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SC Court of Appeals

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

THE STATE,

RESPONDENT,

V.

NAZARETH N SANCHEZ-PERALTA,

APPELLANT

APPELLATE CASE NO. 2023-001588

RECORD ON APPEAL

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[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).**

1 Q. All right. So let me stop you right here.
2 Here she says that she went to the apartment complex
3 but left because SA [REDACTED] was going to hangout with a
4 boyfriend; is that accurate?

5 A. Yes, ma'am.

6 Q. What does she say next?

7 A. I asked her if she had spoken to SA [REDACTED] or
8 anybody in her family. She told me that she'd been
9 in touch with SA's [REDACTED] sister and would call if she
10 had anything to add. She told me that she does not
11 have a phone but can access one if needed.

12 Q. She has access to a phone if needed?

13 A. Yes, ma'am.

14 Q. So the story is she last saw SA [REDACTED] at the
15 apartment complex and SA [REDACTED] was going to hangout
16 with a boyfriend?

17 A. Yes, ma'am.

18 Q. You indicated that you tried to reinitiate
19 contact on April 23 at the home of her parents?

20 A. Yes, ma'am.

21 Q. Could not locate her there?

22 A. Yes, ma'am.

23 Q. Ultimately -- I'm going to move forward to
24 April 27, 2021. On this date what, if any, contact
25 did you have with the defendant in this case, Nicole

1 Sanchez-Peralta?

2 A. I received a phone call on the 25th stating
3 that Nicole had been assaulted in Springdale. So
4 the West Columbia investigator called me and told me
5 that she was currently at the hospital. Attempted
6 to make contact. Was told that she was in too much
7 pain. On the 26th I called again, was told again
8 that she was in pain, went to her house to visit
9 her. Observed her laying in bed. Asked her if she
10 would come in the next day, which would be April 27,
11 to talk to me at our office.

12 Q. Okay. So the night before she comes in to meet
13 with you at your office. Where was she physically
14 located?

15 A. She was at her house at [REDACTED] Avenue.

16 Q. Would that be the home of her parents?

17 A. Yes, ma'am.

18 Q. So she had returned back to her home?

19 A. Yes, ma'am.

20 Q. And you mentioned that she had appeared to have
21 been assaulted in some way?

22 A. Yes, ma'am.

23 Q. Did that appear to be fresh or old?

24 A. Fresh.

25 Q. And what, if any, conversation did you have

1 about her participating in an interview again to
2 determine where SA [REDACTED] might be?

3 A. So she arrived at our office around noon on
4 April 27. She was brought into the interview room
5 after her mom brought her to our office. She
6 understood and was told that she was free to leave
7 at that point. We sat in the audio video recorded
8 video room where she, again, said that she had gone
9 to the apartment complex with two acquaintances to
10 meet with SA [REDACTED] but left before her boyfriend got
11 there.

12 Q. So I'm going to stop you right there. Based on
13 all of your communications with Nicole
14 Sanchez-Peralta, was her agreement to participate in
15 this interview free and voluntary?

16 A. Yes, ma'am.

17 Q. Did you promise her anything in exchange for
18 participating in an interview with you or any other
19 members of law enforcement?

20 A. No, ma'am.

21 Q. Did you threaten or coerce her in any way to
22 participate in this interview?

23 A. No, ma'am.

24 Q. What was the sole purpose of this interview at
25 this point in time?

1 A. To locate SA [REDACTED] who, at this point, had just
2 completely disappeared, had not been seen or heard
3 from in three weeks at this point.

4 Q. And at this point in time, April 27, 2021, did
5 you know yet that SA [REDACTED] had, in fact, been murdered?

6 A. No, ma'am.

7 Q. Did she agree to speak with you about trying to
8 locate SA [REDACTED]?

9 A. Yes, ma'am.

10 Q. And at this point in time, is she a suspect in
11 the case or something else?

12 A. She's a witness at this point.

13 Q. Believed to be a possible witness?

14 A. Yes, ma'am.

15 Q. Why is it necessary to speak with the last
16 person who may have seen a missing person?

17 A. Because they were the last ones to have had
18 contact with this person.

19 Q. Does that make them a potential witness?

20 A. Yes, ma'am.

21 Q. So on April 27, 2021, is she in custody when
22 she's speaking with you at the sheriff's department?

23 A. No, ma'am.

24 Q. Who had actually brought her to that location?

25 A. Her mom.

1 Q. Was her mother waiting outside in the lobby?

2 A. Yes, ma'am.

3 Q. And who else was present for that interview,
4 Investigator Nations?

5 A. Myself and another investigator Chris Lindler.

6 Q. What is the first story that she tells you when
7 you ask about where SA [REDACTED] might be?

8 MS. MAULDIN: Objection, Your Honor. This is
9 subject to the prior motion. Pretrial, Your Honor.

10 THE COURT: Okay. I note your objection.

11 BY MS. MAYES:

12 Q. What is the first story she tells you about
13 SA's [REDACTED] whereabouts?

14 A. She first told me that she, Treveon and Smoove,
15 who's identified at Jaylen Wilson, drove to SA's [REDACTED]
16 apartment in a dark-colored sedan with black rims
17 and --

18 Q. I'm going to have to stop you right there. So
19 she says she, Tre, who would be Treveon Nelson --

20 A. Yes, ma'am.

21 Q. -- and Smoove. And you said Smoove was
22 identified as whom?

23 A. Jaylen Wilson.

24 Q. Went to SA's [REDACTED] apartment complex. In what
25 vehicle does she say they're in?

1 A. She described it as a dark-colored sedan with
2 black rims.

3 Q. Did she say who that vehicle belonged to?

4 A. She said it was Smoove's mom's car.

5 Q. Smoove's mom's car. Does she ever tell you,
6 during this version of the story, anything about a
7 2004 black Camry --

8 A. No, ma'am.

9 Q. -- or that that's the vehicle that they were
10 in?

11 A. No, ma'am.

12 Q. So she tells you they were in Smoove's mom's
13 car?

14 A. Yes, ma'am.

15 Q. I'm going to show you a photograph, which is
16 State's 73, and ask you whether or not you recognize
17 this.

18 A. Yes, ma'am.

19 Q. Does this graphic depict any persons in this
20 investigation who are relevant?

21 A. All three.

22 Q. Would that include the defendant herself?

23 A. Yes, ma'am.

24 Q. And the codefendant you've identified as Jaylen
25 Wilson?

DIRECT EXAMINATION OF HOLLY NATIONS BY MS. MAYES

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1 A. Yes, ma'am.

2 Q. And the codefendant known as Tre or Treveon
3 Nelson?

4 A. Yes, ma'am.

5 MS. MAYES: State's 73 for evidence.

6 THE COURT: Any objection?

7 MS. MAULDIN: Without objection, Your Honor.

8 THE COURT: It's admitted.

9 (State's Exhibit No. 73 admitted into
10 evidence.)

11 BY MS. MAYES:

12 Q. I believe you indicated that when she gave you
13 the name Smoove, your investigation ultimately
14 determined the legal name being Jaylen Wilson?

15 A. Yes, ma'am.

16 Q. She tells you these are the individuals with
17 her that night going to SA's [REDACTED] apartment complex?

18 A. Yes, ma'am.

19 Q. In a vehicle she claims was owned by Smoove's
20 mom?

21 A. Yes, ma'am.

22 Q. What does she say happens next?

23 A. She stated that from there they hung out and
24 then left after being told by SA [REDACTED] that she was
25 going to hangout with her friend that night.

1 Q. Hung out and left?

2 A. Yes, ma'am.

3 Q. And that SA [REDACTED] was going to hangout with
4 someone else?

5 A. Yes, ma'am.

6 Q. Specifically, who did they tell you SA [REDACTED] was
7 going to hangout with?

8 A. Reysean Jenkins.

9 Q. And she tells you that's the last time she saw
10 SA [REDACTED]?

11 A. Yes, ma'am.

12 Q. Now, during the course of this interview with
13 her on April 27, 2021, Investigator, does that story
14 by Nicole Sanchez-Peralta change at all?

15 A. Yes, ma'am.

16 Q. How does it change?

17 A. We then brought out a picture that we had of
18 cell phone pings that showed her phone, along with
19 SA's [REDACTED] phone, at the same area before SA's [REDACTED] phone
20 shuts off.

21 Q. And did she ever acknowledge any reason that
22 SA's [REDACTED] phone would have become inactive and no
23 longer be pinging after 10:06 p.m.?

24 A. She said she did not know.

25 Q. Does not know what happened to SA's [REDACTED] phone?

1 A. Yes, ma'am.

2 Q. What else does she say?

3 A. She said that from there SA [REDACTED] left with them.

4 They went to Traveon's house located at [REDACTED]
5 Street.

6 Q. Okay. Now she says SA [REDACTED] did get in the car
7 with them --

8 A. Yes, ma'am.

9 Q. -- and left with them?

10 A. Yes, ma'am.

11 Q. Again, who were the people that SA [REDACTED] left with
12 according to this story?

13 A. She left with Treveon Nelson and Jaylen Wilson.

14 Q. And they went to what location?

15 A. [REDACTED] Street.

16 Q. Which would be whose residence?

17 A. That is Traveon's residence.

18 Q. Went to Traveon's residence at [REDACTED]
19 Street. What does she say happened while she was at
20 Traveon's house?

21 A. Nicole then told us that she fell asleep,
22 passed out around midnight that night. Woke back up
23 at 12:30. She remembers what time it was. At that
24 point she noticed that nobody was home. She told us
25 that she called Treveon probably ten different

1 times.

2 Q. Did she say Tre was gone at that point or home?

3 A. He was gone.

4 Q. Who did she say he was gone with?

5 A. With Jaylen and SA [REDACTED].

6 Q. So she says she wakes up and the other three

7 are gone, Tre's gone, Jaylen's gone and SA's [REDACTED]

8 gone?

9 A. Yes, ma'am.

10 Q. When did she say Tre returned?

11 A. She stated that she then woke up between 7:00

12 and 8:00 a.m.

13 Q. Tre returned around 7:00 a.m.?

14 A. Yes, ma'am.

15 Q. With or without SA [REDACTED]?

16 A. Without SA [REDACTED].

17 Q. Does she ever acknowledge having any other

18 information about the disappearance of SA [REDACTED]?

19 A. No, ma'am.

20 Q. Or even, at this point, that SA [REDACTED] had been

21 murdered?

22 A. No, ma'am.

23 Q. Now, this interview that you're conducting with

24 her, was it audio and video recorded?

25 A. Yes, ma'am.

1 Q. Does that include the portions of the story
2 that you just testified to?

3 A. Yes, ma'am.

4 Q. I'm going to show you what is State's 1, 2, 3,
5 4, 5, 6, 7 and 8. Previously, Your Honor, all
6 Court's Exhibits 1 through 8. And for purposes of
7 identification, can you tell us whether or not you
8 recognize these items?

9 A. Yes, ma'am.

10 Q. Do they bear your initials?

11 A. Yes, ma'am.

12 Q. Are each a fair and accurate representation of
13 the segments of the statements made by Nicole that
14 you just testified to?

15 A. Yes, ma'am.

16 MS. MAYES: Permission to offer as evidence,
17 Your Honor, and permission to publish.

18 THE COURT: Any objection.

19 MS. MAULDIN: Subject to the pretrial hearing.

20 THE COURT: Subject to the pretrial hearing.

21 I'm just going to move these over from the
22 Court's Exhibits. And they're admitted.

23 (State's Exhibit No. 1, 2, 3, 4, 5, 6, 7, 8
24 admitted into evidence.)

25 (State's Exhibit 1 played for her Honor and the

1 jury.)

2 (Video paused.)

3 BY MS. MAYES:

4 Q. All right. Where are you located in this
5 particular interview room, Investigator Nations?

6 A. I'm at the right-hand side bottom of the screen
7 sitting beside Investigator Lindler.

8 Q. Who is this individual?

9 A. Lindler.

10 Q. Also a detective with the Richland County
11 Sheriff's Department?

12 A. Yes, ma'am.

13 Q. And again, who is this individual?

14 A. Nicole.

15 Q. Was anyone else present in the room other than
16 the three of you during this portion of the
17 interview?

18 A. No, ma'am.

19 Q. At this point is she in custody or is she being
20 interviewed for some other purpose?

21 A. She is being interviewed as a witness.

22 Q. So she just indicated to you that she was with
23 Tre and Smoove?

24 A. Yes, ma'am.

25 (State's Exhibit 2 played for her Honor and the

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1 jury.)

2 MS. MAYES: State's 2.

3 (Video resumes.)

4 (Video paused.)

5 BY MS. MAYES:

6 Q. Who is she indicated is sending the text to

7 SA's account saying, you're fake, you left with
8 your boyfriend?

9 A. She's indicating that she's sending messages to
10 SA.

11 Q. She, herself, is sending the messages.

12 A. Yes.

13 Q. And attempting to FaceTime her she says?

14 A. Yes.

15 (Video resumed.)

16 (Video paused.)

17 MS. MAYES: State's 3.

18 (State's Exhibit 3 played for her Honor and the
19 jury.)

20 Q. Here, we never left together out the park.

21 Which version of the story is this? The first one
22 or the second one?

23 A. The first version.

24 Q. Okay.

25 (Video resumed.)

1 (Video paused.)

2 MS. MAYES: State's 4.

3 (State's Exhibit 4 played for her Honor and the
4 jury.)

5 Q. When she says SA [REDACTED] did leave with us, which
6 version of the story is this?

7 A. This is the second version.

8 (Video resumed.)

9 (Video paused.)

10 Q. So she tells you she knows exactly what time it
11 is when she called Tre and he wasn't there?

12 A. Yes, ma'am.

13 Q. Because she was looking at the time?

14 A. Yes, ma'am.

15 Q. She tells you that was 12:30?

16 A. Yes, ma'am.

17 (Video resumed.)

18 (Video paused.)

19 MS. MAYES: State's 5.

20 (State's Exhibit 5 played for her Honor and the
21 jury.)

22 (Video paused.)

23 MS. MAYES: State's 6.

24 (State's Exhibit 6 played for her Honor and the
25 jury.)

1 (Video paused.)

2 Q. So at this point in time, had you received
3 information linking her to the theft of that 2004
4 Toyota Camry?

5 A. Yes, ma'am.

6 Q. Did she admit to taking that vehicle?

7 A. Yes, ma'am.

8 Q. However, did she admit that that vehicle was
9 used in any way in the kidnapping of SA [REDACTED]

10 [REDACTED] --

11 A. No, ma'am.

12 Q. -- or transporting SA [REDACTED] to Lexington
13 County?

14 A. No, ma'am.

15 MS. MAYES: State's 7.

16 (State's Exhibit 7 played for her Honor and the
17 jury.)

18 Q. So you specifically asked her which car SA [REDACTED]
19 was picked up in and got in?

20 A. Yes, ma'am.

21 Q. And she told you it was a car belonging to
22 Smoove's mother?

23 A. Yes, ma'am.

24 Q. Not the Toyota Camry?

25 A. That's correct.

1 Q. Now, after telling this -- or making this
2 statement to you that she's going to wake up around
3 7:00, Tre returns home but SA [REDACTED] is not with him,
4 how, if at all, does the story change after that,
5 Investigator?

6 A. So at that point two homicide investigators
7 came in. Isenhoward and Carwell.

8 Q. Is this still that same afternoon on April 27,
9 2021?

10 A. Yes, ma'am.

11 Q. And is she still -- can you tell us her status
12 at this point. Is she in custody or not in custody?

13 A. She's not in custody.

14 Q. And you said two other investigators came in?

15 A. Yes, ma'am.

16 Q. Were you able to watch that portion of the
17 interview from another area of the sheriff's
18 department?

19 A. I was in a room right across the hall from that
20 interview room.

21 Q. Does that allow you to view and listen to the
22 interview?

23 A. Yes, ma'am.

24 Q. To what is being said as well as watching what
25 is taking place?

1 A. Yes, ma'am.

2 Q. And is that routine in your investigations to
3 observe other interviews as they're undergoing that
4 process as well?

5 A. Yes, ma'am.

6 Q. Those two investigators that you mentioned,
7 Investigator Isenhoward and Investigator Carwell,
8 what unit are they with at the Richland County
9 Sheriff's Department?

10 A. They are in the homicide unit.

11 Q. And again, at this point, is Nicole considered
12 a suspect or a witness?

13 A. A witness.

14 Q. What was the purpose of this portion of the
15 interview continuing?

16 A. Again, to determine where SA [REDACTED] was.

17 Q. Did her participation in this interview appear
18 to be free and voluntarily?

19 A. Yes, ma'am.

20 Q. Did you ever witness those other officers
21 threaten her or coerce her in any way to participate
22 in this interview?

23 A. No, ma'am.

24 Q. Did you ever observe them make any promises to
25 her in exchange for participating in this interview?

1 A. No, ma'am.

2 Q. Did she appear to understand the questions that
3 were being posed to her?

4 A. Yes, ma'am.

5 Q. Did her mother remain there at the sheriff's
6 department?

7 A. Yes, ma'am, in the lobby.

8 Q. What was the agreement or understanding about
9 what would take place after this interview
10 concluded?

11 A. That she would be free to leave.

12 Q. Free to leave and go back home to her mama's
13 house?

14 A. Yes, ma'am.

15 (Video played.)

16 (Video paused.)

17 Q. How, if at all, during this portion of the
18 interview does the story change?

19 A. So we got a third version of the story from
20 here. Nicole then said that she was present during
21 the murder and could take us to the scene.

22 Q. All right. Where did she describe that
23 location or that crime scene to be for
24 jurisdictional purposes?

25 A. Lexington County.

1 Q. Specifically where in Lexington County?

2 A. In Leesville.

3 Q. So the previous statement about having been at
4 Traveon's and not knowing what happened to SA [REDACTED],
5 was that statement retracted?

6 A. Yes, ma'am.

7 Q. And during this statement does she acknowledge
8 being present when SA [REDACTED] is murdered?

9 A. Yes, ma'am.

10 Q. Who does she tell you, during this statement,
11 pulled the trigger?

12 A. She says that Treveon and Jaylen pulled the
13 trigger.

14 Q. And what does she tell you is the reason that
15 they took SA [REDACTED] to Lexington County?

16 A. She was -- she knew that SA [REDACTED] was going to be
17 assaulted.

18 Q. All right. And what does she tell you is the
19 reason they are angry at SA [REDACTED]?

20 A. They had some ongoing issues, possibly gang
21 related.

22 Q. With who?

23 A. With SA's [REDACTED] boyfriend.

24 Q. Would that be Reysean?

25 A. Yes.

1 Q. Now, through your investigation did you ever
2 link SA [REDACTED], in any way, to anything dealing with a
3 drive-by shooting of Treveon Nelson's home?

4 A. No, ma'am.

5 Q. But she reports to you that they're angry with
6 SA [REDACTED] because Traveon's house got shot up?

7 A. Yes, ma'am.

8 Q. And they think SA [REDACTED] may have done what?

9 A. May have told Reysean where he lived.

10 Q. That's what Nicole is telling you now.

11 A. According to Nicole. Yes, ma'am.

12 Q. In this version of the story, when does she say
13 that guns were drawn on SA [REDACTED]?

14 A. On the interstate at 77 and Fort Jackson
15 boulevard.

16 Q. 77 and Fort Jackson Boulevard?

17 A. Yes, ma'am.

18 Q. That's where you learned SA's [REDACTED] phone was
19 deactivated?

20 A. Yes, ma'am.

21 Q. What did she tell you happened to SA's [REDACTED]
22 phone?

23 A. She stated that they took SA's [REDACTED] phone from
24 her.

25 Q. She now tells you that SA's [REDACTED] phone was taken

1 from her person --

2 A. Yes, ma'am.

3 Q. -- and deactivated somehow?

4 A. Yes, ma'am.

5 Q. And that SA's [REDACTED] been taken where?

6 A. To Leesville in Lexington County.

7 Q. What does she tell you happened to SA [REDACTED] when
8 they arrived in Leesville?

9 A. She stated that SA [REDACTED] was assaulted. She was
10 questioned and she was murdered.

11 Q. And in this version of the statement, does she
12 ever tell you that she, herself, pulled the trigger
13 as well?

14 A. No, ma'am.

15 Q. You said she also tells you that she can bring
16 the police, including members of the Richland County
17 Sheriff's Department and Lexington County Sheriff's
18 Department, to the crime scene?

19 A. Yes, ma'am.

20 Q. Did she agree to do that?

21 A. Yes, ma'am.

22 Q. Did that also appear to be free and voluntary?

23 A. Yes, ma'am.

24 Q. What, if any, action did you take to try and
25 locate where SA's [REDACTED] body may be once she tells you

1 this story?

2 A. Myself, along with another investigator, Nicole
3 and Nicole's mom went out to the 44 Truck Stop and
4 met with Lexington County Sheriff's Department who
5 we coordinated with to then go to the crime scene.

6 Q. So 44 Truck Stop, what county is that in?

7 A. That's in Lexington County.

8 Q. So y'all left the Richland County Sheriff's
9 Office and were able to accomplish that that
10 afternoon?

11 A. Yes, ma'am.

12 Q. Trying to locate where SA's [REDACTED] body might be?

13 A. Yes, ma'am.

14 Q. Is this the first you and other detectives have
15 learned that SA [REDACTED] has actually been murdered?

16 A. Yes, ma'am.

17 Q. Were you present in the vehicle when she was
18 with a Lexington County detective?

19 A. Yes, ma'am.

20 Q. Who was that detective?

21 A. That is Pablo.

22 Q. Detective Pablo Carvajal?

23 A. Yes, ma'am.

24 Q. Who else was in that vehicle with you and
25 Detective Pablo Carvajal?

1 A. Rocky Senn, who is also with the Richland
2 County Sheriff's Department, Nicole, and her mom.

3 Q. So Nicole's mother was in the vehicle as well?

4 A. Yes, ma'am.

5 Q. Once y'all made it to the 44 Truck Stop, did
6 she actually lead you to SA's body on that day?
7 On the evening, afternoon or evening of April 27?

8 A. No, ma'am.

9 Q. What did she tell you once y'all got out there?

10 A. She told us that did not know exactly where the
11 location was.

12 Q. Does not know where it is and could not find
13 it?

14 A. Yes, ma'am.

15 Q. Did y'all attempt to show her maps and give her
16 other forms of assistance to locate that area?

17 A. Yes, ma'am.

18 Q. And despite that she indicated that she could
19 not lead you there?

20 A. Yes, ma'am.

21 Q. And so did that end your efforts for that day?

22 A. Yes, ma'am.

23 Q. And was SA located on the night of April 27?

24 A. No, ma'am.

25 Q. And did Nicole Sanchez-Peralta ultimately leave

1 that night and go home?

2 A. Yes, ma'am.

3 Q. She was released that night?

4 A. Yes, ma'am.

5 Q. During this version, this third story, again,
6 does she ever acknowledge using that 2004 Camry that
7 had been stolen earlier that day?

8 A. No, ma'am.

9 Q. She indicates she actually got home how that
10 night?

11 A. By an Uber.

12 Q. By an Uber?

13 A. Yes, ma'am.

14 Q. Now, during the course of your investigation,
15 were you ever able to find or verify in any way this
16 story about the Uber?

17 A. We were not able to verify that any Uber was in
18 that area that night.

19 Q. In the area of [REDACTED] Road in Leesville?

20 A. Yes, ma'am.

21 Q. Did she maintain that story regardless?

22 A. Yes, ma'am.

23 Q. After Smoove went home, she and Tre used an
24 Uber for transportation is what she said?

25 A. Yes, ma'am.

1 Q. And during that story do you ask her for
2 specific details about this Uber and the Uber driver
3 to maybe try and follow up a little bit more?

4 A. Yes, ma'am.

5 Q. What do you recall in that regard?

6 A. She was first asked about the Uber driver being
7 a male or female. She was asked about a description
8 of the vehicle. The description she first gave was
9 that it was a female driver. And at the end of the
10 interview she disclosed that it was a male driver.

11 Q. Does that change even in the course of the same
12 statement?

13 A. It was in the same sentence, yes, ma'am.

14 (Video played for her Honor and the jury.)

15 Q. Is she talking about before the murder or after
16 the murder now?

17 A. After the murder.

18 (Video resumed.)

19 (Video paused.)

20 Q. So at the outset of that statement described
21 the female driver, speaking with her, and then
22 changed the story to it being a male driver?

23 A. Yes, ma'am.

24 Q. And ultimately, that 2004 black Camry, do you
25 have knowledge of it being recovered pursuant to

1 this investigation?

2 A. Yes, ma'am.

3 MS. MAYES: State's 71 being an aerial map.

4 MS. MAULDIN: Without objection, Your Honor.

5 THE COURT: It's admitted.

6 (State's Exhibit No. 71 admitted into
7 evidence.)

8 BY MS. MAYES:

9 Q. Looking here at 71, I believe there's been
10 testimony that vehicle was recovered around April 16
11 of 2021. Do you know the location in which that
12 vehicle was recovered?

13 A. Yes, ma'am. It's marked the left side, bottom
14 corner, [REDACTED] Road.

15 Q. You indicated that you, yourself, were out
16 there with the defendant, Nicole Sanchez-Peralta,
17 trying to locate the crime scene?

18 A. Yes, ma'am.

19 Q. Do you see where y'all met up on this State's
20 71?

21 A. Yes, ma'am.

22 Q. Where is that?

23 A. That's the top in the middle marked 44 Truck
24 Stop.

25 Q. 44 Truck Stop?

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1 A. Yes, ma'am.

2 Q. Did your efforts also include the area of [REDACTED]
3 Road and [REDACTED] Drive in Leesville?

4 A. Yes, ma'am.

5 Q. What proximity -- or can you tell us whether or
6 not that is within proximity of [REDACTED] Road
7 where that vehicle was ultimately recovered several
8 weeks later?

9 A. Yes, ma'am.

10 Q. And within proximity to the 44 Truck Stop where
11 you met and undertook efforts to have her identify
12 and locate SA's [REDACTED] body?

13 A. Yes, ma'am.

14 MS. MAYES: Beg the Court's indulgence.

15 THE COURT: Take your time.

16 BY MS. MAYES:

17 Q. Throughout all of your contact with Nicole
18 Sanchez-Peralta on April 27, 2021, from starting at
19 the Richland County Sheriff's Department to ending
20 up at the 44 Truck Stop, did you ever promise her
21 anything in exchange for those communications?

22 A. No, ma'am.

23 Q. Was she threatened or coerced in any way by
24 yourself or any other member of law enforcement?

25 A. No, ma'am.

1 Q. Did her participation in this process appear to
2 you to be freely and voluntarily given?

3 A. Yes, ma'am.

4 Q. I know you have spoken about your involvement
5 with the team looking for missing persons. Can you
6 summarize for us some of the efforts that the
7 Richland County Sheriff's Department undertook
8 between the dates of SA's [REDACTED] disappearance on the
9 night of April 5th until that day on April 27 when
10 you met with Nicole Sanchez-Peralta personally?

11 MS. MAULDIN: Objection. Relevance, Your
12 Honor.

13 MS. MAYES: Showing the efforts of the
14 investigation, Your Honor, and the contacts that
15 were made by this agency as well as other agencies.

16 THE COURT: I'm going to allow it.

17 BY MS. MAYES:

18 Q. For investigative purposes, can you tell us
19 whether or not search warrants were issued?

20 A. Yes, ma'am.

21 Q. Can you tell us whether or not that included
22 social media communications?

23 A. Yes, ma'am.

24 Q. Can you tell us whether or not that included
25 phone numbers and phone records?

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1 A. Yes, ma'am.

2 Q. Does that include cell tower data?

3 A. Yes, ma'am.

4 Q. That apartment complex at [REDACTED]
5 Boulevard, were attempts made to obtain video
6 surveillance from that location?

7 A. Yes, ma'am.

8 Q. Were you or any other officer able to actually
9 locate video surveillance from that night including
10 surveillance of SA's [REDACTED] abduction?

11 A. No, ma'am.

12 Q. Why or why not?

13 A. They didn't have active cameras at that time.

14 Q. What, if any, efforts were made to canvass that
15 neighborhood for leads about SA's [REDACTED] disappearance?

16 A. We canvassed the apartment complex, passed out
17 fliers, and also canvassed the neighborhoods
18 surrounding the apartment complex.

19 Q. Can you tell us whether or not Crime Stoppers
20 was also involved?

21 A. Yes, ma'am. We received multiple Crime
22 Stoppers tips, which were all followed up on.

23 | Q. Through your efforts to follow up, did you ever
24 find any evidence that SA [REDACTED] was alive
25 after the night of April 5th?

1 A. No, ma'am.

2 Q. Were there reported sightings of her?

3 A. Yes, ma'am.

4 Q. Did any of those sightings pan out to actually
5 be her?

6 A. No, ma'am.

7 Q. Can you tell us whether or not your agency
8 coordinate with the State Law Enforcement Division?

9 A. Yes, ma'am.

10 Q. As well as the FBI?

11 A. Yes, ma'am.

12 Q. And the Nation Center for Missing and Exploited
13 Children?

14 A. Yes, ma'am.

15 MS. MAYES: Thank you. Nothing further.

16 THE COURT: Thank you, Ms. Mayes.

17 Ms. Mauldin?

18 MS. MAULDIN: Thank you, Your Honor.

19 CROSS-EXAMINATION

20 BY MS. MAULDIN:

21 Q. Investigator Nations, good afternoon.

22 A. Good afternoon.

23 Q. When the Richland County Sheriff's Department
24 first became involved, SA [REDACTED] was entered as an
25 incorrigible child, right?

1 A. Right.

2 Q. And then it wasn't until the next day that she
3 was listed as a missing person on NCIC?

4 A. It was within hours.

5 Q. But it was the next day?

6 A. She was reported missing right at midnight.

7 Q. And lodged as an incorrigible child and then
8 the next day went on NCIC?

9 A. Yes, ma'am.

10 Q. You mentioned the phone call on April 7th, was
11 that recorded in any way?

12 A. Yes, ma'am.

13 Q. Had you ever met Nicole or had any other
14 encounter with her before that?

15 A. No, ma'am.

16 Q. When you talked to Nicole on April 26, she was
17 at home and in her bed, right?

18 A. Yes, ma'am.

19 Q. And she had visible injuries and appeared to be
20 in pain?

21 A. Yes, ma'am.

22 Q. And that was from the assault with Treveon
23 Nelson who raped her?

24 A. Yes, ma'am, on the 25th.

25 Q. So she came to Richland County the next day

1 with her mother?

2 A. Yes, ma'am, on the 27th.

3 Q. Right. And you brought her to the victim
4 services building?

5 A. Her mom drove her to our victim services
6 building. Yes, ma'am.

7 Q. And at that point she was still suffering from
8 those same injuries, right?

9 A. Yes, ma'am.

10 Q. So she still had swelling, appeared to be in
11 pain, that sort of thing?

12 A. She had swelling. Yes, ma'am.

13 Q. And, in fact, on the video clips that we saw,
14 she's wearing a mask, but you can still see the
15 swelling over her right cheek, right?

16 A. Yes, ma'am.

17 Q. The mask covers anything else up?

18 A. Yes, ma'am.

19 Q. So you ended up talking to her about two hours
20 on the 27th; is that right?

21 A. We talked to her from 12:14 p.m. to 3:29 p.m.

22 Q. Okay. All right. So a little longer. And
23 then throughout all of your conversations with her,
24 you had not deemed her a suspect in the killing of
25 SA [REDACTED]; is that right?

1 A. Correct.

2 Q. You talked to Sister [REDACTED] on April 7, right?

3 A. Yes, ma'am.

4 Q. And on that occasion she told you that Nicole
5 had come to the park and that she was in a car with
6 a few guys, right?

7 A. Yes, ma'am.

8 Q. And she specifically used the word few?

9 A. Yes, ma'am.

10 Q. And she wasn't able to give you any kind of
11 description of the vehicle or anything of that
12 nature?

13 A. No, ma'am.

14 Q. And, ultimately, the search on the 27th where
15 everybody went to Leesville to look was called off
16 when it was getting dark?

17 A. It was called off, you said?

18 Q. Yes. Because it was getting dark outside and
19 it had been fruitless up to that point.

20 A. Right. She told us she couldn't take us there
21 at that point.

22 Q. And just to be clear, you're in Richland County
23 so you didn't have anything to do with any
24 investigation into any drive-by shooting involving
25 Reysean and Treveon over in Cayce, West Columbia,

1 did you?

2 A. No, ma'am. I had no involvement.

3 Q. So you weren't interviewing witnesses or
4 investigating that yourself?

5 A. Not the shooting. No, ma'am.

6 Q. Okay.

7 MS. MAULDIN: Your Honor, I beg the Court's
8 indulgence.

9 THE COURT: Take your time.

10 MS. MAULDIN: Nothing further.

11 THE COURT: Redirect.

12 MS. MAYES: Briefly, Your Honor.

13

14

15 REDIRECT EXAMINATION

16 BY MS. MAYES:

17 Q. Just to clarify, when counsel was asking you
18 just a few moments ago about you seeing Nicole on
19 April 27 and you indicated, I think previously in
20 your testimony, those injuries appeared to be fresh?

21 A. Yes, ma'am.

22 Q. So when you used the word assault, you're
23 describing some type of physical injury that you
24 could see?

25 A. Yes, ma'am.

1 Q. Did it appear to you that she had been involved
2 in some type of physical altercation?

3 A. Yes, ma'am.

4 Q. Now, aside from that, I think counsel just
5 asked you about rape and said -- she also reported
6 to you that she had been raped by Treveon Nelson; is
7 that accurate?

8 A. She had alleged rape. Yes, ma'am.

9 Q. That's information that Nicole is reporting to
10 you on that date, correct?

11 A. Yes, ma'am.

12 Q. But that's an allegation, correct?

13 A. Yes, ma'am.

14 Q. Now, one of the questions that she asked you
15 was, initially throughout all of your involvement
16 with her on the 27th, whether or not you considered
17 her a suspect on that date. Was she ever telling
18 you that she was directly involved?

19 A. No, ma'am.

20 Q. And is she telling you multiple and different
21 stories about what happened to SA [REDACTED]?

22 A. Yes, ma'am.

23 Q. And in all of these stories, does she make
24 herself only a witness?

25 A. Yes, ma'am.

1 MS. MAYES: Nothing further.

2 THE COURT: Ms. Mauldin?

3 RE CROSS EXAMINATION

4 BY MS. MAULDIN:

5 Q. You didn't ask Nicole to remove any of her
6 clothing, did you?

7 A. No, ma'am.

8 Q. Were those marks and the swelling on her face
9 alleged injuries?

10 A. Yes, ma'am.

11 Q. But you saw the evidence with your own eyes as
12 well?

13 A. Yes, ma'am.

14 MS. MAULDIN: No further questions, Your Honor.

15 THE COURT: Thank you. Can I excuse the
16 detective?

17 MS. MAYES: Yes, Your Honor.

18 THE COURT: You can be excused.

19 THE WITNESS: Thank you, Your Honor.

20 THE COURT: All right. Ladies and gentlemen of
21 the jury, that's our last witness for today. So I'm
22 going to let you leave and go home. I'm going to
23 tell you again, it is imperative that you not talk
24 about this case at all with anyone. I've told you
25 it's attracted the media. I think we've had all

1 three local stations here. Please do not watch the
2 news tonight. Do not look up this case. Don't read
3 about it in the newspaper.

4 I will ask you my morning question tomorrow.
5 So I just want to let you know. We're going to
6 start at 9:30. If everybody could be in the jury
7 room at 9:15, we'll start then. I hope you have a
8 good evening. Thank you.

9 (The jury exits the courtroom at 5:04 p.m.)

10 THE COURT: All right. We're adjourned until
11 9:30 in the morning. Is there anything I need to
12 take up?

13 MR. HUBBARD: There's one thing I want to bring
14 to Your Honor's attention. I don't know that it
15 will be anything in particular.

16 One of our employees, who is a victim advocate
17 in family court, was sitting up here and she noticed
18 she recognized one of our jurors as somebody -- our
19 employee worked part time at a restaurant. She's
20 seen that person in the restaurant before and
21 thought that person might have recognized her and
22 she wanted to bring that out. They don't know one
23 another. And this person in our office is not
24 involved in this trial, but she wanted to bring that
25 out to us.

1 THE COURT: And she works down in family court?

2 MR. HUBBARD: She works at family court. So
3 she came up here and noticed one of the jurors,
4 somebody that she has seen at her second job when
5 she works at a restaurant. But she does not know --

6 THE COURT: Who comes in to eat?

7 MR. HUBBARD: Right. Doesn't know her name. I
8 just want to put that on the record if there's
9 anything that needs to be pursued about that, we
10 can.

11 THE COURT: Let me hear from you, Ms. Mauldin.

12 MS. MAULDIN: I don't know if it would draw
13 more attention to it to ask the juror if that would
14 affect her ability to be fair and impartial. And
15 also maybe it would be better if that employee from
16 the solicitor's office doesn't return to the trial.

17 MR. HUBBARD: She's not here right now.

18 THE COURT: You know, I had one of the trials
19 that I did one of the ladies later on said I think
20 I've seen you at a restaurant where I live. And I
21 looked at her and I said you know what, I think I've
22 seen you too. I didn't even know her name. But
23 they brought it to my attention and she wanted to
24 let me know. If you want me to question her, I
25 will. It's up to you.

1 MR. HUBBARD: What I can do, Your Honor, is
2 just instruct her to just not come back to the
3 courtroom and maybe -- unless the defense wants to
4 have her questioned or have the juror questioned.

5 MS. MAULDIN: Out of an abundance of caution,
6 maybe it's worth a brief conversation.

7 THE COURT: Do we know the juror number and
8 then I can bring her in in the morning and talk to
9 her? Maybe I can grab her on her way to the jury
10 room --

11 MR. HUBBARD: I don't know the number, Your
12 Honor.

13 THE COURT: Do we know the name?

14 MR. HUBBARD: We don't. She doesn't even know
15 that lady. She was given a vague description and we
16 couldn't even figure out which one she was talking
17 about.

18 MS. MAYES: And again, the employee was sitting
19 in the back of the courtroom merely as a spectator
20 for a small portion of the trial.

21 THE COURT: Did they make eye contact or
22 anything?

23 MS. MAYES: Not that we're aware of. She's not
24 involved in the trial of this case or the
25 presentation of this case in any way. We don't

1 expect her to return to the courtroom.

2 MS. MAULDIN: Judge, I'd just like to clarify
3 it sounded to me as though the juror recognized the
4 employee. Is that what I'm understanding?

5 MR. HUBBARD: My thinking was the -- my
6 employee wanted to make sure that if anybody
7 looked -- if that woman looked and saw her. That's
8 why she's bringing it up to us. She's seen her
9 outside this office but doesn't have a relationship
10 with her. Has seen her at a restaurant before.

11 THE COURT: Is your employee here?

12 MR. HUBBARD: She is not.

13 So Heather knows which juror she's talking
14 about. The employee will be back tomorrow if we --

15 THE COURT: Okay. Ms. Mauldin, we'll take this
16 up first thing in the morning. So let's have the
17 lawyers in here at 9:15. So if you want me to bring
18 that juror in and question her, I will. And maybe
19 we can catch her on the way in so it won't bring any
20 notice to it.

21 (The following proceedings were held
22 May 17, 2023.)

23 THE COURT: All right. They tell me -- or my
24 law clerk tells me that we think the juror from
25 yesterday is 182.

1 MR. HUBBARD: That's my understanding, Your
2 Honor.

3 THE COURT: All right. Can you ask
4 Juror No. 182 to come in here? Thank you.

5 MR. HUBBARD: And the employee in our office is
6 Amanda, right here so I don't know if you want
7 Amanda to stay in here for this.

8 THE COURT: Let me ask you, Amanda, while I
9 have you, have you talked to any of the jurors?

10 MS. AMANDA: No, ma'am.

11 THE COURT: Have you spoke specifically with
12 Juror No. 182?

13 MS. AMANDA: No, ma'am; not in any of those
14 proceedings going on, not in the last couple weeks.

15 THE COURT: Are y'all just friends?

16 MS. AMANDA: No, ma'am. I'm a waitress
17 separately from my job here at the solicitor's
18 office, and I've been waiting on her and her family
19 for the last, like, seven or eight years or so. So
20 I am familiar with her enough to recognize her
21 facially. I didn't actually know her name.

22 THE COURT: Not socially?

23 MS. AMANDA: Right. Socially, we're not
24 friends on social media. Besides the fact that I
25 work at the Solicitor's Office, we've never

1 discussed my employment or anything along those
2 lines.

3 THE COURT: All right. Any questions from the
4 defense?

5 MS. MAULDIN: No, Your Honor.

6 THE COURT: Anything from the State?

7 MR. HUBBARD: No, Your Honor.

8 THE COURT: All right. Thank you.

9 THE JUROR: I recognize her face.

10 THE COURT: I'm going to refer to you as
11 Juror No. 182. You heard this witness say she just
12 waited on you. But let me ask you, have you spoke
13 with her or sent any texts or anything --

14 THE JUROR: I don't even know her name.

15 THE COURT: So I'll ask you again, does that,
16 in any way, influence you being fair and impartial
17 to both the State and the defense?

18 THE JUROR: No, ma'am.

19 THE COURT: Any questions the defense would
20 like to ask?

21 MS. MAULDIN: None, Your Honor.

22 THE COURT: Anything from the State?

23 MS. MAYES: Nothing further from the State,
24 Your Honor.

25 THE COURT: I don't see anything wrong and I'm

1 keeping Juror No. 182. Thank you.

2 MS. MAULDIN: Okay. Thank you.

3 Judge, we have another brief matter.

4 THE COURT: Okay.

5 MS. MAULDIN: Judge, last night we learned that
6 the news published some photos of our table. They
7 include like the title of a book that has a title
8 about preserving things for appellate review. No
9 notes physical in the photos. They were taken from
10 this angle. We'd just ask that the press not be
11 allowed to come past the bar or to take any further
12 pictures of anything on the table. Just out of an
13 abundance of caution.

14 THE COURT: How did they get past the bar?

15 MS. MAULDIN: It shows the empty chairs so it
16 must have been something that happened while we were
17 out.

18 THE COURT: All right. I'm going to let the
19 deputies know there is to be no one past the bar in
20 this courtroom while this trial is going on. No one
21 except for the lawyers, their staff that's helping
22 them and the defendant. Absolutely no one.

23 MS. MAULDIN: Thank you, Judge.

24 THE COURT: I'm just surprised that that even
25 happened. I've never had that happen --

1 MS. MAYES: We were as well.

2 THE COURT: -- in a trial before.

3 THE BAILIFF: I don't think anybody was in
4 here.

5 THE COURT: Evidently somebody was. When we're
6 not in this courtroom, it needs to be locked. These
7 lawyers have all their work and everything else out
8 laid out on their table. I've never had this issue
9 before. Absolutely no one.

10 THE BAILIFF: They were seated middle ways. I
11 never seen any of them come up here.

12 THE COURT: They asked because they couldn't
13 hear. And I didn't mind them sitting middle way so
14 they could hear. I just can't imagine anyone coming
15 past the bar. That will not happen again.

16 THE BAILIFF: I can assure you of that.

17 THE COURT: Okay. Anything else from the
18 State?

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

20 MR. HUBBARD: Not on this matter, Your Honor.

21 THE COURT: Anything from the defense?

22 MS. MAULDIN: No, Your Honor.

23 THE COURT: All right. Let's bring the jury
24 in.

25 MR. HUBBARD: Your Honor, if I can have three

1 minutes just to make sure I got my ducks in a row.

2 THE COURT: Take your time.

3 You let me know when you're ready.

4 MR. HUBBARD: I'm ready, Judge.

5 THE COURT: Ms. Mauldin, are you ready?

6 MS. MAULDIN: Yes, Judge.

7 THE COURT: All right. Let's bring the jury
8 in.

9 (The jury enters the courtroom at 9:37 a.m.)

10 THE COURT: All right. Good morning.

11 Mr. Foreman, is the jury ready?

12 THE FOREPERSON: We are, Your Honor.

13 THE COURT: Please be seated. Morning
14 question: Have you talked to anyone about this
15 case? Has anyone tried to speak with you about this
16 case? And did anyone read, watch TV, or anything
17 about this case that you saw on TV, whether it was
18 social media, internet? If so, please raise your
19 hand.

20 Perfect. Thank you.

21 All right. State can call their next witness.

22 MR. HUBBARD: The State calls Detective Pablo
23 Carvajal.

24 DETECTIVE PABLO CARVAJAL

25 being first duly sworn, testified as follows:

1 THE WITNESS: Yes, ma'am.

2 THE CLERK: Once you're seated speak up loud
3 and clear. State your full name, spelling your last
4 name for the record.

5 THE WITNESS: Yes, ma'am.

6 Good morning, Judge.

7 THE COURT: Good morning.

8 THE WITNESS: My name is Detective Pablo,
9 P-A-B-L-O, Carvajal, C-A-R-V-A-J-A-L.

10 DIRECT EXAMINATION

11 BY MR. HUBBARD:

12 Q. Detective, where do you work?

13 A. I work for the Lexington County Sheriff's
14 Department, sir.

15 Q. How long have you been there?

16 A. About nine years.

17 Q. Prior to working for the county, where did you
18 work?

19 A. I worked in New York City. I worked for the
20 Manhattan District Attorney's Office for about 18
21 years.

22 Q. Were you in the military as well?

23 A. Yes, sir. 27 years with two combat tours in
24 the Marine Corps.

25 Q. And you brought that experience to your

1 Lexington County job?

2 A. I did, sir.

3 Q. What do you do for Lexington County?

4 A. I'm a detective in the Major Crimes Unit.

5 Q. Major crimes being? Homicides, things of that
6 nature?

7 A. Homicides, anything that is serious and
8 volatile.

9 Q. Back in April of 2021, were those your duties
10 as well?

11 A. Yes, sir.

12 Q. I want to take you back to April 27 of 2021.
13 Do you recall having a meeting with Richland County
14 detectives about a missing child out of Richland
15 County that may be over here in Lexington County?

16 A. Yes, sir. We met with Major Rocky Senn,
17 Lieutenant Lindler, and Detective Molly Nations at
18 the 44 Truck Stop where they briefed us regarding an
19 active investigation that they had ongoing.

20 Q. The 44 Truck Stop, is that in Lexington County?

21 A. Yes, sir. Off I-20.

22 Q. Kind of in the Gilbert slash Leesville area?

23 A. Correct.

24 Q. Heading down that direction?

25 A. Yes, sir.

1 Q. When you met there did they have anybody with
2 them?

3 A. They did. They had the defendant and her
4 mother in the back seat of the Tahoe.

5 Q. The defendant being Nicole Sanchez-Peralta?

6 A. Yes, sir.

7 Q. You see her in the courtroom?

8 A. I do, sir.

9 Q. And she was there with her mom?

10 A. She was.

11 Q. When Richland County met with you, did they
12 kind of give you a background on the conversations
13 and the information they had gotten from the
14 defendant and from their investigation?

15 A. Yes, sir. They briefed us that on April 5th,
16 SA [REDACTED] went missing from their
17 jurisdiction. They had information that the
18 defendant was an acquaintance and she might have
19 some information regarding her whereabouts. Earlier
20 that day on the 27th, they actually were able to
21 interview the defendant where she disclosed to them
22 what happened to the victim.

23 Q. Okay. And so that information, was that
24 important information for you to know how to act on
25 this case?

1 A. Absolutely.

2 Q. When they had the defendant there with you at
3 the 44 Truck Stop, was she viewed as a suspect at
4 that time?

5 A. Not in my eyes, sir.

6 Q. How did you view her and how was she presented
7 to you by the Richland County detectives?

8 A. As a witness who was cooperating, who was there
9 on her own free will.

10 Q. In meeting at the 44 Truck Stop, was she there
11 for a particular purpose?

12 A. Yes, sir. The plan was that she was going to
13 take us to the body of the victim, of where she lay.

14 Q. And did y'all, at some point, get in cars or a
15 car and go and try to find where this incident took
16 place?

17 A. Yes, sir. Prior to that the detectives from
18 Richland County briefed us that during their
19 interview with the defendant, the defendant told
20 them that on the 5th of April, Jaylen Wilson and
21 Treveon Nelson and she drove to the victim's house
22 where she was kidnapped and driven to a wooded area
23 in our county in the Leesville area.

24 Q. When you say she was kidnapped, is that SA [REDACTED]
25 [REDACTED]?

1 A. Yes, sir. She was driven to a wooded area in
2 Lexington County and she was shot. They briefed us
3 that the murder was in retaliation to the victim's
4 boyfriend, Reysean, shooting Traveon's house. We
5 were briefed that the defendant was forced to make a
6 FaceTime call to the victim, that she was lured with
7 the pretext of smoking marijuana and that she was
8 taken to this wooded area where she was shot. It's
9 at that point that they reached our chain of command
10 and we were asked to meet them at the 44 Truck Stop
11 to try to locate the body.

12 Q. And all this information was provided to you.
13 The validity of it, you didn't know. Is that fair
14 to say?

15 A. Trying to figure things out, correct.

16 Q. But it was important for you to go back to what
17 you said earlier for you to understand how to act on
18 this information?

19 A. Absolutely.

20 Q. So the defendant's there present with her
21 mother?

22 A. Yes, sir.

23 Q. When you get in the vehicle to go see if you
24 can find this location, who's in the vehicle with
25 you?

1 A. So driving the vehicle was Major Rocky Senn.
2 The decision was for me to sit in the front
3 passenger's seat. And in the back was Molly Nations
4 with the defendant and her mother. And the plan was
5 for some of our vehicles to follow and trace and the
6 defendant was going to instruct us how to get to the
7 body.

8 Q. Let me ask you this: Are you able to speak
9 Spanish fluently?

10 A. Yes. I'm a fluent Spanish speaker and I was
11 able to communicate with the defendant and her
12 mother in Spanish.

13 Q. Now, can the defendant speak English?

14 A. Yes, absolutely.

15 Q. Can her mother?

16 A. Very limited. I primarily spoke to her in
17 Spanish.

18 Q. So you were the one person in the car that can
19 speak to both the defendant and her mother freely --

20 A. Yes, sir.

21 Q. -- without any impediment of language?

22 A. Correct.

23 Q. Now, when y'all leave out from 44 Truck Stop,
24 who is giving the directions of where to go?

25 A. The defendant.

1 Q. Where does she tell you --

2 A. So once we left the 44 Truck Stop -- now, the
3 defendant did not know the names of the streets.
4 But we came out of the 44 Truck Stop and that's Pond
5 Branch Road. We drove for a little bit and she told
6 us to make a right on what happens to be Neely
7 Wingard. We drove for a couple minutes and then she
8 told us to make another right, which is [REDACTED] Road.
9 We drove for a couple more minutes and then we made
10 a left on [REDACTED] Road.

11 Q. Okay. And was she able to show you where the
12 location was?

13 A. Well, the plan was that we were supposed to
14 drive to where the body lay. But as we're driving
15 down [REDACTED] Road, she pointed to a trailer on the
16 left-hand side. And she said, that's it. And I
17 asked her, is that where the body lay? And she said
18 no. That's the house that belongs to Kilo. That's
19 where they took her after the murder.

20 Q. Took who after the murder?

21 A. The defendant.

22 Q. They didn't take SA [REDACTED] to [REDACTED] Road,
23 to that camper?

24 A. No, sir.

25 Q. What was the address on that [REDACTED] Road?

1 A. [REDACTED] Road.

2 Q. [REDACTED] Road. And you mentioned the name
3 Kilo?

4 A. Correct.

5 Q. Do you, as an investigator now, have the actual
6 name of that person named Kilo?

7 A. Yes, sir. That's going to be Allon Adams.

8 Q. Allon Adams. At any time in your conversations
9 with her, does she indicate that Allon Adams, Kilo,
10 was involved in the shooting or murder of SA [REDACTED]
11 [REDACTED]?

12 A. No.

13 Q. During all your conversations with her, what
14 names are mentioned as being involved with the
15 murder of SA [REDACTED]?

16 A. It's going to be Jaylen Wilson and Treveon
17 Nelson.

18 Q. Just those two with her present being a
19 witness?

20 A. Yes, sir.

21 Q. Now, she mentions [REDACTED] Drive where Kilo
22 lives?

23 A. Yes, sir.

24 Q. What, if anything, does she say from the scene
25 where the actual shooting took place to get to

1 Kilo's house, how far does she say that distance is?

2 A. After she pointed out to that house, we stopped
3 off on a dirt road to try to get some more clarity.
4 And I had an opportunity to interview her a little
5 bit. She mentioned that from the shooting location
6 to [REDACTED] Road took about 15 minutes and that she
7 did not know how to get to the incident location
8 where the victim was murdered --

9 Q. Okay.

10 A. -- even though that was the original plan.

11 Q. Let me ask you this: From the 44 Truck Stop to
12 [REDACTED] Road, does it even take 15 minutes to get
13 there?

14 A. No.

15 Q. So if it's 15 minutes away from [REDACTED] Road, it's
16 a good ways away?

17 A. Yes.

18 Q. And at this point she has no idea where the
19 location is?

20 A. No.

21 Q. What, if anything, do you and the other
22 detectives do to assist her in jogging her memory?

23 A. So she claimed that she had never been to that
24 area previously. So what I did is I took out my
25 cell phone. I used Google Maps. I looked at the

1 location that we were at. I showed her hoping that
2 it might jog some memories. We used some terrain
3 association.

4 Q. What do you mean by that?

5 A. Terrain association? So during the drive
6 there's a cow pasture. And she mentioned the cow
7 pasture. So we had that conversation well, from the
8 cow pasture how far was it, right or left. Just
9 trying to get some idea of where the body might lay
10 and try to jog her memory.

11 Q. This area that you're driving in, is it very
12 rural?

13 A. It's called the country for a reason, sir.

14 Q. And the roads?

15 A. They're dirt roads.

16 Q. Dirt roads. So driving around down there, can
17 it get confusing?

18 A. I patrol that area and even now I use GPS.

19 Q. So knowing that, as she's having issues, did
20 that register as something that she's just not being
21 forthcoming or this seemed like a logical thing that
22 she might be confused and not know?

23 A. It was a bit of a red flag to me.

24 Q. That she knew that area?

25 A. Yeah, that she knew that area, knew how to make

1 that right and left though she's never been there
2 before.

3 Q. Let me ask you this too. On the 27th --
4 because all of this was on April 27?

5 A. Right.

6 Q. You mentioned what was briefed to you by
7 Richland County. Did Nicole herself convey
8 information while y'all are with her or while you're
9 talking to her?

10 A. Right. As I said, we had an opportunity to
11 stop and get some more clarity. And Nicole --
12 sorry, the defendant mentioned that herself, Treveon
13 and Jaylen made a FaceTime call to the victim, that
14 the plan was to lure her out and to beat her. That
15 once in the car, guns were pulled out on both of
16 them, that Treveon demanded to know who provided his
17 address. And that when they got to this wooded
18 area, they were both forced to come out of the
19 vehicle and that at one point the defendant was told
20 to come forward and that's where the victim was
21 shot.

22 Q. So they call the defendant forward to come away
23 from SA [REDACTED] and then SA [REDACTED] is shot?

24 A. Yes.

25 Q. Does she say who shot SA [REDACTED]?

1 A. She said that Treveon did and then Jaylen.

2 Q. And then Jaylen did after that.

3 Does she say, you know, what's going on with
4 SA in the field?

5 A. She was crying.

6 Q. Did she say anything after Treveon shoots her?

7 A. She tried to get up and when she got up, she
8 was shot.

9 Q. And who did the final shooting, according to
10 her?

11 A. Jaylen.

12 Q. Jaylen Wilson?

13 A. Yes, sir.

14 Q. And Jaylen Wilson, was she using his name or
15 did she have another name for him?

16 A. They called him Smooth or Smoove.

17 Q. Okay. After your multiple attempts to figure
18 out the location, did at some point y'all say all
19 right, let's just call it a day?

20 A. We did. She was taken back to, I guess, her
21 home by Richland County.

22 Q. Okay. At any time during this process was she
23 ever threatened or, you know, did you ever -- any
24 officers say we know you know something more.
25 You're involved in this and you better tell us?

1 A. Not at all, sir. We were still trying to
2 figure out what we had. We knew that we had someone
3 who was telling us about a murder. We were looking
4 at her as a witness, as a possible victim. Not at
5 all.

6 Q. Now, the next day is April 28, 2021. Did you
7 have another opportunity to speak with the
8 defendant?

9 A. I did later in the day.

10 Q. Now, did you speak to her mother at that time?
11 Or did you have a chance to speak to her mother?

12 A. I did. Unfortunately, I was tasked with
13 something else that day and I was taken away from
14 the investigation. But because of my language
15 skills, I was asked to try to arrange for the
16 defendant to come back to our office to get re-
17 interviewed. So I reached out to her mother and I
18 explained to her that we'd like to speak to her
19 again. And she agreed. She agreed that she would
20 make her available. So we sent our victim
21 assistance Nieves, who also speaks Spanish, to go
22 pick her up. She was brought to our offices where
23 she was interviewed by Detective Baum and Detective
24 Hart.

25 Q. If the defendant's mother had said no at that

1 point, would you have just said all right, we're not
2 going to interview her?

3 A. Right. We're not going to force her to come
4 down.

5 Q. Again, at this point were you viewing her as a
6 suspect or witness?

7 A. It's not even 24 hours. We're still trying to
8 figure out what we had. We hadn't even recovered
9 the body. We were still in the fact finding phase
10 of our investigation.

11 Q. When she was brought to Lexington with Officer
12 Nieves --

13 A. Yes, sir.

14 Q. Who initially does the interviewing with her?
15 Is it you or is it other detectives with --

16 A. It's Detective Baum and Detective Hart first.

17 Q. Is this Detective Baum sitting at our table?

18 A. Yes.

19 Q. You know him well?

20 A. He's a colleague.

21 Q. And you mentioned another detective?

22 A. Detective Hart.

23 Q. So they conducted an interview with her. You
24 mentioned you spoke to her. Was it sometime after
25 that interview?

1 A. Correct.

2 Q. Were you aware, at any time, if Miranda had
3 ever been read to her that day?

4 A. Yes. So once I came back to the office from
5 the other business that I was handling, I was
6 advised by Sergeant Miller that the defendant agreed
7 to drive down to [REDACTED] Road in the hope of
8 jogging her memory and finding the location of the
9 body.

10 Q. Let me ask you. [REDACTED] Road, is that
11 where the stolen vehicle was found?

12 A. Yes, sir. That's where the black Camry was
13 found a couple weeks earlier.

14 Q. Okay.

15 A. So prior to that I spoke briefly with Detective
16 Baum and I asked him if she was Mirandized. That's
17 key. And he told me yes. And the plan was for me
18 to drive her down to [REDACTED] Road.

19 Q. Though she'd been Mirandized, were you still
20 interviewing her as now a suspect or witness,
21 victim, just trying to figure things out?

22 A. To me she was still a witness to a crime and a
23 victim. You know, she had some clear injuries.
24 Still trying to figure things out, sir.

25 Q. Again, this is on the 28th?

- 1 A. On the 28th.
- 2 Q. You mentioned some injuries on her face?
- 3 A. Well, she wore a COVID mask, but I could see a
- 4 band-aid and she did complain that her jaw kind of
- 5 hurt when she spoke.
- 6 Q. Now, the day before when you interviewed the
- 7 defendant, did you record that?
- 8 A. I did. It was a -- it was a small recording.
- 9 Q. Is it on your phone?
- 10 A. On my phone yes, sir.
- 11 Q. The 28th now that she's gone through the
- 12 interview with Detective Baum and Detective Hart and
- 13 you're going to interview her, do you record that?
- 14 A. Yes, sir. We have county-issued phones and we
- 15 have Axon app, which is the company that provides us
- 16 with our body-worn cameras as well. So with our
- 17 phone we can either voice record or video record.
- 18 So I decided to go ahead and voice record our
- 19 conversation in our drive because I knew we were
- 20 going to talk.
- 21 Q. When you sat down with her, where were you
- 22 talking to her?
- 23 A. In the parking lot of the sheriff's department.
- 24 Q. Sitting in your truck?
- 25 A. Yes, sir.

1 Q. I said your truck. What was your county-issued
2 vehicle?

3 A. It's a rather nice Ford Silverado -- Chevy
4 Silverado.

5 Q. Ford Silverado?

6 A. Sorry. I'm not a truck guy. I'm from New
7 York.

8 Q. Right. This is truck country.
9 So you had a county-issued Chevy Silverado?

10 A. Yes, sir.

11 Q. And were you dressed like you are dressed now?

12 A. This is my daily uniform, sir.

13 Q. Who is sitting in your truck with you?

14 A. Her and I, the defendant and I.

15 Q. Now, when you start talking to her, do you
16 speak to her in English, Spanish, or both?

17 A. Primarily in English. But we -- for a couple
18 seconds we'd speak in Spanish.

19 Q. Okay. Did that give -- did you perceive that
20 it gave her a comfort level with you?

21 A. Yes, sir. There's a term in Spanish, me being
22 older to somebody younger, direct translation is my
23 daughter. But when you say it in Spanish, it's kind
24 of like a warm way of calling someone. So I used
25 that. It's *mija*. So sometimes I'd refer to her as

1 mija.

2 Q. And was that your way of trying to help
3 somebody you thought was a witness/victim?

4 A. Yes, sir. I was trying to appeal to her
5 empathy.

6 Q. Okay. Now, when you're sitting in your
7 vehicle, do you talk about statements she's made
8 prior to both Richland and to Detective Baum?

9 A. Yes.

10 Q. Do you bring up that?

11 A. Correct. So before even driving down, I told
12 the defendant that we just needed to talk and be
13 clear. I pointed out that we knew that she was
14 involved with the stolen vehicle. But yet, I knew
15 from speaking to Detective Baum that she denied
16 that. And I pointed out those inconsistencies, and
17 like I said, I pleaded to her empathy and I asked
18 her to help me bring the body back of the victim. I
19 asked her to think about how the victim's parents
20 are feeling, how they needed closure, how they
21 needed to bring their daughter home, give her a
22 proper burial. I told her that we'd never stop.
23 That we were never going to stop looking for her.

24 Q. Let me ask you this again : Is she viewed as a
25 suspect when you're talking to her?

1 A. Not to me at that point. She was still a
2 witness and a victim.

3 Q. Did you perceive her as being maybe scared?

4 A. Yeah. Absolutely confused, scared. I didn't
5 discount the fact that I had a young girl next to me
6 who experienced and saw something horrible.

7 Q. Does she, in fact, then change her story and
8 tell you something else?

9 A. Yes, sir.

10 Q. What did she tell you?

11 A. She started to cry and then she admitted that
12 she knew where the body lay, that she could take me
13 to the body. And she admitted that the Camry that
14 was stolen on the 5th was used to drive to Columbia
15 to take the victim from her home and to drive to the
16 wooded area of Leesville where she was murdered.

17 Q. Okay. Now, let me ask you a little bit more
18 about that. Does she then give you an explanation
19 for how the car was stolen and her relationship with
20 these other guys?

21 A. Yes, sir. She said that Treveon used her phone
22 to text with the owner of the vehicle, who I believe
23 was trying to hook up with her. And that he was
24 using his phone to text with him and to lure him
25 because he kind of knew what guys would want to say

1 to another guy if it was a girl. And that she took
2 the car and then that she drove off and gave it to
3 Treveon.

4 Q. So her explanation of all this is she didn't
5 set up this theft of the car? That was Treveon.

6 A. Correct.

7 Q. And her explanation was that although she may
8 have taken the car, it was for Treveon?

9 A. Correct.

10 Q. She's putting distance between herself?

11 A. Correct.

12 Q. After she said they took the car, did she say
13 she gave it to Treveon?

14 A. She did.

15 Q. What did she say, while she's sitting with you
16 in the parking lot, that they did with that car?

17 A. After they took the car, they went to [REDACTED]
18 Road where her and Treveon smoked some marijuana.
19 They spent a couple of hours there and then they
20 drove to Traveon's house, which is at [REDACTED]
21 Street in Cayce, where they met Jaylen Wilson.

22 Q. The guy that she calls Smoove?

23 A. Smoove.

24 Q. Now, as to Treveon and this drive-by, what does
25 she say about Traveon's belief was behind that?

1 A. Treveon believed that the victim provided her
2 boyfriend his address because a few days prior the
3 victim visited Treveon at his house. As a matter of
4 fact, Treveon supposedly called her an Uber and
5 brought her to his house. And that's how she knew
6 the address.

7 Q. This is all according to Nicole?

8 A. Correct, sir.

9 Q. The defendant? Saying SA [REDACTED] had been over to
10 Traveon's house?

11 A. Correct.

12 Q. And Treveon called an Uber to bring her there
13 or to get her home?

14 A. Correct.

15 Q. But does she ever express how Treveon came to
16 this belief or did she leave that alone?

17 A. She left that alone.

18 Q. She doesn't convey to you how Treveon came
19 about coming to this conclusion?

20 A. Correct.

21 Q. So was she aware or does she admit she's aware
22 of what Treveon and his friend Smoove want to do to
23 SA [REDACTED] ?

24 A. Yes. The defendant told me that she knew that
25 they were going to pick up the victim in order to

1 beat her. But she denied that she knew they were
2 going to kill her.

3 Q. Did she say that she was a willing participant
4 in getting SA [REDACTED] into that car for the purpose of
5 having her beaten?

6 A. Yes, sir.

7 Q. So she admits that?

8 A. She admits that.

9 Q. Now, you mentioned a FaceTime call earlier that
10 had been briefed to you on the 27th, the day before.
11 What does she say about the FaceTime call on the
12 28th?

13 A. That she received a FaceTime call from the
14 victim.

15 Q. So instead of being forced to make a FaceTime
16 call to the victim, she receives a FaceTime call?

17 A. Correct.

18 Q. So that was different?

19 A. Correct.

20 Q. And did she say what the victim wanted, or did
21 she just say there was a FaceTime call?

22 A. From what I recall it was a ruse to smoke some
23 marijuana.

24 Q. And that's what they said they were going over
25 there to do? Let SA [REDACTED], the victim, know that's

1 what they're coming over there to do?

2 A. Yes.

3 Q. All this, again, is from the defendant?

4 A. Yes, sir.

5 Q. And does she admit at this point that the
6 vehicle they're in is not Jaylen Wilson's mom's car?

7 A. No.

8 Q. It's the Toyota that she was involved in
9 stealing earlier that day?

10 A. Yes, sir.

11 Q. Again, did she admit she knew what was going to
12 happen to SA [REDACTED], at least as to an assault?

13 A. Correct. She admitted that she knew that she
14 was going to assault her, but she denied the murder.

15 Q. Once the victim, SA [REDACTED], got in that
16 car, what does she say happened?

17 A. So the defendant said that once the victim got
18 in the vehicle, that Treveon and Jaylen pulled guns
19 on both of them.

20 Q. Okay.

21 A. And that they were both interrogated on who
22 provided his address to Reysean, that Treveon blamed
23 her for her friendship with the victim.

24 Q. So Treveon blamed --

25 A. Nicole.

1 Q. -- Nicole?

2 A. Correct.

3 Q. Did she establish they were dating or a
4 boyfriend/girlfriend or --

5 A. Former boyfriend.

6 Q. -- former?

7 A. Yes, sir.

8 Q. So the defendant, Nicole Sanchez-Peralta, said
9 Treveon is a former boyfriend?

10 A. Yes, sir.

11 Q. But she's hanging out with him?

12 A. Yes, sir.

13 Q. Okay. And that he is now accusing her and

14 SA [REDACTED] ?

15 A. Correct.

16 Q. All right. And both of them have guns drawn on
17 them?

18 A. Correct.

19 Q. Where does she say they're taken in that stolen
20 Toyota?

21 A. To a wooded area in Lexington County where --
22 to a field where they were both made to get out.
23 She mentioned that Treveon made them stand together
24 and that he was going back and forth with his gun on
25 who he should kill. And then at one point he told

1 the defendant to come forward and that he shot the
2 victim.

3 Q. When he shot the victim, SA [REDACTED], did
4 SA [REDACTED] just die right then?

5 A. No. She mentioned that she got up and at one
6 point, Treveon mentions to Jaylen, go ahead, bro.
7 Go ahead. Sort of giving him the okay to shoot them
8 and he does -- go ahead, bro or you got this.

9 Q. Does she ever mention anything about SA [REDACTED]
10 [REDACTED] being beaten, brutally beaten, in that
11 field?

12 A. No.

13 Q. Nothing? It's just a shooting?

14 A. Just a shooting.

15 Q. No beating?

16 A. Correct.

17 Q. The field that she tells you about, does she
18 say what road it's off of?

19 A. [REDACTED] Road.

20 Q. The very road she'd been on the day before when
21 she said it was 15 minutes away?

22 A. We drove there eventually. Correct.

23 Q. All right. And when you do drive there --
24 well, let me ask you this: Does she explain why her
25 story has changed?

1 A. She said she was scared. Now, this is all in
2 the parking lot without us leaving yet. This is all
3 in the parking lot of the sheriff's department.

4 Q. All right. And after the shooting, after SA [REDACTED]
5 [REDACTED] is shot and killed in that field off of
6 [REDACTED] Road, what does she say they do?

7 A. So once the victim is shot, she mentioned that
8 all three get in the stolen vehicle and drive to
9 Gotto's house. Gotto was later identified as David
10 Gaskins.

11 Q. All right.

12 A. And they drive to Gotto's house and Treveon
13 exits the vehicle and comes back with shovels.

14 Q. Let me ask you this: Does she ever say that
15 this David Wilkins --

16 A. I think it's Gaskins.

17 Q. -- Gaskins. Ever mention that David Gaskins,
18 this Gotto -- is he there?

19 A. She mentioned he was not there when they get
20 the shovels.

21 Q. She says he's not there. Did she ever at any
22 time say that this Gotto is involved in the killing
23 of SA [REDACTED]?

24 A. No.

25 Q. So the only two names she mentions, again, are

1 Treveon and Jaylen Wilson?

2 A. Yes.

3 Q. They go to Gotto's. And did she say what
4 happens there?

5 A. They got some shovels, got back in the vehicle
6 and drive back to the incident location where --
7 they find some gloves in the stolen vehicle. Just
8 one pair. She mentions that each of the boys --
9 each of the defendants puts on one glove and drag
10 the victim to where they finally bury her. They use
11 the shovels to bury her while the defendant is
12 holding a flashlight that they also found in the
13 vehicle illuminating their work.

14 Q. You've been out in that field even during the
15 evenings?

16 A. Yes.

17 Q. It's country?

18 A. Yes.

19 Q. When it's night time is it dark?

20 A. Yes.

21 Q. No ambient lights in the fields?

22 A. Not at all.

23 Q. It's dark?

24 A. It's dark.

25 Q. So she said she held a flashlight while they

1 drug SA's body and they buried her.

2 A. Yes, sir.

3 Q. Does she say what type of weapons Treveon and
4 Jaylen Wilson used?

5 A. She mentioned that Treveon had a 380 and that
6 Jaylen had -- she just said a black gun.

7 Q. 380, is that a particular caliber?

8 A. Nine-millimeter, I believe.

9 Q. The 380?

10 A. .38 caliber. I'm sorry.

11 Q. And a 380, is that a semi auto --

12 A. Yes.

13 Q. -- with a magazine?

14 A. Yes.

15 Q. And then she just described Jaylen's gun as
16 a --

17 A. Just a black gun.

18 Q. -- black gun. Once they got to that murder
19 site, where the body was, does she say anything
20 happened to her phone?

21 A. She mentioned that the phone was taken from her
22 once they got to the murder site, that Jaylen took
23 her phone.

24 Q. Okay. So at this point she no longer had a
25 means of communication?

1 A. Correct.

2 Q. Did she ever mention that she got that phone
3 back from him?

4 A. No.

5 Q. So it's gone and she never says she gets it
6 back?

7 A. Correct. We were never able to locate her
8 phone.

9 Q. Does she describe for you, as you're sitting in
10 that parking lot in your truck, your Chevy, what
11 SA [REDACTED] was wearing? So when you go to that
12 field or when you're going out there, what does she
13 say here's what you need to be looking for?

14 A. Some of that conversation I think also happened
15 on the ride, just to be accurate, and once we get
16 there. But she did mention what she was wearing.
17 She was wearing blue jeans, pink Crocs and she had a
18 polka dot sort of blanket or shawl, beige, kind of
19 brownish.

20 Q. Does she say something else strange that the
21 guys, Treveon and Jaylen Wilson, do in reference to
22 gun powder on their hands?

23 A. She mentioned that once they left the
24 conversation between Jaylen Wilson and Treveon
25 involved urinating on their hands as a method of

1 taking away the gun powder residue.

2 Q. You're driving now. Once she says they're done
3 with this, they've now buried SA [REDACTED]. What
4 does she say happens to her, the defendant, Nicole?

5 A. So Jaylen drives to his residence on [REDACTED]
6 Road and then Treveon drives himself and the
7 defendant to his residence on -- in Cayce where he
8 ditches the car, leaves it on the side of the road
9 somewhere. And she's basically held there against
10 her will for about a week, week and a half.

11 Q. Is this [REDACTED] Street in Cayce?

12 A. Yes, sir.

13 Q. So for a week, week and a half, she's basically
14 said she's held hostage?

15 A. Yeah, she couldn't leave.

16 Q. What does she say happens that enables her at
17 some point to leave?

18 A. So at one point Treveon leaves and she's able
19 to find an old phone where she communicates with a
20 friend called Lily I believe.

21 Q. Would it be Ely?

22 A. Ely, my apologies. With Ely who picks her up
23 and she stays with Ely for the remainder of the time
24 until the 25th I guess. But she doesn't tell Ely
25 anything about the crime.

1 Q. Let me ask you this: This Ely that she feels
2 like is a friend that she can reach out to and say
3 come help me, was she able to provide you any kind
4 of information to enable you to find out who that
5 person is?

6 A. She never gave us a name besides that first
7 name or last name.

8 Q. And this is a person she says I'm in trouble, I
9 can reach out to Ely?

10 A. Correct.

11 Q. And the phone she uses is not her phone. She
12 says she finds a phone?

13 A. Finds a phone.

14 Q. And she doesn't describe the phone, just an old
15 phone?

16 A. Just an old phone.

17 Q. How long does she say she stayed with Ely? Do
18 you remember a date?

19 A. So until the 25th where she encounters Treveon.

20 Q. Where does she say she encounters him?

21 A. She says she encounters him in the street in
22 Cayce as she's leaving work.

23 Q. And is this supposedly where the -- at some
24 point thereafter where an assault occurred?

25 A. Correct. That's the day of her assault.

1 Q. Explaining the bruises you were seeing on her
2 face?

3 A. Correct.

4 Q. And did she explain it was after this that
5 that's when Richland County Sheriff's Department got
6 ahold of her?

7 A. Correct. My understanding is that on the 25th
8 she went to the hospital -- and this is
9 conversations with other detectives. She went to
10 the hospital and that's when Richland County became
11 aware and spoke to her on the 27th. And then they
12 notified us on the 27th to meet with them.

13 Q. Now, this conversation is going on and you're
14 in your truck and you're driving. Are other
15 officers following at this point?

16 A. Right. So at one point -- this is such a fast
17 developing situation. Prior to us leaving I
18 notified my sergeant, Sergeant Miller, that she has
19 some information. So she repeats some of the
20 information that she told me to Sergeant Miller.
21 That's where it starts the communication with our
22 chain of command. So the idea was now to let's go
23 to the 44 Truck Stop and from there she'll take me.
24 So that's what we did. We drove to the 44 Truck
25 Stop and Sergeant Miller drove in chase behind us.

1 Q. When you get there what directions is she
2 giving at this point?

3 A. Same directions. Make a right on Neely
4 Wingard, make a right on [REDACTED] and then make a left
5 on [REDACTED] Road.

6 Q. Once you're on [REDACTED] Road, where does she lead
7 you?

8 A. So we're driving down [REDACTED] Road and she tells
9 me to stop and there's a small opening on a tree
10 line which leads into a big open field. It's open
11 to the right. To the left of me there's a tree line
12 that sort of bends to the left. She told me to
13 continue driving into that open field and at one
14 point she told me to stop. We got out of the
15 vehicle and that's where she pointed to where the
16 body laid of the victim.

17 Q. On the 28th did she have any difficulty taking
18 you right to where the body was?

19 A. No, sir.

20 Q. And the day before, when you were on [REDACTED] Road
21 and she said it was 15 minutes away where the body
22 was, was it right there the whole time on [REDACTED] Road?

23 A. We passed it.

24 Q. I want to show you what's been marked State's

25 20. Does this look like the field right off [REDACTED]

DIRECT EXAMINATION OF PABLO CARVAJAL BY MR. HUBBARD

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1 Road that we're talking about?

2 A. Yes, sir.

3 MR. HUBBARD: If there's no objection, I'd like
4 to offer State's 20.

5 THE COURT: It's in evidence. It's already in.
6 BY MR. HUBBARD:

7 Q. All right. Detective, I'm going to give you a
8 little pointer. That top button will work. Can you
9 point out for the jury [REDACTED] Road -- or [REDACTED] Drive?

10 A. That's [REDACTED] Drive.

11 Q. Where on that road did you make a turn into the
12 field?

13 A. So the entrance is somewhere right here.

14 Q. Okay. And when you had her in your truck,
15 where did you drive to?

16 A. So we drove to about right here. That's where
17 I stopped my vehicle.

18 Q. Okay. And did she point out where the body
19 was?

20 A. The body is right about here, sir, underneath
21 these trees.

22 Q. So she was able to take you right there, drive
23 into this field, and say it's right there?

24 A. Absolutely.

25 Q. Once you got to this point, did you convert

1 from recording on your phone to body-worn camera?

2 A. Correct. As a detective I'm not issued a
3 body-worn camera. But I have one. I requested one
4 and they gave me one. At that time I stopped
5 recording with my phone. And I took off my tie and
6 I clipped on the body-worn camera to my shirt and I
7 started recording.

8 Q. Let me ask you this: While y'all were talking
9 earlier in the vehicle, at some point when she talks
10 about the ruse to get SA [REDACTED] into that vehicle, into
11 that stolen Camry, does she say anything about
12 SA's [REDACTED] phone? That they took SA's [REDACTED] phone or
13 SA's [REDACTED] phone was taken from her?

14 A. I believe she mentioned that the phone was
15 taken from SA [REDACTED] as well.

16 Q. Okay. So as they're driving out to this field
17 on that night, SA [REDACTED] had no means of
18 communicating with anyone outside that car?

19 A. Correct.

20 Q. When you got to that field, did your sergeant
21 and others show up?

22 A. So initially it was myself, the defendant, and
23 Sergeant Miller. Shortly after our third in command
24 for the department, which is going to be Hampton
25 Taylor. Hampton Taylor showed up. But shortly

1 after that, the response was robust. We had a huge
2 scene to process, to deal with.

3 Q. Now, when you get there, do you get out of your
4 truck? And are you able to see some evidence that
5 is linked to what the defendant has told you the
6 victim was wearing?

7 A. Yes, sir. Once I got out of the vehicle, not
8 too far from me was a pink Croc.

9 Q. A pink what?

10 A. A pink Croc, the shoe that the victim was
11 wearing, actually two.

12 Q. And were you able to see the area she was
13 pointing out where the body was? SA's [REDACTED] body was?
14 I think you said it was in this area on State's
15 Exhibit 20?

16 A. Yes, sir. So the defendant pointed out to
17 where she lay. We talked a little bit back and
18 forth about which tree to the right or the left, but
19 I got the general idea. And at one point I was able
20 to move over a little bit and I was able to see the
21 depression.

22 Q. Did you see some items there too?

23 A. I did, sir. Sticking out of the depression was
24 that polka dot blanket.

25 Q. Okay.

1 A. And you could smell it. It smelled like
2 decomposition.

3 Q. All right. And you said you had your body cam?

4 A. I did.

5 Q. And it was activated at that time?

6 A. It was.

7 Q. I'd like to show you several clips from that
8 body-cam recording.

9 MR. HUBBARD: I want to begin with State's 9,
10 if there's no objection to State's 9 going in.

11 MS. MAULDIN: None, Your Honor.

12 MR. HUBBARD: In fact, I'll go ahead and offer
13 State's 9, 10, 11 and 12 body-worn cam clips from
14 the scene.

15 MS. MAULDIN: Your Honor, all of these are
16 subject to the pretrial hearing, but nonetheless, no
17 other objection.

18 THE COURT: Okay. They're admitted, subject to
19 any objection that the defense may have made
20 earlier.

21 (State's Exhibit No. 9, 10, 11, 12 admitted
22 into evidence.)

23 BY MR. HUBBARD:

24 Q. Detective, we're going to look at State's
25 Exhibit 9, which is the body-cam you were wearing

1 that day.

2 A. Yes, sir.

3 That's going to be Sergeant Miller and that's
4 going to be his vehicle in the rear.

5 Q. When these start is the audio off?

6 A. So it's programmed for 30 seconds of no audio
7 and then it kicks in.

8 Q. That's just how it comes preprogrammed?

9 A. Yes, sir. That's the company.

10 Q. All right. Is that your vehicle right there,
11 your truck?

12 A. That's my Ford.

13 Q. Who am I seeing right there? Can you stop it
14 right there?

15 A. That's going to be Hampton Taylor, our number 3
16 in command for the department, and that's the
17 defendant.

18 Q. That's Nicole Sanchez-Peralta wearing a COVID
19 mask?

20 A. Yes, sir.

21 (State's Exhibit 9 played for her Honor and the
22 jury.)

23 (Video paused.)

24 Q. All right.

25 Detective, so it's April 28, and this time, is

- 1 that 8:09?
- 2 A. I can't see from here.
- 3 Q. If it's 20 --
- 4 A. Correct. That's military time. Yes, sir,
- 5 that's going to be 8:00.
- 6 Q. 8:09?
- 7 A. Yes, sir.
- 8 Q. So it's getting darker?
- 9 A. Getting darker.
- 10 Q. Let me ask you this too: You left her in your
- 11 vehicle and you walked away from it?
- 12 A. Correct.
- 13 Q. Again, were you viewing her as a suspect or a
- 14 witness?
- 15 A. She's a witness. We found the body. We're
- 16 dealing right now with a body, absolutely.
- 17 Q. Let's look at the next clip, which is going to
- 18 be State's 10, which picks up where we left off.
- 19 A. Okay.
- 20 (State's Exhibit 10 played for her Honor and
- 21 the jury.)
- 22 Q. Again, who are we seeing?
- 23 A. That's going to be Major Hampton Taylor and
- 24 Sergeant Miller.
- 25 Q. Is Major Taylor from that area?

1 A. I'm not sure.

2 Q. Okay. That's fine.

3 A. Yeah.

4 Q. We'll just watch the video.

5 (Video resumed.)

6 (Video paused.)

7 Q. You just referred to her as daughter?

8 A. Yes, I called her mija. Just asked her to stay
9 there.

10 (Video resumed.)

11 (Video paused.)

12 Q. When you say you're going to remain hot, what
13 are you referring to?

14 A. I was going to keep the camera on. I wanted
15 everybody to know that I was going to keep on
16 recording to memorialize the whole scene.

17 Q. Now we're going to look at State's 11.

18 (State's Exhibit 11 played for her Honor and
19 the jury.)

20 (Video paused.)

21 Q. Detective, when she's telling you that, what
22 are y'all talking about?

23 A. She's telling us that's the general location of
24 where the initial shooting took place.

25 Q. So the shooting and the site of the burial are

1 two different spots?

2 A. Yes, sir.

3 Q. Okay.

4 We're going to look at the last one, which is
5 State's 12.

6 (State's Exhibit 12 played for her Honor and
7 the jury.)

8 (Video paused.)

9 Q. Detective, who is this individual in the
10 passenger's side window looking in?

11 A. I don't know his name, sir, but that is a
12 Richland County detective who responded to the
13 scene.

14 Q. Okay. And you have just one person in your
15 truck?

16 A. Correct. Just the defendant.

17 Q. Okay. Again, is she freely talking to you?

18 A. Yes, sir.

19 Q. At any time during this entire event do you
20 have to threaten her or promise her or anything to
21 get her to talk?

22 A. No, sir. That's just not me either.

23 Q. She ever put in cuffs or anything like that?

24 A. No.

25 Q. Okay. Go ahead.

1 (Video resumed.)

2 (Video paused.)

3 BY MR. HUBBARD:

4 Q. Detective, going back to State's 20, this
5 field, you'd pointed out the area where SA's [REDACTED] body
6 was found. When there's that clip where she's
7 pointing out to the field where the shooting
8 occurred and you said that's you, sir, that's you --

9 A. Yes, sir.

10 Q. -- using your pointer can you show what part of
11 the field we're talking about?

12 A. This is going to be sort of like an estimate,
13 somewhere around there.

14 Q. Okay. So according to her, SA [REDACTED] is shot
15 around here and at some point drug up into this
16 wooded area?

17 A. Correct.

18 Q. At any time when she's telling you what
19 happened, does she say about her being beaten, SA [REDACTED]
20 being beaten?

21 A. No, sir.

22 Q. It's just being shot?

23 A. Just shot.

24 Q. I'll show you two other photos. Basically,
25 they're still shots from your body-cam. State's 90

1 and 97. Do you recognize those?

2 A. Yes, sir.

3 MR. HUBBARD: Your Honor, if there's no
4 objection to these, I'll offer 90 and 97.

5 MS. MAULDIN: None, Your Honor.

6 THE COURT: Then they're admitted.

7 (State's Exhibits No. 90, 97 admitted into
8 evidence.)

9 BY MR. HUBBARD:

10 Q. Looking at State's 90, is this a still frame
11 shot of where you saw that cloth?

12 A. Yes, sir.

13 Q. Looking at 97, is this that throw blanket, that
14 brown and beige spotted blanket, that you were
15 talking about?

16 A. Yes, sir.

17 Q. And the defendant, Nicole Sanchez-Peralta, who
18 did she say was wearing that around her?

19 A. The victim.

20 Q. SA [REDACTED]?

21 A. Yes, sir.

22 Q. The blue we see --

23 A. That's going to be her blue jeans.

24 Q. Her blue jeans.

25 Now, I'm going to show you another aerial --

1 any objection?

2 MS. MAULDIN: No objection, Your Honor.

3 MR. HUBBARD: State's 56 offer that into
4 evidence.

5 THE COURT: Then it's admitted.

6 (State's Exhibit No. 56 admitted into
7 evidence.)

8 BY MR. HUBBARD:

9 Q. Looking at State's 56, this being Highway 20,
10 do you see the truck stop?

11 A. That's the 44 Truck Stop.

12 Q. And I want to point out some other things.
13 What road is this? Do you see [REDACTED] Road?

14 A. Yes, that's going to be [REDACTED] Road.

15 Q. And [REDACTED] Road, is that captured down at the
16 bottom of State's 56?

17 A. Yes, sir.

18 Q. And the body scene, the field, is that right
19 here right above where we see [REDACTED] Road?

20 A. Yes.

21 Q. The [REDACTED] Road, you had mentioned that
22 before. What did she say about [REDACTED] Road?

23 A. That's Allon Adams's residence and that's where
24 they smoked some marijuana prior to.

25 Q. And [REDACTED] who did she mention had a place at

1

2 A. That's going to be who they call Gotto, David
3 Gaskins.

4

Q. David Gaskins. And that's where they got the
5 shovel?

6

A. Correct. At the time when we spoke, she just
7 gave me general area on [REDACTED] The investigation
8 revealed that to be his address.

9

Q. Okay. At this point was this part of your
10 interview with Nicole completed?

11

A. For the most part. Yes, sir.

12

Q. Was she able to go home that night?

13

A. She did. She went home. I contacted her
14 mother. We had a deputy drive her to the sheriff's
15 department and her mother picked her up there.

16

Q. Did her mother complain at all about you've
17 been with my daughter for so many hours? Or did she
18 just take her daughter home?

19

A. She did not complain to me.

20

Q. Did y'all continue to investigate this case
21 searching for other folks who might have some
22 information?

23

A. Absolutely. This part of the investigation
24 took us all night. I think we got a couple of hours
25 sleep and we continued the next day.

- 1 Q. I want to go to -- and bring up Allon Adams is
2 Kilo. At some point were y'all able to locate him?
- 3 A. Yes, sir. I believe on the 30th he --
- 4 Q. Okay.
- 5 A. -- on the 30th. Yes, sir.
- 6 Q. Did y'all have warrants out for him?
- 7 A. He had an outstanding warrant for something
8 unrelated.
- 9 Q. A bench warrant?
- 10 A. Correct.
- 11 Q. Who -- when y'all captured him -- or do you
12 know if he was running with anybody? Or was he
13 trying to elude law enforcement?
- 14 A. My understanding is that he was running with
15 Treveon and he was eluding us.
- 16 Q. Again, according to the defendant, Nicole
17 Sanchez-Peralta, was Allon Adams involved in that
18 field with the shooting?
- 19 A. No.
- 20 Q. Did she ever say that he knew what was going to
21 happen in that field?
- 22 A. No.
- 23 Q. But did she say there's a relationship between
24 Allon Adams and Treveon Nelson?
- 25 A. She did.

1 Q. Okay. When y'all were able to pick up Allon
2 Adams, did y'all bring him in to interview him?

3 A. We did.

4 Q. Were you part of that interview?

5 A. I was.

6 MR. HUBBARD: Going to show you State's 51 and
7 52.

8 THE COURT: No objection?

9 MS. MAULDIN: No objection.

10 THE COURT: It's admitted.

11 (State's Exhibit No. 51, 52 admitted into
12 evidence.)

13 BY MR. HUBBARD:

14 Q. The interview room at the sheriff's department,
15 did y'all bring him in there?

16 A. Yes, sir.

17 Q. When you brought him in, was he wearing street
18 clothes or was he wearing what y'all gave him to
19 wear?

20 A. He's wearing an orange jumpsuit, top and
21 bottom.

22 Q. Looking at State's 52, is that him?

23 A. That is him to the right.

24 Q. Wearing the orange jumpsuit?

25 A. Correct.

1 Q. Who is this individual sitting across the table
2 from him?

3 A. So word got out that he was apprehended and
4 that's his grandmother. She showed up with some
5 other family members to the sheriff's department.

6 Q. Did she assist y'all in talking to Allon Adams?

7 A. She asked if she could speak to him first and
8 we agreed.

9 Q. Did you let her know that everything was
10 videotaped and recorded?

11 A. Absolutely. She knew it was being recording.
12 She mentions it on the recording.

13 Q. Did she even tell Allon Adams --

14 MS. MAULDIN: Objection, Your Honor.

15 THE COURT: And the objection?

16 MS. MAULDIN: Hearsay.

17 MR. HUBBARD: I'll rephrase it.

18 BY MR. HUBBARD:

19 Q. Was it clear to Allon Adams, was it made known
20 to him before he opening his mouth that it's being
21 recorded and everything he said was being recorded
22 and videotaped?

23 A. Yes.

24 Q. And did he speak freely?

25 A. He spoke to her yes.

1 Q. When he spoke to her, at some point did you and
2 another detective enter the room? This is State's
3 51.

4 A. Yes.

5 Q. Who is this sitting directly in front of Allon
6 Adams?

7 A. That's me.

8 Q. And who is this seated at the end of the table?

9 A. That's going to be Detective Baum.

10 Q. Detective Baum who's seated at our table here?

11 A. Yes, sir.

12 Q. Did y'all conduct a full interview with Allon
13 Adams?

14 A. We did.

15 THE COURT: Is 51 being admitted into evidence?

16 MR. HUBBARD: Yes, Your Honor. 51 and 52
17 without objection.

18 MR. MAULDIN: Correct, Your Honor.

19 BY MR. HUBBARD:

20 Q. Did Allon Adams speak freely with you?

21 A. We read him his rights and he agreed to speak
22 to us.

23 Q. Any promises made?

24 A. No.

25 Q. Any threats made?

1 A. No.

2 Q. Did what he convey to you assist you in your
3 investigation?

4 A. It did.

5 Q. Did y'all question him about anything the
6 defendant, Nicole Sanchez-Peralta, may have said to
7 him?

8 A. We did.

9 Q. And did y'all question him about anything
10 Treveon Nelson may have said to him?

11 A. We did.

12 Q. Did that all play into your investigation?

13 A. It did.

14 Q. Was he forthcoming?

15 A. Yes, sir.

16 Q. And this is on the 30th?

17 A. Correct.

18 Q. Now, let me ask you this: Are you getting
19 other information from the investigation outside of
20 just witnesses but forensics and everything else as
21 well?

22 A. We had our whole team working, plus.

23 Q. On the 29th is the defendant, Nicole
24 Sanchez-Peralta, initially charged with something?

25 A. She is, sir.

1 Q. Is that kidnapping?

2 A. We charged her with kidnapping.

3 Q. And is that based on her luring the victim into
4 that Toyota Camry knowing that harm is going to come
5 her way?

6 A. They took the victim against her will.

7 Q. Initially, deception is used?

8 A. Yes, sir.

9 Q. But your investigation shows that the victim's
10 phone is disabled at some point in the
11 investigation?

12 A. Correct.

13 Q. And she's taken to a field against her will?

14 A. Yes, sir.

15 Q. Following your interview with Allon Adams, in
16 talking to other people and conducting your
17 investigation, was Nicole Sanchez-Peralta eventually
18 charged with murder?

19 A. She was.

20 Q. And was she at that time viewed as a full
21 participant with Treveon Nelson and Jaylen Wilson in
22 the murder of SA [REDACTED]?

23 A. Yes, sir.

24 MS. MAULDIN: No objection, Your Honor.

25 MR. HUBBARD: Your Honor, I'm offering State's

1 204 into evidence.

2 THE COURT: 204? No objection. It's admitted.

3 (State's Exhibit No. 204 admitted into
4 evidence.)

5 BY MR. HUBBARD:

6 Q. Detective, who are we seeing right here in 204
7 right in the middle?

8 A. That's the defendant.

9 That's going to be Treveon Nelson, Tre.

10 Q. And then on this side?

11 A. Jaylen Wilson or Smoove.

12 Q. Based on your entire investigation, other than
13 the three people at the top of this page at State's
14 204, is there anyone else that you have evidence
15 that was involved in the murder of SA [REDACTED]?

16 A. We do not have evidence that anybody else was
17 involved in the murder of the victim.

18 Q. Down at the bottom there's a David Gaskins, and
19 I see David Williams in parenthesis, also known as
20 Gotto. And was that name brought up to you by the
21 defendant as well?

22 A. Correct. That's where they got the shovels.

23 Q. And according to the defendant herself, was
24 this man at home when those shovels were gathered?

25 A. She mentioned that he was not home.

1 Q. Did y'all conduct an interview with Gotto?

2 A. We did.

3 Q. Over here we see Allon Adams, also known as
4 Kilo. He's the man that you interviewed on the
5 30th.

6 A. Correct.

7 Q. Was he ever charged in the murder of SA [REDACTED]
8 [REDACTED]?

9 A. No.

10 Q. Do you have anything linking him to the murder
11 of SA [REDACTED]?

12 A. We do not.

13 Q. But these individuals were brought up and
14 conveyed to you by the defendant Nicole
15 Sanchez-Peralta?

16 A. She brought up those names. Correct.

17 MR. HUBBARD: I beg the Court's indulgence. I
18 believe that's all I have at this time, Detective.
19 Please answer any questions the defense may have.

20 THE WITNESS: Thank you.

21 THE COURT: Ms. Mauldin?

22 MS. MAULDIN: Thank you, Your Honor.

23 CROSS-EXAMINATION

24 BY MS. MAULDIN:

25 Q. Good morning, Detective Carvajal.

1 A. Good morning.

2 Q. Back in April of 2021, Nicole Sanchez was 16
3 years old, right?

4 A. Yes, sir -- yes, ma'am. Sorry.

5 Q. No problem. And she's about five feet tall?

6 A. Yeah, she's tiny.

7 Q. Right. She's a small person?

8 A. Yes, ma'am.

9 Q. Back then, she weighed about 105, 110 pounds --

10 A. Okay. I'll agree to that.

11 Q. She was small.

12 A. She was small.

13 MR. HUBBARD: Your Honor, I object to the
14 relevance. I'm not understanding the relevance of
15 how size is important in a murder. I'm baffled, so
16 I'm just objecting to relevance.

17 MS. MAULDIN: Your Honor, there's allegations
18 of someone being beaten in this case. I think it's
19 certainly relevant.

20 THE COURT: I'll allow it. Go on, Ms. Mauldin.

21 BY MS. MAULDIN:

22 Q. When you interviewed Ms. Sanchez on the 27th,
23 she had visible injuries, right?

24 A. She did.

25 Q. And she was in pain?

1 A. She was. She told me she was -- her mouth
2 hurt.

3 Q. Well, you testified in a prior hearing about
4 talking with her, correct?

5 A. Correct.

6 Q. And in that prior hearing, you worded it as
7 that she was in pain and she had difficulty talking
8 and opening her jaw; is that right?

9 A. Well, she had pain when she talked, when she
10 opened her jaw. Yes, ma'am.

11 Q. And you said that she had difficulty talking
12 and opening her jaw. That was your observation of
13 her, right?

14 A. Correct.

15 Q. Not just what she told you?

16 A. Correct.

17 Q. And she told you about the assault with
18 Treveon, right?

19 A. On the 27th.

20 Q. The assault against her by Treveon?

21 A. We briefly spoke about that.

22 Q. Okay. And she told you that she was afraid of
23 him?

24 A. Yes.

25 Q. And then later on when she was describing the

1 events of that night with SA [REDACTED], she talked about
2 how she was holding the flash light; is that right?

3 A. Correct.

4 Q. At one point she dropped it and Treveon hit her
5 with a shovel; is that right?

6 A. Yes, correct.

7 Q. And that she was crying during the incident --

8 A. You're right.

9 Q. -- with what happened with SA [REDACTED]?

10 A. Yes, ma'am.

11 Q. And she also told you about that phone call
12 that was made with SA [REDACTED], that FaceTime call, back
13 in the beginning, right?

14 A. Correct.

15 Q. Not only she was on that call but also Jaylen
16 Wilson was a part of that call?

17 A. Correct.

18 Q. He popped up and there was some discussion
19 about marijuana?

20 A. Correct.

21 Q. And then when you talked to her on the 27th and
22 you drove around some, she did not point out SA's [REDACTED]
23 body that day?

24 A. She did not.

25 Q. Okay. And she had seen Kilo's house on the way

1 out there?

2 A. She pointed to [REDACTED] Road, correct.

3 Q. Okay. And she also -- after you got back or at
4 some point after, you had tried to drive around.

5 She mentioned that she had seen a car that was
6 significant to her too, right?

7 A. Correct. While we were driving down [REDACTED] Road,
8 we saw a car come towards us on the other side. And
9 I believe she said, that's Kilo. We relayed that
10 information to who was following in trace. I
11 believe they were trying to stop him. But we were
12 never able to stop him, but she did mention that
13 that was him.

14 Q. And didn't officers recognize him as Allon
15 Adams, or Kilo?

16 A. Correct.

17 Q. So that was on the 27th, on the day when she
18 did not identify the location of the body?

19 A. Correct.

20 Q. Do you remember when you talked to her in the
21 parking lot of the sheriff's department?

22 A. Yes, ma'am.

23 Q. Do you remember that she was concerned about
24 her family?

25 A. I don't.

1 Q. You don't remember her being worried about what
2 would happen to her family?

3 A. I don't remember that conversation, ma'am. I
4 just -- I don't remember that conversation right
5 now.

6 Q. And you don't remember telling her that you
7 would protect her family?

8 A. I don't remember the context of the
9 conversation, ma'am. I honestly don't right now.

10 Q. You remember the other details but not anything
11 about her -- you don't remember the contents of the
12 conversation?

13 A. We might have discussed that, ma'am, but I just
14 don't remember that and it's not in my report. If I
15 was to listen to my conversation with her, I would
16 agree to it. But I honestly don't remember that
17 conversation right now.

18 Q. Did your recording capture everything from the
19 very beginning of the time that you met with her
20 until the very end of the conversation?

21 A. Yes.

22 Q. And there was some discussion about Mr. Adams
23 being caught. He was running and he was with
24 Treveon Nelson, right?

25 A. Correct. That's the information that we got,

1 correct.

2 Q. So the fugitive task force was called out and
3 they were required to catch these two?

4 A. I believe that's who responded, yes. And I
5 believe also crime reductions unit was out there.

6 Yes, ma'am.

7 Q. So multiple units from the sheriff's
8 department --

9 A. Absolutely.

10 Q. So they didn't voluntarily come down to turn
11 themselves in or to submit to questioning?

12 A. No. We had to look for them, absolutely.

13 Q. So you caught the two of them together?

14 A. No. It was Treveon first, and then -- no, I'm
15 sorry. Allon was found first and then Treveon.

16 Q. But they were together. This wasn't an
17 investigation to find them days apart?

18 A. No, no. It was the same day. Yes, ma'am.
19 Couple of hours I believe.

20 Q. All right. And so Adams was brought in, and at
21 first he refused to talk to you, right?

22 A. So I did not handle that part, ma'am. I don't
23 even know who actually brought him in, which deputy.

24 Q. Are you aware that he declined to talk to law
25 enforcement the first time?

1 A. I did read the report where he did not want to
2 talk. Correct. Now, I don't know whether he
3 invoked. It just mentioned that he did not want to
4 talk.

5 Q. All right. And so it wasn't until later on
6 when he'd been booked in the jail and his
7 grandmother had the conversation that he was finally
8 willing to talk with you?

9 A. Correct.

10 Q. Okay. And law enforcement attempted to talk to
11 Treveon Nelson. He wouldn't talk?

12 A. I believe so. I wasn't part of that, correct.

13 Q. And Jaylen Wilson never gave any information
14 about this?

15 A. Correct.

16 Q. And by the time April 28 rolled around, SA [REDACTED]
17 had been missing for 22 days?

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

19 Q. Okay. And so Nicole was the person who
20 identified her body and where she lay?

21 A. Absolutely.

22 Q. So she's the one that brought this all to a
23 close in the beginning of the investigation but the
24 close on the search for SA [REDACTED]?

25 A. Yes, ma'am.

1 MS. MAULDIN: Your Honor, beg the Court's
2 indulgence.

3 THE COURT: Take your time.

4 MS. MAULDIN: Nothing further, Your Honor.

5 THE COURT: Any redirect?

6 MR. HUBBARD: One quick follow-up.

7 REDIRECT EXAMINATION

8 BY MR. HUBBARD:

9 Q. April 28, the defendant, Nicole
10 Sanchez-Peralta, does she still project herself to
11 you as being a victim?

12 A. Yes, sir.

13 MR. HUBBARD: Okay. Nothing further.

14 MS. MAULDIN: Nothing else, Your Honor.

15 THE COURT: Okay. May I let the detective step
16 down and excuse him?

17 MR. HUBBARD: Yes, Your Honor.

18 THE WITNESS: Thank you, ma'am.

19 THE COURT: Mr. Foreman, I'm going to give the
20 jury a break. We've been at it for an hour and a
21 half. Let's take a 15-minute break. We'll be in
22 recess.

23 (Brief recess.)

24 THE COURT: Is the State ready?

25 MS. MAYES: Yes, Your Honor.

DIRECT EXAMINATION OF PRESTON SIMPSON BY MS. MAYES

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1 THE COURT: Is the defense?

2 MS. MAULDIN: Yes, Your Honor.

3 THE COURT: Let's bring them in.

4 (The jury enters the courtroom at 11:22 a.m.)

5 THE COURT: Mr. Foreman, is the jury ready?

6 THE FOREPERSON: We're ready.

7 THE COURT: All right. The State may call
8 their next witness.

9 MS. MAYES: May it please the Court? The State
10 calls Agent Preston Simpson.

11 AGENT PRESTON SIMPSON

12 being first duly sworn, testified as follows:

13 THE WITNESS: I do.

14 THE CLERK: Once you're seated, speak up loud
15 and clear. State your full name, spelling your last
16 please.

17 THE WITNESS: Preston Simpson, S-I-M-P-S-O-N.

18 DIRECT EXAMINATION

19 BY MS. MAYES:

20 Q. Good morning. Agent Simpson, tell us a little
21 bit about yourself. Where are you currently
22 employed?

23 A. The South Carolina Law Enforcement Division.

24 Q. Pull the microphone up a little bit closer to
25 you.

1 A. The South Carolina Law Enforcement Division.

2 Q. And how long have you been with SLED?

3 A. Approximately two years.

4 Q. Tell us about your specific job
5 responsibilities and your current assignments as an
6 agent with the State Law Enforcement Division.

7 A. So I'm currently assigned to the Fusion Center
8 in our State's surveillance and intelligence unit.
9 We do a lot of work with phone records, location
10 records in order to help assist other agencies in
11 locating fugitives, missing people, things of that
12 nature.

13 Q. Does that include technology involved with cell
14 tower mapping?

15 A. Yes, ma'am.

16 Q. And cell tower location data?

17 A. That's correct.

18 Q. And the analysis of phone records that may
19 contain cell tower location data?

20 A. Yes, ma'am.

21 Q. Specifically, Agent, what type of training do
22 you have in that regard in actually analyzing cell
23 tower location data and then creating mapping?

24 A. I've been through several different courses.
25 Initially, the FBI CAST class or their Cellular

1 Analysis Survey Team. I went to their basic class
2 that kind of goes through interpreting call detail
3 records for the different carriers and also
4 Gladiator Forensics is a software program that we
5 use now. They also offer a class regarding analysis
6 of records and also cell site survey and things of
7 that nature.

8 Q. So in addition to the training that you've
9 attended by virtue of classroom, do you also have
10 field experience in this regard?

11 A. Yes, ma'am.

12 Q. And is your work also subject to peer review by
13 colleagues?

14 A. That's correct.

15 Q. Can you tell us whether or not this cell phone
16 location data is considered scientifically reliable
17 in your field?

18 A. In my understanding it is, to be used in court
19 cases.

20 Q. Have you created mapping before that has been
21 used in the courts of this state?

22 A. Say that one more time.

23 Q. Have you created cell tower location data
24 mapping before that has been used in the courts of
25 the state of South Carolina?

1 A. Yes, ma'am.

2 Q. Agent Simpson, have you been previously
3 qualified as an expert in the field of cell tower
4 location data and mapping?

5 A. Yes, ma'am.

6 Q. And does that include a court here in the state
7 of South Carolina?

8 A. Yes, ma'am.

9 MS. MAYES: Your Honor, at this time, the State
10 offers Agent Simpson as an expert in the field of
11 cell tower location data analysis and mapping.

12 MS. MAULDIN: Without objection, Your Honor.

13 THE COURT: All right. Let me tell the jury.
14 Normally, a person cannot give opinion testimony.
15 Normally, when a person testifies they must testify
16 as to what they either saw, heard, sensed, or
17 smelled or something of that nature. However, we
18 have an exception. When someone is qualified
19 because of education or experience, they are
20 permitted to give their opinion. This witness will
21 be qualified in the area of cell tower mapping and
22 data. Is that correct?

23 MS. MAYES: Cell tower location data and
24 mapping, Your Honor.

25 THE COURT: Okay. And will be allowed to give

1 his opinion in that area. That does not mean you
2 must accept the opinion, but it is evidence for you
3 to use in any way you see fit.

4 Thank you. Go ahead, Ms. Mayes.

5 BY MS. MAYES:

6 Q. Now, Agent Simpson, does your training and
7 experience in this field also allow you to prepare
8 court's exhibits?

9 A. Yes, ma'am.

10 Q. Does that include exhibits that reflect that
11 cell tower location data?

12 A. That's correct.

13 Q. And mapping coordinates associated with
14 specific phone numbers?

15 A. That's correct.

16 Q. I'm going to start by asking you in this case
17 whether or not you received phone records?

18 A. Yes, ma'am, I did.

19 Q. Did that include phone records for the victim
20 in this case, SA [REDACTED]?

21 A. Yes, ma'am.

22 Q. Did that include phone records for the
23 defendant in this case, Nicole Sanchez-Peralta?

24 A. Yes, ma'am.

25 Q. Did that also include phone records for a

1 codefendant in this case Treveon Nelson?

2 A. Yes, ma'am.

3 Q. I'm going to show you what is State's 190, 192
4 and 79 and ask if you recognize each of these items.

5 A. The first one is phone records from Nicole's
6 phone.

7 Q. Regarding the defendant, Nicole
8 Sanchez-Peralta?

9 A. Yes, ma'am.

10 Q. Okay.

11 A. The second is SA's [REDACTED] T-Mobile
12 records.

13 Q. The victim in this case?

14 A. Yes, ma'am.

15 Q. And State's 79?

16 A. Is a CD with Treveon Nelson's phone records.
17 T-Mobile call detail records.

18 MS. MAYES: Again, Your Honor, pursuant to a
19 previous notice of evidence filed in this case, the
20 State will offer CDs of all three phone records at
21 this time. State's 79, 190 and 192.

22 THE COURT: Any objection?

23 MS. MAULDIN: None, Your Honor.

24 THE COURT: Then they're admitted.

25 (State's Exhibit No. 79, 190, 192 admitted into

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1 evidence.)

2 BY MS. MAYES:

3 Q. Were you requested, Agent Simpson, to look at
4 any specific date of activity?

5 A. Yes, ma'am. So initially it was a -- to assist
6 the Richland County Sheriff's Office regarding
7 SA's [REDACTED] location. She -- and if I remember
8 correctly, along with Ms. Sanchez had been reported
9 missing and last seen in Richland County. So we
10 were asked to look at phone records to try to, you
11 know, see last activity, last possible location
12 where both of them may have been.

13 Q. So what was the date, Agent Simpson, of your
14 initial involvement in this case and which agency
15 brought you in for assistance?

16 A. I don't specifically remember the initial date.
17 I want to say it was approximately a week after, I
18 think, the initial missing report. I could be wrong
19 in that, but I don't think it was -- again, I guess
20 it was the same date she'd been reported missing.
21 But I believe it was a week to a couple days later
22 that we were asked to assist.

23 Q. And did your initial information in this case
24 include that SA [REDACTED] had last been seen around
25 10:00 p.m. on the evening of April 5th?

1 A. Yes, ma'am. When looking at call detail
2 records, it's -- you know, a lot of times we have a
3 known location and time frame. And then we try to
4 make sense of what the records are around that given
5 time.

6 Q. Were you also aware that she had last been seen
7 or observed to be alive at the [REDACTED]
8 Boulevard area of Richland County?

9 A. That's the information I was provided.

10 Q. So what were your initial efforts in trying to
11 locate SA [REDACTED], who was missing at this point in time?

12 A. So the request -- I guess the limited
13 information we had was that she was last seen with
14 Nicole. And we were provided with phone numbers, I
15 think, that came from SA's [REDACTED] mother. And
16 so ultimately we tried to get call detail records
17 along with specialized records that may narrow down
18 the location of that phone.

19 Q. So you were provided a specific phone number
20 that was known to belong to SA [REDACTED],
21 correct?

22 A. Correct. A lot of times they -- you know,
23 whatever information the local agency may have that
24 attributes that phone to.

25 Q. And could you state for the record, that phone

1 number that you were provided for SA [REDACTED]
2 for her cell phone from her mother?

3 A. It is [REDACTED] [REDACTED]-3886.

4 Q. Ask you to take a look at 190 for a moment.

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

6 THE COURT: Take your time.

7 BY MS. MAYES:

8 Q. We're going to take a look at State's 49
9 already in evidence, being Instagram records.
10 There's a communication here on this document
11 already in evidence. It says, my mom wants your
12 number. And there's a response. Could you please
13 state that number for the record?

14 A. [REDACTED] [REDACTED]-5123.

15 Q. That's sent from an account under the name
16 dabrat underscore NX?

17 A. Yes, ma'am.

18 Q. Can you tell us, Agent Simpson, whether or not
19 these are, in fact, the phone records for Nicole
20 Sanchez-Peralta that you analyzed and mapped?

21 A. That's correct. That's the number for
22 Ms. Nicole.

23 Q. Is that the same phone number that's contained
24 on the records before you?

25 A. Correct.

1 Q. So these were the two numbers you were working
2 with, this particular number for Nicole
3 Sanchez-Peralta and then a phone number for SA's
4 cell phone?

5 A. Yes, ma'am. Those were the numbers for the two
6 missing people at the time.

7 Q. Now, did you prepare specific documents that
8 reflect the results of your analysis of those two
9 phone numbers, the phone numbers of Nicole
10 Sanchez-Peralta and the victim, SA [REDACTED]?

11 A. Yes, ma'am.

12 Q. I'm going to show you what is State's 60 and
13 ask you whether or not you recognize this document.

14 A. That's my report that I prepared for this case.

15 Q. And does that report contain the results of
16 your analysis from both of these phone records?

17 A. Yes, ma'am, it does.

18 MS. MAYES: State's 60 for evidence at this
19 time, Your Honor.

20 THE COURT: Any objection?

21 MS. MAULDIN: Without objection, Your Honor.

22 THE COURT: Then it's admitted.

23 (State's Exhibit No. 60 admitted into
24 evidence.)

25 BY MS. MAYES:

1 Q. We're going to begin here, Agent Simpson, at
2 the start of your report. And I'm going to ask you
3 what is meant by this photograph. What does this
4 photograph depict?

5 A. So this is a typical cell phone tower that has
6 three separate sectors on it. And from the phone
7 company we were provided the direction that those
8 sectors are set up from engineer so we know what
9 face of the cell phone tower a call is made from.
10 Obviously, they come in a lot of different versions.
11 Some look like palm trees, some are on the sides of
12 buildings. But that's just a sample of what I refer
13 to as a typical cell phone tower.

14 Q. What are we looking at on your next slide?

15 A. So this is basically three towers. The one
16 indicated in white there is just an example -- this
17 is the one that's being utilized here. But it's
18 also showing that there's other cell phone towers in
19 the vicinity that could accept a phone call at this
20 time.

21 Q. This is the underlying data that you rely on in
22 developing location data?

23 A. Yes, ma'am.

24 Q. Now, here we see two target numbers. I believe
25 you've already identified the top number as

1 belonging to who?

2 A. SA [REDACTED].

3 Q. And the bottom number belonging to the
4 defendant, Nicole Sanchez-Peralta?

5 A. Yes, ma'am.

6 Q. Now, there is a certain time frame here that
7 you have noted you were looking to determine the
8 whereabouts. Were you specifically -- can you tell
9 us whether or not you were specifically trying to
10 determine whether or not these two phones may have
11 ever been together or converging at some point?

12 A. So initially the goal is to locate both of them
13 because they were reported missing. Obviously, as
14 this developed and SA [REDACTED] was located, it came into
15 looking at the call detail records of both of them
16 in comparison to what had transpired.

17 Q. To clarify, you were aware that SA [REDACTED] had been
18 reported missing by her mother, correct?

19 A. I knew she was missing. I didn't know it was
20 her mother who reported her.

21 Q. Were you aware that law enforcement was seeking
22 Nicole Sanchez-Peralta as a witness in this case?

23 A. That's correct. Obviously, she was missing and
24 then my understanding -- or the information was
25 given to me was that she was one of the last people

1 to be with her.

2 Q. Now, looking here, you have two locations of
3 importance. One is a particular address in
4 Columbia. Again, that's the location where the
5 victim was last known to be seen?

6 A. Yes, ma'am. [REDACTED] Boulevard.

7 Q. All right. And for purposes of these court
8 proceedings, by the time this exhibit was prepared,
9 had you now learned the location in which SA's
10 [REDACTED] body was recovered?

11 A. That's correct. I was provided with GPS
12 coordinates I believe from either the coroner or
13 someone at Lexington County. The home on Dove Field
14 was the closest thing I saw on the map that would
15 give a generalized location of where that was.

16 Q. Now, up here in the left-hand corner we see a
17 key. And I'm going to get up close on that. Were
18 there multiple addresses provided to you that may be
19 of importance in this investigation?

20 A. That is correct. So as the investigation
21 progressed and I guess more things were learned,
22 whether it was communication or where things were
23 found or where people lived in the case, these all
24 became what you refer to as a significant location
25 to look in comparison to where the phone or phones

1 were during a given time.

2 Q. So [REDACTED] Boulevard, the home address of
3 SA [REDACTED]?

4 A. Correct.

5 Q. Location of the body, you've already addressed
6 that. That is in what color?

7 A. That is in yellow.

8 Q. Now, these bottom two addresses, why, if at
9 all, are they significant?

10 A. So [REDACTED] Road was the address I was
11 given for where Jaylen Wilson resided during the
12 time frame of this incident. And then the [REDACTED]
13 [REDACTED] Street was a residence for Treveon Nelson.
14 That was his home address at the given time.

15 Q. So orange would be the home address of Treveon
16 Nelson? Black would be the home address of Jaylen
17 Wilson?

18 A. Yes, ma'am. Well, it's blue, but it looks a
19 little darker up there.

20 Q. And then down here at the bottom, yellow would
21 be the location of SA's [REDACTED] body?

22 A. That's correct.

23 Q. Now, there's also another address on here.
24 That is in pink. What is that address?

25 A. [REDACTED] Road, Lexington County, South

1 Carolina.

2 Q. Looking here, what area of Lexington County is
3 that within? Within proximately of Leesville or the
4 crime scene?

5 A. Yes, ma'am, it's not too far from the crime
6 scene.

7 Q. I'm going to ask you to begin on the night of
8 April 5th.

9 A. So, you know, what we're showing here is two
10 different sectors on the same tower. They're drawn
11 with hard lines, but we never know, you know, the
12 exact area or -- area that the phone can be reached.
13 So obviously, you can be maybe a little over the
14 line is straight up, one or the other, and still be
15 on either sector or accept a phone call or any of
16 that. At 9:45 you see that both phones report a
17 distance of .39 miles.

18 Q. So let me stop you right there. So at 9:45 on
19 the night of April 5th, is SA's [REDACTED] phone still on?

20 A. That's correct. They reported her .39 miles
21 from the tower.

22 Q. So 9:45 SA's [REDACTED] phone is on and it's pinging a
23 cell tower?

24 A. Yeah. The network is recording a transaction
25 that's estimating how far it is from the tower at

1 9:45.

2 Q. Is the phone of Nicole Sanchez-Peralta also on
3 or sending cell tower data?

4 A. Yeah, that is correct. So her phone is
5 reported to be also .39 miles from the tower. But
6 off of a different sector which is that sector that
7 faces 300 degrees or sort of, I guess, the northwest
8 sector.

9 Q. Now, here we see in green the residence of
10 SA [REDACTED], the [REDACTED]. We see that
11 in green. What does this graphic tell you about the
12 proximity of Nicole Sanchez-Peralta, her phone, to
13 the phone of SA [REDACTED] at 9:45 that night?

14 A. So when we get these estimations off the
15 sector, the phone, you know, could be anywhere
16 along, I guess, that hot dog or ark you're looking
17 at up there. What's interesting is, you know, my
18 understanding was it was reported that she was seen
19 with her there. They are essentially the same
20 estimated distance by T-Mobile from the tower.

21 And the residence essentially sits at a zero
22 degree azimuth, which is kind of in between those
23 two sectors. So I would think it would be very
24 possible for the phone to be reporting on two
25 separate sectors, but essentially reporting the same

1 distance, and as you see, the residence is exactly
2 where that sector overlaps I guess.

3 Q. And in your opinion, can you tell us whether or
4 not this is consistent with those two phones being
5 within close proximity of one another?

6 A. With the statements regarding them being
7 together, the -- you know, similar estimated
8 distance from tower, I'd say it was very plausible
9 they were together at this point.

10 Q. Next slide is going to be 10:01 p.m. What can
11 you tell us about SA's [REDACTED] phone at 10:01? Is her
12 still appearing to be active and receiving cell
13 tower data?

14 A. So it is. So these are transactions at 10:01
15 for SA's [REDACTED] phone and 10:00 o'clock for Nicole's
16 phone. I tried to find transactions that were
17 similar in time to compare where the phones may be.
18 You'll see one is -- SA's [REDACTED] is reported to be .34
19 miles from a different tower than Nicole's phone.
20 But they still are roughly reported in the same
21 area. Now, given time we can't force the network to
22 tell us exactly this time we want to know how far
23 you are from our tower. But within a minute they
24 still show relatively in the same area.

25 Q. And within proximity of one another?

1 A. That's correct.

2 Q. Now, the next slide is going to be 10:06 p.m.

3 Were you able to get a reading for SA's [REDACTED] phone at
4 10:06 p.m.?

5 A. That is correct. So it's reported, you know,
6 180 degrees off the tower that is depicted there.
7 And it's estimate to be 2.23 miles from --
8 correction -- it's estimated to be 2.28 miles from
9 the tower for SA's [REDACTED] phone.

10 Q. And what, if anything, can you tell us about
11 the proximately between SA's [REDACTED] phone and the phone
12 of the defendant, Nicole Sanchez-Peralta, at
13 10:06 p.m.?

14 A. Her phone is reported to be 2. -- excuse me
15 2.23 miles from that same exact tower. So you
16 really have a half mile estimated difference at this
17 given time.

18 Q. And they're hitting off the same tower?

19 A. That is correct.

20 Q. Can you tell us whether or not that's
21 consistent with these phones, once again, being in
22 proximately of one another?

23 A. As I mentioned the phones could be anywhere
24 along these arks, right. So one could be at one end
25 of the ark and the other at the other end, but at

1 this time they're reported roughly the same distance
2 from the tower during this time frame of 10:06.

3 Q. Agent Simpson, after this reading, this cell
4 phone location data, the information for SA's
5 ██████████ phone at 10:06 p.m., were you ever able
6 to find any activity on her cell phone following
7 that?

8 A. I was not. Everything incoming to the phone as
9 far as people calling, trying to contact the phone,
10 and that was the last reported activity over
11 T-Mobile's network.

12 Q. So in looking at the phone records for SA
13 ██████████, you could see multiple attempts by people
14 to contact her?

15 A. It appeared to be incoming whether it was going
16 to voicemail and unanswered.

17 Q. So incoming calls that were going to voicemail
18 and unanswered calls?

19 A. Correct.

20 Q. And no further outgoing activity, whether it be
21 a sent text or a sent phone call?

22 A. Not that observed.

23 Q. What, if anything, else can you tell us about
24 your analysis of these records and what appears to
25 happen with her phone's ability to communicate with

1 the cell towers?

2 A. As far as SA's [REDACTED]?

3 Q. Yes.

4 A. This was her last network transaction over the
5 T-Mobile network with the records that I have.

6 Q. What, if anything, can you tell us about a
7 phone no longer being able to ping on a cell tower?

8 A. So the phone could have been placed into
9 airplane mode where it's not looking for a tower
10 that it needs to communicate off of. It could be
11 powered off. But, you know, bottom line is it, at
12 this point, is no longer in the T-Mobile network
13 where it can receive calls or the network knowing
14 where it is.

15 Q. The phone is no longer in the T-Mobile network?

16 A. Correct.

17 Q. Would that include a phone being cut off and
18 deactivated?

19 A. Powered off. Yes, ma'am. That could be a
20 possibility.

21 Q. Or destroyed?

22 A. That's a possibility. Yes, ma'am.

23 Q. Now, at this point in time, are these two
24 phones still in Richland County? I'm going to ask
25 you specifically what location we're looking at

1 here.

2 A. Looking at the map the tower is near the -- I
3 believe that's the Fort Jackson Visitor's Center,
4 but I'm not entirely familiar with where Richland
5 County -- or the county lines are.

6 Q. And this would be I-77?

7 A. Yes, ma'am.

8 Q. And this would be the area of Fort Jackson,
9 correct? Or Fort Jackson Boulevard?

10 A. Yeah. That's the Fort Jackson Visitor's Center
11 on there so that's close by.

12 Q. And you're familiar with that being Richland
13 County?

14 A. I'm not -- like I said, I don't know the county
15 lines that well.

16 Q. All right. Next slide, 10:28. Again, whose
17 phone are we looking at now?

18 A. Moving forward, as mentioned, there's no other
19 activity regarding SA's [REDACTED] phone so this is Nicole's
20 phone.

21 Q. What, if anything, can you tell us about data,
22 cell tower location data, for the phone of Nicole
23 Sanchez-Peralta now at 10:28 p.m. Does it appear to
24 still be in that I-77 Fort Jackson area or has it
25 relocated?

1 A. So this is a tower that is south of South
2 Congaree. The interstate doesn't show here on the
3 map so it doesn't appear the phone is near the
4 interstate necessarily.

5 Q. So this would be below the area known as South
6 Congaree and off the interstate, correct?

7 A. That is correct.

8 Q. Next, 10:53.

9 A. So this is a tower off of 178. As you can see
10 here, some of the other significant locations are
11 now shown on the map here. And the phone is now
12 closer to the location of the body. And there's
13 other significant either residences or locations
14 that were provided as far as the investigation goes.

15 Q. And again, this being the phone of the
16 defendant, Nicole Sanchez-Peralta?

17 A. Yes, ma'am.

18 Q. What, if anything, can you tell us at
19 10:53 p.m. about the proximity of the defendant's
20 phone to the location of SA's [REDACTED] body, the
21 ultimately location of SA's [REDACTED] body?

22 A. I didn't, you know, personally measure that
23 distance tower to the body, but as far as where it
24 was on the previous slide, we're now in, you know,
25 off the exit that I guess goes to

1 Batesburg-Leesville. It's estimated the phone is
2 somewhere along this ark that you see here, which,
3 you know, doesn't necessarily place it right on any
4 of these significant locations at this point.

5 Q. I'm going to ask you if you could to use you
6 pointer. Now, show us in relation to the location
7 of the body where that phone is pinging.

8 A. Along this ark right here.

9 Q. Okay.

10 A. And that's the estimated distance that T-Mobile
11 believes that phone is from that sector.

12 Q. Now, again, using your pointer we're going to
13 move forward now to 11:15 p.m. Again, is this
14 mapping concerning the phone of the defendant,
15 Nicole Sanchez-Peralta?

16 A. Yes, ma'am. This is Nicole's device.

17 Q. What can you show us about the proximately of
18 her phone to the location where SA's [REDACTED] body is
19 ultimately recovered?

20 A. So this is 11:15. The phone is estimated to be
21 2.18 miles from that cell ID and 180 degree azimuth.
22 And here the body is essentially right inside that
23 distance to tower. And so at this point, you know,
24 the -- as mentioned, the phone could be anywhere,
25 ultimately, along that ark. But it's also, you

1 know, relatively the same distance to the body
2 location from the tower is where her estimated
3 distance is.

4 Q. It's 11:15 p.m.?

5 A. That's 11:15 p.m.

6 Q. Now, 11:49 and 11:50, what are we looking at
7 here in your exhibit?

8 A. All right. So these are two timing events,
9 transactions that happened in a small period of
10 time. One is at 11:49 and the other is 11:50. And
11 they're off two separate towers, but the sectors
12 essentially face one another. And you have the --
13 one is estimated to be 2.77 miles and 180 degree
14 azimuth and the other is a 1.87 and a 300 degree
15 azimuth. What we see when we have normal locations
16 where somebody lives or, you know, a crime scene or
17 any kind of significant location where the overlap
18 is between these two arcs is a likely area to look
19 for the phone somewhere close by there. Obviously,
20 in this one you have three areas where these arcs
21 overlap. I think they all have, you know, the same
22 weight, but one of them is where the body was
23 ultimately located.

24 Q. And so again these are -- it's the same phone,
25 being the phone of the defendant, but it's hitting

1 on two different towers within a minute?

2 A. That's correct. Within a minute.

3 Q. And can you show us here on the map where the
4 victim's body is in relation to where her phone is
5 hitting during that time frame?

6 A. So between that minute that's the overlap we
7 have here and that's also, like I said, where the --
8 it was reported that the body location was.

9 Q. Next, we're now going to move forward to
10 12:55 a.m. Now, about 12:55 a.m., specifically that
11 time, pursuant to your work in this case were you
12 familiar with a text message of importance that was
13 sent at 12:55?

14 A. I was made aware about it. Essentially I think
15 the message and along with this address became
16 significant and I was asked to look at the estimated
17 distance from tower during that message which was
18 12:55 a.m.

19 Q. The message at 12:55 a.m. And you mentioned
20 the specific address. What is the address of
21 significance in relation to that text message?

22 A. [REDACTED] Road in Lexington County.

23 Q. Were you able to determine the location of the
24 defendant's -- Nicole Sanchez Peralta's -- phone at
25 12:55 a.m.?

1 A. That's correct. So she had an actual timing
2 advance transaction at 12:55 a.m. on the 6th at this
3 time.

4 Q. Early morning hours of the 6th. We're past
5 midnight. 12:55 a.m., early morning hours of the
6 6th. What, if anything, can you tell us about the
7 proximately of the defendant's phone to that address
8 you mentioned at [REDACTED] that we see here in the
9 pink color?

10 A. So the -- as you mentioned the phone at this
11 point is estimated to be anywhere along that ark.
12 But here, the distance to tower along with that
13 specific residence is also consistent with that time
14 frame.

15 Q. All right. In your opinion is it consistent
16 with the defendant's phone being within the area of
17 [REDACTED] Road?

18 A. I'd say that's a possibility at 12:55.

19 Q. And again using your pointer, the [REDACTED] Road
20 address is where?

21 A. That pink tab right there.

22 Q. And what indicates to you that the phone device
23 of Nicole Sanchez-Peralta is now within this area as
24 opposed to having left the crime scene?

25 A. Ask me that one more time, ma'am.

1 Q. What, if anything, about this graphic suggests
2 to you that the phone of the defendant is within the
3 area of [REDACTED] Road and no longer at the crime scene?

4 A. So this is the same tower that we saw a few
5 minutes ago for a sector that faced the crime scene.
6 This sector faces a little bit away from the crime
7 scene. And so at this point I would -- if I was,
8 you know, to go out and try to find, you know, where
9 this phone would be at, I'd be looking along that
10 ark versus where it was on the previous slide.

11 Q. And Agent Simpson, can you tell us whether or
12 not that suggests movement between the area of the
13 crime scene at 11:49 and 11:50 to where the phone is
14 then seen at 12:59 a.m.?

15 A. It's a significant amount of time between those
16 two transactions which is -- yeah, it's over a --
17 yeah, over an hour. So I'd have to look to see
18 records in between there to, you know, feel more
19 confident about the fact that it's moved, but at
20 this point it's using a separate sector than the one
21 that faces the crime scene.

22 Q. And this one is at the [REDACTED] Road area?

23 A. That is -- yes, the distance tower is
24 consistent with the phone possibly being at the
25 [REDACTED] Road area during that time.

1 Q. Next, we're going to move forward to 1:36 a.m.
2 and 1:35 a.m. Again, are these records all for the
3 phone of the defendant, Nicole Sanchez-Peralta?

4 A. Yes, ma'am.

5 Q. What, if anything, Agent Simpson indicates to
6 you that the phone has now left the [REDACTED] Road area
7 and returned to the crime scene?

8 A. So this -- again, this is two transactions,
9 1:35 and 1:36, which is right around a minute. And
10 you have the same scenario as we did two slides ago
11 at 11:49 and 11:50. They reported the same distance
12 from the tower on both of those, and as mentioned
13 previously, when you see that overlap when we have a
14 known location, the -- there's a much higher
15 possibility of the phone being right around where
16 these two sectors overlap.

17 Q. And in this particular case that would be the
18 crime scene where SA's [REDACTED] body was found?

19 A. That's one of the areas that there's overlap
20 during this case -- or during this time I should
21 say.

22 Q. Here in the yellow?

23 A. Yes, ma'am.

24 Q. Now, are there ever any indications that the
25 phone of Nicole Sanchez-Peralta leaves the crime

1 scene altogether that night?

2 A. Yes, ma'am. As you move forward to the earlier
3 morning or later morning.

4 Q. Now, at 2:25 a.m. can you tell us again what
5 your observations were after that last reading we
6 saw at 1:35 within the area of the crime scene?

7 A. That's correct. So you don't see the crime
8 scene here. Of course, I could have zoomed out on
9 this snapshot and show it, but the phone is by I-20
10 and this is 2:25. And it's estimated to be .78
11 miles from that cell tower.

12 Q. If you could please use your pointer and show
13 us what you're referring to.

14 A. This is the distance that is estimated to be
15 from the tower there. And this sector is facing up
16 this way, your crime scene is back down here. It's
17 not shown but that's where the crime scene is.

18 Q. Can you tell us whether or not this is
19 consistent with the Defendant's phone being in the
20 area of I-20?

21 A. I-20 is right through -- right by that tower.
22 And so that is a very real possibility that the
23 phone -- the phone could have been traveling up I-20
24 during this time.

25 Q. And following that reading at 2:25, do you

1 later observe that phone of the defendant at any
2 other locations that night?

3 A. Yes, ma'am.

4 Q. We're going to move forward about 12 minutes
5 later to 2:37.

6 A. So this is 2:37 a.m. The estimated distance
7 off of that sector of the cell tower is .29 miles.
8 As you see here what's shown is [REDACTED] Road.

9 Q. [REDACTED] Road?

10 A. Yes, ma'am.

11 Q. Whose address is that?

12 A. That is the address of Jaylen Wilson.

13 Q. Can you tell us whether or not this indicates
14 to you that the phone of Nicole Sanchez-Peralta is
15 within proximity of Jaylen Wilson's residence?

16 A. Yeah. The residence is approximately the same
17 distance as her phone is reported from the tower.

18 Q. And again using the pointer can you show us
19 what you're referring to?

20 A. Right here.

21 Q. And in black would be the [REDACTED] Road
22 address?

23 A. Yes, ma'am.

24 Q. And that would be [REDACTED] Road depicted there
25 on the map just underneath your graphic?

1 A. Right here.

2 Q. Right here. What road is this for the record?

3 A. That is [REDACTED] Road right there.

4 Q. Okay. This being the address?

5 A. That's correct.

6 Q. So at 2:37 the location of that phone is
7 consistent with the address of Jaylen Wilson?

8 A. Correct. So you know as I mentioned at the
9 beginning of this, it's shown as 120 degrees. I
10 guess the wings of that tower. But obviously, you
11 know, we don't truly know exactly where that line
12 exists.

13 Q. Next, 20 minutes later, 2:57 a.m., what, if
14 anything, of significance did you learn regarding
15 the location of Nicole Sanchez-Peralta's phone
16 device?

17 A. So the [REDACTED] Street was an address
18 listed for Treveon Nelson and at this time the phone
19 is in -- similar estimated distance from the tower
20 as it would be to Traveon's house.

21 Q. Can you show us there on your graphic what
22 you're referring to specifically?

23 A. This is the [REDACTED] and this is the
24 estimated distance from that cell phone tower at
25 2:57.

1 Q. No longer at the crime scene?

2 A. No, ma'am. This is the Cayce, South Carolina
3 area.

4 Q. Now finally, I'm going to ask you about the
5 following morning. We're going to move forward
6 several hours. And we're going to be looking at the
7 morning of April 6th, specifically 10:50, 10:51 a.m.
8 Does your analysis of the defendant's -- Nicole
9 Sanchez-Peralta's -- phone indicate she is still at
10 [REDACTED] Street or is that phone somewhere else?

11 A. Looking at the couple slides with the overlap
12 before and going back to kind of that same analysis
13 as you have two time advanced transactions that are
14 in a very short amount of time. One is an estimated
15 1.7 miles and the other is .82 miles. I feel like
16 it would be a more likelihood that the phone is
17 going to be right around where that overlap is
18 versus -- this is the overlap here versus the
19 residence up here.

20 Q. And that would be the Springdale area?

21 A. Yes, ma'am. Springdale is listed there right
22 near where the overlap is here.

23 Q. Looking again at State's 60, SA's [REDACTED] phone,
24 your last reading is 10:06 p.m.?

25 A. Yes, ma'am.

DIRECT EXAMINATION OF PRESTON SIMPSON BY MS. MAYES

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1 Q. There's a South Congaree reading at 10:28 p.m.?

2 A. Yes, ma'am.

3 Q. And the first indications that the phone device
4 of the defendant is at or near the crime scene is at
5 what time, Agent Simpson?

6 A. 10:53 is the first estimated distance from
7 tower where the phone is nearing the crime scene and
8 those other significant locations in the Leesville
9 area.

10 Q. Okay. 1053 --

11 MS. MAULDIN: Objection, Your Honor. Asked and
12 answered.

13 MS. MAYES: I can rephrase it, Your Honor.

14 THE COURT: Thank you.

15 BY MS. MAYES:

16 Q. Following that reading at 10:53, when do you
17 next have evidence that the phone has relocated away
18 from the crime scene to another area?

19 A. 12:55 a.m.

20 Q. That would be the graphic here, 12:55?

21 A. Yeah. And the question was when is it away
22 from the crime scene or body location?

23 Q. Yes.

24 And then, Agent Simpson, when is the next time
25 you have an indication that the phone device of the

1 defendant returns to the area of the crime scene?

2 A. There's some additional -- I'm not specifically
3 exactly what time. This obviously just shows it
4 being consistent with that location during the
5 overlap between 1:35 and 1:36.

6 Q. Now, in addition to attempting to obtain
7 information on Treveon Nelson, can you tell us
8 whether or not attempts were also made to locate
9 Wi-Fi or cell tower location data for Jaylen Wilson?

10 A. Correct. We did look at, I guess, two separate
11 numbers for Jaylen Wilson for his cell phone
12 records.

13 Q. And ultimately, did law enforcement recover a
14 phone that was extracted in this case from the
15 bedroom of Jaylen Wilson?

16 A. That's what was reported to me. Yes, ma'am.

17 Q. But were you able to actually obtain cell tower
18 data for that phone?

19 A. There were no cell phone records in the records
20 that were provided to me that had any cell site
21 location information during the time frame of -- of
22 this April 5th and 6 time frame.

23 Q. Can that sometimes happen according to
24 providers in certain plans?

25 A. I didn't look in to see what was going on with

1 this plan. I'm not sure if you had, I guess, been
2 on the payment plan or what it might be. But
3 ultimately during that time, there were no cell site
4 records for that phone number. And that could have
5 been for several different reasons. I don't know
6 specifically why.

7 Q. Regarding Jaylen Wilson?

8 A. Correct.

9 Q. Now, I want to ask you about Treveon Nelson.
10 Can you tell us whether or not you also reviewed
11 those phone records that you have before you that
12 have been admitted as evidence being the cell tower
13 location data and phone records for Treveon Nelson?

14 A. Yes, ma'am. I looked at his records as well.

15 Q. Were you able to recover any cell tower
16 location data for Treveon Nelson on April 4th --
17 April 5th or April 6th?

18 A. I was on April 6th.

19 Q. What about the night of the crime, April 5th?

20 A. There were no records that I observed during
21 that time frame that would assist in providing his
22 cell site location information for the phone number
23 reported with him during that time frame.

24 Q. What, if anything, does that indicate to you?

25 A. He may not have used a phone during that time

1 frame.

2 Q. So you were not able to recover cell tower data
3 for Treveon Nelson during the time frame of the
4 crime?

5 A. That's correct. There are, I guess -- there
6 are records during that time frame, but there's no
7 cell site location information to, I guess, adding
8 the way to where he may have been making or
9 receiving phone calls during the time frame of April
10 5th.

11 Q. So other than the two phones that you've
12 mentioned for the victim, SA [REDACTED], and the
13 defendant's phone, Nicole Sanchez-Peralta, were you
14 able to recover any other cell tower location data
15 during the time frame of this crime?

16 A. You're saying outside of those three people?

17 Q. Yes.

18 A. Those were the only -- obviously, Ms. Sanchez
19 had the most information to look through. The phone
20 for Jaylen there were two numbers that were provided
21 and then there wasn't activity that would add cell
22 site location for Treveon Nelson during that time
23 frame.

24 MS. MAYES: Thank you. Beg the Court's
25 indulgence.

CROSS-EXAMINATION OF PRESTON SIMPSON BY MS. MAULDIN

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1 THE COURT: Take your time.

2 MS. MAYES: Nothing further of Agent Simpson at
3 this time, Your Honor.

4 THE COURT: Ms. Mauldin?

5 MS. MAULDIN: Thank you, Your Honor.

6 CROSS-EXAMINATION

7 BY MS. MAULDIN:

8 Q. Good morning, Agent Simpson.

9 A. Good morning.

10 Q. So for the number that's associated with Jaylen
11 Wilson there are no location data entries for April
12 5th?

13 A. So there's two numbers for Jaylen Wilson that I
14 was asked to look at. Do you know, specifically,
15 which one?

16 Q. Either of the two.

17 A. The first one I was asked to look at, there was
18 some location information regarding him.

19 Q. Okay. And then on Mr. Nelson there was nothing
20 for the 5th?

21 A. So there's activity on the 6th, the evening of
22 the 6th, and then I think the next activity prior to
23 that was March 31st. If you'll give me one minute,
24 I'll look that one up. Yeah, the -- for Mr. Nelson,
25 the activity prior to April 4thth and April 5th was

1 on March 31st.

2 Q. Okay. So that could indicate that his phone
3 was off during that period of time?

4 A. Yes, ma'am. Powered off, you know, I'd --
5 guess to say it's out of network during that
6 timeframe. I don't know what somebody is doing with
7 their phone, nor did I investigate what was going on
8 with maybe his cell plan during that time either.

9 Q. Were you asked to look at any location data for
10 any numbers associated with David Gaskins?

11 A. I don't believe I was.

12 Q. And how about Allon Adams?

13 A. Not in regards to this case.

14 MS. MAULDIN: Thank you. No further questions
15 for this witness -- Your Honor, may I ask one more
16 question?

17 THE COURT: Yes.

18 BY MS. MAULDIN:

19 Q. So does Jaylen Wilson's phone data information
20 for the 5th -- you don't have any information from
21 the time of the crime scene?

22 A. For Jaylen Wilson.

23 Q. Right.

24 A. There is. Wait for which number?

25 Q. Which one do you have information on at the

1 crime scene?

2 A. So for the -- you know, the numbers --

3 [REDACTED] [REDACTED]-2836 is the number that there is cell site
4 location information during the evening of the
5 crime.

6 Q. Okay.

7 MS. MAULDIN: Thank you. No further questions.

8 THE COURT: Any redirect?

9 MS. MAYES: Yes, Your Honor.

10 REDIRECT EXAMINATION

11 BY MS. MAYES:

12 Q. Just need to clarify that. Jaylen Wilson, you
13 have two phone numbers?

14 A. Yes, ma'am.

15 Q. I think you called them his phones, but do you
16 have personal knowledge that they're actually his
17 phones?

18 A. In any case when you're looking at cell site
19 location unless you have attributing factors or
20 witness testimony, it's hard to say who is using the
21 phone at a given time.

22 Q. All right. State for the record, please, Agent
23 Preston, the two phone numbers that you had for
24 Jaylen Wilson.

25 A. All right. The first one is [REDACTED] [REDACTED]-2836.

1 Q. 2836?

2 A. Yes, ma'am.

3 Q. What is the next phone number?

4 A. The next one is [REDACTED] [REDACTED]-6119.

5 Q. So I want to start by asking you about the
6 first phone number. Do you have person knowledge as
7 to whether or not that's a phone Jaylen Wilson
8 carries on his person?

9 A. For me it was indicated that he used this
10 number. And I want to say -- I could be wrong on
11 this. It came from some employment that he had and
12 that's the number he listed for himself.

13 Q. What was that employment?

14 A. I think it's Bojangles.

15 MS. MAULDIN: Objection, Your Honor. It's
16 hearsay.

17 MS. MAYES: That's underlying data, Your Honor.

18 THE COURT: I believe so. Go ahead.

19 BY MS. MAYES:

20 Q. This information came from an employer; is that
21 correct?

22 A. Yes, ma'am, that was my understanding.

23 Q. And you believe that employer to have been
24 Bojangles?

25 A. I believe it was Bojangles.

1 Q. Can you tell us whether or not this is the
2 phone that you're referring to having location data
3 for?

4 A. That's correct. There's cell site location on
5 the evening of April 5th for that phone number.

6 Q. Once you looked at that cell tower location
7 data for that night, where is this phone -- where
8 does this device physically appear to be?

9 A. So the -- April 5th at 10:50 p.m. is the last
10 outgoing text. So Jaylen Wilson is a -- he's an
11 AT&T customer separate from the two phones. Or the
12 other three phones we looked at so far they were all
13 T-Mobile. And AT&T does document cell site location
14 with incoming and outgoing text messages. So
15 there's an outgoing text at 10:50 and it appears to
16 be the tower that would service his residence of
17 [REDACTED] Road.

18 Q. All right. So I'm going to write here tower at
19 [REDACTED] Road. So based on this information,
20 can you tell us whether or not that phone appeared
21 to be at Jaylen Wilson's house?

22 A. I can't specifically say --

23 Q. Within the proximity of Jaylen Wilson's
24 house?

25 A. It's consistent. If he was using the phone at

1 his house, that's the tower that I believe would be
2 used to conduct that transaction.

3 Q. Did you ever see any indications that that
4 phone ever left that house that night, went to the
5 crime scene, went to SA's [REDACTED] house or anywhere else?

6 A. No, ma'am. I don't recall. Further looked I
7 past. But if I'm not mistaken, the phone kind of
8 starts and ends at the same place which would be
9 consistent with his residence. I look back to
10 8:28 p.m. on that evening and it's still utilizing
11 that same tower that services his residence.

12 Q. So based upon your analysis of that phone, did
13 that phone appear to ever be at the crime scene or
14 involved in this case?

15 A. That phone and phone specifically?

16 Q. That phone number specifically.

17 A. Correct. At 10:50 p.m. it appears to be
18 making, you know -- or sending outgoing texts that I
19 think would be consistent of being at [REDACTED]
20 Road.

21 Q. At the home of Jaylen Wilson?

22 A. Correct.

23 Q. Now, I'm going to ask you about the next phone.
24 [REDACTED] [REDACTED]-6119. Can you tell us whether or not your
25 work in this case involved knowledge of a phone that

1 was retrieved from the bedroom of Jaylen Wilson
2 during the search warrant?

3 A. That's my understanding. That's where that
4 second phone number came from.

5 Q. I want to show you for identification only at
6 this time State's 195. What kind of item is
7 contained in State's 195?

8 A. Looks like a black iPhone.

9 Q. So upon learning that a cell phone was
10 retrieved from the bedroom of Jaylen Wilson, what,
11 if any, other analysis did you do for a second set
12 of phone records for Jaylen Wilson?

13 A. Provided with the phone records and in this
14 case -- well, I was provided with the records for
15 [REDACTED] -6119. And my analysis of those records
16 there are no call detail records with cell site
17 location information for the time frame that was
18 requested in those records.

19 Q. So that phone and those phone records did not
20 result in you observing any cell tower location
21 data?

22 A. That is correct. So a phone call was made or
23 received -- I believe this was an actual Verizon --
24 it lists the cell phone tower and sector that
25 conducted that phone call. In this case there were

1 no records that had data on them, that had call
2 detail records any of that that would allow you to
3 know where any phone call was being made during that
4 time.

5 Q. Or where the device was located on the night of
6 April 5th?

7 A. Via the Verizon network, we do not know.
8 There's no records.

9 MS. MAYES: Thank you.

10 RE CROSS-EXAMINATION

11 BY MS. MAULDIN:

12 Q. So neither of those numbers indicates that that
13 phone was at the location of where the body was
14 found?

15 A. Depending on what time you want to look, but
16 no, ma'am. At 10:50 the phone is, like I said,
17 consistent with making and receiving phone calls
18 from [REDACTED] Road.

19 Q. And the other one, the 6119, there's no
20 location data. That can also mean the phone is off.

21 A. From the phone records. So I'd have to go back
22 and look at them again, but I don't think there was
23 any service to that phone during that time frame.
24 The phone may have been powered off, but there were
25 no call detail records that provide any sort of cell

1 site location information for this phone during the
2 April 5th and 6 time frame.

3 Q. So that phone could be off?

4 A. I would hope -- the phone itself would be able
5 to determine whether it was off or on. It wouldn't
6 have service through Verizon. It doesn't mean the
7 phone couldn't be on or off, it's just Verizon
8 doesn't know where it is because it probably doesn't
9 have any service if it was on. Could it be off?
10 Yes.

11 Q. So based on your analysis in light of what
12 anybody else could find, that phone could be off?

13 A. It could be off or -- it could be off. Yes.
14 If you want me to answer that question, yes it could
15 be off.

16 MS. MAULDIN: No further questions, Your Honor.

17 THE COURT: May I excuse Agent Simpson?

18 MS. MAYES: Yes, Your Honor.

19 THE COURT: All right. Mr. Foreman, I'm going
20 to let the jury go to lunch. I'm going to ask that
21 you be back in your jury room at 1:45. We'll start
22 back at 2:00. Okay? And let me just caution y'all
23 make sure you wear your juror badges and also there's
24 no discussing this case among yourselves or with
25 anyone else. I hope y'all have a good lunch.

1 (The jury exits the courtroom at 12:23 p.m.)

2 THE COURT: Anything from the State?

3 MR. HUBBARD: No, Your Honor.

4 THE COURT: Anything from the defense?

5 MS. MAULDIN: No, Your Honor.

6 THE COURT: Let me just ask, how does our
7 afternoon look?

8 MR. HUBBARD: Busy. Next witness up will be,
9 at least as we're looking at it now, Kevin Baum, who
10 should be a good while up on the stand. And then
11 we've got several more planned for the day. We've
12 got at least four others that we're looking at that
13 we've noticed for today. I don't know that we'll
14 reach them all. But just so Your Honor knows, we've
15 got them lined up ready to go.

16 THE COURT: Let me ask you, are we on schedule
17 to finish by Friday?

18 MR. HUBBARD: We are. Now, obviously, I can't
19 speak for the defense; but certainly for us, yes,
20 Your Honor.

21 THE COURT: All right. That sounds good then.
22 Everybody enjoy your lunch. Court will begin
23 promptly at 2:00. Can I see the lawyers just for
24 one second?

25 (Lunch recess 12:24 p.m. - 2:00 p.m.)

DIRECT EXAMINATION OF KEVIN BAUM BY MS. MAYES

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1 THE COURT: Is the State ready?

2 MS. MAYES: Yes, Your Honor.

3 THE COURT: Ms. Mauldin?

4 MS. MAULDIN: Yes, Your Honor.

5 THE COURT: Let's bring the jury in.

6 (The jury enters the courtroom 2:06 p.m.)

7 THE COURT: Mr. Foreman, is the jury ready?

8 THE FOREPERSON: We're ready, Your Honor.

9 THE COURT: Please be seated. I hope you all
10 had a nice lunch. Call your next witness.

11 MS. MAYES: The State calls Investigator Kevin
12 Baum.

13 INVESTIGATOR KEVIN BAUM

14 being first duly sworn, testified as follows:

15 THE WITNESS: Yes, ma'am.

16 THE COURT: If you'll have a seat up there.

17 State your name and spell your last for the record.

18 DIRECT EXAMINATION

19 BY MS. MAYES:

20 Q. Good afternoon. Tell us a little bit about
21 yourself.

22 A. Kevin Baum, B-A-U-M.

23 Q. Where are you currently employed?

24 A. Lexington County Sheriff's Department.

25 Q. In what capacity?

1 A. So I'm assigned to the Special Victims Unit
2 within the Major Crimes Division.

3 Q. How long have you been with Major Crimes?

4 A. I started in 2020, so about three years.

5 Q. All right. Tell us, Investigator Baum, how you
6 became involved in the investigation into first, the
7 disappearance of SA [REDACTED] and then
8 ultimately, the attempts to locate the body of SA [REDACTED]
9 [REDACTED] in Lexington County.

10 A. Yes, ma'am. So on April the 27 of 2021, my
11 team was the on-call detective team to work that
12 night. I got a call from my sergeant, Sergeant
13 Miller, who said that we needed to meet. There was
14 an assist put out from Richland County. The details
15 were very limited at that time. We didn't know
16 much. Captain Laintz came in and said that there
17 was a missing juvenile in Richland County that
18 Richland County detectives wanted some assistance on
19 and we were to meet them at the 44 Truck Stop.

20 Q. Now, there's been testimony already about the
21 defendant in this case, Nicole Sanchez-Peralta,
22 meeting with one of your investigators, Pablo
23 Carvajal on the 27th.

24 A. Yes, ma'am.

25 Q. Were you involved in any attempts on the 27th

1 to potentially locate the body of SA [REDACTED]?

2 A. So I was. I was in the follow vehicle that
3 day. I didn't have any contact with the defendant.

4 Q. Okay. And so on this day, was she able to lead
5 law enforcement to the victim's body?

6 A. She was not.

7 Q. And when did you next attempt personal contact
8 with the defendant in this case, Nicole
9 Sanchez-Peralta?

10 A. So Detective Carvajal had set up an interview
11 the following day for Nicole to be brought to the
12 Sheriff's Department where she was to be interviewed
13 on the 28th. My interview started around 4:15 in
14 the afternoon.

15 Q. You said 4:15 p.m.?

16 A. Yes, ma'am.

17 Q. And again, where did this conversation with
18 Ms. Peralta take place?

19 A. At the Lexington County Sheriff's Department at
20 521 Gibson Road.

21 Q. I want to ask you a few questions before we
22 actually get into that contact with her. At this
23 point in time was she in custody?

24 A. She was not.

25 Q. At this point in time what was her status for

1 purposes of your role in this investigation?

2 A. So at that point in time, with the very limited
3 details, we considered her a witness and/or victim
4 in this case.

5 Q. All right. And what attempts were made to have
6 her participate in an interview?

7 A. So I know Detective Carvajal reached out to her
8 mother. He's a Spanish speaking detective so he
9 could communicate with her. It was arranged that
10 one of our victim's assistance officers, Nieves, was
11 going to meet with Nicole and her mother. The
12 original plan was to bring Nicole and her mother to
13 headquarters. When they -- Nieves arrived down
14 there, Nicole's mother had a conflict so she
15 couldn't come. But didn't allow Nicole to come to
16 headquarters.

17 Q. Based upon all of your observations with the
18 defendant herself, did this contact with you appear
19 to be free and voluntary?

20 A. Yes, ma'am.

21 Q. Did you threaten her or coerce her in any way
22 to participate in this interview with yourself or
23 other officers?

24 A. No, ma'am.

25 Q. Did you promise her anything in exchange for

1 her participation in this interview?

2 A. No, ma'am.

3 Q. And did she come willingly based upon your
4 observations to the Lexington County Sheriff's
5 Department to participate in this interview at
6 4:15 p.m. on April 28?

7 A. Yes, ma'am.

8 Q. And what was your initial approach to this
9 interview? What is the information you were looking
10 for and was most pertinent to you at this stage?

11 A. So we were looking for our missing 15 year old
12 out of Richland County, SA [REDACTED].

13 Q. And still attempting to locate where her body
14 may be?

15 A. Yes, ma'am.

16 Q. Tell us about the initial outset of the
17 interview, where it took place and how that
18 interview transpired?

19 A. So it took place inside of our headquarters.
20 We have a hallway with three interview rooms. It
21 took place in one of the of the interview rooms. It
22 was recorded on video and also recorded on my phone.

23 Q. Is there a reason that you're also recording on
24 your phone in addition to the video camera that was
25 already set up?

1 A. So the audio recording with the video is not
2 the greatest, especially when the air conditioner
3 kicks on, so we use our phones. It's a lot more
4 clear to hear.

5 Q. Describe for us, Investigator Baum, how that
6 interview began and what, if anything, did you need
7 to do during the course of that interview.

8 A. So it began with me speaking with Nicole. Made
9 small talk about how her night went. So I wanted to
10 start off that interview with her telling me from
11 the start of April 5th where she woke up that day
12 just to kind of get the whole time line of events.
13 So that's how we started the interview.

14 Q. And what happened?

15 A. So she told us that she woke up that day, she
16 was already at Treveon Nelson's house on [REDACTED]
17 Street. She told us she considered Treveon to be an
18 ex-boyfriend at that point. She woke up, they took
19 a shower, I want to say around 8:00. At some point
20 in the afternoon, an individual named Smoove comes
21 over. She said she couldn't identify Smoove's real
22 name at that point. Treveon and Smoove smoke and at
23 some point in the afternoon she receives a phone
24 call from SA [REDACTED] through FaceTime. SA [REDACTED]
25 and her talk for a little bit. At some point Smoove

1 jumps on to the FaceTime call and asks SA [REDACTED] to link
2 up, just to hangout. SA [REDACTED] agrees so the three of
3 them get ready and they all go to SA's [REDACTED] apartment
4 complex.

5 Q. All right. And during the course of this
6 interview, did anything alert you to the need to
7 advise her of her Miranda rights?

8 A. So prior to the interview being started, we did
9 a little bit of fact finding. We were told that
10 there was an Uber that had picked her up the day of
11 the shooting. So we had already reached out to Uber
12 to see if they had any transaction details from that
13 night. And we also had a police report detailing a
14 motor vehicle theft that Nicole was listed as the
15 offender.

16 Q. So when you began this interview at 4:15, are
17 you aware of the stolen Camry that had occurred at
18 an Exxon station earlier on the day of SA's [REDACTED]
19 disappearance?

20 A. Yes, ma'am.

21 Q. Can you tell us whether or not you were aware
22 that Nicole Sanchez-Peralta was the suspect for
23 theft of that vehicle?

24 A. We were aware of that.

25 Q. You indicated that there had been information

1 relayed to you about an Uber.

2 A. Yes, ma'am.

3 Q. Were you aware of Nicole Sanchez-Peralta being
4 interviewed by Investigator Molly Nations?

5 A. I was very briefed, very brief details on that
6 interview. But yes, we were aware of the Uber ride.

7 Q. So you were aware that she had reported to
8 Investigator Molly Nations several events along the
9 way?

10 A. Yes, ma'am.

11 Q. Were you aware that she had originally made a
12 statement that SA [REDACTED] had not left with them at all?

13 A. So I can't remember the exact details of what
14 was given to me. I do know that she told that there
15 was an Uber ride after the shooting took place. I
16 do know that she was there for the shooting. But
17 the exact details of how many times the story
18 changed, I don't know if that was exactly relayed to
19 us at that point.

20 Q. Okay. When you were told or given information
21 that the defendant claimed that she had left the
22 Leesville area that night in an Uber, what efforts
23 did you make to verify that story?

24 A. So we were going to -- we reached out to Uber
25 and asked if they would need a search warrant for

1 any details that they had. They responded with what
2 kind of information are you looking for? Before you
3 get a search warrant, we'll tell you if there's
4 information to get. From that date and time, that
5 night April 5th, early morning April the 6, were
6 there any transactions or rides in the Leesville
7 area? To which they replied there were not.

8 Q. So about how far into this interview are you
9 when you discuss with her this report she's making
10 about taking an Uber out of Leesville that night?

11 A. So I let her tell me her story as it flowed and
12 did not interrupt her too many times. She tells me
13 about the shooting and tells me about the Uber ride.
14 At some point there's inconsistencies being arisen.
15 So it was decided at that point, out of an abundance
16 of caution, that Miranda needed to be given to her.

17 Q. And at the outset of this interview, is she
18 maintaining to you that she left Leesville in an
19 Uber?

20 A. Yes, ma'am.

21 Q. Now, do you also ask her specifically about
22 that stolen Camry from April 5th?

23 A. So I actually asked her multiple times. I
24 can't even remember how many times. But looking
25 back at my notes, I think there was about 15

1 different times where she said that that stolen
2 vehicle was not involved in this murder.

3 Q. 15 times?

4 A. Yes, ma'am.

5 Q. Did you specifically address with her about the
6 date of the 5th?

7 A. I did. We actually have a copy of the police
8 report, which I showed her and said the police
9 report is saying that April 5th, you're involved in
10 the stolen vehicle. She still denied it and said
11 that no, that had to have happened a couple days
12 prior.

13 Q. Couple days prior to SA's [REDACTED] disappearance?

14 A. Two or three days. Yes, ma'am.

15 Q. And what type of vehicle was she maintaining to
16 you was used when SA [REDACTED] was transported from
17 Richland to Lexington?

18 A. The entire interview she maintained that they
19 used Jaylen's mother's car, which is a black sedan
20 with black rims.

21 Q. Approximately how far into the interview did
22 you advise her of her Miranda rights?

23 A. About 33 minutes in.

24 Q. Again, even at this point, is she in custody?

25 A. She's not.

1 Q. Is there a plan as to where she will go
2 following her participation in this interview?

3 A. The plan was for her to go home to her mother,
4 which she did that night.

5 Q. Can you tell us whether or not that
6 understanding had been relayed to the defendant
7 herself and to her mother, that she'd be allowed to
8 leave following the interview?

9 A. It was my understanding it was relayed from
10 Detective Carvajal.

11 Q. There would be plans for her to return home?

12 A. Right. Which she did at the end of the night.
13 She did go home with her mom.

14 Q. Who was present in the interview room when she
15 was advised of her Miranda rights?

16 A. Myself and Detective Joe Hart.

17 Q. You said you're using your phone in addition to
18 the video recording?

19 A. Yes, ma'am.

20 Q. I'm going to show you what was previously
21 Court's Exhibits 18 and 19, now remarked as State's
22 Exhibits 18 and 19, and ask you whether or not you
23 recognize these items.

24 A. I do.

25 Q. How so?

1 A. So this is an interview with Nicole where
2 Miranda was given and this is also the audio
3 version.

4 MS. MAYES: State offers as evidence at this
5 time, Your Honor. Permission to publish?

6 THE COURT: Any objection?

7 MS. MAULDIN: No, Your Honor.

8 THE COURT: It's admitted. You may publish.

9 (State's Exhibit No. 18, 19 admitted into
10 evidence.)

11 BY MS. MAYES:

12 Q. We're going to begin with the video footage,
13 State's 18. And again, you said this is 33 minutes
14 into the interview?

15 A. Yes, ma'am, roughly 33 minutes.

16 (State's Exhibit No. 18 played for her Honor
17 and the jury.)

18 (Video paused.)

19 Q. Again, you indicated the sound, just based on
20 the video alone, is not of sufficient quality?

21 A. It's not great. No, ma'am.

22 Q. All right. Who is this individual we see
23 seated here?

24 A. That's Detective Joe Hart.

25 Q. And here?

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1 A. That's me.

2 Q. And here?

3 A. That's the defendant.

4 Q. Please continue.

5 (Video resumed.)

6 (Video paused.)

7 MS. MAYES: And State's 19 being the audio.

8 (State's Exhibit No. 19 played for her Honor
9 and the jury.)

10 Q. So at this portion of the interview, is it
11 explained to her that she is not under arrest at
12 this time?

13 A. Yes, ma'am.

14 Q. Did she appear to understand the rights as they
15 were read to her by Detective Hart?

16 A. She did.

17 Q. Did she appear to willfully and knowingly waive
18 those rights and agree to participate in this
19 interview?

20 A. Yes, ma'am.

21 Q. Now, as the interview goes on, I want to ask
22 you about whether she ever acknowledged being
23 present when SA's [REDACTED] body was buried at the crime
24 scene?

25 A. So the version of the story that she told me

- 1 was after the shooting, Tre stuck her in the back
2 seat of the car. She was in shock. At which point
3 Treveon and Jaylen drive her to Kilo's house, which
4 is more of a camper, on [REDACTED] Road. She's taken out
5 of the car. They meet with Kilo. Treveon tells
6 Kilo to keep her inside the camper, not let her
7 leave. Her phone is stripped away from her. Jaylen
8 and Tre leave, come back an hour or two later at
9 which point an Uber is ordered for them to go home.
- 10 Q. Let me back up. This is Nicole saying what
11 happened to her after the murder?
- 12 A. Yes, ma'am.
- 13 Q. In the story to you?
- 14 A. Yes, ma'am.
- 15 Q. And she reports that she's in the back seat of
16 the car?
- 17 A. Yes, ma'am.
- 18 Q. And she's taken to what location?
- 19 A. She's taken to Kilo's house. I believe it's
20 [REDACTED] Road.
- 21 Q. And when she's taken to Kilo's, who does she
22 say leaves?
- 23 A. Jaylen and Treveon leave.
- 24 Q. And what name did she call Jaylen by?
- 25 A. Smoove or Smoove.

- 1 Q. She says that Tre and Smoove leave?
- 2 A. Yes, ma'am.
- 3 Q. So did she acknowledge to you or admit to you
- 4 that she is present at the scene when SA [REDACTED]
- 5 [REDACTED] is being buried?
- 6 A. No, ma'am.
- 7 Q. You're aware of a later and subsequent
- 8 interview that she is going to give after the
- 9 interview with you to Detective Pablo Carvajal?
- 10 A. Yes, ma'am.
- 11 Q. Who already testified this morning?
- 12 A. Yes, ma'am.
- 13 Q. You've had an opportunity to review her
- 14 statements to Detective Carvajal?
- 15 A. Yes, ma'am.
- 16 Q. Video and audio recorded?
- 17 A. Yes, ma'am.
- 18 Q. Does she later change to Detective Carvajal the
- 19 story about the stolen Camry not being involved in
- 20 SA's [REDACTED] kidnapping and murder?
- 21 A. She later says that it was involved.
- 22 Q. Does she later admit that is the vehicle that
- 23 they were in at the crime scene?
- 24 A. Yes, ma'am.
- 25 Q. And that SA [REDACTED] was transported from Richland to

1 Lexington in?

2 A. Yes, ma'am.

3 Q. And in that subsequent follow-up interview with
4 Detective Carvajal, how does this story change, that
5 she was taken to Kilo's and that she was at Kilo's
6 when SA [REDACTED] was buried?

7 A. That story changes to --

8 MS. MAULDIN: Objection. Your Honor, this is
9 an awful lot of hearsay. And it's cumulative.

10 MS. MAYES: Cumulative to what? I can lay a
11 foundation.

12 (Sidebar conference.)

13 THE COURT: For the record I'm allowing the --
14 it's not hearsay. Instead I find that it's a
15 statement against interest. I understand your
16 argument on cumulative and I'm noting it for the
17 record, but, however, there's been -- this is like
18 her fourth interview. I'm going to allow the State
19 to distinguish between the two while she's going
20 through them briefly.

21 So go ahead, Ms. Mayes.

22 BY MS. MAYES:

23 Q. Detective Baum, regarding the defendant's
24 statement to you, that she was at Kilo's when
25 SA's [REDACTED] body was buried, you had an opportunity to

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1 listen and observe later statements made by the
2 defendant, Nicole Sanchez-Peralta?

3 A. Yes, ma'am.

4 Q. How, if at all, does that change?

5 A. That changes to, after the murder she's
6 involved in the burying of the body.

7 Q. And present for the burying of the body?

8 A. Yes, ma'am.

9 Q. Now, what efforts did you undertake to find out
10 what communications were occurring between all these
11 various parties in this case? I'm going to show you
12 a diagram that's already in evidence. Being State's
13 204.

14 A. So I wrote, and I don't know the exact amount,
15 but probably 30 or 40 different search warrants for
16 social media records in this case.

17 Q. And why is that, Detective Baum? How important
18 is it to try and obtain not only phone records, but
19 social media records?

20 A. Because that's how people communicate.

21 Q. Can you tell us whether or not you were able to
22 submit and obtain social media records for Treveon
23 Nelson?

24 A. We were.

25 Q. What were some of the social media accounts

1 that you were able to obtain social media records
2 for regarding the codefendant in this case Treveon
3 Nelson?

4 A. So I submitted a Snapchat warrant, two
5 Instagram warrants and a Facebook warrant.

6 Q. And what user names were those accounts under?

7 A. The snap chat was Tre dumanz with a Z. The
8 Instagram one was lul, L-U-L, under score Tre 3.
9 Another Instagram was 1 L-U-L Tree 3 and the
10 Facebook was 0 bay dot Tre dot 54.

11 Q. And were you able to ascertain whether or not
12 there was a Facebook account in the name of Treveon
13 Nelson?

14 A. There was.

15 Q. And were you able to obtain records for that
16 account as well?

17 A. Yes, ma'am.

18 Q. Next I want to ask you about the defendant,
19 Nicole Sanchez-Peralta. What, if any, social media
20 accounts were you able to obtain pursuant to a
21 search warrant for phone and social media records?

22 A. We got an Instagram for dabrat dot under score
23 NX.

24 Q. That's the dabrat under score NX account that
25 we've previously seen in this case?

1 A. Yes, ma'am.

2 Q. What else?

3 A. And also a Snapchat of Tre underscore N23.

4 Q. And I believe there's been testimony already
5 about phone records being obtained for a phone
6 number attributed to Nicole Sanchez-Peralta?

7 A. Yes, ma'am. And I ended up doing search
8 warrants for eight different phones.

9 Q. And what about the other codefendant in this
10 case, Jaylen Wilson, also known as Smoove?

11 A. He had two Facebooks, two Instagrams, a
12 Snapchat and a variety of different Gmail and iCloud
13 accounts.

14 Q. Were you able to obtain social media records as
15 a result of those search warrants?

16 A. Yes, ma'am.

17 Q. Upon reviewing all of those, were you able to
18 find communications that were relevant and pertinent
19 to the date of these events?

20 A. Yes, ma'am.

21 Q. Now I want to ask you about the individuals at
22 the bottom. A David Gaskins, also known as Gotto.
23 How, if at all, did law enforcement become aware of
24 Gotto in this case?

25 A. So there was a talk about a shovel being from

1 Gotto's house.

2 Q. All right. And who actually gave you that
3 information that a shovel had been obtained from
4 Gotto's house?

5 A. I believe that came up in Pablo's interview
6 when she says they go get a shovel.

7 Q. When you say she, you're referring to who?

8 A. Nicole.

9 Q. So the defendant herself is the one that made
10 law enforcement aware of the individual known as
11 Gotto?

12 A. Yes, ma'am.

13 Q. Now, what address is known for Gotto in this
14 case?

15 A. That's going to be the [REDACTED] Road location.

16 Q. [REDACTED] Road. What area of Lexington County
17 is that in?

18 A. It's Leesville, not far from the incident
19 location.

20 Q. And how did law enforcement become aware of the
21 name Kilo?

22 A. She brought up the name Kilo in her interview
23 with me. Claims that was the first time she's ever
24 met Kilo in that interview. At the end of the
25 investigation, we realized Kilo was actually on the

1 run with Treveon during his man hunt.

2 Q. So the statement that she'd been taken to
3 Kilo's and that Tre and Smoove left to bury SA [REDACTED],
4 would that be the same Kilo that is referenced here
5 on this diagram?

6 A. Yes, ma'am.

7 Q. And his legal name?

8 A. Allon Adams.

9 Q. All right. So both of these individuals were
10 brought to the attention of law enforcement by the
11 defendant herself?

12 A. Yes, ma'am.

13 Q. Now, were you able to obtain social media
14 records for David Gaskins, specifically a Facebook
15 account?

16 A. We were.

17 Q. And were you able, ultimately, to also obtain
18 some social media records for Allon Adams?

19 A. A Snapchat, an Instagram and a Facebook.

20 Q. I'm going to start by asking you about some
21 specific communications in this case that relate to
22 the night of April 5th, which is the night of
23 SA's [REDACTED] disappearance.

24 A. Yes, ma'am.

25 Q. You testified going into this interview, you

1 were already aware of the stolen vehicle occurring
2 at Exxon?

3 A. Correct.

4 Q. I'm going to show you State's 87 and ask you
5 whether or not you recognize this document. And
6 again, Your Honor, for the record all social media
7 accounts are pursuant to a previously filed notice
8 of evidence in this case.

9 A. This is an Instagram record conversation
10 between Treveon and Jaylen Wilson.

11 Q. This being State's 87, do you recognize the two
12 accounts and are those the two accounts you
13 previously mentioned you obtained social media
14 records for?

15 A. Yes, ma'am.

16 MS. MAYES: State's 87 for evidence, Your
17 Honor.

18 THE COURT: Any objection?

19 MS. MAULDIN: All of these would be subject to
20 the pretrial hearing that we had on the matter so
21 I'd object.

22 THE COURT: So noted for the record.

23 (State's Exhibit No. 87 admitted into
24 evidence.)

25 BY MS. MAYES:

1 Q. Looking here -- do you have your laser point
2 with you?

3 A. I do not.

4 Q. Looking here at the diagram, can you show us
5 the two individuals associated with the account
6 where this communication occurs?

7 A. So one is going to be Treveon Nelson and the
8 other one is going to be Jaylen Wilson.

9 Q. All right.

10 Now, with the Instagram records we see a
11 notation over here which is UTC time. Based upon
12 your law enforcement experience and training, are
13 you familiar with whether or not any type of time
14 conversion must take place once you receive these
15 records?

16 A. Correct. So to get to Eastern Standard Time,
17 you take four hours off.

18 Q. So on all these records that we're looking at,
19 you'll be subtracting four hours; is that accurate?

20 A. Yes, ma'am.

21 Q. So in subtracting the four hours, what time are
22 we looking at and what is the date?

23 A. It's going to be April 5th, 2021, roughly
24 12:52 p.m.

25 Q. 12:52 p.m.?

1 A. Yes, ma'am.

2 Q. Are you aware, Detective Baum, based upon your
3 involvement in this case, what time dispatch was
4 called out to the Exxon for that stolen car?

5 A. 12:59 p.m.

6 Q. All right. So this text would be roughly seven
7 minutes before law enforcement's called?

8 A. Correct.

9 Q. Now, the account in the name of Lil Tre three,
10 again that is -- which defendant is that affiliated
11 with?

12 A. Treveon Nelson.

13 Q. And the account four el Smoove?

14 A. Jaylen Wilson.

15 Q. What does the Treveon Nelson account say to the
16 Smoove account?

17 A. I'm at Exxon by Pair.

18 Q. I'm at Exxon by Pair?

19 A. Yes, ma'am.

20 Q. I'm going to show you what is State's 41
21 already in evidence. You're familiar with the
22 location of that Exxon over there on Platt Springs
23 Road in the West Columbia area?

24 A. Yes, ma'am.

25 Q. What is meant by the term Pair? Are you

1 familiar with something known as Pair in that area?

2 A. There's an alternative school there.

3 Q. Would that be the Pair school there adjacent to
4 the Exxon?

5 A. Yes, ma'am.

6 Q. What does the account of Jaylen Wilson respond
7 when Treveon Nelson states, I'm at Exxon by Pair?

8 A. We gone be on wheels in a minute.

9 Q. We gone be on wheels in a minute?

10 A. Yes, ma'am.

11 Q. And again the time of that response, we gone be
12 on wheels in a minute?

13 A. 12:52.

14 Q. So now we're going to move forward. I believe
15 you testified that the dispatch time for the stolen
16 vehicle is 12:59 p.m.?

17 A. Correct.

18 Q. When do you next see texts of interest on the
19 account of Treveon Nelson?

20 A. So around 2:29, 2:30 in the afternoon.

21 Q. I'm going to show you what is State's 82, 83
22 and 84 and ask you whether or not you recognize
23 these items.

24 A. They're Facebook and Instagram records. The
25 first two are from Treveon Nelson's Facebook. The

1 third one is from Instagram from Treveon Nelson.

2 Q. Whose account is sending these communications?

3 A. Treveon Nelson is sending messages from his
4 Facebook and Instagram.

5 Q. To the accounts of other persons?

6 A. Yes, ma'am.

7 MS. MAYES: 82, 83, and 84 all for evidence
8 Your Honor, pursuant to previously filed notice of
9 evidence.

10 THE COURT: Any objection?

11 MS. MAULDIN: Your Honor, I'd renew the
12 pretrial objection.

13 THE COURT: So noted for the record.

14 (State's Exhibit No. 82, 83, 84 admitted into
15 evidence.)

16 BY MS. MAYES:

17 Q. Subtracting that four hours, what time are we
18 at now, detective, on April 5th?

19 A. 2:29 p.m.

20 Q. 2:29 p.m.?

21 A. Yes, ma'am.

22 Q. Roughly an hour and a half after that vehicle
23 was stolen?

24 A. Correct.

25 Q. What does the Lil Tre or Treveon Nelson account

- 1 send to the account of this third party?
- 2 A. Instagram message saying you trying to go in
- 3 the store, get me some nine bullets.
- 4 Q. Get me some nine bullets?
- 5 A. Yes, ma'am.
- 6 Q. State's 83. What time are we at now?
- 7 A. 2:30.
- 8 Q. 2:30 p.m., one minute later from that last
- 9 text?
- 10 A. Yes, ma'am.
- 11 Q. And again, is this the same account we just saw
- 12 or a different account?
- 13 A. This is a Facebook account.
- 14 Q. This Facebook account is in the name of?
- 15 A. Treveon Nelson.
- 16 Q. And the message he sends says what?
- 17 A. You got some nine bullets.
- 18 Q. Again, appear to be sent to a third party?
- 19 A. Yes, ma'am.
- 20 Q. State's 82. What time are we at now on April
- 21 5th?
- 22 A. 2:31.
- 23 Q. So one minute after that last text we just saw?
- 24 A. Yes, ma'am.
- 25 Q. Again, which account is sending this message?

1 A. Facebook account of Treveon Nelson.

2 Q. What is the content of this message?

3 A. Hi Bob, you got some 9 bullets I can buy.

4 Q. Again, appeared to be sent to a third party?

5 A. Yes, ma'am.

6 Q. You were also familiar at this point in the
7 investigation with the results of attempts to ping
8 the cell phone of SA [REDACTED]?

9 A. Yes, ma'am.

10 Q. And were you or any other member of law
11 enforcement ever able to recover any cell tower data
12 for SA's [REDACTED] phone after 10:06 p.m. near
13 [REDACTED] Boulevard apartments?

14 A. After 10:06? No, ma'am.

15 Q. What other communication, if any, did you
16 observe in the social media accounts of Treveon
17 Nelson within the time frame of SA's [REDACTED] murder?

18 A. So there was a message between Treveon and
19 Gotto, or David Williams, David Gaskins, in the
20 context of asking about a shovel.

21 Q. Speak up just a little bit louder.

22 A. Sorry. So there's a message on Facebook
23 between Treveon and David Williams, which is David
24 Gaskins, Gotto. It's about midnight:55 on the 6th
25 and he's asking about a shovel.

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1 Q. I'll show you State's 208 and ask you whether
2 or not you recognize this document?

3 A. Yes, ma'am. Facebook account of Treveon
4 Nelson.

5 Q. Looking here at the diagram and your
6 observation of these records, who was this diagram
7 was this particular message sent to?

8 A. It was sent to David Gaskins.

9 Q. Also known as Gotto?

10 A. Yes, ma'am.

11 MS. MAYES: State's 208 for evidence, Your
12 Honor, pursuant to a previous notice of evidence.

13 THE COURT: Any objection?

14 MS. MAULDIN: No, Your Honor.

15 THE COURT: It's admitted.

16 (State's Exhibit No. 208 admitted into
17 evidence.)

18 THE COURT: It's admitted.

19 BY MS. MAYES:

20 Q. So doing that minus four hours time conversion,
21 what time does the Facebook account of Treveon
22 Nelson send this message to Gotto?

23 A. It'd be 55 minutes after midnight on the 6th.

24 Q. 12:55 a.m.?

25 A. Yes, ma'am.

1 Q. And the content of this message?

2 A. You got a shovel.

3 Q. You got a shovel.

4 I'm going to show you what is State's 60
5 already in evidence. At the time you testified that
6 text is sent the 12:55. Can you tell us whether or
7 not in your investigation you did receive mapping
8 for that time period?

9 A. We did.

10 Q. And on this mapping, there is a location of [REDACTED]
11 [REDACTED] Road?

12 A. Yes, ma'am.

13 Q. Whose address is [REDACTED] Road?

14 A. David Williams, Gotto's house.

15 Q. Was law enforcement ever able to determine if a
16 shovel had been used to bury the body of SA [REDACTED]
17 [REDACTED]?

18 A. There was reports from Gotto that he was
19 missing a shovel.

20 Q. All right. And let me ask you this: Regarding
21 a shovel, do you know whether or not law enforcement
22 went to that location, [REDACTED] Road, to try and
23 obtain a shovel if one had been there?

24 A. We did.

25 Q. And ultimately, was law enforcement able to

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1 recover a shovel from that location?

2 A. I wasn't there when they went out there that
3 day. I'm not sure if we recovered one. I know we
4 recovered a handle in the woods. I want to say that
5 he did have some extra shovels that we do have in
6 evidence.

7 Q. Let me back up. Was a shovel found at the
8 crime scene? You're familiar with the crime scene?

9 A. Correct. I believe it was just a handle found
10 in the woods.

11 Q. A handle to a shovel was found at the crime
12 scene?

13 A. Correct.

14 Q. Can you tell us whether or not law enforcement
15 did go to [REDACTED] Road to meet with Gotto?

16 A. We did. I was not there personally, but we
17 did.

18 Q. Was that in reference to potentially a missing
19 shovel?

20 A. Yes, ma'am.

21 Q. Now, [REDACTED] Road, we've got 12:55 a.m. What
22 can you tell us about that location? Are you
23 familiar with that particular location? Is it
24 furnished or unfurnished?

25 A. It's a home owned by David Gaskins. It's

1 abandoned. The only thing that was located inside
2 was a mattress. There's no running water. There's
3 no electricity. It's just an abandoned building.

4 Q. Okay. I'll show you States's 205 and ask you
5 whether or not you're familiar with this document.

6 A. It's a time line of events. Yes, ma'am.

7 Q. Does it include those social media
8 communications that you've identified?

9 A. Yes, ma'am.

10 Q. Including the social media accounts that you
11 reviewed for purposes of this investigation?

12 A. Yes, ma'am.

13 Q. And any texts that may relate directly to this
14 investigation?

15 A. Yes, ma'am.

16 MS. MAYES: State's 205 for evidence, Your
17 Honor.

18 THE COURT: Let me know if there's an
19 objection.

20 MS. MAULDIN: Judge, I'd object on the basis
21 that it's cumulative.

22 MS. MAYES: I believe it's offered as a
23 summary, Your Honor.

24 THE COURT: I'll let you do it. Go ahead, Ms.
25 Mayes. It's admitted.

1 (State's Exhibit No. 205 admitted into
2 evidence.)

3 BY MS. MAYES:

4 Q. Looking here at State's 205, the texts
5 regarding the bullets, again, how far in time does
6 that occur after the reported theft of the stolen
7 Camry?

8 A. About an hour and a half.

9 Q. Can you tell us whether or not that is the same
10 day that SA [REDACTED] is reported missing from [REDACTED]
11 apartments?

12 A. Same day.

13 Q. Then regarding the text looking for the shovel,
14 how far in time is that from when SA's [REDACTED] phone goes
15 dead at 10:06 p.m.?

16 A. Almost three hours.

17 Q. Now, what else did Nicole tell you about her
18 role in this following the murder of SA [REDACTED]

19 [REDACTED]? Did she tell you where she went and
20 where she was? What words came out of her mouth?

21 A. So in my interview she told us that they Uber'd
22 back home after the murder to [REDACTED] Street,
23 which is Treveon's house. At which point she was
24 held there captive by Treveon for about a week.

25 Q. So I want to ask you about that. She tells you

1 she left Leesville in an Uber and went where?

2 A. To [REDACTED] Street to Treveon Nelson's house.

3 Q. To Traveon's house. And how long does she say
4 she remains there at Traveon's house?

5 A. I believe it was about a week she was held
6 captive there she said.

7 Q. She said she was held captive for about a week?

8 A. Yes, ma'am.

9 Q. Meaning in her statement to you, she said she's
10 not free to leave that place?

11 A. Correct.

12 Q. What else did she tell you about whether or not
13 she had access to a phone?

14 A. She said that Treveon had taken her phone away
15 and she did not have access.

16 Q. Did not have access to a phone?

17 A. Correct.

18 Q. Pursuant to this investigation, have you had an
19 opportunity to review her social media accounts as
20 well?

21 A. I have.

22 Q. Does there appear to be communications ongoing
23 between her account and that of Sister [REDACTED]?

24 A. There does.

25 Q. As well as other associates of SA [REDACTED]?

1 A. There's multiple communications.

2 Q. There was testimony previously in this case
3 from Investigator Molly Nations that on April 7th a
4 phone call was placed to the defendant at the
5 library. Were you able to follow up on the phone
6 number that Investigator Nations was actually
7 communicating with on that day on April 7th, two
8 days after SA's [REDACTED] murder when she was at the
9 library?

10 A. We did. We identified the owner of that phone
11 number. I don't want to butcher his name. But it's
12 spelled C-H-I-M-E-N-U-M-A, last name Ajoku.

13 Q. Does that include actual tracing of that phone,
14 of that particular phone number that Investigator
15 Nations had spoken with?

16 A. Yes, ma'am. The phone line actually belongs to
17 his grandmother. Blessings Ajoku.

18 Q. You were able to determine that that phone
19 belonged to someone named Chi who had originally
20 answered that phone at the library?

21 A. Yes, ma'am.

22 Q. What other evidence did you recover from social
23 media accounts, Investigator Baum, that indicated
24 she was not at the home of Treveon Nelson or being
25 held captive at the home of Treveon Nelson?

1 A. So there was some Snapchat records that came
2 back after the date of the murder that showed she
3 was not at that house. She was actually at a hotel.

4 Q. I'm going to show you what is 206, 207, 188,
5 189, and 202. Ask you whether or not you're
6 familiar with these documents?

7 A. Yes, ma'am, they're still shots of -- I believe
8 some are a couple of photos, some are video still
9 shots on Snapchat.

10 Q. What particular Snapchat user name is this
11 account under?

12 A. So it's bad little bitch NX and it's also tre
13 demands.

14 Q. So bad little bitch NX, were you able to
15 determine who was associated with that account?

16 A. It was Nicole's.

17 Q. And what is the date, doing the subtraction of
18 the four hours, for these documents that you
19 recovered from the Snapchat in the name of bad
20 little bitch?

21 A. April 6th.

22 Q. So one day after the murder?

23 A. Yes, ma'am.

24 MS. MAYES: State's 206, 207, 188, 189, 202 for
25 evidence, Your Honor, pursuant to our previously

1 filed notice of evidence.

2 THE COURT: Let me know if there's an
3 objection.

4 MS. MAULDIN: Judge, may we approach?

5 (Sidebar conference.)

6 (State's Exhibit No. 206, 207, 188, 189, 202
7 admitted into evidence.)

8 THE COURT: All right. Go ahead, Ms. Mayes.

9 BY MS. MAYES:

10 Q. Now, again, regarding the statement that Nicole
11 Sanchez-Peralta made to you that she was held
12 captive at [REDACTED] Street, the home of Treveon
13 Nelson, did you recover any social media evidence
14 that that's not where she was?

15 A. We did.

16 Q. And evidence to the contrary of that story
17 altogether?

18 A. Yes, ma'am.

19 Q. I'm going to show you what is State's 206, 188
20 and 189. Again, with that time conversion in mind
21 and the minus 4, what time and date are we actually
22 looking at for the Snapchat account in the name of
23 bad little bitch?

24 A. It looks about 8:30 if you take four hours off
25 of midnight there on the 6th.

1 Q. So this would actually be the night of April
2 6th?

3 A. Yes, ma'am.

4 Q. At least one day after the murder of SA [REDACTED]
5 [REDACTED]?

6 A. Yes, ma'am.

7 Q. Now, in examining the photos, were you able to
8 determine whether this was a home residence or
9 something else?

10 A. It's something else. In another photo you can
11 see there's markings of Quality Inn.

12 Q. I'll show you what is State's 189. Do you
13 recognize the logo on this particular item located
14 here on the desk?

15 A. Yes, ma'am. It's a Quality Inn.

16 Q. Can you tell us whether or not there are
17 Quality Inns in the area of Cayce, South Carolina?

18 A. There are.

19 Q. Here looking at, again, 188, is there actual
20 video that goes with the social media as well as the
21 still shots that we're looking at now?

22 A. There are.

23 Q. In observing the videos affiliated with these
24 Snapchats, did you ever see any visible signs of
25 injury to the defendant, Nicole Sanchez-Peralta?

1 A. Did not.

2 Q. Did you ever observe any signs of coercion or
3 duress?

4 A. No, ma'am.

5 Q. Or force being used upon her by Treveon Nelson?

6 A. No, ma'am.

7 Q. Looking at 189 again, I'm going to let you look
8 at this with your eyes. Because I realize the
9 quality may not be the same. What, if any, object
10 is located within this area?

11 A. It appears to be a cell phone.

12 Q. And who is this individual standing here?

13 A. That's Nicole.

14 Q. I'm going to give you a chance to look at that
15 again.

16 MS. MAYES: And Your Honor, if the witness may
17 step down.

18 THE COURT: He may.

19 MS. MAYES: Permission to publish directly to
20 the jury, Your Honor.

21 THE COURT: Directly to the jury. It's
22 granted.

23 MS. MAYES: Beginning with State's 188.

24 BY MS. MAYES:

25 Q. Now, looking in 189, can you tell us where in

1 this photograph, Detective Baum, you saw what you
2 identified as a cell phone?

3 A. This is the cell phone.

4 Q. And again, the location of where the defendant
5 is in this particular photograph?

6 A. That's the Quality Inn.

7 Q. Now, regarding 202 and 207 already in evidence,
8 again, you indicated that there is video footage
9 affiliated with these Snapchat videos as well?

10 A. Yes, ma'am.

11 Q. I'm going to show you what is 207 and ask you
12 whether or not you were able to identify the two
13 individuals in this Snapchat video?

14 A. The defendant and Treveon Nelson.

15 Q. And subtracting the 4:00 hours, what would be
16 the time frame of this video?

17 A. 8:30 p.m. on the 6th.

18 Q. 8:30 p.m. on the 6th?

19 A. Yes, ma'am.

20 Q. So again, is that consistent with the same time
21 frame of the same Snapchat video you just mentioned
22 being taken at the Quality Inn?

23 A. Yes, ma'am.

24 Q. During your observation of this video, were
25 there ever any signs of force or coercion?

DIRECT EXAMINATION OF KEVIN BAUM BY MS. MAYES

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1 A. No, ma'am.

2 Q. Any signs of injury to Nicole Sanchez-Peralta?

3 A. No, ma'am.

4 MS. MAYES: Permission to publish, Your Honor.

5 THE COURT: You can publish.

6 BY MS. MAYES:

7 Q. Again, 202. Can you tell us whether or not
8 that clip is from the same -- the still shot is from
9 the same video clip?

10 A. It is.

11 Q. From that Snapchat account of Nicole
12 Sanchez-Peralta?

13 A. Yes, ma'am.

14 Q. Again, based on your observations, can you tell
15 us whether or not this contact appeared to be
16 consensual?

17 A. It did.

18 Q. Thank you. You may return.

19 Investigator Baum, the interview that you
20 conducted with her on April 28, 2021, again, was
21 that audio and video recorded in its entirety from
22 the time of your contact with her?

23 A. Yes, ma'am.

24 Q. I'm going to show you what is State's 61 and
25 62, 63, 64 and 65 and ask you whether or not you

1 recognize these items.

2 A. It's going to be clips from the interview.

3 Q. Are these a fair and accurate representation of
4 the clips directly from that interview?

5 A. Yes, ma'am.

6 MS. MAYES: For evidence, Your Honor, 61, 62,
7 63, 64, 65.

8 THE COURT: Any objection?

9 MS. MAULDIN: None, Your Honor.

10 THE COURT: They're admitted.

11 (State's Exhibit No. 61, 62, 63, 64, 65
12 admitted into evidence.)

13 MS. MAYES: Permission to publish, Your Honor.

14 THE COURT: Yes, ma'am.

15 MS. MAULDIN: Subject to the prior pretrial
16 hearing.

17 THE COURT: Subject to the prior. So noted for
18 the record.

19 MS. MAYES: State's 61.

20 (State's Exhibit No. 61 played for her Honor
21 and the jury.)

22 (Video paused.)

23 MS. MAYES: State's 62.

24 (State's Exhibit No. 62 played for her Honor
25 and the jury.)

DIRECT EXAMINATION OF KEVIN BAUM BY MS. MAYES

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1 (Video paused.)

2 BY MS. MAYES:

3 Q. That vehicle you're referring to is what?

4 A. Referring to the stolen Toyota Camry.

5 MS. MAYES: State's 63.

6 (State's Exhibit No. 63 played for her Honor
7 and the jury.)

8 (Video paused.)

9 MS. MAYES: State's 64.

10 (State's Exhibit No. 64 played for her Honor
11 and the jury.)

12 (Video paused.)

13 MS. MAYES: State's 65.

14 (State's Exhibit No. 65 played for her Honor
15 and the jury.)

16 (Video paused.)

17 Q. In this statement does she tell you that the
18 car was sold to Gotto?

19 A. She did.

20 Q. Did she tell you that happens before the murder
21 or after the murder?

22 A. Two to three days prior to the murder.

23 Q. Prior to the murder? Referring to that stolen
24 Camry?

25 A. Yes, ma'am.

1 Q. Now, how important was it to you during the
2 course of this investigation to actually have that
3 Camry processed for evidence?

4 A. Very important.

5 Q. And can you tell us whether or not your agency
6 worked in conjunction with any other agency to
7 potentially have a CSI team obtain DNA swabs from
8 that vehicle?

9 A. We did have the vehicle processed.

10 Q. You're familiar with this vehicle originally
11 being recovered out on [REDACTED] Road on April 16?

12 A. Yes, ma'am.

13 Q. Can you tell us whether or not you obtained a
14 DNA sample from the defendant herself in this case,
15 Nicole Sanchez-Peralta?

16 A. We did. Near the end of the interview with me,
17 Richland County came in and got consent for DNA.

18 Q. I'm going to show you what is State's 81, 197,
19 and 78 and ask you whether or not you recognize
20 these items.

21 A. So this is the consent form. That's a still
22 shot of the Richland County detective and then
23 that's going to be the DNA swab.

24 Q. Okay. And again, you indicated you were
25 present when this swab was obtained?

1 A. Yes, ma'am.

2 Q. Did the defendant herself give consent for this
3 swab to be obtained?

4 A. She did.

5 Q. Were you present for the actual collection of
6 this swab?

7 A. I was.

8 Q. What part of the body is it collected from?

9 A. From the mouth.

10 Q. What occurs with the swab immediately after
11 it's collected?

12 A. Gets sealed.

13 Q. Would it have been sealed in your presence?

14 A. Yes, ma'am.

15 Q. And remained in the custody of law enforcement
16 sealed?

17 A. Correct.

18 Q. Up until what point in time?

19 A. Until it's processed for evidence.

20 Q. Submitted to a crime lab for further analysis?

21 A. Yes, ma'am.

22 MS. MAYES: This will be State's 197, 78, and
23 81 for evidence at this time, Your Honor.

24 THE COURT: Any objection?

25 MS. MAULDIN: None, Your Honor.

1 THE COURT REPORTER: Can you repeat those
2 numbers please?

3 THE COURT: It's admitted.

4 (State's Exhibit No. 197, 78, 81 admitted into
5 evidence.)

6 MS. MAYES: Yes. 81 being the screenshot from
7 that process. And again, Investigator, who was
8 located here in the interview room now?

9 THE COURT: That's a Richland County detective
10 who is there to help out.

11 BY MS. MAYES:

12 Q. And 197 being the actual buccal swab of Nicole
13 Sanchez-Peralta. And 78 I believe you indicated is
14 a consent form?

15 A. Yes, ma'am.

16 Q. Does that consent form bear the signature of
17 Nazareth or Nicole Sanchez?

18 A. It does.

19 Q. Agreeing to provide that buccal swab?

20 A. Yes, ma'am.

21 Q. Can you tell us who collected the buccal swab
22 from the codefendant in this case Treveon Nelson?

23 A. I believe I had the warrant signed myself and
24 then I believe Brenda Snelgrove, our CSI, got the
25 actual buccal swab.

DIRECT EXAMINATION OF KEVIN BAUM BY MS. MAYES

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1 Q. I'm going to show you what is 216 and I'll just
2 ask you for purposes of your hearing right now, are
3 you familiar with whether or not in 2022 a DNA
4 sample or same type of buccal swab was collected
5 from the codefendant Treveon Nelson?

6 A. It was.

7 THE COURT: Is that for ID only?

8 MS. MAYES: For ID only at this time, Your
9 Honor.

10 BY MS. MAYES:

11 Q. Then aside from your actual involvement, are
12 you familiar with whether or not, ultimately, a
13 buccal swab was also obtained by law enforcement for
14 the third codefendant in this case Jaylen Wilson,
15 also known as Smoove?

16 A. It was.

17 Q. Are you familiar with whether or not a buccal
18 swab was also obtained from the individual known as
19 Gotto --

20 A. That I'm not --

21 Q. -- or David Gaskins?

22 A. I'm not sure. I didn't take the buccal swab.

23 Q. On April 28 at 4:28 p.m. you testified you were
24 at the Lexington County Sheriff's Office. Where do
25 you ultimately end up that night, Detective Baum?

1 A. When I concluded my interview, Nicole was given
2 over to Detective Carvajal, I leave to go serve a
3 search warrant on the phone and then I was notified
4 that Nicole did lead Detective Carvajal to the body
5 location and that's where I ended up.

6 Q. So the body of SA [REDACTED] was found on
7 what night?

8 A. That night, the 28th.

9 Q. The night of the 28th?

10 A. Yes, ma'am.

11 Q. Can you tell us when Jaylen Wilson was brought
12 into custody by law enforcement?

13 A. I believe it was the 28th as well.

14 Q. On this same day?

15 A. Yes, ma'am.

16 Q. Can you tell us when a search warrant was
17 executed at the home of Jaylen Wilson?

18 A. That same day, the 28th.

19 Q. The 28th. I'm going to show you what is for ID
20 only at this time. This is State's 195 for ID only.
21 Again, by the 28th you had received the name Jaylen
22 Wilson from which defendant?

23 A. Nicole.

24 Q. And after her implicating Jaylen Wilson, which
25 agencies were involved in the execution of the

1 search warrant at his residence?

2 A. We were, along with Richland County.

3 Q. Just speak up a little bit louder.

4 A. Lexington County and Richland County.

5 Q. And can you tell us whether or not a cell phone
6 was recovered during the execution of that search
7 warrant at the home of Jaylen Wilson?

8 A. It was.

9 Q. And what is that street address?

10 A. [REDACTED] Road. I believe it was [REDACTED] ^ [REDACTED]
11 [REDACTED].

12 Q. The [REDACTED]?

13 A. Yes, ma'am.

14 Q. Would that be the cell phone that you're
15 referring to there?

16 A. Yes, ma'am.

17 Q. Now, looking at some of the cell phone numbers
18 you had for Jaylen Wilson, what, if anything, were
19 you able to determine in your investigation about
20 which phone number goes with that phone?

21 A. So when Phipps, our CSI guy, was extracting
22 this phone, the 6119 number belongs on this phone.

23 Q. That would be this number here?

24 A. Yes, ma'am.

25 Q. And where within the residence was that phone

1 recovered during the execution of the search
2 warrant?

3 A. In his bedroom.

4 Q. Where, if at all, had law enforcement gotten an
5 alternative number for Jaylen Wilson, meaning this
6 number up here that ends in a 2836?

7 A. During our investigation we found out that he
8 worked at Bojangles. So his employment gave us that
9 phone number.

10 Q. Now, based upon your investigation, does this
11 phone ever appear to leave his home that night?

12 A. The 2836 does not.

13 Q. Appears to remain at the [REDACTED] Road
14 residence?

15 A. Yes, ma'am.

16 Q. What other indications do you have through your
17 investigation as to who this phone number actually
18 belongs to?

19 A. When we went through this phone dump, we found
20 a contact with that phone number under the name
21 Madukes.

22 Q. Under the name Ma?

23 A. Yes, ma'am.

24 Q. And that was on whose phone?

25 A. On Jaylen's phone.

DIRECT EXAMINATION OF KEVIN BAUM BY MS. MAYES

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1 Q. So this phone has this phone number as Ma?

2 A. Correct.

3 Q. Once the search warrant was executed at the
4 home of Jaylen Wilson, was he brought in for
5 questioning?

6 A. He was. He was brought to Richland County
7 Sheriff's Department for questioning.

8 Q. Can you tell us whether or not -- we can't get
9 into anything that was said. But can you tell us
10 whether or not your division, the Lexington County
11 Sheriff's Department, also had investigators
12 involved in that contact with Jaylen Wilson?

13 A. I know Detective Bryan Sharpe was there during
14 that interview.

15 Q. Did Jaylen Wilson ever leave custody after that
16 point?

17 A. No, ma'am.

18 Q. And ultimately on what date was Jaylen Wilson
19 arrested?

20 A. That same day, the 28th.

21 Q. And after SA's [REDACTED] body is found and the
22 defendant implicated Treveon Nelson, on what date
23 was an arrest warrant issued for murder for Treveon
24 Nelson?

25 A. Early morning hours or the next day, the 29th.

1 Q. Were you able to locate him right away?

2 A. No, ma'am. It was an extensive man hunt to
3 locate him.

4 Q. I'm going to show you what is State's 94 and
5 ask you if you recognize this photograph.

6 A. That is a still shot of a press conference that
7 Leon Lott had.

8 Q. What is the date of this press conference?

9 A. It was the 29th.

10 Q. So the day after SA's [REDACTED] body is found?

11 A. Yes, ma'am.

12 Q. What is the status of Treveon Nelson at this
13 point?

14 A. He's wanted.

15 MS. MAYES: State's 194 for evidence.

16 THE COURT: Any objection?

17 MS. MAULDIN: Without objection, Your Honor.

18 THE COURT: It's admitted.

19 (State's Exhibit No. 194 admitted into
20 evidence.)

21 BY MS. MAYES:

22 Q. You mentioned a manhunt. What agencies were
23 involved in the manhunt for Treveon Nelson?

24 A. There were a lot of them. I know Richland
25 County, Lexington County, SLED, U.S. Marshals, our

- 1 fugitive task force.
- 2 Q. Is this your sheriff in this photograph or
- 3 another sheriff?
- 4 A. That's the sheriff for Richland County.
- 5 Q. Leon Lott?
- 6 A. Yes, ma'am.
- 7 Q. And in the background we see whose photo?
- 8 A. Treveon Nelson.
- 9 Q. Were there attempts to locate and obtain
- 10 information about the whereabouts of Treveon Nelson
- 11 through the media?
- 12 A. There was.
- 13 Q. As well as social media?
- 14 A. Yes, ma'am.
- 15 Q. And ultimately, when was he apprehended?
- 16 A. It was the 30th.
- 17 Q. The following day on the 30th?
- 18 A. Yes, ma'am.
- 19 Q. Where, ultimately, did law enforcement locate
- 20 Treveon Nelson?
- 21 A. It was near the [REDACTED] Road location down in
- 22 Leesville.
- 23 Q. In Leesville?
- 24 A. Yes, ma'am.
- 25 Q. Where was he at when he was located?

1 A. Running through the woods.

2 Q. In the woods?

3 A. Yes, ma'am.

4 Q. Can you tell us whether or not the State Law
5 Enforcement Division had a helicopter involved in
6 that search?

7 A. Helicopter, multiple K-9 teams.

8 Q. How long, approximately, had that helicopter
9 been in the air prior to his apprehension?

10 A. I don't want to speculate. I don't know the
11 exact answer to that. But I know it went on for a
12 while.

13 Q. Allon Adams. I believe there's been testimony
14 that there was also a search for Allon Adams. Why
15 is that?

16 A. We had information that Allon Adams was with
17 Treveon Nelson.

18 Q. Did that include the period of time in which
19 Treveon Nelson was believed to have been on the run?

20 A. Yes, ma'am.

21 Q. Were you present at the Lexington County
22 Sheriff's Department when Allon Adams was brought
23 into custody?

24 A. I was.

25 Q. Again, we're looking here at State's 52. Is he

1 being arrested in connection with this case or is it
2 something else?

3 A. He had a bench warrant.

4 Q. An outstanding bench warrant?

5 A. Yes, ma'am.

6 Q. Was that bench warrant involved in any way with
7 the disappearance or murder of SA [REDACTED]?

8 A. No.

9 Q. Completely unrelated?

10 A. Unrelated.

11 Q. And was it preexisting prior to this night?

12 A. Yes, ma'am.

13 Q. Who is shown there in the photograph with Allon
14 Adams?

15 A. His grandmother.

16 Q. And who was present during this interview with
17 Allon Adams?

18 A. Myself and Detective Carvajal.

19 Q. What is the date and timestamp at the bottom of
20 that screen shot?

21 A. April 30 at 6:39 in the afternoon.

22 Q. Where was Allon Adams apprehended?

23 A. In a wooded area in Leesville.

24 Q. Also in a wooded area in Leesville?

25 A. Yes, ma'am.

1 Q. Again, you can't get into anything that anyone
2 said. Did you participate in this interview with
3 Allon Adams?

4 A. I did.

5 Q. Following your interview with Allon Adams, was
6 any additional charge brought against the defendant
7 in this case, Nicole Sanchez-Peralta?

8 A. Murder.

9 Q. She was charged with murder?

10 A. Yes, ma'am.

11 MS. MAYES: Thank you. Nothing further.

12 THE COURT: Ms. Mauldin?

13 MS. MAULDIN: Thank you, Your Honor.

14 CROSS-EXAMINATION

15 BY MS. MAULDIN:

16 Q. Good afternoon, Detective Baum.

17 A. Good afternoon.

18 Q. You're the one who got the warrants on Treveon
19 Nelson and Jaylen Wilson?

20 A. Yes, ma'am.

21 Q. And you filled in their information on those
22 warrants?

23 A. I believe so, yes.

24 Q. And when you do that, you're swearing to the
25 Judge that the information on the warrants is

1 correct?

2 A. Yes, ma'am.

3 Q. You listed Nelson's height as five-nine?

4 A. I don't have the warrants in front of me, but
5 if you could show them.

6 Q. These will refresh your recollection.

7 A. So yes, ma'am, Treveon is listed as five-nine
8 and Treveon is listed as five-four.

9 Q. And what are their weights?

10 A. Treveon is listed at 153. Jaylen's listed at
11 165.

12 Q. So both bigger than Nicole Sanchez?

13 A. I don't know her weight, but I'll agree with
14 you.

15 Q. She's about five feet tall, right?

16 A. Yeah.

17 Q. This was a couple years later. She was about
18 110 back then, right?

19 A. Yeah, that sounds accurate.

20 Q. And by April 28 the police had been looking for
21 SA [REDACTED] for 28 days -- or 22 days rather?

22 A. Yes, ma'am.

23 Q. There were no results in finding her body
24 either from Richland County or Lexington County from
25 what you knew at that point?

1 A. Correct.

2 Q. And even after she had taken y'all out to [REDACTED]
3 Road on the 27th, you had noted buzzards flying
4 around in the area, but even with that information,
5 y'all still didn't know where SA's [REDACTED] body was?

6 A. On the 27th after everybody cleared, it was
7 getting dark. We tried multiple locations from the
8 description that she gave as a cut off of road
9 between two trees but we didn't look there.

10 Q. So ultimately, what led you to find the body
11 was Nicole Sanchez telling you where she was?

12 A. Yes, ma'am.

13 Q. And you said that you had done 30 to 40 search
14 warrants on the case?

15 A. That's just a rough guesstimate. It could be
16 more. I know at one point in time this Judge signed
17 35 so...

18 Q. It was a lot?

19 A. Right.

20 Q. And those included the warrant that you got for
21 Jaylen Wilson's home?

22 A. I don't know if I wrote that warrant. I wasn't
23 there when it was served.

24 Q. But that search was pursuant to a search
25 warrant?

1 A. Yes, ma'am.

2 Q. Did you search David Gaskin's home?

3 A. I wasn't there for that. Bryan Sharpe was,
4 along with some other detectives.

5 Q. Then there was a search that you participated
6 in at Allon Adams's camper?

7 A. Yes, ma'am.

8 Q. That was not executed until May 19?

9 A. I don't have it in front of me.

10 Q. So that was almost a month after Nicole had
11 taken you to SA's [REDACTED] body?

12 A. Sounds accurate. Yes, ma'am.

13 Q. And that was a little less than a month after
14 you had found Allon Adams and Treveon Nelson?

15 A. Yes, ma'am.

16 Q. Okay. You wrote -- or you testified earlier
17 about your interview, and in the one depicted here
18 with Allon Adams, right, you wrote a report on that
19 interrogation, correct?

20 A. For Allon and Nicole, yes. They both have
21 supplements in here.

22 Q. So the one specifically for Allon Adams is
23 listed that you completed that on April 26 of 2022;
24 is that right?

25 A. That's what it says. Yes, ma'am.

1 Q. So you completed your report on that almost a
2 year after this had happened?

3 A. Could be, yes. If that's what it says, that's
4 when I completed it. Yes, ma'am.

5 Q. Rather than right after it happened when it
6 would have been fresh on your mind and be
7 contemporaneous?

8 A. So if you want me to explain why that would
9 happen, I can. So not only do you have a murder
10 case on your books, but you got 30 or 40 other cases
11 you're working on top of it. So supplements can be
12 done at a later date. If you want to watch the
13 videos, watch the stuff and refresh your mind about
14 what exactly happened -- I like to rewatch my videos
15 and then write my supplements. That way I know
16 they're accurate. Some of them can take longer than
17 others to get completed.

18 Q. So that works for things that there's a video
19 of, but if there's not a complete video of
20 something, an officer might forget something --

21 A. I do take notes as well. Just like any other
22 investigation, you write notes so you don't forget
23 stuff.

24 Q. But you didn't complete your supplement until
25 almost a year later?

1 A. Yes, ma'am.

2 Q. Okay. What you refer to as an extensive
3 manhunt for Nelson and what turned out to be for
4 Allon Adams too, and that required -- it sounded
5 like a number of agencies?

6 A. Yes, ma'am.

7 Q. About how many officers do you think were
8 involved in that?

9 A. I wasn't directly involved in that manhunt. We
10 have a fugitive task force who works with the U.S.
11 Marshals. I know our K-9 unit was involved, SLED
12 and Richland County. But as far as telling you an
13 exact number, I don't have it.

14 Q. Okay. And you said that they were found in the
15 same manhunt but they were found close to [REDACTED] Road?

16 A. What I was told they were found near [REDACTED]
17 Road.

18 Q. How far is that from Allon Adams's home?

19 A. [REDACTED] runs into [REDACTED] where they intersect. So
20 depending on what part of [REDACTED] it's on, it could be
21 relatively close to his house.

22 Q. So that would be close to the camper that
23 Nicole said she and Tre had been staying in?

24 A. Yes, ma'am.

25 Q. The swab that we talked about earlier, did that

1 one stay in the custody of Richland County the whole
2 time?

3 A. Which swab? You're talking about Nicole's?

4 Q. Yes. Nicole's swab.

5 A. They took the swab, so I would assume, yes, it
6 remained in their custody.

7 Q. It never came back to Lexington? It just went
8 from them --

9 A. At some point all the evidence came back to us.
10 I'm not sure when. I don't have those notes in
11 front of me.

12 Q. Would that have been after SLED processed it?

13 A. SLED didn't process. Richland County did.

14 Q. Okay. Richland County.

15 A. Yes, ma'am.

16 Q. And you mentioned that Nicole is the person who
17 gave you the name of Wilson?

18 A. Jaylen Wilson?

19 Q. Yes.

20 A. She told us originally she didn't know Smoove's
21 name, his real name is what she told us. She said
22 they were acquaintances. They knew each other but
23 she didn't know his real name is what she told me.

24 Q. But the first time law enforcement knew about
25 him and his involvement was through what she said.

1 So essentially, she gave up Smoove or Jaylen Wilson?

2 A. I believe so, yes.

3 Q. As far as the discussion about the Uber goes,
4 there -- the people use Uber to refer to all kinds
5 of ride shares. It's just Uber for short. Just
6 like an escalator is an escalator?

7 A. I don't use ride share, so I don't know what
8 the common lingo is. If I'm going to use an Uber,
9 I'd say use an Uber. But if that's your opinion --

10 Q. Did you check any other ride share companies to
11 see if anybody else had --

12 A. No, ma'am. We did not.

13 Q. On August 12 of 2022, you were made aware that
14 the Columbia Police Department had some evidence
15 that might be relevant to this case too; is that
16 correct?

17 A. August 12 of 2022?

18 Q. Yes.

19 A. Can you refresh me what evidence it is?

20 Q. You talked to an Investigator Davis over there?
21 Met with him and took custody of a firearm?

22 A. That would be the NIBIN hit that we received --

23 Q. Yes.

24 A. -- is that what you're referring to? Yes.

25 Q. So that firearm was a -- what you wrote up as a

1 Glock 17 and you gave a serial number on that for
2 NXW 425?

3 A. Okay. I don't have it in front of me, but it
4 sounds accurate. Yes, ma'am.

5 Q. Okay. And so you wanted CSI to make
6 arrangements to send the Glock to Richland County
7 for conformation testing on that?

8 A. Yes, ma'am.

9 Q. And that was to confirm whether or not it was
10 potentially a gun used in this case?

11 A. Right. The NIBIN hit with a link to a shell
12 casing, I believe, found at the scene. So it was
13 sent off for testing.

14 Q. And that was because there was a hit in the
15 ballistic system that it was related to this case?

16 A. Yes, ma'am.

17 Q. Did you or anybody else involved in this case
18 investigate either a Jamary Frasier, a Zarque
19 Johnson or a James Joseph Patterson?

20 A. I can tell you I didn't. Those names don't
21 sound familiar to me.

22 Q. As one of the chief investigators on the case,
23 your job is to know what went on in the
24 investigation. Those names don't ring a bell to
25 you?

1 A. No, ma'am.

2 Q. If I showed you your report, would it refresh
3 your memory as far as the serial number on that
4 Glock from the city of Columbia?

5 A. Sure. I know what Glock you're talking about.
6 I remember meeting with their evidence over there
7 and taking custody of it, the NXW 425. Yes, ma'am.

8 Q. Thank you.

9 When Treveon Nelson was arrested, he didn't sit
10 down and talk to y'all about what happened in the
11 case, did he?

12 A. He would not speak.

13 Q. Same with Jaylen, he really didn't say anything
14 about what happened?

15 A. I didn't interview Jaylen, so I can't give
16 light on that. But from what I understand, no. His
17 story was that he was not involved in the shooting.

18 Q. As one of the lead investigators, you know he
19 didn't give a statement about it?

20 A. Right.

21 Q. Okay.

22 MS. MAULDIN: Your Honor, beg the Court's
23 indulgence.

24 THE COURT: Take your time.

25 MS. MAULDIN: Nothing further, Your Honor.

1 THE COURT: Any redirect?

2 MS. MAYES: Just briefly, Your Honor.

3 REDIRECT EXAMINATION

4 BY MS. MAYES:

5 Q. Regarding the submission of your supplementals
6 at a later date, did you have audio/video recordings
7 of your interviews with Allon Adams?

8 A. I did.

9 Q. As well as with the defendant herself?

10 A. I did.

11 Q. Did you have all of those to rely on when you
12 submitted your supplementals?

13 A. Yes, ma'am.

14 MS. MAYES: Thank you. Nothing further.

15 THE COURT: May I let Investigator Baum step
16 down?

17 MS. MAYES: Yes, Your Honor.

18 THE COURT: Anything else from Ms. Mauldin?

19 MS. MAULDIN: No, Your Honor.

20 THE COURT: Mr. Foreman, is the jury okay?
21 Would you like to go forward or do you need a quick
22 break?

23 MR. HUBBARD: Your Honor, we might need a quick
24 break too for the next witness.

25 THE COURT: All right. When one goes, we all

1 go.

2 THE FOREPERSON: All right. Here we go.

3 (The jury exits the courtroom at 3:37 p.m.)

4 THE COURT: Everybody ready? Long witness?
5 Short witness?

6 MR. HUBBARD: I won't be long. We're putting
7 up Mr. Gaskins. And then, Your Honor, I think we'll
8 probably have time to put up another witness as
9 well, one from the search at Jaylen Wilson's house.
10 We've kind of shifted around, because otherwise,
11 we'd be here late.

12 THE COURT: I always try to be mindful of the
13 jurors because I know that they have lives and --
14 let's bring them in.

15 (The jury enters the courtroom at 3:58 p.m.)

16 THE COURT: All right. Mr. Foreman, is the
17 jury ready?

18 THE FOREPERSON: Yes, Your Honor.

19 THE COURT: Mr. Foreman, we're going to try to
20 do two more witnesses. So I'll try to get y'all out
21 of here by 5:00.

22 Call your next witness.

23 MR. HUBBARD: Thank you, Your Honor. The State
24 calls David Gaskins.

25 DAVID GASKINS

1 being first duly sworn, testified as follows:

2 THE WITNESS: I do.

3 THE CLERK: Have a seat up there. State your
4 name and then spell your last name for the record.

5 THE WITNESS: David Gaskins. G-A-S-K-I-N-S.

6 DIRECT EXAMINATION

7 BY MR. HUBBARD:

8 Q. This is a microphone right here. Just speak up
9 and it will pick up your voice. If I can't hear
10 you, I'll let you know. All right?

11 A. All right.

12 Q. And if you can't hear me, then you're deaf.
13 All right. You're David Gaskins?

14 A. Yes, sir.

15 Q. Do you have a nickname?

16 A. Yes, I do.

17 Q. What is that?

18 A. Gotto.

19 Q. Gotto?

20 A. Yes.

21 Q. Is that G-O-T-T-O?

22 A. Yes, sir, G-O-T-T-O.

23 Q. Where do you live?

24 A. I live in Batesburg-Leesville. [REDACTED] Drive.

25 Q. Is that where your mama lives, that property?

1 A. Yes, sir.

2 Q. I want to show you a photograph. I think
3 you've seen it before, but State's 76 has not been
4 entered yet. You see your mama's place on there?

5 A. Yes, sir.

6 Q. Okay.

7 MR. HUBBARD: Your Honor, I'll offer 76 into
8 evidence.

9 THE COURT: Any objection?

10 MS. MAULDIN: No, Your Honor.

11 THE COURT: It's admitted.

12 (State's Exhibit No. 76 admitted into
13 evidence.)

14 BY MR. HUBBARD:

15 Q. Mr. Gaskins, this residence right here, who
16 lives there?

17 A. That's my mother's place.

18 Q. Right -- is it here or where is it that --

19 A. Right there.

20 Q. Right here?

21 A. Yes, sir.

22 Q. That's where you live?

23 A. Yes, sir.

24 Q. And this is [REDACTED] Road?

25 A. Yes, sir.

1 Q. How long have you lived there?

2 A. In my little spot in the back?

3 Q. Off and on?

4 A. Yes, sir.

5 Q. Okay. And the place you lived in is actually a
6 camper right behind your mama's?

7 A. Yes.

8 Q. Now, did you used to be or are you still a
9 friend of Treveon Nelson's mama?

10 A. Yes.

11 Q. A while back, years ago, did you know Treveon
12 when he was a little child?

13 A. Yes, sir.

14 Q. What was your relationship pretty much like
15 between you and him?

16 A. I would say like an older brother to him.

17 Q. Okay.

18 A. Yeah. Because he was real, real, real, real
19 young, you know.

20 Q. So you were the older guy?

21 A. Yes, sir.

22 Q. Okay. Now, Mr. Gaskins, you went to prison?

23 A. Yes.

24 Q. Back in -- was it 2015, for B&E auto, burglary
25 and drugs?

- 1 A. Yes.
- 2 Q. Got eight years?
- 3 A. Yes.
- 4 Q. And you served maybe six?
- 5 A. Yeah, I did.
- 6 Q. Okay. You remember how much you served?
- 7 A. I do.
- 8 Q. So it was six. When you got out, what, if
- 9 anything, did you do to reconnect your relationship
- 10 with Treveon Nelson?
- 11 A. When I was in we kept writing each, me and his
- 12 mom write each other. So that's how we kept a
- 13 relationship and when I got out, I seen him and
- 14 stuff like that.
- 15 Q. So despite the troubles you'd been in, he still
- 16 looked to you as a man figure in his life?
- 17 A. Yes, sir.
- 18 Q. Now, have you heard of [REDACTED] Road?
- 19 A. Yes, sir.
- 20 Q. I want to show you State's 77. You recognize
- 21 what you see here on 77?
- 22 A. Yes, sir.
- 23 Q. Do you see a place in this photo that you often
- 24 called the house?
- 25 A. Yes, sir.

1 MR. HUBBARD: Your Honor, I offer this, State's
2 77, into evidence.

3 THE COURT: Any objection?

4 MS. MAULDIN: No, Your Honor.

5 THE COURT: It's admitted.

6 (State's Exhibit No. 77 admitted into
7 evidence.)

8 BY MR. HUBBARD:

9 Q. David, I want you to focus on this one, this
10 little building right here. There is several
11 buildings. That building right there, is that the
12 building that's referred to as the house?

13 A. Yes, sir.

14 Q. Did that house have running water?

15 A. No.

16 Q. Did it have electricity at this time, back in
17 April?

18 A. No, sir.

19 Q. Did it have furnishing?

20 A. No, sir.

21 Q. Was it a place sometimes you could go?

22 A. Yes.

23 Q. And let's see. On this property right here, is
24 this a cousin by the name of BT?

25 A. Yes, sir.

1 Q. So you got some family around there?

2 A. Yes.

3 Q. And David, sometimes -- I know you have a
4 camper behind your mama's, but sometimes you could
5 even stay there if you needed to?

6 A. Yes, sir.

7 Q. Was Treveon aware of the house?

8 A. Yes, he was.

9 Q. Was he allowed to come over there?

10 A. Yes. Anytime he wanted.

11 Q. Anytime he wanted.

12 On any of the occasions that he might have come
13 over there, did he bring anybody with him? In
14 particular, did you ever meet someone named Nicole?

15 A. Yeah. Every time he comes over there, he'll
16 bring her.

17 Q. So she was always with him?

18 A. Yes, sir.

19 Q. Had you ever met anybody called Smoove?

20 A. Yes.

21 Q. Who did he come with?

22 A. With Tre and Nicole.

23 Q. So like the three together?

24 A. Yeah.

25 Q. Did all three of them have permission to come

1 and go?

2 A. No. Just him.

3 Q. Just him?

4 A. Supposed to be only him.

5 Q. Just Tre?

6 A. Yes.

7 Q. Because that was the one you knew?

8 A. Yes.

9 Q. Now, I want to ask you, going back to April 5th
10 of 2021, did you have access to Facebook to message
11 people?

12 A. Probably. Yes, sir.

13 Q. Okay. I want to show you State's 209 and 210.
14 See if this is Facebook records, communications
15 between you and Treveon Nelson?

16 A. Okay.

17 Q. It is?

18 A. Yes.

19 Q. All right.

20 MR. HUBBARD: Your Honor, I'll offer 209 and
21 210 into evidence.

22 THE COURT: Any objection?

23 MS. MAULDIN: Your Honor, these are subject to
24 the prior hearing, the pretrial hearing, and I
25 object on that basis.

1 THE COURT: I'll admit them and take note of
2 your prior objection.

3 (State's Exhibit No. 209, 210 admitted into
4 evidence.)

5 BY MR. HUBBARD:

6 Q. David, I'm going to take a look at this
7 calendar a minute. This is April of 2001 [sic].
8 And I'm going to talk about April 5th and April 6th.
9 Okay?

10 A. Okay.

11 Q. In State's 209 it's got some times there. But
12 those times have to be changed. But we see David
13 Williams. Who is David Williams?

14 A. Me.

15 Q. You're David Gaskins but you're also known as
16 David Williams?

17 A. Yes, sir.

18 Q. And then Treveon Nelson is the Treveon that you
19 knew since he was a little boy?

20 A. Yes.

21 Q. The time on there is April 5th, but it's really
22 12:21 a.m. You have you did it. And there's a
23 response hell nah, we need to get with him in the
24 morning old girl said.

25 Who is old girl? Who did Treveon call old

1 girl?

2 A. His lady.

3 Q. Nicole?

4 A. Yes, sir.

5 Q. And let me just be very candid. Were you aware
6 that Treveon was going to steal a car?

7 A. Yes.

8 Q. Okay. So you were aware of that at that time.
9 But that night, early morning hours, it hadn't
10 happened yet because old girl Nicole said we need to
11 get him in the morning?

12 A. Yes.

13 Q. Okay. State's 210, now we're talking about
14 much later in the day. It's going to be 10:56 p.m.

15 Treveon sends you a message. WYA, is that
16 where you at?

17 A. Yes, sir.

18 Q. Your response is I'm in city bro. Where you
19 at. Is that what you wrote?

20 A. Yes, sir.

21 Q. Who are you in the city with?

22 A. Probably one of my girlfriends.

23 Q. Okay. And the city -- let me ask you this:
24 Where you lived what did you call it?

25 A. The country.

1 Q. The country. The city now is that Columbia or
2 where is it?

3 A. City is probably West Columbia.

4 Q. With one of your girlfriends?

5 A. West Columbia, I can't recall right where it
6 was at. Could have been at a girlfriend's house or
7 friend's house. All I know is I was in West
8 Columbia and the country is the country.

9 Q. Okay. And you asked him where you at and the
10 response is, from Treveon, country. Now, country
11 again --

12 A. It's the house, my mama house -- well, not my
13 mama house but [REDACTED] Road.

14 Q. When you and Treveon are talking and y'all talk
15 about country, is that what y'all mean? That area
16 of [REDACTED] --

17 A. Yes.

18 Q. -- and the house?

19 A. Yeah, because I don't really have them come to
20 house, my mama's house, because I don't know who he
21 got with him. Have too many people with him.
22 Supposed to be by himself.

23 Q. And your mama doesn't always want these people
24 around?

25 A. No.

1 Q. So you got a place on [REDACTED] if you want to meet
2 up with people?

3 A. Like a hangout spot.

4 Q. You respond -- when he says country you say
5 headed that way now. Is that what you wrote?

6 A. Yes, sir.

7 Q. That was about 11:05 p.m.?

8 A. Yes, sir.

9 Q. Now, let me ask you this: Did you actually go
10 that evening -- this is April 5th, the night of
11 SA's [REDACTED] murder. Were you there that
12 night? Did you go home that night?

13 A. No, I did not.

14 Q. You let him know you're headed home, but you're
15 with a girl?

16 A. Yes, sir.

17 Q. Later -- here it says 4:55, but it's actually
18 12:55 in the morning so it's now April 6th. He
19 sends you a message. You got a shovel? Did you
20 have shovels out at [REDACTED]

21 A. Yes, sir.

22 Q. Did you ever respond to this message about a
23 shovel?

24 A. No, sir.

25 Q. What was that?

1 A. No, sir.

2 Q. No, sir?

3 Did you find -- once law enforcement ended up
4 talking to you and you went to [REDACTED] did you have
5 any shovels missing at [REDACTED]

6 A. Yes, sir. I had one missing.

7 Q. Did you give anybody permission -- whether it's
8 Treveon or any of his friends, permission for a
9 shovel?

10 A. No, sir.

11 Q. Do you have any idea where that shovel is?

12 A. No, sir.

13 Q. But you told law enforcement you were missing
14 one?

15 A. Yes.

16 Q. All right. Let me ask you this too: State's
17 35, do you recognize this vehicle?

18 A. Yes, I do.

19 Q. Okay. How do you recognize State's 35, this
20 black Camry?

21 A. I recognize it because that's the same vehicle
22 that they tried to get me to sell.

23 Q. Who is they?

24 A. Treveon and Nicole.

25 Q. Did you ever sell it?

- 1 A. No, sir.
- 2 Q. Let me ask you this: Did you ask anybody if
3 they'd be interested in this vehicle?
- 4 A. Yes. I asked one person.
- 5 Q. Okay. Did you get anybody to buy it?
- 6 A. No, sir.
- 7 Q. Was there any reason given why nobody would buy
8 that vehicle?
- 9 A. It was banged up.
- 10 Q. Banged up, wrecked. Do you know where
11 [REDACTED] Road is?
- 12 A. Yes.
- 13 Q. I'm going to show you State's 71, already in
14 evidence. Now, your mama lives at what number on
15 [REDACTED]
- 16 A. [REDACTED] Drive.
- 17 Q. [REDACTED]. And [REDACTED] is at [REDACTED]?
- 18 A. Yes, sir.
- 19 Q. And [REDACTED] Road [REDACTED] -- [REDACTED] Road is
20 right over here on the other side of 20?
- 21 A. Yes, sir.
- 22 Q. Were you aware this vehicle ended up on that
23 road? Do you have any knowledge of that?
- 24 A. No, sir.
- 25 Q. But you're aware of the area?

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1 A. Yes, sir. It's kind of where I'm from. That's
2 where I'm from.

3 Q. Those are your stomping grounds? You know that
4 area pretty well?

5 A. Yes, sir.

6 Q. Now, let me ask you this: State's 67, this
7 individual right here, who do you know this person
8 to be?

9 A. Nicole.

10 Q. Nicole. Is this the Nicole we're talking
11 about?

12 A. Yes, sir.

13 Q. Is that the Nicole that you see in the
14 courtroom today?

15 A. Yes, sir.

16 Q. This Nicole, did you ever see Nicole -- well,
17 let me ask you this: Did you have opportunities to
18 see Nicole and Treveon together?

19 A. Yes, sir.

20 Q. Even after April 5th when this murder occurred?

21 A. I don't think I seen them after that.

22 Q. Let me ask you this: Were you aware that a
23 murder had occurred?

24 A. No, sir.

25 Q. At some point did you know Treveon was on the

1 run?

2 A. Yes, sir.

3 Q. Okay. Were you aware of all of the details?

4 A. No, sir.

5 Q. Let me ask you a little bit more about Nicole
6 and Treveon. You see them enough to know what type
7 of relationship they had?

8 A. Yes.

9 Q. Was it boyfriend girlfriend or were they just
10 buddies or friends?

11 A. Boyfriend and girlfriend.

12 Q. At any time that you saw Nicole with Treveon
13 did she ever appear to be afraid?

14 A. No.

15 Q. Did she ever act like --

16 MS. MAULDIN: Objection. Leading.

17 MR. HUBBARD: That's a question, yes or no.
18 That's not leading.

19 THE COURT: Go ahead.

20 BY MR. HUBBARD:

21 Q. Did you ever see Treveon threaten Nicole?

22 A. No, sir.

23 Q. Did you ever see her appear to be under duress
24 or nervous around Treveon?

25 A. No, sir.

1 Q. How did she act towards him in your presence?

2 A. Like they were Bonnie and Clyde. They were in
3 a relationship. It wasn't no -- you know, they were
4 together. Wasn't no love hate, you know.

5 Q. Okay.

6 A. They just want attention.

7 Q. Let me ask you this: Did you ever see her
8 appear to be held captive?

9 A. Never.

10 Q. Did you ever see him boss her around?

11 A. No, sir.

12 Q. Did you ever see her boss him around?

13 A. Bonnie and Clyde.

14 Q. Okay. And let me ask you this, wrap it up with
15 this. Did you ever see Treveon and Nicole together
16 with weapons?

17 A. Yes.

18 Q. What kind of weapons?

19 A. It was like a nine, one time.

20 Q. Did you ever see Nicole holding a nine?

21 A. Yes.

22 Q. Did they ever come out to the country or maybe
23 your mama's place to shoot?

24 A. Yes. That was the reason, to shoot.

25 Q. Just to target practice?

1 A. We never got to shoot because somebody always
2 home so...

3 Q. Someone is what?

4 A. Was always home.

5 Q. Okay. Okay. I want to show you one final
6 thing. State's Exhibit 73, you see Treveon Nelson.
7 Is that the Treveon you know?

8 A. Yes, sir.

9 Q. This guy named Smoove, is this the man that you
10 met that went by that name?

11 A. Yes, sir.

12 Q. This Camry, State's 35, do you recall April
13 6th -- and you might not remember the date, but
14 seeing Treveon and Nicole with that car at Woodrow
15 Street in Cayce?

16 A. Yes, sir.

17 Q. Okay.

18 And that was on the 6th or --

19 A. I can't recall. I remember seeing it there
20 though.

21 MR. HUBBARD: Thank you, Mr. Gaskins. Please
22 answer any questions the defense has.

23 CROSS-EXAMINATION

24 BY MS. MAULDIN:

25 Q. Good afternoon. You said that your name is

1 Gotto, what does that stand for?

2 A. Just a name I got back in prison.

3 Q. What does it mean?

4 MR. HUBBARD: Sorry. I didn't hear the
5 question.

6 MS. MAULDIN: What does it mean?

7 THE WITNESS: I don't know the name --

8 THE COURT: She's asking what does it mean.

9 MR. HUBBARD: I didn't hear the first question.

10 THE WITNESS: It's just a name that just stuck
11 with me. It didn't really mean nothing.

12 MR. HUBBARD: Oh, okay.

13 BY MS. MAULDIN:

14 Q. And how old are you?

15 A. I'm 35.

16 Q. So Tre sent this message the night of the
17 murder to your account asking got a shove, right?

18 A. Okay.

19 Q. So he was looking to you for help?

20 A. Yes.

21 Q. And you mentioned that you had been a friend of
22 his mother's. But y'all were more than friends,
23 right?

24 A. I'll say no comment on that.

25 Q. I'm sorry. I didn't hear that.

1 A. I'll say no comment on that.

2 Q. I'm sorry, but you have to answer.

3 THE COURT: You have to answer the question,
4 please.

5 THE WITNESS: We were more than friends. We
6 were good friends, real, real, cool friends.

7 BY MS. MAULDIN:

8 Q. Did y'all have a sexual relationship with each
9 other?

10 A. Yes.

11 Q. So you also referred -- when you would talk to
12 Tre, you'd refer to his mama as sis, right?

13 A. Yes.

14 Q. That was sort of a term of endearment?

15 A. You could call it that.

16 Q. Okay. She's not your sister. That was just a
17 phrase that you'd use to talk about her so Tre would
18 know who you meant?

19 A. Yes.

20 Q. And you considered Tre to be like your little
21 brother; is that right?

22 A. Yes.

23 Q. The -- that night that Tre sent you the message
24 where he came to you for help looking for a shove?

25 A. Yes.

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- 1 Q. You said that you were in the city?
- 2 A. Yes.
- 3 Q. And you said you were with a friend?
- 4 A. Yes.
- 5 Q. And who was that person?
- 6 A. At the time I probably don't really recall. I
- 7 could have been at a chick house. I could have been
- 8 somewhere else, but I wasn't there.
- 9 Q. So you don't know where you were. You just
- 10 know you weren't here at home?
- 11 A. Yes, it was so long ago. And if I was home, I
- 12 would know if I was home. That's something I would
- 13 remember.
- 14 Q. But not the lady you were with or what you were
- 15 doing other than that you were definitely in West
- 16 Columbia --
- 17 A. Yes.
- 18 Q. -- and not at home?
- 19 A. I know I wasn't home.
- 20 Q. Okay. Thank you. How many girlfriends do you
- 21 have?
- 22 A. Wow. A few.
- 23 Q. A few. Okay.
- 24 A. I did have a few then.
- 25 Q. And you mentioned that you would go to this

1 other building when you were around people that your
2 mama didn't like; is that right?

3 A. Yes.

4 Q. You mean these other girlfriends?

5 A. No. Certain people.

6 Q. Other teenagers like Nicole and Tre and --

7 A. No. I was trying to be respectful for my mama,
8 so if I'm there with a chick that I been with for a
9 while, I'll take her to my mama's house. Everybody
10 else goes to [REDACTED]

11 Q. Do you hang out with a lot of teenagers?

12 A. No, I do not.

13 Q. Just Tre and --

14 A. Yes. Because I been with him for a while.

15 Q. So you also testified that you knew that Tre
16 was going to steal that car, right?

17 A. Yes that's what they do.

18 Q. Well, that's what you do too because you --

19 A. No. No. That's not that's what I do.

20 Q. They steal them and you sell them?

21 A. They steal them and I try to sell them.

22 Q. Are you ever successful in selling the stolen
23 cars?

24 A. Once.

25 Q. And you tried to sell this one, but you

1 couldn't?

2 A. Right.

3 Q. You didn't care that Tre had a gun?

4 A. Meaning? Can you sum that up?

5 Q. You talked about seeing a gun over at your
6 house on the day you couldn't shoot.

7 A. Yes.

8 Q. It didn't bother you that Tre had a gun?

9 A. Yes, but it's not mine.

10 Q. But you didn't say don't bring the gun to my
11 house?

12 A. You're right.

13 Q. The police ended up searching your home or
14 looking around your home for the shovel, right?

15 A. Right.

16 Q. That wasn't until April 29?

17 A. Yes.

18 Q. And by then you knew that the day that this
19 girl had gone missing was well before that, right?

20 A. The day I knew anything about that type of
21 situation was going on is when my dad called my
22 phone and was like do you know anything to do
23 about -- know anything about a murder? I was like
24 what's going on? And he said a bunch of people at
25 the house. You need to come to the house right now

1 and talk to these people. That's the day I knew of
2 the murder.

3 Q. But as you talked to the investigators, you
4 didn't have the impression it was something that had
5 just happened? It was something that was a little
6 bit old by then?

7 A. Yes.

8 Q. How many shovels did you have at [REDACTED]

9 A. A few. A few at [REDACTED] and I had a few at my
10 mother's house.

11 Q. Why did you have so many shovels?

12 A. Because I'm a gardener.

13 Q. You used the shovels as like -- as to protect
14 yourself?

15 A. Gardener.

16 Q. I'm sorry. I thought you said you were
17 guarding her.

18 A. No. No.

19 Q. So you would keep those shovels in the -- some
20 of them in the building?

21 A. Yes.

22 Q. Okay. And you also testified that you knew
23 that Tre was on the run?

24 A. No. I don't recall that.

25 Q. You don't remember that Tre was on the run at

1 all?

2 A. No. Why would he be on the run? Why would I
3 know of him being on the run?

4 Q. That's what I'm asking. You didn't know at all
5 that the police were looking for him?

6 A. No.

7 Q. Did the police ever ask you who you were with
8 in West Columbia that night? Back then when it
9 might have been a little easier to remember.

10 A. I don't remember. Does it say? Do it say on
11 paper?

12 Q. I'm asking you if you remember.

13 A. I'm asking you --

14 Q. You don't remember if the police asked you
15 that?

16 A. No.

17 Q. And going back to your record, you had -- it
18 was two counts of burglary that you were in prison
19 for; is that right?

20 A. Yep.

21 MS. MAULDIN: Your Honor, beg the Court's
22 indulgence.

23 THE COURT: Take your time.

24 MS. MAULDIN: Nothing further, Your Honor.

25 MR. HUBBARD: No follow up. I ask that

1 Mr. Gaskins be excused so he can go.

2 MS. MAULDIN: No objection, Your Honor.

3 THE COURT: Mr. Gaskins, you're excused. Thank
4 you for coming.

5 THE WITNESS: All right.

6 MR. HUBBARD: The State calls Brandon Miller.

7 SERGEANT BRANDON MILLER

8 being first duly sworn, testified as follows:

9 THE WITNESS: I do.

10 THE CLERK: Have a seat up there and spell your
11 last name for the record.

12 THE WITNESS: Brandon Miller, M-I-L-L-E-R.

13 DIRECT EXAMINATION

14 BY MR. HUBBARD:

15 Q. Sergeant Miller, where do you work?

16 A. I currently work for the Lexington County
17 Sheriff's Department.

18 Q. How long have you worked there?

19 A. I've been there about 15 years.

20 Q. What do you do at the sheriff's department?

21 A. I'm a supervisor in the major crimes division.
22 That includes overseeing a team of detectives for
23 cases like this.

24 Q. All major crimes including murders and other
25 serious crimes?

1 A. That's correct.

2 Q. I want to ask you about April 28th, 2021. I
3 believe we saw you on video at the crime scene?

4 A. Yes, sir.

5 Q. That was later in that day?

6 A. Correct.

7 Q. But earlier in that day had you been over in
8 Columbia?

9 A. Yes.

10 Q. Or -- let me --

11 A. West Columbia.

12 Q. West Columbia. Had you had an opportunity
13 to -- or were you involved in a search warrant?

14 A. I was.

15 Q. Where was that?

16 A. That was at [REDACTED] Road [REDACTED].

17 Q. Who lived at that residence?

18 A. Jaylen Wilson.

19 Q. At the time that you served that search warrant
20 or you participated in that search warrant, where
21 was Jaylen Wilson?

22 A. Jaylen was in custody at the Richland County
23 Sheriff's Department.

24 Q. Now, I want to go and talk about items that you
25 found in that house. Specifically a couple of

1 pistols?

2 A. Sure.

3 Q. Do you remember going into a bedroom belonging
4 to Mr. Wilson?

5 A. I do.

6 Q. I want to show you what's been marked State's
7 199. Does that look like his bed?

8 A. It does.

9 Q. There are some items on that bed. And before I
10 show it, up here on this board, which is State's 73,
11 is this Jaylen Wilson, the man that was in custody
12 in Richland County at the time?

13 A. Yes, sir.

14 THE COURT: Are you moving that into evidence?

15 MR. HUBBARD: This one is in evidence. And

16 199. There's no objection?

17 THE COURT: Any objection?

18 MS. MAULDIN: No, Your Honor.

19 THE COURT: It's admitted.

20 (State's Exhibit No. 199 admitted into
21 evidence.)

22 BY MR. HUBBARD:

23 Q. This bed, whose bedroom is this?

24 A. Jaylen Wilson's.

25 Q. Looking at that bed, did y'all find something

1 else in that bedroom when you lifted up the mattress
2 and looked at the box springs?

3 A. Yes. So underneath the mattress pad and the
4 bedding was a gun.

5 Q. Is that depicted in State's 154, these three
6 photographs?

7 A. Yes, sir.

8 MR. HUBBARD: All right. I offer State's 154.

9 THE COURT: Any objection?

10 MS. MAULDIN: None, Your Honor.

11 THE COURT: They're admitted.

12 (State's Exhibit No. 154 admitted into
13 evidence.)

14 BY MR. HUBBARD:

15 Q. This pistol, what type of pistol is that?

16 A. It's a handgun. It was a Ruger 380.

17 Q. Okay. I'm going to show you another photo, a
18 close-up. Now, that placard we see, who places
19 placards like that?

20 A. Crime scene investigator. They'll place those
21 down.

22 Q. And this portion of this pistol, is that a
23 magazine?

24 A. It's an extended magazine.

25 Q. An extended magazine. And again part of this

1 same exhibit, 154, is that the magazine removed from
2 that pistol?

3 A. Yes.

4 Q. Do you see if that magazine is loaded?

5 A. Yes, it is.

6 Q. And this solo round up above this gun now, this
7 pistol, what does that indicate?

8 A. So that round was the one that was located in
9 the chamber of the gun.

10 Q. So this pistol found under this mattress cover
11 was fully loaded?

12 A. Correct. It was loaded.

13 Q. And had one in the chamber?

14 A. Yes.

15 Q. Now looking -- I'm going to show you some
16 rounds. State's 165, 168, and see if that looks
17 like the type of rounds that you found in that
18 pistol when you unloaded it. Are those 380 rounds?

19 A. Yes, they are. There's eight in this one and
20 one in this one.

21 Q. And that extended mag would hold eight?

22 A. Yes, sir.

23 MR. HUBBARD: We'd offer these into evidence.

24 THE COURT: Any objection?

25 MS. MAULDIN: No, Your Honor.

DIRECT EXAMINATION OF BRANDON MILLER BY MR. HUBBARD

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1 THE COURT: They're admitted.

2 (State's Exhibit Nos. 165, 168 admitted into
3 evidence.)

4 BY MR. HUBBARD:

5 Q. 168, 165, these are the actually rounds found
6 in that pistol?

7 A. Yes.

8 Q. I'll show you what's been marked 187 and see if
9 you can take a look at that, see if that is the
10 actual pistol those rounds came from.

11 A. Do you have gloves?

12 Q. Yeah, let me get that.

13 A. Yes, that's the same gun.

14 Q. That's the same pistol that you recovered that
15 day?

16 A. Yes.

17 Q. I'll try to put one of these on too here.

18 MR. HUBBARD: If I may, Your Honor, offer this
19 into evidence? It's 187.

20 THE COURT: Any objection?

21 MS. MAULDIN: No, Your Honor.

22 THE COURT: It's admitted. You said 187?

23 MR. HUBBARD: 187, Your Honor.

24 (State's Exhibit No. 187 admitted into
25 evidence.)

1 BY MR. HUBBARD:

2 Q. So this small little 380 is found just under
3 those covers?

4 A. Correct.

5 Q. Along with this extended magazine?

6 A. Correct.

7 Q. Now, were you aware, at some point, Nicole
8 being interviewed on the 27th and the 28th mention a
9 380 pistol being used in this murder?

10 A. Correct. I was advised of that.

11 Q. I want to show you -- did you find another gun
12 when you lifted the box springs to that bed?

13 A. Yes, we did.

14 Q. I'm going to show you 155.

15 A. Yes.

16 Q. Is that a photograph of that particular pistol?

17 A. It is.

18 MR. HUBBARD: I offer this into evidence.

19 THE COURT: Any objection?

20 MS. MAULDIN: No, Your Honor.

21 THE COURT: It's admitted.

22 (State's Exhibit No. 155 admitted into
23 evidence.)

24 BY MR. HUBBARD:

25 Q. 155, so this is found just under the box

1 springs?

2 A. Correct.

3 Q. Let me ask you this: When we store our guns,
4 do we store them under our bed under our box
5 springs?

6 A. I do not.

7 Q. Do we store them under our mattress covers?

8 A. I do not.

9 Q. This particular pistol, it's got a placard. Is
10 that CSI that puts that there?

11 A. Yes.

12 Q. Can you tell what kind of pistol it is?

13 A. It's a Glock 43 X nine-millimeter.

14 Q. Nine-millimeter. Based on what Nicole had
15 said, did she mention also, at some point, a nine or
16 a black gun?

17 A. Yes, sir.

18 Q. The magazine, is there anything unusual about
19 that?

20 A. It appears to be a clear extended magazine.

21 Q. You know Glocks, do you not?

22 A. I do.

23 Q. Is that what you carry?

24 A. I do.

25 Q. Do they come with clear magazines?

1 A. No, they do not.

2 Q. I'm going to show you the second photo. Did
3 y'all take this apart?

4 A. Correct.

5 Q. Was that one loaded or unloaded?

6 A. There was not one in the chamber, but there
7 were two rounds in the extended magazine.

8 Q. Okay. Just hold that there.

9 I'm going to show you State's 173. See if you
10 recognize this as the rounds collected from -- you
11 might just want to keep gloves on you.

12 A. I like to change them out in between. A little
13 OCD about that.

14 Q. I understand. If you could take a peek in
15 there and see if that corresponds to the two rounds
16 found in that clear magazine. And while you're
17 doing it, I may hand you State's 186 and see if this
18 corresponds to what we see in the photograph, 155,
19 as the actual pistol?

20 A. From what you initially asked, these are the
21 two rounds that were originally taken from the gun.

22 Q. Okay. And this is the gun that was found on
23 top of the box spring.

24 MR. HUBBARD: Your Honor, I offer these into
25 evidence.

1 THE COURT: Any objection?

2 MS. MAULDIN: No, Your Honor.

3 THE COURT: They're admitted.

4 (State's Exhibit No. 186, 173 admitted into
5 evidence.)

6 BY MR. HUBBARD:

7 Q. And this magazine, is this the clear magazine
8 that you found?

9 A. Yes, it is.

10 Q. You didn't happen to count how many rounds it
11 could hold, did you?

12 A. No, I did not.

13 Q. Now, did you also look in his drawers and
14 anything else in his room for additional evidence?

15 A. Yes, a very thorough search was conducted.

16 Q. I want to show you what's been marked State's
17 198 and 152. 198 being the drawer and 152 being a
18 close-up. Two photos?

19 A. Yes.

20 Q. You recognize those as items you found in
21 Jaylen Wilson's room?

22 A. Yes.

23 MR. HUBBARD: I offer these into evidence, 198
24 and 152.

25 THE COURT: Any objection?

1 MS. MAULDIN: No, Your Honor.

2 THE COURT: They're admitted.

3 (State's Exhibit No. 198, 152 admitted into
4 evidence.)

5 BY MR. HUBBARD:

6 Q. Looking at 198, this is the drawer from like a
7 chest of drawers?

8 A. Yes.

9 Q. This item, item number 9, what is that?

10 A. It's a box of Blazer ammunition and they're
11 380.

12 Q. 380. I'm going to show you State's 152. Of
13 that box you see the 380 auto right here?

14 A. Yes.

15 Q. And the second photo with that, what brand is
16 this?

17 A. Blazer.

18 Q. Blazer?

19 A. Yes.

20 Q. So that's just a brand. If you go to the store
21 and you're looking to buy bullets, you can buy a
22 brand called Blazer?

23 A. Correct.

24 Q. This happens to be 380 and it carries a box of
25 50?

1 A. Yes.

2 Q. I'm going to show you a box and see if this is
3 the actual box that you recovered, which is State's
4 171.

5 A. Yes, that's the box. It contains 36 rounds.

6 Q. Okay. I'll take it like that. So out of the
7 50, 36 are left?

8 A. Correct.

9 THE COURT: Was that admitted into evidence?

10 MR. HUBBARD: I think we --

11 THE COURT: Any objection to the bullets?

12 MS. MAULDIN: No, Your Honor.

13 MR. HUBBARD: Thank you, again, Your Honor.

14 State's 171 offered into to evidence. Any
15 objection?

16 MS. MAULDIN: No, Your Honor.

17 THE COURT: It's admitted.

18 (State's Exhibit No. 171 admitted into
19 evidence.)

20 BY MR. HUBBARD:

21 Q. And on the top of the dresser -- I want to show
22 you if you took a photograph or had a photograph
23 taken 156. Do you see another round on the top of
24 the dresser?

25 A. Yes, I do.

1 Q. And that's with placard 13?

2 A. Yes, sir.

3 MR. HUBBARD: I offer this into evidence.

4 THE COURT: Any objection?

5 MS. MAULDIN: No Your Honor.

6 THE COURT: It's admitted.

7 (State's Exhibit No. 156 admitted into
8 evidence.)

9 BY MR. HUBBARD:

10 Q. Is that the round you see? Is that another 380
11 round?

12 A. It is, yes.

13 Q. Blazer round?

14 A. Yes, sir.

15 Q. I'm going to show you State's 169. Is that the
16 round collected from the top of that dresser?

17 A. Yes, it is.

18 MR. HUBBARD: Offer 169 into evidence.

19 THE COURT: Any objection?

20 MS. MAULDIN: No, Your Honor.

21 THE COURT: It's admitted.

22 (State's Exhibit No. 169 admitted into
23 evidence.)

24 MR. HUBBARD:

25 Q. So Mr. Wilson had two guns hidden in his bed.

1 A. Yes, sir.

2 Q. And in this drawer he's got Blazer rounds for
3 that 380 --

4 A. Yes.

5 Q. -- but he doesn't have a full box?

6 A. Correct.

7 Q. I want to show you a bag, photograph marked
8 151, and see if you see additional rounds in that
9 bag.

10 A. Yes. That's a book bag that was located near
11 the foot of the bed.

12 Q. And the rounds there -- I want to show you 166.
13 Are those rounds that correlate to what you see in
14 151, which is two pages?

15 A. It is. And it contains 21 rounds.

16 Q. Okay.

17 THE COURT: Any objection?

18 MR. HUBBARD: I offer 166 and 151.

19 MS. MAULDIN: To neither, Your Honor.

20 THE COURT: They're admitted.

21 (State's Exhibit No. 166, 151 admitted into
22 evidence.)

23 BY MR. HUBBARD:

24 Q. 151, those are rounds found in a book bag in
25 Jaylen Wilson's room?

1 A. Correct. And the nine-millimeter Blazer.

2 Q. And this bag, which is 166, is the actual box
3 of ammo found in that book bag?

4 A. Yes.

5 Q. And what caliber?

6 A. Nine-millimeter.

7 Q. Nine-millimeter. Would this go with the pistol
8 found under the box spring with the plastic
9 magazine?

10 A. Yes.

11 Q. The Glock?

12 A. Yes.

13 Q. Based on your knowledge in this case, was a
14 nine-millimeter used at the scene?

15 A. Yes.

16 Q. So a nine-millimeter and a 380?

17 A. Correct.

18 Q. I'm going to show you State's 153 and a
19 corresponding bag on 167, a Crown Royal bag that we
20 saw earlier in the drawer which is in State's 198,
21 placard 7?

22 A. I apologize. What was that?

23 Q. Placard 7 is a Crown Royal bag.

24 A. Correct.

25 Q. Is 153 a close up of what's in that Crown Royal

1 bag?

2 A. Yes, it is.

3 Q. And 167, is that the actual bag and contents?

4 A. Yes, it is.

5 MR. HUBBARD: Your Honor, I'd offer these into
6 evidence.

7 THE COURT: Any objection?

8 MS. MAULDIN: No, Your Honor.

9 THE COURT: They're admitted.

10 (State's Exhibit No. 153, 167 admitted into
11 evidence.)

12 BY MR. HUBBARD:

13 Q. State's 153, the Crown Royal bag, what is
14 located in this Crown Royal bag?

15 A. So inside the Crown Royal bag is a
16 nine-millimeter Glock magazine as well as a 380
17 Ruger LCP magazine.

18 Q. The magazines found in this Crown Royal bag,
19 would the Ruger 380 match the weapon that you found
20 on the bed?

21 A. Yes.

22 Q. Would the Glock magazine you found, does that
23 look like a standard issue magazine for a Glock?

24 A. It does.

25 Q. Would it match the one you found under the box

1 springs?

2 A. Yes.

3 Q. In State's 167 are the actual magazines?

4 A. Yes.

5 Q. I want to show you -- did you also find a cell
6 phone in that bedroom? And I want to show you a
7 photograph, State's 150.

8 A. Yes, that's a cell phone.

9 MR. HUBBARD: I offer this into evidence.

10 THE COURT: Any objection?

11 MS. MAULDIN: No, Your Honor.

12 THE COURT: It's admitted.

13 (State's Exhibit No. 150 admitted into
14 evidence.)

15 BY MR. HUBBARD:

16 Q. In looking at State's 195, which is for ID, can
17 you open that and see if that's the same cell phone
18 we see in State's 150?

19 A. Yes, it is.

20 MR. HUBBARD: Your Honor, I offer this cell
21 phone which is State's 195.

22 THE COURT: Any objection.

23 MS. MAULDIN: No, Your Honor.

24 THE COURT: It's moved from ID only into
25 evidence.

1 (State's Exhibit No. 195 admitted into
2 evidence.)

3 BY MR. HUBBARD:

4 Q. I want to ask you too. I meant to bring this
5 up. The nine-millimeter rounds that you found, were
6 those Blazer as well?

7 A. Yes, they were.

8 Q. I'm going to show you a photograph, State's
9 158, was this also found in Jaylen Wilson's room?
10 Looks like a Visa card.

11 A. It is. It was located in there.

12 MR. HUBBARD: I offer this into evidence, 158.

13 THE COURT: Any objection?

14 MS. MAULDIN: No, Your Honor.

15 THE COURT: It's admitted.

16 (State's Exhibit No. 158 admitted into
17 evidence.)

18 BY MR. HUBBARD:

19 Q. The name on this Visa card, can you see that
20 name?

21 A. I can. It's Jay Smoove.

22 Q. During the investigation did Jaylen Wilson have
23 a nickname, Smoove?

24 A. Yes.

25 Q. Does that correlate to that nickname?

- 1 A. Yes.
- 2 Q. Again, was this found in his bedroom?
- 3 A. Yes.
- 4 Q. I want to show you another photograph. 149,
5 looks like a linen closet. See if that's also
6 something you saw at this house.
- 7 A. Yes.
- 8 Q. It's documented by photograph?
- 9 A. Yes.
- 10 MR. HUBBARD: I offer this into evidence.
- 11 THE COURT: Any objection?
- 12 MS. MAULDIN: No, Your Honor.
- 13 THE COURT: It's admitted.
- 14 (State's Exhibit No. 149 admitted into
15 evidence.)
- 16 BY MR. HUBBARD:
- 17 Q. Sergeant, later in the day after this search is
18 completed, you ended up going to that scene in the
19 dove field in Leesville?
- 20 A. Yes.
- 21 Q. Where the body of SA [REDACTED] was found?
- 22 A. Yes.
- 23 Q. I'm going to ask you to focus specifically on
24 this linen right here, bed sheets in this closet.
- 25 A. Yes, sir.

1 Q. And ask you to look at something for me. First
2 I want to begin by just -- the photo you see up
3 there, is this the same photo depicted on this big
4 board?

5 A. It is.

6 Q. State's 159?

7 A. Yes.

8 MR. HUBBARD: I offer this into evidence.

9 THE COURT: Any objection?

10 MS. MAULDIN: No, Your Honor.

11 THE COURT: It's admitted.

12 (State's Exhibit No. 159 admitted into
13 evidence.)

14 BY MR. HUBBARD:

15 Q. Now, going to the crime scene, were you aware
16 of a pillow case that was recovered?

17 A. Yes, at the scene there was.

18 Q. Have you look at 157, State's 157, is that the
19 pillow case?

20 A. Yes.

21 Q. I offer this into evidence.

22 MS. MAULDIN: Without objection, Your Honor.

23 THE COURT: It's admitted.

24 (State's Exhibit No. 157 admitted into
25 evidence.)

1 BY MR. HUBBARD:

2 Q. Detective, in looking at the sheets from Jaylen
3 Wilson's home in State's 159 and comparing them to
4 this pillow case found at the crime scene, is it the
5 same pattern --

6 MS. MAULDIN: Objection, Your Honor. That
7 would be his opinion. He's not an expert.

8 MR. HUBBARD: I don't think it takes an expert,
9 Your Honor. So I'm just asking as a lay person and
10 why it was seized, why a photograph was taken.

11 MS. MAULDIN: For the jury, Your Honor.

12 MR. HUBBARD: That's right. And I think he can
13 give a lay opinion of relevance.

14 I'll rephrase it.

15 THE COURT: That would be good.

16 BY MR. HUBBARD:

17 Q. Anything distinctive about the pillow case
18 found at the crime scene with SA [REDACTED] and
19 the sheets found at Jaylen Wilson's house?

20 A. Yes.

21 Q. And what would that be?

22 A. They look similar.

23 Q. And the pillow case, was there ever a pillow
24 found at the crime scene?

25 A. No.

1 Q. Was there ever a pillow found in that stolen
2 vehicle?

3 A. No.

4 Q. Just a pillow case?

5 A. Yes.

6 MR. HUBBARD: Your Honor, I believe that's all
7 I have at this time.

8 THE COURT: Ms. Mauldin?

9 MS. MAULDIN: Thank you, Your Honor.

10 CROSS-EXAMINATION

11 BY MS. MAULDIN:

12 Q. The evidence that you've described was found at
13 Jaylen Wilson's house?

14 A. Correct.

15 Q. You didn't find any evidence that Nicole
16 Sanchez lived there, correct?

17 A. Correct.

18 Q. And you didn't find any of her personal
19 belongings there at Jaylen Wilson's house, did you?

20 A. No.

21 Q. And you've testified about a lot of things that
22 were found. Are these your notes on the bags?

23 A. No. Those are from CSI Weyandt who I worked
24 hand in hand with.

25 Q. That's because he's the one who actually found

1 these items?

2 A. Correct.

3 Q. And he's the one who put the things in the
4 bags --

5 A. Yes.

6 Q. -- and made the notes on the things?

7 A. Yes, I was there as well.

8 Q. And then you put them in his car and took them
9 back to the sheriff's department and turned them in?

10 A. Yes.

11 Q. But he's not here testifying about those?

12 A. I don't believe so.

13 Q. And you testified that you're the one that had
14 found and collected the items?

15 A. That's right. I was there and assisted them.

16 Q. Okay. Well, that's the first we've heard of
17 Officer Wyant, correct?

18 MR. HUBBARD: Objection to commentary.

19 THE COURT: I agree. No commentary. Go ahead,
20 Ms. Mauldin.

21 BY MS. MAULDIN:

22 Q. You and Detective Baum executed a search
23 warrant at Allon Adams's camper later on, right?

24 A. Correct.

25 Q. But that wasn't until May 15?

1 A. I believe that's correct.

2 Q. So that was about a month after SA's body
3 had been found?

4 A. Yes.

5 Q. And how do you store your guns?

6 A. In a lock box in my closet.

7 Q. You didn't see a lock box at this house?

8 A. No, I don't believe so.

9 Q. So you might store them in the next safest
10 place?

11 A. Sure.

12 Q. Nothing further, Your Honor.

13 MR. HUBBARD: Quick follow-up.

14 REDIRECT EXAMINATION

15 BY MR. HUBBARD:

16 Q. Based on your experience, when you have a CSI
17 person out there, is there usually somebody
18 assisting them?

19 A. Yes.

20 Q. Is there usually somebody that says there's
21 evidence and then there's someone who collects?

22 A. Yes.

23 Q. And you were assisting?

24 A. Yes.

25 MR. HUBBARD: Thank you. No further questions.

1 THE COURT: Anything else, Ms. Mauldin?

2 MS. MAULDIN: No, Your Honor.

3 THE COURT: I'm going to let Sergeant Miller
4 down.

5 MR. HUBBARD: Your Honor, I believe we just hit
6 the 5:00 mark.

7 THE COURT: Y'all did good.

8 MR. HUBBARD: Thank you.

9 THE COURT: Let me address the jury. I'm going
10 to let you go for the day. We're going to start at
11 9:30 in the morning.

12 Again, it is imperative that you not listen to
13 the news, read anything in the newspaper about this
14 case. Look up anything on the internet or if
15 anything is posted on the internet, do not read it.
16 Or listen to it. Don't talk to anybody about this
17 case. If anybody tries to talk to you about this
18 case, you are to report it to me immediately.

19 I hope y'all have a great evening. Thank
20 y'all. Y'all have paid attention. I know it's been
21 a long day and we thank you.

22 (The jury exits the courtroom at 4:58 p.m.)

23 THE COURT: All right. Anything from the State
24 before I adjourn court for the day?

25 MS. MAYES: Briefly, Your Honor, there is a

1 foundation that will need to be laid for certain
2 later evidence in this case. And as a result both
3 Detective Baum and ultimately CSI Investigator
4 Brenda Snelgrove would be subject to recall. I want
5 the Court to be aware of that because not all items
6 of evidence can be offered through where we are in
7 this phase of the trial.

8 THE COURT: All right.

9 MS. MAYES: So a foundation will be laid and we
10 ask they both be subject to recall.

11 THE COURT: You understand that? And he's got
12 a baby on the way. But we'll have to bring you
13 back.

14 With that, court will start at 9:30 in the
15 morning. Court is adjourned.

16 MR. HUBBARD: Thank you, Your Honor.

17 THE COURT: Court is adjourned.

18 (The following proceedings were held May 18,
19 2023.)

20 THE COURT: All right. Can I bring the jury
21 in?

22 MS. MAYES: Yes, Your Honor.

23 MR. HUBBARD: Yes, Your Honor.

24 THE COURT: Thank you. Let's bring the jury
25 in.

1 (The jury enters the courtroom at 10:05 AM.)

2 THE COURT: Mr. Foreman, is the jury ready?

3 THE FOREPERSON: Ready.

4 THE COURT: Please be seated.

5 All right. The morning question: Has anyone
6 tried to approach you about this case or have you
7 talked to anyone about this case or have you seen
8 any news articles, read anything on the internet,
9 heard anything on the radio or television? If so,
10 please raise your hands. Thank you.

11 All right. The State can call their next
12 witness.

13 MS. MAYES: The State calls Investigator Brenda
14 Snelgrove.

15 INVESTIGATOR BRENDA SNELGROVE

16 being first duly sworn, testified as follows:

17 THE WITNESS: I do.

18 THE CLERK: Have a seat please, ma'am. Once
19 you're seated state your name loud and clear on the
20 record, spelling your last please.

21 THE WITNESS: My name is Brenda Snelgrove.
22 S-N-E-L-G-R-O-V-E.

23 DIRECT EXAMINATION

24 BY MS. MAYES:

25 Q. Good morning.

1 A. Good morning.

2 Q. Investigator, tell us a little bit about
3 yourself. Where are you employed?

4 A. I'm employed with Lexington County Sheriff's
5 Department. I am the sergeant over the crime scene
6 unit.

7 Q. And when you say crime scene unit, tell us
8 exactly what you mean by that and what that division
9 does within the Lexington County Sheriff's
10 Department?

11 A. One of our main tasks is to process and
12 document crime scenes.

13 Q. And how long, Investigator Snelgrove, have you
14 been an investigator with your CSI team there at the
15 Lexington County Sheriff's Department?

16 A. This July will be eight years.

17 Q. Tell us about your educational background and
18 training that led you to become a CSI detective.

19 A. I've always known I wanted to go into the
20 forensics part. I went to Newberry College. I have
21 a degree in chemistry with a concentration in
22 forensic science. And I started out as road deputy
23 in Newberry County for about four years. And then I
24 transferred to Lexington County to pursue my dream
25 as a crime scene investigator.

1 Q. Can you tell us whether or not your work with
2 CSI has included homicide cases prior to April of
3 2021?

4 A. Yes, ma'am.

5 Q. And can you tell us whether or not that
6 includes working scenes indoors as well as outdoors?

7 A. Oh yes, ma'am. And in cars.

8 Q. How, if at all, did your CSI unit become
9 involved in the search of a wooded area in Leesville
10 on April 28, 2021?

11 A. We were in the middle of assisting with a
12 missing person and we were taken there to a possible
13 location. And we -- that's where we located the
14 victim.

15 Q. How many members of your CSI team were out
16 there with other detectives in this case such as
17 Investigator Kevin Baum and Detective Pablo
18 Carvajal?

19 A. There were three other CSIs that were with me
20 on the scene.

21 Q. Ultimately, that night, were you present when
22 the body of SA [REDACTED] was located in
23 Leesville?

24 A. Yes, ma'am. I was there to help recover her.

25 Q. Okay. I'm going to show you a photograph

1 that's already in evidence. This is going to be
2 State's 20. And I believe you have a laser up there
3 with you.

4 Tell us, Investigator Snelgrove, what we're
5 looking at in this photograph and how you went about
6 your attempts to, number one, locate SA [REDACTED] and,
7 number two, process this scene.

8 A. Okay. When I arrived my other -- at least two
9 of my other teammates were already there. They had
10 already been kind of walked through by investigators
11 that were there to attempt to locate her. So they
12 walked me through here. There was some evidence
13 that had been already marked by other investigators
14 previously. And when we come around, there was a
15 distinct smell. And we were able to see a fabric
16 that looked to have like brown spots on it that was
17 in the ground.

18 Q. All right. Now, you mentioned already seeing
19 some signs of evidence that had been marked. Were
20 you aware that SA [REDACTED] had been reported missing back
21 on April 5th?

22 A. Yes, ma'am. We had already been to multiple
23 other locations in an attempt of locating her.

24 Q. So you're now, 23 days after her disappearance,
25 attempting to locate her body?

1 A. Yes, ma'am.

2 Q. You indicated that you began seeing certain
3 items that had been marked. Can you show us again
4 on State's 20 what you remember seeing of
5 significance?

6 A. The big significance was cartridge casings,
7 which are going to be your fired bullets.

8 Q. And can you tell us whether or not you observed
9 any personal items or personal effects that you
10 believe may be relevant to this case and related to
11 SA [REDACTED] ?

12 A. Yes, ma'am. Through our documentation and
13 searching for additional evidence that might not
14 have been marked, we located a post -- a stud
15 earring and then we located a backing for a stud
16 earring. There was also a strip of false eyelashes,
17 which from her photos, her missing photos, we saw
18 that she did wear false eyelashes. There was a
19 single sock that was out there.

20 And something else we saw was some paper
21 material kind of like a cloth material with
22 reddish-brown stains believed to be blood and a
23 tampon applicator and a tampon applicator package.
24 And we believed that that paper material with the
25 reddish brown stains was a used tampon.

1 Q. So looking here, again, you've identified --
2 for purposes of this case, you are familiar with the
3 photograph of SA [REDACTED]?

4 A. Yes, ma'am.

5 Q. And the eyelashes that you noted, you say that
6 you saw something at the scene to indicate false
7 eyelash?

8 A. Yes, ma'am. There was a strip of false
9 eyelashes that we located out there on the ground.

10 Q. You also mentioned a stud earring?

11 A. Yes, ma'am. There was a stud earring and a
12 stud backing. Not together. They were separate, in
13 different locations, but along at wood line.

14 Q. Were you also familiar with the items that were
15 reported to be on SA's [REDACTED] person when she was last
16 seen?

17 A. Yes, ma'am, her T-shirt had the NASA logo and
18 then the blue jeans. And then she also was said to
19 be wearing pink Crocs. When we come around the wood
20 line, there was a pink Croc that appeared to be
21 partially burned and another burned piece that
22 appeared to be the other pink Croc. But it was
23 further burned.

24 Q. So I want to ask you a few questions about
25 that. I'm going to show you what is State's 228 and

1 ask you whether or not you recognize this diagram.

2 A. Yes, ma'am.

3 Q. Who prepared this diagram?

4 A. I did.

5 Q. Can you tell us whether or not this diagram is
6 a fair and accurate representation of those personal
7 items or personal effects that were located at that
8 crime scene?

9 A. Yes, ma'am. To the best of my ability, I was
10 able to piece them out there.

11 MS. MAYES: State's 228 for evidence, Your
12 Honor.

13 THE COURT: Any objection?

14 MR. MAULDIN: No objection, Your Honor.

15 THE COURT: It's admitted.

16 (State's Exhibit No. 228 admitted into
17 evidence.)

18 BY MS. MAYES:

19 Q. So now we're looking at 220 [sic] and, again,
20 can you show us, looking at this aerial photograph
21 of that field in Leesville, the area in which you
22 and your team entered and began finding those
23 personal effects?

24 A. Okay. You can kind of see this break in that
25 wood line along [REDACTED] Drive. That's where we entered

1 and then we kind of came across cutting the field
2 and parked over in this area, trying not to disturb
3 anything that could have been there. Because it was
4 already -- it had already been blocked off by other
5 deputies as well, so we were already aware that we
6 had to be very careful of where we went. And along
7 this line is where we located the items and then the
8 Crocs were approximately right here.

9 Q. And then where were the Crocs in relation to
10 SA's [REDACTED] body?

11 A. Very close considering where the post with the
12 stud earring and the backing and the false eyelash
13 and the sock was located, which they were located
14 over in this area. The Crocs were here,
15 approximately, and then she was located over in this
16 area.

17 Q. All right. We're going to take a look at 228.
18 Your diagram.

19 Now, let's begin with item number 4 there at
20 the top of your diagram. What is item number 4 that
21 you observed when you were out at the scene?

22 A. It was an unfired cartridge. Just means that
23 it's a bullet that has not been fired through the
24 gun.

25 Q. So it appeared be a live round?

1 A. It was a live round. Yes, ma'am.

2 Q. And what was the headstamp or the type of
3 cartridge casing, the caliber involved?

4 A. I'll have to check.

5 Q. I'll show you what is State's 164.

6 MS. MAYES: And permission to unseal, Your
7 Honor?

8 THE COURT: Yes, ma'am. Go ahead.

9 THE WITNESS: It has the letter L and then
10 nine-millimeter Luger.

11 BY MS. MAYES:

12 Q. So this is a nine-millimeter unspent cartridge;
13 is that accurate?

14 A. Yes, ma'am.

15 MS. MAYES: For evidence, Your Honor.

16 THE COURT: Can you tell me that number again?

17 MS. MAYES: 164.

18 THE COURT: 164. Any objection?

19 MR. MAULDIN: No, Your Honor.

20 THE COURT: It's admitted.

21 (State's Exhibit No. 164 admitted into
22 evidence.)

23 BY MS. MAYES:

24 Q. So looking at your diagram, that
25 nine-millimeter round is found where?

1 A. Approximately right here.

2 Q. Next, you have item 10. What did you observe
3 and label as your item 10?

4 A. It was a black and gray sock, like an anklet,
5 and then on the toe there was a green stripe on it.

6 Q. What, if anything, did you observe as item 11?

7 A. That was the paper material with the reddish
8 brown stains that appeared to -- we believed to be a
9 tampon.

10 Q. And 12 and 13?

11 A. 12 and 13 is going to be the tampon applicator
12 and the package for the tampon.

13 Q. And those items together, 11, 12 and 13, were
14 found approximately where in relation to the scene?

15 A. They were over here kind of off to the side.

16 Q. And the sock that you just mentioned, item 10?

17 A. The sock is over here along -- right here
18 alongside the wood line.

19 Q. Now, just below the sock you have an item 23.
20 What is item 23?

21 A. Yes, ma'am, that was the stud earring that we
22 located.

23 Q. Did you also locate a back to that earring?

24 A. We did and I'm not -- it's number 16 so it was
25 a little bit over further.

1 Q. So the back and the earring had been separated
2 at the time?

3 A. They were definitely separated.

4 Q. Now, the eyelash strip that you mentioned?

5 A. The eyelash strip was number 14 and it's up
6 here closer to the back than the stud itself.

7 Q. And then you mentioned Crocs. What color were
8 the Crocs that you recovered?

9 A. Pink.

10 Q. Where were they located in relation to this
11 diagram?

12 A. Right here.

13 Q. I'm going to show you some photographs and ask
14 you whether or not you recognize these items.
15 State's 203, 91, 92, 110, 95, 93, 96?

16 A. Yes, ma'am.

17 Q. Are these all a fair and accurate
18 representation of the scene as you observed it on
19 April 28?

20 A. Yes, ma'am.

21 Q. And can you tell us whether or not you
22 photographed or these items were being photographed
23 as they were being found and retrieved?

24 A. Yes, ma'am. I was present when they were being
25 photographed. Another CSI was actually doing the

1 photograph, but I was with them.

2 Q. And as each of these items are being
3 photographed and collected, how do you go about
4 preserving this evidence?

5 A. We package it in the proper package. A lot of
6 this was packaged in paper. And we will secure it
7 in with -- we'll either keep it with us and then we
8 secure it in our crime scene vehicles locked until
9 we're able to get them to the crime lab and put them
10 in there and then further seal them and turn them
11 into evidence.

12 MS. MAYES: For evidence, Your Honor.

13 THE COURT: Any objection?

14 MR. MAULDIN: Just a second, Your Honor.

15 BY MS. MAYES:

16 Q. While he's looking at those photographs,
17 Investigator Snelgrove, I'm going to go ahead and
18 show you several items as well.

19 MR. MAULDIN: No objection to these items, Your
20 Honor.

21 THE COURT: Then they're admitted.

22 (State's Exhibit No. 203, 91, 92, 110, 95, 93,
23 96 admitted into evidence.)

24 BY MS. MAYES:

25 Q. I'll show you what is State's 229. State's

1 172, State's 175, State's 182, State's 174, State's
2 170 and ask you whether or not you're familiar with
3 these items. And if so, how?

4 A. Do you want me to open them?

5 Q. Are you able to identify them by the packaging
6 externally and labeling?

7 A. By the labeling, yes. But that's not my
8 labeling on it. That would be CSI Weyandt.

9 MS. MAYES: Permission to unseal, Your Honor.

10 THE COURT: Permission granted.

11 BY MS. MAYES:

12 Q. I'm going to start by asking you about the
13 sock, Investigator Snelgrove, which is item 10 up
14 here on your diagram. Is this how it was found at
15 the scene?

16 A. Yes, ma'am.

17 Q. All right. I'm going to start with the sock,
18 Investigator Snelgrove. You have unsealed this
19 item. I'm going to ask you whether or not this is
20 the item retrieved.

21 A. Yes, ma'am, it is.

22 Q. Did you find one sock or more than one sock?

23 A. When we recovered SA [REDACTED] on one of her feet was
24 a sock that matched that one.

25 Q. All right. So you find one sock at the scene

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1 and then when you said you actually found SA [REDACTED], she
2 was wearing a sock?

3 A. She was wearing another sock that matched that
4 one.

5 THE COURT: Can you just call out the numbers
6 so I'll have them?

7 MS. MAYES: Yes. 229 for evidence, Your Honor.

8 THE COURT: Thank you. And there's no
9 objection to that.

10 MR. MAULDIN: No objection, Your Honor.

11 THE COURT: It's admitted.

12 (State's Exhibit No. 229 admitted into
13 evidence.)

14 BY MS. MAYES:

15 Q. Next on your diagram you noted items 11, 12 and
16 13 that seemed to be grouped together. I'm going to
17 show you these photographs in evidence and ask you
18 what we're looking at here in these photographs.
19 Here are 12 and 13.

20 A. Yes, ma'am. It's kind of hard to see with the
21 grass, but there's that purple. That's going to be
22 the tampon applicator. And then that paper is going
23 to be the package for it, as I've already opened.

24 Q. And then State's 11?

25 A. That is going to be the paper material with the

1 reddish-brown stains that we are certain is the
2 tampon.

3 Q. Now, when you have an item and you've noted
4 reddish-brown stains, what does that indicate to
5 you?

6 A. That indicates that is a high possibility to be
7 blood.

8 Q. And when you have a possibility of blood, how
9 is that item packaged and preserved for purposes of
10 later DNA testing?

11 A. We're packaging in paper because paper can
12 still breathe, whereas plastic, it's doesn't breathe
13 and it can mildew. And then it's taken to -- sent
14 to the lab.

15 Q. And can you tell us whether or not the tampon
16 packaging, as well as the item that you identified
17 as the tampon, all appeared to -- or were all
18 properly collected and sealed there at the scene?

19 A. It was still later, but it was secured in the
20 package on scene.

21 Q. And once it was sealed did it remain sealed in
22 the possession of law enforcement?

23 A. Yes, ma'am. Because at that point it would
24 have been turned over to evidence.

25 Q. Would it have remained sealed prior to

1 submission to a crime lab for further DNA testing?

2 A. Yes, ma'am.

3 Q. Did that sealing include evidence tamper-proof
4 taping?

5 A. Yes, ma'am. Because once you tear it you can
6 tell.

7 Q. So all protocols were followed in the
8 collection of this item?

9 A. Yes, ma'am.

10 MS. MAYES: This would be 172 and 170 for
11 evidence, Your Honor.

12 THE COURT: Any objection.

13 MR. MAULDIN: No, Your Honor.

14 (State's Exhibit Nos. 170, 172 admitted into
15 evidence.)

16 BY MS. MAYES:

17 Q. Next on that diagram you mentioned 16 and 23
18 being the earring or the stud earring and then the
19 back to that earring?

20 A. Yes, ma'am. The stud earring was item 23 and
21 then there was an earring backer that was marked as
22 item number 16.

23 Q. All right. I'm going to show you what is
24 State's 95. Is that the earring?

25 A. Yes, ma'am, that's the stud earring.

1 Q. And what are we looking at here?

2 A. That's the stud earring.

3 Q. And as you're holding it at the scene in a
4 glove?

5 A. It was either me or another CSI. I can't
6 remember.

7 Q. And then State's 110, depicting marker 16. Who
8 found that backing out there?

9 A. I did actually.

10 Q. Do you have those items with you as well?

11 A. Yes, ma'am. They're right here.

12 Q. All properly packaged and sealed as well?

13 A. Yes, ma'am.

14 MS. MAYES: State's 182 and 175 for evidence at
15 this time.

16 MR. MAULDIN: No objection.

17 THE COURT: It's admitted.

18 (State's Exhibit Nos. 175, 182 admitted into
19 evidence.)

20 BY MS. MAYES:

21 Q. You mentioned item 14 being the eyelashes. I'm
22 going to show you what is State's 93 in evidence.
23 And do you have that item with you as well?

24 A. Yes, ma'am. It's kind of stuck to the package.
25 Sorry.

1 MS. MAYES: Also for evidence at this time,
2 Your Honor, this would be State's 174.

3 THE COURT: Thank you.

4 BY MS. MAYES:

5 Q. Does that appear to be the same item you
6 collected at the scene?

7 A. Yes, ma'am.

8 THE COURT: Any objection?

9 MR. MAULDIN: No, Your Honor.

10 THE COURT: Thank you.

11 (State's Exhibit No. 174 admitted into
12 evidence.)

13 BY MS. MAYES:

14 Q. Now, about the Crocs, what can you tell us,
15 Investigator Snelgrove, was significant about the
16 appearance of those pink Crocs when you discovered
17 them at the crime scene?

18 A. It appeared like they were burned or attempted
19 to be burned.

20 Q. I'm going to show you what is State's 96. What
21 are we looking at here?

22 A. That's going to be one of the Crocs where we
23 can see a good bit of the Croc.

24 Q. This is labeled 24. Behind this we see 25?

25 A. Yes.

1 Q. What can you tell us about the condition of
2 this second shoe?

3 A. It appeared to be severely burned.

4 Q. And again, based on your work as a CSI
5 detective, did this appear to have some type of
6 burning associated with it?

7 A. Yes, ma'am.

8 Q. I'm going to show you these items as well. I
9 believe you may have them up there with you.

10 A. Yes, ma'am.

11 MS. MAYES: And permission to unseal, Your
12 Honor.

13 THE COURT: Yes, ma'am. Go ahead.

14 MS. MAYES: State's 184, State's 183.

15 THE COURT: There's no objection?

16 MR. MAULDIN: No, Your Honor.

17 THE COURT: Thank you.

18 MR. MAULDIN: It's hard to hear over there
19 whether she's saying for evidence or not.

20 MS. MAYES: For evidence at this time, Your
21 Honor, once she's identified the items.

22 MR. MAULDIN: No objection.

23 THE COURT: They're admitted.

24 THE WITNESS: This is going to be the one
25 that's severely burned. And you can actually see

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1 the tread on that side, part of the tread, and the C
2 for Croc and then, looks like, the size, I believe,
3 right there.

4 BY MS. MAYES:

5 Q. So you're able to make out the original Croc
6 markings, trademarks, on that item --

7 A. Yes, ma'am.

8 Q. -- prior -- that would have preexisted the
9 burning?

10 A. Yes, ma'am.

11 Q. And then State's -- that would be for evidence
12 at this time, Your Honor. That is State's 184.

13 MR. MAULDIN: No objection, Your Honor.

14 THE COURT: Admitted.

15 (State's Exhibit No. 184 admitted into
16 evidence.)

17 BY MS. MAYES:

18 Q. And as to State's 183.

19 A. This is going to be the other one where we see
20 more details.

21 MS. MAYES: State's 183 for evidence, Your
22 Honor.

23 MR. MAULDIN: No objection.

24 THE COURT: It's admitted. 183 or 184?

25 MS. MAYES: 183, Your Honor.

1 THE COURT: Thank you.

2 (State's Exhibit No. 183 admitted into
3 evidence.)

4 BY MS. MAYES:

5 Q. And as to this pink Croc, were you able to make
6 out the trademark or logo for Crocs on it?

7 A. Yes, ma'am.

8 Q. And did the evidence of burning appear to be
9 throughout both shoes?

10 A. Yes, ma'am.

11 Q. Now, once you finished your collection of these
12 personal items, how did you go about documenting any
13 other evidence found at the scene?

14 A. As in --

15 Q. Casings, things of that nature.

16 A. We had another CSI that was writing the notes
17 down while we was collecting them.

18 Q. I want to ask you first about the actual work
19 that was done to retrieve SA's [REDACTED] body.

20 A. Yes, ma'am.

21 Q. I'm going to show you two photographs that are
22 already in evidence, State's 97 and State's 90.
23 What was your first or initial work there at the
24 scene?

25 A. As far as recovery of SA [REDACTED]?

1 Q. Yes.

2 A. Observing the location and making sure there
3 wasn't any other additional evidence that could be
4 close by, such as -- I mean anything, really, that
5 would be out of place in the woods. When you walk
6 up -- when we walked up closer to that area, you
7 could see part of a brown spotted blanket. And then
8 closer look of it, you could also see a part of
9 denim that could be like the seat of pants under it
10 and then also exposed.

11 Q. When you have a body that's partially covered
12 or partially buried, how do you go about excavating
13 that scene and preserving evidence at the same time?

14 A. We're going to be very careful of moving. As
15 you can tell, this is a lot of pine trees. I'm sure
16 everybody is familiar with pine needles. So we're
17 having them carefully move those pine needles,
18 because there could be potential evidence amongst
19 those pine needles.

20 While we do it we have buckets and we have
21 sifters and we take each layer that we remove and
22 put them in buckets. We put them in the sifters
23 and -- I mean, you're literally shifting it. And
24 the dirt and all will fall through the wire and then
25 if there's anything significant, then we can

1 retrieve possible evidence. It's also sifted
2 through again in an attempt to not miss any
3 evidence. We do that very meticulously until we
4 start getting to her. Then we'll take more
5 photographs. All through this process photographs
6 are being taken.

7 Q. And looking here, again, at the description of
8 items that she had, can you tell us whether or not
9 you were familiar with a brown throw or blanket
10 having been on her person when she disappeared?

11 A. Yes, ma'am. They said a throw that was with
12 her when she left.

13 Q. I'm going to show you State's 90, which is
14 already in evidence. This is a distant shot.
15 Investigator Snelgrove, what are we looking at here?

16 A. That's going to be the location where she was,
17 for the most part, buried. If you look about right
18 here, that light color, that's going to be that part
19 of the blanket that we could see without moving
20 anything.

21 Q. So there's some type of depression here and
22 then an item here that would not ordinarily belong?

23 A. No, ma'am.

24 Q. What did that item turn out to be?

25 A. Turned out to be a blanket with brown spots on

1 it.

2 Q. I'm going to show you what is State's 97
3 already in evidence. What are we looking at here?

4 A. That's going to be that part of the fabric with
5 the brown spots I was speaking of. And then also
6 you can see the denim and it's exposed but it's also
7 under the blanket.

8 Q. And you were aware she was also wearing blue
9 jeans?

10 A. Yes, ma'am, that and the NASA T-shirt and those
11 pink Crocs.

12 Q. I'm going to show you what is State's 98, 99,
13 118, 117, and 119 and ask you if you're familiar
14 with these items?

15 A. Yes, ma'am.

16 Q. Are all of these a fair and accurate
17 representation of the crime scene or items collected
18 from the crime scene that day?

19 A. Yes, ma'am.

20 MS. MAYES: Offer for evidence.

21 THE COURT: Any objection?

22 MR. MAULDIN: No objection, Your Honor.

23 THE COURT: It's admitted.

24 (State's Exhibit No. 98, 99, 118, 117, 119
25 admitted into evidence.)

1 BY MS. MAYES:

2 Q. Now, you mentioned a sifting process and how
3 you go about actually recovering her?

4 A. Yes, ma'am.

5 Q. State's 98.

6 A. This is when we were uncovering the blanket,
7 more of that blanket, and we wanted to get a better
8 picture of that is a blanket that's there.

9 Q. And where was SA [REDACTED] in reference or in relation
10 to this blanket?

11 A. She's under it. This is going to be her bottom
12 area.

13 Q. State's 117, what are we looking at?

14 A. That is the blanket spread out on a clean tarp,
15 not been used until the scene, because we had to
16 allow it to dry because it was still moist.

17 Q. Okay. Now, in addition to this blanket and her
18 blue jeans and the NASA shirt that you mentioned,
19 were there any other items found with SA [REDACTED] that
20 were unusual to you?

21 A. There was a pillow case that we uncovered at
22 her feet. They were kind of like under her feet
23 ankle area as you see in this photo here. Kind of
24 looked like it was used to possibly move or drag
25 her, to assist in that process.

1 Q. And again, where is she in relation to this
2 pillow case?

3 A. You're looking at one of the bottoms of one of
4 her feet right there.

5 Q. Looking at 118, what are we looking at here?

6 A. That's going to be that pillow case I spoke of,
7 spread out.

8 Q. So once it's collected from the grave with her,
9 you photograph it in this format?

10 A. Yes, ma'am.

11 Q. Was there an actual pillow found at the scene
12 to go with this pillow case?

13 A. No, ma'am.

14 Q. Only the pillow case?

15 A. Only the pillow case.

16 Q. What time had you arrived out there at the
17 scene to start processing this on the evening of
18 April 28?

19 A. I'm going to refer to my report. I arrived out
20 there at approximately 21:17 hours, which is going
21 to be 9:17 p.m.

22 Q. Investigator Snelgrove, were you familiar with
23 a search warrant being executed, earlier that day
24 prior to finding SA's [REDACTED] body, at the home of Jaylen
25 Wilson?

1 A. Yes, ma'am. As I said we'd already been
2 searching for her. I don't know if you saw on the
3 photo I was burnt because I was out on another
4 scene. When I was out around the same time, CSI
5 Weyandt was at a location executing that search
6 warrant on Jaylen's house.

7 Q. And so as sergeant of CSI, are you familiar
8 with evidence items recovered in this case and
9 collected as evidence from the home of Jaylen
10 Wilson?

11 A. Yes, ma'am. There was a 380 handgun and a
12 nine-millimeter handgun.

13 Q. And are you familiar with photographs from that
14 scene as well as photographs from your own crime
15 scene?

16 A. Yes, ma'am.

17 Q. I'm going to show you what is already in
18 evidence, State's 159. What are we looking at here
19 in State's 159?

20 A. That's going to be that pillow case that we
21 got -- that was with SA [REDACTED].

22 Q. Buried in her grave with her?

23 A. Yes, ma'am.

24 Q. You said it was around or near what part of her
25 body?

1 A. Her feet, her ankles, that area.

2 Q. What, if anything, did that indicate to you in
3 the position and in the condition in which you found
4 it in connection with her feet?

5 A. To me it appeared it was used to move or drag
6 her.

7 Q. And are you familiar with what is shown in
8 State's 159?

9 A. Yes, ma'am. That's a picture of a small linen
10 closet. And you see there's blankets there, some
11 sheets, and this sheet right here appears to be
12 matching to that pillow case. It has the same
13 design on it.

14 Q. So a sheet in Jaylen Wilson's home and then a
15 pillow case at the crime scene in the grave with
16 SA [REDACTED]?

17 A. Yes, ma'am.

18 Q. What other indications are there that any tools
19 may have been used to actually bury SA's [REDACTED] body?

20 A. Over -- there was a tree on one of the corners
21 of her along that wood line of that field that was
22 plowed, which would be over here I believe. I
23 believe that's the tree right there. There was a
24 wooden stick that appeared to be a handle.
25 Specifically, a shovel. It was actually broken on

1 the one end where it would have attached to the
2 tool. It appeared to be recently broken from the
3 clear -- from the color of the wood under that -- in
4 the inside of it. Sorry.

5 Q. I'm going to show you what is 119 and ask you
6 whether or not you recognize what is depicted in
7 this photograph, as well as State's 185.

8 A. Yes, ma'am. That's going to be the handle I
9 was speaking of.

10 MS. MAYES: For evidence, Your Honor, 119.

11 BY MS. MAYES:

12 Q. Investigator Snelgrove, if you'll take a look
13 at the physical evidence for purposes of
14 identification.

15 THE COURT: Any objection?

16 MR. MAULDIN: No objection to 119, Your Honor.

17 THE COURT: 119 is admitted.

18 (State's Exhibit No. 119 admitted into
19 evidence.)

20 BY MS. MAYES:

21 Q. Is this the broken handle you referred to?

22 A. Yes, ma'am.

23 Q. Now, did you find the actual blade for this
24 shovel out there?

25 A. No, ma'am. We weren't able to recover that.

1 Q. And looking at the handle in that broken form,
2 let me ask you, is this type of sand out there, is
3 it soft sand or does it require some degree of force
4 to dig into it?

5 A. You definitely need to take a little bit of
6 force with it. So you would assume that a shovel
7 was used or some type of tool to dig because you
8 couldn't just dig it yourself.

9 Q. And State's 185, you recognize this item?

10 A. Yes, ma'am. This is the wooden broken handle
11 and I actually packaged it. That's my handwriting
12 and my initials are on it as well.

13 MS. MAYES: State's 185 for evidence, Your
14 Honor.

15 THE COURT: Any objection?

16 MR. MAULDIN: No, Your Honor.

17 THE COURT: It's admitted.

18 (State's Exhibit No. 185 admitted into
19 evidence.)

20 BY MS. MAYES:

21 Q. Now, in addition to the shovel handle, you
22 mentioned the pillow case and the blanket, the brown
23 blanket that both were located with SA [REDACTED]. I'm
24 going to ask you if you recognize the packaging on
25 these items, State's 191?

1 A. Yes, ma'am. Again, this is something I
2 packaged. That's my handwriting. And on the top my
3 initials are there.

4 Q. And State's 181?

5 A. And this is the blanket and the pillow case.
6 This one is not my package.

7 Q. This is the blanket and the pillow case
8 together?

9 A. It looks like the pillow case was removed from
10 this box and put in here.

11 MS. MAYES: Permission to unseal, Your Honor.

12 THE COURT: Yes, ma'am.

13 THE WITNESS: Okay. I'm seeing more of my
14 handwriting now.

15 BY MS. MAYES:

16 Q. Is it also noted with the biohazard sticker?

17 A. Yes, ma'am. I wrote on there with pink
18 highlighter saying it's biohazard. But this is my
19 handwriting and my initials and I dated it there.

20 Q. Investigator Snelgrove, were both of these
21 items collected and sealed there at the scene?

22 A. It was collected and sealed in the lab.

23 Q. And remained in the possession of law
24 enforcement?

25 A. Yes, ma'am.

1 MS. MAYES: For evidence, Your Honor.

2 THE COURT: Any objection?

3 MR. MAULDIN: No, ma'am.

4 THE COURT: It's admitted.

5 (State's Exhibit No. 181, 191 admitted into
6 evidence.)

7 MS. MAYES: I believe we have 181 for the
8 pillow case and 191 for the brown throw blanket.

9 THE COURT: Yes, ma'am.

10 BY MS. MAYES:

11 Q. Casings and ballistics evidence, Investigator
12 Snelgrove, why is it important to collect all
13 ballistics evidence that is observed at or near a
14 crime scene?

15 A. Because I mean, first of all, it's evidence.
16 It could have been used. We believed guns were used
17 and we found ammunition, including the 380s and
18 nine-millimeter cartridge cases, which we located a
19 380 handgun and a nine-millimeter handgun at
20 Jaylen's house.

21 Q. So you were already aware that a Glock
22 nine-millimeter had been recovered from the home of
23 Jaylen Wilson?

24 A. Yes, ma'am.

25 Q. And that a Ruger 380 had been recovered from

1 the home of Jaylen Wilson?

2 A. Yes, ma'am.

3 Q. I'm going to show you two already items already
4 in evidence and ask you whether or not you're
5 familiar with ammunition recovered from the home of
6 Jaylen Wilson. This being State's 171 and 166.

7 A. Yes, ma'am. This is going to be the
8 nine-millimeter Luger ammunition unfired. And then
9 this other one should be the 380 Blazer. The photos
10 of these were amongst CSI Weyandt's photos from that
11 execution of that search warrant.

12 Q. That's going to be [REDACTED] Road. You
13 said a Glock nine-millimeter, a Ruger 380, and then
14 the ammunition included -- I think you said Blazers.
15 But let me ask you specifically, did you have Blazer
16 380s?

17 A. From the search warrant of CSI Weyandt.

18 Q. Yes.

19 A. Yes, ma'am. There's a box here.

20 Q. Can you please open that box and tell us what
21 you observe about the head stamps of that
22 ammunition?

23 A. For the 380 there's -- I mean, it says Blazer
24 380 auto. Where the primer strikes it's a silver in
25 color. And it's the same with the nine-millimeter.

1 Q. All right. So looking here at 171, there was a
2 box of Blazer ammunition and how many are held in
3 this box?

4 A. I believe it's 50.

5 Q. So a box of 50 380 auto and then you indicated
6 were they all of the same headstamp?

7 A. Yes, ma'am, in that box.

8 Q. And that headstamp reads what?

9 A. Blazer 380 auto.

10 Q. Now, as to State's 166.

11 A. It's a 50 box as well for a Blazer ammunition.
12 There is one outlier in here which is a Win, which
13 would be Winchester nine-millimeter Luger. But all
14 the rest say Blazer nine-millimeter Luger and where
15 the primer strikes that's silver in color. The Win
16 is like a brass color.

17 Q. So this would also be a box of how many?

18 A. 50.

19 Q. And of that 50 all but one are of the same make
20 and manufacturer?

21 A. Yes, ma'am.

22 Q. And I believe you said the one that you called
23 the Winchester, the outlier, it's out here on the
24 end?

25 A. Yes, ma'am.

1 Q. And all the rest have what type of headstamp,
2 Investigator Snelgrove?

3 A. Blazer nine-millimeter Luger.

4 Q. And the color of the primer?

5 A. It's going to be silver in color.

6 Q. Investigator Snelgrove, when you're working the
7 scene that night, following the execution of the
8 search warrant, what, if any, evidence did you
9 discover that was consistent with the use of a
10 nine-millimeter weapon, a 380 weapon, or Blazer
11 nine-millimeter headstamps or Blazer 380 headstamps?

12 A. Yes, ma'am. Cartridge cases that we collected
13 were of 380s and nine-millimeters. And we also
14 found Blazer -- ones that had the Blazer headstamp
15 on them as well.

16 Q. I'm going to show you what is 128.

17 MR. MAULDIN: No objection to 128, Your Honor.

18 THE COURT: All right. It's admitted when she
19 lays a foundation.

20 BY MS. MAYES:

21 Q. I'm going to show you what is 128, Investigator
22 Snelgrove, and ask you whether or not you recognize
23 this item.

24 A. Yes, ma'am.

25 Q. What does it depict?

1 A. It's going to depict more items that was
2 located, including those cartridge cases.

3 Q. Who created this diagram?

4 A. I did.

5 Q. Did you create this in addition to the one
6 we're looking at here, 228?

7 A. Yes, ma'am.

8 Q. So whereas 228 shows the personal effects of
9 SA [REDACTED], I'm going to ask you specifically
10 about 128.

11 MS. MAYES: For evidence, Your Honor.

12 THE COURT: It's admitted.

13 (State's Exhibit No. 128 admitted into
14 evidence.)

15 BY MS. MAYES:

16 Q. 128. What are the additional numbers that
17 we're looking at now?

18 A. Those are going to be cartridge cases. Yeah.

19 Q. And by cartridge cases are you referring to --
20 I know you talked earlier, at the outset of your
21 testimony, about finding an unspent or unfired
22 round. But when you refer to cartridge cases, have
23 these rounds been fired or unfired?

24 A. They've been fired.

25 Q. I'm going to show you a collection of

1 photographs and ask you to identify these please.
2 Beginning with State's 100, 101, 102, 103, 104, 105,
3 106, 107, 108, 109, 111, 112, 113, 114, 115, 116,
4 120, 121, 123, 124, 125, 126, 122, and 127. Are
5 these all a fair and accurate representation of
6 evidence collected in this case?

7 A. Yes, ma'am.

8 Q. Including evidence that you collected there at
9 the crime scene during the processing of this scene
10 in April of 2021?

11 A. Yes, ma'am.

12 MS. MAYES: All for evidence, Your Honor.

13 THE COURT: Any objection?

14 MR. MAULDIN: That's quite a few, Your Honor.

15 No objection, Your Honor.

16 THE COURT: They're admitted.

17 (State's Exhibit No. 100, 101, 102, 103, 104,
18 105, 106, 107, 108, 109, 111, 112, 113, 114, 115,
19 116, 120, 121, 123, 124, 125, 126, 122, and 127
20 admitted into evidence.)

21

22 BY MS. MAYES:

23 Q. Starting here at the bottom of your diagram
24 with number 1 and then moving all the way across up
25 here to this collection here, 31, 32, 33, 34, and

1 30, what were all of those items?

2 A. The additional ones are going to be those
3 cartridge cases fired bullets.

4 Q. So 1, 2, 17, 3, 6, 5, and 29 are casings?

5 A. Yes, ma'am.

6 Q. 8, 18, 9, 21, 20, and 22 are casings?

7 A. Yes, ma'am.

8 Q. 15?

9 A. Yes, ma'am.

10 Q. 30, 31, 32, 34 and 33?

11 A. Yes, ma'am, cartridge cases.

12 Q. All of those except for number 4, were all of
13 those fired cartridge cases?

14 A. Yes, ma'am.

15 Q. I'll begin with number 1. Is that a Blazer 380
16 auto?

17 A. I believe so.

18 Q. I can show you that.

19 A. Yes, ma'am.

20 MS. MAYES: Your Honor, if the witness may step
21 down, it may be easier to view.

22 THE COURT: Absolutely.

23 BY MS. MAYES:

24 Q. So looking here at your marker number 1, and
25 again, in comparison with the ammunition recovered

1 from the home of Jaylen Wilson, why, if at all, is
2 State's 100 marker number 1 of significance?

3 A. It's a Blazer 380 like the ammunition that was
4 located at Jaylen's house. And it also has that
5 silver primer strike area.

6 Q. I'm going to show you State's 2 and ask you
7 what we're looking at here.

8 A. That's going to be another one, but it's a
9 different make. Yeah, it's a sig and it's a 380
10 auto.

11 Q. State's 3?

12 A. Another cartridge case.

13 Q. Also a sig?

14 A. I believe so.

15 Q. State's 103 marker number 4.

16 A. That's going to be the unfired round.

17 Q. State's number 104, which is marker number 5?

18 A. That's going to be a sig 380 auto.

19 Q. State's 105 being marker No. 6?

20 A. I can't tell which one it is, but it's written
21 down in the --

22 Q. Also a 380 spent shell casing?

23 A. It is a 380. Yes, ma'am.

24 Q. State's 106, marker number 7?

25 A. That's going to be another L nine-millimeter

- 1 Luger, but this one has been fired.
- 2 Q. So a fired nine-millimeter?
- 3 A. Yes, ma'am.
- 4 Q. State's 107, which is marker number 8?
- 5 A. It's going to be Hornady nine-millimeter Luger.
- 6 Q. State's 108, which is marker number 9?
- 7 A. Going to be another Hornady nine-millimeter.
- 8 Q. State's 109, which is marker 15?
- 9 A. Going to be a Blazer nine-millimeter that looks
- 10 like the ones that we located at Jaylen's house.
- 11 Q. Does that include the silver primer for the
- 12 Blazer nine-millimeter headstamp?
- 13 A. Yes, ma'am.
- 14 Q. State's 111, which is marker 17?
- 15 A. I can't quite tell on that one.
- 16 Q. Okay. A spent shell casing?
- 17 A. Yes, ma'am.
- 18 Q. State's 112, which is marker 18?
- 19 A. That's going to be another Blazer. I believe
- 20 it says nine-millimeter as well.
- 21 Q. State's 113, which is marker 19?
- 22 A. Going to be a Hornady, and I think it's another
- 23 9, another 9.
- 24 Q. State's 114, which is marker number 20?
- 25 A. Going to be another Hornady nine-millimeter

1 cartridge case.

2 Q. State's 115, which is marker number 21?

3 A. Another Hornady nine-millimeter.

4 Q. State's 116, which is marker 22?

5 A. Going to be a FC nine-millimeter.

6 Q. State's 120, which is marker 29? Spent shell
7 casing?

8 A. Yes.

9 Q. 121, which is marker number 30?

10 A. Going to be another spent cartridge case, and I
11 want to say it's a Blazer -- it is a Blazer
12 nine-millimeter.

13 Q. State's 123, which is marker 31?

14 A. It's going to be another Blazer
15 nine-millimeter.

16 Q. State's 124, which is markers 31 and 32
17 together?

18 A. (No verbal response.)

19 Q. State's 125?

20 A. Another cartridge case.

21 Q. And State's 126?

22 A. Cartridge case.

23 Q. And then a collective photograph of State's
24 122?

25 A. That's showing the relation of all those

1 cartridge cases to each other.

2 Q. And then I'm going to show you State's 127,
3 which is marker 35.

4 A. That's going to be a nail, whether it be a toe
5 or a fingernail, that we located through the sifting
6 process.

7 Q. Now, you may return to your seat.

8 A. Thank you.

9 Q. I want to ask you, specifically, about this
10 collection of spent shell casings, 30, 31, 32, 33,
11 and 34. Where were they found in relation to the
12 victim's body, and I can show you a photograph of
13 the scene as well if that may aid you?

14 A. They were closer to the victim as the ones
15 along that other side of the wood line. And they
16 were all kind of like in a cluster, close proximity
17 to each other.

18 Q. Looking at State's 90, does this aid you at all
19 in that regard?

20 A. Yes, ma'am. They're going to be on this
21 side -- on this side of SA [REDACTED] was. They're going to
22 be a little bit further back.

23 Q. When you say this side, can you use your laser
24 to show us the general direction?

25 A. This side, our side.

1 Q. If you were standing here at the scene in order
2 to take this photograph, where would you estimate
3 those casings to have been recovered in relation to
4 where we see SA's [REDACTED] body?

5 A. So it would be back behind the photographer
6 kind of to the right if you're looking directly.
7 Like we're looking here in that photo.

8 Q. Okay. And from a distance perspective, between
9 myself and you at this time, what can you tell us in
10 that regard?

11 A. I'm not sure.

12 Q. Okay.

13 A. Fairly close, probably a little bit further
14 than what you and I are from that blanket.

15 Q. Would this be a fair estimate as I'm standing
16 to you now?

17 A. Approximately. Yes, ma'am.

18 Q. What, if anything, was significant,
19 Investigator Snelgrove, about the headstamps on
20 these items? 30, 31, 32, 33 and 34.

21 A. All five of those cartridge cases have the
22 headstamp of Blazer nine-millimeter Luger on them
23 and that silver in color primer strike.

24 Q. All consistent with the ammunition from the
25 home of Jaylen Wilson?

1 A. Yes, ma'am.

2 Q. I'm going to ask you to take a look at all of
3 these items now and whether or not you can identify
4 them.

5 A. It looks like these are going to be 380s that
6 were collected in April.

7 Q. And packaged together?

8 A. They're separate, but they're in the envelope
9 together.

10 Q. Bearing State's Exhibit 163.

11 Next, State's 161.

12 A. These are going to be nine-millimeter cartridge
13 cases that were collected in April.

14 Q. And all packaged together in State's 161?

15 A. Yes, ma'am.

16 Q. State's 230. What are we looking at here?

17 A. This is -- it's going to be nine-millimeter
18 Blazer cartridge case and it's in 230.

19 Q. And packaged together is State's 162. What are
20 we looking at here?

21 A. 162 is -- appears to be nine-millimeter Blazer
22 cartridge cases.

23 Q. Recovered from the scene in April of 2021?

24 A. Yes, ma'am.

25 MS. MAYES: All for evidence at this time, Your

1 Honor. This being the package 162 -- package 163,
2 161, 230 --

3 THE COURT: Any objections?

4 MR. MAULDIN: No, Your Honor.

5 THE COURT: They're admitted.

6 (State's Exhibit Nos. 161, 162, 163, 230
7 admitted into evidence.)

8 BY MS. MAYES:

9 Q. So you've indicated each of these, 30, 31, 32,
10 33, 34, bore the same headstamp?

11 A. Yes, ma'am.

12 Q. And that headstamp, again, for the record?

13 A. Blazer nine-millimeter Luger.

14 Q. Did all of them appear to have the same silver
15 primer also consistent with that ammunition from the
16 home of Jaylen Wilson?

17 A. Yes, ma'am.

18 Q. Looking at 122, which shows 31, 32, 33, and 34
19 together, you're out there at the scene and this is
20 a photograph. But what is the distance or proximity
21 for these spent casings in relation to one another?
22 Are they feet apart or inches apart?

23 A. Inches apart.

24 Q. And when you're at the scene observing them
25 with the naked eye, what can you tell us about the

1 general appearance of this collection of casings?

2 A. They're fairly on top, for the most part.

3 They're also -- they look fresher than something
4 that might have -- than a cartridge case that might
5 be outside for a longer period of time. They don't
6 look as weathered.

7 Q. Did they all appear to be of the same general
8 age?

9 A. Yes, ma'am.

10 Q. And of the same general type of weathering?

11 MR. MAULDIN: Objection. Your Honor. I don't
12 think she has the right expertise.

13 MS. MAYES: I'll rephrase.

14 THE COURT: Thank you.

15 BY MS. MAYES:

16 Q. You're looking at them with the naked eye; is
17 that accurate?

18 A. Yes, ma'am.

19 Q. You're also photographing them as you go?

20 A. Yes, ma'am.

21 Q. Did anything stand out to you that was
22 different about 31, 32, 33, and 34 or did they
23 appear to be the same?

24 A. They appeared to be the same compared to each
25 other.

1 Q. And looking here at 126, which depicts 34,
2 casing there and there. State's 33, did all these
3 appear to be lying atop the pine straw?

4 A. There was a few strands of pine straw on top of
5 them but not a lot. We were able to find them
6 without having to dig.

7 Q. And State's 124, depicting 31 and 32, was that
8 the same for them as well?

9 A. Yes, ma'am.

10 Q. And then State's 30, shown here in 121. Where
11 was it located?

12 A. On a branch that was laying there.

13 Q. And then finally, 31, State's 123, again, did
14 it appear to be of the same general appearance as
15 the others?

16 A. Yes, ma'am.

17 Q. Also a Blazer nine-millimeter with silver
18 primer?

19 A. Yes, ma'am.

20 Q. And again, in relation to the body of SA [REDACTED]
21 [REDACTED] was recovered, can you tell us whether or
22 not is it a fair estimation that it would be the
23 distance between yourself and I?

24 A. Yes, ma'am.

25 MS. MAYES: Beg the Court's indulgence.

1 THE COURT: Take your time.

2 BY MS. MAYES:

3 Q. So all of these items that you had mentioned,
4 including that collection, the 31, 32, 33, 34, and
5 all of the other spent shell casings that we're
6 looking at here in State's 128, those were recovered
7 when, Investigator Snelgrove?

8 A. So the ones on this side, those were collected
9 that night on the 28th. And then the ones up here
10 were collected the following day. We hadn't
11 released the scene yet and we was having to continue
12 processing and one of the CSIs located those.

13 Q. And when you say hadn't released the scene yet,
14 does that mean law enforcement is still there
15 present?

16 A. Yes, ma'am.

17 Q. And the scene is taped and secured?

18 A. It was not taped, but it was blocked off so
19 that nobody could go in there.

20 Q. Including any third party bystanders or --

21 A. Correct.

22 Q. -- anyone other than law enforcement?

23 A. Yes, ma'am.

24 Q. All of these evidence items, being those spent
25 shell casings, were they all collected that night

1 for the purpose of later firearms or ballistics
2 examination?

3 A. Yes, ma'am.

4 Q. Those guns that were recovered from the home of
5 Jaylen Wilson, the Glock nine-millimeter and the
6 Ruger 380, were those also recovered by law
7 enforcement on the date of April 28?

8 A. Yes, ma'am. CSI Weyandt collected those.

9 Q. Did those guns remain in the possession of law
10 enforcement from the date they were recovered on
11 April 28, 2021, until today's date?

12 A. Law enforcement and evidence custodians. Yes,
13 ma'am.

14 Q. So those guns have been in the custody of law
15 enforcement since that time?

16 A. Yes, ma'am.

17 Q. Now, did you have reason to go back out to the
18 crime scene at a later date, Investigator Snelgrove?

19 A. Yes, ma'am.

20 Q. Tell us about that.

21 A. We wanted to go out there and look more at the
22 scene and kind of put our hypothesis kind of to a
23 test and looking at those locations of the 30
24 through 34 in relation to where SA [REDACTED] was and
25 defects into the tree that was next to her. We knew

1 that there had been trauma to that tree because of
2 sap coming out of a hole that appeared to be a
3 projectile defect. We wanted to see if that kind of
4 lined up with each other. And while I was out
5 there, I located another cartridge case and then
6 another one.

7 Q. I want to ask you a little bit about that.
8 What is the date that you went back out there, as
9 you said, to reassess the scene?

10 A. November 4th.

11 Q. Of 2021?

12 A. Yes, ma'am.

13 Q. Okay. So months later now; is that accurate?

14 A. I'm sorry?

15 Q. It's month later?

16 A. Yes. Several more months later.

17 Q. And you said you went out to assess exactly
18 where this grouping of casings were fired in
19 relation to SA's [REDACTED] body?

20 A. Yes, ma'am.

21 Q. When you went out there did you stand here?

22 A. I stood in that approximate location and that's
23 how I ended up finding more.

24 Q. Okay. As you stood in that location, were you
25 looking -- looking here at State's 90, were you

1 looking towards the area where SA's [REDACTED] body was
2 recovered?

3 A. Yes, ma'am.

4 Q. You mentioned a tree. What, if anything, was
5 significant about a tree?

6 A. That's going to be over here. There was a
7 projectile -- what appeared to be a projectile
8 defect there along with a sapling that appeared to
9 have been grazed by a projectile, which would be
10 that part that fires from the bullet and the gun.

11 Q. Can you tell us whether or not that was
12 consistent with shots being fired from here into
13 this direction?

14 A. Yes, ma'am.

15 Q. And so as you go back out there and you're
16 standing among where you had recovered this
17 grouping, what do you see?

18 A. As I said, I've located additional cartridge
19 cases.

20 Q. And looking here at State's 128, can you show
21 us the general area in which you did recover
22 additional cartridge casings?

23 A. In this area here.

24 Q. I'm going to show you what is 130. 131 and
25 132. Does this depict additional evidence found?

1 A. Yes, ma'am.

2 Q. And were those items recovered for the purpose
3 of firearms examination as well?

4 A. Yes, ma'am.

5 Q. 130, 131 and 132 for evidence.

6 THE COURT: Any objection?

7 MR. MAULDIN: No objection.

8 THE COURT: They're admitted.

9 (State's Exhibit No. 130, 131 and 132 admitted
10 into evidence.)

11 BY MS. MAYES:

12 Q. I'm going to show you 193. Is this the actual
13 evidence items?

14 A. Yes, ma'am.

15 Q. And what were the actual evidence items?

16 A. Going to be our number 36, which is going to be
17 that nine-millimeter -- it's going to be a
18 nine-millimeter Blazer Luger cartridge case, which
19 means it was fired. Number 37, nine-millimeter
20 Blazer Luger cartridge case, fired again. Item
21 number 38 is going to be a projectile.

22 Q. And a projectile would be an actual fired
23 bullet, correct?

24 A. Correct. That's going to be what shoots out.

25 MS. MAYES: 193 for evidence as well, Your

1 Honor.

2 THE COURT: Any objection?

3 MR. MAULDIN: No objection, Your Honor.

4 THE COURT: It's admitted.

5 (State's Exhibit No. 193 admitted into
6 evidence.)

7 BY MS. MAYES:

8 Q. So in that area you recover what is shown in
9 marker 36. And now we are in November, correct?

10 A. Yes, ma'am.

11 Q. And so is there a lot of weathering -- or what
12 can you tell us is different about this item than
13 the items you had discovered back in April?

14 A. It's not as shiny.

15 Q. Based upon your experience in CSI, is that
16 consistent with having been weathered?

17 A. Yes, ma'am.

18 Q. State's 131, depicting marker 37.

19 A. That's going to be the other cartridge case.
20 As you can tell we kind of had to dig a little
21 farther for that one.

22 Q. So it's not laying atop the pine straw or
23 within the pine straw as you had originally observed
24 back in April?

25 A. Correct. It was a little bit further down. I

1 don't know if you're able to tell, but we didn't
2 have to dig far for it.

3 Q. Can you show us where in that photograph that
4 item is located?

5 A. I'm kind of having trouble seeing it here, but
6 I know it's in this area right here.

7 Q. Doesn't have the same brass appearance as the
8 other --

9 A. The shiny look, no.

10 Q. State's 132. What are we looking at here?

11 A. That is going to be the projectile we found.

12 Q. Were all of these items properly collected and
13 submitted to your evidence lab?

14 A. Yes, ma'am.

15 Q. And then ultimately to a crime lab for firearms
16 and ballistics analysis?

17 A. Yes, ma'am.

18 Q. I'm going to show you what is 178 and 177 and
19 ask you, after your discovery of these items in
20 November, what action you took to further search
21 that scene having found two additional casings and a
22 projectile?

23 A. Yes, ma'am. We coordinated -- if we found --
24 as we knew that one tree with the defect, the larger
25 tree, not the sapling, myself and CSI Browning at

1 the time did try to retrieve it. We learned we were
2 not able to do that, so we coordinated with -- I
3 believe it was Lexington. I'm not sure of their
4 proper terminology. I have it in my report. To
5 assist in cutting down trees. Of course, we had to
6 get permission to cut down trees and a lot of that
7 had to go hand in hand to make sure all that could
8 happen.

9 So we went out there on the 10th of November
10 and were able to conduct an additional search with
11 metal detectors along with looking at trees to see
12 if any damage -- if they incurred any damage that
13 appeared to be projectile defects. And we were able
14 to collect those trees and additionally -- in
15 addition to retrieving projectiles from them.

16 Q. And you mentioned using metal detectors. How,
17 if at all, does that aid you in now recovering
18 casings that are no longer atop the pine straw?

19 A. You'll see they're a lot further down. Time's
20 going by. We're in fall and we all know what
21 happens in fall, stuff falls. So stuff was a lot
22 further down. Whereas when we were out there in
23 April, it was on top. You could easily see the
24 cartridge cases. Whereas now we're having to go
25 through nature.

1 Q. Okay. I'm going to show you what is State's
2 177 and 178. Ask if you could take a look at both
3 of those items for the purposes of identification.

4 MS. MAYES: Beg the Court's indulgence.

5 THE COURT: Take your time.

6 THE WITNESS: These look like to be 3 cartridge
7 cases. One is going to be a Blazer and two is going
8 to be Rugers. These are ones I collected and
9 sealed. My initials and date are there. That's
10 under 177.

11 THE COURT: Thank you.

12 BY MS. MAYES:

13 Q. And so additional nine-millimeter casings were
14 found pursuant to the use of this metal detector out
15 there?

16 A. It was more than one, but yes, ma'am.

17 MS. MAYES: For evidence, Your Honor.

18 THE COURT: Any objection.

19 MR. MAULDIN: No objection, Your Honor.

20 THE COURT: It's admitted.

21 (State's Exhibit No. 177, 178 admitted into
22 evidence.)

23 THE WITNESS: State's 178 is a lot more
24 cartridge cases and there's a couple of -- there
25 should be a couple of projectiles in here as well.

1 Again, these have my -- yeah, there's a projectile.

2 These have my initials and where I dated it.

3 BY MS. MAYES:

4 Q. And can you tell us whether or not this group

5 of additional fired casings recovered in November

6 included nine-millimeter cartridge casings?

7 A. Yes, ma'am. I believe all of these are

8 nine-millimeter.

9 Q. Can you tell us whether or not some of those

10 included cartridge casings with the headstamp

11 bearing Blazer nine-millimeter?

12 A. Yes, ma'am. It was quite a few.

13 MS. MAYES: State's 178 and 178 for evidence,

14 Your Honor.

15 THE COURT: 177 is in. Any objection to 178?

16 MR. MAULDIN: No, Your Honor.

17 THE COURT: It's admitted.

18 BY MS. MAYES:

19 Q. Now, in addition to your work at the crime

20 scene in April and the creation of this crime scene

21 diagram depicting ballistics and firearms evidence

22 recovered in April, can you tell us whether all of

23 the items that you just mentioned, having been

24 recovered in November, were also submitted to the

25 Richland County firearms department and crime lab

1 for firearms analysis?

2 A. Yes, ma'am. They all were.

3 Q. Including comparison analysis to those two
4 weapons you told us about were recovered from the
5 home of Jaylen Wilson, the Glock nine-millimeter and
6 the Ruger 380?

7 A. Yes, ma'am.

8 Q. Now, in addition to your work there at the
9 crime scene, do you also have training in regard to
10 the collection of what is known as a buccal swab or
11 a DNA standard?

12 A. Yes, ma'am. Through our training, we kind of
13 watch a more experienced CSI to perform the
14 collection of a buccal swab. It just means it's a
15 swab of your cheek, kind of like what you'd do for
16 paternity or DNA. So we do that and it's very
17 simple. The kit actually comes with instructions as
18 well. So if you get lost, you can refer to them.

19 Q. I'm going to show you what is State's 216 and
20 ask you what involvement you had in the collection
21 of a DNA standard or a cheek swab from a codefendant
22 in this case, Treveon Nelson.

23 A. Yes, ma'am. I actually did the swabbing of his
24 cheeks.

25 Q. And did you do that in accordance with

1 protocol?

2 A. Yes, ma'am.

3 Q. Were you wearing gloves?

4 A. Yes, ma'am.

5 Q. Did anyone else handle that item after you

6 collected it from the cheek of Treveon Nelson?

7 A. No, ma'am. I handled that myself. I put it in
8 the proper packaging and then sealed it to turn into
9 evidence.

10 Q. Did it remain sealed throughout that time until
11 its submission to a crime lab for DNA analysis?

12 A. Yes, ma'am.

13 MS. MAYES: State's 216 for evidence, Your
14 Honor, being the buccal swab of Treveon Nelson.

15 THE COURT: Any objection?

16 MR. MAULDIN: No, Your Honor.

17 THE COURT: It was previously entered as ID
18 only. It's now entered in as evidence as State's
19 216.

20 (State's Exhibit No. 216 admitted into
21 evidence.)

22 MS. MAYES: Beg the Court's indulgence.

23 THE COURT: Take your time.

24 MS. MAYES: As noted yesterday, Your Honor,
25 we'd request that Sergeant Snelgrove be subject to

1 later recall because of additional evidence that may
2 be offered at a later date and time. And that's all
3 from the State at this time.

4 THE COURT: Okay. Ms. Mauldin, let me check
5 with the jury. We've been here for an hour and a
6 half. Would you like a break?

7 THE FOREPERSON: Yes, ma'am.

8 THE COURT: If you don't mind, before we do
9 cross, I'm going to give everybody a break. They've
10 been sitting for an hour and a half.

11 MS. MAULDIN: Thank you, Judge.

12 THE COURT: Investigator Snelgrove, you can't
13 talk to anybody during break.

14 THE WITNESS: Yes, ma'am.

15 THE COURT: You're free to move around. But
16 you just can't talk to anybody. Okay.

17 THE WITNESS: Yes, ma'am.

18 THE COURT: Thank you. Y'all take a break.
19 Thank you.

20 THE BAILIFF: How long, Your Honor?

21 THE COURT: 15 minutes.

22 (The jury exits the courtroom at 11:35 a.m.)

23 THE COURT: Can I see the attorneys for a
24 minute?

25 (Sidebar conference.)

1 THE COURT: All right. Can I have the witness?

2 All right. You didn't talk to anybody, did
3 you?

4 THE WITNESS: No, ma'am.

5 THE COURT: All right. Bring the jury back in,
6 please.

7 I'll have to ask you that one more time in
8 front of the jury anyway.

9 (The jury enters the courtroom at 12:01 p.m.)

10 THE COURT: Mr. Foreman, is the jury ready?

11 THE FOREPERSON: Yes, ma'am.

12 THE COURT: Please be seated.

13 All right. Let me ask you, Investigator
14 Snelgrove, have you talked to anyone during the
15 break?

16 THE WITNESS: No, ma'am.

17 THE COURT: I'm going to remind you that you're
18 still under oath.

19 THE WITNESS: Yes, ma'am.

20 THE COURT: Mr. Mauldin?

21 MR. MAULDIN: Thank you, Your Honor.

22 CROSS-EXAMINATION

23 BY MR. MAULDIN:

24 Q. Is it Sergeant Snelgrove or Investigator?

25 A. Either one is fine.

1 Q. Okay. There was an issue yesterday. Somebody
2 said they got a demotion so I wanted --

3 A. I'm a sergeant. Yes. Yes, but I'm still an
4 investigator.

5 Q. Okay. All right. You said in the April date
6 it was the 28th, was it? When you first went out to
7 the scene?

8 A. Yes, sir.

9 Q. You had three other CSI agents with you; is
10 that right?

11 A. Yes, sir.

12 Q. That's Weyandt, Donnelly and Browning?

13 A. Yes, sir.

14 Q. All right. And you were responsible for the
15 excavation of the deceased; is that correct?

16 A. Yes.

17 Q. And Weyandt was involved in the collection of
18 the other evidence not near the deceased; is that
19 right?

20 A. Correct.

21 Q. Oh wait a minute, let's see. Donnelly took
22 photographs; is that right?

23 A. Do you want me to help you out? So CSI Weyandt
24 was the on-call CSI. So he was only on this case.
25 Considering I've had training on the recovery of

1 buried persons, that's why I took over that part.
2 And we worked it out where he would be responsible
3 for documenting in a report of the recovery of the
4 stuff that we found out there besides what was
5 collected with her. CSI Donnelly was the
6 photographer while we were out there and then CSI
7 Browning was actually in FTO. So he was out there
8 as well for the experience and to assist with
9 documentation of the evidence.

10 Q. Right. He would take notes and GPS
11 coordinates?

12 A. Yes, sir.

13 Q. Did the GPS thing work out?

14 A. It did not.

15 Q. So we're talking about all these items here.
16 Like how far is item 13 from item 4; do you know?

17 A. Not off the top of my head. No, sir. The
18 reason why we did GPS coordinates is because it's a
19 remote location. However, we were using GPS
20 coordinates off of our work phone. And we
21 discovered that since we were out in the middle of
22 nowhere, we didn't have really good service to do
23 that with.

24 Q. I know you said they were off to the side, but
25 I'm trying to figure out how far off to the side

1 were they?

2 A. A few feet.

3 Q. This is not to scale. Really how far away were
4 they from these other items?

5 A. In close proximity.

6 Q. Close proximity?

7 A. Uh-huh.

8 Q. Okay. I notice this little arrow here and this
9 arrow here. What does that mean?

10 A. That piece of evidence was found somewhere
11 along those arrows.

12 Q. So it could have been anywhere in here?

13 A. Correct.

14 Q. And this as well, somewhere between these two
15 arrow points?

16 A. Correct.

17 Q. So it's not exactly precise, is it?

18 A. No, did not say it was.

19 Q. All right. Now, y'all went out there on the
20 28th and it was dark. You left everything out in
21 the field and came back the next day and
22 photographed it in the daylight?

23 A. No, sir. We collected what we located that
24 night and took it with us, except for the blanket
25 and the pillow case. That was left out there on

1 that tarp on top of the shifters so it could dry.

2 Like I said, the items were still wet, so we wanted
3 it to have a chance to dry out there.

4 Q. Okay. I just -- looking at your report, didn't
5 you write that the -- you obtained daytime
6 photographs of the scene, include, but not limited
7 to where the cartridge cases, approximate victim
8 were located. You're saying they were picked up but
9 the markers --

10 A. If you fully read it, the 28 when we're out
11 there, we do initial thing. It isn't dark time.
12 That's why we didn't release it. So we could go out
13 there during the day time to obtain photos. And
14 while we were out there, additional items of
15 evidence was collected.

16 Q. All right. Going back to these -- I guess this
17 tampon thing that was made mention of, how does a
18 tampon applicator work?

19 A. You stick it in you and you push the end.

20 Q. Okay. Well, it's a little plastic device,
21 isn't it?

22 A. Yep.

23 Q. And part of it is like a bulb that contains the
24 tampon?

25 A. Correct.

1 Q. And the other part is like a plunger on a
2 syringe.

3 A. Correct.

4 Q. And so the bulb part is inserted and then the
5 plunger is pushed and then the tampon comes out of
6 the end. There's a little X cut into the end and
7 that's --

8 A. Some of them.

9 Q. Was there an X cut on this one?

10 A. This one would have been the X.

11 Q. And oftentimes that X is pushed out if the
12 tampon was extracted from the device; is that not
13 true? The plastic is bent a little bit when the
14 tampon comes out?

15 A. Yes.

16 Q. If that's inserted, that would be plastic bent
17 out in that area where it is inserted; is that
18 correct?

19 A. It wouldn't necessarily stay bent out.

20 Q. Right. And that the paper item that you had
21 there, you believe it was a tampon, but you're not
22 sure? Or you are sure? You said believed to be and
23 then --

24 A. Well, when we were on the scene, because it has
25 been out there a while, you could tell it was like a

1 cloth paper material, which is consistent with a
2 tampon. But later it was confirmed that it was a
3 tampon.

4 Q. Okay. Did it have a string on it?

5 A. I don't remember, sir.

6 Q. Okay. You found some Crocs that appeared to be
7 burned; is that right?

8 A. Yes.

9 Q. And were they sent for any kind of tests for
10 accelerants or anything like that to determine how
11 they were burned?

12 A. I don't believe so.

13 Q. Were any other items found burned?

14 A. Nope. Just the Crocs.

15 Q. Okay. Let's see. You talked about Weyandt's
16 search of Jaylen Wilson's residence; is that right?

17 A. Yes, sir. Weyandt.

18 Q. Weyandt. Was any search done of any residences
19 belonging to Allon Adams by CSI?

20 A. I'm not sure who that is.

21 Q. What about David Gaskins? Were any searches
22 done on his residence by CSI?

23 A. That name sounds familiar, but I'm not sure.

24 Q. What about Treveon Nelson, was any of his
25 residences searched by CSI?

1 A. I don't believe so by CSI. But I do know that
2 our investigators went out to places as well.

3 Q. Or any house where he might have been arrested
4 at? Were any of those places searched by CSI?

5 A. That would be a question for the lead
6 investigator, not me.

7 Q. Well, you testified about what Weyandt did and
8 Donnelly did. Seems like you're the sergeant of
9 CSI. Wouldn't you know if that had been done?

10 A. I should, yes, sir. But I don't believe it did
11 happen because it's definitely not in our book and
12 we only talked about the search of Jaylen's
13 residence.

14 Q. All right. Now, you talked a little bit about
15 going back in November and shell casings could have
16 moved a little bit because fall is fall; is that
17 right?

18 A. I didn't quite say it that say. I said in fall
19 things fall.

20 Q. Okay. Well, when you're picking up shell
21 casings, they are ejected from a gun when the gun is
22 shot, right?

23 A. If it's a semi-automatic.

24 Q. All right. And they could bounce on the
25 ground; is that right?

- 1 A. Sure.
- 2 Q. People could kick them around?
- 3 A. That's right.
- 4 Q. Wildlife could probably move them around if a
5 bird likes a shiny thing?
- 6 A. That's possible, yeah.
- 7 Q. Now, a lot of mention of Blazer headstamps on
8 these bullets, wasn't there?
- 9 A. Yes, sir.
- 10 Q. But weren't there quite a few 380 SIG
11 headstamps found?
- 12 A. As I said while I was going through the
13 photographs.
- 14 Q. Okay. Weren't there, in fact, more 380 SIG
15 headstamps than Blazer headstamps for 380?
- 16 A. Yes.
- 17 Q. And on these nine-millimeters there were
18 Hornady stamps?
- 19 A. Hornady.
- 20 Q. FC stamps?
- 21 A. Yes.
- 22 Q. As well as the Blazer stamps. Is that right?
- 23 A. Yes. And including that L.
- 24 Q. The 9L?
- 25 A. Just L.

1 Q. And then you went back in November on the 4th,
2 and that's when you collected items 36 through 38;
3 is that correct?

4 A. Yes, sir.

5 Q. All right. And then you went back again on the
6 10th and collected more items; is that right?

7 A. Yes, sir.

8 Q. And on that day, you collected about 45 shell
9 casings --

10 A. Yes, sir.

11 Q. -- and five projectiles?

12 A. Yes, sir.

13 Q. And five tree trunks?

14 A. Yes.

15 Q. Okay. Were any projectiles extracted from
16 those tree trunks?

17 A. Yes, sir. I mentioned that earlier.

18 Q. Okay. Were they sent to Richland County?

19 A. Yes, sir.

20 Q. Now, you did find five projectiles on the
21 ground; is that right?

22 A. Yes, sir.

23 Q. And where were the evidence item numbers for
24 those projectiles seized from the tree trunks?

25 A. From the tree trunks, that's going to be a

1 different report and a different CSI.

2 Q. Who did that?

3 A. That actually -- extracted them from the actual
4 trees themselves is going to actually be Richland
5 County. We -- all we did was cut the trees down
6 into more manageable sizes. That took about three
7 different times to get them into a more manageable
8 so we could send them. Because the tree trunks were
9 huge and we had Lexington County that assisted us.
10 They had to transport the trunks for us. So to get
11 them over to Richland County, we had to put them in
12 a more manageable size.

13 Q. Now, the shell casings you found on the 11th,
14 the 45 shell casings, here on State's 128 they'd be
15 somewhere off to the left past where the diagram; is
16 that correct?

17 A. Yes, sir.

18 Q. And in fact, you did another diagram later
19 on -- I think earlier this month -- depicting some
20 of those shell casings; is that right?

21 A. Yes, sir. That's correct.

22 Q. Did you depict all of the shell casings you
23 found on that diagram?

24 A. No, sir.

25 Q. But on the shell casings you collected, you

1 preserved them as you would any of the other shell
2 casings; is that right?

3 A. Yes, sir. Yes, sir.

4 Q. You sealed them in bags?

5 A. Uh-huh.

6 Q. They maintained pristine condition and law
7 enforcement the whole time they weren't manipulated
8 or tampered with in any way; is that right?

9 A. Correct. Just being analyzed.

10 Q. From the time that it went from you to the
11 evidence room; is that right?

12 A. From -- when they were sent to the crime lab,
13 that was after I sent them to evidence.

14 Q. I meant from you to the evidence room?

15 A. Yeah. They were --

16 Q. Okay. Do you remember what numbers you put on
17 that diagram and what numbers you didn't?

18 A. The one that we haven't offered up?

19 Q. Yeah, that one.

20 A. We have an additional 41, 42, 40, 37, 36, 39 --
21 42, 41, 40, 37, 36, 39, a projectile at 38, 65, 64,
22 61, 59, 58, 55, 56, 57, 50, 53, 52, and 46.

23 MR. MAULDIN: Okay. I'm new at this, so just
24 bear with me.

25 BY MR. MAULDIN:

1 Q. All right. So item 43 is a bullet or a
2 projectile that you found; is that right?

3 A. You said 43?

4 Q. Right.

5 A. Yes.

6 Q. Was that on the diagram?

7 A. Not on my diagram.

8 Q. You didn't put it on your diagram?

9 A. No.

10 Q. And let's see. Item 44, nine-millimeter with
11 FC stamp. Did you put that on your diagram?

12 A. No, sir.

13 Q. Item 45, a nine-millimeter Hornady casing with
14 --

15 A. Hornady.

16 Q. Hornady shell casing. Did you put that on your
17 diagram?

18 A. No. As I said, we didn't put everything on the
19 diagram.

20 Q. Okay. Didn't the solicitor say it was
21 important to account for all the shell casings that
22 were found at the scene?

23 A. I believe she'll get into that later.

24 Q. Oh, maybe she will.

25 Item 47, another nine-millimeter shell casing

1 with an FC stamp. Was that on your diagram?

2 A. No, sir.

3 Q. Item 48, another nine-millimeter shell with a
4 FC stamp, was that on your diagram?

5 A. No, sir.

6 Q. Item 49 is actually two shell casings; is that
7 right?

8 A. Yes, sir.

9 Q. Okay. And those are nine-millimeter with a
10 Blazer headstamp?

11 A. Uh-huh.

12 Q. Item 50 is on your diagram; is that right?

13 A. Yes, sir.

14 Q. That's one -- that thing I can't pronounce --
15 Hornady --

16 A. 50 is a Hornady.

17 Q. -- Hornady.

18 Okay. So that was there. Item 54, another
19 nine-millimeter with the FC stamp shell casing. Is
20 that on your diagram?

21 A. You missed 51 --

22 Q. I did miss 51. Thank you. That's a
23 nine-millimeter Blazer headstamp; is that right?

24 A. Uh-huh.

25 Q. Then we go back to 54?

1 A. Yes, sir.

2 Q. That's the nine FC.

3 And then -- well item 59 is on there; is that
4 right?

5 A. Yes, sir, it is.

6 Q. And that is actually four shell casings --

7 A. Yes, sir.

8 Q. -- on one item; is that right?

9 A. Yes, sir. It's two Hornadys and two Blazers.

10 Q. All right. Item 60, another nine-millimeter FC
11 headstamp shell casing. Was that on your diagram?

12 A. No, sir.

13 Q. Next we got 62. Item 62 that you found did
14 you put --

15 A. 62 and 63 are FCs and they are not on the
16 diagram.

17 Q. All right. And then we got 66 through 69 or
18 nine FCs; is that right?

19 A. That is correct.

20 Q. And they're not on your diagraming?

21 A. Correct.

22 Q. And then 58 through 61 are projectiles; is that
23 right?

24 A. You mean 70, 80 and --

25 Q. 70, 80, 81 and 82.

1 A. Those are projectiles.

2 Q. Projectiles?

3 A. Yes, sir.

4 Q. All right. Moving on, in December were you
5 contacted by Investigator Baum about this case?

6 A. I'm sorry.

7 Q. In December of '21 --

8 A. Okay.

9 Q. -- were you contacted by Investigator Baum
10 about this case?

11 A. Yes, sir. That's when we did the buccal swab.

12 Q. On December 20 were you contacting by him in
13 reference to a handgun that needed to be taken into
14 evidence?

15 A. Possibly -- taken over to Richland County?

16 Q. Yes, ma'am.

17 A. Yes, I do believe so.

18 Q. Okay. Let's see -- and you went over there and
19 put it in the crime lab in December of '22 I'm
20 sorry. December 20 of '22?

21 A. Yeah, December 20 of 2022.

22 Q. Of 2022. And that was the Glock 19 --

23 A. Yes.

24 Q. -- that you took?

25 And it had the serial number of NXW 425?

1 A. Yes, sir.

2 MR. MAULDIN: Beg the Court's indulgence.

3 THE COURT: Take your time.

4 MR. MAULDIN: No further questions, Your Honor.

5 THE COURT: Any redirect?

6 MS. MAYES: Briefly, Your Honor.

7

8 REDIRECT EXAMINATION

9 BY MS. MAYES:

10 Q. Just to clarify, all of those casings that
11 counsel just asked you about, were all of those
12 casings submitted as evidence items here in this
13 case?

14 A. Yes, they were.

15 Q. All of those casings were previously identified
16 by you and are now in evidence?

17 A. Yes, ma'am.

18 Q. However, regarding April of 2021 -- April of
19 2021, your work out there at the crime scene that
20 night, does that include all of the casings that you
21 mentioned?

22 A. On the 28th and the 29th of April. Yes, ma'am.

23 Q. Depicted here in this diagram?

24 A. Yes, ma'am.

25 Q. Including the ones that you determine were

1 nine-millimeters and 380s?

2 A. Yes, ma'am.

3 Q. Now all of the items that you collected, April
4 and then later in November, where did all of those
5 items go?

6 A. Into evidence.

7 Q. For what purpose?

8 A. To be secured so nobody could tamper with them.
9 All the ammunition and all was sent over to -- and
10 when I mean ammunition, I mean the cartridge cases
11 and the projectiles, they were sent to Richland
12 County's lab so they could do the ballistics testing
13 on them.

14 Q. So every one of these items that you have
15 identified, collected in April and November, were
16 all of them submitted for firearms analysis?

17 A. Yes.

18 Q. Does that include analysis against the Glock
19 nine-millimeter from Jaylen Wilson's home?

20 A. Yes. And the 380.

21 Q. And the Ruger 380.

22 A. Yes. And they were also submitted into IBIS
23 NIBIN to see if possibly there was another match out
24 there.

25 Q. Tell us what that means.

1 A. I can tell you briefly. I'm not an expert on
2 it by no means. But if you're familiar with AFIS,
3 it's the system for fingerprints. That's what IBIS
4 NIBIN is basically for the headstamp -- well, not
5 necessarily the headstamp, but that area, that
6 primer strike in the center, that gets uploaded into
7 the system. And it runs against the database of
8 what all law enforcement has put in there to each
9 other. If we get a possible match, what happens is
10 they get those two different cartridge cases and do
11 a visual match to each other in person and not just
12 rely on what the computer is telling us.

13 So if anybody has come across any cartridge
14 cases or a gun that matches, it will show up in
15 there. Not all agencies put their cartridge cases
16 in there, but that's what we do and it helps a lot
17 to match up guns that maybe another agency
18 collected.

19 Q. All right. So as well as the guns themselves
20 being analyzed, every type of casing is also entered
21 into NIBIN?

22 A. Yes, ma'am.

23 Q. To potentially match to any unrecovered guns;
24 would that sound accurate?

25 A. Yes.

1 Q. I'm going to show you, again looking here, at
2 11, 12, and 13 being the items that counsel was
3 specifically asking you about. Looking here at 12
4 and 13, which one is the wrapper and which one is
5 known as an applicator for a tampon?

6 A. Number 12 is the applicator and number 13 is
7 the package for the whole tampon and applicator.

8 Q. As a CSI investigator, can you tell us whether
9 or not this indicates that a tampon was unwrapped at
10 the scene?

11 A. Yes, ma'am.

12 Q. And the applicator, can you tell us whether or
13 not that indicates that a tampon may have been
14 inserted at the scene?

15 A. Yes, ma'am, because there was nothing inside
16 of -- the tampon was not in the applicator.

17 Q. Looking at State's 91, can you tell us whether
18 or not this tampon appears to be used or unused?

19 A. It did look to be used.

20 Q. How so?

21 A. Because there were reddish-brown stains on it
22 when we picked it up and observed -- visually
23 inspected it.

24 Q. Can you tell us whether or not this indicates
25 this tampon has been used and discarded?

1 A. That's correct.

2 Q. And a fresh tampon inserted?

3 A. That's correct.

4 Q. All at the crime scene?

5 A. Yes, ma'am.

6 Q. Now, counsel was asking you about another
7 diagram and again, you've indicated that all of
8 these casings went to another lab for firearms
9 analysis?

10 A. Yes, ma'am.

11 Q. Which lab was that?

12 A. That was Richland County.

13 Q. Were you privy to the results of their firearms
14 analysis?

15 A. Yes, ma'am.

16 Q. Including the results of the comparison to
17 those two firearms from the home of Jaylen Wilson?

18 A. Yes, ma'am.

19 Q. Have you prepared a diagram depicting those
20 findings as well?

21 A. Yes, ma'am.

22 MS. MAYES: Subject to later recall, Your
23 Honor.

24 THE COURT: Anything further?

25 MR. MAULDIN: No, Your Honor.

1 THE COURT: May I let Investigator Snelgrove
2 down?

3 MS. MAYES: Yes, Your Honor. Subject to
4 recall.

5 THE COURT: You're not excused, but subject to
6 recall. But thank you.

7 All right. Mr. Foreman, It's 12:30. I'm going
8 to let you go to lunch. Remember you're not allowed
9 to talk about this case amongst yourselves or with
10 anyone else. If you'll be back in the jury room at
11 1:45, we'll promptly begin at 2:00. Thank you.

12 THE FOREPERSON: Okay. Thanks for the donuts.

13 THE COURT: You're welcome.

14 (The jury exits the courtroom at 12:30 p.m.)

15 All right. Anything from the State before we
16 break for lunch?

17 MR. HUBBARD: Nothing from the State, Your
18 Honor.

19 THE COURT: Anything from the defense?

20 MS. MAULDIN: No, Your Honor.

21 THE COURT: All right. I'll see you at 2:00.

22 (Luncheon recess 12:30 p.m. - 2:00 p.m.)

23 THE COURT: All right. Are we ready to
24 continue?

25 MR. HUBBARD: I think so, Your Honor. I will

1 tell you that I've got a short witness and then
2 going to the firearms expert. I think we got
3 everything out, but at some point, if it get's a
4 little hairy, I might need a little break.

5 THE COURT: If you need a break, just let me
6 know. I have no objection to anybody taking a
7 break.

8 MS. MAYES: Your Honor, some additional matters
9 for the Court. During this morning's proceedings
10 Investigator Baum did get notification regarding the
11 status of his child. His wife is currently in
12 labor. He has left the courtroom. We'd ask that
13 Sergeant Brandon Miller be allowed now to take his
14 place at the State's table. Sergeant Miller has
15 already testified. He may be recalled in place of
16 Sergeant Baum tomorrow. But we ask that he now take
17 his place as the lead investigating officer.

18 THE COURT: Any objection?

19 MS. MAULDIN: No, Your Honor.

20 THE COURT: Granted. Welcome.
21 Anything else?

22 MR. HUBBARD: No, Your Honor.

23 THE COURT: Let's bring the jury in.

24 (The jury enters the courtroom at 2:08 PM.)

25 THE COURT: Mr. Foreman, is the jury ready?

DIRECT EXAMINATION OF JAMES WESTBURY BY MR. HUBBARD

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1 THE FOREPERSON: We're ready, Your Honor.

2 THE COURT: Please be seated.

3 Call your next witness.

4 MR. HUBBARD: Thank you, Your Honor. The State
5 calls James Westbury.

6 JAMES WESTBURY

7 being first duly sworn, testified as follows:

8 THE WITNESS: I do.

9 THE CLERK: Have a seat, sir. Once you're
10 seated speak up loud and clear. State your full
11 name, spelling your last, please.

12 THE WITNESS: James Westbury, W-E-S-T-B-U-R-Y.

13 DIRECT EXAMINATION

14 BY MR. HUBBARD:

15 Q. Detective Westbury, where do you work?

16 A. Lexington County Sheriff's Department.

17 Q. What do you do there?

18 A. I'm currently a sergeant in the major crimes
19 unit.

20 Q. Okay. Back in April of 2021, specifically
21 April 30, do you recall attending the autopsy of

22 SA [REDACTED] in Charleston?

23 A. I do. Yes, sir.

24 Q. What was your purpose in going there?

25 A. My purpose to respond to the autopsy was to

1 collect the evidence that was obtained there and
2 bring it back to our evidence here.

3 Q. Do you recall bringing back, among other
4 things, projectiles retrieved at autopsy.

5 A. I did.

6 Q. And a blood standard from SA [REDACTED] taken
7 at autopsy?

8 A. Yes, sir.

9 Q. If I may, I want you to look at State's 231.
10 Is that the little swatch of blood spot from the
11 blood standard --

12 A. That is.

13 Q. -- taken from the autopsy?

14 A. It is.

15 MR. HUBBARD: Your Honor, at this time I offer
16 231 into evidence.

17 THE COURT: Any objection?

18 MS. SELLERT: No objection, Your Honor.

19 THE COURT: Then it's admitted.

20 MR. HUBBARD: Thank you, Your Honor.

21 (State's Exhibit No. 231 admitted into
22 evidence.)

23 BY MR. HUBBARD:

24 Q. As to the projectiles, do you recall three
25 projectiles and then a case jacket, a jacket from

1 a -- retrieved in the debris?

2 A. I do. Yes, sir.

3 Q. I'm going to show you what's been marked 176,
4 ask if you've seen this, the packets?

5 A. I have. That's what I collected at the
6 autopsy.

7 Q. Okay. And they go into these packets and it's
8 since been to Richland County?

9 A. That's correct.

10 MR. HUBBARD: Your Honor, I'll move 176 into
11 evidence.

12 THE COURT: Any objection?

13 MS. SELLERT: No objection.

14 THE COURT: It's admitted.

15 (State's Exhibit No. 176 admitted into
16 evidence.)

17 MR. HUBBARD: That's all I have at this time.

18 BY MR. HUBBARD:

19 Q. Well, let me ask you this: Where did you bring
20 them to?

21 A. I brought them to the sheriff's department
22 where they were submitted to our evidence.

23 MR. HUBBARD: Thank you. No further questions.

24 THE COURT: Any questions?

25 MS. SELLERT: No, Your Honor.

1 THE COURT: Thank you, Mr. Westbury.

2 MR. HUBBARD: The State calls Amanda Metz.

3 AMANDA METZ

4 being first duly sworn, testified as follows:

5 THE WITNESS: I do.

6 THE CLERK: Have a seat, please ma'am. Once
7 you're seated speak up loud and clear. State your
8 full name, spelling your last, please.

9 THE WITNESS: Amanda Metz, M-E-T-Z.

10 DIRECT EXAMINATION

11 BY MR. HUBBARD:

12 Q. Agent Metz, where do you work?

13 A. I work at Richland County Sheriff's Department
14 in the forensic sciences laboratory in the firearm
15 and toolmark section.

16 Q. How long have you worked with Richland County?

17 A. I've worked with Richland County for 13 years,
18 in the laboratory for approximately 11.

19 Q. And in the laboratory as a firearms expert?

20 A. As a firearm and toolmark trainee for about
21 three years and then the rest of that eight years,
22 approximately, as a qualified expert.

23 Q. Now -- and I'm calling you Agent Metz. What
24 title do they give you at Richland County for your
25 particular position?

DIRECT EXAMINATION OF AMANDA METZ BY MR. HUBBARD

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1 A. I'm technically an investigator.

2 Q. Investigator Metz, it varies from office to
3 office. So I just wanted to see how Richland County
4 did that. Investigator Metz, what training and
5 education do you have in order to handle and do the
6 job you do involving firearms?

7 A. So I have a Bachelor of Arts in art history and
8 archeology from Oakland University in Michigan. I
9 have a Masters of Science in Crime Scene
10 Investigation and Forensic Archeology from
11 Bournemouth, England. And then on top of the
12 degrees that I had to have, just college degrees, I
13 then attended a yearlong training with the ATF at
14 the National Firearm and Toolmark Examiner Academy
15 located in Maryland. After that year of training, I
16 then came back to Richland County and proceeded to
17 do a two-year in-house training with Richland County
18 Sheriff's Department under a qualified firearm
19 toolmark examiner.

20 During that time, I did several hundred
21 supervised cases, as well as several thousand
22 microscopic comparisons and several hundred firearm
23 examinations. I'm also part of our professional
24 organization, the Association of Firearm and
25 toolmark Examiners, also known as AFTE, and I've

1 continued to do casework for approximately eight
2 years since being qualified as a firearm and
3 toolmark examiner.

4 Q. And have you had an occasion to be classified
5 or declared an expert in the court of law and
6 testified as such, as a firearms examiner?

7 A. I have.

8 Q. And in South Carolina?

9 A. Yes, in South Carolina.

10 Q. Your Honor, at this time I'd offer Investigator
11 Metz as a firearms --

12 THE COURT: Toolmark.

13 MR. HUBBARD: -- toolmark investigator,
14 inspector.

15 BY MR. HUBBARD:

16 Q. State what you do again?

17 A. I am a firearm and toolmark examiner.

18 MR. HUBBARD: That's what I'm offering her as,
19 a firearm and toolmark examiner.

20 THE COURT: Ms. Mauldin?

21 MR. MAULDIN: No objection. Mr. Mauldin is
22 answering for the record.

23 THE COURT: Let me tell the jury, as I told you
24 yesterday, this witness is going to be qualified as
25 a firearm and toolmark examiner. She's going to be

1 able to give her opinion testimony in that area.
2 That does not mean you must accept the opinion, but
3 it's evidence for you to use in any way you see fit.

4 MR. HUBBARD: Thank you, Your Honor.

5 THE COURT: Uh-huh.

6 BY MR. HUBBARD:

7 Q. Investigator Metz, I want to show you some
8 items, see if you recognize these. They've been
9 marked as State's 186 and 187. This is 186, see if
10 you recognize that.

11 A. Yes. I identify State's Exhibit 186 as my item
12 40.

13 Q. And what is item 40?

14 A. Item 40 is a Glock model 43X, which is a
15 nine-millimeter Luger caliber pistol, and the serial
16 number is BMGG304.

17 Q. Okay.

18 A. It's also an extended magazine with that
19 firearm.

20 Q. That's not an issued magazine. It's one that
21 can fit, but it's not one that --

22 A. Correct. That's after market.

23 Q. Looking at 187, State's 187, see if you can
24 identify this one.

25 A. Yes, I recognize and identify State's 187 as my

1 item 39, which is a Ruger model LCP 380 auto caliber
2 pistol, serial number 371556686. Again, with an
3 after market magazine, not coming with that firearm.

4 Q. Kind of an extended?

5 A. Extended. Yes, correct.

6 Q. Now, Investigator, were you asked to look at
7 evidence that was collected from a scene in
8 Lexington County involving a missing person who
9 turned up deceased in Lexington County in Leesville?
10 SA [REDACTED] ?

11 A. I believe so yes. Normally, I don't know
12 names. I only know case numbers, but yes, I did
13 receive fired evidence in this case.

14 Q. Right. And that is casings -- cartridge
15 casings, things of that nature?

16 A. Yes. That would be fired cartridge cases,
17 projectiles or bullets, and then I believe I
18 received some unfired ammunition as well.

19 Q. If I can have you look at State's 163, which is
20 already in evidence as 380 caliber casings, and see
21 if you recognize these.

22 A. I'm sorry. Could I have scissors, please?

23 Q. Yes.

24 A. Is it okay if I explain what I'm doing?

25 Q. Sure, absolutely.

1 A. When I receive this evidence, it comes packaged
2 in another agency's packaging. I then put our
3 Richland County case number and item number on it,
4 as well as my initials. I put it on the outside of
5 the packaging as well as on the item of evidence
6 itself. And since it came in packaging that doesn't
7 have our original seal, I'm just double-checking
8 that these are indeed the items of evidence that I
9 received.

10 And if you don't object, I'm not going to use
11 gloves. We've already done swabs and everything.

12 Q. Whatever you're comfortable with. I don't have
13 any on either, so...

14 A. Yes. I recognize and identify State's Exhibit
15 163 as Richland County's items 17, 18, 19, 20, 21,
16 22, and 23.

17 Q. Are all of those -- what are those items that
18 you've just looked at?

19 A. All of these are fired 380 auto caliber
20 cartridge cases.

21 Q. So what many people just refer to in short
22 language as casings, the little -- the shell?

23 A. Yes, the cartridge cases. The product of
24 ammunition being fired.

25 Q. And what caliber are those?

1 A. They are 380 auto caliber.

2 Q. Now, Investigator Metz, when you get items such
3 as you have in front of you now, what, if anything,
4 do you do in comparison to, say, a firearm? In this
5 case it was State's 187 which is your item number --

6 A. 39.

7 Q. -- 39.

8 A. Yes, sir.

9 Q. Did you compare those fired cartridge casings
10 to that particular firearm?

11 A. So there's a lot of things that I do before
12 that stuff actually happens. One of the things that
13 I do is look at what we call our unknowns. So that
14 is our fired evidence. I don't know their source.
15 So there are unknowns. I look at them all to one
16 another to look at class characteristics. And what
17 that means is to group them in caliber designation,
18 so 380 auto versus nine-millimeter Luger or 40 Smith
19 and Wesson. I look at firing pin shape. I look at
20 breech face marks. I look at ejector location. I
21 look at those things and group them into
22 similarities. And then I'll examine them under the
23 microscope individually and record what I see. And
24 then I compare the unknowns to each other first to
25 determine how many firearms I believe fired those

1 cartridge cases.

2 Then if we receive a firearm in that case, I'll
3 get the firearm, examine it for safety and function.
4 I will test fire that firearm. And what that does
5 is it produces my known standards. I know the
6 source. So I produce known cartridge cases from a
7 firearm.

8 At that point I look at their test fires to one
9 another to make sure that the firearm is
10 reproducing. And what I mean by that is what I'm
11 looking at are tiny microscopic individual
12 characteristics. And the way that that occurs is
13 through microscopic individual imperfections in the
14 firearm itself. And those imperfections transfer
15 their markings onto the evidence or onto the test
16 fires. Once I look at the test fires to one another
17 and determine their suitability and reproducibility,
18 I then will compare them to my unknowns and see if
19 any are fired by that firearm.

20 Q. Okay. And did you go through that process with
21 this -- your item 39?

22 A. I did.

23 Q. The 380 Ruger?

24 A. I did..

25 Q. And did you then look at the items submitted

1 that you've gone through, your items 17 through 23?

2 A. Yes. So I looked at items 17 through 23 first,
3 and then looked at my firearms second and then did
4 the comparison after I've already looked at my
5 unknowns to each other.

6 Q. Were you able to reach a conclusion as to
7 whether item 39 fired those items that you have in
8 front of you?

9 A. Yes. Item 39 fired items 17 through 23.

10 Q. So this .38 caliber pistol, which is your item
11 39, fired these cartridge cases?

12 A. Yes so 380 auto, which is a .38 caliber. 380
13 auto pistol did fire these 380 auto caliber
14 cartridge cases.

15 Q. It's after lunch. Pizza brain. Thank you.

16 Now, State's 186, which is your item -- what
17 item is that?

18 A. Item 40.

19 Q. Okay. Did you also compare some items to that
20 as well?

21 A. I did.

22 Q. Now, I want to show you what's been marked in
23 evidence State's 161, casings here, cartridge
24 casings. And if you'll go through and see if you
25 can identify those as well. And I believe these

1 were provided and collected in April. Just as
2 you're doing this, you ended up doing a report and
3 then additional stuff was submitted and you did a
4 second report?

5 A. That's correct.

6 Q. So these items were submitted to you for that
7 first report?

8 A. Yes, that's correct.

9 Q. Yep.

10 A. Yes, I recognize and identify State's 161 as
11 Richland County items 24; 25, 26, 27, 28, 29, 30,
12 and 31.

13 Q. Okay. Nine items?

14 A. Eight.

15 Q. Eight items, sorry.

16 A. Yes, eight.

17 Q. And once you got those items -- can you go
18 through the process of what you did with this
19 particular -- as to your item 40?

20 A. Sure. It's the same process. So I examined my
21 unknowns first, look at the firearm for
22 functionality, make my knowns, compare them for
23 reproducibility, and compare the knowns to the
24 unknown standards. In this case, I was looking at
25 nine-millimeter Luger, not 380 auto, which is a

1 different caliber.

2 Q. And what, if any, conclusion did you reach?

3 A. I concluded that items -- we're actually
4 missing one.

5 Item 32 I don't have. But I've concluded that
6 items 24 through 32 were fired by the firearm, my 40
7 State's Exhibit 180 -- 186.

8 Q. Okay. So the items in front of you were fired
9 by --

10 A. This firearm. My item 40, your item State's
11 Exhibit 186.

12 Q. Which is the nine-millimeter Glock?

13 A. Correct. Yes.

14 Q. Okay.

15 And here is the other item. I believe it's
16 State's 230.

17 A. Yes, this is my item 32.

18 Q. Okay. So that one would also have been fired
19 by the nine-millimeter, your item 40?

20 A. That's correct.

21 Q. So that's nine cartridge casings?

22 A. Yes, correct. Now it is now nine.

23 Q. As to the Glock?

24 A. Correct.

25 Q. The Glock nine-millimeter?

1 A. Correct.

2 Q. And these were the ones that were submitted to
3 you in the first batch of evidence?

4 A. Yes. This is from my first report.

5 Q. Okay. And at another time was additional
6 evidence submitted to you for examination?

7 A. Yes, correct.

8 Q. I'll get these items out of your way here.

9 Have you look at -- I'd like to you look at
10 State's 178, see if you recognize those as items
11 that were submitted at a later date?

12 A. I'm sorry. Bear with me. There's a lot of
13 evidence.

14 Q. That's all right.

15 A. I'm just going to ensure that these all sealed
16 and spare everybody the --

17 Q. Do you see your initials also on the packs?

18 A. I do, yes. So the Richland County case number
19 as well as the item numbers and my initials are all
20 on what I call the inner envelope. It's just the
21 outer envelope is not what I received it in. They
22 are all, however, sealed from tape that I put on it,
23 so I'll spare you guys that. But I received both
24 cartridge cases and projectiles or bullets.

25 Q. Okay. And looking at the cartridge casings, if

1 we can look at your items, and I'll check them off
2 for you and you can confirm if you have those items
3 65 through 75?

4 A. Yes.

5 Q. Item 78?

6 A. Yes.

7 Q. Item 83 and 84?

8 A. Correct.

9 Q. Item 86 and item 87?

10 A. Correct.

11 Q. Items 89 through 95?

12 A. Correct.

13 Q. Items 98 and 99?

14 A. Correct.

15 Q. And items 102 and 103?

16 A. That's correct. I also have 96, but that's
17 only because it was packaged with other items.

18 Q. Right. So that should be 27 cartridge casings?

19 A. I will trust your math on that.

20 Q. So for a total of 36 nine-millimeter cartridge
21 casings that you've got right there. Now, in
22 looking and testing those, did they -- could you
23 determine what item fired them?

24 A. Yes. Item 40, State's Exhibit 186, the Glock
25 nine-millimeter Luger fired these cartridge cases.

1 Q. So that's 36 cartridge casings that you can
2 link to this particular item?

3 A. That's correct. 36 in total, yes.

4 Q. Okay. Thank you.

5 Now, before we move on, that 380, the items you
6 had for the 380 -- that's the 380 caliber, items 17
7 through 23?

8 A. Yes.

9 Q. You had seven cartridge casings?

10 A. That's correct.

11 Q. Okay. Now, I want to ask you back in April in
12 the initial stuff that was submitted to you, if you
13 recognize items that are in State's 162?

14 A. Yes. It's -- I recognize and identify items
15 State's Exhibit 162 as my items 33, 34, 35, 36, and
16 37.

17 Q. Okay. And what, if anything, did you do with
18 those particular items?

19 A. So when I group them -- when I receive all the
20 unknown cartridge cases, I group them. This was one
21 of the groups that I put off to the side. Didn't
22 have the same class characteristics as the other two
23 groups. It was either not the same caliber or had
24 different firing pin shapes or different breech face
25 marks.

1 I then examined them all to each other as well
2 as to the firearms probably after I've already
3 identified, so I would have known that they wouldn't
4 have gone to those firearms, but I still check that
5 they don't go to that firearm, just to make sure
6 there's no marking differences. And these cartridge
7 cases were not fired by either of the other two
8 firearms but were all fired by one singular firearm,
9 so an unknown firearm.

10 Q. And that unknown firearm, what caliber would
11 that be?

12 A. A nine-millimeter Luger.

13 Q. And the items you have, your items 33 through
14 37, they're all nine-millimeter cartridge casings?

15 A. Correct. They're all fired nine-millimeter
16 Luger caliber cartridge cases.

17 Q. And there's five of those right there that were
18 submitted initially in April?

19 A. That's correct.

20 Q. Okay. I want to show you now -- and I'll put
21 these up there. Looking at State's 177, were
22 additional items submitted as well? I believe in
23 November of 2021? Have you look at those as well.

24 A. Yes. I recognize and identify State's Exhibit
25 177 as my items 62, 63, and 64.

1 Q. Okay. And do you happen to see items 52 and
2 53?

3 A. I do not.

4 Q. Okay. As to those items, 62, 64, were you able
5 to make any kind of determination as to those?

6 A. So items 62, 63 and 64 were fired by the same
7 unknown firearm that fired the batch that we just
8 spoke of. I'm sorry. I forgot to write down the
9 State's Exhibit. But my items 33, 34, 35, 36 and
10 37.

11 Q. Okay. And I would like you to look at State's
12 193 and see if that has your other items in there
13 that were submitted at that time, which are, I
14 believe, your items 52 and 53. And I believe it has
15 your item 54 as well, but I'm mostly looking at 52
16 and 53 right now.

17 A. Yes. I recognize and identify State's Exhibit
18 193 as my items 52, 53 and 54. Items 52 and 53 are
19 fired cartridge cases. Item 54 is a projectile or a
20 bullet.

21 Q. Now, as to 52 and 53, 62, 63, and 64, those
22 five, did you reach a conclusion as to all of those
23 being fired by the same weapon?

24 A. That's correct. So again, so my item numbers
25 33, 34, 35, 36 and 37, 52 and 53 and 62, 63, and 64

1 were all fired by one firearm, one nine-millimeter
2 Luger firearm unknown. I didn't have the firearm.

3 Q. So a total of ten unknowns?

4 A. Correct.

5 Q. Okay. For a grand total now of the fired
6 cartridge casings you reviewed here today that have
7 been placed in evidence, a total of 53?

8 A. Yes, that's correct.

9 Q. Okay. Now, you mentioned item 54 was in there
10 as well. Where did you get that item?

11 A. That was received for my second report, my
12 supplemental report. I don't have the actual date
13 in front of me, but that was not from the first
14 report that I put out. It's from my supplemental.

15 Q. All right. Now, let me check here real quick.

16 MR. HUBBARD: Beg the Court's indulgence.

17 THE COURT: Take your time.

18 BY MR. HUBBARD:

19 Q. Investigator, I'm going to ask you to look at
20 some projectiles now. Let me get these out of your
21 way here. And if you need to open this, this is 176
22 and enter this into evidence as projectiles from
23 autopsy. Were you asked to look at those as well?
24 And if you need to open it, please do.

25 A. So these bullets have been cleaned with bleach.

1 They're not still from the autopsy without being
2 cleaned.

3 Yes. I recognize and identify State's Exhibit
4 176 as my items 13, 14, 15 and 16.

5 Q. Looking at item 13 -- and I guess we can start
6 with, what is a projectile? Or what we refer to as
7 a projectile.

8 A. Sure. So the easier place to start is at a
9 cartridge or an unfired piece of ammunition, which
10 is comprised of the cartridge case that we've been
11 talking about which is what holds the primer and the
12 gun powder. And in that cartridge case is seated a
13 projectile or projectiles, depending on what caliber
14 or how the manufacturer designed the piece of
15 ammunition. So the projectile or bullet is what
16 goes down and out your firearm and strikes your
17 target.

18 Q. Okay. And item 13, that projectile, did you do
19 an analysis on that to see if there are any items
20 that you analyzed that fired them?

21 A. I did.

22 Q. What, if anything, did you conclude?

23 A. That my item 39, the 380 Ruger, fired item 13,
24 which is not a full projectile. It's a bullet
25 jacket. That's what we refer to it as, a bullet

1 jacket. Some projectiles are copper or brass around
2 a lead core and the jacket itself is what's on the
3 outside and is what comes into contact with the
4 rifling in a barrel. The rifling in a barrel are
5 cut grooves. Lands and grooves are -- or formed
6 lands and grooves that impart a spin on the
7 projectile. And what that does is like a
8 well-thrown football if you throw. It's not me. If
9 you throw it the correct way, it has a spin and that
10 ensures accuracy or should. And that's the idea
11 behind imparting the spin on the projectile. Having
12 the rifling makes that projectile or bullet spin and
13 ensures a more accurate -- that it reaches its
14 target more accurately.

15 Q. So item 13, that projectile from autopsy, you
16 concluded that your item 39, this Ruger 380, fired
17 it?

18 A. Correct.

19 Q. Okay. Yes. And as to the other item -- is it
20 54?

21 A. Yes, 54.

22 Q. What, if anything, can you say about item 54?

23 A. So item 54, which was packaged with items 52
24 and 53 which were cartridge cases, is a 380 auto
25 caliber bullet and was fired by item 39, the 380

1 auto Ruger.

2 MR. HUBBARD: Beg the Court's indulgence again.

3 THE COURT: Take your time.

4 BY MR. HUBBARD:

5 Q. Are there other items in here that you tested
6 besides the 380 projectiles or the nine-millimeter
7 millimeter projectiles? I think I scooped up stuff
8 and took it from you before I could ask a question.

9 A. Yes. These are the ones from autopsy and item
10 13 is what we just talked about. Items 14, 15 and
11 16 were also from autopsy and are nine-millimeter
12 Luger caliber bullet projectiles.

13 Q. Were you able to conclude if those items, those
14 projectiles from autopsy, were fired by item 40?

15 A. Yes, correct. Items 14, 15 and 16 were fired
16 by item 40, the Glock nine-millimeter Luger caliber
17 pistol.

18 Q. This Glock, which is your item 40, fired those
19 particular nine-millimeter projectiles that were
20 recovered at autopsy?

21 A. That's correct.

22 Q. Okay. I'm going to go ahead and get those out
23 of your way. I know I'm walking back and forth.

24 Thank you?

25 Now, were there other items that were submitted

1 to you? Specifically, I want to ask you about items
2 58 through 60 that were also collected and submitted
3 to you. What were those items?

4 A. 58, 59 and 60 were all projectiles, bullets.
5 And they were nine-millimeter Luger caliber
6 projectiles and they could neither be eliminated nor
7 identified as having been fired by item 40. That
8 means I couldn't say they were fired by item 40, but
9 I couldn't say they weren't, which means that they
10 shared similar class characteristics. And that
11 rifling I was talking about, manufacturers decide
12 what kind of rifling they want. There's three
13 different kinds of rifling, conventional, which
14 looks like plateaus, so flat hills and valleys.

15 There's polygonal, which looks more rounded,
16 hills and valleys. And then the newer Glock's make
17 the Glock marksmanship barrel, which is they're
18 rounded. They're polygonal. But they have rails
19 cut into them to help with that spin that we
20 discussed. So these projectiles exhibit the same
21 characteristics, class characteristics, meaning they
22 have the same number of those hills and valleys.
23 They have the same twist. They're the same Glock
24 marksmanship barrel rifling. But they're lacking
25 individual characteristics. There's not enough

1 individual characteristics due to either damage,
2 possibly ammunition differences, so different
3 manufacturers of ammunition will make harder or
4 softer metals, which can influence how the firearm
5 is marking those items of evidence. However, the
6 class characteristics on those projectiles are
7 consistent with the same class characteristics as
8 that Glock. So it means that it's -- those
9 projectiles were fired by a Glock either gen five,
10 which is their newer production, and Slimline, which
11 is their same newer production firearms.

12 Q. So basically, you can say those appear to have
13 been fired by a Glock, but there's not enough
14 evidence on those projectiles for you to say this
15 particular firearm fired them?

16 A. That's correct.

17 Q. Okay. Did you just -- is that considered
18 inconclusive?

19 A. Yes. So the terminology that we use for that
20 is inconclusive. You can neither identify nor
21 eliminate. It's a gray area of there's not enough
22 for us to convict somebody and say these projectiles
23 were fired by that firearm. And there's enough
24 similarities for us to still let us our
25 investigators know that we can't say it's not that

1 firearm.

2 Q. Did you look at some other items, specifically
3 items 57 through 61?

4 A. Yes.

5 Q. And what were those items?

6 A. 57 -- it's actually just 57 and 61 --

7 Q. Okay.

8 A. -- are also projectiles. They also are
9 consistent with nine-millimeter Luger caliber
10 projectiles. However, these projectiles were so
11 badly damaged that we call them unsuitable, meaning
12 I can tell you that they do have rifling that is
13 either similar or not similar to guns that are
14 provided to me, but I can never identify them to a
15 gun or to other projectiles. They're too badly
16 damaged to give an identification. They can be used
17 for comparative value so I can tell what type of
18 rifling they have, so if it's conventional, I can
19 say well, it's not that firearm. But they'll never
20 be able to be identified to an actual firearm.

21 Q. Now, did you also get an unfired cartridge,
22 item 38?

23 A. I did.

24 Q. And what caliber was that?

25 A. It's a nine-millimeter Luger caliber cartridge.

1 So it's an unfired piece of ammunition.

2 Q. Would that have been suitable for the
3 nine-millimeter Glock that's in evidence?

4 A. Yes. Correct. It's the correct caliber for
5 use in item 40, the nine-millimeter Luger caliber
6 firearm.

7 Q. Now, as to these two items, 39 and 40, the 380
8 and the nine-millimeter Glock, you have submitted
9 and tested and determined that some of the cartridge
10 casings clearly were fired by those particular
11 items?

12 A. Yes.

13 Q. And then you have cartridge casings that were
14 submitted that were fire by yet another unknown
15 nine-millimeter?

16 A. Correct.

17 Q. So in your testing you had three weapons that
18 you were basically looking at items that were fired
19 by three distinct weapons?

20 A. In my first report I had fired evidence that I
21 told investigators that there were three firearms
22 present. I had the two firearms that we had that
23 matched fired evidence and then I had a group of
24 cartridge cases that matched to an unknown firearm
25 that we don't have. And projectiles at that time

1 only went to the firearms that we did have. They
2 were projectiles from autopsy.

3 MR. HUBBARD: Thank you. Beg the Court's
4 indulgence.

5 No further questions. Please answer any
6 questions the defense has.

7 THE COURT: Mr. Mauldin?

8 MR. MAULDIN: Thank you, Your Honor.

9 CROSS-EXAMINATION

10 BY MR. MAULDIN:

11 Q. Let's go back to these projectiles that you
12 were talking about near the end. Let's go with
13 items 58 through 60. Okay?

14 A. Okay.

15 Q. And those correspond -- well, let's just say
16 your items 58 through 60. You can tell that those
17 three projectiles came from a single firearm?

18 A. That's correct. Yes.

19 Q. But you couldn't match it with the firearm that
20 you had in evidence, item 40 the Glock?

21 A. That's correct.

22 Q. What number Glock was that?

23 A. That was Richland County --

24 Q. No, I meant the Glock model number?

25 A. Glock model, sorry. It was a model 43X, which

1 is a Glock Gen 5 Slimline series firearm. Newer
2 production -- it's a newer production.

3 Q. Now, are you saying that it's -- you can't
4 match it with any other firearm or just that Glock?

5 A. So I can only do direct comparisons. So I was
6 only given that model Glock, that specific firearm,
7 as well as the 380. So I can say that I cannot
8 identify it or eliminate it to that specific
9 firearm. I was not given another firearm to
10 identify or eliminate it to.

11 Q. So it could have belonged to a second
12 nine-millimeter?

13 A. Correct. Yes.

14 Q. A third nine-millimeter gun?

15 A. Well, so we treat projectiles and cartridge
16 cases separately. So at this point in time, I only
17 had the one nine-millimeter that I had the gun for,
18 which is item 40, and then this group of bullets
19 that identified to each other and were fired by
20 another nine-millimeter Luger.

21 Q. Let's say we brought in ten nine-millimeters
22 and you test fired all of those, would you be able
23 to see --

24 A. I could either identify it or eliminate it or
25 tell you it's inconclusive; meaning I can't do

1 either.

2 Q. So there could be any number of
3 nine-millimeters that could have fired that gun?

4 A. Yes.

5 Q. One of any number?

6 A. Sure. Any Glock Gen 5 or Slimline series
7 nine-millimeter Luger pistol is a possibility.

8 Q. Okay. And going back to 57 and 61, those were
9 damaged and it could have been fired by any
10 nine-millimeter Luger caliber weapon, but you can't
11 do the testing because they're damaged?

12 A. No. It can be fired by any nine-millimeter
13 Luger caliber pistol that has the same type rifling
14 and so for --

15 Q. And then you limited it to the fifth generation
16 and the Slimline? Is that what it was --

17 A. No. That was the other batch. Let me check my
18 notes to see what their rifling type was.

19 So items 57 and 61 were so badly damaged it was
20 either conventional or Glock Marksmanship Barrel.
21 So the new Glocks have those rails along with their
22 little hills and valleys, which on badly damaged
23 projectiles can look like convectional and vice
24 versa. Badly damaged projectiles can kind of look
25 like those rails. So the thing I can say is it's

1 not fired by our polygonally rifled firearms, which
2 would be older model Glock, H&Ks, H&Rs. There's a
3 large list of firearms that are polygonally rifled.

4 Q. So it could possibly be the same gun that fired
5 58 through 60? Or not?

6 A. Yes. So it cannot be eliminated to item 40.
7 It cannot be eliminated to item 58, 59 and 60. And
8 cannot be eliminated from any conventionally rifled
9 nine-millimeter Luger caliber pistols or any other
10 pistols that have the Glock Marksmanship Barrel.

11 Q. Now, that first batch of testing that you did
12 that ends with 40, did you enter any of those shell
13 casings into the NIBIN or IBIS system?

14 A. I'm sorry, you were asking for item?

15 Q. 13 through 37 the first batch that you did. I
16 think was that May of '22?

17 A. I received the evidence -- yes, in May. You're
18 just asking if I entered any of the cartridge
19 cases --

20 Q. Yes.

21 A. -- is that your question? From the first
22 batch?

23 Q. Yes.

24 A. Yes. I entered a test fire from item 39, as
25 well as a test fire from item 40. And then I

1 entered item 33, which is one of the cartridge cases
2 from the batch from the unknown nine-millimeter
3 Luger caliber firearm.

4 Q. Okay. All right.

5 All right. Let's see. We talked about that
6 item 57 corresponded with the sheriff's office
7 number 43 and that was a bullet, right? Your item
8 57 corresponds with Lexington County Sheriff's
9 Office number 43?

10 A. We did not talk about that. But give me one
11 moment to check to see if I have that indicated.
12 Yes, correct. So item 57 Richland County is
13 Lexington's 43.

14 Q. Okay. And then these numbers make my head
15 spin. Hold on.

16 A. Yes.

17 Q. Okay. Now, your item 76 corresponds with
18 Lexington item 44; is that right?

19 A. Sorry. Give me a moment because --

20 Q. Yeah.

21 A. -- my -- you guys have multiple items under one
22 marker number and we have to have individual item
23 numbers so. Yes, correct.

24 Q. Okay. And did you do analysis of that item for
25 this case?

1 A. Item 76?

2 Q. Yes.

3 A. Yes. Correct.

4 Q. What is item 76?

5 A. 76 is fired nine-millimeter Luger caliber
6 cartridge case.

7 Q. What was your determination from your testing
8 on that?

9 A. My determination for item 76 is that my items
10 76, 77, 79, 80, 88, 96, 97, 100, 101, 104, 105, 133,
11 and 134 are all cartridge cases. And they were
12 fired by one firearm that is another nine-millimeter
13 Luger caliber firearm. So that would be, I guess,
14 the third in to what we're referencing.

15 Q. Your report reflected it as the fourth?

16 A. Yes. Because there's still yet another group
17 so in my report 81, 82 and 85 came before.

18 Q. Right.

19 A. That would be the third and then this group is
20 the fourth.

21 Q. Right. So a fourth nine-millimeter. So well,
22 goodness. These numbers are driving me crazy. So
23 that's a fourth nine-millimeter and that's also your
24 item 77 which corresponds with Lexington's 45.

25 A. Yes, that's correct.

1 Q. And your item 79 which corresponds with
2 Lexington 47?

3 A. Correct, yes.

4 And then it would be 80 for your 48.

5 Q. Right.

6 A. Yeah.

7 Q. Now, we'll probably catch up with that. But
8 sheriff's office item 49, does that correspond to
9 your number 81?

10 A. Yes, correct.

11 Q. Okay. And there are actually two -- it
12 corresponds to 81 and 82?

13 A. Yes, that's correct.

14 Q. And those belong to a third nine-millimeter?

15 A. Yes, that's correct.

16 Q. So you have one in evidence with you and then
17 there's possibly three others out there from the
18 shell casings that you tested?

19 A. Yes that's correct.

20 Q. Okay. Now, sheriff's item number 50 --

21 A. Lexington County sheriffs?

22 Q. Yes. Lexington Sheriff's item number 50 --

23 A. Yes.

24 Q. -- it's actually two?

25 A. Yes. It's 83 and 84.

1 Q. So it's two items there at 50, not one?

2 A. Yes, that's correct.

3 Q. And those are the ones you attributed to the
4 Glock that's in evidence?

5 A. Correct.

6 Q. The Glock 43X?

7 A. That's correct, yes. My item 50.

8 Q. Now, item 51 by Lexington corresponds with your
9 item 85, correct?

10 A. Correct. And that's the third gun that we
11 referenced on the previous page.

12 Q. All right. And item 54 from Lexington
13 corresponds with your item 88; is that correct?

14 A. Sorry, give me one moment. Yes, that's
15 correct.

16 Q. And that resulted from the fourth --

17 A. From the fourth, correct, yes.

18 Q. The item 59 was four items. Was that not
19 correct?

20 A. That's correct, yes.

21 Q. And that corresponded to -- hold on. 93, 94,
22 95, and 96?

23 A. Yes. 93, 94, 95 and 96. Yes, that's correct.

24 Q. And I think you talked about 93 through 95
25 already belonging to the Glock in evidence; is that

1 correct? Or attributed to that?

2 A. That's correct, yes. It was fired by the Glock
3 43X.

4 Q. I'll just call it number 1. But the fourth
5 item in item 59, that's attributed to the fourth
6 nine-millimeter Luger caliber weapon?

7 A. Yes. That group, yes. Correct.

8 Q. Item 60 corresponds to your item 97?

9 A. That's correct.

10 Q. And as well as the fourth nine-millimeter
11 you're attributing it to be fired by a fourth
12 nine-millimeter?

13 A. That's correct.

14 Q. And when we're saying fourth, you're saying
15 that's the same gun that fired all of those?

16 A. Yes, correct. So I have four guns represented
17 in the five cartridge cases, the group that went to
18 the firearm that I have. A second group that was
19 originally collected and brought to me that I
20 examined in May is the second. And then I'm not
21 sure when they were submitted later. We had a group
22 of your items 49, 49, and 51 was a third firearm,
23 which is a different class altogether, different
24 type of firearm. And then the very large group of
25 other cartridge cases, that is a fourth. So yes,

- 1 fourth nine-millimeter.
- 2 Q. So everything that says fourth, you're saying
- 3 that's fired by the same gun, an unknown fourth
- 4 nine-millimeter pistol?
- 5 A. That's correct.
- 6 Q. And for third it's the same gun, but an unknown
- 7 third --
- 8 A. Yes, that's correct.
- 9 Q. Okay. Item 62 corresponds to your 100, which
- 10 was the fourth nine-millimeter?
- 11 A. Yes.
- 12 Q. Item 63 corresponds to your 101, which is the
- 13 fourth; is that correct?
- 14 A. Sorry, I'm counting. Yes, that's correct.
- 15 Q. Okay. Items 66 through 69 this is going to
- 16 flip around on your script here. But it would
- 17 correspond to 104, 105, 133, and 134 in your testing
- 18 numbers?
- 19 A. Yes, that's correct. Which is all the -- the
- 20 fourth.
- 21 Q. Right.
- 22 A. 133 and 134.
- 23 Q. Thank you.
- 24 A. You're welcome.
- 25 Q. And oh, my goodness. Let's see what we got

1 going on here. Sheriff's item -- these are the
2 bullets --

3 A. Yes, this is much easier. 58.

4 Q. And I think we already talked about this.

5 A. Yes, so the 50 -- well, the --

6 Q. The two from the single nine and then the other
7 ones were too damaged?

8 A. So your 70, 80, 81 and 82 are my 58, 59, 60 and
9 61. So 61 is unsuitable.

10 Q. They're all to an unknown gun?

11 A. No, that's not correct.

12 Q. Well, three of them to one unknown gun and the
13 other two could be --

14 A. Right. So I can't say that they all went to
15 one unknown gun. So 58, 59 and 60 I identified as
16 having been fired by one gun but could not identify
17 it to the firearm that I had submitted, item 40. 61
18 is unsuitable. All I can use it for is comparative
19 purposes, meaning I know that it's not fired by a
20 polygonally rifled firing, and I can't eliminate it,
21 meaning I can't say that it's not fired by item 40
22 or any other conventionally rifled or Glock
23 Marksmanship Barreled rifled firearm.

24 Q. Now, a little bit earlier we talked about you
25 entering some cartridge cases into NIBIN or IBIS; is

1 that right?

2 A. I'm sorry I couldn't --

3 Q. I'll talk a little louder. A little earlier we
4 talked about you entering some cartridge cases into
5 the NIBIN IBIS system?

6 A. IBIS. Yes.

7 Q. IBIS.

8 A. NIBIN and IBIS.

9 Q. Okay. I'm learning things today. What do
10 those stand for? Do you know?

11 A. NIBIN stands for the National Integrated
12 Ballistic Imaging Network. And so that's the actual
13 image network. So the database and the data
14 concentrator that looks at images. IBIS stands for
15 Integrated Ballistics Imaging System. And so that's
16 the actual machine that does the imaging. And what
17 things do is sort of like for fingerprints they can
18 take an image of a fingerprint and run it through a
19 database and come back with a possible connection.
20 It does the same thing for firearms and fired
21 cartridge cases.

22 So we image both unknowns and knowns. So if we
23 have test fires, if we have a firearm, we test fire
24 it, choose one and put it into the machine, IBIS
25 machine, it images it. That image then goes through

1 NIBIN in the data concentrator and comes back and
2 gives possible leads or connections for us to pass
3 on to our investigators. And we do the same thing
4 for evidence cartridge cases.

5 So in this case the cartridge cases that I did
6 not link to a firearm, I -- one was chosen from that
7 group, the best marked one, put into the IBIS
8 machine. The image taken and it went through NIBIN,
9 the data concentrator, and then on the other side
10 would have provided possible leads to other cases
11 for our investigators to look at for possible
12 suspects or connections or anything like that.

13 Q. Now, I know you did the second batch of testing
14 in May of '22; is that correct?

15 A. I did the first batch of -- no, I'm sorry.
16 Both were done in May. Yes. The supplemental work
17 was started in November of 2021 and completed in May
18 of 2022.

19 Q. 21 May. And the initial items?

20 A. So I actually -- I don't have that information.
21 I have my supplemental because we have all the same
22 relevant information as far as my conclusions. But
23 I don't have that date that I started.

24 Q. Out of the initial items, you said you
25 submitted item 33 from an unknown -- the unknown

1 casing from a second nine-millimeter, you submitted
2 that into the NIBIN IBIS system?

3 A. Correct. So my first examination I submitted
4 both firearm test fires as well as in item 33 which
5 is the group for another unknown firearm
6 nine-millimeter Luger firearm.

7 Q. If a firearm, say, was found by the city of
8 Columbia, for example, in August of 2001 that was a
9 NIBIN IBIS hit to this case, would you be interested
10 in that?

11 A. I would be.

12 Q. And obviously, that firearm would probably
13 correspond with the unknown shell casings, right?
14 And not test casings fired by a known firearm?

15 A. Right. It cannot hit to test fires. The
16 system does not allow a test fire to hit to a test
17 fire. You can only hit to evidence cartridge cases.

18 Q. So you'd be very interested to test that gun
19 against those unknown second nine-millimeter Luger
20 casings?

21 A. Yes. If there was a lead and the piece of
22 evidence was brought to me, I wouldn't be
23 necessarily interested. If I were an investigator,
24 that would interest me.

25 Q. Now, the NIBIN IBIS hit that you'd have to

1 confirm or deny whether it was an actual --

2 A. Correct. So all that NIBIN does is give you
3 possible leads. On the side that we do that, we're
4 given images and it's a large what we call
5 correlation list. And it's a bunch of images that
6 the data concentrator, the computer, thinks looks
7 good. Then someone trained in correlation goes
8 through those images and if they see two items where
9 their images look similar, they'll mark it as a lead
10 and send it out. And then it's up to the
11 investigator of the case to decide if they want it
12 confirmed or not. At that point in time is when I'd
13 become involved. They'd have to bring me the
14 firearm or evidence cartridge case that they want
15 compared to whatever piece of evidence or test fire
16 that I have.

17 Q. Have you ever examined a Glock 19 with a serial
18 number NXW 425 in relation to this case?

19 A. I have not.

20 MR. MAULDIN: No further questions.

21 THE COURT: Thank you, Mr. Mauldin. Any
22 redirect, Mr. Hubbard?

23 MR. HUBBARD: Follow up.

24 REDIRECT EXAMINATION

25 BY MR. HUBBARD:

- 1 Q. Investigator Metz, you had two sets of
2 submissions to you I believe you said. One was
3 April but you did analysis in May of 2021 --
4 A. Correct.
5 Q. -- which is shortly after this incident?
6 A. That is correct.
7 Q. And as to that 380 there were seven cartridge
8 casings and no additional submissions at all on the
9 380?
10 A. That's correct.
11 Q. So all the cartridge casings as to that 380
12 came from that crime scene, were collected by CSI
13 shortly after the crime?
14 A. Yes, that's correct.
15 Q. Now, as to the Glock nine-millimeter, your item
16 40, you had an initial submission I believe of nine?
17 A. That's correct. Yes.
18 Q. And you determined those were consistent with
19 having been fired by your item 40, which is the
20 Glock?
21 A. Yes, correct.
22 Q. And later, around November, some more were
23 submitted to you and I believe it was over a series
24 like you said. And you tested them in May of 2022.
25 You had an additional 27?

1 A. Yes, that's correct.

2 Q. From that same scene? Or at least that's how
3 it was submitted to you same case?

4 A. Correct. It was submitted on the same case
5 number. I don't know the location.

6 Q. So in testing those, that second submission,
7 those also came back to that item 40 Glock
8 nine-millimeter?

9 A. Correct.

10 Q. Now, the unknown nine-millimeter that you and I
11 discussed, that initial submission from April right
12 after this crime and then you tested them in May of
13 2021?

14 A. Yes.

15 Q. You had five nine-millimeter casings that you
16 said --

17 A. Correct.

18 Q. -- were fired by an unknown nine-millimeter?

19 A. That's correct.

20 Q. Later, when this second submission came
21 through, you received an additional five cartridge
22 casings that you were able to match to that same
23 unknown nine-millimeter?

24 A. That's correct. And I actually ended up with
25 three different submissions. I ended up with the

1 original submission and then more evidence was
2 brought for this report in November. And then I was
3 told that more evidence was going to come so I held
4 off my examination, but more evidence didn't arrive
5 until later. So it came in batches correct.

6 Q. But initially?

7 A. Initially, yes.

8 Q. The important part of what I'm saying is each
9 one of those, the nine-millimeter Glock, the 380 and
10 this unknown nine-millimeter you and I talked about,
11 you had something in the initial batch from that
12 crime scene and you were able to link them to the
13 two items you had, the nine-millimeter Glock, the
14 380 and an unknown 9?

15 A. That's correct.

16 Q. What the defense has brought out is that when
17 law enforcement went back out there sometime between
18 November and May of 2022, collected some more
19 things, you found some more nine-millimeters that
20 didn't have anything to do with the ones that you
21 tested initially?

22 A. That's correct, yes.

23 Q. Nothing from an initial submission after this
24 crime from when it was collected from this crime
25 scene?

1 A. Correct.

2 Q. Nothing that -- in no batch in April or May of
3 2021 involving these other mystery nine-millimeters
4 that you tested really a year later?

5 A. Correct. So -- the ones that were unknown from
6 the second batch -- so I believe we referred to them
7 as third and fourth -- did not match anything from
8 the original batch of evidence that I received in
9 this case.

10 Q. And the key is -- my point, is that when this
11 crime occurred and items were collected and
12 initially submitted to you, these unknown third and
13 fourth nine-millimeters they weren't in the mix?

14 A. Correct. They were not present.

15 Q. Okay. And so I guess you can agree with me too
16 that that's why, in submitting these to you early
17 on, we can't say these were there in April of 2021?

18 A. Correct. Yes.

19 Q. Thank you.

20 One other question. This unknown nine, were
21 you able to determine a list of guns -- or a list of
22 model weapons that could be possible or was that
23 something that you weren't able to do?

24 A. No, so the class characteristics on those
25 cartridge cases weren't such that I could give

1 possible makes and models to the investigators.

2 Q. So we just know it's a nine-millimeter?

3 A. That's correct.

4 Q. Thank you, Investigator Metz.

5 THE COURT: Go ahead, Mr. Mauldin.

6 MR. MAULDIN: Thank you, Your Honor.

7 RE CROSS-EXAMINATION

8 BY MR. MAULDIN:

9 Q. So what we get there is some of the casings
10 from the second, third, fourth, batches matched
11 casings from the first batch?

12 A. Correct.

13 Q. And some didn't?

14 A. Correct.

15 Q. And they appear to be fine to ask you about the
16 ones that did match. They did ask you about those?

17 A. Correct.

18 Q. But they didn't ask you about the ones that
19 didn't?

20 A. Correct.

21 Q. And do you know whether or not they used metal
22 detectors in May on the first batch?

23 A. I was not present at the scene.

24 Q. And do you know whether or not they used metal
25 detectors in the second batch?

1 A. I was not present so I don't know.

2 MR. MAULDIN: No other questions.

3 MR. HUBBARD: Nothing further.

4 THE COURT: Thank you, Agent Metz. You can
5 step down.

6 (Brief break.)

7 (The jury enters the courtroom at 3:37 p.m.)

8 THE COURT: All right. Mr. Foreman, is the
9 jury ready? Great.

10 MR. HUBBARD: Thank you, Your Honor. The State
11 calls Dr. Angelina Phillips.

12

13

14 DR. ANGELINA PHILLIPS

15 being first duly sworn, testified as follows: .

16 THE WITNESS: I do.

17 THE CLERK: Have a seat please, ma'am. Once
18 you're seated speak up loud and clear. State your
19 full name, spelling your last, please.

20 THE WITNESS: Angelina Phillips,
21 P-H-I-L-L-I-P-S.

22 DIRECT EXAMINATION

23 BY MR. HUBBARD:

24 Q. Dr. Phillips, where do you work?

25 A. Medical University of South Carolina.

1 Q. And is that in Charleston?

2 A. Yes.

3 Q. What do you do there?

4 A. I'm a forensic pathologist.

5 Q. What is a forensic pathologist?

6 A. A forensic pathologist is a doctor who is
7 trained in pathology and has specialized training in
8 the performance of autopsies.

9 Q. And have you had an educational background and
10 training in this area?

11 A. Yes.

12 Q. What is that?

13 A. I have an undergraduate degree in anthropology,
14 graduate degree in nutrition, completed medical
15 school. Four years of pathology training in
16 residency and one additional year of training in
17 forensic pathology.

18 Q. And a forensic pathologist, do they perform
19 autopsies?

20 A. Yes.

21 Q. And then often come and testify in a court of
22 law?

23 A. Correct.

24 Q. How many autopsies have you performed over the
25 years?

1 A. Over 1,000.

2 Q. And have you had an opportunity to be declared
3 an expert as a forensic pathologist in a court of
4 law?

5 A. Yes.

6 MR. HUBBARD: Your Honor, I offer her as an
7 expert in forensic pathology.

8 THE COURT: Any objection?

9 MR. MAULDIN: No, Your Honor.

10 THE COURT: I'll tell the jury again. This
11 witness is an expert witness in forensic pathology.
12 She can present opinion testimony and you can give
13 it the weight you think it deserves.

14 BY MR. HUBBARD:

15 Q. Dr. Phillips, were you asked to perform an
16 autopsy back April 30, 2021, on SA [REDACTED]?

17 A. Yes, I was.

18 Q. And when you performed that autopsy, how did
19 you go about that autopsy? What did you do?

20 A. So initially what's done is the body is brought
21 to our autopsy room and placed on the autopsy table.
22 I take photographs and determine if any additional
23 things like X-ray or toxicology needs to be taken at
24 that moment. And then I'll begin external
25 examination, looking at the outside of the body.

1 I'll document any evidence that's there, any
2 injuries, natural disease. And then we'll do the
3 internal examination, again, looking for any
4 evidence of natural disease, injury, or something
5 that would help me explain why this person has died.

6 Q. And in this case what were the clear
7 injuries you -- the visible injuries you found on
8 SA [REDACTED]?

9 A. So in this case the body was moderately to
10 severely decomposed. And what I was able to
11 identify were up to -- or at least 14 gunshot
12 wounds.

13 Q. Okay. And let's talk about those if we can.
14 Did you do -- I know you did a report, but did you
15 also do a chart listing out the injuries as you
16 found them on her body?

17 A. Yes, I did.

18 Q. I want to show you what's been marked as
19 State's 211 and 212 and see if these are the charts
20 you used.

21 A. Yes, they are.

22 Q. And the writing on there, whose writing and
23 notes are those?

24 A. My handwriting and my notes.

25 MR. HUBBARD: Your Honor, I'll offer 211 and

1 212 into evidence.

2 THE COURT: Any objection?

3 MR. MAULDIN: No, Your Honor.

4 THE COURT: They're admitted.

5 (State's Exhibit No. 211, 212 admitted into
6 evidence.)

7 BY MR. HUBBARD:

8 Q. Now, looking at 211 -- again, these are your
9 notes on 211?

10 A. Yes.

11 Q. The outline of the body of a female. We see
12 graying area there. Who did that?

13 A. I drew that in to represent areas where there
14 was absent skin or tissue.

15 Q. And you have several areas that you've marked
16 like that, like the arms and side?

17 A. Yes.

18 Q. All right. We also see very small faint
19 numbers. I'm going to ask you if we can go through
20 your report which begins -- you have -- and gunshot
21 wounds, when you mark them on a chart like this, do
22 you put them in any certain order?

23 A. They're not organized in the order that they
24 happened. They're organized so that I can keep
25 track of them and that's how they're numbered.

1 Q. Okay. Well, let's start going down through
2 your report as gunshot wound to the neck?

3 A. So the first gunshot wound I have listed is to
4 the neck and it's in the front portion of the neck.
5 It's not depicted here on the diagram and given a
6 number because it is in an area where there was no
7 skin and no tissue. And I found that gunshot wound
8 by looking at the airway.

9 Q. That gunshot wound, although you don't have it
10 listed there, would that have been a potentially
11 fatal gunshot wound?

12 A. Yes. That gunshot wound is potentially fatal
13 because it disrupts the airway and could cause
14 bleeding that fills the lungs and prevents
15 breathing.

16 Q. Gunshot wound number 2, where is that one?

17 A. Gunshot wound number 2 is numbered 1 and it is
18 in the right axillary region, which is the armpit
19 region, and there is also an area of absent skin in
20 that region. So I wouldn't be able to tell you if
21 there was additional injury in that area because
22 it's absent. But I do have at least one gunshot
23 wound there because I do have a projectile that goes
24 along with it in the shoulder region.

25 Q. Let me ask you this: When you had SA

1 [REDACTED] body, did you also X-ray her to see if
2 you could see projectiles?

3 A. Yes. We did full body x-rays.

4 Q. And then you mentioned a projectile. Did you
5 list that as projectile A?

6 A. Yes, I did.

7 Q. I want to show you State's 214 and 215 and see
8 if you recognize these?

9 A. Yes, I do. One is the X-ray taken of the chest
10 and showing the shoulders taken at autopsy. And the
11 other is a photograph taken at the time of autopsy
12 of the jacketing that accompanied the body and some
13 debris.

14 Q. Okay. How about 217, is that the actual round?

15 A. Yes. That would be the projectile that is
16 recovered from the right axillary region depicted in
17 the X-ray here.

18 Q. Okay. Your Honor, I move 215, 214, and 217 in.

19 THE COURT: Any objection?

20 MR. MAULDIN: No objection.

21 THE COURT: They're admitted.

22 (State's Exhibit No. 214, 215, 217 admitted
23 into evidence.)

24 BY MR. HUBBARD:

25 Q. Let me begin with this. 214 you have a

1 jacket -- or a metal jacket from a -- not a
2 projectile, but jacketing that held a projectile?

3 A. Correct. It covers the bullet. It's part of
4 the bullet. And I didn't find the gray metal
5 portion of the bullet, just the outer covering.

6 Q. This was in the debris that was collected with
7 SA [REDACTED]?

8 A. Yes. There was dirt and other leafy debris
9 along with the body. And this was in that material.

10 Q. Now, going back to the armpit wound, looking at
11 215, do you see the projectile in the X-ray that's
12 depicted in 215?

13 A. Highlighted here you see a bright white shape.
14 And that would be the projectile that we recovered
15 from the body.

16 Q. In looking at 217, is that the projectile you
17 recovered?

18 A. Yes, it is. That's a photograph of the
19 projectile we recovered.

20 Q. All the projectiles you recovered, were those
21 turned over to the Lexington County Sheriff's
22 Department?

23 A. Yes.

24 Q. Okay. Now, going back to your chart, which is
25 State's 211, you have another wound to the left

1 chest.

2 A. So on review of my report, I noticed a
3 typographical error. I switched those around
4 accidentally. So that should say right side of the
5 chest and it is gunshot wound that would be numbered
6 25. And that is on the side diagram and it would
7 show it on the right side of the chest near the
8 breast region.

9 Q. All right. So looking at 212, do you see that
10 particular --

11 A. Yes, I do.

12 Q. Okay.

13 A. So it's here on the right side of the breast.

14 Q. Okay. Would that have been a potentially fatal
15 shot?

16 A. That could be potentially fatal in that it
17 disrupts the lungs and the lungs also are necessary
18 for breathing and they are very vascular, meaning
19 they have a lot of blood vessels running through
20 them. So injuries to the lungs tend to bleed quite
21 a bit.

22 Q. Now, I'm going to ask you to look at what you
23 have as number 4, a gunshot wound to the left chest,
24 and you've recovered a projectile there. Can you
25 tell us about that and where that is?

1 A. So the fourth gunshot wound I have described is
2 on the left side of the chest. Again, this is one
3 that doesn't receive a specific number. It's
4 depicted on the side diagram. It's in an area where
5 there's no overlying skin or soft tissue --

6 Q. I'll show you 212. Do you see where that area
7 is?

8 A. Yes, I do. I'm referring to these two
9 irregular areas of absent skin. And that's where I
10 believe the gunshot wound would be because I have a
11 projectile or a bullet that correlates with that
12 area.

13 Q. Would that have been potentially fatal as well?

14 A. Yes, it would be. The projectile bullet was
15 recovered from the region of the kidney. And your
16 kidney is there to help filter your blood and it
17 produces urine. So a lot of blood going through.
18 Injury to your kidney would tend to bleed a lot, so
19 it's potentially fatal.

20 Q. I'd like to have you look at State's 218 and
21 219, again, an X-ray and a projectile, did these
22 come from the wound you were just talking about?

23 A. Yes, they do. We have the X-ray of the abdomen
24 showing the projectile and a photograph of that
25 projectile taken at the time of autopsy.

1 MR. HUBBARD: I move 218 and 219 into evidence.

2 THE COURT: Any objection?

3 MR. MAULDIN: No objection, Your Honor.

4 THE COURT: They're admitted.

5 (State's Exhibit No. 218, 219 admitted into
6 evidence.)

7 BY MR. HUBBARD:

8 Q. Looking at 218. Again, do you see the
9 projectile?

10 A. Yes, I do. So the projectile here, again, that
11 bright white marking there is showing where the
12 projectile is in the body. We have an R. That's
13 telling us that's the right side of the image, so
14 the right side of the body. And this is on the left
15 side, that's the spinal column right there.

16 Q. And looking at 219, is that the projectile once
17 removed from SA's [REDACTED] body?

18 A. Yes, it is. That's a photograph of the
19 projectile we recovered from the left kidney.

20 Q. And again, that was turned over to Lexington
21 County --

22 A. Yes, it was.

23 Q. -- Sheriff's Department. Okay.

24 Going back to 211, you have a fifth gunshot
25 wound. Can you tell us where that is?

1 A. So gunshot wound number 5 is on the right side
2 of the abdomen over in this region. It's labeled 2
3 and that one travels through the body and I believe
4 it exits at the gunshot wound label 19. The wounds
5 I have labeled 19 encompass at least three defects
6 or three holes. I couldn't differentiate
7 specifically which three entrance wounds correlated
8 to which specific exit wound in that region. So I
9 have them linked together because I have three
10 entrance wounds that I can link to those exits, but
11 I can't specifically say which one to which. And
12 this is one of them. So gunshot wound number 2 goes
13 through the body from the right side of the abdomen
14 and exits at one of these three defects on the left
15 butt.

16 Q. Now, would that one have been potentially fatal
17 as well?

18 A. It's potential for being fatal is difficult to
19 say because of the decomposition of the body. As it
20 travels through the body in that trajectory, it has
21 potential to hit large vessels or other important
22 organs. Primarily, it would hit the bowel and
23 injury to your bowel would cause fecal material to
24 get into the abdomen. That fecal material bacteria
25 would spread in the body and could be potentially

1 fatal.

2 If there was injury to a vessel, it could bleed
3 and that could be potentially fatal. There's also
4 the possibility of it traveling through the body and
5 missing most of those organs and exiting, at which
6 point it would be less fatal.

7 Q. What area did it pass through within the body?

8 A. So the injuries that I have for this one is
9 going through the abdominal muscles in the front and
10 the psoas muscle, which is a big muscle that sits
11 along either side of your spinal column in the
12 pelvic region. And then going through the vaginal
13 wall in the back of the vaginal wall, which sits up
14 in the pelvic cavity.

15 Q. Looking at your number 6 in your report,
16 gunshot wound to the left buttock?

17 A. Gunshot wound to the left buttock is
18 encompassing gunshot wounds 20 and 21. And those
19 are the other two gunshot wounds that I believe exit
20 in the region of what's labeled 19, those three
21 defects. That gunshot wound predominantly goes
22 through muscles, soft tissue, not necessarily
23 lethal.

24 Q. And then the seventh one, you have gunshot
25 wound to the right hand?

1 A. The seventh one goes in at number 22 which, if
2 I can see clearly, is here on the hand. And it
3 exits at 23 on the inside portion of the hand here.

4 Q. Could that wound have been in a defensive
5 posture?

6 A. It could have been. Most of my trajectories --
7 not most. All of my trajectories are taken with the
8 body assumed to be in this anatomic position, static
9 still and with the arms straight down, hands facing
10 towards you. It doesn't take into account a human
11 person moving or bending or twisting or trying to
12 get away from any kind of injury.

13 Q. That's understandable. But would it be
14 consistent with injuries that you often see that
15 might be defensive injuries, like covering one's
16 head or face?

17 A. Yes.

18 Q. Going back to number 6, in the left buttock,
19 would that also potentially be consistent with, say,
20 someone running? Being shot from behind?

21 A. Yes, it would be.

22 Q. What you've got as number 8, wound to the left
23 forearm. Can you point that out for the jury as
24 well?

25 A. So the wound to the left forearm is numbered 24

1 and it's right here. That is an entrance gunshot
2 wound. I don't have an exit gunshot wound to
3 correlate with it because the skin on the opposite
4 side of the forearm where that exit gunshot wound
5 would be was absent.

6 Q. Your number 9 on your report has left thigh
7 area, and I believe you mentioned that there -- you
8 had a correction?

9 A. Yes, I do. And that is the gunshot wound that
10 is on the right inguinal region, so that crease
11 above your thigh is the inguinal region. And number
12 4 is the entrance gunshot wound that I'm describing
13 and it travels through a number of the gunshot
14 wounds that I have on the diagram. Going in at 4,
15 exiting at 5, and then entering the thigh again at 6
16 before exiting at 12, which is on the side diagram.

17 Q. Could that one have been potentially fatal as
18 well?

19 A. That gunshot wound predominantly injures muscle
20 of the thigh and it fractures the femur at the neck
21 of the bone. And what runs alongside the femur is a
22 very large vessel. It's coming down to supply blood
23 to your legs. So with enough of an injury to that
24 vessel, you can have a potentially fatal wound.

25 Q. I'm going to have you look at State's 223 and

1 224. Are those X-rays of that broken femur?

2 A. Yes, they are.

3 MR. HUBBARD: I offer 223 and 224 into
4 evidence.

5 THE COURT: Any objection?

6 MR. MAULDIN: No objection, Your Honor.

7 THE COURT: It's admitted.

8 (State's Exhibit No. 223, 224 admitted into
9 evidence.)

10 BY MR. HUBBARD:

11 Q. Looking at 223, can you show the jury the break
12 that we see there?

13 A. In this image the break is down here. This is
14 our pelvis and these are the femurs. And the
15 fracture is right here.

16 Q. And in 222 do we see it again?

17 A. Yes. This is a better image going a little
18 lower down showing you the entire fracture and some
19 small fragments of the projectile that caused the
20 injury.

21 Q. And being a major bone, would that be extremely
22 painful as well?

23 A. Yes.

24 Q. Now, was that gunshot wound -- what number was
25 that again?

1 A. That was gunshot wound 4 that goes in and exits
2 at 5, which reenters the body at 6 and then exits at
3 12.

4 Q. Okay. And so looking at number 10 on your
5 list -- and again, your list doesn't correspond to
6 these numbers here. You just listed gun shot wounds
7 and then you traced them with numbers on your chart?

8 A. Correct.

9 Q. Looking at your list number 10, gunshot wound
10 to the left thigh, can you show us that one?

11 A. That one is entering on the side of the thigh,
12 which is in my side diagram.

13 Q. Looking at 212 do you see that?

14 A. Yes. So that would be the gunshot wound
15 labeled 13. 12 is the exit that I described for the
16 previous gunshot wound. And 13 is the entrance for
17 the next gunshot wound, the one that we're currently
18 speaking about, and that goes through and exits at
19 number 7, which is on the anterior medial aspect of
20 the thigh or inner thigh that's on the front facing
21 diagram. And that one also goes through partially
22 disrupting the left femur.

23 All of these gunshot wounds are injuring the
24 femur. I couldn't tell you which one, specifically,
25 caused which fracture on the femur because it's all

1 in one specific area. But as they travel through,
2 they're injuring the muscles and the femur, the big
3 bone in the thigh.

4 Q. You mentioned fragments. Are these big enough
5 to collect?

6 A. They were not big enough to collect,
7 unfortunately, so I don't have those recovered from
8 the body.

9 Q. Looking at what you have listed as number 11,
10 gunshot wound number 11, is that on the front?

11 A. No. It's right there on the same diagram one
12 more down. And that's, again, on the back side of
13 the thigh and it is going in, in a similar pathway
14 as 13, and exiting out on the inner aspect of that
15 thigh.

16 Q. Okay. Looking at number 12 on your list.

17 A. Number 12 is a gunshot wound at the left knee
18 and that would be designated 9 down here. It goes
19 in and exits at 10. So right on the front of the
20 knee there. And the main injury is disruption of
21 the skin and underlying soft tissues. The reason I
22 can identify that as something that happened before
23 she died is because of what I describe as contusion
24 or bruising. And you generally don't have that
25 reaction unless a person is still alive when the

1 injury is happening.

2 Q. Would it impair a person's ability to run? To
3 be shot in the knee like that.

4 A. Yes, it would.

5 Q. Looking at your 13, gunshot wound to the left
6 leg.

7 A. Gunshot wound to the left leg is number 11,
8 which I believe is a bit lower down on the diagram.
9 And it is going in on the medial aspect of the left
10 leg and exiting at what is designated gunshot wound
11 number 15. My glasses don't allow me to see such
12 small writing from this distance, but that would be
13 referring to these two gunshot wounds here, I
14 believe.

15 Q. All right. Gunshot wound that you have listed
16 as 14.

17 A. The gunshot wound number 14 is to the right
18 leg. That is designated as gunshot wound number 18
19 on the diagram. And that one is going in and I have
20 the projectile that's associate with it. The
21 projectile is marked here. And I'm sorry, I believe
22 I marked this as 11 earlier, but I actually think
23 it's 18. Because that is the right leg. So that
24 one goes through and I, again, have bruising around
25 it that tells me it happened when she was alive.

1 And the injuries, again, are predominantly muscle
2 and soft tissue, but it's possible that it could
3 have injured a vessel in that area.

4 Q. Would this also have been extremely painful?

5 A. It would have been quite painful and definitely
6 prevents someone from moving with that extremity.

7 Q. From that wound did you find a projectile?

8 A. Yes, I did.

9 Q. I'm going to show you State's 221 and 222. Is
10 that both the X-ray and the projectile from that
11 specific wound?

12 A. Yes, it is. We have an X-ray of the leg and a
13 photograph of the projectile recovered.

14 MR. HUBBARD: I offer these into evidence.

15 THE COURT: Any objection?

16 MR. MAULDIN: No objection, Your Honor.

17 THE COURT: Admitted.

18 (State's Exhibit No. 221, 222 admitted into
19 evidence.)

20 BY MR. HUBBARD:

21 Q. 221, that's the leg with the projectile?

22 A. Yes, this is our left leg. Here is the knee,
23 the femur up here. Tibia and fibula and there is
24 our projectile sitting just under neath the skin.

25 Q. In looking at State's 222, that's the

1 projectile you removed from SA's [REDACTED] left
2 leg?

3 A. Yes, it is.

4 Q. All right. Now, you've gone over 14 specific
5 wounds to SA's [REDACTED] body. Let's talk about
6 some other injuries that she had as well. You
7 listed on your report an injury to her face. Can
8 you please tell us about that?

9 A. Yes, so I have a number of other injuries that
10 are on the body that are not necessarily associated
11 with the gunshot wounds. And the first injury that
12 I have is on the face is a nondisplaced fracture of
13 the left orbit. And that's referring to the space
14 or the bone around where the eye would normally sit.
15 And the linear, like a line, nondisplaced means it's
16 not moved from, so it's still sitting in its normal
17 position. But we do have a fracture at the right
18 eye.

19 Q. Let me ask you about that fracture. Is it the
20 right or the left eye?

21 A. Sorry. It's the left.

22 Q. That fracture, was that from gun fire?

23 A. That's not necessarily a gunshot related
24 injury. I can tell you that it's a blunt injury.

25 Q. Blunt force trauma?

1 A. Yes.

2 Q. Like being hit with an object?

3 A. Correct.

4 Q. And you have some more injuries you've noted?

5 A. Yes. The next two injuries listed I have
6 subcutaneous hemorrhage of the left chest.

7 Q. Can we ask you about that one? And talk about
8 that one?

9 A. That's referring to bleeding into the soft
10 tissue or underlying tissue underneath the skin.
11 And it's on the left side of the chest, which I only
12 saw after I peeled back the skin to look in that
13 area.

14 Q. Let me ask you this: Was that caused by gun
15 fire?

16 A. That was not caused by the gunshot wounds.
17 They were away from that. It's more likely related
18 to some kind of blunt trauma.

19 Q. Again, blunt force trauma?

20 A. Yes.

21 Q. To the chest?

22 A. Correct.

23 Q. When you see bleeding does that indicate SA

24 was alive when she suffered that blunt
25 force trauma?

1 A. Yes.

2 Q. Would that have been painful?

3 A. It could have been painful, yes.

4 Q. What other injuries did you see to her body?

5 A. The other injury that I have described is two
6 fractures on the ribs. That would be left sided
7 ribs 2 and 6, fractures anterior on the ribs.

8 Q. Is it just those two ribs or is it the series
9 of ribs?

10 A. It's the series of ribs from 2 to 6.

11 Q. So it's multiple ribs are broken?

12 A. Yes.

13 Q. And these broken ribs, again, is this by gun
14 fire or is this by blunt force trauma?

15 A. These are more likely to be blunt force trauma.
16 They were not associated with any of the gunshot
17 wounds?

18 Q. Ribs are pretty hearty bones, are they not?

19 A. Yes, they are.

20 Q. To make those breaks -- first of all, would it
21 have been painful?

22 A. Yes.

23 Q. Would it be consistent with a force like maybe
24 stomping?

25 A. That's a possible force that could cause rib

1 fractures.

2 Q. Okay. And you talked about the copper
3 jacketing you found in the debris that was brought
4 with SA [REDACTED].

5 A. Yes.

6 Q. Is it possible that even though we see 14
7 gunshot wounds, that there were more wounds, gunshot
8 wounds?

9 A. It's possible that there are more. Again,
10 there were large portions of absent skin and tissue.
11 If there were gunshot wounds in those regions
12 without damage to the underlying bone that I have to
13 look at, I wouldn't be able to tell you that there
14 was additional gunshot wounds.

15 Q. Let me ask you this: You have got a lot of
16 wounds in this pelvic region. With that in mind, I
17 want to show you State's 225. And is that an item
18 of undergarment that you removed from SA [REDACTED]
19 [REDACTED]?

20 A. Yes, it is.

21 MR. HUBBARD: Your Honor, I offer this into
22 evidence.

23 THE COURT: Any objection?

24 MR. MAULDIN: No objection.

25 (Exhibit No. 225 admitted into evidence.)

1 BY MR. HUBBARD:

2 Q. Looking at 225, were there multiple holes in
3 her undergarment, her underwear, consistent with the
4 gunfire holes that you found in her body?

5 A. Yes, there were. There were multiple holes on
6 the underwear that could be correlated with gunshot
7 wounds that were on the body.

8 Q. Okay. I want to show you what's been marked
9 into evidence already. State's 231. Did you
10 collect a blood standard from SA [REDACTED] and
11 submit that also to law enforcement for testing?

12 A. I did collect a blood spot and this would be
13 the envelope that I submitted with that blood spot.
14 It's labeled with the autopsy department number.

15 Q. All right. Now, based on this autopsy of SA [REDACTED]
16 [REDACTED], did you reach a conclusion to a -- as an
17 expert in forensic pathology what her cause of death
18 was?

19 A. Yes, I did.

20 Q. What was that?

21 A. Multiple gunshot wounds to the torso and lower
22 extremities.

23 Q. Did you reach a conclusion to a reasonable
24 degree of medical certainty as to the manner of
25 death?

1 A. Yes, I did.

2 Q. What is that?

3 A. Homicide.

4 MR. HUBBARD: Beg the Court's indulgence.

5 BY MR. HUBBARD:

6 Q. Did you also collect a liver sample for
7 toxicology purposes?

8 A. I'll have to check and see exactly what type of
9 sample I submitted. I believe it was spleen.

10 Q. Spleen?

11 A. Yes.

12 Q. But something additional in addition to the
13 blood sample?

14 A. Yes, it was.

15 MR. HUBBARD: I believe that's all I have at
16 this time. Please answer any questions the defense
17 has.

18 THE COURT: Mr. Mauldin?

19 MR. MAULDIN: Thank you, Your Honor.

20 CROSS-EXAMINATION

21 BY MR. MAULDIN:

22 Q. Good afternoon, Dr. Phillips.

23 A. Good afternoon.

24 Q. I know you said you did about 1,000 autopsies;
25 is that right?

1 A. At least, yes.

2 Q. How many years of doing autopsies?

3 A. Eight.

4 Q. That's a lot every year?

5 A. We have a minimum of 250. We try not to go
6 over that, but we often do unfortunately.

7 Q. That's a lot to keep track of?

8 A. It is.

9 Q. All right. Let's go back to this bullet
10 jacket, not the actual bullets that you found. The
11 bullet jacket that was found in debris that came
12 with the body?

13 A. Yes.

14 Q. Can you say for certain whether or not that
15 bullet jacket had entered the body or not or just
16 that it was in the debris?

17 A. It was in the debris. I don't know if it's
18 related to a projectile that was in the body or had
19 been in the body.

20 Q. All right. And you mentioned a fracture to
21 that left orbital bone; is that right?

22 A. Yes.

23 Q. Now, there's no soft -- at the time you
24 performed your services, there was no soft tissue
25 around it to determine whether it's antemortem or

1 postmortem; is that correct?

2 A. Correct.

3 Q. Meaning before death or after death.

4 A. Right.

5 Q. So you couldn't tell about that. I notice you
6 rendered some opinions here today, but by and large
7 you didn't render any opinions about whether some of
8 these injuries happened before or after death; is
9 that correct?

10 A. That is correct.

11 Q. And I notice that in your report. As to the
12 subcutaneous hemorrhage or the under the skin
13 bruise --

14 A. Yes.

15 Q. -- in the chest, is that in the same location
16 as the rib fractures?

17 A. Let me refresh my memory. I believe it was in
18 a similar region as to the rib fractures.

19 Q. Okay. And you said I believe at one point in
20 time that postmortem injuries generally don't
21 demonstrate that kind of blood leakage in the body.
22 Generally means sometimes it can; is that right?

23 A. In general most postmortem injuries don't have
24 active bleeding around them that we would describe
25 at contusions. What we can see is seepage and that

1 usually doesn't go deep into the tissue.

2 Q. And that's leakage of any kind of fluid like
3 blood or bile or any other interior fluid into the
4 surrounding tissues due to trauma that is committed
5 to the body postmortem?

6 A. Trauma committed to the body postmortem has
7 different features. In general when I'm looking at
8 a body and I'm trying to differentiate did this
9 happen before they died or after they died, I'm
10 looking for specific features. So if there is
11 hemorrhage that's fresh, I can say it's likely that
12 this hemorrhage happened before they died. When the
13 injury happens postmortem, it tends to be dry,
14 leathery and doesn't have the same appearance.

15 Q. What if it's ten minutes postmortem? Where
16 it's not dry and leathery?

17 A. In most cases that I've seen, there is some
18 drying if it's postmortem. But you can have, if
19 it's very early postmortem, some redness or bleeding
20 in that area.

21 Q. And that leakage -- and I think the technical
22 term is extravasation?

23 A. Extravasation is a fancy word of saying blood
24 coming out of the vessels.

25 Q. Okay. And if that happens soon after death,

1 that could lead to a misinterpretation of the wound
2 being before death instead of after; is that right?

3 A. It could be, yes.

4 Q. Because the blood trauma after death can cause
5 tissue disruption?

6 A. Blood trauma after death can cause tissue
7 disruption.

8 Q. And often that could leave results that are
9 indistinguishable from bruising before death?

10 A. In some cases, yes.

11 Q. Okay. Because I'm in no way saying these are
12 resuscitation injuries, but you have to take note of
13 any injuries that might have -- they may have tried
14 to resuscitate the person after they'd already died?

15 A. Yes. We take that into consideration.

16 Q. Now, I notice that you only made an opinion on
17 the 14 bullet wounds -- I'm not going to go through
18 a lot of numbers. I'm done with numbers for today.

19 But just those two you had an opinion that those
20 were antemortem or before death because of the
21 hemorrhaging or the contusion around there?

22 A. The gunshot wounds were -- I described
23 contusions or bruising associated with them. I
24 believe those are likely antemortem or happened
25 before she died. The ones where there is no

1 contusion or bruising described, I couldn't give you
2 a specific -- any information on that because of the
3 decomposition that's there.

4 Q. And I know the solicitor asked you if this
5 could be a fatal shot or that could be a fatal shot.
6 Obviously, one of them was a fatal shot?

7 A. Correct.

8 Q. But you're not sure which one or which ones
9 happened before she died or which ones happened
10 after she died? Except for those two.

11 A. I don't recall exactly how many of them I have.
12 described with contusions. Those two I mentioned
13 specifically. I cannot tell you the -- what order
14 the gunshot wounds happened in. And I can't
15 necessarily tell you all of them happened, you know,
16 before she died. But at least one of them happened
17 before she died and that was the fatal one.

18 Q. I believe I did concede that.

19 You mentioned the blunt object that possibly
20 could cause -- well, two more things. Possibly
21 causing the injury to an orbital bone and the chest
22 fractures with blunt objects; is that right?

23 A. That is --

24 Q. Possible?

25 A. -- considered blunt trauma and it is possible

1 that a blunt object caused that blunt trauma.

2 Q. Do you consider a shovel to be a blunt object?

3 A. Depending on how it's used, yes.

4 Q. And finally, again, you can't really render
5 what position the body was in when the bullet entry
6 wounds are made? You just do your trajectories
7 based on that. You have no idea if they were
8 standing, laying down, bent over anything of that
9 nature?

10 A. Correct.

11 MR. MAULDIN: No further questions.

12 MR. HUBBARD: Quick follow-up.

13

14

15 REDIRECT EXAMINATION

16 BY MR. HUBBARD:

17 Q. The hemorrhaging to the left chest, is it your
18 opinion, as an expert in forensic pathology, that
19 hemorrhaging was while SA [REDACTED] was still
20 alive?

21 A. Yes.

22 Q. Those fractured ribs, 2 through 6 that are in
23 that same area, is it possible that's when those
24 fractures were made as well?

25 A. I believe so.

1 MR. HUBBARD: Thank you. No further questions.

2 MR. MAULDIN: No further questions, Your Honor.

3 THE COURT: May I let Dr. Phillips be excused?

4 MR. HUBBARD: Yes, please.

5 THE COURT: All right. Mr. Foreman and ladies

6 and gentlemen of the jury, I'm going to let you go

7 for the day. We'll start again at 9:30 in the

8 morning so please be in your jury room by 9:15.

9 Also, no watching TV, reading the newspaper tonight

10 or in the morning before you get here. Do not look

11 up anything on the internet. Please do not speak

12 about this case to anyone including your fellow

13 jurors. I'll ask my normal question in the morning.

14 I hope y'all have a good evening. I'll see you in

15 the morning.

16 (The jury exits the courtroom at 4:20 p.m.)

17 THE COURT: All right. We'll be adjourned

18 until 9:30 unless there's something else.

19 MR. HUBBARD: No, Your Honor, not from the

20 State.

21 THE COURT: Okay.

22 (The following proceedings were held

23 May 19, 2023.)

24 MS. MAYES: We're going to proceed, Your Honor.

25 Mr. Hubbard will join us later.

1 THE COURT: All right. Then let me see counsel
2 real quick.

3 (Sidebar conference.)

4 THE COURT: Can I bring the jury in?

5 MS. MAYES: Your Honor, there's one brief
6 matter for the record. I did have the opportunity
7 to consult with counsel, Mr. Mauldin, during the
8 break and there is a swab that was collected by a
9 Detective Beeler at the Richland County Sheriff's
10 Department. That swab is ultimately going to end up
11 being linked to a codefendant in this case, Treveon
12 Nelson. I believe by agreement we'll proceed with
13 the testimony regarding the analysis of that -- the
14 collection and analysis of that swab without that
15 Officer Beeler for chain of custody purposes.

16 MR. MAULDIN: That's correct, Your Honor.

17 THE COURT: All right. Then I'll allow it.
18 Now can I call in the jury?

19 MS. MAYES: Yes, Your Honor.

20 THE COURT: Bring the jury in.

21 (The jury enters the courtroom at 10:30 a.m.)

22 THE COURT: Good morning. Mr. Foreman, is the
23 jury ready?

24 THE FOREPERSON: We are ready.

25 THE COURT: Please be seated. All right. Let

1 me ask my morning question: Have you spoke with
2 anyone about this case or has anyone tried to speak
3 with you about this case? Did you see anything on
4 the news, the television or anything on the internet
5 concerning this case? And have you done any
6 independent research on this case? If so, please
7 raise your hand. Perfect.

8 State can call your next witness, please.

9 MS. MAYES: The State calls Sergeant Bryan
10 Sharpe.

11 SERGEANT BRYAN SHARPE

12 being first duly sworn, testified as follows:

13 THE WITNESS: I do.

14 THE CLERK: Have a seat please, sir. Once
15 you're seated speak up loud and clear. State your
16 full name, spelling your last on the record, please.

17 THE WITNESS: Bryan Sharpe. S-H-A-R-P-E.

18 DIRECT EXAMINATION

19 BY MS. MAYES:

20 Q. And, Sergeant Sharpe, you're currently a
21 sergeant with the Lexington County Sheriff's
22 Department?

23 A. Yes, ma'am.

24 Q. And prior to your promotion to sergeant, what
25 role did you play within the Lexington County

1 Sheriff's Department?

2 A. I was with the Major Crimes Unit.

3 Q. All right. And what was your job description
4 within major crimes?

5 A. I was an investigator.

6 Q. As an investigator what, if any -- without
7 getting into anything that anyone has said, what, if
8 any, role did you play in the investigation into the
9 murder of SA [REDACTED]?

10 A. I was with a team that was in the investigation
11 with lead investigation on this. I did some
12 interviews with codefendants.

13 Q. And can you tell us whether or not that
14 included the codefendant in this case Jaylen Wilson?

15 A. Yes, ma'am.

16 Q. And as a result of that did you have
17 face-to-face contact with the codefendant Jaylen
18 Wilson?

19 A. I did.

20 Q. Where did that take place?

21 A. At the Richland County Sheriff's Department.

22 Q. During the course of your contact with the
23 codefendant Jaylen Wilson can you tell us whether or
24 not he consented to the collection of a DNA standard
25 or a buccal swab?

1 A. He did.

2 Q. I'm going to show you what is State's 196 and
3 ask you whether or not you're familiar with this
4 item.

5 A. Yes, ma'am.

6 Q. How so?

7 A. I was present when it was taken by the Richland
8 County Sheriff's Department.

9 Q. Which officer from the Richland County
10 Sheriff's Office actually collected it from Jaylen
11 Wilson?

12 A. I believe it was Lindler.

13 Q. When we talk about the DNA standard, where from
14 the body is it collected from?

15 A. It's from inside the mouth.

16 Q. Did the collection of this buccal swab from the
17 mouth of Jaylen Wilson appear to be done pursuant to
18 protocol?

19 A. Yes, ma'am.

20 Q. And was it properly sealed and packaged after
21 its collection?

22 A. Yes, ma'am.

23 MS. MAYES: State's 196 for evidence, Your
24 Honor, being the buccal swab standard, DNA standard
25 of codefendant Jaylen Wilson.

1 THE COURT: Any objection?

2 MS. MAULDIN: None, Your Honor.

3 THE COURT: It's admitted.

4 (State's Exhibit No. 196 admitted into
5 evidence.)

6 BY MS. MAYES:

7 Q. Now, in this particular case I'm going to show
8 you what is State's 119 and ask you whether or not
9 you're familiar with a broken handle to a shovel
10 recovered from the crime scene in this case.
11 State's 119.

12 You're familiar with the processing of the
13 crime scene in Lexington County by your CSI
14 division?

15 A. Yes, ma'am.

16 Q. Now, I'm also going to ask you about several
17 items already in evidence. State's 210, a text
18 message from the account of Treveon Nelson you got a
19 shove?

20 A. Yes, ma'am.

21 Q. And then State's 60, cell tower location data
22 12:55 a.m. in the early morning hours of April 6th
23 regarding a residence at [REDACTED] Road?

24 A. Yes, ma'am.

25 Q. Did you, yourself, pursuant to this

1 investigation, have the opportunity to go to that
2 location at [REDACTED] Road to examine it?

3 A. I did. I went with Mr. David Gaskins to that
4 residence.

5 Q. I need you to speak up just a little bit
6 louder. Pull the microphone a little bit closer to
7 you.

8 A. I went with Mr. David Gaskins to that
9 residence.

10 Q. And David Gaskins is known by what nickname?

11 A. Gotto.

12 Q. Taking a look here at State's 77 already in
13 evidence, what we see here marked [REDACTED], are you
14 familiar with this location?

15 A. I am.

16 Q. Understanding, Investigator Sharpe, that a
17 handle was recovered at the crime scene and that a
18 shovel may have been retrieved from [REDACTED] Road,
19 what action did you take to follow up on that?

20 A. So we were -- we spoke with David Gaskins about
21 any -- you know, whether or not he had provided any
22 shovels or anything to the defendants in the case.
23 He stated that we, you know --

24 MS. MAULDIN: Objection. Hearsay.

25 MR. HUBBARD: I can rephrase that, Your Honor.

1 THE COURT: Thank you.

2 BY MS. MAYES:

3 Q. Again, without repeating what anyone said to
4 you, did you go to this location, [REDACTED] Road?

5 A. I did.

6 Q. And tell us a little bit about that location.
7 Who is the owner of that property at [REDACTED] Road?

8 A. Mr. Gaskins.

9 Q. Tell us what that property looked like on the
10 inside.

11 A. Inside residence there was no furnishings or
12 anything like that. There was one mattress that was
13 in a back bedroom that had no blankets or anything
14 that was on it. And I believe there was a safe.

15 Q. So based upon your observations at this
16 location, was it furnished or unfurnished?

17 A. It was unfurnished.

18 Q. With the exception of one mattress?

19 A. Correct.

20 Q. Was the electricity on and running?

21 A. There was no power to that house.

22 Q. What is the purpose of you going inside? What
23 were you going inside to potentially retrieve from
24 the inside of that residence, sir.

25 A. There was supposed to be a shovel that was

1 inside that residence according to Mr. Gaskins.

2 Q. When you went inside was Mr. Gaskins with you?

3 A. He was.

4 Q. Where did y'all go to attempt to retrieve the
5 shovel that was supposed to be there?

6 A. We went inside the residence to like a back --
7 I don't want to say a patio, but it was a back room
8 of the house. And upon entering into that room, he
9 appeared surprised to see that there was no longer a
10 shovel that was supposed to be there.

11 Q. Were you able, ultimately, to recover a shovel
12 from that residence?

13 A. We were not.

14 Q. It was missing?

15 A. Correct.

16 Q. Thank you. Nothing further -- one more item.

17 When you were with David Gaskins, did you also,
18 for purposes of this investigation, request a buccal
19 swab or DNA standards from him as well?

20 A. That was obtained.

21 Q. Were you present for the collection of that
22 item as well? I'm going to show you what is State's
23 160.

24 A. I was.

25 Q. Which is the investigator actually collecting

1 or packaging this item?

2 A. Kevin Baum.

3 Q. Okay. And can you tell us whether or not this
4 item was also collected pursuant to protocol from
5 the cheek of David Gaskins?

6 A. It was.

7 Q. Did that appear to all be done following
8 procedure?

9 A. Yes, ma'am.

10 Q. Was it properly sealed following its
11 collection?

12 A. Yes, ma'am.

13 Q. After it had been sealed, would it have
14 remained in the possession of law enforcement up
15 until the time of its analysis?

16 A. Yes, ma'am.

17 MS. MAYES: State's 160, Your Honor, being the
18 DNA standard of David Gaskins.

19 THE COURT: Any objection.

20 MS. MAULDIN: No, Your Honor.

21 THE COURT: It's admitted.

22 (State's Exhibit No. 160 admitted into
23 evidence.)

24 MS. MAYES: Nothing further of the witness at
25 this time, Your Honor.

1 THE COURT: Ms. Mauldin.

2 CROSS-EXAMINATION

3 BY MS. MAULDIN:

4 Q. Good morning, Detective Sharpe.

5 A. Good morning. How are you?

6 Q. Good. So you didn't find the shovel that you
7 were looking for?

8 A. No, ma'am. There was not a shovel there.

9 Q. You didn't find any shovels at all?

10 A. Not that I recall.

11 MS. MAULDIN: No further questions, Your Honor.

12 THE COURT: Okay. Any redirect?

13 MS. MAYES: No, Your Honor. We do ask that the
14 witness be released.

15 MS. MAULDIN: No objection, Your Honor.

16 THE COURT: Sergeant, you may step down.

17 MS. MAYES: The State calls Investigator Kerri
18 McClary.

19 INVESTIGATOR KERRI MCCLARY

20 being first duly sworn, testified as follows:

21 THE WITNESS: Yes, I do.

22 THE CLERK: Have a seat please, ma'am. Once
23 you're seated speak up loud and clear. State your
24 full name, spelling your last, please.

25 THE WITNESS: My name is Kerri McClary. Last

DIRECT EXAMINATION OF KERRI MCCLARY BY MS. MAYES

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1 name is M-C-C-L-A-R-Y.

2 DIRECT EXAMINATION

3 BY MS. MAYES:

4 Q. Good morning. Can you tell us a little bit
5 about yourself? Where are you currently employed?

6 A. I'm a deputy sheriff with Richland County
7 Sheriff's Department.

8 Q. And specifically what lab or division do you
9 work with within the Richland County Sheriff's
10 Department?

11 A. The crime scene and latent fingerprint unit.

12 Q. Tell us about your educational background and
13 training in regards to CSI or crime scene
14 investigation.

15 A. I started my career in crime scene
16 investigation and latent print examination in 1995
17 when I was a SLED agent assigned to their crime
18 scene and latent fingerprint unit. Training in
19 those areas began -- initially, it's in-house
20 training. We also attend several classes in crime
21 scene investigation, forensic photography, latent
22 print processing, evidence collection and evidence
23 processing.

24 Q. Is it possible for you to estimate how many
25 crime scenes you've worked on throughout your law

1 enforcement career?

2 A. Hundreds in 27 and a half years.

3 Q. Does that include homicide investigations?

4 A. Yes, it does.

5 Q. Investigator McClary, I'm going to ask you
6 specifically about a vehicle, and in this particular
7 case, that's going to be -- I'm going to show you
8 what is State's 35 and 36 already in evidence.

9 Looking here at 35 in evidence, are you familiar
10 with the 2004 Toyota Camry that had been recovered
11 from Lexington County on or about April 16 of 2021?

12 A. Yes, I am.

13 Q. Looking here again, State's 36 in evidence?

14 A. Yes.

15 Q. State's 37 in evidence?

16 A. Yes.

17 Q. And State's 38 in evidence?

18 A. Yes.

19 Q. Can you tell us whether yourself and other
20 members of the Richland County Sheriff's Department
21 CSI division were involved in the collection of DNA
22 swabs from this vehicle?

23 A. Yes, that's correct.

24 Q. First let me ask you what is meant by the term
25 DNA swab or touch DNA swab?

DIRECT EXAMINATION OF KERRI MCCLARY BY MS. MAYES

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1 A. During the processing we will swab by taking a
2 sterile cotton swab. We will apply sterile water to
3 it and we can swab across a surface in hopes of
4 collecting any possible DNA evidence that might be
5 there.

6 Q. And can you tell us whether other forms of DNA,
7 if they are seen or observed in the car, may also be
8 collected?

9 A. We will also examine for possible hair
10 evidence. I mean other forms of biological
11 material, anything like that, that could provide us
12 with DNA.

13 Q. All right. I'm going to show you some
14 photographs and ask you whether or not you recognize
15 them. State's 226?

16 A. Yes.

17 Q. 240?

18 A. Yes.

19 Q. 238?

20 A. Yes.

21 Q. 227?

22 A. Yes.

23 Q. 234?

24 A. Yes.

25 Q. And then 45 already in evidence?

1 A. Yes.

2 Q. Can you tell us agent -- Investigator McClary,
3 whether these are fair and accurate representation
4 of the DNA swabs collected by the Richland County
5 Sheriff's Department CSI team?

6 A. From the areas where the swabs were collected,
7 yes, that's accurate.

8 MS. MAYES: This would be all for evidence,
9 Your Honor, at this time.

10 THE COURT: Any objection?

11 MR. MAULDIN: No objection, Your Honor.

12 THE COURT: They're admitted.

13 (State's Exhibit No. 226, 227, 234, 238, 240,
14 admitted into evidence.)

15 BY MS. MAYES:

16 Q. I'm also going to show you what is State's 237
17 and 238 and ask you whether or not -- examining the
18 packaging of these items, if these two packages all
19 appear to contain swabs collected by Richland County
20 CSI pursuant to the processing of this 2004 Toyota
21 Camry?

22 A. Yes.

23 Q. And looking at the labeling and the packaging,
24 can you tell us whether each is properly packaged
25 with evidence seal tape?

1 A. Yes, they are.

2 Q. And within your lab is that done pursuant to
3 protocol?

4 A. Yes, it is.

5 Q. If there had been any tampering with the items,
6 how, if at all, would yourself or other analysts be
7 made aware of that?

8 A. We'd notice it if the tape had been tampered
9 with.

10 Q. Is that something that would be noted within
11 your department?

12 A. Yes, it would have.

13 Q. And to your knowledge was there any tampering
14 to any of the evidence seals in the evidence in this
15 case?

16 A. No.

17 Q. Would it have remained within the possession of
18 the Richland County Sheriff's Department prior to
19 its submission to the DNA analysis for forensic
20 analysis?

21 A. That would be correct.

22 MS. MAYES: For evidence, Your Honor, 237 and
23 238 being DNA swabs.

24 MR. MAULDIN: No objection, Your Honor.

25 THE COURT: It's admitted.

1 (State's Exhibit No. 237, 238 admitted into
2 evidence.)

3 BY MS. MAYES:

4 Q. I want to begin by looking here at State's 45
5 in evidence. Can you tell us whether or not this
6 graphic and use of this graphic would properly aid
7 you in depicting to the jury where the specific
8 swabs were collected from?

9 A. Yes.

10 Q. I'm going to show you what is 236. Does 236
11 appear to be a duplicate of what we see there on the
12 overhead, 45?

13 A. Yes, it does.

14 Q. Being the diagram of the Toyota Camry?

15 A. Yes.

16 Q. Would use of this particular exhibit, being
17 State's 236, aid you in showing the exact location
18 of these DNA swab collections?

19 A. Yes, it would.

20 Q. 236 for evidence at this time, Your Honor?

21 THE COURT: Any objection?

22 MR. MAULDIN: No objection, Your Honor.

23 THE COURT: It's admitted.

24 (State's Exhibit No. 236 admitted into
25 evidence.)

DIRECT EXAMINATION OF KERRI MCCLARY BY MS. MAYES

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1 MS. MAYES: Your Honor, we'd ask with the
2 Court's permission if Investigator McClary can step
3 down?

4 THE COURT: She may.

5 THE WITNESS: Is it okay if I bring my report
6 with me?

7 THE COURT: Yes, you can take your report.

8 BY MS. MAYES:

9 Q. I want to begin by asking you, looking here at
10 the overhead, State's 234 in evidence. I want to
11 begin by asking you about whether or not a swab was
12 collected by the member of the Richland County CSI
13 team from any area on the exterior?

14 A. Yes. Would be the driver's side -- exterior
15 driver's side rear door.

16 Q. I'm going to hand you a marker and ask you if
17 you could please write the item number.

18 MR. MAULDIN: Your Honor, I object to them
19 offering something that's already in evidence.

20 MS. MAYES: Your Honor, the purpose of this
21 exhibit would be for her to demonstrate the
22 locations in which the items were collected. So
23 we'd ask she have permission to make those markings
24 as to 236.

25 THE COURT: Anything else, Mr. Mauldin?

1 MR. MAULDIN: No, Your Honor.

2 THE COURT: I'll allow it. Go ahead.

3 THE WITNESS: I believe the item number was 4.

4 Do you want me to circle.

5 BY MS. MAYES:

6 Q. Yes. Uh-huh. So that's item number 4, and
7 again, if you could note here which part of the car
8 is this? Is it interior or exterior?

9 A. Exterior driver rear door.

10 Q. All right. Now, can you tell us whether or not
11 swabs were collected from the opposite side of the
12 back passenger area?

13 A. Yes. A swab here.

14 Q. And the item number?

15 A. I left my diagram up there. You want me to get
16 it?

17 The lab number was item 24. And that was
18 marker 7 for me. And this was passenger rear seat.

19 Q. And you collected this swab yourself?

20 A. Yes.

21 Q. What, if any, swabs did you collect from the
22 front area of the vehicle?

23 A. I collected a swab from the dash. Lab number
24 was item 27. And my marker number was M-10
25 passenger front and it was the dash.

1 Q. Did you observe anything that appeared to be
2 hair within this area as well?

3 A. I did on the seat belt receiver, passenger side
4 front seat near the center console.

5 Q. Was that item collected as well?

6 A. It was. It was photographed and collected.
7 That was item 19.

8 Q. And the marker number?

9 A. The marker number is one. Hair, passenger
10 front seat -- sorry, my handwriting and it was the
11 seat belt receiver.

12 Q. Thank you. You may return.

13 A. Okay.

14 Q. Now, the photographs that you have
15 identified -- let me get this out of the way a
16 little bit more.

17 The photographs that you have identified, we're
18 looking here at 234. Looking here at the photograph
19 on the overhead, again, that particular swab from
20 the exterior driver door, being item number 4, would
21 be where on this overhead?

22 A. On the overhead of the photograph?

23 Q. Yes.

24 A. Would be in this area, the exterior driver's
25 side rear door.

1 Q. All right. And now looking inside the vehicle,
2 238. You indicated that additional swabs were
3 collected from inside the area of the front right
4 passenger's seat. I believe you indicated those
5 were markers M-1 and M-10?

6 A. One of those is a hair. The swab was from the
7 dash.

8 Q. All right. We're going to start with M-10,
9 which is State's 240 in evidence. What are we
10 looking at here?

11 A. That is the front dash. Passenger side front
12 seat is here. The center console is here. And this
13 is the area that I swabbed.

14 Q. For touch DNA?

15 A. Yes.

16 Q. And then in addition to that touch DNA swab
17 from the front right passenger area, you indicated
18 that marker M-1 was also of evidentiary value?

19 A. Yes.

20 Q. And again, marker M-1 appeared to you to be
21 what?

22 A. It appeared to be a hair and it was kind of in
23 the center -- or excuse me, in the seat belt
24 receiver near the center console.

25 Q. And again, when you say near the center

1 console, where is the gear shift in relation to that
2 photograph?

3 A. The gear shift? Is that what you said?

4 Q. Yes.

5 A. Sorry. Should have been in this area.

6 Q. So right along here is the gear shift?

7 A. Yes.

8 Q. And you find a hair right here?

9 A. Yes.

10 Q. And were each of these items properly collected
11 by you for -- and packaged?

12 A. Yes, they were. They were photographed and
13 collected.

14 Q. Now, finally I want to ask you about the back
15 of the vehicle, that back passenger rear seat that
16 you labeled number 24. I'm going to show you
17 State's 227. And I want to go back to a photo of
18 the inside of this car already in evidence. State's
19 38. Are we looking at the back seat of the car?

20 A. Yes, that's correct.

21 Q. Where we see that rope and tire iron?

22 A. Yes.

23 Q. And then you're collecting this item next to
24 where we see that rope and tire iron?

25 A. Yes.

1 Q. In the back seat area?

2 A. Yes.

3 Q. Can you tell us whether or not that touch DNA
4 swab was also properly packaged to you for
5 submission to your crime lab?

6 A. Yes, it was.

7 MS. MAYES: Beg the Court's indulgence.

8 THE COURT: Take your time.

9 MS. MAYES: I have nothing further of
10 Investigator McClary at this time.

11 THE COURT: Mr. Mauldin?

12 CROSS-EXAMINATION

13 BY MR. MAULDIN:

14 Q. I'm looking at this 227. That's a funny
15 looking rope, isn't it?

16 A. It appeared to be yarn, like the thick yarn.

17 Q. Oh, okay. Was it stretchy?

18 A. I don't recall.

19 Q. Okay.

20 A. I don't recall.

21 Q. Could you break it apart?

22 A. I don't recall. I didn't try to break it
23 apart. No, sir.

24 MR. MAULDIN: Okay. All right. No further
25 questions.

DIRECT EXAMINATION OF ASHLEIGH DIXON BY MS. MAYES

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1 THE COURT: Any redirect?

2 MS. MAYES: No, Your Honor. We do ask that she
3 be released.

4 THE COURT: Yes. Investigator McClary, you are
5 released.

6 MS. MAYES: The State calls Investigator
7 Ashleigh Dixon.

8 INVESTIGATOR ASHLEIGH DIXON

9 being first duly sworn, testified as follows:

10 THE WITNESS: Yes, ma'am.

11 THE CLERK: Have a seat please, ma'am. Once
12 you're seated speak up loud and clear. State your
13 full name, spelling your last on the record, please.

14 THE WITNESS: Okay. Ashleigh Dixon, D-I-X-O-N.
15
16

17 DIRECT EXAMINATION

18 BY MS. MAYES:

19 Q. Good morning. Tell us where you are currently
20 employed.

21 A. I'm employed with the Richland County Sheriff's
22 Department DNA lab.

23 Q. What type of work do you do within the Richland
24 County DNA lab?

25 A. I'm the serologist for the lab so I assist the

1 analysts in casework.

2 Q. Can you tell us what is meant by prepping
3 certain standards for later DNA analysis?

4 A. So the -- sorry. The investigators will
5 request items to be processed so I'll pick them up
6 from the evidence room and I'll take cuttings for
7 the analysts to analyze later at a later point.

8 Q. All right. And when you are unsealing these
9 items, are you checking to make sure whether or not
10 there had been any previous evidence of tampering?

11 A. Yes.

12 Q. In this particular case was there ever any
13 indications of tampering with any evidence items
14 prior to you unsealing them?

15 A. No, ma'am.

16 Q. And upon you unsealing them, can you tell us
17 whether or not you were able to prep or prepare for
18 DNA analysis the buccal swab standard of the
19 defendant in this case, Nicole Sanchez-Peralta?

20 A. Can I refer to my notes?

21 Q. Yes.

22 A. I did not process that swab. Our analyst John
23 Barron did that swab.

24 Q. So that particular swab on the defendant went
25 straight to your DNA analyst John Barron?

1 A. Correct.

2 Q. Were there additional standards that you
3 prepped to aid him in his DNA analysis as well?

4 A. Let's see. I processed a buccal swab from
5 David Gaskins, a buccal swab from Treveon Nelson, a
6 buccal swab from Robin Hemingway, a buccal swab from
7 Saleemah Graham, a buccal swab from Sharif
8 Amenhotep.

9 Q. Are those the parents of SA [REDACTED]?

10 A. Correct.

11 Q. And again, that's done for the purpose of
12 developing a DNA standard for the victim herself,
13 SA [REDACTED]?

14 A. Correct.

15 Q. Now, when we talk about additional swabs in
16 this case, including any swabs submitted to John
17 Barron for analysis, did you follow all protocols in
18 the prepping of those swabs?

19 A. Correct.

20 Q. And finally I want to ask you about testing
21 that is done when blood is suspected. You mentioned
22 that you're a serologist. Do you also do work in
23 that regard?

24 A. Yes, ma'am.

25 Q. What is your educational background and

1 training in the field of serology?

2 A. So I have a bachelor of science degree in
3 biology. I was trained in-house and we are
4 proficiency tested twice a year. I also took a week
5 long course with the FBI in serology.

6 Q. Have you testified previously as an expert in
7 the field of serology in the courts of this state?

8 A. Yes, ma'am.

9 Q. Is it possible for you to estimate how many
10 such times?

11 A. Approximately 14 times.

12 MS. MAYES: Your Honor, at this time the State
13 offers Ashleigh Dixon as an expert in the field of
14 serology.

15 THE COURT: Any objection?

16 MR. MAULDIN: No, Your Honor.

17 THE COURT: I'm going to tell the jury this
18 witness is going to be able to give her opinion
19 because she's an expert in the field of serology the
20 Court has found. You can give her testimony the
21 weight you think it deserves.

22 BY MS. MAYES:

23 Q. Can you tell us whether or not to your lab an
24 item was submitted that had been labeled paper
25 material?

1 A. Yes, ma'am.

2 Q. And as to that particular item, what type of
3 work did you do to analyze what was termed or
4 submitted as paper material from the crime scene?

5 A. Our analyst John Barron processed that item.

6 Q. Okay. And can you tell us whether or not that
7 included work to determine whether or not it was
8 presumptively positive for blood?

9 A. I'm not sure about that because I don't have
10 the evidence sheet. That was on his evidence sheet
11 so he'd have to testify to that.

12 Q. And that item was prepped by your department as
13 well for submission to Investigator Barron?

14 A. Yes, ma'am.

15 MS. MAYES: Thank you. Nothing further.

16 THE COURT: Any questions?

17 CROSS-EXAMINATION

18 BY MR. MAULDIN:

19 Q. Did you obtain the swab from Nicole
20 Sanchez-Peralta?

21 A. Can I refer to my notes?

22 Q. Sure.

23 A. I did not obtain that. John Barron, our
24 analyst, received that.

25 Q. You didn't swab her cheek, did you?

1 A. No, sir.

2 Q. And in your processing did you ever process a
3 DNA sample from an Allon Adams?

4 A. No, sir.

5 MR. MAULDIN: Thank you. No further questions.

6 THE COURT: Any redirect?

7 MS. MAYES: Nothing further, Your Honor. We'd
8 ask that she be released.

9 THE COURT: Investigator Dixon, you can be
10 released. Thank you for coming.

11 MS. MAYES: The State calls Detective John
12 Barron.

13 THE COURT: I think I'm going to swear you in.
14 How is that?

15 THE WITNESS: Okay. I'll let you.

16

17 DETECTIVE JOHN BARRON

18 being first duly sworn, testified as follows:

19 THE WITNESS: Yes, ma'am. I do.

20 THE COURT: Thank you. If you'll take the
21 stand. Tell us your name and spell your last name
22 for us.

23 THE WITNESS: My name is John Barron,
24 B-A-R-R-O-N.

25 DIRECT EXAMINATION

1 BY MS. MAYES:

2 Q. Good morning. Tell us about yourself and where
3 you currently are employed.

4 A. I am a DNA analyst at Richland County Sheriff's
5 Department.

6 Q. All right. So you are a DNA analyst?

7 A. Correct.

8 Q. We heard just a few moments ago from a
9 serologist. Tell us how the work of a DNA analyst
10 differs from that of a serologist.

11 A. A serologist is basically one who tests for
12 body fluids. So in our lab they prep the samples
13 for the DNA analyst. And we take it from that point
14 and we extract the DNA and develop the DNA profiles.

15 Q. Tell us, Detective Barron, about your
16 educational background and training that led you to
17 become a DNA analyst.

18 A. Yes, ma'am. I have a bachelor of science
19 degree in microbiology from Clemson University.
20 I've also had graduate training in biochemistry and
21 molecular biology from the University of South
22 Carolina. I began my DNA training in the year 2000
23 at SLED, or State Law Enforcement Division, where
24 the technology was first introduced in crime labs in
25 South Carolina.

1 In 2004 myself and another person from SLED
2 went to Richland County, established the DNA lab
3 there. And from there we developed a DNA
4 laboratory, expanded it to where it is today.

5 Q. So how many years, altogether, have you worked
6 within the field of actually conducting analysis of
7 samples to locate or identify DNA?

8 A. About 22 years.

9 Q. Can you tell us, Detective Barron, how many
10 times you've been previously qualified as an expert
11 in the field of DNA analysis?

12 A. About 75 times.

13 Q. And can you tell us whether or not that
14 includes expert testimony regarding the statistical
15 calculations associated with your DNA findings?

16 A. Yes. Most of the time it does involve that,
17 yes.

18 Q. Can you tell us whether or not the standards
19 and testing used within your lab is consistent with
20 what is used within other labs across the country?

21 A. Yes. Forensic DNA laboratories across the
22 country who want to access the FBI DNA database have
23 to meet certain criteria. We met that criteria
24 immediately in 2005 when we started the lab and we
25 continue to meet that criteria today. We are

1 audited biannually or twice a year locally or by
2 externally. And we meet certain criteria in both
3 checklists to make sure that meet the quality
4 standards for a DNA lab.

5 Q. Can you tell us whether or not your work is
6 subject to peer review among your colleagues?

7 A. Yes. Each DNA analyst before a report goes
8 out, is peer reviewed by another qualified analyst
9 to make sure that we're in agreement before we
10 release the report.

11 Q. Can you tell us whether or not the testing
12 procedures utilized within your lab are considered
13 scientifically reliable among peers within your
14 community?

15 A. Yes. It's pretty much used universally in DNA
16 labs now.

17 Q. Does that include other crime labs across the
18 country?

19 A. Yes. Every crime lab across the country
20 basically uses the same technique. They might use
21 different vendors, different equipment, but
22 basically it's the same technology.

23 Q. Can you tell us whether or not your educational
24 training in regards to these testing procedures
25 remains current and up to date?

1 A. Yes, ma'am. We are proficiency tested twice
2 per year. So to make sure we pass a test, a blind
3 test that we don't know the answer to, we also
4 attend a professional training to keep updated with
5 the latest technology at least once a year.

6 MS. MAYES: Your Honor, at this time the State
7 offers Detective John Barron as an expert in the
8 field of DNA analysis and his statistical
9 calculations associated with that DNA analysis.

10 MR. MAULDIN: No objection.

11 THE COURT: Again, I'm going to tell the jury
12 this witness is going to be an expert. You can give
13 the weight you think needed as to his testimony.

14 BY MS. MAYES:

15 Q. Detective Barron, I want to start by asking you
16 what is meant among professionals in your field by
17 the term DNA or deoxyribonucleic acid?

18 A. DNA pretty -- gotten to be pretty familiar with
19 most people nowadays. But it is the basic molecule
20 in the human body that identifies you as a human
21 being and identifies your various traits. In DNA
22 technology, as far as human identification, what we
23 do is we target certain portions of the DNA molecule
24 that can differentiate classes of individuals and
25 different people. If we do enough markers, we do 23

1 of them, then we can, if it's a single source DNA
2 like a bloodstain, pretty well tell you with
3 statistical certainty that it belongs to a certain
4 person.

5 Q. So what is -- how unique is DNA among each
6 individual?

7 A. Each individual inherits their DNA from their
8 mom and dad so they're unique. Unless you have an
9 identical twin, we'd not be able to tell the
10 difference in your DNA.

11 Q. So other than identical twins, every individual
12 on this planet has their own unique DNA?

13 A. That's correct.

14 Q. What types of bodily fluids may DNA be acquired
15 from? Blood, for example?

16 A. Yes, blood. Anything with a nucleated cell and
17 blood has those types of cell. A sperm cell, like
18 in a sexual assault case, would have DNA. Skin
19 cells on the body or inside the body would also have
20 DNA, any type of cell in the body that has a
21 nucleated cell. What's unique about it is every
22 cell that has DNA would have the same DNA in your
23 body. And so that DNA then is what regulates who
24 you are, regulates your body's functions, if you
25 will, and it is constantly being replicated and

1 reproduced. And at times it is shed like in the
2 skin cell. Skin is the largest organ in the body
3 and so your skin cells are constantly being
4 replaced. And as they do, they can be sloughed off.
5 So the type of -- the articles of clothing you're
6 wearing today would probably have skin cells in the
7 collar and the sleeves if -- when you take them off
8 at home, whether you realize it or not, it's there.

9 So one of the most common ways to understand
10 skin cell DNA is if you have dandruff, like me.
11 That's skin cells being sloughed off.

12 Q. When you reference skin cells, what type of DNA
13 is that known as? Would that be touch DNA?

14 A. Well, the reason why it's called touch DNA is
15 because when you touch something, you can deposit it
16 because it's on your skin.

17 Q. You mention when you touch something, you can
18 deposit. Does a person always leave DNA behind when
19 they touch an item?

20 A. Not necessarily. No. It's totally dependant
21 on the individual. Some people just shed more DNA
22 than others. And if you, you know, just recently
23 washed your hands, you may have just washed off all
24 the cells you were getting ready to slough off.

25 Q. So in addition to, as you've indicated, being

1 able to acquire DNA evidence from blood and skin
2 cells, what about human hair?

3 A. Yes. Human hair is growing from tissue in your
4 body. And when it's sloughed off, some of that
5 tissue may be on the root of the hair, especially if
6 the hair is pulled out or forcibly removed.

7 Q. And are you the lead DNA analyst within the
8 Richland County crime lab?

9 A. I've got the most experience.

10 Q. So all of the items that were submitted in this
11 case for DNA analysis were submitted to who?

12 A. They were submitted to me.

13 Q. Okay. Can you tell us whether or not that
14 included multiple shell casings that had been
15 recovered from the crime scene in this case?

16 A. Yes. One way we've learned that we could find
17 DNA is when somebody is loading shells or bullets
18 into a gun might leave DNA on it and when the gun is
19 fired, the shell is extrapolated from the gun and
20 left on the ground. So those shells are swabbed to
21 see if they can pick up any DNA.

22 And that was done in this case.

23 Q. Regarding shell casings that had been collected
24 from the crime scene and submitted to you for DNA
25 analysis, were you able to actually recover any DNA

1 of evidentiary value from those multiple shell
2 casings' that came from the crime scene?

3 A. No. Unfortunately, shell casings do not tend
4 to hold onto DNA or there's not a lot on there to
5 start with. But we have found cases where we did
6 recover DNA so we do it. Although it's probably a
7 small percentage of cases that we actually do
8 recover DNA. In this case we did not recover it.

9 Q. So no DNA recovered from the shell casings?

10 A. Correct. Or insufficient DNA.

11 Q. Now, how do factors such as shell casings
12 having been outside in the weather between the dates
13 of April 5th and when they were recovered, April 28
14 or later, how, if at all, would that affect your
15 ability to recover DNA from those items?

16 A. Anything like rain would wash away any DNA that
17 might be on it. Over time out in the weather, DNA
18 will begin to decay. And if it decays enough, you
19 won't be able to detect it.

20 Q. I also want to ask you about fired projectiles,
21 bullets, that were actually recovered from this
22 crime scene. Did you also have an opportunity to
23 conduct DNA analysis on projectiles?

24 A. Yes. They were swabbed not by me but by
25 another individual in the crime lab. Again, we may

1 or may not collect anything. Most of the time on
2 projectiles, if it passes through a body, we
3 probably could get some DNA because it's going to
4 pick up some tissue. But if it's not, then it's
5 just out in nature. It's going to wash away. It's
6 going to erode away. The sun, the UV light is going
7 to cause it to decay et cetera.

8 Q. What were your results of your analysis on the
9 projectiles that were recovered from this crime
10 scene and submitted to you for DNA analysis?

11 A. Again, we didn't find any significant DNA to be
12 able to link it to anyone.

13 Q. Looking here at State's 119, being a broken
14 handle to a shovel?

15 A. Yes, ma'am.

16 Q. I'm going to refer you to your report and ask
17 you whether or not this particular item was also
18 submitted to you for analysis. And I believe your
19 item number being 177?

20 A. Yes. It was a broken wooden handle believed to
21 be from a shovel.

22 Q. All right. What were your attempts to recover
23 DNA from this particular item, being the broken
24 shovel handle?

25 A. Yes. It would have been swabbed to see if they

1 could pick up any skin cells from somebody handling
2 the shovel. And tested for DNA.

3 Q. All right. And what were the results of your
4 analysis regarding potential DNA recovered from this
5 broken shovel handle?

6 A. It was an insufficient amount of DNA that was
7 extracted from that to link it to anyone.

8 Q. And when you say insufficient DNA, does that
9 mean you're not able to actually develop a DNA
10 profile for identification?

11 A. Correct.

12 Q. What factors, again, can you explain, between
13 the dates of April 5th when the crime occurred and
14 April 28 when there would have been recovery of this
15 item, that may have impacted your ability to recover
16 DNA evidence from this broken shovel handle?

17 A. Yes. Anything left out in the weather, of
18 course, rain and UV light and decay and stuff like
19 that.

20 Q. Now, regarding the actual standards from
21 suspects in this case, I'm going to show you what's
22 State's 197, State's 196, as well as any other
23 individuals connected with this case. I want to ask
24 you first about the victim in this case, SA [REDACTED]
25 [REDACTED]. Were you able to develop a DNA profile

1 from blood standards or tissue collected during the
2 autopsy of SA [REDACTED] that allowed you to
3 develop a DNA profile for the victim, SA [REDACTED]
4 [REDACTED]?

5 A. Yes. During the autopsy they always collect
6 possible sample of blood and they put it on a piece
7 of cloth or a piece of material that they spot it
8 onto. And it doesn't take much. So in this case,
9 yes, we were able to develop her DNA profile from a
10 blood spot from her autopsy.

11 Q. All right. In addition to being able to
12 develop a DNA profile for the victim, SA [REDACTED]
13 [REDACTED], were you also submitted standards for the
14 defendant in this case, Nicole Sanchez-Peralta?

15 A. Yes.

16 Q. And can you tell us whether or not you were
17 able to develop a DNA standard for her?

18 MR. MAULDIN: Your Honor, I'm going to object.
19 May we approach?

20 THE COURT: You may.

21 (Sidebar conference.)

22 THE COURT: All right. Ms. Mayes, if you'll
23 lay a proper foundation, please.

24 BY MS. MAYES:

25 Q. All right. I want to back up and ask you to

1 refer to your notes regarding the suspect standard
2 collected for the defendant in this case, Nicole
3 Sanchez-Peralta.

4 Looking here at the outside of this particular
5 packaging, whose name is on this particular item?

6 A. John Carwell.

7 Q. And can you tell us whether or not this item
8 was collected and submitted to the Richland County
9 Sheriff's Department in a packaged format?

10 A. Yes. Anytime an officer or crime scene
11 individual brings evidence to our evidence room,
12 they put it into a container. Depending on the size
13 of the item -- in this case it's just a small box
14 with a swab in it -- it's put into a heat sealed
15 container and it's marked and labeled as to who it
16 came from, who delivered it. What time. And then
17 it's sealed by -- and then received by evidence and
18 the evidence room then will look at it and make sure
19 it's sealed properly. If it's not, they'll hand it
20 back to them and say seal it properly. Or if
21 they're not around, they left it in a locker. We
22 have lock boxes in the evidence room. And the
23 personnel will clean it out and if it's sealed
24 properly in there. If it's not, they'll call the
25 officer down to seal it properly. Then it comes to

1 our laboratory. It's cut out. It's put in a tube
2 and put through the process of DNA testing. And
3 then when we're done with it -- in this case I cut
4 the bottom of the seal. The top is intact. I cut
5 the bottom of the pouch and then I use a heat sealer
6 and I initial and date it when I seal the back and
7 then it's taken back to the evidence room. There it
8 remains until it's picked up by the agency that
9 brought it.

10 Q. All right. And you indicated that Detective
11 Carwell is actually the individual who collected
12 this item originally. I'm going to ask you to take
13 a look at State's 81 in evidence already. Can you
14 tell us whether or not you recognize Investigator
15 Carwell in this photograph?

16 A. Well, Investigator Carwell actually brought it
17 to the evidence room. That doesn't mean he
18 collected it.

19 Q. And that's -- let me clarify then. Do your
20 notes indicate which officer actually delivered it
21 to your department sealed following its collection
22 and as noted here in State's 81?

23 A. Yes. I recognize Investigator Carwell in that
24 picture.

25 Q. Who is this individual seated here?

1 A. That's him.

2 Q. And is that the same individual who then
3 delivered the package that you've identified there
4 on the witness stand?

5 A. Yes, ma'am.

6 Q. This being package number 197 -- State's
7 Exhibit 197?

8 A. Yes, ma'am.

9 Q. This being a buccal swab standard from the
10 defendant herself, Nicole Sanchez-Peralta?

11 A. Yes.

12 Q. And who within your lab actually unsealed this
13 item for the purpose of DNA analysis? And you may
14 refer to your notes.

15 A. I believe that --

16 Q. And you can refer to your notes on that. Are
17 there certain standards you unsealed yourself?

18 A. Yes. I unseal it myself at times and sometimes
19 my serologist, Ashleigh Dixon, does.

20 Q. Who just testified a few moments ago?

21 A. Correct.

22 Q. As to this particular item, State's 197, can
23 you check the notes to confirm whether or not you
24 unsealed this item directly yourself?

25 A. I did it myself.

1 Q. All right. And I was going to say, if you need
2 to unseal that to examine your initials further.
3 But based upon your records, you actually unsealed
4 197, being the buccal swab of Nicole
5 Sanchez-Peralta, yourself?

6 A. Yes.

7 Q. So that would mean is anyone else in the chain
8 of custody between yourself and when this would have
9 been delivered from Investigator Baum and
10 Investigator Carwell packaged from Investigator
11 Carwell and delivered to the Richland County
12 Sheriff's Department.

13 Would anyone else have unsealed this item?

14 A. No.

15 Q. So you were the first to unseal it?

16 A. Yes.

17 Q. Were there any signs of tampering to this item
18 at the time that you unsealed it for DNA analysis?

19 A. No.

20 Q. Now, in addition to that standard from Nicole
21 Sanchez-Peralta, I'm going to ask you about two
22 additional standards in this case. See here it's
23 State's 73. I believe regarding Jaylen Wilson there
24 was prepping of that swab by your serologist
25 Ashleigh Dixon?

- 1 A. Jaylen Wilson?
- 2 Q. Yes.
- 3 A. Do you have the package for it?
- 4 Q. I believe it's up there with you.
- 5 A. Now, again, this is one I handled.
- 6 Q. Okay. And then again as to a buccal swab
- 7 collected in 2022 from another codefendant in this
- 8 case Treveon Nelson, who would have handled and
- 9 processed that particular buccal swab DNA standard
- 10 for analysis? The 2022 swab.
- 11 A. I don't believe that package is up here.
- 12 Q. Now, I want to go back to the swab on Jaylen
- 13 Wilson. The swab as to Jaylen Wilson, were there
- 14 any signs of damage or tampering to that item when
- 15 you received it for DNA analysis?
- 16 A. No.
- 17 Q. And I'm going to show you what is State's 216
- 18 for ID only at this time. Now I'm going to ask you
- 19 to unseal this item. How is it labeled? State's
- 20 216.
- 21 A. It is a buccal swab from Treveon Nelson.
- 22 MS. MAYES: I'm going to ask, with the Court's
- 23 permission, if he may unseal, for purposes of
- 24 further identification, State's 216.
- 25 THE COURT: He may.

1 THE WITNESS: This one was sealed by Dixon.

2 BY MS. MAYES:

3 Q. Do you see your initials on this envelope as
4 well?

5 A. Just Ashleigh Dixon.

6 Q. And Ashleigh Dixon again being the serologist
7 who testified just before you --

8 A. Yes.

9 Q. -- regarding the prep of DNA standards for you?

10 A. Yes.

11 Q. Now, this particular item, again, did you see
12 any notes in your lab bench notes whatsoever from
13 serologist Ashleigh Dixon that that sample had been
14 tampered with or altered in any way prior to its
15 arrival to you for DNA analysis?

16 A. No.

17 Q. Can you tell us whether or not State's 216 was
18 ultimately received by you and processed by you
19 following the prepping from serologist Ashleigh
20 Dixon?

21 A. Yes. It would have been -- she would have
22 taken a cutting from the buccal swab and put it in a
23 sealed tube and then gave it to me in my possession
24 in the laboratory.

25 Q. Is that proper procedure within your lab?

1 A. Yes.

2 MS. MAYES: At this time, Your Honor, State's
3 216, being the buccal swab standard of Treveon
4 Nelson, is offered as evidence.

5 MR. MAULDIN: No objection, Your Honor.

6 THE COURT: I already had it in.

7 MS. MAYES: Your Honor, I believe 197, being
8 the buccal swab standard of Nicole Sanchez-Peralta,
9 also in evidence. I believe that the buccal swab of
10 Jaylen Wilson also in evidence at this time, that
11 being State's 196.

12 THE COURT: Yes, ma'am. They're all admitted.
13 Have been admitted.

14

15 BY MS. MAYES:

16 Q. Now, in addition to questions that I asked you
17 about evidence from the crime scene itself, shell
18 casings, projectiles, that broken shovel handle, did
19 you also have an opportunity to conduct DNA analysis
20 on certain evidence items, being touch DNA swabs,
21 collected from inside of a vehicle, being a 2004
22 Toyota Camry?

23 A. Yes, ma'am. There were several swabs collected
24 from the Camry and submitted to our DNA lab.

25 Q. I want to start by asking you about a DNA swab.

1 Looking here at State's 36, I want to start by
2 asking you about a DNA swab that would have been
3 collected from the right exterior passenger door
4 area, right about here.

5 A. Does it have an item number on it?

6 Q. I'm going to show you what are the actual swabs
7 themselves. It's going to be 238 and 237. And can
8 you tell us whether or not you're familiar with
9 these touch DNA swabs being submitted to you for
10 analysis?

11 A. Yes. They were submitted through our DNA
12 laboratory. They were processed by Ashleigh Dixon
13 and resealed and returned to evidence.

14 Q. All right. So looking here, Detective Barron,
15 at State's 236, I'm going to start by asking you --
16 looking here at this diagram --

17 A. Uh-huh.

18 Q. -- about item number 4?

19 A. Yes.

20 Q. Item number 4 being noted as the exterior
21 driver door area. Were you able to recover DNA from
22 that touch DNA swab?

23 A. I was.

24 Q. And ultimately, whose DNA was that swab
25 attributed to?

1 A. Well, it was a mixture of DNA. But I was able
2 to identify Treveon Nelson as being a possible -- or
3 a likely contributor to that DNA.

4 Q. I'm going to hand you this marker and ask if
5 you could show us which item number that is with the
6 name Treveon Nelson?

7 A. You want me to write Treveon Nelson?

8 Q. Yes. The individual that you were able to
9 identify associated with that swab.

10 MR. MAULDIN: Again, I'd object to the
11 alteration of item in evidence, Your Honor.

12 MS. MAYES: For further aid to the jury, Your
13 Honor.

14 THE COURT: I'll allow it under further aid to
15 the jury. You're correct, Mr. Mauldin.

16 BY MS. MAYES:

17 Q. Now, when you talk about DNA analysis, are
18 there certain statistics associated with your
19 findings?

20 A. Yes, ma'am.

21 Q. As to the Camry and this swab from the exterior
22 rear door, what were the statistical calculations
23 relating that to Treveon Nelson?

24 A. Well, you have to realize that there's two
25 different types of statistical analysis that we do.

1 There's a single source calculation where we know
2 the DNA all came from one person and that type of
3 calculation is done. And then there's a mixture
4 calculation. So when DNA is mixed with individuals,
5 then you have to ask the question what is the
6 likelihood that the individuals that are in question
7 are possible contributors to the mixture.

8 So what we do then is we would include and
9 exclude individuals involved. In this case we were
10 able to exclude Nicole Sanchez-Peralta, Jaylen
11 Wilson, Robin Hemingway, SA [REDACTED]. But we
12 were not able to exclude Treveon Nelson. So then
13 the question is how strong is the indication. So we
14 use statistics to do that.

15 So in this case if we were to take a random
16 person, just anybody in the general population, the
17 question would be how much stronger is the
18 likelihood for, in this case, Treveon Nelson versus
19 just a random person out there. So that calculation
20 came up to 240 times more likely to be that of
21 Treveon Nelson versus just a random person out of
22 the population.

23 Q. Based upon your expert analysis, would that be
24 consistent with the DNA of Treveon Nelson being
25 within that mixture?

1 A. Yes. Since we have a positive likelihood
2 ratio, then we can say that his DNA could be on that
3 item.

4 Q. Can you tell us, Detective Barron, whether or
5 not you were able to find any DNA within that Toyota
6 Camry that was consistent with the victim, SA [REDACTED]
7 [REDACTED]?

8 A. Looks like my item 24, which is a swab from the
9 passenger rear seat.

10 Q. Can you show us here where item 24 is?

11 A. It is right here.

12 Q. All right. And again, can you tell us whose
13 DNA that swab turned out to be consistent with?

14 A. SA [REDACTED].

15 Q. The victim in this case?

16 A. Correct.

17 Q. And if you could note, again, on this
18 particular diagram, State's 236, the name SA [REDACTED] at
19 that location.

20 And as to that item 24 being the passenger rear
21 seat, what statistical calculations were associated
22 with that?

23 A. Again, we have a mixture, and so the question
24 is who could be in this mixture among these people
25 that I've been submitted known samples from. And

1 the only one that I could include would be SA [REDACTED]
2 [REDACTED]. In this case the likelihood is 8.9
3 thousand or 8,900 times more likely than a random
4 individual.

5 Q. And again, as to the defendant Nicole
6 Sanchez-Peralta, was she eliminated or excluded from
7 that swab?

8 A. Yes.

9 Q. And as to that other swab on the other side of
10 the back of passenger -- back rear door, was the
11 defendant, Nicole Sanchez-Peralta, excluded from
12 that swab?

13 A. She was.

14 Q. Now, I want to ask you whether or not you had
15 any findings consistent with the defendant, Nicole
16 Sanchez-Peralta, being inside this vehicle? State's
17 236.

18 A. Yes, ma'am.

19 Q. And which findings were those? Which swab and
20 item numbers?

21 A. I believe it's this --

22 Q. Did you conduct analysis on item 27?

23 A. 27, yes.

24 Q. All right. As well as item 19?

25 A. 19.



1 Q. All right. And who, if anyone's, DNA were
2 those items consistent with?

3 A. Item 19 is the hair. It was consistent with
4 being that of Nicole Sanchez Peralta's. And item
5 27, which is passenger front dash. That was a
6 mixture that also had a strong likelihood of Nicole
7 Sanchez-Peralta's DNA.

8 Q. As for that hair, item 119, if you could note
9 for the report and on this exhibit the name Nicole
10 Sanchez-Peralta?

11 A. (Witness complies.)

12 Q. All right. You've indicated, as to this
13 particular area, item number 4. You've indicated as
14 to the back passenger rear seat labeled M-7 as to
15 the victim, SA [REDACTED]?

16 A. Yes.

17 Q. Now, regarding that hair, M-1, shown here in
18 State's 226, what are the statistical calculations
19 associated with this item here in the front right
20 passenger seat area?

21 A. That is a 26 billion times more likely than a
22 random individual to be that of Nicole
23 Sanchez-Peralta.

24 Q. 26 billion?

25 A. Yes, ma'am.

1 Q. Do you consider that a high probability of a
2 DNA match?

3 A. Yes, ma'am. I would because the population of
4 planet Earth is about -- between eight and nine
5 billion. So that's several times more than that.

6 Q. So that hair is 26 billion times more likely to
7 belong to Nicole Sanchez-Peralta than any other
8 random person?

9 A. Correct.

10 Q. And then finally, there was the other swab that
11 you noted. And this is going to be, looking here at
12 State's 240, a marker, which is M-10, front right
13 dash area.

14 A. Yes, ma'am.

15 Q. What is the statistical calculation associated
16 with this swab in the front right passenger area?

17 A. Again, there's a mixture here and so Nicole
18 Sanchez-Peralta is 20,000 times more likely to be
19 included in that mixture than a random individual.

20 Q. 20,000 times more likely?

21 A. Correct.

22 Q. Now, following your work and analysis on DNA
23 standards from within this vehicle, I'm going to ask
24 you whether or not you also had the opportunity to
25 conduct DNA analysis on swabs that had been taken

1 from a -- from firearms recovered from the home of
2 Jaylen Wilson?

3 A. Yes, ma'am.

4 Q. State's 155, State's 154. I'm going to show
5 you what is 232.

6 A. This is swabs from a Glock nine-millimeter, as
7 well as swabs from a Ruger 380.

8 Q. All right. Can you tell us whether or not
9 those firearms were submitted to the Richland County
10 Sheriff's Department originally for firearms
11 analysis?

12 A. Yes. They would have gone through firearms
13 first and then they would have collected the swabs
14 and submitted for DNA analysis.

15 Q. And when swabs are submitted for DNA analysis,
16 can you tell us whether or not they arrive to
17 yourself or serologist Ashleigh Dixon sealed prior
18 to being opened for prepping or analysis?

19 A. This would be item number 46.

20 Q. And again, is evidence tamperproof tape used in
21 the sealing of those items prior to submission for
22 DNA analysis?

23 A. Yes.

24 Q. If there's any signs of tampering observed by
25 yourself, can you tell us whether or not you would

1 have noted that?

2 A. I would have noted that. In this case these
3 swabs were submitted to me directly.

4 Q. Okay. And were there any signs of tampering --

5 A. There weren't.

6 Q. -- prior to you retrieving those items for DNA
7 analysis --

8 A. No.

9 Q. -- within your lab?

10 A. There was no signs of tampering. As a matter
11 of fact, the original seal is still present.

12 Q. All right. Now, what areas were swabbed from
13 the Glock?

14 A. We swabbed the gun itself along with the
15 magazine, which is the thing that holds the bullets.

16 Q. Okay. And what swabs were collected from the
17 Ruger?

18 A. Again, we swabbed the gun and the magazine.

19 Q. So you're swabbing the gun in its entirety.
20 Does that include the grip, the trigger, things of
21 that nature?

22 A. Yes, ma'am.

23 Q. As well as the magazines?

24 A. Correct.

25 Q. Now, in a situation where evidence is recovered

1 weeks later -- for example, these items all being
2 recovered April 28, 2021, with an incident date of
3 April 5th, 2021, what, if anything, may impact your
4 ability to recover DNA from the time a weapon is
5 originally used or fired?

6 A. Well, a weapon is handled, obviously, and it
7 could be wiped in between. It's been handled by
8 multiple people. It could be exposed. Even though
9 it was found in a house, it could have been outside
10 for a while, all kind of factors. It's just what is
11 there at the time.

12 Q. You mentioned wiped or cleaning. How hard it
13 is to disintegrate or degrade DNA simply by the act
14 of cleaning or wiping an item with a cloth?

15 A. When you're talking about skin cells, we're
16 talking about something -- especially on a surface
17 as slick a gun, it's going to be easy to wipe off.

18 Q. A surface such as a gun would you consider that
19 easily wiped for purposes of cleaning?

20 A. Yes. There's certain areas of the gun where
21 skin might be more prevalent, crevices, things like
22 that. But generally speaking, a slick metal surface
23 is easier to clean than say a cloth where skin cells
24 will be embedded into the cloth.

25 Q. Could something as simple as a towel or a dry

1 cloth result in the elimination of DNA evidence?

2 A. Yes, it could.

3 Q. What were your results of analysis of DNA swabs
4 collected from both the Glock and the Ruger 380?

5 A. From the Glock, I found that it was a mixture
6 of DNA, but there was a major contributor. So when
7 we have a mixture, sometimes we have what we call a
8 major contributor; in other words, the predominant
9 person that's on the gun. In this case, it was
10 Jaylen Wilson, and he'd be 58 sextillion times more
11 likely to be the source of that DNA than a random
12 individual.

13 Q. Jaylen Wilson?

14 A. Yes, ma'am.

15 Q. And that's as to that Glock?

16 A. Correct.

17 Q. And as to the Ruger 380?

18 A. And the Ruger 380 is, again, a mixture. And
19 Jaylen Wilson cannot be excluded. And as the major
20 contributor on there, he's 1.7 million times more
21 likely to be included in that mixture than an
22 unrelated individual.

23 Q. That would be Jaylen Wilson, again, considered
24 a contributor to that DNA swab from the Ruger?

25 A. Yes, ma'am. And also we're testing these other

1 people as well to see if they're included and
2 they're not.

3 Q. Including Nicole Sanchez-Peralta?

4 A. Correct.

5 Q. And Treveon Nelson?

6 A. Correct.

7 Q. Were you aware the guns were found within the
8 home of Jaylen Wilson?

9 A. I was not. I did not go to the crime scene.

10 Q. Now next I'm going to ask you -- going back to
11 the crime scene, looking here at State's 90.

12 Looking here at State's 128. I'm going to ask you
13 whether or not you're familiar with items that were
14 collected by the Lexington County Sheriff's
15 Department and submitted to your lab for further
16 analysis consistent with a tampon?

17 A. Yes. It was a tampon applicator and then there
18 were some material collected nearby. I guess it
19 appeared to be that of the tampon itself.

20 Q. And what item number is attributed to the
21 tampon that was collected from the crime scene
22 within your lab?

23 A. Item 11 was the applicator and 12 was the
24 material, tampon material.

25 Q. And again, just to clarify, the overhead we're

1 looking at, State's 91 in evidence, these would be
2 numbers attributed at the scene by the Lexington
3 County Sheriff's Department, correct?

4 A. That's correct.

5 Q. So your lab number may be off by one number?

6 A. Yes. They're numbered as they come into the
7 laboratory.

8 Q. Okay. And in your laboratory, pursuant to your
9 work and your DNA report, you labeled what is shown
10 here as the paper material believed to be the tampon
11 as your item number 12?

12 A. Yes, ma'am. It was given an item number and it
13 happened to be number 12.

14 Q. Can you tell us whether or not there was any
15 evidence of DNA biological material on this paper
16 material that was submitted to you for analysis?

17 A. Yes, ma'am. There was blood --

18 MR. MAULDIN: Objection, Your Honor.

19 THE WITNESS: -- indicated on the --

20 MR. MAULDIN: He's not qualified as a
21 serologist, just a DNA examiner. Move to strike.

22 MS. MAYES: I can further lay that foundation.

23 THE COURT: Lay that foundation please.

24

25 BY MS. MAYES:

1 Q. Detective Barron, does your work as a DNA
2 analyst also include testing for potential bodily
3 fluids?

4 A. Prior to becoming a DNA analyst, I was a
5 serologist. So we learned how to test for blood and
6 other body fluids as well.

7 Q. Can you tell us whether that work in serology,
8 identifying bodily fluids before you actually
9 conduct the DNA analysis, is part of your routine
10 work within the DNA lab?

11 A. Yes.

12 Q. Does that include actually testing biological
13 material for the presence of blood or semen prior to
14 your analysis?

15 A. It does.

16 Q. Were you able to do that in this case?

17 A. Yes, ma'am.

18 Q. Were you able to make a finding?

19 A. Yes, ma'am.

20 Q. Have you testified previously, Detective
21 Barron, as an expert in the field of serology?

22 A. Yes, ma'am. Probably over 300 times.

23 MS. MAYES: Your Honor, at this time, we'd ask
24 that Detective Barron also be allowed to give an
25 opinion as an expert regarding his serological

1 findings.

2 MR. MAULDIN: No objection now, Your Honor.

3 THE COURT: Thank you.

4 I'm going to tell the jury I'm going to qualify
5 him as an expert in serology. You can give the
6 weight you see fit to his testimony. Go ahead.

7 BY MS. MAYES:

8 Q. Detective Barron, prior to you actually
9 conducting a DNA analysis on this paper material,
10 what was the first step in your process to try and
11 determine if there was anything of serological or
12 biological value?

13 A. Yes, ma'am. I noted that there was a
14 reddish-brown stain and one of the first things you
15 would do when you see a stain like that is test it
16 for blood. In this case it was positive and then I
17 proceeded to extract it for DNA.

18 Q. So you determine it was positive for blood and
19 then you were able to actually conduct DNA analysis
20 on this item?

21 A. Yes, ma'am.

22 Q. What were the results of your DNA analysis of
23 this item that we're looking at from the crime
24 scene?

25 A. Okay. Here it is. It's a rather lengthy

1 report. Item 12 the DNA matched that of Nicole
2 Sanchez-Peralta, and it is 44 septillion times more
3 likely to be her DNA versus a random individual.

4 Q. Could you give us that number one more time,
5 Agent Barron?

6 A. 44 septillion.

7 Q. 44 septillion?

8 A. Yes, ma'am.

9 Q. Times more likely to be Nicole Sanchez-Peralta
10 than another random person?

11 A. That's correct.

12 Q. You mentioned previously the world population
13 was what?

14 A. Between eight and nine billion.

15 Q. Is septillion larger than a billion?

16 A. Many magnitudes larger.

17 Q. Does this far exceed the current world
18 population?

19 A. Yes, ma'am.

20 MS. MAYES: Beg the Court's indulgence.

21 THE COURT: Take your time.

22 MS. MAYES: Nothing further of Agent Barron at
23 this time, Your Honor.

24 THE COURT: Mr. Mauldin?

25 MR. MAULDIN: Two minutes to hop across the

1 hall and back, Your Honor?

2 THE COURT: You may.

3 CROSS-EXAMINATION

4 BY MR. MAULDIN:

5 Q. So this paper material here, did it have any
6 kind of like name brand of a tampon on it?

7 A. Not that I was aware of.

8 Q. Did you compare it to a bunch of tampons to see
9 if it was a tampon or not? Or did you just kind of
10 assume it was because it was --

11 A. Well, there was an applicator found as well as
12 the paper material that's consistent with that
13 coming from a tampon. And it had blood on it.

14 Q. So your answer is yes, you're assuming it was?

15 A. Yes.

16 Q. Did it have a string on it?

17 A. Not that I recall.

18 Q. Huh. Don't most tampons have strings?

19 A. I guess they do. I don't use them.

20 Q. But you're kind of forced to deal with them
21 from time to time?

22 A. Not many.

23 Q. Do you know how an applicator works?

24 A. No.

25 Q. So you don't know how invasive that would be

1 into a body?

2 A. I assume that it would be invasive.

3 Q. Touch a lot of surfaces that would have DNA on
4 it, wouldn't it?

5 A. It could.

6 Q. Unless it was a robot I reckon. It definitely
7 would.

8 All right. Let's go back here to the car.

9 Let's take that off of everybody's agenda there.

10 All right. Everything is set up now. First
11 things first, preliminary matter, did you receive a
12 known sample from an Allon Adams for comparison to
13 either include or exclude in this case?

14 A. I don't believe I did.

15 Q. Okay. So going back to the car, your item
16 number 4, the driver rear door. You said that was a
17 mixture; is that right?

18 A. Correct.

19 Q. A mixture of how many people?

20 A. I guess it's difficult to tell exactly how many
21 people involved because you can have overlapping
22 sections of DNA.

23 Q. Okay. How many profiles were you able to
24 develop from that mixture?

25 A. Well, a mixture is, in itself, a result. It's

1 not a profile in and of itself.

2 Q. Okay.

3 A. We think of a profile being from a single
4 individual.

5 Q. Okay. So you did do some exclusions from item
6 4; is that correct?

7 A. I did.

8 Q. And that would be Nicole Sanchez-Peralta?

9 A. Correct.

10 Q. Jaylen Wilson, right?

11 A. Right.

12 Q. SA [REDACTED] was excluded?

13 A. Correct.

14 Q. And a Robin Hemingway. But she was excluded?

15 A. Yes.

16 Q. If Ms. Hemingway had a son -- let's say his
17 name is Raylan -- would he have half of her DNA?

18 A. He would if he's a biological son.

19 Q. Because you excluded her, would you be able to
20 exclude him or not? How would that work if you
21 weren't given his sample?

22 A. I couldn't answer that question without his
23 sample.

24 Q. So there's a mixture and then there's unknown
25 DNA there as well. Is that what you're saying?

1 A. Correct. The mixture, when we're dealing with
2 a car seat and how many people got in and out of the
3 car, what did they leave behind, the question is
4 whether or not individuals of interest in this case
5 could have contributed to the DNA mixture.

6 Q. Okay. Well, to help the jury could you step
7 off the stand and write mixture and unknown next to
8 item 4 on the chart? Here you go. Here's a
9 different color pen.

10 A. All right.

11 Q. That's fine. Did you bring your report with
12 you? It might be easier if you just stayed down
13 there.

14 A. Yes. Well, I brought one of them. And that
15 was the gun.

16 Q. Okay. And on item 19, the hair from the front
17 seat belt passenger, that was a mixture as well; is
18 that right?

19 A. Correct.

20 Q. And on that one you mentioned a minor
21 contributor. I know you said that a mixture is its
22 own thing but a -- is that a profile that you
23 develop?

24 A. It can be. But in this case it would have been
25 too weak to associate with anybody.

1 Q. I know you specifically said there was a minor
2 contributor in that one.

3 A. That means there's some other DNA that's been
4 picked up along with that hair, probably from the
5 seat belt buckle or whatever.

6 Q. All right. And that was your item what? 19?
7 Yeah. Could you write a mixture and unknown under
8 item 19 to help the jury out, please.

9 And in that one the minor contributor is too
10 weak to exclude anybody or include anybody from the
11 known samples you have, right?

12 A. Correct. You have to keep in mind that this is
13 very sensitive tests, so it can pick up very, very
14 minor DNA.

15 Q. And on item 24, the passenger rear seat, that
16 was a mixture as well; is that correct?

17 A. Yes.

18 Q. And that was the one where you could not
19 exclude SA [REDACTED]?

20 A. Correct.

21 Q. But you were able to exclude
22 Ms. Sanchez-Peralta, Mr. Wilson, Ms. Robin
23 Hemingway, unknown about her son, and Treveon
24 Nelson. You were able to exclude all of those?

25 A. Right.

1 Q. So that was another unknown?

2 A. Yes.

3 Q. All right. Could you write mixture and unknown
4 to help the jury under that one, please.

5 A. (Witness complies.)

6 Q. And for the same of time, item 27 is similar.
7 Major contributor you have is Nicole Sanchez-Peralta
8 but everyone else is excluded and it's unknown; is
9 that correct?

10 A. Correct.

11 Q. So could you write mixture and unknown on top
12 of that to help the jury out, please.

13 That's fine. You can have a seat. I'll take
14 that back so you don't --

15 Now, there's a thing called CODIS, isn't there?

16 A. There is.

17 Q. Can you tell us what CODIS is?

18 A. It's the convicted offender DNA database. It's
19 a database that is held nationally, centrally
20 located somewhere in Virginia or Maryland, I
21 believe, that's controlled by the FBI. We have a
22 local station by which we upload DNA results that
23 could be compared to anybody in the database or
24 other evidence in the database.

25 Q. And sometimes when you have a -- some DNA that