5 Q Including some of the crime scene photographs
6 we have looked at here?

7 A Yes.

8 Q Which depict the casings, the brass casings as
9 they are found?

10 A Yes.

11 Q Was that all consistent with your observations
12 as well?

13 A From what I could tell from the photographs, I
14 didn't see any dirt but again some of them were
15 not where I could see inside the casing.

16 MS. MAYES: Nothing further.

17 RECROSS-EXAMINATION

18 BY MS. McGRADY:

19 Q When you get casings in other cases that have
20 been passed through crime scenes hands, are
21 there sometimes bugs?

22 A Oh, yes.

23 Q So it could have been feasible that bugs could
24 have made their homes in these shell casings?

25 A Well, no. You asked if when I get them through

1 crime scenes hand if there are bugs in them and
2 the answer is yes. There could be anything in
3 the cartridge case that I don't receive. But
4 generally speaking, like I've received recently
5 cartridge cases that had insects had made webs
6 and homes inside of it and that was still
7 inside the -- yes, inside the cartridge case.
8 And it is passed through crime scenes hands.

9 MS. McGRADY: Okay. Thank you.

10 THE WITNESS: Yes.

11 THE COURT: You can step down, ma'am. Thank
12 you very much.

13 MS. MAYES: The state calls Dr. Angelina
14 Phillips next.

15 THE COURT: How long is this witness going to
16 be, Solicitor?

17 MS. MAYES: This could be lengthy, Your Honor.
18 So we leave that in your discretion.

19 THE COURT: Y'all want to go ahead and break?
20 It is 12:35.

21 MS. MAYES: Yes. Yes.

22 THE COURT: Everybody be back in your seats at
23 1:35 for the next witness.

24 MS. MAYES: And we normally have a clock back
25 here and so --

1 THE COURT: I understand.

2 MS. MAYES: I was not able to keep track of
3 time.

4 THE COURT: That's no problem.

5 MS. McGRADY: You said 1:35, Judge?

6 THE COURT: Yes.

7 (Whereupon, a lunch break was taken.)

8 THE COURT: Everybody ready?

9 MR. HUBBARD: Yes, sir, Your Honor.

10 THE COURT: All right. Call your next witness.

11 MS. McGRADY: We are ready.

12 MR. HUBBARD: The State calls Dr. Angelina
13 Phillips. No interpreter yet, Your Honor.

14 THE COURT: Come on up and have a seat, ma'am.
15 Tell us what your full name is for the record.

16 THE WITNESS: Angelina Phillips.

17 THE COURT: Y'all come on in. I asked y'all to
18 be here at 1:35.

19 Tell us your full name, ma'am.

20 THE WITNESS: Angelina Phillips.

21 MR. HUBBARD: Dr. Phillips, where do you work?

22 THE COURT: Wait a minute.

23 MR. HUBBARD: I'm sorry, Your Honor. She
24 hasn't been sworn in.

25 THE COURT: Raise your right hand.

1 ANGELINA PHILLIPS, after being duly sworn,
2 testified as follows:

3 THE COURT: Thank you.

4 All right.

5 MR. HUBBARD: Sorry, Your Honor.

6 MR. CHEHOSKI: Your Honor, may we have a moment
7 for the interpreters to get all set up?

8 THE COURT: Yeah.

9 MR. CHEHOSKI: Thank you.

10 THE COURT: All right. Thank you.

11 MR. HUBBARD: Thank you, Your Honor.

12 (Pause.)

13 DIRECT EXAMINATION

14 BY MR. HUBBARD:

15 Q Dr. Phillips, where do you work?

16 A I work at the Medical University of South
17 Carolina.

18 Q And what do you do there?

19 A I'm a forensic pathologist.

20 Q And what type of training and education do you
21 have to become a forensic pathologist?

22 A In order to become a forensic pathologist you
23 have to start with an undergraduate degree,
24 which I have one in anthropology from NYU.
25 Then you go on to medical school and that's

1 four years of training. I did mine in Upstate
2 New York. And then you complete a four-year
3 residency in pathology anatomic and clinical.
4 And after you finish that four years of
5 residency, you do one additional year in
6 forensic pathology training.

7 Q How many years have you been practicing?

8 A Going on seven.

9 Q And during that time period, that seven years,
10 how many autopsies would you approximate that
11 you have done?

12 A Over a thousand.

13 Q And have you testified in court before?

14 A Yes.

15 Q As an expert in forensic pathology?

16 A Yes.

17 MR. HUBBARD: Your Honor, I offer Dr. Phillips
18 as an expert in forensic pathology.

19 MR. CHEHOSKI: No objection, Your Honor.

20 THE COURT: All right.

21 DIRECT EXAMINATION

22 BY MR. HUBBARD:

23 Q Doctor, did you have an opportunity to do an
24 autopsy on a young lady by the name of SA [REDACTED]
25 [REDACTED]?

1 A Yes.

2 Q Was that April 30th of last year?

3 A Yes, it was.

4 Q When you do an autopsy, do you do an external
5 review first?

6 A In general the first part of the autopsy is
7 when the body is placed on the table and we
8 take an initial set of photographs of it as is.
9 Then we proceed with an external examination,
10 looking at how it is, clothing, any evidence
11 that might be on the body and then remove the
12 clothing and do a second examination looking at
13 the skin.

14 Q By the time SA [REDACTED] was on your table,
15 what kind of condition was her body in?

16 A She had moderate to severe decomposition
17 changes, meaning that there was a fair amount
18 of decomposition and even some skeletonization
19 areas where the skeleton is visible.

20 Q And do you proceed from there and then disrobe
21 the body and did you do that in this case?

22 A Yes.

23 Q Having done that, did you notice injuries, any
24 visible injuries at that point?

25 A Yes. There were several areas that were

1 suspicious for gunshot wounds and examined
2 closer we could confirm that there were gunshot
3 wounds on the body.

4 Q In recording these gunshot wounds, did you use
5 a diagram of a female silhouette and mark where
6 you saw these gunshot wounds?

7 A Yes.

8 Q Approximately how many gunshot wounds if you
9 can recall did you actually visibly see?

10 A The number of holes on the body were, I
11 believe, in the 20s and estimated number of
12 gunshot wounds is 14.

13 Q Could there have been more that you just
14 couldn't see because of the decomposition?

15 A Yes.

16 Q And I want to show you what's been marked
17 State's 143 to see if it is a two-page
18 document. Is that the diagram that you used to
19 make your notations in the case of SA

20 [REDACTED]?

21 A Yes, it was.

22 MR. HUBBARD: Your Honor, at this time I offer
23 this into evidence.

24 MR. CHEHOSKI: No objection.

25 THE COURT: What was the number again?

1 MR. HUBBARD: 143, Your Honor.

2 THE COURT: All right.

3 (Whereupon, State's Exhibit No. 143 was marked
4 and received into evidence.)

5 DIRECT EXAMINATION

6 BY MR. HUBBARD:

7 Q Doctor, the handwriting we see on here, that's
8 yours?

9 A That is my handwriting.

10 Q And this is a two-page document. So then you
11 have a side view?

12 A Yes.

13 Q With arms, legs?

14 A Correct.

15 Q Okay. Of a female body.

16 Now let me ask you, the gray areas that we see
17 marked on this body, did you do that?

18 A Yes, I did.

19 Q And what does that denote?

20 A Those were the areas where there were skin
21 disruptions or no skin present.

22 Q Okay. And Doctor, I'm going to give you this
23 clicker so at times you can make reference and
24 I believe it is just that top button.

25 When you went through these gunshots did you go

1 in any particular order?

2 A I numbered them and then I documented them in
3 that order so I could keep track of which
4 gunshot wound was which. And in the written
5 report it is documented from as best I could
6 head to toe--

7 Q Okay.

8 A -- order. But they are not in order that they
9 would have been fired.

10 Q Okay. Is it possible for you to know which
11 shot is first, which is last?

12 A No.

13 Q Okay. Now going through your report, you note
14 a gunshot wound to the neck. I don't see a
15 marking up there. Is there a reason for that?

16 A Yes, there is. The gunshot wound was to this
17 region of the neck where you can see that there
18 is absent skin marked. I wouldn't document it
19 on this diagram because there is nothing on the
20 surface to document. The gunshot wound that is
21 listed to the neck, the injury that I see is on
22 the thyroid cartilage which is in the Adam's
23 apple region of the neck.

24 Q And looking at that, would that have been a
25 potentially fatal wound?

1 A That wound could be potentially fatal, mainly
2 because disruption of that cartilage can lead
3 to bleeding and bleeding that takes up space in
4 the lungs.

5 Q The next I believe you have it noted as gunshot
6 wound to the right axilla?

7 A Yes. So that would be a gunshot wound in the
8 right armpit region. That's what the axilla
9 is. And that gunshot wound has some
10 surrounding contusion or bruising. That tells
11 us that this gunshot wound happened when she
12 was alive. And it goes to a bullet that we
13 recovered from the tissues in that same right
14 axillary region or right armpit region. The
15 other injuries that I have are limited to skin
16 and soft tissue.

17 Q So you actually recovered a bullet but you know
18 that when she was shot at that point in time
19 she was alive?

20 A Yes. We can tell that based off of the
21 reaction of the body to it, which would be the
22 contusion or bruising.

23 Q Okay. Next you have marked as a gunshot wound
24 to the left chest?

25 A Yes.

1 Q You have it marked 17 to 25. Can you explain
2 what you have for the judge on that?

3 A So on my diagram it looks like it is on the
4 back but it is more toward the lateral or the
5 side of the chest. I don't have a
6 three-dimensional diagram so I have to mark it
7 in the area closest to where I can see. That
8 gunshot wound goes through the body. In that
9 region we don't have inordinate skin but what I
10 do have is injury to the underlying rib.

11 And the injury on the rib is consistent with a
12 gunshot wound. It goes through the body and
13 disrupts important things like the lung and aorta,
14 both organs that bleed profusely when injured. And
15 that one exited on the left breast near the mid
16 axillary region and that would be in this region.
17 And I believe it is on the side diagram, on the side
18 of the left breast.

19 Q Okay. Right here. Excuse me. All right. And
20 due to the disruption in when it went through
21 the internal organs would that have been
22 potentially fatal as well?

23 A Yes, it would.

24 Q And then you have another gunshot denoted to
25 the left chest.

1 A Yes. So this gunshot wound is on the regular
2 defect of skin. It is on the left side of the
3 chest on the left side of the torso region. I
4 believe that it is documented as irregular
5 defects on the torso and that gunshot wound we
6 can tell is a gunshot wound in that area even
7 though I don't have anything on the skin to
8 document as a gunshot wound because there's a
9 trajectory of a bullet pathway through the body
10 and a bullet was recovered from the kidney.

11 Q So that's the second bullet you recovered?

12 A Yes.

13 Q And would that have been a fatal wound as well?

14 A It has potential to be fatal because of the
15 disruption or injury to the kidney.

16 Q Then you have a gunshot wound to the right side
17 of the abdomen, 2 to 19?

18 A So number 2 is here on the right side of the
19 abdomen and number 19 is one of three on the
20 buttocks. That gunshot wound going in on the
21 right side of the abdomen disrupts the soft
22 tissue and it goes into the body also
23 disrupting some muscles in the back of the
24 abdomen region and then penetrates through the
25 vagina on the inside of the body before exiting

1 out the left buttock region. I could not
2 determine specifically which of the three holes
3 that exit wound corresponded to the entrance
4 wound.

5 Q I notice you have soft tissue hemorrhage. What
6 does that tell you about whether SA [REDACTED]
7 [REDACTED] was alive at the time she was shot?

8 A Soft tissue hemorrhage tells us that this is
9 likely an antemortem or something that happens
10 before she had died because the body bleeds
11 when you are alive. When you are dead, the
12 tissue just seeps but it would not bleed.

13 Q And would that shot have been potentially fatal
14 as well?

15 A That one could be potentially fatal. The
16 pathway through the body I could not see any
17 major disruptions or injuries but because of
18 the decomposition I can't rule them out.

19 Q Okay. Well, let's look at the sixth shot. You
20 have gunshot wounds to left buttock 20, 21 to
21 19?

22 A So we have the gunshot wounds on the left
23 buttocks. We have 20 and 21 on the lateral
24 side of the buttocks. And in 19 there were
25 three defects. These defects also track toward

1 20 and 21. So we know that those gunshot
2 wounds are connected. The main things that are
3 disrupted are skin and subcutaneous tissue or
4 fat.

5 Q Okay. Gunshot wound number 7 you have marked
6 as a wound to the right hand, 20 to 23.

7 A Twenty-two to 23?

8 Q Twenty-two to 23, excuse me.

9 A Yes. So that would be the gunshot wound on the
10 back of the right hand and the gunshot wound on
11 the palm or inner surface of the right hand.
12 That one I could not tell a trajectory because
13 of the decomposition which was obscuring the
14 features so I couldn't tell you if the one on
15 the back surface of the hand or the front
16 surface of the hand was the entrance. And the
17 main injuries in that area is disruption of the
18 tissue so the soft tissue of the hand.

19 Q A wound to the hand like that, whether it's to
20 the front or the outside of the hand, would
21 that be consistent with a defensive wound?

22 A It can be consistent with defensive wounds.
23 Defensive wounds occur on usually the posterior
24 surface or the back surface of the arm when
25 someone holds it up to protect themselves.

1 Q And that brings up shot number 8 which is a
2 wound to left forearm?

3 A Yes. So this one, number 24 here, goes through
4 the left forearm and exits at some point in
5 this area on the arm where there is absent
6 skin. So I don't have an exit gunshot wound to
7 document. That one we have an area of
8 disruption of the skin and muscle. And again,
9 I cannot assess a trajectory because I couldn't
10 tell you which entrance versus exit is on that
11 arm.

12 Q And would that wound also be consistent with
13 what you typically see in a defensive wound?

14 A Yes. It could be a typical defensive wound
15 because it is on the back of the arm. And if
16 it is on the entrance if the arm is turned this
17 way.

18 Q Gunshot wound number nine I believe you said
19 you had a typo there?

20 A Yes, I did. In this case it should say gunshot
21 wound to the right inguinal region which is the
22 crease of the thigh and abdomen. And that
23 gunshot wound right here on the right pubic
24 region is actually going in, exiting and then
25 reentering the thigh and then exiting again.

1 So we have a bit of a pathway to think about.
2 So entering here, exiting here on the pubic
3 region, entering the thigh here. And then on
4 the side diagram is the exit at number 12,
5 which --

6 Q Which is right here?

7 A Yeah. There we go, number 12 which is on the
8 side there. That one is going through and
9 disrupting the muscles of the thigh and
10 importantly it disrupts the femur right at the
11 neck of the femur which is in the hip.

12 Q Could a shot in that area also be potentially
13 fatal?

14 A Yes, it could. Major vessels run in that
15 region and they could be disrupted.

16 Q Gunshot number 10 you have as a wound to the
17 left thigh, 13 to 7.

18 A I believe 13 is on the side diagram here and
19 that connects to number 7 which is on the upper
20 inside aspect of the left thigh. It goes
21 through disrupting again the skin, muscles and
22 the femur. In this one we recovered some
23 projectile fragments along the pathway.

24 Q Okay. And then you have another gunshot wound,
25 number 11 to the left thigh, 14 to 8?

1 A Yes. So gunshot wound to the left thigh,
2 number 14 is again on the side diagram and that
3 is going in. So there's 14 and 13. And 14 is
4 going in to exit at the lower inside aspect of
5 the left thigh. So that would be on the front
6 of the diagram again at 8, which I believe is
7 in this region. It goes through disrupting
8 again skin, muscle and the femur and the thigh
9 and we have some fragments along the pathway.

10 Q Again, the shots to the thighs, are they all
11 potentially fatal?

12 A These are all potentially fatal injuries
13 because of the injury to a major bone and the
14 possibility of disrupting major vessels in the
15 region.

16 Q Gunshot wound number 11, a wound to the left
17 knee?

18 A So a wound to the left knee we have 9 and 10
19 right here. Those go through and disrupt the
20 skin and underlying subcutaneous tissue. There
21 is some contusion or bruising on the skin
22 around these wounds and the trajectory in this
23 case is downward. So 9 is the entrance and 10
24 is the exit.

25 Q And you mentioned hemorrhage so and bruising.

1 So would she have been alive at that time?

2 A Yes.

3 Q And that downward angle, would that be
4 consistent with somebody standing over her?

5 A It is possible that someone was standing over
6 her or it was bent in such a way as that
7 trajectory would work.

8 Q Or maybe she had her legs pulled up, her knees
9 pulled up?

10 A Correct.

11 Q Gunshot wound number 13, a wound to the left
12 leg, 11 to 15.

13 A In this gunshot wound 11 is on the medial
14 aspect of the left thigh. And I apologize. My
15 vision is not as great as it used to be to see
16 the diagram. And it goes through and exits on
17 the lateral aspect of the left thigh at number
18 15.

19 Q Okay.

20 A I'm sorry. I said thigh. It should be leg.

21 Q Okay.

22 A So 15 is down near the ankle region.

23 Q Okay.

24 A We have disruption of skin, muscle and the left
25 tibia and fibula which are the bones in the

1 leg. Those are fractured. Again, there are
2 small fragments along the pathway.

3 Q Could that one have been potentially fatal?

4 A It could be potentially fatal because of
5 disruption of large bone and the possibility of
6 injury to a large vessel traveling down the
7 leg.

8 Q All right. Now I want to see gunshot wound
9 number 14.

10 A Gunshot wound number 14 is on the right leg.
11 That would be number 18 here on the back of the
12 leg. That goes in, disrupting the muscle, soft
13 tissue of the leg and we pulled a projectile
14 out of the leg. So it is going back to front
15 and stops at the projectile.

16 Q And going back to 14 with the cap or that one,
17 this particular one, did you find another
18 projectile in that wound?

19 A Yes.

20 Q So grand total you found three spent rounds in
21 SA's body?

22 A Yes.

23 Q Okay. Now what other injuries did you denote
24 on her body?

25 A The other injuries section I have marked linear

1 nondisplaced fractures of the left orbit.

2 That's in the region of the head, around the
3 eye. The fractures are on the skull.

4 The next line --

5 Q Can I ask you about each one individually?

6 A Yes.

7 Q On that one, was that consistent with a gunshot
8 or with some other type of force?

9 A That is not a gunshot. That is more likely to
10 be blunt trauma.

11 Q If there was testimony that SA [REDACTED] was struck
12 with a pistol, would that be the type of blunt
13 force trauma that could cause this type of
14 fracture?

15 A That could potentially cause this type of
16 fracture.

17 Q Okay. And then the next one you have got as
18 another injury?

19 A The next I have subcutaneous hemorrhage on the
20 left side of the chest. So that's referring to
21 this side of the chest and subcutaneous means
22 underneath the skin. There was some hemorrhage
23 in that region of the chest and it is
24 consistent, again, with blunt trauma.

25 Q So would you agree that would have to be pretty

1 significant blunt force to cause that kind of
2 hemorrhaging?

3 A A significant amount of blunt force trauma is
4 necessary to cause hemorrhage.

5 Q Okay. All right. Then your last one you
6 mentioned some ribs. Can you tell the court
7 what that is?

8 A Associated with the subcutaneous hemorrhage on
9 the left side of the chest are also rib
10 fractures down the anterior portion of the
11 ribs. Ribs 2 through 6 are fractured in the
12 front of the body. So that would be from about
13 the level of the collarbone down to where a
14 little bit below the breast.

15 Q And again, that's not from gunshots?

16 A That is not gunshot related. Those are all
17 blunt trauma related.

18 Q SA [REDACTED] was a 15-year-old young lady.
19 Would it take significant force to break those
20 ribs?

21 A In general it would take a fair amount of force
22 to break the ribs, mainly because as a younger
23 person there is a bit more give or elasticity
24 to the bones. You still have a lot of
25 cartilage that can bend somewhat before

1 breaking, unlike an older person where it is
2 more fused.

3 Q Would it be consistent with somebody who is say
4 on the ground where there is not a lot of room
5 to give and they are being stomped?

6 A That could be a possibility, yes.

7 Q What are some of your other findings?

8 A The other findings that I have listed are other
9 things that were important for the case but not
10 directly related to the gunshot wounds. I have
11 a fragment of copper colored jacketing that
12 with pebbling deformity which is where it bends
13 back. That was recovered from the debris that
14 came with the body.

15 The other line is moderate to severe
16 decompositional changes which is what we already
17 discussed. The decompositional changes include
18 skeletonization where the skeleton is exposed
19 outside of the body.

20 The next is multiple skin defects which may
21 represent maggot activity. That relates to the
22 previous line. It is part of the decomposition
23 process. And the maggots appear on the body and can
24 cause some changes which may be suggestive of
25 gunshot wounds but you have to interpret them as not

1 gunshot wounds but related to insect activity.

2 And lastly, there were a few skin defects where
3 I could not exclude that gunshot wounds were in that
4 position. I just didn't have any skin or soft
5 tissue evidence of gunshot wounds.

6 Q Where did you see that?

7 A That would be on the right hip region. So in
8 this area, and in the right side of the abdomen
9 and again right hip region in this region here
10 on the side.

11 Q And you mentioned there may have been shots
12 that because of the state of decomposition you
13 just can't denote as gunshot wounds?

14 A Correct.

15 Q While you are doing an autopsy, you look at
16 clothing and all as well?

17 A I do examine the clothing in a basic way when I
18 remove it from the body.

19 Q Let me see if you can identify some
20 photographs, State's 49, 50, 51, 52, 53, 54 and
21 I actually have 148. That's why I was reading
22 them out one by one. I knew I might have them
23 out of order. Do you recognize these photos as
24 coming from SA's [REDACTED] autopsy?

25 A Yes.

1 Q Those are items that she had on?

2 A Yes. That's a sock and her underwear.

3 MR. HUBBARD: All right. I offer these as
4 evidence.

5 MR. CHEHOSKI: Without objection, Your Honor.

6 THE COURT: All right.

7 MR. HUBBARD: Thank you, Your Honor.

8 THE COURT REPORTER: Mr. Hubbard, did you say
9 52?

10 MR. HUBBARD: 54. So 148 through 154.

11 (Whereupon, State's Exhibit Nos. 148-154 were
12 marked and received into evidence.)

13 DIRECT EXAMINATION

14 BY MR. HUBBARD:

15 Q Looking at 148 what do you see?

16 A This is a sock.

17 Q When SA [REDACTED] came to you, did she only
18 have one sock on?

19 A She did.

20 Q All right. Looking at 149, is this the
21 underwear that SA [REDACTED] had on?

22 A Yes.

23 Q And that's a front view?

24 A Yes.

25 Q And just looking at it from the eye view, can

1 you see there are multiple holes?

2 A Yes, I can.

3 Q And then looking at the back view, State's 150,
4 again, does it denote holes?

5 A Yes.

6 Q Would these holes be consistent with gunshot
7 wounds, some of the wounds that you have
8 denoted on the body?

9 A Yes. They are in areas that correspond to the
10 gunshot wounds on the body.

11 Q Okay. I want to show you 151. See two holes
12 right there?

13 A Yes.

14 Q And are those consistent with again from the
15 front view these holes we see here inside the
16 underwear?

17 A Yes, they are.

18 Q So these are two holes. I'll show you hole
19 number three, State's 152. Do you see that?

20 A Yes, I do.

21 Q A hole right here?

22 A Yes.

23 Q That's consistent with, again, front of the
24 underwear where a hole is?

25 A Yes, it is.

1 Q That's three holes.

2 Number four is 153, again, a hole here? Do you
3 see that?

4 A Yes, there is.

5 Q Along the underwear line consistent, again,
6 with a hole here?

7 A Yes.

8 Q And a fifth hole up toward the band right here?

9 A Yes.

10 Q And again, is that consistent with a hole we
11 see on the front of the underwear here--

12 A Yes.

13 Q -- in State's 149. So a total of five, looks
14 like five holes produced by gunshots in the
15 underwear region?

16 A Yes.

17 Q And would all those be consistent going back to
18 State's 143, your diagram, all of these wounds
19 we see in the abdomen, the pelvic region and
20 the buttock region?

21 A Yes. Those line up with the ones on the
22 underwear to my knowledge.

23 Q Now Doctor, one thing I haven't asked you is
24 did you reach some conclusions as a
25 professional in this case?

1 A Yes.

2 Q To a reasonable degree of medical certainty can
3 you give us the probable cause of death?

4 A The cause of death was multiple gunshot wounds
5 to the torso and bilateral lower extremities.

6 Q And to a reasonable degree of medical certainty
7 can you give us the manner of death?

8 A The manner of death was homicide.

9 MR. HUBBARD: Thank you. That's all I have for
10 you at this time, Doctor. Thank you so much.

11 CROSS-EXAMINATION

12 BY MR. CHEHOSKI:

13 Q Dr. Phillips, in, I think, looks like at least
14 five of the gunshot wounds you were able to
15 outline a trajectory as a downward, in a
16 downward manner; is that correct?

17 A Yes.

18 Q All right. And SA [REDACTED] was 66 inches
19 long; is that correct?

20 A Yes, she was.

21 Q And that is measured out in feet is 5 feet, 6
22 inches?

23 A Correct.

24 Q And so what I'm seeing in gunshot wound number
25 4, which, again, according to your report, was

1 a gunshot wound to the left chest?

2 A Correct.

3 Q Right. And that trajectory was from left to
4 right and in a downward manner; is that
5 correct?

6 A Yes.

7 Q Also in gunshot wound number five, which was to
8 the right side of the abdomen?

9 A Correct.

10 Q Again, and that's also in a downward way?

11 A Yes. It is traveling right to left, down and
12 front to back.

13 Q As well as gunshot wound number six, which was
14 to the left buttock?

15 A Yes.

16 Q Correct. Also in a downward and gunshot wound
17 number nine is also to the left thigh. That
18 was one that had two entry wounds and two exit
19 wounds; is that right?

20 A Yes. So gunshot wound number 9 is where I had
21 a typographical error. So it is actually not
22 the left thigh but the right inguinal region.
23 So the crease of the thigh.

24 Q But still also in a downward trajectory?

25 A Yes.

1 Q Also the gunshot wound number 12, is in a
2 downward trajectory?

3 A Correct.

4 Q Okay. And as you testified earlier, there's no
5 way for you to determine the order of which
6 these gunshots happened to the body?

7 A Correct.

8 Q You were ordering them in a way that you said
9 as best you could from head to toe?

10 A Yes.

11 Q And that's just the way those ordering it for
12 you to keep your records and keep everything
13 straight?

14 A Yes.

15 Q You also, again, this may be due to the -- you
16 did not indicate in your report any mention of
17 like stippling or close contact wounds; is that
18 correct?

19 A That is correct. I did not see any stippling
20 or any soot that would indicate close contact.

21 Q And stippling and close contact would have
22 indicated that the firearm was in direct
23 contact with the body at the time it was
24 discharged?

25 A In contact with the body or within a few

1 inches.

2 Q Within a few inches. And so without that, is
3 there any other way to tell how close the
4 firearm were to the body at the time it was
5 discharged?

6 A Without that information I couldn't tell you
7 that.

8 Q Okay.

9 MR. CHEHOSKI: One moment, please, Your Honor.

10 (Pause.)

11 CROSS-EXAMINATION

12 BY MR. CHEHOSKI:

13 Q When you discussed with Solicitor Hubbard the
14 other injuries, he mentioned that this could be
15 consistent, specifically talking about the left
16 rib, that it could be consistent with stomping;
17 is that correct?

18 A Yes.

19 Q But that's not the only type of injury that
20 that's consistent with?

21 A That's correct.

22 Q Is it possible that it could have been
23 consistent with being dragged possibly?

24 A Likely not being dragged because we would need
25 the forces to fracture the ribs.

1 Q Or, you know, possibly, I mean, possibly being
2 hit with a blunt force object other than a
3 shovel?

4 A Yes.

5 Q Or perhaps something other than a foot, I meant
6 to say.

7 A Any blunt object striking the body.

8 Q And it would, again, as he indicated, it would
9 take, as you indicated in direct, it would take
10 a significant amount of force to break those
11 ribs?

12 A Yes.

13 Q Due to her age?

14 A Correct.

15 Q And again, and probably her level of fitness as
16 well?

17 A Yes.

18 MR. CHEHOSKI: One moment, please, Your Honor.

19 (Pause.)

20 MR. CHEHOSKI: Thank you for your time.

21 That's all I have, Your Honor.

22 MR. HUBBARD: Nothing further at this time,
23 Your Honor.

24 THE COURT: You can step down, ma'am. Thank
25 you so much.

1 MR. HUBBARD: May the doctor be excused, Your
2 Honor?

3 MS. McGRADY: No objection.

4 THE COURT: Have a good day, ma'am.

5 THE WITNESS: Thank you.

6 MS. CATES: Your Honor, the State calls Jan
7 Scarbury.

8 THE COURT: Ma'am, come up and have a seat to
9 my right, please. All right. Tell us what your
10 full name is.

11 THE WITNESS: Jan Scarbury.

12 THE COURT: Raise your right hand.

13 JAN SCARBURY, after being duly sworn, testified
14 as follows:

15 THE COURT: Thank you.

16 DIRECT EXAMINATION

17 BY MS. CATES:

18 Q Hi, Ms. Scarbury. Can you, please, tell us
19 where you are employed?

20 A Lexington County School District Two.

21 Q And how long have you been employed there?

22 A Since July of 2020.

23 Q In what capacity?

24 A I mean, 2021. I'm sorry.

25 Q I'm sorry. Since July of 2021?

1 A Correct.

2 Q Okay. And in what capacity?

3 A Family Services Coordinator.

4 Q Okay. Could you please describe your job
5 duties for us, please?

6 A I am the supervisor for the school social
7 workers in the district and coordinate the
8 support services for families in our district.

9 Q Would part of your job duties include knowing
10 about a student's attendance, discipline or
11 grades?

12 A Yes. I'm also charged with going to the
13 truancy court and filing petitions for truancy.
14 Yes, ma'am.

15 Q All right. Thank you.

16 I would like to show you a packet now that's
17 marked as State's Exhibit 147. Do you recognize
18 that packet?

19 A Yes, I do.

20 Q How is it that you recognize it?

21 A These are Ms. Sanchez-Peralta's school records.

22 Q Did you have an opportunity to review all those
23 documents prior to court?

24 A Yes, I did.

25 Q I would like to refer you to the second page of

1 that packet, please.

2 A Okay.

3 Q Can you please describe the title of that
4 packet or I'm sorry, the letter or certificate?

5 A Okay. That is a certificate of authenticity
6 for the school records and it was verified by
7 the director of student services, Dr. Timothy
8 Hunter.

9 Q Okay. And is Dr. Hunter employed by Lexington
10 School District Two?

11 A Yes, he is. He is the director of student
12 services.

13 Q Okay. And I'm sorry. In what capacity is he
14 employed?

15 A He is the director of student services.

16 Q And are those records kept as part of his job
17 duties?

18 A Yes. As part of his job duties to oversee
19 them, yes.

20 Q And in the normal course of business?

21 A Yes.

22 Q Okay. Are those records a fair and accurate
23 depiction of the school records?

24 A Yes. From my review of them, yes, they are.

25 Q Have they been altered or amended in any

1 manner?

2 A No, ma'am. They have not.

3 MS. CATES: Okay. Your Honor, we would like to
4 offer these into evidence pursuant to 19-5-520,
5 business records exception.

6 MS. McGRADY: We object just because Ms.
7 Scarbury is not the custodian of records.

8 MS. CATES: Your Honor, Mr. Hunter is the
9 custodian of records as part of his job duty and Ms.
10 Scarbury can testify that he is an employee of
11 Lexington School District Two.

12 THE COURT: Overruled. I'll allow it. State's
13 147 over defense's objection.

14 MS. CATES: I'm sorry, Judge. What was that?

15 THE COURT: 147 over the defense's objection.

16 MS. CATES: Thank you.

17 (Whereupon, State's Exhibit No. 147 was marked
18 and received into evidence.)

19 DIRECT EXAMINATION

20 BY MS. CATES:

21 Q Ms. Scarbury, I would like to have you look
22 at -- and do you have a copy of this?

23 A I have this, yes.

24 Q Thank you.

25 I would like to refer you to the tab that is

1 currently labeled tab 11.

2 A Yes, ma'am.

3 Q Can you please describe what the documents in
4 that tab are related to?

5 A The documents in this tab are related to
6 Ms. Sanchez-Peralta's grades.

7 Q Okay. And can you please tell the court what
8 her grades are during her tenure at Lexington
9 School District Two?

10 A Yes. I have made some notes from Power School
11 which is where this was taken from that's a
12 little bit easier for me to go by with the
13 grades from the time she entered our school
14 district. Should I just stick with what's on
15 here from I believe this is BC High School
16 grades, the high school grades?

17 Q Yes, ma'am. If you can just tell us the
18 general idea of her grades on average what they
19 are, As, Bs, Cs, Ds, or something else?

20 A Okay. She is failing or withdrew with failing
21 biology, English. Her math at the time she
22 was --

23 Q I'm sorry. Let me stop you for just a second.

24 A Okay.

25 Q I might be able to make that easier.

1 A Thank you.

2 Q What was her last year of attending Lexington
3 School District Two?

4 A It was the 19-20 school year.

5 Q Okay. And what were her grades during that
6 year?

7 A She did receive grades and credits, high school
8 credits. That's what we look at for her high
9 school year. That last year she did not
10 receive credits for the second semester but did
11 pick up a few credits for the first semester.

12 Overall she ended her high school career with 8
13 credits total. It was the credits that she did
14 receive were not enough to promote her to the 10th
15 grade because a student has to pass certain core
16 courses such as English in order to be promoted to
17 the next grade. But she did receive 8 credits from
18 her 18-19 school year when she was in the 9th grade
19 and also 19-20 when she repeated the 9th grade. It
20 was a total of 8 credits.

21 Q Okay. How many credits does she need to
22 graduate?

23 A Twenty-four. But again, the number is
24 contingent upon the different classes. It has
25 to involve certain core classes such English,

1 math, science, social studies.

2 Q Okay. Thank you.

3 I would like to refer you now to tab 12. If
4 you would, please, explain what that section is
5 about.

6 A Okay. This is about her attendance.

7 Q Okay. And what was her attendance like while
8 she attended Lexington School District Two?

9 A She had an issue throughout her school career
10 with truancy. The last year that she was with
11 us, she did do better that last school year and
12 then we were out for covid from March to the
13 end of the year. So although she did not --
14 she received 0s that last nine weeks of school,
15 that nine week period of school, the attendance
16 was not entered in. But the 0s are an
17 indication that the work was not turned in
18 during that time.

19 Q Okay. What was the defendant's last date of
20 attendance?

21 A On record we have it was June of 2020 was when
22 we got her exit date. And the exact date of
23 that was -- one second. 6/4 of '20. And then
24 the following year, the 9/8/20, when she
25 enrolled we have that as her exit date

1 officially. She transferred to Dreher High
2 School but that was September the 8th of 2020
3 was when our school district started that year.
4 Other districts started ahead of time but our
5 official exit date for her was 9/8/2020.

6 Q And the last year that she attended was?

7 A 8/19/2019 to 6/4/2020, the 2020 school year.

8 Q Okay. You indicated that her last day of
9 attendance there. Why was she withdrawn? Was
10 she withdrawn?

11 A It said she finished the year that year. That
12 was the year that we were in that covid period.

13 Q Okay.

14 A The records that I have indicate her exit date
15 as 6/4/2020.

16 Q And when she left your school, Lexington School
17 District Two, where did she go?

18 A On record we have that she was transferred to
19 Dreher High School.

20 Q Okay. At any point was she truant at your
21 school, at the Lexington School District Two
22 school?

23 A Yes, she was.

24 Q Can you please tell us when that was?

25 A Okay. Well, going back through her entire

1 school career there were several, several years
2 that we had her -- she would have qualified
3 under the truancy because our truancy laws say
4 five unexcused absences or three consecutive
5 absences.

6 Now there was in the '19 -- let's see. The
7 2018-19 school year, there was an attendance
8 intervention plan that was done on her for truancy
9 to address the truancy issues. And that was
10 4/24/2019.

11 Q Okay. And can you please refer to that
12 document now you indicated that it is in the
13 packet? How many days absent was she at the
14 time of that intervention plan?

15 A At the time of the intervention plan she had 16
16 unexcused days.

17 Q Okay. And when you say there was a truancy
18 intervention plan, does that mean a meeting?

19 A Correct.

20 Q And who was involved in that meeting?

21 A We have got Jane Taylor, who is the attendance
22 interventionist, her mother, the school
23 counselor, and the school principal.

24 Q Okay. And at any point during that meeting did
25 either her parents or the defendant indicate

1 why she was truant from school?

2 A Yes. And although it wasn't listed that she
3 was here, she did sign this document. So the
4 defendant was there at that time as well. Yes.
5 The academic issues, poor academic performance
6 and runaway.

7 Q Okay. And then on the last page of that
8 document were any services offered to the
9 parent or the juvenile as a result of that
10 intervention plan?

11 A Yes. As a part of being in New Bridge, the
12 school counselor had worked with the student.
13 She was receiving services, already receiving
14 counselling through LRADAC and also through
15 mental health as noted on this plan.

16 Q Okay. And just to clarify, you said
17 counselling through LRADAC. What exactly is
18 that?

19 A That's the Lexington alcohol and drug
20 counselling center.

21 Q Okay. And you said she was already cooperating
22 or attending counselling?

23 A Yes. We have marked on here that she was
24 ordered mental health counselling through a
25 judge. It was written on this plan.

1 Q Okay. Thank you.

2 Now I would like to refer you to section 13,
3 please.

4 A Okay.

5 Q Can you please explain what that section is
6 about?

7 A These are her incident reports noted as student
8 discipline summary. When students receive any
9 kind of disciplinary referral from a teacher or
10 staff member it is written up and it is entered
11 in our Power School system as an incident
12 report.

13 Q Okay. Can you please tell the court how many
14 incident reports she had during her tenure at
15 Lexington Two?

16 A She had 60.

17 Q Sixty. When was the last one?

18 A The last one was 3/5/2020.

19 Q Okay. And what type of disciplinary referrals
20 are involved in those 60 referrals?

21 A Okay. Just generalizing, I mean, most of them
22 are use of profanity, cutting classes. It is
23 noted when she was truant, inappropriate
24 language, phone violations, inappropriate
25 behaviors, bus violations. There was a theft.

1 Most of them as I reviewed the records to be
2 prepared for today are the lesser offenses.
3 There were only a couple, I believe, category
4 one offenses and that was use of profanity or
5 language to a teacher.

6 Q And is category one a serious offense?

7 A Yes. The fact that the profanity was used
8 toward a teacher, that's what made it rise to
9 that level.

10 Q Okay.

11 MS. CATES: Begging the court's indulgence.

12 (Pause.)

13 MS. CATES: Thank you. Please answer any
14 questions the defense may have.

15 CROSS-EXAMINATION

16 BY MS. McGRADY:

17 Q Hi again, Ms. Scarbury.

18 A Hi.

19 Q Do you know Nicolle Sanchez-Peralta personally?

20 A Not personally, no, ma'am.

21 Q Were you working at the school district when
22 Nicolle was enrolled?

23 A No, ma'am.

24 Q Was Nicolle ever brought to court for truancy?

25 A No, ma'am.

1 Q But you mentioned that attendance intervention
2 plans were done?

3 A The one attendance intervention plan was done
4 in April of 2020 or let me go back and look at
5 my dates here. I'm sorry. 2019. I thought I
6 was wrong. 4/24/19, that was the only one that
7 I was able to see in her record.

8 Q You listed the people who were in attendance
9 for the intervention plan?

10 A Yes, ma'am.

11 Q Who interpreted for mom?

12 A That is not noted on here.

13 Q Was there an interpreter for mom?

14 A I can't answer that.

15 Q Okay. Can you say for sure that Nicolle was
16 getting counselling through LRADAC?

17 A I cannot say that. It was just noted that that
18 was a service that she was receiving.

19 Q Okay. Would you consider this a failure of the
20 school district to have let Nicolle fall
21 through the cracks?

22 A I can't say that because I wasn't there at the
23 time.

24 Q Okay.

25 MS. McGRADY: No further questions. Thank you,

1 Ms. Scarbury.

2 THE COURT: All right. Anything else for this
3 witness?

4 MS. CATES: I'm sorry. Begging the court's
5 indulgence.

6 (Pause.)

7 MS. CATES: Nothing further, Your Honor.

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

10 MS. MAYES: Your Honor, pursuant to 9024 the
11 State does at this time offer Exhibit 145, being the
12 certified true copy of the prior record of Nicolle
13 Sanchez-Peralta pursuant to the Family Court of
14 Lexington County. And permission to publish, Your
15 Honor.

16 THE COURT: Hearing no objection.

17 MS. McGRADY: No objection.

18 THE COURT: All right.

19 MS. MAYES: Pursuant to Kent factor 7, Your
20 Honor, the prior record of Nicolle Sanchez-Peralta,
21 this was a case handled by the Office of Solicitor
22 Family Court Division. The original petition was
23 set forth April 8th, 2019 by Assistant Solicitor
24 Shannon Davis. The defendant was originally charged
25 with count 1 being possession with intent to

1 distribute marijuana.

2 In this particular provision it states that she
3 did in Lexington County on or about April 6th, 2019
4 knowingly, intentionally, willfully and unlawfully
5 sell, distribute, cultivate, manufacture, deliver,
6 purchase or bring into the state or otherwise
7 provide financial assistance, conspire, etc.,
8 possess with intent to distribute, whether in actual
9 or constructive possession marijuana, a controlled
10 substance under 44-53-110, to wit: Officers located
11 the juvenile and a 25-year-old male asleep in a
12 vehicle. When asked to exit the vehicle, the male
13 drove away and then the male and juvenile attempted
14 to evade law enforcement by fleeing on foot. The
15 juvenile was apprehended by law enforcement and in
16 her possession was a substance consistent with
17 marijuana and a field weight of 249-grams.
18 Following a search of the vehicle, law enforcement
19 located a small black scale in violation of SC code
20 44-53-370 (a). She also pursuant to the same
21 petition had additional charges, including
22 conspiracy and receiving stolen goods.

23 The order for community evaluation and the plea
24 set forth that she would agree to a plea to
25 possession with intent to distribute marijuana and

1 that the charges of receiving stolen goods and
2 criminal conspiracy would be nol prossed.

3 This provision is signed April 15th, 2019 with
4 a note that, If the minor violates the terms of this
5 order even after the community evaluation is
6 completed, she is still to be immediately detained
7 pending the dispositional hearing.

8 This is then followed through, Your Honor, with
9 a sentence that the minor receive the following
10 disposition at the hearing as to the charge of
11 possession with intent to distribute marijuana. It
12 appears that her mother was also present, as well as
13 a representative of the Department of Juvenile
14 Justice. She was placed on probation for a period
15 of nine months subject to the conditions set forth
16 by the court. The date of the hearing was June 19th
17 of 2019.

18 Those special conditions of probation included
19 that the minor cooperate with all referrals made on
20 her behalf. That the minor cooperate with referrals
21 of the Department of Mental Health with an in-office
22 social worker to include family counselling. That
23 the minor cooperate with a referral to an
24 appropriate alcohol and drug abuse counselling
25 program and that the minor cooperate and complete

1 all referrals made thereby. That the minor shall
2 submit to random drug screenings and the screenings
3 will be paid for as noted.

4 It is also marked on the sheet that her mother,
5 Mrs. Peralta-Cerrato, be made a party to this order
6 as well. And again, Your Honor, that was ordered by
7 the court June 19th, 2019.

8 Further noting that the minor be placed on
9 house arrest for the first 60 days of probation.
10 That IAS be held 30 days from that day. That IAS be
11 held if the minor is at risk to violate probation
12 and that she must cooperate with a referral to
13 family planning. She must cooperate with a referral
14 to local Latino organizations and that the parents
15 would be -- it was the parents who were responsible
16 for requesting the IEP evaluation, all set forth in
17 this order which I'll submit to the court at this
18 time.

19 THE COURT: Are you asking that it be admitted
20 as 145?

21 MS. MAYES: Yes, Your Honor.

22 MS. McGRADY: No objection.

23 THE COURT: State's 145.

24 (Whereupon, State's Exhibit No. 145 was marked
25 and received into evidence.)

1 MS. CATES: Your Honor, the State calls Kianna
2 Benson.

3 THE COURT: All right. Ma'am, come up here and
4 have a seat to my right, please. Tell us what your
5 name is, ma'am, and spell it for the court reporter,
6 please.

7 THE WITNESS: Sure. It is Kianna Benson.
8 That's K-I-A-N-N-A. Last name B, as in boy
9 E-N-S-O-N.

10 THE COURT: All right. Ms. Benson, would you
11 raise your right hand, please?

12 KIANNA BENSON, after being duly sworn, testified
13 as follows:

14 THE COURT: Thank you.

15 DIRECT EXAMINATION

16 BY MS. CATES:

17 Q Hi, Ms. Benson.

18 A Good afternoon.

19 Q Could you please tell us where you are
20 employed?

21 A Yes. I am employed with the South Carolina
22 Board of Juvenile Parole. I'm one of the
23 support staff.

24 Q Okay. And how long have you been employed
25 there?

1 A I have been employed there for approximately
2 seven years.

3 Q Okay. And in what capacity?

4 A I came to the agency as a parole examiner. I
5 currently hold the position of Chief Hearing
6 Officer as well as Victim Services Coordinator.

7 Q Okay. Could you please describe your job
8 duties, please?

9 A Sure. As the chief hearing officer I oversee
10 the revocation and rescission hearings for any
11 juvenile that's in violation of their parole.
12 For the victim component, I just make sure that
13 they have access to the hearing and have their
14 voices heard.

15 Q Okay. Can you explain the term indeterminate
16 commitment?

17 A It is a period of incarceration that will not
18 exceed a 22nd birthday.

19 Q And when a juvenile receives an indeterminate
20 commitment to DJJ, are there sentencing
21 guidelines that accompany that?

22 A Yes, ma'am, there are.

23 Q Okay. What are the guidelines for
24 Ms. Sanchez-Peralta if she were convicted in
25 family court or adjudicated delinquent in

1 family court for murder, kidnapping,
2 conspiracy, grand larceny of an automobile
3 2,000 to \$10,000, and hit and run unattended
4 vehicle with damages?

5 A The projected guidelines for the charges noted
6 is 36 to 54 months.

7 Q Okay. How much of that time would she actually
8 be required to serve?

9 A There is no noted required amount of time as
10 the parole board has the authority to release
11 her at any point in time during her commitment.
12 So there is no specific required amount of time
13 based on the guidelines.

14 Q Okay. Would Ms. Sanchez-Peralta receive good
15 time credit or pre-confinement credit?

16 A She would. She would receive credit for any
17 secured detainment for any charges she received
18 at adjudication.

19 Q Do you happen to know how many days she has
20 been in detention as of May 2nd?

21 A The approximate calculation was 368 days.

22 Q Okay. So would she actually get credit for
23 those days?

24 A She would.

25 Q Okay. If she were to remain in the juvenile

1 court system under those guidelines, how soon
2 would she be eligible for release taking into
3 consideration the credit for her time served
4 and good time credit?

5 A So eligible for release could be at any point
6 in time during the commitment. She would have
7 a first administrative review and that would be
8 in February of 2023.

9 Q What does that mean, first administrative
10 review?

11 A It means that that would be the first time that
12 the case would be presented to our parole board
13 for a review and they will oversee it at that
14 particular point in time. So that would be the
15 first time that the board hears her case.

16 Q Is there a possibility that she could be
17 released as early as February 2023?

18 A It is possible. It is not probable but it is a
19 possibility.

20 Q Okay. What would be her maximum term of
21 commitment?

22 A The maximum guidelines would be November 2025
23 but the maximum commitment could be up to her
24 22nd birthday.

25 Q Okay. And that would include all charges that

1 we just discussed previously?

2 A Yes, ma'am.

3 Q Okay. Is a juvenile ever released by the
4 parole board prior to the minimum release date?

5 A Yes.

6 Q When, if at all, would Ms. Sanchez-Peralta come
7 up for a parole hearing?

8 A So she would have that first hearing in
9 February of 2023. The identified minimum
10 review date would be May 2024 and then that
11 maximum identified date is November 2025.

12 Q So essentially she could be released as early
13 as approximately 10 months from now?

14 A It is a possibility, yes.

15 Q Okay. Once a juvenile has reached the minimum
16 time under their guidelines, is there a
17 presumption with regard to how much time they
18 will serve?

19 A The presumption around the guidelines are a
20 juvenile is not anticipated to be released
21 prior to their minimum but there are factors
22 that could contribute to that and warrant an
23 earlier release. And the presumption around a
24 maximum is that they will be released by the
25 maximum. But again, there are presumptions

1 that would or factors that could keep a
2 juvenile detained beyond their maximum.

3 Q What are some of the factors that are
4 considered when you are determining release?

5 A So the board members will get comprehensive
6 information about the case. They are going to
7 look at the institutional adjustment, how well
8 they are progressing through treatment. They
9 are going to look at any community acceptance
10 or opposition and also the victim will have an
11 opportunity to provide impact.

12 Q Is there ever an opportunity or ever a
13 possibility if placement is not available for
14 this juvenile that she would be released
15 because there is no placement available?

16 A When you say placement, what do you mean?

17 Q Would she remain at DJJ during her DJJ
18 commitment or would she be released to another
19 placement?

20 A DJJ has the authority to determine exactly
21 where she is housed as long as she is
22 committed. So that would be a question for
23 actually DJJ where she would go. But they do
24 offer different placement options just based on
25 the need of the juvenile.

1 Q So there is a possibility that she would be
2 placed in a less secure facility?

3 A It is a possibility, yeah. I would say.

4 MS. CATES: Thank you. Please answer any
5 questions the defense may have.

6 THE WITNESS: Thank you, ma'am.

7 CROSS-EXAMINATION

8 BY MS. McGRADY:

9 Q Hi, Ms. Benson?

10 A Good morning. Good afternoon. How are you?

11 Q I'm good. We talked on the phone I believe it
12 was last week at this point.

13 A Yes.

14 Q I have several questions for you.

15 A Okay.

16 Q Please just let me know if any of these are
17 questions you cannot answer, okay?

18 A I will.

19 Q Can you explain the parole process review
20 cycle?

21 A So each juvenile is provided or a review cycle
22 is calculated for every juvenile based on their
23 guideline range. So they will come up and
24 appear before the board based upon that
25 particular cycle.

1 Q How often is that cycle?

2 A It varies depending on the guidelines. For a
3 36 to 54 month guideline, again, the first
4 review would be approximately nine months after
5 the date of commitment. And then they will
6 have scheduled reviews up until they reach
7 their minimum guideline date. And then after
8 they reach their minimum guideline date for a
9 violent offense, they will appear before our
10 parole board every six months.

11 Q Every six months?

12 A Yes.

13 Q For those of us who have never attended a
14 parole hearing, what does a parole hearing look
15 like?

16 A A parole hearing for a violent offense such as
17 this would require the young person to appear
18 before all of our board members. The board
19 members, again, will have comprehensive
20 information about the case. The young person
21 will receive direct questions about their
22 rehabilitation, their compliance with treatment
23 services, behavior in the institution. They
24 will have the opportunity to have legal
25 representation as well as family support. And

1 if there is any identified victim, the victim
2 will also have an opportunity to provide
3 impact.

4 Q How many board members are there?

5 A There are currently seven board members.

6 Q Is that the maximum?

7 A Yes.

8 Q Are they confirmed by the governor?

9 A They are appointed by the governor and
10 confirmed by the senate.

11 Q How many must vote in favor of release?

12 A For a case of this, it would have to be the
13 majority of the seven.

14 Q What type of information is necessary for this
15 hearing?

16 A For the parole hearing?

17 Q Yes, ma'am.

18 A The juvenile's progress in the institution,
19 their compliance and success with treatment,
20 after-care planning, if there are any behavior
21 infractions, those type of things. And again,
22 also again, if there is any family support,
23 that type of information and if there is any
24 victim impact information.

25 Q So victims are notified of hearings?

1 A Yes. Victims have the right to have
2 notification of parole hearings.

3 Q Does there or do their feelings matter to the
4 parole board?

5 A The parole board has to balance all, all of the
6 components when it comes to making a release
7 decision. So, yes, their feelings are included
8 in that.

9 Q Do they get to speak at parole hearings?

10 A They have opportunity to provide a statement in
11 whatever manner they feel comfortable with.

12 Q Do other entities get to make recommendations
13 to the parole board?

14 A The parole board will receive recommendations
15 from the institution, which is where the young
16 person is housed. They will receive
17 recommendations from whoever will be
18 supervising them in the community as well as
19 education. Those parties do have opportunity
20 to provide a recommendation on release or no
21 release.

22 Q Do judges get to make recommendations to the
23 parole board?

24 A Judges and county representatives can provide
25 impact on how they feel in reference to whether

1 or not a juvenile should be released. They
2 don't get to make a recommendation but they can
3 give input.

4 Q And by county individuals, do you mean
5 solicitors' offices?

6 A Yes.

7 Q At what point will Nicolle become parole
8 eligible?

9 A Parole eligibility again can be at any point
10 during the indeterminate commitment because the
11 parole board has the authority to release them
12 at any point in time.

13 Q And she'll have her first administrative
14 hearing in February?

15 A That's correct, based on the May 2nd day.

16 Q And when will she have her first parole
17 hearing?

18 A The first, well, that is considered a parole
19 hearing. She would have another identified
20 parole hearing which we would call another
21 below hearing and that would be in November of
22 2023. And then the next hearing would be her
23 minimum which will be May of 2024.

24 Q So between February and November there would be
25 no review process?

1 A There would be no additional hearings for her
2 at that particular time. That's correct.

3 Q Are juveniles typically released at their first
4 parole hearing?

5 A Not typically.

6 Q Are violent offenders typically released at
7 their first parole hearing?

8 A They are not typically, no.

9 Q Are juveniles who have murder adjudications
10 typically released at their first parole
11 hearing?

12 A No. They are not typically released again but
13 it is always a possibility.

14 Q But that possibility is probably slim?

15 A It is not typical, honestly.

16 MS. McGRADY: I beg the court's indulgence.

17 (Pause.)

18 CROSS-EXAMINATION

19 BY MS. McGRADY:

20 Q Are loss of life cases taken especially
21 seriously by the parole board?

22 A They are.

23 Q Can a juvenile get their parole revoked?

24 A They can. If they are in the community on
25 parole and they violate the terms of that

1 parole agreement, then, yes. They can come
2 back before the court and have a parole
3 revocation.

4 Q Have you ever seen somebody who's been
5 adjudicated on a murder charge released at
6 their first parole hearing?

7 A I have not.

8 Q And how long have you been working for the
9 parole board?

10 A For approximately seven years.

11 Q Okay. Do you know of any juvenile who was
12 adjudicated on murder charges who has been
13 released at their first parole hearing?

14 A I do not.

15 Q How common is it for youth to be released
16 before the minimum guidelines?

17 A I don't know if I could answer how common. It
18 does happen but I don't know if I could give
19 you -- I don't know if I could qualify how
20 common it does occur.

21 Q What are reasons that youth are released before
22 their minimum guidelines?

23 A Reasons could include availability of
24 residential or other appropriate placement for
25 treatment; successful progress or completion of

1 specialized programs; completion of or superior
2 progress in treatment or their educational
3 goals or outstanding institutional behavior.

4 MS. McGRADY: Beg the court's indulgence.

5 (Pause.)

6 CROSS-EXAMINATION

7 BY MS. McGRADY:

8 Q While a child is committed to the department on
9 an indeterminate sentence, are they going to be
10 receiving services?

11 A They will receive services in whatever facility
12 they are housed. That's correct.

13 Q And those services include mental health
14 treatment?

15 A It is hard for me to make a determination on
16 the specific service because that is not the
17 area that we control. I can tell you that
18 juveniles have received mental health services
19 and certain clinical treatment while they have
20 been housed in facilities.

21 MS. McGRADY: I don't believe I have any more
22 questions.

23 THE WITNESS: Okay.

24 THE COURT: Solicitor, anything else?

25 MS. CATES: Redirect, Your Honor.

REDIRECT EXAMINATION

1
2 BY MS. CATES:

3 Q Ms. Benson, you testified that typically
4 violent offenders are not typically released
5 prior to completing their indeterminate
6 sentence; is that correct?

7 A I believe I testified that they are not
8 typically released at that first review.

9 Q But it has happened; is that correct?

10 A A violent offender?

11 Q Uh-huh.

12 A Not to my knowledge. What I can tell you is
13 that I have seen an offender released at the
14 first review. I can't really determine whether
15 or not it was a violent offense. Typically
16 those juveniles are not released at the first
17 review. But again, it is a possibility.

18 Q But are you aware of any that were released
19 prior to their 22nd birthday?

20 A In terms of a murder offense?

21 Q A violent offense, murder, yes.

22 A Yes.

23 Q You are aware of that?

24 A Yes.

25 Q Are you aware of a juvenile released at the age

1 of 19 who pled guilty -- he actually pled
2 guilty to murder in Lexington County and he was
3 released at the age of 19 after receiving an
4 indeterminate commitment?

5 A I am not. I can't confirm that. I'm not aware
6 of that.

7 Q Okay. He was actually released
8 December 2021 --

9 MS. McGRADY: Your Honor --

10 THE COURT: She already said she can't confirm
11 it.

12 MS. McGRADY: This line of questioning is
13 improper.

14 THE COURT: Please move on.

15 MS. CATES: Thank you. Your Honor, Ms. McGrady
16 opened the door.

17 THE COURT: She said she can't answer your
18 question.

19 MS. CATES: Thank you.

20 THE COURT: Anything else?

21 MS. McGRADY: I have no more questions.

22 MS. MAYES: The State calls Rita Crapps.

23 THE COURT: Thank you so much.

24 THE WITNESS: Thank you. Take care.

25 THE COURT: Have a good day.

1 I'm sorry, Solicitor. You said?

2 MS. MAYES: Rita Crapps.

3 MS. McGRADY: Thank you, Ms. Benson.

4 THE WITNESS: Thank you.

5 THE COURT: Come on up and have a seat to my
6 right, please, ma'am. Tell us what your full name
7 is and spell it for the court reporter, please.

8 THE WITNESS: I am Marguerite J. Crapps.
9 That's M-A-R-G-U-E-R-I-T-E, middle initial J.,
10 Crapps, C-R-A-P-P-S.

11 THE COURT: All right. Ma'am, would you raise
12 your right hand, please?

13 THE WITNESS: Yes, sir.

14 MARGUERITE J. CRAPPS, after being duly sworn,
15 testified as follows:

16 THE COURT: Thank you so much.

17 THE WITNESS: Yes, sir.

18 THE COURT: Solicitor.

19 MS. MAYES: Yes, Your Honor.

20 DIRECT EXAMINATION

21 BY MS. MAYES:

22 Q I just want to ask you a few questions about
23 the type of work you do.

24 A Certainly.

25 Q And with the Department of Corrections. Can

1 you tell us how long you have been employed
2 there?

3 A I have been with the South Carolina Department
4 of Corrections for 12 years.

5 Q All right. And specifically what type of work
6 do you do there?

7 A My current capacity is Assistant Deputy
8 Director for Programs Reentry and
9 Rehabilitative Services.

10 Q All right. What are your duties in that
11 regard?

12 A Well, it is not a singular duty relegated to
13 one person. Our office is overseeing all of
14 the programming across SCDC, the educational
15 services, vocational training, and all reentry
16 services. We treat every offender that's
17 coming in as if they are someone who's going to
18 be released.

19 Q Okay. And when you say reentry, you are
20 referring to reentry back into the community
21 after serving a sentence?

22 A Yes, ma'am.

23 Q Now tell us about rehabilitation. How
24 important of a goal is the concept of
25 rehabilitation to SCDC?

1 A Rehabilitation is extraordinarily important.
2 Right now SCDC holds the gold standard of
3 having lowest recidivism rate of any state in
4 South Carolina for adult corrections. Listen
5 to me -- in the nation, excuse me. We are very
6 proud of that and rehabilitation plays an
7 important role in that because the
8 rehabilitative efforts that we make prevents
9 somebody from coming back. I keep telling
10 people work me out of a job.

11 Q What type of therapies or techniques do you
12 utilize there at SCDC to accomplish potential
13 rehabilitation?

14 A If you are talking about therapeutic means,
15 that goes through our mental health services
16 and behavioral health service where we have a
17 number of psychiatrists on staff. There are
18 mental health services provided. In almost all
19 of the institutions there is somebody in
20 residence. There are qualified mental health
21 professionals in every institution.

22 As far as rehabilitative services and therapies
23 we are into the cognitive behavioral therapy and
24 interventions that basically help retool someone's
25 way of thinking. We address the criminogenic

1 factors that have been diagnosed at intake.

2 Now at intake everybody coming into the system
3 receives a risk needs assessment that will indicate
4 one of or multiple of the eight criminogenic factors
5 that lead to incarceration.

6 Q Now when you talk about therapy and
7 counselling, does that include one-on-one
8 counselling or therapy?

9 A Yes, ma'am, it does.

10 Q And does it also include group therapy?

11 A Yes, ma'am, it does.

12 Q Does that include substance abuse issues?

13 A It absolutely does.

14 Q You mentioned mental health. Does the
15 Department of Corrections employ psychiatrists?

16 A Yes, ma'am.

17 Q As well as psychologists?

18 A Yes, ma'am.

19 Q Are medications, prescription medications
20 available when found necessary?

21 A Yes, ma'am, they are. We have full medical
22 services in our institutions. Some have
23 24-hour medical services so that they are
24 available around the clock. Some are just
25 daily coverage. But if someone is in an

1 institution that receives only daily coverage
2 and there is an event at night, they are
3 transferred to an institution that has 24-hour
4 services or in emergent needs they are taken to
5 one of the local hospitals.

6 Q Okay. And does that include the type of
7 medications necessary for any type of mental
8 health treatment?

9 A Yes, ma'am, it does.

10 Q Any emotional conditions?

11 A Yes, ma'am. We try to treat the entire, the
12 whole person.

13 Q Now are those plans for therapy and medication
14 if needed individualized in any way?

15 A Yes.

16 Q How so?

17 A The mental health assessments will be done
18 one-on-one through mental health services. And
19 I'm not prepared to address that in totality
20 because that department does not come under our
21 purview. They have a deputy director for
22 mental health services there that oversees all
23 mental health and substance abuse services
24 across all institutions.

25 Q All right. Now is the progress of each inmate

1 monitored or assessed on a regular basis?

2 A Annually. Each offender comes up for a review
3 annually with their case manager through
4 classifications. And with the implementation
5 of risk needs assessment, our program
6 coordinators who work under me and my division
7 will also be involved in that assessment.

8 When we identify a risk, we place that event,
9 that offender into a course or a series of courses
10 that address that criminogenic need. So at that
11 annual review we will be able to track progress,
12 whether or not they have successfully completed or
13 we see there is additional work that needs to be
14 done.

15 Q And would that include 18 year olds or other
16 defendants who have been tried as adults and
17 sentenced to time within the Department of
18 Corrections?

19 A Yes, ma'am.

20 Q Now when an 18 year old, specifically an
21 18-year-old female, is in the Department of
22 Corrections, what facilities may they be sent
23 to?

24 A An 18-year-old female would be sent to one of
25 two facilities in South Carolina, Leath

1 Correctional Institution in Greenwood or
2 Camille Griffin Graham that is on the Columbia
3 campus.

4 Q And what's the differences between these two
5 facilities, if any?

6 A Fundamentally there is no difference. It is
7 just because the female offender population is
8 so much smaller than the male. The biggest
9 difference is Camille Graham in Columbia offers
10 24-hour medical. Leath only offers, I say
11 only, offers daily coverage. There is
12 addictions treatment at Camille Graham and we
13 also have the mental health treatment facility
14 at Camille Graham.

15 At Leath we have qualified mental health
16 professionals that are on staff there as well as
17 inmates that are trained by DAODAS and substance
18 abuse services are also at Leath. So one doesn't
19 have more than the other. It is just the way the
20 units are structured.

21 Q Okay. Camille Graham doesn't have the mental
22 health and substance abuse programming?

23 A Yes, it does.

24 Q As well as 24-hour medical?

25 A Yes, it does.

1 Q Does Leath also offer daily mental health
2 coverage?

3 A Yes, they do.

4 Q Including peer support for substance abuse
5 issues?

6 A Correct.

7 Q And do you have a daily nurse on staff?

8 A We have a daily nursing on staff at Leath and a
9 full medical coverage at Camille Graham to
10 include a physician.

11 Q Now overall, what types of services are
12 provided to inmates as young as 18 when they
13 are transferred into the Department of
14 Corrections?

15 A An 18 year old is treated just like the rest of
16 general population and there are countless
17 opportunities and services. There are a myriad
18 of classes that inmates can participate in and
19 they are taught either by peers, by fellow
20 offenders that have been trained to teach
21 certain classes or they are taught by staff.

22 Q What type of provisions are in place for
23 educational opportunities?

24 A South Carolina Department of Corrections has
25 its own school district. It is Palmetto

1 Unified School District that was established by
2 state statute. So we have in essence a, I use
3 the term loosely, a K12 school district within
4 our walls.

5 So the average age at entry for an offender is
6 10th grade. So there are a lot of offenders that we
7 help complete that high school diploma or earn their
8 GED when they come in and they are educationally
9 deficient.

10 Q If there is an inmate under the age of 21 who
11 has not received a high school diploma or a
12 GED, what efforts does SCDC have in place to
13 make sure they get that educational training?

14 A Well, that's a federal mandate that if they are
15 under the age of 21, they have to go to school.
16 And so that's our best effort is to get them
17 educated. Many studies show that the greater
18 the level of education, the lower the
19 recidivism. So if we can send somebody out
20 with an education that they didn't come in
21 having, whether it is high school, GED, or even
22 a college degree, we would like very much to be
23 able to do that.

24 Q Now once the GED or high school diploma is
25 obtained, what if any other educational

1 opportunities are available?

2 A We have numerous vocational opportunities
3 within our system. We are trying to expand
4 that now because we are beginning to look at
5 more of the nontraditional skill set for women.
6 We are beginning to look at technology and how
7 the world is evolving, that we are moving away
8 from the carpentry and tradition skill sets.

9 Right now for the women we have at Camille
10 Graham we have welding. We have horticulture. At
11 Leath we have barbering. We also have an
12 opportunity at Camille Graham for the offenders to
13 learn coding so that upon release, and this is a
14 company we are working with who carries them from
15 inside to outside to job placement, in learning to
16 write HTML code so that they can develop computer
17 programming.

18 Q Now what about post secondary type degrees such
19 as a bachelor's degree? Would that be an
20 opportunity available?

21 A We have Claflin University offering degrees to
22 our men and women. They have a presence at
23 Camille Graham and two of the male
24 institutions. We have technical colleges that
25 are on our doorstep. We are currently working

1 with Midlands Technical College to bring in
2 several certificate programs. We have other
3 technical colleges that are coming in and
4 offering associate's degrees. So we do have
5 great potential and we keep expanding that.

6 Q Okay. I'm going to show you what is marked as
7 State's 171 and 178 and ask you whether you are
8 familiar with these documents?

9 A Yes, ma'am. I certainly am.

10 Q And could you tell us if 178 is a document
11 reflecting the Palmetto Unified School District
12 trade skills that you previously referenced?

13 A Yes, ma'am.

14 Q And then 171, do you also have a document which
15 reflects the programs available for reentry and
16 rehabilitation?

17 A Yes, ma'am.

18 Q You are familiar with both of these?

19 A I am indeed.

20 Q Are these, in fact, official documents of the
21 South Carolina Department of Corrections?

22 A Yes, ma'am. They are.

23 MS. MAYES: 178 and 171 for evidence, Your
24 Honor.

25 MS. McGRADY: No objection.

1 (Whereupon, State's Exhibit Nos. 171 and 178
2 were marked and received into evidence.)

3 MS. MAYES: Your Honor, if I may, I'm going to
4 pass up 171 to the court.

5 DIRECT EXAMINATION

6 BY MS. MAYES:

7 Q And then as for 178, if you could, take us
8 through this document and tell us a little bit
9 more about some of those trade skills which are
10 available.

11 A This is produced by the Palmetto Unified School
12 District that we call PUSD and it indicates for
13 each location, for each institution whether or
14 not they are an EFA, meaning a high school,
15 well just say a high school, traditional high
16 school as we look it. EFA funds are for those
17 students that are under 21.

18 Then you have got the adult basic education
19 that's offered in every institution. For the EFA
20 schools, I believe it is in 12 institutions now.
21 Title One is also part of that money for those EFA
22 students.

23 So far as vocational programming, that's sort
24 of the tip of the ice burg there in what is offered.
25 Again, it reflects Camille Graham having the welding

1 certification. All right. There are four
2 certificates that can be earned under welding there
3 that are based on the hours of instruction.

4 Q Okay.

5 A And at Leath you have barbering and you have
6 horticulture. Now barbering is not what we
7 think of in the traditional sense of gentlemen
8 going to the barbershop and getting their hair
9 cut. It is a certification that's just shy of
10 cosmetology.

11 Q Okay.

12 A We teach the young ladies how to -- we have a
13 master barber there that's licensed through LLR
14 that teaches the young ladies or the women how
15 to not just cut hair but style hair. They do
16 perms. They do colors and they are just short
17 of their LLR certification upon release. The
18 one hurdle we have to overcome before we can
19 get them certified inside is they have to be
20 able to handle a straight razor. So we are
21 working on that one too.

22 Q Okay. And again, the focus there would be on
23 hairstyling as well as traditional barbers?

24 A Absolutely.

25 Q So that's an option available to female

1 inmates?

2 A Yes, ma'am.

3 Q And in addition, I think you mentioned other
4 skills such as coding?

5 A Yes. Now coding is not on that because it is a
6 partnership we have with a private entity. But
7 we have a multitude of Department of Labor
8 apprenticeships. Frankly, anything that you
9 see there that is a vocational program, once it
10 goes over 2,000 hours, we can go through
11 Department of Labor and get it as a certified
12 apprenticeship. So the more hours they have
13 in, say welding, the better off they are
14 because they will go from a welding 4
15 certificate into a certified apprenticeship.

16 For the OJTs, for that on-the-job training,
17 again, those certificates are also based on the
18 number of hours of participation at a specific job.
19 Whether it be working in horticulture instead of
20 having it as a horticultural program, it is actually
21 a job. Even for the women there is facility
22 maintenance. So we have got women that are working
23 as electricians, as plumbers, HVAC technicians in
24 the nontraditional sense for women as well as the
25 traditional housekeeping, food service and those

1 certifications that we would more traditionally
2 think of women participating in.

3 Q Okay.

4 A We also have something new that I neglected to
5 put in this document is all offenders at SCDC
6 now have tablets. And on these tablets they
7 have access to what is called Apex learning.
8 And Apex learning is endorsed by our school
9 district and used with other school districts
10 where they can go through courses on their
11 tablets for completion that takes them closer
12 and closer to the GED and the high school
13 diploma.

14 Q Okay. And then looking here at apprenticeship
15 programs as well as the on-the-job training
16 programs, those are available at both Camille
17 Graham and Leath?

18 A Yes, they are.

19 MS. MAYES: Beg the court's indulgence.

20 (Pause.)

21 MS. MAYES: Nothing further at this time, Your
22 Honor.

23 CROSS-EXAMINATION

24 BY MS. McGRADY:

25 Q Hi, Ms. Crapps.

- 1 A How are you?
- 2 Q I'm great. How are you?
- 3 A Fine. Thank you.
- 4 Q So the Department of Corrections has mental
- 5 health services?
- 6 A Yes, ma'am.
- 7 Q Is there enough services and providers for all
- 8 inmates that need care?
- 9 A I'm not qualified to answer that question for
- 10 you, ma'am. I don't know what their statistics
- 11 are.
- 12 Q Do you have inmates who are not receiving the
- 13 appropriate care because of staffing
- 14 limitations?
- 15 A I can't answer that. You are referring to
- 16 mental health or medical or what?
- 17 Q Mental health.
- 18 A I can't answer that because, again, that's not
- 19 an area under my purview.
- 20 Q Does the Department of Corrections offer DBT,
- 21 Dialectical Behavioral Therapy?
- 22 A I can't answer that.
- 23 Q Does the Department of Corrections offer CBT,
- 24 which is Cognitive Behavioral Therapy?
- 25 A If you are talking in the mental health

1 capacity, again, that's not under my area of
2 purview. Ours is programs and reentry. Mental
3 health is an entirely different division.

4 Q So you can't answer about psychotherapy or
5 trauma focused therapy?

6 A No, ma'am. I cannot.

7 Q Can you tell us what type of therapies are
8 available at all?

9 A No, ma'am.

10 Q So you don't know if there are any programs
11 that are in place directly geared toward
12 offenders whose brains are still developing?

13 A Can't answer that question, ma'am. I'm sorry.

14 Q Is medication monitoring a service?

15 A Again, that's different division than programs.

16 Q Is there enough substance abuse treatment for
17 the amount of inmates who need care?

18 A Can't answer that one either.

19 Q Is there typically a waitlist for those
20 services?

21 A I have no idea.

22 Q Are there special programs for offenders who
23 have transferred from DJJ?

24 A If they are of age 18 and over, they will go
25 into general population. So there is no

1 special treatment for that population. There
2 is a population of male offenders that are
3 housed at Turbeville separately if they are
4 under the age of 18 that are being kept for DJJ
5 or housed by SCDC for DJJ.

6 If it is a female that comes in that is under
7 the age of 18, that again is special circumstances
8 transferring to us for security reasons, they are
9 housed with the female population at Camille that
10 are sentenced under the Youthful Offender Act.

11 Q So you do have inmates who are under the age of
12 18?

13 A Yes, ma'am, we do.

14 Q Is that in violation of the Prison Rape
15 Elimination Act?

16 A No, ma'am. They are segregated.

17 Q Has that been a problem in the past?

18 A No, ma'am. Not to my knowledge.

19 Q So 18 year olds that come from DJJ are treated
20 the same as older offenders?

21 A Yes, ma'am.

22 Q Would a person who has mental health concerns
23 be sent to Leath?

24 A I can't answer that. Again, you are in an
25 arena that's not mine.

1 Q Yes, ma'am. I'm sorry.

2 A That's okay.

3 Q Do you have mental health physicians at Leath?

4 A Can't answer that.

5 Q Does Leath have fewer resources than Camille
6 Graham?

7 A In what capacity do you ask that? What sort of
8 resources?

9 Q When you look at this chart, it looks like
10 Camille Graham has more checks or Xs than Leath
11 does, particularly at the top.

12 A You are talking about as far as the academic
13 education? It is because of the youthful
14 offenders that are housed at Camille Graham.
15 That's where they are housed and segregated.
16 So those under the Youthful Offender Act would
17 be the 21, 17 to 21 year old actually since
18 Youthful Offender Act is 17 to 25 years old.
19 So those are housed, segregated from general
20 population and those would make up the bulk of
21 the students that would be part of that EFA
22 high school.

23 Q Are there fewer vocational resources for women
24 than men?

25 A No, ma'am.

1 Q It looks like there are more boxes checked for
2 male institutions than there are for female
3 institutions.

4 A You have got two at Camille Graham, two
5 vocational at Camille Graham. You have got two
6 at Leath. Actually, they only show welding at
7 Camille Graham. They have horticultural as
8 well.

9 Q But then if you look at Kershaw, there are, I
10 believe, five Xs or boxes checked.

11 A Okay.

12 Q So you don't agree that there are fewer
13 resources for women than for men?

14 A Well, those are the part of the traditional
15 skill sets. That would be the nontraditional
16 skill sets for women. Small engine repair is
17 typically a male oriented thing, as is
18 carpentry and masonry. So they haven't
19 replicated that in the female institutions
20 because of lack of interest.

21 Q You mentioned that bachelor degrees were an
22 option for some offenders. If Nicolle was
23 assigned to Leath, would she not be eligible to
24 get a bachelor's degree because it is not
25 offered there?

1 A We don't have post secondary education at Leath
2 yet. It is something we are working on. We
3 don't have post secondary education all of the
4 institutions at this point.

5 Q Right.

6 A But with the deregulation of the Pell grant
7 that takes place in 2023, we have many colleges
8 that are now knocking on our doorsteps that
9 want to come in and offer those opportunities.
10 We have got three more colleges here in South
11 Carolina that have just been approved for the
12 third phase of the Pell experiment.

13 Q Which schools are those? If you don't know, it
14 is fine.

15 A One is Denmark Tech. Another one is Southern
16 Wesleyan University. I can't remember the
17 third.

18 Q That's fine.

19 A I know there is a third.

20 Q I was just curious.

21 A Yeah. But to back up a second, for these, you
22 know, technical colleges are stuck in their own
23 territories in South Carolina. If I am
24 Midlands Tech, I can't go to Horry County and
25 offer classes. They were set up territorially.

1 Colleges, though, can offer classes anywhere.
2 So we are beginning to look at the ability to
3 do virtual instruction to pipe it in from the
4 college classroom to our students. So that's
5 going to be the quickest way we expand
6 opportunities. And that technology is being
7 put in place right now in all the institutions.

8 Q Okay. That's great to hear.

9 Does violent offender status affect eligibility
10 for any of these programs?

11 A Status affects at intake and their
12 classification. So far as program
13 participation, no. We look at a number of
14 factors that weigh in to the college classes
15 and that sort of thing. A lot of it is a
16 disciplinary history coming in. If you have
17 got somebody with a violent disciplinary
18 history, until we can make inroads in to what
19 is the catalyst for that violence and do some
20 retraining of the rethinking process, they are
21 not going to do well academically. But because
22 their status says they are a violent offender,
23 no, that does not preclude them.

24 Q That's good to know.

25 Do services change if an offender has an

1 immigration hold since they are being deported
2 likely and reentry is moot?

3 A No, ma'am.

4 Q So immigration status has no effect on services
5 offered?

6 A We have a number of people who are not U.S.
7 citizens but they are offered the same
8 programming as anybody else. We don't
9 discriminate.

10 Q Okay.

11 MS. McGRADY: Beg the court's indulgence.

12 (Pause.)

13 MS. McGRADY: No further questions.

14 Thank you, ma'am.

15 THE COURT: Anything else for this witness?

16 MS. MAYES: Nothing further from the State,
17 Your Honor.

18 THE COURT: Have a good day, ma'am. Thank you
19 so much.

20 THE WITNESS: Thank you.

21 MS. MAYES: Would this be a good time for a
22 break, Your Honor?

23 THE COURT: That's fine.

24 MS. McGRADY: Yes, please.

25 THE COURT: All right.

1 (Whereupon, a recess was taken.)

2 THE COURT: I'm ready whenever y'all are.

3 MS. MAYES: The State calls Jasmine Harris.

4 THE COURT: Ms. Harris, come up here and have a
5 seat to my right, please, ma'am. Tell us what your
6 name is and spell it for the court reporter, please.

7 THE WITNESS: Hello. My name is Jasmine
8 Harris, J-A-S-M-I-N-E, H-A-R-R-I-S.

9 THE COURT: All right. Would you raise your
10 right hand, please?

11 JASMINE HARRIS, after being duly sworn,
12 testified as follows:

13 THE COURT: Thank you.

14 DIRECT EXAMINATION

15 BY MS. MAYES:

16 Q Good afternoon, Ms. Harris. Can you tell us a
17 little bit about yourself?

18 A Hello. I have been working with the Department
19 of Juvenile Justice for the past 11 years.

20 Q All right. If I could stop you right there.

21 MS. MAYES: Your Honor, could she have
22 permission to remove the mask?

23 THE COURT: Certainly, if she feels comfortable
24 doing so.

25 And Ms. Harris, I know that, myself included, I

1 tend to talk real fast.

2 THE WITNESS: Okay.

3 THE COURT: But try to slow down as much as you
4 can so this lady can take down what you say, okay?

5 THE WITNESS: Okay.

6 THE COURT: All right, Solicitor.

7 DIRECT EXAMINATION

8 BY MS. MAYES:

9 Q Now where are you employed?

10 A Department of Juvenile Justice.

11 Q And how long have you been a DJJ employee?

12 A Eleven years.

13 Q And what campus are you specifically affiliated
14 with?

15 A Everywhere.

16 Q Okay. As part of your job responsibility are
17 you familiar with records that are maintained
18 by the Department of Juvenile Justice?

19 A Yes, ma'am.

20 Q And does that include what's known as an event
21 report?

22 A Yes, ma'am.

23 Q So if any member of staff were to have an
24 interaction with a detainee that creates a
25 security issue, is that normally documented?

1 A Yes, ma'am.

2 Q How so?

3 A Inside of our event report system.

4 Q And what if DJJ becomes aware of any type of
5 physical altercation or threats of a physical
6 altercation between detainees, how is that
7 documented?

8 A The event report system as well.

9 Q Now I want to refer you specifically to this
10 case. Was it requested that numerous documents
11 reflecting any type of event report as you just
12 described be gathered regarding Nicolle
13 Sanchez-Peralta?

14 A Yes, ma'am.

15 Q Are you familiar with that subject, in terms of
16 her being a Department of Juvenile Justice
17 inmate or detainee?

18 A She is one of our detainees. Yes, ma'am.

19 Q Are you familiar as to whether she has been a
20 detainee from the date of April 29th, 2021
21 until today's date?

22 A Yes, ma'am.

23 Q And did you obtain numerous event reports in
24 that regard?

25 A Yes, ma'am.

1 Q I'm going to show you what is marked as a group
2 exhibit being 146 and ask you whether or not
3 you are familiar with these items. And take
4 your time to review them.

5 (Pause.)

6 THE WITNESS: Yes, ma'am. These are copies of
7 our event reports.

8 DIRECT EXAMINATION

9 BY MS. MAYES:

10 Q And can you tell us whether or not you are
11 familiar with the authenticity of these reports
12 to say that these are official records of the
13 Department of Juvenile Justice?

14 A Yes, ma'am. They are our official event
15 reports.

16 Q And do each of these records reflect any
17 actions noted by Nicolle Sanchez-Peralta during
18 that time frame that I mentioned being April of
19 2021 until today's date?

20 A Yes, ma'am.

21 Q As it may relate to any type of physical
22 altercations, threats thereof or security
23 issues?

24 A Yes, ma'am.

25 MS. MAYES: Your Honor, this would be 146 as

1 evidence.

2 MS. SELERT: No objection, Your Honor.

3 (Whereupon, State's Exhibit No. 146 was marked
4 and received into evidence.)

5 DIRECT EXAMINATION

6 BY MS. MAYES:

7 Q So looking here at State's 146, you were able
8 to authenticate event reports dated May 11th,
9 2021; June 19th, 2021; August 24th, 2021;
10 November 16th, 2021; February 25th, 2022;
11 March 6th, 2022; March 6th, 2022; March 11th,
12 2022; April 5th, 2022; April 7th, 2022 and then
13 April 27th, 2022 all contained herein?

14 A Yes, ma'am.

15 MS. MAYES: Thank you, Ms. Harris.

16 Nothing further.

17 MS. SELERT: I don't have anything.

18 THE COURT: Have a good day, ma'am. Thank you
19 so much.

20 THE WITNESS: Thank you. I appreciate it.

21 MS. MAYES: The State calls Victoria Shepard.

22 THE COURT: Come up and have a seat if you
23 would, please, ma'am. Tell us what your name is and
24 spell it for the court reporter, please.

25 THE WITNESS: Victoria Shepard,

1 V-I-C-T-O-R-I-A, S-H-E-P-A-R-D.

2 THE COURT: All right. Ma'am, raise your right
3 hand.

4 VICTORIA SHEPARD, after being duly sworn,
5 testified as follows:

6 THE COURT: All right. Thank you. Just speak
7 up so everybody can hear you, okay?

8 THE WITNESS: Okay.

9 DIRECT EXAMINATION

10 BY MS. MAYES:

11 Q Good afternoon, Ms. Shepard. Can you tell us a
12 little bit about yourself? Where are you
13 employed?

14 A I work for the Department of Social Services in
15 Lexington County.

16 Q All right. How long have you been with DSS?

17 A About three years.

18 Q Does that include work as an actual caseworker?

19 A Yes.

20 Q For child protective services?

21 A Yes.

22 Q Can you tell us as a caseworker for child
23 protective services whether that includes
24 looking into and investigating any allegations
25 of child sexual abuse?

1 A Yes.

2 Q Child physical abuse?

3 A Yes.

4 Q Or significant child neglect?

5 A Yes.

6 Q Pursuant to that role, can you tell us what if
7 any referrals were made to the Department of
8 Social Services for follow-up in the spring of
9 2021 following the arrest of the defendant in
10 this case, Nicolle Sanchez-Peralta?

11 A In 2021 I received a report regarding sexual
12 abuse in the home, allegations against the
13 father sexually abusing --

14 Q I'm going to need you to speak up and if you
15 could pull the microphone down a little bit
16 closer to you.

17 A Allegations of the father sexually abusing the
18 minor children in the home.

19 Q All right. So you received that report on
20 May 28th of 2021; is that correct?

21 A Correct.

22 Q And that's going to be roughly a month after
23 the arrest of Nicolle Sanchez-Peralta on
24 charges in this case?

25 A Yes.

1 Q And when you receive a report like that -- let
2 me just ask you this. Are other people in the
3 system referred to as mandatory reporters?

4 A Yes.

5 Q Such as DJJ employees or law enforcement or
6 anyone of that nature?

7 A Yes.

8 Q So with them being mandatory reporters, what do
9 you do then to follow up on any information
10 that you might receive regarding a sexual abuse
11 complaint?

12 A So when I get a report I go out and speak to
13 the minor children, the victim children in the
14 report and also speak with the parents.

15 Q All right. And this report was received by the
16 Department of Social Services on May 28th of
17 2021?

18 A Yes.

19 Q And Ms. Sanchez-Peralta was already in custody
20 at that point at the Department of Juvenile
21 Justice. What if anything did you do to follow
22 up on this report of alleged sexual abuse
23 involving her father?

24 A On June 23rd I visited her at the detention
25 center to ask her about these allegations.

1 Q All right. Now when you say that you visited
2 her, when you go in how do you go about
3 documenting the conversation?

4 A We have a system that -- DSS has a system that
5 we put all of our what we call dictation into.

6 Q Okay. And were you using that system in taking
7 dictation on the date that you went and met
8 with the defendant?

9 A I took notes on a notepad and then later put my
10 dictation into the system.

11 Q All right. And what was the date in which you
12 met with her?

13 A 6/23/2021.

14 Q Did you question the defendant whether or not
15 she had made past allegations of sexual abuse?

16 A When I arrived to speak with her, I inquired
17 about things going on in the home and she said
18 she was kind of confused as to why I was there
19 because it had already been investigated. So I
20 explained to her that a new report was made
21 regarding the sexual abuse.

22 Q All right. And when she stated that it had
23 already been investigated, are you referring to
24 allegations of sexual abuse?

25 A Yes.

1 Q And is it your understanding she had made those
2 allegations of sexual abuse herself?

3 A Yes.

4 Q And do your notes or does your official
5 determination fact sheet reflect what those
6 alleged allegations were?

7 A Yes. It was that her father had
8 inappropriately touched her.

9 Q All right. And did you ask her about whether
10 or not that happened?

11 A Yes.

12 Q What did she state to you?

13 A She told me that she had lied about the sexual
14 abuse and that she lied because she wanted to
15 stay with her boyfriend.

16 Q So instead of just a recantation where she said
17 she lied, she acknowledged to you that she lied
18 because she wanted to stay with her boyfriend?

19 A Yes.

20 Q And in light of that, what if any action did
21 you take regarding your case?

22 A I continued with my investigation with speaking
23 with the parents and the other minor child and
24 then we unfounded the case.

25 Q I want to ask you a little bit more about that

1 because you said that you continued the
2 investigation. And again, you said that her
3 initial statement was she didn't understand why
4 you were there because it had already been
5 investigated?

6 A Correct.

7 Q I'm going to show you a document and ask you
8 whether or not you are familiar with this
9 report from the West Columbia Police
10 Department.

11 A I am.

12 Q And can you tell us whether or not that
13 original report by Nicolle Sanchez-Peralta that
14 she was being sexually abused by her father had
15 in fact been reported to authorities back in
16 2020?

17 A Yes.

18 Q And what is the date of that report?

19 A July 25th, 2020.

20 Q And is that in fact the report in which she
21 told authorities she was being sexually abused
22 by her father?

23 A Yes. It appears so.

24 Q And what is the location in which the juvenile
25 was when that report was made?

1 A [REDACTED] Avenue. Oh, sorry, [REDACTED] [REDACTED]

2 Q [REDACTED]

3 A [REDACTED].

4 Q So this report is made to law enforcement while
5 she is at [REDACTED] [REDACTED] Street in West Columbia.

6 And the statement to you is that she lied
7 because she wanted to be with her boyfriend?

8 A Yes.

9 Q At that point in time were you aware of who her
10 boyfriend was that lived at [REDACTED] [REDACTED]
11 Street?

12 A I was not.

13 Q And are you now aware that is the address in
14 West Columbia of Treveon Nelson?

15 A Yes.

16 Q Now in addition to investigating that
17 allegation, can you tell us whether DSS also
18 had the opportunity to investigate any other
19 allegations of physical or sexual abuse in the
20 past?

21 A Yes. There were a few other reports made.

22 Q Were any of those reports founded?

23 A No.

24 Q Are you familiar with a report from 2014 by
25 Nicolle, Nicolle Sanchez-Peralta, regarding

1 possible physical abuse?

2 A Yes.

3 Q I'm going to show you a document and ask you
4 whether or not you recognize it. This is
5 State's 156.

6 A Yes. I recognize that.

7 Q Okay. And are you familiar with the outcome of
8 that allegation?

9 A Yes. The case was dismissed by the courts.

10 MS. MAYES: This would be 156, Your Honor,
11 being a certified true copy by Lisa Comer of
12 Lexington County final order regarding the dismissal
13 of that allegation which we offer as a certified
14 true copy.

15 MS. McGRADY: No objection.

16 THE COURT: What number?

17 MS. MAYES: 156.

18 (Whereupon, State's Exhibit No. 156 was marked
19 and received into evidence.)

20 DIRECT EXAMINATION

21 BY MS. MAYES:

22 Q Now in addition to that, is DSS also aware of
23 multiple prior runaway reports regarding
24 Nicolle Sanchez-Peralta?

25 A Yes.

1 Q I'm going to show you what's marked as State's
2 170 being published documents from media
3 outlets. If you could take a look at those.

4 (Pause.)

5 DIRECT EXAMINATION

6 BY MS. MAYES:

7 Q And are you familiar with runaway status dating
8 back to 2019?

9 A Yes.

10 Q Both April of 2019 then June of 2019 and
11 ultimately April of 2021?

12 A Yes.

13 Q Is all of that consistent with your DSS
14 investigation?

15 A Yes.

16 MS. MAYES: State's 170 for evidence, Your
17 Honor.

18 MS. McGRADY: No objection.

19 (Whereupon, State's Exhibit No. 170 was marked
20 and received into evidence.)

21 DIRECT EXAMINATION

22 BY MS. MAYES:

23 Q So here we see a news media report from WIS in
24 April 2019 that the West Columbia police had
25 been looking for the runaway for two weeks and

1 was ultimately found safe?

2 A Yes.

3 Q Then we see a new report June of 2019, roughly
4 two months later, indicating that she had run
5 away again?

6 A Yes.

7 Q And then in 2021 during the time that SA [REDACTED]
8 [REDACTED] was known to be missing there is a
9 media release regarding Nicolle at age 16 also
10 being missing?

11 A Uh-huh. Yes.

12 Q And her status then was also that of a runaway?

13 A Yes.

14 Q Now did DSS also look into allegations in 2020
15 regarding a shooting at her home?

16 A Yes.

17 Q What if anything did DSS determine in that
18 case?

19 A That case was unfounded.

20 Q I know you mentioned prior sexual abuse
21 unfounded and that relates to the 2020
22 allegations. The 2014 physical abuse
23 allegations unfounded. And now this is a
24 report of someone shooting at the home?

25 A Yes.

1 Q And the date of this report?

2 A February 4, 2020.

3 Q All right. So February of 2020. So she is 15
4 years of age at this time?

5 A Yes.

6 Q And do you have her date of birth with you?

7 A I don't know if I do.

8 Q All right.

9 A I do.

10 Q Okay. What is that?

11 A June 29th, 2004.

12 Q Okay. So at this time she is 15 years of age?

13 A I believe so. Yes.

14 Q And the report is that someone has shot into
15 the home?

16 A Yes.

17 Q Now over this period of time between 2014
18 through the runaway events in 2019, which there
19 were at least two of those, and her being
20 placed on probation by the Department of
21 Juvenile Justice or by the court pursuant to
22 DJJ probation, had any concerns been expressed
23 by her family that she was affiliating with
24 violent offenders or gang members?

25 A I'm not sure about that.

1 Q But there was a reporting of a shooting at her
2 home?

3 A Yes.

4 Q And that was unfounded by DSS?

5 A Yes.

6 Q And then the next report you get is the one of
7 the sexual abuse?

8 A Yes.

9 Q In July of 2020?

10 A Correct.

11 Q And then you follow up at DJJ in 2021 regarding
12 that same report?

13 A Yes.

14 Q And she tells you it was a lie so that she
15 could be with her boyfriend?

16 A Yes.

17 Q Treveon Nelson?

18 A Yes.

19 Q I'm going to show you this document and ask you
20 whether or not you recognize it.

21 A Yes, I do.

22 Q How so?

23 A This is the determination fact sheet that I
24 wrote for the closure of the case.

25 Q Okay. Does it accurately -- is it an accurate

1 reflection of those communications that you had
2 with Nicolle Sanchez-Peralta regarding those
3 sexual abuse allegations?

4 A Yes.

5 Q And the reason that you dismissed the case?

6 A Yes.

7 MS. MAYES: Your Honor, this will be 179 for
8 evidence. I'm sorry, 179 for evidence, Your Honor.

9 MS. McGRADY: No objection.

10 (Whereupon, State's Exhibit No. 179 was marked
11 and received into evidence.)

12 DIRECT EXAMINATION

13 BY MS. MAYES:

14 Q So looking here, you used the word Nazareth but
15 you are referring to Nicolle. And you are
16 asking her specifically about whether or not
17 her father has ever touched her?

18 A Yes.

19 Q And had she also made the report back in 2020,
20 back in July of 2020 that she had concerns for
21 her sister as well possibly being sexually
22 abused?

23 A Yes.

24 Q Did you look into that as well?

25 A Yes.

1 Q And ultimately did Nicolle admit that she had
2 no concerns about the safety of her sister?

3 A Yes.

4 Q And that was acknowledged by DSS as well?

5 A Yes.

6 Q And you closed the case?

7 A Yes.

8 Q Unfounded?

9 A Yes.

10 MS. MAYES: Nothing further.

11 CROSS-EXAMINATION

12 BY MS. McGRADY:

13 Q Good afternoon.

14 A Hello.

15 Q Was there an incident with DSS where Nicolle
16 had a black eye that was supposedly given to
17 her from her mother?

18 A Yes.

19 Q Was that a founded case initially?

20 A I don't think it was ever founded because the
21 judge dismissed it. So we didn't get a finding
22 in court.

23 Q What happened as a result of that case?

24 A I believe Nicolle went back home.

25 Q Okay. Was the case where the house was shot

1 up, was that unfounded because it happened
2 outside the family or something?

3 A Yeah. There was no evidence of abuse or
4 neglect. So that's why.

5 MS. McGRADY: Okay.

6 No further questions.

7 REDIRECT EXAMINATION

8 BY MS. MAYES:

9 Q And just to follow up a little bit more. The
10 incident with the black eye that the defense
11 asked you about, is that the same incident that
12 you previously referred to as a physical abuse
13 investigation that was conducted by DSS?

14 A Yes.

15 Q And actually ended up having a full hearing
16 before the family court?

17 A Yes.

18 Q And in that final order of Judge Neese, she
19 dismissed that charge?

20 A Correct.

21 Q As referenced in State's 156?

22 A Yes.

23 Q And you are familiar with that DSS finding
24 where the court noted that the credibility of
25 this child is of serious concern to the court?

1 A Yes.

2 Q And then dismissed?

3 A Yes.

4 MS. MAYES: Nothing further.

5 MS. McGRADY: No further questions.

6 THE COURT: Thank you, ma'am. You can go.

7 MS. MAYES: The State calls Officer Shaki

8 Franklin-Johnson.

9 THE COURT: Come on up and have a seat if you
10 would, please, ma'am. Tell us what your full name
11 is and spell it for the court reporter, please.

12 THE WITNESS: Sergeant Shaki Franklin-Johnson,
13 S-H-A-K-I, Franklin, F-R-A-N-K-L-I-N-J-O-H-N-S-O-N.

14 THE COURT: All right. Raise your right hand.

15 SHAKI FRANKLIN-JOHNSON, after being duly sworn,
16 testified as follows:

17 THE COURT: All right. Move that microphone up
18 closer and speak up clearly and loudly, okay?

19 THE WITNESS: Okay.

20 DIRECT EXAMINATION

21 BY MS. MAYES:

22 Q Good afternoon, Officer. Can you tell us a
23 little bit about yourself? Where are you
24 employed?

25 A I am currently a sergeant at Department of

1 Juvenile Justice Detention Center.

2 Q All right. And what campus is that?

3 A JDC.

4 Q And can you tell us whether you have had
5 interactions with the defendant in this case,
6 Nicolle Sanchez-Peralta, since the time of her
7 detainment back in April of 2021?

8 A I have.

9 Q And can you tell us whether that includes
10 multiple what's called event reports that have
11 been documented, documented by either yourself
12 or other staff members there?

13 A Correct.

14 Q Now I want to back up a little bit and ask you
15 how long have you been a DJJ correctional
16 officer?

17 A Getting ready to hit five years.

18 Q Okay. And during that time are you familiar
19 with certain protocols and procedures regarding
20 security?

21 A Yes.

22 Q And are there certain provisions that every
23 detainee must provide by?

24 A Yes.

25 Q And that abide by?

1 A Yes.

2 Q And that includes things such as possession of
3 contraband?

4 A Correct.

5 Q Does it prevent any type of physical
6 altercation or threats with fellow detainees?

7 A Yes.

8 Q So regarding this particular detainee, Nicolle
9 Sanchez-Peralta, I'm going to refer you to an
10 event report that is dated June 19th of last
11 year. And do you have a copy of that report
12 with you?

13 A I do.

14 Q Who wrote that report?

15 A I did.

16 Q Okay. Tell us what happened, what you observed
17 and why that was documented.

18 A There was an altercation going on in the unit.
19 And when I arrived to the unit, the officer
20 that was assigned to the unit was holding a
21 juvenile and Sanchez was holding the juvenile
22 as well. Apparently it was a physical
23 altercation that had occurred on the unit.

24 MS. MAYES: Beg the court's indulgence.

25 (Pause.)

DIRECT EXAMINATION

2 BY MS. MAYES:

3 Q Please continue. I'm sorry. We are referring
4 to State's 146 which has been admitted through
5 Jasmine Harris. And this refers specifically
6 to a report on June 19th. What did you
7 observe?

8 A When I entered the unit, Sanchez was holding
9 the juvenile. Apparently, again, it was a
10 physical altercation that had occurred when I
11 had got there and Sanchez was holding the
12 juvenile. And then we escorted them, once we
13 separated everybody, they were all escorted to
14 their assigned rooms, secured behind their door
15 and for safety reasons rather injuries or not
16 we do sick calls where everyone gets seen by
17 the nurse.

18 Q Now I'm going to move forward to November 16th
19 of last year. Did you and any other officer
20 there at the Department of Juvenile Justice
21 have the need to fill out an event report again
22 involving detainee Sanchez-Peralta?

23 A Yes.

24 Q And how many different correctional officers
25 were involved in this report?

1 A It was actually two actual officers that was
2 actually involved when this one was reported
3 and me being the supervisor it had to be
4 reported to me and I reported it to my
5 superiors.

6 Q All right. And the actual complaining officer
7 was Monica Govan?

8 A Correct.

9 Q All right. What was the nature of this
10 complaint regarding Sanchez-Peralta?

11 A Prior to this incident others report the
12 juvenile in question in this report had got
13 released for court. When she returned from
14 court, she basically was like scared to go back
15 because she had stated that there were threats
16 to assault her. They had already been letters
17 and everything threatening to assault her when
18 she came back. Apparently it was stated that
19 she had been talking about Sanchez and some
20 other juveniles and a letter was involved
21 stating that if she said anything, that they
22 was going to beat her up.

23 Q All right. And this was documented fully in
24 the report?

25 A Correct.

1 Q And again, we are not going to use the names of
2 any of those juveniles. They were redacted by
3 the Department of Juvenile Justice?

4 A Correct. And then in this report it actually
5 goes into depth that before the juvenile that
6 was involved actually did get assaulted.

7 Q Okay. And again, did it reiterate who was
8 making verbal threats to her?

9 A Yes.

10 Q And who was that person?

11 A It was Sanchez and some other juveniles.

12 Q All right. Next I want to ask you about an
13 event report dated February -- I'm sorry. I'm
14 going to move forward to March 11th. You
15 mentioned that you were a supervisor. Have
16 there been numerous other reports that are
17 documented herein in that exhibit made by other
18 correctional officers as well?

19 A Correct.

20 Q All right. On March 11th, what if any
21 notations were made by you regarding
22 Sanchez-Peralta?

23 A In reference to this one I was approached by
24 Sanchez when she asked she was wanting to know
25 what questions did the solicitor ask me in