

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

Appeal from Richland County

Honorable Robert E. Hood, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CRAIG LAMAR EDWARDS,

APPELLANT.

APPELLATE CASE NO. 2024-000821

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
STATE’S EXHIBITS #1-12, #25-29, #52 (PHOTOS); #48 (DVD OF DASHCAM), #49
(DVD OF BODY WORN CAMERA); COURT’S EXHIBIT #8 (VIDEO)**

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 Q: Left? Okay. So now you got her with your left hand.
2 You've still got the gun, and you're looking for the key fob.
3 And we really can't explain why you're holding on to her
4 because she can stand up on her own; right?

5 A: I imagine so.

6 Q: You imagine so? You lived with a lady?

7 A: She's hysterical. I don't know if she would have fallen
8 or not.

9 Q: All right. So -- oh, so you're -- now I get it. You're
10 trying to help her stand on her feet?

11 A: I'm holding on to her.

12 Q: Okay. And you've got the gun up here?

13 A: No.

14 Q: And -- and for some reason, you think the key fob has
15 moved from the front of the car into the trunk?

16 A: Maybe I picked it up. I'm not sure.

17 Q: You remember a lot about that day, but you don't remember
18 how you got the key fob into the trunk?

19 A: I don't know where the key fob was at.

20 Q: Does that make any sense?

21 A: I was hysterical. I mean, I don't know. My mind is not
22 right. I'm just -- I want to know why the car is not
23 starting.

24 Q: Okay. But what you're telling me, does that sound
25 logical to you?

CRAIG EDWARDS - CROSS BY MR. SCOTT

- 1 A: I don't know what else to explain to you.
- 2 Q: Can you explain why Carlo thought you were trying to jam
3 her into the trunk and why the neighbor was yelling at you not
4 to put her in the trunk?
- 5 A: I guess because we was 'at the trunk.
- 6 Q: So they were both mistaken? You were looking for the key
7 fob, and you were trying to help this cancer patient stand up
8 on her own; right?
- 9 A: I was just holding on to her.
- 10 Q: Okay. So you were helping her out is what you were
11 doing?
- 12 A: I was.
- 13 Q: And that guy was mistaken when she was screaming, telling
14 you to let her go?
- 15 A: I don't really recall him saying that. I don't know what
16 anybody really was saying. I don't know what he was saying.
- 17 Q: Okay. Do you remember Carlo screaming for you to let her
18 go?
- 19 A: Probably so. I'm not sure, but she was screaming
20 something. She was crying.
- 21 Q: You probably remember her screaming for you to let her
22 go?
- 23 A: Yeah, probably.
- 24 Q: All right. So we can't figure out why this car we just
25 drove up in won't start?

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 A: No.

2 Q: Now, looking back, it's probably because the key fob was
3 in her purse, and you're jerking her all around trying to put
4 her in the trunk. You give up on that, and then you march her
5 across the street. Two hands or one hand?

6 A: One hand.

7 Q: Are you dragging her?

8 A: I know I was in front of her.

9 Q: Okay. How'd you get your hand on her head?

10 A: I didn't have my hand on her head. I had my hand on her
11 shoulder.

12 Q: So everybody who saw you pulling her around by the hair,
13 they were mistaken?

14 A: It happened. -

15 Q: What?

16 A: Must have happened, yes.

17 Q: They must have happened?

18 A: I had her by her arm, not by her head.

19 Q: Okay. And now, why are you feeling the need to drag her
20 to the SUV across the street with a gun in your hand?

21 A: Because some -- some cars that we do work on, we leave
22 the keys in the car.

23 Q: Okay.

24 A: So if we need to move them or we need to go do something,
25 the key is in the car.

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 Q: And you needed to move pretty quick, didn't you?

2 A: Well, I was trying to leave. Yes, sir. I was trying to
3 leave.

4 Q: Okay. Now, all this is going on. You're trying to
5 leave. You're trying to help poor Carlo along her way because
6 you're just being good hearted at that point; right?

7 A: Yes, sir.

8 Q: Yes?

9 A: Yes, sir.

10 Q: Okay. Isn't this gun in your hand kind of problematic
11 while you're trying to accomplish all this?

12 A: I wasn't even paying attention to it. I mean, I wasn't
13 really thinking straight.

14 Q: Oh, okay.

15 A: I wasn't.

16 Q: Okay. You didn't realize you still had the pistol in
17 your hand?

18 A: I didn't really realize it until I got back into the
19 Honda and --

20 Q: Oh.

21 A: I wasn't -- my mind was racing so bad. It was too many
22 things coming. I couldn't even think straight. I mean, I
23 just went through something, and I don't know what to do.

24 Q: Is -- does what you're telling me now seem logical to
25 you?

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 A: Anything probably I say, I don't know, but how would you
2 approach that, how would you take it, but that's what
3 happened.

4 Q: Okay. So now we're trying to -- come on, Carlo. Are you
5 -- what are you saying to her?

6 A: I was just saying we need to leave, please. Please come
7 on.

8 Q: Why do we need to leave? Why can't she stay there?

9 A: I just wanted to take her with me.

10 Q: She saw you kill him, didn't she?

11 A: She was in the car.

12 Q: She saw you shoot the gun, didn't she?

13 A: I have no idea if she saw anything like that.

14 Q: She --

15 A: She was in the car.

16 Q: Was she the only one out there when you shot Mr. Booker
17 to death?

18 A: She was in the car.

19 Q: Was she out in the yard, the car in the yard? Who else
20 would have seen you?

21 A: I don't know who else -- who else was out there. I don't
22 know who was home. I don't know none of that but her.

23 Q: She's in the car. You're in the trunk, shooting from
24 there. She's a witness; right?

25 A: She's in the car faced this way.

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 Q: Okay.

2 A: I'm in the back this way.

3 Q: You don't think she turned around while you were yelling
4 at Mike?

5 A: I don't know.

6 Q: She was your only witness too at that time, wasn't she?

7 A: I don't know what -- what -- how she was.

8 Q: So we got to get her away from the scene; right?

9 A: No, I was saying let's go because I didn't want to leave
10 her there. Why, I don't know, but I just wanted her to come
11 with me.

12 Q: Because she was the witness to you shooting the man to
13 death; right?

14 A: I don't know if she saw me shoot Michael.

15 Q: Okay. You drag her, and now we're trying to get into a
16 Nissan SUV?

17 A: Yes, sir.

18 Q: And what inspired you to put her in the back?

19 A: The passenger door wasn't -- I think it was locked, so I
20 took -- I put her in there, you know.

21 Q: Put? Speak up.

22 A: She got in the back seat, and I closed the door. Then I
23 went to the driver's side. And when I went to the driver's
24 side, the door -- I believe it was closed. So I couldn't get
25 in there, I believe, and so I went around again, and I asked

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 her, come on, come on, please, come on, come on, come on.

2 She's still -- she's still crying. So she gets out and we

3 went across the street back to the car, and when we got back

4 there, she -- she was saying, please calm down, please calm

5 down. And then Chris pulled up. And when Chris pulled up and

6 I let her go and I went into the Honda. I seen it was

7 running. I got in the car and left.

8 Q: So you did leave her behind? I thought you --

9 A: Yes.

10 Q: -- didn't want to leave her behind?

11 A: Well, when I seen Chris, you know, I just let her go and

12 -- and I left.

13 Q: Maybe you got the neighbor yelling at you, and now you

14 got Chris out there, and now you hear sirens. So you say to

15 hell with Carlo, I'm getting out of here?

16 A: No.

17 Q: Maybe is that how it happened?

18 A: When I seen Chris, I -- I probably calmed down a little

19 bit more.

20 Q: He has that effect on you?

21 A: Yeah. And you know, somebody that I talk to, you know,

22 we was friends at the time. And so I just left.

23 Q: Okay. So he didn't calm you down enough to say, Craig,

24 chill out. Let's have a seat. Let's walk through this.

25 What's going on here?

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 A: No. He -- well, when he came in and said what happened,
2 I couldn't answer it.

3 Q: You didn't even tell him man down, man down? Then you
4 drove away?

5 A: No, I did not.

6 Q: You just left him to --

7 A: I just left.

8 Q: And you say the whole time you still got that pistol and
9 you're banging it on the console and --

10 A: Yeah, because I don't know what's going on, and I'm just
11 -- I'm talking to myself. What happened? How did this
12 happen? Why? And I can't come up to an answer or a
13 conclusion to this.

14 Q: Okay. So when you did the shooting, you were confused
15 and --

16 A: Confused.

17 Q: -- panicked?

18 A: I panicked.

19 Q: You've said that a number of times that when you pulled
20 the gun, you were confused and panicked?

21 A: Yes.

22 Q: Right? So now we've got the pistol and, really, that's a
23 murder weapon. You probably had a pretty good idea you had
24 killed the man; right?

25 A: I don't know.

CRAIG EDWARDS - CROSS BY MR. SCOTT

- 1 Q: Okay.
- 2 A: I didn't know at the time.
- 3 Q: What's a rational outcome when you empty a clip at
4 somebody? Isn't it rational to believe you hurt them very
5 badly or possibly killed them?
- 6 A: I have no idea.
- 7 Q: You don't know --
- 8 A: No.
- 9 Q: -- if that's something that might happen to somebody?
- 10 A: I mean, I don't know if I killed him or not.
- 11 Q: Because you didn't check on him; right?
- 12 A: No, I did not.
- 13 Q: Your best friend?
- 14 A: Yes, sir.
- 15 Q: So now we're driving with a murder weapon, and we got to
16 get rid of it. And did you see -- because you watched the
17 video now from the police officer's point of view. He was
18 kind of following you for a while, and they had information
19 you had just shot a man to death; right?
- 20 A: Yes, sir.
- 21 Q: At what point did you become aware, uh-oh, there's a
22 police officer behind me?
- 23 A: Actually, I didn't know the officer was behind me until
24 the sirens came on.
- 25 Q: Okay. Now, even then, you were just a couple blocks from

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 your house; right?

2 A: Yes, sir.

3 Q: Why not just go to the house?

4 A: That's when I passed the street.

5 Q: Why?

6 A: I don't know. I was confused, and I know -- see, we had

7 two houses at that time and --

8 Q: Pick one. Go to either one of them.

9 A: But I passed the street.

10 Q: Why?

11 A: I'm not thinking straight.

12 Q: You weren't thinking straight a lot that day, were you?

13 A: No, I was not. I mean, something had happened. I don't

14 know.

15 Q: You sure you weren't under the influence of something?

16 A: No, I wasn't. I didn't take nothing that day. I didn't

17 do nothing at all besides what I had on medication.

18 Q: Okay. Do you normally walk around confused?

19 A: I have headaches sometimes.

20 Q: Do you normally walk around confused?

21 A: No, I wouldn't say confused, but I go into -- you know, I

22 have little moments sometimes, but not that day.

23 Q: On this particular day, you were probably more confused

24 and not thinking clearly as compared to most days; right?

25 A: Right. Yes, sir.

CRAIG EDWARDS - CROSS BY MR. SCOTT

- 1 Q: Because we make some statements that day that are rather
2 bizarre, do we not?
- 3 A: Yes, sir.
- 4 Q: Okay. Sure you weren't on PCP?
- 5 A: Not at the time, I wasn't.
- 6 Q: Sure you weren't on angel dust or whatever you call it?
- 7 A: Not at the time, I wasn't.
- 8 Q: What do you mean? What time were you on angel dust?
- 9 A: I mean, in my past, yes.
- 10 Q: What do you -- what does one experience when they're on
11 angel dust?
- 12 A: I don't know all the -- I don't know the effects of that.
- 13 Q: How does it affect you? Does it make you jittery?
- 14 A: No, I wouldn't say that.
- 15 Q: Change your perception of reality?
- 16 A: I mean, you're sitting there.
- 17 Q: Does it make you speed up or slow down?
- 18 A: No, I just sit there.
- 19 Q: Does it make you sweat more than normal?
- 20 A: No.
- 21 Q: Make you fidgety?
- 22 A: No. Not that I can think of, no.
- 23 Q: Does it make you paranoid?
- 24 A: I haven't had issues like that.
- 25 Q: Does it make you feel violent or aggressive?

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 A: Never had a moment like that.

2 Q: Okay. Would you agree with me that those are effects of
3 PCP? Angel dust?

4 A: I don't know all the effects, and I don't -- I wouldn't
5 -- I mean, I haven't looked it up or anything like that. 'No,
6 I haven't.

7 Q: You're telling the jury when you take angel dust, it just
8 makes you sit there?

9 A: No. It wasn't -- I wouldn't say it -- that's my opinion.
10 I mean, I sit there, and I couldn't -- I wouldn't be angry or
11 anything like that, but I never had an episode of -- I never
12 had a -- a situation that I was angry or something like that,
13 so, you know.

14 Q: Okay. You were pretty angry when you got the police
15 station, weren't you?

16 A: At the police station, I'm still confused. I got me in
17 mind, but I mean, because to me, everything went through my
18 mind, like what happened, you know? I'm still thinking what
19 happened? A split second. I don't -- I don't understand.

20 Q: And you would have times where you were kind of being
21 sedate, but then you'd have explosions where you were yelling
22 out loud at the police station. Do you remember that?

23 A: Not really.

24 Q: Do you remember going to the police station and speaking
25 with officers?

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 A: I remember at the police station talking about where was
2 I or something like that.

3 Q: Do you remember speaking with them there?

4 A: He asked me where I was at and where I was coming from.
5 Yes, sir.

6 Q: Do you remember when they stopped you after that police
7 chase where you ran half a dozen stop signs, ran through red
8 lights, and only after you felt like you got rid of the murder
9 weapon did you come to a stop? Do you remember what you were
10 saying when you got out of the car?

11 Q: After I -- I don't remember anything I was saying at that
12 day, but after I looked at the video, yes. Yes, sir.

13 Q: You don't? Now, how is it that you don't remember
14 anything you said that day, but you had been up here for about
15 the last two hours talking about everything that happened on
16 February 2nd, everything that happened on February 3rd, but
17 now you're telling me you don't remember anything?

18 A: No. Not anything. I don't remember everything that I
19 said.

20 Q: Okay.

21 A: Yeah.

22 Q: Does it surprise you now to see yourself get out of the
23 car and the first thing you say is I was in the hospital last
24 night, I'm on a dangerous drug called PCP? That's the very
25 first thing you say to law enforcement.

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 A: Yes, sir.

2 Q: That's the very first thing you say to law enforcement.

3 A: Yes, sir.

4 Q: Why?

5 A: I blurted out. It just came out. I don't know why, but
6 it did.

7 Q: How many times have you walked around in your life and
8 blurted out I'm on PCP?

9 A: I never did that.

10 Q: That was the first time?

11 A: Yes.

12 Q: And that was also the first time you happened to find a
13 pistol in the trunk of a car just when somebody is running at
14 you with an object in their hand?

15 A: When I opened the bag, that's where I found it, sir.

16 Q: So that's two firsts that happened on February 3rd, 2020?

17 A: Yes, sir.

18 Q: All right. So then they take you to the jail. Do you
19 remember at some point taking all your clothes off and putting
20 them in the toilet of your cell?

21 A: When I got there, I actually used the bathroom at that
22 time. I was a little late using the bathroom, and I kind of
23 used the bathroom on myself.

24 Q: Oh, and so the first thought was I'm going to put all my
25 -- my clothes into this toilet water?

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 A: It was embarrassing, and I didn't know how to accept
2 that.

3 Q: You don't think the jail personnel have seen something
4 like that before?

5 A: I don't know. I wasn't thinking that if they did or not.
6 I was just thinking that I used the bathroom on myself, and
7 that was embarrassing.

8 Q: And you walked around in the nude yelling at the guards?

9 A: No, I ain't walked around. I was in a closed cell.

10 Q: With your clothes in the toilet?

11 A: Yes, sir.

12 Q: First time you've done that?

13 A: I imagine so.

14 Q: You sure you weren't under the influence of anything that
15 day?

16 A: Nothing besides medication because I just woke up, and
17 that's when we went.

18 Q: No antibiotics?

19 A: No, I'm saying that's the only medications that I was on
20 that moment.

21 Q: All right. You get to the station. You get to the
22 station, and they read you your Miranda rights. Remember
23 that?

24 A: Yes, sir.

25 Q: You have the right to remain silent. You don't have to

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 talk with us. If you do, here's your rights, and you initial
2 them?

3 A: Yes, sir.

4 Q: And you agree to talk with them, and you sign your name
5 at the bottom. Do you remember that?

6 A: Yes, sir.

7 Q: And then you proceeded to talk with them?

8 A: Yes.

9 Q: Voluntarily?

10 A: He was just asking me where I was coming from and where
11 was I going.

12 Q: Okay. And your answer was?

13 A: I was going home.

14 Q: Okay. And he said do you know why we're here, and your
15 answer was?

16 A: I believe, no. I'm not sure what all I said that day.

17 Q: Tell me if this sounds right. I don't know what's going
18 on. I have no idea why we're even here.

19 A: Okay. Yes.

20 Q: Do you endorse that? Do you agree with me there?

21 A: Yes, sir.

22 Q: Is that true? Did you not know why you were there?

23 A: No. I mean, all I was thinking about was I don't know
24 what -- what was going on or what happened where I just came
25 from, and I didn't know how to talk to the officers then about

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 the situation. And I didn't want to, you know, do or say
2 anything that, you know, might, you know, hurt -- hurt me in
3 any way.

4 Q: Okay. Well, that's why you say I don't want to talk with
5 you; right? But you -- you wanted to tell them a story where
6 you didn't know anything about anything; right?

7 A: I just -- he asked me a question about where I just come
8 from and where I was going, and I said I was on my way going
9 home, and that I was fixing a certain car and I was riding it
10 around.

11 Q: That was a lie; right?

12 A: Well, technically, yes, it is.

13 Q: Okay. And it was a lie that you had no idea why you were
14 there; right?

15 A: Yeah, you could say that.

16 Q: What else could I say?

17 A: I mean --

18 Q: A lie is a lie; right?

19 A: What just happened, I don't know exactly if he's, you
20 know, dead or not, but I didn't want to really talk about the
21 situation to the officer at that time.

22 Q: But you voluntarily did after signing this?

23 A: He asked where I came from, you know.

24 Q: Hold on.

25 A: So --

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 Q: I've got notes. So if you need me to refresh your
2 memory, I can play these portions for you if you need me to.
3 A: All right. I'm listening.
4 Q: Okay. First thing, you know why we're here, and you say
5 I have no idea why we're here. Do you agree?
6 A: Yes, sir.
7 Q: Okay. Then he says whose car were you in, and you said
8 you have a friend that just lets you drive around in cars?
9 A: Yes, sir.
10 Q: Okay. He said, well, what are you doing in the car, and
11 you said I'm just driving it around to make sure it runs okay?
12 A: Yes, sir.
13 Q: And that's what's going on today?
14 A: Yes, sir.
15 Q: They ask you again where you were coming from, and then
16 you mentioned that you black out sometimes.
17 A: Yes.
18 Q: Remember that?
19 A: Yes, sir.
20 Q: And then he said is that what happened, and then you say
21 I probably blacked out?
22 A: Yes, sir.
23 Q: Okay. And then, again, you say you really don't know why
24 we're sitting here in the --
25 A: Yes, sir.

CRAIG EDWARDS - CROSS BY MR. SCOTT

1 Q: -- in the police station talking about this? They ask
2 you about a girlfriend. You say you don't have a girlfriend?

3 A: Yes, I do. I was thinking about it, and I was like, no,
4 you say no because, you know, we've been dating, but it would
5 start off as a phone conversation, but it only was talking
6 months and -- and I just said, no, I'm single.

7 Q: That was a lie?

8 A: Well, I was dating her.

9 Q: Well, would it surprise you if later on you referred to
10 her as your fiancée?

11 A: No, I don't remember, but --

12 Q: Do you want me to play it for you?

13 A: No.

14 Q: Do you agree with me that maybe you said that?

15 A: Yeah, I heard it.

16 Q: You don't have to take my word for it. I've got the
17 video I can play for you, but would it surprise you if at
18 first you say I don't have a girlfriend and then later, after
19 rambling on, you admit that she was your fiancée?

20 A: Yes, I've seen the video. That's what I said.

21 Q: Okay. So you were lying a lot that day; right?

22 A: Well, I didn't want to keep the conversation going, and I
23 felt it probably would stop if I tell them a little bit.

24 Q: Oh.

25 MS. GOODE: Your Honor, can we just approach for a

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1 second?

2 THE COURT: Sure.

3 (WHEREUPON, a bench conference was held off the record,
4 after which the proceedings resumed as follows.)

5 BY MR. SCOTT:

6 Q: So what's the strategy? You say if I tell them a little
7 bit, maybe they won't ask me any follow-up questions?

8 A: No. I think the conversation will stop if I haven't
9 given -- you know, if I answered the questions, but my mind
10 is, like, say something. I don't know if it's kind of abuse.

11 Q: Okay. You eventually kind of yell out I don't know what
12 the fuck is going on, but you did; right?

13 A: Yes, sir.

14 Q: Then you say -- they say, well, why did you run from us,
15 and you said because you were worried the car may be stolen?

16 A: It was an issue I had years back when I was trying to fix
17 somebody's vehicle, but the car actually was reported stolen.

18 Q: Did you run from the cops then?

19 A: No, I didn't.

20 Q: Okay. So at this time you thought maybe Chris Martin had
21 you working on stolen vehicles. So that's why you were
22 running from the cops?

23 A: No, I said it, and -- and I pulled off just so after I
24 told him that maybe he would stop asking me questions.

25 Q: Okay. And then you said I don't even know whose car this

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1 is?

2 A: Yes, sir.

3 Q: Okay. You said sometimes you wake up, you don't know
4 where you are. You might even wake up in a swamp somewhere?

5 A: Yeah, it was being sarcastic. So --

6 Q: You've never woken up in a swamp?

7 A: No, I never woke up in a swamp.

8 Q: All right. They asked about the gun that you threw out,
9 and you said I don't know anything about that gun?

10 A: Yes, sir.

11 Q: You didn't say that was the gun I had to protect myself
12 with. That was the gun I found in the trunk of the car. I
13 don't know whose gun this is, but I just found that gun?

14 A: No, I did not.

15 Q: Do you remember asking about your charges? Do you
16 remember saying you don't know who the hell Michael is?

17 A: At that time, I was still confused, and I didn't want to
18 talk about it. So I said that.

19 Q: So you --

20 A: I didn't really want to talk about the situation at all.
21 That's why I tried -- kept changing the subject on anything
22 like that.

23 Q: Okay. But you -- instead of not answering, you said I
24 don't know who Michael is?

25 A: I just told them that because I didn't want to answer any

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1 questions. I still don't know what's going on. I'm still
2 confused. I mean, everything was running through my mind at
3 the time. I don't know what to answer. I don't know what to
4 say.

5 Q: Well, you did say your name was Gregory Dixon. Remember
6 that?

7 A: Yes.

8 Q: Is that true?

9 A: No. I tried to change my name in 2015 or something
10 because the last name of Edwards is my mother's marriage name,
11 not maiden name. So I wanted to go back to that, but then I
12 would have had to go through some other changes and pay some
13 money that I didn't have. So I didn't do that.

14 Q: So mid-interview you decide to tell the police that your
15 name is Gregory Dixon, and we don't know why we did that?

16 A: No.

17 Q: You say you don't know who the fuck Carlo is, I don't
18 know a damn Carlo?

19 A: Yes, sir. I was just trying to not answer none of the
20 questions. I was just trying to change everything.

21 Q: Carlo, the woman we were trying to get in the car so we
22 could get out of there together, but ultimately left behind.
23 Carlo, the woman who has cancer that you care for so much, and
24 you don't know who she is; right?

25 A: Yes, sir. That's what I said.

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1 Q: Okay. Do you remember saying I smoked some shit, I don't
2 know what's going on. PCP is a drug that makes you black out.
3 I don't remember nothing?

4 A: I figured when I -- when I rushed that out, I didn't know
5 what the hell I was talking about.

6 Q: Okay. Do you know what the hell you're talking about
7 today?

8 A: What happened in there, if that didn't happen, I wouldn't
9 -- I don't know how I would still react. If everything would
10 have been different, I still don't know what I would've said.

11 Q: Okay. And again --

12 A: I mean, somebody just got shot. I'm sitting there.

13 Q: Pretending not to know who he is?

14 A: I don't know what's going on. All I really wanted to do
15 was just let them stop talking or asking me questions and try
16 to get me an attorney or something.

17 Q: Wait a minute. These are things you are offering them.
18 They're trying not to talk to you. You're asking what my
19 charges are. They say murder. You say who did I kill, and
20 they say Michael Book -- Michael Booker. You say I don't know
21 a damn Michael Booker. These are you talking to them.

22 A: I didn't even --

23 Q: They aren't asking you.

24 A: I still don't know what was leading me, sir.

25 Q: Okay. They're asking for your address. Asking if Carlo

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1 -- you said you don't know it. They say would Carlo know it,
2 and you say who's Carlo? I mean, these are you. You're
3 asking these questions. Nobody's making you ask these
4 questions. Then you offer this. My fiancée -- fiancée Carlo,
5 she warned me about smoking PCP.

6 A: That's not my fiancée. I never asked her to marry me.

7 Q: Dude, I didn't say it. You did.

8 A: I know, I know. I'm trying to clear that up as much as I
9 can, but I wasn't in a -- I was -- my mind was still racing.
10 I mean, I'm in handcuffs.

11 Q: Well, that's something that PCP makes you do? It makes
12 your mind race?

13 A: Yeah. We were at the police department. I was locked up
14 once again, and I don't know how to handle it. So everything
15 that came out, it came out. I still don't know how to handle
16 this.

17 Q: Carlo --

18 A: No.

19 Q: Has Carlo really warned you about not smoking PCP?

20 A: Me and Carlo never even talked about drugs before, never.

21 Q: I wonder why you said that?

22 A: I have no idea why I said it.

23 Q: I wonder why you shot Michael Booker to death? I wonder
24 why you put 29 holes in him?

25 A: That's something I can't answer, the questions. I don't

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1 even know how many times I shot him. I don't know how many
2 times he -- the bullets hit him. I don't even know how many.
3 I don't.

4 Q: Were you listening yesterday?

5 A: Yesterday? That's when I -- I seen the paper.

6 Q: And his sin was holding this thing that you've held a
7 bunch of times before too to work on a car. This gets you
8 killed in Craig Edwards' world; right?

9 A: Not in my world.

10 Q: Who pulled the trigger, man?

11 A: Yes, I did, sir.

12 Q: Yep. The sin of holding this table leg in his hand.

13 A: I didn't know what it was at the time.

14 Q: It's got your DNA on it. You've held it a bunch of times
15 yourself.

16 A: I still didn't know what he had then. I didn't.

17 Q: Do you deny holding this? Do you deny using it to prop
18 up hoods?

19 A: I don't -- I didn't know that's what he had.

20 Q: Were you here listening to your -- what's the guy who's
21 like a father to you?

22 A: Yes, sir.

23 Q: That man pulled a pistol on 20 people.

24 A: He was trained -- trained by his job. That's what he was
25 doing. I didn't know. I'm not. I never had a job like that.

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1 I mean, he's a trained officer. He's been working like that
2 all his life.

3 Q: So maybe untrained people are you saying shouldn't be
4 handling firearms they're not familiar with?

5 A: I shouldn't have been handling firearms that I'm not
6 familiar with.

7 Q: But you did?

8 A: Yes.

9 Q: And then after you say that Carlo has warned you about
10 smoking this angel dust, you again mention as they're leading
11 you out that you blacked out a bunch on PCP?

12 A: Me and Carlo never had this conversation.

13 Q: So why did you tell law enforcement that?

14 A: I have no idea why I said it. I blurted out a lot of
15 things that I did, and I don't know why.

16 Q: Several times?

17 A: Yes, sir.

18 Q: Would you be surprised that the camera keeps running when
19 they leave the room? And at one point you're by yourself in
20 there and you say to yourself I got to quit smoking this shit?

21 A: Yes, sir.

22 Q: So now you don't even know why you're telling yourself
23 certain things. Is that what you're saying?

24 A: I was talking to myself the whole time after this
25 situation I had.

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1 Q: But you're asking or you're telling yourself you really
2 should stop smoking this shit?

3 A: I'm telling myself -- yeah, there is more conversation
4 than that in the car.

5 Q: I wonder why you're telling yourself you need to stop
6 smoking PCP, if that's not true?

7 A: I was telling myself what happened.

8 Q: I wonder why you were telling yourself you need to stop
9 smoking PCP?

10 A: I was in a room and I'm looking at the camera as well,
11 and I'm blurting out stuff and maybe they can come in there.
12 I probably wanted for them to come in here for attention as
13 well, because nobody really explained to me -- really
14 explained to me what was -- what happened, if he died or -- or
15 -- or is she okay or anything like that.

16 Q: But I wonder if it's maybe -- did you think that might be
17 a defense? Like, if you could say I'm on PCP, I didn't know
18 what I was doing or something like that? Were you trying to
19 do that maybe?

20 A: Maybe somebody probably like a lawyer that came through
21 would talk to me or something.

22 Q: So -- so if you could say I didn't know what I was doing,
23 I was on this PCP, maybe that would help explain why you did
24 it? Is that what you --

25 A: No. Maybe somebody would ask me if they came in what

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1 you're talking about or maybe an attorney or, you know, just
2 anything. Why don't we burn it out? I don't know really why
3 I did that, but I'm -- I needed help, and I needed to talk to
4 somebody that wouldn't judge me or whatever that happened just
5 now because it happened so fast, I still didn't know what was
6 going on.

7 Q: You didn't have time to think?

8 A: No, I didn't, and I --

9 Q: Panicked? Confused?

10 A: Yes. I mean, I feel like somebody's trying to hurt me.

11 Q: You weren't angry? You weren't angry at Michael Booker?

12 A: I wasn't. I had no reason to be mad with him that day.

13 Q: You had no reason?

14 A: No, I haven't.

15 Q: Okay. All right. And you weighed about 70 pounds more
16 than him; is that right?

17 A: I don't know how much I weighed back then, and I didn't
18 know what he weighed until now.

19 Q: You testified earlier you weighed 225 pounds. 225 minus
20 155 pounds is 70 pounds.

21 A: No, I didn't know how much he did weigh. I didn't.

22 Q: Did you hear the doctor testify?

23 A: Yes, I heard it. Yes, sir.

24 Q: And you testified earlier you weighed 225 pounds?

25 A: Yes, sir.

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1 Q: You don't think you could have beaten the crap out of
2 Michael Booker if you wanted to?

3 A: I don't think so.

4 Q: No?

5 A: I wouldn't know. I never had a fight with him. I never
6 raised my hand or we never had an altercation for me to think
7 I can beat him.

8 Q: 155 pounds fully clothed, but holding that stick got him
9 29 holes, top to bottom. Are you sure you never -- you've
10 never had any training with a weapon? Because --

11 A: I never had training.

12 Q: Did you see that mannequin?

13 A: Yes, sir, I seen it.

14 Q: The cluster right around his pelvis, did you see all the
15 rounds you shot right there into his pelvis?

16 A: I seen the mannequin. Yes, I did.

17 Q: Does that surprise you you shot him that many times and
18 hit every time?

19 A: I was surprised I shot him at all.

20 Q: But if it weren't for the magically appearing pistol,
21 your testimony to this jury is you felt it was him or you?

22 A: Yes, sir.

23 Q: Thank goodness that pistol shows up when a man's coming
24 around the corner with it. Again, your testimony was he was
25 holding it down?

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1 A: Yes.

2 Q: Okay. And you testified earlier where the car is there?

3 A: Yes.

4 Q: Near where his body was?

5 A: Yes, sir.

6 Q: And you shot him. After turning around, you pulled the

7 gun out and shot a gun you've never shot before?

8 A: Yes, sir.

9 Q: Was it the same gun, though, that you had just shown

10 Chris Martin the night before?

11 A: I never showed nobody no gun.

12 Q: That's your testimony? You didn't have it the night

13 before?

14 A: No, I didn't show -- I didn't show nobody no gun the

15 night before.

16 Q: You think Chris Martin was just mistaken? Maybe it was

17 some guy who looked like you who showed it to him?

18 A: Somebody that looked like me? I didn't show nobody no

19 gun that night.

20 Q: Okay. So if Chris Martin said he thought you showed him

21 a gun the night before, he's mistaken, not you?

22 A: I don't know what to tell you about that, but I didn't

23 show anybody a gun that night.

24 Q: Okay. Because your testimony to the jury is it just

25 magically appeared in the trunk, and you had no idea it was

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1 there?

2 A: It was in a bag in the trunk.

3 Q: Okay. It just shows up magically right when you need it,
4 right when this guy is coming at you with a table leg. That's
5 your testimony?

6 A: I don't know how to explain that, but it was in the bag.

7 Q: And you lied all through your interview. You agree with
8 me on that; right?

9 A: Yes, sir. Yes, sir.

10 Q: And our testimony is we just tell people that we're on
11 PCP and we don't really know why. That's just something Craig
12 Edwards does?

13 A: I'd just been through something. I don't know why. I
14 don't know why it happened. I don't know why I said that. I
15 don't know why I shot him like that. I don't understand. He
16 got shot, and I can't figure out why he came at me like that.
17 I don't understand why would he come at me like that. I don't
18 understand why you're coming towards me with anything in your
19 hand. I don't -- I don't -- it happened so fast. I just
20 don't understand what happened.

21 Q: Did you think, though, maybe he's coming around with this
22 thing you and he prop up hoods with to see why you're yelling
23 for him to come to you?

24 A: There was no car that we need to put a hood up on.

25 Q: This has your DNA on it because you've touched it a bunch

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1 of times; right?

2 A: I understand.

3 Q: This has his DNA on it because he's touched it a bunch of
4 times; right?

5 A: Yes, sir.

6 Q: Okay. So when you see him come around the corner after
7 you're yelling for him to come to you, why do you suddenly
8 expect that he's about to kill you with this stupid thing?

9 A: I can't even see it really. I don't know what it is. I
10 don't -- I didn't see it until he was lifting his hand up. I
11 don't know what it is. I still didn't know what it was.

12 Q: Jeez, dude. So it could have been his cell phone. It
13 could have been a pair of keys. So you're just going to blow
14 a man away without knowing what he's got in his hand?

15 A: I don't know what happened, sir. I don't know with that.
16 I don't know why I didn't answer the question, but that's what
17 happened. I don't know.

18 Q: So his sin was walking towards you with a tool that both
19 of you normally use, and you mow him down after glancing at
20 him over your shoulder?

21 A: I don't know about what you're saying.

22 MR. SCOTT: Nothing further, Your Honor.

23 THE COURT: Redirect.

24 MS. GOODE: Nothing, Your Honor.

25 THE COURT: Okay. Mr. Edwards, you may step down. Thank

1 you very much.

2 Would the defense like to call another witness?

3 MS. GOODE: The defense rests, Your Honor.

4 THE COURT: All right. Y'all approach real quick.

5 Stand up. Stretch, twist, and turn.

6 (WHEREUPON, a bench conference was held off the record,
7 after which the proceedings resumed as follows.)

8 THE COURT: Okay. So here's what we're going to do,
9 ladies and gentlemen.

10 The defense has rested their case. The State has chosen
11 not to call any reply witnesses. So we're at the end of the
12 testimony. Okay? Now, it takes me about an hour to an hour
13 and a half to put together what we need to put together for
14 closing arguments. Okay?

15 And then there's no time limits on closing arguments, and
16 there's been a lot of testimony in the case. So add another
17 hour on top of that probably for closing arguments, then
18 another 30 minutes for me to explain to you the law. It would
19 probably be about 6 o'clock tonight before you actually
20 started deliberating. Okay?

21 So we're not going to do that. Okay? So what we're
22 going to do is we're going to stop now. We're not going to
23 stop. We have work that we need to do to be ready for you,
24 but I'm going to let you stop for the day and go ahead and go
25 home. And then when you come in tomorrow morning, we're going

1 to go -- we're going to order you lunch tomorrow so that the
2 County will pick up your lunch tomorrow. They'll give you
3 menus in the morning.

4 When you come in in the morning, we'll go straight into
5 the closing arguments and I'll instruct you on the law, and
6 then you won't feel these time constraints about it's 7 or 8
7 o'clock and I want to go home, or some people want to stay and
8 some people want to go. We don't really have to kind of get
9 into all that.

10 It's -- it's -- I've done a lot of these in my life.
11 When I was a young judge, sometimes I would start them --
12 people start deliberating at 6 or 7 o'clock at night. It's
13 not fun for court staff. It's not fun for jurors. If it was
14 Friday, that would be one thing; right? But it's Wednesday.

15 So we're just going to stop you guys from right now. You
16 go home for the night. Enjoy your Wednesday evening. We're
17 going to start tomorrow morning at 9:30.

18 Now, I'm going to remind you you shouldn't be talking
19 about the case with anyone. That includes each other. You
20 shouldn't be letting anybody talk to you about the case. You
21 shouldn't be doing any research on the case or trying to
22 figure something out or doing some kind of your own
23 investigation or trying to figure something out in the case
24 that you want answered. Okay? You shouldn't be having any
25 contact with anybody involved in the case.

1 When you come in tomorrow morning, I want you bright-eyed
2 and bushy-tailed. Okay? So bring you some coffee or tea or
3 whatever you drink in the morning or a soda to get you ready
4 to go.

5 These attorneys have done a good job in presenting their
6 cases. They've been living with this case for a few years,
7 and tomorrow will be their final opportunity to address you.
8 So I want you all to be awake and give them your undivided
9 attention. Okay? This case is very important to both sides,
10 as I'll explain to you tomorrow.

11 And so come in tomorrow morning ready to hear some
12 closing arguments. Then I'll instruct you on the law after
13 that. And then we will -- you'll be allowed to begin
14 deliberating, and I'll explain to you exactly how that works
15 and what steps you should go through. Okay?

16 So I'm going to release you now. Enjoy your evening.
17 We'll start tomorrow morning at 9:30.

18 Anything from the State before I release the panel for
19 the evening?

20 MR. SCOTT: No, Your Honor.

21 THE COURT: From the defense?

22 MS. GOODE: No, Your Honor.

23 THE COURT: Thank you, ma'am.

24 All right. Have a good evening. Thank you.

25 Everyone else, stay seated, please.

1 (WHEREUPON, the jury exited the courtroom at 3:24 p.m.)

2 THE COURT: Okay. All right. Let's renew motions and
3 all that kind of good stuff. Go ahead.

4 MR. BRADY: Okay. Your Honor, at this point in time, we
5 renew all of our motions and objections that we made
6 throughout the trial during the State's case in chief, as well
7 as during presenting our defense, and that includes our
8 previous motions for a directed verdict. We ask that you
9 reconsider any rulings that you held against us and change
10 those to what we have previously requested.

11 THE COURT: Okay. I find your objections are noted for
12 the record. My ruling upon them would be the same.

13 And so the record is clear, there was no use of any
14 information obtained from jail phone calls that were used
15 during the cross-examination of the defendant.

16 Okay. And the State is not calling any reply witnesses.
17 Am I right about that?

18 MR. SCOTT: Correct, Your Honor.

19 THE COURT: Okay. And then the only proposed charge from
20 the State was the voluntary intoxication charge; is that
21 correct?

22 MR. SCOTT: Yes, sir.

23 THE COURT: Okay. Is there any objection to that charge
24 from the defense?

25 MR. BRADY: There's no objection, Your Honor. We did

1 have one instruction that we ask to be tied to that, and I
2 emailed it over this morning, too.

3 THE COURT: Is that the one where you put in the email
4 there's no law that supports this?

5 MR. BRADY: Correct, Your Honor. I said we're -- it's
6 basing on the specific facts and evidence presented in the
7 case and ask that you tailor that or a similar instruction to
8 it stating that intoxication does not preclude presenting
9 self-defense, and intoxication also does not preclude a jury
10 of finding him guilty of the lesser-included offense of
11 manslaughter rather than murder.

12 THE COURT: Okay. Mr. Scott?

13 MR. SCOTT: I think that makes it wholly confusing. I
14 think that's repeating charges that are already going to be in
15 Your Honor's standard --

16 THE COURT: I mean, the law is that voluntary
17 intoxication is not a defense.

18 MR. SCOTT: Right.

19 THE COURT: So, I mean, that's the statement of the law
20 that is accurate in South Carolina. You're responsible for
21 committing the crime whether you're sober or intoxicated by
22 alcohol and/or drugs if it was a voluntary intoxication.

23 Further, he's testified in his own defense that he wasn't
24 under the influence of anything and all that was just made up.
25 So I'm not -- I don't find those statements to be -- no one's

1 going to tell them that just because he's voluntarily
2 intoxicated doesn't mean he's not -- he can't claim the right
3 to self-defense. It's just that voluntary intoxication in and
4 of itself is not a defense to a crime.

5 Okay. And she went to print the rest of the defense's
6 requested charge. I'm going to go through the basics that I
7 charge in every case.

8 I've directed a verdict on the possession of a stolen
9 pistol. So that's out.

10 So we'll go through the fact that he was indicted, the
11 fact that he's indicted is not evidence. They're the judge of
12 the facts. I'm the judge of the law. These are things I say
13 in every single case. They are the sole and exclusive judge
14 of the facts.

15 The defendant is presumed innocent. It's like a robe of
16 righteousness placed about his shoulders, the same charge that
17 we've been saying in this state for more than 20 years. It's
18 not a mere legal theory. It's a substantial right.

19 On reasonable doubt, I charge firmly convinced from
20 *Victor v. Nebraska*. I also explain to them what is not
21 evidence, and -- whoa, I hit the wrong button. Hold on.

22 I give the new circumstantial evidence charge, which says
23 all of the circumstances must be consistent with each other
24 and when taken together point conclusively to the guilt of the
25 accused. And the normal credibility of the witnesses charge

1 that I give all the time. I will give an expert witness
2 charge that ends with you're not required to accept an
3 expert's opinion even though it's not contradicted.

4 I'll give a charge on statement of the defendant since
5 the State asked the defendant about his statement to police
6 while questioning.

7 I give the normal standard of intent charge. I'm going
8 to take out the last paragraph with intent. I'm going to take
9 out the last paragraph of the intent charge, which says
10 criminal intent can arise from an accident or a failure to
11 act. It can arise from negligence or recklessness or
12 indifference to duty or to consequences that are considered by
13 the law to be intent.

14 I think that makes things confusing. Every time I read
15 it, I kind of get confused. So I'm going to take -- there you
16 go, that last paragraph.

17 Is there any objection to that from the State?

18 MR. SCOTT: No, Your Honor. I don't think that applies
19 to our case.

20 THE COURT: From the defense?

21 MS. GOODE: No, Your Honor.

22 MR. BRADY: We object.

23 THE COURT: No objection?

24 MR. BRADY: No. No, Your Honor.

25 THE COURT: Okay. All right. And then I'm going to put

1 the voluntary intoxication paragraph right after that.

2 And then with murder, he's charged with murder. Hate --
3 malice is hatred, ill will, or hostility. And the intention
4 -- the standard charge. The only inferred malice charge I
5 give is malice may be inferred from conduct showing a total
6 disregard for human life.

7 All right. Is this -- is the defendant requesting a
8 voluntary manslaughter charge?

9 MR. BRADY: Yes, Your Honor.

10 THE COURT: Okay. And what's the State's call on that?

11 MR. FOWLER: Your Honor, I don't think that they've
12 presented evidence sufficient to warrant a charge of voluntary
13 manslaughter.

14 THE COURT: Okay. All right, I'm going to charge
15 voluntary manslaughter. I think based upon the facts and
16 circumstances that have been presented, in that, you know,
17 remembering the standard that's before the Court, which is the
18 existence of the evidence and not the weight of the evidence,
19 I'm going to give them the standard voluntary charge.

20 MR. SCOTT: Judge, I just -- and I respect your decision.
21 I would note that every time he was asked about his state of
22 mind at the time of pulling the trigger, he indicated he was
23 panicked and confused consistently. I asked him was there any
24 reason you should be upset with Mr. Booker? He said
25 absolutely not. I had no reason to be. Therefore, I don't

1 know that there's any heat of passion that has been spoken
2 from any witness.

3 THE COURT: Well, I --

4 MR. SCOTT: And -- I'm sorry.

5 THE COURT: I mean, I remember all that testimony that he
6 gave, but I also think that he's given testimony that he felt
7 that the victim was coming at him in an aggressive manner and
8 in a threatening manner and -- and that happened in a very
9 short period of time, along with somebody saying something.

10 And I think that -- I understand there's a lot of other
11 testimony in the record where he says -- I mean, I've written
12 it down, and he -- at one point this afternoon he said he
13 couldn't see the table leg. He didn't know what was in the
14 hand, which is obviously completely different than the
15 defense's opening statement, which said he was -- somebody was
16 coming at him with a steel pipe, which there's no evidence of
17 that in any way, shape, or form.

18 But I believe the standard is the -- is there anything in
19 the record that could create the necessity of the lesser
20 charge, and I think based upon portions of his testimony on
21 direct, I think that's how we get there. Okay?

22 The next thing I'll charge is the self-defense, and we're
23 going to come back to that because that's got about 15
24 different parts in it that we need to go through.

25 And after that is kidnapping. They must prove that he

1 knowingly and unlawfully seized, confined, inveigled, decoyed,
2 kidnapped, abducted, and then there's a definition for all
3 those words. Carry away means to remove. It doesn't have to
4 be done for any monetary gain or illegal purpose.

5 Possession of a weapon during the commission of a violent
6 crime. He has to possess or visually display what appeared to
7 be a firearm during a violent crime. Then we define firearm.
8 And then murder, involuntary manslaughter, and kidnapping are
9 all violent crimes, and that the -- the weapon furthered or
10 helped in the commission of the crime.

11 Failure to stop for a blue light is driving a motor
12 vehicle on a road, street, or highway, signaled to stop and
13 didn't. It doesn't have to be both. It can be one or the
14 other. They're allowed to consider such things as road
15 conditions and lighting and weather and all that kind of
16 stuff.

17 And then I give the normal close where sympathy, passion,
18 prejudice, or emotion, and then I kind of talk through how to
19 deliberate. All right?

20 So let's go back through self-defense because it's got
21 multiple parts. Okay? So self-defense is a complete defense.
22 And if established, you must find the defendant not guilty.
23 The State has the burden of disproving it, and that is carried
24 by disproving any one of the four elements. He must be
25 without fault in bringing on difficulty.

1 All right. And then we're going to go through all these
2 sections that we have to make decisions on.

3 So the first one is contemptuous language. Self-defense
4 is not available to a person who uses language which is so
5 contemptuous that a reasonable person would expect it to bring
6 on a physical encounter. Is the State requesting that?

7 MR. SCOTT: Would you read it one more time, Your Honor?

8 THE COURT: Yeah. Self-defense is not available to a
9 person who uses language which is so contemptuous that a
10 reasonable person would expect it to bring on a physical
11 encounter and which did actually contribute to the physical
12 encounter.

13 MR. SCOTT: I don't think so, Your Honor.

14 THE COURT: All right. Defense response on that?

15 MR. BRADY: No, Your Honor, we do not want that.

16 THE COURT: Okay. Contemptuous language is out.

17 The next one is mutual combat. I haven't heard any
18 evidence of mutual combat. Is the State requesting that?

19 MR. SCOTT: No, Your Honor.

20 THE COURT: Is the defense?

21 MR. BRADY: No, Your Honor.

22 THE COURT: Okay. Mutual combat is out. Hold on one
23 second.

24 The next element is the defendant was in imminent danger,
25 and this is when you get into the warranted person of ordinary

1 firmness and courage, that whole language. The defendant has
2 the right to act on appearances. He doesn't have to show that
3 he actually was in danger, if he believed he was in danger,
4 and then it's the jury's job to determine if that fear was
5 reasonable and would have been felt by an ordinary person.

6 The next subsection is words accompanied by hostile acts
7 may, depending upon the circumstances, establish self-defense.
8 Most of the states follow that.

9 MR. SCOTT: That's fairly standard. I don't really have
10 an argument against it.

11 THE COURT: Okay. And I assume the defense wants that?

12 MR. BRADY: Yes, Your Honor.

13 THE COURT: Okay. The next one is prior difficulties.
14 Prior difficulties between specifically the defendant and the
15 victim may be considered.

16 MR. SCOTT: I would ask that that not be included.
17 That's not the testimony.

18 THE COURT: Okay. And the defense?

19 MR. BRADY: No, Your Honor.

20 THE COURT: Okay. The next one is size and age. The
21 relative sizes, ages, and weights of the defendant and the
22 victim may be considered in deciding whether the apparent or
23 actual need for force and the amount of force needed.

24 MR. SCOTT: We would ask for that.

25 THE COURT: Okay. Any objection from the defense?

1 MR. BRADY: No objection.

2 THE COURT: Okay. The next one is the victim's violent
3 reputation. The reputation of the victim as a violent person
4 may be considered in deciding whether there was a need for
5 force and whether the force was reasonably necessary. What
6 was the State's thought on that?

7 MR. SCOTT: Mr. Haynes testified some of that. So I
8 think it would be appropriate.

9 THE COURT: I assume the defense wants that?

10 MR. BRADY: Yes, Your Honor.

11 THE COURT: All right. The next one is prior instances
12 of violence by the victim may be considered. What's the
13 State's thought on that?

14 MR. SCOTT: Well, again, I don't know. That might be
15 kind of piggybacking on what Mr. Haynes said. There's been no
16 evidence of prior difficulties or violence between he and the
17 defendant, but that's sort of the person's reputation for
18 violence. Well, then maybe I would ask for either that or
19 this instead of both. I think Mr. Haynes testified not
20 specifically to reputation, but rather a specific act.

21 THE COURT: Right.

22 MR. SCOTT: I see --

23 THE COURT: And Mr. Edwards also testified to some
24 specific acts with some customers. I'm not sure the more
25 appropriate between the two isn't prior instances of violence

1 by the victim as opposed. There's no evidence that his
2 reputation in the community was one for violence.

3 MR. SCOTT: Yes. So I'll backtrack, and I would object
4 to the reputation, but there has been testimony to specific
5 acts.

6 THE COURT: Okay. And the defense's thoughts?

7 MR. BRADY: We don't have an issue on the reputation for
8 violence. I think there's a turbulence one coming up that we
9 would like.

10 THE COURT: Turbulence?

11 MR. BRADY: My understanding is there's a reputation for
12 turbulence charge that's somewhat similar.

13 THE COURT: That's not in this charge book.

14 MR. BRADY: Okay.

15 THE COURT: So I'm not sure where that came from.

16 MR. BRADY: I believe it's *State v, Franklin*, 276 S.C.
17 240.

18 THE COURT: So I'm taking out victim's violent
19 reputation. There's no evidence of the victim having a
20 violent reputation, although there is evidence of prior
21 violence by the victim that's -- that's in the record. So I'm
22 going to leave prior violence by the victim in there.

23 Threats made by the victim. Is there any evidence of any
24 threats made by the victim in the --

25 MR. SCOTT: Not to the defendant, Your Honor.

1 THE COURT: All right. And what's the defense's thought
2 on that?

3 MR. BRADY: I think he's testified and I think Carlo also
4 testified don't bring that shit over here, Boobie. Don't be
5 bringing that shit over here. And I think it's that, in
6 combination with the hostile act, that could demonstrate that
7 there was a threat. So we would ask that you do charge that,
8 in addition to the hostile acts reports charge.

9 MR. SCOTT: I would say the testimony by the defendant
10 himself was that he never felt threatened. He said he just
11 couldn't understand why he was saying this, somebody was
12 acting like this. I was panicked and confused was what he
13 said the entire time. He never -- they were never able to
14 elicit testimony from him that he felt threatened or that he
15 perceived those as threats. Don't come over here with that
16 bullshit or some minor variation of that was the testimony
17 from several witnesses.

18 THE COURT: Yeah. I'll leave the threats by the victim
19 in.

20 The intoxication of the victim may be considered. Any
21 objection to that from the State?

22 MR. SCOTT: No, Your Honor.

23 THE COURT: Okay. And then the final element is there's
24 no other way to avoid the danger other than to act as the
25 defendant did. He was not on his own premises. So he did

1 have a duty to retreat.

2 And then let's see. Let's see. And then there's a
3 degree of force charge where you're not required to make an
4 exact calculation. You have the right to use the force needed
5 and to continue until the threat of harm has ended.

6 All right. And then let me -- you want this turbulence
7 charge?

8 MR. BRADY: Yes, Your Honor.

9 THE COURT: All right.

10 MR. BRADY: I think it may also be in the Ralph King
11 Anderson, if you'd like to look at it for a specific pattern
12 instruction.

13 THE COURT: Okay. I mean, I'm giving you the prior
14 violence ones, so I don't know that we need a reputation for
15 turbulence. All of his -- all of the victim's alleged prior
16 acts that the defendant knew about or was made aware of were
17 all testified to and admitted to or were all admitted into
18 evidence.

19 Okay. All right. Anything else the State wants?

20 MR. SCOTT: No, Your Honor.

21 THE COURT: Okay. Anything else the defense wants?

22 MR. BRADY: Yes, Your Honor. We'd like the instruction
23 that the defendant has no duty to retreat if by doing so the
24 danger of being killed or suffering serious bodily injury
25 would increase or if retreat was not possible. And that's

1 *State v. Fuller*, 297 S.C. 440.

2 MR. SCOTT: Well, that was never testified to. He said
3 he turns around and begins shooting. I asked him, well,
4 couldn't you have gotten in the car, couldn't you have walked
5 out here in the street, and he says, yeah, I suppose so, but
6 he basically says I don't know what was going on was how he
7 indicated things happened. He never indicated that I didn't
8 feel like I could leave. Never indicated that -- where's the
9 buzzing noise coming from?

10 THE COURT: I don't know that there's any evidence in the
11 record that if by retreating, he would have placed himself in
12 any greater harm.

13 MR. SCOTT: No.

14 THE COURT: He was the one who had access to the car and
15 the driver.

16 MR. SCOTT: And he --

17 THE COURT: He got in the car, according to him.

18 MR. SCOTT: Yes, sir.

19 THE COURT: I mean, there's no evidence that if he had
20 left, the situation could have gotten worse.

21 All right. Anything else?

22 MR. BRADY: Your Honor, in relation to at fault with --
23 without fault in bringing on the difficulty, I imagine the
24 State's going to argue about his history and not being able to
25 handle guns and shouldn't have guns, and they're going to

1 present that to the jury. Under *State v. Burrow* --

2 THE COURT: Argue what?

3 MR. BRADY: I think that the State's going to argue that
4 there's been testimony from Mr. Edwards that he can't have
5 guns or that there's testimony that --

6 THE COURT: He didn't testify to that. No one presented
7 any of that evidence. That never happened.

8 MR. BRADY: I think he testified that he should not have
9 been handling that gun. I think I do remember him saying
10 those words.

11 THE COURT: But not because it was illegal or because he
12 was prohibited by law from owning or possessing a firearm.

13 MR. BRADY: As long as there's going to be no arguments
14 about his unlawful possession of the firearm preventing him
15 from acting in self-defense, then I don't think there would be
16 an issue, but if the State planned to argue that to the jury
17 --

18 THE COURT: Well, I mean, there's no evidence of that in
19 the record.

20 MR. BRADY: And then the other reason I'd ask is because
21 of the unlawful carrying of a pistol charge. And again, if
22 they argued it, I think that could certainly be --

23 THE COURT: He's charged with unlawfully carrying a
24 pistol?

25 MR. FOWLER: He is, but we didn't proceed forward with

1 that.

2 MR. SCOTT: We didn't call that.

3 THE COURT: Okay. All right. What else?

4 MR. BRADY: Your Honor has given an implicit bias charge
5 in the past. We'd ask that you consider doing that in this
6 case. I think there's been some testimony about, you know,
7 people who lived lives that are a lot different than what you
8 or I or the prosecutors and the jurors might be used to, you
9 know, working in cars, kind of getting paid under the table,
10 being around people who have used drugs, whether in the past
11 or currently, and I think that that could be an important
12 instruction to help them consider everything.

13 THE COURT: All right. Thoughts on the implicit bias
14 charge, I usually give it at the beginning. I'm just going to
15 give it at the end.

16 MR. SCOTT: It's just ironic, you know, they talk about
17 my victim being a crackhead, a violent guy, and they're saying
18 don't be biased against people like that. Right? So I don't
19 know. I don't think it applies to this case, or I don't know
20 if it could be brought up any bias or whatever that's been any
21 kind of part of this case, you know, to the extent they talk
22 about him doing crack and having crack in his system, stenosis
23 caused by crack fluid build-up in the lungs because of crack.

24 I mean, if there's any bias being injected, it's by the
25 defense, and I don't think that would be something that's been

1 a theme in this case. I don't find it necessary, but I would
2 just implore them to base their verdict on the facts and the
3 testimony and credibility of witnesses. I think that's the
4 only tools they really need in a case like this.

5 THE COURT: I'm listening.

6 MR. BRADY: I just wanted to make it clear I don't think
7 anyone in the defense once called Mr. Booker a crackhead or
8 tried to disparage him in any way, but again, that's -- I
9 think we certainly talked about -- we certainly talked about
10 his cocaine use, but I think the wording was certainly not
11 meant to be in a way that would exacerbate or, you know,
12 attack his character or, you know, his history in that way,
13 just in the way that it's important for the jury to consider
14 it in this case. We want them to consider it respectfully
15 when they do consider it the case, and I think that charge
16 helps.

17 THE COURT: Okay. I may give some form of an implicit
18 bias charge. I'll figure it out when I do it. It's not in
19 the charge book. It's not a standard charge. Sometimes I say
20 it at the beginning. I've never said it at the end, but if I
21 do, it's just going to be some reminder to them that they're
22 to base their decision on the evidence and not on their
23 feelings or their reactions or their gut reactions. They have
24 to make a careful and considerate and deliberate review of the
25 evidence that is presented, and the evidence and the law is

1 what they should be basing their findings on, which is the
2 purpose of the implicit bias charge is to remind people that
3 just because people don't look like you or just because people
4 don't live lives like you live doesn't mean that they're
5 automatically guilty or not guilty.

6 We shouldn't be basing decisions like that based upon
7 race or sex or all those other things that we talk about these
8 days, that this is court and you should be evaluating the
9 evidence carefully and considerately and conscientiously. So
10 I may say something like that at the end, just to kind of put
11 it all together.

12 All right. What else?

13 MR. BRADY: Your Honor, this is somewhat similar to the
14 degree of force charge that you do plan on using, but I think
15 it's a little bit different is that the defendant is justified
16 in defending himself and in using force -- I'm sorry. If the
17 defendant is justified in defending himself and using force,
18 then he is also justified in continuing to shoot until it is
19 apparent that the danger of death or serious bodily injury has
20 completely ended.

21 THE COURT: Yeah, I think that's in there. Hold on one
22 second. I'll get to it. This -- this is the test. Hold on
23 just a second. I've got to scroll down.

24 Yeah, there's a charge in there that says that he is
25 justified in defending himself, then in firing the first shot,

1 then he's also justified in continuing to shoot until it is
2 apparent that the danger or death -- of death or serious
3 bodily injury is completed Isn't that basically what you
4 said?

5 MR. BRADY: Yes, Your Honor.

6 THE COURT: Yeah, that's in there.

7 MR. BRADY: Thank you.

8 THE COURT: What else?

9 MR. BRADY: Nothing from the defense.

10 THE COURT: All right. Anything else from the State?

11 MR. SCOTT: No, Your Honor.

12 THE COURT: Okay. So we have clean computer; is that
13 right, Yahnis?

14 THE CLERK: Yes, sir.

15 THE COURT: Okay. And everything that they could play is
16 on a CD; is that right, Mr. Fowler?

17 MR. FOWLER: Yes, sir.

18 THE COURT: Okay. And we can ensure that the computer
19 can play the CD?

20 THE CLERK: I'll make sure, Your Honor.

21 THE COURT: When we come in in the morning, grab them and
22 make sure you can figure out how to get to it.

23 And so then could we -- I don't think there's any
24 evidence of any blood or anything on the stick, but let's have
25 some gloves to send back anyway. Some people may not want to

1 touch the table leg. I don't think there's anything on it of
2 evidentiary value, but some people may want to put on some
3 gloves if they want to touch it or hold it or see how much it
4 weighs or something like that. Can y'all bring me down some
5 gloves?

6 Okay. Very good. Thank you, Ms. Shutters, for shaking
7 your head in the affirmative.

8 Okay. And then we'll start at 9:30 in the morning. The
9 prosecution will go first, the defense will go second, and
10 then the prosecution will go last in reply.

11 And we'll create a verdict form this afternoon, and then
12 we will create a -- we'll finish the charge this afternoon,
13 and then we will email the jury charge and the verdict form
14 out to all the parties so they can have time to go through it.

15 And anything else from the State before we break?

16 MR. SCOTT: No, Your Honor.

17 THE COURT: Anything else from the defense before we
18 break?

19 MS. GOODE: No, Your Honor.

20 THE COURT: Okay. And -- all right. 9:30 tomorrow.
21 Thank you very much.

22 (WHEREUPON, the proceedings adjourned for the day.)

23 APRIL 11, 2024

24 (WHEREUPON, the proceedings resumed at 9:32 a.m.)

25 THE COURT: All right. Last night, we got some after-

1 court emails from the State and the defense about the jury
2 charge. And if you want to be heard on those, you can.

3 From the State?

4 MR. SCOTT: Well, Judge, we had argued a little bit
5 yesterday. That email sort of encapsulated generally what the
6 argument would have been. We would submit there was no
7 testimony. We understand that even testimony or evidence even
8 so slight would trigger that lesser-included, but there was a
9 complete absence of any -- any testimony to the effect that
10 there was any legal provocation, in addition to any heat of
11 passion.

12 In fact, I must have asked the defendant four to five
13 times what he was feeling and how the shooting occurred.
14 Every time, it was I was confused and panicked. He indicated
15 that he couldn't tell what was in the victim's hand multiple
16 times. He indicated, you know, and I asked him, like, well,
17 were you upset with him after you left the Pull-A-Part? Were
18 you angry with him? And his answer to me at least once was
19 why would I be? I had no reason to be.

20 So it -- it occurs to me that there was just a complete
21 lack of any evidence tending to show either legal provocation
22 or heat of passion. We presented a number of cases, including
23 *Starnes*, which I know Your Honor is familiar with. It has
24 very similar facts.

25 And we would -- we just think that the voluntary charge

1 is inappropriate in this case, and that there is sort of a for
2 -- for both self-defense and voluntary to be charged in a
3 case, it usually has a narrow set of circumstances, and we
4 don't think our particular set of circumstances fits that for
5 both of those charges.

6 THE COURT: All right. Anything in response from the
7 defense?

8 MR. BRADY: Your Honor, we've provided the -- I believe
9 it's the most recent case on this issue, which is *Leggette v.*
10 *State*, 440 S.C. 590, from August of last year from the Court
11 of Appeals. It makes clear that this any evidence standard is
12 the correct standard. I believe Your Honor interpreted the
13 evidence correctly, especially because it is not limited to
14 the defendant's testimony.

15 While I do think there was testimony from Mr. Edwards
16 that was solicited from the State about some agitation that he
17 had with the decedent at Pull-A-Part, you also certainly have
18 that type of testimony from Ms. Yarborough, who testified also
19 that there was -- I think, his state of mind, certainly
20 immediately afterward, was something that could be viewed as
21 being in a continued heat of passion. The circumstances
22 leading up to it, the actual shooting, also from both Ms.
23 Yarborough and from Mr. Edwards, also would go towards that.

24 Given again *Leggette*, there the person testified -- the
25 defendant testified that he believed he saw him reaching for

1 his waistband. That person turned out not to have a weapon, I
2 believe. In this case, you actually do have someone who has
3 something in his hand that Mr. Edwards did testify he believed
4 was a firearm, and at least a few times he stated that he
5 believed that it was a firearm.

6 I think that, again, with that any evidence standard with
7 the testimony from Ms. Yarborough, also from Mr. Martin about
8 Mr. Edwards' state when he got back to the scene, as well as
9 Mr. Edwards' testimony, I think that that any evidence
10 standard has been met for manslaughter.

11 THE COURT: Do you want me to mention to the jury that I
12 have handled the possession of a stolen pistol charge so
13 that's not confusing or you just want me to skip over it?

14 MR. SCOTT: I would ask just to skip over it. Just --

15 THE COURT: Okay.

16 MR. SCOTT: It was only mentioned in calling the
17 indictments. I don't think it was anything memorable. We'll
18 just move forward with the charges that were presented.

19 THE COURT: Okay. Thank you.

20 MR. SCOTT: Of course, if they send some kind of message
21 out to you --

22 THE COURT: Right.

23 MR. SCOTT: -- curious about it --

24 THE COURT: That's different. Right. The State is --
25 it's not going to be part of the closing that there was issue

1 of the stolen weapon?

2 MR. SCOTT: Well, not that he's charged, but of course --

3 THE COURT: Right. Right.

4 MR. BRADY: I do just have some concern of the acting
5 lawfully instruction that they're going to receive that having
6 heard about the stolen pistol and having that testimony having
7 been in evidence could become problematic, particularly since
8 there was no testimony that was ever presented or evidence at
9 all presented that he had knowledge of it. I do think it
10 would be appropriate to -- for the Court to let the jury know
11 that that charge has been dismissed.

12 THE COURT: Well, I'm not going to tell them it's been
13 dismissed. I'm going to just tell them that it's been
14 handled.

15 MR. BRADY: I think -- I think at that point we would
16 just not mention it.

17 THE COURT: Okay. I'd say that I thought about it last
18 night. My guess would be to think there's a pistol charge
19 already in here. Right? And so who remembers that I said
20 possession of stolen -- possession of a stolen pistol and who
21 doesn't? If it comes up as a question, I can tell them I
22 handled it, but I think it's -- it really wasn't a major part
23 of the State's case.

24 The State is not going to be standing up there arguing
25 that he was in possession of a stolen pistol, therefore, he

1 was acting unlawfully to begin with; is that right?

2 MR. SCOTT: The fact that he was armed with a pistol,
3 that does go to that. I can not mention that it was stolen.

4 THE COURT: Yeah, but it's not going to be this whole
5 crux of the whole self-defense case is over because the gun
6 was stolen?

7 MR. SCOTT: No.

8 THE COURT: Is that right?

9 MR. SCOTT: It's not.

10 THE COURT: Okay. And there used to be a debate in South
11 Carolina as to the law on that. I think Judge Hill cleared
12 that up in one of the Richland County cases that you are
13 allowed to arm yourself in self-defense.

14 MR. SCOTT: *Belcher*, too, I think.

15 THE COURT: Yeah.

16 MR. SCOTT: I agree.

17 THE COURT: Okay. All right. Good.

18 Okay. So if you're in the courtroom now, number one,
19 thank you for being here, and you're welcome to be here. I
20 need you to make sure that your phones are off. If your phone
21 goes off, we will take it from you. We do not need to hear
22 it. We do not need to see it.

23 Number two, this is the attorneys' final opportunity to
24 present their cases to the jury. So if you're in here now,
25 there is about to be three arguments. You need to be prepared

1 to be in here for all three arguments. Do not get up. Do not
2 attempt to leave. Do not attempt to go to the bathroom. None
3 of that. Okay? So there's going to be three separate
4 arguments. Okay?

5 After those three arguments, if you don't want to listen
6 to me talk about the law for about an hour, you can step out
7 of the courtroom. Okay? So after three people argue, if you
8 want to step outside and not listen to me talk about the law
9 for an hour, that's the time to do that. Okay?

10 But once I start talking about the law at the very end,
11 the back door is going to be locked and you're going to -- if
12 you stand up, somebody is going to be shushing you down real
13 quickly. Okay?

14 So if you want to leave after the -- after the lawyers
15 finish, that's perfectly fine. It doesn't hurt my feelings.
16 It's not that exciting when I talk about the law for an hour.
17 I understand that. So if you want to leave at that point in
18 time, you're more than welcome to leave and just slide out of
19 the back room -- out of the back door quietly, but once I
20 start that charge on the law to the jury, then you will need
21 to be seated and not attempt to leave. Okay? Everybody with
22 me? Okay?

23 MR. BRADY: Your Honor?

24 THE COURT: Yes.

25 MR. BRADY: We had sent one other email last night that

1 was regarding the language from the malice charge. There was
2 --

3 THE COURT: Okay.

4 MR. BRADY: We were asking the Court to not instruct,
5 quote, it is the intentional doing of a wrongful act without
6 just cause or excuse. The Supreme Court published *State v.*
7 *Sellers* in January of this year. *Sellers* was an identity case
8 and had raised an issue that could be confusing to the jury
9 and also burden shifting under *Sandstrom* [ph].

10 The Court said that because it was an identity case, it
11 was not an issue for him and said that they were not going to
12 do anything with it. However, they specifically noted that in
13 self-defense cases, like Mr. Edwards, it would potentially be
14 an issue because it could confuse the standards for malice and
15 potentially burden shift them also when looking at the
16 standard for self-defense and acting lawfully.

17 They also noted in the Court of Appeals unpublished
18 opinion they agreed with when the Court of Appeals both
19 questioned what the phrase "without just cause or excuse" adds
20 to the jury's understanding of the legal principle of malice
21 in the first place. So we were just asking that that not be
22 instructed to the jury.

23 THE COURT: All right.

24 MR. SCOTT: We would ask for the standard malice.

25 THE COURT: Okay.

1 MR. SCOTT: It's what Your Honor always instructs.

2 THE COURT: All right. All right. I'll take it out.

3 Okay. Bring them in.

4 MR. BRADY: Your Honor, I just want make sure that
5 language that's being taken out is not in the Powerpoint. I
6 know a lot of times they --

7 THE COURT: They can present it if they want to present
8 it, but I'm not going to say it.

9 MR. BRADY: And just for the record, we'll just have an
10 objection for that if it comes up. That'll be at the point of
11 it.

12 (WHEREUPON, the jury entered the courtroom at 9:43 a.m.)

13 THE BAILIFF: The jury is seated, Your Honor.

14 THE COURT: Good morning, ladies and gentlemen. Welcome
15 back, and thank you for being on time and ready to go.

16 Yesterday when we left, the defense rested their case.
17 So we are at the point in the trial known as closing
18 arguments. This is the attorneys' opportunity to come before
19 you and discuss the case from their respective points of view.
20 This is the attorney's final opportunity to come before you.
21 So I ask that you give them your undivided attention, just as
22 you have done throughout this trial.

23 Now, as with everything that we do in this courtroom,
24 we're not just making it up and it's not haphazard. Right?
25 There's an order into which things occur. So the order for

1 closing arguments according to the law is that the State will
2 go first, the defense will go second, and then the State will
3 be allowed to make a reply argument. Okay?

4 Now, I don't put time limits on lawyers. Okay?
5 Sometimes I wish I did. Okay? All right. But I don't, and
6 the reason that I don't is because I try to remember being a
7 lawyer and not liking when the judge put a time limit on me,
8 and I also try to remember that this is their case. They've
9 been living with it for years. and this is their final
10 opportunity to speak to you. Okay?

11 And so depending upon how long closings take, we may or
12 may not take a break between our -- my charge to you on the
13 law. Okay? But the charge to you on the law is longer in
14 this case than it is in the average case. So we'll just kind
15 of play that by ear. Okay?

16 We may just kind of stand up and stretch and twist and
17 turn, but the jury charge in this case is a little bit longer
18 than it is in normal cases -- in other cases I should say.
19 There's no normal case, but it's a little bit longer than it
20 is in other cases, and so we'll just kind of play that by ear
21 depending upon how long everybody talks. Okay? Are you with
22 me?

23 Okay. All right. Good. So I've told everybody in the
24 audience that I'm more than happy for them to be here, but
25 they need to be seated. They need to stay still. They don't

1 need to be getting up and going to the bathroom, those kind of
2 things, because I want your attention on the lawyers and the
3 presentations that they make to you. Does that make sense?

4 Okay. All right. And Mr. Scott's going to be setting up
5 a couple things, and then he's going to be ready to go.

6 (WHEREUPON, there was a pause in the proceedings, after
7 which the proceedings resumed as follows.)

8 MR. SCOTT: I'm sorry, Your Honor. It's our job to do
9 this before the jury comes in. So we're -- I think we're
10 going to use an alternate platform.

11 THE COURT: Okay. No problem.

12 (WHEREUPON, there was a pause in the proceedings, after
13 which the proceedings resumed as follows.)

14 THE COURT: So this is one of the dilemmas we have in the
15 world of technology. While it's a great thing, it doesn't
16 always work correctly.

17 Back in the day, we used to have these big poster boards,
18 and we had this big machine that we could print stuff on, and
19 they had -- the lawyers would come down here with ten, 15, 20
20 poster boards. They had blown stuff up and somebody was
21 always dragging the poster boards around. It was usually me.

22 And -- and then we ended up -- after the trial, the
23 poster boards would just end up in the back hallway, but we
24 had all these poster boards in the back hallway for years. I
25 mean, like, thick poster boards, and they would put them up

1 one at a time, and then they -- then people started moving
2 into using the screens and then PowerPoints and then all kinds
3 of different things. Sometimes I think the poster boards are
4 easier, but they weren't easier when you were the one making
5 them. So --

6 (WHEREUPON, there was a pause in the proceedings, after
7 which the proceedings resumed as follows.)

8 MR. SCOTT: Judge, can we just take a break?

9 THE COURT: Do what?

10 MR. SCOTT: May we approach?

11 THE COURT: Yes.

12 (WHEREUPON, a bench conference was held off the record,
13 after which the proceedings resumed as follows.)

14 THE COURT: All right. Ladies and gentlemen, let's step
15 back to the jury room. It's going to take more than just a
16 couple of minutes. I wasn't sure how long it was going to
17 take. I was about to ask.

18 Don't discuss the case. We'll be back with you just as
19 soon as they're ready to go. Thank you very much.

20 (WHEREUPON, the jury exited the courtroom at 9:53 a.m.)

21 (WHEREUPON, there was a break in the proceedings, after
22 which the proceedings resumed as follows.)

23 MR. SCOTT: Judge, we're just going to -- we'll go with
24 what we've got. Broke hard drive fell off the back of the
25 Smart Board. So --

1 THE COURT: Okay. Are you good?

2 MR. SCOTT: Yeah. All right. Sorry about that.

3 THE COURT: Okay. Let's bring them in.

4 (WHEREUPON, the jury entered the courtroom at 10:00 a.m.)

5 THE BAILIFF: The jury is seated, Your Honor.

6 THE COURT: All right. Deja vu. Welcome back. Okay.

7 All right.

8 And, Mr. Scott, do you have set up what you need to have
9 set up?

10 MR. SCOTT: As good as we can get it, Judge.

11 THE COURT: Okay. All right.

12 MR. SCOTT: Thank you.

13 THE COURT: All right. And I apologize for the delay,
14 ladies and gentlemen. Sometimes those things happen, and we
15 just bear with it and move through it the best we can.

16 And, Mr. Scott, whenever you're ready, you may present
17 your closing argument.

18 MR. SCOTT: Thank you, Your Honor. May it please the
19 Court.

20 THE COURT: Yes, sir.

21 CLOSING ARGUMENT ON BEHALF OF THE STATE

22 MR. SCOTT: You have been witness this week to a case
23 about senseless, unrestrained violence, terrible ruthlessness,
24 and merciless brutality that serves as an example of how
25 dangerous people can be. Just a sober reminder of how

1 suddenly life can be extinguished on the whims of our fellow
2 man.

3 Now, we kind of have a social contract, don't we? I'm
4 going to let you enjoy your life how you see fit. Why don't
5 you do the same for me? I respect your right to live your
6 life, be with your family. You respect mine. All societies
7 are governed on that basic social contract; right? But there
8 are some men who don't think that applies to them. They don't
9 find themselves bound by this social contract, and that's the
10 terrifying thing of it all.

11 A man like Craig Edwards can suddenly decide that he's
12 going to erase a human being from the face of the earth. A
13 man like Craig Edwards can determine that another man will
14 cease to exist forever and ever. And that's a dark
15 realization for us to think about, that men capable of doing
16 these things exist in society, but it's true. One minute
17 you're working on a car, the next minute the man has emptied
18 an entire 10-millimeter magazine into you. That exists in men
19 like Craig Edwards. Men like Craig Edwards have absolutely no
20 regard for the value of human life.

21 What was the testimony this week? The testimony was
22 February 2nd, 2020, was Super Bowl Sunday. Craig Edwards was
23 into some things that day. We know he was acting anxious. He
24 was fidgety. He was pacing back and forth. He had a new toy.

25 You heard Chris Martin back there. He said that Craig

1 was with him earlier that day and was showing him a brand-new
2 pistol he had. A dangerous combination. Whatever was making
3 him so jittery, pacing, and anxious and a new pistol, that --
4 that's a dangerous combination. That was Craig Edwards on
5 February 2nd, 2020.

6 He couldn't or wouldn't sleep. He was taken to the
7 doctor. It turned out he had a sinus infection, nothing a few
8 antibiotics won't knock out. He certainly felt well enough
9 the next day to go to Chris Martin's house to work on an Acura
10 he was helping repair.

11 First, he was to meet at Pull-A-Part to show Chris Martin
12 exactly which part was needed. Something apparently happened
13 at Pull-A-Part, however minor or major. The testimony showed
14 it was something apparently happened.

15 His testimony was he saw Michael Booker, our victim,
16 speaking with Byron. Now, he says Byron is a drug dealer. He
17 said he himself was a crack dealer. He said, you know, I deal
18 with crack. So it's rich to me that on February 3rd he took
19 issue with Michael Booker speaking to another crack dealer.
20 Maybe there's something to that.

21 I mean, they established that Michael Booker had a
22 cocaine habit, maybe a crack cocaine habit. He's a crack
23 dealer. He takes issue with Michael Booker talking to another
24 crack dealer. He says that he didn't like Mike talking to
25 this Byron fellow. He confronted Mike about it. He says Mike

1 said something to the effect of mind your own fucking
2 business.

3 Remember, this is the man who wouldn't sleep the night
4 before, fidgety, anxious, and had that new toy, a new pistol
5 he felt proud enough to show Chris Martin the night before,
6 and now he's being told to fuck off. That didn't sit well.

7 Carlo testified about Craig Edwards being aggravated on
8 the way to Chris Martin's from the Pull-A-Part. When Carlo
9 pulled in front of 116 Rose Drive, she says she popped the
10 trunk expecting that he would get his tools like he normally
11 did. She didn't say he would just unzip them and meticulously
12 go through tool by tool. No. Everybody knows what you do is
13 you grab the tool boxes and you go to work, but he didn't.

14 She popped the trunk expecting him to get his tools so
15 she could go to her radiation treatment. She hears him
16 yelling for Mike. Why is he doing that? He's screaming for
17 Mike. She says she remembers Mike coming from the backyard
18 with something in his hand. She said she remembers Mike
19 yelling something to the effect of, Boobie, don't come here
20 with that bullshit. And then suddenly there is a barrage of
21 gunfire. Okay?

22 Carlo says she saw Craig at the end of the driveway, and
23 he and Booker were a car length apart. To the left in this
24 slide is the Cadillac that Carlo would have been sitting in
25 the driver's seat. Of course, we see the tent that covers Mr.

1 Booker. And Carlo -- she says he was in the front of the gold
2 car. Okay? And right at the rear of that gold car is
3 approximately along the fence line where Mr. Booker's body was
4 found. A car length apart, and he was in the street. Okay?
5 Now, that is wholly different than what he testified to, where
6 he tried to put himself, but of course, her recitation, her
7 placement of the two individuals is completely consistent with
8 the evidence.

9 By the way, some of these slides are going to work, some
10 of them aren't. We're going to wing it here today a little
11 bit because I broke my hard drive right before you came out
12 the first time.

13 When we look where Mr. Booker's body was found, we've
14 seen this fence line couple of times in various exhibits. His
15 body was directly under that last post there. These are
16 strike marks. You're going to have all these when you go back
17 there, and you're going to see one and two. You're going to
18 see pictures of trajectory rods where they are coming from the
19 street upwards towards the house. Okay?

20 Then you're going to see this picture. It shows the
21 placement of the casings ejected over here in this side of the
22 road, completely consistent with a man standing down here in
23 the street, firing up towards the house. One, two. Again, in
24 this picture, those trajectories testified to are from that
25 picture right to left, consistent with being shot from the end

1 of that driveway, consistent from the placement where Carlo
2 Yarborough put the shooter, Craig Edwards. As you can see,
3 the trajectory rods placed at the time of the incident
4 indicates such.

5 This was going to be an interesting slide. Best of
6 intentions; right? Bear with me. Here's what I had in mind
7 for you guys.

8 This is essentially what Carlo Yarborough would have
9 testified to or did testify to and my picture would have shown
10 you. This would represent the Cadillac. This would have been
11 the approximate path she witnessed the defendant take. She
12 said he got in the passenger seat, and instead of going to the
13 trunk, he tracked in front of that gold-colored sedan and was
14 right here.

15 She sees Mr. Booker coming out, but remember the Honda
16 that he ends up stealing, the Honda that he takes the police
17 on that high-speed chase, would have been in the driveway.
18 Right? You heard testimony about that. Mr. Booker would have
19 been sandwiched between the car in the driveway and the fence
20 right here, trapped like fish in a barrel to be shot, stuck in
21 between a car and a fence, a rock and a hard place.

22 This would have been the approximate area where Mr.
23 Edwards unleashed hell on Mr. Booker, shooting up towards the
24 house, striking the fence twice before striking Mr. Booker a
25 dozen times. Of course, there is the pistol, and you can

1 examine this pistol. Why don't you look with the ejection
2 port? That's where the casings will be flung. Consistent
3 with this placement, casings are flung to the side to the
4 right, right here, consistent where Ms. Carlo Yarborough
5 places the defendant when he does the firing when he shoots
6 Mr. Booker dead.

7 All right. His placement. This was interesting. When
8 he took the stand, he looked the picture and said, oh, that
9 Cadillac's been moved. I said, it has? Who had a chance to
10 move it? The police were there; right? Right after you left?
11 I mean, you could hear the sirens when you were leaving. He
12 said, oh, no, no, no, it was in the middle of the road. I
13 said okay.

14 So he puts himself in the middle. He talks about, you
15 know -- you know, we went over this a lot with him and the
16 tools. It was -- I don't know what it was, but his testimony
17 was the car is in the middle of the road, and he's leaned over
18 in the trunk, and he's got these tools.

19 By the way, any of you people work on transmissions
20 before? You never have all the tools you need. It just
21 doesn't work that way. You're always going to come across
22 something that you didn't predict, but in Craig Edwards'
23 version, hey, Mike, which tools do we need? You know, what is
24 he supposed to do? Yell out three-quarter inch socket,
25 10-millimeter socket, we need this, we need that? He's just

1 going to be -- he's throwing them in the yard, is what he
2 says. That's how he normally does it. Does that make any
3 sense? That was interesting.

4 And then, lo and behold, a magical gun appears in his
5 version, and it's just a wild story, but you heard it from the
6 horse's mouth right there under oath, swear on the Bible. A
7 gun just appeared. Serendipity.

8 And just then, he realized that's after he was yelling
9 for tools, that he looks over his shoulder and Mike's coming
10 towards him. I said what was he doing? He said he was just
11 coming towards me, and he had something in his hand. He said
12 I never saw what was in his hand. He says -- I mean, the
13 Honda is in the driveway. He's coming around it. Just as his
14 hand started coming up over the hood, I just assumed maybe it
15 was an old shotgun or something. So I just turned around and
16 started shooting with the magic gun I just found. Remember
17 that?

18 So he puts himself at the trunk of the Cadillac when he's
19 doing the firing. He says here comes Mr. Booker, and he
20 shoots him from that angle. It doesn't fit the evidence,
21 ladies and gentlemen. Look at the pictures of trajectory
22 rods. Okay? Look at where the shell casings were. Ask
23 yourself why is he lying to you about this?

24 If his story is to be believed, he's at the trunk of this
25 car shooting back towards this end; right? The casings would

1 be falling out into the center of the road, not the neighbor's
2 yard. Why is he lying about this? He cannot make his version
3 put together, while Carlo Yarborough's recitation is
4 completely consistent with the evidence. Ask yourself, why
5 would Carlo have any reason whatsoever to make this up?

6 So after he mows down Mr. Booker, I want y'all to kind of
7 just think about the complete disregard for human life, for
8 any -- I mean, even people behind Mr. Booker or anybody.
9 Because -- this is a toy gun by the way -- to believe him, a
10 place he spends every day, 116 Rose Drive -- that's what he
11 testified to. He goes up there and works, and we had a little
12 bit of difficulty talking about whether he spent any time in
13 the backyard or not. I remember that.

14 Now, we'll get to why that's an interesting point in a
15 minute. He's there every day. He spends every day with
16 Mike. So why, on this particular occasion, did he just assume
17 that Mike is coming to hurt him when he's bent over in the
18 trunk of the car? How many times -- and I know y'all are
19 looking at me saying move on, Dale, move on, but I wanted him
20 to have his chance to explain to me his version of events.

21 In his version, it waffled. You know, we all saw that.
22 It shifted and changed quite a bit, but he's looking for
23 tools. Hey, Mike, which tools do we need? Then Mike, don't
24 come over here with that bullshit, which makes no sense. Why
25 would anybody say that when you're asking what tools?

1 He says I wonder why he said it. I didn't understand why
2 he said that, but I was too preoccupied looking for tools.
3 Next thing, I see a pistol laying in the trunk of my
4 girlfriend's car and I'm looking at it, and just then I look
5 over my shoulder just after I found the magic gun, and here
6 comes my friend. He's walking towards me, so I'm just going
7 to assume he's coming to hurt me. Pow, pow, pow, pow from
8 that Cadillac up towards the fence.

9 That was his testimony. Y'all heard it. I mean, am I
10 missing anything? Am I misremembering? That's -- that is
11 exactly what he testified to. And again, I took great pains.
12 Okay? Well, tell me again, you know, what he had in his hand.
13 Sir, I don't know what he had in his hand. All I know is he
14 was walking towards me, and just when his hand was coming up,
15 I didn't see what it was, you know, I didn't know what it was,
16 but I was worried it was a weapon or something.

17 That is a terrifying proposition that people would just
18 walk around and assume their buddy -- you know, the cell phone
19 in his hand, they just assume it's a gun and they just kill
20 him, and then later stand there and go, huh, he just had a
21 cell phone in his hand. I wonder why I shot him. I don't
22 know why. I just assumed he was going to hurt me.

23 He never could answer any question when I asked, like,
24 why would he be, you know, trying to come at you and hurt you
25 or anything? He said I don't know. The reason is because Mr.

1 Booker had no intention of hurting him, had no reason to.
2 There was no testimony of any bad blood or anything, any
3 motive for Mr. Booker to do this.

4 It was Mr. Edwards who was upset about mind your own
5 fucking business. It was Mr. Edwards who was hopped up on
6 PCP. Mr. Booker is just trying to -- trying to make a living.
7 And again, his great sin is when this maniac is yelling at
8 him, he comes walking up.

9 By the way, you know, if you mean harm to somebody, you
10 want to hurt them, there's a lot better weapons that were in
11 Chris Martin's yard to use. You know, the backyard is full of
12 scrap metal, pipes, rakes, but we were to believe this is what
13 155-pound Michael Booker intended to kill Craig Edwards with
14 or harm him with. -

15 Interestingly, the strongest presence of DNA was the top
16 of the table leg as far as Michael Booker is concerned. This
17 is where that big number for DNA on Michael Booker was, top
18 part of the leg. Okay? The greater concentration of DNA on
19 the bottom was Craig Edwards'. Okay? Both of them handled
20 this. It was testified to they used this to prop hoods up.
21 Okay?

22 So Michael Booker is working on a car. Doesn't it stand
23 to reason that maybe he would have this in his hand? And by
24 the way, if you mean harm to somebody, why are you holding it
25 over here on this side with this metal piece? I mean, it's

1 tapered at the bottom. This is how you would hold this if you
2 meant harm, but of course, this is where Craig Edwards' DNA
3 is.

4 It doesn't make sense. Poor Michael Booker was
5 interrupted from doing work and was walking around to see what
6 this man is yelling at him for, and gets blasted standing
7 between an old Honda and an old weathered fence line.

8 Now, let me go back. The kidnapping, though, which
9 occurs directly after, you hear Carlo Yarborough, who is at
10 the time losing her hair. She has a weave in her hair. She
11 is weak. She is trying to drop this man off so he can do
12 whatever he's got to do so she can go get radiation treatment.

13 But instead, she's sitting in the car. She hears this
14 barrage of gunfire. She sees him with the gun. By the way,
15 she sees him with the gun right before he gets out. Okay?
16 She doesn't have a magic gun in her trunk that appears at any
17 given time like he talks about. She had just seen him with
18 that tucked into his waist, just like Chris Martin had the day
19 before, a new toy that he seemed to be itching to use.

20 He gets out. He does the shooting. He's at the back of
21 the gold-colored sedan shooting up towards the house. And
22 before she can gather her wits about her, this man is trying
23 to jerk her out of the car. Okay? This maniac is trying to
24 jerk this woman out, suffering from cancer, out of the
25 Cadillac. And when she doesn't react fast enough, he's got

1 her by the back of the hair and he's marching her to the
2 trunk, telling her to get in the trunk.

3 That was her testimony. She's trying to reason with him.
4 Mike -- or, Craig, please let me go. Let me go, please.
5 You're hurting me. Let me go. I can't fit in that trunk.
6 Please, just let me go. Don't put me in the trunk.

7 The neighbor too. You heard John Wannamaker. He's
8 coming out right about then. He sees the same thing. He'd
9 just been alerted something's going on by this barrage of
10 gunfire. He comes out. He testified. It dovetailed
11 perfectly with what Carlo Yarborough told you. He comes out.
12 A woman is screaming. The man he knew as Craig has her by the
13 hair. He's trying to put her in the trunk of a car.

14 Both he and Carlo says when he couldn't get her in the
15 trunk, he turned towards that SUV, that Nissan SUV across the
16 street. He marched her over there, put her in the back seat.
17 Okay? And now he's trying to get into the front, but he
18 can't. He can't get in the front.

19 So now he's trying to figure out the third option, but at
20 that point he's got John Wannamaker yelling at him, lay down,
21 stop. Let her go, let her go. Then the sirens. You hear
22 them in the distance. So Craig Edwards says time to leave
23 Carlo and get the heck out of Dodge.

24 You know, he would have liked to take Carlo with him. He
25 would have liked to have stuffed her in the trunk because she

1 was witness to what he had just done. But thankfully, there
2 were people like John Wannamaker, you know, a guy who doesn't
3 know any of the parties, has no dog in the fight, has no real
4 relationship with anybody. He just sat up there and testified
5 to what he saw that day. And lo and behold, it was exactly
6 what Carlo Yarborough was testifying to.

7 So what does he do next? The man that just shot an
8 unarmed man to death, a man who just tried to kidnap, abduct a
9 woman who is sick, a man who was spotted and yelled at by
10 innocent bystanders to stop what he was doing, he does what
11 anybody would do. He gets in a car, steals a car from Chris
12 Martin, and leads police on a very dangerous chase. He's
13 running stop signs. He's blasting through stop lights.

14 You know, he says, I just wanted to go home. I said --
15 well, you look up there at the top, see Eau Claire. That's
16 approximately where his home at the time was. I said, well,
17 why didn't you pull in there if you're looking for home base?
18 You know, that's what sometimes people say. I just want to
19 get home. Well, up there is your house. Why didn't you just
20 stop up there?

21 Well, Mr. Scott, I had to get rid of the murder weapon,
22 and maybe I could outrun the cops, too, if I try hard enough.
23 So he leads them on this very circuitous, no destination
24 really in mind, chase, looking for the best possible moment to
25 throw the gun out, which he does, which he was upset to find

1 out was caught on videotape.

2 So, you know, he's trying to figure out the whole ride
3 while the cops are chasing how am I going to explain this?
4 How am I going to explain this? He gets rid of the gun. They
5 get him out, and the first thing that comes to his mind, I'm
6 on PCP, I'm on PCP, I don't know what happened.

7 They take him in, and they go back and they do find the
8 gun pretty much exactly where Officer Kevin Davis said it
9 would be and where the video depicts it being thrown out, and
10 there it is, a weapon that turns out was stolen out of
11 Richland County, a weapon that matches the casings that were
12 thrown into the neighbor's yard, casings that contained the
13 projectiles that ended the life of Michael Booker.

14 They take him to the police-department. He's aggressive.
15 They say, well, you know why you're here; right? I don't know
16 why the hell I'm here. Well, whose car was that? Well, you
17 see, it's a friend's car. What happens is I, you know, take
18 cars for people and drive them around to make sure nothing's
19 wrong with them.

20 Okay. Well -- and what were you doing? I was just out
21 for a drive. That's what he tells law enforcement. Okay?
22 He's not telling them this fantastic self-defense story that
23 he told you guys. This is what he's telling them. Okay?

24 Well, why did you run from police? I thought maybe this
25 car was stolen. Okay. Were you coming -- where were you

1 coming from? Were you coming from Rose Drive? I don't know
2 where Rose Drive is. I don't know anything about Rose Drive.

3 Okay. Where do you live? I don't -- I don't remember my
4 address. Well, does your girlfriend remember the address? I
5 don't have a girlfriend. Who's my girlfriend? Carlo. I
6 don't know any damn Carlo. This is what he tells law
7 enforcement.

8 This is what we went through on the stand yesterday.
9 What are my charges? Well, sir, you're being charged with
10 murder. Who did I murder? Michael Booker. I don't know
11 Michael Booker. What is your name? My name is Gregory Dixon.
12 Why is he lying about these things?

13 Well, tell me about the gun that you threw out. I don't
14 know anything about a gun. Lie after lie after lie after lie.
15 Then he mentions several times he's on PCP, high on angel
16 dust. He says, yeah, later on, you know, after he said he
17 doesn't know who Carlo Yarborough is, he says, yeah, my
18 fiancée, Carlo Yarborough, she's telling me I got to stop
19 smoking that shit, you know.

20 I said -- he said -- I said, why do you -- why do you
21 keep saying you're on PCP if you're not? I don't know. I
22 don't know. Maybe -- maybe they would just stop asking me
23 questions if I said that.

24 I said, okay, well, you do know there was that one part
25 where the officers left the room and you're sitting by

1 yourself talking to yourself, and you say I got to stop
2 smoking this shit. Why'd you do that? You're just trying to
3 -- you know, why would you say that to yourself? I don't
4 know. Well, I figured they might be watching on camera, and
5 that would help, you know, kind of make them think, you know,
6 something that really wasn't going on. If any of this makes
7 sense to you, great, you know, but when I'm asking him these
8 questions, I keep saying does this sound reasonable to you as
9 you're telling it to me?

10 It brings us to credibility. The judge is going to say
11 you must determine the credibility of witnesses who have
12 testified in this case. Credibility simply means
13 believability. It becomes your duty as jurors to analyze and
14 to evaluate the evidence. You may also consider the
15 appearance and manner of a witness while on the witness stand.
16 This is what Judge Hood will tell you.

17 Craig Edwards treated us to testimony yesterday that
18 dipped and dived, fluttered and fumbled. It shifted. It was
19 scattered. It was bizarre at times and fantastical and just
20 plain weird, wasn't it? At no time did he come close to
21 touching anything with any semblance of credibility. At no
22 time did his recitation mirror reality. It never made sense.
23 It never fit any shred of any evidence.

24 And I want y'all to compare that to Carlo Yarborough, who
25 got up here with an incredible amount of dignity. She's been

1 through a lot the last four years. I'm happy to see that
2 she's in remission right now. She's lost an incredible amount
3 of weight during her battle. The last place I think she
4 probably wanted to be Monday was here seeing him after what he
5 did to her and reliving that day.

6 But she looked you in the eye. She answered every
7 question I had for her and, you know, she answered every
8 question the defense had for her. She -- she never tried to
9 duck any question. She wasn't vague. She was very clear. We
10 saw emotion. We saw true emotion from her at times.

11 You know what crocodile tears are? That's me standing
12 here, you know, trying to, you know, fake emotion. Try my
13 damndest to conjure up tears and look to see if you are
14 there, but I can't do it if I don't have the real emotion.
15 You saw real emotion with Carlo Yarborough.

16 It was crocodile tears is all he could shed yesterday.
17 He tried. He tried to get a tear to roll out, but he couldn't
18 because there's no emotion there. He's not sorry for what he
19 did. He's still trying to get out from under what he did.
20 He's trying his damndest to figure out some excuse, no matter
21 how stupid, no matter how unbelievable it is, something to get
22 him out of his jam he's got himself into. Nobody else.

23 I want you to compare his testimony yesterday to John
24 Wannamaker, again a man who has no bias. He has no party to
25 reward, no party to punish in this case. He's just a

1 neighbor. He's trying to go about his life. And of course,
2 his day too was disrupted by Craig Edwards and what he had
3 going on.

4 He's in his own home when he hears this barrage of
5 gunfire. He runs outside trying to figure out what he's
6 seeing, but what he described is Craig Edwards marching poor
7 Carlo Yarborough by the hair, trying to fit her in the trunk
8 of a Cadillac, failing to do so and then marching her over to
9 that Nissan, putting her in the back of that.

10 He felt the need to arm himself. He's got his gun at his
11 side saying, Craig, let her go. Let her go. Lay down. It's
12 not worth it. Let her go, please.

13 Compare his testimony to John Wannamaker's. Compare his
14 recitation to John Wannamaker's. Okay? Because I want you to
15 remember I struggled with this, too, and I know at that point
16 y'all were saying, Dale, come on, man. Please move on past
17 the key fob, and I couldn't let it go. I'm sorry to put you
18 all through that, but he put me through it, too, because I'm
19 just looking for an answer.

20 Mr. Edwards, explain to me this thing. You know, Carlo
21 says you were trying to kidnap her. John Wannamaker, the
22 neighbor, says you were trying to kidnap Carlo. What was
23 going on?

24 Oh, well, Mr. Scott, I didn't know what was happening.
25 You know, I shot Michael Booker. I shot at him. I didn't

1 know if he was hurt, and I didn't go check on him, and I
2 didn't call EMS. I didn't call the police. I ran back to the
3 Cadillac, and, you know, Ms. -- Ms. Yarborough was sitting
4 there, and she's distraught. She's crying.

5 Yeah, Craig, I wonder why. She just saw you blow a man
6 away.

7 Well, anyway, Mr. Scott, she's in there crying, and I
8 need to get out of there.

9 So I was saying why not go to the passenger seat?

10 I don't know.

11 Well, what did you do?

12 I jerked her out. Excuse me. I pulled her out.

13 Where was the gun?

14 It was in my hand, so I kind of did this.

15 Well, why are you holding on to her, man?

16 Well, I just wanted to make sure she could stand up, you
17 know.

18 What did you do next?

19 I jumped in the car. It wouldn't start. He said I don't
20 know, maybe it was because I didn't have the key fob.

21 I said, well, wouldn't it stand to reason since you just
22 pulled that poor woman out of the car that she had the key
23 fob?

24 Well, sometimes we keep it in the console.

25 Okay. Well, were you just going to -- what were you

1 going to do? Why don't you just take her over to the
2 passenger seat, get in, and start the car.

3 Well, I figured maybe the -- the fob got in the trunk.

4 I said, Mr. Edwards, how in the hell would that happen?
5 I mean, how does it go from there?

6 I don't know. Anyway, Mr. Scott, jurors, you got to
7 believe me. I was just trying to help this lady, and if
8 anybody misunderstood thinking I was trying to kidnap her,
9 they were wrong. Okay?

10 Don't believe your lying eyes, neighbor. Don't believe
11 your lying eyes, Ms. Yarborough. Believe me. Jurors, don't
12 believe what the evidence is. Believe me, no matter how
13 stupid this recitation is.

14 He tries to get her in the Nissan, puts her in the back.
15 Okay? Does that sound like something where you're just trying
16 to leave somewhere with somebody as a -- as a pair? You're
17 going to throw her in the back, then you can get in the front
18 and just haul ass out of there?

19 She was a witness to what he had done. Why do you think
20 she's sitting in the front seat crying? By then, you know,
21 you got Wannamaker out there yelling at him. You got the
22 sirens. So he does option number three. That's the green
23 Honda. He takes off.

24 Please consider his appearance and his manner while he
25 was on that stand. It was a poor, poor performance, and it's

1 his opportunity to give you guys something that makes any
2 sense, and he failed horribly.

3 Let me tell you what this case is not about. Okay? He
4 has come to you today, this week, and said this is self-
5 defense. Never mind when I was at the police station, and I
6 never said that. Never mind. This week, you know, I want
7 everybody to believe this was self-defense. It's not a self-
8 defense case.

9 And he says, well, if you don't believe that, could you
10 believe maybe it was just voluntary manslaughter? Because
11 what the judge is going to talk about, he's charged with
12 murder. Okay? Murder is an unlawful killing of another with
13 malice aforethought. Murder is what this case is about. This
14 is not a voluntary manslaughter case. Murder is up here.
15 Voluntary manslaughter is down here. It's called a lesser-
16 included crime.

17 We're going to talk about what voluntary is, and the
18 judge is going to talk about what voluntary manslaughter is.
19 It is not these two things. Okay? Let's not be confused.
20 This is not a self-defense case. This is not a voluntary
21 manslaughter case. Since he has established that I'm not
22 guilty, I'm innocent because this was a justified killing, he
23 has invoked the defense of self-defense.

24 Now, there are four elements to self-defense. If any
25 element fails, then he is not protected by self-defense.

1 Okay? He's got to meet all four criteria. If one of them
2 fails, no self-defense. Let's go over them. The judge is
3 going to do it too, but bear with me. His law is what wins in
4 the end, but this is just my interpretation of self-defense.

5 Okay?

6 Craig Edwards first, number one, must be without fault in
7 bringing on the difficulty, the difficulty being shooting Mr.
8 Booker to death. He can't be at fault in doing that.

9 Craig Edwards must have been in actual imminent danger of
10 losing his life or sustaining serious bodily injury, or he
11 must have actually believed he was in such danger. Now, if
12 he's going to say, okay, you got me, I was never in any real
13 danger, but I believed I was, if that's what he's saying, then
14 he has to or it has to be shown that an ordinary, reasonably
15 prudent person would have held that same belief. Okay?

16 There's an "or."

17 I'll say lastly -- okay? -- Craig Edwards must be shown
18 to have no other probable means of avoiding the difficulty.

19 So he strikes out four times. He's a four-time loser
20 here. He doesn't win on any of them. He fails on every one
21 of them.

22 Number one, must be without fault in bringing on the
23 difficulty. Craig Edwards showed up to 116 Rose Drive with an
24 illegally-possessed pistol to confront Michael Booker. Craig
25 Edwards is at fault in bringing on the difficulty. He didn't

1 bring a gun to a knife fight. He brought a gun to a dude
2 holding a tool that holds up the hood of a car. Emptied a
3 magazine into the man unarmed. Failed.

4 Two, Craig Edwards must have been in actual imminent
5 danger of losing his life or sustaining serious bodily injury,
6 or he must have actually believed he was in such danger.
7 Craig Edwards was never in any danger of losing his life or
8 sustaining any bodily injury. Craig Edwards killed a man
9 holding a table leg, again an object he and the victim were
10 accustomed to using as a tool when they worked on cars. Never
11 in any imminent danger. Failed.

12 All right. If he believed he was in such danger, he must
13 show that a reasonably prudent person of ordinary courage
14 would have had the same belief. No reasonable person, ladies
15 and gentlemen, would ever do what Craig Edwards did on
16 February 3rd, 2020. No prudent person would ever empty a
17 pistol into someone they knew who was walking toward them,
18 just because they could not immediately recognize what was in
19 the person's hand. All right?

20 It's akin to me, hey, walking towards y'all and you just
21 shoot me to death, and it ends up I got a clicker in my hand.
22 What prudent person does that? I mean, you know, if there was
23 testimony that Michael Booker yelled out I'm coming out there
24 and I'm about to beat your ass, Craig, and then he comes out
25 with that weapon in an aggressive way, maybe then we're

1 getting somewhere.

2 But his testimony is he's yelling and hollering at Mike.
3 Mike comes out. What? What do you want, Boobie? Don't come
4 here with that shit. Got something in his hand. Doesn't see
5 what it is. Blows him to smithereens. I hope reasonable,
6 prudent people don't do that because we're in trouble as a
7 society if that is what reasonableness is. Failed.

8 Okay. Craig Edwards must be shown -- this is the last
9 one. It says three. It should be four. This is the fourth
10 element of self-defense. Must be shown to have no other
11 probable means of avoiding the danger.

12 And he's approximately at the end of the driveway where
13 he's doing this, which is what all the evidence indicates.
14 Why not go down the street? He's coming from behind here with
15 a stick in his hand. If you really, truly believe he means
16 harm to you, let's just go down the street. Let's get away.
17 Okay? Why not go down this way? Let's just -- let's get
18 away. Why not just jump back into the passenger seat of that
19 Cadillac? Just drive off?

20 You know, if this really happened and Mr. Booker is so
21 violent, you know, out of the blue, so aggressive, let's just
22 get back in the Cadillac with Carlo and let's get on out of
23 here. Why don't we just go across the street? Because, you
24 know, these cars -- they always have keys in them, apparently,
25 according to him. Let's just jump in one of those and leave,

1 you know?

2 He had every opportunity in the world to avoid this. He
3 didn't want to avoid it. He was there for a reason. He had
4 every means in the world to avoid this imaginary danger.

5 Failed on all four. All four struck out. This is not a
6 self-defense case. It is not a self-defense case if any of
7 the four elements is disproven. All four have been disproven.

8 You see, self-defense is not a sword, it's a shield. In
9 other words, it's not a license to kill people and then later
10 say, oh, it was self-defense. No, it is a shield that is to
11 be used in -- in specific instances where it is a life or
12 death situation. It's me or you.

13 If I don't get the jump on you, all the evidence shows
14 you were about to kill me. I mean, you had a gun in your
15 hand. You shot at me. I had to shoot back. You were coming
16 at me with a knife. You know, there's -- there's evidence of
17 that. It is a shield to protect people who must use deadly
18 force to protect their own life.

19 That's not what this case is about here. It's about a
20 155-pound man trying to work on a car confronted with a man
21 that thinks, you know, just because he wakes up today and
22 decides your life should end because he's feeling some kind of
23 way, he can take care of that. You know, he's 70 pounds
24 bigger than Michael Booker. I suspect that there was some
25 kind of, you know, disagreement that they needed to work out.

1 I think he could probably handle Mr. Booker. Mr. Booker is
2 older than him and, again, 70 pounds lighter.

3 He might say, oh, well, y'all did hear me talk about my
4 ten-year-old motorcycle knee accident; right? He didn't have
5 any damn trouble moving around while he was marching Carlo
6 around. You know, he's here with her. He's there with her.
7 He's jerking her around. He's got a pistol in his hand. What
8 makes sense? What doesn't? This isn't a self-defense case.

9 So he says, well, okay, if you guys aren't going to buy
10 my self-defense, would you consider voluntary? This isn't
11 voluntary. Voluntary manslaughter is if he took the life of
12 another in the sudden heat of passion and with legal
13 provocation. The judge is going to talk to you about that.
14 Remember, this isn't a voluntary manslaughter case. Here's
15 murder, what he's done to a man, putting 29 holes in him.
16 Here's voluntary manslaughter.

17 Voluntary manslaughter. Both heat of passion and
18 sufficient legal provocation must be present. This sudden
19 heat of passion may for a time affect a person's self-control
20 and temporarily disturb a person's reason. The sudden heat of
21 passion must be the type -- okay, listen to this. If heat of
22 passion is involved, it must be the type that would make an
23 ordinary person unable to coolly reflect on his actions and
24 would produce an uncontrollable impulse to do violence.

25 This judge, that law clerk, that whole defense table,

1 this whole prosecution table, everybody in here who's a lawyer
2 is familiar in law school when they're taught about heat of
3 passion, and the classic example is the man who comes home
4 from work early and everything is as it should be in his house
5 until he walks to his bedroom and his wife is passionately
6 making love to one of his best friends. And he is thrown into
7 a sudden rage based on the sight of this, and he is unable to
8 control his impulse, and the pistol that is right here at the
9 table, he cannot control himself. He is so overcome by rage
10 at the sight of this, he grabs the pistol and shoots at the
11 man and shoots at the woman because he's overcome with rage
12 and the uncontrollable impulse to do this violence based on
13 what he had just seen blasting the world he was expecting.
14 That is sudden heat of passion. Okay?

15 Sudden heat of passion. Yo, Mike, what tools we need?
16 What does he have? That's not sudden heat of passion. Okay?
17 That is a farcical recitation of what actually happened. What
18 happened that day was a man with a pistol in his waistband
19 that confronted another man and killed him.

20 Words alone, however vulgar or insulting, are not enough
21 to be legal provocation. Okay? Where death is caused by the
22 use of a deadly weapon, the words must be accompanied by some
23 overt threatening act which would have produced heat of
24 passion. So, in other words, words alone can't produce heat
25 of passion.

1 But what did Mike say to him that could possibly have
2 caused the rage I described, the man who comes home and sees
3 the woman in bed with the other man? What did he do? What
4 did Mike do that could cause somebody to lose all control of
5 their faculties, to lose all control such that they are just
6 overcome with violence? Don't come here with that bullshit?
7 Are we to believe that and him holding the table leg reduces a
8 murder down to a voluntary? No.

9 This is not a voluntary manslaughter case. There's been
10 no evidence whatsoever that Michael Booker provoked Craig
11 Edwards in any way to use violence. There's no evidence
12 whatsoever that Craig Edwards was overcome by such emotional
13 rage that he was suddenly overcome by an impulse to do
14 violence. Craig Edwards knew what he was going to do the
15 entire ride from Pull-A-Part to 116 Rose Drive, as shown by
16 his actions.

17 You know what this case is about? Four counts. Okay?
18 Murder, kidnapping, use of a deadly weapon during a violent
19 crime, and failure to stop for a blue light.

20 The first one, it's just -- I'm not going to play the
21 video for you guys. You're going to have it back there so you
22 can watch this wild chase he went on after he supposedly just
23 legally killed a man. That's his version. I don't know why
24 if you're acting under the law and you legally kill a man, you
25 do this kind of stuff. I don't know if you just killed a man

1 in self-defense, why you stripped naked and threw your clothes
2 in the toilet either, but that's Craig Edwards, February 3rd.
3 Okay?

4 Failure to stop for blue light. We must prove to you
5 beyond a reasonable doubt that while driving on a road,
6 street, or highway of the state, Mr. Edwards failed to stop
7 when signaled by law enforcement by means of a siren or
8 flashing light. He even took the stand yesterday and said I
9 saw a flashing light. I heard the sirens, and I refused to
10 stop. That's easy. That kind of speaks for itself. That's
11 failure to stop for blue light the judge is going to charge
12 you on as well.

13 Possession of a weapon during a violent crime. This is
14 the magic pistol that suddenly appeared in his trunk that he
15 talked about. This is the pistol that ended another human
16 being's life, a man trying to work on a truck or a car the day
17 after the Super Bowl, a man who didn't deserve to die. That's
18 the weapon Mr. Edwards used to kill him. He was in possession
19 with it. He even discussed he was in possession with it.

20 So it's got to be during the commission of a violent
21 crime. Murder is a statutorily-defined violent crime.
22 Kidnapping likewise is a statutorily-defined violent crime.

23 And while we're at it, kidnapping, Carlo is the victim of
24 the kidnapping. If -- if you don't have to deal with what we
25 have to deal with in this courtroom on a day-to-day basis and

1 speak legalese, most people kind of think about a kidnapping
2 as, you know, you duct tape the hands together, duct tape the
3 ankles together, duct tape the mouth shut, and throw them in
4 the trunk of a car, and drive off with them. Certainly, that
5 is a kidnapping.

6 But kidnapping under the law, what the judge is going to
7 tell you, means whoever shall unlawfully seize, confine,
8 abduct, or carry away any other person by any means whatsoever
9 without authority of law is guilty of kidnapping. If you
10 illegally restrain somebody against their will and prevent
11 their freedom of movement, that's a kidnapping.

12 Seized. That just means to take hold of suddenly or
13 forcefully. Grabbing somebody by the hair, dragging them,
14 trying to put them in a trunk of a car is certainly a
15 kidnapping. Certainly when they're pleading with you to let
16 me go, certainly when you have a pistol in your hand, trying
17 to put them in the back of a Nissan Pathfinder, that's
18 certainly kidnapping against their will.

19 You know, Carlo Yarborough -- let me go, please. Let me
20 go, please. John Wannamaker hearing the same, a woman
21 screaming let me go. He's not letting her go. I demanded
22 that he let her go. I told him I was going to use my weapon
23 if he didn't let her go, and he still wouldn't do it.

24 That's kidnapping, trying to get the eyewitness away from
25 the scene. Who knows what would have happened had he been

1 successful getting away with her? That was the witness to
2 what he had done.

3 Confine means to limit, restrict, or enclose within
4 bounds, imprison or shut in. Abduct means to lead someone
5 away by force. Okay? That's kidnapping. That's what he's
6 guilty of.

7 Murder. I'm winding down. There's so much to cover. I
8 just want to make sure I cover everything with you guys.

9 This is a murder case. Okay? Murder statutorily is that
10 the State must prove beyond a reasonable doubt that the
11 defendant killed another person with malice aforethought.

12 What is malice aforethought? It can be hatred. It can
13 be ill will or hostility towards another person. It's the
14 intentional doing of a wrongful act without just cause or
15 excuse.

16 MR. BRADY: Objection. *Sellers* applied to argument.

17 THE COURT: Overruled.

18 MR. SCOTT: It is the intentional doing of a wrongful act
19 without just cause or excuse and with an intent to inflict an
20 injury or under circumstances that the law will infer an evil
21 intent. It's the deliberate doing of the thing, hostility. I
22 don't know how you kill a man without hostility.

23 It's the doing of the thing. It's the, hey, Chris
24 Martin, check out this new gun. It's the Carlo seeing you
25 riding with a gun in your waist when you're just going to work

1 on cars. It's to confront the man who's stuck between a car
2 and a fence and mowing him down. It's the 29 holes in the man
3 left to die, your supposed friend. Okay? That you don't even
4 bother calling the ambulance for. You don't bother to check
5 on him. He's going to die like a dog.

6 How can malice be shown? Malice aforethought may be
7 expressed or inferred. We don't really have express malice in
8 this case. Express malice is, I'm coming at you and I'm going
9 to kill you. You know, those are words spoken that indicate
10 what your intent is. You know, the malice can be expressed by
11 words.

12 Inferred and express do not mean different kinds of
13 malice, but merely the manner in which malice may be shown to
14 exist. All right? Again, like I said, express malice is
15 shown when a person speaks words which express hatred or ill
16 will for another, or when the person prepared beforehand to do
17 the act which was later accomplished. Okay?

18 Well, in that case, I guess he did prepare. He strapped
19 that pistol on his waist and took it with him, but the
20 inferred malice here is what -- what really is evident, and
21 malice may be inferred from conduct showing a total disregard
22 for human life. That's the kind of malice that this man
23 depicts.

24 That's the kind of -- this is malice right here. This is
25 hatred, ill will. I want you to look at the placement of

1 those shots, you know. That is trying to take away not only
2 life, but manhood. That is you're not going to disrespect me
3 in front of Byron. That is you're not going to tell me to
4 mind my fucking business. That is if I say today is the day
5 you die, today is the day you die.

6 This is a murder case. The State in every criminal case
7 -- okay? The State -- the prosecution in other states are
8 called district attorneys. I don't care what state you're in,
9 if you're in the U.S., the United States of America, from here
10 to Portland, Oregon, if you're convicted, you have to be
11 convicted beyond a reasonable doubt. Okay?

12 Beyond a reasonable doubt is the standard. If I convict
13 anybody for some crime, I have to convict them beyond a
14 reasonable doubt. Certainly, in this case, this case is no
15 different than any other case. I must prove this case beyond
16 a reasonable doubt. What does that mean? Does that mean
17 beyond all doubt?

18 The judge -- this judge is going to tell you -- I submit
19 to you it's not the exact same wording. It's something very
20 similar. He's going to say, no, it doesn't mean beyond all
21 doubt. It means that if you have a doubt that is reasonable
22 -- okay? If you have a reasonable doubt that maybe he didn't
23 kill the guy or maybe, you know, Booker would have killed him
24 if he knew what he was going to do, maybe, but is that
25 reasonable? If that's a legitimate doubt you have, then

1 acquit the guy.

2 If you all get together and say, you know, I think he
3 acted like a reasonable person that day, you all agree with
4 that, there's nothing I can really do at that point. You
5 know, I always respect the juror's decision -- the jury's
6 decision, and I go home and I sleep fine at night. I really
7 do.

8 But when I present the case to you, I have to prove
9 beyond a reasonable doubt. Certainly, this case has been
10 proven beyond a reasonable doubt. So that means if you have a
11 doubt that is reasonable based on logic, find him not guilty.
12 Okay? You're not hurting my feelings.

13 But if your doubt is not reasonable, if when you're
14 thinking about the case with what you're coming up with is not
15 real reasonable, you know you're jumping to a lot of
16 conclusions, you're making, you know, wild assumptions and
17 everything, you're basing your decision on something you saw
18 in a movie once, you know, if your doubt is not reasonable and
19 your doubt is not really logical, you need to find him guilty.

20 In fact, you took an oath to do so based on the evidence,
21 based on the testimony, based on the law. You should find him
22 guilty. Do you have to be 100 percent certain of anything in
23 this case? Everything in this case? No. There are very few
24 things -- again, I submit to you, Judge Hood will tell you
25 this. He's going to use a term "firmly convinced" twice.

1 Okay? He's going to say, there are a few things in the world
2 we know with absolute certainty. In criminal cases, the law
3 does not require proof that becomes -- that overcomes every
4 possible doubt. If based on your consideration of the
5 evidence, you are firmly convinced the defendant is guilty,
6 you must find him guilty.

7 So that's a -- that's a term I want you to use. Two
8 words. Firmly convinced. That's the best way, I think, to
9 understand your duties in judging beyond a reasonable doubt.
10 Don't take my word for it, take Judge Hood, but I submit to
11 you he's going to use that term twice when he reads his
12 instructions on reasonable doubt.

13 So when you go back there and you deliberate, however you
14 decide to do so, when you start thinking like, okay, you know,
15 what is our standard here, like, how certain do we have to be,
16 and I want one of you to say, well, you remember Dale Scott,
17 that prosecutor who just kept talking and talking and talking
18 and talking, and the judge, they both said firmly convinced.
19 So now we remember.

20 Are we all firmly convinced of his guilt? If we are,
21 we've got to find him guilty. But I do remember him saying
22 too if we have some reasonable doubts that he didn't do it,
23 then we need to find a not guilty. Just remember, firmly
24 convinced, there's reasonable doubt, and that's really all you
25 need to know to understand your burden of proof here.

1 Now, in self-defense cases like this, I always say this.
2 You know, if facts are on your side, hammer, hammer, hammer on
3 the facts. If the law is on your side, beat on the law, beat
4 on the law, drum that into everybody's head the law on my
5 side. But if neither is on your side and you're a defendant,
6 beat up on the victim, dirty him up, make him look like maybe
7 he deserved to die. Make it look like it's nobody's real loss
8 if he's dead. Dirty him up. Take away any sympathy that
9 anybody might have for this man who died in a heap beside an
10 old Honda and a weathered fence, left to die like a heap of
11 clothes just on the side of the road. Supposedly a good
12 friend of his.

13 It occurs to me, you know, they tried to dirty him up,
14 but, you know, Michael Booker's not here to speak for himself,
15 is he? But I think it kind of -- you know, it speaks to him
16 that the worst they could come up with was he had cocaine in
17 his system when he died, ladies and gentlemen, he probably
18 deserved to die. That's the worst they could come up with,
19 other than a man over here who pulled a pistol on 20 different
20 people 20 different times, but Mr. Haynes -- he didn't shoot
21 one of them. Isn't that miraculous? I wish he would have
22 taught Craig Edwards the restraint that he had.

23 Remember he talked about a car barreling at him. He
24 aimed it. He didn't feel the need to kill that man when he
25 was in legitimate danger. He said he saw another dude just

1 shot four or five people. That guy's, like, with a gun coming
2 at him or around him. He didn't feel the need to kill that
3 man. I wish he would have taught Craig Edwards some of that
4 restraint, some of that reasonableness.

5 But the worst they could come up with was that same guy,
6 who said, yeah. He said, yeah, he rented a room out to me --
7 from me at the back of the property. And I told him nobody
8 can live there with you. So one day I walk out. I was taking
9 my trash out, and there was a car in the driveway I didn't
10 recognize, and a man came out, and I told that man to get --
11 get Mike Booker out here. I've got to talk with him. And so
12 he starts chastising Mike for having a visitor. I guess he
13 assumed the other visitor had just moved in, and Mike got
14 aggravated with him.

15 And I'm sitting there listening to that, and I'm
16 thinking, dude, I would be pretty upset, too, if you came to
17 me saying I couldn't have a visitor in a place I'm paying you
18 money to stay in, but that's what Mike got aggravated with.
19 Cocaine in his system and getting aggravated with an
20 unreasonable landlord who won't let him have visitors, a
21 landlord who's pulled pistols on 20 different -- 20 times, you
22 know, some in law enforcement, some in civilian.

23 I don't know, but that's a little scary, you know, that
24 that has to be testified to. In this particular occasion, he
25 says I saw him coming at me. So I acted like I was pulling my

1 pistol that I carry in my back pocket. I said, well, what did
2 Booker do? He said he stopped, and that was it. I said you
3 didn't pull the pistol out and just empty it into him, you
4 know?

5 That's -- that's the worst they could come up with for
6 Michael Booker. That's why they want you to believe he
7 deserved to die.

8 Dangerous men walk among us every day. Dangerous men
9 incapable of abiding by our most universally accepted laws,
10 incapable or unwilling to agree to that social contract I
11 talked about. Okay? I'm going to let you live your life.
12 Please let me live mine. Incapable of respecting others'
13 right to live, incapable of grasping the value of human life.
14 That's malice. That's what malice looks like.

15 I want you to go back when it's time for deliberations.
16 I want you to speak amongst each other. I want you to take
17 your collective experiences, because you guys represent a wide
18 array of Richland County with, I would imagine, like, a quite
19 varied background, a lot of different life experiences here on
20 this jury panel, but I hope, I pray, an abundance of common
21 sense.

22 I hope that all the experiences of this jury lead to a
23 reasonable bunch, a bunch who value logic, value common sense,
24 aren't eager to jump to conclusions, but are eager to look at
25 the evidence and willing to talk about the testimony and

1 remember various witnesses versus other witnesses and how they
2 stack up against each other. And I feel confident. I feel
3 confident that's what this jury has in spades.

4 I think we all here have the common sense that it takes
5 to just judge this case and be firmly convinced of what the
6 truth is and what the correct verdict is. The correct verdict
7 in this case, all those four counts I talked about, failure to
8 stop, possession of a weapon in a violent crime, kidnapping,
9 and most importantly, the murder of Michael Booker, is guilty,
10 and that's what I'm going to ask you to return a verdict of,
11 guilty.

12 Thank you.

13 THE COURT: All right. Thank you very much, Mr. Scott.

14 The defense may present their closing argument.

15 MS. GOODE: Thank you, Your Honor. May it please the
16 Court.

17 THE COURT: Yes.

18 CLOSING ARGUMENT ON BEHALF OF THE DEFENSE

19 MS. GOODE: Fight, flight, and hindsight. That's what
20 this case boils down to.

21 Fight. February 3rd, 2020. Craig, on instinct, did what
22 he had to do to protect himself.

23 After that, flight, an instinct that kicked in as the
24 shooting was over, and I submit to you throughout the next few
25 hours, running from the police, when he's talking to the

1 police.

2 And then hindsight is 20/20 they say. You're able to see
3 things clearly after they've already happened, and that's
4 where we are now. Monday -- Monday morning quarterbacking,
5 what Craig did on February 3rd, saying, oh, Craig should have
6 done this or Craig shouldn't have done that. Craig should
7 have said this. This is how Craig should have reacted, but
8 the truth is, none of us know how we're going to react after
9 something traumatic happens to us.

10 It's easy to say, as an outsider looking in, that we
11 would do things a certain way, and that's what the State wants
12 you to do; right? They want you to judge Craig for everything
13 that happened after he was forced to defend himself, for
14 everything that happened after he acted on instinct.

15 But four years ago, in that moment, in the moment that
16 has brought us all here together this week, Craig didn't have
17 time to think. He didn't have time to reflect. He had to do
18 something fast. He had to react, and he had to do what he had
19 to do to protect himself from Mike that day. That is what he
20 felt, what he believed in that moment. Fight.

21 Now, Mr. Scott talked a lot about, you know, self-
22 defense, and there were a few things, you know, that the judge
23 will talk to you about that also you're to take into
24 consideration when you're deciding whether Craig acted in
25 self-defense that day. Right? He has a right to act on

1 appearances; right? That maybe his beliefs were mistaken, but
2 if he was in fear of immediate danger, that they -- the -- let
3 me make sure I get it right here.

4 He has a right to act on appearances; right? Even if the
5 -- even if his belief of what he's seeing may not be correct.
6 It may be mistaken; right?

7 So here we are. We've got Mike, who's got something in
8 his hand that day that we now all know is a table leg; right?
9 But in 2020, in that moment, Craig doesn't know what this is.
10 All he sees is it in -- it's in the hand of Mike, and Mike is
11 coming at him aggressively. He's yelling, and he's not
12 stopping.

13 We also heard a lot of testimony about Mike's past and
14 things leading up to that day. We're not talking years ago.
15 We're talking months before February 3rd, 2020. Mr. Haynes
16 talked about an incident in the winter of 2019, just a few
17 months prior to this. Mike's getting aggressive with him, you
18 know, so aggressive that somebody who has been in some serious
19 situations, it sounds like, felt the need to put his hand on
20 his firearm. That's how aggressive Mike was coming at him.

21 You heard Craig talk about the incident where Mike got
22 into it with a customer at work; right? Again, leading up to
23 February 3rd. These aren't -- these weren't instances that
24 happened years ago. This is what was just going on at that
25 point that Craig knew about and that -- what was going on with

1 Mike, the prior instances of violence by the victim.

2 You guys can consider that in determining whether Craig
3 actually felt that he was in danger of death or serious bodily
4 injury, whether he believed that he was in danger. You know,
5 the judge will talk to you about intoxication of the victim
6 and how you can take that into consideration about whether Mr.
7 Edwards' -- whether Craig's fear of death or bodily harm was
8 reasonable, and we heard testimony that Mike was high on
9 cocaine at the time of his death.

10 And we heard a lot from the prosecutor about malice
11 aforethought, and there's -- we don't have that here in this
12 case. We heard testimony from several people, Carlo, Chris,
13 even John Wannamaker, the neighbor who had interacted with the
14 two of them, and Craig himself. These guys are friends, close
15 friends. Craig referred to him as a brother almost. Every
16 single witness talked about the closeness of their
17 relationship. Craig told you how much that Mike meant to him.
18 He didn't have any ill will towards him.

19 And Mr. Scott talked about beyond a reasonable doubt, and
20 that's the -- that's the standard of proof in any criminal
21 case in the United States; right? That's the burden of the
22 prosecutor to convince all twelve people beyond a reasonable
23 doubt on every single element of the crime charged; right?
24 And it is the highest standard of proof that we have in our
25 legal system.

1 There are other ones. There's clear and convincing.
2 That's the standard of proof to have a child taken away from
3 its mother forever. That's lower than the standard in this
4 case. It's higher than preponderance of the evidence, which
5 like in civil cases where somebody might be awarded \$1
6 million. It's higher than that standard. It means it is the
7 decision that once it's made, it can't be taken back. The
8 highest standard of proof.

9 February 3rd, 2020, Craig shot him, and Craig killed
10 Mike. There's not a day that goes by where Craig doesn't
11 relive that, replay that, and think about it over and over
12 again. He thinks things like what if I had done what Carlo
13 said that morning? What if I had just stayed home and got
14 some rest? Or even after Pull-A-Part, let's go home. Let's
15 get some rest. We've been up. You're tired. You're not
16 feeling well. Let's go home. Like, what if?

17 Craig had work to do that day. Craig didn't anticipate
18 anything like this happening that day. He's going to work
19 because if he doesn't work, he doesn't get paid. And as a
20 mechanic, who you heard gets paid under the table, he doesn't
21 get paid time off. He doesn't get to take a sick day. He
22 doesn't get paid if he doesn't work, and so he sucked it up
23 and he went to work. That's what you do; right?

24 He didn't think there was going to be this problem, that
25 this was how this day was going to go. And that decision, you

1 know, that's why we're here today. And so why are we here?

2 We're here because on February 3rd, 2020, Mike, who Dr.
3 Monroe told you was high on cocaine at the time of his death,
4 because Mike, who Carlo told you was coming at Craig with his
5 back turned with a stick in his hand, Mike, who's yelling at
6 Craig in the middle of the day, in the middle of the
7 neighborhood to get the F on, don't bring that shit around
8 here, coming at him, aggressively wielding this thing. I'm
9 not sure if she can see it out the back of her car. She tells
10 the police that first thing. That's -- I mean, that's
11 immediate. Mike came out and had a stick in his hand. He's
12 -- he's yelling something at Craig. You know, I can hear him
13 yelling at him.

14 And for what? For what? Because earlier that morning,
15 maybe at Pull-A-Part Craig confronted him about whatever he
16 had going on there. Maybe -- maybe he was buying drugs, maybe
17 he wasn't. Hey, man, don't do that. We got a job to do.
18 It's early. We're here to do a job. I need some money.
19 Let's just -- not today. Let's not do that. Just get it
20 together. That's not unreasonable.

21 And like Craig told you and Carlo told you, they were in
22 a relationship in February of 2020. If she's in the car out
23 there at Pull-A-Part, he's -- you know, he's been living with
24 her, helping her out during -- during her cancer treatment.
25 You know, this job with Chris, Craig told you that this is his

1 only source of income. Because, again, if he's not working,
2 if he loses that job for whatever reason, he doesn't get paid.

3 So he's trying to make some money. He needs money. He's
4 living with her. He wants to help her out. And I kind of
5 just want to go through a little bit about what -- what you
6 did hear this week and what you saw this week.

7 So, you know, first we heard from Carlo. She talked
8 about how for the better part of a whole day, she's with
9 Craig. They start at her niece's house during the Super Bowl.
10 Then back to her house, where, you know, she doesn't allow
11 guns; right? She -- she makes sure to tell us that, that she
12 doesn't allow guns there.

13 Then from there, they end up at the E.R. at some point
14 and, you know, Craig, he's running a fever. He's sick. He
15 ends up getting diagnosed with a sinus infection. Get out of
16 there about 6 o'clock or so in the morning. No gun at the
17 hospital. Then back to the house at some point, the house
18 where no guns are allowed.

19 Then to Pull-A-Part to meet Chris and -- and Mike.
20 Doesn't see him with a gun there on the way there or there.
21 Still hasn't seen him with a gun. And we heard about Pull-A-
22 Part, how Pull-A-Part says they have -- they've got police
23 officers on the scene. You can walk in there with a gun in
24 his waistband? Chris. Everybody says nobody -- nobody saw
25 him with a gun. Then from Pull-A-Part where she says didn't

1 see him with a gun, they go to CVS to get medication, some
2 antibiotics through the drive through.

3 So again, at no point when Craig is getting out or she's
4 not seeing what he's doing; right? And then from CVS to -- to
5 Rose Drive. Now, I just -- I want to talk about that a little
6 bit.

7 You know, we talked about how, you know, Craig was about
8 225 pounds at that point. You know, you -- you heard him say,
9 you know, I'm trying to -- I was trying to lose weight, and he
10 had taken a cleanse and some Slim -- he was drinking Slim
11 Fast. He was trying to lose some weight. He was overweight
12 at the time. And, you know, he doesn't -- he doesn't know how
13 much he weighs at this point, but I mean, he's still a rounder
14 guy. Okay? But at this point in time, he considered himself
15 overweight and was trying to do something to take care of
16 that.

17 So this man who at this point in the morning, nobody's
18 seen him with a gun, has somehow has managed to slip it into
19 his waistband and sit down in a car and drive all the way from
20 Monticello Road to a CVS and to Rose Drive without being
21 uncomfortable or shifting, or without any -- without it being
22 an issue at all. She's around him for hours without seeing
23 anything. You know, she -- she's at the police station at
24 some point telling an investigator about this on video.

25 And I -- you know, I asked her about a point she's in

1 there alone, and somebody calls her. She answers, and I can't
2 talk. I'm at the police station. You know, I might be going
3 to jail. Why would you be going to jail? Right? You're --
4 you're a victim.

5 Then she tells the police, oh, yeah, I did see him with a
6 gun. Yeah, she didn't tell the police that when they first
7 got there, the first responding officer. She doesn't tell him
8 that she ever saw Craig with a gun. She actually says didn't
9 see him with a gun. Then another investigator talks to her.
10 An investigator talks to her on the scene. She's still there
11 on the scene while this is all going on. No, never did. No
12 gun.

13 Then she's at headquarters. She's being talked to by the
14 police. Then, oh, yeah. You know what? I did see Craig with
15 a gun. Yeah.

16 And so she tells us that, you know, she pulls up to the
17 house at the end of the driveway. And, you know, the
18 prosecutors have been showing you this picture where the car
19 is and it's -- you know, it's further up the -- up the street;
20 right?

21 Well, I heard her testify that the car was moved. So I
22 urge you to go back. You guys can listen to testimony. Ask
23 for it. She said that car was moved. Craig said that car was
24 moved. That's not where that car was.

25 We're going to make a big deal about where the shell

1 casings were and all that. That car was back this way. That
2 car was back here. She said it moved. He said it moved.
3 That car was not right there because she's very clear on what
4 she saw, what she tells police. I saw Mike come from behind
5 the house.

6 Well, if you're back all the way up here, how are you
7 seeing what's happening, where he's coming from? That
8 wouldn't put you seeing him until he's back here behind these
9 cars or beside these cars.

10 So I encourage you, you know, to relisten to that.
11 Somebody heard it wrong. Maybe I -- maybe it's me, maybe it's
12 the State, but you guys are the ultimate deciders of what
13 happened. She said that car moved.

14 She's the one who tells police that that stick is in
15 Mike's hand. He came at Craig with something in his hand,
16 that he's the one walking towards Craig, and that she saw him
17 raise that thing in his hand. That's when she heard the
18 gunshots, that series of events. Mike coming towards Craig,
19 yelling at Craig, and then shots fired.

20 You know, there was some line of questioning about, you
21 know, she had talked to an investigator from my office. She
22 gave a statement, you know, on cross-examination. Mr. Scott
23 was like, oh, did you think that that was -- that -- you know,
24 did you know who he worked for? Did he seem like he -- did he
25 hold himself out as a law enforcement officer?

1 Tell me this. The -- the statement she gave to him that
2 I asked her about was that she did not feel like she was being
3 kidnapped; right? That she felt like Craig was just trying to
4 get her out of there. That she felt like the cops were
5 putting words in her mouth.

6 So if you think that you are talking to an investigator
7 with the police department, why are you trying to give a
8 favorable statement to Craig. That's favorable to him. It
9 went against them because what she told police before and what
10 she's telling y'all now, she's not trying to help him out. It
11 doesn't make any sense.

12 Credibility. Right? We talked -- Mr. Scott talked a
13 little bit about that, and that's what -- you have to take
14 that into consideration. That's why we go through what you
15 told police at the time and when you told it. And that's what
16 you've got to look at; right? When she said what she said and
17 to who.

18 Because what she did tell police that day, she did -- she
19 told the cops and then -- and our investigator that she really
20 felt like he was just trying to get her out of there; right?
21 Get her -- get her away from what was going on at the time.
22 Not that he was trying to -- to kidnap her because she's a
23 witness to his crime.

24 It's his girlfriend who's supposed to be in a radiation
25 appointment in an hour. She was just going to stop and let

1 him out. Somebody he cared for, somebody he was taking care
2 of, moved into her house to help take care of her during this
3 treatment, but he's going to -- is kidnapping her because --
4 to -- to -- to what? Make it where she's not going to tell
5 police what happened? That -- that really doesn't make much
6 sense to me.

7 She also told you that Craig had never been violent with
8 her in the near year -- year and a half they were together.
9 I've never seen him with a gun in that time frame, and that he
10 didn't use drugs and hadn't in the time that she had been with
11 him.

12 However, there was some mention about, I guess, when
13 Craig's at the police station and he's telling, yo, Carlo's
14 told me I got to quit. I got to quit smoking that stuff.
15 Well, she told y'all and the police she'd never seen him do
16 drugs; right? Think about that.

17 You know, we got -- we got John Wannamaker up here, and
18 -- and Mr. Scott is right about that. I mean, he's the -- he
19 was a tell it like it is; right? Got nobody to reward, nobody
20 to punish. This is what I saw. Very detailed. You know, in
21 the -- in the bathroom, hears five or six shots.

22 Now, we know there were more than five or six shots based
23 on what we've heard over this past week; right? So you've got
24 to think about that, about how fast that means these shots
25 are. That by the time his brain is registering that shots

1 have been fired, he's only -- he's only heard five to six,
2 happening so quick that that that's how he's -- he's
3 registered it, and he said that from the very beginning. He
4 never changed five to six shots. That's what he heard.

5 And we know there were twelve; right? There were twelve
6 shell casings. I think they counted twelve shell casings.
7 Sorry, I can't talk. Twelve shell casings. So by the time
8 his brain even has registered that that is happening, he hears
9 five or six.

10 He also tells you he never saw Craig with a gun. He
11 never saw it. So if he never saw Craig with a gun, that also
12 means he never saw Craig with a gun to Carlo's head. He told
13 us that for the first time this week; right?

14 She's talked to an officer on the scene that was the
15 first one there. She talked to an investigator on the scene,
16 talked to an investigator at headquarters, talked to our
17 investigator. Maybe somebody else that she talked to in
18 between. Oh, the prosecutor. She talked to them. And then
19 she told you; right? First time we hear it.

20 You know, he describes the -- the events just kind of
21 like Carlo had where he can see Craig, you know, getting her
22 out of the car, taking her to the trunk area, taking her
23 across the street to the other car, and he tells them this is
24 all happening so fast. That is happening so fast.

25 You know, he's up there testifying about it for ten

1 minutes, 15 minutes, but the actual set of circumstances only
2 lasted a few minutes, maybe three. Okay? You know, that one
3 detail about the gun to the head. He also says, you know, it
4 seems like that Craig was, you know, just like Carlo said,
5 trying to calm -- that Carlo was trying to calm him down, talk
6 some sense into him. Craig was talking about this. You know,
7 calm down, what happened? Tell me. And he's trying to calm
8 Craig down too.

9 We heard from Chris Martin, who employed Craig and Mike.
10 He told you, you know, about Pull-A-Part and how that works
11 and there was an officer there. There's, I think, a couple of
12 Columbia Police Department is -- is on scene at that Pull-A-
13 Part and that things were fine, according to him, and that he
14 never saw Craig with a gun at Pull-A-Part.

15 Yeah, and remember memories. It's been four years plus
16 at this point, and memories are what they are. But in this,
17 you know, he testified, you know, because I asked him, you
18 know, you and Mike are at Pull-A-Part, you ride together, and,
19 you know, no, he rode there with -- with Carlo and -- and
20 Craig. Well, we know that didn't happen; right? What else
21 did they get wrong, you know?

22 Then we get to kind of the after, you know, when things
23 shift from the fight part of this being over and then the
24 flight. Right?

25 The gun is empty. There's nothing left. Now I've got to

1 get out of there. I've got to -- I've got to get out of here,
2 and I need Carlo to go with me. Right? And that's when he
3 takes that car, and he gets out of there, and he tells you it
4 was after he saw when Chris got back. That's whenever he
5 felt, okay, you know what? If she doesn't -- if she's not
6 coming to me, I'm going to -- I will leave her here. I know
7 Chris, I trust Chris, I will leave him here with her -- with
8 him -- leave her with him, and that's when he -- he gets out
9 of there.

10 And again, this is all happening very fast. You heard
11 John Wannamaker say it's maybe about three minutes tops from
12 the time he hears the gunshots to when Craig pulls off, and
13 it's not long after Craig pulls out of there that Officer
14 Davis got behind him; right?

15 We saw the chase. We saw that. That happened. Craig
16 does not deny that's him driving that car, that he did not
17 stop for the police. He told you that, and that the total
18 chase part is about four minutes; right? And then, you know,
19 it's the last few -- maybe 30, 45 seconds before he pulls over
20 is when he ditched the gun and pulls over for police shortly
21 thereafter.

22 But some good -- some stuff that -- that Kevin Davis told
23 us about, you know, being an officer and -- and as law
24 enforcement, if he's got a belief that someone has a deadly
25 weapon, deadly force is justified. Just the belief that

1 somebody has. He doesn't actually have to know that somebody
2 has, but the belief that somebody has a deadly weapon would
3 justify deadly force, and that split -- split-second decisions
4 have to be made; right? And that you're justified to shoot as
5 much as necessary to eliminate that threat, even if the threat
6 may actually have ended on shot one or shot two; right? But
7 that you're justified to use deadly force.

8 And you'll get -- you'll get some -- some law on that
9 from the judge about that, you know. If Craig -- if you feel
10 he was justified in shooting one shot, then he was justified
11 in shooting them all.

12 Because what did Doctor Monroe tell us? Dr. Monroe told
13 us that all of the shots happened while Mike was still alive;
14 right? You can't determine which one happened first. You
15 can't determine the fatal one; right? But that he was alive
16 when every shot was made.

17 Dr. Monroe said, you know, this case was -- was difficult
18 for him to make certain -- you know, certain findings, that
19 things he could come in here and say for sure this is what
20 this wound is indicative of; right? He was able to say that
21 the majority of the entry wounds on Mike were to his front;
22 right? And that the two potential ones on the back maybe, you
23 know, you heard a lot of ambiguous or irregular or depends or
24 could be; right?

25 But he acknowledged that the -- the ones on the back

1 could also be entry wounds because it depends. They're
2 ambiguous; right? He cannot sit there and tell us for certain
3 based on the way they look. An expert who's -- who's done
4 over 3,000 autopsies has testified as an expert, like, 55
5 times or something, he can't tell you guys for absolute
6 certain that; right?

7 He also said the number of the wounds on Mike were not
8 indicative of the number of shots fired. The State -- they
9 tried real hard to get Dr. Monroe to kind of commit to or
10 agree with them about, you know, the shot to Mike's rib area;
11 right? And I think we saw Mr. Scott do some, like, things
12 and, like, go falling and -- but all he could say was -- I
13 mean, there are a number of reasons and ways that that angle
14 could happen; right?

15 If the bullet hadn't hit a bone; right? But here, he
16 told you it had hit a bone, had gone through, and that once a
17 bullet hits a bone, all bets are off. You cannot tell. The
18 path would be whatever, and that's just -- I mean, I don't
19 know that we need an expert to necessarily tell us that;
20 right?

21 And he told us, you know, that at the time of Mike's
22 death, he was high on cocaine. He was -- he had active
23 cocaine in his system and a metabolite, meaning, I guess, at
24 some point that, you know, previously he had also done
25 cocaine.

1 Now, I know the -- the State made a thing about this
2 that, you know, oh, if you don't have the -- the facts and you
3 don't have the law, then you dirty up the victim. That I want
4 to make clear is not what we have tried to do. These are
5 facts. They're facts; right? And it's what Craig knew as
6 fact going into February 3rd, 2020, is to put it in context so
7 that you know what information Craig had when he had to make a
8 decision. Okay?

9 So it's -- you didn't even -- you didn't even hear Craig
10 say a bad word about Mike. He's still up there, I caught it a
11 couple times, referring to him like he's still here. Mike is
12 -- Mike's the expert. This is his friend, his brother,
13 somebody that he saw and talked to almost every day, somebody
14 that he misses, somebody that he's grieving over. They're
15 talking about crocodile tears. Those are real tears.

16 Now, I want to talk about DNA; right? The State kind of
17 -- kind of brushed over this stuff; right? That maybe they
18 want you to forget about, I'm not sure exactly, but, you know,
19 they -- they find that gun in the bushes. They collect it,
20 and then, you know, crime scene -- I think it was maybe CSI
21 Jackson, crime scene Investigator Jackson. He gets up and
22 talks about how, you know, he swabbed the gun; right? In
23 different places. He -- there was a swab of the trigger
24 guard, which there was a picture of and, you know, you can see
25 the small area, surface area of that gun.

1 And the DNA analyst in this case, Jennifer Clayton, you
2 know, she told you that it can be -- this is State's 31, the
3 -- the gun; right? And the trigger guard and the trigger.
4 She told us that, you know, she also processed some shell
5 casings, you know, to see if there's any DNA there, but
6 because of how small the area is on the shell casing makes it
7 difficult to get DNA on there unless there's been a lot more
8 contact; right?

9 And so, part of their investigation, they swab that gun.
10 They swab the entire outside of the gun. Carlo's DNA is not
11 there, by the way, this gun that's supposed to be held to her
12 head; right? Her DNA is not there.

13 And then they do swab the trigger guard and the trigger,
14 and Jennifer Clayton testified that it's a high probability
15 match that it's Craig's DNA there and Mike's DNA from the
16 trigger guard. I mean, I think the statistic -- it was like
17 nonillion or something. I don't even know. I think that's,
18 like, 32 zeros. That's a lot of zeros, very strong support,
19 high match probability that both of their DNA is on that
20 trigger guard and the trigger, a small surface area where she
21 testified it would be difficult to get DNA unless there was a
22 lot of contact there.

23 You know what she didn't get to -- to test was a swab of
24 the -- you know, maybe -- maybe this part of the gun; right?
25 The barrel of the gun where it would've been pushed up against

1 somebody's head because I bet you if the police had had that
2 story from the beginning, surely they would have asked that
3 that be swabbed and then tested, but we don't have that
4 because it didn't happen; right?

5 You heard from -- from Mr. Haynes. You know, he got --
6 he got asked a lot of questions by the prosecutor about times
7 where he's had to pull his weapon. Okay? A lot of different
8 scenarios, and -- and told you that most of the time when that
9 happened, you know, he was in some sort of, you know, law
10 enforcement capacity or security capacity and, you know,
11 on-the-job type stuff.

12 And, I mean, those sounded like pretty life-threatening
13 situations, and the law would have allowed and justified him
14 using deadly force in such a situation. He didn't, but that
15 was his decision; right? How he perceived that event in that
16 moment. Maybe it was his law enforcement training. Maybe.
17 But the State -- according to him and according to Officer
18 Davis, both, they would have been justified in those
19 situations.

20 He told you about the time in, you know, winter of 2019,
21 just before this happened, about, you know, it -- and to be
22 clear, this was -- you know, most of the times he pulled his
23 gun was when he's on the job; right? Those were the specifics
24 that we talked about on cross-examination, but the -- one of
25 the few times he had that actually potentially pulled his gun

1 on a civilian, one of those times was Mike, and that's because
2 of how aggressive Mike was being, coming up on him aggressive.

3 He's had a stroke. That's why he's -- that's why he's --
4 why he's got that; right? He's got his fist balled, and he's
5 coming out because Mr. Haynes, who is letting him stay there
6 for free -- again, maybe go back and listen to Mr. Haynes'
7 testimony. I think Mr. Scott said, you know, that -- that the
8 landlord, you know, was paying the bills. So the landlord --
9 the landlord is being unreasonable.

10 Mr. Haynes was paying the bills at that house. That's
11 why he's telling Mike you've got to go. You've got another
12 guy living there. That's going to double the utilities. I've
13 got to pay that. That's what I remember him saying. Y'all
14 get to decide. Y'all ask to listen to that testimony, but
15 that's what I heard him say. That's the whole reason why he
16 even told Mike, hey, you -- huh-uh, you -- you can't have
17 anybody else living there with you, and that's the reason why.

18 And that Craig knew about that incident. You know, he --
19 Craig vouched for Mike, said, hey, you know, Jonathan, please,
20 will you let my friend stay here? He's on hard times. Will
21 you let him stay here? And he did. He did.

22 And there was another question on cross-examination Mr.
23 Scott asked him. He's asked specifically if Mike had been
24 coming at you with the stick raised up at you, would you have
25 shot him? He told him, yes, if he felt threatened. A man who

1 many times, it sounds like, has been in a situation where he
2 would have been justified; right? He tells him if he had felt
3 threatened, yes, he would have.

4 And he also told you the night before he saw Craig, you
5 know, and he remembers it because it was the Super Bowl and,
6 you know, Craig seemed normal to him.

7 Lastly, you heard from Craig. He was up there for a
8 while, and he told you over and over again about Mike. Mike
9 was his friend. He knew him for nearly a decade at the time
10 that this happened. Talked to him daily. Saw him daily.
11 Worked with him. They helped each other. He helped him at
12 times. He'd been around Mike a lot.

13 And he watched at this point in life where Mike was just
14 kind of becoming more and more reckless, his drug use and how
15 it's affecting his life and, you know, housing. I mean, he
16 just got, you know, told he had to leave from Mr. Haynes a few
17 months before there. Potentially -- you know, potentially
18 their jobs. I don't know what.

19 You know, the State wants to make a big deal about Craig
20 was a drug dealer, you know, and ten years ago or something,
21 12 years ago. And so, you know, we -- we're shaming Mike for
22 his addictions, but, you know, Craig's dealing drugs. I think
23 he told y'all, you know, he even tried to help Mike get help
24 for that. He got help himself for it, but it's just -- you've
25 got to listen to everything and take it all into context;

1 right?

2 You know, again, never has our intention been to smear,
3 shame, dirty up Mike. That's not it. That's just not it.
4 These are just the facts. Okay? Same way they're sitting
5 there, you know, doing it to Craig.

6 Craig didn't want for any of this to happen, but with all
7 of this information that he's got, that he knows about Mike,
8 in that moment, that split second, he felt the only thing he
9 could do was defend himself. That's it. He told you how
10 scared he was. He's got -- Mike's coming at him. His friend
11 is coming at him, aggressively yelling at him. He's not sure
12 what that is, but Mike's yelling. He's coming at him fast.
13 He's getting closer and closer, and how he felt like he had no
14 other choice.

15 And then everything just blurs; right? The fight, then
16 flight. Fast. Well, why not get in Carlo's car? Just get
17 back in the passenger seat and tell her -- tell her to go.
18 Get out of here. He didn't think he could make it. It all
19 happened so fast. Hindsight is 20/20; right?

20 The State wants to say because, you know, Mike's 155
21 pounds and Craig's 225, he's just a big guy, that he can take
22 Mike. And that surely because of the 70 pounds he had on him,
23 then that must mean that he could take him; right? He could
24 overpower him, successfully fight Mike off. So that's what
25 Craig's supposed to do in that moment, try to fight Mike

1 because he weighs less, a man who's high on drugs, a man who
2 Craig has seen with guns before, a man who's got something in
3 his hand coming at him, yelling at him.

4 I bet that skinny guy moves a lot faster than 225-pound
5 Craig with a bum leg. You can't -- you can't trust that knee.
6 It hurts him. It locks up on him, and that's what Craig
7 believed in that moment too, because, again, this is all
8 happening so fast.

9 And look, for Craig to be able to get back into Carlo's
10 car, he's got to -- he's got to put his back to Mike. He's
11 got to turn and have his back to Mike, who's coming at him,
12 again with something in his hand, yelling at him,
13 aggressively. You know, the fight and then flight; right?

14 That's when he takes the car and he's trying to get Carlo
15 out of there, and that's what he tells you. No, I'm not -- I
16 wasn't trying to kidnap her. I'm trying to take her with me.
17 My girlfriend, who's going through cancer treatment, who came
18 there with me; right?

19 You'll get -- you'll get some law from the judge about
20 intent, criminal intent. It's a conscious wrongdoing; right?
21 So there has to be a conscious wrongdoing on the part of Craig
22 when it comes to -- to all of these charges. Think about it
23 in relation to the kidnapping. He told you what he was trying
24 to do. He just wanted her to go with him. He wanted to make
25 sure she was safe.

1 He didn't know that Mike was dead or dying. He didn't
2 know that. He is still under the immediate belief that he's
3 in danger and, therefore, maybe she is too. And it's at that
4 point when Chris gets there, she's not coming. Okay, fine.
5 I'm going. I'm getting out of here.

6 And there's, you know, a lot of stuff about the key fob
7 and, you know, I think -- I think he told us, I mean, that
8 morning that -- that maybe he started the cars out there and
9 then that maybe why they ended up in her Cadillac was because,
10 you know, when he went out to start one of the other cars, it
11 was out of gas. And so, you know, we spent a lot of time
12 talking about this key fob. Again, we're -- he's supposed to
13 be thinking clearly and crisply in that moment.

14 You know, it's real easy to say that from where we're
15 sitting in, you know, 2024. Again, he got that -- he got in
16 that car. He did not stop for the cops. We are not disputing
17 that. I'll make it easy for you. Find him guilty of failure
18 to stop for a blue light because he didn't. Okay? That's --
19 that's very obvious.

20 But in his brain, in that car at that time, he's trying
21 to get home to his safe place. He's banging that gun. He --
22 he is -- he's freaking out. What just happened? His heart's
23 racing. His blood is pumping. He just wanted to go home.

24 And he told you, yeah, I got rid of that gun. I threw it
25 out there. I thought it would be better when I finally did

1 stop for the cops to not have the gun. That seemed probably
2 like a good idea; right?

3 And then, you know, we talk about these bizarre
4 statements that he made. They are bizarre. Even he's, like,
5 I don't know why I said it. The prosecutor says that's crazy.
6 Why are you saying that? But he owned every single one.
7 Yeah, I said that. I said this. I said it. It doesn't make
8 any sense, and maybe I should have answered differently.

9 Hindsight. Would it have changed anything? I don't
10 think so. I don't think it would have changed a thing.

11 He tried his best to answer the questions that the
12 prosecutor asked. I think at some point we're having two
13 different conversations, but he tried to answer Mr. Scott's
14 questions. Told him how -- told you guys how scared he was
15 and how fast all this happened and how, in his mind at the
16 time, he is just blurting this stuff out. It makes zero
17 sense.

18 He's just trying. I just -- I don't want to talk. I
19 don't want -- maybe they'll leave me alone if they think I'm
20 high. I don't know, but we -- we heard Carlo say, no, we --
21 I've never seen him do drugs. He doesn't do drugs. Nobody
22 talks about that. He's avoiding it. He's saying wild things.
23 He's still in flight mode, I think.

24 You know, and then he gets -- he told us he -- you know,
25 he got to the jail and he asked the jail, hey, test me. Test

1 my blood to show I don't have this stuff in my system, and
2 they didn't do it. That would have been nice because that's
3 what State -- you know, it's their burden; right? And they
4 want you to think that he's all high on PCP out there just
5 running amok, shooting people for no reason. For what reason?
6 Just because? I'm not sure exactly, so they say he's high on
7 PCP just because he said he was. They want you to believe
8 that part, but everything else was a lie. You know, believe
9 him that he's on PCP when he said that, but don't believe the
10 rest of it.

11 I mean, this is -- this is the last chance that I'm going
12 to get to talk to you guys. And I know, I mean, I've -- I've
13 known Craig and been on his case for -- since day one, since
14 February of 2020. I know a lot about this case. I know I've
15 missed a lot, but I know I'm going to go back to that table
16 and sit down and I'll be like, oh, I should have told them
17 this, I forgot to tell them this.

18 You know, that's not the case for the State. They get to
19 get back up here if they feel like they haven't convinced you
20 -- right? -- beyond a reasonable doubt, if they feel they
21 haven't met their burden, but I encourage you guys to go back
22 in that room and figure out what I missed. Okay?

23 Go back. Listen to the testimony. Listen to what Carlo
24 said. Listen to what Craig said. Listen to the emotion in
25 his voice.

1 If you do that, if you do all these things, then you'll
2 see that this case boils down to those three things that we've
3 been talking about: fight, flight, and hindsight. It's not a
4 man trying to kidnap a woman, his girlfriend, somebody that he
5 has been taking care of. It's not about a man who murdered
6 his best friend.

7 Thank you.

8 THE COURT: All right. Thank you, Ms. Goode.

9 And would you like to make a reply, Mr. Scott?

10 MR. SCOTT: I'll try to be brief, Your Honor.

11 THE COURT: Okay.

12 REPLY ARGUMENT ON BEHALF OF THE STATE

13 MR. SCOTT: The idea that they were great friends, they
14 were good friends, therefore, there cannot be malice, this
15 cannot be murder, let me remind you, good jurors, friends kill
16 friends all the time. Husbands kill wives all the time.
17 Brothers kill brothers. Sons kill fathers. Okay?

18 It is not the rubric you are to judge whether or not
19 malice exists. All right? We understand that they were once
20 friends. Okay? But we also understand how Craig Edwards was
21 behaving this particular day, the day prior, and he was
22 flashing a gun around, showing anybody who would look.

23 And Carlo was clear on the day this happened, just as she
24 was clear when she testified to you all, just as she was clear
25 when she was cross-examined, that the first time she was aware

1 he had a pistol that day was when he was getting out of the
2 car at 116 Rose Drive, and he had it in his waistband. Why
3 did he have it in his waistband? We know why now. It didn't
4 magically appear in the trunk. Okay? It was a fairy tale.

5 He showed Chris Martin the night before she saw it on his
6 hip. He had bad intentions when he got there once he drove
7 up. Brothers kill brothers. Friends kill friends. Husbands
8 kill wife -- wives. Sons kill fathers. It's sad, but it's
9 reality. Okay? So the idea that he couldn't have killed him
10 just because they were friends, I wish that was true. I wish
11 we never saw that, but it happens every day.

12 The car moved -- okay? -- is what we're going with? I --
13 I'm fine with that. Okay? That he says the car moved. He
14 put it right here how many times? Remember he took my blue
15 pen, but he said it was right here in the center of the road.
16 Okay?

17 And then he was also very clear I was at the trunk of the
18 Cadillac when I turned to shoot. Remember that. And if he's
19 shooting this way, why aren't the casings over here? If he's
20 shooting from here, the body is here, why did he shoot him
21 from 60 feet away? What danger was he in from that distance
22 from a man holding a stick?

23 This was his testimony. I tried to ask him as many times
24 as possible. Look at these. I want y'all to remember that
25 testimony. This is where the car was. He said, oh, it was

1 moved. I said where? He said, well, it was there, but it was
2 more in the center of the road. Right? Remember? Remember
3 the whole scene that he described that he was digging for
4 tools. Mike's -- you know, Mike, what tools do we need? Mike
5 yells then don't come here with that bullshit.

6 He looks over his shoulder. Remember? He was very
7 clear. He looked over his shoulder to see him coming around
8 the Honda. We know where he dropped dead. He suddenly sees
9 the gun, turns around, and shoots. That was his testimony,
10 and I couldn't figure out any other way to ask him to describe
11 it.

12 We went through this right in front of you guys. The car
13 was here. He was at the trunk. He -- it doesn't fit the
14 evidence, but if we are to believe that, he shoots from here,
15 why are the casings over here? It doesn't make sense. None
16 of anything he said makes sense.

17 The cold-blooded killing. Wannamaker didn't see a gun.
18 Okay? I want to make this very clear. Yeah, that lady had a
19 lot of hair back then. I think it was, like, a wig or
20 something, the kind of thing that doesn't leave DNA. It
21 looked like a weave or a wig, but she had a bunch of hair and
22 he had his hand right up under it, and he even described that
23 hair was all over the back of his hand, so he couldn't see the
24 man's hand.

25 But he -- he had her in such a way where she was up

1 stiff, walking on her tippy toes because he was grabbing her
2 by the hair, jerking her around. Maybe that's why he didn't
3 see the gun, because it's up under all that hair.

4 But listen to this. Mr. Wannamaker was so concerned
5 about this woman screaming to let her go and this scene he was
6 just confronted with, he has to go and find his gun. He
7 doesn't know if he's going to have to use it. That's the
8 scene he is confronted with. He's yelling to let her go too,
9 just as Carlo and he are simultaneously yelling for him to
10 release her. I -- I don't know what he would have done. We
11 don't know what he would have done had he not heard those
12 sirens, had he not seen Mr. Wannamaker out there.

13 This story about him just -- I'm just trying to help her,
14 that is not what was going on that day. That is not what the
15 witnesses testified to. He says -- you know, Kevin Davis,
16 that was the officer whose car filmed the car chase. This
17 one. I wrote it down when he said it. If he believes someone
18 had a deadly weapon, he would have the right to kill. This
19 judge is not going to tell you that. Okay? You don't shoot
20 somebody because you believe they have a deadly weapon. They
21 have to either threaten it with you or present it to you in
22 such a way where you fear -- feel danger, or you fear for your
23 life.

24 You know, that would be a hell of a thing if officers
25 just went by and shoot people because, you know, I don't know,

1 I thought they may have a weapon in their pocket or something.
2 That's terrifying. But I don't know if that's their
3 interpretation of the law. Maybe that's why we're getting
4 kind of confused with each other, defense and the prosecution.
5 You don't kill somebody because you believe they may have a
6 deadly weapon. That's false. That was part of the closing I
7 just heard.

8 He was alive when he was hit. Yeah, Dr. Monroe did
9 testify to that. We wish Mr. Booker was still alive, you
10 know, and he would have been if he wasn't shot.

11 Dr. Monroe testified this was a challenging autopsy for
12 him because of what Mr. Edwards did to this man. These wounds
13 are O&P, wounds to the back. Of all of the shots that were
14 ambiguous, he testified that these were entry wounds. Okay?
15 All of these could have been entry wounds, but a lot of them,
16 he said I can't -- I don't know, they're ambiguous. He kept
17 using that term, which means he wasn't clear. He couldn't say
18 entry or exit. These two, however, he said, had all the
19 hallmarks of entry wounds, and he testified as an expert those
20 were entry wounds. So we know Mr. Booker was shot at least
21 twice in the back. Okay?

22 And then the defense mocked me a little bit, but it's
23 okay. You know, I've got a thick skin. He said I was
24 flopping around trying to, you know, describe the wound. This
25 wound right here is labeled as Y. Okay? This wound right

1 here was an entry wound. This wound right here traveled
2 upwards through the chest, through the neck, and into the
3 brain.

4 When you all go back there, you'll have a diagram that
5 can explain it. I want you to try to figure out how you can
6 achieve this shot, that trajectory. Unless he went right up
7 under him and fired like that, then that would have to mean
8 that he's ducking and running away and he's shot from behind,
9 or he's lying down on the ground.

10 So they can mock me all they want, but if you can come up
11 with some other way, you know, maybe there is. That's all I
12 could think of. This is an unarmed man who never had a
13 chance. Never.

14 If he's 60 feet away, like you say, and you feel, you
15 know, he's coming at you with this stick or whatever it is,
16 because you say he doesn't know what it is, how about fire a
17 warning shot? How about shooting into the ground? Let him
18 know you mean business.

19 I mean, if we're to believe Mr. Haynes, Booker stops
20 whenever anybody just does this. It's because he didn't want
21 to give him a chance. He's there to kill the man. He didn't
22 have to. This is malice. This is overkill.

23 He tried to answer my questions, she said. Oh, he tried.
24 Mr. Scott was asking these questions, and he tried to answer.
25 Did he? You heard the questions. Did they strike you as

1 questions that were tricky or difficult to understand or
2 confusing in any way?

3 It was, hey, why didn't you, you know, get in the
4 passenger seat? Why didn't you take her to the passenger
5 seat? You know, why didn't you -- why didn't you get all the
6 tool boxes out instead of, like -- well, what is that story?
7 Why didn't you tell the police that, man?

8 Those aren't real difficult questions, I don't think. He
9 was evasive, I submit to you, because he didn't want to answer
10 my questions. You know, I don't think those were difficult
11 questions to understand. I submit to you they weren't.

12 He got on the stand yesterday and said, oh, yeah, I asked
13 them to test my blood at the jail. Him saying that was the
14 only evidence you've heard of that. Okay? That was him
15 saying that yesterday. There's no other evidence that he ever
16 asked anybody to do it.

17 And second of all, the jail has no capability of testing
18 blood. Okay? It's not a drug lab. They're there to
19 incarcerate people pretrial or accused of crimes. It's not a
20 science lab. I submit to you that never happened.

21 I don't know why he tells everybody he's on PCP. I'm not
22 in the habit of doing that. You know, I don't know why he is.
23 I don't know why he would say he was high on angel dust if he
24 wasn't. Okay?

25 There's the facts. Ladies and gentlemen, just ask

1 yourself why he's avoiding questions. Ask yourself why he has
2 this version of events. Look at the pictures. Look at what
3 the evidence shows you.

4 The man was standing right here when he fired upon a man
5 standing between a Honda and a fence. Casings ejected to the
6 right, casings ejected here at the edge of the driveway. It's
7 not over here at the trunk of the car being ambushed. That's
8 29 holes in the man. That's malice.

9 I ask you again. I'm sitting down now. Common sense,
10 guys. Respect each other's decision. Respect each other when
11 you deliberate. All I can ask is use common sense. Find him
12 guilty of the only verdict that speaks the truth. That's a
13 verdict of guilty on all four counts.

14 Thank you.

15 THE COURT: All right. Thank you, Mr. Scott.

16 All right. Let's stand up, stretch, twist, turn.

17 THE COURT: Do we need Mr. Fowler?

18 MR. SCOTT: No.

19 THE COURT: Okay. All right. Let's grab a seat.

20 CHARGE ON THE LAW

21 THE COURT: Now, ladies and gentlemen, it is now my job
22 to explain the law to you. It is virtually impossible for me
23 to be exciting or riveting or entertaining in giving you the
24 law, but this is the law that you must apply to this case.
25 And so I do ask that you give me your undivided attention,

1 just as you have done through the rest of the trial.

2 This jury charge is going to be a little bit longer than
3 the other ones that we do, just because of the nature of the
4 case and the different issues that have arisen. So please
5 bear with me as we go through it, and please give me your
6 undivided attention.

7 So I'm going to remind you that the fact that the
8 defendant was arrested, charged, and indicted in this case for
9 murder, kidnapping, possession of a weapon during the
10 commission of a violent crime, and failure to stop for a blue
11 light is not evidence. And the fact that he was arrested,
12 charged, and indicted cannot be considered by you as evidence
13 of guilt in the case, nor does it create any presumption or
14 inference of guilt.

15 The indictments are simply the formal written instruments
16 by which -- which contain the charges made against the
17 defendant. They are the formal documents by which the case is
18 brought into this court.

19 You and I have had different duties to perform during
20 this trial. It's my responsibility to preside over the trial
21 and to rule upon the admissibility of the evidence. If there
22 was any testimony ordered stricken, you should disregard it.
23 You are to consider only the testimony which has been
24 presented from the witness stand, and the exhibits which have
25 been made a part of the record in this case.

1 I have the additional duty to charge you on the law. I
2 am the sole judge of the law, and it is your duty to accept
3 the law that I give you and apply the law as I now give it to
4 you. If you have an idea as to what you think the law is or
5 what you think the law ought to be, and it does not agree with
6 what I now tell you the law is, you must abandon your own idea
7 because you are sworn to accept the law and apply it exactly
8 as I give it to you.

9 You are the sole and exclusive judge of the facts. I'm
10 not allowed to make a comment about the facts. I'm not
11 allowed to make a statement about the facts. I'm not allowed
12 to answer a question about the facts because you are the sole
13 judge of the facts.

14 You should not infer from anything that I've said during
15 the trial or anything that I say now that I have an opinion
16 about the facts in this case.. The law does not allow me to
17 have an opinion about the facts. The facts are for you to
18 determine. It's your duty to determine the effect, the value,
19 and the weight of the evidence that has been presented.

20 Now, as I told you on Monday, the defendant has pled not
21 guilty to these charges, and that plea places the burden of
22 proving the case upon the State of South Carolina. A person
23 charged with committing a criminal offense in South Carolina
24 is never required to prove himself innocent. This is an
25 important rule of law that the defendant in a criminal trial,

1 no matter what the seriousness of the charge may be, will
2 always be presumed innocent of the crime for which the
3 indictment was issued unless guilt has been proven by evidence
4 that satisfies you of that guilt beyond a reasonable doubt.

5 This presumption of innocence doesn't end when you begin
6 your deliberations, but it accompanies the defendant
7 throughout the trial until you reach a verdict of guilt based
8 upon evidence that satisfies you of that guilt beyond a
9 reasonable doubt. The presumption of innocence is like a robe
10 of righteousness placed about the shoulders of the defendant,
11 which remains with him until it has been stripped from the
12 defendant by evidence that satisfies you of the defendant's
13 guilt beyond a reasonable doubt.

14 This presumption of innocence isn't just a mere legal
15 theory. It's not just some phrase that we use. It is a
16 substantial right to which every single defendant is entitled
17 unless you are satisfied from the evidence of the defendant's
18 guilt beyond a reasonable doubt.

19 So that kind of begs the question, what does beyond a
20 reasonable doubt mean? So, as I told you on Monday, the State
21 has the burden of proving the defendant guilty beyond a
22 reasonable doubt. That's your standard. Okay?

23 Some of you may have been a juror in a civil case where
24 you were told it is only necessary to prove that a fact is
25 more likely true than not true. In criminal cases, the

1 greater -- in criminal cases, the State's proof must be more
2 powerful than that. It must be beyond a reasonable doubt.
3 Proof beyond a reasonable doubt is proof that leaves you
4 firmly convinced of the defendant's guilt.

5 There are very few things in this world that we know with
6 absolute certainty, and in criminal cases the law does not
7 require proof that overcomes every possible doubt. If, based
8 upon your consideration of the evidence, you are firmly
9 convinced that the defendant is guilty, you must find the
10 defendant guilty. If, on the other hand, you think there is a
11 real possibility that he is not guilty, you must give the
12 defendant the benefit of the doubt and find him not guilty.

13 Now, as I told you on Monday, there are things that occur
14 during a trial that appear to be evidence and upon first
15 glance may be evidence, but they're actually not evidence.
16 So, number one, the statements and the arguments that the
17 attorneys make are not evidence. The questions that they ask
18 and the objections that they raise are not evidence. And
19 number three, anything that I told you to disregard is not
20 evidence.

21 Now, there are two types of evidence which may be
22 presented: direct and circumstantial. Direct evidence
23 directly proves the existence of a fact and doesn't require
24 any deduction. Circumstantial evidence is proof of a chain of
25 facts from which you can then find another fact.

1 So crimes are allowed to be proven by circumstantial
2 evidence. The law makes no distinction between the weight or
3 the value to be given to either direct evidence or
4 circumstantial evidence. However, to the extent that the
5 State relies on circumstantial evidence, all of the
6 circumstances must be consistent with each other and when
7 taken together point conclusively to the guilt of the accused
8 beyond a reasonable doubt. These circumstance -- if these
9 circumstances merely portray the defendant's behavior as
10 suspicious, the proof has failed.

11 The State has the burden of proving the defendant guilty
12 beyond a reasonable doubt. This burden rests with them
13 whether they rely on direct evidence, circumstantial evidence,
14 or some combination of the two.

15 Now, you must determine the credibility of the witnesses
16 who have testified. Credibility just means believability.
17 It's your duty to analyze the evidence and to evaluate the
18 evidence.

19 In determining the believability of the witnesses, you
20 may believe one witness over several or several over one. You
21 may believe a part of what a witness says and reject the
22 remaining part. You may believe the testimony of a witness
23 entirely or reject it entirely. You may consider whether the
24 witness has exhibited to you any interest or bias or prejudice
25 or other motive in the case. You may consider their demeanor

1 and appearance while on the witness stand. Okay?

2 I probably gave you some example on Monday, just said you
3 judge people's credibility all day long. Okay? Each and
4 every day of your life, you're consistently judging people's
5 credibility. You do it with your common sense. Okay?

6 When you came through the metal detector this morning,
7 you didn't leave your common sense downstairs. Okay? You
8 bring it with you. Just use your common sense in determining
9 the believability of the witnesses.

10 Now, we had a few expert witnesses testify in this case.
11 And remember, I told you that ordinarily witnesses are not
12 allowed to give their opinions, but there's an exception when
13 someone is called an expert witness. And this is a witness
14 who, by education or science or experience, has become an
15 expert in some art or science or profession, and they're
16 allowed to give their opinion and they're allowed to give the
17 reasons for their opinion.

18 So you should consider any expert opinion received in
19 this case and, like any other piece of evidence, you give it
20 the weight that you believe it deserves. If you decide that
21 the -- if you decide that the opinion of the expert isn't
22 based upon sufficient education and experience or if you
23 conclude that the reasons given in support of the opinion are
24 not sound or that the opinion is outweighed by other evidence,
25 you may disregard the opinion entirely.

1 An expert's testimony is to be given no greater weight
2 than that -- than that of the other witnesses simply because
3 we call them experts. Further, you are not required to accept
4 an expert's opinion, even though it is not contradicted.

5 Now, there is an alleged statement to have been made by
6 the defendant that I have admitted into evidence in this case,
7 and while I have determined that it is admissible, you make
8 the ultimate decision of whether or not the defendant actually
9 made the statement. If the defendant did make the statement,
10 you must determine whether the statement was made voluntarily
11 and of his own free will. That he was -- it was not caused by
12 pressure or force or fear or threats or coercion or
13 intimidation or by hope of a promise or leniency or a reward.

14 In determining whether the statement was voluntary, you
15 should consider the characteristics of the defendant and the
16 details of the questioning, such as the age of the defendant,
17 the defendant's education, the defendant's mental ability or
18 capacity, the defendant's intelligence, the defendant's
19 background, the place and the length of the detention, the
20 nature of the questioning, and the advice or lack thereof of
21 his constitutional rights, including, but not limited to, the
22 right to remain silent, that any statement can be used against
23 him in court, the right to have a lawyer, that if he couldn't
24 afford one, one would be appointed to represent him without
25 cost, and that he could stop making a statement at any time.

1 You must carefully consider all of the surrounding
2 circumstances before you give any weight to an alleged
3 statement. The State has the burden of proving beyond a
4 reasonable doubt that the alleged statement was voluntary.

5 If you determine it was, you may give it any further
6 consideration you deem proper. You must decide what weight,
7 if any, should be given to the alleged statement. If you
8 determine it was not the free and voluntary statement of the
9 defendant, you should not consider it at all.

10 We're going to switch gears a little bit, and we're going
11 to move into talking about the specific crimes that are
12 charged. In order to do that, the first thing I need to
13 explain to you is intent, because criminal intent is required.

14 So in order to establish criminal liability, criminal
15 intent is required. For example, the mental state might be
16 purpose, intent or knowledge, or criminal negligence.
17 Criminal intent must be proven by the State beyond a
18 reasonable doubt.

19 Now, criminal intent is always a matter that must be
20 determined by the jury from the circumstances surrounding the
21 situation. There's no way to prove intent to a mathematical
22 certainty. There's no way that we can or medical science can
23 dissect a person's brain and say at this moment this was his
24 or her intent, and so you may infer intent from the
25 circumstances shown to have existed, and that's how you'll

1 make a determination of whether or not the element that
2 requires intent was present.

3 It is not necessary to establish intent by direct and
4 positive evidence, but it may be established by inference in
5 the same way as any other fact, by taking into consideration
6 the acts of the parties and all the facts and circumstances of
7 the case. Criminal intent is a mental state. It is a
8 conscious wrongdoing. It is up to you to determine what the
9 defendant intended to do based upon the circumstances shown to
10 have existed.

11 Now, I charge you that voluntary intoxication is never an
12 excuse or a defense to a crime. A person who voluntarily
13 renders himself intoxicated is no less responsible for his
14 acts while in such condition.

15 If a person voluntarily drinks intoxicating liquors or
16 ingests drugs and becomes intoxicated, and if while in that
17 condition commits an act which would be a crime if it had been
18 committed by a sober person, the fact of drunkenness would not
19 relieve the intoxicated person from responsibility. Voluntary
20 intoxication is not an excuse for or a defense to a crime.
21 This rule also extends to the voluntary ingest -- ingestion of
22 drugs. Okay?

23 So the first crime that we're going to go over is murder.
24 All right? So the defendant is charged with murder. So the
25 State must prove beyond a reasonable doubt -- remember that's

1 your standard -- that the defendant killed another person with
2 malice aforethought.

3 So what is malice? Malice is hatred, ill will, or
4 hostility towards another person.

5 Now, what does malice aforethought mean? Malice
6 aforethought does not require that malice exists for any
7 particular time before the act is committed, but it must exist
8 in the mind of the defendant just before and at the time the
9 act is committed. So there must be a combination of previous
10 evil intent and the act.

11 So malice aforethought may be express malice or inferred
12 malice, and these don't mean different kinds of malice, but
13 merely the manner in which they are existing -- they are shown
14 to exist, that is, either by direct evidence or inference from
15 the facts and circumstances which have been proven.

16 Express malice is shown when a person speaks words which
17 express hatred or ill will for another or when the person
18 prepared beforehand to do the act which was later
19 accomplished. For example, if someone was lying in wait for a
20 person or any other acts of preparation going to show that the
21 deed was within the defendant's mind would be express malice.
22 So malice may be inferred from a conduct -- from conduct that
23 shows a total disregard for human life.

24 Now, if you find that the State has failed to prove
25 beyond a reasonable doubt that the defendant committed murder,

1 you may consider whether the State has proved beyond a
2 reasonable doubt that the defendant committed voluntary
3 manslaughter. So included within the offense of murder is the
4 offense -- lesser offense of voluntary manslaughter.

5 So to prove voluntary manslaughter, the State must prove
6 beyond a reasonable doubt that the defendant took the life of
7 another in the sudden heat of passion, based upon sufficient
8 legal provocation. Both heat of passion and sufficient legal
9 provocation must be present at the time of the killing to
10 constitute voluntary manslaughter.

11 Sudden heat of passion may for a time affect a person's
12 self-control and temporarily -- temporarily disturb a person's
13 reason. The sudden heat of passion must be the type that
14 would make an ordinary person unable to coolly reflect on his
15 actions and would produce an uncontrollable impulse to do
16 violence. Sufficient legal provocation must be the type that
17 would make a person of ordinary reason and caution become
18 enraged and lose control temporarily.

19 The provocation needed for voluntary manslaughter must
20 come from some act of or related to the victim. Words alone,
21 however vulgar or insulting, are not enough to be legal
22 provocation. Where the death is caused by the use of a deadly
23 weapon, the words -- the words must be accomplished --
24 accompanied, excuse me, by some overt threatening act which
25 could have produced the heat of passion. The exercise of a

1 legal right, no matter how offensive it is to another, is
2 never sufficient legal provocation for voluntary manslaughter.

3 If the heat of passion had cooled or if there was enough
4 time between the provocation, if any, and the killing for the
5 passion of a reasonable person to cool, the killing would not
6 be voluntary manslaughter. In deciding whether a reasonable
7 person would have had enough time to cool off, you should
8 consider all the circumstances surrounding the killing. You
9 may consider the nature of the provocation, if any, and the
10 defendant's mental and physical states and the circumstances
11 and relationships between the parties.

12 Now we're going to talk about self-defense. So the
13 defendant has raised the defense of self-defense. Self-
14 defense is a complete defense, and if it is established, you
15 must find the defendant not guilty. The State has the burden
16 of disproving self-defense by proof beyond a reasonable doubt.

17 If you have a reasonable doubt of the defendant's guilt
18 after considering all of the evidence, including the evidence
19 of self-defense, then you must find the defendant not guilty.
20 If, on the other hand, you have no reasonable doubt of the
21 defendant's guilt after considering all of the evidence,
22 including the evidence of self-defense, you must find the
23 defendant guilty.

24 The State has the burden of disproving self-defense, and
25 this burden is carried by disproving any one of the four

1 elements by proof beyond a reasonable doubt. So what is
2 required to establish self-defense?

3 Number one, we call this one without fault. So first,
4 the defendant must be without fault in bringing on the
5 difficulty. If the defendant's conduct was the type which was
6 reasonably calculated to and did provoke a deadly assault, the
7 defendant would be at fault in bringing on the difficulty and
8 would not be entitled to an acquittal based upon self-defense.

9 Number two, we call this one imminent danger. So the
10 second element of self-defense is that the defendant was
11 actually in imminent danger of death or serious bodily injury
12 or that he actually believed he was in imminent danger of
13 death or serious bodily injury. In deciding whether the
14 defendant was or believed he was in imminent danger of death
15 or serious bodily injury, you should consider all the facts
16 and circumstances surrounding the crime, including the
17 physical condition and characteristics of the defendant and
18 the victim.

19 Number three, the third element of self-defense is that
20 if the defendant was actually in imminent danger, it must be
21 shown that the circumstances would have warranted a person of
22 ordinary firmness and courage to strike the fatal blow to
23 prevent death or serious bodily injury. If the defendant
24 believed he was in imminent danger of death or serious bodily
25 injury, it must be shown that a reasonably prudent person of

1 ordinary firmness and courage would have had the same belief.

2 Now, the defendant does not have to show that he was
3 actually in danger. It is enough if the defendant believed he
4 was in imminent danger and a reasonably prudent person of
5 ordinary firmness and courage would have had the same belief.

6 The defendant has the right to act on appearances, even
7 though the defendant's beliefs may have been mistaken. It is
8 for you to decide whether the defendant's fear of immediate
9 danger of death or serious bodily injury was reasonable and
10 would have been felt by an ordinary person in the same
11 situation.

12 Words accompanied by hostile acts may, depending upon the
13 circumstances, establish self-defense. The relative sizes,
14 ages, and weights of the defendant and the victim may be
15 considered in deciding the apparent or actual need for force
16 in self-defense and the amount of force needed.

17 Prior instances of violence by the victim may be
18 considered in deciding whether the defendant actually believed
19 he was in imminent danger of death or serious bodily injury or
20 was actually in imminent danger. Threats made by the victim
21 may be considered in determining whether the defendant
22 actually was or believed he was in imminent danger. The
23 intoxication of the victim may be considered in determining
24 whether the defendant's fear of death or bodily harm was
25 reasonable.

1 And the last element of self-defense is that -- the final
2 element of self-defense is that the defendant had no other
3 probable way to avoid the danger of death or serious bodily
4 injury than to act as he did in the particular instance.

5 Now, a person cannot be required to make an exact
6 calculation as to the degree or the amount of force which may
7 be needed to avoid death or serious bodily harm. Therefore,
8 in self-defense, the defendant has the right to use the force
9 needed to avoid death or serious bodily harm.

10 The force used in self-defense does not have to be
11 limited to the degree or amount of force used by the victim.
12 The defendant has the right to use so much force as it appears
13 to be necessary for complete self-protection in which a person
14 of ordinary reason and firmness would have believed to be
15 needed to prevent death or serious bodily harm. If the
16 defendant is justified in defending himself and in firing the
17 first shot, then the defendant is also justified in continuing
18 to shoot until it is apparent that the danger of death or
19 serious bodily harm has ended.

20 All right. The next charge is kidnapping. So the
21 defendant is charged with kidnapping. So the State must prove
22 beyond a reasonable doubt that the defendant knowingly and
23 unlawfully confined, inveigled, seized, decoyed, kidnapped,
24 abducted, or carried away another person without authority of
25 law.

1 To do a thing unlawfully is to do it willfully against
2 the law.

3 Knowingly means with knowledge, consciously and not
4 accidentally.

5 So what does seize mean? Seize means to take hold of
6 suddenly or forcibly.

7 What does confine mean? Confine means to limit,
8 restrict, or enclose within bounds, imprison or shut or keep
9 in.

10 What does inveigle mean? Inveigle means to lure, entice,
11 or lead astray by false representations, promises, or other
12 deceitful means.

13 What does decoy mean? Decoy means to lure -- lure by or
14 as if by decoy. A decoy is something to entice a person into
15 a trap.

16 Kidnap is to remove a person against his or her will by
17 unlawful force or by fraud.

18 Abduct means to carry off secretly or by force for an
19 illegal purpose. Carry away means to remove.

20 Now, the State does not have to prove that the defendant
21 did all of these things. Instead, if you find beyond a
22 reasonable doubt that the defendant did any of these words
23 I've just defined for you, you may find the defendant guilty
24 of kidnapping.

25 Something done without the authority of law is something

1 which does not -- which the law does not sanction, permit,
2 allow, condone, or provide justification for. The kidnap cap
3 -- the kidnapping does not have to be for any personal or
4 monetary gain or for any illegal purpose, but may be for any
5 reason whatsoever.

6 The next crime is possession of a weapon during the
7 commission of a violent crime. So the defendant is charged
8 with this. So what does the State have to prove? So the
9 State must prove beyond a reasonable doubt that the defendant
10 was in possession of a firearm or visibly displayed what
11 appeared to be a firearm during the commission of a violent
12 crime.

13 A firearm means any machine gun, automatic rifle,
14 revolver, pistol, or any weapon which will, is designed to, or
15 may be readily converted to expel a projectile.

16 In order to find the defendant guilty of this charge, you
17 must first find the defendant guilty of either committing a
18 violent crime or attempting to commit a violent crime.
19 Murder, voluntary manslaughter, and kidnapping are all violent
20 crimes. The State must prove that beyond a reasonable doubt
21 that the weapon furthered, advanced, or helped in the
22 commission of the crime.

23 The last charge is failure to stop for a blue light. So
24 in order to prove this crime, the State must prove beyond a
25 reasonable doubt that the defendant was driving a motor

1 vehicle on a road, street, or highway of the state, that he
2 was signaled to stop by law enforcement by means of a siren or
3 a flashing light, and that he did not stop.

4 In determining whether or not there are mitigating
5 circumstances which would justify the defendant's failure to
6 stop for the blue light, you may consider road conditions,
7 actual road conditions, actual roadside conditions, other
8 conditions such as lighting, weather, officer, driver, or
9 passenger safety, and any other circumstances you believe to
10 mitigate the alleged violation. An official signal requiring
11 a motorist to stop may be a siren or flashing lights. Both
12 are not required.

13 An attempt to increase the speed of a vehicle or in some
14 other manner avoid pursuing law enforcement when signaled by a
15 siren or flashing light may be considered by you as evidence
16 of failure to stop for a blue light. However, it is merely an
17 evidentiary fact to be taken into consideration by you, along
18 with all the other evidence in the case, and to be given the
19 weight you decide it should receive.

20 All right. We're almost done.

21 A verdict in this case cannot be based upon sympathy,
22 passion, prejudice, or some other emotion not found in the
23 law.

24 So let's talk about deliberating. Most of you have
25 probably never deliberated before. So let's talk about what

1 that looks like. Okay?

2 The word deliberation is defined as a careful
3 consideration, weighing up with a view to a decision. The
4 genius of this system is that it allows twelve good men and
5 women from twelve totally different backgrounds, life
6 experiences, and perspectives to consider the evidence, talk
7 about it, and reach a verdict.

8 And we call them deliberations for a reason. You should
9 be considering the evidence in the case carefully and
10 deliberately. You should be discussing it in a calm,
11 thorough, and courteous -- and courteous manner. You are not
12 a partisan or an advocate for either side. You are a judge.
13 You're a judge of the facts.

14 So listen to each other's views. Consider other people's
15 points and their points of view and talk through and discuss
16 the evidence. If you're doing something deliberately, you're
17 not in a hurry, and you should not be in a hurry here. This
18 case is very important. This is their only day in court to
19 resolve this matter.

20 When you retire to the jury room, you should discuss the
21 case to reach agreement if you can. Your verdict must be
22 unanimous. That means you all twelve must agree. That each
23 of you must decide the case for yourself after you have
24 impartially considered the evidence, discussed it fully with
25 each other, and listened to each other's views.

1 Don't be afraid to change your opinion if the discussion
2 persuades you that you should, but don't come to a decision
3 simply, well, because everyone else thinks it's right. It's
4 important that you reach a unanimous verdict, but each of you
5 -- only if each of you can do so after having made your own
6 decision.

7 Do not change an honest belief about the weight and the
8 effect of the evidence simply to reach a verdict. In other
9 words, don't change your opinion solely for the sake of
10 reaching a unanimous verdict.

11 I want to remind you that you are making very important
12 decisions in this case, and I strongly encourage you to
13 evaluate the evidence carefully. You should resist jumping to
14 conclusions that are based upon personal likes or dislikes,
15 generalizations, gut feelings, prejudices, stereotypes, or
16 biases. Your verdict should be based upon the evidence, your
17 individual evaluation of that evidence, your reason and common
18 sense, and these instructions.

19 Okay. So I'm about to send you back to your jury room.
20 Okay? You still can't start talking about the case. Okay?
21 The sign that you can start deliberating is when all this
22 evidence comes back in the room. Okay? So when the bailiffs
23 bring all this in, that's your sign that you can start. Okay?

24 We have what we call a clean computer for you. That's a
25 computer that basically has nothing on it. So if you want to

1 play the disk or you want to look at the disk or you want to
2 watch it as many times as you want to watch it, that's what
3 the clean computer is for.

4 If you can't figure out how to play the disk or if
5 something happens, just knock on the door and let us know and
6 we'll send one of the court staff in to help you get it
7 playing in the right direction, but it should be as simple as
8 popping it in, and it should pop up. Okay? Does that make
9 sense?

10 We're also sending gloves back with you, if you want to
11 touch something, hold something. I don't know of any
12 contaminants on anything, but just out of an abundance of
13 caution, we're sending those back. If you want to use them,
14 you can. If you don't want to, that's okay, too. I'm just
15 sending them back out of an abundance of caution. Okay?

16 Now we'll send you back to your jury room. Your lunch is
17 already here. Okay? So you can eat lunch and deliberate.
18 You can eat lunch and then deliberate. It doesn't matter to
19 me. You don't even need to tell me which one you're doing.
20 Do whichever one you want to do. Okay?

21 You all twelve have to be in the room to deliberate. So
22 if somebody goes to the restroom, if somebody needs to take a
23 smoke break, somebody needs to go call home, deliberations
24 stop unless all twelve of you are in the room. Okay? Are you
25 with me on all that?

1 All right. Your verdict must be unanimous. That means
2 you all must agree. Okay?

3 Okay. The last thing we're going to do is I'm going to
4 go over this verdict form with you. Okay? It's a little
5 longer than normal, but what it does is it goes through each
6 question you need to ask. You'll all be allowed to see it
7 when it goes back with you.

8 This -- all this at the top is just the case caption.
9 Okay?

10 So question number one, as to the charge of murder, we
11 find the defendant either guilty or not guilty. Okay? There
12 is no rhyme or reason to guilty and not guilty, the order I
13 put them in. I switch them every trial I do. Okay? So I
14 just have to put one first and I have to put one second.
15 There's no rhyme or reason to it. Don't read anything into
16 it. Okay?

17 If you find him guilty of murder, you do not need to
18 answer the voluntary manslaughter question. You would then go
19 to question three. Okay? Which is the kidnapping. Okay?

20 If you find him not guilty on the murder, then you answer
21 the voluntary manslaughter question. Okay? Regardless of
22 either one of those, you answer question number three, which
23 is as to the kidnapping, guilty or not guilty.

24 Question number four is the weapons charge. Okay? You
25 can only consider the weapons charge if you find him guilty of

1 murder or manslaughter or kidnapping or some combination of
2 the two. Does that make sense? That you can only be guilty
3 of possession of a weapon during the commission of a violent
4 crime if you first find that he has committed a violent crime.
5 You follow me on that? Okay? And I've written that in this
6 little paragraph.

7 And then the last question, failure to stop for a blue
8 light. Same thing. Check the box, sign, and date.

9 I'm going to give you that. Okay? I'm going to send you
10 back. Don't start deliberating. The sign you can start is
11 when all of this comes in the room, and then you're good to
12 go.

13 Okay. Thank you very much.

14 (WHEREUPON, the jury exited the courtroom at 12:53 p.m.)

15 THE COURT: All right. Any exception to the charge other
16 than those previously stated?

17 MR. SCOTT: None from the State.

18 MR. BRADY: No, Your Honor.

19 THE COURT: Okay. All right. So here's what I need
20 y'all to do. I need you to give your phone numbers to Yahnis
21 so that he has them, and then I need a representative from the
22 State and the defense to get together with my law clerk and
23 Ms. Harris to make sure the right exhibits go back and we have
24 them all together.

25 Good job, and thank you very much.

1 (WHEREUPON, the evidence was checked.)
2 (WHEREUPON, jury deliberations began at 12:59 p.m.)
3 (WHEREUPON, there was a break in the proceedings, after
4 which the proceedings resumed as follows.)
5 THE COURT: Okay. We got two notes. Everyone's present.
6 The first one, note says can we see police reports? I
7 don't even know what that is. I don't know anybody that
8 talked about any police reports, but --
9 MR. SCOTT: Other than just officers, you know, asking to
10 refer to their notes as they testified.
11 THE COURT: Yeah. All right. My thoughts are to write,
12 no, comma, you have all the evidence that has been admitted.
13 Any objection to that?
14 MR. SCOTT: None from the State.
15 MR. BRADY: None from the defense.
16 THE COURT: Okay. Okay. And then the next note is can
17 we have a copy of the jury charge?
18 I can't remember if you like that or don't like that. I
19 can't remember.
20 MR. SCOTT: In some cases, I like it. I like it in this
21 case. It's fine.
22 THE COURT: Okay. Any objection?
23 MS. GOODE: No, Your Honor.
24 THE COURT: Okay. All right. We've got a clean copy for
25 them, so we'll send that back, and we'll make it a Court's

1 exhibit, and so we have that.

2 (WHEREUPON, the jury notes were marked as Court's
3 Exhibits Number 13 and Number 14.)

4 THE COURT: Okay. Thank you very much. That's it.

5 MR. BRADY: Your Honor, can we just check to make sure it
6 doesn't have that malice language that we talked about? Thank
7 you.

8 THE COURT: I know how to do my job.

9 MR. BRADY: Sorry, Your Honor.

10 (WHEREUPON, there was a break in the proceedings, after
11 which the proceedings resumed as follows.)

12 (WHEREUPON, the jury entered the courtroom at 2:38 to
13 have the testimony of witness Carlo Yarborough replayed
14 for them, after which they exited the courtroom at 3:45
15 p.m.)

16 (WHEREUPON, the jury note was marked as Court's Exhibit
17 Number 15.)

18 (WHEREUPON, there was a break in the proceedings, after
19 which the proceedings resumed as follows.)

20 THE COURT: Okay. There we go. We got a note that says
21 we have decided four of the five charges. I'm not going to
22 try to figure out what that means. Can we break for the night
23 and reconvene in the morning? We are at a good stopping
24 point.

25 All right. Any remarks from the State?

1 MR. SCOTT: No, Your Honor.

2 THE COURT: Any remarks from the defense?

3 MS. GOODE: Judge --

4 THE COURT: Yeah, I did the math. The math doesn't work
5 out.

6 MS. GOODE: Okay. So I guess, no, I have nothing.

7 THE COURT: Okay. Yeah. And earlier, they asked to take
8 a -- some of them asked to take a smoke break, and I told them
9 that they could and I sent a bailiff with them, so they didn't
10 go out by themselves.

11 All right. Let's bring them in, Mr. Bowen.

12 Okay. I'm just going to tell them to be back at 9:30 in
13 the morning, and I'm not going to bring it in here. I'm just
14 going to tell them once they all get here, they can start.

15 Is that okay, Mr. Scott?

16 MR. SCOTT: I'm sorry?

17 THE COURT: I said, I'm just going to tell them to come
18 back in at 9:30, and once they all get here, they can start.
19 We don't need to have a hearing for them to start. Is that
20 okay?

21 MR. SCOTT: That's fine.

22 THE COURT: Is that okay?

23 MS. GOODE: I'm sorry. I missed all that, Your Honor.

24 THE COURT: I'm just going to tell them when they all get
25 here in the morning, they can start. They don't need us to

1 start.

2 MS. GOODE: Great.

3 THE COURT: Okay.

4 MS. GOODE: That sounds great.

5 THE COURT: I need y'all here, but you don't need to be
6 physically in here.

7 (WHEREUPON, the jury entered the courtroom at 7:13 p.m.)

8 THE COURT: Come on in. It's just going to be a real
9 quick second, and then I'll get you out of here.

10 All right. If you'll just give me about 60 seconds of
11 your undivided attention, and then I'll get you out of here.

12 So I got a note from you that says we've decided some of
13 the charges. Can we break for the night and reconvene in the
14 morning? We're at a good stopping point.

15 Is that the essence of it, Mr. Foreman?

16 THE FOREPERSON: Yes.

17 THE COURT: Okay. Good. Okay. So what we're going to
18 do is I'm going to release you for the evening. Okay? It's
19 about 7:15. You've been working for somewhere around five,
20 six hours. So it's actually a pretty good stopping point for
21 -- for the evening. That gives you time to get home and eat
22 some food and kind of relax, let your mind unwind.

23 Okay. But I do need to remind you of the rules that are
24 in place. Okay?

25 Number one, you're not allowed to talk to anybody about

1 the case. Okay? So human nature is to go home or to get on
2 your phone or to, you know, call somebody you care about on
3 the way home and say, well, let me tell you what we're in the
4 middle of. Okay?

5 You can't do that. Okay? You can't discuss what's going
6 on in the case. You can't discuss what's going on in the
7 deliberations room with anybody in any way, shape, or form.
8 Okay? Is everybody clear about that? Does anybody not
9 understand that?

10 Okay. The second thing is this, and I'm going to kind of
11 explain it to you in a little bit different way than I've
12 explained it to you before. You know, we tell you not to do
13 any research. Right? And I probably said that to you four or
14 five times. You shouldn't be going home and looking up words
15 that you don't know. Okay.?

16 And one of the things that I hear from jurors in all my
17 years of trying cases, both as a lawyer and as a judge, is you
18 have all these questions that you want answered that you feel
19 like are not answered. Right? And sometimes it's, well, why
20 didn't we hear this and why didn't we hear that? Okay?

21 And the reason the old judges used to keep you here until
22 about 2 or 3 o'clock in the morning is to avoid what I'm about
23 to go over with you. So in the world that we live in,
24 especially in 2024, and the fact that we all have computers;
25 right? In our pockets, right? It's very easy to leave the

1 situation you are now and, in your mind, you have a question
2 about, well, what about this or what about that, and to try to
3 get on your phone or get on your computer or get on your
4 tablet or some other kind of electronic device and solve
5 whatever that issue is. Okay?

6 And you can't do that. Okay? The evidence that's been
7 presented is the evidence that's been presented. Okay? And
8 you have to take that evidence, along with the law that I've
9 given you and the instructions that you have a copy of, and
10 that's what you use to come to your decisions.

11 So I just want to remind you of those things. This is
12 not me fussing at you. This is just a reminder that we're in
13 a little different place now because you've started
14 deliberating, you've heard each other's ideas, you've gone
15 through the evidence, but I'm going to release you for the
16 evening, and I think that's a good decision to do so. And I'm
17 confident in all of you that you will follow these rules and
18 restrictions that I've placed on you since the very beginning.

19 So for tomorrow morning, we're going to start at 9:30.
20 Okay? And once the bailiffs see that all twelve of you are
21 here, they're going to bring the exhibits back in the room.
22 They'll keep the exhibits locked up overnight. They'll bring
23 the exhibits back in the room. And then once they know all
24 twelve of you are here and the exhibits come back in the room,
25 then you can start deliberating, but I'm not going to bring

1 you in here to say you may now start. Okay?

2 When the -- Mr. Bowen and Ms. Sutton have been around
3 long enough to know what they're doing. Once you all get
4 here, they'll give you the exhibits, and you all just go ahead
5 and start on your own. We'll all be here.

6 And so if you have a question or something comes up, just
7 follow the same procedure that you did today, but I'm not
8 going to bring you in here and say go ahead and start. You
9 just start just like before. All twelve of you have to be in
10 the room. Once that happens, then the exhibits come in, you
11 can restart your deliberations. Okay?

12 All right. And so I want to say thank you very much for
13 your hard work today. I appreciate all of your hard work. I
14 appreciate the time and the effort that you're putting into
15 this process.

16 I know that the lawyers appreciate that on both sides,
17 and we always appreciate jurors taking their time and being
18 deliberate and conscientious in what they're doing, and we
19 know that you're doing that. So we appreciate that.

20 I am going to release you for the evening. We'll see you
21 tomorrow morning at 9:30.

22 Now, we -- do we have -- Lieutenant, do we have some
23 people that can walk them across the street?

24 THE DEPUTY: Yeah. We can walk out and take them down
25 there.

1 THE COURT: Okay. So we're in -- this is only because
2 we're in downtown Columbia and it's near the hours of kind of
3 getting dark. Okay? This has nothing to do with the case or
4 anybody involved in the case in any way, shape, or form, but
5 anytime that I release jurors when it's getting closer to
6 dark, I have -- I let the deputies take you back to where your
7 cars are, because there's some people that stay in the parking
8 garages that probably shouldn't be staying in the parking
9 garages, and so we kind of have the deputies walking over
10 there just to make sure everything's safe.

11 We are in a metropolitan city and in downtown. And
12 again, that has nothing to do with the case or anybody
13 involved in the case. That's just me being a little bit extra
14 cautious with you. So we will have some deputies walk you to
15 wherever you're parked. Okay?

16 All right. Thank you very much. We'll see you tomorrow
17 morning at 9:30. Thank you.

18 (WHEREUPON, the jury exited the courtroom at 7:19 p.m.)

19 THE COURT: All right. So, Yahnis, you need to make sure
20 you look up all those --

21 THE CLERK: Yes, sir.

22 THE COURT: And then once they all get here in the
23 morning, you can take them back in. You with me?

24 THE CLERK: Yes.

25 THE COURT: Okay. All right. Anything from the State

1 before we break?

2 MR. FOWLER: No, Your Honor.

3 THE COURT: From the defense?

4 MS. GOODE: No, Your Honor.

5 THE COURT: Okay. Y'all don't have to be in here at
6 9:30, but just be where we can find you if we call you on the
7 phone, please. Okay? Good? Thank you very much.

8 MS. GOODE: Thank you.

9 MR. FOWLER: Thank you.

10 (WHEREUPON, the jury notes were marked as Court's
11 Exhibits Number 16 and Number 17.)

12 (WHEREUPON, the proceedings adjourned for the day.)

13 APRIL 12, 2024

14 (WHEREUPON, jury deliberations resumed at 9:30 a.m.)

15 (WHEREUPON, there was a break in the proceedings, after
16 which the proceedings resumed as follows.)

17 (WHEREUPON, the jury entered the courtroom at 10:41 a.m.
18 for the purpose of rehearing the testimony of John
19 Wannamaker, after which they exited the courtroom at
20 11:03 a.m.)

21 (WHEREUPON, the jury note was marked as Court's Exhibit
22 Number 18.)

23 (WHEREUPON, there was a break in the proceedings, after
24 which the proceedings resumed as follows.)

25 THE COURT: All right. If you're in the audience, number

1 one, thank you for being here. Number two, if you have a
2 phone, it needs to be turned on off or silent. If it goes
3 off, we will confiscate it from you.

4 Number three, if you're in the audience, this is going to
5 be the portion of the trial where the jury comes in and we
6 learn what the verdict is. If you cannot control your
7 behavior, you will be escorted from the courtroom by law
8 enforcement. I will not allow any outbursts, any whooping,
9 hollering, clapping.

10 If you want to cry, that's fine. That's a perfectly
11 normal emotion, but if you can't control your emotions, just
12 step outside. Somebody can come outside in the hallway and
13 tell you what the verdict is, and you can have whatever
14 reaction if you want to. If you want to stay here, your
15 reactions need to be under control.

16 Again, this is a courtroom. This is not -- this is a
17 courtroom, and your reactions need to be appropriate. No
18 hollering, no clapping, no sighing, no shouting out. Crying
19 is a perfectly natural, normal emotion, which is fine if you
20 choose to cry.

21 Okay. Bring them in.

22 THE BAILIFF: Yes, sir.

23 (WHEREUPON, the jury entered the courtroom at 12:16 p.m.)

24 THE BAILIFF: The jury is seated, Your Honor.

25 THE COURT: All right. Mr. Foreman, it's my

1 understanding that you have a verdict. Is that correct?

2 THE FOREPERSON: Yes, Your Honor.

3 THE COURT: Okay. If you would hand it to Mr. Coker.

4 Thank you.

5 All right. The clerk may publish the verdict.

6 THE CLERK: Yes, sir.

7 VERDICT

8 THE CLERK: In the State of South Carolina, County of
9 Richland, the State of South Carolina versus Craig Lamar
10 Edwards, defendant. Indictment Numbers 2020-GS-40-04133,
11 2020-GS-40-04134, 2020-GS-40-04135, and 2020-GS-40-04138.

12 We, the jury, by unanimous consent, find the defendant,
13 Craig Lamar Edwards, as to the charge of murder to Michael
14 Booker on Indictment 2020-GS-40-133, not guilty.

15 If you find the defendant is not guilty of murder against
16 Michael Booker, you should answer question two.

17 As to the charge of voluntary manslaughter as to Michael
18 Booker, guilty.

19 As to the charge of kidnapping to Carlo Yarborough on the
20 Indictment Number 2020-GS-40-04135, not guilty.

21 Only if you find the defendant guilty of murder,
22 voluntary manslaughter, or kidnapping should you answer this
23 question.

24 As to the charge of possession of a weapon during the
25 commission of a violent crime on Indictment 2020-GS-40-04134,

1 guilty.

2 As to the charge of failure to stop for blue light on
3 Indictment 2020-GS-40-04138, guilty.

4 Signed, Juror 321, foreperson, April -- April 12th, 2024.

5 Mr. Foreman, was this the -- were these the verdicts of
6 the jury?

7 THE FOREPERSON: Yes.

8 THE CLERK: Thank you.

9 THE COURT: Does the State request polling?

10 MR. SCOTT: We do, Your Honor.

11 THE COURT: Okay. All right. You can poll the jury.

12 Ladies and gentlemen, the clerk is going to ask each one
13 of you individually are these your verdicts and are they still
14 your verdicts. And if you will, just please answer out loud
15 with your number is called.

16 THE CLERK: Juror 321, were these your verdicts?

17 JUROR NUMBER 321: Yes, sir.

18 THE CLERK: Are they still your verdicts?

19 JUROR NUMBER 321: Yes, sir.

20 THE CLERK: Juror 227, were these your verdicts?

21 JUROR NUMBER 227: Yes.

22 THE CLERK: Are these still your verdicts?

23 JUROR NUMBER 227: Yes.

24 THE CLERK: Juror 145, were these your verdicts?

25 JUROR NUMBER 145: Yes.

1 forever. The book of family.

2 Thank you, Your Honor.

3 THE COURT: Thank you, Ms. Harrell.

4 All right. Do we have some sentencing sheets at this
5 point? And somebody has Mr. Edwards' criminal history?

6 MR. SCOTT: I do, Your Honor.

7 THE COURT: Thank you. And if you would, please go
8 forward with his criminal history.

9 MR. SCOTT: Criminal history, Your Honor. He's got a rap
10 sheet in four different states.

11 In New York, he has an '89 -- 1989 possession stolen
12 credit card. 1999 in New York, two counts of reckless
13 endangerment in the second degree.

14 In Virginia, he has a 1996 possession with intent to
15 distribute heroin.

16 In South Carolina, carrying a concealed weapon in 1993.
17 1994, he has a failure to stop for blue light, which, of
18 course, the indicted charge in this case, failure to stop for
19 blue light, second offense.

20 Also in 1994, possession of crack cocaine, possession of
21 stolen vehicle, use of vehicle without permission, and a
22 possession with intent to distribute crack cocaine.

23 1995, disorderly conduct.

24 2013, simple possession of marijuana.

25 2014, possession with intent to distribute crack cocaine.

1 2015, assault and battery, third.

2 2019, assault and battery, first.

3 In Connecticut in 2007, he has a domestic violence
4 offense and a burglary offense conviction.

5 2008, possession -- possession with intent to distribute
6 a controlled substance.

7 In 2016, he has a criminal attempt to commit assault
8 first and larceny, second degree, reckless endangerment,
9 carrying a pistol without a permit, and an unlawful discharge
10 of a firearm. For that offense, he was given an active
11 sentence and then a probation to follow. He was on probation
12 at the time of this homicide.

13 Specific instructions were that he have no possession of
14 any firearm. He had been ordered to undergo substance abuse
15 counseling, as he had been in the past. Of course, Your
16 Honor, I would take note that in addition to him claiming to
17 be on PCP, he was also found to be in possession of heroin at
18 the time he was arrested in this case.

19 Judge, this is not the first time he's been involved in
20 activity very similar to what we have here this week. The
21 2016 Connecticut charge, discharging a firearm, involved him
22 confronting a man. There was a man who was looking at some
23 furniture that was left out on the side of the road in a
24 suburb in Connecticut. He saw a BMW speed past him and then
25 park on the side of the road. When he looked up, he saw Mr.

1 Edwards approaching him. Apparently, Mr. Edwards claimed this
2 individual owed him money.

3 He -- the individual disclosed that Mr. Edwards then
4 produced a pistol as he approached this individual. The
5 individual was able to, I guess, strike Mr. Edwards and then
6 flee. Mr. Edwards chased the man down the street, firing
7 shots at him, and that was the -- the basis of that
8 Connecticut charge.

9 He's got a history of shooting guns at people.
10 Apparently, according to him, he's got a history of kidnapping
11 people. He -- in several jail calls, he brags to tying up an
12 individual at his house and beating the -- beating the tar out
13 of the individual. He said he almost killed this particular
14 person. That's from his own mouth in a jail call to a cousin
15 of his.

16 Judge, we -- I obviously respect -- always respect the
17 jury's decision. I think the only hang up for them --
18 clearly, legally, that is a kidnap, what he did to Ms.
19 Yarborough. I understand. Maybe they saw it more as an
20 attempt to -- to do a kidnap because it wasn't a completed
21 act. He didn't tote her away from the scene.

22 Legally, kidnapping is always a difficult charge to
23 explain to laypeople, but certainly all the testimony we heard
24 legally, that amounts to a kidnapping, whether he spirited her
25 away from the scene or not. She certainly didn't feel free to

1 leave, and that was all the testimony that was given.

2 And I understand the voluntary, down from the murder.
3 It's difficult, I think, for some people to understand how
4 somebody could form intent, how somebody can form malice when
5 they're as hopped up on drugs as he was, apparently, to behave
6 the way he was. Certainly, I think he had a plan in mind,
7 though, having that gun with him as he went to the scene.

8 Who knows, maybe he thought Mr. Booker owed him some
9 money. Who knows, maybe it was a dispute over crack cocaine.
10 He is a crack dealer. Was a crack dealer at the time. Long
11 history of drug abuse. We don't know what was going through
12 his mind, but we respect the jury's decision.

13 I would ask you to take all that in mind. I would ask
14 you to take Ms. Harrell's wishes in mind, the Booker family's
15 wishes in mind. Look at his criminal history. Recall his
16 testimony a couple days ago from the bench, and we ask you to
17 take all of that into account in crafting a sentence, and we
18 would ask for the maximum, some sort of consecutive type
19 sentence.

20 THE COURT: Okay. All right.

21 Post-trial motions by the defense?

22 MR. BRADY: We renew all of our objections and motions in
23 which you ruled against us throughout the trial, and we just
24 ask for the standard ten days to file a motion for a new
25 trial.

1 THE COURT: Okay. All right. Do you want to be heard on
2 sentencing?

3 MR. GOODE: Yes, Your Honor.

4 Your Honor, I told Your Honor at the beginning of this
5 week that as Mr. Edwards sat here on Monday morning, he was
6 willing to plead straight up to voluntary manslaughter. And
7 here we are, a week's worth of time and resources, a week
8 where Ms. Harrell had to listen to and see things that she
9 never should have. He was willing to take responsibility on
10 Monday for this, and I plead with Your Honor to -- to take
11 that into consideration. This -- I think even the prosecutor
12 acknowledged that this was a likely outcome.

13 Your Honor, it's been 1,531 days since this happened.

14 THE COURT: One more time the number?

15 MS. GOODE: 1,531 days.

16 THE COURT: Okay.

17 MS. GOODE: 1,531 days that Craig Edwards has sat in
18 Alvin S. Glenn Detention Center replaying that day in his head
19 and wondering how and what happened. He's thought about his
20 friend every single day. I mean, that's his -- this was his
21 friend. I mean, you heard the testimony from everyone. I
22 mean, they were close. They were like brothers.

23 This was his family too, somebody that he cared about
24 immensely. He didn't wake up that day with a plan to -- for
25 this to happen.

1 The jury has spoken, Your Honor, but they didn't find
2 beyond a reasonable doubt that Ms. Yarborough was kidnapped.
3 I mean, in even her testimony when she -- she testified to the
4 character of -- of Mr. Edwards, that he was never violent with
5 her, a good person. She had never been -- in the year and a
6 half nearly that she was with him, had never even seen him
7 with a gun or drugs. He was doing all he could -- could do to
8 help her during a very trying time for her physically.

9 Your Honor, since he's been down at the jail, he's been
10 essentially in the same dorm the whole time. He hasn't even
11 had any write ups or been to lock ups, nothing. That's really
12 saying something I think for -- for -- for four years now,
13 especially with the state that the jail is in at this time.

14 I mean, the -- the dorm that he is in is one of the
15 higher security dorms where people filter in and out of there
16 with, you know, violent charges and -- and he is -- he has
17 taken on the -- the responsibility of trying to mentor some of
18 these younger guys coming in, dealing with violent charges and
19 -- and bad attitudes. Right?

20 He is -- he was and will likely continue to do that to
21 try to pass along the experiences he's had in his life and the
22 situations that he's found himself in, the situation he finds
23 himself in now. To -- to continue to mentor and try to help
24 people where they don't end up in a similar situation.

25 Your Honor, he's -- he's 53. He'll be 54 in August.

1 He's a father and a grandfather.

2 As far as the -- the 2019 AB first, that was the -- his
3 probation was transferred here from Connecticut. And I think
4 on the rap sheet for South Carolina, it just shows where he
5 was accepted here in Richland County to be supervised by
6 Probation here.

7 You know, that was a -- that was a charge he pled guilty
8 to, Your Honor, and I don't know what the original -- I don't
9 know what the original charge was. I don't know, you know,
10 what the negotiations were. I don't know much about that
11 case, but that's what I can tell you about that. And I
12 understand what the allegations are, but he took
13 responsibility for that, just as he tried to do here.

14 You know, Ms. Harrell talked a lot about forgiveness. We
15 know that that's not something that's easy to -- to get to.
16 We understand that Craig still hasn't forgiven himself. I
17 don't know that -- when and if that will ever happen. Again,
18 it's been 1,531 days. It won't stop here. He won't stop
19 thinking about it. It won't stop replaying in his head.

20 And obviously, it's not anything that can go back and be
21 undone. Again, that's something that he wishes could be done.
22 We've talked about that since day one, and he's never -- he's
23 -- he's never said a bad word about Mike. Again, he just
24 cared very much for him and did what he could. And that, you
25 know, as his lawyers, you know, we never -- our intent is

1 never to dirty up the victim in a case. That is not what we
2 want to do or feel like we have to do to do what -- you know,
3 to make a jury see what the -- what the big picture is, but
4 it's in context. It needs to be told.

5 I mean, you -- you know, Mr. -- Mr. Edwards doesn't sit
6 here and tell you that he's a perfect person, that he's
7 perfect and doesn't have his flaws. I mean, we all do. It's
8 just the -- it's just human nature; right?

9 I think you heard a little bit, Your Honor, about the
10 motorcycle accident he had that caused -- he had a traumatic
11 brain injury that kind of resulted in him having mental health
12 issues. He was prescribed medication. Have you -- he hasn't
13 -- he hasn't had it too easy either.

14 But again, at the end of the day, any punishment that he
15 gets is not -- it won't come close to the punishment that he's
16 given himself. So, again, Your Honor, I'd ask you to consider
17 a 15-year sentence. We could have handled this on Monday,
18 avoided a lot of unnecessary hurt, I think. So I would ask
19 Your Honor to please consider that. Again, he's been in 1,531
20 days.

21 I'm not sure. I think -- Mr. Cain, I don't know if you
22 wanted to say anything on his behalf or if anybody wanted to
23 say anything? You don't have to.

24 But -- but that's what I would ask Your Honor to
25 consider, and I would ask you to consider them to be

1 concurrent. These are significant. I mean, he'll do 85
2 percent before he would ever be released. Given his age, he
3 will be well into his 60s or 70s before he would get out, if
4 he would get out. So I'm asking you, Your Honor, to sentence
5 him to essentially the functional -- functional equivalent --
6 equivalent of a life sentence.

7 And so taking all of that into consideration, Your Honor,
8 his willingness to accept responsibility five days ago, I'm
9 asking you to consider a 15-year sentence. Thank you very
10 much.

11 THE COURT: All right. Mr. Edwards, do you want to say
12 anything? You don't have to. You don't have to say anything
13 at all, but I give everybody the opportunity to speak if they
14 would like to. It's completely and totally your decision.

15 THE DEFENDANT: I want to apologize to the Court,
16 Michael's family as well, and also mine about what happened.
17 It shouldn't happen. I wish it never happened. Days that go
18 by, in the morning, can I start this over? Reality -- it
19 doesn't work like that, but I do and I just want to say again
20 I'm sorry. I never meant for this to happen. I don't know
21 what -- but I'm very sorry.

22 THE COURT: Thank you, Mr. Edwards. I appreciate your
23 words.

24 All right. Anything else from the State?

25 MR. SCOTT: Just lest it be thought that I'm unreasonable

1 here, I made an offer February 7th of 2024 and said I was
2 putting the trial up on March 25th. I was asked for more
3 time, so I settled on this week. The offer was extended, and
4 the deadline was March 12th. I was asked to extend that
5 deadline to the following Monday, where I didn't hear any
6 answer. Okay? A deadline has to be a deadline has to be a
7 deadline.

8 Yeah. Monday, after I had Ms. Harrell come down from
9 Georgia, after we interviewed people, after we went around
10 researching the case, after I found out what he was really up
11 to in Connecticut, a deal has to have a deadline. I've got
12 other cases I've got to move on to. He's jerking the Court
13 around, not me. Okay?

14 THE COURT: I wasn't accusing you of that.

15 MR. SCOTT: I know you're not, Your Honor.

16 THE COURT: Okay.

17 MR. SCOTT: That seemed to be the narrative from the
18 defense, he was willing to get this done, but the State is
19 unnecessarily wasting resources. That is not the case. So
20 lest that be what the narrative is, I strongly reject that.

21 I was all but fair extending deadlines past when I
22 reasonably said, extending trial dates to convenience the
23 defense. He certainly could have pled a month ago had he
24 wanted to, but I think this is just another example of Mr.
25 Edwards trying to have it his way.

WITNESSES

(S) Emmit D Gilliam

- Columbia Police Department

DOCKET NO. 2020-GS-40-04133

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2020

102

2020A4021600411

ARREST WARRANT NUMBER

Defendant

THE STATE

vs.

**ACTION OF GRAND JURY
TRUEBILL**

Craig Lamar Edwards

Witness:

C.C.C. PLS. AND G.S.

Foreperson of Grand Jury

Date:

SEP 16 2020

VERDICT

**Indictment for
MURDER**

SC Code: 16-03-0010
CDR Code: 0116

Foreperson of Petit Jury

Date:



After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on September 15, 2020,
 the Grand Jurors of Richland County present upon their oath:

MURDER

That Craig Lamar Edwards did in Richland County, on or about February 3, 2020, kill the victim, Michael Booker, with malice aforethought, either express or implied, by means of a gunshot, and the victim did die as a proximate result thereof. All in violation of Section 16-03-0010, S.C. 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.

1505 09 2020



BYRON E. GIPSON, SOLICITOR

WITNESSES

(S) Emmitt D Gilliam
- Columbia Police Department

DOCKET NO. 2020-GS-40-04134

The State of South Carolina

County of

Richland

COURT OF GENERAL SESSIONS

SEPTEMBER TERM 2020

102

2020A4021600412

ARREST WARRANT NUMBER

THE STATE

vs.

ACTION OF GRAND JURY
TRUE BILL

Craig Lamar Edwards

[Signature]

Foreperson of Grand Jury **SEP 16 2020**

Date:

VERDICT

**Indictment for
POSS. WEAPON DURING VIOLENT CRIME,
IF NOT ALSO SENTENCED TO LIFE
WITHOUT PAROLE OR DEATH**

SC Code: **16-23-0490**
CDR Code: **0549**

Foreperson of Petit Jury

Date:

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within Indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on September 15, 2020,
 the Grand Jurors of Richland County present upon their oath:

**POSSESSION OF A WEAPON DURING THE COMMISSION
 OF A VIOLENT CRIME**

That Craig Lamar Edwards did in Richland County, on or about
 February 3, 2020, possess a firearm, or visibly display what appeared to
 be a firearm, or visibly displayed a knife, during the commission or
 attempted commission of a violent crime, in violation of Section 16-23-
 0490, S. C. 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.



BYRON E. GIPSON, SOLICITOR

WITNESSES

(S) Kevin H Davis
- Columbia Police Department

DOCKET NO. 2020-GS-40-04138

The State of South Carolina

County of

Richland

ARREST WARRANT NUMBER

2020A4021600416

COURT OF GENERAL SESSIONS

October TERM 2020

102

Defendant

Witness:

**ACTION OF GRAND JURY
TRUE BILL**

Paul Johnston

Foreperson of Grand Jury OCT 13 2020
Date:

VERDICT

**Indictment for
FAILURE TO STOP FOR A BLUE LIGHT
2ND OR SUB. OFFENSE**

SC Code: 56-05-0750(B)(2)
CDR Code: 2396

Foreperson of Petit Jury
Date:

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

C.C.C. PLS. AND G.S.

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on October 13 2020,
 the Grand Jurors of Richland County present upon their oath:

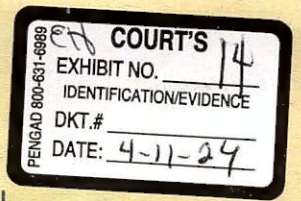
FAILURE TO STOP FOR BLUE LIGHT – 2ND OFFENSE

That Craig Lamar Edwards did in Richland County on or about February 3, 2020, while operating a motor vehicle on a road, street, or highway of the State of South Carolina, fail to stop his motor vehicle when signaled to do so by a law enforcement vehicle, by means of a siren or flashing light and such not being a first offense, in violation of Section 56-05-0750(B)(2), S.C. 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.



BYRON E. GIPSON, SOLICITOR



Can we have copies of definitions
Judge read ~~to~~ regarding charges?

B Valle Heald

PENGAD 800-631-6889
COURT'S
EXHIBIT NO. 1695
IDENTIFICATION/EVIDENCE
DKT.#
DATE: 4-11-21

Can we get transcript of Carlo & Craig testimony?

B Valle H wall

PENGAD 800-631-6989	COURT'S
	EXHIBIT NO. <u>16</u>
	IDENTIFICATION/EVIDENCE
	DKT.# _____
DATE: <u>4-11-24</u>	

We have decided, 4 of 5 charges.
Can we break for night & reconvene
in morning?
We at good stopping point

B Valle Huel

PENAD 800-631-6888
COURT'S
EXHIBIT NO. 697
IDENTIFICATION/EVIDENCE
DKT.#
DATE: 4-12-24

Can we listen to John Wanamaker
testimony?

B. Villo Head.

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
)
 THE STATE OF)
 SOUTH CAROLINA,)
)
 vs.)
)
 Craig Edwards,)
)
 Defendant.)

IN THE COURT OF GENERAL SESSIONS
 FOR THE FIFTH JUDICIAL CIRCUIT

WARRANTS: 2020A4021600411; 412; 416
 INDICTMENTS: 2020GS4004133; 4134; 4138

MOTION FOR NEW TRIAL AND MOTION
 TO VACATE CONVICTION AND SENTENCE

ATTN: DALE SCOTT, FIFTH CIRCUIT SOLICITOR'S OFFICE

NOW INTO COURT comes Craig Edwards, through Undersigned Counsel, and moves this Court to grant a new trial. In so moving, the Defense renews all of its previous motions and objections, and asks the court to consider the cumulative effect of all issues, including motions and objections, throughout the trial.

In support, Counsel States:

1. Mr. Edwards was convicted of Voluntary Manslaughter, Use of a Weapon During a Violent Crime, and Failure to Stop for Blue Lights. The Court sentenced Mr. Edwards to thirty years, five years and five years, respectively, and ran the sentences consecutively.

I. The Court Should Grant Mr. Edwards a New Trial on his Charges of Voluntary Manslaughter and Use of a Weapon During a Violent Crime Due to Improper Argument from the State During Closing and Prejudice Caused by the Court's Failure to Grant Mr. Edwards' Request for Certain Jury Instructions

2. Prior to closing, the Defense moved that the Court not instruct the jury that malice was "the intentional doing of a wrongful act without just cause or excuse," because of its likelihood to burden-shift and confuse the jury, in accordance with *State v. Sellers*. See *State v. Sellers*, Op. No. 28188 (S.C. Cup. Ct. filed January 17, 2024).¹ The Court correctly struck that language from the jury instructions, but did permit the State to argue that language to the jury in closing. The

2024 APR 22 PM 2:27
 JUDGE: J. G. S. & J.
 RICHLAND COUNTY
 FILED

¹ Available at <https://www.sccourts.org/opinions/advSheets/no22024.pdf>.

State presented a PowerPoint to the jury including that definition of malice.

3. The Defense also moved for a jury instruction that the unlawful possession of a firearm did not in-and-of-itself deprive Mr. Edwards of the right to act in self-defense. *See e.g. State v. Burris*, 334 S.C. 256 (1999). The Court declined to provide that instruction, based upon the State representing that it did not intend to argue that point to the jury. However, in arguing to the jury that Mr. Edwards' failed in his self-defense claim, the State presented another PowerPoint slide which stated that Mr. Edwards' shot the decedent with a stolen pistol.²

4. The State's presentation to the jury on the malice charge—in combination with its presentation regarding the stolen gun as a factor that proved Mr. Edwards was not without fault in bringing on the difficulty, and with the Court's refusal to provide Defendant's requested jury charge on that specific issue—created prejudice and the risk of confusion to the jury, burden-shifting, and an erroneous determination that Mr. Edwards was not permitted to act in self-defense.

5. The Defense also moved for a jury instruction that intoxication alone does not prevent a defendant from lawfully acting in self-defense. The State repeatedly argued throughout closing that Mr. Edwards was high on PCP and therefore was at fault in bringing on the difficulty. Therefore, failure to provide that instruction, based on the specific circumstances and evidence in the case, risked the jury returning a verdict of guilty solely on the erroneous belief that Mr. Edwards could not legally act in self-defense due to intoxication. *See State v. Fuller*, 297 S.C.

² The fact that the gun was stolen was no longer relevant to the case, because the Court directed a verdict for Mr. Edwards on his charge of Possession of a Stolen Pistol, because no evidence was presented that Mr. Edwards knew or should have known the gun was stolen. The Defense also objected to the testimony that the gun was stolen during the trial, because it was established by a witness who testified to that fact in violation of the rule against hearsay and the confrontation clause. That objection was overruled.

440 (1989) (jury instructions must be tailored to specific evidence and circumstances in self-defense cases); *State v. Perry*, 440 S.C. 396 (2023) (same for criminal cases in general).

6. For the above reasons, the Court should grant a new trial with regards to Mr. Edwards' convictions for voluntary manslaughter and possession of a weapon during a violent crime.

II. The Defense Moves that the Court Vacate his Conviction and Sentence of Failure to Stop for Blue Lights Second Offense, because Only a First Offense was Proven at Trial

7. Mr. Edwards moves that the Court vacate his conviction for Failure to Stop for Blue Lights Second Offense and direct the verdict, because only a first offense was proven at trial.

8. The Defense moved for a directed verdict for failure to stop for blue lights second offense because a prior offense was not proven in the State's case-in-chief. The Defense renewed its motion and objections at the close of the case. Neither stipulations, severance, nor bifurcation were discussed prior to trial.

9. Prior convictions constitute an element of the offense where they are used to enhance the charge and potential punishment against a defendant. *See State v. Davis*, 437 S.C. 93 (S.C. App. 2022); *State v. Cross*, 427 S.C. 465 (2019); *see also State v. Anderson*, 318 S.C. 395 (S.C. App. 1995). As such, they must be proven at trial. *Id.* While Courts may bifurcate trials in order to prevent prejudice under 403, this is done upon motion of the parties, and it does not affect the standard of proof, admissibility standards for the evidence, nor the fact that the element must be proven at trial. *See e.g. Davis* (discussing *State v. Cross*, 427 S.C. 465 (2019)).

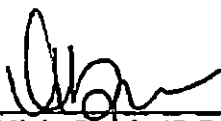
10. The State did not present evidence in its case in chief regarding a prior conviction for Failure to Stop for Blue Lights, and therefore failed to carry its burden to prove a second offense by competent evidence. Instead, the State simply read Mr. Edwards' rap sheet into the record at sentencing, after the jury had been dismissed. Therefore, the State failed to establish an essential

element of the crime at trial, and Mr. Edwards' motion for a directed verdict and renewal of the same should have been granted as to Failure to Stop for Blue Lights Second Offense.

III. Motion for New Trial Based on all Other Issues and Cumulative Effect

11. The Defense moves for a new trial based on all other the issues raised by the defense throughout trial, including all motions, objections, and errors. The Defense also moves for a new trial based on the cumulative effect of all issues, motions, objections and errors from trial.

Respectfully Submitted,



Alicia Goode (S.C. Bar No. 100067)
Nathaniel Brady (S.C. Bar No. 102632)
Makenzie Thomas (S.C. Bar No. 105337)
Richland County Public Defender's Office
1701 Main St., Suite #103
Columbia, South Carolina 29201
(803) 765-2592

Counsel for Craig Edwards

Columbia, South Carolina
This 22nd day of April, 2024

**STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND**

**IN THE COURT OF GENERAL SESSIONS
FIFTH JUDICIAL CIRCUIT**

State of South Carolina,

**Warrant No(s): 2020A4021600411; 412; 416
Indictments: 2020GS4004133; 4134; 4138**

Plaintiff,

vs.

ORDER

Craig Edwards,

Defendant.

THIS MATTER came before the Court on April 22, 2024. The Defendant was charged with Murder, Kidnapping, Use of a Weapon During a Violent Crime, Possession of a Stolen Pistol, and Failure to Stop for Blue Lights.

This case proceeded to trial the week of April 8, 2024. The Court dismissed the Possession of a Stolen Pistol charge. The Defendant was convicted of Voluntary Manslaughter, Use of a Weapon During a Violent Crime, and Failure to Stop for Blue Lights. The Court sentenced the Defendant to thirty years, five years and five years, respectively, and ran the sentences consecutively. The Defendant was represented by Atty. Nathaniel Brady, Atty. Alicia Goode, and Atty. Mackenzie Thomas. The State was represented by Atty. Dale Scott and Atty. Nick Fowler.

Thereafter, the Defendant timely filed a Motion to New Trial and Motion to Vacate Conviction and Sentence on April 22, 2024.

After a review of the facts of the case, arguments presented at the trial, and Defendant's post-trial motion filed, this Court DENIES Defendant's Motion for New Trial and Motion to Vacate Conviction and Sentence.

IT IS SO ORDERED.

RICHLAND COUNTY
FILED
2024 MAY -8 AM 10:18
JENNIFER L. WILSON
CLERK OF COURT
C.P. G.S. § 1-210



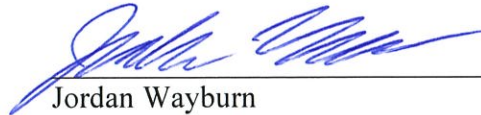
Robert E. Hood
Presiding Judge, Fifth Judicial Circuit

May 8, 2024
Columbia, South Carolina

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,



Jordan Wayburn
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 23rd day of December, 2025.

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County

Honorable Robert E. Hood, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

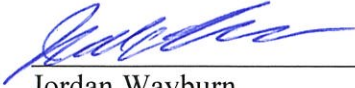
CRAIG LAMAR EDWARDS,

APPELLANT.

APPELLATE CASE NO. 2024-000821

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 Joshua A. Edwards, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 19th day of December, 2025.



Jordan Wayburn
Appellate Defender

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

ATTORNEY FOR APPELLANT