

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

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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

NAZARETH N SANCHEZ-PERALTA,

APPELLANT

APPELLATE CASE NO. 2023-001588

RECORD ON APPEAL

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INDEX

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

KEVIN BAUM

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

AMANDA METZ

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

ANGELINA PHILLIPS

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

JAN SCARBURY

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

KIANNA BENSON

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

MARGUERITE CRAPPS

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

JASMINE HARRIS

Direct Examination by Ms. Mayes	475
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VICTORIA SHEPARD

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

SHAKI FRANKLIN-JOHNSON

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

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

MIKE PINILLA

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

SHERRY HIGHBAUGH

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

DEMETRA CAUGHMAN

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

PATRICK HAWKINS

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

DAVID JORDAN

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

DEANA BROOKS

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

STEPHEN GRANT

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

BRIGITTE DEGUZMAN

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

CHERLITCH JOJANA PERALTA CERRATO

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

KRISTEN ANDERSON

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

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

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

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

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

Redirect Examination by Mr. Hubbard.....	2093
Recross-Examination by Ms. Mauldin	2097
TRIAL TRANSCRIPT DATED MAY 22ND AND MAY 23RD, 2023	2101

TESTIMONY

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

TESTIMONY

BRANDON MILLER	
Direct Examination Continued by Mr. Hubbard.....	2155
Cross-Examination by Ms. Selert	2166
Redirect Examination by Mr. Hubbard.....	2167

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

TESTIMONY

MICHAEL HENDRIX

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

SEAN SINNOTT

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

DEFENSE MOTION TO ADMIT DEFENDANT’S STATEMENT UNDER THE EXCITED UTTERANCE EXCEPTION TO HEARSAY BY MS. MAULDIN	2193
RESPONSE BY MS. MAYES	2193
COURT’S RULING DENYING DEFENSE MOTION TO ADMIT DEFENDANT’S STATEMENT	2196

TESTIMONY

SEAN SINNOTT

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

DEFENSE RESTS	2199
DEFENSE RENEWS MOTION FOR DIRECTED VERDICT BY MS. MAULDIN	2199
COURT’S RULING DENYING DEFENSE MOTION FOR DIRECTED VERDICT	2200
CLOSING ARGUMENT BY MS MAULDIN	2202

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

CERTIFICATE OF COUNSEL	2687
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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).**

STATEMENT BY MS. ADAMS

1 the case. It makes me madder that, even after all of
2 this had been done that, and that the truth still
3 should be told, that they still try to say that she was
4 kidnapped. She was not. She was not coerced. She had
5 every chance to get out of the car with him whenever
6 they came to our property after this happened. She had
7 every chance. And I feel like she deserved --

8 MS. MAYES: Your Honor, just to clarify,
9 she's referencing Nicolle. Nicolle.

10 THE COURT: I got it.

11 MS. MAYES: One of the stories that she had
12 reported to law enforcement was that she had been
13 kidnapped or held under duress.

14 MS. ADAMS: They said that today, Allon
15 kidnapped her. They said that today. I have been here
16 since 9:30. They said that today.

17 MS. MAYES: And just to clarify, I think that
18 at the close of the trial we had presented evidence
19 that she was never actually at the home of Allon Adams
20 after this occurred, that that was a false statement.

21 MS. ADAMS: Thank you for verifying that.

22 THE COURT: And I remember.

23 MS. ADAMS: And it may not seem like anybody
24 cares, but I do. I do. Every day I go past that road.
25 For two years I have not been able to sleep in my house

STATEMENT BY MS. ADAMS

1 at night, not even for a tiny moment. And I go out
2 there and I keep it clean out there. I even planted
3 flowers, because I don't want them to have to go out
4 there and see a hole in the ground. I put African
5 Violets out there for her. And anybody that feels like
6 this is okay and making excuses, y'all need some
7 choices. Y'all made y'all's bed, y'all got to lay in
8 it. I want everybody to get the max, everybody.
9 Everybody had their hand in it. They can have
10 rehabilitation while they are on the inside. Get help
11 while they are on the inside. Because the outside
12 could not help them or they wouldn't have did what they
13 did to her and keep lying about it.

14 THE COURT: Thank you. Thank you for coming.

15 MS. ADAMS: Thank you.

16 MS. MAYES: Your Honor, on the overhead we do
17 have a photograph of the press, the press conference
18 that was held by Sheriff Lott that a manhunt was
19 underway for Treveon Nelson. I believe the community
20 member that you just heard from, Ms. Adams, was
21 addressing that. There were, out on [REDACTED] Road,
22 helicopters. There was a massive manhunt underway
23 looking for Treveon Nelson. That went on for some
24 period of time until he was ultimately apprehended.
25 And as she said, the community played a big role in

STATEMENT BY DETECTIVE BAUM

1 that. First, getting word out to his family that he
2 was wanted. And then, ultimately, finding him there in
3 the woods in that wooded area.

4 And next, Your Honor, we have from the
5 Lexington County Sheriff's Department Detective Pablo
6 Carvajal and Detective Kevin Baum, who both played a
7 key and lead role in this investigation.

8 DETECTIVE BAUM: Good afternoon, Your Honor.

9 THE COURT: Good afternoon.

10 DETECTIVE BAUM: I wrote it out so it is
11 going to be easier for me to just read it to you.

12 THE COURT: Okay. Well, you go right ahead.

13 DETECTIVE BAUM: So, Your Honor, I just want
14 to start by thanking you for giving us time to speak
15 today. With the amount of people that wish to stand up
16 here and speak, I am going to try to make it brief for
17 you. I would like to start by sharing my story, my
18 experiences very briefly. So I started my career in
19 2011 as a rookie police officer in the City of
20 Columbia.

21 So for the first decade of my career I was a
22 beat cop. I had a patrol area. Every shift I answered
23 the phone, services ranging from broken down vehicles
24 to someone desperate for help because they had just
25 been shot. Every day was a new experience and every

STATEMENT BY DETECTIVE BAUM

1 day my eyes opened further. I honestly believe most
2 people see the world with blinders on. I believe there
3 are personal acts of heroism and unspeakable acts of
4 evil. The best in us, and lastly the worst in us.

5 This case, Your Honor, I believe that this
6 case is about the absolute worst if you listen to
7 today's testimony and the overwhelming evidence leading
8 to these three pleading guilty of praying on the victim
9 in this case. SA [REDACTED] was a 15 year old girl
10 who was lured out of her home by her best friend,
11 kidnapped, stripped of her phone, and taken to a dark
12 field in the middle of nowhere. She was brutally
13 beaten, interrogated, and shot over and over and over
14 again. This wasn't a spur of the moment decision.
15 This was a violent crime, planned crime, laid down and
16 executed.

17 We are here today for you to impose a
18 sentence on these defendants for this crime, the loss
19 of life over what, Your Honor? Over nothing. SA [REDACTED]
20 actually did nothing to deserve this. I implore you to
21 not let the age of the defendants lessen the Court's
22 sentence of them. Nicolle Sanchez-Peralta was not a
23 helpless little girl who sat here in court and tried to
24 fool jurors to believe. They saw right through her and
25 I believe you did too.

STATEMENT BY DETECTIVE BAUM

1 Her own words to me when I interviewed her,
2 she would have never came forward about her best friend
3 being murdered, best friend she lured into a stolen
4 vehicle. Same vehicle she stole to be used in this
5 murder. She is not a victim, Your Honor. She is the
6 absolute worst.

7 Treveon Nelson, who only plead guilty after
8 his lawyers told him that they had seen the evidence
9 and knew there was no other way, no way they could make
10 the jury believe he isn't guilty. And then after
11 pleading guilty he sits down with us and went into a
12 lot about what happened that night. He put it all on
13 Nicolle and said Nicolle shot SA [REDACTED] over jealousy and
14 whooped up on SA [REDACTED] in a fight. He tried to tell us
15 Jaylen was not at the murder scene and he had no idea
16 that it had taken place. Lies, Your Honor. He is the
17 absolute worst.

18 Jaylen Wilson, the one who only plead guilty
19 after his lawyers sat through Nicolle's trial and heard
20 what evidence was being presented. He took no
21 responsibility to plea. He took the plea as instructed
22 by his lawyers. He used his own mother's linens to
23 wrap SA's [REDACTED] feet and drag her lifeless body to the
24 woods. He is the absolute worst, Your Honor.

25 And, Your Honor, I have had time to reflect

STATEMENT BY DETECTIVE BAUM

1 on this case and I have tried to put myself in SA's
2 parents' shoes, having two children of my own I have
3 tried to imagine what it would be like to lose one.
4 The only thing I can come up with (inaudible). The
5 thought that I would never see my daughter's face again
6 or hear my son laugh was unbearable. In reality I
7 don't know what it is like and no one should. No
8 parent should ever outlive their children.

9 I know that today's proceeding is a
10 conclusion for us at the Sheriff's Department and
11 Solicitor's Office and the courtroom, but for SA's
12 family, friends, and loved ones, I don't think it will
13 ever be over. They say all time -- they say time heals
14 all wounds. I honestly don't think that this wound
15 will ever heal. We are here for justice. And justice
16 is defined as ethical, philosophical idea that people
17 are treated partially, fairly, properly, and reasonably
18 by the law. Your Honor, in my opinion, there is only
19 one fair and proper outcome in this case, if justice
20 prevails, is going to be life in prison.

21 These defendants forfeited the right to live
22 in society when they kidnapped, beat, and shot a 15
23 year old girl, SA [REDACTED]. Thank you.

24 THE COURT: Thank you.

25 MS. MAYES: Detective Pablo Carvajal.

STATEMENT BY DETECTIVE BAUM

1 THE COURT: Detective.

2 DETECTIVE CARVAJAL: Good evening, Your
3 Honor. Nice to see you.

4 THE COURT: Nice to see you.

5 DETECTIVE CARVAJAL: I want to take a minute
6 to talk about SA [REDACTED]. SA [REDACTED] turned 18 years old 24 days
7 ago. Twenty-four days ago. At 18 she would have been
8 a senior graduating high school, maybe planning to
9 attend college or getting a job. At 18, maybe joining
10 the military was an option, or just travel. Obviously
11 none of that happened. Instead she's been dead for
12 over three years.

13 Two years ago I found SA [REDACTED] buried in a
14 shallow ditch in a dirty field in Leesville. A field
15 that is less traveled, no marker, no flowers, nothing
16 to remember who she was, who laid there in a simple
17 spot. That is how I found her. She was covered in a
18 brown pokey dotted blanket, one she brought from home
19 to keep her warm on the day she was killed. As I
20 walked the field I found her pink Crocs, typical color
21 for a 15 year old, destroyed at worst. I wondered,
22 maybe she would have liked that movie Barbie because of
23 her like for pink.

24 At her grave I asked the Lord to bless her.
25 And I told her, SA [REDACTED], we will bring you home. For a

STATEMENT BY DETECTIVE BAUM

1 second I thought about my daughter and my heart
2 ruptured thinking what I would do if I lost her. Then
3 I thought of her house and the sadness we were about to
4 bring upon it. Within minutes a bunch of my
5 colleagues, who are all here, ascended on that field
6 and we worked it. We worked it. We worked that field
7 all night. On our hands and knees we sifted through
8 that dirt and brought her home.

9 I don't want to tell you what to do, Your
10 Honor, what should happen to the defendants. I don't
11 envy that responsibility that you have. I carry enough
12 weight on my shoulders. After all of these years in
13 investigating violent crimes, I still don't understand
14 how people, how kids can hurt each other so much. Now,
15 I want to speak to you like a dad. But what I do want
16 you to consider is what happened to SA [REDACTED], and what is
17 happening to her family forever. The pain will never
18 dull. But maybe, maybe knowing that the people who
19 ripped their child from their heart will never see the
20 light of day, maybe it'll ease that pain. If it does,
21 they deserve that.

22 Your Honor, I trust that you will administer
23 and judge an appropriate sentence. Thank you.

24 THE COURT: Thank you Detective.

25 MS. MAYES: Judge, as you heard, SA [REDACTED] was a

STATEMENT BY DETECTIVE BAUM

1 native of New Jersey. That is where her father's
2 family is located. Actually when they came here to
3 South Carolina they thought that they were going to be
4 free of some of the violence that is often seen or
5 talked about in New York and the suburbs of that area,
6 and Newark being very close by.

7 Your Honor, following the murder of SA [REDACTED], a
8 statement was released on behalf of the City of Newark
9 and Mayor Ras Baraka. As an official press release,
10 Your Honor, he states, "On behalf of the people of
11 Newark, I would like to express my sincere condolences
12 to Sharif Amenhotep on the tragic loss of his beautiful
13 and intelligent daughter, SA [REDACTED], who was
14 kidnapped and murdered in South Carolina. Mr.
15 Amenhotep works tirelessly to increase justice and
16 reduce violence in our neighborhoods through our Brick
17 City Peace Collective helping us to reimagine our
18 public safety and prevent tragedy such as this from
19 taking place in our very own community."

20 "No parent should ever have to bury their
21 child. It is an inexplicable loss that defies
22 imagination. We hope that the South Carolina
23 authorities can bring the suspect in this case to
24 justice. Our entire city is joining with the Amenhotep
25 family in their grief and pain."

STATEMENT BY DETECTIVE BAUM

1 And as I stated, Your Honor, the family is
2 very well known in Newark, New Jersey for their work in
3 anti-violence programs. And SA [REDACTED] was a part of that
4 as a child growing up. And she grew up participating
5 in some of these community events asking to take
6 actions against violence. And there's a Youtube video
7 that we are going to share with the Court at this time.
8 This Youtube video was actually focused on SA [REDACTED] as a
9 student active at the young age of 12. And in this
10 video she speaks about what her goals are for the
11 future. And it is so compelling, Your Honor, to watch
12 this video and to realize that she's no longer here
13 with us now.

14 (Youtube video playing.)

15 MS. MAYES: Eleven years old, Your Honor.
16 Honored there as one hundred people in Newark, New
17 Jersey who is being recognized as part of that
18 campaign.

19 And now, Your Honor, we are going to ask her
20 family to come forward. First, Your Honor, there will
21 be a statement on behalf of her sister Sister [REDACTED]. Sister [REDACTED]
22 is here. She was in the courtroom earlier this
23 morning. Your Honor, she had to leave. She is not
24 going to be able to be in here for this. But she typed
25 her statement and I ask that we may read that on her

STATEMENT BY DETECTIVE BAUM

1 behalf.

2 THE COURT: Okay.

3 MS. MAYES: Your Honor, you heard from **Sister**
4 during the trial. She's been very brave throughout
5 this, not only testifying in the general sessions
6 trial, but also testifying in that family court
7 proceeding. She was only 13 --

8 THE COURT: I remember.

9 MS. MAYES: -- when this happened. Thirteen
10 years old. She was the last person to see her sister
11 alive that night. She's haunted by everything that
12 occurred that night. And knowing that when **SA**
13 walked away, not only is that the last time she would
14 ever see her, but she had no idea what was happening to
15 her.

16 Your Honor, as you heard, **Sister** is here, but
17 **Sister** asked me to express what she wanted to say to
18 the Court. **Sister** was 13 the last time she saw **SA**,
19 and she's 15 today. She continues to miss her sister
20 everyday. And she has to wake up to the realization
21 that she will continue everyday forward without her
22 sister. The words from **Sister**, "My sister was a great
23 person with a big heart. She was my right hand, my
24 best friend, my go-to. She was my everything. She was
25 the one person I knew without a doubt would do anything

STATEMENT BY DETECTIVE BAUM

1 for me, and I could trust her with anything. The day I
2 lost her, I lost myself."

3 "She would most certainly do anything for the
4 people she loved. But she often loved and cared for
5 the wrong type of people. She was too good of a friend
6 to an evil, jealous-hearted monster who she thought
7 loved her and was a friend to her. I witnessed my
8 sister give Nicolle the clothes on her back, literally
9 gave her a place to stay. And even when my mom said
10 Nicolle needed to leave, SA [REDACTED] slept outside of our
11 apartment complex with her to make sure that she was
12 okay."

13 "SA [REDACTED] even got upset and argued with my
14 mother, with her own mother, when she thought that she
15 was not looking at Nicolle in the same light that SA [REDACTED]
16 did. And then in return this is what Nicolle does. I
17 always knew that she was jealous, but I didn't think
18 that she would take it this far. And the banterment
19 (phonetic) they did, it was vicious and cold."

20 "The other two, who are monsters as well, who
21 also participated in murdering my sister, they are just
22 as evil. SA [REDACTED] was 15 and did nothing to any of them.
23 And the fact they have no remorse just shows how wicked
24 and savagely they really are. People like them do not
25 deserve to be out in this world. I hope they never see

STATEMENT BY DETECTIVE BAUM

1 the light of day or their family ever again, just like
2 I will never see my sister, my other half." And that
3 is Sister [REDACTED].

4 THE COURT: Thank you.

5 MS. MAYES: Your Honor, Sharif Amenhotep.

6 THE COURT: Good afternoon.

7 MR. AMENHOTEP: Good afternoon, Your Honor.

8 My name is Sharif Amenhotep. I'm the father of SA [REDACTED]
9 [REDACTED], my beautiful princess SA [REDACTED]. We
10 named her SA [REDACTED], the work of art, the beautiful work of
11 art. And her middle name is SA [REDACTED], forgiver. And
12 Amenhotep means peace. The root word Amenhotep means
13 peace.

14 Myself for the past 20 years, I have been a
15 peace activist with the City of Newark, fighting
16 against violence, organizing hundreds of rallies in my
17 city. I never thought a day that I would be standing
18 before you speaking against my own and suffering the
19 tragedy that I have seen so many other families suffer
20 throughout this country.

21 This is not just a tragedy, this is a tragic
22 crime that is motivated by hate. It is a hate crime.
23 Not in the sense of someone targeted or killed because
24 of the color of their skin, but hate in the sense of
25 betrayal. The greatest loss that you can suffer is

STATEMENT BY DETECTIVE BAUM

1 when someone betrays you. Someone that you considered
2 as your friend, that you befriend, and motivated by
3 hate, motivated by jealousy.

4 And to look for remorse in this case and to
5 look for mercy in the case when my daughter pleaded for
6 her life. She pleaded for mercy. She pleaded for
7 remorse. And they had no remorse. They had no mercy
8 for her. When you look at crimes among young people,
9 this is top. I have never, ever witnessed the manner
10 in which my daughter was murdered and killed. I can
11 accept death, we all have to die some day, but the
12 manner in which my daughter was murdered I can never
13 accept and never wrap my head around that.

14 And my family is shattered for life. And now
15 Mahari, my oldest daughter, she had six younger
16 siblings, six younger sisters and two younger brothers
17 that looked up to her. She was the oldest and they
18 could all look up to her. And they will never be able
19 to see their sister again. She was just not a
20 daughter, she has community, family members that love
21 her. We will never get the opportunity like these
22 young men and women will to see their family again. We
23 will never be awarded that opportunity again. They
24 took that from us and shattered my life.

25 In doing this work, part of my job is I work

STATEMENT BY DETECTIVE BAUM

1 for the City of Newark, I work in the Office of Bias
2 Prevention and Trauma Recovery. This makes my job so
3 hard to now do the work. I become so discouraged after
4 this happened to me. Why me, why my family, why us?
5 When we look at violence, violence is a public health
6 issue. It is a disease that is in the hearts and minds
7 of young people all over the nation.

8 So you say justice, we look for justice, what
9 is going to be justice for us? Justice is them going
10 to prison for the rest of their life. Justice that
11 they can never, ever be able to inflict harm upon
12 another family to feel the pain that I feel as a father
13 who is supposed to be able to protect their daughters,
14 to keep them safe, and I wasn't able to do that.

15 But I'm here today to protect my daughter, to
16 make sure that she gets justice. Make sure that what
17 happens to her don't happen to another family. That is
18 what we ask for, that they cannot inflict their harm
19 and this pain and suffering on another people like they
20 have us. We have to endure this pain and sit in court
21 proceedings and trials. People don't know what it's
22 like. You know, this is the life that we live. The
23 pain, when does it stop? How does it stop?

24 Is jail the answer? Most people receive
25 corporal punishment for the crimes that they have

STATEMENT BY DETECTIVE BAUM

1 committed. But what frightens me is scary, but they
2 are not alone in this. There is hundreds of other
3 young people who are just like them. There are
4 hundreds of other killings that followed behind that.
5 So as a community we are wrapped around, not just
6 around tragedy, more proactive and revenge, to stop
7 this from happening, to stop these young people from
8 doing what they have done to my daughter.

9 But as for them, like, I can't see any mercy,
10 no remorse. They had no remorse for my daughter. She
11 pleaded and cried for her life. They beat her and
12 tortured her and murdered her. They buried her. Cold,
13 calculated, premeditated murder, nothing less. All
14 designed by a person that she considered to be her
15 friend. A friend would have never allowed those things
16 to happen. She could have prevented that from
17 happening.

18 She started this. She put those seeds of
19 hatred in their head. With no proof. How is this your
20 best friend and you gonna say that she's responsible
21 for this man's house being shot up? With no evidence.
22 This is your best friend. You put that in their heads.
23 How could you suggest that to them? But this is your
24 -- you say this is your friend. This is the greatest
25 tragedy. Someone that you considered your best friend

STATEMENT BY DETECTIVE BAUM

1 to take you out knowing what is going to happen to you
2 and murder you.

3 Those type of things that I can't reason
4 with. So send a message out to other young people
5 watching, call your friends, the people that you meet
6 in life, you can end up with not even just the wrong
7 decision, not one, but many that follow over and over
8 and over again. So we have to support it to make sure
9 that they never, ever be able to inflict this type of
10 pain and hurt on our family or any other family.
11 Protect society against this type of hate.

12 THE COURT: Thank you, Mr. Amenhotep.

13 MS. MAYES: Your Honor, Saleemah
14 Graham-Fleming, as you may be aware, has become very
15 active in the midland community in multiple
16 anti-violence programs. She's worked with the media
17 and done numerous podcasts and special presentations.
18 I believe she's been on probably every local TV station
19 talking about the youth initiative that she's a part of
20 across the midlands to prevent gun violence and youth
21 violence. She is also a member of Moms Demand Action.
22 We have many other members also present, and in the
23 courtroom and watching on live stream as well, Your
24 Honor. And Moms Demand Action is certainly devoted to
25 anti-violence and anti-gun violence within the

STATEMENT BY MS. GRAHAM-FLEMING

1 community. Saleemah Graham-Fleming, Your Honor.

2 THE COURT: I will be happy to hear from you.

3 MS. GRAHAM-FLEMING: Thank you. Your Honor,
4 I am going to try to keep my conversation just to you.

5 THE COURT: That will be fine, that is who
6 you are supposed to be talking to is me.

7 MS. GRAHAM-FLEMING: As you can see, I have a
8 black NOS t-shirt and blue jeans, pink Crocs and
9 blanket. This is what my daughter had on at 10:40 in
10 the evening of April 25th. I called the police, I was
11 frantic. I could feel that something was wrong, I knew
12 it. I didn't know the magnitude of what was wrong, but
13 I just knew that something was really wrong.

14 It would take law enforcement 16 days to
15 really know how serious it was. Looked for my daughter
16 for 24 days, 24 days. Going to work with your head on
17 a swivel hoping to see your kid walking down the curb.
18 The last time I saw SA [REDACTED] was the last time I saw
19 SA [REDACTED]. I never got to view her body. I didn't get to
20 ID her. When I shipped her body to New Jersey I
21 couldn't open the casket. I couldn't do it. When the
22 Coroners told me that my daughter was dead and that she
23 had been buried, they told me that nothing happened to
24 her face and I knew it was a lie. They told me that
25 all she did was get shot a number of times, and I knew

STATEMENT BY MS. GRAHAM-FLEMING

1 that that was a lie.

2 Because, unbeknownst to this Court, what was
3 not in testimony, was the things leading up to what
4 happened, how these defendants were in my home days
5 before they killed my daughter. How they did something
6 called baiting. I work with young people. You heard
7 that I work with DJJ, so I know that young people do
8 something called baiting. And what that is is they do
9 like this little tug of war thing to get people
10 comfortable. So SA [REDACTED] is missing and then she is on
11 her way home -- or I'm calling another incorrigible --
12 and then she's at the door.

13 One day, and I am going to try to put this
14 all in chronological order the best way I can. It is
15 really on my heart. Some of the dates are just etched
16 inside of me. Let me just talk about sixth grade when
17 SA [REDACTED] was diagnosed with dyscalculia. And if anybody
18 knows what that is, it is liken to dyslexia, right,
19 where the words are kind of jumbled, but with numbers.
20 Which means that SA [REDACTED] had problems with directions and
21 giving addresses. So when I heard the story about her
22 giving someone's address I knew that it was false.

23 One, because I came to South Carolina in
24 August of 2019. SA [REDACTED] went home to visit with her dad
25 in December of 2019 and didn't come back until right in

STATEMENT BY MS. GRAHAM-FLEMING

1 the middle of the pandemic, which was March 25th, 2020.
2 We were in quarantine, nobody could move. SA didn't
3 go outside until late June.

4 How did she end up in Epworth Children's
5 Home? SA and I had a physical altercation because I
6 was trying to stop her from going outside. Ironically
7 enough, it was a trigger of SA because before we
8 moved to South Carolina SA was sexually assaulted in
9 New Jersey. And that altercation happened a year to
10 the date. She was triggered and I didn't know it.
11 That altercation landed her in Epworth. Me not knowing
12 what to do and looking for resources, it was DSS's job
13 to assist me with my daughter.

14 I had to do a specialized interview at
15 Epworth. And they told me that my daughter had a
16 runaway history, that she couldn't stay there because
17 no one there had that history. Unbeknownst to me, so
18 one of the defendants in this case, same thing, but was
19 there with a runaway history. Up to that point my
20 daughter had never run away in the State of South
21 Carolina until she met the female defendant in this
22 case. They ran away together twice in the month of
23 September 2020. I pulled SA out on October 1st of
24 2020.

25 Before the holidays can approach, I remember

STATEMENT BY MS. GRAHAM-FLEMING

1 meeting the female in this case. I remember learning a
2 little bit about some of the things she told SA [REDACTED],
3 which really made SA [REDACTED] dear to her. I wrote a book
4 ten years ago called *When God was Effervescent*. I come
5 from some of that same harsh background, harsh
6 upbringing, that some of these people talk about coming
7 from being abused, being beaten unconscious, locked in
8 closets. Things like that happened to me. I wrote it
9 in a book. So, of course, SA [REDACTED] would be drawn to
10 someone telling her similar things, and feeling like in
11 some way she is vicariously helping her mother helping
12 a young person with similarities like those.

13 The week before Christmas, the female in this
14 case came to my door dressed in a little pair of shorts
15 and a white T-shirt, part of the reason why I was in it
16 earlier today. And I knew she was being deceitful.
17 She told a story about how she was getting victimized
18 by one of the male defendants here. Obviously the
19 older gentleman. I told SA [REDACTED] I would allow her to
20 stay, but she has to locate her parents. We tried and
21 tried and tried to get those parents on the phone, to
22 no avail. After forty-eight hours I told her she had
23 to go. Ironically she ended up back with the male
24 defendant in this case. At that point I told my
25 daughter to stay away from this individual. Something

STATEMENT BY MS. GRAHAM-FLEMING

1 in the midst wasn't clear.

2 This young person would come to my house
3 again and again, and then I would learn that all three
4 of these people would come to my house, coincidentally
5 when I'm not there. I told SA [REDACTED], If these people
6 can't let me see them, you don't need to be around
7 them. Of course SA [REDACTED] wanted to help.

8 January between the 4th and the 7th, I looked
9 for SA [REDACTED], she had never been gone for 15, 16 hours. I
10 looked for SA [REDACTED]. And right at the 15th hour she
11 called me on the phone and says, Mom, can you pick me
12 up from a hotel in West Columbia? I do such. It is at
13 that time that me and SA [REDACTED] had the baiting
14 conversation. Maybe two weeks after that, I came home
15 to find miss -- the female defendant at my house. I
16 had asked her to stay away from my daughter and to stay
17 away from the house.

18 I told my daughter to stay away. But every
19 time I wasn't around, I'm at work, I'm doing something
20 for the community, I'm at church, this individual will
21 come around and pull on SA's [REDACTED] heart strings. And
22 SA [REDACTED] will tell me one morning after leaving her, after
23 sleeping outside with her with blankets from my house,
24 Mom, you don't turn your back on your friend. And I
25 said, SA [REDACTED], at 40 something years old I know who my

STATEMENT BY MS. GRAHAM-FLEMING

1 friends are, but that didn't come easy and friends
2 won't put you in compromising situations.

3 February, got a package, I was excited about
4 showing my daughter. Another call. Mom I'm stranded,
5 they won't bring me back. SA [REDACTED], stop going over --
6 stop going with them. This is baiting. This is
7 baiting. But, Mom she was crying, she was hurting, she
8 was beaten. She would go again and again and again.
9 Friday before my girl was gone for good, they came
10 again. I sent an Uber to go and get my girl at 2:00 in
11 the morning, but she ended up back again.

12 When that phone rung and it went to the voice
13 mail and I never got a text, I knew something was
14 wrong, bad wrong, and I knew it. I still went to work.
15 I knew that I had to find the female defendant because
16 she was the last person that I saw my daughter with.
17 She called me on the phone two days after she killed my
18 daughter. I asked her where was SA [REDACTED]. Her response,
19 What you asking me for, your daughter get in the car
20 with anybody, any man. I cut her off. My daughter's
21 character is not on trial here. Where was my baby. I
22 said, You have got to understand, I am her mother.
23 Well, I don't know, I don't know, she was with a guy,
24 she was with her boyfriend, she was with her boyfriend.
25 That was always -- but she never felt sorry or even

STATEMENT BY MS. GRAHAM-FLEMING

1 concerned. I know she was behind it all. I know it.
2 I know it.

3 Forgive me if I'm not moving fast enough, but
4 you have got to understand I have been waiting for this
5 day for almost two and a half years, since the autopsy
6 report on October the 8th, 2021 to do right for my
7 baby. The nightmares, the medication, the back and
8 forth trauma, but what is worse is like, I found
9 SA's [REDACTED] body, and Sister [REDACTED], I feel like I lost two kids
10 at one time. I looked at (inaudible), God bless, she
11 passed away two weeks ago. Her daughter was killed too
12 at 15. You never get over it. My baby said, Mama just
13 do it for me. Even though I knew that these people
14 were no good. She said, Mama.

15 And right before they killed my baby, we got
16 into one of those riffs that mothers and daughters get
17 in, and she said, I guess now you are not going to help
18 me. And I looked at my baby and said, Girl I will do
19 anything to help you. So that is why I'm in here.
20 Love makes you do some crazy things. And love can make
21 you get on TV. Make you have to learn that your
22 daughter is savagely murdered. Telling your story over
23 and over and over again, trying to help other girls
24 like my daughter, other kids that might be roaming
25 around with people like this, this type of psyche. The

STATEMENT BY MS. GRAHAM-FLEMING

1 lack of remorse hurt on top of it.

2 My mother used to say, Every tear is not
3 sincere. And you sit there and in the back of your
4 mind, You are only sorry that you got caught. Why, why
5 her? Why her? Why SA [REDACTED]? They knew other kids. They
6 know other girls. I was in my house walking around in
7 my bedroom right before they did it. They knew that
8 there were firearms present, even though violence
9 amongst our family, no violence, no history of it, and
10 she is from New Jersey, she doesn't know these woods,
11 nobody is going to be able to find her. That is why.

12 She was the youngest one out there and her
13 age -- she was the youngest person out there. And to
14 hear details about what was going to happen to you, I
15 know that she had to hear my voice. I heard testimony,
16 You are going to kill me anyway, just let me call my
17 mother. I have got to see this every day. I'm asking
18 you to give them the same mercy they gave my baby. My
19 baby slept outside while I paced the floor worrying.
20 She trusted them. He wasn't even a person to be mad
21 at.

22 I don't want to address these people. The
23 female defendant yells at the oldest male, Ain't good.
24 Nicolle, 17 year old, they came absent and rejection.
25 And whenever I think what they did was so callous. I

STATEMENT BY MS. GRAHAM-FLEMING

1 can't call them by their names. The only soldier out
2 there was my baby. I wonder how they know, a
3 16-year-old working at home, because I know they didn't
4 know that SA [REDACTED] had a fight with her about her
5 boyfriend she left out of my house with to sleep with
6 in his car. Maybe she is at the address, but because
7 he's -- and because the history is the female was a
8 stranger to her mother and (inaudible).

9 Maybe it wasn't just about somebody's child,
10 but jealousy has a funny way of being, I want what you
11 want, or I don't want what you want, I just don't want
12 you to have it. I ask that all of the -- I'm thankful
13 for this day, because there is so many parents that
14 don't get it. So many parents that don't get this day.
15 Thank you so much.

16 THE COURT: No, thank you, Ms. Fleming.
17 Thank you.

18 MR. HUBBARD: Your Honor, that is all that we
19 have.

20 THE COURT: All right. Let me get Mr.
21 Brunson, if y'all could move over, I am going to get
22 Ms. Peralta to come up, please.

23 MR. HUBBARD: Your Honor, one question. We
24 are fine, Your Honor.

25 THE COURT: All right. Ms. Mauldin, I'll

STATEMENT BY MS. GRAHAM-FLEMING

1 give you the opportunity to respond.

2 MS. MAULDIN: Thank you, Your Honor.

3 THE COURT: Thank you. We are going to move
4 on. I have set Ms. Peralta's case aside and I am
5 moving on to Treveon Nelson, which is 2021A3210201232,
6 3334, and 35, I believe.

7 All right. Ms. Zmroczek, I will be glad to
8 hear from you.

9 MS. ZMROCZEK: Thank you, Your Honor. I want
10 to start off. I know that this is unusual, and I
11 understand the reasons why we are doing it. But I want
12 to -- as I start off my presentation, but I did mark
13 and make it a Court's exhibit. And I have cleared it
14 with the Solicitor's Office as well. And I gave you a
15 previous copy.

16 THE COURT: Your sentencing packet.

17 MS. ZMROCZEK: The sentencing memorandum
18 packet an exhibit.

19 THE COURT: I have it. I have got a copy of
20 it, yes, ma'am. All right. So, that is Court's
21 Exhibit No. 1 for Mr. Nelson.

22 MS. ZMROCZEK: It is.

23 *(Whereupon, Court's Exhibit No(s). 1 marked*
24 *for identification and received in evidence.)*

25 MS. ZMROCZEK: And, Your Honor, as I am going

STATEMENT BY MS. GRAHAM-FLEMING

1 my presentation, and I know that I don't have to remind
2 you, but I think for the benefit of, you know,
3 especially Mr. Nelson's family who has been here all
4 day and they have been very concerned because all that
5 they have heard about is the unconvicted,
6 non-convictions of DVs and other csc allegations. And
7 I know that you have explained it to us in chambers as
8 well and pretty much on the record, but when you say
9 "individualized hearings," you are considering -- you
10 are not considering anything in other hearings except
11 for facts that are presented by the State and facts
12 that are presented by Mr. Nelson?

13 THE COURT: Right. I mean, this is a three
14 codefendant case where a young girl was murdered. Your
15 client has plead guilty to it. Ms. Peralta was found
16 guilty. And Mr. Wilson was also pled.

17 MS. ZMROCZEK: I think that he pled, yes.

18 THE COURT: I mean, in this case it's hard
19 not to consider the three as a whole because, you know,
20 according to all of the testimony they all had certain
21 roles and parts and participation. But as far as I did
22 not want to stand up here and sentence them all three
23 together, I wanted to do it separate. I wanted to hear
24 from each codefendant. I have got one family, because
25 I have got one victim. And I'm not going to make them

STATEMENT BY MS. GRAHAM-FLEMING

1 stand up here and tell me how they feel three different
2 times today. I'm not going to do it.

3 So I will make the State's presentation and
4 the victim impact from all -- for everybody's record,
5 but individualized, I am just trying to find out what
6 role everybody played. So I can figure out what is the
7 right thing for this Court to do and how to sentence.

8 MS. ZMROCZEK: Thank you. And I certainly am
9 aware of that, we appreciate it. And I think that
10 it'll ease everyone's mind.

11 THE COURT: Okay.

12 MS. ZMROCZEK: I wanted to put that out
13 there. And, Your Honor, as I get started with my
14 presentation I wanted to address something that I think
15 you just addressed. There is a deceased girl in this
16 case, and I know that it is -- I know that that is why
17 we are all here. And I know that that ramps up
18 everyone's emotions. And I think that the family
19 should be told, at least by us, about the remorse. And
20 I think that they will hear that, Your Honor. Because
21 no matter what happens from here on out, nothing that
22 anybody can do can bring this young lady back. And we
23 understand that and we are sincerely apologetic for it.

24 We, meaning the team for Mr. Treveon Nelson,
25 which is myself, of course, Brian Petrie (phonetic), my

STATEMENT BY MS. GRAHAM-FLEMING

1 private investigator. He works in my office now. And
2 Brie Rust who does -- we hired her as our mitigation
3 specialist.

4 THE COURT: Okay.

5 MS. ZMROCZEK: Your Honor, this team that we
6 have put together, and since the day that I was
7 appointed to Treveon, we have been trying to work
8 toward what is a just solution in this case. And, Your
9 Honor, in this case we believe, for Mr. Nelson, that 30
10 years on the murder day for day is a just sentence.
11 And I'll explain why.

12 And, Your Honor, as we talked about, Court's
13 1 which I gave you a copy of previously, which I know
14 it has been admitted, was our sentencing memorandum.
15 And I will be referring to a few things in there. But
16 the first of which that I think carries throughout the
17 day for all of the family members and for the State and
18 all of the work that they did is to know that this is a
19 tragedy, that nobody wins here. And it is difficult
20 and we know that. We know the differences of being
21 able to visit a family member in prison versus having
22 to go to a landmark or just praying. We understand
23 those differences.

24 Your Honor, there are some things that I do
25 want to talk about when it comes to Mr. Nelson. We

STATEMENT BY MS. GRAHAM-FLEMING

1 have been here all day on a Byars Miller hearing for
2 Ms. Peralta because she was 16 at the time. Mr. Nelson
3 was 76 days past his 18th birthday. Had this happened
4 70 days, 77 days, we would be having another family
5 court waiver hearing, another hearing.

6 And as I was listening to Dr. Knight testify
7 and just preparing the sentencing memorandum, as you
8 look at the sentencing memorandum you will see that it
9 follows the outline of the Aiken Miller, Aiken V Byars
10 and Alabama V Miller cases. Because, Your Honor, the
11 truth of the matter is, it is not like you turn 18 and
12 you all of a sudden gain all of this wisdom and all of
13 this maturity, and all of this knowledge. Because that
14 is clearly not what happened.

15 And if you look at Mr. Nelson's record,
16 particularly his school record, Your Honor, it talked
17 about the teachers identifying his immaturity in class,
18 in classrooms. Your Honor, he was -- and especially on
19 page three it talks about, you know, his school
20 attendance, how it was a problem, but also his records
21 reflect that he was often cited for immature and
22 short-sided offenses. So even though chronologically
23 he was 18, Your Honor, where he falls on that
24 adolescent scale is certainly closer to the adolescent
25 issues that you have heard about.

STATEMENT BY MS. GRAHAM-FLEMING

1 We being Mr. Petrie and I, spent hours and
2 hours and hours with Mr. Nelson when we first got
3 assigned this case, of course. And, Your Honor, one
4 thing that to me really made a change in this case is
5 when I first met with him and was able to sit down and
6 tell him that I was appointed to represent him, I was
7 his lawyer, and Mr. Petrie as well, he laid it out for
8 us. He laid it out for us what had happened. He
9 didn't tell that to the police because, quite honestly,
10 he was terrified. His mother had previously worked at
11 SCDC and had always told him, Wait until you get a
12 lawyer to talk to the police.

13 So, to say that he was not fully cooperative
14 in the beginning, is not necessarily true. He was
15 also, as you have heard, been accused of all of these
16 other charges with regards to one of his codefendants.
17 And I just wanted to address that very briefly. I'm
18 not going to harp on those issues. But, Your Honor, he
19 is not being convicted of any of those, criminal sexual
20 conduct, csc, abhan. And I know that, absolutely, I
21 made the representation as it was being made by the
22 Attorney General's Office, that it is not just because
23 he is getting a sentence, Your Honor. Your Honor, I
24 think that you have already been privy to some of the
25 other problems that they would have to overcome or

STATEMENT BY MS. GRAHAM-FLEMING

1 challenges in this case, so the AG's decision to not go
2 forward isn't totally based because he is getting
3 sentenced here today.

4 THE COURT: Was he cooperative in this case?

5 MS. ZMROCZEK: Your Honor, he was. He was
6 with me. He sat down -- they sat down with the State.
7 Your Honor, they ultimately chose not to use his
8 testimony. I think that -- so here is a unique thing
9 about this case, and I think a lot of cases, that there
10 were four people that know what happened that day.
11 There are four people. Three are here to tell about
12 it. Two have had fairly consistent statements, being
13 the two males involved in the case. Fairly consistent.
14 And, Your Honor, the other one we don't have any
15 information, a lot of information from. The one that
16 we do, the information that we have is unverifiable.

17 What he did tell them, Your Honor, was, you
18 know, what he knows about that day and what he did say.
19 I know that it is more interesting and exciting to talk
20 about how she was lured away and she was, you know,
21 kidnapped and then immediately -- I think that it was
22 referred to as a drive of death. And, Your Honor, I
23 don't necessarily think that it was in the moment as
24 nefarious as it seems. It is certainly easy to go back
25 and look and kind of make interpretations. But one

STATEMENT BY MS. GRAHAM-FLEMING

1 thing that I think that day started off with and the
2 scientific cellphones agreed with, is that they went to
3 a -- and toxicology -- they went to a sound recording
4 studio out in Batesburg Leesville and that they were
5 there, together, all of them, all four of them. And
6 that they were doing -- engaging in drugs.

7 Which, A, is also illegal. But, B, I think
8 added fuel to this immature adolescent brains. Where
9 if you throw drugs, they talked about using marijuana
10 and lean, which is a Codeine beverage that you can
11 drink, and some other anxiety pills that weren't
12 prescribed. And, Your Honor, what that does is,
13 certainly not providing any excuses for what happened,
14 but kind of, again, fueled the background as to how we
15 ended up here.

16 Mr. Nelson had been dating Ms. Peralta. And,
17 Your Honor, I think as you read through the memo what
18 you will see is that it was a toxic relationship. That
19 is one thing that we can agree on. But I think as you
20 read the memo and you understand that his family was
21 so -- they saw a change in him when he started to
22 interact with her. This was somebody who had not had a
23 ton of runaways, who had not had a ton of involvement
24 with police. And this is -- and although they want to
25 say that he is a verified gang member and involved in

STATEMENT BY MS. GRAHAM-FLEMING

1 gang stuff, Your Honor, that has not been provided to
2 us. I don't have a gang jacket. I don't have that
3 information. Obviously there were a lot of things that
4 were handed over. But regardless of this, Your Honor,
5 it just -- what his family saw is a change in him when
6 he got involved with Ms. Peralta.

7 And, Your Honor, that doesn't -- I'm not
8 blaming anybody, everybody makes their own decisions.
9 But to look at why he made the decisions he made, Your
10 Honor, I think that if you read especially around pages
11 --

12 THE COURT: Seven and eight.

13 MS. ZMROCZEK: Yes, seven and eight. His,
14 Your Honor, his desire to help Ms. Peralta and to try
15 to save her and help her out of this horrific situation
16 that she had told him that she had been living her
17 whole life I think really clouded his judgment. I
18 mean, for someone to be able to convince somebody to
19 break into the Epworth Home and get into their bed, I
20 mean, he would have done anything, Your Honor, for her.
21 And as we see as a result of this case, did get
22 involved.

23 And, Your Honor, I think what is so telling
24 about this is that in Mr. Wilson's statement, one of
25 the statements that he made that he was very consistent

STATEMENT BY MS. GRAHAM-FLEMING

1 on is, while they were at this recording studio, while
2 they were -- after they had all left Columbia, Your
3 Honor, he heard a fight between Ms. Nelson, my client,
4 and Ms. Peralta. And she was either accusing [REDACTED]
5 SA [REDACTED] of having an affair with him or of there
6 being feelings, so there was this jealousy rage fight
7 and I do believe that that played a part in what
8 happened.

9 Your Honor, he -- Treveon is someone who when
10 I first met him was obviously very quite and been
11 incarcerated, which Your Honor, I believe the number
12 that I wrote down, I think that he's up to 840 days
13 today, Your Honor, that he's been in jail. 840 days.
14 He's had one write-up, okay, one write-up. And you
15 know the conditions of that jail. It is not a pleasant
16 place to be.

17 He has spent the last 22,000 hours, quite
18 honestly, of being remorseful, trying to understand how
19 he, how he made the decision that ended him up in this
20 situation. And ultimately, Your Honor, which is why we
21 decided to go ahead and plea to the charges, to not
22 have to put the family through another grueling trial,
23 to not have to put his family. And, quite honestly,
24 and I know Your Honor has heard about it, and I'm
25 certainly not going to dwell on it, but there's been

STATEMENT BY MS. GRAHAM-FLEMING

1 other threats outside of that. The COs told him that
2 there is a 30,000-dollar bounty on his head. He, Mr.
3 Nelson, that scares him especially when, you know, he
4 knows that he will be going to SCDC and he realizes the
5 environment in SCDC is kill or be killed and he's
6 terrified.

7 And he has managed to do so well to keep to
8 himself, to make plans for himself, so that it is his
9 hope that when he goes to SCDC, that he can become the
10 person, Your Honor, that he knows that he is. And not
11 the person that has made these horrific decisions as an
12 adolescent, clouded by things he just wasn't prepared
13 to understand, engage in, and quite honestly, deal
14 with.

15 Your Honor, I think one of the things, again,
16 I'm not -- trying not to harp on it, but I do feel like
17 I have to address this, there's a pattern in the
18 evidence that was previously presented to you of
19 blaming Mr. Nelson for all of the problems in the
20 world. And, Your Honor, he certainly accepts his
21 responsibility as to what he did in this case.

22 THE COURT: You know, it is interesting, I
23 have sat here listening and nobody has told me anything
24 about what they have done. Nobody. Nobody.

25 MS. ZMROCZEK: Exactly. And that is why I'm

STATEMENT BY MS. GRAHAM-FLEMING

1 getting to that, Your Honor. Because I think that
2 that, to me, or as an avid detective, that is what you
3 want to know, what happened. And so, Your Honor, quite
4 honestly, what he told the State and what he told us
5 from the beginning is that, that they were all -- that
6 they were going to pick her up from Columbia and go to
7 the music facility. There were clearly problems. His
8 house had been shot up. Now he was told by somebody
9 that she had arranged it. We don't know who arranged
10 it, but that is what he was told, Your Honor.

11 THE COURT: Well, he was there.

12 MS. ZMROCZEK: Right. He had been told that
13 she -- right, right, right. But we don't know that she
14 arranged it is what I am saying, about his house
15 getting shot up. But that is what he was told by
16 Nicolle. So that is why, when you hear about those
17 things, that is what, Your Honor, I think that is what
18 they are talking about, that they -- Your Honor, they
19 were at the recording studio doing drugs. There were
20 -- there was a fight. There was a discussion. They
21 left. They went outside to an area right by the
22 recording studio. The two girls did engage into a
23 fight. Ms. Peralta pulled out a gun. She did shoot.
24 My client was there. Saw it. Was terrified at this
25 point. Had a gun himself, of course. You have seen

STATEMENT BY MS. GRAHAM-FLEMING

1 pictures of it.

2 I think that kids and the idea of a gun and
3 then using the gun is a different, is a different
4 reality. But what he saw was someone who had been
5 badly injured. She was badly injured. And, Your
6 Honor, he did ended it to, for lack of a better term,
7 to end that suffering. Because at that point calling
8 911 would not have made any difference. Certainly he
9 regrets not saying something right away. But, Your
10 Honor, he -- I mean, it would be easier, easier for me,
11 easier for the State if it was as calculated and
12 organized, but quite honestly adolescents just
13 aren't -- they are capable, but they are certainly
14 not --

15 THE COURT: I got it. I got it.

16 MS. ZMROCZEK: Your Honor, one of the I think
17 greatest things that I think that I have learned over
18 these last years, meeting with Mr. Nelson, is that he
19 has grown and has an appreciation and understanding of
20 what has happened and what, and what his behaviors did.
21 Judge, I know that you have heard the facts. And I
22 didn't sit through the whole trial, but what I do know
23 is that, Your Honor, a lot of the testimony -- there
24 were a lot more people I think that could have been
25 arrested and charged in the case. I think that there

STATEMENT BY MS. GRAHAM-FLEMING

1 were a lot more accessories than -- well, no one was
2 charged as an accessory to be quite honest.

3 So I think that a lot of statements that were
4 presented, at least in discovery, and I'm sure, quite
5 sure, were presented on the stand were in a way self
6 preserving, right. But Mr. Nelson, again, admitted to
7 what he did. Admitted to his role in being involved in
8 the death, and wasn't going to pretend like there was
9 some defensible case to that. He understands that.

10 Your Honor, on the other hand, though, I
11 don't -- and thereby accepting responsibility. And as
12 you know, it is a big responsibility because the time
13 that each of these carry, the strikes. I mean, it is
14 my, it is my hope that he has an opportunity to get out
15 and to face that life without parole strike if he would
16 get in trouble again, right. I think that is a problem
17 so far down the road, but I would want it to be a
18 problem that could happen.

19 Your Honor, I provided to you in the
20 sentencing memo. Excuse me, in the sentencing memo.
21 In the -- in the footnote four, what you can see are,
22 while he was going to school, Your Honor, as a younger
23 child and he was involved in a lot of things, what you
24 see in this family and what makes a difference I think
25 are the tragic realities that they have had to live

STATEMENT BY MS. GRAHAM-FLEMING

1 with. First was when he was six year old, Your Honor,
2 his older brother and -- his older brother was killed
3 in an ATV accident.

4 For him at six years old and for his mother,
5 that was a devastating loss. And she, in speaking with
6 the mitigation expert, Your Honor, had relayed numerous
7 times that, of course, all parents want to blame
8 themselves when something happens to their children and
9 she said, you know, should have had taken him to
10 counseling, I didn't deal with that grief.

11 THE COURT: I read that.

12 MS. ZMROCZEK: Yeah, and of course, we can
13 all reassure that, you know, hindsight is 20/20 when
14 you look back at life. But it is not one single thing
15 that changed it, but that certainly shaped who you
16 become. And I think what that did, Your Honor, at six
17 years old was see his mother so sad and so upset and
18 want to make her better and want to make her happy and
19 not knowing how. Which I think evolved into his
20 relationship when he gets older in wanting to help
21 people but not really being equipped to or not knowing
22 how to.

23 Your Honor, when he was nine his uncle, the
24 most significant at that point figure in his life,
25 killed his girlfriend and committed suicide. So before

STATEMENT BY MS. GRAHAM-FLEMING

1 the age of ten, Mr. Nelson had dealt with some pretty
2 significant losses. Then the family has to move, they
3 relocate to Columbia. We are talking about a low
4 socioeconomic family. Mom is working always, of
5 course, trying to provide the best she can. But
6 Treveon takes on that, that need to want to take care
7 of his family.

8 Your Honor, at 15 years old, 15 years old, he
9 walks into a McDonald's and applied for a job and they
10 are like, Yeah, we can't hire you, you are not 16. The
11 week of his 16th birthday, Your Honor, he starts
12 working at McDonald's. Has been working there almost
13 two years. Actually two years, Your Honor. And then
14 when he turns 18 he inquires about a raise but then
15 learns that Bojangles starts off at a higher rate, and
16 so he goes and he doesn't quit this job until he has
17 another job. And so he's working at Bojangles, and I
18 think that there are pictures both reflected in the
19 sentencing memo as well.

20 But it wasn't just the socioeconomic
21 pressures, Your Honor, of moving. It was the
22 differences of the schools. And I think that you
23 probably read that in the memo too. You see a school
24 where they are nurturing and where they are encouraging
25 students like -- one thing that, with Mr. Nelson, that

STATEMENT BY MS. GRAHAM-FLEMING

1 always surprises me is his level of maturity now and
2 the way that he can converse and the way that he can
3 express himself. And I think had he had the
4 opportunity to go to a school that continued that kind
5 of nurturing, again, he may have definitely made some
6 better decisions as well.

7 Your Honor, when you are looking at the facts
8 and trying to determine what to do in this case, I
9 know, like you said, nobody has really told you what
10 their role is. And it is difficult to stand up here
11 and to be able to provide a background up to that day
12 without providing a background that you have heard a
13 lot of from all of the people involved. It
14 unnecessarily disparages some people, and -- everybody,
15 quite honestly.

16 And I think that is another one of the
17 tragedies of this situation is that you have four young
18 people who didn't have the same guidance as you and I.
19 And they had different upbringings, and they had
20 different influences. And unfortunately they planted
21 these children in Epworth Home and special schools and
22 places that I think start to shape how we got here.
23 The drug use, the violence that they witnessed the
24 violence in their own lives that I think really made a
25 difference in how we ended up here.

STATEMENT BY MS. GRAHAM-FLEMING

1 And so it is so hard to just single out this
2 one day and to not bring in the back story but then not
3 sound like you are making excuses for what happened.
4 Because regardless of anything that was involved, that
5 doesn't change that a lot of children or adolescents,
6 one literally lost their lives and three are facing the
7 rest of their lives. And so that is so hard.

8 Your Honor, I do want to acknowledge that in
9 the very back of the courtroom, on the right-hand side,
10 are multiple family members for my client. They are
11 not going to speak, quite honestly. They have
12 continued to receive threats and they are afraid. And
13 that is why we put initials in the sentencing memo.
14 But, Your Honor, his mother, his brothers the
15 stepfather figure for part of his life are all here.
16 His family friend, they are all here to support him as
17 he faces this next stage.

18 THE COURT: How about just raise your hand so
19 I'll know who you are.

20 MS. ZMROCZEK: They are all in the back row.

21 THE COURT: Okay. Thank you.

22 MS. ZMROCZEK: Your Honor, the truth is, this
23 was a toxic relationship with Ms. Peralta. You heard
24 for yourself the violence and the threats that he
25 received. And it was like this throughout, I think

STATEMENT BY MS. GRAHAM-FLEMING

1 throughout their relationship. So to say that this was
2 simply a retaliatory action, you know, for his house
3 getting shot up, Your Honor, I think that it goes --
4 like I said, there is so much more beyond that. There
5 is the jealousy. There is just the poor decision
6 making skills that we all have seen in the children
7 involved in this case.

8 Your Honor, I know my client does want to say
9 something, and I do have -- I do have a few more things
10 to say. I don't know how much -- if the State has more
11 of a presentation specifically. I'm just trying to
12 logistically figure out -- I'll let him speak now, Your
13 Honor, if that is okay.

14 THE COURT: Okay, well, I would love to hear
15 from him. I mean, this is his day in court.

16 MS. ZMROCZEK: Can we do it there?

17 THE COURT: And I will let -- and I will also
18 let you finish up after the State and I hear from the
19 victims. But, Mr. Nelson, I would love to hear from
20 you. You don't have to lean down, hold that thing up
21 for him. And talk -- you can look at me and talk to
22 me.

23 THE DEFENDANT: First and foremost, I want to
24 apologize for everything and send my condolences to the
25 family. Also I want to apologize to the people of the

STATEMENT BY MS. GRAHAM-FLEMING

1 community that were affected also. Due to the poor
2 decisions I have made, I not only let myself down, I
3 also have let others down. It has changed life for
4 everyone. I am profoundly and deeply sorry. Right now
5 I'm working on myself to improve and better my life
6 when I get into prison.

7 My goal is to educate myself and accept any
8 and all resources that are provided to me. I want to
9 be a better person. So if I'm given the opportunity, I
10 will not take life for granted.

11 THE COURT: Thank you, Mr. Nelson.

12 MS. ZMROCZEK: Your Honor, I know that that
13 was hard. He, obviously, is very nervous. But he
14 wanted to write it down to speak the words, because the
15 one thing that I haven't seen a lot of in a lot of my
16 cases, but I have seen a ton of in this case, is
17 remorse, that profound sadness for what you know you
18 have been involved in in taking away someone's life.
19 That really does affect you. And, Your Honor, it has a
20 really affected him. But in a way has affected him to,
21 to really look inward and to understand why and how
22 that happened, and obviously to not let it happen
23 again. Which I really don't think is an issue, but I
24 think to help maybe somebody understand, somebody maybe
25 in his position as a child or maybe a young adult, to

STATEMENT BY MS. GRAHAM-FLEMING

1 not make those, to not, to not make those decisions.

2 And I think that is what, for me, been so profound with
3 his behavior at the detention center is because I have
4 clients in there for far less charges than this and,
5 Your Honor, they can't stay out of trouble. They just
6 can't. But for someone who knows that they are facing,
7 potentially, a life sentence, I mean even 30 years with
8 the life expectancy scales, you know, the chances of
9 him getting out are very slim. And you would think
10 that somebody with the mentality is like, we are done,
11 what does it matter, my life is over anyway, but to see
12 him take the other path and say, okay, my life is going
13 to be different now, but it's not just going to be
14 different because of location, it is going to be
15 different because my brain and the things that I can do
16 better. And I think that that has been one of the
17 biggest things and one of the biggest reasons that we
18 are asking for what we are asking. I mean, it is
19 certainly not a slap on the wrist. And it comes with a
20 lot of punishment. And, Your Honor, I'll reserve the
21 rest and I'll sit down.

22 THE COURT: You may. Because I will let you
23 speak again.

24 MS. ZMROCZEK: Okay.

25 THE COURT: I am going to ask that we move

STATEMENT BY MS. GRAHAM-FLEMING

1 Mr. Nelson over here to the side and at this time I am
2 going to hear, Mr. Brunson, from you and your client.

3 (Pause.)

4 THE COURT: All right, Ms. Mayes, I don't
5 have Mr. Brunson's indictment numbers, can you put them
6 on the record for me?

7 MS. ZMROCZEK: And, your Honor, I am sorry.
8 I just -- you said indictment and I think it reminded
9 me, I forgot to put on the record one thing, if that is
10 okay?

11 THE COURT: Sure. I put all of your
12 indictment numbers on for Mr. Nelson.

13 MS. ZMROCZEK: Yes, ma'am, it wasn't that.
14 It was -- there was an outstanding, we talked about it
15 in chambers, warrant, arrest warrant number
16 2021A4010201603, which is a Richland County warrant for
17 kidnapping that has not been served on Mr. Nelson. But
18 this is the one that we -- the State advised us that
19 that would be dismissed, the warrant would be withdrawn
20 and not served.

21 THE COURT: After this plea?

22 MS. ZMROCZEK: Yes.

23 MR. HUBBARD: It was a -- initially Richland
24 County had brought a kidnapping. I had talked to the
25 solicitor over there. If we were taking it, he was

STATEMENT BY MS. GRAHAM-FLEMING

1 fine with that. So they actually had warrants for the
2 same kidnapping that we prosecuted her client on that
3 he plead guilty to.

4 THE COURT: Okay, they just happened to take
5 one out in Richland County also?

6 MR. HUBBARD: Right.

7 THE COURT: Got it.

8 MR. HUBBARD: We went ahead and handled that
9 case. That is resolved. So, yes, that has been
10 resolved.

11 MS. ZMROCZEK: Okay. Great. Just sometimes
12 when they go to SCDC, they look to see and there is one
13 more bench warrant, even though he was in jail, for a
14 DV-related action. But I understand the State
15 conflicted out of it and the AG's Office and I will --

16 THE COURT: Because I know sometimes that
17 will affect classification.

18 MS. ZMROCZEK: Yes, that will. Your Honor,
19 that is why I wanted to put that on the record.

20 THE COURT: Okay.

21 MS. ZMROCZEK: Thank you.

22 THE COURT: Okay. Ms. Mayes, if you could
23 put Mr. Wilson's indictment numbers, now that we are
24 moving on to his mitigation.

25 MS. MAYES: Yes, Your Honor. As to the

STATEMENT BY MS. GRAHAM-FLEMING

1 charge of murder, that is Indictment No. 2021GS3203535.
2 As to the indictment for kidnapping, that is
3 2021GS3203464. As to the charge of criminal
4 conspiracy, that is Indictment No. 2021GS3203537. And
5 as to the charge of possession of a weapon during the
6 commission of a violent crime, that is 2021GS3203597.
7 We will be passing up the sentencing sheets, Your
8 Honor.

9 THE COURT: Thank you. All right. Mr.
10 Brunson, I will be glad to hear from you.

11 MR. BRUNSON: Thank you, Your Honor. May it
12 please the Court.

13 THE COURT: Yes, sir.

14 MR. BRUNSON: First, Your Honor, I would like
15 to begin by expressing my condolences to the family for
16 the loss of this beautiful soul. Your Honor, my client
17 Jaylen Wilson required that I say that first. And at
18 the appropriate time he is going to say it.

19 Your Honor, this has been a very tragic case
20 for obvious reasons. But it's been one of the most
21 difficult cases that I have handled. And if I had to
22 sum it up, I would have to sum it up like this: Wrong
23 place, wrong time, doing the wrong thing with the wrong
24 people. Now, I know one of the biggest things that
25 Your Honor has wanted to hear throughout the arduous

STATEMENT BY MS. GRAHAM-FLEMING

1 task of having to preside over this difficult case is
2 exactly what happened. And counsel for Treveon Nelson
3 advised the Court what his version of it was. We shall
4 echo on that and shed a little light as we proceed.

5 But I wanted to first start by introducing
6 Mr. Jaylen Wilson to this proceeding. He stood before
7 this Court and he plead guilty. And he pled without
8 recommendation and without negotiations. And I tell
9 you, he did it because he was very remorseful and he
10 did not want to take this family or this judicial
11 system through it.

12 Now, Jaylen was 17 years of age at the time
13 of his arrest. He was born on July the 28th, 2003. He
14 was living as a young man in rural Lee County. Then he
15 moved to Columbia for a bit. Then he moved back to Lee
16 County to live with his grandmother, who is present in
17 the courtroom today. He attended Lee Central. And you
18 will see a note from his assistant principal at the
19 time. He went on to graduate from Lee Central Middle
20 School and went to Lee Central High.

21 In or around 2019, while he was in high
22 school, he relocated from his grandmother's home in Lee
23 County to his mother's home in West Columbia. Now at
24 the time of his arrest he was enrolled still as a
25 student at Columbia High. He was attending school

STATEMENT BY MS. GRAHAM-FLEMING

1 virtually. But he was also gainfully employed. He was
2 working at Bojangles over on Sunset. And those two
3 factors kind of distinguishes him, before we get into
4 the rest of it, unlike a lot of the defendants that we
5 see standing here, this young man is different.

6 He is different in a number of particulars.
7 One, he's got the privilege of coming from a really
8 good family. Now, I didn't know Jaylen prior to being
9 retained on this case, nor did I know his immediate
10 family members. But I have certainly gotten to know
11 them over the course of my representation. We met a
12 number of times and we worked together as a team on
13 trying to decide how we were going to deal with and
14 handle this difficult case. I met with Jaylen. I met
15 with family. I met with a number of different family
16 members at a number of different times. So I wanted to
17 point this out, that he does have a lot of family
18 support. And I would briefly like to ask the members of
19 his family to please stand for a moment for you to see.

20 THE COURT: Thank you for coming.

21 MR. BRUNSON: So you see, Judge, this young
22 man not only comes from a big family, but he comes from
23 a good family. A family who believes in supporting
24 him. A family who was shocked and devastated at the
25 news when they discovered that he had been arrested. A

STATEMENT BY MS. GRAHAM-FLEMING

1 family that was in shock and awe and said, There was
2 absolutely no way, not Jaylen. So, Your Honor, he's
3 got that family support and that is good.

4 Now, let's talk about relocation and why he
5 even came to Columbia. He was doing well in
6 Bishopville at Lee Central. He was making Bs and Cs.
7 He was living with grandmother there. And his mother
8 was living over here in West Columbia. So Jaylen has a
9 really close relationship with all of his family, but
10 specifically with his sister. Now, his sister had
11 developed a medical condition where she started to have
12 seizures.

13 And so Jaylen came from Lee County, West
14 Columbia, and started school so he could live in the
15 house with his little sister so his mother could go to
16 work.

17 I asked Jaylen about his father. Jaylen
18 said, I don't even know if I ever met him, if I did I
19 was too young. So he had to step up to the plate, or
20 to the best of his ability being a teenager. So he
21 relocated here. While his mother went to work he
22 stayed at home and cared for his sister. When his
23 mother got off work, he went to school. He was
24 attending school online, so he did that at home. And
25 he went to work at Bojangles.

STATEMENT BY MS. GRAHAM-FLEMING

1 So, again, we add to who this young man is
2 and put it in perspective just a little bit more. And
3 he is a young man that stepped up to the plate. Now
4 the other thing that was unfortunate about his
5 transition from rural Lee County to Richland County was
6 that he was exposed, not only to some of the bad people
7 but to some of the bad things.

8 So when he got here in 2019 he began using
9 marijuana continuously. He was introduced to
10 prescription pills, Percocets to be exact. And on this
11 very sad day in April of 2021, he was certainly under
12 the influence of both marijuana and prescription drugs.
13 And we will get into that a little later. But he came
14 in contact with some old friends who were doing things
15 that he didn't know anything about.

16 And, of course, we heard from the expert who
17 talked about the impact of peer pressure on people who
18 are at the age of 17. I believe she indicated 16, 17
19 was the peak. And he is right at this peak. And he is
20 not only right at this peak where he's experiencing
21 profound peer pressure and wanting to fit in, coming
22 from a rural city into the city County of Richland, he
23 is now being introduced to different people doing
24 different things, and now he's exposed to drugs.

25 But he's still maintaining his job. And he's

STATEMENT BY MS. GRAHAM-FLEMING

1 still enrolled in school. But, again, unlike a lot of
2 defendants that we see, Jaylen is different in another
3 way. He's different because Jaylen has never been
4 convicted of anything. Doesn't have a juvenile record.
5 In fact, Jaylen has never, ever even been arrested up
6 until this point. So, he has not dropped out of
7 school. He was -- he was basically a secondary
8 caregiver to his sister who at the time was seven. He
9 was trained in how to care for her medical needs, which
10 they weren't. I don't want to say she didn't need
11 medical attention every time she had a seizure, but
12 there was still protocol that he had to follow to make
13 sure that she was covered, and so he paid very close
14 attention to her.

15 He wasn't like other defendants. He was
16 active in his church. In fact, he was part of a youth
17 group in the church. And we have a correspondence from
18 his pastor who is -- who may be here today. She is
19 supposed to be on her way. And we will get into that a
20 little later. So he's not like other defendants, in
21 that he had a relationship with a pastor and a
22 principal.

23 Now, I wanted to take you back a little bit,
24 because prior to today you did not know Jaylen Wilson.
25 And I want to show you a picture. This is a picture of

STATEMENT BY MS. GRAHAM-FLEMING

1 Jaylen and his little sister. This picture was taken
2 in August of 2014. So this first picture is about six
3 years before this incident. It is a little remote, but
4 this is a picture of him and his sister playing with
5 the camera and taking selfies. And this is the face of
6 a child.

7 This is a photo of Jaylen, his mother and his
8 little sister. This picture taken same time frame, six
9 years before this incident. They are at Chuck E.
10 Cheese. This is a kid.

11 I want to show you the third picture that is
12 included in this packet. Now this picture fast
13 forwards a bit, this picture was taken in 2016, July of
14 2016, at his grandmother's house in rural Lee County.
15 He and his sister on her front porch, just to express
16 the loving bond that this young man had for his sister.

17 Fast forward again, I'm going to show you a
18 picture of Jaylen pictured on the right, same little
19 sister on the left, but now they welcome a new addition
20 into the family. He has a brand new little sister who
21 is about two months old, as I have explained on this
22 photo. And so, he is a family kid.

23 Fast forward another year, 2018. Now he's
24 still living in Lee County at the time. And this
25 picture is from January 2018 and we had a little bit of

STATEMENT BY MS. GRAHAM-FLEMING

1 snow. And this picture is designed to show who this
2 young man is three years before the arrest in this
3 case. He is the type of young man who not only cares
4 for his little sister, but he feels strongly as well.
5 I only have three pictures left to share with the
6 Court.

7 THE COURT: Take your time. Go on.

8 MR. BRUNSON: Beg the Court's indulgence.
9 Now, this photo is especially important to Jaylen.
10 This photo depicts Jaylen at the bottom in 2018. There
11 is his little sister clinging on to him as she always
12 does. That is his mother holding her baby, his
13 youngest sister. That is his grandmother in the white
14 dress. Both his mother and grandmother are present in
15 the courtroom today. And that is his uncle. He says
16 one of his favorite uncles. And this is when he
17 graduated from high school. And Jaylen is present at
18 this family event. And, again, this is in 2018. This
19 is when he is in Lee County. This is when he's with
20 his grandmother and when he's making Bs and Cs I'm
21 advised.

22 And then I want to show you this. Now this
23 is Jaylen Wilson on a very, very special day. This
24 picture is from May the 31st, 2018. Why is this so
25 special? Because Jaylen accomplished one of his first

STATEMENT BY MS. GRAHAM-FLEMING

1 and main goals, he graduated successfully from middle
2 school. And so he's surrounded by his family. And it
3 is a joyous occasion. And so the young man that we are
4 talking about today is different from a lot of
5 defendants that I unfortunately have the responsibility
6 to represent.

7 Now we have got in the record, or we
8 mentioned earlier, that he had a relationship with his
9 pastor. And so I'm going to ask whether or not Ms.
10 Rufus is present today. Ms. Rufus advised, Judge, that
11 she had a funeral to preach this morning. But if it
12 pleases the Court, I provided the State with a copy of
13 pastor Pamela Rufus' correspondence. And the important
14 things that come from that are these: That he is a
15 member of her church, that he's part of a youth
16 program, that she was spiritually bound to him, that
17 she's still in touch with him to this day, and she
18 still has a relationship and is praying with him. And
19 she hopes to continue doing that. And she was going to
20 expound a bit on the growth that she's seen in him and
21 how this kid was forced to grow up and become a man
22 early.

23 Also, Judge, we have got correspondence from
24 Mr. Randall Jackson. Mr. Randall Jackson was principal
25 at Jaylen's middle school, assistant principal. He

STATEMENT BY MS. GRAHAM-FLEMING

1 knew Jaylen. He knew Jaylen was quiet and shy but very
2 bright. He wanted to appear today to talk about Jaylen
3 and Jaylen's goals. He indicated that Jaylen's goals
4 were to go into the Air Force and to come back and to
5 possibly help mentor young people. And so Jaylen had
6 realistic goals, because so many of his family members
7 had gone into the military before him. I believe that
8 he has two family members today who are present in
9 uniform, including his uncle who he had that special
10 bond with.

11 So, Judge, we wanted to share those things
12 with the Court for the purpose of giving the Court an
13 idea of the young man who is seated before you, who has
14 plead guilty to these crimes and/or offenses.

15 Now, we heard from the State this morning and
16 the State made a presentation and they had a packet
17 that was contained -- that contained an abundance of
18 evidence. But I submit to you for the Court's
19 consideration, in that packet of things that they
20 submitted, they submitted three pages for Jaylen
21 Wilson. They included a message that said, "Just got
22 home, Bae." And he got home at 3:00. We will explain
23 that in a minute. They included a Snapchat video of
24 Jaylen, a 17 year old, rapping a rap song. I submit to
25 the Court for consideration, those aren't lyrics that

STATEMENT BY MS. GRAHAM-FLEMING

1 Jaylen made up. Jaylen is not a rapper. When I asked
2 Jaylen about this, he told me who that was. He was
3 rapping a song that was sang by a rapper named SG
4 Batman. Is that correct? SG Batman? He was rapping
5 lyrics to a song, had nothing to do with this or
6 anything remotely close.

7 And then finally they have, as they offered
8 this Court in support of the sentencing hearing this
9 morning, a series of texts. Which I don't know how to
10 use this, so I'll stay away from it. But the texts
11 were from Jaylen and said, Something about, I ain't
12 fixing to keep calling y'all, got to get handled.
13 Okay, that was on April the 5th. Video call. Video
14 call.

15 And then April the 5th, a couple of minutes
16 later you hear Jaylen again, Y'all not making no sense,
17 if anything put hands on you. What we look like
18 shooting a place we used to call home. You sound
19 stupid. What we look like shooting at Mom Duke's
20 house? You think we would do something like -- some
21 shit like that. They are accusing Jaylen of being the
22 one who shot up the house. He is responding to the
23 phone call where they were thinking that he did it.
24 And that is what was submitted this morning. And then
25 they talked a little bit about a pillowcase. Well,

STATEMENT BY MS. GRAHAM-FLEMING

1 talked a lot about a pillowcase. And we are going to
2 get into that in a moment.

3 So when we look back at the three things
4 contained in the State's packet this morning, we sought
5 to deal with them for the purposes of explaining to the
6 Court that my client didn't have a motive to kill
7 anyone. My client didn't steal cars. My client didn't
8 lure anybody out of a house.

9 When I first met Jaylen at Alvin S. Glenn he
10 was in the juvenile detention facility and I walked
11 back there and Jaylen was scared to the point where he
12 was shaking because he was in over his head. He had
13 gotten into something that he couldn't control, and now
14 he's here in front of you. Throughout the course of
15 the recitation, he has been very, very remorseful that
16 this happened. So he explained to me what happened
17 that night. And in a roundabout way, we heard from Mr.
18 Nelson's attorney who kind of told us.

19 Jaylen met with law enforcement and he said,
20 Look, I wasn't with them. I don't know what you are
21 talking about. Of course we know what children do,
22 they lie. Ultimately he explained to them he was in
23 the car. Picked me up, went and passed out in the car,
24 went to the studio. Did some drugs. They left, came
25 back and got me and brought me home. That was the

STATEMENT BY MS. GRAHAM-FLEMING

1 story that he gave law enforcement. Well, again, kids
2 lie a little bit.

3 But ultimately what we learned is that Jaylen
4 had a pillowcase. Jaylen also had guns and bullets in
5 his room. Well, the guns turn out to be guns used in
6 the crime. It turns out Jaylen was, in fact, keeping
7 the guns. Jaylen might have brought them out of the
8 house in a pillowcase, might have got in the car.
9 Never in a million years did he think that this young
10 lady would have been killed.

11 However, he knew and understood that
12 something was going to happen and that he was with his
13 friends and that it wouldn't go this far. But when
14 they got out to the house and smoked marijuana, popped
15 some -- he said he tried some Xanax pills this evening
16 and that -- well, you heard from Mr. Nelson's lawyer
17 who talked about when they went out to the field, you
18 heard from Mr. Nelson's lawyer as to what Nicolle did.
19 You also heard what Mr. Nelson did. And we know that
20 my client was brought back home with guns and without a
21 pillowcase, and that they were there when law
22 enforcement arrived.

23 Clearly we know that this is not the
24 intellect of a criminal mastermind. In fact, I
25 wouldn't have -- the guns were still in the house.

STATEMENT BY MS. GRAHAM-FLEMING

1 Quite frankly, could have disposed of them, didn't know
2 that he wanted to. I mean, that he could, especially
3 if they weren't his. So my client plead guilty because
4 he knew and understood that he has been a part from the
5 beginning of something bad, that he was present when
6 something bad happened, and that he held onto a lot of
7 bad things after it occurred. And so for that reason
8 we know and understand under the law that the evidence
9 was overwhelming, that he was involved to that extent.

10 Now, I just want to say this Judge: That my
11 client has been in jail for 852 days, and that this has
12 been absolutely, hands down, the most horrible time of
13 his life for a number of reasons. One is because every
14 night that he attempts to go to sleep he has to see the
15 events of that night. He knows that he could have
16 stopped it. Well, that he didn't stop it. Don't know
17 if he could have. And he knows that he contributed to
18 it. And he beats himself up all of the time.

19 And now he is before you, Your Honor, and
20 he's asking this Court to have mercy on him. I know
21 that his family members are here, but I think one of
22 them would like to address the Court at the appropriate
23 time.

24 THE COURT: I would love to hear from them.

25 MR. BRUNSON: Yes, ma'am.

STATEMENT BY MS. GRAHAM-FLEMING

1 (Pause.)

2 MR. BRUNSON: No one at this time?

3 THE COURT: They don't have to. I
4 acknowledge that they are all here.

5 MR. BRUNSON: Okay.

6 THE COURT: But if you would like to, this
7 would be your opportunity to do so now.

8 MR. BRUNSON: You don't have to, but you can
9 if you would like to.

10 THE COURT: Bring her up here with you, Mr.
11 Brunson, and get her to state her name for the record
12 please.

13 MR. BRUNSON: Yes, ma'am.

14 MS. BOWMAN: My name is Valerie Bowman.
15 Thank you so much for allowing us to say something
16 today.

17 THE COURT: Absolutely, MS. Bowman.

18 MS. BOWMAN: First, I definitely want to
19 start at, I am definitely not a public speaker, but I
20 want to start to say today with, we show from our
21 family nothing but sympathy for this situation. This
22 is horrible. This is horrible. And we couldn't
23 imagine being SA's mom sitting there, how we would
24 respond, how we would feel. So we totally understand
25 their anger and their frustration. We understand from

STATEMENT BY MS. GRAHAM-FLEMING

1 our family to this Court, to their family, to every
2 family that is involved, we show sympathy. And I pray
3 that this world gets better, because it's horrible.

4 I talk to Jaylen on a daily basis. We keep
5 in touch every day. I talked to him up until 11:00
6 last night. And I prayed with him, and I talked to
7 him. And he is still the same Jaylen that I have
8 always known. I raised up with him. Our kids were
9 raised like siblings. Our families were raised very
10 close. And we truly support any growth, any empathy or
11 sympathy that the Court would even have for our family,
12 for him. Because sometimes you know not what you do,
13 because you follow the crowd, because you follow people
14 that you don't even know. You think you want this
15 world, but you are not even ready for it.

16 And, Your Honor, from the day that I -- I
17 would even stand up here, this is total shock. We all
18 try to support -- you know, we all take up for people,
19 friends, family. I stand here today, nothing but
20 honesty, I would have never predicted this. I would
21 have stood up and spoke -- no, I would put my life on
22 the line, no, that is not him, no, that would have
23 never been him. This is not him. And I beg the Court,
24 I pray that God will speak to each and everyone of
25 them. But that is not him. He is not that person.

STATEMENT BY MS. GRAHAM-FLEMING

1 Please allow him, please allow our family to
2 show to this world, to this Court, that we can guide
3 him. We can help him to continue to grow and to be the
4 person that we know he can be in this world, that he
5 could show even the family. I know, you know, it is
6 hard to say and please don't take it any other way than
7 from my heart, that we want them to know that we really
8 can show him, can continue to raise him to show this
9 Court that that is not him. He had so many goals.

10 All of his -- the kids, the rest of the kids
11 in our family his age, they started college. That is
12 hard for them talking to him on a daily basis because
13 he is supposed to be in that group. He is that piece
14 of the puzzle that is missing now. He cries with us
15 all of the time. We do family group prayers daily,
16 weekly.

17 We beg the Court today to please have mercy
18 on him. Please allow us to prove to this world and
19 prove to this Court that he can make a difference and
20 that he will be different and continue to grow. And
21 anything else that I needed to say, I can't even
22 remember at this point. But, again, thank you. And
23 our family sincerely shows sympathy.

24 THE COURT: Thank you, Ms. Bowman, I
25 appreciate it.

STATEMENT BY MS. GRAHAM-FLEMING

1 MS. BOWMAN: Thank you.

2 THE COURT: Mr. Brunson, anything else?

3 MR. BRUNSON: Your Honor, my client would
4 like to make a statement for the Court.

5 THE COURT: And I would love to hear from Mr.
6 Wilson.

7 THE DEFENDANT: First off, Your Honor, I want
8 to thank you for letting me speak on my behalf. Second
9 of all, I want to say to the Court and to the victim's
10 family that I'm truly heartbroken by this situation.
11 There is not a day that goes by that I'm not saddened
12 from this situation. And I hope that there isn't any
13 aggression or any anger towards me being so that
14 everything may not be as it seems. But, Your Honor,
15 I'm sorry that my name is even associated with this
16 situation. I just wanted to ask you before sentencing
17 me, I ask you to have mercy on me and show me a little
18 bit of sympathy.

19 Your Honor, I had so many goals that I didn't
20 finish, that I didn't see. I was 17 when I got locked
21 up. I still haven't been able to get my diploma, my
22 driver's license. I have had dreams of joining the Air
23 Force and traveling the world and to see new things,
24 new people. And most important, I just want to get
25 home to my mama and my sister. I know that they need

STATEMENT BY MS. GRAHAM-FLEMING

1 me and it hurts. I talk to them on the phone and they
2 ask about my whereabouts, where I'm at, and I have to
3 make excuses to them, I don't know when I am going to
4 be home. That is all, Your Honor, thank you.

5 THE COURT: Thank you, Mr. Wilson. Anything
6 else, Mr. Brunson?

7 MR. BRUNSON: Your Honor, that is it for now.

8 THE COURT: Okay. And before I start with --
9 this is my plan. I'll hear from the State. I would
10 like to hear from the victims. And then I am going to
11 move into sentencing, starting with Ms. Peralta. Does
12 the State need a break? Does anybody here need a break
13 before we get started? Raise your hand. Got it.

14 MS. MAYES: Your Honor, I am going to pass up
15 the sentencing sheets for Mr. Nelson, Ms. Peralta, and
16 Mr. Wilson.

17 THE COURT: Okay. And I think the family
18 needs a break. I am going to give them a break real
19 quick and we will come back, and I know that it is
20 after 5:00. I would like to press on and finish today.
21 I know that I have a lot of people from out of state
22 and out of town.

23 Madam court reporter, are you okay staying
24 with us?

25 THE COURT REPORTER: Yes, ma'am.

STATEMENT BY MS. GRAHAM-FLEMING

1 THE COURT: Okay. So, if y'all are good with
2 that, we will go on and finish. But let's take a
3 quick, ten-minute break right quick. .

4 (Brief recess.)

5 THE COURT: All right. I have everybody. Is
6 the State ready?

7 MR. HUBBARD: The State is ready.

8 THE COURT: All right. Let me hear your
9 response. This is going to go to all three defendants.

10 MR. HUBBARD: That's correct, Your Honor.

11 THE COURT: Thank you.

12 MR. HUBBARD: That's correct. And I
13 appreciate you letting us do this. I know that it is
14 really an odd set-up. But we don't have a case like
15 this very often. In fact, I have never had one in the
16 33 years that I have been doing this, I have never seen
17 a case quite like this, as horrible as this. This is
18 just God awful.

19 And Your Honor asked in the beginning, I
20 would like to know what people say they did. Well, as
21 a prosecutor I have to stand in front of 12 people with
22 our team and present evidence on what we believe
23 happened and what we were able to show. There were 53
24 casings at this grave site all tied into this murder.
25 I didn't hear anything today from anyone talking about

STATEMENT BY MS. GRAHAM-FLEMING

1 how in God's name 53 shots were fired. Our victim, she
2 was hit at least 14 times. I didn't hear how she got
3 five ribs broken, an eye socket blown out, and she had
4 bleeding on the chest. I didn't hear any of that.

5 And no one has to come in here and make
6 admissions, I get that. I understand that. But I'm
7 bringing you back to the crime because that is why we
8 are really here. And it is horrible that you have got
9 three young people who have basically thrown their
10 lives away, and that they did it by deciding to take
11 the life of a 15 year old. And that is why we are
12 here.

13 Now, Mr. Nelson claims he cooperated, he pled
14 and cooperated. We sat down with him, but it was this
15 story that, it was all Nicolle. They go down there to
16 smoke dope in Batesburg/Leesville. The girls get in a
17 fight. Nicolle ends up at some point shooting the
18 victim. And then Treveon says for his part he finishes
19 it. Well, that doesn't begin to make sense.

20 First of all, our victim had no drugs in her
21 system. That is a fact. And that was presented at
22 trial. She didn't go anywhere and actually smoke. She
23 might have thought that she was going to leave and go
24 smoke somewhere, but it wasn't Batesburg or Leesville,
25 South Carolina. It wasn't out in the dark out in the

STATEMENT BY MS. GRAHAM-FLEMING

1 field. And she didn't go to get beaten up. It was
2 just unbelievable what he was telling us. We are not
3 going to put up something that is unbelievable. We
4 were fine if he wanted to plea and have whatever story
5 that he thought makes him guilty, that is fine. But it
6 is not the facts.

7 And Mr. Wilson seems to be buying into that
8 as well. I don't doubt, they have great families,
9 wonderful families. And that makes it even more tragic
10 because they gave that up to do what they did to this
11 15 year old girl. They chose to do that.

12 Another thing that Mr. Nelson revealed to
13 this Court is what we have been saying all along, the
14 information about the drive-by tying SA [REDACTED] to
15 that drive-by came from Nicolle. Nicolle was the one
16 that told him about the drive-by. And he tells us, Oh,
17 what happened that night didn't have anything to do
18 with the drive-by, the drive-by that occurred the night
19 before this killing.

20 Your Honor, it just was so unbelievable. And
21 that is exactly what Jaylen was saying as well. And
22 then we hear Mr. Wilson saying, All right, the pillow
23 and the guns, well, I put the guns in the pillowcase,
24 that is how the pillowcase got there. Why were you
25 taking two pistols in a pillowcase to go see SA [REDACTED]

STATEMENT BY MS. GRAHAM-FLEMING

1 ██████████ to just go hang out, make music, smoke dope?
2 Why do you need two pistols? Who do you need to sneak
3 them out in a pillowcase?

4 Your Honor, there was a plan here. There was
5 a plan. And when we talk about Nicolle and her
6 decision making and whether she is thinking of
7 consequences, it was made to appear that she is being
8 dragged along by these guys, and yet these guys are the
9 ones saying that she is at the crux of it all as well.
10 They are pointing fingers at one another.

11 It would be one thing, in looking at this
12 case with young people, if you said, There's three
13 people that planned, they planned to go rob like a
14 McDonald's. They are going to take guns. And somebody
15 ends up shooting one of the clerks at McDonald's, one
16 of the cooks. It wasn't planned. It is horrible.
17 They were not thinking, they are young, they are
18 stupid. They are going to get quick money and leave.
19 A lot of what you heard from Nicolle Sanchez-Peralta's
20 expert would have been made a lot more sense in a case
21 like that. This case, this case is so God awful
22 because of the planning involved.

23 It is a reaction to a drive-by shooting that
24 is clearly linked. The night before this happened,
25 before all this murder happens, there is drive-by,

STATEMENT BY MS. GRAHAM-FLEMING

1 multiple drive-bys at Treveon's house. He's linked up
2 with his best friend Jaylen. They pick up their best
3 girl, Treveon's girl, Nicolle. And Treveon lets you
4 know to today, that information about SA [REDACTED]
5 dropping the dime, letting Raeshaun know where I live,
6 it came from Nicolle. And they are just going to go
7 have a friendly little chat and smoke with SA [REDACTED]
8 [REDACTED]? It makes no sense.

9 The plan was exactly what Nicolle had laid
10 out to Allon Adams. They had a role. She had a role.
11 They had a role to play. They planned this. When
12 Jaylen left his home he brought that pillowcase because
13 they knew what they were going to do with it. And if
14 he is the one that brought those guns, he knew what
15 they were going to do. And it might explain that he
16 brought them and that he took them back home, and why
17 we don't have a third one, because it was with the
18 other guy. There are three guns. Three. All used.
19 Fifty-three casings. This was an overkill. This was
20 just sheer hate.

21 Your Honor, this plan, the pillowcase, the
22 fear, to maximize that fear, the plan to maximize the
23 pain. Nobody explained the broken eye socket and the
24 five broken ribs. The horrible blood on the chest of
25 SA [REDACTED] and she was alive the whole time. There's no

STATEMENT BY MS. GRAHAM-FLEMING

1 explanation for that other than they did it, they did
2 do it. And it doesn't matter what each role, each
3 person played in this.

4 The hand of one is the hand of all. They all
5 put their hands in this, are you in. And the answer is
6 yes. That's why there's three guns. They all had to
7 pull the trigger. If you pull the trigger you are
8 going to be quiet. If you can't be quiet, we will make
9 sure that you are quiet because we will put you right
10 beside SA [REDACTED]. That is how this works. It is the thug
11 life.

12 And to hear each of them talk, they hung out
13 with thugs but they themselves aren't. Your Honor,
14 they embraced this life. They gave up families that
15 cared. Might have been disjointed and imperfect in so
16 many ways, including Nicolle's, but they cared.
17 Family, their parents, her parents who can't speak
18 English would follow her all over town trying to find
19 her. Would report her to law enforcement even though
20 they can't speak English, they would find a way to
21 report, Where is our daughter. She chose to leave
22 them. She chose the freedom of the thug life. And
23 part of the thug life is, if you violate the rules you
24 get beaten. And she had the audacity to say, My
25 injuries were like SA's [REDACTED]. She didn't have any broken

STATEMENT BY MS. GRAHAM-FLEMING

1 bones. She didn't get shot. She didn't die. She got
2 a thug beating to a fellow thug -- from a fellow thug.
3 It wasn't murder.

4 And what you saw, the video that Nicolle puts
5 up, Nicolle and SA [REDACTED], shows you why SA [REDACTED] trusted
6 Nicolle. Surely she won't betray me. I'll get in the
7 car with her, she is my friend. She was lured. It
8 was -- Nicolle was bait and she wanted to be that bait.
9 And it wasn't, I know that she is going to go and get
10 assaulted. Your Honor, you don't beat and break
11 someone's bones and expect no consequences.

12 When we evaluate young people and how they do
13 things, they don't think about consequences, they were
14 thinking. You can't stop there. She has got parents.
15 Parents call the police. The police lock you up, you
16 are in trouble. Once you go down that road, you finish
17 it. And they were prepared to do that before they ever
18 got in that stolen car, before they ever stole that
19 car. All three put their hands in this. All three are
20 absolutely guilty.

21 Your Honor, I just -- I hope that as you
22 review this and consider this, you will see, it is
23 horrible that they are young but it doesn't matter at
24 the end of the day. What they did was God awful
25 regardless of who did it. They transcended any

STATEMENT BY MS. GRAHAM-FLEMING

1 relationship. They may be young in age, they can be
2 innocent in many ways, but they have a PhD in streets.
3 They know those streets better than anyone in this
4 courtroom, including the guys wearing badges. They can
5 run rings around them. They have a PhD out there.

6 Nicolle lived on her own on those streets,
7 the youngest of these three. She didn't need her
8 parents. She could find shelter, food, clothes. She
9 never lacked for any of those. She knew how to find
10 them. She just didn't want them at home.

11 Your Honor, just a quick discussion about
12 Allon Adams. Allon Adams, you heard what a liar he is
13 because of things he said we know weren't true, but
14 he's repeating what he was told by Nicolle. Her role.
15 But he also told law enforcement what Treveon said.
16 Nicolle got old girl in the car. Nicolle pushed up on
17 us. I got the car, I got the bitch, let's go do this
18 shit. That is Treveon telling Allon Adams what Nicolle
19 said to him. I got the car, I got the bitch, let's do
20 this shit. Allon Adams had nothing to gain from saying
21 any of this. He was a friend of Treveon's. He had a
22 bench warrant and he didn't talk about cutting any
23 deals with anyone. And the one thing that I can say
24 for sure, he ain't a murderer. I'll take his word over
25 any of the three involved in this case.

STATEMENT BY MS. GRAHAM-FLEMING

1 Your Honor, I would like to, at this point,
2 allow Ms. Mayes to present the family and let them
3 speak. So, Your Honor, I just want to end, from my
4 standpoint, saying that you have got three people that
5 have joined their hands knowing what was coming. And
6 the most innocent of all, this little 15 year old girl,
7 who might have at worst wanted to smoke some pot out
8 there in the car in a parking lot ended up dead. Her
9 phone was taken away six minute after getting in that
10 car. She wasn't going voluntarily at that point. And
11 that is when that ride turned to hell. And she wasn't
12 ever coming back and she knew it.

13 THE COURT: Let me ask you one thing, Mr.
14 Hubbard. How about Mr. Wilson, was there any
15 cooperation out of Mr. Wilson?

16 MR. HUBBARD: By the time -- well, let me --
17 no. But I will say this, initially before this trial
18 it looked like he was going to plead as well. But when
19 Mr. Nelson pled or spoke to us and gave this story,
20 that basically, hey, Jaylen is really not so involved,
21 all of a sudden the plea turned back into a trial and
22 it wasn't until the middle of our trial that I think
23 Mr. Brunson making sure that the family could see the
24 reality of what was coming, the train that was coming,
25 that it became a plea again. And so it was too late.

STATEMENT BY MS. GRAHAM-FLEMING

1 THE COURT: Well, I mean, I like to give
2 people credit if I know that they have cooperated with
3 law enforcement.

4 MR. HUBBARD: Nobody, nobody assisted us in
5 this case. We ran solo.

6 THE COURT: Okay.

7 MR. HUBBARD: Thank you, Your Honor.

8 THE COURT: Thank you. Ms. Mayes.

9 MS. MAYES: Yes, Your Honor. May it please
10 the Court. I would like to start by going back to
11 April of 2021 when SA [REDACTED] was missing. It's really
12 impossible to state the impact that that had on the
13 community, beginning with the Richland County
14 community, and then ultimately spreading here into
15 Lexington County when we received word that her body
16 was actually here. During that time that SA [REDACTED] was
17 missing, we were watching her family on the news. We
18 were watching multiple news reports that started
19 regionally and then those spread statewide, and then it
20 was reaching nationwide by the time we received a call
21 from Sergeant Miller who is here in the courtroom that
22 -- I was with Solicitor Hubbard when we received an
23 urgent call that SA [REDACTED], who was known in the city,
24 Richland, they now believe was in Lexington and that
25 they were out looking for her body.

STATEMENT BY MS. GRAHAM-FLEMING

1 And from there Solicitor Hubbard and I were
2 available for any assistance they may need in that
3 search. And over the next 24 hours they recovered the
4 body. They informed the family, who of course was
5 devastated and held out hope for so long that she would
6 be found alive.

7 Your Honor, when we talk about the impact on
8 the community, as I said, it affected not only Richland
9 County, but ultimately many, many people who had gone
10 to school with SA [REDACTED]. And her mother is now very
11 active in community organizations against violence.
12 And so we are going to address that when you hear from
13 her family as well.

14 I would like to start by a statement, Your
15 Honor, from the assistant principal at Richland
16 Northeast High School. This is where SA [REDACTED] had last
17 attended high school. I'll also note that this past
18 June her family was awarded posthumously a diploma
19 given by Richland Northeast High School and School
20 District Two in Richland County on her behalf. So, her
21 family was there to receive her high school diploma.

22 This, Your Honor, is from assistant principal
23 Terrence Aldridge. "Your Honor, my name is Terrence
24 Aldridge. I am writing to provide a victim impact
25 statement on behalf of the students, faculty, and

STATEMENT BY MS. GRAHAM-FLEMING

1 community of Richland Northeast regarding the
2 devastating loss of our beloved student, SA [REDACTED]
3 [REDACTED]. SA's [REDACTED] untimely and brutal death has left
4 a mark on our heart and have forever altered the lives
5 of those who knew her. Words can hardly express
6 profound grief and sorrow gripping our community since
7 SA's [REDACTED] tragic passing. She was a lovely student known
8 for her radiant smile, infectious laughter and
9 unwavering kindness."

10 "Her peers and teachers loved SA [REDACTED] for her
11 dedication and remarkable potential. Her loss has
12 created an irreplaceable void in our school and forever
13 altered our educational community's dynamics. The
14 emotional toll of SA's [REDACTED] murder extends far beyond our
15 school community. Her family, who should have
16 celebrated her accomplishments and watched her [REDACTED]
17 now bears the burden of grief. Their lives have been
18 forever altered."

19 "In the wake of the tragedy, our school has
20 made every effort to provide support and resources to
21 those affected; however, there are no counseling and
22 there is no assistance that can fully repair the damage
23 caused by such a heinous act. The scars left behind
24 are deep and will be forever be etched into the
25 collective memory of our students, teachers, and

STATEMENT BY MS. GRAHAM-FLEMING

1 community."

2 "Our school built a memorial to SA [REDACTED] to
3 honor her and provide a special place for our student
4 community. We have a tree planted which bears her
5 likeness in our guardian. Your Honor, I hope justice
6 is handled quickly and decisively in this case. Our
7 community looks to the Court for reassurance that such
8 acts of violence will not go unpunished, and that the
9 safety of our young men and women will remain a top
10 priority. We would like to ask you to consider the
11 gravity of this crime, its profound impact on our
12 community, and the need to hold the responsible parties
13 accountable for their actions."

14 "Finally I would like to express our deepest
15 condolences to SA's [REDACTED] family and friends whose lives
16 have been forever altered by this tragedy. We stand in
17 solidarity (inaudible) in pursuit of justice and
18 healing. And we will continue to remember SA [REDACTED] as the
19 vibrant, talented, and compassionate young woman she
20 was. Thank you for your attention and for allowing us
21 to voice our sentiments. We trust that your judgment
22 will reflect the gravity of the crime and offer solace
23 to all of those affected. Sincerely, Terrence
24 Aldridge, assistant principal Northeast Richland
25 Northeast High School."

STATEMENT BY MS. GRAHAM-FLEMING

1 THE COURT: Thank you.

2 MS. MAYES: And also, Your Honor, we have a
3 member of the community who is also a family friend.
4 She is Carol Parker.

5 MS. PARKER: Good afternoon.

6 THE COURT: Good afternoon.

7 MS. PARKER: Your Honor, when I initially was
8 giving -- we were preparing for what would have been
9 SA's [REDACTED] high school graduation, instead of preparing
10 for her graduation they were attending court for the
11 trial. I was made aware and I became involved in the
12 search for SA [REDACTED] on April 16th, 2021. When I initially
13 heard, days prior, I thought that it was just a
14 rebellious runaway like countless teens in this
15 country. That is always my silent hope when teenagers
16 go missing. I would learn shortly thereafter that that
17 was not the case for SA [REDACTED]. In April of 2021 I was a
18 parent to a 15 year old daughter, like SA [REDACTED], but also
19 a 16 year old foster child. It was from my 16 year old
20 foster daughter that I learned where and how SA [REDACTED] met
21 Nicolle. I learned how she befriended SA [REDACTED] at Epworth
22 Children's Home. And that for me is the hardest part
23 of it to grasp, SA [REDACTED] trusted Nicolle and considered
24 her a friend, a friend that she truly wanted to help.

25 Ironically ten years ago to the date I sat in

STATEMENT BY MS. GRAHAM-FLEMING

1 a Richland County courthouse and I gave a victim impact
2 statement, as my best friend was murdered in a similar
3 fashion in what would be one of the worst domestic
4 violence cases in Richland County. It haunts me to
5 this day. Unlike Nicolle; however, I was not involved
6 in her death. I did not help her kill him, I did not
7 lure her to her killers. I would have died (inaudible)
8 that day before I would have some sympathy even as a
9 teenager.

10 In my opinion, Nicolle is the coldest of
11 SA's [REDACTED] killers. If it had not been for Nicolle and
12 for her introductions, we would not be here today. The
13 thought (phonetic) of the character of these three
14 people amounts to absolutely nothing. Listening to
15 what she did to her own father and family makes me
16 physically ill. She befriended SA [REDACTED], but she was
17 never her friend. You were -- she was not her friend,
18 because she does not know what love is. Friendships
19 are measured in love, not in TikTok videos.

20 The complete disregard for human life, the
21 complete unwillingness to be held accountable is not
22 (inaudible). The social media presence both before and
23 after this horrific crime is a true depiction of who
24 these people are. In 30 years they will be exactly who
25 they are today, soulless and nothing. That is the

STATEMENT BY MS. GRAHAM-FLEMING

1 measure. They are sorry they got caught. And had they
2 not been caught, they would continue to be a
3 (inaudible) and menace to our society and community.

4 They had no desire or plans to ever become
5 productive members of our society. People fall, life
6 is hard, things happen. Things happen when you are 16.
7 Things happen when you are 30. Things happen when you
8 are 40. If everyone responded in the way that these
9 people did, there would be nobody in this courtroom if
10 that's how we handle trauma and hard knocks and things
11 that happen in our lives. Any redemption for them need
12 to happen while spending the rest of their lives in the
13 South Carolina Department of Corrections. This crime
14 was cold, it was cruel, and it was calculated.

15 And Nicolle, in my eyes, is the definition of,
16 irretrievably broken. I'm asking that Nicolle be
17 sentenced to life without the possibility of parole.
18 Anything short of a life sentence gives her the hope of
19 the possibility of living a portion of her life that
20 she robbed SA [REDACTED] of. She doesn't deserve that
21 opportunity.

22 SA [REDACTED] will not get to graduate high school.
23 She won't get married. She won't have a career. She
24 won't have children. She won't get to go to Honduras
25 and start over. She doesn't get to have that. It is

STATEMENT BY MS. GRAHAM-FLEMING

1 time for us as a society and community to prove that we
2 will not tolerate this behavior. Thank you.

3 THE COURT: Thank you.

4 MS. MAYES: Also present, Your Honor, is a
5 minister who has known the family for some period of
6 time. He is known as Pastor Barry and he also wants to
7 address the Court.

8 PASTOR BARRY: Good afternoon, Your Honor.

9 THE COURT: Good afternoon.

10 PASTOR BARRY: Your Honor, this is very
11 heartbreaking and it is very tough. Because these
12 lives that have -- the life that has been taken and the
13 three lives that are before us, they have taken their
14 own lives. And as to viable death, we placed our hands
15 on a stage, for God so loved the world that he gave his
16 only begotten son, that whosoever believes in him shall
17 not [REDACTED] but have everlasting life.

18 SA [REDACTED] was a member of our church. She was
19 working with my wife for the youth department. This
20 family and the family, the body of Christ, that we work
21 with for the community, to help the community to be a
22 beckon of life in this city, region, territory, we are
23 hurting. We are hurting. And this has got to stop.
24 It has to stop. And this Court today, this is a very
25 important case that will affect the city, the region,

STATEMENT BY MS. GRAHAM-FLEMING

1 the territory, and South Carolina, and across this
2 state, this nation.

3 Gun violence is real, but the fact that it is
4 young people. We all were young, we all made mistakes.
5 This is not a mistake. This was plotted. This reminds
6 me of Abraham when him and his wife -- women have
7 always -- there's always been a woman to devise, to
8 manipulate and control certain men. I'm not saying
9 that women are bad, but what I'm saying is this one,
10 this case and this young lady, the influence that she
11 put on these men.

12 Now, yes, they had choices. We all have
13 choices. We have to pay for our choices. But as I
14 have sat through this court, this trial, and I ask God,
15 now, what is going on here, the manipulation from this
16 young lady is what created this whole situation. SA [REDACTED]
17 will never raise children. She will never be fruitful
18 and multiply as the Bible says that we are to do. Her
19 parents will never see grandchildren from their
20 daughter because of this situation, because of this
21 manipulation, manipulation and control that has been
22 going on from the beginning of time, starting with Adam
23 and Eve. And so this is nothing new, it is just a new
24 time and season in our lives.

25 And we as a society have to put a stop to it.

STATEMENT BY MS. GRAHAM-FLEMING

1 I can't speak for their motives, the young men's
2 motives, I can't speak for that. But what I have
3 heard, I'm speaking to the young lady. I don't want to
4 mention names, I don't even want to look, because three
5 souls, four souls now, are lost. Four people now will
6 not live to be fruitful and multiply upon the earth.

7 So I ask Your Honor, whatsoever you give,
8 give the max to this young lady and consider the
9 manipulation. As a man of God that loves souls it
10 hurts me to say what I just said, but a beautiful soul,
11 a beautiful family, is no longer beautiful. It is
12 tainted for the rest of their lives. And so I ask that
13 by the mercy of the Court, that you would do what your
14 heart is telling you to do. Thank you.

15 THE COURT: Thank you.

16 MS. MAYES: Ms. Frost. Your Honor, Ms. Frost
17 was a counselor who worked with SA [REDACTED].

18 MS. FROST: Good afternoon -- evening. I
19 work at -- I worked at Upward Children's Home. So, I
20 knew SA [REDACTED] and I knew the defendant, the female
21 defendant. I knew that SA [REDACTED] loved and trusted the
22 female defendant just by the way she acted when she was
23 around her. What happened to SA [REDACTED] is a
24 different type of pain. The day I found out about it,
25 I was at work and I couldn't show my true emotions

STATEMENT BY MS. GRAHAM-FLEMING

1 because I was around the other residents and I didn't
2 want them to see that side of me.

3 So that following day, I died spiritually. I
4 am a woman of faith, so I died spiritually knowing that
5 the female defendant is the reason why SA [REDACTED] is no
6 longer here. She had dreams. She was just a child.
7 This is difficult because she was just a child. I
8 never heard her speak bad about those she loved, or
9 anyone for that matter. She had a big heart. She had
10 a big spirit. She didn't die due to natural causes,
11 no, she was stolen from us.

12 The pain I felt the day I found out what
13 happened to her I couldn't put into words. I couldn't
14 wrap my mind around it and I couldn't -- I did not
15 understand it. I want to be honest, I was angry with
16 God because I couldn't understand how he could allow
17 this to happen to a child. For her fate for her
18 mother, her father, and her siblings, no family should
19 have to experience this type of pain, especially pain
20 from people that SA [REDACTED] trusted.

21 SA [REDACTED] was loved and she was still a child.
22 She had so much to live for. And I remember having
23 conversations with SA [REDACTED]. She loved basketball. I
24 remember hearing her playing with the basketball around
25 the cottage that she lived in with other staff and

STATEMENT BY MS. GRAHAM-FLEMING

1 residents. She talked about going to the WNBA, and now
2 she can't because that has been stolen from her. She
3 talked about her sister. She talked about her father
4 and her love for her father being a Black Panther and
5 fighting for his community back in Jersey.

6 Your Honor, I believe that the defendant,
7 female defendant, should have the maximum sentence
8 because she stole a life from us, from her family and
9 from her friends. Thank you.

10 THE COURT: Thank you. Thank you for coming.

11 MS. MAYES: Denitrius (phonetic) Adams. Your
12 Honor, Ms. Adams is actually a resident of the area of
13 Lexington where you heard about during the trial
14 SA's [REDACTED] body was recovered along [REDACTED] Road. Obviously
15 this affected everyone in Lexington County, but that
16 area, that area was uniquely affected. And they have
17 built a shrine there in that area and that we have all
18 been to and seen. But that community was absolutely
19 horrified to know that this young person's murder
20 happened in their community.

21 THE COURT: I will be glad to hear from you.

22 MS. ADAMS: My name is Denitrius Adams. I
23 live on [REDACTED] Road. We actually helped get Trey out of
24 the woods. My biggest part about this is, they had
25 every chance to tell somebody. And if she needed help,

STATEMENT BY MS. GRAHAM-FLEMING

1 she didn't ask for it. And I saw it with my own eyes.
2 This is not hearsay. I was there and saw all of this
3 stuff happen. Our house was surrounded by ATF, SLED,
4 Gang Task Force, Lexington County and Richland County.
5 And when it all happened, they made Allon look like the
6 worst person in the world, but he had been kidnapped
7 and he was being held hostage. And they had to go from
8 Lexington County to Lee County chasing him to try to
9 get him back. We didn't know what to do. On the
10 morning that they were called, or the day that they
11 were called my uncle saw Allon and Trey at Allon's
12 house on our property and he called the police. That
13 is how he was called. We don't care if that was our
14 family or if he had did it or not, if they did what
15 they did, they was going to jail. That is just how we
16 handled it. So all we knew was, go gather him up, he
17 was in the woods, go get him before everybody else had
18 came home, because if he had gotten in that road it
19 would have been worse. It didn't matter how or why it
20 happened, it happened. And it just made us look like
21 we were upholding of it. You feel me? And that wasn't
22 the case. It makes me madder that, even after all of
23 this had been done that, and that the truth still
24 should be told, that they still try to say that she was
25 kidnapped. She was not. She was not coerced. She had

STATEMENT BY MS. GRAHAM-FLEMING

1 every chance to get out of the car with him whenever
2 they came to our property after this happened. She had
3 every chance. And I feel like she deserved --

4 MS. MAYES: Your Honor, just to clarify,
5 she's referencing Nicolle. Nicolle.

6 THE COURT: I got it.

7 MS. MAYES: One of the stories that she had
8 reported to law enforcement was that she had been
9 kidnapped or held under duress.

10 MS. ADAMS: They said that today, Allon
11 kidnapped her. They said that today. I have been here
12 since 9:30. They said that today.

13 MS. MAYES: And just to clarify, I think that
14 at the close of the trial we had presented evidence
15 that she was never actually at the home of Allon Adams
16 after this occurred, that that was a false statement.

17 MS. ADAMS: Thank you for verifying that.

18 THE COURT: And I remember.

19 MS. ADAMS: And it may not seem like anybody
20 cares, but I do. I do. Every day I go past that road.
21 For two years I have not been able to sleep in my house
22 at night, not even for a tiny moment. And I go out
23 there and I keep it clean out there. I even planted
24 flowers, because I don't want them to have to go out
25 there and see a hole in the ground. I put African

STATEMENT BY MS. GRAHAM-FLEMING

1 Violets out there for her. And anybody that feels like
2 this is okay and making excuses, y'all need some
3 choices. Y'all made y'all's bed, y'all got to lay in
4 it. I want everybody to get the max, everybody.
5 Everybody had their hand in it. They can have
6 rehabilitation while they are on the inside. Get help
7 while they are on the inside. Because the outside
8 could not help them or they wouldn't have did what they
9 did to her and keep lying about it.

10 THE COURT: Thank you. Thank you for coming.

11 MS. ADAMS: Thank you.

12 MS. MAYES: Your Honor, on the overhead we do
13 have a photograph of the press, the press conference
14 that was held by Sheriff Lott that a manhunt was
15 underway for Treveon Nelson. I believe the community
16 member that you just heard from, Ms. Adams, was
17 addressing that. There were, out on [REDACTED] Road,
18 helicopters. There was a massive manhunt underway
19 looking for Treveon Nelson. That went on for some
20 period of time until he was ultimately apprehended.
21 And as she said, the community played a big role in
22 that. First, getting word out to his family that he
23 was wanted. And then, ultimately, finding him there in
24 the woods in that wooded area.

25 And next, Your Honor, we have from the

STATEMENT BY MS. GRAHAM-FLEMING

1 Lexington County Sheriff's Department Detective Pablo
2 Carvajal and Detective Kevin Baum, who both played a
3 key and lead role in this investigation.

4 DETECTIVE BAUM: Good afternoon, Your Honor.

5 THE COURT: Good afternoon.

6 DETECTIVE BAUM: I wrote it out so it is
7 going to be easier for me to just read it to you.

8 THE COURT: Okay. Well, you go right ahead.

9 DETECTIVE BAUM: So, Your Honor, I just want
10 to start by thanking you for giving us time to speak
11 today. With the amount of people that wish to stand up
12 here and speak, I am going to try to make it brief for
13 you. I would like to start by sharing my story, my
14 experiences very briefly. So I started my career in
15 2011 as a rookie police officer in the City of
16 Columbia.

17 So for the first decade of my career I was a
18 beat cop. I had a patrol area. Every shift I answered
19 the phone, services ranging from broken down vehicles
20 to someone desperate for help because they had just
21 been shot. Every day was a new experience and every
22 day my eyes opened further. I honestly believe most
23 people see the world with blinders on. I believe there
24 are personal acts of heroism and unspeakable acts of
25 evil. The best in us, and lastly the worst in us.

STATEMENT BY MS. GRAHAM-FLEMING

1 This case, Your Honor, I believe that this
2 case is about the absolute worst if you listen to
3 today's testimony and the overwhelming evidence leading
4 to these three pleading guilty of praying on the victim
5 in this case. SA [REDACTED] was a 15 year old girl
6 who was lured out of her home by her best friend,
7 kidnapped, stripped of her phone, and taken to a dark
8 field in the middle of nowhere. She was brutally
9 beaten, interrogated, and shot over and over and over
10 again. This wasn't a spur of the moment decision.
11 This was a violent crime, planned crime, laid down and
12 executed.

13 We are here today for you to impose a
14 sentence on these defendants for this crime, the loss
15 of life over what, Your Honor? Over nothing. SA [REDACTED]
16 actually did nothing to deserve this. I implore you to
17 not let the age of the defendants lessen the Court's
18 sentence of them. Nicolle Sanchez-Peralta was not a
19 helpless little girl who sat here in court and tried to
20 fool jurors to believe. They saw right through her and
21 I believe you did too.

22 Her own words to me when I interviewed her,
23 she would have never came forward about her best friend
24 being murdered, best friend she lured into a stolen
25 vehicle. Same vehicle she stole to be used in this

STATEMENT BY MS. GRAHAM-FLEMING

1 murder. She is not a victim, Your Honor. She is the
2 absolute worst.

3 Treveon Nelson, who only plead guilty after
4 his lawyers told him that they had seen the evidence
5 and knew there was no other way, no way they could make
6 the jury believe he isn't guilty. And then after
7 pleading guilty he sits down with us and went into a
8 lot about what happened that night. He put it all on
9 Nicolle and said Nicolle shot SA over jealousy and
10 whooped up on SA in a fight. He tried to tell us
11 Jaylen was not at the murder scene and he had no idea
12 that it had taken place. Lies, Your Honor. He is the
13 absolute worst.

14 Jaylen Wilson, the one who only plead guilty
15 after his lawyers sat through Nicolle's trial and heard
16 what evidence was being presented. He took no
17 responsibility to plea. He took the plea as instructed
18 by his lawyers. He used his own mother's linens to
19 wrap SA's feet and drag her lifeless body to the
20 woods. He is the absolute worst, Your Honor.

21 And, Your Honor, I have had time to reflect
22 on this case and I have tried to put myself in SA's
23 parents' shoes, having two children of my own I have
24 tried to imagine what it would be like to lose one.
25 The only thing I can come up with (inaudible). The

STATEMENT BY MS. GRAHAM-FLEMING

1 thought that I would never see my daughter's face again
2 or hear my son laugh was unbearable. In reality I
3 don't know what it is like and no one should. No
4 parent should ever outlive their children.

5 I know that today's proceeding is a
6 conclusion for us at the Sheriff's Department and
7 Solicitor's Office and the courtroom, but for SA's [REDACTED]
8 family, friends, and loved ones, I don't think it will
9 ever be over. They say all time -- they say time heals
10 all wounds. I honestly don't think that this wound
11 will ever heal. We are here for justice. And justice
12 is defined as ethical, philosophical idea that people
13 are treated partially, fairly, properly, and reasonably
14 by the law. Your Honor, in my opinion, there is only
15 one fair and proper outcome in this case, if justice
16 prevails, is going to be life in prison.

17 These defendants forfeited the right to live
18 in society when they kidnapped, beat, and shot a 15
19 year old girl, SA [REDACTED]. Thank you.

20 THE COURT: Thank you.

21 MS. MAYES: Detective Pablo Carvajal.

22 THE COURT: Detective.

23 DETECTIVE CARVAJAL: Good evening, Your
24 Honor. Nice to see you.

25 THE COURT: Nice to see you.

STATEMENT BY MS. GRAHAM-FLEMING

1 DETECTIVE CARVAJAL: I want to take a minute
2 to talk about SA [REDACTED]. SA [REDACTED] turned 18 years old 24 days
3 ago. Twenty-four days ago. At 18 she would have been
4 a senior graduating high school, maybe planning to
5 attend college or getting a job. At 18, maybe joining
6 the military was an option, or just travel. Obviously
7 none of that happened. Instead she's been dead for
8 over three years.

9 Two years ago I found SA [REDACTED] buried in a
10 shallow ditch in a dirty field in Leesville. A field
11 that is less traveled, no marker, no flowers, nothing
12 to remember who she was, who laid there in a simple
13 spot. That is how I found her. She was covered in a
14 brown pokey dotted blanket, one she brought from home
15 to keep her warm on the day she was killed. As I
16 walked the field I found her pink Crocs, typical color
17 for a 15 year old, destroyed at worst. I wondered,
18 maybe she would have liked that movie Barbie because of
19 her like for pink.

20 At her grave I asked the Lord to bless her.
21 And I told her, SA [REDACTED], we will bring you home. For a
22 second I thought about my daughter and my heart
23 ruptured thinking what I would do if I lost her. Then
24 I thought of her house and the sadness we were about to
25 bring upon it. Within minutes a bunch of my

STATEMENT BY MS. GRAHAM-FLEMING

1 colleagues, who are all here, ascended on that field
2 and we worked it. We worked it. We worked that field
3 all night. On our hands and knees we sifted through
4 that dirt and brought her home.

5 I don't want to tell you what to do, Your
6 Honor, what should happen to the defendants. I don't
7 envy that responsibility that you have. I carry enough
8 weight on my shoulders. After all of these years in
9 investigating violent crimes, I still don't understand
10 how people, how kids can hurt each other so much. Now,
11 I want to speak to you like a dad. But what I do want
12 you to consider is what happened to SA [REDACTED], and what is
13 happening to her family forever. The pain will never
14 dull. But maybe, maybe knowing that the people who
15 ripped their child from their heart will never see the
16 light of day, maybe it'll ease that pain. If it does,
17 they deserve that.

18 Your Honor, I trust that you will administer
19 and judge an appropriate sentence. Thank you.

20 THE COURT: Thank you Detective.

21 MS. MAYES: Judge, as you heard, SA [REDACTED] was a
22 native of New Jersey. That is where her father's
23 family is located. Actually when they came here to
24 South Carolina they thought that they were going to be
25 free of some of the violence that is often seen or

STATEMENT BY MS. GRAHAM-FLEMING

1 talked about in New York and the suburbs of that area,
2 and Newark being very close by.

3 Your Honor, following the murder of SA [REDACTED], a
4 statement was released on behalf of the City of Newark
5 and Mayor Ras Baraka. As an official press release,
6 Your Honor, he states, "On behalf of the people of
7 Newark, I would like to express my sincere condolences
8 to Sharif Amenhotep on the tragic loss of his beautiful
9 and intelligent daughter, SA [REDACTED], who was
10 kidnapped and murdered in South Carolina. Mr.
11 Amenhotep works tirelessly to increase justice and
12 reduce violence in our neighborhoods through our Brick
13 City Peace Collective helping us to reimagine our
14 public safety and prevent tragedy such as this from
15 taking place in our very own community."

16 "No parent should ever have to bury their
17 child. It is an inexplicable loss that defies
18 imagination. We hope that the South Carolina
19 authorities can bring the suspect in this case to
20 justice. Our entire city is joining with the Amenhotep
21 family in their grief and pain."

22 And as I stated, Your Honor, the family is
23 very well known in Newark, New Jersey for their work in
24 anti-violence programs. And SA [REDACTED] was a part of that
25 as a child growing up. And she grew up participating

STATEMENT BY MS. GRAHAM-FLEMING

1 in some of these community events asking to take
2 actions against violence. And there's a Youtube video
3 that we are going to share with the Court at this time.
4 This Youtube video was actually focused on SA [REDACTED] as a
5 student active at the young age of 12. And in this
6 video she speaks about what her goals are for the
7 future. And it is so compelling, Your Honor, to watch
8 this video and to realize that she's no longer here
9 with us now.

10 (Youtube video playing.)

11 MS. MAYES: Eleven years old, Your Honor.
12 Honored there as one hundred people in Newark, New
13 Jersey who is being recognized as part of that
14 campaign.

15 And now, Your Honor, we are going to ask her
16 family to come forward. First, Your Honor, there will
17 be a statement on behalf of her sister Sister [REDACTED]. Sister
18 is here. She was in the courtroom earlier this
19 morning. Your Honor, she had to leave. She is not
20 going to be able to be in here for this. But she typed
21 her statement and I ask that we may read that on her
22 behalf.

23 THE COURT: Okay.

24 MS. MAYES: Your Honor, you heard from Sister [REDACTED]
25 during the trial. She's been very brave throughout

STATEMENT BY MS. GRAHAM-FLEMING

1 this, not only testifying in the general sessions
2 trial, but also testifying in that family court
3 proceeding. She was only 13 --

4 THE COURT: I remember.

5 MS. MAYES: -- when this happened. Thirteen
6 years old. She was the last person to see her sister
7 alive that night. She's haunted by everything that
8 occurred that night. And knowing that when SA
9 walked away, not only is that the last time she would
10 ever see her, but she had no idea what was happening to
11 her.

12 Your Honor, as you heard, Sister is here, but
13 Sister asked me to express what she wanted to say to
14 the Court. Sister was 13 the last time she saw SA,
15 and she's 15 today. She continues to miss her sister
16 everyday. And she has to wake up to the realization
17 that she will continue everyday forward without her
18 sister. The words from Sister, "My sister was a great
19 person with a big heart. She was my right hand, my
20 best friend, my go-to. She was my everything. She was
21 the one person I knew without a doubt would do anything
22 for me, and I could trust her with anything. The day I
23 lost her, I lost myself."

24 "She would most certainly do anything for the
25 people she loved. But she often loved and cared for

STATEMENT BY MS. GRAHAM-FLEMING

1 the wrong type of people. She was too good of a friend
2 to an evil, jealous-hearted monster who she thought
3 loved her and was a friend to her. I witnessed my
4 sister give Nicolle the clothes on her back, literally
5 gave her a place to stay. And even when my mom said
6 Nicolle needed to leave, SA [REDACTED] slept outside of our
7 apartment complex with her to make sure that she was
8 okay."

9 "SA [REDACTED] even got upset and argued with my
10 mother, with her own mother, when she thought that she
11 was not looking at Nicolle in the same light that SA [REDACTED]
12 did. And then in return this is what Nicolle does. I
13 always knew that she was jealous, but I didn't think
14 that she would take it this far. And the banterment
15 (phonetic) they did, it was vicious and cold."

16 "The other two, who are monsters as well, who
17 also participated in murdering my sister, they are just
18 as evil. SA [REDACTED] was 15 and did nothing to any of them.
19 And the fact they have no remorse just shows how wicked
20 and savagely they really are. People like them do not
21 deserve to be out in this world. I hope they never see
22 the light of day or their family ever again, just like
23 I will never see my sister, my other half." And that
24 is Sister [REDACTED].

25 THE COURT: Thank you.

STATEMENT BY MS. GRAHAM-FLEMING

1 MS. MAYES: Your Honor, Sharif Amenhotep.

2 THE COURT: Good afternoon.

3 MR. AMENHOTEP: Good afternoon, Your Honor.

4 My name is Sharif Amenhotep. I'm the father of SA [REDACTED]
5 [REDACTED], my beautiful princess SA [REDACTED]. We
6 named her SA [REDACTED], the work of art, the beautiful work of
7 art. And her middle name is SA [REDACTED], forgiver. And
8 Amenhotep means peace. The root word Amenhotep means
9 peace.

10 Myself for the past 20 years, I have been a
11 peace activist with the City of Newark, fighting
12 against violence, organizing hundreds of rallies in my
13 city. I never thought a day that I would be standing
14 before you speaking against my own and suffering the
15 tragedy that I have seen so many other families suffer
16 throughout this country.

17 This is not just a tragedy, this is a tragic
18 crime that is motivated by hate. It is a hate crime.
19 Not in the sense of someone targeted or killed because
20 of the color of their skin, but hate in the sense of
21 betrayal. The greatest loss that you can suffer is
22 when someone betrays you. Someone that you considered
23 as your friend, that you befriend, and motivated by
24 hate, motivated by jealousy.

25 And to look for remorse in this case and to

STATEMENT BY MS. GRAHAM-FLEMING

1 look for mercy in the case when my daughter pleaded for
2 her life. She pleaded for mercy. She pleaded for
3 remorse. And they had no remorse. They had no mercy
4 for her. When you look at crimes among young people,
5 this is top. I have never, ever witnessed the manner
6 in which my daughter was murdered and killed. I can
7 accept death, we all have to die some day, but the
8 manner in which my daughter was murdered I can never
9 accept and never wrap my head around that.

10 And my family is shattered for life. And now
11 Mahari, my oldest daughter, she had six younger
12 siblings, six younger sisters and two younger brothers
13 that looked up to her. She was the oldest and they
14 could all look up to her. And they will never be able
15 to see their sister again. She was just not a
16 daughter, she has community, family members that love
17 her. We will never get the opportunity like these
18 young men and women will to see their family again. We
19 will never be awarded that opportunity again. They
20 took that from us and shattered my life.

21 In doing this work, part of my job is I work
22 for the City of Newark, I work in the Office of Bias
23 Prevention and Trauma Recovery. This makes my job so
24 hard to now do the work. I become so discouraged after
25 this happened to me. Why me, why my family, why us?

STATEMENT BY MS. GRAHAM-FLEMING

1 When we look at violence, violence is a public health
2 issue. It is a disease that is in the hearts and minds
3 of young people all over the nation.

4 So you say justice, we look for justice, what
5 is going to be justice for us? Justice is them going
6 to prison for the rest of their life. Justice that
7 they can never, ever be able to inflict harm upon
8 another family to feel the pain that I feel as a father
9 who is supposed to be able to protect their daughters,
10 to keep them safe, and I wasn't able to do that.

11 But I'm here today to protect my daughter, to
12 make sure that she gets justice. Make sure that what
13 happens to her don't happen to another family. That is
14 what we ask for, that they cannot inflict their harm
15 and this pain and suffering on another people like they
16 have us. We have to endure this pain and sit in court
17 proceedings and trials. People don't know what it's
18 like. You know, this is the life that we live. The
19 pain, when does it stop? How does it stop?

20 Is jail the answer? Most people receive
21 corporal punishment for the crimes that they have
22 committed. But what frightens me is scary, but they
23 are not alone in this. There is hundreds of other
24 young people who are just like them. There are
25 hundreds of other killings that followed behind that.

STATEMENT BY MS. GRAHAM-FLEMING

1 So as a community we are wrapped around, not just
2 around tragedy, more proactive and revenge, to stop
3 this from happening, to stop these young people from
4 doing what they have done to my daughter.

5 But as for them, like, I can't see any mercy,
6 no remorse. They had no remorse for my daughter. She
7 pleaded and cried for her life. They beat her and
8 tortured her and murdered her. They buried her. Cold,
9 calculated, premeditated murder, nothing less. All
10 designed by a person that she considered to be her
11 friend. A friend would have never allowed those things
12 to happen. She could have prevented that from
13 happening.

14 She started this. She put those seeds of
15 hatred in their head. With no proof. How is this your
16 best friend and you gonna say that she's responsible
17 for this man's house being shot up? With no evidence.
18 This is your best friend. You put that in their heads.
19 How could you suggest that to them? But this is your
20 -- you say this is your friend. This is the greatest
21 tragedy. Someone that you considered your best friend
22 to take you out knowing what is going to happen to you
23 and murder you.

24 Those type of things that I can't reason
25 with. So send a message out to other young people

STATEMENT BY MS. GRAHAM-FLEMING

1 watching, call your friends, the people that you meet
2 in life, you can end up with not even just the wrong
3 decision, not one, but many that follow over and over
4 and over again. So we have to support it to make sure
5 that they never, ever be able to inflict this type of
6 pain and hurt on our family or any other family.
7 Protect society against this type of hate.

8 THE COURT: Thank you, Mr. Amenhotep.

9 MS. MAYES: Your Honor, Saleemah
10 Graham-Fleming, as you may be aware, has become very
11 active in the midland community in multiple
12 anti-violence programs. She's worked with the media
13 and done numerous podcasts and special presentations.
14 I believe she's been on probably every local TV station
15 talking about the youth initiative that she's a part of
16 across the midlands to prevent gun violence and youth
17 violence. She is also a member of Moms Demand Action.
18 We have many other members also present, and in the
19 courtroom and watching on live stream as well, Your
20 Honor. And Moms Demand Action is certainly devoted to
21 anti-violence and anti-gun violence within the
22 community. Saleemah Graham-Fleming, Your Honor.

23 THE COURT: I will be happy to hear from you.

24 MS. GRAHAM-FLEMING: Thank you. Your Honor,
25 I am going to try to keep my conversation just to you.

STATEMENT BY MS. GRAHAM-FLEMING

1 THE COURT: That will be fine, that is who
2 you are supposed to be talking to is me.

3 MS. GRAHAM-FLEMING: As you can see, I have a
4 black NOS t-shirt and blue jeans, pink Crocs and
5 blanket. This is what my daughter had on at 10:40 in
6 the evening of April 25th. I called the police, I was
7 frantic. I could feel that something was wrong, I knew
8 it. I didn't know the magnitude of what was wrong, but
9 I just knew that something was really wrong.

10 It would take law enforcement 16 days to
11 really know how serious it was. Looked for my daughter
12 for 24 days, 24 days. Going to work with your head on
13 a swivel hoping to see your kid walking down the curb.
14 The last time I saw SA [REDACTED] was the last time I saw
15 SA [REDACTED]. I never got to view her body. I didn't get to
16 ID her. When I shipped her body to New Jersey I
17 couldn't open the casket. I couldn't do it. When the
18 Coroners told me that my daughter was dead and that she
19 had been buried, they told me that nothing happened to
20 her face and I knew it was a lie. They told me that
21 all she did was get shot a number of times, and I knew
22 that that was a lie.

23 Because, unbeknownst to this Court, what was
24 not in testimony, was the things leading up to what
25 happened, how these defendants were in my home days

STATEMENT BY MS. GRAHAM-FLEMING

1 before they killed my daughter. How they did something
2 called baiting. I work with young people. You heard
3 that I work with DJJ, so I know that young people do
4 something called baiting. And what that is is they do
5 like this little tug of war thing to get people
6 comfortable. So SA [REDACTED] is missing and then she is on
7 her way home -- or I'm calling another incorrigible --
8 and then she's at the door.

9 One day, and I am going to try to put this
10 all in chronological order the best way I can. It is
11 really on my heart. Some of the dates are just etched
12 inside of me. Let me just talk about sixth grade when
13 SA [REDACTED] was diagnosed with dyscalculia. And if anybody
14 knows what that is, it is liken to dyslexia, right,
15 where the words are kind of jumbled, but with numbers.
16 Which means that SA [REDACTED] had problems with directions and
17 giving addresses. So when I heard the story about her
18 giving someone's address I knew that it was false.

19 One, because I came to South Carolina in
20 August of 2019. SA [REDACTED] went home to visit with her dad
21 in December of 2019 and didn't come back until right in
22 the middle of the pandemic, which was March 25th, 2020.
23 We were in quarantine, nobody could move. SA [REDACTED] didn't
24 go outside until late June.

25 How did she end up in Epworth Children's

STATEMENT BY MS. GRAHAM-FLEMING

1 Home? SA and I had a physical altercation because I
2 was trying to stop her from going outside. Ironically
3 enough, it was a trigger of SA because before we
4 moved to South Carolina SA was sexually assaulted in
5 New Jersey. And that altercation happened a year to
6 the date. She was triggered and I didn't know it.
7 That altercation landed her in Epworth. Me not knowing
8 what to do and looking for resources, it was DSS's job
9 to assist me with my daughter.

10 I had to do a specialized interview at
11 Epworth. And they told me that my daughter had a
12 runaway history, that she couldn't stay there because
13 no one there had that history. Unbeknownst to me, so
14 one of the defendants in this case, same thing, but was
15 there with a runaway history. Up to that point my
16 daughter had never run away in the State of South
17 Carolina until she met the female defendant in this
18 case. They ran away together twice in the month of
19 September 2020. I pulled SA out on October 1st of
20 2020.

21 Before the holidays can approach, I remember
22 meeting the female in this case. I remember learning a
23 little bit about some of the things she told SA,
24 which really made SA dear to her. I wrote a book
25 ten years ago called *When God was Effervescent*. I come

STATEMENT BY MS. GRAHAM-FLEMING

1 from some of that same harsh background, harsh
2 upbringing, that some of these people talk about coming
3 from being abused, being beaten unconscious, locked in
4 closets. Things like that happened to me. I wrote it
5 in a book. So, of course, SA [REDACTED] would be drawn to
6 someone telling her similar things, and feeling like in
7 some way she is vicariously helping her mother helping
8 a young person with similarities like those.

9 The week before Christmas, the female in this
10 case came to my door dressed in a little pair of shorts
11 and a white T-shirt, part of the reason why I was in it
12 earlier today. And I knew she was being deceitful.
13 She told a story about how she was getting victimized
14 by one of the male defendants here. Obviously the
15 older gentleman. I told SA [REDACTED] I would allow her to
16 stay, but she has to locate her parents. We tried and
17 tried and tried to get those parents on the phone, to
18 no avail. After forty-eight hours I told her she had
19 to go. Ironically she ended up back with the male
20 defendant in this case. At that point I told my
21 daughter to stay away from this individual. Something
22 in the midst wasn't clear.

23 This young person would come to my house
24 again and again, and then I would learn that all three
25 of these people would come to my house, coincidentally

STATEMENT BY MS. GRAHAM-FLEMING

1 when I'm not there. I told SA [REDACTED], If these people
2 can't let me see them, you don't need to be around
3 them. Of course SA [REDACTED] wanted to help.

4 January between the 4th and the 7th, I looked
5 for SA [REDACTED], she had never been gone for 15, 16 hours. I
6 looked for SA [REDACTED]. And right at the 15th hour she
7 called me on the phone and says, Mom, can you pick me
8 up from a hotel in West Columbia? I do such. It is at
9 that time that me and SA [REDACTED] had the baiting
10 conversation. Maybe two weeks after that, I came home
11 to find miss -- the female defendant at my house. I
12 had asked her to stay away from my daughter and to stay
13 away from the house.

14 I told my daughter to stay away. But every
15 time I wasn't around, I'm at work, I'm doing something
16 for the community, I'm at church, this individual will
17 come around and pull on SA's [REDACTED] heart strings. And
18 SA [REDACTED] will tell me one morning after leaving her, after
19 sleeping outside with her with blankets from my house,
20 Mom, you don't turn your back on your friend. And I
21 said, SA [REDACTED], at 40 something years old I know who my
22 friends are, but that didn't come easy and friends
23 won't put you in compromising situations.

24 February, got a package, I was excited about
25 showing my daughter. Another call. Mom I'm stranded,

STATEMENT BY MS. GRAHAM-FLEMING

1 they won't bring me back. SA [REDACTED], stop going over --
2 stop going with them. This is baiting. This is
3 baiting. But, Mom she was crying, she was hurting, she
4 was beaten. She would go again and again and again.
5 Friday before my girl was gone for good, they came
6 again. I sent an Uber to go and get my girl at 2:00 in
7 the morning, but she ended up back again.

8 When that phone rung and it went to the voice
9 mail and I never got a text, I knew something was
10 wrong, bad wrong, and I knew it. I still went to work.
11 I knew that I had to find the female defendant because
12 she was the last person that I saw my daughter with.
13 She called me on the phone two days after she killed my
14 daughter. I asked her where was SA [REDACTED]. Her response,
15 What you asking me for, your daughter get in the car
16 with anybody, any man. I cut her off. My daughter's
17 character is not on trial here. Where was my baby. I
18 said, You have got to understand, I am her mother.
19 Well, I don't know, I don't know, she was with a guy,
20 she was with her boyfriend, she was with her boyfriend.
21 That was always -- but she never felt sorry or even
22 concerned. I know she was behind it all. I know it.
23 I know it.

24 Forgive me if I'm not moving fast enough, but
25 you have got to understand I have been waiting for this

STATEMENT BY MS. GRAHAM-FLEMING

1 day for almost two and a half years, since the autopsy
2 report on October the 8th, 2021 to do right for my
3 baby. The nightmares, the medication, the back and
4 forth trauma, but what is worse is like, I found
5 SA's [REDACTED] body, and Sister [REDACTED], I feel like I lost two kids
6 at one time. I looked at (inaudible), God bless, she
7 passed away two weeks ago. Her daughter was killed too
8 at 15. You never get over it. My baby said, Mama just
9 do it for me. Even though I knew that these people
10 were no good. She said, Mama.

11 And right before they killed my baby, we got
12 into one of those riffs that mothers and daughters get
13 in, and she said, I guess now you are not going to help
14 me. And I looked at my baby and said, Girl I will do
15 anything to help you. So that is why I'm in here.
16 Love makes you do some crazy things. And love can make
17 you get on TV. Make you have to learn that your
18 daughter is savagely murdered. Telling your story over
19 and over and over again, trying to help other girls
20 like my daughter, other kids that might be roaming
21 around with people like this, this type of psyche. The
22 lack of remorse hurt on top of it.

23 My mother used to say, Every tear is not
24 sincere. And you sit there and in the back of your
25 mind, You are only sorry that you got caught. Why, why

STATEMENT BY MS. GRAHAM-FLEMING

1 her? Why her? Why SA [REDACTED]? They knew other kids. They
2 know other girls. I was in my house walking around in
3 my bedroom right before they did it. They knew that
4 there were firearms present, even though violence
5 amongst our family, no violence, no history of it, and
6 she is from New Jersey, she doesn't know these woods,
7 nobody is going to be able to find her. That is why.

8 She was the youngest one out there and her
9 age -- she was the youngest person out there. And to
10 hear details about what was going to happen to you, I
11 know that she had to hear my voice. I heard testimony,
12 You are going to kill me anyway, just let me call my
13 mother. I have got to see this every day. I'm asking
14 you to give them the same mercy they gave my baby. My
15 baby slept outside while I paced the floor worrying.
16 She trusted them. He wasn't even a person to be mad
17 at.

18 I don't want to address these people. The
19 female defendant yells at the oldest male, Ain't good.
20 Nicolle, 17 year old, they came absent and rejection.
21 And whenever I think what they did was so callous. I
22 can't call them by their names. The only soldier out
23 there was my baby. I wonder how they know, a
24 16-year-old working at home, because I know they didn't
25 know that SA [REDACTED] had a fight with her about her

COLLOQUY

1 boyfriend she left out of my house with to sleep with
2 in his car. Maybe she is at the address, but because
3 he's -- and because the history is the female was a
4 stranger to her mother and (inaudible).

5 Maybe it wasn't just about somebody's child,
6 but jealousy has a funny way of being, I want what you
7 want, or I don't want what you want, I just don't want
8 you to have it. I ask that all of the -- I'm thankful
9 for this day, because there is so many parents that
10 don't get it. So many parents that don't get this day.
11 Thank you so much.

12 THE COURT: No, thank you, Ms. Fleming.

13 Thank you.

14 MR. HUBBARD: Your Honor, that is all that we
15 have.

16 THE COURT: All right. Let me get Mr.
17 Brunson, if y'all could move over, I am going to get
18 Ms. Peralta to come up, please.

19 MR. HUBBARD: Your Honor, one question. We
20 are fine, Your Honor.

21 THE COURT: All right. Ms. Mauldin, I'll
22 give you the opportunity to respond.

23 MS. MAULDIN: Thank you, Your Honor.

24 THE COURT: Thank you.

25 MS. MAULDIN: I know that we have talked

COLLOQUY

1 about an individualized hearing for my client. I would
2 ask the Court to consider her individually, even though
3 you have heard a lot of testimony from other people and
4 from family addressing all three.

5 THE COURT: I can tell you I do, Ms. Mauldin;
6 I do consider her case individually.

7 MS. MAULDIN: Thank you, Your Honor. One
8 drawback to this as we have kind of gotten into a
9 situation where we are trying to determine each
10 person's share of the blame. And we are doing that in
11 court, and I would ask the Court to consider that as
12 well. I would ask the Court not to consider the fact
13 that she's not addressed the Court, has not made any
14 statements of remorse because she has an appeal that we
15 anticipate filing soon. And I would also ask the Court
16 to consider that when Dr. Knight testified she
17 mentioned remorse that she had felt over the whole
18 situation. So I would ask the Court to keep that in
19 mind. Since we have to assess each person's share of
20 the blame on this since we are in this now, I have to
21 address a couple of things that came up.

22 THE COURT: Absolutely.

23 MS. MAULDIN: First of all, I think that it
24 was in error to say Treveon was not cooperative and
25 then believe the story that it all came from Nicolle.

COLLOQUY

1 If he's not cooperative, he's not believable at all.
2 And Allon Adams was closely aligned with Treveon. He
3 was arrested in the same manhunt; a lot to gain from
4 spinning this. And he spun it to help his friend as
5 much as possible, as you heard. Discrepancy in what
6 he's said. And certainly he is not the appropriate
7 person to point to Nicolle as the shooter in this case.
8 There is no evidence of any sort of fight or any sort
9 of dispute between Nicolle and SA [REDACTED]. We have no
10 evidence of that whatsoever. I would ask the Court not
11 to give that any credence either.

12 You also heard that none of these people
13 assisted the Solicitor's office. I would point out
14 that Nicolle again was the person who told the police
15 where SA [REDACTED] was buried. When the police were out
16 looking, even after that first day when she got close
17 to the location and then got scared when she saw Allon
18 Adams and backed off of that, even then, they were out
19 looking in that area and they could not find her. They
20 were right there in that same area in that field and
21 couldn't find her. It wasn't until she came back the
22 next day and told her where SA [REDACTED] was that they found
23 her. I think that is important and I ask you to give
24 her consideration in that respect.

25 The solicitor said it doesn't matter that

COLLOQUY

1 they are beyond. That is not what the law said. The
2 law said that you have to consider youth. You heard
3 everything that Dr. Knight had to say about the factors
4 of youth, and Nicolle is not one of those irreparable
5 rare females. And any sentence that you give her is
6 going to be a lengthy, substantial, life-changing
7 sentence. I'm asking you to give her a chance.

8 We have seen signs that she is able to be
9 rehabilitated. And she has shown growth and change,
10 even over the last few years, and I think that that is
11 going to continue. And I'm asking you to give her that
12 share. And I think that Gaylon's (phonetic) word was
13 the best for the situation for them, he used the word
14 "heart-breaking" and "remorse" for the family. The
15 heartbreak that they felt. This is a situation that
16 has heartbreak for all four of these families. And it
17 is just -- such a horrible shame. I agree with that
18 word too, horrible that any of us are here trying to
19 sort this all out now.

20 But I know that it's been a long day, Judge,
21 and I thank you for hearing from us, and for hearing
22 from Dr. Knight. And I just ask you to consider
23 everything we have said.

24 THE COURT: All right. Thank you, Ms.
25 Mauldin. Anything else?

SENTENCING BY THE COURT/SANCHEZ-PERALTA

1 (No verbal response.)

2 THE COURT: All right. Ms. Peralta, if you
3 will please stand?

4 I'll tell you, Ms. Mauldin, I think that you
5 have done an excellent job for your client. I have
6 listened to your expert. And I thought that Dr. Knight
7 was very informative. And in this case, Ms. Peralta
8 was a juvenile at the time that this crime was
9 committed. And I have considered the factors in the
10 Byars and Miller cases. Just because this crime
11 carries a possibility of life.

12 I'll tell you, Ms. Peralta, the murder charge
13 is 30 to life. I must give you 30, no less. And I
14 could give you up to life. The kidnapping carries up
15 to 30 years. The murder charge itself is a strike, and
16 it is a violent and most serious charge. Any time that
17 I give you on the murder charge is a day for day
18 sentence. There is no good time. And it is a strike
19 against you. There's certain combinations of strikes
20 that can get you a life sentence. Should you get out
21 and get in trouble again, you could be facing a life
22 sentence. I'm sure that you have talked to your lawyer
23 about that; is that correct?

24 MS. SANCHEZ-PERALTA: Yes, Your Honor.

25 THE COURT: The kidnapping charge I think is

SENTENCING BY THE COURT/SANCHEZ-PERALTA

1 an 85 percent charge; is that correct, Mr. Hubbard? It
2 carries zero to 30. Whatever sentence I give on that,
3 you must serve 85 percent of it. Do you understand?

4 MS. SANCHEZ-PERALTA: Yes, Your Honor.

5 THE COURT: On top of that 85 percent charge,
6 if and when you are released, you will be on supervised
7 release. Have you talked to Ms. Mauldin and Ms. Selek
8 about that?

9 MS. SANCHEZ-PERALTA: Yes.

10 THE COURT: All right. Okay. I've listened
11 to your lawyer, Ms. Peralta. I have listened to Dr.
12 Knight. And I can tell you, I have considered your
13 age. And I recognize that you were 15 at the time of
14 this murder, and that most 15 year olds are immature
15 and they do not appreciate the risk and consequences of
16 their actions. I have listened to her explain that she
17 believes that you are in the mid-adolescent stage where
18 risk taking is at its peak. And during this stage most
19 adolescents can't avoid risk, where you would avoid
20 risk. And that this is due to adolescents' brains not
21 being fully developed.

22 I listened also about your family and home
23 environment, and I recognize that your childhood was
24 unfortunate. You were abused at a young age. You did
25 not have the opportunity to bond or attach with your

SENTENCING BY THE COURT/SANCHEZ-PERALTA

1 parents, which is really important. And you lived with
2 relatives at a young age. You suffered bullying at
3 school. And you witnessed violence in the neighborhood
4 that you lived in.

5 And you also had issues with your parents
6 over not taking you with them and leaving you when you
7 were really young. As far as competency associated
8 with you, I believe that you may not have fully
9 understood the consequences of speaking with counsel.
10 I know that your parents didn't. And I think that is
11 important because they couldn't advise you one way or
12 the other as to what to do.

13 On the possibility of rehabilitation, the law
14 states that only the rarest, or case law states that
15 children who are permanently incorrigible, I can tell
16 you that I had a tough time with this, Ms. Peralta. I
17 think that you are well on your way to being
18 permanently incorrigible. Your conduct and behavior
19 has been going on since you were 14 years old, chronic
20 runaway, don't follow your parents rules, and you make
21 false allegations. The consequences of which are just
22 tremendous to your family.

23 And then I find you involved in what you are
24 here in front of me for today. But even given that,
25 and your role in the offense, your role in the offense

SENTENCING BY THE COURT/SANCHEZ-PERALTA

1 is something that is a tragedy that we are going to
2 discuss in just a moment. But after considering all of
3 those factors and listening to your lawyer, I'm going
4 to decline to impose a life sentence.

5 However, let me tell you, this Court has
6 considered the violent and aggravating circumstances
7 surrounding SA's [REDACTED] death. It is apparent to me, and
8 from the testimony at trial, that your role was much
9 more than mere presence. There was testimony at the
10 trial that all three defendants took turns shooting the
11 victim. That included you. And I'm going to tell you
12 the thing that gets me the most is this autopsy report.
13 I read this thing two or three times this weekend.

14 This child suffered a broken eye socket,
15 femur, ribs four and six on the left side, rib seven on
16 the right side. Her left femur was fractured. So was
17 her tibia. So was the ulna, the bone that runs here,
18 which was more than likely a defensive wound. And even
19 all of that -- not to mention that she was shot at
20 least, at least 14 times. And then I look to where she
21 was shot. The left forearm, the right hand, the left
22 buttocks, the left thigh, the left thigh a couple of
23 times, the left knee. And let's see, the right leg.
24 And then finally two times to the chest.

25 I can't think of more torture than that child

SENTENCING BY THE COURT/SANCHEZ-PERALTA

1 went through, what y'all did to her. And you know, Ms.
2 Peralta, she was your friend. She was supposed to be
3 your best friend. She trusted you. She trusted you
4 when she got into that car and it cost her her life. I
5 don't believe you provided any mercy to SA [REDACTED]
6 at all, and she was your friend. And you deserve no
7 mercy from this Court.

8 Mr. Amenhotep, don't give up on peace.
9 Please do not give up on peace. Sometimes you said the
10 magic word, how do you wrap your head around this kind
11 of violence. I can't. It is really hard. I don't
12 understand when you have a difference with somebody or
13 a problem with somebody, the answer is not picking up a
14 gun and, Let's kill them. It is not. And our youth is
15 killing each other. It is horrible. I sit up here all
16 of the time and I see it and I'm just going to tell
17 you, I can't wrap my head around it. So sorry for your
18 loss. I'm at a loss for words for you. I am.

19 MS. MAULDIN: Judge, may we approach?

20 THE COURT: You may.

21 (Off-the-record discussion held.)

22 THE COURT: There was a case that just came
23 down about two weeks ago that you can't sentence -- the
24 Court can't sentence on murder and kidnapping.
25 Kidnapping is supposed to be incorporated into the

MOTIONS BY THE DEFENSE

1 murder charge. I want y'all to understand that. It is
2 a brand new case that just came down. So what I will
3 do is just sentence on the murder charge. All right.
4 Anything else?

5 MS. MAULDIN: No, Your Honor.

6 THE COURT: Before I announce the sentence?

7 MR. HUBBARD: Not from the State.

8 THE COURT: Ms. Peralta, the sentence of the
9 Court is you be committed to the State Department of
10 Corrections for a period of 65 years. Thank you.

11 MS. MAULDIN: Your Honor, may I put a couple
12 of things on the record?

13 THE COURT: You may.

14 MS. MAULDIN: I would object to the sentence
15 as de facto life sentence in violation of the Eighth
16 Amendment prohibition and U.S. Constitution. Again,
17 cruel and unusual punishment. And Court state
18 provision as well under the South Carolina
19 Constitution.

20 And at this time I would also move for a new
21 trial based on all of our prior objections and motion
22 for a new trial previously made. And I would also
23 incorporate in that objection and in a motion for new
24 trial all of the objections and motions in the waiver
25 hearing and waiver to this Court.

STATEMENT BY MS. ZMROCZEK

1 THE COURT: I got it. And they are all
2 denied. Thank you. But so noted for the record.
3 All right. If I could have Mr. Nelson,
4 please.

5 (Pause.)

6 THE COURT: All right. I am going to tell
7 you, Ms. Zmroczek, I did the same thing since he pled
8 to kidnapping on his sentencing sheet, I left it blank
9 and put no sex offender registry on it.

10 MS. ZMROCZEK: Thank you.

11 THE COURT: Since it carries that.

12 MS. ZMROCZEK: Your Honor, that was on my
13 list to talk to you about. I see that case just came
14 out two weeks ago.

15 THE COURT: It did.

16 MS. ZMROCZEK: And it was after we had
17 entered into sentencing.

18 THE COURT: And we had already done a trial.

19 MS. ZMROCZEK: Yes.

20 THE COURT: So I am going to give you the
21 opportunity also to respond to anything that the
22 Solicitor's Office had said.

23 MS. ZMROCZEK: Thank you, Your Honor. And
24 just briefly. And kind of disjointed, but I know that
25 we are getting late into the evening. But also I don't

STATEMENT BY MS. ZMROCZEK

1 want to -- the Court knows that, obviously, each case
2 is important. Your Honor, the mention of no remorse
3 numerous times came up. And it is just simply not
4 true. It is just -- to be able to sit in the mind of a
5 now 20 year old and to know what they are feeling, he
6 is remorseful. Your Honor, I think that he has -- he's
7 shown that in many, many ways. The first of which was,
8 you know, by accepting responsibility for this.

9 Your Honor, he -- so there's one question
10 that they, that the State said specifically they didn't
11 have an answer to: How did she get beaten and broken.
12 And, Your Honor, I hate to have to bring this up, I'm
13 not trying to make anybody look bad, and that situation
14 was terrible, but the answer to that question is the
15 girls were actively, physically fighting.

16 The bruises, the pictures on the TV that you
17 see, those are from the fight that Ms. Peralta picked
18 or started and was losing with Ms. -- with SA [REDACTED]. And
19 that is why she introduced her gun into this, into this
20 case. So I don't know if the answer to that will make
21 anybody feel any better, but Your Honor it simply, it
22 was -- it was what it was.

23 Your Honor, looking just very briefly, some
24 of the things I didn't mention that are in the memo
25 that I know that you have read about Treveon's father,

STATEMENT BY MS. ZMROCZEK

1 his biological father's schizophrenia, which is how the
2 uncle played such an important role in his life when he
3 was growing up. But just, Your Honor, on Page 15, the
4 proportionality of sentences. And what this addresses,
5 looking at the proportionality of sentences to other
6 murder cases in this particular circuit, and was
7 provided to me by Justice 360. It is Page 15 of the
8 memo that we submitted, Your Honor.

9 But more importantly, we got these from the
10 website of the 11th Circuit Solicitor's Office. Okay.
11 Every murder is awful. Every murder has different
12 circumstances. We understand how awful this one was.
13 We know. But, Your Honor, in looking at his -- in
14 looking at how he was brought into this case, and then
15 looking at the last two years since this case occurred
16 of sentences wherein convicted offenders received
17 anywhere from 30 to 40 years, with 45 being the --
18 being the largest handed out. Your Honor, again, we
19 would reiterate everything that we have spoken about
20 about Mr. Nelson's involvement in this case and
21 continued --

22 THE COURT: That must be old, because I'm
23 sure that it hasn't encompassed my sentences.

24 MS. ZMROCZEK: It is the one that we got from
25 the website, Your Honor. So they are all just murder

STATEMENT BY MS. ZMROCZEK

1 sentences, so I don't know how many that you have done
2 but that is what we got from the website.

3 THE COURT: Okay.

4 MS. ZMROCZEK: Beg the Court's indulgence.

5 THE COURT: Sure.

6 (Pause.)

7 MS. ZMROCZEK: Yeah, sorry, Your Honor. And
8 so, yes, to clarify, those were non-LWOP sentences. So
9 obviously life has been given in this courtroom.

10 THE COURT: Right.

11 MS. ZMROCZEK: But these sentences were a
12 reflection of --

13 THE COURT: Let me ask you, how much time did
14 he spend in jail? And if Ms. Mauldin is back there, I
15 need that information from her. Do you know?

16 MS. ZMROCZEK: I do. I believe it is 840
17 days, if you will give me just one moment I can look it
18 up.

19 THE COURT: How about 844?

20 MS. ZMROCZEK: So according to the roster
21 sent out at 8:18 this morning, Your Honor, where it
22 gives the inmate's name and the number of days, he has
23 -- he, Treveon, has 850 days.

24 THE COURT: Okay, I'll give him 850 days.

25 Okay. Anything else, Ms. Zmroczek?

SENTENCING BY THE COURT/TREVEON NELSON

1 MS. ZMROCZEK: Your Honor, that would be the
2 remainder of our presentation.

3 THE COURT: All right. Mr. Nelson, I'm just
4 going to tell you, you heard me read the autopsy
5 report.

6 MR. NELSON: Yes, ma'am.

7 THE COURT: I mean, this girl was tortured.
8 All right. Sentence of the Court on the possession of
9 weapon during a violent crime, which carries up to five
10 years, is five years. Conspiracy, five years. It
11 carries up to five years. Those are not -- those
12 are -- I'm not real sure, 65 percent or less, I don't
13 know. I'll let the Department of Corrections figure
14 that out. But you heard me on murder, murder is
15 violent, murder is serious, any time that I give you,
16 you will spend every day of it. There is no good time.
17 It is also a strike on your record. Have you been over
18 all of that, Mr. Nelson, with your attorney?

19 MR. NELSON: Yes, ma'am.

20 THE COURT: Your case, Mr. Nelson, I am
21 giving you credit for the 850 days. Sentence of the
22 Court is 60 years. The others will go with -- run
23 concurrent.

24 MS. ZMROCZEK: Thank you, Your Honor.

25 THE COURT: Thank you.

STATEMENT BY MR. BRUNSON

1 Same thing, Mr. Brunson, on the kidnapping,
2 due to the new law, there is no sentence. And I am
3 writing, No sex offender registry on that case, on the
4 plea sheet, so there shouldn't be any question about
5 the kidnapping charge.

6 All right. I'm going to give you the
7 opportunity to respond to anything that the State said.

8 MR. BRUNSON: Your Honor, in response to the
9 State's position, we would like to bring up just a
10 couple of issues. My client has indicated remorse to
11 me over and over again, to his family, and today to
12 this Court, and to the family of the victim. Your
13 Honor, my client had never been arrested much less had
14 a criminal history. Your Honor, my client was 17 at
15 the time of his arrest and at the time of this
16 incident.

17 My client, Your Honor, has indicated his role
18 in this case, which is not being an individual with
19 motive to do anything harmful to this young lady.
20 There's no allegation that he was involved with her.
21 There are no allegations that his house was shot up,
22 Your Honor. There's no allegations that my client
23 would have motive or a reason to do any of this.
24 However, my client was aware of what happened
25 afterwards. And so, Your Honor, we take the position

STATEMENT BY MR. BRUNSON

1 that my client's role in this whole ordeal is more of
2 an accomplice or an accessory, and not someone with
3 depraved heart who actually inflicted any direct harm
4 to this young lady.

5 So for those reasons, Your Honor, and to
6 reflect on what was said by the expert, that this young
7 man, because of his delayed developments at 17, he had
8 compromised judgment and decision making. And when she
9 -- one thing in particular, when the expert talked
10 about approaching Nicolle, about what she did that day,
11 and she invoked her right and didn't give a statement
12 any further doesn't fall outside of the lines of what
13 Treveon said when he met with the State. Treveon told
14 them that Nicolle did this and that he did that, and
15 was silent as to what Jaylen did. And so we think that
16 that further underscores the fact that he was not
17 directly involved with what was happening in the field
18 that night.

19 So, Your Honor, for those reasons we
20 respectfully ask the Court to keep those things in
21 mind. And he understands that he has to suffer a
22 sentence for his admitted involvement. But we do want
23 the Court to understand and give him any credit that
24 you can give him for the fact that he did come forward,
25 that he did enter his guilty plea, and that he did not

SENTENCING BY THE COURT/JAYLEN S. WILSON

1 take this family through, again, another grueling court
2 case. And so he was responsible at that point for his
3 actions. And we would ask the Court to give him credit
4 for those things.

5 THE COURT: All right. Mr. Brunson, I have
6 him at 852 days; is that correct?

7 MR. BRUNSON: That is where I have him, Your
8 Honor.

9 THE COURT: Okay. I am going to give him
10 credit for his 852 days. Now let me tell you, I tried
11 this case. In fact, I listened to it for like a week
12 and a half, and I know that Mr. Wilson had the guns in
13 his home. The pillowcase was in his home. I know that
14 I heard testimony that all three participated in
15 shooting this young child. On top of that, and
16 somebody you can correct me if I am wrong, but I
17 believe that there was also testimony that Mr. Wilson
18 was the last one to shoot her. Stood over here and
19 said, I'm doing this for my friend Treveon Nelson. I
20 know I remember that testimony.

21 So I'm going to tell you, Mr. Brunson, I'm
22 treating him like the rest. I have given -- I'll tell
23 you, I gave Mr. Nelson credit for being the first to
24 come in. I think that is important, because I think
25 that it got Mr. Wilson to plea. And, Mr. Wilson, I'm

SENTENCING BY THE COURT/JAYLEN S. WILSON

1 considering that you don't have a prior record where
2 the other two did.

3 So the sentence of the Court on the
4 conspiracy charge is five years. All of this will run
5 concurrent. On the possession of a weapon during a
6 violent crime is another five years. However, and I
7 can't say it enough, this stuff has got to stop, and
8 I'm sending a message. Lexington County deserves
9 better than this. These guns are going one way or the
10 other. I mean, our youth is just killing our youth.
11 It is crazy. I have had enough of it. If you have got
12 a problem with somebody, go talk to them, don't pick up
13 a gun and kill them. Sentence on the murder, 60 years.
14 Good luck to you.

15 MR. HUBBARD: Thank you, Your Honor.

16 THE COURT: Thank you.

17 (Proceedings concluded.)

18

19

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REPORTER CERTIFICATE

1

2 CERTIFICATE

3

4 STATE OF SOUTH CAROLINA:

5 COUNTY OF OCONEE:

6 I, MONA L. MANLEY, Court Reporter, certify that I was
7 authorized to and did stenographically report the foregoing
8 proceedings and that the transcript is a true and complete
9 record of my stenographic notes.

8

DATED this 21st day of April, 2024.

9

10

11

Mona L. Manley /s/

12

MONA L. MANLEY

13

Official South Carolina Court Reporter

14

Circuit Reporter for the 10th Circuit

(850) 893-6662

mmanley@sccourts.org

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STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
COUNTY OF LEXINGTON) ELEVENTH JUDICIAL CIRCUIT

THE STATE

vs.

Nazareth Nicolle Sanchez Peralta,
Defendant.

INDICTMENT NUMBERS:
2022GS3201995, 2022GS3201996

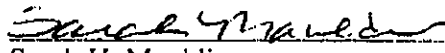
NOTICE OF MOTION AND
MOTION TO RECONSIDER SENTENCE

To: S. R. Hubbard, III, Solicitor, Eleventh Judicial Circuit

Please take notice that the Defendant, Nazareth Nicolle Sanchez Peralta, through her undersigned attorney, will move before the Honorable Debra R. McCaslin to reconsider the sentence of sixty-five years imposed on July 31, 2023, following a guilty verdict on the charges of murder and kidnapping.

The Defendant moves for reconsideration based on her level of culpability for the crime and because the sentence is a de facto life sentence.

Further, counsel for Jaylin Wilson, a codefendant, filed a motion for reconsideration of his sentence based on representations regarding the sentence that were made to counsel prior to the plea and upon which Mr. Wilson relied in entering a guilty plea (Exhibit 1). Any such representations were not revealed to Ms. Sanchez. To the extent that these representations may have had an effect on the sentence she received, she moves for reconsideration on the basis of them. The Defendant respectfully requests a hearing to address this motion.


Sarah H. Mauldin
Attorney for Defendant
202 E. Main St.
Lexington, SC 29072
(803) 785-8873

Lexington, South Carolina

Date: 9/7/23

Exhibit 1

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

State of South Carolina,

v.

Jaylen Shyir Wilson,
Defendant.IN THE GENERAL SESSIONS COURT
ELEVENTH JUDICIAL CIRCUIT
Warrant No(s): 2021A3210201228-231**NOTICE OF MOTIONS AND
MOTION FOR RECONSIDERATION
AND MOTION FOR NEW TRIAL**

YOU WILL PLEASE TAKE NOTICE that the undersigned attorney for the above named Defendant will move before this Honorable Court, within ten (10) days after service hereof, excluding the day of service, for reconsideration of its decision issued on August 28, 2023 in the above captioned matter pursuant to SCRPC Rule 59(e) and a new trial.

The basis of the Motion is as follows: The Defendant was arrested and charged with murder, kidnapping, conspiracy, and possession of a firearm during commission of a violent crime on April 28, 2021. Bond was denied in this case and the Defendant has been in custody since his arrest. The trial in this case was scheduled to begin on May 22, 2023. A pre-trial conference was held in chambers prior to the commencement of the trial. During the discussions, counsel for the Defendant received information regarding sentencing in the event of a guilty plea. This information was conveyed to the Defendant and within an hour the Defendant entered a plea of guilty to all pending charges. The Defendant was not sentenced immediately following his guilty plea. On August 28, 2023, the Defendant appeared in Court with three co-defendants for a sentencing hearing. The Defendant presented mitigating information at the hearing and was sentenced to sixty (60) years in prison.

The Defendant contends that the sentence in this case is not consistent and excessive based on pre-trial representations. The Defendant relied on the representations when he entered

01-SEP-2023 11:00 AM SCANNED

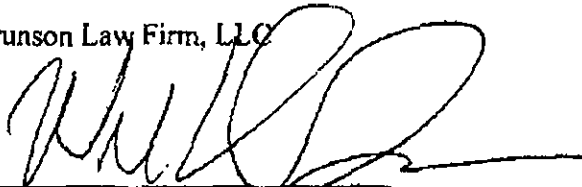
the guilty plea. The Defendant's right to a trial by Jury is protected by the United States Constitution and the South Carolina Constitution. That but for the representations made in pretrial conference, the Defendant would not have waived his Jury trial.

LEXINGTON SC

Therefore, the Defendant hereby requests a hearing in these matters.

RESPECTFULLY SUBMITTED BY:

Brunson Law Firm, LLC



Willie H. Brunson, Esquire
Attorney for the Defendant
Post Office Box 1507
425 N. Main Street
Sumter, South Carolina 29151
(803) 774-3444

Sumter, South Carolina
August 30, 2023

1 State of South Carolina) Court of General Sessions
2 County of Lexington) Eleventh Judicial Circuit

3 State of South Carolina,) Transcript of Record
4)
5 vs.) 2021-JU-32-00072
6) 2022-GS-32-01995
7 Nazareth Nicolle Sanchez) 2022-GS-32-01996
8 Peralta,)
9)
10 Defendant.)

11 State of South Carolina,)
12)
13 vs.) 2021-GS-32-03464
14) 2021-GS-32-03535
15 Jaylen Shyir Wilson,) 2021-GS-32-03537A
16)
17 Defendant.)

18 Motion to Reconsider Sentence

19 September 28, 2023
20 Lexington, South Carolina

21 B E F O R E:

22 The Honorable Debra R. McCaslin, Judge

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

24 Samuel R. "Rick" Hubbard, III, Solicitor
25 L. Suzanne Mayes, Deputy Solicitor
On behalf of the State of South Carolina

Sarah H. Mauldin, Esquire
David M. Mauldin, Esquire
On behalf of Defendant Nazareth Nicolle Sanchez Peralta

Willie H. Brunson, Esquire
On behalf of Defendant Jaylen Wilson

Stacy S. Johnson, RPR
Circuit Court Reporter

I N D E X

PAGE

Certificate of Reporter

39

E X H I B I T S

Court's 1 Motion for Reconsideration

38

Court's 2 Post Aiken v. Byars Cases

38

1 (The following proceedings were held September 28,
2 2023, beginning at 2:05 PM.)

3 THE COURT: All right. Are we ready to get started?

4 MR. HUBBARD: The State's ready. Yes, Your Honor.

5 MR. BRUNSON: The defense is ready, Your Honor.

6 MS. MAYES: Nicolle Sanchez Peralta. Jaylen Wilson.

7 THE COURT: All right. Ms. Mayes, so we're having
8 technical difficulties getting Mr. Amenhotep back on.

9 Let's see if we can get him.

10 MR. HUBBARD: Your Honor, if he could call in, he
11 can at least listen to the proceedings. If the issue's
12 on his end, maybe just calling in.

13 THE COURT: Right.

14 (Pause in proceedings.)

15 THE COURT: We're going to see what we can do to
16 accommodate, but if we're ready to get started, I'd like
17 to get started.

18 MR. HUBBARD: Thank you, Your Honor.

19 THE COURT: All right. Mr. Brunson, I've got your
20 motion to reconsider and I'll be glad to hear from you.

21 MR. BRUNSON: Thank you, Your Honor. May it please
22 the Court?

23 THE COURT: Yes, sir.

24 MR. BRUNSON: Your Honor, as we're all aware, we're
25 here today asking Your Honor to do two things. The first

1 thing is we're asking the Court to reconsider its
2 sentence. As we're all aware, my client was arrested
3 on or about April 28, 2021, and charged with murder
4 kidnapping, conspiracy and possession of a weapon during
5 a violent crime.

6 That his case had been scheduled for trial and we
7 had been preparing for that trial for a significant time
8 since I was retained. That his case was scheduled as the
9 second trial in a series of three.

10 THE COURT: That's correct, and you sat through the
11 first trial.

12 MR. BRUNSON: That is correct, Your Honor. And we
13 sat through the first trial of Ms. Sanchez Peralta and
14 his trial was scheduled to begin on May 22nd of 2023 and
15 so it's a fairly unique scenario when you can sit through
16 a trial and listen to the evidence from the State's
17 perspective as relates to your client.

18 Well, Mr. Wilson was also present in the courtroom
19 and he was updated from time to time with highlights
20 of the case. Mr. Wilson at one point had considered
21 entering a guilty plea and declined when there was an
22 introduction of new evidence that we had not heard;
23 specifically, there was a statement that we received
24 that had talked about Mr. Wilson not being actively
25 involved in the commission of the crime itself. So upon

1 that information Mr. Wilson declined to enter the plea
2 and we were set to go to trial.

3 On the date that we were set to select the jury,
4 Mr. Wilson asked me to determine what Your Honor would
5 do in the event that he pled. Well, of course, it was
6 explained to him that the minimum sentence that he could
7 receive would be thirty years for the murder, but that
8 the max was life potentially, and that it was totally
9 within Your Honor's discretion as to how his sentence
10 would -- would come down.

11 And so right before we selected the jury, Mr. Wilson
12 asked me to ask the Court if, in fact, it had an idea as
13 to what the sentence would be. So, of course, upon my
14 communication with the Solicitor's office, I requested a
15 meeting, a meeting in chambers, to discuss the possibility
16 of sentencing.

17 Now, of course, Mr. Wilson was fully apprised of
18 the fact that Your Honor has full discretion, but we
19 would -- we would talk about it. And so we entered
20 chambers and, of course, Solicitor Hubbard, Assistant
21 Solicitor Mayes, myself, Your Honor, we had the
22 discussion.

23 THE COURT: And my law clerk.

24 MR. BRUNSON: And your law clerk. And -- and we
25 had a discussion, Your Honor, in regard to sentencing

1 and, quite frankly, I did what my client asked me to
2 do. And, of course, at the time of our meeting we had
3 already heard the majority of all the facts in the case.
4 I believe the State had maybe one witness left, but it
5 was pretty well we were about to start our case.

6 So based on our communications in chambers, it was
7 expressed to me that he would not receive a minimum
8 sentence and, of course, we understand that. However,
9 the representation that was made to me was that he would
10 not receive a sentence that was much more over the
11 minimum.

12 Now after that communication was made, I requested
13 a brief recess to go and communicate this information
14 to my client, which I did. And so I went and I spoke
15 with my client, Mr. Wilson, and I communicated to him
16 what had been communicated to me, and -- and specifically
17 what I shared with him was that I was advised that if
18 you pled guilty that you would not receive a sentence
19 much more than the minimum.

20 And so armed with this new information, I spoke
21 with not only Mr. Wilson, I spoke with his family
22 members, who we had worked together as a team on this
23 case from the beginning, and I communicated to them that
24 per discussions in chambers if a guilty plea was entered
25 as indicted that he would not receive much more than the

1 minimum, and so collectively the group decided that it
2 was in his best interest to tender a plea.

3 So, of course, I confirmed this with Mr. Wilson,
4 came back and communicated in chambers with the same
5 group that based on the representations that I made to
6 him that were made to me that he was going to enter a
7 plea. So we left from our second caucus or meeting and
8 we came out in this very courtroom and my client pled
9 guilty to all the charges as indicted.

10 Now the sentence wasn't handed down that day. Of
11 course, his sentence was handed down on August the 28th
12 of this year, and so after we had an opportunity to
13 present our mitigating evidence and after the State had
14 an opportunity to present whatever they had to present
15 by way of sentencing, the -- his co-defendant received
16 a sentence of sixty-five years, my client received a
17 sentence of sixty years.

18 And so we request the Court at this time to
19 reconsider the sentence of sixty for a few reasons.
20 The first reason is that a 60-year sentence as given
21 to a 20-year old is the equivalent a -- the functional
22 equivalent of a life sentence. I think that my client
23 pled guilty and waived his constitutional right to a
24 jury because the representations were made to him that
25 he would get a sentence of not much more than the minimum,

1 and so he relied on that representation when he made his
2 decision.

3 And so I am respectfully asking the Court to issue
4 a new sentence that reflects the representations that
5 were made and communicated to him and reduce his sentence
6 of sixty to something in the neighborhood of or around
7 not more than thirty.

8 And so that's the first motion that we respectfully
9 submit to the Court for its consideration.

10 The second motion is a motion for a new trial, and
11 it's an alternative motion, and so we respectfully ask
12 the Court that if it does not see fit to reduce his
13 sentence to something in the range of not more than
14 thirty, that it allows him an opportunity to withdraw
15 his plea and have his constitutional right to a jury.

16 And so in summation, my client relied on the
17 representations that were made in making his decision
18 to give up his right to a trial.

19 THE COURT: So in the alternative what you're
20 saying is he would like to withdraw his plea of guilty?

21 MR. BRUNSON: In the alternative, yes. Yes, Your
22 Honor.

23 THE COURT: I just want to make sure. Thank you.

24 MR. BRUNSON: And so, Your Honor, as indicated, in
25 summation we respectfully ask the Court to reconsider

1 the 60-year sentence. We think that it is excessive
2 and we also think that it is outside of what was
3 represented and respectfully ask the Court to issue him
4 a sentence in the neighborhood of around not more than
5 thirty, which we anticipate to be less than thirty-five
6 years.

7 THE COURT: Okay. Mr. Hubbard, I'll be glad to
8 hear from you.

9 MR. HUBBARD: Thank you, Your Honor.

10 The facts that I've heard, I have a lot of
11 differences with what I've just heard; particularly this
12 what they believe to be thirty-five years. Your Honor
13 never mentioned a number ever in any discussion with me,
14 with Ms. Mayes, with any defense attorney on this case.

15 So let's start backing up. The first trial was
16 Ms. Sanchez Peralta, but we had a guilty plea before that,
17 and that was Treveon Nelson, who also was looking at the
18 same possible sentence, which was possible life, if he had
19 gone to trial.

20 THE COURT: All three of them.

21 MR. HUBBARD: All three of them.

22 And there's nothing, quite frankly, that says you
23 can't give life, but it just depends on the facts.
24 Treveon Nelson decided to plead guilty. There was no
25 offer. He pled straight up. Your Honor asked him all

1 the questions. Are you guilty? We gave the facts. He
2 accepted them all. And then he was afforded a chance to
3 cooperate.

4 He sat down with us, gave us a statement. I cut
5 it off because what he had to say was so absolutely
6 unbelievable I could disprove what he was saying. That
7 I'm not gonna put a liar on the stand to help a case.
8 Frankly, what he was doing was trying to protect his
9 friend, Jaylen Wilson. What he said was there was a
10 fight between this defendant and our victim and that's
11 how our victim, who was much bigger, got all these
12 horrible injuries; that this defendant, Ms. Peralta --
13 Sanchez Peralta fired a gun and then he went and fired
14 a gun, too. He doesn't explain anything else about the
15 case and it was so unbelievable we just stopped and said
16 you know what, we're done.

17 But per our duty we turned that over and when
18 Mr. Brunson got that he said his client didn't want to
19 plead guilty. That's fine. We had no problem with that.
20 We were prepared to try three defendants. We didn't
21 care if they pled or went to trial. The evidence was
22 there, and it was overwhelming.

23 So we went forward with Ms. Sanchez Peralta and
24 Mr. Brunson and his client's family sat and watched, and
25 I think it made a real impression upon them because part

1 of the evidence was the guilt of Mr. Wilson. The guilt
2 being the pillowcase that was used to drag the body of
3 our victim, SA [REDACTED], across a field and bury
4 her, was found at the burial. A pillowcase we can prove
5 came out of that house and in his bedroom were two of
6 the three guns that we know were involved in the murder
7 of this victim, SA [REDACTED].

8 The evidence was overwhelming. We were at the end
9 of the trial with Nicolle Sanchez Peralta when Mr. Brunson
10 then approached and said hey -- you wanted to know, hey,
11 Mr. Brunson, are we gonna be getting a jury next week or
12 not? I need to know for scheduling. And we needed to
13 know, the State. He said I'm almost there. The next
14 morning he wanted to speak. He had two questions for me
15 in chambers. And I don't remember him having a question
16 for you. The two questions for me is the kidnapping
17 charge originally brought in Richland County, was that
18 gonna go away, and the answer was yes. The solicitor
19 there said he wasn't gonna prosecute it and he couldn't.
20 We were moving forward on that kidnapping here. You
21 can't get prosecuted for the same kidnapping in two
22 different counties. The other question was Solicitor,
23 are you gonna take a position on the sentence? I said
24 I'm not gonna ask specifically for life, and I explained
25 this to the family. Why add a lightning rod to this

1 case, but I was gonna ask for as much time as the Court
2 would give, and I was true to my word on that.

3 In fact, Your Honor, I made a point on the record,
4 and I'll make it again today, but for the age of these
5 defendants this would be a death penalty case. There
6 are people on death row right now for cases that aren't
7 nearly as atrocious as this one and the thought that this
8 would be a minimum sentence boggles my mind.

9 But anyway, we go back there and, Your Honor, when
10 it was all right, Your Honor, where are you, you kept
11 saying I don't know all the facts. I just know what
12 I'm hearing in the courtroom. You didn't know anything
13 about Mr. Wilson other than what we had presented in
14 Ms. Sanchez Peralta's case. That's all you knew. You
15 didn't know anything else we might be bringing out and
16 you basically said repeatedly even on other meetings
17 look, Solicitor, I'm kind of uncomfortable with life,
18 and I knew you would be because it's like putting a
19 lightning rod on this case for appellate purposes, but
20 you also made clear to every defense attorney involved
21 in this, this is not a minimum sentence case based on
22 the facts that were coming out, so if anybody wanted to
23 plead guilty they needed to know that and you set those
24 two goalposts and you gave nothing else.

25 Suzanne Mayes was in there with me. Nothing else.

1 You didn't say --

2 THE COURT: I think I told everybody I wanted to
3 know the role that they played before I would even think
4 about sentencing.

5 MR. HUBBARD: Right. And I know Your Honor kept
6 saying --

7 THE COURT: And I postponed sentencing for that
8 exact purpose.

9 MR. HUBBARD: Right. And during the sentencing
10 hearing you asked repeatedly and you said repeatedly I
11 want to know what everybody did. What -- what happened?
12 You knew what we had presented in trial, so you gave
13 everybody an opportunity to say here's what my role was
14 and why it was different from the other two defendants.
15 Nobody took you up on that.

16 Now I understand Ms. Sanchez Peralta had been
17 convicted, so she's not gonna come in here and say --
18 make an admission, but she still -- still the best she
19 was able to do was revert back to the story, and I'll
20 handle that one a little bit later, of I didn't know the
21 murder was gonna occur. That was as far down that road
22 we got there, but with Mr. Brunson's client, Mr. Wilson,
23 he said nothing. Nothing. Nothing about let me tell
24 you what my role really was and why it was different.
25 Yeah, I'm involved in this murder because, Your Honor,

1 when he pled guilty he stood in front of you and you
2 asked him based on the facts the State gave, the same
3 exact facts we proved before twelve people in this
4 courtroom, you asked him is this true? The answer was
5 yes. Are you guilty of murder? Yes. You let him know
6 at that time he could be looking at thirty to life. Do
7 you understand that? Yes. Have any promises or threats
8 been made to get you to plead? No. No. Your Honor,
9 that's on the record.

10 Nothing happened in that back room when we came out
11 that gave us the impression of the judge has a certain
12 sentence in mind. Nothing. Nothing you said. Nothing
13 you represented. Not just in that meeting, but what
14 you said in that meeting was the same you had said when
15 Ms. Mauldin was back there, when Aimee was back there as
16 well with her client, Treveon Nelson.

17 THE COURT: Ms. Zmroczek.

18 MR. HUBBARD: Zmroczek. Yes. All of a sudden my
19 brain just couldn't remember that last name. Why can't
20 I remember that last name? Your answer was the same.
21 It never wavered. Those are the goalposts. And it was
22 our job as prosecutors to lay out all of the facts,
23 here's what happened, we don't hide anything, and if
24 they wanted to seek to mitigate you gave them time to
25 do it and you specifically asked them in this courtroom

1 what was the role your client played. I want to know
2 what happened. You said it more than once. You said
3 it repeatedly, but you never said anything in chambers
4 about a number, about which way you were leaning. Never
5 committed. You didn't have enough information to do
6 that.

7 That's my memory. That's Ms. Mayes' memory. She's
8 here, too, if Your Honor has any questions about that,
9 but now as to a new trial, Your Honor, obviously I oppose
10 that, too, because that means every time a defendant gets
11 a sentence he doesn't like he's gonna come in here and
12 go you know what, I don't like this, I was expecting
13 something different, can I have a do-over, and I might
14 as well not waste my time taking any guilty pleas if
15 that's the world we're gonna live in and if I have to
16 try every case I could stop right here with my docket
17 and I have enough for the next ten years if no more
18 crimes are committed in our circuit. Your Honor, that
19 is just to me absolutely something that would just be
20 beyond consideration.

21 And this notion of the sentence is the equivalent
22 of life, actually it is not. It isn't. A life sentence
23 means life. You walk out of the courtroom with a
24 guarantee I'm gonna die in prison. Few people get to
25 know where they're gonna die, but everyone in South

1 Carolina with a life sentence knows I'm gonna die in
2 prison.

3 You gave a big sentence and there is no case in
4 this state, no case anywhere that says you can't do
5 that. You gave it based on facts and these facts called
6 out for that. Justice demanded a big sentence. Again,
7 if these -- if these folks had been older, I would have
8 been seeking death. Do you have a position? Yes, they
9 belong on death row. There are people on death row that
10 didn't do nearly as much as what these three individuals
11 did. The only thing by law that has saved them is their
12 age and to get a break now on top of that, Your Honor,
13 just would boggle my mind and would be an affront to
14 justice.

15 But going back to why we're here, you made no
16 commitment whatsoever and when we came out here even
17 for sentencing we had no clue what Your Honor was gonna
18 do, and I'm not sure Your Honor did because you hadn't
19 heard everything and you kept saying tell me, and you
20 sentenced based on what you heard, and we think that
21 sentence should stand.

22 THE COURT: Thank you. Anything else, Mr. Brunson?

23 MR. BRUNSON: Just very briefly, Your Honor, in
24 response to what Solicitor Hubbard indicates.

25 Your Honor, first, I just want to make sure that --

1 that we are very clear on the record that what he said
2 about the pillowcase and what he said about the guns,
3 we had already known that. That had already took place
4 before we even went in chambers. And he is correct. I
5 did have two questions for him and I had one question
6 for the Court. The two for him was what's gonna happen
7 to the Columbia charges as he indicated and where is he
8 gonna be on sentencing. He indicated in the affirmative
9 a few moments ago.

10 And then my third question was where is the Court
11 going to be on sentencing, and now this is where I
12 deviate from what he recalls. He stated a few moments
13 ago nothing more was said than not a minimum sentence
14 and that is just outright not true. What was said in
15 the presence of those in chambers was that yeah, this
16 is not a minimum sentence case, however, it will not be
17 much more than the minimum at which time I went and -- I
18 asked for leave and I communicated those things to my
19 client. Those are the two things that he asked me to
20 find out and those are the two things that I told him.
21 That it won't be at the minimum, but it won't be much
22 more, and so based on that information he made his
23 decision, and so I just wanted to clarify that for the
24 record, Judge.

25 Thank you.

1 THE COURT: Thank you.

2 MR. HUBBARD: One -- one final point on this not
3 much more than the minimum. If that had been said,
4 Your Honor knows me, you can tell by the way I talk
5 when I'm in court, I would have been saying what? Are
6 we back here arguing the sentence? Then let me have my
7 say because I made a point I wanted a lot and I would
8 have made my case, but I saved that for this courtroom
9 because you didn't give that representation.

10 THE COURT: Honestly, I think what I told the
11 lawyers is this is not a minimum case and I was not
12 inclined to give a life sentence; that if they pled I
13 would postpone their sentencing date until I could hear
14 from everybody. I wanted to know what their role was in
15 the events. Because let me tell you, and let me address
16 everybody in this gallery also, this was a horrendous
17 crime. Horrendous. I mean, this child was taken out
18 into a field. Her eye socket was broken. Both her legs
19 were broken. Her ulnar bone was broke in defense. On
20 top of that, not -- just about every single one of her
21 ribs were broken, and there was testimony that during
22 all this she was alive. And then she gets shot fourteen
23 times. At least. I'm looking -- I looked at this and
24 I said this in my sentencing. At least fourteen times.
25 Once in each leg, in the behind, in the neck, in the left

1 chest, the right hand, the left forearm, the left thigh.
2 Not once, but looks like three times. The knee. It was
3 also said that it appears like she was running when they
4 were shooting her. Running. Running for her life.

5 Now those lawyers who've appeared in front of me
6 know thirty is certainly not on my agenda in any case
7 on murder. It never has been. If I give a 30-year
8 sentence, it's not because of me, it's because somebody
9 negotiated it. This judge doesn't give thirty. I can't
10 think of one case that I've given thirty on other than
11 what has been negotiated. Usually my starting range is
12 forty-five. I take murder serious. It is the most
13 serious crime this state has. This was a 15-year-old
14 child and these are children who killed her in the most
15 horrendous way. So please don't think that this is a
16 minimum sentence at all.

17 Mr. Brunson, I appreciate your motion. I think
18 you've done a good job for your client. I appreciate
19 you making it. I understand that he is a young man,
20 I do, but my sentence still stands. And I appreciate
21 everything you've done for your client. You've done
22 what you're supposed to do. And I appreciate the State
23 doing their job also.

24 All right. Anything else, Mr. Brunson?

25 MR. BRUNSON: Nothing further, Your Honor.

1 THE COURT: Thank you.

2 Mr. Hubbard?

3 MR. HUBBARD: Nothing else on this case, Your Honor.

4 THE COURT: Okay.

5 All right. Ms. Mauldin, I'll be glad to hear

6 Ms. Peralta's motion for reconsideration.

7 MS. MAULDIN: Thank you, Your Honor. If we could
8 have a moment to. . .

9 THE COURT: You can. Sarah, do you want me to give
10 you about ten minutes or so?

11 MS. MAULDIN: Oh, no, Judge. We're good. We just
12 need to move our stuff to the table.

13 THE COURT: Okay.

14 MS. MAULDIN: Your Honor, mine is a true motion to
15 reconsider. And, you know --

16 THE COURT: Thank you, Ms. Mauldin.

17 MS. MAULDIN: -- the trial was long.

18 THE COURT: It was.

19 MS. MAULDIN: I know there was time between the
20 trial and the sentencing hearing; however, the sentencing
21 hearing was a hearing that lasted all day long into the
22 evening, well after five. It was a heated and emotional
23 day.

24 THE COURT: And your client was a little bit
25 different than the other clients because she was subject

1 to the Aiken v. Byars factors because of her age at the
2 time of the crime, and it did take a little bit longer.

3 MS. MAULDIN: Yes, Judge.

4 And Your Honor took time to hear from everybody.
5 You took time to hear from us and from the co-defendants
6 and families and SA's family, and we appreciate the
7 consideration that you gave then, but given that it was
8 such an emotional day and such a long, drawn out day,
9 I'm asking the Court to consider the sentence again with
10 maybe fresh eyes and with that cooling off time since
11 that day in the heat of everything that we heard that
12 day.

13 I'd first ask the Court to take again a look at
14 culpability in this case. And you talked about how you
15 wanted to know who did what, and I don't think we'll
16 ever have a definite answer as to who did what. I can
17 tell you that my client, although it took her a little
18 while to tell what happened to the police initially,
19 she did come forward and tell where SA, where her
20 body was, and her version of what happened.

21 There is significant evidence that she played a
22 role in the beginning of this when the events were just
23 beginning to take place, but not later on in SA's
24 actual death. The main evidence that she was involved
25 was the Solicitor's theory that since the bullet holes

1 were in the pelvic area that that indicated jealousy,
2 and I submit that that's not significant enough evidence
3 to paint her as the shooter in the case.

4 One thing as I've tried to figure out, you know,
5 how you came to your -- your sentence, one thing I've
6 tried to figure out is that maybe this was because there
7 were three guns and three people would mean that each
8 one had a gun. So we've brought one video that I don't
9 think you've seen yet. We'd like to show this. This
10 is a video that shows Treveon handling two guns. This
11 is not the only --

12 MR. HUBBARD: Is this something we have?

13 MS. MAULDIN: Yes. It was provided in discovery.

14 MR. HUBBARD: Okay. I mean, we didn't know we'd be
15 showing videos at this point.

16 (Video playing.)

17 MS. MAULDIN: This is not the only footage there is.
18 There's also a photograph that we received in discovery
19 with Treveon holding a gun in each hand. Apparently
20 that was a thing he did. So if that played a role in
21 the sentence that you gave, I wanted you to at least see
22 that and be aware of that.

23 As you've heard, and several times, there were two
24 guns that were found in Mr. Wilson's home. None found
25 on Nicolle. The pillowcase came from Mr. Wilson's home.

1 Nothing like that found on Nicolle. And what I think
2 is a significant fact, too, the fact that they had their
3 phones turned off and hers was still on. I think there
4 is evidence that she was involved in the beginning stages
5 of this, but not the -- the death of SA [REDACTED], and I think
6 that that is a very relevant thing.

7 Your Honor, the other thing you heard a lot about
8 was the motivation of jealousy. I would just ask you to
9 consider -- I mean, there's just no reason that Treveon
10 would have carried out this shooting against SA [REDACTED] just
11 because his girlfriend was jealous of this girl and that
12 he would have killed her based on jealousy, and that's
13 the version that he tried to give the Solicitor, the
14 Solicitor who didn't believe anything else he said and
15 terminated the interview.

16 So I'd ask the Court to consider that this was in
17 retaliation for the boyfriend of SA [REDACTED] who shot into
18 Treveon's house. This is a retaliatory shooting and
19 that's why he did that.

20 Your Honor, I would just ask you again to consider
21 the known factors that Dr. Knight went through; her age,
22 the fact that at the age of 16, which she was at the
23 time, that it is more normal than not for teenagers
24 to engage in risk-taking behavior and impulsivity
25 and following their peers and not being able to see

1 consequences of their actions. Her tumultuous life up
2 until the time that she was sixteen, upheaval people in
3 her family, being abandoned in Honduras, her difficult
4 immigration here, being molested, having her -- basically
5 her parental figures killed in Honduras, the struggle
6 she went through to get here, and then, again, the abuse
7 that she experienced at the hands of Treveon Nelson once
8 she was here.

9 You've heard about that controlling relationship,
10 the different times that he had hurt her. You saw the
11 pictures of the bruises and the blood on her face that
12 he inflicted on her, injuries that were very similar
13 to the ones that SA [REDACTED] had on her face, which, again,
14 connects Treveon rather than Nicolle to those injuries
15 on SA [REDACTED] at her death.

16 The circumstances of her homicide. I've already
17 addressed those. Of course, the incompetencies of youth.
18 You know, it is maybe strange to think that she would
19 talk to the police and not tell them everything upfront.
20 Dr. Knight told you that that was a factor of youth and
21 -- and it's hard for children to make the decision that
22 yes, it's better to either own up to everything or remain
23 silent and wait until you talk to a lawyer, and that's
24 why she did that.

25 And, finally, the possibilities of rehabilitation.

1 She is certainly a young woman who now has the ability
2 to reflect. She has insight into what happened. She's
3 expressed remorse. She's mended her family relationships
4 to a degree. Your Honor, even since she's been at the
5 Department of Corrections she's been studying and working
6 on her GED. I can tell just talking to her that she's
7 in a very different frame of mind at her current age than
8 she was when she was that teenager that was so mixed up
9 back when this happened. She has truly grown.

10 As far as the representations that have been made,
11 I didn't know Mr. Brunson before this case and what I've
12 seen of him seems to me that he's very a deliberate
13 attorney, that he's very careful, and he has told me that
14 he had this pre-trial hearing. I was not a part of that
15 because it involved discussions of his client's plea,
16 and I didn't have a part in that, and I understand that.
17 I'm not saying I should have been there.

18 THE COURT: Right.

19 MS. MAULDIN: But after he filed his motion to
20 reconsider, I sent an e-mail to the Solicitor's office
21 asking them what representations were made. I never
22 got a response from that. They've told me today, you
23 know, essentially their side of that conversation, but
24 I didn't get a response at the time. So I called
25 Mr. Brunson to ask what he remembered from that, what

1 representations were made, and -- and he told me that
2 during that call that the representations were that the
3 Court would not go much over the minimum of thirty, and
4 that's certainly a very uncomfortable thing for a lawyer
5 to stand here and say, and so I appreciate that he's done
6 that.

7 And so I'm in the position of saying well, Judge,
8 that sentence was appropriate then. That was towards the
9 end of Ms. Sanchez's trial. Almost all of the evidence
10 was out at that point and so if that's the representation
11 that was made, that sentence would have been appropriate
12 then and it's appropriate now, so I'm asking the Court
13 to consider not much more than thirty at this point.
14 Certainly not more than double thirty.

15 Lastly, Your Honor imposed a sentence of five years
16 more for Ms. Sanchez than what Mr. Wilson or Mr. Nelson
17 received and if that was in any way a penalty for going
18 to trial, I would ask the Court to reconsider that. It
19 sounded as though Mr. Nelson was receiving some sort of
20 benefit and in Mr. Wilson's sentencing hearing the Court
21 made the comment that Mr. Nelson was the first one that
22 had come in and he was being given credit for that in
23 entering his plea. I submit that the reason he entered
24 that plea was because he thought he was gonna then sit
25 down with the Solicitor. He tried to do that, but when

1 he did it all fell apart and they didn't believe what
2 he said, so his scheme to try to kind of get one over
3 on them and get a better sentence didn't work.

4 And Mr. Wilson sat all the way through Nicolle's
5 trial, or his attorney did, and only made that decision
6 after having seen all the evidence. So if that was in
7 any way a penalty for exercising the right to a trial,
8 we would ask the Court to consider that she was not
9 situated much differently than they were. And, in fact,
10 she is the one who went to the police -- or I don't want
11 to mischaracterize that. They came to her, but she's
12 the one who talked to them and who told them where SA
13 was, and so if there's any credit to be given for being
14 honest and revealing important information, it should go
15 to her because she's the one who took that step, so I'd
16 ask the Court to consider that.

17 Mr. Brunson touched on this, too. If the sentence
18 gave -- if the Court gave a sentence that was just a
19 number rather than the word "life" just to avoid the
20 scrutiny I think as the Solicitor put it that a life
21 sentence would give, I would submit that that's the
22 equivalent of -- that's a functional life sentence. She
23 is -- that would put her coming out at eighty-one. We
24 know that people don't live that long in the Department
25 of Corrections. That's a long shot and for her that is

1 the equivalent of life.

2 And, again, I would -- I objected to it before based
3 on the Eighth Amendment to the Federal Constitution and
4 Article 1, Section 15 of the South Carolina Constitution,
5 and I would renew those objections.

6 And, Your Honor, lastly, I'd like to pass up some
7 sentencing information on other Aiken v. Byars cases that
8 have come before different judges throughout the State
9 just -- just for the Court's information. I know that
10 you're not bound by any of this, but I'd like for you to
11 consider it.

12 This information has been provided to me by Justice
13 360, who maintains a database of the sentences that they
14 know about. So this is everything they have. They told
15 me they couldn't guarantee that this is every case that
16 -- that's because it's kind of hard to search for these,
17 but when they put out requests for information this is
18 the information they've gotten back.

19 And so when you look at these, you'll see that
20 most of the people who were sixteen and younger received
21 much lower sentences, so I'd ask the Court to consider
22 that. There was one 16-year-old who received a 50-year
23 sentence, a 15-year-old who received a 50-year sentence,
24 a 15-year old who received a 55-year sentence, and then
25 a 14-year-old who received an LWOP sentence, and these

1 are people who have been sentenced under Aiken v. Byars
2 since it's come back. These are not the resentencing.
3 These are new people who are young now, but I'd like
4 to pass that up to the Court, too, just for the Court's
5 information.

6 THE COURT: Sure.

7 Do they tell me what happened in those cases?

8 MS. MAULDIN: Your Honor, I don't have the -- the
9 information about the allegations came from the defense
10 attorneys. I didn't feel comfortable providing something
11 that had been provided to a defense-minded organization,
12 so I've taken that off, but I don't have --

13 THE COURT: Okay.

14 MS. MAULDIN: I can't tell you the allegations at
15 all.

16 THE COURT: I'm just curious because I think these
17 are pretty -- the case here is a pretty unusual set of
18 facts.

19 MS. MAUDLIN: And, Judge, I agree with you. It's a
20 terrible thing. It's a child who was killed and killed
21 by children.

22 THE COURT: It's worse than that. It's worse than
23 that. It is the aggravating circumstances surrounding
24 this child's death that she went through while she was
25 living. It's more than that.

1 MS. MAULDIN: Well -- and, Judge, without the --
2 and I don't have the facts on all of these anyway and,
3 you know, I said I'd taken off the ones because they
4 included information from the defense attorneys, but
5 certainly these are murders. None of these are -- are
6 easy cases.

7 THE COURT: Right.

8 MS. MAULDIN: So I would submit that.

9 And, Your Honor, just I would also like to
10 make a Court's exhibit of Mr. Brunson's motion for
11 reconsideration and new trial just so that it's part
12 of record for Nicolle's case, too.

13 THE COURT: Sure.

14 MS. MAULDIN: Judge, in closing you've -- I've done
15 this for seventeen years. You've known me for almost all
16 of that. I certainly -- I don't have a crystal ball. I
17 can't tell you that she's perfect or that she won't have
18 behavior problems in the future, but I think she's worth
19 saving and I'm asking you to give her chance.

20 THE COURT: Thank you.

21 Mr. Hubbard?

22 MR. HUBBARD: Yes, Your Honor.

23 Your Honor, just to pick up where we ended right
24 there, on these other cases, one of which was the
25 14-year-old in Anderson County who killed his father and

1 then goes to a school, an elementary school, and kills
2 one or more students, would have been a capital murder
3 case if that child had been older, and he got a life
4 sentence.

5 A life sentence would have been absolutely justified
6 for all three defendants in this case because it was
7 aggravated as Your Honor said. If I had sought death,
8 if they had been older, physical torture would have been
9 one of the elements because of the brutal nature, the
10 prolonged nature of deliberate infliction of suffering
11 on this child before they took her life from her.

12 The question that you asked what was is everybody's
13 role. What Nicolle Sanchez Peralta says her role was
14 she just was guilty at the front end. I lured my best
15 friend to a car knowing she's gonna be assaulted.

16 Your Honor, that doesn't even begin to make sense.
17 If they're gonna take this 15-year-old girl out to a
18 field and brutalize her, beat her, maybe even break
19 bones, and then no one's gonna get in trouble for that,
20 they're all gonna go home, SA [REDACTED] would go home, her mom
21 wouldn't ask any questions, her dad wouldn't ask any
22 questions, law enforcement wouldn't get involved, and
23 the point would have been made. That is so utterly
24 unbelievable. It is, quite frankly, a lie.

25 And going back to what Nicolle Sanchez Peralta did

1 when she was confronted -- she didn't go to the cops,
2 they went to her. She never -- even after she was
3 allegedly sexually assaulted by Treveon Nelson, she
4 never went to the cops. They came to her. They asked
5 her about this case and she lied and she lied and she
6 lied and she lied.

7 Your Honor, the only time she has come close to
8 anything purporting to be the truth is when she wrote
9 to Treveon Nelson, who is portrayed as her abuser.
10 Now she's free and clear, she's away from him, and she
11 writes him a letter about how he is the love of her
12 life, and here's what's really stunning. When she talks
13 about they both F'd up, and she uses the full worth, we
14 F'd up, Tre, we really did.

15 And she talks about how they were so busy trying to
16 get back at each other we both are hurt and now they took
17 you away from me. That wasn't they F'd up because they
18 killed Nicolle Sanchez Peralta's best friend. The F'ing
19 up was that they both got caught and they got caught
20 because Treveon was cheating on this jealous defendant
21 with another woman.

22 She turns and tells Allon Adams what they did. She
23 broke the code of silence from what three people did in
24 that field to that poor child, SA [REDACTED], and then
25 Allon Adams turns around and tells Treveon Nelson and

1 what does he do? He beats the heck out of this defendant.
2 But she doesn't leave him. That is part of the thug life,
3 which is also part of that letter.

4 Hold it down, Thug. It is the thug life. You
5 step out, you get beaten, but it is the life she
6 embraced. That is the truth. And it's only because
7 she was beaten that she was in the hospital. That's
8 how law enforcement found her and that was the first
9 interview on this murder. They both F'd up. If they
10 had not tried to hurt one another, they would have kept
11 it secret, and this poor mom would still be wondering
12 where's my baby.

13 That was what this person did, Ms. Sanchez Peralta.
14 Her role was leading a 15-year-old, beguiling her into
15 believing she was her best friend when she wasn't,
16 luring her into a car knowing that she's gonna be taken
17 out to a dark field away from her mom, no phone to call
18 for help, no way to get ahold of her dad. Either one
19 of them would have dropped the world to find their
20 baby daughter. They knew that and that poor child was
21 subjected to a prolonged horrific beating and was slowly
22 murdered.

23 And the key link of this defendant to this case is
24 that she gave the name of SA [REDACTED]. Treveon
25 Nelson said that before you when he was being sentenced.

1 That's the only link because SA [REDACTED] had nothing
2 to do with the drive-by shooting at Treveon's house.
3 The only thing linking her to these three folks in this
4 drive-by shooting is this young defendant who's right
5 here in this courtroom. She linked her knowing that
6 SA [REDACTED] had done nothing to raise a hand against
7 Treveon Nelson. She did nothing to set up a drive-by,
8 but she laid her out there knowing she was gonna be
9 beaten and brutally murdered for something she didn't do.

10 That's what separates Nicolle Sanchez Peralta from
11 her two co-defendants. They were out there to murder
12 somebody for revenge. The house is shot up, but hers,
13 far more sickening. That's what separated her.

14 THE COURT: I remember there being testimony to
15 that effect, that Mr. Wilson was the last to shoot her.

16 MR. HUBBARD: And Mr. Wilson -- she told Allon
17 Adams and so did Treveon Nelson of Mr. Wilson's behavior,
18 that he was the last one to shoot. There were three guns
19 out there, Your Honor. This was a group effort. And,
20 Your Honor, looking at it like that, that her story is
21 absolutely unbelievable. Like everything else she said
22 except when she thought she wasn't gonna get caught.
23 She didn't expect this to end up in my hands, this
24 letter. That's when she spoke to the truth.

25 Your Honor, that's what separates her from Treveon

1 Nelson and Jaylen Wilson. They got sentences they
2 deserved. If they'd gotten life, I would have be fine
3 with that. I wasn't gonna ask for it, but she deserved
4 more. This would not have happened -- none of this
5 would have happened but for Nicolle Sanchez Peralta. We
6 wouldn't be here but for her. Jaylen Wilson and Treveon
7 Nelson wouldn't have been before you but for her. That's
8 what separates her out. That's her role.

9 Thank you, Your Honor.

10 Oh, one final thing. And as to the statement that
11 Treveon Nelson made about -- to us, the statement that
12 we shut down immediately, what was his motive? Jaylen
13 Wilson is his brother, his gang brother. He is gonna
14 protect his gang brother. They're both in the same
15 gang, they're family, and like all the kids here they've
16 rejected their own families, they've embraced the thug
17 life.

18 Thank you.

19 THE COURT: Thank you.

20 Anything else, Ms. Mauldin?

21 MS. MAULDIN: Your Honor, if I can respond to that,
22 I think that proves my point, and that's one thing that
23 the Solicitor and I agree on. I do think that Treveon
24 Nelson was trying to protect Jaylen Wilson, but also
25 himself. The Solicitor has said that the link -- the

1 information that Nicolle put SA's [REDACTED] name in, this came
2 from Treveon Nelson, the person that we can't believe
3 enough to even listen to his whole statement. But, yes,
4 he is trying to protect his brother and obviously he was
5 trying to protect himself by getting a good sentence by
6 talking to the Solicitor. Of course, he's gonna try and
7 make Nicolle look bad and throw her under the bus.

8 Your Honor, I mean, you -- you want to know who did
9 what and at the end of the day we're -- you know, we're
10 still trying to connect dots on who did what. I don't
11 think that you can take from one letter Nicolle's role
12 in this, and I'm asking the Court to consider that. I
13 certainly don't think that you can take Treveon Nelson's
14 word for it.

15 THE COURT: No, and I don't. I take the testimony
16 that I heard at trial and I figure somewhere in between
17 lies the truth.

18 I hate it for the family. They'll probably never
19 know what really happened to their daughter other than
20 what the pathology report can tell them and the testimony
21 that they've heard in court. I do know that there was
22 testimony that all three took turns shooting her. There
23 was testimony that Jaylen Wilson was the last to shoot
24 her, then I also heard testimony that Nelson was the
25 last to shoot her, but it was your client who's the

1 one who told the story that they all three took turns
2 shooting her.

3 I'm gonna tell you, Ms. Mauldin, you've got a
4 tough job, and you do such a good job representing your
5 clients. You know, during sentencing I did listen to
6 -- I think it was Dr. Susan Knight. I went through the
7 Aiken v. Byars elements. I understand, but you have to
8 understand I'm -- I'm not so sure that anybody gets
9 how violent and aggravating this murder was. It was
10 horrible. Horrible. It was torture. You know, I even
11 remember the mom telling me that she came over to dinner
12 at her house afterwards. I made a note of it. When she
13 was still looking for her daughter knowing good and well
14 that she was in a grave somewhere that she helped put
15 her in.

16 So, you know, I'm gonna -- I'm gonna tell you-all
17 it's not easy to impose sentences on people. I take it
18 very, very seriously and, you know, my responsibility
19 is to impose a sentence, you know, that's not greater
20 than necessary to reflect the seriousness of the offense
21 charged, promote respect for the law and to provide
22 just punishment, and also to deter criminal conduct and
23 protect the citizens of Lexington County, and I think my
24 sentence does exactly that.

25 I'm sure there's many that disagree with me and

1 there's many that probably do agree with me, but I'm
2 telling you this is one of the most horrendous crimes,
3 the most aggravating, the most violent. Just downright
4 evil. Evil. My sentence still stands.

5 Thank you.

6 MR. HUBBARD: Thank you, Your Honor.

7 MS. MAULDIN: Thank you, Your Honor.

8 THE COURT: All right. Court's adjourned.

9 MS. MAULDIN: Your Honor, just for the record I
10 would ask to -- I would just move to renew all of my
11 prior objections and motions, including the new trial
12 motion.

13 THE COURT: Absolutely. Yes, ma'am. All -- all
14 noted for the record and all denied, but they're made.

15 MS. MAULDIN: Yes, Your Honor.

16 And may I make a Court's exhibit also of the
17 sentencing information I passed up to Your Honor?

18 THE COURT: Yes, you may.

19 MS. MAULDIN: Thank you, Your Honor.

20 (Court's Exhibit Number 1 and 2 were marked for
21 identification.)

22 (Whereupon, the proceedings were concluded at
23 3:02 PM.)
24
25

C E R T I F I C A T E

I, Stacy S. Johnson, Official Court Reporter
for the Eleventh Judicial Circuit of the State of
South Carolina, do hereby certify that the foregoing
is a true, accurate and complete transcript of record
of all the proceedings had and the evidence introduced
in the hearing of the captioned case in Circuit Court
on the 28th day of September, 2023.

This transcript may contain quoted material.
Such material is reproduced as read by the speaker.

I do further certify that I am neither of kin,
counsel, nor have an interest to any party hereto.

December 31, 2023

/s/ Stacy S. Johnson
STACY S. JOHNSON RPR
CIRCUIT COURT REPORTER

WITNESSES

Lexington County Sheriffs Department

Kevin L. Baum

Law Enforcement Case #: 21007808

LSM

ARREST WARRANT NUMBER

22-STR-00039

ACTION OF GRAND JURY

TRUE BILL

Theresa Spivey 6-13-22
Foreperson of Grand Jury
Date:

VERDICT

GUILTY

[Signature]
Foreperson of Petit Jury
Date:

5/23/23

DOCKET NO. 2022GS3201995

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

JUNE TERM 2022

THE STATE

vs.

Nazareth Nicolle Sanchez-Peralta

CDR #: 0116

Indictment for

Murder

§ 16-03-0010

S.R. Hubbard III, SOLICITOR

STATE OF SOUTH CAROLINA)
COUNTY OF LEXINGTON)

INDICTMENT FOR
Murder

§ 16-03-0010

At a Court of General Sessions, convened on June 2022, the Grand Jurors of Lexington County present upon their oath:

That **Nazareth Nicolle Sanchez-Peralta** did in Lexington County on or about April 5th, 2021 through the early morning hours of April 6th, 2021, whether acting alone or in concert with another, unlawfully kill one SA [REDACTED], with malice aforethought, either express or implied, to wit: SA [REDACTED], age 15, who was killed by gunfire, and furthermore, the murder of SA [REDACTED] occurred during the commission of a felony offense, being an unlawful kidnapping, to which Sanchez-Peralta was a participant and/or co-conspirator, in violation of § 16-3-10, Code of Laws of South Carolina, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


DEPUTY SOLICITOR

DOCKET NO. 2022GS3201996

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

JUNE TERM 2022

THE STATE

vs.

Nazareth Nicolle Sanchez-Peralta

CDR #: 0095

Indictment for

Kidnapping

§ 16-03-0910

S.R. Hubbard III, SOLICITOR

WITNESSES

Lexington County Sheriffs Department

Kevin L. Baum

Law Enforcement Case #: 21007808

LSM

ARREST WARRANT NUMBER

22-STR-00040

ACTION OF GRAND JURY

RETURNED

Ursula Sover
Foreperson of Grand Jury
Date: *6-13-22*

VERDICT

Guilty

Jeff De
Foreperson of Petit Jury

Date: *5/23/23*

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)

INDICTMENT FOR
Kidnapping
§ 16-03-0910

At a Court of General Sessions, convened on June 2022, the Grand Jurors of Lexington County present upon their oath:

That **Nazareth Nicolle Sanchez-Peralta** did in Lexington County, South Carolina on or about April 5th, 2021 through the early morning hours of April 6th, 2021, whether acting alone or in concert with another; knowingly, willfully, and unlawfully seize, confine, inveigle, decoy, kidnap, abduct and/or carry away another person by any means whatsoever without authority of law, to wit: did seize, confine, inveigle, decoy, kidnap, abduct and/or carry away the victim, SA [REDACTED], age 15, by any means whatsoever without authority of law, and without her consent, a felony offense which continued while in Lexington County, in violation of § 16-3-910 of the Code of Laws of South Carolina, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


DEPUTY SOLICITOR

(30 - Lite)

2683

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington

STATE

VS.

INDICTMENT/CASE#: 2022 - GS - 32 - 01995

Nazareth Nicolle Sanchez-Peralta

AW#: 22-STR-00039

AKA:

Date of Offense: 4/5/2021

Race: White Sex: F Age: 19

S.C. Code §: 16-03-0010

DOB: [REDACTED] SS#: [REDACTED]

CDR Code #: 0116

Address:

City, State, Zip: West Columbia, SC 29169

SENTENCE SHEET

DL# [REDACTED] SID# [REDACTED]

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS

TO: Murder / Murder

In violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. [REDACTED] (def.'s initials)

The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

[Signature] 64191
Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the ☐ State Department of Correction ☐ County Detention Center,

for a determinate term of 65 days/months/years/Time Served ☐ Youthful Offender Act not to exceed years

and/or to pay a fine of \$; provided that upon the service of days/months/years/Time Served and or payment

of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on:

☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC.
252 days/months

☐ To include time spent on monitored house arrest prior to trial and sentencing.

☐ The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

2684

STATE VS. Nazareth Nicolle Sanchez-Peralta INDICTMENT/CASE#: 2022 - GS - 32 - 01995

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

- ☐ Substance Abuse Counseling ☐ Completion of GED ☐ Random Drug/Alcohol Testing
- ☐ Attend Voc. Rehab. Or Job Corp ☐ No Contact with Victim ☐ Domestic Violence Intervention Program
- ☐ Mental Health Counseling ☐ May serve W/E beginning: _____

☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ Public Service Employment _____ days/hours☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.☒ Other: NO SEX OFFENDER Registry☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

*Fine:

Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ _____ Beginning _____

		\$
§14-1-206 (Assessments 107.5%)		\$
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$100
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$75
§14-1-213 (Drug Court Surcharge)	\$150	\$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$
§50-21-114 (BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)	TBD	\$
☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$
TOTAL		\$175.00

Clerk of Court/Deputy Clerk: [Signature]
Court Reporter: Mona ManleyPresiding Judge: Debra McCaslin
Judge Code: 2768
Sentence Date: August 28, 2023

(0-30)

2685

STATE OF SOUTH CAROLINA

COUNTY OF Lexington

STATE

VS.

Nazareth Nicolle Sanchez-Peralta

AKA:

Race: White Sex: F Age: 19

DOB: [REDACTED] SS#: [REDACTED]

Address: [REDACTED]

City, State, Zip: West Columbia, SC 29169

DL#* [REDACTED] SID# [REDACTED]

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2022 - GS - 32 - 01996

AW#: 22-STR-00040

Date of Offense: 4/5/2021

S.C. Code §: 16-03-0910

CDR Code #: 0095

SENTENCE SHEET

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS

TO: Kidnapping / Kidnapping

In violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. [REDACTED] (def.'s initials)

The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Y Smayor 64191
Solicitor SC Bar # Defendant

Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction ☐ County Detention Center,

for a determinate term of 15 days/months/years/Time Served ☐ Youthful Offender Act not to exceed years

and/or to pay a fine of \$; provided that upon the service of days/months/years/Time Served and or payment

of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on:

☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC, days/months

☐ To include time spent on monitored house arrest prior to trial and sentencing.

☐ The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS. Nazareth Nicolle Sanchez-Peralta INDICTMENT/CASE#: 2022 - GS - 32 - 01996

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

- ☐ Substance Abuse Counseling ☐ Completion of GED ☐ Random Drug/Alcohol Testing
☐ Attend Voc. Rehab. Or Job Corp ☐ No Contact with Victim ☐ Domestic Violence Intervention Program
☐ Mental Health Counseling ☐ May serve W/E beginning: _____
☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ Public Service Employment _____ days/hours
☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
☐ Other: _____

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

*Fine:

Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ _____ Beginning _____

\$14-1-206 (Assessments 107.5%)		\$
\$14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$
\$14-1-211 (A)(2)(DUI Surcharge)	\$100	\$
\$56-5-2995 (DUI Assessment)	\$12	\$
\$56-1-286 (DUI Breath Test)	\$25	\$
\$14-1-212 (Law Enforce..Funding)	\$25	\$
\$14-1-213 (Drug Court Surcharge)	\$150	\$
\$34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$
\$50-21-114 (BUI Breath Test Fee)	\$50	\$
\$56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)	TBD	\$
☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$
TOTAL		\$

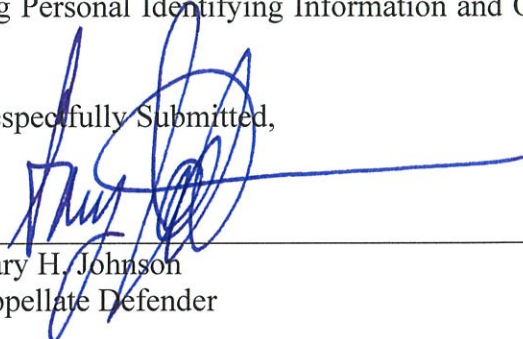
 Clerk of Court/Deputy Clerk: _____
 Court Reporter: _____

 Presiding Judge: Debra McCastie
 Judge Code: 2769
 Sentence Date: August 28, 2023

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,



Gary H. Johnson
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

RECEIVED

Sep 05 2025

SC Court of Appeals

This 5th day of September 2025.

RECEIVED

Sep 05 2025

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.

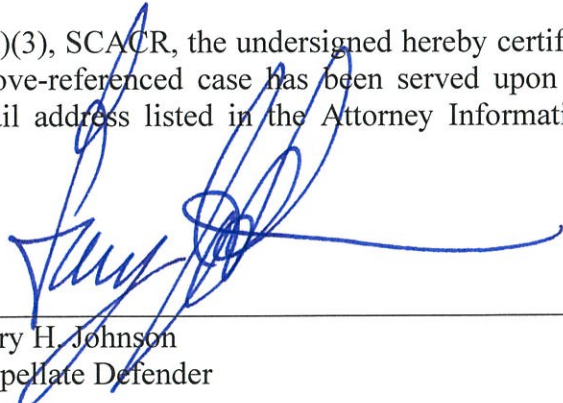
NAZARETH N SANCHEZ-PERALTA,

APPELLANT

APPELLATE CASE NO. 2023-001588

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon R. Brandon Larrabee, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 5th day of September 2025.



Gary H. Johnson
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT