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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Bamberg County
Honorable Courtney Clyburn-Pope, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DEAN TROY STEVENS,

APPELLANT.

APPELLATE CASE NO. 2024-000648

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
STATE’S EXHIBIT #6 (INTERVIEW - DEAN STEVENS) and
COURT’S EXHIBIT #1 (UNREDACTED 2nd STATEMENT OF
APPELLANT TO DAVIS AND CROFT REVIEWED BY THE COURT)**

STATE OF SOUTH CAROLINA	)	
	)	COURT OF GENERAL SESSIONS
COUNTY OF BAMBERG	)	2021-GS-05-00182
	)	2021-GS-05-00183
	)	
	)	
	)	
STATE OF SOUTH CAROLINA,	)	
PLAINTIFF,	)	
	)	
vs.	)	TRANSCRIPT OF RECORD
	)	
DEAN TROY STEVENS,	)	
DEFENDANT.	)	
_____	)	

April 8-10, 2024
Bamberg, South Carolina

B E F O R E:

THE HONORABLE COURTNEY CLYBURN-POPE, JUDGE.

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

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Court Reporter III

I N D E X

(PW) - Denotes Plaintiff's Witness
(DW) - Denotes Defense Witness

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I N D E X

(PW) - Denotes Plaintiff's Witness
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E X H I B I T S

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(Plaintiff's Exhibits)			
1	SLED Firearms Report 2	68	150
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All Exhibits were retained by the Clerk of Court for Bamberg County.

P R O C E E D I N G S

1
2 THE COURT: Your Honor, we are proceeding at this time
3 with regard to indictment 2021-GS-05-00183, a true billed
4 indictment for murder, and indictment 2021-GS-05-00184, that
5 is a true billed indictment for possession of a weapon
6 during the commission of a violent crime. The case is the
7 State of South Carolina vs. Dean Troy Stevens.

8 This morning, we have -- or, I guess, this is this
9 afternoon. We have a brief Jackson V. Denno. There were
10 two interviews taken of the Defendant. One on September the
11 16th of 2020 and one on September the 18th of 2020. I have
12 the officers available here to testify about the facts and
13 circumstances of those interviews.

14 For the purposes of the Jackson V. Denno hearing, it is
15 my understanding that Mr. Smaldone does not have motions and
16 I have no additional motions other than the Jackson V. Denno
17 for these statements -- or we don't have any motions to be
18 heard today.

19 MR. SMALDONE: That's correct, Your Honor.

20 MR. MILLER: Your Honor, with that mind, the State
21 would call Investigator Matt Davis of the Barnwell County
22 Sheriff's Office.

23 THE CLERK: Would you, please, state your name for the
24 record.

25 THE WITNESS: Matt Davis.

~~Matt David - Direct by Ms. Miller~~

1 MATT DAVIS,
2 after being duly sworn, testified as follows:

3 THE CLERK: Thank you, sir.

4 DIRECT EXAMINATION

5 BY MR. MILLER:

6 Q Investigator Davis, who do you work for?

7 A Barnwell County Sheriff's Office.

8 Q And what do you do for the sheriff's office?

9 A I'm lieutenant over our investigations division.

10 Q Were you working as an investigator for them in
11 September of 2020?

12 A I was.

13 Q Did you have occasion during the course of your work as
14 an investigator on the Barnwell County cases to talk to the
15 Defendant, Dean Troy Stevens?

16 A Yes, sir, I did.

17 Q Did you interview him formally?

18 A Yes, sir, I did.

19 Q And can you explain to the Court the circumstances
20 surrounding your interview of him?

21 A On the 16th of September, 2020, I had a brief interview
22 with Troy Stevens in our sheriff's office in Barnwell. I
23 was contacted by a confidential source about some
24 information regarding an investigation in Bamberg County.
25 Stevens was in our detention center at that time on some

—Matt David - Direct by Ms. Miller—

1 unrelated Barnwell Police Department charges. I went and
2 picked him up and interviewed him at our sheriff's office.

3 Q And when you got into the sheriff's office or even at
4 any time, and I'm talking on the 16th of September, before
5 the 16th of September or after the 16th of September, at any
6 time, did you ever make any threats or promises to Mr.
7 Stevens to get him to talk to you?

8 A No, sir, I did not.

9 Q Did you ever withhold food, water, do anything to try
10 to make him uncomfortable to get him to talk to you?

11 A No, sir, I didn't.

12 Q And did you make him any promises or hold out any hope
13 of reward if he, in fact, agreed to talk to you?

14 A No, sir, I did not.

15 Q Did you advise him of his rights pursuant to Miranda
16 vs. Arizona?

17 A Yes, sir, I did.

18 Q And did you do that in writing or did you just do it on
19 the video?

20 A I definitely got it on video. I do not recall if I did
21 it in writing.

22 Q Okay. So no threats or promises made, no intimidation
23 at any point in time with Mr. Stevens?

24 A That's correct.

25 Q So after you talked to him on September the 16th, were

1 you present whenever he was interviewed by Investigator Jeff
2 Croft with the South Carolina Law Enforcement Division?

3 A I was.

4 Q And at that time, was that interview recorded as well?

5 A Yes, sir, it was.

6 Q Were any threats or promises made to get Mr. Stevens to
7 talk on that day?

8 A No, sir, there was not.

9 Q And that day, he was advised of his Miranda rights
10 again?

11 A Yes, sir, he was.

12 Q And was that done in writing or do you recall?

13 A It was done on video and from what I recall, Agent
14 Croft, also, provided written SLED form for the Miranda.

15 Q I want to show you what's been marked for the purposes
16 of this hearing State's Exhibit 1 and ask you if you
17 recognize that?

18 A I do.

19 Q Can you explain to the Court what that is?

20 A That's a State Law Enforcement Division Miranda rights
21 form that Agent Croft presented to Defendant, Mr. Stevens,
22 and I was a witness and was presented to him before the
23 interview was done on September the 18th of 2020.

24 Q Is this a fair and accurate copy of the document that
25 you witnessed?

Matt David - Cross by Mr. Smaldone

1 A It is.

2 Q When you say you witnessed it, you, actually, signed it
3 as a witness?

4 A Yes, sir, that's true.

5 MR. MILLER: Please answer any questions Mr. Smaldone
6 may have for you.

7 CROSS-EXAMINATION

8 BY MR. SMALDONE:

9 Q Just a couple clarifying questions for you. You did
10 the first interview alone; is that correct?

11 A That's correct.

12 Q When I say alone, I mean you were the only law
13 enforcement person there along with Mr. Stevens, correct?

14 A Yes, sir.

15 Q And where was that held?

16 A The Barnwell County Sheriff's Office.

17 Q Okay. So it's my understanding he was already in
18 custody there?

19 A That's correct.

20 Q All right. What was he in custody for?

21 A He was in custody on some unrelated Barnwell Police
22 Department charges. I don't recall what their charges were.

23 Q Okay. He was not free to leave, correct?

24 A That's correct.

25 Q Regarding the second interview, what was your role in

1 that?

2 A I was assisting Senior Agent Jeff Croft of the State
3 Law Enforcement Division, their murder investigation, I was
4 assisting them.

5 Q Okay. How did you assist?

6 A Conducting witness interviews and then speaking again
7 with Mr. Stevens.

8 Q Did you conduct the interview the second time?

9 A Jeff Croft was the -- took the lead in that interview.

10 Q So you were there mostly as a witness, correct?

11 A Yes, sir.

12 Q And to clarify, he was not free to leave the second
13 interview either, correct?

14 A He was in custody, not free to go home, but he was free
15 to not talk or stop talking at any time.

16 Q Right, free to leave the room or the area, but he was
17 in custody, though, correct?

18 A Correct.

19 Q Did you know Mr. Stevens before these incidents?

20 A Yes, sir, I did.

21 Q How did you know him?

22 A Through prior different investigations or dealings with
23 him through the Barnwell Sheriff's Office. We were, also,
24 probably just a couple years apart in school.

25 Q So you kind of grew up with him in a way?

—Matt David - Redirect by Mr. Miller—

1 A Not necessarily.

2 Q Did you go to school together?

3 A If we did, I think we went to two different -- he went
4 to Blackville and I went to Barnwell, from what I remember.

5 Q Did you indicate that he was on any kind of medication
6 during the interview?

7 A Not to my knowledge.

8 MR. SMALDONE: Court's indulgence for one moment.

9 (Pause.)

10 MR. SMALDONE: Don't have any more questions for you.

11 REDIRECT EXAMINATION

12 BY MR. MILLER:

13 Q Investigator Davis, at any point in time, did he appear
14 to be under the influence of any kind of medications that
15 would hamper his ability to understand what was going on?

16 A No, sir, he did not.

17 MR. MILLER: No further questions.

18 Your Honor, I ask Investigator Davis be allowed to step
19 down and the State would call Senior Special Agent Jeff
20 Croft of the South Carolina Law Enforcement Division.

21 THE CLERK: Would you please state your name for the
22 record?

23 THE WITNESS: Jeff Croft, C-R-O-F-T.

24 JEFF CROFT,

25 after being duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. MILLER:

Q Agent Croft, can you tell the Court who you work for?

A I work for the South Carolina Law Enforcement Division, commonly referred to as SLED.

Q And what do you do for SLED?

A Now, I am on our State Surveillance Intelligence Unit Fugitive Team. Previously, I worked in investigative services for approximately 12 years in the Low Country.

Q And in that regard, did you have occasion to be involved in the case involving Dean Troy Stevens in September or August of 2020?

A Yes, sir, I did.

Q And can you explain briefly for the Court how you got involved in the case?

A SLED Low Country received a request for an investigation, death investigation. A body was found in a car on Memorial Church Road in Olar in Bamberg County. The car had been burnt. The body had been severely burnt. SLED arson units responded. SLED Low Country regional agents responded. Special Agent Blake Johnson was one of the field agents that was there, Lieutenant Matt Brown.

Approximately three or four weeks later, due to scheduling issues -- due to some scheduling issues, Covid was in, this case was reassigned to Ian Mundell and myself,

Jeff Croft - Direct by Mr. Miller

1 Special Agent Ian Mundell and myself. I think it was around
2 the 17th of September is when I received the case. I
3 conducted multiple interviews throughout the 17th into the
4 morning hours of the 18th, ultimately, resulting in me
5 interviewing Mr. Stevens.

6 Q I'm going to show you what's been marked for the
7 purposes of this hearing as State's Exhibit 1 for
8 identification. I ask you if you recognize that?

9 A Yes, sir, I do.

10 Q And can you explain to the Court what it is?

11 A This is a South Carolina Law Enforcement Division
12 Miranda rights form, which is a standard form that SLED uses
13 to present an individual with their Miranda rights prior to
14 an official interview.

15 Q So in this case, did you -- that particular form, who
16 was that for?

17 A This particular form was for Dean Troy Stevens.

18 Q And did you explain the form to him on video?

19 A Yes, sir, I did.

20 Q And did you go through each one of the different lines
21 and have him initial?

22 A I went line-by-line and then had Mr. Stevens initial it
23 saying he understood.

24 Q And those are his initials next to all of the
25 statements there?

Jeff Croft - Direct by Mr. Miller

1 A That is correct.

2 Q And did he sign it?

3 A Yes, sir, he did.

4 MR. MILLER: Your Honor, I would move to introduce
5 State's Exhibit 1 for purposes of the Denno hearing alone.

6 THE COURT: Any objection?

7 MR. SMALDONE: No, Your Honor.

8 THE COURT: So moved.

9 (WHEREUPON, State's Exhibit No. 1 was admitted into
10 evidence.)

11 BY MR. MILLER:

12 Q Senior Special Agent Croft, was this the first time you
13 had any contact with Dean Troy Stevens in relationship to
14 this case?

15 A It is.

16 Q So that was September 18th of 2020 -- based on the
17 Miranda form there, September 18th of 2020?

18 A That's correct.

19 Q Now, that day or any time after that, did you ever make
20 any promises to Mr. Stevens to get him to speak to you?

21 A I did not.

22 Q And did you ever hold out any hope of reward for him as
23 far as make him promises of what was going to happen if he
24 talked to you?

25 A I did not.

Jeff Croft - Direct by Mr. Miller

1 Q And did you ever threaten him or coerce him in any way?

2 A I did not.

3 Q Now, at several points on the video of the interview, I
4 noticed that you were talking about getting something to
5 drink for Mr. Stevens or getting him something to eat. Do
6 you recall that?

7 A Yes, sir, I do.

8 Q And, ultimately, at some point, you stepped out of the
9 room and left him with Investigator Davis and went and got
10 him a Pepsi and some M&Ms?

11 A That's correct.

12 Q Is that standard for you? Do you usually get M&Ms?

13 A Most everybody likes M&Ms, so I figured it would be
14 decent snack.

15 Q In fact, that's what you said when you came back in the
16 room, everybody likes M&Ms?

17 A Yes, sir.

18 Q At that point in time, Mr. Stevens was -- he was,
19 actually, being held on those Barnwell City charges, but he
20 was custody, correct?

21 A That's correct, yes, sir.

22 Q And he was not free to go?

23 A No, sir, he was not free to go home. He was free to
24 leave the interview at any time.

25 Q Okay. Was he handcuffed during the interview?

Jeff Croft - Cross by Mr. Smaldone

1 A I think he was, yes, sir.

2 Q At any time during the course of the interview, did he
3 tell you he didn't want to talk anymore?

4 A He did not.

5 Q At any time during the interview, did he ever request
6 an attorney?

7 A He did not.

8 Q Do you recall approximately how long the interview was?

9 A Approximately an hour and 23 minutes.

10 MR. MILLER: Please answer any questions Mr. Smaldone
11 might have for you.

12 CROSS-EXAMINATION

13 BY MR. SMALDONE:

14 Q Good afternoon.

15 A Good afternoon, sir.

16 Q You said the interview lasted about an hour and 23
17 minutes?

18 A I think that's about accurate, yes, sir.

19 Q Who was present in the interview room?

20 A It was myself and Investigator Matt Davis with the
21 Barnwell County Sheriff's Office, along with Mr. Stevens.

22 Q And was this the first time you spoke with Mr. Stevens
23 about this case?

24 A About this case, yes, sir.

25 Q And you had done some work on the ground before this,

1 right?

2 A Pretty much all night, yes, sir.

3 Q And at that time, was he a suspect in this case?

4 A Absolutely, yes.

5 Q Okay. And what was that based on?

6 A Witness interviews, evidence from the scene.

7 Q What was his demeanor during the interview?

8 A Initially, he was fairly, I would say, calm, open to
9 talk. He didn't initially give any information concerning
10 the case. It was several minutes into the interview that he
11 did break down and started crying when he gave the
12 information that he gave concerning this case.

13 Q How long had he been in jail before your interview; do
14 you know?

15 A I don't know a definite date. I think it was somewhere
16 around the 15th of September when he was arrested in
17 Barnwell. I think it's somewhere around the 15th day.

18 Q Okay. And this interview happened, was it the 18th?

19 A The 18th, yes, sir.

20 Q Did he appear to be withdrawing from drugs at the time?

21 A He did not appear to be under the influence of anything
22 that would alter his ability to understand. Matter of fact,
23 I asked him that question during the interview to make sure
24 that he did understand what we were doing.

25 Q Okay. You said you didn't promise him anything to

1 speak or to talk?

2 A I didn't promise him anything as far as the case goes
3 to speak to me or talk to me.

4 Q Do you recall saying, I promise I'll be there every
5 step of the way for you?

6 A I did say I would be there and I am still here.

7 Q Right. Fair to say, there's a lot of different ways to
8 interpret that?

9 A Mr. Stevens understood what he was telling me. He
10 understood what I meant by that.

11 Q Okay. That's your opinion, right?

12 A We discussed that there was consequences for the
13 actions which he had taken. He understood there was going
14 to be consequences for the actions he had taken. I don't
15 feel like there was any misinterpretation as to any promise
16 that I made him other than I would be there.

17 Q Okay. You said there for you, right?

18 A That's what I said, yes, sir.

19 Q Fair to say, you're sitting on the State's side of this
20 case, right?

21 A Just because I'm sitting on the State's side, that is
22 my duty that I took a sworn oath to enforce the laws of this
23 state. I still am there for him.

24 Q Have you advocated that he get a better deal or
25 anything like that?

Jeff Croft - Cross by Mr. Smaldone

1 A I have not discussed this case with anyone.

2 Q Okay.

3 A The prosecutor, we went through the case facts, I think
4 we contacted you, but, no, sir, I have not said anything.

5 MR. SMALDONE: I don't have any further questions.

6 MR. MILLER: No further questions, Your Honor.

7 Your Honor, at this time, the State believes it has met
8 its burden, its initial burden for the Court to make a
9 determination as a matter of law that the Defendant's
10 statements to law enforcement were made knowingly and
11 intelligently and freely and pursuant to the case of Miranda
12 vs. Arizona. The Court has heard testimony. I'm not going
13 to enter the actual video-recorded statements in.

14 The first one was with Investigator Davis. It is on
15 video. It's been provided to the Defense. The second one
16 was with Investigator Davis and Senior Special Agent Croft.
17 That one is, likewise, on video. I don't recall off the top
18 of my head there was a written rights advisement on the
19 first one. We know there was a written rights advisement on
20 the second one. That's been introduced into evidence in
21 this case.

22 There's no evidence whatsoever that any coercive
23 promises, threats or hope of reward was offered to the
24 Defendant. Certainly, although -- and we would concede that
25 Senior Special Agent Croft talked several times with the

1 Defendant about the fact that his -- that he was going to be
2 there for him. He would take every step of the way with
3 him. Certainly, I don't think that rises to any kind of
4 level of coercion to coerce the statement. In fact, the
5 statements that he made in that regard were substantially --
6 I believe all of them were made after Mr. Stevens had, in
7 fact, confessed to the fact that he had shot and killed Mr.
8 Craddock. So I don't know how he could coerce him into
9 making a statement after he's already made the statement.

10 Your Honor, the State's position is that we have met
11 our burden of proof as it relates to the Jackson V. Denno
12 hearing and we would ask for the Court to so rule.

13 Thank you.

14 MR. SMALDONE: Thank you, Your Honor. May it please
15 the Court.

16 I would move that these statements, specifically, the
17 second statement in this matter be suppressed. We have a
18 person who's questioned in custody. He was Mirandized, but
19 I would submit the interrogation in this case was
20 involuntary. Specifically, because of a promise made to the
21 Defendant, which was I promise I'll walk every step of the
22 way with you.

23 Looking at the transcript -- and I apologize, I would
24 ask more questions. For some reason, I thought the
25 interviews themselves would be entered into evidence.

1 MR. MILLER: I don't mind putting them in.

2 MR. SMALDONE: For a Court's Exhibit.

3 My transcripts, it appears that that promise was made
4 before he went into details about what is alleged to have
5 happened that night. So I think that it is pertinent to
6 this case. I don't think it's an afterthought. I mean, a
7 law enforcement officer said I'll walk every step of the way
8 with you. However, we want to interpret that.

9 I think when a defendant in a criminal case hasn't
10 spoken up and then is -- has that promise made to him by a
11 law enforcement officer, I think it is coercion. I think it
12 is a promise. I mean, how else would we interpret that. If
13 law enforcement says I'll be there every step of the way.
14 It sounds like he's going to go to bat for you to help you
15 out. Say, this guy's pretty truthful. He's helping me out,
16 let's him them out. Obviously, that's not the case. That's
17 not what did happen. It's not about what happened, it's
18 about what was in his mind when he decided to give that
19 statement.

20 I'm just reading one thing, Your Honor. I'm just
21 making sure -- it does appear that statement was made before
22 the Defendant is alleged to have admitted he shot a firearm
23 that night. So I think because of that, that statement is
24 involuntary and I move that it be suppressed.

25 THE COURT: There's a -- how long is the interview?

1 MR. MILLER: Your Honor, we have two versions. There's
2 the initial version, which Agent Croft testified it was an
3 hour and 22 minutes and 54 seconds or something like that.
4 Then there is a redacted version. Our redacted version is,
5 actually, about an hour and 14 minutes. So the redacted
6 version is about an hour and 14 minutes. I have the
7 redacted one here. I can make you a copy, however, you
8 would like it and we can make it a Court's Exhibit or a
9 State's Exhibit. I don't have an objection to either one.

10 THE COURT: Mr. Smaldone, where in the interview -- did
11 you write it down?

12 MR. SMALDONE: Yes, so this is just based off the
13 unredacted version. In that unredacted version, it is about
14 -- it is somewhere between 29 minutes and one second -- I'm
15 sorry, I take that back. It seems like it's right at 31
16 minutes and 26 seconds, but maybe for context, you might
17 back it up a little bit, but that's where it's at.

18 THE COURT: Mr. Miller, the issue is that our -- we do
19 not have the technology to insert a disc on our computers.

20 MR. MILLER: I will get a USB drive, a thumb drive, and
21 if the Court will accept that as a Court's Exhibit, then I
22 can give it to you. We wouldn't put it in this way in the
23 trial, but for the purposes of this -- for the purposes of
24 the hearing, if there's no objection, I'll just put it on
25 the USB. And I will put on the unredacted version, I will

1 burn that to the disc because the unredacted -- or to the
2 USB because that way the time stamps will be right. And it
3 is, it's somewhere in that neighborhood.

4 THE COURT: Sure. I'd like a chance to review that
5 before I make my ruling on it. So what we'll do is we'll
6 break for lunch and then I'll have -- whenever your done
7 with that process, I'll have an opportunity to look at
8 during lunch break. And then when we come back from lunch,
9 I'll make my ruling on the record.

10 MR. MILLER: That's not a problem, Your Honor.

11 THE COURT: We'll break for lunch. It's 1:10 now, so
12 we'll come back at 2:15.

13 (WHEREUPON, Court's Exhibit No. 1 was marked for
14 identification.)

15 (WHEREUPON, a lunch break was taken.)

16 TUESDAY, APRIL 9, 2024

17 THE COURT: Good morning, ladies and gentlemen. Can
18 you hear me in the back?

19 (Negative response.)

20 THE COURT: Good morning, ladies and gentlemen. My
21 name is Judge Clyburn-Pope. I am circuit court judge here
22 in South Carolina. It is truly my pleasure and my privilege
23 to work with you in this term of court in Bamberg County.
24 This term of court is for this week and this week only,
25 therefore, your service as jurors will end on Friday. We,

1 The State?

2 OPENING STATEMENT BY THE STATE:

3 MR. SANDERLIN: Thank you, Your Honor. May it please
4 the Court..

5 Ladies and gentlemen of the jury, thank y'all for being
6 here today. My name is Tyler. I'm with the Solicitor's
7 Office. And David, with the Solicitor's Office. We're here
8 to prosecute this case here in Bamberg County today.

9 I'm sure all of you would remember the year 2020.
10 Y'all all probably remember that as sort of a bad year, and
11 that was because of Covid. During that time, some of you
12 may have even lost a family member, someone close to you or
13 something just may have been bad in the year 2020 because of
14 Covid.

15 However, to the Craddock family, the year 2020 means a
16 lot more than just Covid. The year 2020, the family of
17 Jeremy Craddock, they lost Jeremy Craddock. They lost
18 Jeremy Craddock, the victim, because the Defendant, Dean
19 Troy Stevens, murdered him on August 18th of 2020.

20 During the early morning hours of August 18th, 2020,
21 the Defendant and the victim were at a party in the little
22 town of Olar in Bamberg County. The Defendant had a beef
23 with the victim and decided that he was going to teach him a
24 lesson. So he lured him to give him a ride. He gave him a
25 ride. He lured him down a dirt road in the late hours of

1 August 18th and he pulled a gun on him. He pulled a gun on
2 him and he shot him in the chest while in the car with him.
3 He got outside of the car, he decided to shoot him a second
4 time. Then he set the car on fire and burned the body.
5 That's the basis of the case.

6 Now, as you know, Dean Troy Stevens is indicted for
7 murder. It's our job, it's the State's job to prove him
8 guilty beyond a reasonable doubt. Murder is the unlawful
9 killing of another with malice aforethought. Now, we intend
10 to prove to you what exactly this Defendant did and how he
11 killed Jeremy Craddock through testimonial evidence, through
12 physical evidence, items that were recovered at the scene,
13 those types of things.

14 So first, you're going to hear from an ordinary citizen
15 from Bamberg County that was on his way to work one day when
16 he stumbled upon this scene of a burned-out car. You'll
17 find out that from there, law enforcement was notified and
18 that, ultimately, SLED arrived.

19 You'll hear from the lieutenant in charge on the scene
20 from SLED and he's going to talk about who he put in charge
21 as far as investigative services. You'll hear from the
22 arson investigator because it involved a fire and that's a
23 special type of investigation.

24 Then you're going to hear from the case agent, who was
25 assigned for the murder, and that was Blake Johnson. He's

1 going to talk about the evidence he collected and how it got
2 to SLED for testing.

3 Because it was 2020, you're, also, going to hear that
4 the investigator who was on the case, Blake Johnson,
5 contracted Covid and the case was reassigned to Senior
6 Special Agent Jeff Croft. With that, you're, also, going to
7 hear that Jeff Croft obtained a confession from the
8 Defendant how he murdered the victim, Jeremy Craddock. He
9 gave that confession to Jeff Croft and Investigator Matt
10 Davis with the Barnwell County Sheriff's Office. You're not
11 going to have to wonder about it because you're going to get
12 to see it because it was recorded and it was on video.

13 You're, also, going to hear how during that confession,
14 he tried to justify his crime. You're going to hear what he
15 did after the crime to try and hide what he had done.

16 You're, also, going to hear from the SLED agents how a
17 part of the gun that was tied back to the crime was,
18 ultimately, discovered in a lake in Hampton County. We have
19 that. We have that as evidence.

20 You're, also, going to learn from another deputy of
21 Beaufort County how that gun originally belonged to him and
22 how it ended up in the hands of the Defendant the night of
23 the murder. And, of course, SLED will be -- law
24 enforcement, we will be able to show how that gun is
25 connected all to this murder.

1 And after we present all this evidence to you, we put
2 it all in your hands, the Judge will instruct you on the law
3 in South Carolina. Y'all are going to apply the facts as
4 you see them to the law the Judge will give you. Once you
5 go to your jury room to deliberate, we, the State, ask that
6 you render the only appropriate verdict, which is Dean Troy
7 Stevens is guilty of the murder of Jeremy Craddock.

8 Thank you.

9 THE COURT: Yes, sir.

10 MR. SMALDONE: Thank you. May it please the Court.

11 OPENING STATEMENT BY THE DEFENSE

12 MR. SMALDONE: Good afternoon. I just want to thank
13 y'all for being here. I've got to say, I don't know about
14 y'all, but this is the first time I've tried a case in what
15 I believe to be a renovated classroom. It looks kind of, I
16 don't know if casual is the right word, but a little bit
17 thrown together and it looks a little bit nonpermanent. But
18 I ask you and Mr. Stevens ask you to look past all that and
19 remember why we're here today. This is a murder case and
20 this is the most important time for Mr. Stevens.

21 I was thinking about this case and what it means to me.
22 For some reason, I was kind of transported back to a memory
23 from high school. It was probably early high school. I
24 don't want to show my age too much, but I think it was
25 probably the late 90s, early 2000s. If y'all were around

1 then, you might remember. I know you'll remember because it
2 was everywhere. Every time you opened up a newspaper, every
3 time you opened up a magazine and, certainly, every time you
4 opened up your mailbox anytime from about 1996 to 2004, one
5 of the first things you'd see is a flyer 12 CDs for a penny.
6 Y'all remember that? Columbia House and one other company,
7 get 12 CDs for a penny.

8 So I'm 15 to 16 years old, maybe 14 and I'm thinking
9 that's a great deal. 12 CDs for a penny. And on that
10 flyer, at least, the one I had, it folds out with little
11 stamps and what album you want. Obviously, this was before
12 downloading, before Spotify. You take the stamp of what
13 album you want and you put it on one of the 12 CDs that you
14 picked out.

15 I didn't tell my parents about it, so I was picking out
16 CDs I was not able to get otherwise. This is my little
17 secret with Columbia House. So I pick out a CD and it's
18 probably Nirvana, Silver Chair, but I was picking out
19 whatever I wanted. 12 CDs for a penny. I'm thinking I'm
20 going to use my penny. There was a space you could tape the
21 penny on a circle on the postcard. I'm thinking I'm not
22 sure how they're making money, but I know maybe if they get
23 enough pennies, they will profit off of this transaction.

24 So I sent it off. This is before Amazon and before
25 things like that. So I sent it off and probably three,

1 four, five weeks later, not two days, three, four, five
2 weeks later, I get my giant pile of CDs, 12 CDs. And I'm
3 thinking pleasure to do business with you, Columbia House.
4 I have given you my penny. I hope it was not lost in the
5 mail. I hope you get enough pennies for a successful
6 business and see you next time.

7 Now, if y'all ever did do this, you know that several
8 weeks later, I get another package in the mail. It's
9 another CD that I have no knowledge of, didn't ask for and
10 did not even like. And I'm thinking maybe they have extra
11 CDs. Maybe I got it by accident, I don't know. So and so
12 forth, just about every week, I'm getting a CD in the mail
13 that I know I did not ask for, did not want. By this time,
14 I'm probably not even opening them, I'm putting under my
15 bed.

16 Then the CDs stopped. Instead, they started sending
17 letters. First, I see the letter, and I'm like no, we're
18 done. I paid y'all the penny. Then the letters became kind
19 of aggressive and bigger fonts, starts to be red fonts.
20 Finally, my dad gets the mail one day and opens up the
21 letter and it's a bill for about \$350. All those CDs they
22 were sending me were somehow about \$35 each, according to
23 them. And became I had sent them the penny, I had entered
24 into some agreement that I had no knowledge of and,
25 certainly, did not sign up for. Now, a 15 or 16-year-old

1 owed a lot of ice cream scooping money to Columbia House.

2 So I finally get in trouble. My dad was more angry
3 that I was buying CDs behind his back then entering into
4 strange business transactions. But I finally sent a letter,
5 hey, here's \$100, by the way, I'm 15, stop. I am not
6 interested in any more CDs. And never heard a peep from
7 them again until I find out later they were sued by just
8 about everyone for fraudulent business practices and luring
9 people into buying over-priced CDs without their knowledge.

10 But I remember that time in high school when I think of
11 -- when I get significantly more than what I signed up. I
12 signed up for one thing. I gave them a penny, instead, I
13 get enrolled in a fraudulent business practice.

14 In this case, Mr. Stevens heard some news about him.
15 He heard some news that he had sexually assaulted one of his
16 female friends. And that did not make Mr. Stevens happy.
17 So he does what some people will do, he confronts him. We
18 don't know, maybe he was planning for an argument. Maybe
19 he's planning on a threat. Maybe he's planning on a fight.
20 But at that moment, Craddock goes for a gun. It's not what
21 Dean Stevens signed up for. It's not what he had planned
22 on. It's not what he wanted.

23 Mr. Stevens sees a gun and gets his gun. He shoots
24 first. Again, he has not planned this. This is not what he
25 signed up for. But in order to save his own life, he shot.

1 As the State said, they called it a confession. It was a
2 recitation of the facts of self-defense. You're going to
3 hear it, I assume. You're going to hear he wasn't planning
4 on anything to do with a gun.

5 So at the end of this -- well, the entirety of this
6 case -- this is a little bit unique case because we don't
7 have many disagreements around the facts and the way the
8 evidence is laid out. We'll have disagreements about what
9 that means to me and to you and everyone, but the pieces are
10 there. There's not a whole lot of disagreement. So this
11 isn't a mystery. This isn't a whodunit. The Scooby Doo van
12 is not parked outside. This is -- the facts are there for
13 the most part and the only person who was there said what
14 happened, said he had to do what he had to do and he did it.

15 So at the end of this case, you'll hear from both
16 sides. You'll hear the law. And I'll ask you to find him
17 not guilty of murder. This is not a murder. It's an
18 unplanned chain of events that headed south. No one is
19 happy to be here. So I ask you to find him not guilty at
20 the end of this case because that's the only logical
21 conclusion. I ask you give myself, the State and the Judge
22 your attention, which I know you will. The next time you
23 will hear directly from me will be at the conclusion of this
24 case where we will ask y'all to find -- or I'll ask y'all to
25 find him not guilty.

Matthew Brown - Direct by Mr. Miller

1 Thank you.

2 (WHEREUPON, State's Exhibit Nos. 1 through 14 were
3 marked for identification.)

4 THE COURT: The State will call its first witness.

5 MR. SANDERLIN: The State will call Barrett Breland to
6 the stand.

7 THE CLERK: Raise your right hand, please. State your
8 name for the record.

9 THE WITNESS: Christopher Barrett Breland.

10 CHRISTOPHER BARRETT BRELAND,

11 after being duly sworn, testified as follows:

12 THE CLERK: Thank you, sir.

13 DIRECT EXAMINATION

14 BY MR. SANDERLIN:

15 Q Mr. Breland, where do you currently work?

16 A Currently, I'm employed by the South Carolina
17 Department of Natural Resources as a game warden.

18 Q How long have you worked there?

19 A I've been there three years.

20 Q Where did you work previously?

21 A Lower State Gas Company in Denmark.

22 Q How long did you work there?

23 A I've been there -- it's a family-owned business. I've
24 been there since I was 13, 14 years old.

25 Q Okay. What does that involve?

Matthew Brown - Direct by Mr. Miller

1 A We sell propane gas to residential and commercial
2 customers.

3 Q Do y'all do any installations?

4 A We do. We install gas tanks and swap out gas tanks.

5 Q Were you working in 2020 there?

6 A I was.

7 Q What about, specifically, August 18th of 2020?

8 A I was.

9 Q That day in August of 2020, what were you doing that
10 day for the company?

11 A That day, August 18th, we were swapping -- changing gas
12 tanks out, old gas tanks.

13 Q Where was that at? What location?

14 A Memorial Church Road in Olar.

15 Q Now, Memorial Church Road, is that a dirt road, a paved
16 road?

17 A It's a dirt road.

18 Q Okay. So you were -- I guess you drove on the dirt
19 road to get where you wanted to get?

20 A I did. I was driving what we call a boom trunk with
21 the tank on the back. We had to go to a customer's house
22 that's located on Memorial Church Road.

23 Q Did you notice anything along the way?

24 A Yes. As soon as I crossed over the railroad track, I
25 noticed a burnt car in the middle of the road.

Matthew Brown - Direct by Mr. Miller

1 Q At that time, were you able to identify what kind of
2 car it was?

3 A It was burnt so bad, you couldn't identify much, so I
4 kept going towards the customer's house.

5 Q What did you do then? Did you do your job?

6 A We completed the job there, changed the gas tank out.
7 Once I finished, I told my boss that I was going back the
8 same direction to see if maybe I could get a license plate
9 number or VIN number and notify law enforcement.

10 Q Okay. About how long do you think that was?

11 A 30 minutes, 30, 45 minutes.

12 Q So you went back to the car. What did you do then?

13 A As soon as -- I pulled up to the front of the car. As
14 soon as I could tell there wasn't a license plate left, I
15 walked to the front where normally a VIN number would be.
16 As soon as I got towards the driver back window, I could see
17 what looked to be a skull in the front seat. At that time,
18 I backed off. I called my father, which is my boss, who was
19 still at the job site, told him what I had and that I was
20 going to call Ben Hay, which was the chief deputy of Bamberg
21 County at the time.

22 Q Okay. Why did you call him versus dispatch?

23 A Well, he's my brother-in-law and knowing he was the
24 chief deputy, I thought I could get him faster, so I called
25 him direct.

Matthew Brown - Direct by Mr. Miller

1 Q After you spoke with him, did you leave? Did you stay
2 at the scene? What did you do?

3 A I called him. He told me to -- he was going to call
4 other law enforcement officers and I stayed on scene until
5 they arrived.

6 Q What agency first arrived?

7 A The Bamberg County Sheriff's Office was first on scene.
8 I think Deputy Cook was first on scene and then a few more
9 officers arrived a little after him. Then SLED arrived on
10 scene a little later.

11 Q Did you wait around for SLED?

12 A I did.

13 Q Did you speak to anybody there?

14 A I spoke to the first agent that came on scene. I don't
15 remember who it was, but just gave him my information. He
16 said I was good to go and I left.

17 Q Do you recall what the weather was like that day?

18 A Clear, sunny, dry.

19 Q There was no rain or anything like that?

20 A It started to rain while we were waiting for SLED to
21 arrive. It started to drizzle.

22 Q Did anybody kind of secure the scene?

23 A They got a tarp to put over the car.

24 Q Do you recall what color it was?

25 A I'm sorry?

~~Matthew Brown - Direct by Mr. Miller~~

1 Q Do you recall what color the tarp was?

2 A I don't.

3 Q But there was a tarp placed --

4 A Yeah, they put a tarp over the car.

5 MR. SANDERLIN: Nothing further. Please answer any
6 questions the Defense may have.

7 MR. SMALDONE: No questions for this witness.

8 THE COURT: May this witness be excused?

9 MR. SANDERLIN: That's correct, Your Honor.

10 THE COURT: Mr. Breland, you're excused.

11 The State will call its next witness.

12 MR. MILLER: Thank you, Your Honor. The State calls
13 Lieutenant Matt Brown of the South Carolina Law Enforcement
14 Division.

15 THE CLERK: Will you state your full name for the
16 record, please?

17 THE WITNESS: Charles Matthew Brown.

18 CHARLES MATTHEW BROWN,

19 after being duly sworn, testified as follows:

20 DIRECT EXAMINATION

21 BY MR. MILLER:

22 Q Lieutenant Brown, please state for the jury your
23 occupation.

24 A Law enforcement officer, essentially, a lieutenant with
25 the law enforcement division, more commonly referred to as

Matthew Brown - Direct by Mr. Miller

1 SLED.

2 Q And which one of the SLED regions do you work?

3 A I work in our Low Country region.

4 Q And were you working as a lieutenant in the Low Country
5 region of SLED on August the 18th of 2020?

6 A Yes, sir, I was.

7 Q Can you kind of describe to the jury some of your
8 responsibilities at SLED, Lieutenant?

9 A I am the administrative lieutenant for our regional
10 office. I kind of operate our office in our day-to-day
11 workings. Most of the paperwork comes through me. I'm,
12 also, on call. We have four supervisors in our office.
13 We're on call about one week out the month, so every four
14 weeks, we're switching. Specifically, August 18th is the
15 day I was the supervisor on call.

16 Q Did you respond to the scene of this burnt-out vehicle
17 in Bamberg County that was described by Mr. Barrett earlier?

18 A Yes, sir, I did.

19 Q And explain to the jury kind of what you found whenever
20 you got there.

21 A So when I arrived on scene, I believe the agent who
22 was, actually, initially assigned the case, Agent Blake
23 Croft, had arrived on scene before I did. Typically, once
24 you arrive on scene, as described by the first witness,
25 there were multiple law enforcement officers already on

Matthew Brown - Direct by Mr. Miller

1 scene. I believe on that day, I had, actually, responded
2 from our office, which is in Walterboro. So to get to
3 Walterboro to Olar, it's about an hour.

4 So when I got on scene, the vehicle that he described
5 as being burned was on the dirt road just across the
6 railroad tracks. Again, there were multiple law enforcement
7 officers on scene. So I attempted to just get briefed once
8 I got there as to what had happened or what had been found
9 and what had happened before I arrived.

10 Q And as the supervisor, would you have responsibility of
11 calling out additional SLED resources besides the initial --
12 strike that. Let me go back. I think you might have
13 misspoke. I think I heard Agent Blake Croft --

14 A I'm sorry, Blake Johnson. I'm sorry.

15 Q So Blake Johnson, you testified he was there. As the
16 senior agent on the team, would you be responsible for
17 calling out additional SLED resources?

18 A Yes, sir, I would.

19 Q And did you call out anybody else that day?

20 A Yes, sir, I made contact with our arson unit and the
21 on-call agent with our arson unit responded.

22 Q Okay. And so you had mentioned Special Agent Johnson
23 was the initial investigator on the case. Did he remain the
24 lead investigator on the case throughout?

25 A No, sir, he didn't.

Matthew Brown - Direct by Mr. Miller

1 Q Tell the jury what happened with that.

2 A So again, as you heard, this happened in 2020, which
3 was during the time Covid had just kind of hit and during
4 the first couple weeks of the investigation, Blake Johnson
5 was initially assigned, and he did contract Covid. So at
6 that time, we had to remove him from the case. It being a
7 homicide, we assigned another agent to the case, which was
8 Special Agent Ian Mundell. He, actually, was out of our
9 Charleston area, so kind of geographic distance between
10 Charleston and Olar. Once he was assigned the case, we,
11 also, solicited the help of a local agent to the Barnwell
12 area, which was Senior Special Agent Jeff Croft.

13 Q Now, this scene that this all went down, I know a
14 couple of people have said, but this was in Bamberg County,
15 correct?

16 A Yes, sir.

17 MR. MILLER: Thank you. That's all the questions I
18 have.

19 THE COURT: Cross-examination.

20 MR. SMALDONE: No questions for this witness.

21 THE COURT: Solicitor, may he be excused?

22 MR. SANDERLIN: Yes.

23 MR. MILLER: Your Honor, the State calls Senior Special
24 Agent David Gulley with the SLED arson investigation unit.

25 THE CLERK: Would you raise your right hand, please?

~~Matthew Brown - Direct by Mr. Miller~~

1 Would you state your name, please?

2 THE WITNESS: David Gulley.

3 DAVID GULLEY,

4 after being duly sworn, testified as follows:

5 DIRECT EXAMINATION

6 BY MR. MILLER:

7 Q Agent Gulley, please, state for the jury what it is you
8 do -- well, you work for SLED, correct?

9 A That is correct.

10 Q And what do you do for SLED?

11 A I work in -- at the time, I worked in the arson
12 investigation unit at SLED, so we are, essentially, the fire
13 investigators for the State that work on criminal cases. .

14 Q How long were you in the fire and investigation unit?

15 A Eight years.

16 Q And did you have any kind of specialized training to do
17 that job?

18 A Yes. So I'm a member of the National Association of
19 Fire Investigators. So they, also, offer what are
20 considered professional certifications, things like that.
21 So in addition to work fire scenes, attending trainings and
22 doing things like that, you, actually, take tests. And I am
23 a certified fire and explosion investigator. I am, also, a
24 certified vehicle fire investigator through NAFTI. And those
25 are both tested programs to get those certifications.

—David Gulley - Direct by Mr. Miller—

1 I've, also, done over 300 hours of CFI Trainer is the
2 website. Those are tested programs. Again, over 300 hours
3 of that. In the eight years I've been there, I've been a
4 party to over 150 fire investigations. So extensive
5 training. ATF post-blast training, things like that. We
6 run the gamut of trying to get as much training as we can.

7 Q And you mentioned specifically that you had training on
8 investigating vehicle fires, correct?

9 A That's correct.

10 Q And what's the objective whenever you are investigating
11 a vehicle fire? What are you trying to figure out?

12 A The first thing we're trying to figure out is the
13 origin. Once we find the origin, then we can go into what,
14 actually, caused the fire within that origin. So you're
15 looking at a big picture, finding where you think it
16 started. Then once you develop a hypothesis on where you
17 think it started, then you go down the road of what are
18 content ignition sources within that origin.

19 MR. MILLER: Your Honor, at this time, the State would
20 move to introduce Senior Special Agent David Gulley as an
21 expert witness in origin and cause of fire investigation.

22 THE COURT: Any questions of this witness?

23 MR. SMALDONE: No objections or questions.

24 THE COURT: At this time, I am going to find that arson
25 subject matter is beyond the ordinary knowledge of the jury

David Gulley - Direct by Mr. Miller

1 and that this witness has the requisite knowledge and skill
2 in order to be qualified as an expert in the origin of
3 vehicle fires.

4 MR. MILLER: Thank you, Your Honor.

5 BY MR. MILLER:

6 Q Agent Gulley, explain to the jury kind of what the
7 process is when you arrive at the scene of a suspicious
8 fire, or vehicle fire, what do you do?

9 A So the first thing that is really the most important
10 thing we do if you want to think about it like that is
11 documenting the scene. So we take a lot of pictures as we
12 go around. That's both outside -- in this particular case,
13 that's outside the vehicle and inside the vehicle. Then we
14 go through and try and go through layer by layer the debris
15 that is within the vehicle or on the outside of the vehicle
16 and remove that so we can get items that are of evidentiary
17 value out and preserve it.

18 Q I want to hand you a couple of exhibits that have been
19 marked for identification purposes. Let's just start with
20 the first one that's been premarked as State's Exhibit 2 for
21 identification. Can you explain -- do you recognize that
22 photo?

23 A I do.

24 Q What is that a photo of?

25 A A picture of the car that we examined on that date.

David Gulley - Direct by Mr. Miller

1 Q And does that photo fairly and accurately depict the
2 way that the vehicle appeared on that day at the scene?

3 A It does.

4 Q And do you know who took that photo?

5 A I did.

6 MR. MILLER: Your Honor, at this time, the State would
7 move to introduce State's Exhibit 2 into evidence.

8 THE COURT: Any objection?

9 MR. SMALDONE: No, Your Honor.

10 THE COURT: So entered.

11 (WHEREUPON, State's Exhibit No. 2 was admitted into
12 evidence.)

13 BY MR. MILLER:

14 Q Let's move onto the item that has been premarked as
15 State's Exhibit 3 for identification. Can you explain what
16 that is?

17 A That is outside of the car on the passenger side. That
18 is a shell casing that we located in documenting the scene
19 and surveying the scene.

20 Q And does that photograph fairly and accurately depict
21 the way that that item appeared on that day at the scene?

22 A It does.

23 MR. MILLER: Your Honor, at this time, the State would
24 move to introduce State's Exhibit 3 into evidence.

25 THE COURT: Any objection?

—David Gulley - Direct by Mr. Miller—

1 MR. SMALDONE: No, Your Honor.

2 THE COURT: So moved.

3 (WHEREUPON, State's Exhibit No. 3 was admitted into
4 evidence.)

5 BY MR. MILLER:

6 Q And moving on to No. 4, the item that has been
7 previously marked for identification as State's Exhibit No.
8 4, can you explain what that is?

9 A That is a picture of the interior driver's seat, so the
10 driver's seat on the inside of the vehicle. And within that
11 were a pistol slide and barrel.

12 Q And does that photo, State's Exhibit No. 4, fairly and
13 accurately represent the scene the way that it appeared
14 after the body of the deceased was removed?

15 A It does.

16 MR. MILLER: Your Honor, the State would move to
17 introduce State's Exhibit 4 into evidence.

18 THE COURT: Any objection to 4?

19 MR. SMALDONE: No, Your Honor.

20 THE COURT: So moved.

21 (WHEREUPON, State's Exhibit No. 4 was admitted into
22 evidence.)

23 MR. MILLER: Your Honor, at this time, State would like
24 to publish State's Exhibit 2 to the jury.

25 THE COURT: All right.

David Gulley - Direct by Mr. Miller

1 (WHEREUPON, State's Exhibit 2 was published.)

2 MR. MILLER: And State's Exhibit 3.

3 (WHEREUPON, State's Exhibit No. 3 was published.)

4 BY MR. MILLER:

5 Q And I want to ask you, Agent Gulley, about State's
6 Exhibit 3, if you could just hold that. There's a distance
7 here, but the jury will be able to see it up close later.

8 Could you explain to them what the significance of that
9 photo is, why you took that photo?

10 A Again, documenting items that we deem of evidentiary
11 value. So that is just showing that that is, in fact,
12 outside the car. But as you look around at all the charred
13 remains of everything around the car, that shell casing is
14 pristine. It hadn't been -- it's fired, but it has not
15 undergone any heat from the inside of the car.

16 Q And in State's Exhibit 4 -- and I'll show this to the
17 jury in a second -- but could you point out to the jury the
18 area where you testified there were these parts of a handgun
19 that were recovered?

20 A In the seat springs themselves here.

21 Q And those handgun parts, did you, actually, collect
22 those?

23 A Yes.

24 Q And you took the pieces of the handgun, what did you do
25 with them?

—David Gulley - Direct by Mr. Miller—

- 1 A Gave them to Agent Johnson.
- 2 Q And when you say Agent Johnson?
- 3 A SLED Agent Blake Johnson.
- 4 Q I want to show you what's been marked for
- 5 identification as State's Exhibit 11 and ask you do you
- 6 recognize those items?
- 7 A Yes, sir.
- 8 Q How do you recognize those?
- 9 A Those were the items that were pulled from the vehicle.
- 10 Q And did you collect those items?
- 11 A Yes, sir.
- 12 Q What did you do with those items?
- 13 A Transferred them to Special Agent Blake Johnson.
- 14 Q And I want to show you what has been marked for
- 15 identification as State's Exhibit 10 and ask you if you
- 16 recognize that?
- 17 A Yes, sir.
- 18 Q And what is that?
- 19 A It is labeled as one projectile found behind the
- 20 driver's seat of the burnt vehicle.
- 21 Q Behind the driver's seat. Did you collect that item?
- 22 A Yes.
- 23 Q What did you do with it?
- 24 A Turned it over to Special Agent Blake Johnson.
- 25 Q I want to show you what's been previously marked for

David Gulley - Direct by Mr. Miller

1 identification as State's Exhibit 7 and ask you if you can
2 identify that item?

3 A Yes, sir.

4 Q What is that item?

5 A That is the shell casing in the picture.

6 Q So the shell casing in State's Exhibit 3 beside marker
7 two?

8 A Yes.

9 Q So that's where you collected it?

10 A That is where it was collected from.

11 Q And what did you do with this item?

12 A Turned it over to Special Agent Blake Johnson.

13 Q So the vehicle that's out there on this dirt road out
14 in the county, what happened next, after you photographed?

15 A So after we photographed, we, actually, removed the
16 body from the vehicle so that we could, actually, process
17 it. Processing the body is very intensive. So we knew -- I
18 think I got there about 5:15 or so in the afternoon. So we
19 knew light was going to be coming up -- or dark was going to
20 be coming up. And the easiest thing to do is remove the
21 body so that we can, actually, contain everything in it and
22 preserve the body and the contents of the car all in one
23 unit.

24 So we removed the body. This was a little bit
25 different as well because we, actually, had to remove the

1 body through the back passenger seat. The frame on the
2 front seat had warped so back that it was laid back. So we
3 removed it from the back passenger seat. Then we were able
4 to locate those items directly under it just on a quick
5 cursory inspection right there. And then we kind of -- we
6 packaged the car again. We, actually, transported it here
7 so we could process it that night.

8 Q In a lit-up, controlled environment?

9 A Correct.

10 Q Did you go -- so you finished processing the car here.
11 Did you attend the autopsy the next day?

12 A I did.

13 Q And at that point in time, did SLED have a conclusive
14 firm identification on whose body this was?

15 A I do not recall.

16 Q Well, was the body recognizable?

17 A No, no. You could tell it was a human body, but you
18 wouldn't be able to recognize who it was.

19 Q So when you go to the autopsy, what do you do whenever
20 you get there?

21 A Basically, we stand by in case -- in this particular
22 case, we stand by in case whatever the pathologist, if they
23 find any evidence or anything like that, or in some cases,
24 blood standards, blood spots, things like that for DNA later
25 down the road, you collect those. And that's what I was

David Gulley - Direct by Mr. Miller

1 doing that day.

2 Q I want to show you what's been marked for
3 identification as State's Exhibit 5. Do you recognize that?

4 A That is the shell casing that was removed during the
5 autopsy.

6 Q And explain to the jury where the shell casing was
7 found.

8 A I believe it was found -- I would have to refer to the
9 pathologist report for conclusive, but I believe it was
10 found in the right thigh of the victim.

11 Q Like in the top of the thigh or --

12 A In the back.

13 Q And what did you do with SLED item five?

14 A I submitted it to our ballistics department.

15 Q So when you -- all of the evidence that you collected
16 at the scene and from the vehicle, you turned it over to
17 Blake Johnson?

18 A That's correct.

19 Q For him to turn into the lab?

20 A Correct.

21 Q But all of the evidence that you collected at the
22 autopsy, you, actually, turned in directly to the lab
23 yourself?

24 A Correct.

25 THE COURT: Your Honor, if we can stand down for a

1 ten-minute break.

2 MR. MILLER: Your Honor, if I could say I don't have
3 any further questions.

4 THE COURT: Certainly.

5 MR. MILLER: No further questions.

6 THE COURT: Thank you, sir.

7 We'll stand down for a brief break.

8 (WHEREUPON, the jury exits the courtroom at 2:48 p.m.)

9 THE COURT: All right. We'll stand down for ten
10 minutes.

11 You're still on the stand, so you're not to communicate
12 with anyone.

13 THE COURT: Are we ready for the jury?

14 MR. MILLER: The State is ready.

15 MR. SMALDONE: The Defense is ready.

16 THE COURT: All right. Please bring the jury in.

17 (WHEREUPON, the jury enters the courtroom at 3:14 p.m.)

18 THE COURT: All right. The State will call its next
19 witness.

20 MR. SMALDONE: I have a few questions, Judge.

21 THE COURT: Yes, I apologize.

22 MR. SMALDONE: Thank you Your Honor.

23 CROSS-EXAMINATION

24 BY MR. SMALDONE:

25 Q Agent Gulley, good afternoon.

David Gulley - Cross by Mr. Smaldone

1 A Good afternoon.

2 Q You are -- what is your job title now?

3 A I'm still a senior special agent.

4 Q Okay. And at the time, you were in arson
5 investigations?

6 A Correct.

7 Q Did you eventually determine the cause of this vehicle
8 fire?

9 A The origin cause of it?

10 Q Yes.

11 A Yes.

12 Q And that was what?

13 A It was interior, so within the passenger compartment,
14 and the intentional application of open flame to available
15 combustible materials.

16 Q Okay. Did not determine about who, when?

17 A No.

18 Q Just how?

19 A Just how.

20 Q And you said there was a shell casing on the outside of
21 the car?

22 A Correct.

23 Q Which side was that on?

24 A Passenger side.

25 Q So outside passenger side. And that was on the ground?

David Gulley - Cross by Mr. Smaldone

1 A Correct.

2 Q And that was a spent casing?

3 A It was.

4 Q And you, also, said there was -- if I recall correctly,
5 it was an unfired cartridge -- did you, also, find an
6 unfired cartridge in the car?

7 A I don't recall.

8 Q You did find what we call gun parts in the car?

9 A Yes.

10 Q And what side was that on?

11 A The slide and barrel were on the driver's side.

12 Q Okay. And was there only one shell casing recovered
13 near the car?

14 A Yes, that one on the passenger side.

15 Q Okay.

16 A And then there was a magazine in the back seat.

17 Q Okay.

18 A And then within that was another cartridge casing.

19 Q So more casings inside the magazine in the back seat?

20 A I don't disassemble the magazine, but there was a
21 casing protruding through the magazine.

22 Q And all that was turned over to Blake Johnson?

23 A Correct.

24 Q Did you -- you didn't determine what kind of accelerant
25 was used?

David Gulley - Redirect by Mr. Miller

1 A No.

2 MR. SMALDONE: No further questions for you.

3 THE COURT: Redirect?

4 MR. MILLER: Briefly, Your Honor.

5 REDIRECT EXAMINATION

6 BY MR. MILLER:

7 Q Agent Gulley, you said, correct me if I'm wrong, the
8 application of open flame to available combustible material?

9 A Correct.

10 Q Could you break that down for me?

11 A It could be anything from a match to a cigarette
12 lighter which provides an open flame, just like a candle, to
13 available combustible materials, which could be anything
14 from upholstery, to a phone, to lottery tickets, to
15 receipts, to anything that was available at the scene.

16 Q So the origin of this fire was somebody put a flame to
17 something that would burn?

18 A Correct.

19 Q Inside the passenger compartment of the vehicle?

20 A Correct.

21 Q And referring back to clarify, State's Exhibit 11, we
22 were talking about these handgun parts and the pieces of the
23 handguns that had endured the fire, you said that the photo
24 -- that it was on the seat, on the springs of the seat?

25 A On the springs of the seat.

Blake Johnson - Direct by Mr. Sanderlin

1 Q And it was not visible until the victim had been
2 removed from the vehicle?

3 A Correct.

4 MR. MILLER: No further questions, Your Honor.

5 THE COURT: Recross?

6 MR. SMALDONE: No, Your Honor.

7 THE COURT: This witness may be excused.

8 The State will call its next witness.

9 MR. SANDERLIN: The State would call Agent Blake
10 Johnson to the stand.

11 THE CLERK: Raise your right hand, please, and state
12 your name for the record.

13 THE WITNESS: Blake Johnson.

14 BLAKE JOHNSON,

15 after being duly sworn, testified as follows:

16 THE CLERK: Thank you, sir.

17 DIRECT EXAMINATION

18 BY MR. SANDERLIN:

19 Q Agent Johnson, where do you work?

20 A I work for the South Carolina Law Enforcement Division,
21 commonly known as SLED.

22 Q How long have you worked there?

23 A I've been with SLED for approximately seven years.

24 Q And what area do you work in?

25 A I work in the Low Country region of SLED in

Blake Johnson - Direct by Mr. Sanderlin

1 investigative services.

2 Q Does Olar, Bamberg County classify as Low Country?

3 A Yes, sir.

4 Q Were you working at SLED in 2020, specifically, August
5 18th?

6 A I was.

7 Q What was your involvement in this case?

8 A I was one of the investigators on call for the region
9 on August 18th of 2020. I was contacted that afternoon by
10 Lieutenant Matt Brown and he advised me of a burned vehicle
11 in Olar and needed me to respond.

12 Q Did you originally do the investigation or was that
13 Special Agent David Gulley?

14 A So the region responded and due to the vehicle having
15 been burned so badly, we requested that arson respond as
16 well. Arson being trained in the collection of evidence
17 pertaining to burned vehicles, they worked in conjunction
18 with us.

19 Q While you were working that investigation, did you find
20 any evidence or did you just collect evidence from others?

21 A The evidence that was gathered by Senior Agent Gulley,
22 I collected it -- or he gave it to me to send to our lab.

23 Q Do you remember what those items were?

24 A I believe one was a shell casing, a 380 shell casing, a
25 slide and barrel that was recovered inside the car and a

1 magazine. I believe that was it.

2 Q I'm handing you what's been premarked as State's
3 Exhibit 7. Can you identify what that is?

4 A Yes, sir, this is a 380 shell casing that was found on
5 the ground on the passenger side of the burned vehicle.

6 Q And does it appear to be how it looked when you first
7 saw it?

8 A Yes, sir.

9 Q What did you do with that piece of evidence?

10 A I logged it into our system for our forensics services
11 laboratory and transported it to Columbia to our lab.

12 Q And you say you, also, collected other items of
13 evidence. Where did you get item number seven from?

14 A From Agent Gulley.

15 Q And then you took it to SLED?

16 A Yes, sir.

17 Q I'm handing you what's been premarked as State's
18 Exhibit 10. Do you recognize what that is?

19 A Yes, sir.

20 Q What is it?

21 A It's one projectile found behind the driver's seat of
22 the burnt vehicle.

23 Q So projectile is a bullet?

24 A Yes, sir, that's been fired.

25 Q And who did you receive it from?

Blake Johnson - Direct by Mr. Sanderlin

1 A Agent Gulley.

2 Q And you took that item to SLED as well?

3 A Correct.

4 Q Switch out with you again. I'm handing you what's been
5 premarked as State's Exhibit 11. Do you recognize what's in
6 that box?

7 A Yes, sir. This is handgun slide and some handgun
8 parts.

9 Q Who did you receive that item from?

10 A Agent Gulley.

11 Q And that as well went to SLED?

12 A Yes, sir.

13 Q So you logged items 7, 10 and 11 into SLED?

14 A Yes, sir.

15 Q And you received all those items from Agent Gulley?

16 A Yes, sir.

17 Q After you collected all this evidence, what happened
18 subsequently? Did you stay on during the investigation or
19 what happened?

20 A Yes, sir. Well, we transported the vehicle back here
21 and I was with Agent Gulley when we finished processing the
22 vehicle in a lighted area. After all that was finished, my
23 job was to find witnesses and leads for the case.

24 Q And, ultimately, did you stay on this case or were you
25 -- what exactly happened after?

Blake Johnson - Cross by Mr. Smaldone

1 A No, sir. September 5th, I tested positive for Covid.
2 And at that time, our agency was making us quarantine for 14
3 days. During that time, some leads started to progress.
4 Since I could not leave the house, I notified my supervisor
5 that somebody else that didn't have Covid needed to run with
6 these leads. Subsequently, Senior Agent Croft and Agent
7 Lindell were assigned.

8 MR. SANDERLIN: Thank you. Please answer any questions
9 the Defense might have.

10 THE COURT: Mr. Smaldone.

11 MR. SMALDONE: Yes.

12 CROSS-EXAMINATION

13 BY MR. SMALDONE:

14 Q All right. You said there was a slide and barrel
15 recovered?

16 A Slide and barrel, yes, sir.

17 Q Did you determine what caliber or what model gun that
18 was from?

19 A No, sir.

20 Q So you just collected it -- you just sent it off,
21 correct?

22 A Yes, sir.

23 Q Did you -- were you at the scene?

24 A Yes, sir.

25 Q So you were at the scene, Agent Gulley gives you stuff

Blake Johnson - Cross by Mr. Smaldone

1 and then you bring it back, correct?

2 A Correct.

3 Q That was pretty much the crux of your involvement?

4 A Yes, sir.

5 MR. SMALDONE: I have no further questions for you.

6 THE COURT: Any redirect?

7 MR. SANDERLIN: No further questions, Your Honor.

8 THE COURT: This witness may now be excused.

9 MR. SANDERLIN: Thank you, Judge.

10 MR. MILLER: Your Honor, at this point, our next
11 witness is probably the lengthiest witness in the trial. It
12 is late in the day by lawyer standard. I know people have
13 stuff to get to. There's not any way we would be able to
14 finish up by 5:00 with that witness. I would respectfully
15 request that we break for the day if Defense Counsel doesn't
16 have a problem with that and we get started tomorrow
17 morning.

18 THE COURT: Any objection, Mr. Smaldone?

19 MR. SMALDONE: None from me, Your Honor.

20 THE COURT: Ladies and gentlemen of the jury, at this
21 time, we are going to adjourn for the day. I ask that you
22 be here tomorrow morning at 10:00 a.m. We will get started
23 promptly at 10:00 a.m.

24 Let me remind you of a few things. The first thing is
25 that if you have any transportation issue, you need to call

1 the clerk's office immediately so that we can make
2 arrangements for the sheriff or someone to come and pick you
3 up. We will provide you transportation if you cannot get
4 here.

5 The second thing is if there is some type of emergency,
6 obviously, please contact the clerk's office. We cannot
7 move forward until all 14 of you are here.

8 Also, do not attempt to do any type of research on the
9 trial or any of the topics that were raised today. We'll
10 give you all of the evidence and all of the information that
11 you need in order to make your decision. And, please, do
12 not discuss this case with anyone, not even each other. Do
13 not put out any postings on social media or when you're on
14 the phone with your friends or your family. You can tell
15 them you're on jury duty, but you cannot tell them the facts
16 about the case or who is involved in the case or what the
17 case is even about.

18 So we'll see you all tomorrow at 10:00 a.m. If there
19 are no other questions, the jury is excused at this time.

20 (WHEREUPON, the jury exits the courtroom at 3:29 p.m.)

21 THE COURT: Gentlemen, is there anything further in the
22 absence of the jury?

23 MR. MILLER: Nothing from the State, Your Honor. I am
24 going to have Coach and Sheriff Bamberg get together.
25 Today, he got here without any of the jurors seeing him in

1 law enforcement custody. They, actually, brought the van
2 into the back. Then he was there until all the jurors were
3 here and then he came up -- the problem is tomorrow -- I
4 think, logically, probably the best thing to do tomorrow
5 would be to keep him at the jail dressed out until all 14
6 jurors are here and then bring him from the jail straight
7 into this room. Otherwise, there's potential of someone
8 pulling into the parking lot seeing him in custody. We just
9 need to work that out. We are cognizant of it and we'll
10 work it out.

11 THE COURT: Just let me know if there's some way the
12 Court can assist in that.

13 MR. MILLER: Thank you, Your Honor.

14 THE COURT: So at this time, we will adjourn for the
15 day. We will start tomorrow morning at 10:00 a.m. If there
16 are any issues that arise, please, feel free to e-mail us
17 immediately so that we can address them before the jury
18 comes in.

19 (WHEREUPON, Court was adjourned for the day.)

20 WEDNESDAY, APRIL 10, 2024

21 THE COURT: Is the State ready to proceed?

22 MR. MILLER: The State is ready to proceed.

23 THE COURT: Ms. Smaldone?

24 MR. SMALDONE: Good morning, Your Honor. The Defense
25 is, also, ready to proceed.

1 THE COURT: No issues that we need to handle outside
2 the presence of the jury?

3 MR. SMALDONE: Well, not much, just before this witness
4 -- nothing new. Just to clarify for timing and structure of
5 the record, I believe the next witness is Agent Croft. We
6 did a Jackson V. Denno and I made my motion. My motion to
7 suppress was denied. I don't think it was ever made on the
8 record that it was denied, so I wanted to indicate that it
9 was previously denied. Also, was denied before my opening
10 statement, which, certainly, crafted the nature of my
11 opening statement. So I just wanted that on the record.

12 THE COURT: Thank you very much, Mr. Smaldone. You are
13 correct. I sent that ruling via e-mail, I believe, Monday
14 afternoon. But you are correct, that was not placed on the
15 record.

16 Thank you.

17 Can we, please, bring the jury in.

18 (WHEREUPON, the jury enters the courtroom at 10:26
19 a.m.)

20 THE COURT: Welcome back, ladies and gentlemen. Let me
21 tell you that you don't have to sit in the exact same seat.
22 The only one that has to sit in the same seat is your
23 Foreman. So you may sit where you are comfortable where you
24 are in line.

25 The State is going to call their next witness. So we

1 will jump right into that.

2 Mr. Miller, you have some stipulations?

3 MR. MILLER: Yes, ma'am.

4 Your Honor, the State would introduce State's Exhibit 8
5 and State's Exhibit 9. Those two exhibits are stipulations
6 of counsel. State's Exhibit 8 is a stipulation between the
7 State and the Defense. It says, the State and counsel for
8 the Defense hereby stipulate to the following: Jeremy Scott
9 Craddock died in Bamberg County on or about August 18th,
10 2020, from a perforating gunshot wound to the left lateral
11 thorax, the chest. His death was ruled a homicide by a
12 qualified medical examiner.

13 State's Exhibit 9 is a second stipulation of counsel.
14 That stipulation states, the State and counsel for the
15 Defense hereby stipulate to the following: DNA testing
16 conducted by the South Carolina Law Enforcement Division lab
17 determined that the unknown body recovered from the burned
18 out vehicle in Bamberg County on August 18th, 2020, was
19 identified as Jeremy Scott Craddock.

20 Both stipulations are signed by myself and counsel for
21 the Defense and are dated April the 9th, 2024.

22 Your Honor, at this time, the State would move to
23 introduce those stipulations into evidence.

24 THE COURT: Any objection?

25 MR. SMALDONE: No, Your Honor.

Jeff Croft - Direct by Mr. Miller

1 THE COURT: Very good. So moved.

2 (WHEREUPON, State's Exhibit Nos. 8 and 9 were admitted
3 into evidence.)

4 MR. MILLER: Your Honor, the State calls Senior Special
5 Agent Jeff Croft.

6 THE CLERK: Would you state your name for the record,
7 please.

8 THE WITNESS: Jeff Croft, C-R-O-F-T.

9 JEFF CROFT,

10 after being duly sworn, testified as follows:

11 THE CLERK: Thank you.

12 DIRECT EXAMINATION

13 BY MR. MILLER:

14 Q Good morning, Agent Croft.

15 A Good morning, sir.

16 Q Agent Croft, can you tell the jury who you work for?

17 A I work for the South Carolina Law Enforcement Division,
18 commonly referred to as SLED.

19 Q And what do you do for SLED now?

20 A I work for the SLED surveillance intelligence unit.

21 It's a unit which we go out and we try to apprehend violent
22 fugitives. We do surveillance and intelligence on
23 individuals involved in criminal activity.

24 Q And how long have you been doing that?

25 A September, this past September would have been a year.

Jeff Croft - Direct by Mr. Miller

1 Q Prior to that time, did you have any other employment
2 with SLED?

3 A I did. I worked for the investigative unit in the Low
4 Country region.

5 Q And how long did you do that for?

6 A Approximately ten years.

7 Q Were you working as an investigator in the Low Country
8 region on or about August and September of 2020?

9 A Yes, sir, I was.

10 Q Were you involved in the investigation of the murder of
11 Jeremy Craddock?

12 A Yes, sir, I was.

13 Q Can you explain to the jury how it was that you came to
14 be involved in that investigation?

15 A I think it was on September the 17th, I received a call
16 from my lieutenant who said that the case was going to be
17 transferred over to me. Due to some issues with the 2020
18 Covid, some location issues of agents, one agent contracting
19 Covid, I was asked to be what we call boots on the ground,
20 go out and start conducting interviews that needed to be
21 done. Some information had come in that needed to be
22 followed up on.

23 Q So at that time, you said it was somewhere September
24 17th, somewhere around there. This incident had occurred on
25 August 18th, correct?

Jeff Croft - Direct by Mr. Miller

1 A Yes, sir.

2 Q So how do you go about getting involved in an
3 investigation that's almost a month old?

4 A I reached out to the agents or the officers, everyone
5 that was involved prior to my involvement to gather in
6 intel, any information that they had gotten, anything that
7 had been followed up on already, anything that needed to be
8 followed up on. Basically, get a brief outline of where we
9 were in the case.

10 Q And as a result of the information that was obtained
11 through that inquiry, information which had been developed
12 in the investigation previously, did you talk to any
13 individuals that were believed to be connected or believed
14 to have information involving the crime?

15 A Yes, sir, I did.

16 Q And do you recall approximately how many people you
17 talked to about it?

18 A I would say it was in the neighborhood of around 20
19 people total.

20 Q And as a result of all of those interviews and those
21 conversations, what did you do?

22 A As a result of the information gathered through each
23 one of those interviews, those contacts, I requested to
24 speak with Dean Troy Stevens.

25 Q And where did you speak with Mr. Stevens?

Jeff Croft - Direct by Mr. Miller

1 A At the Barnwell County Sheriff's Office.

2 Q So at the time that you spoke with Mr. Stevens, was he
3 in custody?

4 A Yes, sir, he was.

5 Q And did you advise Mr. Stevens his rights pursuant to
6 Miranda vs. Arizona?

7 A Yes, sir, I did.

8 Q I want to show you what's been marked for
9 identification as State's Exhibit 13 and ask if you can
10 explain to the jury what that is?

11 A Yes, sir, this is a standardized form which SLED uses.
12 It says South Carolina Law Enforcement Division Miranda
13 rights form. It is the form which we use to explain the
14 rights to a party that's in custody that we're fixing to
15 attempt to interview. We have them read over the form, sign
16 the form. The form is dated and witnessed by two people.

17 Q And that particular form that's been handed up, who is
18 the suspect that is being interviewed on that form?

19 A Dean Troy Stevens.

20 Q And did Dean Troy Stevens sign the form?

21 A Yes, sir, he did.

22 Q And did he initial where indicated?

23 A Yes, sir, he did.

24 Q And was the form witnessed?

25 A Yes, sir, it was.

Jeff Croft - Direct by Mr. Miller

1 Q Who were the witnesses on the form?

2 A Myself, Jeff Croft, and witness, Matt Davis.

3 Q Does that form -- that's not the original form, is it?

4 A No, sir, it's not.

5 Q But is that -- does that fairly and accurately
6 represent what the original copy of the Miranda form
7 advisement was?

8 A Yes, sir, it is an accurate copy.

9 MR. MILLER: Your Honor, at this time, the State would
10 move to introduce State's Exhibit 13.

11 THE COURT: Any objection?

12 MR. SMALDONE: No objection.

13 THE COURT: So moved.

14 (WHEREUPON, State's Exhibit No. 13 was admitted into
15 evidence.)

16 BY MR. MILLER:

17 Q Now, Agent Croft, before you interview a suspect or
18 somebody that you've Mirandized, kind of explain the process
19 of what you want to do before you walk into the interview?

20 A Well, before I walk into an interview, I like to have
21 as much information about the case as I can. I kind of
22 formulate a plan in my head of information that I'm seeking
23 to get. And I go into an interview seeking to receive as
24 much information as possible, whether the truth or not. And
25 that's my game plan.

Jeff Croft - Direct by Mr. Miller

1 Q And if you receive information during the course of an
2 interview, you get this information, what kind of steps
3 would you take or what kind of things would you do to try to
4 confirm or corroborate that information?

5 A Some of the information which we receive in an
6 interview, we can verify through other people that we've
7 already interviewed, we've talked to. We would take the
8 information which we learn from the interview and we would
9 go out and follow up on that information that was shared
10 with us and attempt to either verify that information is
11 true or the information that was provided is not true.

12 Q Now, going back to this particular interview, prior to
13 interviewing or any time, prior to the interview, during the
14 interview or after the interview, did you make any kind of
15 threats or did you try to coerce the Defendant into giving
16 you a recorded statement?

17 A No, sir, I did not.

18 Q And did you make any promises to the Defendant or hold
19 out any hope of reward to him if he would give you a
20 statement?

21 A No, sir, I did not.

22 Q I want to show you what's been marked for
23 identification as State's Exhibit 6 and ask if you recognize
24 what that is?

25 A Yes, sir, I do.

Jeff Croft - Direct by Mr. Miller

1 Q And what is that?

2 A This is a redacted copy of the interview, which I
3 conducted with Dean Troy Stevens.

4 Q And you said it's redacted. There were portions of the
5 interview that pretrial, the State and the Defense agreed
6 needed to come out. So it's not everything that was said
7 during the interview, but it's the portions that we agreed
8 were appropriate?

9 A Yes, sir.

10 Q How do you know that's the one -- that's what that is?

11 A It's got my initials in the top right corner and the
12 date that I initialed it.

13 Q And you reviewed that this morning?

14 A I did, yes, sir.

15 Q Is it a fair and accurate copy of the entire interview
16 of Mr. Stevens except for those redacted parts?

17 A Yes, sir, it is.

18 MR. MILLER: Your Honor, at this time, the State would
19 move to introduce State's Exhibit 6 into evidence.

20 THE COURT: Any objection?

21 MR. SMALDONE: Just my pretrial objection.

22 THE COURT: Yes, sir.

23 So moved.

24 (WHEREUPON, State's Exhibit No. 6 was admitted into
25 evidence.)

Jeff Croft - Direct by Mr. Miller

1 MR. MILLER: Thank you, Your Honor.

2 Your Honor, at this time, we would ask if Senior Agent
3 Croft could step down and we would publish the interview to
4 the jury. It is approximately one hour and 14 minutes long.

5 THE COURT: All right. I will allow him to step down.

6 Ladies and gentlemen of the jury, if you need a stretch
7 break or anything during the playing of this video, you're,
8 certainly, entitled to stand up and stretch. I cannot give
9 you a break in the middle of the video, but if you need to
10 stretch, you may do that.

11 If anyone at this time needs to exit or enter the
12 courtroom, now is the appropriate time to do so.

13 Mr. Miller.

14 MR. MILLER: Thank you, Your Honor.

15 (WHEREUPON, State's Exhibit No. 6, the interview, was
16 published.)

17 MR. MILLER: Your Honor, I think now would be a good
18 time to take a break with the jury right now. We'll come
19 back with Agent Croft still on the stand.

20 THE COURT: Ladies and gentlemen of the jury, at this
21 time, we're going to take you out and allow you a ten-minute
22 break.

23 (WHEREUPON, the jury exits the courtroom at 11:53 a.m.)

24 THE COURT: We are going to stand down for a ten-minute
25 break.

Jeff Croft - Direct by Mr. Miller

1 Agent Croft, you are still considered on the stand, so
2 you are not to communicate with the prosecutor's office
3 while you are on the stand.

4 We will stand down for ten minutes.

5 (WHEREUPON, a short break was taken.)

6 THE COURT: Are we ready to proceed?

7 MR. MILLER: Yes, Your Honor.

8 THE COURT: Can we bring the jury back in?

9 (WHEREUPON, the jury enters the courtroom at 12:18
10 p.m.)

11 THE COURT: Thank you, ladies and gentlemen of the
12 jury.

13 Mr. Miller.

14 MR. MILLER: Thank you, Your Honor.

15 BY MR. MILLER:

16 Q Agent Croft, you recall how long you had been at SLED
17 whenever you were conducting this interview approximately?

18 A This interview was in 2020, so I had been there eight
19 years.

20 Q And do you have any idea how many people you have
21 interviewed during the course of your SLED career?

22 A I do not.

23 Q It's a lot of them, isn't it?

24 A Yes, sir.

25 Q Have you ever had any kind of training or specialized

Jeff Croft - Direct by Mr. Miller

1 classes to help you in your interview technique?

2 A Yes, sir, I have.

3 Q Is there any one class or one training that you've been
4 to where you say that's the way I'm going to interview
5 everybody from now on?

6 A No, sir, it's not.

7 Q How do you decide how you're going to conduct an
8 interview?

9 A A lot of it's got to do with the type of crime that
10 you're dealing with. A lot of it's got to do with the
11 person that you're interviewing. The information that you
12 already know going into the interview, what you're trying to
13 find out from the interview. And how the person being
14 interviewed is reacting to you, you change up. You do
15 things sometimes -- you may use part of -- wicklander is one
16 of them, Reid technique is another. There's a number of
17 interview schools out there which I've attended. So you
18 kind of mix and match and see what works and what keeps the
19 person talking to you.

20 Q Is that the ultimate goal, to keep them talking?

21 A Yes, sir.

22 Q At the beginning of the interview, it seemed like you
23 were finding some common ground, joking about the welding,
24 you know a couple of stuff I didn't understand about
25 different types of welding and kinds of welding because the

Jeff Croft - Direct by Mr. Miller

1 Defendant he was a welder, correct?

2 A That is correct.

3 Q And I noticed that multiple times you referred to him
4 being honest and talking about the need for honesty. And
5 whenever somebody's name came up, everybody around the table
6 would try to figure out who the person was by how they knew
7 them and whose son or daughter it was and those types of
8 things. Are all of those things designed to make the
9 subject that you're talking to keep talking to you?

10 A Yes, sir it is.

11 Q And whenever you were -- you get into a situation like
12 here where everything seems like it's starting off pretty
13 good and then the first thing out of the gate is an absolute
14 lie, how do you deal with that? How do you -- because the
15 first story that was told to you was I've never seen him
16 before and never heard his name until the other day.
17 Someone else put my name in this and I don't know why. I
18 didn't go -- I was at my boss's house during the week. I
19 didn't go to Falcon's house during the week.

20 You knew all three of those were not true, correct?

21 A I did, yes, sir.

22 Q So how do you get that person to keep talking to you?

23 A You've got to build a rapport with the person to start
24 with whenever you're trying to talk to them, trying to get
25 them to give you information. In this particular case, I

Jeff Croft - Direct by Mr. Miller

1 presented to him with a story or presented him some things
2 that I knew I could disprove about his first statement or
3 his first comment. At that point through some more
4 communication, more rapport building, Mr. Stevens opened up
5 and gave me a little bit more information.

6 Q So when you talk about more rapport building, are you
7 talking about saying things like you understand his position
8 and that he's doing good, you're making progress? Are those
9 the types of rapport building techniques that you're talking
10 about?

11 A That's correct, yes, sir.

12 Q And even when you talk to him about things in an
13 attempt to keep that rapport going and keep the suspect
14 talking and you say we're going to work through all this
15 together, is that intended to comfort him so he keeps
16 talking?

17 A That is correct, yes, sir.

18 Q So there's a second story. And during the second
19 story, a new thing is added?

20 A Yes.

21 Q There suddenly is this black male in a black Nissan.
22 And he's very detailed about it. It's a 2003 to a 2006
23 Nissan. And he indicates during his story that that's the
24 last that I saw him was when he left me at Dustin Carroll's,
25 but I saw folks the next day and heard what happened and I

Jeff Croft - Direct by Mr. Miller

1 knew a bunch of people had seen me with him?

2 A Yes, sir, that's what he said.

3 Q So you didn't know anything about a black Nissan?

4 A No, sir, I did not.

5 Q You didn't know anything about a black male?

6 A No, sir, I did not.

7 Q So you keep on with him along that line and keep him
8 talking and explain to him some of the reasons why that
9 doesn't line up. And then you present him with a
10 hypothetical, for lack of a better term?

11 A Yes, sir.

12 Q And in that hypothetical, you explain that you think he
13 went to go beat up the victim and things went south. And
14 you ask him how close am I. What was his response?

15 A Pretty close.

16 Q And at that point, he goes into his third version of
17 the story that he's telling you in 30 minutes or so?

18 A Yes, sir.

19 Q So once he tells you I did it, I was in the car, I shot
20 him, why did you keep asking him questions?

21 A I needed him to give me information that only the
22 person responsible would know. I needed him to give me
23 information that I could physically go out and corroborate.
24 I needed to get as much detail about the incident as I could
25 get so that we could connect the dots and, potentially,

Jeff Croft - Direct by Mr. Miller

1 collect any evidence that was out there.

2 Q And as a result of those efforts and that questioning,
3 you had mentioned to him during the course of the interview
4 that you would pick him up and take him out to the area
5 where he said he had disposed of the firearm and let him
6 point it out. Did you, actually, do that?

7 A I did.

8 Q And did he go out to the area where he told you he had
9 disposed of the firearm and help you locate it?

10 A He did. Myself and Agent Lindell, actually,
11 transported him from the Barnwell County Sheriff's Office to
12 Lake Warren.

13 Q And what did you do in preparation of you taking him
14 out to Lake Warren and telling you where he had thrown this
15 stuff?

16 A I had arranged with our dive team, along with South
17 Carolina DNR's dive team to have manpower at the lake, be
18 prepared with their dive gear in an attempt to collect
19 anything that Mr. Stevens pointed out potentially was there.

20 Q There were some inconsistencies in the Defendant's own
21 story. He would tell a story and then he would change some
22 of the details of the story the next time he would go
23 through it, but you didn't seem to really get into him or
24 confront him with those inconsistencies. Why was that?

25 A Part of it was I needed as much information about this

Jeff Croft - Direct by Mr. Miller

1 particular case as I could get. Through all of the
2 interviews we had conducted, through all of the witnesses we
3 had talked to, it was my belief that there was two people
4 present at the time that Mr. Craddock lost his life, Mr.
5 Craddock being one of those two. And Mr. Stevens is the
6 only other person I knew was present and I needed him to
7 tell me as much detail as he would or could.

8 Q And towards the end of the interview, yourself and -- I
9 know you've seen it even though you weren't in the room,
10 you, obviously, reviewed all this video multiple times, but
11 towards the end of the interview, you were continuing to
12 encourage him and talk to him and tell him you understood
13 and that you appreciated his honesty. Was that in the hopes
14 that when you had to come back to him and get him to take
15 you out to where this gun was that he would continue to be
16 cooperative with you?

17 A I knew we still needed to get the gun from Lake Warren.
18 I knew the gun was in pieces and I knew I still needed his
19 cooperation to show us where those pieces were at within a
20 hundred-acre lake, roughly. So yes, I was trying to
21 maintain that rapport that I had built with Mr. Stevens in
22 order to get him to do that.

23 MR. MILLER: Thank you, Agent Croft. Please answer any
24 questions that the Defense may have.

25 THE COURT: Mr. Smaldone.

Q And he indicated -- let's go back. He goes by Troy; is

1 that correct?

2 A Yes, sir.

3 Q And you knew that, correct?

4 A Yes, sir.

5 Q So when I say Troy, you know who I'm talking about?

6 A Yes, sir.

7 Q I just wanted to make sure everyone knows who I'm
8 talking about. So Troy -- y'all sat down with Troy. As you
9 just heard, he gave a story and denied everything at first,
10 correct?

11 A Yes, sir, that's correct.

12 Q Has that ever happened to you before?

13 A Most all the time.

14 Q Right. You said most all the time?

15 A It's common.

16 Q Is it common for them to change course midstream?

17 A Yes, sir, that's a fair statement.

18 Q And you were present at that interview?

19 A I was.

20 Q And you, also, saw this interview again today, right?

21 A Yes, sir, I did.

22 Q Did you, along with me notice a change in his demeanor
23 once he started giving what we'll call the final story?

24 A Yes.

25 Q He wasn't crying before, right?

Jeff Croft - Cross by Mr. Smaldone

1 A No, sir.

2 Q And then he got pretty emotional when he told y'all
3 what happened, correct?

4 A Yes.

5 Q And he told y'all that Craddock was driving the car,
6 right?

7 A I'm sorry?

8 Q He told y'all that Craddock was driving the car,
9 correct?

10 A That is correct, yes, sir.

11 Q And as lead case agent, you'd know that's what all
12 evidence indicates, correct?

13 A Yes, sir.

14 Q So Craddock was driving the car. Was it Craddock's
15 car?

16 A I think the car was registered to Mr. Craddock.

17 Q So driving the car and it's his car. And he told you
18 -- well, actually, y'all, told law enforcement, including
19 you that he knew Stacy Hudson, correct?

20 A Troy --

21 Q Troy told you that he knew Stacy Hudson, correct?

22 A He did.

23 Q I think he said he had been intimate with her at some
24 point in his life, correct?

25 A He may have dated her at one time.

1 Q And you know through your investigation that they would
2 still sometimes hang out together, correct?

3 A Through the investigation, I knew that they frequented
4 the same locations.

5 Q Right.

6 A That's as far as I knew. As far as hang out together
7 or go out, no, sir, I did not.

8 Q Well, you said you did about 20 interviews before Troy,
9 correct?

10 A Yes, sir.

11 Q You did some interviews after Troy, right?

12 A Yes, sir.

13 Q And Stacy indicated that she was there that night --
14 sorry, that she was at the same house as Troy that night
15 before he left, correct?

16 A I don't think I can testify to what Stacy said.

17 Q I mean, do you remember if she said that or not?

18 A I do not.

19 Q But you did talk to Stacy, correct?

20 A I did talk to Stacy.

21 Q And you learned that she had -- she claims, at least,
22 that she was raped by Mr. Craddock, correct?

23 A Again, I can't testify to what Stacy told me.

24 Q Do you recall that?

25 A I'm sorry?

Jeff Croft - Cross by Mr. Smaldone

1 Q Do you recall that?

2 A I recall talking to Stacy, yes, sir.

3 Q Do you recall her saying whether or not she was
4 assaulted sexually by Mr. Craddock?

5 A I recall her saying there was a report made in Barnwell
6 County approximately two years prior.

7 Q Of sexual assault?

8 A Yes, sir.

9 Q And she told you that, I think, pretty shortly after
10 you were assigned case agent, correct?

11 A It would have been later that night of the 17th.

12 Q September the 17th?

13 A Yes, sir.

14 Q And she, also, indicated that that night Troy heard
15 that, also, correct?

16 A No, sir, she did not indicate that.

17 Q Okay. But she indicated that something happened. And,
18 obviously, Troy later indicated that as well, too, correct?

19 A When I interviewed Stacy, we discussed whether or not
20 the incident took place. She said there was a report made,
21 but it never went anywhere, in Barnwell County approximately
22 two years prior and she didn't want anything else to do with
23 it.

24 Q Okay. And that lines up pretty -- that would line up
25 with what we just heard, correct?

1 A I don't understand the question.

2 Q You heard Troy talk about Stacy, correct, in that
3 interview with you?

4 A I did.

5 Q Right. And you heard that is the whole reason for this
6 happening, correct?

7 A I heard that that was his reasoning for that happening,
8 yes.

9 Q Right. That was his motivation, correct?

10 A That is correct.

11 Q You heard that there were two guns, right?

12 A Yes, sir, I did.

13 Q One that was in the possession of Troy, right?

14 A In his hand, yes, sir.

15 Q And the other that was in possession of Craddock,
16 correct?

17 A It would have been under his leg.

18 Q Well, that's not what he said, though, correct?

19 A He said he reached for and he saw something shiny.

20 Q Okay. So we're not sure where, though, right?

21 A No, sir.

22 Q And that gun was found in the car, correct?

23 A When the body of Mr. Craddock was removed from the car,
24 parts of that gun was discovered underneath where his body
25 was at in the springs of the seat.

Jeff Croft - Redirect by Mr. Miller

1 Q Okay. And just to clarify, just to be clear on what we
2 heard, you never asked him where the gun was, correct?

3 A Yes, sir, I did ask him where the gun was.

4 Q Let me rephrase, you never asked him to volunteer --
5 you never asked him to take you to where the gun was, right?

6 A I did ask him would he be willing to take me to where
7 the gun was at.

8 Q It sounded like he volunteered that information. Is
9 that not what I heard?

10 A He said he could and I asked him would he be willing
11 to.

12 Q Okay. So he said I could take you to the place, right?

13 A That is paraphrasing. I'm not going to quote
14 word-for-word what he said, but, yes, sir.

15 Q So the first person to bring up the field trip to the
16 gun was Troy, correct?

17 A It was in the same timeframe. I'm not sure if I
18 mentioned something about the gun or where the gun may be
19 before he said that. And I asked him if he would ride with
20 me down there and show me at Lake Warren where he threw the
21 gun.

22 MR. SMALDONE: I don't have any more questions at this
23 time. Thank you.

24 THE COURT: Redirect?

25 REDIRECT EXAMINATION

1 BY MR. MILLER:

2 Q Agent Croft, in the what I'm calling the second story,
3 the first time the Defendant, actually, admitted that he
4 knew who Jeremy Craddock was, you, specifically, ask him if
5 he heard Stacy Hudson say anything about this alleged rape
6 and he said he didn't, correct?

7 A That's correct.

8 Q He said someone named Shawn sent him to beat Craddock?

9 A That's correct.

10 Q And he had no knowledge prior to that time of any of
11 these alleged two-year-old sexual assault -- and when you
12 say two years old, we're talking about two years before
13 2020, correct?

14 A That is correct, 2018.

15 Q And you said that it was reported to Barnwell County,
16 but it never went anywhere. Do you know if Jeremy Craddock
17 was ever arrested for it?

18 A He was not.

19 Q Do you know if he was ever questioned about it?

20 A I can't answer that. I don't know.

21 MR. MILLER: That's all the questions I have, Your
22 Honor.

23 THE COURT: Any recross?

24 RECROSS-EXAMINATION

25 BY MR. SMALDONE:

1 Q To clarify, when he said he didn't know anything about
2 it, that was at the very beginning of the interview, what
3 we'll call the first story, correct?

4 A I would have to watch it again to get the timing down.
5 The first story and the second story is pretty quick. I
6 can't honestly sit here and answer that question.

7 Q Was it before the crying started?

8 A It was before the crying started.

9 Q That's what we'll use as a milestone. And then he
10 changed his story, correct?

11 A Then he changed his story and began to give me
12 information which I could verify.

13 MR. SMALDONE: Thank you.

14 THE COURT: This witness may now be excused.

15 Ladies and gentlemen of the jury, at this time, I'm
16 going to excuse you for lunch. It is 12:40 now. Let me
17 remind you of a few things. You are not to discuss this
18 case with anyone, including each other. Additionally, you
19 are not to try to obtain any outside information. We will
20 give you all of the information you need in order to make
21 your decision.

22 Let me, also, remind you, while you're out, you'll
23 probably be going to the same places to get something to
24 eat, if any member of the State or the Defense does not
25 speak to you, they are not being rude. They are simply

1 following instructions.

2 It's 12:40. I will ask you to be back here at 1:45.

3 Let us know if you are having transportation issues or if an
4 emergency comes up.

5 We will now excuse the jury.

6 (WHEREUPON, the jury exits the courtroom at 12:42 p.m.)

7 THE COURT: So we will stand down and reconvene at
8 1:45.

9 MR. MILLER: Thank you, Your Honor.

10 (WHEREUPON, a lunch break was taken.)

11 THE COURT: Are we ready to bring the jury in?

12 MR. MILLER: The State is ready, Your Honor.

13 MR. SMALDONE: The Defense is ready, Your Honor.

14 THE COURT: All right. Bring the jury in.

15 (WHEREUPON, the jury enters the courtroom at 1:50 p.m.)

16 THE COURT: Welcome back, ladies and gentlemen. We
17 will proceed at this time.

18 Solicitor.

19 MR. MILLER: Your Honor, the State calls Special Agent
20 Tara Donahue of the State Law Enforcement Division.

21 THE CLERK: Would you raise your right hand and state
22 your name, please.

23 THE WITNESS: Tara Donahue.

24 TARA DONAHUE,

25 after being duly sworn, testified as follows:

Tara Donahue - Direct by Mr. Miller

1 THE CLERK: Thank you.

2 DIRECT EXAMINATION

3 BY MR. MILLER:

4 Q Special Agency Donahue, who do you work for?

5 A South Carolina Law Enforcement Division.

6 Q And what do you do for the South Carolina Law
7 Enforcement Division?

8 A I work for the state surveillance and intelligence team
9 working, essentially, apprehending bond fugitives.

10 Q And do you have any other jobs that you do for SLED?

11 A I'm, also, on the Counterterrorism Dive Team where we
12 dive for, usually, weapon recovery.

13 Q And can you explain kind of how you got into that and
14 what it is that you do in that regard?

15 A I was at DNR before and joined the dive team there,
16 then switched over when I came to SLED and, essentially,
17 joined the team four years ago. I've been at SLED for four
18 years. We mostly focus on looking for bombs and weapons.

19 Q So you're searching for these items and trying to
20 recover items that are underwater, right?

21 A That's right.

22 Q So how do you do that?

23 A We have several different ways. The main way is using
24 jack stays if it's in deep water. Essentially, there's an
25 anchor, buoy and then another anchor, buoy. And we drop one

~~Tara Donahue - Direct by Mr. Miller~~

1 and there's a line in between. So when the anchor goes
2 down, you pretty much hold the line with your hand and work
3 your way to the other side of the anchor and you move it,
4 then you keep going back. And the people on top can see the
5 buoys and see which way you're going. We pretty much scale
6 the ground for any type of -- if we're looking for a weapon
7 or a gun.

8 Q Did you have occasion back in 2020 to attempt to
9 recovery firearm parts at Lake Warren in Hampton County?

10 A I did.

11 Q And do you know exactly what date that was?

12 A That was September 25th.

13 Q When you guys get called out to do a search for
14 something like this, do you generally get a briefing from
15 somebody who is familiar with the case to explain what it is
16 you're looking for?

17 A Yes, we do.

18 Q And did that happen in this case?

19 A It did.

20 Q And so whenever you went to start this search, explain
21 to the jury how that went.

22 A So Special Agent Croft came out there and, basically,
23 showed where the different parts of the gun had been thrown.
24 So the deeper parts was where we sat the jack stays, us and
25 DNR, and then the shallow parts, we used a crime scene metal

~~Tara Donahue - Direct by Mr. Miller~~

1 detector. Essentially, someone would walk with the metal
2 detector and if they felt an anomaly with the metal
3 detector, then they would send a diver down.

4 Q And were you the diver that was sent down whenever an
5 anomaly was discovered?

6 A Yes.

7 Q And at the time that there was -- who was working with
8 you whenever you were doing that?

9 A Lieutenant Schenk.

10 Q And when Lieutenant Schenk detected an anomaly, what
11 happened next?

12 A So I would sit on the bank, Lieutenant Schenk, if he
13 felt an anomaly using the SLED crime scene metal detector,
14 he called me over. I, basically, felt the metal detector,
15 went down underwater and put my hand under the metal
16 detector and that's when I felt the gun slide. So I kept
17 the slide underwater, came up and told Lieutenant Schenk
18 what I had gotten.

19 MR. MILLER: Thank you. That's all the questions I
20 have. Answer any questions from the Defense.

21 THE COURT: Cross-examine?

22 MR. SMALDONE: I have no questions. Thank you.

23 THE COURT: Solicitor, you may call your next witness.

24 MR. SANDERLIN: The State would call Todd Schenk to the
25 stand.

Todd Schenk - Direct by Mr. Sanderlin

1 THE CLERK: Raise your right hand and state your name.

2 THE WITNESS: Todd Schenk.

3 TODD SCHENK,

4 after being duly sworn, testified as follows:

5 THE CLERK: Thank you.

6 DIRECT EXAMINATION

7 BY MR. SANDERLIN:

8 Q Lieutenant Schenk, where do you work?

9 A I currently work for the South Carolina Law Enforcement
10 Division, commonly referred to as SLED.

11 Q How long have you worked there?

12 A Seven and a half years.

13 Q So you were working there in the year 2020?

14 A I was.

15 Q Do you remember working a case involving this
16 Defendant, Dean Stevens, in August, September of 2020?

17 A I do.

18 Q What was your involvement in this case?

19 A So my main job is I'm a crime scene investigator for
20 SLED. My part-time job is I'm, also, on our dive team. So
21 in this instance, I was called to go help with the search of
22 Lake Warren with the dive team. And my job would be if we
23 found anything to dive and recover it or help search and
24 recover it.

25 Q In this case, were you the diver or were you -- what

Todd Schenk - Direct by Mr. Sanderlin

1 job did you hold in this investigation?

2 A So I had not dove yet. I was doing more of a line
3 search against the bank where I could walk, that way if the
4 diver did find something, I could put gear on and go get it
5 in a fresh dive. So in this instance, I was running the
6 metal detector in about knee-deepish of water. And that's
7 when I found an anomaly.

8 Q And did you or Agent Donahue scuba dive to find that
9 item?

10 A So I was -- I stayed out of the water other than my
11 legs and Agent Donohue went down and, actually, recovered
12 the item.

13 Q Once Agent Donahue had those items, what did you do
14 next?

15 A So that's when I switch hats and go back to crime scene
16 mode. So I snapped a couple photographs of the area. We
17 threw a pelican up, just a little yellow marker just to show
18 where it was. I then take a tub, just an empty, like a
19 plastic tote into the water, fill it with water, keep it
20 submerged and then place the slide into the tote. I then
21 secure it in the back of the truck, tape it up so all the
22 water stays in that tote with the firearm part.

23 Q So it was part of the firearm that you discovered?

24 A Yes, it was the slide.

25 Q Why not just grab the item out of the water?

Todd Schenk - Direct by Mr. Sanderlin

1 A Any time you have metal or any kind of evidence found
2 in water, you want to preserve it in the water so we can get
3 it back to someone to help clean it, preserve it as safely
4 as we can. Once you expose that metal to air, it will start
5 to rust and that can interfere with any type of testing that
6 the lab is going to do. So the goal is to keep it submerged
7 so it never sees air.

8 Q I'm handing you what's been premarked as State's
9 Exhibit 12. Can you identify what -- first all, do you
10 recognize it?

11 A I do.

12 Q How do you recognize it?

13 A This is a heat-sealed pouch with my initials, date and
14 lab number on it.

15 Q And is that the item that was recovered from Lake
16 Warren?

17 A It is.

18 Q Does it appear to be altered in any way?

19 A No.

20 Q So how -- once it was in the original tub you put it
21 in, did it go into that heat-sealed pouch from there?

22 A So I bring this back to the laboratory and I called our
23 forensics firearms expert, Paul Greer, and he met me at the
24 lab where I maintained this -- I took the tote to the
25 firearms department. He pulls it out and quickly uses

~~Todd Schenk - Cross by Mr. Smaldone~~

1 compressed air to clean it and then pretty much in this bag
2 here put a ton of oil that will preserve the metal, stuck
3 the slide into the oil. I then took it and submitted it
4 properly into the lab. You don't want to send the whole
5 tote of water to the lab.

6 Q Right.

7 MR. SANDERLIN: Please answer any questions the Defense
8 may have.

9 THE COURT: Cross-examine?

10 CROSS-EXAMINATION

11 BY MR. SMALDONE:

12 Q Good afternoon.

13 A Good afternoon.

14 Q Do you know about how long you were out there?

15 A Off the top of my head, I know the dive ended around
16 three o'clock that afternoon because we had some inclement
17 weather coming in. I don't recall the exact time. If I may
18 refer to my notes, I might be able --

19 Q Sure.

20 A So I've got that I arrived on scene at approximately
21 9:30 that morning and then I left at approximately 4:26 that
22 afternoon.

23 Q And you knew which area to look in?

24 A We did.

25 MR. SMALDONE: No further questions.

~~John Ferguson - Direct by Mr. Miller~~

1 THE COURT: Redirect?

2 MR. SANDERLIN: None, Your Honor.

3 THE COURT: The witness may be excused.

4 MR. MILLER: Your Honor, the State calls Master
5 Sergeant John Ferguson of the Beaufort County Sheriff's
6 Office.

7 THE CLERK: Raise your right hand and state your name,
8 please.

9 THE WITNESS: Master Sergeant John Ferguson, Beaufort
10 County Sheriff's Office.

11 JOHN FERGUSON,

12 after being duly sworn, testified as follows:

13 THE CLERK: Thank you.

14 DIRECT EXAMINATION

15 BY MR. MILLER:

16 Q Deputy Ferguson, do you know the Defendant in this
17 case?

18 A I do.

19 Q How do you know him?

20 A I knew him through a relationship with my daughter.

21 Q There has been some testimony regarding a Glock 42
22 pistol that you may have purchased. Do you recall
23 purchasing a Glock 42 pistol?

24 A I do.

25 Q And do you know when you purchased that pistol?

John Ferguson - Direct by Mr. Miller

1 A I purchased that pistol in 2016.

2 Q Do you have any documentation of what the serial number
3 on that pistol was?

4 A I do.

5 Q Do you have it there?

6 A Yes, sir. That serial number is Alpha, Bravo, Victor,
7 Kilo 808, that's ABVK808.

8 Q Where did you purchase that pistol from?

9 A A Amchar gun store.

10 Q And when you purchased that pistol, did you purchase it
11 for yourself?

12 A I did.

13 Q And what did you do with that pistol after you -- well,
14 do you still have the pistol?

15 A I do not. I ended up giving that pistol to my daughter
16 as a graduation gift in 2016.

17 MR. MILLER: Thank you. Please answer any questions
18 the Defense has for you.

19 THE COURT: Cross-examine.

20 MR. SMALDONE: No questions for this witness.

21 THE COURT: This witness can be excused.

22 Call your next witness.

23 MR. MILLER: Your Honor, the State calls Paul Greer
24 from the State Law Enforcement Division.

25 THE CLERK: Raise your right hand and state your name

~~Paul Greer - Direct by Mr. Miller~~

1 for the record.

2 THE WITNESS: My name is Paul Greer, G-R-E-E-R.

3 PAUL GREER,

4 after being duly sworn, testified as follows:

5 THE CLERK: Thank you.

6 DIRECT EXAMINATION

7 MR. MILLER:

8 Q Mr. Greer, please, tell the jury who you work for?

9 A I'm employed at the South Carolina Law Enforcement
10 Division, which is commonly known as SLED.

11 Q What do you do for SLED?

12 A At SLED, I'm a forensic scientist or firearms examiner
13 in our forensic services laboratory.

14 Q And what kind of specialized training or expertise do
15 you have to be a firearms examiner for SLED?

16 A I received a Bachelor of Science in biological sciences
17 from the University of South Carolina. And upon my
18 appointment at SLED in the firearms department, I began the
19 SLED firearm and tool mark course of instruction. This is
20 an apprenticeship style program that's conducted in house
21 under the supervision of other court-qualified examiners.

22 During that time, which took approximately three years
23 to complete, I completed many written and practical
24 examinations, assisted other examiners prep their cases and,
25 also, conducted many microscopic comparisons. At the

Paul Greer - Direct by Mr. Miller

1 conclusion of that training period, I was given a multi-part
2 comprehensive final exam and that included some mock case
3 work. I successfully passed that and was then allowed to
4 begin casework on my own.

5 Q Have you ever been qualified as an expert witness in
6 the courts of this state?

7 A Yes, sir, I have.

8 Q Do you know how many times off the top of your head?

9 A Approximately 55 or 56 times.

10 MR. MILLER: Your Honor, subject to any voir dire of
11 his qualifications by the Defense, the State would move to
12 introduce Paul Greer as an expert witness in the field of
13 firearms identification.

14 THE COURT: Any questions for this witness?

15 MR. SMALDONE: No, Your Honor.

16 THE COURT: I'm going to rule that the subject matter
17 -- I'm going to find that the subject matter is beyond the
18 ordinary knowledge of the jury and that this expert has the
19 requisite knowledge and education and skill in order to be
20 qualified as an expert witness in the subject of firearms
21 identification.

22 MR. MILLER: Thank you, Your Honor.

23 BY MR. MILLER:

24 Q Mr. Greer, I'm going to show you what's been marked for
25 identification as State's Exhibit 5, which is SLED item

Paul Greer - Direct by Mr. Miller

1 number five in this case and ask you if you recognize what
2 that is?

3 A Yes, sir, I do.

4 Q And what is that item?

5 A This item, SLED item five, State's Exhibit 5, was
6 determined to be one nine millimeter Luger caliber cartridge
7 case. I recognize this item as it has our unique SLED lab
8 number as it was submitted to the laboratory on this sticker
9 indicating, also, item number five. Additionally, this is
10 still in the packaging as I prepared it after my examination
11 with my initials and seal date at the bottom.

12 MR. MILLER: Your Honor, at this time -- well,
13 actually, I'll hold off for a second.

14 Q Can you explain to the jury how it is that an item gets
15 from being turned into the lab into your possession and what
16 it is that you do with items, in this case, a cartridge
17 case?

18 A When items are submitted to the SLED laboratory,
19 they're submitted from agencies all across the State of
20 South Carolina, so your local city and county offices and
21 sheriff's departments and police departments, and, also,
22 from other state agencies as well as our own SLED agents
23 that submit evidence into the laboratory. That evidence is
24 submitted to the laboratory for multiple different reasons
25 and testing.

Paul Greer - Direct by Mr. Miller

1 When it comes into our lab, it does get a unique SLED
2 lab number and, also, each item is itemized appropriately so
3 that way it can be tracked throughout the laboratory,
4 whether it's going from a person to a person or from a
5 storage location to a person. The documents travel
6 throughout the laboratory until it's returned.

7 But upon submission to the laboratory, it's given
8 assignments for each department, whether it's needed for a
9 firearms examination, whether it be latent prints,
10 toxicology, trace, that's all conducted typically at the
11 submission. So that evidence is brought into the evidence
12 control department and then distributed throughout the
13 laboratory accordingly based on the assignments that these
14 items received.

15 Q So you had mentioned earlier that you had actually
16 analyzed this SLED item number five, State's Exhibit 5.
17 We'll get into what your findings were with No. 5 in just a
18 moment. But when you received this item, was it packaged in
19 the way that you expected it to be packaged as far as being
20 sealed up and having all the appropriate markings on it for
21 this case?

22 A Yes, sir. It was in a proper heat-sealed package.

23 MR. MILLER: Your Honor, at this time, the State would
24 move State's Exhibit 5 into evidence.

25 THE COURT: Any objection?

Paul Greer - Direct by Mr. Miller

1 MR. SMALDONE: No, Your Honor.

2 THE COURT: So moved.

3 (WHEREUPON, State's Exhibit No. 5 was admitted into
4 evidence.)

5 BY MR. MILLER:

6 Q I am going to next show you State's Exhibit 7 or what
7 has been marked for identification as State's Exhibit 7 and
8 ask you if you can identify this item?

9 A I do recognize this item. This was State's Exhibit No.
10 7, also, SLED item number seven, which was determined to be
11 one fired 380 auto caliber cartridge case. Again, I
12 recognize my lab number that I placed on the evidence itself
13 and it's still in the heat-sealed pouch.

14 MR. MILLER: Your Honor, the State would move to
15 introduce State's Exhibit No. 7.

16 THE COURT: Any objection to 7?

17 MR. SMALDONE: No, Your Honor.

18 THE COURT: So moved.

19 (WHEREUPON, State's Exhibit No. 7 was admitted into
20 evidence.)

21 BY MR. MILLER:

22 Q I want to show you what's been marked for
23 identification as State's Exhibit 10 and ask you if you can
24 identify that?

25 A Yes, sir. State's Exhibit 10 is SLED item 10. That

Paul Greer - Direct by Mr. Miller

1 was determined to be one fired bullet jacket, which you can
2 see here at the bottom of this pouch. And again, I see my
3 lab number, item number and initials on the evidence and
4 it's still in the heat-sealed packaging.

5 MR. MILLER: Your Honor, at this time, the State would
6 move to introduce State's Exhibit 10.

7 THE COURT: Any objection to 10?

8 MR. SMALDONE: No objection.

9 THE COURT: So moved.

10 (WHEREUPON, State's Exhibit No. 10 was admitted into
11 evidence.)

12 BY MR. MILLER:

13 Q I've handed you a box that was marked State's Exhibit
14 11 for identification and ask you can take a look at what's
15 inside that box and see if you can identify that?

16 A Yes, sir, State's Exhibit 11 was, also, SLED item 11.
17 This is still in the heat-sealed pouch as I prepared it
18 after my examination with my initials and my seal date.
19 SLED item 11 was determined to be one card model CM9 slide
20 assembly and barrel with miscellaneous firing parts, one
21 nine millimeter Luger caliber cartridge case and one piece
22 of metal.

23 MR. MILLER: Your Honor, at this time, I would move to
24 introduce State's Exhibit 11 into evidence.

25 THE COURT: Any objection to 11?

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1 MR. SMALDONE: No, Your Honor.

2 THE COURT: So moved.

3 (WHEREUPON, State's Exhibit No. 11 was admitted into
4 evidence.)

5 BY MR. MILLER:

6 Q I'm going to show you what's been marked for
7 identification as State's Exhibit 12 and ask you if you can
8 identify that item?

9 A State's Exhibit 12 is SLED item 12. You can see on the
10 back portion here. This is just a slide assembly, so it's
11 not a complete firearm here. It's unloaded and safe for us
12 to handle here in court. But item 12 specifically was
13 determined to be one Glock model 42 slide assembly with a
14 serial number listed on the slide of ABVK808.

15 MR. MILLER: Your Honor, at this time, the State would
16 move to enter State's Exhibit 12 into evidence.

17 THE COURT: Any objection to 12?

18 MR. SMALDONE: No objection.

19 THE COURT: So moved.

20 (WHEREUPON, State's Exhibit No. 12 was admitted into
21 evidence.)

22 BY MR. MILLER:

23 Q So you received these items of evidence that we just
24 talked about substantially in the same condition that
25 they're in at the lab for you to begin your analysis,

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1 correct?

2 A Yes, sir. Some of those items were damaged that I had
3 to take some action for preservation or to clean. So that
4 process has occurred during my examination, but they're
5 still in the relative same condition as when I received
6 them.

7 Q Okay. So let's talk about the easier one, I think,
8 first. You have this slide, State's Exhibit 12, which is
9 the slide through the gun. It's the top of the gun,
10 correct?

11 A Yes, sir, that is the slide assembly that would be on
12 top of a frame of a semi-automatic pistol.

13 Q So what can you do with this slide? How would you test
14 something with this slide?

15 A Part of our job at SLED is to look at our evidence and
16 see what we need to actually do with it, what we need to
17 compare to each other. So we're going to look at,
18 ultimately, our fired ammunition components, such as a fired
19 cartridge case or a bullet, compare those with each other.
20 But, also, if we receive a firearm, we're going to test fire
21 that firearm in order to recover test fired bullets or
22 cartridge cases. And we do that at SLED in our firearms
23 tunnel or in our water recovery tank.

24 When we receive something such as State's Exhibit 12,
25 which is just that slide assembly, so it's not the complete

Paul Greer - Direct by Mr. Miller

1 firearm, we're going to utilize what we have in our
2 laboratory known as the SLED firearms reference collection
3 in order to borrow components or parts or pieces from
4 firearms in order to make that firearm operable.

5 So in this case, I had that slide assembly. I was able
6 to utilize the reference collection, which is, basically, a
7 collection of firearms where there's firearms we're able to
8 utilize to help make a broken or damaged firearm work. A
9 firearm that's missing parts, we can borrow parts from that
10 collection in order to restore to an operational status or
11 condition.

12 So I utilized a similar make and model firearm from our
13 collection in order to put that slide assembly on. Also,
14 using the barrel and recoil spring assembly and a magazine
15 from that reference collection in order to test fire that
16 firearm.

17 Q So you made kind of a Frankenstein gun using that slide
18 assembly, correct?

19 A Yes, sir. I had to use what was given as evidence and
20 borrow those parts from the reference collection in order to
21 bring that to an operational condition that we could test
22 fire.

23 Q So in the case of State's Exhibit 12, if you had
24 another Glock 42, which, obviously, SLED does in its
25 reference collection, you could just disassemble that and

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1 put it back together with that slide, correct?

2 A Yes, sir. And that's, essentially, what we did as that
3 type of firearm has interchangeable parts there, so we just
4 borrowed those parts from the collection and disassembled
5 that gun to make that operational.

6 Q And after you did that with SLED item 12, were you able
7 to test fire this new pistol or this Frankenstein pistol, as
8 I referred to it, to get something you could test?

9 A Yes, sir, I was.

10 Q You mentioned earlier in your testimony a bullet and a
11 cartridge case, or a projectile and a cartridge case. Can
12 you explain to the jury the components of round, what we
13 would call a bullet?

14 A Sure. Terminology is something that we're very keen on
15 in the firearms department. So a lot of times you'll hear
16 folks refer to bullets to shoot or they're out of bullets or
17 how many rounds do you have. What they're referring
18 actually, typically, is what is known as an unfired
19 cartridge or a cartridge. That's a complete piece of
20 ammunition that has not been fired.

21 The unfired cartridge is made up of several different
22 components. Those components, if you'll think of ammunition
23 if you're familiar with it, that cylindrical part,
24 typically, it's brass or nickel colored, but that
25 cylindrical component is called a cartridge case. The

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1 cartridge case is what kind of holds it all together.
2 Inside of that cartridge case, you have the gun powder that
3 helps to ignite and send the bullet down the barrel. So on
4 the other end of that cartridge case, that cylindrical
5 component, you have a projectile or the actual bullet. A
6 lot of times that may be copper colored. Again, it can be
7 other metallic properties, but that bullet is what actually
8 travels down the barrel or the bore of that firearm towards
9 a target.

10 On the opposite end of that is the primer. So if you
11 look at where the head stamp information is on the cartridge
12 or a cartridge case where it may have the caliber listed or
13 stamp in there, that head stamp area, there's a small circle
14 there called the primer. So the firing pin will strike that
15 primer, ignite the primer, burn the gun powder within the
16 cartridge case and send the bullet down the barrel. And
17 that's kind of the anatomy, if you will, of a complete
18 cartridge.

19 Q So you were able to test fire item 12 with the slide
20 assembly that has been -- or with the firearms reference
21 collection Glock 42. I want to show you what's been marked
22 for identification as State's Exhibit 12.1, which is SLED
23 item 12.1, and ask if you recognize what that is?

24 A Yes, sir, I do.

25 Q And what is that item?

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1 A This is an envelope that I created. Inside this
2 envelope, it contains those test specimens that I fired
3 utilizing that item 12 slide assembly.

4 MR. MILLER: Your Honor, at this time, the State would
5 move to introduce State's 12.1.

6 THE COURT: Any objection to State's 12.1?

7 MR. SMALDONE: No, Your Honor.

8 THE COURT: So moved.

9 (WHEREUPON, State's Exhibit No. 12.1 was admitted into
10 evidence.)

11 BY MR. MILLER:

12 Q Now, we go to the more complex. Looking at State's
13 Exhibit 11, there are several metal pieces that appear to be
14 pieces of a gun. Can you explain what each one of these
15 pieces is?

16 A Roughly, there were a lot of miscellaneous components
17 submitted with this item. If you can see through this
18 packaging, this large component right here, that would be
19 the slide assembly. So much like item 12, which we
20 discussed, this is kind of a very similar situation. That
21 slide assembly is what would be mounted on the frame of a
22 firearm and we do not have that frame.

23 Additionally, there's some other components that are
24 within this assembly, such as a firing pin and springs, but
25 those are all contained within that assembly. This portion

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1 here is, actually, the barrel of the firearm and that is
2 what is housed within this slide assembly when it's in
3 proper working condition. And that's the barrel that the
4 bullet travels down, down through that barrel towards a
5 target.

6 Additionally, this portion right here is a recoil
7 spring assembly. We can see a spring in that guide rod that
8 would, also, be utilized in that firearm.

9 This large box-looking object here is the magazine.
10 This magazine, specifically, the tube, as the other
11 components were not received. That would make it fully
12 operational such as a spring, a foreplay and a follower. We
13 just have this magazine tube and that's would be inserted
14 into the mag well of the firearm containing unfired
15 cartridges.

16 Lastly, another large portion sticking out of this
17 magazine is a nine millimeter Luger caliber cartridge case.
18 And that is just protruding out of that magazine and it's
19 missing a primer.

20 Additionally, there's some other small parts in here,
21 miscellaneous firearms parts that were identified. But
22 those are the main components that we received.

23 Q So were you able to take all of these parts, utilizing
24 the firearms reference collection and create another gun
25 that was operational in this case?

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1 A After receiving those items for examination, I did
2 clean them gently to remove some of the debris that was on
3 them. Once I examined them after cleaning them, I did
4 utilize the barrel that was submitted. As I received it,
5 the barrel was still in that slide assembly and I removed
6 the barrel and I installed that barrel on a similar make and
7 model firearm that was utilized from the reference
8 collection in order to fire and recover test fired bullets
9 that were then fired through that barrel.

10 Q I want to show you what's been marked for
11 identification as State's 11.1 and ask you if you can
12 identify what that is?

13 A Yes, sir. This is an envelope, again, that I created.
14 Inside this envelope are the test fired bullets that I fired
15 using that State's Exhibit 11 barrel and, also, utilizing
16 the SLED firearms reference collection to install that
17 barrel on a firearm.

18 MR. MILLER: Your Honor, at this time, the State would
19 move to introduce State's 11.1.

20 THE COURT: Any objection to 11.1?

21 MR. SMALDONE: No, Your Honor.

22 THE COURT: So moved.

23 (WHEREUPON, State's Exhibit No. 11.1 was admitted into
24 evidence.)

25 BY MR. MILLER:

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1 Q Agent Greer, when you are asked to analysis of all of
2 these pieces and parts and your test fired bullets, 11.1 and
3 12.1, those types of things, is the purpose of that request
4 to determine, if you can, what weapon fired which cartridge
5 case or which projectile?

6 A Yes, sir, essentially. That is our goal with firearms
7 identification, to look at those ammunition components in
8 order to determine if they were fired by a specific firearm.

9 Q So did you prepare a written report of your findings
10 after conducting the analysis of the firearms parts here in
11 11.1 -- or excuse me, 11, 11.1, State's 10, State's 7 and
12 State's 5? Did you attempt to determine whether or not this
13 gun had fired any of these?

14 A Yes, sir, I did.

15 Q 7, 10 or 5?

16 A Yes, sir, I did.

17 Q Were you able to determine that State's 7, State's 10
18 or State's 5 was fired by item 11, State's 11?

19 A No, sir, I was not. Based on the examination, item
20 five was just a cartridge case. It was unsuitable for
21 identification. State's Exhibit 7 was a fired 380 auto
22 caliber cartridge case. And based on sufficient differences
23 in characteristics, it was not fired by State's Exhibit 11.
24 And that was our item 11, slide assembly.

25 Additionally, State's Exhibit 10, which was the fired

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1 bullet jacket, based on those comparisons with test bullets
2 fired from the item 11 barrel, the results of that was
3 inconclusive to extensive damage that that fired bullet
4 jacket had endured and, also, indeterminant rifling
5 characteristics.

6 Q Let's go back to State's 10, which I believe was the
7 one you were just talking about, correct?

8 A Yes, sir.

9 Q With the indeterminant rifling characteristics. What
10 could you determine about State's 10? You couldn't
11 determine whether or not it came out of this gun, but what
12 could you determine about it?

13 A During the initial portion of my examination, one thing
14 we try to do with a projectile or bullet is determine a
15 caliber it is most consistent with. So by weighing that
16 jacket and measuring it, determining the diameter of that,
17 we try and determine the caliber. Based on that examination
18 and the overall observable characteristic of that item, I
19 would determine that it was most consistent with being the
20 jacket portion of a jacketed bullet that is loaded into a
21 nominal 38 caliber cartridge. And that could be something
22 such as a nine millimeter Luger caliber or a 380 auto
23 caliber cartridge.

24 Q But you can't say conclusively which one?

25 A No, sir, I cannot.

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1 Q I want to show you what's been marked for
2 identification as State's Exhibit 1 and ask you if you can
3 take a look at that. Is that State's Exhibit 1 a true and
4 accurate copy of your report that you issued with regard to
5 these items except for item 12 and 12.1?

6 A Yes, sir, it appears to be an accurate copy.

7 MR. MILLER: Your Honor, at this time, the State would
8 move to introduce State's Exhibit 1.

9 THE COURT: Any objection to 1?

10 MR. SMALDONE: No objection.

11 THE COURT: So moved.

12 (WHEREUPON, State's Exhibit No. 1 was admitted into
13 evidence.)

14 BY MR. MILLER:

15 Q Now, we're going to move on to item 12. Item 12 got
16 recovered some time later than item 11. Did you examine
17 item 12?

18 A Yes, sir, I did.

19 Q And you've already talked about how you went to the
20 firearms reference collection so you could create a gun that
21 would be functioning utilizing that slide and creating or
22 test firing the gun so that you had item 12.1, correct?

23 A Yes, sir.

24 Q And when you compared the test fired projectile to
25 State's Exhibit 7, which was recovered outside of the

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1 vehicle where Mr. Craddock's body was found, what were you
2 able to determine?

3 A Based on the microscopic comparisons that I conducted
4 between State's Exhibit 7 and the item 12 slide assembly,
5 which is State's Exhibit 12, it was concluded that item 7
6 was fired by item 12.

7 Q And did you reduce those findings to a written report?

8 A Yes, sir, I did.

9 Q I'm going to hand you what's been marked for
10 identification as State's Exhibit 14 and ask you if you can
11 review that. I'm going to ask you if it is a fair and
12 accurate copy of your report relative to the comparison
13 between State's 12 and State's 7?

14 A Yes, sir, it appears to be an accurate copy of that
15 report.

16 MR. MILLER: Your Honor, at this time, the State would
17 move to introduce State's Exhibit 14.

18 THE COURT: Any objection to 14?

19 MR. SMALDONE: No, Your Honor.

20 THE COURT: So moved.

21 (WHEREUPON, State's Exhibit No. 14 was admitted into
22 evidence.)

23 MR. MILLER: Mr. Greer, please answer any questions
24 that the Defense would have for you.

25 THE COURT: Cross-examine?

1 MR. SMALDONE: No questions for this witness.

2 THE COURT: This witness may be excused.

3 MR. MILLER: Thank you, Your Honor.

4 Your Honor, if I could have one moment to confer with
5 the court reporter.

6 (Pause.)

7 MR. MILLER: Your Honor, at this time, the State rest.

8 THE COURT: All right. At this time, we have some
9 matters of law that we need to handle outside the presence
10 of the jury. Please escort the jurors out.

11 (WHEREUPON, the jury exits the courtroom at 2:31 p.m.)

12 THE COURT: At this time, I will hear any motions.

13 MR. SMALDONE: Your Honor, at this time, the Defense
14 would move for a directed verdict on the charge of murder on
15 the murder indictment. We do not believe the State has met
16 their burden producing evidence that there was malice
17 aforethought in this case. I think that there's been no
18 evidence presented of that. We would move that charge be
19 judicially dismissed for the directed verdict.

20 THE COURT: State's response?

21 MR. MILLER: Your Honor, the Defendant's own confession
22 that was elicited and entered into evidence as State's
23 Exhibit 6, actually, has ample evidence for the jury to find
24 him guilty of each and every one of the elements of both
25 murder and possession of a firearm during the commission of

1 a violent crime. And the State would rest on that ground.

2 THE COURT: Thank you, Solicitor.

3 Mr. Smaldone, any response before I make my ruling?

4 MR. SMALDONE: No, Your Honor.

5 THE COURT: The motion for directed verdict is denied.

6 Are there any other additional motions that we need to
7 take up, Mr. Smaldone?

8 MR. MILLER: None from the State, Your Honor.

9 MR. SMALDONE: I don't believe so, Your Honor, not from
10 me.

11 THE COURT: All right. Gentlemen, just a few
12 questions.

13 The most important question, Mr. Smaldone, is your
14 client planning on testifying?

15 MR. SMALDONE: Your Honor, I need to have another brief
16 discussion with him. My understanding is no, but I just
17 want to make sure we're still on that same page.

18 THE COURT: What I can do is we can take a short break.
19 I think everyone needs a bit of a break anyway. So we will
20 stand down for about ten minutes.

21 Will that give you enough time, Mr. Smaldone, to
22 conference with your client?

23 MR. SMALDONE: Yes, of course.

24 THE COURT: We will stand down for ten minutes.

25 (WHEREUPON, a short break was taken.)

1 THE COURT: A few housekeeping matters before we bring
2 the jury back in. Are you all ready to go into closings and
3 deliberation today or what is your expectation of the rest
4 of the day?

5 MR. SMALDONE: Your Honor, I'm happy to do what you
6 want. I'm fully prepared to close, argue, charge,
7 everything.

8 MR. MILLER: I'm ready to go, Your Honor.

9 THE COURT: So that will make for -- I don't think the
10 charge is going to take over 30 minutes, so that will make
11 for a little later day, but it -- depending on the jury, we
12 will be able to come to a resolution today potentially.

13 So is that what you gentlemen would like to proceed in
14 doing?

15 MR. MILLER: That's fine with us, Your Honor.

16 MR. SMALDONE: That's fine with me.

17 THE COURT: I like to ask when we're going to run extra
18 late.

19 Can you bring the jury back in, please?

20 Hold off on the jury, please.

21 Mr. Smaldone, is your client going to take the stand on
22 his behalf.

23 MR. SMALDONE: Your Honor, it's my understanding he is
24 not.

25 THE COURT: All right. I'm going to ask him a few

1 questions.

2 DEAN TROY STEVENS,

3 after being duly sworn, testified as follows:

4 THE CLERK: Thank you.

5 THE COURT: Mr. Stevens, I have just a few questions to
6 ask you with regard to your testimony. You understand if
7 you choose not to testify, I can absolutely instruct the
8 jury to not hold the fact that you did not testify against
9 you. Do you understand that under your Fifth Amendment
10 right of the Constitution?

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: Do you, also, understand you certainly can
13 take the stand in your behalf. Is it your decision that
14 you're not going to take the stand on your behalf?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: All right. Was that decision made by you
17 and you alone, Mr. Stevens?

18 THE DEFENDANT: Yes, ma'am.

19 THE COURT: Did anybody force you or promise you
20 anything in order to make the decision not to testify?

21 THE DEFENDANT: No, ma'am.

22 THE COURT: All right. So you, certainly, can consult
23 with family members, but did you ask your attorney all the
24 questions that you needed to ask him to determine your
25 decision to testify or not to testify?

1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: Is there anything further that you wish to
3 speak with your attorney about before we bring the jury in?

4 THE DEFENDANT: No, ma'am.

5 THE COURT: All right. Mr. Stevens, let me ask you one
6 more time for the record, do you wish to take the stand on
7 your behalf?

8 THE DEFENDANT: No, ma'am.

9 THE COURT: All right. So it is noted and placed on
10 the record that Mr. Stevens is aware of his Fifth Amendment
11 Constitutional right not to testify, but has chosen under
12 the advisement of his attorney as well as making his own
13 voluntary decision that he is not going to testify.

14 Mr. Smaldone.

15 MR. SMALDONE: I would like to rest and renew my
16 motions. Do you want me to renew the motions and rest in
17 front of the jury? Whatever Your Honor wants.

18 THE COURT: We'll let you rest and renew your motions
19 now, but if you'll rest in front of the jury, it will take
20 just a second. So you wish to renew your motion?

21 MR. SMALDONE: Yes, I wish to renew all prior motions.

22 THE COURT: So I believe those motions included the
23 motion to withhold the confession, I'm sorry, I don't
24 remember what exhibit that is.

25 MR. MILLER: State's 6, Your Honor.

1 THE COURT: State's Exhibit 6, which is the video
2 interview of your client. And your second motion was that
3 of a directed verdict. Is that correct, Mr. Smaldone?

4 MR. SMALDONE: That's correct, Your Honor.

5 THE COURT: So you renewed that motion and your
6 argument is the same; is that correct?

7 MR. SMALDONE: Yes.

8 THE COURT: Does the State wish to present any new
9 argument with regards to those motions?

10 MR. MILLER: No, Your Honor.

11 THE COURT: Mr. Smaldone, I am going to renew my
12 rulings on those motions. That ruling will remain the same
13 that I have allowed State's Exhibit 6 to come in as well as
14 denied the motion for directed verdict.

15 Now, we'll bring the jury in.

16 And just rest very quickly, Mr. Smaldone, so they'll
17 understand.

18 Do we need to discuss the charges?

19 Stop the jury one more time.

20 Gentlemen, we have our standard charges, but I believe
21 there was some question as to two charges.

22 Does the State have anything to add or anything it
23 wishes to bring up?

24 MR. MILLER: Your Honor, my understanding from Mr.
25 Smaldone is that he is requesting a charge on self-defense.

1 We won't object to the self-defense charge being given. And
2 Your Honor, given the circumstances of the case, I don't
3 believe it is appropriate to charge voluntary manslaughter.
4 There is not -- although there have been circumstances that
5 have been alluded to during the confession and, obviously,
6 the Defendant and the victim are the only two people that
7 were there at the time.

8 For there to be a voluntary manslaughter judgment by
9 the jury in this case, there would have to be a finding of
10 -- first of all, there couldn't be malice as voluntary
11 manslaughter, as the Court is very aware, is an unlawful
12 killing without malice, that it's done in the sudden heat of
13 passion upon sufficient legal provocation. I don't believe,
14 Your Honor, that the Defendant can create this sudden heat
15 of passion that then becomes the element that takes this
16 murder from a murder to a voluntary manslaughter.

17 All of the testimony and all of the statement was that
18 this Defendant got into the car with the victim, got the
19 victim to a certain point and then proceeded to assault or
20 attempt to assault the victim. And the thing that would
21 cause the sudden heat of passion would be the victim
22 reaching for his gun. And that entire scenario is created
23 by the Defendant. And there's not a set of circumstances
24 that I can see where that could rise to the level of sudden
25 heat of passion, which the courts have defined as an

1 irresistible urge to do violence.

2 He already had the irresistible urge to do violence
3 whenever he got in the car. That was the whole reason he
4 got in the car, was because he had the urge to do violence.
5 It was not something that was born of the victim reaching
6 for a firearm. It was his intention all along. And for
7 that reason, Your Honor, I don't believe that voluntary is
8 appropriate.

9 We, being Mr. Smaldone and I, along with the Court have
10 kind of had this conversation going on all week about the
11 dangers of an impertinent voluntary manslaughter charge. I
12 don't think that there's a way around that. I wish we had
13 better guidance on it. But as it stands right now, Your
14 Honor, I think I have to object to the voluntary
15 manslaughter charge, but, obviously, it is the Court's call.
16 We would leave it in the Court's discretion.

17 THE COURT: Thank you, Mr. Miller.

18 Mr. Smaldone, any response, sir, concerning the
19 voluntary manslaughter. We are going to charge the
20 self-defense charge. What are your thoughts with regards to
21 the voluntary manslaughter charge?

22 MR. SMALDONE: Regarding voluntary manslaughter, I do
23 believe it's appropriate and the Defense does request it.
24 In this case, I think we have a pretty clear heat of passion
25 argument.

1 We have -- not mentioned by the State was what my
2 client said really set him off was when the alleged victim
3 in the case apparently joked about it or laughed about it or
4 laughed about his prior offense, that combined with reaching
5 for his weapon is, I submit to the Court, more than enough
6 for a voluntary manslaughter charge.

7 It's not just the words, it's the prior act, alleged
8 act of the alleged victim of sexual assault. The victim
9 supposed laughing about it or joking about it or being
10 flippant about it. And the alleged victim reaching for his
11 gun.

12 So I think we have many reasons that would cause a
13 reasonable person to lose their cool and act in sudden heat
14 of passion. I don't believe there was malice in this case.
15 I submit to the jury that it was a self-defense case, but I
16 think the only other option would be voluntary manslaughter.
17 So I think there's more than enough evidence of that in the
18 record. I think there's been evidence he lost control
19 temporarily and suddenly. So I just submit that is why we
20 would ask for the voluntary manslaughter charge.

21 Additionally, regarding self-defense, there's a couple
22 of the ancillary charge to self-defense. I'm not sure what
23 Your Honor typically charges, but I think there's --

24 THE COURT: Do you have a proposed self-defense charge?

25 MR. SMALDONE: Mine are straight out of the charge book

1 and they are --

2 THE COURT: Can you e-mail us the --

3 MR. SMALDONE: I will do that, yes.

4 THE COURT: We're working electronically and that would
5 just be a little easier --

6 MR. SMALDONE: Happy to do it.

7 THE COURT: -- than going searching for those numbers.

8 MR. SMALDONE: But just for the record, they are the
9 right to act on appearances. I don't even know what the --
10 it might be part of the normal self-defense charge, but the
11 -- basically, the right to act until the threat is gone. I
12 think that would be all based on this case.

13 THE COURT: I will tell you what I'm going to do is
14 allow you all -- we'll bring the jury back in and I will
15 give them my closing charge, which is very short. I will
16 allow you to go into closing.

17 Is the State going to reserve the right to reply?

18 MR. MILLER: Yes, Your Honor.

19 THE COURT: Okay.

20 MR. SMALDONE: Your Honor, I didn't submit any
21 evidence.

22 MR. MILLER: I waive the first closing argument, Your
23 Honor, but we would reserve the right to rebut.

24 THE COURT: Mr. Smaldone, I'm going to allow you to go
25 first on your closing and allow the State to close last.

1 MR. SMALDONE: Respectfully, I'm confused. I've never
2 dealt with it that way. My understanding is if I don't
3 produce any evidence or admit anything, I will close last.
4 I don't know if there's something I'm unaware of or if it's
5 just Your Honor's way of doing it.

6 THE COURT: Mr. Smaldone, give me a moment. We're
7 having technical difficulties.

8 (Pause.)

9 THE COURT: Gentlemen, reading Rule 21, the note of
10 Rule 21, the Rule requires that the prosecution open in
11 full.

12 (Pause.)

13 THE COURT: All right. In reading in depth Rule 21,
14 Mr. Smaldone, I'm just going to read -- are you pulling it
15 up?

16 MR. SMALDONE: I'm trying.

17 THE COURT: You may not be able to pull it up, but
18 we've got it pulled up here. Closing arguments shall
19 proceed in the following order. The prosecution opens the
20 argument in full. The defense is permitted to reply. The
21 prosecution then is permitted to reply in rebuttal. And the
22 note reads that this Rule 21 replaces the common law rule,
23 which permits a defendant to retain the final closing
24 argument if the defendant presented no evidence during the
25 trial. The rule requires that the prosecution open in full

1 and may make a rebuttal argument, which must be limited to
2 direct response to the defendant's closing argument.

3 So this is replacing that common law rule, Mr.
4 Smaldone.

5 MR. SMALDONE: This sounds like I'm making it up, but
6 online, it literally had --

7 THE COURT: No, it doesn't sound like that. We had
8 some issue pulling it up, too.

9 MR. MILLER: Your Honor --

10 THE COURT: Wait a minute, Mr. -- hold on.

11 (Pause.)

12 THE COURT: Is that where you were going, Mr. Miller,
13 that this may not have been added in?

14 MR. MILLER: I was looking at State vs. Beatty, 423
15 S.C. 26, 813 S.E.2d 502, and there's a discussion there --

16 THE COURT: Do you have it pulled up, Mr. Miller?

17 MR. MILLER: I do, Your Honor.

18 THE COURT: Do you, Mr. Smaldone?

19 MR. SMALDONE: I do. That was what I was looking at
20 before, but it's a very academic --

21 THE COURT: Thank you.

22 MR. MILLER: Your Honor, I believe the Defendant
23 correctly characterized this as a lengthy academic
24 discussion about the content order of closing arguments in
25 criminal cases to alleviate that, the State would consent to

1 open in full and we would waive any reply. That way, it's
2 just not an issue on the record.

3 THE COURT: Thank you, Mr. Miller. I do see -- yes.

4 Mr. Smaldone, for the record, the State is going to
5 begin with their opening in closing and you will close after
6 the State.

7 MR. SMALDONE: Yes, thank you, Your Honor. It might
8 take me several weeks to read the Beatty case.

9 THE COURT: Gentlemen, what we are going to do is allow
10 you to do the closings and then I'm going to take a break.
11 Because what we normally do is e-mail you our final version
12 of the charges. I'm a little hesitant. We may have to
13 print them from here. But we will get you the final draft
14 of the closings. We'll just take the jury out for a short
15 break and make sure that we're all on the same page with
16 regards to the closings. And I will make a decision with
17 regards to the voluntary manslaughter charge.

18 Are you able to e-mail us?

19 MR. SMALDONE: Yes.

20 THE COURT: The self-defense charge. We'll give you a
21 moment to do that.

22 MR. SMALDONE: Would it be easier if they were printed?
23 Because I have my printer right there.

24 THE COURT: No, we're just going to copy and paste it
25 in the big charge and then give you all the final version of

1 that.

2 MR. SMALDONE: Okay.

3 (Pause.)

4 THE COURT: Mr. Smaldone, I am going to proceed with
5 the charge on voluntary manslaughter. That, also, means
6 that the verdict form will have several parts to it. We
7 will send you a proposed verdict form when we send the
8 proposed charges.

9 Like I said, we will allow a jury exit so both the
10 State and the Defense will be able to look over the charges
11 briefly before we go into the charge.

12 Will you, please, bring the jury in?

13 (WHEREUPON, the jury enters the courtroom at 3:33 p.m.)

14 THE COURT: Thank you, ladies and gentlemen, for your
15 patience. I want you to remember that I did explain that
16 sometimes the law can be slow and deliberate. At this time,
17 we are at the stage of the trial where we will have the
18 final arguments from the attorneys. The State --

19 MR. MILLER: Your Honor, I'm sorry, the Defense needs
20 to rest.

21 MR. SMALDONE: The Defense rest.

22 THE COURT: All right. So the Defense has rested at
23 this time. So we are now at the point of the trial where we
24 will have final arguments from both of the attorneys in the
25 case. Once they have completed that I will instruct you on

1 the law.

2 Closing arguments are a lot like opening statements.
3 They are not evidence in this case. The attorneys will be
4 arguing the evidence in the light most favorable to their
5 positions, but it is not evidence. You've already heard all
6 of the evidence. The testimony and the exhibit are where
7 you will make your decision. However, please, pay very,
8 very close attention to their arguments. Once they have
9 completed those arguments, I will instruct the jury on the
10 law and it will be in your hands at that time for
11 deliberation.

12 Mr. Miller.

13 MR. MILLER: Thank you, Your Honor. May it please the
14 Court.

15 CLOSING ARGUMENTS BY THE STATE

16 MR. MILLER: August 18th of 2020, Dean Troy Stevens
17 murdered Jeremy Craddock. He shot him. He hit him once,
18 but then he shot him. He didn't have any right to do that.
19 He didn't have any justification for doing that. He says
20 well, I had to shoot him because he went for his gun. Why
21 did he go for his gun? Just assume for the sake of argument
22 that Jeremy Craddock in Jeremy Craddock's car, who's giving
23 somebody he doesn't know that well a ride, assume for the
24 sake of argument that he reached for his gun. Why? He
25 reached for his gun because that man had already pulled a

1 gun on him and threatened him, had hit him.

2 When you listen to what he said, because you're not
3 going to hear anything from Jeremy Craddock, listen to what
4 he says. And keep in mind the question asked by his
5 attorney of Agent Croft. Yes, sometimes people do start off
6 with one story and then their changes a little bit and then
7 their story changes a little bit more. But the true thing
8 that happened is what he said happened when he started
9 crying because then he was overcome by emotion. And he
10 tells the truth. At that point in time during this hour and
11 14 minutes, he tells the truth.

12 (Portion of the video is played for the jury.)

13 MR. MILLER: I went to whip the man's ass. I was there
14 to assault him. For something, by the way, he claims to
15 have absolutely no knowledge of. I went to whip his ass.
16 And when I hit him, he reached for a gun. I already had my
17 gun drawn.

18 If you were there to hit him, if you were there to whip
19 him, why have you already got your gun drawn and pointed at
20 him? That does make sense according to the evidence because
21 why did Jeremy Craddock never get to that gun that he was
22 sitting on? He didn't get to that gun because he was
23 pointing his gun at him already. And as soon as Jeremy
24 Craddock did what Jeremy Craddock had every right in the
25 world to do, as soon as he went to try to defend himself, he

1 just pulled the trigger.

2 The only person that was in that vehicle that had the
3 right to use self-defense that night was Jeremy Craddock.
4 Because he didn't know why this guy was in his car, but you
5 do. Jeremy Craddock didn't know what this man intended for
6 him, but he told you. He was going to go kick his ass.

7 But why? Why was he going to do that? His own words
8 right before this admission, he says nah, I don't know
9 anything about it. I never heard anything about it. He
10 didn't hear any comments about any kind of rape. Shawn told
11 him that Jeremy Craddock needed his ass whipped. That's
12 what he told Jeff Croft. And he didn't dispute it. He
13 said, Well, Shawn told me this guy needed to get beat up, so
14 that's what I was going to go do. I was going to go beat
15 this guy up.

16 Investigator Croft sat there -- Agent Croft sat up
17 there and he explained to you how some of the techniques
18 that they use when they're going through and they're
19 interviewing somebody. And when somebody realizes oh,
20 they're not buying that story, a lot of times, they'll come
21 up with another story. And sometimes whenever they come up
22 with another story, they don't buy that one either. And
23 then they realize I'm in way over my head here. They get
24 emotional and they get upset and they start crying.

25 And here's the last ditch effort, I'm just going to

1 tell you the truth while I'm crying. And this is really
2 what I mean. This is really what happened. Because I know
3 I'm the only one that gets to tell this story. And he's so
4 worried about putting up that front that he makes the
5 mistake of telling you something very important, I hit him
6 and when I hit him, he reached for the gun. And when he
7 reached for the gun, I already had my gun drawn and I shot
8 him. I didn't have anything else I could do.

9 Self-defense, ladies and gentlemen. The Judge is going
10 to explain to you what the law of self-defense in South
11 Carolina is. The very first thing that you have to
12 establish to have self-defense, the very first thing, the
13 person who's claiming self-defense can't be at fault for
14 being in a position where they had to use self-defense.

15 I can't go kick in somebody's door in their house and
16 storm in their bedroom and then if they pull a gun on me,
17 pull out my gun and shoot them. It's my fault I'm in that
18 position in the first place. The law recognizes that. You
19 can't plan to go physically assault someone while you are
20 armed with a deadly weapon and then go oh, I didn't have any
21 other choice but to shoot him whenever he tried to get his
22 gun.

23 Ladies and gentlemen, I think Mr. Sanderlin said it in
24 his opening, murder in the State of South Carolina is the
25 unlawful killing of another with malice aforethought. What

1 is malice? When the Judge charges you, please, pay very
2 careful attention. When she starts talking about murder,
3 she's going to define malice for you. And I want you to
4 listen carefully because I believe that the first thing that
5 the Judge is going to tell you when saying here's what
6 malice is, I believe the first thing she's going to say is
7 malice is hatred, ill will or hostility towards another
8 person.

9 He told you he had hatred, ill will and hostility
10 towards Jeremy Craddock. If you kill someone unlawfully
11 when you have hatred, ill will and hostility towards that
12 person, that is murder. Period. It doesn't matter what you
13 justify it as a month later whenever you're finally in front
14 of Jeff Croft and he knows what went on and you know he's
15 not buying what you're trying to sell. He tells you why he
16 has hatred, ill will and hostility towards Jeremy Craddock.
17 He just yeah, but I was just going to beat him up. Well, if
18 you're just going to beat him up, why do you start by
19 pulling your gun?

20 Let's think about his story because it is important to
21 look at demeanor. Initially, whenever he starts his
22 confession -- well, it was an interview until he admitted
23 that he shot Jeremy Craddock. But when he starts, he's
24 calm, he's cool. They're laughing. They're joking.
25 Everything is good. No problem. I don't know that dude.

1 Never saw him. You know, been here my whole life, but I've
2 never seen him before, never heard his name when somebody
3 for some reason put my name in the story about him dying. I
4 don't even know why because I was at my boss's house. I
5 don't go to Falcon Joyner's house during the week.

6 And then that changed. There was one night that I was
7 there and there were a bunch of people there. And he starts
8 naming people. Here's the thing, though, if you think back,
9 when he is talking to Jeff, Jeff says there was some story
10 about somebody being sexually assaulted. That's something
11 that hit him up during the course of the investigation, that
12 story was floating out there. But he didn't say whoever
13 said it. He just said there was this story that was
14 floating around out there. And when he's going through the
15 people who were there, when the Defendant is talking about
16 the people that are there, he names off a name, names off
17 another name. He says Dustin Carroll and Stacy Hudson and
18 immediately says, but I never heard her say anything. He
19 knew what he was talking about.

20 He tells Agent Croft what he heard others say, but he
21 says I never heard anything directly from her. The only
22 reason I was going out there to beat this guy up was because
23 Shawn told me to do it. And we don't ever figure out who
24 Shawn is because later on, he changes his story again.

25 So the second story is I was going to go beat him up,

1 but circumstances changed. Things weren't all that bad. I
2 asked him to take me over to somebody's house. And as we
3 were going over there, he tells me he's about to go sell his
4 gun, but there's some black guy in a black car who's
5 following us and he's nervous about that. So he says no,
6 not me. I'm not involved in that kind of stuff, you just
7 need to let me out. So I got out and he drives away and the
8 black guy in the black Nissan is following him. And he gave
9 details, 2003 to 2006. I know it was a Nissan because I saw
10 the emblem, but that was the last time I saw him. And then
11 the next day when I heard what had happened, I was like ah,
12 man, this could be a problem. Agent Croft gets through that
13 pretty quickly. .

14 And then you just heard, I went to whip his ass. I hit
15 him. He reached for a gun, I already had my gun drawn.

16 He tells him -- I don't know if y'all noticed this, but
17 after he tells him it was me, I was in the car, I'm the one
18 that shot him, Agent Croft immediately asked him, what did
19 you do with the gun? What kind of gun was it? And he says,
20 It was a 380. And when it seems like he's about to shut
21 down, Agent Croft says, Hey, we can slow down? We can slow
22 down? You need something to drink? And he gets up, Agent
23 Croft does, and he walks out of the room.

24 Now, the Defendant is sitting there with Matt Davis and
25 he composes himself. He's getting himself back together.

1 And he's realizing what he just said. And so he starts
2 trying to distance himself from it. It went from I already
3 had my gun drawn when he reached for his gun and I shot him
4 to I saw something silver in his hand. He was raising up
5 with this gun.

6 Well, that didn't happen and you know it didn't happen.
7 That's why we entered in all of this evidence. It didn't
8 happen because this gun was in the car. This gun got burned
9 up the same way that Jeremy Craddock got burned up. This
10 gun was underneath Jeremy Craddock. This gun didn't get
11 taken out and pointed at anybody that night because Jeremy
12 Craddock was sitting on this gun. He was sitting on that
13 gun whenever he set the car on fire in an attempt to destroy
14 the evidence that he had killed Jeremy Craddock. He had
15 murdered him.

16 The firearms analysis, the stuff that they talked
17 about, all of that was to establish the things that could be
18 established from the physical evidence. There's a shell
19 casing outside of the car. That shell casing matches this
20 gun, the gun that he told Agent Croft he had dismantled and
21 thrown into the lake in Hampton County.

22 You heard the testimony from the examiner, the firearms
23 identification expert, Mr. Greer. This is what SLED had to
24 work with. This isn't how this case started. This is what
25 SLED had to work with by the time they got there. And like

1 a needle in a haystack, they find the shell casings. And,
2 eventually -- they didn't know if they were ever going to
3 find a gun to match it to, but they did. And this, you can
4 barely make it out. I can't make all of the pieces out, but
5 this is SLED item 11. That's the gun. Those pieces of SLED
6 item 11 were only visible after the body had been removed.
7 If that gun had been anywhere other than under him, it could
8 not have gotten under him. If it had been in his lap, it
9 would still be on top of his lap. If it had been under the
10 seat, it would have been under the seat. He was sitting on
11 the gun. Not the legal way to carry a gun back in South
12 Carolina back then, but right now, perfectly fine. Nothing
13 illegal about that.

14 They collect all of this evidence. They had to do DNA
15 testing to confirm who the body was, burned beyond
16 recognition. All of that evidence burned. Everything that
17 came out of that car, burned. You can see the heat from
18 some of these items of evidence that they went through. You
19 can just look at the box that it was in, at this debris.
20 And it's amazing that SLED has people like Mr. Greer that
21 has the technical know how to be able to establish
22 conclusively that that gun or the gun that that was
23 connected to fired this projectile or this cartridge case.
24 And that's what killed Jeremy Craddock.

25 But the more I got into this case, the more I started

1 thinking about one thing, there's this story that starts
2 with I'm going to beat this person, presumably, pretty
3 viciously. I'm going to go beat this person and then the
4 person ends up dead. And here's the problem I have with the
5 story. The probably I have with the story is you take your
6 gun to go beat this person, but you leave your phone at
7 Falcon's house. And then you come up with whatever ruse it
8 was to get Jeremy Craddock to pull off on this dirt road
9 where there's nobody around, okay, that's part of your plan.
10 And then things go, according to your plan, he gets out of
11 the car and you beat him senseless. That's what his plan
12 was. That's what he says his plan was.

13 Ladies and gentlemen, what's next. Do you pick him up
14 and brush him off and go oh, I bet you won't do anything
15 like that again. Come on, let's go wherever we were going.
16 Really? What was the plan? You took your phone so nobody
17 would be able to -- or left your phone so nobody would be
18 able to trace your cell phone location. You took your gun.
19 And this guy ends up dead.

20 Ladies and gentlemen, I submit to you when I look at
21 the evidence in this case and I see what is going on here, I
22 believe that this Defendant fully intended to kill Jeremy
23 Craddock all along. He was going to get him in an isolated
24 location. He was going to get him out of the car. And he
25 was going to do exactly what he did, which was shoot him.

1 And then he was going to get back in that car and he was
2 going to go back and he was going to get his phone and go on
3 about his business.

4 But there was a problem. The problem was when he
5 pulled his gun on Jeremy Craddock and told him to get out of
6 the car, when he drew his gun on Jeremy Craddock and hit him
7 the first time, Craddock reached for a gun. And so he shot
8 him. And once he shot him, now, there's a dead body inside
9 the car. Now, he's got a problem. Now, there's evidence
10 inside the car. Now, presumably, there's blood inside the
11 car. So he says oh, well, and just burns the car where it
12 stands.

13 That's how I view the evidence. That's how I hear his
14 story. I think that's a lot more reasonable than the idea
15 that I was going to go beat this person at gunpoint and then
16 say so, are you going to give me that ride? Can you take me
17 back over to Falcon's house? That makes no sense. It makes
18 no sense at all.

19 But it really doesn't matter because what does matter
20 happened in an instant. What does matter happened when he
21 pulled the trigger on his gun that he already had out and
22 already was pointing at Jeremy Craddock when he hit him the
23 first time. That is an unlawful killing. It doesn't matter
24 if Jeremy Craddock reached for his gun or not, that's an
25 unlawful killing.

1 And he has malice when he pulls that trigger. He's not
2 scared. He's mad. He told you, he told he was mad, he told
3 you why he was mad, whether you believe that excuse or not.
4 But he told you what his intent was. His intent was to do
5 him harm. That's malice. And it doesn't matter how far you
6 take it. It doesn't matter when it was malice when he
7 decided on his plan of getting in the car with him. It was
8 malice when he got in the car with him. It was malice while
9 they were driving. Because he already had hatred, ill will
10 or hostility towards Jeremy Craddock.

11 And ladies and gentlemen, if there is malice in the
12 unlawful killing of another person, that is murder. And the
13 only appropriate verdict in this case is for you to find him
14 guilty of murder because that's what he did. He murdered
15 Jeremy Craddock.

16 During the Defense's opening argument, I had a little
17 bit of confusion. I was trying to follow -- I mean, I know
18 the story. I think a lot of people were in that mess of
19 having paid that penny and then finding out how much that
20 penny led to the cost. But I didn't really understand how
21 it related to this case. You know, what's the connection?

22 You know, to me, ladies and gentlemen, there is a
23 connection, though. And the connection is sad as it is
24 tragic. Dean Troy Stevens thought Jeremy Craddock's life
25 was that penny. That's what it was worth. It was worth

1 nothing. He didn't care about him. He doesn't care
2 anything about him. He's crying because he's realizing what
3 he's done to himself. He expresses no remorse at any point
4 in time in that video. He never says man, what if I was
5 wrong? What he says is yeah, I did it. After he tried to
6 blame it on some unidentified person and after he's tried to
7 say I didn't have anything to do with it. He never once,
8 not even after he gets all emotional and not even after he
9 composes himself again, he never once expresses any remorse
10 about Jeremy Craddock's life being taken. Because to him,
11 Jeremy Craddock's life was that penny that got sent off in
12 the mail. Nothing to be worried about.

13 Thank you.

14 THE COURT: Mr. Smaldone.

15 MR. SMALDONE: Thank you, Your Honor. May it please
16 the Court.

17 CLOSING ARGUMENT BY THE DEFENSE

18 MR. SMALDONE: Ladies and gentlemen of the jury, good
19 afternoon. I know it's been a long day. I just want to
20 thank y'all for being here and thank y'all for listening to
21 everything. I especially want to thank y'all for listening
22 to what Troy had to say.

23 There's a saying, I think it's something along the
24 lines of if you're a race track and you hear hoof beats,
25 think horses not zebras. And, basically, what that means is

1 don't -- the evidence is right there. Don't make up
2 something that's contrary to all that. Troy eventually
3 spilled his guts. He laid everything out. You heard it.

4 You heard that in August of 2020, he found out a girl
5 that he cared about had been -- I can't remember -- I think
6 I said had been intimate with in the past, found out she was
7 sexually assaulted, raped. And in fact, he found out she
8 went to the police for it. Found that out, went to Jeremy's
9 car, asked him about it. I'm still not sure whether or not
10 -- I think he planned to fight him if Jeremy said what he
11 said. Or he wouldn't have asked if he didn't -- sorry, he
12 asked for a reason because the answer mattered. He asked
13 what's up with this or what's the deal with that.

14 Probably thinking maybe misunderstanding. Probably
15 thinking no, dude, here's what happened. Maybe thinking
16 something like that. Maybe thinking like, aww, I don't
17 know. I think the last thing he thought was a reply where
18 he laughed about it. He cried that he did something like
19 that. He cried that he valued someone else's body as if it
20 was nothing and never got caught. Because of that, Troy
21 went to him. Went to him. That's what he said and that's
22 what the evidence shows. But as you heard, Jeremy pulled a
23 gun. He signed up for one thing and then he has gun pulled
24 out.

25 Now, I'm confused by the State, respectfully, they're

1 saying that he was sitting on a the gun. A few problems
2 with that. One, who -- I have a gun. A lot of people have
3 a gun. I would not imagine sitting on a gun is either
4 comfortable, practical or safe. Especially, I don't want
5 anything down there getting shot by accident. Who sits on a
6 gun? The gun was pulled, there's no question.

7 They, also, said things went south -- I believe they
8 said things went south because Jeremy got a gun. How would
9 he know he had a gun? How would Troy know he had a gun if
10 he was sitting on it? We know it was pulled. And he either
11 sat back down or something happened in the fire where it
12 ended up that way. Clearly, he knew there was a gun and,
13 clearly, he would not have known there was a gun if he was
14 sitting on it. That makes no sense. Jeremy has a gun, Troy
15 reacts.

16 In opening, I told y'all about getting something you
17 didn't sign up for. Thinking one thing and getting the
18 other. And this is exactly that. But don't take my word
19 for it, listen to what he said. Listen to how he said it.
20 But, also, listen to what law enforcement said. They said
21 we all understand. Nobody is blaming you for doing what you
22 did. Things like that. I imagine y'all will have the video
23 at some point during your deliberations. Feel free to watch
24 it. No one is blaming you. I don't think any less of you.
25 I'm glad you told the truth. I have daughters, too. Listen

1 to them. And listen to Troy. Every piece of evidence
2 matches up to exactly what he said.

3 You can state a different story based on nothing other
4 than the fact that you're a prosecutor and things have to be
5 as bad as possible or you can just listen to what happened.
6 They said in his statement he denies knowing Stacy. That
7 was right before he broke down and, like I said, spilled his
8 guts. And he was quick to say he didn't know Stacy. I
9 never want to advocate for lying, but he was very quick to
10 say he didn't know Stacy faster than the other people
11 because he knew that's who it was.

12 So the argument that he doesn't know who Stacy is, it's
13 obvious he did because he was very quick to say that and
14 then it went to admitting what happened. He's admitting
15 that someone was going to stand up for Stacy after two
16 years, I think. And then someone else couldn't take that.
17 Someone couldn't take what was coming to him and pulled a
18 gun, a nine millimeter Kahr, K-A-H-R, that's the way you
19 pronounce it.

20 The State wants to just cherry pick bits and pieces.
21 They want to say oh, he admitted it, but everything else
22 that makes sense must be a lie. He admitted just the parts
23 where we can get our conviction and then go home, happy hour
24 soon. He admitted that, but everything else, please,
25 construe that in our favor. He told everyone what happened.

1 He even brought them to the gun. He didn't have to do that.

2 In a perfect world, this never would have happened. In
3 a perfect world, Jeremy would be around. Stacy would have
4 her dignity. Troy would be at home with his daughters. But
5 we're not in a perfect world. But Troy didn't start it. It
6 started long ago.

7 In a few minutes, the Judge will instruct you on the
8 law, the law that applies to this case. The Judge will
9 instruct you on, obviously, murder, a killing with malice
10 aforethought. The State wants you to, again, ignore
11 everything that helps Troy and just assume all the bad
12 facts. They want you to be like who gets a ride with
13 someone who he intends to shoot? The other person is
14 driving the car, that makes no sense. He asked about it,
15 bucked up to him and then because of what Jeremy said, this
16 came out and because of what Jeremy did with his gun, he got
17 shot.

18 There's no malice aforethought there. They want you to
19 think he planned this out. He left his phone somewhere. He
20 planned -- I don't understand, he gets a ride with someone
21 and somehow tells him go down a road. Y'all heard Troy,
22 respectfully, doesn't seem like much of a plan. Doesn't
23 seem like an evil genius that the State wants you to believe
24 so they can get their conviction. Troy is more of a spur of
25 the moment kind of guy. Nothing in this is planned.

1 Nothing is planned. So, clearly, not murder.

2 And then the next thing the Judge will ask you to
3 consider is voluntary manslaughter. That is when someone
4 kills someone else unlawfully. There's no malice, but there
5 is a sudden heat of passion. That might make sense if not
6 for Jeremy's gun. If Jeremy said what he said, something of
7 that nature, this would be a voluntary manslaughter case.
8 But that gun, that deadly weapon pulled on Troy makes us
9 have to consider something else. That's the law of
10 self-defense.

11 The Judge will instruct you on the law of self-defense.
12 You'll find that it really applies to this case. Troy was
13 trying to do the right thing, trying to do the admirable
14 thing. You hear Croft and other people in that
15 interrogation, they say that. They say that towards the
16 end. They say it is what it is. No one thinks any less of
17 you. I've got daughters. Trying to stand up for someone
18 who couldn't stand up for themselves. But because of Jeremy's
19 choices, we're here. Troy had to do what he had to do. The
20 minute Jeremy pulled out his gun, there's going to be one of
21 the other. The phrase that says better to be judged by 12
22 than carried by six.

23 So today, I'm asking you 12 to do the right thing, to
24 understand what Troy went through, to understand none of
25 this was planned, understand that he got more than he

1 bargained for, understand that that gun, that nine
2 millimeter that Jeremy had was the catalyst for him doing
3 what he had to do.

4 At the end of this case, at the end of the Judge's
5 charge and you go back and deliberate, I ask you to find
6 that the State has not disproved any of the elements of
7 self-defense beyond a reasonable doubt. And I'm going to
8 ask you right now to find Troy not guilty of murder and not
9 guilty of manslaughter, voluntary manslaughter. That is the
10 only logical conclusion from this case. Nothing he says is
11 contradicted. Everything he says is right there.

12 I ask you again to watch the video. See his emotion.
13 He does not have the capacity to lie at that time. He's
14 describing something that happened in, what, one minute, two
15 minutes. I think he does a pretty good job eventually of
16 telling his story, remembering what happened because it's
17 all right there.

18 No one is happy to be here. We are not saying that
19 anyone is happy that Jeremy's gone. We're not saying
20 anything like that. We're applying the law. It's not about
21 emotion. It's about the law. And the law is Troy is not
22 guilty. Thank you.

23 THE COURT: Thank you.

24 At this time, we're going to escort the jury out of the
25 jury room and allow them a bathroom break and a stretch

1 break.

2 If you will please escort the jury out.

3 (WHEREUPON, the jury exits the courtroom at 4:20 p.m.)

4 THE COURT: All right. Gentlemen, in just a few
5 moments, you will receive the proposed jury charges as well
6 as the jury verdict form. Just give it a minute.

7 (Pause.)

8 THE COURT: Did you receive them, Mr. Miller?

9 MR. MILLER: Just came through, Your Honor.

10 THE COURT: Mr. Smaldone?

11 MR. SMALDONE: Not quite yet. Oh, yes.

12 (Pause.)

13 MR. SMALDONE: Your Honor, I'm not sure if you're
14 waiting on me, but all the charges look good to me.

15 THE COURT: Mr. Smaldone, with regards to the
16 self-defense change, that was adequate?

17 MR. SMALDONE: Yes.

18 THE COURT: Mr. Miller, I'll allow you to finish.

19 MR. MILLER: Thank you, Your Honor.

20 (Pause.)

21 MR. MILLER: Your Honor, the State has no objection to
22 the proposed charge or the form of the verdict. Your Honor,
23 I would -- I'm not objecting to it, but I would say, Your
24 Honor, that I don't think direct and circumstantial evidence
25 needs to be charged, particularly given what the charge is.

1 I think it creates an unnecessary confusion on the part of
2 the jury to say there's two types of evidence, but they're
3 exactly the same and they don't get treated any different in
4 the law. So I would just -- I would ask that direct and
5 circumstantial evidence be removed from the charge.

6 THE COURT: Mr. Smaldone, do you have any issue with
7 the removal of that sanction?

8 MR. SMALDONE: No, Your Honor, I don't think I do. If
9 Your Honor wants to omit -- I always omit expert witness
10 charge if they haven't been impeached on pay, bias, anything
11 like that. It doesn't really matter. It's just to save
12 time.

13 THE COURT: Any objection to the removal of expert
14 witnesses. He did not object or impeach the expert witness
15 on the stand?

16 MR. MILLER: I don't have any issue with removing the
17 expert witness part of the charge.

18 THE COURT: Thank you, gentlemen. We're going to
19 remove both of those sections, but just those sections, and
20 we'll send you a clean copy. We're, also, going to send the
21 clerk a copy. I do allow the jury charges to go back with
22 the jury, but I will instruct them -- once we get ready to
23 do so, I will instruct them and remove the alternates if
24 there are no objections or necessary modifications once
25 they've been charged.

1 MR. MILLER: Yes, Your Honor.

2 THE COURT: Mr. Smaldone, just to prepare you, Mr.
3 Miller is accustomed to this, but I do walking charges. So
4 I do come down in front of the jury to charge.

5 Are you ready, Mr. Miller?

6 MR. MILLER: We're readying, Your Honor.

7 THE COURT: Mr. Smaldone?

8 MR. SMALDONE: The Defense is ready, Your Honor.

9 THE COURT: Can we bring the jury in, please?

10 (WHEREUPON, the jury enters the courtroom 4:50 p.m.)

11 CHARGE ON THE LAW

12 THE COURT: Madam Foreperson and members of the jury,
13 you've heard the testimony and evidence and arguments of the
14 State and the Defendant. I will now explain to you the law
15 that applies to this case.

16 Under the Constitution and laws of South Carolina, you
17 are the finders of fact in this case. I do not have the
18 right to pass upon the facts or even express any opinion I
19 might have as to them. This is a matter solely for you, the
20 jury, to determine. As jurors, then, it is your duty to
21 determine the effect, the value, the weight and the truth of
22 the evidence presented during this trial.

23 As the trial judge, it is my responsibility to preside
24 over the trial of this case. I, also, have the duty to rule
25 upon or pass upon the admissibility of evidence offered

1 during this trial. You are to consider only the testimony
2 which has been presented from the witness stand, together
3 with any exhibits which have been made a part of the record
4 in this case and any stipulations of counsel made into the
5 record.

6 I have the additional duty to charge you the law
7 applicable to this case. And as the presiding judge, I am
8 the sole judge of the law of this case. It is your duty as
9 jurors to accept and apply the law as I now state it to you
10 and then reach your verdict.

11 Finally, I charge you in this regard that you should
12 not be concerned with what you think the law ought to be,
13 but what I charge you the law to be.

14 You are also the judges, the sole judges of the
15 credibility, that means the believability of the witnesses
16 who have testified in this case. And in passing upon their
17 credibility, you may take into consideration many things,
18 such as: The demeanor, or manner of testifying; whether the
19 witness had reason to be biased or prejudiced; whether a
20 witness's testimony was contradicted on the one hand, or
21 supported and corroborated on the other hand.

22 You may believe a small portion of a witness's
23 testimony and disregard the larger, or vice versa. You may
24 believe one witness against many or many against one. All
25 these things you will consider bearing in mind that you

1 should give the Defendant the benefit of any reasonable
2 doubt. It becomes your duty as jurors to analyze and to
3 evaluate the evidence and determine that evidence which
4 convinces you of its truth.

5 The fact that the Defendant was arrested, charged and
6 indicted in this case is not evidence in this case and
7 cannot be considered by you as evidence of guilt in this
8 case. Nor does it create any presumptions or inference of
9 guilt. This document is simply the formal written
10 instrument which contains the charges made against the
11 Defendant. It is the formal document by which this case is
12 brought into this court.

13 The Defendant has pled not guilty to this indictment.
14 And that plea puts the burden on the State to prove the
15 Defendant guilty. A person charged with committing a
16 criminal offense in South Carolina is never required to
17 prove himself innocent.

18 I charge you that it is an important rule of the law
19 that the defendant in a criminal trial, no matter what the
20 seriousness of the charge may be, will always be presumed to
21 be innocent of the crime for which the indictment was issued
22 unless guilt has been proven by evidence satisfying you of
23 that guilt beyond a reasonable doubt. This presumption of
24 innocence does not end when you begin your deliberations,
25 but it accompanies the Defendant throughout the trial until

1 you reach a verdict of guilt based on evidence satisfying
2 you of that guilt beyond a reasonable doubt.

3 The presumption of innocence is like a robe of
4 righteousness placed about the shoulders of the Defendant,
5 which remains with the Defendant until it has been stripped
6 from the Defendant by evidence satisfying you of the
7 Defendant's guilt beyond a reasonable doubt. The
8 presumption of innocence is not a mere legal theory. It is
9 not a legal phrase. It is a substantial right to which
10 every defendant is entitled unless you, the jury, are
11 satisfied from the evidence of the Defendant's guilt beyond
12 a reasonable doubt.

13 The State has the burden of proving the Defendant
14 beyond a reasonable doubt. Some of you may have served as
15 jurors in civil cases where you were told that it is only
16 necessary to prove that a fact is more likely true than not
17 true, such as by the greater weight or preponderance of the
18 evidence. In criminal cases, the State's proof must be more
19 powerful than that. It must be beyond a reasonable doubt.

20 Proof beyond a reasonable doubt is proof that leaves
21 you firmly convinced of the Defendant's guilt. There are
22 very few things in this world that we know with absolute
23 certainty, and in criminal cases, the law does not require
24 proof that overcomes every possible doubt. If, based on
25 your consideration of the evidence, you are firmly convinced

1 that the Defendant is guilty of the crime charged, you must
2 find the Defendant guilty. If, on the other hand, you think
3 that there's a real possibility that the Defendant is not
4 guilty, you must give the Defendant the benefit of the doubt
5 and find him not guilty.

6 The indictments in this case allege two different
7 offenses against the Defendant. The charges are:
8 Indictment number one, murder; indictment number two,
9 possession of a weapon during commission of a violent crime.

10 Each indictment charges a separate and distinct
11 offense. You must decide each indictment separately on the
12 evidence and the law applicable to it uninfluenced by your
13 decision as to the other indictment. The Defendant may be
14 convicted or acquitted on any or all of the offenses
15 charged. You will be asked to write a separate verdict of
16 guilty or not guilty for each indictment.

17 Indictment number one, murder. The Defendant is
18 charged with murder. The State must prove beyond a
19 reasonable doubt that the Defendant killed another person
20 with malice aforethought. Malice is hatred, ill will or
21 hostility toward another person. It is the intentional
22 doing of a wrongful act without just cause or excuse and
23 with an intent to inflict an injury or under circumstances
24 that the law would infer an evil intent.

25 Malice aforethought does not require that malice exist

1 for any particular time before the act is committed, but
2 malice must exist in the mind of the Defendant just before
3 and at the time the act is committed. Therefore, there must
4 be a combination of the previous evil intent and the act.

5 Malice aforethought may be express or inferred. These
6 terms express or inferred do not mean different kinds of
7 malice, but merely the manner in which malice may be shown
8 to exist. That is, either by direct evidence or inference
9 from the facts and circumstances which are proved. Express
10 malice is shown when a person speaks words which express
11 hatred or ill will toward another or when a person prepared
12 beforehand to do the act which was later accomplished. For
13 example, lying in wait for a person or any other acts of
14 preparation going to show that the deed was within the
15 Defendant's mind would be express malice. Malice may be
16 inferred from conduct showing a total disregard for human
17 life.

18 Voluntary manslaughter. If you find that the State has
19 failed to prove beyond a reasonable doubt that the Defendant
20 committed murder, you may consider whether the State has
21 proved beyond a reasonable doubt that the Defendant
22 committed voluntary manslaughter.

23 To prove voluntary manslaughter, the State must prove
24 beyond a reasonable doubt that the Defendant took the life
25 of another in the sudden heat of passion based on sufficient

1 legal provocation. Both heat of passion and sufficient
2 legal provocation must be present at the time of the killing
3 to constitute voluntary manslaughter.

4 Sudden heat of passion may for a time affect a person's
5 self-control and temporarily disturb a person's reasoning.
6 The sudden heat of passion must be the type that would make
7 an ordinary person unable to coolly reflect on his actions
8 and would produce an uncontrollable impulse to do violence.

9 Sufficient legal provocation must be the type that
10 would make a person of ordinary reason and caution become
11 enraged and to lose control temporarily. The provocation
12 needed for voluntary manslaughter must come from some act
13 of, or related to the victim.

14 Words alone, however vulgar or insulting are not enough
15 to be legal provocation. Where death is caused by the use
16 of a deadly weapon, the words must be accompanied by some
17 overt, threatening act which could have produced the heat of
18 passion.

19 The exercise of a legal right, no matter how offensive
20 it is to another is never sufficient legal provocation for
21 voluntary manslaughter.

22 If the heat of passion had cooled, or if there was
23 enough time between the provocation, if any, and the killing
24 for the passion of a reasonable person to cool, the killing
25 would not be voluntary manslaughter. In deciding whether a

1 reasonable person would have had enough time to cool off,
2 you should consider all the circumstances surrounding the
3 killing. You may consider the nature of the provocation, if
4 any, the Defendant's mental and physical state, and the
5 circumstances and relationships between the parties.

6 All right. Members of the jury, I want you to stand up
7 and stretch before we go to the rest of the jury charge.

8 (WHEREUPON, jurors stood.)

9 THE COURT: Indictment number two, possession of a
10 weapon during the commission of a violent crime. The
11 Defendant is charged with possession of a weapon during the
12 commission of or attempt to commit a violent crime. The
13 State must prove beyond a reasonable doubt that the
14 Defendant was in possession of a firearm or visibly
15 displayed what appeared to be a firearm during the
16 commission of a violent crime.

17 A firearm means any machine gun, automatic rifle,
18 revolver, pistol, or any weapon which will, is designed to
19 or may be readily converted to expel a projectile.

20 In order to find the Defendant guilty of possession of
21 a weapon during the commission of a violent crime, you must
22 first find the Defendant guilty of either committing a
23 violent crime or attempting to commit a violent crime.
24 Murder is a violent crime. Voluntary manslaughter is, also,
25 a violent crime.

1 The State must provide beyond a reasonable doubt that
2 the weapon further advanced or helped in the commission of
3 the time.

4 The Defendant has raised the defense of self-defense.
5 Self-defense is a complete defense and if it is established,
6 you must find the Defendant not guilty. The State has the
7 burden of disproving self-defense by proof beyond a
8 reasonable doubt. If you have a reasonable doubt of the
9 Defendant's guilt after considering all of the evidence,
10 including the evidence of self-defense, then you must find
11 the Defendant not guilty. On the other hand, if you have no
12 reasonable doubt of the Defendant's guilt after considering
13 all of the evidence, including the evidence of self-defense,
14 then you must find the Defendant guilty.

15 The following elements are required to establish
16 self-defense: Number one, without fault. First, the
17 Defendant must be without fault in bringing on the
18 difficulty. If the Defendant's conduct was the type which
19 was reasonably calculated to, and did provoke a deadly
20 assault, the Defendant would be at fault in bringing on the
21 difficulty and would not be entitled to an acquittal based
22 on self-defense.

23 Number two, imminent danger. The second element of
24 self-defense is that the Defendant was actually in imminent
25 danger of death or serious bodily injury or that the

1 Defendant actually believed that he was in imminent danger
2 of death or serious bodily injury.

3 Number three, reasonableness. If the Defendant was
4 actually in imminent danger, it must be shown that the
5 circumstances would have warranted a person of ordinary
6 firmness and courage to strike the fatal blow to prevent
7 death or serious bodily injury. If the Defendant believed
8 he was in imminent danger of death or serious bodily injury,
9 it must be shown that a reasonably prudent person of
10 ordinary firmness and courage would have had the same
11 belief.

12 In deciding whether the Defendant actually was or
13 believed he was imminent danger of death or serious bodily
14 injury, you should consider all the facts and circumstances
15 surrounding the crime, including the physical condition and
16 characteristics of the Defendant and the victim.

17 Number four, no other way to avoid danger. The final
18 element of self-defense is that the Defendant had no other
19 probable way to avoid the danger of death or serious bodily
20 injury than to act as the Defendant did in this particular
21 instance.

22 The Defendant does not have to show that he was
23 actually in danger. It is enough if the Defendant believed
24 he was in imminent danger and a reasonably prudent person of
25 ordinary firmness and courage would have had the same

1 belief. The Defendant has the right to act on appearances
2 even though the Defendant's beliefs may have been mistaken.
3 It is for you to decide whether the Defendant's fear of
4 immediate danger or death or serious bodily injury was
5 reasonable and would have been felt by an ordinary person in
6 the same situation.

7 Words accompanied by hostile acts may, depending on the
8 circumstances, establish self-defense.

9 If the Defendant is justified in defending himself or
10 others and in firing the first shot, then the Defendant is
11 also justified in continuing to shoot until it is apparent
12 that the danger of death or serious bodily injury has
13 completely ended.

14 I instruct you and emphasize that the fact that the
15 Defendant did not testify is not a factor to be considered
16 by you in any way in your deliberation and in your
17 consideration on the question of the guilt or the innocence
18 of the Defendant. It must not be considered by you in any
19 manner whatsoever. A defendant has the Constitutional right
20 to remain silent, and the assertion of this right must not
21 be considered by you in your deliberations.

22 I repeat, under you oath, you are to draw no conclusion
23 whatsoever from the fact that the Defendant in this case did
24 not testify. The fact that this Defendant did not testify
25 should not even be discussed in the jury room. The burden

1 of proof, as I have stated to you, is on the State. The
2 Defendant is not required to prove his innocence. The
3 burden of proof remains on the State to prove guilty beyond
4 a reasonable doubt.

5 Now, you have been chosen and sworn to give the parties
6 a fair and impartial trial. When you have done so, you will
7 have complied with your oath and no one will have a right to
8 criticize your verdict.

9 You must not be influenced by opinions or expressions
10 of opinions you may have heard outside of the courtroom, but
11 rather should base your verdict solely on the testimony of
12 the sworn witnesses who took the stand, the exhibits
13 received into evidence and the law which I have stated.

14 Caprice, passion, prejudice, or improper sympathy for
15 or against anyone should not sway you. Remember, you have
16 no friends to reward or enemies to punish and all parties
17 are entitled to a fair and impartial trial.

18 It is your duty as jurors to consult with one another
19 and to deliberate in an effort to reach an agreement. Each
20 of you must decide this case for yourself, but only after
21 impartial consideration of all the evidence with your fellow
22 jurors.

23 In the course of your deliberations, do not hesitate to
24 reexamine your own views and change you opinion if you
25 become convinced it is erroneous. However, do not surrender

1 your honest conviction as to the weight or effect of the
2 evidence solely because of the opinion of your fellow jurors
3 or for the mere purpose of returning a verdict. As I stated
4 earlier, you are the judges, the judges of the facts. Your
5 verdict must represent the considered judgment of each
6 juror. In other words, your verdict must unanimous.

7 Now, you may have noticed that I have read these
8 instructions. I do so to give you the law as accurately as
9 possible. I will give you a copy of these instructions to
10 have in the jury room. You may refer to these instructions
11 as a whole and may not follow some and ignore others.

12 Madam Foreperson, it is your additional duty to preside
13 over the deliberations of the jury. If, during your
14 deliberations, you should desire to communicate with the
15 Court, please reduce your message or your question to
16 writing signed by you and you only, and pass the note to the
17 bailiff who will bring it to my attention. I will then
18 respond as prompt as possible either in writing or by having
19 you return to the courtroom. I caution you, however, with
20 regard to any message or question you might send that you
21 should never state or specify your numerical division at the
22 time.

23 Now, you have heard all of the evidence, you have heard
24 the law. Whatever your verdict, Madam Foreperson, you will
25 indicate the verdict on the back of the indictment and the

1 verdict form and then sign it and date your verdict.

2 Remember that although the foreperson is the only juror
3 who writes the verdict, it is not hers alone. The verdict
4 has to be unanimous.

5 Madam Foreperson, you are not authorized to write the
6 verdict until all of you have agreed on the verdict.

7 Now, ladies and gentlemen, in a few moments, I will
8 send you to your jury room, but do not begin discussing this
9 case until you receive a copy of this jury charge and the
10 exhibits. Once you receive those things, that will be your
11 signal to begin your deliberations.

12 Once you begin deliberations, you will deliberate until
13 you have reached a verdict, at which time, you will knock on
14 the door, advise the bailiff and we will bring you out to
15 receive your verdict.

16 Madam Foreperson, the verdict form reads as follows:
17 Number one, as to the charge of murder, we, the jury,
18 unanimously find beyond a reasonable doubt, the Defendant,
19 Dean Troy Stevens, not guilty or guilty.

20 If you find the Defendant not guilty of murder, proceed
21 to question two. If you find the Defendant guilty of
22 murder, proceed directly to question three.

23 Question two reads: Voluntarily manslaughter. As to
24 the charge of voluntarily manslaughter, we, the jury,
25 unanimously find beyond a reasonable doubt the Defendant,

1 Dean Troy Stevens, not guilty, guilty.

2 If you find the Defendant guilty of voluntary
3 manslaughter, proceed to question three.

4 Question three: Possession of a firearm during the
5 commission of a violent crime. As to the charge of
6 possession of a firearm during the commission of a violent
7 crime, we, the jury, unanimously find beyond a reasonable
8 doubt the Defendant, Dean Troy Stevens, not guilty or
9 guilty.

10 You put the date here, Madam Foreperson, and your
11 signature here. We've also included the indictments for you
12 to write your verdict on the back of the indictment forms.

13 Before I dismiss you to the jury room, I will give both
14 the State and the Defense an opportunity to object to
15 anything that I have charged to the jury.

16 Are there any objections from the State?

17 MR. MILLER: No, Your Honor.

18 THE COURT: Are there any objections from the Defense?

19 MR. SMALDONE: No, Your Honor.

20 THE COURT: Very good.

21 We can excuse the jury to the jury room.

22 Remember, do not begin your deliberations until you
23 have received the charge and the exhibits.

24 (WHEREUPON, the jury exits the courtroom at 5:15 p.m.)

25 THE COURT: Does the State or Defense have any issues

1 with any of the members of the 12 jurors?

2 MR. MILLER: No, Your Honor.

3 MR. SMALDONE: No, Your Honor.

4 THE COURT: No need to keep the two alternates?

5 MR. MILLER: No, ma'am.

6 MR. SMALDONE: No, Your Honor.

7 THE COURT: Can we call our two alternates?

8 (WHEREUPON, alternate jurors entered the courtroom.)

9 THE COURT: I wanted to thank you for your service this
10 week. You're welcome to stay and hear the verdict of the
11 jury, but if you would like to leave, you are free to leave.
12 Thank you again for your service this week.

13 (WHEREUPON, alternate jurors were excused.)

14 MR. MILLER: Your Honor, we've agreed on the exhibits.
15 They're all here, putting the charge, indictments and
16 verdict form in.

17 THE COURT: Have we got some spare paper and a pen?

18 MR. MILLER: Spare paper and a pen.

19 THE COURT: All right. Send those back and they can
20 begin deliberations.

21 (WHEREUPON, deliberations began at 5:18 p.m.)

22 (WHEREUPON, court was in recess awaiting a verdict.)

23 THE COURT: I understand the jury has reached a
24 verdict.

25 Is the State ready to receive the verdict?

1 MR. MILLER: Yes, Your Honor.

2 THE COURT: Is the Defense ready?

3 MR. SMALDONE: Yes, Your Honor.

4 THE COURT: Let's bring in the jury.

5 (WHEREUPON, the jury enters the courtroom at 7:08 p.m.)

6 THE COURT: Madam Foreperson, can you please stand?

7 Madam Foreperson, it's my understanding the jury has
8 reached a verdict?

9 MADAM FOREPERSON: Yes, ma'am.

10 THE COURT: And was that verdict unanimous?

11 MADAM FOREPERSON: Yes, Your Honor.

12 THE COURT: And you've signed the verdict forms?

13 MADAM FOREPERSON: Yes, ma'am.

14 THE COURT: And dated the verdict forms?

15 MADAM FOREPERSON: Yes, ma'am.

16 THE COURT: And you have indicated on the indictments
17 the jury's unanimous verdict?

18 MADAM FOREPERSON: Yes, ma'am.

19 THE COURT: All right. Very good. Thank you, Madam
20 Foreperson.

21 Madam Clerk, will you please publish the verdict?

22 VERDICT

23 THE CLERK: The State of South Carolina, County of
24 Bamberg vs. Dean Troy Stevens, indictment 2021-GS-05-00183
25 and 2021-GS-05-00182, on the murder, it's checked guilty.

1 That's the first charge. And charge number three is checked
2 guilty, signed by the Forelady -- I can't read this writing.

3 THE COURT: That's okay. I'm going to read the entire
4 thing into the record.

5 Number one, the charge of murder. As to the charge of
6 murder, we, the jury, unanimously find beyond a reasonable
7 doubt, the Defendant, Dean Troy Stevens, guilty. Possession
8 of a firearm during the commission of a violent crime. As
9 to possession of a firearm during the commission of a
10 violent crime, we, the jury, unanimously find beyond a
11 reasonable doubt, the Defendant, Dean Troy Stevens, guilty.

12 Madam Foreperson, is this your verdict?

13 MADAM FOREPERSON: Yes, ma'am.

14 THE COURT: And was that verdict unanimous?

15 MADAM FOREPERSON: Yes, ma'am.

16 THE COURT: Would anyone like to poll the jury?

17 MR. SMALDONE: Yes, Your Honor.

18 THE COURT: Madam Clerk, will you poll the jury by
19 calling each juror number and asking if that was their
20 verdict?

21 THE CLERK: Okay.

22 Juror #58, is that your verdict?

23 JUROR #58: Yes, ma'am.

24 THE CLERK: Do you still agree?

25 JUROR #58: Yes, ma'am.

1 THE CLERK: Thank you.
2 Juror #31, is that your verdict?
3 JUROR #31: Yes, it is.
4 THE CLERK: Do you still agree?
5 JUROR #31: Yes, ma'am.
6 THE CLERK: Thank you.
7 Juror #78, is that your verdict?
8 JUROR #78: Yes, ma'am.
9 THE CLERK: Do you still agree?
10 JUROR #78: Yes, ma'am.
11 THE CLERK: Juror #107, is that your verdict?
12 JUROR #107: Yes.
13 THE CLERK: Do you still agree?
14 JUROR #107: Yes.
15 THE CLERK: Juror #105, is that your verdict?
16 JUROR #105: Yes.
17 THE CLERK: Do you still agree?
18 JUROR #105: Yes.
19 THE CLERK: Juror #63, is that your verdict?
20 JUROR #63: Yes.
21 THE CLERK: Do you still agree?
22 JUROR #63: Yes.
23 THE CLERK: Juror #154, is that your verdict?
24 JUROR #154: Yes, ma'am.
25 THE CLERK: Do you still agree?

1 JUROR #154: Yes, ma'am.

2 THE CLERK: Juror #97, is that your verdict?

3 JUROR #97: Yes, ma'am.

4 THE CLERK: Do you still agree?

5 JUROR #97: Yes, ma'am.

6 THE CLERK: Juror #135, is that your verdict?

7 JUROR #135: Yes, ma'am.

8 THE CLERK: Do you still agree?

9 JUROR #135: Yes, ma'am.

10 THE CLERK: Juror #83, is that your verdict?

11 JUROR #83: Yes, ma'am.

12 THE CLERK: Do you still agree?

13 JUROR #83: Yes, ma'am.

14 THE CLERK: Juror #137, is that your verdict?

15 JUROR #137: Yes, ma'am.

16 THE CLERK: Do you still agree?

17 JUROR #137: Yes, ma'am.

18 THE CLERK: Was anyone omitted?

19 (Juror raised hand.)

20 THE CLERK: I'm sorry. Juror #1, is that your verdict?

21 JUROR #1: Yes, ma'am.

22 THE CLERK: Do you still agree?

23 JUROR #1: Yes, ma'am.

24 THE COURT: Thank you, Madam Clerk.

25 Ladies and gentlemen of the jury, I wish to thank you

1 for your service here for these past few days. We cannot
2 complete this process without you. So we appreciate you
3 listening to all the evidence and the facts of this case and
4 reaching your verdict.

5 Thank you very much, Madam Foreperson, for presiding
6 over the deliberations in the jury room as well as
7 indicating on the verdict form as well as the indictments
8 and signing the verdict.

9 Just a few tidbits for the jury. You are now exempt
10 from jury service for the three years because of your jury
11 service here these past few days.

12 So again, thank you very much. If you need a work or a
13 school excuse, the clerks will provide that to you. At this
14 point, your jury service is completed. However, if you
15 desire to stay for --

16 Is the State ready to proceed with sentencing?

17 MR. MILLER: The State is ready, Your Honor.

18 THE COURT: Is the Defense ready to proceed with
19 sentencing?

20 MR. SMALDONE: Yes, Your Honor.

21 THE COURT: If you wish to stay, ladies and gentlemen
22 of the jury, for sentencing, you are more than welcome to do
23 so. If you do not wish to stay, right now is the time for
24 you to leave. So we'll allow you to leave at this time if
25 you wish to do so.

1 We'll stand down for about ten minutes and allow the
2 jury to gather their things.

3 Thank you very much.

4 (WHEREUPON, a short break was taken.)

5 THE COURT: Is the State ready to proceed?

6 MR. MILLER: We are, Your Honor.

7 THE COURT: Mr. Miller.

8 MR. MILLER: Thank you, Your Honor, may it please the
9 Court. The Court is very well aware of the facts and
10 circumstances of this case having sat through the trial. We
11 have one member of Jeremy Craddock's family, his father, who
12 wishes to address the Court. And then several family
13 members have written statements. They have given those
14 statements to Ms. Key, our victim advocate, and Ms. Key
15 would be publishing those statements to the Court, those
16 written statements to the Court at the appropriate time.

17 If the Court is ready, I can have Mr. Harris Craddock
18 make his presentation whenever you're ready, Your Honor.

19 THE COURT: Yes, sir. I'm ready to hear from Mr.
20 Craddock.

21 I apologize, Mr. Craddock. I'll hear from you, sir.

22 MR. HARRIS CRADDOCK: Your Honor, I appreciate the time
23 to stand before you and to speak with you about my youngest
24 son. Jeremy wasn't a perfect person, but he was a very
25 loving father. He has three beautiful daughters that will

1 never have the chance for their dad to walk them down the
2 aisle, to see them graduate, to hold their firstborn.

3 I want to thank South Carolina Law Enforcement Division
4 and the courts for due diligence in this. And I just want
5 to say that I think this world has lost a very good person
6 when my son was taken.

7 Thank you.

8 THE COURT: Thank you, Mr. Craddock.

9 MS. KEY: Thank you, Your Honor. My name is Angela
10 Key. I'm a victim advocate from the solicitor's office.
11 And I have several statements from family members.

12 The last 1,330 days have been very hard. There isn't a
13 day that goes by that we don't think of him or miss him.
14 All we have left are memories that we will forever cherish.
15 Jeremy was a son, brother, father, husband, uncle and a
16 friend. He loved life. He was always there when you needed
17 him. Always a phone call away. He was the family comedian.
18 He would cheer you up when you were down. Jeremy loved his
19 three daughters more than life.

20 That's a statement from his sister, Stacy Kittrell.

21 No one should have to endure a traumatic loss of a
22 loved one as our family has. This loss impacted the family
23 not only emotionally, but physically as well. Experiencing
24 a loss of a loved one by not only an unexpected event that
25 could have been avoided, but by a gruesome act of violence

1 that didn't even leave behind a body for his family to say
2 goodbye to and lay to rest.

3 Jeremy was 38 years old. In hindsight, he had a whole
4 life ahead of him until someone decided to play God, not
5 only take his life away, but try to fully erase his
6 existence like he was never here.

7 That's by his daughter, Destiny Craddock.

8 Jeremy Scott Craddock was known for his good heart and
9 old soul and having a way to make you laugh even if you were
10 down. His love for his family and friends was overwhelming,
11 but his love for his three daughters was what kept him
12 going. They were his life. They lost their father so
13 tragically without a chance to say goodbye, having to wait a
14 month just to definitely identify so we could have a
15 memorial service to bury his remains.

16 His youngest daughter being only five at the time has
17 very little memory of him left. My heart breaks for our
18 three girls more than anything. I always told Jeremy that
19 his good heart may get him hurt one day, but I never thought
20 it would be like this, especially by putting his character
21 down in such a way. Jeremy was the one people called when
22 they needed help with things or needed a ride or just to be
23 there. Our hearts are completely broken over such a huge
24 loss to our family. There's very few people like Jeremy
25 Craddock left on this earth.

1 That's by his wife, Tonya Craddock.

2 Jeremy Scott Craddock was my baby son. He was loving
3 and kind. He would go out of his way to help someone, as
4 many persons as had his memories. He was not a violent
5 person. He was always making us laugh. He loved music and
6 dancing with his children, who he loved more than life. No
7 mother ever expects to bury a child, but I have buried both
8 my sons. Jeremy did not deserve what Troy Stevens did to
9 him. It has impacted our lives and devastated us and deeply
10 shattered our hearts.

11 He has three beautiful daughters that he loved more
12 than life and adored. I miss him every day, every minute
13 and every hour. He was loved by many people and his friends
14 loved him." He was a big joy to be with. But one thing I do
15 know is he loved his mother. There is no more devastating
16 thing in life than a mother who has to bury two of her
17 children.

18 Debra Elkins, Jeremy's mother.

19 THE COURT: Thank you, Ms. Key.

20 MR. MILLER: Your Honor, the Defendant's prior record
21 includes distribution of methamphetamine in 2013, unlawful
22 exposure of a child to methamphetamine on that same day,
23 forgery less than \$10,000, appears to be on the same day.
24 He went to the Department of Corrections for 15 years,
25 suspended to three years and five years of probation on that

1 2013 set of convictions. He got out of the Department of
2 Corrections September of 2014. In 2015, he had a disorderly
3 conduct.

4 In 2018, possession of a stolen vehicle between 2,000
5 and \$10,000, possession of a stolen pistol and possession of
6 a firearm by a convicted violent felon. I'm not exactly
7 sure how he could have gotten that charge, except for the
8 fact that he had an old ABHAN that must have qualified as a
9 violent felony. He, also, had at that same time in 2018 a
10 possession of Schedule I, B, C LSD or a Schedule II second
11 offense for which he received five years suspended upon 159
12 days and possession of adulterants to defeat a drug or
13 alcohol test. All those convictions were from 2018.

14 In 2020, he was arrested by the Barnwell County
15 Sheriff's Office. Those were the charges that he was
16 incarcerated for at the time when he spoke with Agent Croft.
17 Those charges were dismissed because of these charges
18 pending.

19 Your Honor, I think it's important to know and to
20 realize the first time that I had contact with Ms. Elkins
21 and Mr. Craddock, they were extremely upset about the
22 possibility that Jeremy Craddock's name was going to be
23 dragged through the mud and that the Defendant was going to
24 use an allegation uncharged and unproven by somebody who was
25 less than credible of being a rapist. And it was a very

1 difficult conversation I had to have with them on more than
2 one occasion to explain to them legally that there was
3 nothing that we could do from letting him get up there and
4 tell his story or telling his story through Jeff Croft as
5 happened this week.

6 I know it has been incredibly hard for them, both
7 because of the loss of their son, but, also, because of the
8 fact that they feel that his reputation has been tarnished
9 in the eyes of others because of the allegations that Dean
10 Stevens made about Jeremy Craddock's past. And the reality
11 of the situation is, Your Honor, nothing that he said is,
12 frankly, believable, at least, not to me, not to the jury.
13 And the fact is nothing he said diminishes Jeremy Craddock
14 in the eyes of his family and the people who know him.

15 But having said that, it was very difficult on them for
16 months, years leading up to this point. And I just wanted
17 to acknowledge that. They have been consistent and they
18 have been standing by. Friends of Ms. Elkins have come from
19 as far away as Texas to support her this week. Mr. Craddock
20 came from Tennessee to be here this week. It's been a long
21 road for them. And we on behalf of the State and on behalf
22 of the family hope for some closure for them at this point
23 in time.

24 Thank you.

25 THE COURT: Thank you. Does that conclude the State's

1 presentation?

2 MR. MILLER: That does, Your Honor.

3 THE COURT: Mr. Smaldone, I'll hear from you, sir.

4 MR. SMALDONE: Thank you, Your Honor.

5 Your Honor, representing Mr. Stevens over the last few
6 years, I feel like I've gotten to know him, I've gotten to
7 understand him and I've gotten to genuinely like him. This
8 is a sad case where his previous position towards certain
9 things, I'll explain in just a moment, combined with really
10 the catalyst for this, as almost every case in this
11 courtroom and the courthouse is drugs.

12 This was -- it's no secret he was using methamphetamine
13 at the time. He was using it with the group of people that
14 night. He was using it with the victim in the case. You
15 know, everyone that knows him will agree that he is not who
16 we heard about all week. However, the jury has reached a
17 verdict. And really, the bridge between who we've heard all
18 week and who this peaceful, big-hearted man sitting next to
19 me, unfortunately, is drugs.

20 Your Honor, I don't know what happened that night. I
21 will always probably wonder if he was manipulated by someone
22 else into doing something for them. Because reading his
23 mental health records, his counseling records, his whole
24 life -- they were difficult to read. His whole life from a
25 child till in his 20s, the theme was men a little bit --

1 abusing him a little bit, but mostly men abusing women in
2 his family over and over again. Different men, different
3 women. It was very difficult to read. And I can't even --
4 I probably wouldn't even be able to talk about the details
5 of that. Men abusing women.

6 Your Honor heard a slight amount of it during his video
7 with Agent Croft about his father. And because of what his
8 father did, he always wanted to confront him. He always
9 wanted to do something about it. He carried his father's
10 name, but what his father did was terrible. And he always
11 wanted to do something about it and his father abruptly
12 died, as Your Honor may have heard in the video, in a car
13 accident and he never was able to do that.

14 I read his jail reports and he's had -- every night is
15 horrific dreams about his past, about certain -- and it's
16 the same thing what I've been saying, about men, male
17 relatives abusing women. This was the one thing you can
18 tell him that would set him off. And I wonder -- I'll
19 always wonder if someone did that to him maliciously. I
20 don't know. We've heard about someone named Shawn. I
21 really don't know. Maybe we'll never know.

22 I genuinely do believe that he thought what he was
23 doing, at least, in the beginning was what needed to be
24 done. Obviously, I think we all -- even him in the video,
25 there was a point towards the end where the law enforcement

1 was kind of re-techniquing [sic] him and saying well, you
2 did what you had to do and he kind of interrupted him and
3 said but he didn't have to get shot.

4 It's hard sometimes when you're next to someone -- I
5 mean, he's one of those people if he was a barber, even
6 right now, if I needed a beard trim, I'd give him a straight
7 razor and have no issue about it. I would trust him 100
8 percent. But like I said, this happened.

9 And we know why it happened, because of
10 methamphetamine. And that drug, in particular, acts on your
11 aggression impulses, acts on your impulse control and acts
12 on, basically, everything else. That drug, combined with
13 what he thought in his mind, whether or not it happened, no
14 one knows. It sounds like it didn't from what everyone
15 said. But what he thought in his mind combined with that
16 drug is why we're here today. I hate it for him.

17 His family is here. All women, I might add. He's had
18 a horrible past. He was really looking forward to a bright
19 future. I think he was on the right track and backslid a
20 little bit and here we are.

21 So, Your Honor, with that, I would ask for what is a
22 very large sentence, which is 30 years. We call it the
23 minimum, but a 30-year sentence is unfathomable to most
24 people. So I would ask for that. Some may call it the
25 minimum. I would call it a terrible, but appropriate

1 punishment in this matter.

2 THE COURT: Mr. Smaldone, thank you. Does your client
3 wish to address the Court?

4 MR. SMALDONE: I'm not sure, Your Honor.

5 THE COURT: He certainly doesn't have to, but I always
6 ask.

7 Mr. Smaldone, do you know how much time your client has
8 served?

9 MR. SMALDONE: I know it's around three and a half
10 years.

11 MR. MILLER: Your Honor, he was arrested on this charge
12 September the 21st of 2020. And there's about half a dozen
13 people trying to figure out how many days that is.

14 THE COURT: We'll figure it out.

15 MR. MILLER: But he has been incarcerated continuously
16 since September 21st of 2020.

17 MR. SMALDONE: If Your Honor wants the days, I have
18 1298.

19 THE COURT: Thank you, sir.

20 Now, I am about to enter into sentencing. Now would be
21 the appropriate time -- if anyone feels that hearing the
22 sentence would be too difficult for them, now is the time to
23 exit the courtroom. If you need to do so, now is your
24 opportunity.

25 SENTENCE OF THE COURT

1 THE COURT: Mr. Stevens, with regards to the possession
2 of a weapon during a violent crime, I'm sentencing you to
3 five years in the State Department of Corrections. You will
4 receive credit for the time that you've already served on
5 that charge in the amount of 1,298 days. That charge will
6 run concurrent to the second charge, which is the charge of
7 murder.

8 With regards to murder, I'm sentencing you to the State
9 Department of Corrections for a term of 40 years. You will
10 receive credit for the time you have already served in the
11 amount of 1298 days.

12 Good luck to you, Mr. Stevens.

13 MR. MILLER: Thank you, Your Honor. .
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CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF BAMBERG)

I, PENNY M. JOHNSON, Official Court Reporter for the
Second Judicial Circuit of the State of South Carolina, do
hereby certify that the foregoing is a true, accurate, and
complete Transcript of Record of the proceedings had and the
evidence introduced in the hearing of the captioned case,
relative to appeal, in the Court of General Sessions for
Bamberg County, South Carolina, on the days of April 8-10,
2024.

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

September 25, 2024

Penny M. Johnson
Penny M. Johnson
Official Court Reporter



MIRANDA RIGHTS

PLACE: Barnwell SC DATE: 9/18/2020 TIME: 1227

BEFORE WE ASK YOU QUESTIONS, YOU MUST UNDERSTAND YOUR RIGHTS.

Q1A

You have the right to remain silent.

Q1B

Anything you say can be used in court as evidence against you.

Q1C

You are entitled to talk to a lawyer now and have him present now or at any time during questioning.

Q1D

If you cannot afford an attorney, one will be appointed for you without cost.

Q1E

If you decide to answer questions now, without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

yes

Do you understand these rights?

yes

Do you wish to talk to us at this time?

WAIVER OF RIGHTS

I have read this statement of my rights and I understand what my rights are. I am willing to talk now without a lawyer present. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed: Dean J. Stivers

Witness: Jeff Cuff

Witness: Matt Jones





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Witness: Jeff Cuff

Witness: Matt Jones



SLED-0007-2017

WITNESSES

State Law Enforcement Division

SSA Jeff Croft

Jeff Croft

Law Enforcement Case #: SLED 31-20-00095

DWM

ARREST WARRANT NUMBER

2020A0510100253

ACTION OF GRAND JURY*Troy Stevens**Raymond*

Foreperson of Grand Jury

Date: October 28, 2021

VERDICT*Guilty**Bill Weeks*

Foreperson of Petit Jury

Date: 4/10/24

DOCKET NO. 2021GS0500182**The State of South Carolina**

County of Bamberg

FILED
BAMBERG COUNTY

2024 APR 10 PM 7:54

CLERK OF COURT
BAMBERG COUNTYCOURT OF GENERAL SESSIONS

NOVEMBER TERM 2021

THE STATE
vs.

DEAN TROY STEVENS, JR.

CDR #: 0549

Indictment for

POSSESSION OF WEAPON DURING
VIOLENT CRIME

§ 16-23-0490

BILL WEEKS, SOLICITOR

STATE OF SOUTH CAROLINA)
)
COUNTY OF BAMBERG)
)

INDICTMENT FOR
POSSESSION OF WEAPON DURING
VIOLENT CRIME

§ 16-23-0490

At a Court of General Sessions, convened on November 1, 2021, the Grand Jurors of Bamberg County present upon their oath:

That **DEAN TROY STEVENS, JR.** did, in Bamberg County, on or about August 16, 2020, possess or visibly display a firearm during the commission or attempted commission of a violent crime, to wit: Murder, all in violation of Section 16-23-490, Code of Laws of South Carolina (1976), as amended.

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



BILL WEEKS, SOLICITOR

STATE OF SOUTH CAROLINA

FILED
BAMBERG COUNTY

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Bamberg

2024 APR 10 PM 7:54

STATE

VS.

INDICTMENT/CASE#: 2021 - GS - 05 - 00182

Dean Troy Stevens Jr

CLERK

AW#:

2020A0510100253

AKA:

Date of Offense:

8/18/2020

Race: White

Sex: M

Age: 39

S.C. Code §:

16-23-0490

DOB:

SS#:

CDR Code #:

0549

Address: 13364 Sc Highway 64

City, State, Zip: Barnwell, SC 29812-7736

DL#:

SID#

SENTENCE SHEET

5 years

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADSTO: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or deathIn violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45(CSC w/minor 1st or CSC w/minor 3rd)

The charge is:

☒

As indicted,

☐Lesser Included
Offense,☐

Defendant Waives

Presentment to Grand Jury.

(def.'s initials)

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

ATTEST:



1A553

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 5 days/months/years/Time Served ☐ Youthful Offender Act not to exceed yearsand/or to pay a fine of \$; provided that upon the service of days/months/years/Time Served and or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with probation for

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

The sentence shall run

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:

2021-05-05-00183

☒ 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.1290 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.

FILED IN COURT

APR 10 2024

Bamberg Clerk of Court

STATE VS. Dean Troy Stevens Jr INDICTMENT/CASE#: 2021 - GS - 05 - 00182

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	\$	100.00
§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	\$	25.00
§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	\$	3.75

☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

\$500	\$
TBD	\$
TOTAL	\$ 128.75

Clerk of Court/Deputy Clerk: Joyce H. Wright
Court Reporter: Penny JohnsonPresiding Judge: Carlye A. BryantJudge Code: 02707Sentence Date: 4/16/2024

WITNESSES

State Law Enforcement Division

SSA Jeff Croft *JAC*

Law Enforcement Case #: SLED 31-20-00095

DWM

ARREST WARRANT NUMBER

2020A0510100254

ACTION OF GRAND JURY*True Bill**Rep*
Foreperson of Grand Jury
Date: October 28, 2021VERDICT*Guilty**Monahan*

Foreperson of Petit Jury

Date: 11/10/24

DOCKET NO. 2021GS0500183

The State of South Carolina

County of Bamberg

COURT OF GENERAL SESSIONS

NOVEMBER TERM 2021

THE STATE
vs.

DEAN TROY STEVENS, JR.

CDR #: 0116

Indictment for

MURDER

§ 16-03-0010; 16-03-0020

BILL WEEKS, SOLICITORFILED
BAMBERG COUNTY

2024 APR 10 PM 7:54

JAN 10 2024
CLERK OF COURT
BAMBERG COUNTY

STATE OF SOUTH CAROLINA)
)
 COUNTY OF BAMBERG)
)

INDICTMENT FOR
 MURDER

§ 16-03-0010; 16-03-0020

At a Court of General Sessions, convened on November 1, 2021, the Grand Jurors of Bamberg County present upon their oath:

That **DEAN TROY STEVENS, JR.** did in Bamberg County on or about August 16, 2020, feloniously, wilfully and with malice aforethought, murder Jeremy Craddock by means of shooting him with a pistol and the victim did die in Bamberg County on Memorial Church Road, as a proximate result thereof on or about August 16, 2020. All in violation of Section 16-3-10 of the South Carolina Code of Laws (1976), as amended.

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



 BILL WEEKS, SOLICITOR

FILED
BAMBERG COUNTY IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA
COUNTY OF Bamberg

2024 APR 10 PM 7:54

STATE

VS.

Dean Troy Stevens Jr

INDICTMENT/CASE#: 2021 - GS - 05 - 00183

PERSON

JURY

AAW#:

2020A0510100254

Date of Offense: 8/18/2020

S.C. Code §: 16-03-0010; 16-03-0020

CDR Code #: 0116

AKA:

Race: White Sex: M Age: 39

DOB: SS#:

Address: 13384 Sc Highway 64

City, State, Zip: Barnwell, SC 29812-7736

DL# SID#

SENTENCE SHEET

30 years - Life

*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; 16-03-0020 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. (def.'s initials)

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

ATTEST:

[Signature]
Solicitor

LA553
SC Bar #

Defendant

[Signature]
Attorney for Defendant

100410
SC Bar #

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

for a determinate term of 40 days/months/years Time Served ☐ Youthful Offender Act not to exceed 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:

2021-05-05-00182

☒ 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.
1298 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.

FILED IN COURT

APR 10 2024

Bamberg Clerk of Court

STATE VS. Dean Troy Stevens Jr INDICTMENT/CASE#: 2021 - GS - 05 - 00183

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	\$ 100.00
§14-1-211 (A)(2)(DUI Surcharge)		\$100	\$
§56-5-2905 (DUI Assessment)		\$12	\$
§56-1-286 (DUI Breath Test)		\$25	\$
§14-1-212 (Law Enforce. Funding)		\$25	\$ 25.00
§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	\$ 3.75

☐ Appointed PD or appointed other counsel, Provviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender FundClerk of Court/Deputy Clerk:
Court Reporter:

Byrne H. Durrant
Barney Johnson

Presiding Judge:
Judge Code:
Sentence Date:

TOTAL \$ 128.75
Candice Chylson Pae
2767
4/10/2024

CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,

Kathrine H. Hudgins

[Signature] *in/permission*

Kathrine H. Hudgins

Senior Appellate Defender

RECEIVED

Sep 29 2025

SC Court of Appeals

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

ATTORNEY FOR APPELLANT

This 29th day of September, 2025.

RECEIVED

Sep 29 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Bamberg County

Honorable Courtney Clyburn-Pope, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DEAN TROY STEVENS,

APPELLANT.

APPELLATE CASE NO. 2024-000648

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 J. Anthony Mabry, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 29th day of September, 2025.

Kathrine H. Hudgins
by *[Signature]* *in per m.33.1*
Kathrine H. Hudgins
Senior Appellate Defender

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

ATTORNEY FOR APPELLANT