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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Charleston County

Honorable Jennifer B. McCoy, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

THOMAS CARSON BLAKENEY,

APPELLANT

APPELLATE CASE NO. 2025-001287

RECORD ON APPEAL

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
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 3 THE STATE,)
 4) TRANSCRIPT OF RECORD
 versus) 2025-GS-10-01378
 5)
 6 THOMAS CARSON BLAKENEY,)
)
 Defendant.)
 7)
) June 9-10, 2025
 8) Charleston
 9

10 B E F O R E:

11 HONORABLE JENNIFER B. MCCOY, JUDGE; and a jury
 12
 13

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(THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH MATERIAL IS REPRODUCED AS READ OR QUOTED BY THE SPEAKER.)

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1 THE COURT: All right. Thomas Carson Blakeney; is
2 that your name?

3 THE WITNESS: Yes, ma'am.

4 THE COURT: How you doing?

5 THE WITNESS: (Inaudible).

6 THE COURT: Good. Welcome. My name is Jennifer
7 McCoy. I'll be the judge overseeing the trial of your
8 case this week in the trial docket.

9 You're represented by Ms. Currin who is seated next
10 to you, and she's just brought to my attention a request
11 for a continuance off the trial docket this week; is that
12 right, Ms. Currin?

13 MS. CURRIN: Yes, Your Honor.

14 THE COURT: I'm happy to hear from you.

15 MS. CURRIN: Thank you. Just to get some background
16 on this continuance, a couple of weeks ago I was trying
17 to get in touch with Mr. Blakeney, and I was having a
18 very hard time doing so.

19 THE COURT: Uh-huh.

20 MS. CURRIN: When I finally was able to get in touch
21 with Mr. Blakeney, he explained to me that he had an
22 incident where he was very badly assaulted. And it was
23 out of State --- I'm not --- that is a part of the issue
24 I think the State is going to have here, that he was out
25 of State, but it was in Atlanta.

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1 He filed a police report, but from that assault,
2 essentially he tells me that he fell, hit his head very
3 badly and was in the ICU for about a week.

4 THE COURT: Hmm.

5 MS. CURRIN: So when I was finally able to get in
6 touch with him, he was literally being discharged from
7 the hospital and his mother was picking him up. That was
8 on May 4th.

9 He addressed some concerns with me about those
10 injuries last week. And this morning when he came to
11 court, he has provided me with some documentation ---

12 THE COURT: Uh-huh.

13 MS. CURRIN: --- of the multiple types of medicines
14 that he is currently taking ---

15 THE COURT: Okay.

16 MS. CURRIN: --- which he has here in four separate
17 bottles. And although I have not had the opportunity to
18 read all of these documents, he is on at least four
19 different medications ---

20 THE COURT: Okay.

21 MS. CURRIN: --- and some of the documents it
22 indicated that at least one of these medications would
23 cause confusion ---

24 THE COURT: Uh-huh.

25 MS. CURRIN: --- is a --- is a side effect. So,

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1 Your Honor, Mr. Blakeney is concerned that given that
2 recent injury and all the medications that he is on for
3 that head injury, that he is not of a clear mind ---

4 THE COURT: Uh-huh.

5 MS. CURRIN: --- in order to assist me with his
6 representation during this trial.

7 And that's --- Your Honor --- Your Honor, we are
8 asking for a continuance ---

9 THE COURT: Okay.

10 MS. CURRIN: --- to a hopefully very soon other date
11 so that Mr. Blakeney can take care of these issues, get
12 off of this medication, and effectively be able to help
13 me.

14 THE COURT: Okay. Happy to hear from the State.

15 MR. HULSHULT: Good morning, Your Honor. The State
16 would ---

17 THE COURT: And you could have seat, Mr. Blakeney.
18 You don't have to stand. You're welcome to be seated.

19 MS. CURRIN: Yes, sir.

20 MR. HULSHULT: State would respectfully disagree and
21 ask this trial go forward. Procedurally, we notified
22 defense of our intent to put this on the trial docket in
23 February of this year. They've had plenty of time to
24 know about it. It was placed on a docket in April and
25 since continued due to Ms. Currin having a --- being

Proceedings

1 protected that week ---

2 THE COURT: Uh-huh.

3 MR. HULSHULT: --- we placed it on the June 2nd
4 docket. It also got continued. And it's now scheduled
5 for this week of June 9th.

6 Additionally, the defendant just admitted to a
7 willful violation of his bond by leaving the state and
8 going to Atlanta. So the State doesn't believe he should
9 be rewarded for that with a continuance request. We'd
10 ask this trial to go forward.

11 THE COURT: Okay.

12 MS. CURRIN: Your Honor, if I may briefly respond
13 just to address the continuance that he's alluding to.
14 The State ---

15 THE COURT: That doesn't bother me in the least.
16 And I really don't (unintelligible).

17 MS. CURRIN: Thank you, Your Honor. Because we were
18 fully prepared to go forward this morning, but
19 unfortunately ---

20 THE COURT: Yeah, you want to hand --- just for the
21 record, you can hand that up to me with your client's
22 (unintelligible) this morning of his trial.

23 MS. CURRIN: Yes, Your Honor.

24 THE COURT: So that I can make an educated ruling on
25 the record.

Proceedings

1 MS. CURRIN: Yes, Your Honor.

2 THE COURT: Thank you, ma'am. I'll be giving it
3 right back to you.

4 MS. CURRIN: Okay. (Unintelligible).

5 THE COURT: Okay. Just you'll have to give me a
6 minute when you hand me a bunch of stack of papers.

7 MS. CURRIN: Yes, Your Honor. Thank you.

8 THE COURT: Okay. We'll be add ease for a minute.
9 (Off the record)

10 THE COURT: Okay. Records indicate (unintelligible)
11 hospital the emergency hospital Atlanta (unintelligible).
12 And, you know, I think without getting into a detail in
13 medical information --- persona treated for some type of
14 type --- type of trauma, I don't know what it was.

15 But anyway, really irrelevant. Several medications
16 he's discharged on, but nonetheless, there's no doctor's
17 note saying --- you know, obviously I know it's maybe
18 brought this to your attention the last minute, and
19 that's unfortunate. He was discharged about a month ago,
20 you know, this is something that should have been brought
21 to the Court's attention, vis-à-vis him to you weeks ago
22 if that truly was a concern of his.

23 But nonetheless, you know, we're going to go forward
24 today. There's nothing in his record that gives me any
25 reason to think he's not able to go forward on trial

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1 today. Okay.

2 MS. CURRIN: Yes, Your Honor. Thank you.

3 THE COURT: Sure. And I don't know if you want to
4 make a sealed copy of that court exhibit, I'm happy to do
5 it. You'll just --- you'll have to --- I mean
6 (unintelligible) you'll have to make a copy and we'll
7 seal it up to the court reporter later.

8 MS. CURRIN: Yes.

9 THE COURT: In an envelope Court's 1 for the record.
10 Okay?

11 MS. CURRIN: Yes, Your Honor. Thank you.

12 (Court's Exhibit 1 marked)

13 THE COURT: All right. So respectfully, your
14 continuance motion is denied, we'll go forward as planned
15 with the trial.

16 You're first up, Mr. Blakeney. Okay. As soon as
17 the jury panel gets up, we'll go ahead and begin
18 selecting the jury for this case. If I have folks that a
19 403, they're intern, or what?

20 CLERK: Yes, Your Honor, 403s.

21 THE COURT: Yeah. We don't --- y'all can't sit in
22 the gallery for this part. So you'll have to just hang
23 out in the hallway.

24 MS. CURRIN: Your Honor, at the appropriate time, I
25 do have some objections to some of the voir dire

Proceedings

1 questions that the State is submitting.

2 THE COURT: Okay. Let's do it now. Okay. You sent
3 a couple of objections from the State's voir dire, let's
4 talk about that. Full State's voir dire. Okay. I have
5 it in my hand. Happy to follow along with you, Ms.
6 Currin.

7 MS. CURRIN: Thank you. One moment. I'm sorry, I'm
8 trying to get myself together.

9 THE COURT: Take your time. I'm not going to ask
10 ten. Take that off your plate of things ---

11 MS. CURRIN: And Your Honor, that --- that is
12 essentially what I'm bringing to the Court's
13 attention ---

14 THE COURT: Uh-huh.

15 MS. CURRIN: --- is question 10, 11, 12.

16 THE COURT: I think 12's okay.

17 MS. CURRIN: Well, Your Honor, my objection to it is
18 it that Mr. Blakeney has no pending drug charges that are
19 the subject of this case. And to bring up questions in
20 voir dire about drugs ---

21 THE COURT: Okay.

22 MS. CURRIN: --- when we are not here for a drug
23 case, I think is irrelevant and could be prejudicial to
24 Mr. Blakeney by hinting that something is going on here
25 that has to do with drugs.

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1 THE COURT: Yeah. Okay. All right. Well, any
2 other ones?

3 MS. CURRIN: Eight, Your Honor, nine, ten ---

4 THE COURT: Uh-huh.

5 MS. CURRIN: --- 11, 12, the ones alluding to the
6 drugs.

7 THE COURT: Okay.

8 MS. CURRIN: Thank you.

9 MR. HULSHULT: Judge, if I may respond to that.

10 THE COURT: Please. Yeah.

11 MR. HULSHULT: It is true, Mr. Blakeney is not
12 charged with any drug crimes. However, he is a charged
13 with unlawful possession of a firearm by a person
14 convicted of possession with intent to distribute, which
15 is a drug crime. That charge requires us to prove a
16 conviction of a drug crime. And by being convicted of a
17 drug crime, you are then prohibited from being in
18 possession of firearms, so that ---

19 THE COURT: All right. Are we going to bifurcate
20 this, or are you going to stipulate these prior
21 convictions into the record for judgment ruling in trial?

22 MR. HULSHULT: Defense hasn't objected to us using a
23 certified prior conviction, so we have no plan to
24 bifurcate.

25 THE COURT: Sorry, what now? Say that again. The

Proceedings

1 defense hasn't objected to the certified ---

2 MR. HULSHULT: The certified ---

3 MS. CURRIN: --- so no need ---

4 MR. HULSHULT: --- prior convictions ---

5 THE COURT: --- so no need to bifurcate.

6 MR. HULSHULT: No need to bifurcate, Your Honor.

7 THE COURT: Okay. All right. Anything else?

8 MS. CURRIN: Your Honor, I understand that they have
9 to prove a conviction, but again, I think asking so many
10 questions about drugs and being very specific about
11 people's beliefs on drugs would be prejudicial to Mr.
12 Blakeney in this case.

13 THE COURT: Okay. I'll take a look at it. I'm ---
14 you know, going through these and looking at the
15 indictments and all. I'll take your objections under
16 consideration, certainly.

17 MS. NORVELL: Thank you.

18 THE COURT: Okay. All right. Any other objections
19 to defense voir dire from the State?

20 MS. CURRIN: Beg the Court's indulgence.

21 THE COURT: Yeah. Sure.

22 MS. NORVELL: The State would object to question
23 number six, which I believe is the witness testimony of a
24 police officer over that other simply because that
25 witness is employed as a police officer. I --- we think

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1 that that question is captured with question number
2 three --- or excuse me, with question number two, which
3 requests information whether the individual is related to
4 law enforcement. We think that voir diring the jury on
5 that particular question it would be essentially making
6 argument to them prior to hearing any of the facts of the
7 case or getting, I guess, across a point that has yet to
8 be made.

9 THE COURT: Okay. Any other ones?

10 MS. NORVELL: That --- we're fine with everything
11 else, Your Honor.

12 THE COURT: Okay.

13 MS. CURRIN: Your Honor, may I respond?

14 THE COURT: Yeah.

15 MS. CURRIN: The two different questions that Ms.
16 Norvell pointed out, I believe they're distinct. One is
17 asking if that person has a specific relationship with
18 the law enforcement agency and then the other is asking a
19 belief of whether you think that solely because they are
20 a police officer their testimony has more credibility.
21 And in this case the --- my understanding is the only
22 testimony we would hear other than the clerk will be from
23 police officers. So we think that that question is very
24 relevant here and appropriate.

25 THE COURT: Okay. Take that into consideration as

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1 well.

2 All right. Anything else?

3 MS. NORVELL: Nothing from the State, Judge.

4 THE COURT: And looking at the witnesses, let me
5 see --- let me just make sure I'm pronouncing names
6 right. We got Justin Garrison, Chris Schuessler, Timothy
7 Cluca (phonetic) --- Cluca?

8 MS. NORVELL: Cluca.

9 THE COURT: Cluca. Okay. All right. Kevin Frojd?
10 How do you pronounce this?

11 MS. NORVELL: I think it's Frojd.

12 THE COURT: Frojd? We'll go with Frojd. All right.
13 And then Ryan O'Quinn is easy enough. Okay. And then on
14 defense witness list, Stoilova Craig Aiken, Jeremy
15 Ledford; is that it? Okay.

16 MS. CURRIN: Yes, Your Honor.

17 THE COURT: I just saw some unusual names, but we'll
18 do the best we can. Okay.

19 MS. NORVELL: I said nothing else from the State,
20 Judge, but Ms. Currin reminded me of a conversation we
21 had yesterday on the failure to (unintelligible) second
22 indictment, the State and the defense agree that the
23 level of offense should not be read to the jury.

24 THE COURT: Good. Always good to double check that.
25 I wouldn't, but yes.

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1 MS. NORVELL: Thank you, so much.

2 THE COURT: On the other one, however, let's see.
3 Unlawful carrying of a pistol is fine. Possession of a
4 firearm or ammunition by a person prohibited by law is
5 how I'll read that. Okay?

6 MS. NORVELL: Thank you, Your Honor.

7 THE COURT: Okay.

8 MS. NORVELL: Thank you.

9 THE COURT: All right. I'm sorry? Okay. All
10 right. Y'all ready for the jury?

11 (Simultaneous speaking)

12 MS. NORVELL: --- make clear the colloquy that you
13 had with Mr. Hulshult briefly earlier. We do intend to
14 call a representative from the clerk of court to
15 authenticate a prior conviction to substantiate that
16 firearm charge, Judge.

17 THE COURT: We can't just stipulate the crime? Why
18 are we having to call a witness?

19 MS. CURRIN: Okay. Could we stipulate to the
20 language that he has a qualifying ---

21 THE COURT: We'll work on that over the lunch break.

22 MS. CURRIN: Okay. Sure.

23 THE COURT: Let's not call the witness in all that,
24 let's just have it stipulated to.

25 MS. NORVELL: Yes, Your Honor.

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1 (Simultaneous speaking)

2 THE COURT: --- not necessary; is that fine?

3 MS. NORVELL: Yes.

4 MR. HULSHULT: Yeah.

5 MS. NORVELL: I mean, we'll work on stipulation ---

6 THE COURT: It's just the time and all that stuff.

7 I think that's great.

8 MS. NORVELL: And then the State would seek to read
9 that stipulation into the record at the time that we
10 would otherwise call the clerk witness.

11 THE COURT: Okay. Is that what your understanding
12 is how that would go as?

13 MS. CURRIN: Is it something that you can just
14 instruct the jury on?

15 THE COURT: No.

16 (Simultaneous speaking)

17 THE COURT: If it's an exhibit then yeah, for sure
18 they could just be instructed that that element has
19 been --- that stipulation of the parties.

20 MS. CURRIN: I would prefer it that way.

21 THE COURT: Certainly I can instruct the jury. That
22 element's already been met of the State by stipulation of
23 the parties, they've already agreed he qualifies as this.

24 MS. NORVELL: There still has to be some sort of
25 tangible ---

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1 THE COURT: Other than the exhibit? I mean ---

2 MS. NORVELL: Okay.

3 THE COURT: --- the stipulation is a piece of paper
4 that's an exhibit.

5 MS. NORVELL: I think the stipulation would go with
6 that certified conviction.

7 THE COURT: Okay.

8 MS. CURRIN: Oh, to give it to them as well?

9 THE COURT: Yes. No. No. No. No. Not the Court
10 exhibit, but ---

11 MS. NORVELL: The stipulation would go with that
12 would be in evidence.

13 THE COURT: Yeah. You --- you write it up.

14 MS. CURRIN: But not ---

15 THE COURT: --- not just conviction certified. That
16 doesn't go back, that's the Court exhibit. The
17 stipulation is an exhibit.

18 MS. CURRIN: Okay.

19 THE COURT: Does that make sense?

20 MS. CURRIN: Yes. And we can ---

21 THE COURT: Two separate pieces of paper we're
22 talking about.

23 MS. CURRIN: Okay.

24 MS. NORVELL: And the stipulation, the State would
25 read the stipulation ---

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1 THE COURT: Yes.

2 MS. NORVELL: --- into the record.

3 THE COURT: That's right. That's how that goes, and
4 you just read it and then it's almost like you follow ---

5 MS. NORVELL: Exactly, at the time we would
6 otherwise call that clerk.

7 THE COURT: Correct. That's exactly right.

8 MS. NORVELL: Okay. Thank you.

9 THE COURT: That's sort of the least intrusive way
10 of doing it I think. Okay.

11 What else? Anything else at this time? You ready
12 to go ahead and pick them five and five. We'll have two
13 alternates, because we have had jurors dropping like
14 flies lately. I don't know what's going on, but for
15 whatever reason, I suggest two alternates even on the
16 short ones. Y'all --- is that okay?

17 MS. CURRIN: Yes.

18 MR. HULSHULT: Yes, Your Honor.

19 THE COURT: Great. Y'all want to turn around your
20 chairs, how --- get however you want to get and we'll ---
21 okay. Start this process up.

22 They out in the hallway?

23 COURT OFFICER: Yes, ma'am.

24 THE COURT: Yeah, come on, bring them in. And then
25 we'll turn them loose, y'all, and probably say start back

Proceedings

1 at like 2:00-ish; would that work for you, Ms. Currin?

2 MS. CURRIN: Yes.

3 THE COURT: 2:00 this afternoon?

4 MS. CURRIN: Yes.

5 THE COURT: Y'all good with 2:00-ish?

6 MS. NORVELL: Yes, Judge.

7 MR. HULSHULT: Yes, Your Honor.

8 (Jury enters courtroom)

9 THE COURT: All right. Welcome everybody. Come on
10 in, make yourselves at home. Get as comfortable as you
11 can in a hard, wooden pew. Try not to have you in here
12 for too long in those seats.

13 Mr. Clerk, we'll be selecting two alternates today.

14 Y'all come on in. Thank you. Keep filing in. All
15 right everybody, welcome. How are you all? Doing okay,
16 I hope.

17 JUROR: Doing fine.

18 THE COURT: Good. Welcome to courtroom 3B. We are
19 going to go ahead and begin the selection process for the
20 first trial this week. We anticipate lasting about two
21 to two and a half days or so. And that is the State of
22 South Carolina versus Thomas Carson Blakeney.

23 Mr. Blakeney is charged with indictments, and those
24 are just pieces of paper through which a charge is
25 brought to the courtroom. And those indictments charge

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1 Mr. Thomas Carson Blakeney with failure to stop for a
2 blue light, possession of a firearm or ammunition by a
3 person prohibited by law, and unlawful carrying of a
4 pistol.

5 Before we begin the selection and striking of the
6 jurors for this case I have some additional questions in
7 addition to those that we ask downstairs regarding your
8 qualifications to serve. I have some additional
9 questions that I will read to you and we'll get honest
10 and complete answers from you all on, pursuant to the
11 oath that you took downstairs. Okay? That oath still
12 holds true upstairs as well.

13 All right. With that said, we will begin. Ladies
14 and gentlemen, anybody related by blood or marriage, have
15 any personal or social relationships with Mr. Thomas
16 Carson Blakeney? If so, please stand. I find none.

17 I will now ask the attorneys presenting this case to
18 stand and introduce themselves, tell you who they work
19 for, and we will begin with the State.

20 MR. HULSHULT: Good morning, everyone. My name
21 Andrew Hulshult, I am the prosecutor on this case. I
22 work for the Ninth Circuit Solicitor's Office under
23 elected solicitor Scarlett Wilson. With me today
24 prosecuting case is my coworker, Jordan Norvell.

25 THE COURT: Thank you very much. Anybody in the

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1 jury panel related by blood or marriage, have a close
2 personal or social relationship with Mr. Hulshult, Ms.
3 Norvell, or anybody from the Ninth Circuit Solicitor's
4 Office that is over seen by your elected solicitor,
5 Scarlett Wilson? If so, please stand. I find --- oh, I
6 got one. Yes, sir. Tell me your jury number.

7 JUROR: Seven.

8 THE COURT: Seven. Who are you --- who do you know?

9 JUROR: George Schmidt (phonetic).

10 THE COURT: I don't know. Is he is new ---

11 MR. HULSHULT: He's --- he's a assistant solicitor.

12 THE COURT: Assistant solicitor. Okay. Mr.
13 Schmidt's not trying this case. But nonetheless, you ---
14 you're friends with him; is that the case? Or what's
15 your relationship?

16 JUROR: Friend.

17 THE COURT: Friend of yours? Okay. If he's not
18 trying this case, has no business or affiliation with
19 this case, will you still be fair to both sides?

20 JUROR: (Unintelligible).

21 THE COURT: Sure.

22 JUROR: Yeah, I think so.

23 THE COURT: Okay. All right. If at any time you
24 could not be fair, would you let the Court know?

25 JUROR: (Inaudible).

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1 THE COURT: Thank you. Seven will remain and have a
2 seat. Anybody else?

3 JUROR: Scarlett Wilson lives down the street from
4 me.

5 THE COURT: All right. Tell me your juror number.

6 JUROR: 275.

7 THE COURT: 275?

8 JUROR: Yeah.

9 THE COURT: Okay. Lives down the street from you.
10 You know, apart from that, do you think you could still
11 be --- or apart from that, do you have any other
12 relationship with her?

13 JUROR: Not --- not close.

14 THE COURT: Other than just seeing, and passing, and
15 saying hello?

16 JUROR: Right.

17 THE COURT: Okay. Even though when you're neighbors
18 with her and she oversees these attorneys sitting at the
19 table, can you still be fair to both sides?

20 JUROR: Yes.

21 THE COURT: Okay. Have a seat. 275 will remain.
22 Thank you for that.

23 Anybody else? All right. Finding none. We'll move
24 on. Ms. Currin, happy for you to stand up and introduce
25 yourself (unintelligible) counsel.

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1 MS. CURRIN: Good morning. My name is Taylor
2 Currin, I'm an attorney with the Ninth Circuit Public
3 Defender's Office. I work under Cameron Blazer. And
4 this is my co-counsel Luke Dalton.

5 THE COURT: Thank you so much. All right. Anybody
6 in the jury panel related by blood or marriage, or have a
7 close personal or social relationship with Ms. Currin,
8 Mr. Dalton, or anybody at the Ninth Circuit Public
9 Defender's Office which is overseen and run by Cameron
10 Blazer? If so, please stand. I find none. All right.

11 Anybody on the jury panel have a close personal or
12 social relationship with any of the following names,
13 people --- people who I will shortly, rather. If so,
14 please let me know by standing. These are folks who
15 might be witnesses in the trial of this case. Doesn't
16 necessarily mean they will be called, but they might be
17 called, and if you know them, you know the name, stand up
18 and we'll call on you at the end of the list. Justin
19 Garrison with the North Charleston Police Department;
20 Chris Schuessler, the North Charleston Police Department;
21 Timothy Cluca, North Charleston Police Department; Kevin
22 Frojd, North Charleston Police Department; and Ryan
23 O'Quinn, North Charleston Police Department. Also
24 Captain Stoilova Stoilova, North Charleston Police
25 Department; Sergeant Craig Aiken, North Charleston Police

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1 Department; and Sergeant Jeremy Ledford of the North
2 Charleston Police Department.

3 Any other witnesses whose names I have not called
4 from the State or the defense? Any other witnesses State
5 or defense? Is that it? That everybody?

6 MS. CURRIN: That's it, Your Honor.

7 THE COURT: Any other you know?

8 MR. HULSHULT: (Unintelligible).

9 THE COURT: All right. No one has stood indicating
10 they know any of those folks, and will move on.

11 THE CLERK: Your Honor. I'm sorry. Oh thank you,
12 silly me, you stood up. Tell me your number.

13 JUROR: 256.

14 THE COURT: 256. Okay. You're in EMS; is that
15 right?

16 JUROR: Yes, ma'am.

17 THE COURT: All right. Tell me who you know from
18 that list.

19 JUROR: The first two.

20 THE COURT: Garrison and Schuessler.

21 JUROR: (Unintelligible).

22 THE COURT: Okay. You know them how?

23 JUROR: Just through (unintelligible).

24 THE COURT: Okay. How long have you been in EMS?

25 JUROR: Three years.

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1 THE COURT: Responding on scene the last three
2 years?

3 JUROR: Yes, ma'am.

4 THE COURT: Okay. And all right. If those folks
5 were to testify during the course of this trial, could
6 you still be fair and impartial to both sides?

7 JUROR: Yes, ma'am.

8 THE COURT: Okay. Any follow-up questions for this
9 juror from the State or the defense?

10 MR. HULSHULT: No, Your Honor.

11 MS. CURRIN: No, Your Honor.

12 THE COURT: Okay. Thank you, ma'am. Please be
13 seated. 256 will remain at this time.

14 Mr. Hall, do you need the Court's attention for
15 anything?

16 MR. HALL: I do. I'm sorry, Your Honor. I think
17 I'm missing one juror that came up. I've got 41 here,
18 I'm supposed to have 42.

19 THE COURT: We'll go forward with the 41.

20 MR. HALL: Yes, ma'am. Thank you.

21 THE COURT: Thank you, sir. Just make sure they
22 don't come in late.

23 MR. HALL: Yes, ma'am.

24 THE COURT: All right. Any objection from the State
25 or the defense on that?

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1 MR. HULSHULT: No, Your Honor.

2 MS. CURRIN: No, Your Honor.

3 THE COURT: Okay. Thank you, Mr. Hall.

4 All right. Moving along. Anybody in the jury panel
5 or anybody in your household family ever been accused of
6 or the victim of a violent crime? If so, please stand.

7 I'm going to have you come forward one at the time,
8 the bailiffs will assist you in that coming forward to me
9 one at a time. Attorneys can approach as well.

10 BAILIFF: 269.

11 THE COURT: Come on up. Yeah come on up.

12 BAILIFF: 269.

13 (Discussion with juror)

14 THE COURT: 269 will remain. Have a seat.

15 BAILIFF: Juror 300.

16 THE COURT: 300.

17 (Discussion with juror)

18 THE COURT: 300 will remain. Have a seat.

19 BAILIFF: Juror number 71.

20 THE COURT: 71.

21 (Discussion with juror)

22 THE COURT: 71 --- 71 --- 71 will remain. Thank
23 you.

24 All right. Nobody else responded to that question,
25 we'll keep moving on.

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1 All right. Anybody in the jury panel, immediate
2 household, families been incarcerated or been a witness
3 in a civil or criminal case? I know those are two
4 different questions, but there's a reason I ask them
5 together. Anybody ever been incarcerated and here in
6 courtroom or anybody in your household family or been a
7 witness of a trial of a civil or criminal case? If so,
8 please stand.

9 Okay. Yeah. Sure. Yeah. Come on up.

10 BAILIFF: Juror number 126.

11 THE COURT: Okay.

12 (Discussion with juror)

13 THE COURT: 126 will remain.

14 BAILIFF: Juror number 207.

15 THE COURT: 207.

16 (Discussion with juror)

17 THE COURT: Thank you so much. 207 will remain.

18 Anybody on the jury panel (unintelligible). Have a
19 member of your immediate family or a close personal
20 friend either work in law enforcement or had negative
21 contact with law enforcement such that either one of
22 those perspectives might affect your view of law
23 enforcement? If so, please stand. Positively or
24 anything of negatively. If you have relationships, or
25 you've had adverse experiences regarding law enforcement

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1 that make it so you couldn't be fair to both sides,
2 please stand. All right. I find none.

3 Anybody on the jury panel or members of your
4 household family ever been arrested by the North
5 Charleston Police Department or ever need to use the
6 North Charleston Police Department because you were the
7 victim of a crime? If so, please stand. Okay. Yeah,
8 come on forward.

9 BAILIFF: Juror 292.

10 THE COURT: 292.

11 (Discussion with juror)

12 THE COURT: All right. Thank you very much. 292
13 will remain. Have a seat.

14 Any member of the jury panel have any problem
15 following the law as the judge cites it to you for any of
16 our criminal laws in South Carolina, even if you believe
17 them to be inappropriate or unfair? Would anybody have
18 any problem following the law as the judge cites it to
19 you even if you believe those laws to be inappropriate or
20 unfair? If so, please stand. I find none.

21 Anybody in the jury panel have any personal,
22 political, or religious beliefs that would make it
23 difficult for you to sit in judgment of another? If so,
24 please stand. I find none.

25 Moving on to the next list. Give me one minute.

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1 Anybody in the jury panel, or a member of your
2 immediate family, or personal friend, ever been the
3 victim of an accident caused by a car fleeing from law
4 enforcement? If so, please stand. Okay. I find none.

5 Anybody in the jury panel seen or heard any
6 publicity, whether through news publications, social
7 media, or blogs, regarding Thomas Blakeney's case? If
8 so, please stand. I find none.

9 Anybody on the jury panel have an issue concerning
10 police officer testimony and giving it the same weight as
11 you would give any other person testifying from the
12 witness stand? If you believe that would be difficult
13 for you either positively or negatively due to their
14 employment as a law enforcement officer, please stand. I
15 find none.

16 Has anybody on the jury panel already formed an
17 opinion about Thomas Blakeney's case? If so, please
18 stand. I find none.

19 If any member of the jury panel knows any reason
20 whatsoever why you would not be able to serve as a juror
21 in this case with particular emphasis being placed on
22 your ability to be fair and impartial to both the State,
23 and the defense, if so, please stand.

24 Anybody believe they could not be fair to both
25 sides, please stand at this time. I find none.

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1 Any additional voir dire from the State? The Court
2 encompassed those objected to in more broad questions.
3 Anything else?

4 MR. HULSHULT: Nothing else from the State.

5 THE COURT: All right. Any --- any other additional
6 voir dire from the defense?

7 MS. CURRIN: No, Your Honor. Thank you.

8 THE COURT: Okay. All right. Well, at this time,
9 ladies and gentlemen, we will go ahead and begin the jury
10 selection process. Okay?

11 The clerk's office, ladies and gentlemen, will begin
12 calling your number. Your number will be jumbled up.
13 They will then call you. You'll gather your belongings,
14 they'll give you instructions of this demand as well.
15 You'll come forward and then the attorneys will have an
16 opportunity to either sit you or strike you. Okay? That
17 will begin very shortly.

18 You need --- you need me Ms. Norvell?

19 MS. NORVELL: I was adjusting ---

20 THE COURT: It's five and five. Y'all come forward
21 real quick if you can Ms. Currin, Ms. Norvell. It's five
22 and five (unintelligible). Five and five.

23 MS. NORVELL: Your Honor, may we briefly
24 approach ---

25 THE COURT: Yeah.

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1 MS. NORVELL: --- before you ---

2 THE COURT: Yeah, of course. Yeah.

3 (Bench conference)

4 THE COURT: Okay. All right. Y'all have those
5 sheets for the attorneys? You all do them? You don't do
6 them for them? Okay. We'll go ahead and begin then.

7 CLERK: Ladies and gentlemen, if your name is
8 called, please come forward stand in front of the podium,
9 turn and face the parties. And please bring your
10 belongings with you. Juror Number 1, Parker Feltner.

11 THE COURT: Please just use the --- there's --- they
12 don't know their --- so just use like their juror number.
13 Their number. That's okay. And (unintelligible) these
14 names. Okay.

15 (Simultaneous speaking)

16 THE COURT: Juror 66 will be the first one drawn.
17 Any motion from the --- from the State? You just turn
18 around to the lawyer.

19 CLERK: What say you for the State?

20 MR. HULSHULT: Please present this juror.

21 CLERK: What say you for the defense?

22 MS. CURRIN: Please seat this juror.

23 CLERK: Please have a seat in the jury box, you've
24 been selected for a juror in the trial.

25 Juror Number 152, Brett, Juror Number 152.

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1 What say you for the State?

2 MR. HULSHULT: Please present this juror.

3 CLERK: What say you for the defense?

4 MS. CURRIN: Please seat this juror.

5 CLERK: Okay. Please have a seat in the jury box,
6 you've been selected as a juror for the trial in this
7 case.

8 THE COURT: I think the --- can you put the podium
9 around (unintelligible) a little (unintelligible). They
10 should like argue to me or something. All right. Thank
11 you. Please proceed.

12 CLERK: Juror Number 19.

13 THE COURT: 19. Check your numbers for 19. Juror
14 Number 19; is that our absentee girl? She wasn't removed
15 from the list?

16 CLERK: (Inaudible).

17 THE COURT: Skip that one. The Court already
18 instructed everybody to go forward without that one.
19 We'll skip that one. Go on to the next.

20 CLERK: Juror number 299. What say you for the
21 State?

22 MR. HULSHULT: Please present this juror.

23 CLERK: What say you to the defense?

24 MS. CURRIN: Please excuse this juror.

25 CLERK: Sir, you've been excused from the trial in

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1 this case. (Unintelligible).

2 Juror number 126. What say you for the State?

3 MR. HULSHULT: Please present this juror.

4 CLERK: What say you for the defense?

5 MS. CURRIN: Please seat this juror.

6 CLERK: You've been selected for the trial in this
7 case. Have a seat in the jury box.

8 Juror 242. What say you for the State?

9 MR. HULSHULT: Please present this juror.

10 CLERK: What say you for the defense?

11 MS. CURRIN: Please present this juror.

12 CLERK: Sir, you've been selected as a juror in the
13 trial in this case. Please be seated in the jury box.

14 Juror number 230. What say you for the State?

15 MR. HULSHULT: Please present this juror.

16 CLERK: What say you for the defense?

17 MS. CURRIN: Please seat this juror.

18 CLERK: You've been selected in the trial in this
19 case. Please have a seat in the jury box.

20 Juror Number 256. What say you for the State?

21 MR. HULSHULT: Please seat this juror.

22 CLERK: What say you for the defense?

23 MS. CURRIN: Please excuse this juror.

24 CLERK: You've been excused from the trial in this
25 case. Please have a seat in the audience.

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1 Juror Number 300. What say you for the State?

2 MR. HULSHULT: Please seat this juror.

3 CLERK: What say you for the defense?

4 MS. CURRIN: Please seat this juror.

5 CLERK: You have been selected as a juror in this

6 case. Please have a seat in the jury box.

7 Juror number 12. What say you for the State?

8 MR. HULSHULT: Please present this juror.

9 CLERK: What say you for the defense?

10 MS. CURRIN: Please seat this juror.

11 CLERK: You've been selected as a juror in the trial

12 of this case. Please have a seat in the jury box.

13 Juror Number 277. What say you for the State?

14 MR. HULSHULT: Please present this juror.

15 CLERK: What say you for the defense?

16 MS. CURRIN: Please seat this juror.

17 CLERK: You've been selected as a juror in the trial

18 of this case. Please have a seat in the jury box.

19 Juror Number 292. What say you for the State?

20 MR. HULSHULT: Please excuse this juror.

21 CLERK: You've been excused as a juror in the trial

22 of this case. Please have a seat in the audience.

23 Juror Number 207. What say you for the State?

24 MR. HULSHULT: Please present this juror.

25 CLERK: What say you for the defense?

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1 MS. CURRIN: Please seat this juror.

2 CLERK: Juror Number 20. What say you for the
3 State?

4 MR. HULSHULT: Please present this juror.

5 CLERK: What say you for the defense?

6 MS. CURRIN: Please seat this juror.

7 CLERK: You have been selected as a juror in the
8 trial in this case. Please have a seat in the jury box.

9 Juror Number 275. What say you for the State?

10 MR. HULSHULT: Please present this juror.

11 CLERK: What say you for the defense?

12 MS. CURRIN: Please excuse this juror.

13 CLERK: You have been excused from the trial in this
14 case. Please have a seat in the audience.

15 Defense has exhausted three of its five strikes.

16 Juror Number 148. What say you for the State?

17 MR. HULSHULT: Please present this juror.

18 CLERK: What say you for the defense?

19 MS. CURRIN: Please seat this juror.

20 CLERK: You have been selected as a juror in the
21 trial of this case. Please have a seat in the jury box.

22 Juror Number 267. What say you for the State?

23 MR. HULSHULT: Please present this juror.

24 CLERK: What say you for the defense?

25 MS. CURRIN: Please excuse this juror.

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1 CLERK: You have been excused from the trial in this
2 case. Please have a seat in the audience.

3 The defense has exhausted four of its five strikes.
4 Juror Number 284. What say you for the State?

5 MR. HULSHULT: Please excuse this juror.

6 CLERK: You have been excused from the trial in this
7 case. Please have a seat in the audience.

8 Juror number 48. What say you for the State?

9 MR. HULSHULT: Please present this juror.

10 CLERK: What say you for the defense?

11 MS. CURRIN: Please seat this juror.

12 CLERK: You have been selected as a juror in the
13 trial in this case. Please have a seat in the jury box.

14 12 jurors have been selected in the trial of this
15 case. We are now striking for alternates.

16 Juror Number 130. What say you for the State?

17 MR. HULSHULT: Please present this juror.

18 CLERK: What say you for the defense?

19 MS. CURRIN: Please seat this juror.

20 CLERK: You have been selected as an alternate in
21 the trial of this case. Please have a seat in the jury
22 box.

23 Juror Number 219. What say you for the State?

24 MR. HULSHULT: Please present this juror.

25 CLERK: What say you for the defense?

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1 MS. CURRIN: Please seat this juror.

2 CLERK: Sir, you have been selected as an alternate
3 in the trial in this case. Please have a seat in the
4 jury box.

5 THE COURT: Any exceptions or objections to the jury
6 as selected from the State?

7 MR. HULSHULT: None from the State, Your Honor.

8 THE COURT: Any from the defense?

9 MS. CURRIN: No, Your Honor.

10 THE COURT: All right. All right. Then we can
11 release the panel. Those in the gallery
12 (unintelligible). All right. Those in the gallery,
13 ladies and gentlemen, you were not selected for the trial
14 in case. I believe your instructions are going to be go
15 downstairs; is that, (unintelligible)? Go back
16 downstairs and get jumbled back in with the group. We're
17 going to be selecting another jury here in a matter of
18 minutes. And so thank you all, you're free to go
19 downstairs. Bailiffs will escort you down there.

20 (Jurors exit courtroom)

21 All right. While they're filing out, ladies and
22 gentlemen of this jury, welcome. We will begin this
23 trial today at 2:00. I'm going to turn you over to the
24 bailiff and instruct you during this break. You are not
25 to do any independent research, nor during any part of

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1 this trial will you be allowed to do any independent
2 research into any of the topics that are brought out in
3 the courtroom, any of their lawyers, or the names you've
4 heard. I know we have a temptation to look stuff up on
5 our phones, and I'm going to be instructing you not to do
6 that along the way. It would be improper. Okay?

7 We have not begun the trial, obviously, but we will
8 do so at 2:00 this afternoon. So at this time, you are
9 free to go.

10 I will tell you that generally speaking, so that you
11 can make plans for your life that has been disrupted all
12 of a sudden, we basically go 9:00 to 5:00-ish. Okay? We
13 try to stick to those hours as much as we possibly can.
14 Might release you a little before 5:00, might be a few
15 minutes after if there's somebody testifying for example.
16 But just so you can kind of get your life together, just
17 plan on that.

18 And again, this trial should approximately two to
19 two-and-a-half days. We're hoping we won't need you past
20 Wednesday. We're hoping, no guarantees. That's a hope.
21 Okay? With that, we'll see you back at 2:00. Thank you,
22 sir.

23 JUROR: We report here?

24 THE COURT: Yeah. He'll tell you exactly where to
25 go. Good question.

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1 (Jury exits courtroom)

2 THE COURT: All right. We'll be at ease until 2:00.

3 See you then.

4 MR. HULSHULT: Thank you, Your Honor.

5 (Off the record 12:24 p.m.)

6 (On the record 1:52 p.m.)

7 MS. CURRIN: Mr. Blakeney, is he allowed to just
8 come back at 2:00? I know there are some judges that ---

9 THE COURT: No one made any motions before me. So I
10 don't have any ---

11 MS. NORVELL: State's (unintelligible) Judge. Based
12 on Mr. Blakeney's bond violation as well as the bond
13 extinguished as the jury's been selected, we are
14 (background noise) the State would ask that Mr. Blakeney
15 remain at the trial.

16 THE COURT: Okay.

17 MS. CURRIN: Your Honor, Mr. Blakeney is here, he
18 showed up this morning. He's ready to go. He's fully
19 prepared to come back at 2:00 today. His family's out
20 here. I think it would be appropriate for him to go get
21 some lunch and come back. I have no concerns that he's
22 not going to return.

23 THE COURT: Okay. Well, they made the motion.
24 I --- it's not personal, Mr. Blakeney, but I never
25 let ---

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1 MR. BLAKENEY: (Unintelligible).

2 THE COURT: --- trial is never convenient for
3 anybody. I --- it's --- again, it's not personal ---

4 MR. BLAKENEY: (Unintelligible).

5 THE COURT: --- and it really has nothing to do ---
6 (Simultaneous speaking)

7 THE COURT: --- with the charges or anything like
8 that. But if the State makes the motion to have you, you
9 know, kept in custody during the trial, then I do it.

10 MR. BLAKENEY: (Unintelligible).

11 THE COURT: There will be some visitation rooms, I'm
12 sure they can try to line that up.

13 MR. BLAKENEY: (Unintelligible).

14 THE COURT: Okay. All right. Thank you so much.
15 You can take him into custody at this time.

16 MS. CURRIN: And, Your Honor, there are some
17 pre-trial matters. I don't ---

18 THE COURT: Yeah, thought we'd come back at 1:00. I
19 don't know. Hopefully, this doesn't take long.

20 MS. CURRIN: Okay.

21 THE COURT: Couple minutes before 2:00? How --- how
22 long do you think you need?

23 MS. CURRIN: It won't take very long at all.

24 (Simultaneous speaking)

25 MS. CURRIN: --- make sure there were ---

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1 MR. HULSHULT: Mostly working everything out.

2 MS. CURRIN: Yes.

3 MR. HULSHULT: So there shouldn't be ---

4 THE COURT: How much time do you think you need?

5 MS. CURRIN: Maybe 10 to 15 minutes.

6 THE COURT: Okay. So 1:45.

7 MS. CURRIN: Okay. See you then.

8 THE COURT: All right. See you then.

9 MS. CURRIN: Thank you, Judge.

10 THE COURT: Okay.

11 (Off the record)

12 THE COURT: Well, welcome back. Let's get started.

13 Mr. Thomas Carson Blakeney is about to have his case
14 tried. Happy to entertain pretrial motions at this time.

15 MS. NORVELL: Judge, as to the stipulation, over
16 lunch break, the State and the defense collaborated on a
17 potential stipulation. Our only question for the Court
18 is how you intend to instruct the jury during jury
19 charging.

20 THE COURT: Uh-huh.

21 MS. NORVELL: The defense proposed a charge that
22 states the defendant is charged with possession of a
23 firearm or ammunition by a person convicted of possession
24 with intent to distribute, manufacturing, distribution,
25 or trafficking a controlled substance. In order to prove

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1 the crime the State must prove beyond a reasonable doubt
2 that the defendant has been convicted of possession with
3 intent to distribute, distribution or delivery of,
4 manufacturing of or trafficking in a controlled
5 substance.

6 The State proposed language to the defense which ---
7 sorry Judge --- which stated the specific prior
8 convictions without the level or the offense level,
9 simply the State and the defense stipulate that the
10 defendant, Thomas Carson Blakeney, has a qualifying prior
11 conviction for possession with intent to distribute
12 cocaine from July 2023. This stipulation fulfills the
13 element of prior conviction with relation to the unlawful
14 possession of a firearm by a person unlawful charge. The
15 defense would like to not say the exact charge, and so
16 we're trying to give and take here. How ---

17 THE COURT: What do you want, Ms. Currin? What do
18 you want to say?

19 MS. CURRIN: Your Honor, at first I proposed just a
20 stipulation that says that we agree that that element of
21 the offense is met. Further, when Ms. Norvell and I just
22 spoke in the courtroom, we had spoken about potentially
23 saying a qualifying drug conviction instead of naming the
24 specific conviction that he has.

25 THE COURT: Okay.

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1 MS. CURRIN: I don't know if ---

2 THE COURT: So we're talking about the charge and
3 how it's going to read right now, right? Let's just ---
4 we don't have to decide that right now.

5 MR. HULSHULT: Okay.

6 MS. CURRIN: I think we're deciding how we're going
7 to ---

8 THE COURT: Why don't we ---

9 MS. CURRIN: --- agree on our stipulation and how
10 that would work --- is it going to collide with how you
11 would instruct the jury on the charge?

12 THE COURT: No, that's --- I don't think so, but go
13 ahead.

14 MR. HULSHULT: It's the only thing is if the charge
15 were to say that the State had to prove specifically
16 possession with intent to distribute, manufacture, and
17 delivering, trafficking, then I think we'd have to say
18 that we met that.

19 And then I don't know if it's improper for the Court
20 to instruct the jury, make a comment on the facts to say
21 the State and the defendant have stipulated that this
22 element has been fulfilled during the jury charges.

23 And so I think ---

24 THE COURT: Yeah, you can say that.

25 MS. NORVELL: You can? Okay.

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1 THE COURT: Uh-huh.

2 MS. NORVELL: Okay. If you can say that, then we're
3 good to go. And we'll say that --- then we'll say that.

4 THE COURT: Yes. All right. Yeah, because part of
5 the charge, it says, you know, you are to consider only
6 the evidence before you and any stipulations made by
7 counsel.

8 MS. NORVELL: Perfect.

9 THE COURT: So that --- our charge contemplates
10 that.

11 MS. NORVELL: Okay. Great.

12 MS. CURRIN: So to be clear, we're going to say
13 qualifying drug ---

14 MS. NORVELL: Do you want to say qualifying drug, or
15 qualifying controlled substance? Because it says
16 controlled substance.

17 MS. CURRIN: That's fine, controlled substance ---

18 MS. NORVELL: Okay.

19 MS. CURRIN: --- is perfectly fine.

20 THE COURT: She probably prefers controlled
21 substance. All right. Okay. Great. What else? And
22 they did the last --- the only thing that we haven't
23 taken up is his other bad acts.

24 MS. NORVELL: So during the process of --- do you
25 mind if I (unintelligible)?

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1 MR. HULSHULT: No.

2 MS. NORVELL: During the process of this traffic
3 stop, Sergeant Garrison was attempting to blue light the
4 defendant. He was directly behind the defendant's
5 vehicle for the majority of this pursuit. He observed a
6 white substance being released from the driver's window.
7 He saw a hand come out and a white substance being tossed
8 or like shaken off and then it hitting his windshield.
9 He --- with intent to elicit testimony that his
10 perception is that narcotics were being spilled,
11 sprinkled, or released from the --- the defendant's
12 vehicle.

13 THE COURT: Uh-huh.

14 MS. NORVELL: We believe that this comes in under
15 404(b) as evidence of intent and motive, as well as
16 (unintelligible). We think that without --- other than
17 seeing these --- this white powder sprinkled, he
18 obviously sees a --- other items --- like a bottle
19 bouncing around. And then he ultimately sees ---

20 THE COURT: In the car, or ---

21 MS. NORVELL: Being tossed out of the vehicle ---

22 THE COURT: Tossed.

23 MS. NORVELL: --- and then bouncing around on the
24 roadway. Ultimately, he also sees an object fly out of
25 the vehicle and then spark hit the interstate.

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1 Another officer responded to that area and located a
2 firearm. And that's the basis of the firearm charge.

3 Honestly, Judge, that's the reason why we're in this
4 trial is that firearm charge.

5 THE COURT: I don't remember the powder being part
6 of the pretrial brief. I just remember the spark or
7 something. And I thought he knew he was DUS. I thought
8 that's why he pulled him over.

9 MS. NORVELL: He does. And then while pursuit was
10 ongoing during the course of the failure to stop ---

11 THE COURT: Oh.

12 MS. NORVELL: --- the --- the State is going to
13 allege that the reason the defendant didn't stop is
14 because he was ---

15 THE COURT: Oh.

16 MS. NORVELL: --- disposing of everything in the car
17 that he did not want officers to locate.

18 THE COURT: Okay. So --- so the reason for the
19 stop, I --- or correct me if I'm wrong, the reason for
20 the pursuit if you will, was the DUS?

21 MS. NORVELL: The reason for the initial traffic
22 infraction and attempted stop is DUS.

23 THE COURT: The blue lights flash because of DUS?

24 MS. NORVELL: Correct. And then there's ---

25 THE COURT: And then after that, there's a --- he

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1 saw some powder, and then the spark from the gun, and ---

2 MS. NORVELL: It's a 17-minute pursuit. And so
3 during all of that there's a hit-and-run. There are
4 items being thrown. And so it's --- honestly, Judge we
5 are seeking so introduce this to sort of explain the
6 entirety of the situation. It's not what he saw a spark
7 one time. He saw multiple things, then a spark.

8 THE COURT: Uh-huh.

9 MS. NORVELL: So it's like in order for us to prove
10 circumstantially, certainly the officer can't testify
11 exactly what he knows was thrown out of the vehicle, just
12 the circumstances sure surrounding it. The State must
13 meet a substantial circumstantial evidence threshold to
14 survive directed verdict.

15 And in order for the jury to render an appropriate
16 verdict the State would submit to the Court that these
17 bad acts --- otherwise bad acts are logically relevant to
18 why he was fleeing, to why he didn't stop, to what was
19 necessary before officers could possibly make contact
20 with him.

21 THE COURT: I want to hear from Ms. Currin on that.

22 MS. CURRIN: Thank you.

23 THE COURT: This will be your motion to suppress
24 testimony of --- and other things observed from the car;
25 is that right?

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1 MS. CURRIN: That's right. And there's a short
2 body-worn camera clip from Officer Garrison where there's
3 a white powder on the seat that the State is also
4 intending to try and introduce as a part of that.

5 (Simultaneous speaking)

6 THE COURT: --- the driver?

7 MS. CURRIN: Yes, correct. And I have that
8 (unintelligible).

9 THE COURT: Of course he wasn't charged with it?

10 MS. CURRIN: Correct.

11 THE COURT: Okay.

12 MS. CURRIN: So he was not charged with any drugs in
13 this case. Your Honor, the State's seeking to introduce
14 this other motive and intent for Lyle, which would mean
15 the State is saying that this is a prior bad act.
16 However, this occurred in the same ---

17 THE COURT: Simultaneously?

18 MS. CURRIN: Correct.

19 THE COURT: Uh-huh.

20 MS. CURRIN: Yes. So we would first argue that it's
21 not even a prior bad act to come in under a Lyle
22 exception.

23 THE COURT: Uh-huh.

24 MS. CURRIN: Secondly, the State must prove the
25 prior bad act is relevant, which we the defense would

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1 argue that it's not. He is not on trial for drug
2 charges, and the State is seeking to admit the testimony
3 of him allegedly discarding drugs out the window, which
4 we would argue is not relevant for what he is on trial
5 for here today.

6 Further, the State's position that the particles
7 seen on the dash cam and the white powder on the driver's
8 seat are illegal narcotics is a mere speculation. We ---
9 the substance was the not collected that was on the
10 driver's seat to be tested, so we have no confirmation
11 that it was, in fact, an illegal substance.

12 THE COURT: Uh-huh.

13 MS. CURRIN: And further, even though law
14 enforcement believed he may have been tossing narcotics
15 out the window, there were no narcotics ever found on the
16 roadway, even though there were multiple officers that
17 went back to look.

18 THE COURT: Okay.

19 MS. CURRIN: So, Your Honor after --- or with Lyle,
20 in order to get a prior bad act, then you have to first
21 provide clear and convincing evidence.

22 THE COURT: I don't think that this is a Lyle
23 situation. We can move on from that. I mean, this isn't
24 a prior bad act. This is a --- a bunch of stuff going on
25 basically during the hot pursuit. You just don't want

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1 them to talk about the drugs; is that right?

2 MS. CURRIN: I --- I agree, Your Honor. I don't
3 think it's a Lyle issue at all. I don't think it
4 complies with that, but that's how the State is ---

5 (Simultaneous speaking)

6 THE COURT: Right. I understand. I mean, in other
7 words --- I don't know. This is motion in limine to
8 suppress that information? I --- I would just --- I
9 going to --- I'm going to reserve rule until --- up until
10 we kind of get to that part of the trial.

11 But I think you've made your --- your argument is
12 certainly clear. I understand everybody's interpretation
13 of how it would or would not come in, so we'll just take
14 it up when it comes in.

15 MS. CURRIN: I understand. May I briefly respond on
16 the motive?

17 THE COURT: Yeah. Yeah. All right.

18 MS. CURRIN: Thank you.

19 THE COURT: Okay.

20 MS. CURRIN: With --- as to the State believing that
21 this would prove some type of motive ---

22 THE COURT: Uh-huh.

23 MS. CURRIN: The charges here are failure to stop
24 for the light. Did this person stop or did they not?
25 And if they didn't, were there mitigating circumstances,

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1 period.

2 THE COURT: Right.

3 MS. CURRIN: The State does not have to prove why
4 the person did not stop. The other charges are unlawful
5 possession of a firearm. I don't see how the possession
6 of drugs would tend to prove a motive for unlawful
7 possession of a gun.

8 THE COURT: Okay.

9 MS. CURRIN: So that would be our position, Your
10 Honor. We would ask that the testimony and the body cam
11 be excluded.

12 THE COURT: Okay.

13 MS. CURRIN: Thank you.

14 THE COURT: I'll take it under consideration. I
15 will just refrain from referring to that during your
16 openings at this point in time. I think that, you know,
17 hopefully your opening statements are relatively short,
18 but ---

19 MS. NORVELL: Referring to it period, or referring
20 to it as a particular substance.

21 THE COURT: I wouldn't talk about ---

22 MS. NORVELL: Okay.

23 THE COURT: --- he's got drugs in the car if he's on
24 trial for drugs right now and whether or not evidence of
25 that may come in is TBD.

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1 MS. NORVELL: Okay. Do you mind if I put one case
2 on the record with respect to this, as I didn't mention
3 it in ---

4 THE COURT: Yeah, please do.

5 MS. NORVELL: --- in initial arguments.

6 THE COURT: Please do. Okay.

7 MS. NORVELL: The State relies on State versus
8 Dennis with respect to this argument. A South Carolina
9 Court of Appeals case from 2013 402 S.C. 627 ---

10 THE COURT: 402 S.C. ---

11 MS. NORVELL: 627, Judge.

12 THE COURT: 627. I'll go look this up in the
13 meantime. All right.

14 MS. NORVELL: Thank you, so much, Your Honor.

15 THE COURT: Yeah. All right. What else? Anything?

16 MR. DALTON: Yes, Your Honor. We've also submitted
17 a motion to sequester the State's witnesses.

18 THE COURT: Granted.

19 MR. DALTON: And we also ask that you also instruct
20 them not to speak amongst each other. It's also my
21 understanding there's other officers from North
22 Charleston here. We would ask that you also ask them not
23 to speak of any testimony that they hear inside the
24 courtroom to the other witnesses.

25 MS. NORVELL: The State has let the defense know

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1 that another K9 officer and her rookie were coming to
2 observe court. I've already told them.

3 THE COURT: Oh, yeah. You told us about that.
4 Yeah, they just can't talk about the case ---

5 MS. NORVELL: Yup.

6 THE COURT: They can talk about the weather or
7 baseball ---

8 (Simultaneous speaking)

9 THE COURT: --- but they can't talk about the case.

10 MS. NORVELL: Perfect.

11 MR. HULSHULT: Thank you, Your Honor.

12 THE COURT: No problem at all. Okay. What else?
13 Anything?

14 MS. CURRIN: Just briefly ---

15 THE COURT: Yes.

16 MS. CURRIN: --- so we've already spoken about this
17 with the State, but just to place it on the record. I
18 know we spoke this morning about not bringing up the
19 level of the failure to stop for a blue light ---

20 THE COURT: Right.

21 MS. CURRIN: --- we would just ask the Court
22 instruct the witnesses to not refer to that. We just
23 don't want there to be an accidental ---

24 THE COURT: The level is --- remind --- is the
25 second? Is that what it was?

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1 MS. CURRIN: Second or subsequent.

2 THE COURT: Second or subsequent?

3 MS. NORVELL: (Unintelligible).

4 THE COURT: Yeah, if y'all could just, you know,
5 have your investigator or y'all when you're talking to
6 these people right, you know, before just make --- remind
7 them if possible not to --- to do that. And that's
8 just --- just call it straight up there (unintelligible)
9 second and subsequent, that would be fine. Okay. Yeah.

10 MS. CURRIN: And then lastly, in that same line, we
11 spoke with the State about Officer Garrison, he places in
12 his report that he's familiar with --- knows Thomas
13 Blakeney. And we spoke about this with the State and
14 they instructed us that Officer Garrison was not going to
15 get into that of how he knew Mr. Blakeney ---

16 THE COURT: Yeah.

17 MS. CURRIN: --- we would just ask that that witness
18 know not to go into that by accident.

19 THE COURT: Okay. That's fair. Yeah, I don't have
20 a problem with him. Yeah, I know him from my work in the
21 community or something like that, but you know.

22 MS. CURRIN: We don't plan to elicit any of that, I
23 don't think, since the defense intends to cross him on
24 how he knows him. So they're --- we've explained ---

25 THE COURT: Yeah, as long as the door is not open.

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1 (Simultaneous speaking)

2 THE COURT: I know him from my Boy Scout meetings or
3 something like that. Okay. Great. Anything else? This
4 is all --- all good. Okay. Of course if anything else,
5 you know, comes to mind, just let me know.

6 We'll take a break any time anybody needs one.
7 Y'all need to go to the restroom now before openings or
8 anything?

9 MS. NORVELL: The only thing we'd ask for a second
10 to do is to print out that stipulation or I would have it
11 (unintelligible).

12 THE COURT: Yeah. Y'all, do you want a little bit
13 of a break then for a minute? Or I just --- way. That's
14 fine. I just wasn't sure what you were doing with that.
15 Okay. All right. We'll be at ease for about four
16 minutes, and then we'll bring the jury in at that time.
17 Okay?

18 (Off the record)

19 THE COURT: All right. Y'all just let me know when
20 you're ready and we'll bring them in.

21 MS. NORVELL: I think we're ready to proceed, Judge.

22 THE COURT: Okay. Who's going to be doing the
23 opening for y'all?

24 MS. NORVELL: Me.

25 THE COURT: Okay. Y'all also?

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1 MR. DALTON: Yes.

2 THE COURT: Mr. Dalton's going to open?

3 MR. DALTON: Yes.

4 THE COURT: Great. Okay. We can bring the jury in.
5 Are they --- just so I know, are they way down the hall
6 this time or ---

7 BAILIFF: Yes.

8 THE COURT: Yeah. Okay. That's fine. You can
9 bring them in. We tried this --- a lot of double cases
10 I've had in here. Just so y'all know, it got kind of
11 awkward because as soon as I said bring them in, the
12 attorneys would stand up. They'd be standing for like a
13 really long time, because the jury --- and the jury were
14 in, like, at the total opposite end of the hallway. So
15 just know whenever I say bring them in, it's going to be
16 a minute.

17 (Jury enters courtroom)

18 THE COURT: Jury, y'all can go ahead and have a
19 seat. These other folks stand out of deference to you
20 all.

21 BAILIFF: All jurors present, Your Honor.

22 THE COURT: Thank you so much. All right. Welcome
23 back ladies and gentlemen. Everybody can get seated.
24 Okay. We're going to go ahead and get started. Ladies
25 and gentlemen, before we get too much in the weeds, I'm

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1 going to kind of give you an overview of who everybody is
2 in the courtroom, just to try to get you a little more
3 acquainted with this process since most folks don't get
4 to see court in person like y'all are.

5 Once again, my name's Jennifer McCoy. I'll be the
6 judge presiding over this case. I live right here
7 locally on James Island.

8 Typically, we try to go about 9:00 to 5:00 on our
9 days as I told you earlier, so what our intent will be.
10 And so we'll try to stick to that as much as possible.

11 You've already met some of your bailiffs. Those are
12 your ambassadors to the court. If you need to get me a
13 message, typically they'll have you reduce it to a little
14 note to pass to me and we'll get you taken care of
15 whatever your needs are. Of course parking and all those
16 kind of things, logistics they'll help you with. But if
17 you have anything personal or anything come up that you
18 need to tell me about, let them know and they'll get the
19 message to me and we'll take care of whatever we need to
20 do. Okay? So that --- those are your bailiffs.

21 To --- right here to my right is --- she's the court
22 reporter. She's the most important person in this room,
23 ladies and gentlemen. She is taking down every single
24 word that is said during the court of this trial, and she
25 is creating a record which of course is very important as

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1 part of this process for everybody.

2 To my left over here is Ms. Simmons who is my law
3 clerk. She's doing a one-year rotation with me. She
4 finished law school last year. So she will be doing
5 research and all sorts of different tasks for me during
6 the court of this trial. I also have lots of other cases
7 and things that I'm working on that are all being given
8 time, so if you see her get up and down or come in and
9 out, that's not unusual. She'll be doing that from time
10 to time. Okay?

11 We got members of our clerk's office, your clerk of
12 court office. Your clerk of court is Julie Armstrong.
13 She is elected to serve a four-year term. She's the
14 Charleston County clerk of court, they have purview over
15 this courthouse. They keep all the evidence and
16 documents safe and secure in an orderly fashion. And
17 that's their job to assist her in that.

18 We've got our sheriff's office deputy. They are in
19 coats and ties in the courthouse, not in their normal
20 office --- or street attire, or officer attire that
21 you're used to seeing police officers in. But the
22 sheriff's office has jurisdiction over this Charleston
23 County Courthouse. They're wearing the earpieces, you
24 might hear them talking to each other from time to time.
25 You might see them do a shift change or come in and out.

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1 Don't be alarmed or anything like that, that's totally
2 normal. They change shifts and do all sorts of things
3 during the course of this --- of the day, but they're
4 just here to keep the peace and help us to get organized
5 as well.

6 Of course the courthouse is a public place, ladies
7 and gentlemen, anybody can come in and watch court any
8 time they want. Some folks in here may have an interest
9 in the trial, or they might just be watching court for
10 fun, or some of them might be former law students that
11 have to get a certain number of court observations under
12 their belt, so to speak, before they're released in the
13 wild to do --- kind of work on their own.

14 So if you see people, don't try to associate any
15 meaning with where they're sitting. I mean, you know,
16 people are going to come in and out through the course of
17 this trial. All that's perfectly normal.

18 Okay. In just a minute you'll hear from some of
19 these attorneys. You got to meet them earlier. And I'll
20 tell you a little bit more about what their jobs are here
21 momentarily. But what I want to tell you about them is
22 that they've taken an --- an oath to be ethical in
23 the --- in the course of their entire career ---
24 professionalism oath. All these attorneys have, ladies
25 and gentlemen. And part of that is that they know

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1 they're not allowed to talk to y'all during the course of
2 the trial that they're currently working on. So if you
3 see these attorneys out in the hallway, or you see them
4 in the elevator or somewhere like that and they won't
5 even look at you, or they walk away, that's just them
6 being ethical and living up to that oath of
7 professionalism that they took. Okay? So don't think
8 they're being rude or anything like that.

9 All right. It's obviously not appropriate to have
10 any contact with anybody involved in the case during the
11 course of your jury service and I want to just remind you
12 about that.

13 And also, I'll be instructing you every day not to
14 talk about the case with anybody. And you won't be
15 talking about the case with each other until the very end
16 when you deliberate for your verdict. Okay? All right.

17 Well, with that said, that's kind of an overview of
18 everybody in the courtroom. Before we begin, I'm going
19 to tell you this is going to a little different than what
20 you might expect. As I said earlier, most people don't
21 have the chance to attend court like you're doing, so
22 they might think from watching Law and Order or reading
23 John Grisham novels, that trials are full of intense
24 circumstances and very exciting things. And while that
25 can be true from time to time, it's important that you

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1 understand this trial is not for your entertainment, it's
2 a fundamental part of your justice system.

3 Okay. And so our goal, of course, is that we uphold
4 that justice system and we make an effort to make sure
5 that justice is done between the parties before the
6 Court. And in doing so, that process is often very slow
7 and deliberate and a little boring maybe at times, but
8 that's important that we're following a process. Okay?

9 This courtroom is also a place of honor, dedicated
10 to the protection of citizen's rights through what many
11 have called the greatest justice system that exists in
12 this world.

13 The attorneys, again, appearing before you, they're
14 going to be advocating for the side or the party that
15 they represent. Okay? And you can expect them to be
16 zealous in doing so. But first and foremost, they're
17 officers of this court. And once again, they've taken
18 an --- an oath to uphold the integrity and the fairness
19 of our justice system. You should expect them to be
20 professional and ethical in the representation of their
21 client's interests.

22 And remember, in --- in just a minute, you will also
23 be taking an oath to sign the verdict and that you will
24 be expected to be professional and ethical in doing that
25 as well.

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1 We appreciate you accepting this responsibility. We
2 know that jury service is difficult on folks, that it
3 kind of uproots you from your life. But it is truly a
4 fundamental part of our democracy. And next to military
5 service, it's one of the most important things you can do
6 for your country. I thank you for that.

7 At this time, I'm going to have the clerk of court
8 swear you all in.

9 CLERK: Will the defense please stand.

10 Ladies and gentlemen of the jury, please stand and
11 raise your right hand.

12 Do you swear or affirm that you shall well and truly
13 try and in true deliverance make, between the South
14 Carolina and the defendant at the bar, whom you shall
15 have in charge and a true verdict rendered according to
16 the evidence and laws so help you God.

17 Please indicate by saying I do.

18 MULTIPLE SPEAKERS: I do.

19 CLERK: If you've accepted this oath, please be
20 seated. If you have not, please remain standing.

21 THE COURT: Thank you very much. And you can be
22 seated as well. Everyone is seated.

23 (Jury sworn)

24 All right. Ladies and gentlemen, what I'm now going
25 to say is intended to serve as sort of an introduction to

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1 the trial. These remarks are not a charge on the law of
2 the case, that's going to happen at the very end of the
3 trial. I'm going to instruct you on what law applies to
4 the case at the end right before you retire to jury room
5 to consider your verdict. This right now is just an
6 explanation of the procedure that we're going to follow
7 during the course of the trial, so that you can have a
8 better understanding of what's going on.

9 What's going to happen is first the State will give
10 up --- stand up, rather, and give an opening statement.
11 And that is going to be just an --- an attempt for them
12 to kind of outline the issues in this case and the
13 elements of the crimes that the defendant is charged
14 with.

15 The defendant is charged by three indictments as I
16 indicated earlier during the voir dire process. These
17 indictments, ladies and gentlemen, are just pieces of
18 paper. They are not evidence in any way, shape, or form.
19 It's just the way that a charge is brought into the
20 court.

21 And once again, the defendant Thomas Carson Blakeney
22 is charged with failure to stop for a blue light,
23 possession of a firearm by a person prohibited by law,
24 and unlawful carrying of a pistol. The elements of those
25 charges will be explained to you later. And once again,

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1 these indictments are just pieces of paper through which
2 the charges are brought to Court.

3 The State, ladies and gentlemen, and the State,
4 you'll notice is sitting closest to you. The State has
5 the burden of proof. They must prove each element of
6 these indictments beyond a reasonable doubt.

7 It will be your duty, ladies and gentlemen, to
8 decide whether or not the State has met that burden by
9 the end of the case. Your purpose as jurors is to find
10 and determine the facts. You are the sole judges of the
11 fact. You are to determine the facts from the testimony
12 you hear and any other evidence which is introduced in
13 the court. It is up to you to determine the inferences
14 which you feel may be properly drawn from the evidence
15 that is presented during the course of this trial.

16 On the other hand and with equal emphasis the same
17 law that makes you the judges of the facts makes me the
18 judge of the law. And the law as given to you by the
19 Court is the only law you may consider. You must accept
20 it, and apply it, and follow it, even though you might
21 disagree with it. I can't tell you what the facts are
22 and you cannot disagree with me about what the law is or
23 should be. Your job will be to take the law as I give it
24 to you and apply it to the facts as you find them from
25 the testimony of the witnesses and any other evidence

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1 introduced. After doing that, you will render a verdict.
2 It's going to be a verdict under the oath that you just
3 took.

4 Until I advise you to begin your deliberations, you
5 must not discuss this case with anyone, including your
6 fellow jurors, your friends, your family members, and
7 anyone involved in the case. This would include
8 discussions face-to-face, by e-mail, telephone, text, or
9 any other method of communication. You may not use a
10 computer, a cell phone, or any other electronic device at
11 any time while in this courtroom or during your
12 deliberations. During your breaks for meals or lunch in
13 the middle of the day, or overnight, of course you can
14 use your phone. However, you may not at any time use
15 them to get or send information about this case. This
16 would include information about the parties, the
17 witnesses, the attorneys, court officials, news, anything
18 like that. During the trial, please do not read, listen
19 to or watch any news reports about this case. I am not
20 aware of any media coverage about this case. I don't
21 anticipate it being on the news, but if it were to be on
22 the news, your duty would be to turn it off immediately,
23 or change the channel.

24 Okay. After the case is submitted, you must discuss
25 it only in the jury room with your fellow jurors.

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1 The attorneys and parties in this case have been
2 advised that they are not to talk to you at all. So once
3 again, if you see them in the hallways and they don't
4 speak, they're just following these instructions. It is
5 important that you keep an open mind.

6 Do not decide any issue in this case until all of
7 the evidence has been presented and these parties have
8 made their closing argument and I have instructed on the
9 law. It will be your solemn responsibility to determine
10 the guilt or innocence of the defendant, and your
11 verdicts must be based solely on the evidence as it is
12 presented in this courtroom during this trial.

13 In just a moment, the solicitor will make the
14 opening statement in which the solicitor will explain to
15 you the issues in this case, or at least what the
16 solicitor thinks the issues are. The attorney for the
17 defendant may also make an opening statement, although
18 she's not required to.

19 What the attorneys tell you during their opening
20 statements are not evidence in this case, it's only their
21 contention as to what the issues are. The evidence in
22 this case will be presented to you by the testimony of
23 witnesses from that witness stand right there when
24 they're placed under oath. And any exhibits, or
25 documents, or anything like that that might be introduced

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1 as well.

2 And from time to time you might hear one of these
3 attorneys stand up and object to some piece of evidence
4 that the other side is trying to admit. That's totally
5 normal and that's how they bring something to my
6 attention that I need to make a ruling on. Okay. It's
7 kind of like in sports and I'm an umpire, I got to call
8 balls and strikes. These attorneys bring things to my
9 attention which is their way of telling me I need to do
10 my job. Okay? Please don't hold their objections
11 against them or their clients.

12 All right. If you want to take notes during the
13 course of this trial, of course you can. Just make sure
14 it doesn't take your attention too much away from what's
15 going on in the witness stand, because part of your job
16 is going to be to determine the credibility or the
17 believability of the folks that testify. And you want to
18 make sure you're not taking your eyes away so much to
19 make a note that you're --- you're not paying attention
20 to how they act on the witness stand and the things that
21 they say. Okay.

22 All right. Now, let's see. I'm going to give these
23 attorneys an opportunity to object to anything that I
24 said during the remarks. Let's see. Anything from the
25 State?

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1 MR. HULSHULT: No objection, Your Honor.

2 THE COURT: Anything from the defense?

3 MS. CURRIN: No, Your Honor.

4 THE COURT: All right. Well, if that is the case,
5 we will go ahead and begin passing out the notebooks to
6 the jury and any writing utensils that we have as well
7 for them.

8 All right. I think we're ready to begin. Short a
9 notebook? Okay. We'll get that squared away. All set?

10 Okay. Ms. Norvell, I'm happy to hear from you.

11 MS. NORVELL: If it please the Court, Your Honor ---

12 THE COURT: Yes, ma'am.

13 MS. NORVELL: --- Ms. Currin, Mr. Dalton.

14 Maybe not where y'all wanted to be when you got to
15 the courthouse this morning, but we appreciate you being
16 here. You're an important part of the process. The
17 judge told you what the defendant is charged with,
18 failure to stop, unlawful possession of a pistol,
19 unlawful carry. And this happened on February 10th of
20 2024.

21 Officer --- excuse me, Sergeant Justin Garrison, he
22 works for North Charleston. He at that time was a patrol
23 supervisor. He was driving down Rivers Avenue, coming up
24 to the red light at Greenridge Road and Rivers. And he
25 looked over and saw (unintelligible) this defendant

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1 driving a vehicle at the light next to him. Sergeant
2 Blakeney --- Blakeney --- excuse me, Sergeant Garrison
3 knew that Mr. Blakeney had a suspended license, so he
4 made a determination to initial a traffic stop, turned on
5 his lights --- blue lights and sirens, got behind Mr.
6 Blakeney and he didn't stop, he didn't just wait for a
7 safe space to pull over on the side.

8 Mr. Blakeney actually was continuing down Rivers
9 towards Goose Creek. He turned left over a median and
10 started driving --- accelerating back towards
11 (unintelligible) Charleston up to 80 miles per hour. He
12 turned off Rivers on to the Otranto neighborhood, hit a
13 car, didn't stop then. Continued driving through that
14 neighborhood came back around to Rivers, didn't stop
15 then. Continued onto the interstate, didn't stop then.

16 Until ultimately, Sergeant Garrison, who was the
17 first in the pursuit from the majority of the time that
18 Mr. Blakeney was not stopping, observed something come
19 out of Mr. Blakeney's passenger window. They saw --- he
20 saw in his in-car dash camera recorded a spark of metal
21 against the road and go off to the side. Sergeant
22 Garrison did not stop the pursuit at that time to go look
23 for it, that's something that was done later.

24 Ultimately, North Charleston had to lay out spike
25 strips to encourage Mr. Blakeney to stop. Once his

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1 wheels were shredded, he did come to a stop back down
2 Rivers Avenue, he had gotten off at Dorchester Road.

3 This was a 15-minute pursuit. And ladies and
4 gentlemen, I don't necessarily expect you to be argued
5 with that he is not guilty of failure to stop. He is
6 unequivocally guilty of failure to stop. Truthfully, the
7 reason that we are here is the argument, the issue, in
8 decision over whether the State can prove beyond a
9 reasonable doubt that that metal spark that was seen
10 coming out of Mr. Blakeney's passenger side windows on
11 I-26 was a gun.

12 Mr. Blakeney is prohibited from having a firearm.
13 After the stop occurred, Sergeant Garrison, the patrol
14 supervisor on scene went back --- his car is outfitted
15 with a dash camera and he was able to go back into the
16 video system that's inside of his car, rewind it to where
17 he saw the spark. And he was able to let officer Chris
18 Schuessler give --- he gave him a roundabout area of the
19 interstate where he saw that spark.

20 Officer Schuessler is a K9 officer, so he doesn't
21 respond to calls for service the same way the patrol
22 officers do. Patrol officers are located in a specific
23 jurisdiction within the city and they respond to all the
24 calls for service within that area. K9 officers are able
25 to respond city-wide. They're not located in a specific

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1 geographical area of the city, and they don't have to
2 respond to all calls for service. So Officer Schuessler
3 was able to spend time searching the side of I-26.

4 And you'll hear from both Sergeant Garrison and
5 Officer Schuessler where they went to look. You'll see
6 maps of the area, you'll see the --- the markings of
7 where the spark was. And you can look back at a map and
8 see exactly where Officer Schuessler --- he'll tell you
9 where he went between Eagle Drive and Midland Park, and
10 he didn't find a gun. He found a black Glock that was
11 damaged to the point that the black Glock had exterior
12 paint was black and you could see metal shaved off all
13 the way down to the silver. You'll see road rash.

14 You will see --- and you will hear that that slide
15 for the gun was not able to be cleared because it was set
16 back about this much from the front of the gun where the
17 slide is supposed to settle in. That gun was actually
18 not able to be cleared to make it safe for Court, so you
19 will see pictures of all sides of the gun.

20 You'll see a picture from Officer Schuessler of
21 where he located the gun on the side of the interstate.
22 You'll see February 10, 2024, 3:33 in the morning. And
23 that's how long he stayed out to look for it. The
24 pursuit started at about 1:47. He was taken into custody
25 about 2:04. And Officer Schuessler responded to the side

Proceedings

1 of the interstate, found the gun about 3:33.

2 I expect that you will be presented with what I
3 submit to you is a distraction. And that is Officer
4 Schuessler, he was outfitted with a body camera. He ---
5 per North Charleston policy is supposed to save that body
6 camera and attach it to a case file. He'll --- you'll
7 hear his testimony and his explanation. He responded to
8 work the next day. His shift actually ended at 3:00 in
9 the morning and he stayed till 3:30. So when he got to
10 work the next night, he downloaded the video, but he
11 didn't assign it to a case number, so we don't have the
12 body cam of his search along the interstate. All we have
13 is that picture that he took when he located it
14 timestamped of the gun on the side of the interstate.

15 We're not expecting you to take Officer Schuessler's
16 word alone. We are going to have that photograph for
17 you. We're going to have that testimony for you of where
18 he responded and how he confirmed with Sergeant Garrison
19 the proper location.

20 Not only that, you'll have and be presented with
21 photos of the damage of the gun and its inability to be
22 cleared.

23 And we will return to you at the end of this case
24 after you've heard all the testimony, and we're going to
25 ask you to return a verdict of guilty. We're going to

Proceedings

1 ask you not to reward the defendant for fleeing --- for
2 recklessly endangering the motorists of the rest of the
3 city. We're going to ask you not to reward him for
4 evading this law enforcement pursuit because he didn't
5 want the police to find what he had in his car. Don't
6 reward him and find him guilty.

7 THE COURT: Yes, sir, Mr. Dalton.

8 MR. DALTON: Thank you, Your Honor. Thomas Blakeney
9 is guilty of failure to stop for blue lights. The facts
10 will show he never had a gun that night. The State puts
11 on their case the evidence will show that the gun in
12 question was never in Mr. Blakeney's possession, based
13 off of the State and the condition it was found in at the
14 side of the highway.

15 So, again, on February 10, 2024, Mr. Blakeney is
16 driving with a suspended license. Police officers pull
17 up behind him and they try to pull him over. He doesn't
18 stop. He panicked. You know, he made a poor decision
19 that day by not stopping, but he's here today to own up
20 to it.

21 As the State mentioned, the reason we're here today
22 is these gun charges. As the State mentioned, he's
23 charged with two charges but for one gun. One gun that
24 was allegedly found on the side of the road. It was a
25 rusted gun that wasn't found on his person, wasn't found

Proceedings

1 in his car, wasn't even found when he eventually stopped,
2 but miles away from where he was arrested. The gun that
3 was submerged into the earth covered in dirty, dead grass
4 at the side of an extremely busy highway, the interstate.
5 A gun that didn't have ammunition inside of it. Mr.
6 Blakeney didn't have any ammunition on his person, in his
7 car. You're going to learn that there's no DNA or
8 fingerprints on that gun.

9 We're asking you to pay attention. Pay attention to
10 the facts that are stated. Pay attention to the facts
11 that you don't need. All the evidence will show that
12 Officer Schuessler, the officer who allegedly found the
13 gun didn't write a report about finding this gun. And as
14 you heard before, there is not any body-cam footage of
15 him finding this gun.

16 Pay attention to the precise statements of these
17 witnesses, what they saw and what they didn't see. If
18 the officers wanted to include these very detailed
19 reports and those things that they omitted are otherwise
20 left out.

21 And most importantly, I'd like to remind you guys
22 today that it is the job of the State to prove to you
23 that Mr. Blakeney is guilty of these charges beyond any
24 reasonable doubt. That is the highest standard that
25 there is in the criminal justice system. Mr. Blakeney is

Proceedings

1 not required to prove his innocence (unintelligible) to
2 put up a case. Meaning it is the job of the State alone
3 to prove to you that these gun charges happened and he's
4 guilty of these gun charges. That's why at the end of
5 this trial, we'll return before you guys to ask you find
6 him guilty on the failure to stop for blue lights, but
7 not guilty on these two gun charges.

8 Thank you for your time.

9 THE COURT: All right. Thank you very much. And
10 ladies and gentlemen, I failed to mention this earlier.
11 If at any point in time somebody needs a bathroom break,
12 just, you know, throw a hand up or pass a note down to
13 the bailiff and we'll take one immediately. That's never
14 a problem whatsoever. Okay. With that the State can
15 call its first witness.

16 MS. NORVELL: Thank you, Judge. The State calls
17 Sergeant Justin Garrison.

18 THE COURT: All right.

19 (Witness sworn)

20 CLERK: Now, please state your full name into the
21 microphone. Spell your last name loudly and clearly for
22 the record.

23 THE WITNESS: Justin Garrison, G-A-R-R-I-S-O-N.
24 SERGEANT JUSTIN GARRISON, HAVING BEEN DULY SWORN,
25 TESTIFIED AS FOLLOWS.

Direct Exam Garrison

1 DIRECT EXAMINATION

2 BY MS. NORVELL:

3 Q. Good afternoon, Justin.

4 A. Hello.

5 Q. Sergeant Garrison. How are you?

6 A. Good.

7 Q. Where are you currently employed?

8 A. North Charleston Police Department.

9 Q. How long have you worked at North Charleston, Sergeant
10 Garrison?

11 A. Going on 12 years.

12 Q. What's your current role at North Charleston?

13 A. I am the training supervisor, so I am responsible
14 for a lot of the academy training that we conduct at
15 North Charleston Police Department.

16 Q. Is that the same role that you had in February of 2024?

17 A. It is not.

18 Q. What was your job at that time?

19 A. I was a supervisor on North nights.

20 Q. Can you explain how North Charleston patrol separating
21 its zones or areas? What do makes up the North Area?22 A. Yeah. So we have three different bureaus in the
23 City of North Charleston. It's separate into North,
24 Central and South. Basically, we break it down into
25 three bureaus because it's so large of a city. The north

1 bureau is separated into three zones, and we have Zones 7
2 and 9, which is all Dorchester Road. And then we have
3 Zone 8, which is Rivers Avenue area, and Ashley Phosphate
4 area.

5 Q. And so Zone 8, with Rivers Avenue and Ashley Phosphate
6 all the way until (unintelligible)?

7 A. Yes. That's correct.

8 Q. And were you patrolling that Zone 8 on February 10, 2024?

9 A. I was.

10 Q. And can you explain how you had the occasion to come
11 across (unintelligible)?

12 A. Yes, I was traveling on Rivers Avenue and we got to
13 the traffic light at Rivers and green ridge. I looked to
14 my right and I observed a gold tan-ish GMC. I observed
15 the defendant in the driver's seat. I recognized him to
16 be Thomas Blakeney, who I'm familiar with from prior
17 encounters, and also know him to have a suspended
18 driver's license.

19 Q. And so do you see the person that you recognize to be
20 Thomas Blakeney in the courtroom today?

21 A. I do.

22 Q. And what color jacket is he wearing?

23 A. Black.

24 Q. And is he sitting at this table over here?

25 A. Yes.

Direct Exam Garrison

1 MS. NORVELL: Judge, would you let the record
2 reflect that Sergeant Garrison identified the defendant,
3 Thomas Blakeney.

4 THE COURT: It shall so reflect.

5 BY MS. NORVELL:

6 Q. And that's the same person that you saw on Rivers Avenue
7 driving a gold GMC on February 10, 2024?

8 A. Correct.

9 Q. What did you do once you realized you knew him and you
10 knew he had a suspended license?

11 A. I then drive ahead of him once we got the green
12 light, because I was attempting to coordinate units. I
13 believed he was going to flee ---

14 MS. CURRIN: Objection.

15 THE WITNESS: --- if I tried to stop him.

16 MS. CURRIN: Irrelevant, Your Honor.

17 THE COURT: Overruled. Go ahead.

18 THE WITNESS: Attempted to coordinate units. At
19 that point, I drove --- I pulled into the Circle K where
20 once I got in contact with other officers that were
21 working. I then passed the parking lot of the Circle K
22 at which point I then maneuvered my vehicle behind him to
23 attempt a traffic stop at Rivers Avenue and NAD Road.
24 Q. And did the defendant stop his vehicle when you initiated
25 your blue lights?

Direct Exam Garrison

1 A. He did not.

2 Q. Did you activate sirens?

3 A. Yes, eventually when I realized he was fleeing the
4 traffic stop.

5 Q. Is your --- were you driving a marked patrol unit on
6 February 10, 2024?

7 A. I was.

8 Q. Is your unit set up with an in-car dash cam recording
9 system?

10 A. Yes, it is.

11 Q. Does it record both inside your vehicle and what's going
12 on outside the vehicle?

13 A. Correct. Yes, it does.

14 Q. And was that in operation and preserved from your
15 encounter with the defendant on February 10, 2024?

16 A. It was indeed.

17 MS. NORVELL: Judge, may I approach the witness?

18 THE COURT: Yes.

19 BY MS. NORVELL:

20 Q. Sergeant Garrison, I'm showing you what's marked at
21 State's Exhibit Number 1, do you recognize this item?

22 A. I do.

23 Q. How do you recognize it?

24 A. It's a DVD that contains the video of the pursuit.

25 Q. And did you review this DVD?

Direct Exam Garrison

1 A. I did.

2 Q. And did you initial it so that you would recognize it in
3 court?

4 A. Correct.

5 Q. And does this contain your in-car camera from your
6 encounter with the defendant on February 10, 2024?

7 A. It does.

8 Q. And fairly and accurately reflect that pursuit?

9 A. Correct. It does.

10 MS. NORVELL: Judge, the State would offer State's 1
11 into evidence.

12 THE COURT: Any --- okay. Any objection to State's
13 1?

14 MS. CURRIN: No objection.

15 THE COURT: All right. Without objection it will be
16 admitted and --- and published now?

17 MS. NORVELL: Yeah. Publish, Judge.

18 THE COURT: Yeah.

19 (State's Exhibit 1 entered)

20 BY MS. NORVELL:

21 Q. All right. And so was the entirety of your pursuit
22 recorded on your in-car camera system?

23 A. Yes, it was.

24 Q. Where are you located at this point in time when your car
25 camera starts?

Direct Exam Garrison

1 (Video playing)

2 A. Right now, this is on Otranto Road, coming out of
3 Hanahan, pulling into the Circle K.

4 Q. And what is the road that's running perpendicular?

5 A. That is Rivers Avenue.

6 Q. And is this the Circle K that you pulled into to set up
7 before activating your blue lights to conduct a traffic stop
8 of the defendant?

9 A. Yes, it is.

10 (Video playing)

11 Q. The vehicle in front of you, is that the target
12 vehicle --- the defendant's vehicle?

13 A. Yes. That is the defendant's vehicle.

14 Q. And had you blue-lighted him at this point?

15 A. I have not. Not yet.

16 (Video playing)

17 Q. What is this glow that we've just seen?

18 A. Those are my blue lights turned on.

19 Q. And at this particular location at Rivers Avenue and NAD
20 Road, as well as where you observed the initial traffic
21 infraction at Rivers Avenue at Greenridge, are those areas
22 located with the City of North Charleston?

23 A. Yes, they are.

24 Q. Is that within the county of Charleston?

25 A. It is.

Direct Exam Garrison

1 (Video playing)

2 Q. That noise in the background, is that your radio
3 transmissions?

4 A. Correct, it is.

5 Q. And did you hear yourself just identify the individual
6 you believed to be the driver?

7 A. I did.

8 Q. At any could you observe the occupants of the vehicle and
9 determine if there was only one occupant or more?

10 A. Yes, upon the initial decision-making process, while
11 we were sitting at the traffic light at Rivers Avenue and
12 Greenridge Road, I observed the vehicle being occupied
13 only by the defendant.

14 (Video playing)

15 Q. At what point did it become clear to you that the
16 defendant was going to flee?

17 A. In just a moment.

18 (Video playing)

19 A. Clearly right now he's not coming to a complete
20 stop.

21 (Video playing)

22 A. This is when it became clear that he was attempting
23 to flee the traffic stop.

24 (Video playing)

25 A. He conducted a U-turn into the opposite lanes of

1 travel and accelerated upwards of 80 miles an hour from
2 this location that you currently see.

3 (Video playing)

4 Q. That noise that we hear is that you activating your
5 siren?

6 A. Yes, it is.

7 Q. Is your vehicle outfitted with a loudspeaker?

8 A. It is.

9 Q. Do you remember if you used that to attempt to convince
10 him to stop, or you just blue-lighted and used your siren?

11 A. I just used my blue lights and sirens.

12 Q. And have you immediately begun to notice additional
13 traffic infractions at this time?

14 A. Yes.

15 (Video playing)

16 Q. Did the traffic stop end here?

17 A. No, the traffic stop did not end here. After
18 striking the curb and striking another occupant, he
19 continued to flee down antler here on the left.

20 (Video playing)

21 Q. Once the defendant turned onto --- is this Greenridge?

22 A. Yes, that is Greenridge.

23 Q. Did you observe any particular object being ---

24 MS. CURRIN: Objection. Leading.

25 BY MR. HULSHULT:

Direct Exam Garrison

1 Q. --- removed from the vehicle?

2 THE COURT: Okay. Hang on. Don't answer that quite
3 yet. Can y'all approach real quick.

4 (Bench conference)

5 THE COURT: Okay. Let's take a quick break, ladies
6 and gentlemen, I need to excuse you from the courtroom
7 for a few minutes while I consider some things that these
8 attorneys outside your presence want to give.

9 Once again, please don't discuss the case. We'll
10 see you back here shortly. If you need to take a
11 bathroom break or anything like that, feel free to do so.

12 (Jury exits courtroom)

13 THE COURT: Okay. I think we were kind of --- Ms.
14 Currin asked to stop, I think because she thought we were
15 getting to that issue where we talked about pretrial with
16 cocaine flying out the window or whatever; is that right?

17 MS. CURRIN: Correct, Your Honor. Specifically, my
18 objection was the question of leading, but we are very
19 close to the other topic that we talked about pretrial
20 about the ---

21 THE COURT: White powder?

22 MS. CURRIN: --- testifying to white dust.

23 THE COURT: Okay. All right. So what I'll do at
24 this time is just allow the State to proffer that
25 testimony from the witness and then we'll go from there.

Direct Exam Garrison

1 Okay. And I guess try and remember the exact
2 timestamp, because I mean, I'm assuming you're going to
3 need this to help him testify and watch. We'll rewind
4 back to this when the jury comes back in. Just take note
5 of whatever it's on, you know, can't see it.

6 MS. NORVELL: Thank you, Judge. I've got it written
7 down.

8 THE COURT: Perfect. All right.

9 MS. NORVELL: And I'm going to proffer the next
10 minute and ten seconds of the video. That will include
11 the --- this object thrown as well as the allegation as
12 to the substance.

13 THE COURT: Okay.

14 BY MS. NORVELL:

15 Q. Officer Garrison, the question that I asked you prior to
16 the jury leaving once the defendant turned onto Greenridge,
17 did you observe any object being thrown from the vehicle?

18 A. Yes, there was something thrown from the --- thrown
19 from the vehicle on Greenridge that bounces in the
20 roadway.

21 (Video playing)

22 Q. Can you please let me know when you see that bounce in
23 the roadway.

24 A. Yes. Right there.

25 (Video playing)

Direct Exam Garrison

1 Q. I'm sorry.

2 A. It was just prior. I'm calling it out on the radio
3 right now.

4 Q. Okay. And you don't know what that object was?

5 A. No.

6 (Video playing)

7 Q. And as the defendant approached the I-26 interchange, did
8 you observe any additional items being thrown from the
9 vehicle?

10 A. Yes. Just previously there were some items that go
11 past the camera from the windshield. So if we play this,
12 you'll see me position my spotlight because I believed
13 that he was attempting to destroy anything that he may
14 have been carrying illegally within that vehicle.

15 So I positioned my spotlight on the driver's-side
16 window where you can actually see his hand manipulating
17 what appears to be Baggies as if to crinkle or crumble
18 any substances within those Baggies so the environment,
19 or essentially the wind would take it out of his vehicle
20 and blow it around the street.

21 Q. Will you please point that out when you see it on the
22 video?

23 A. Yes.

24 (Video playing)

25 A. So the spotlight's being repositioned now. His hand

Direct Exam Garrison

1 is out. And shortly, you'll see debris right here
2 scatter across the roadway as well as my vehicle.

3 MS. NORVELL: And for the record, that timestamp is
4 4:14 through 5:28. That would be what I would seek to
5 elicit at this time.

6 THE COURT: Okay. Let me give Ms. Currin an
7 opportunity too.

8 MS. CURRIN: Thank you, Your Honor. I would renew
9 my objections from pretrial regarding this testimony.

10 Additionally, the testimony of the officer is highly
11 speculative. He's testifying to what he thinks he sees,
12 what he thinks Mr. Blakeney is doing. And frankly, I
13 don't see a hand out the window. I think that's very
14 difficult to even tell. I think it's very speculative
15 that what the dust that he sees is --- that him, you
16 know, testifying to that being illegal drugs.

17 THE COURT: He didn't. He didn't.

18 MS. CURRIN: Carrying some ---

19 THE COURT: He just called it debris.

20 MS. CURRIN: He said carry something --- or carrying
21 something illegal in his vehicle. And then he's
22 describing manipulating it to where it then turns into
23 essentially this --- these particles.

24 THE COURT: Okay.

25 MS. CURRIN: I think the ---

Direct Exam Garrison

1 THE COURT: This is a little different than I think
2 we talked about pretrial. I think pretrial we thought he
3 was going to take the stand and say cocaine and whatever
4 it was, the drugs, and it's not ---

5 MS. CURRIN: Well, Your Honor, he's not specifically
6 saying I think it's cocaine, but I think the jury can
7 certainly come to the conclusion that this officer
8 believes that it is drugs and that he is trying to
9 sprinkle it out the window so he doesn't get caught with
10 something illegal in his vehicle.

11 THE COURT: All right. (Unintelligible).

12 (Simultaneous speaking)

13 THE COURT: --- thinking to elicit this testimony?

14 MS. NORVELL: We're seeking to elicit this testimony
15 pursuant to 404(b), exceptions for (unintelligible)
16 motive and intent. They're based on the officer's
17 personal knowledge and his observation on scene, not his
18 description of the video, but what he personally knows as
19 the first person pursuing the defendant's vehicle is what
20 he's testified to. He is explaining why --- what was
21 happening and what was being released from the vehicle.
22 And the State's intention to elicit that is to prove to
23 why the situation happened, why the defendant wasn't
24 stopping, what his motive and intent for not stopping ---

25 THE COURT: Uh-huh.

1 MS. NORVELL: --- yet.

2 THE COURT: Okay. Anything else?

3 MS. CURRIN: Your Honor, as I stated in pretrial, I
4 don't believe this evidence addresses motive or intent.
5 It is essentially to assassinate Mr. Blakeney's character
6 to make him look like someone that's trying to hide
7 things.

8 And Your Honor, under 403, I think this testimony is
9 highly prejudicial and the probative value that the State
10 is intending that it has, the prejudicial effects
11 certainly outweighs it.

12 THE COURT: All right. I am --- I am not going to
13 allow it in. I've read State v Dennis over and over and
14 over. Not very different than this scenario, but it's
15 instructive and it does get into a very good discussion
16 about res gestae and the reason is it was --- was allowed
17 or upheld the admission of that testimony in that case is
18 there was a big question in that case of why.

19 We don't really need to know why he failed to stop
20 for a blue light, we've got all sorts of other reasons.
21 We've got the DUS, we've got the gun situation, you know.
22 So I don't --- I don't think you need it.

23 And he's not charged with drugs. I think it's going
24 to confuse the jury. They're going it be like, wait,
25 drugs? Like what's going on with that? And, you know,

Direct Exam Garrison

1 frankly, I think it could hurt the State later anyway
2 because he wasn't charged with drugs and nothing was ever
3 tested.

4 Regardless, I'm going to agree and that particular
5 line of testimony will be excluded. Now you've mentioned
6 earlier of the body-worn camera, (unintelligible)
7 excluded out. Let's just play the thing. There's
8 nothing prejudicial. You can't see anything on the
9 camera.

10 MS. CURRIN: This is separate body-worn camera, the
11 State ---

12 (Simultaneous speaking)

13 THE COURT: We'll all have to look at that later. I
14 mean, I got ---

15 MS. CURRIN: Do you want to just show it now?

16 THE COURT: Were you going to call somebody just for
17 that ---

18 (Simultaneous speaking)

19 MS. CURRIN: --- body camera.

20 THE COURT: Okay. Yeah, I guess I'll have to see
21 that now too.

22 MS. NORVELL: And can I clarify just quickly?

23 THE COURT: Yes.

24 MS. NORVELL: I understand that you have ruled that
25 he cannot testify as to what he perceived the item to

Direct Exam Garrison

1 be ---

2 THE COURT: I have no problem with saying there's
3 stuff coming out the window at me, debris, but we're just
4 going to say I think he had an illegal substance ---

5 (Simultaneous speaking)

6 MS. NORVELL: Got it. And then the earlier
7 testimony that you received in camera where he explained
8 that something came out of the vehicle and he saw
9 bouncing on the roadway that he doesn't characterize. In
10 fact, he testified he doesn't know what it is.

11 THE COURT: Same thing.

12 MS. NORVELL: Okay.

13 THE COURT: Same thing. Yeah, it's fine. He's just
14 that --- that really is (unintelligible) that's
15 describing what's going on. It's sort of his --- I think
16 this might have been X Y Z that I think that we're really
17 suppressing, not raising a new issue that's really not
18 before the jury.

19 MS. NORVELL: Okay.

20 THE COURT: Yeah.

21 MS. NORVELL: I'm going to show a ---

22 (Video playing)

23 MS. NORVELL: That's the body camera.

24 THE COURT: Can't see anything on it. I mean, what
25 is it you want to suppress? All I can see is some money

Direct Exam Garrison

1 crumpled up on the seat.

2 MS. CURRIN: Well, if you watch the little snippit
3 of it, you can see white pieces on the seat that the
4 State would be hinting is a narcotic.

5 THE COURT: Not if they don't elicit that testimony.
6 I don't know. Wait. What --- were you trying to elicit
7 him?

8 MS. NORVELL: It's the same thing, Judge. Yeah.

9 THE COURT: Same thing. Okay. So yeah, just don't
10 be like what do you think the white stuff on the seat is?
11 I don't think that's proper. But I --- I don't have a
12 problem with the video as shown to me coming in. You ---
13 what are you afraid of? The jury seeing it and thinking
14 it's cocaine?

15 (Simultaneous speaking)

16 MS. CURRIN: That's all that the video shows is
17 money on the seat and a white substance. I think
18 it's --- it's doesn't answer anything that the State has
19 to prove that it's just to prejudice.

20 THE COURT: I disagree. I'll let that in. I --- I
21 mean I think the --- they have to show the officer, you
22 know, looked inside the vehicle. And I mean, I don't
23 think it has --- I don't find that to be prejudicial at
24 all. That's just him doing follow-up walking around.
25 There's no voice on the camera that says anything like

Direct Exam Garrison

1 that that says, oh, there's drugs on the seat. I
2 couldn't even see anything on the seat except a crumpled
3 up piece of paper.

4 MS. CURRIN: I would ask that Ms. Norvell show
5 it ---

6 THE COURT: I'll go back and look at it. Show me
7 that scene again. Ms. Currin has pointed out to my
8 ignorant eyes where the drugs are.

9 MS. CURRIN: It's only the little, little bit at the
10 end that you can see them. I think most of the video
11 doesn't show anything.

12 THE COURT: All right.

13 MS. CURRIN: May I approach, Judge?

14 THE COURT: Yeah.

15 MS. CURRIN: I think ---

16 THE COURT: Do we need like a laser pointer or
17 something?

18 MS. CURRIN: (Inaudible).

19 THE COURT: The white stuff on the seat? I'll get a
20 crispy cream all the time and get stuff like that on my
21 seat all the time.

22 All right. Again, Ms. Currin, I don't ---
23 that's --- this car is filthy, the seats are torn up. I
24 mean I --- I do not find that --- I have no problem with
25 whatever it is that he saw in the car when he approached

Direct Exam Garrison

1 it. There's nothing on there --- there's no testimony
2 identifying anything on there. That certainly would be
3 prejudicial. I don't --- I don't ---

4 MS. CURRIN: So he would be instructed not to
5 testify to what he thinks that substance is on the
6 witness stand.

7 THE COURT: Yeah, of course.

8 MS. CURRIN: Okay.

9 THE COURT: Because we've already --- already made
10 ruling.

11 MS. CURRIN: Okay.

12 THE COURT: But I have no problem with just the
13 video of the car coming in. No one's going to talk
14 about --- I think that was this and then he --- yeah.
15 Correct. I'm not willing to make them edit this video at
16 this point in time or suppress this video based on my
17 ruling.

18 MS. CURRIN: Your Honor, this --- this is the video.

19 THE COURT: I understand that. Yeah, I get it. I'm
20 just saying like I'm not --- or even portions of it
21 because it shows the seat. I'm not going to rule that
22 they have to take that out. I --- I --- he's just going
23 to not --- we're not going to talk about the drugs.
24 Drugs aren't going to come up in conversation.

25 MS. CURRIN: I understand. I guess I'm just

1 confused about what it --- what else --- what other
2 purpose, because this isn't the full clip of him
3 searching the vehicle, this is just the clip of the seat
4 so that they can introduce ---

5 THE COURT: Maybe I just don't understand.

6 MS. CURRIN: I --- I think I can understand.

7 THE COURT: Maybe I don't understand what then ---
8 so just tell me, I guess, in the video, is there a lot
9 more that, like, a lot of looking in and out of the car
10 or ---

11 MS. NORVELL: It's a 12-second clip, because we are
12 going to tie --- and we were going to tie in closing that
13 this is the reason why he ran.

14 THE COURT: Oh. Okay.

15 MS. NORVELL: Yeah, so we're good with dropping this
16 clip.

17 THE COURT: They're just going to withdraw the clip
18 I guess now. I don't have a problem with the clip, with
19 you showing it.

20 MS. CURRIN: I mean, I think ---

21 THE COURT: Okay.

22 MS. CURRIN: Again, I think if the State's intent
23 was to introduce it for that purpose, but now he's been
24 instructed that he can testify only to debris, not to
25 what he believed it to be, correct? This would have

Direct Exam Garrison

1 furthered what he believed the substance out the window
2 was.

3 THE COURT: Uh-huh.

4 MS. CURRIN: Okay.

5 THE COURT: I don't --- I'm not going to hold them
6 to withdrawing it right now. And I don't know what
7 they're going to do. If they want to show the clip of
8 him searching the car afterwards, fine. But they're not
9 going to elicit testimony on what he thought the white
10 things were on the seat because that's just not an issue
11 in trial. Over your objection, that's my ruling, it's
12 been made clear for the record.

13 MS. CURRIN: Yes, Your Honor. Thank you.

14 THE COURT: Okay. Yeah. Anything else --- why
15 don't we take a quick break too? Is that fine? Or
16 do --- do we want to get into ---

17 MS. NORVELL: I'm fine.

18 THE COURT: --- anything else right now? And when
19 we --- when we come back from the break, we'll just bring
20 the jury back in. We'll go ahead and get that clip
21 rewound back to where you had it. Okay?

22 MS. NORVELL: Is that during the break?

23 THE COURT: Oh, yeah. You can step down during the
24 break. You just can't talk about the case ---

25 THE WITNESS: Okay.

Direct Exam Garrison

1 THE COURT: --- to anybody. And when you come back,
2 if you weren't sure what my ruling said, you can talk
3 about the debris, like just basically it's the same
4 testimony you just gave is fine with me. She's not going
5 to ask you about, like, was it drugs, and I don't want
6 you to say I think it was drugs.

7 THE WITNESS: Okay.

8 THE COURT: Got it?

9 THE WITNESS: Yes, ma'am.

10 THE COURT: Okay. Thank you very much. You can
11 take a break now if you want to.

12 (Off the record)

13 THE COURT: So just to kind of flesh our ruling out
14 a little bit more clearly. State v Dennis, you know,
15 talks about all this kind of stuff and it is very
16 distinguishable from this case. I think, you know, while
17 all relevant evidence is admissible I'm dealing with
18 unfair prejudice that I've got to scrutinize under 403.
19 And that analysis, you know, I don't know why North
20 Charleston didn't collect the stuff and charge him with
21 drugs. I don't know, but they didn't. It would be a
22 whole other story if they did. Of course it would all be
23 coming in. But for whatever reason, they didn't. He
24 wasn't tested, he's not charged with it.

25 So just to be clear, you know, that's why I'm not

Direct Exam Garrison

1 allowing testimony about what the officer thinks it might
2 have been into the, you know, record on this case.

3 So, you know, I think State v Gilchrist talks about
4 this too. So I think that if I let it in, it would ---
5 and the jury would end up making decisions on an improper
6 basis. And for that reason and just to try to keep the
7 appeal record a little tighter, I'm going to suppress
8 that sort of testimony. But again, actually, he didn't
9 give that during the proffer, so we'll --- we'll just
10 steer clear of that. Okay.

11 MS. NORVELL: Thank you, Judge. Steering clear of
12 any reference to what he believes it to be, just that he
13 observed debris.

14 THE COURT: Correct. Yeah. That would be fine.

15 MS. NORVELL: Thank you, so much.

16 THE COURT: Okay. And again, that's over the
17 objection made timely by defense. And we can let the
18 jury back in. We got it cued back up to the right time?

19 MS. NORVELL: That's --- that's correct, Judge.

20 THE COURT: Awesome.

21 (Jury enters courtroom)

22 THE COURT: All right. Ladies and gentlemen, y'all
23 can have a seat in the jury and everybody else can be
24 seated at well. Thank you so much.

25 BAILIFF: All jurors present, Your Honor.

Direct Exam Garrison

1 THE COURT: Thank you so much.

2 All right. Ladies and gentlemen, we will resume
3 now. Please proceed.

4 MS. NORVELL: Thank you so much, Judge.

5 BY MS. NORVELL:

6 Q. Sergeant Garrison, what road is the defendant approaching
7 at this time?

8 A. He's approaching Greenridge Road.

9 Q. And once the defendant turns onto Greenridge, did you
10 make the observation?

11 A. Yes, I observed debris discarded out the window and
12 bounce in the road.

13 Q. I'm going to play the video. Will you please point out
14 to the jury when you see an object ---

15 A. Yes.

16 Q. --- appear?

17 (Video playing)

18 A. It's going to be bouncing in the road right here.

19 MS. NORVELL: For the record, that's 4:24.

20 (Video playing)

21 BY MS. NORVELL:

22 Q. And did you contemporaneously radio in that you saw
23 something?

24 A. I did. Any time I saw something, I radioed and
25 communicated that to other units.

Direct Exam Garrison

1 (Video playing)

2 Q. Did you observe debris thrown from the vehicle at this
3 particular part of the pursuit?

4 A. Yes. Just a few second ago there is some debris
5 coming out of the vehicle that was coming towards my
6 windshield. At that point, I took my spotlight to put it
7 on his driver's-side window to see if anything was being
8 discarded out the window. At which point you can observe
9 his hand is at the driver's-side window kind of crinkling
10 or manipulating objects causing debris to essentially fly
11 at my windshield as well as all over the road.

12 Q. Can you let the jury know when you see objects or debris
13 appear at your windshield?

14 A. Yes.

15 (Video playing)

16 A. Right here.

17 MS. NORVELL: And that's 5:25 for the record.

18 (Video playing)

19 BY MS. NORVELL:

20 Q. Where is the defendant entering on the roadway now?

21 A. He is now entering onto I-26 going towards
22 Charleston.

23 (Video playing)

24 Q. At this point have you reached Midland Park overpass, or
25 believe it was that overpass?

Direct Exam Garrison

1 A. I believe this is Midland Park overpass coming up.

2 (Video playing)

3 A. Yes, this --- this should be it.

4 (Video playing)

5 Q. As you and the defendant were approaching Midland Park
6 overpass, did you make any observations on the roadway?

7 A. Yes. I can see a spark ignite, if you will, in lane
8 three of the interstate as if a metal object was
9 discarded from the defendant's passenger-side window.

10 Q. The --- straight in front of you touch screen, can you
11 mark and (unintelligible) the jury which lane is lane three.

12 A. Yes. This is lane three.

13 Q. Okay. And at approximately seven minutes in your body
14 cam --- or in-car camera, did you observe a spark?

15 A. Yes.

16 MS. NORVELL: May I approach the witness, Judge?

17 THE COURT: Yes.

18 BY MS. NORVELL:

19 Q. I'm showing you what's been marked as State's Exhibit 5,
20 do you recognize it?

21 A. Yes.

22 Q. How do you recognize that?

23 A. This is a still shot of the video showing the spark
24 in the roadway.

25 Q. Does it fairly and accurately reflect the --- your

Direct Exam Garrison

1 pursuit on February 10, 2024?

2 A. It does.

3 MS. NORVELL: The State would offer 5 into evidence.

4 THE COURT: Any objection to State's 5?

5 MS. CURRIN: No objection.

6 THE COURT: All right. No objection noted.

7 (State's Exhibit 5 entered)

8 THE COURT: Officer, do you see that arrow at the
9 top right corner of your screen?

10 THE WITNESS: Yes, ma'am.

11 THE COURT: Hit that for me. And then hit where it
12 says clear. We'll take that old red mark out. Thanks.

13 THE WITNESS: Okay.

14 BY MS. NORVELL:

15 Q. Sergeant Garrison, can you circle the (unintelligible)?

16 A. Yes.

17 Q. And that was found --- that item or that object here on
18 the passenger side of the defendant's vehicle?

19 A. Correct.

20 Q. Did you rewatch your in-car camera to determine the
21 timestamp that you (unintelligible)?

22 A. I did.

23 Q. Was that at the seven-minute mark?

24 A. Yes.

25 Q. (Unintelligible).

Direct Exam Garrison

1 A. Okay.

2 (Video playing)

3 Q. After that you saw the spark, Sergeant Garrison, did you
4 see any other items discarded from the defendant's vehicle?

5 A. Coming up to aviation, he --- he exits onto
6 Aviation, then does a U-turn to get back on the
7 interstate. When we get back on the interstate, there
8 appears to be a can or bottle exit his driver's-side
9 window. After that I don't recall seeing anything else
10 exit that vehicle.

11 (Video playing)

12 Q. At some point during this pursuit, did you request stop
13 sticks to be put out?

14 A. Yes, we did.

15 Q. And where were those put out?

16 A. I believe they were put out on I-26 and Montague.
17 And I believe there may have been some put out here on
18 Aviation as well.

19 (Video playing)

20 A. So essentially, he sees the officers at the end of
21 Aviation and Rivers with spike strips and he does a
22 U-turn to get back onto the interstate.

23 (Video playing)

24 Q. The item you saw thrown, was it thrown on Aviation or on
25 the interstate?

Direct Exam Garrison

1 (Video playing)

2 A. It was thrown on the interstate. It should be as
3 we're going around this bend here in just a moment.

4 (Video playing)

5 A. Right there.

6 MS. NORVELL: Nine minutes for the record.

7 (Video playing)

8 BY MS. NORVELL:

9 Q. At this time did another officer take over as lead
10 investigator in the pursuit?

11 A. Yes, he did. Officer Schuessler overtook me and
12 became the first car in pursuit.

13 (Video playing)

14 Q. What is this exit off the interstate?

15 A. I'm sorry. Excuse me.

16 Q. What is this exit off the interstate?

17 A. This is Dorchester Road.

18 Q. Is this the exit that spike strips were laid out?

19 A. Yes, they were in lane one as we drove by and it was
20 successful.

21 Q. What does a "successful" spike mean?

22 A. The --- essentially, nails that are in the spike
23 strips were put in front of the suspect vehicle. He ran
24 them over, now the nails are in his tires and his tires
25 are deflated. So we call that a successful spike strip,

Direct Exam Garrison

1 because that's the 100 percent desired effect that we
2 want. We want the tires to go flat so the pursuit comes
3 to an end. So ---

4 Q. Which tires of the defendant's were spiked?

5 A. I believe his --- I believe both of his front tires
6 were spiked.

7 (Video playing)

8 Q. Where did the traffic stop end?

9 A. That was on Rivers Avenue, Rivers and Helm, general
10 location.

11 Q. During the pursuit, do you remember the top speeds that
12 y'all reached?

13 A. I don't remember the top speeds. I --- I know we
14 reached speeds exceeding 90 miles an hour, especially on
15 the interstate. So ---

16 Q. Do you remember what time you initiated the traffic stop
17 on the defendant?

18 A. I don't remember the exact time. No.

19 Q. Would it refresh your recollection to review the dispatch
20 notes from that ---

21 A. Yes, would.

22 Q. --- the dispatch notes would have it?

23 A. Yes.

24 MS. NORVELL: I'm going to approach the witness
25 (unintelligible).

Direct Exam Garrison

1 THE WITNESS: Yes, it would.

2 MS. NORVELL: (Unintelligible) State's 14 for ID
3 only.

4 (State's Exhibit 14 marked)

5 THE WITNESS: It appears everything was started at
6 1:47 a.m.

7 BY MS. NORVELL:

8 Q. And what time was Mr. Blakeney taken into custody?

9 A. He was taken into custody at 2:04 a.m.

10 Q. From where the chase began until where the pursuit ended
11 on Rivers Avenue, did that take you through multiple
12 jurisdictions within the city?

13 A. Yes, it did. We went through every single bureau
14 that I explained earlier in this testimony. So we
15 went --- we started in North, we went through Central,
16 and now we're ending in the South.

17 Q. Basically one edge of the city limits to the other?

18 A. Exactly.

19 Q. Did you have the occasion to make observations about the
20 defendant's passenger-side window when the pursuit finally
21 concluded?

22 A. Yes, it was --- it was rolled down.

23 Q. And is that consistent where you saw the spark on the
24 interstate?

25 A. Yes.

Direct Exam Garrison

1 Q. I'm going to show you what has been marked as State's
2 Exhibit 6 would you please look and tell me if you recognize
3 this?

4 A. Yup.

5 Q. What it is?

6 A. This is a still shot from my body camera showing
7 that his passenger side window is indeed down.

8 Q. And it fairly and accurately reflects your observation on
9 February 10, 2024?

10 A. It does.

11 MS. NORVELL: The State would offer six into
12 evidence.

13 THE COURT: Any objections to six?

14 MS. CURRIN: No objection, Your Honor.

15 THE COURT: And moved into evidence.

16 (State's Exhibit 6 entered)

17 BY MS. NORVELL:

18 Q. Would you mind pointing out for the jury just where the
19 passenger window is?

20 A. Yes, this is me in the passenger side of his vehicle
21 or approaching it and this is his passenger-side window.
22 The door is open as well as the window.

23 Q. Following --- or at the time that you took the defendant
24 into custody, did you confirm that it was who you believed it
25 to be?

Direct Exam Garrison

1 A. Yes, I did.

2 Q. And was that also recorded, your observation, your
3 interaction with the defendant himself (unintelligible)?

4 A. Yes, it was.

5 Q. I'm showing you what's been marked as State's Exhibit 7.
6 Do you recognize this?

7 A. Yes. This is a still shot from my body camera of
8 the defendant, Thomas Blakeney.

9 Q. Fairly and accurately reflect the defendant on the night
10 of this incident?

11 A. Yes.

12 MS. NORVELL: State would offer State's 7 into
13 evidence.

14 THE COURT: Any objections?

15 MS. CURRIN: No, Your Honor.

16 THE COURT: Admitted without objection.

17 (State's Exhibit 7 entered)

18 BY MS. NORVELL:

19 Q. Is this the individual that was driving the vehicle GMC
20 on February 10, 2024?

21 A. Yes, it is the individual.

22 Q. And is this the individual you identified earlier in the
23 courtroom?

24 A. Correct. That is Thomas Blakeney.

25 Q. After taking the defendant into custody, what did you do

1 to further the investigation or continue the investigation?

2 A. There were some assisting units that were on scene.

3 They were instructed to go to the interstate between

4 Midland Park and Aviation where we had seen the spark in

5 the roadway, in an attempt to search for an item that may

6 have been discarded out of the defendant's passenger side

7 window during that chase.

8 Q. What did you believe that item to be?

9 A. I believed that item to be a metal object, a
10 firearm.

11 Q. And is that the reason why you wanted the interstate to
12 be searched?

13 A. Correct. We wouldn't want to leave a firearm on the
14 side of the interstate for somebody to find.

15 Q. Did you observe --- or did you do anything to provide
16 officers with a location to where they should search?

17 A. Yes. I originally instructed them to search between
18 Midland Park and Aviation.

19 Shortly after everything concluded with the
20 defendant, taking him to the jail and searching the
21 vehicle and all that stuff, I had time to review the
22 in-car footage --- the dash cam footage on the side of
23 the road where I was able to narrow down where that spark
24 had occurred and also the location where it occurred. So
25 we had an original search plan of Midland Park and

Direct Exam Garrison

1 Aviation.

2 I contacted those officers and adjusted that and
3 told them to search in between Midland Park and the Eagle
4 Drive overpass which saves maybe 2 or 300 yards of
5 searching, maybe even longer than that.

6 Q. Which officer did the searching on the side of the
7 interstate?

8 A. Officer Schuessler did.

9 Q. And did he contact you that night advising you he'd
10 located any items?

11 A. Yes, he did contact me. He advised me that he
12 located a firearm on the side of the interstate in
13 between Midland Park and Eagle Drive overpass.

14 Q. And did he bring that firearm to you?

15 A. He did. I was at our North Bureau completing
16 paperwork. He brought that firearm to me where it was
17 photographed. I believe it was photographed on the side
18 of the interstate where he had originally found it. And
19 then we also photographed it at the bureau --- or the
20 precinct called North where he turned that firearm over
21 to me and I submitted to evidence.

22 Q. That was the purpose of him bringing it to you to submit
23 to evidence?

24 A. Correct.

25 Q. Can you describe the firearm that he turned over to you?

Direct Exam Garrison

1 A. It was a black Glock.

2 Q. And can you just give any descriptions that you observed
3 on the weapon?

4 A. Yes. There was the --- it appeared as if the weapon
5 had come into contact with something very rough. There
6 were scrapes on the black Glock which essentially made
7 it --- it took the black polymer or black-colored metal
8 off, if you will, and made it silver. So it appeared
9 that it had been thrown across a rough surface and it was
10 all scratched up. And it was also very rusty. It
11 was --- it was poorly taken care of.

12 Q. Was the ---

13 A. And ---

14 Q. Did you have the opportunity to observe the slide of this
15 particular Glock?

16 A. I did. The --- the slide was out of battery to ---
17 it was so damaged that we could not manipulate that
18 firearm other than how it currently was. It appeared
19 that there was a projectile inside that firearm that we
20 could not eject because that firearm was so badly
21 damaged.

22 Normally our protocol is we take this to a gunsmith
23 and have them disassemble the firearm so we could get the
24 projectile out of that firearm, deem it safe and do what
25 we normally do. But we were unable to do that because it

Direct Exam Garrison

1 was so badly damaged. The gunsmith essentially said that
2 he could not do anything with it. So ---

3 Q. What are typical ways that a gun would be rendered to be
4 safe? Is there anything to do to make it safe?

5 A. Yes. Obviously, you would take the magazine out of
6 the weapon. You would charge the slide, or essentially
7 rack the slide that, you know, it's terminology most
8 people are familiar with, make sure there's no objects
9 inside the barrel. Physically and visually inspect that
10 there are no objects inside the barrel or the magazine
11 well, lock the slide to the rear and that would
12 essentially deem the firearm safe which we were unable to
13 do.

14 Q. Were you unable to rack the slide?

15 A. Correct. We were unable to manipulate the slide at
16 all.

17 Q. Was there a magazine in the gun when it was recovered?

18 A. There was no magazine in the gun, no.

19 Q. But in your observation, do you believe to -- you
20 observed a bullet inside the chamber?

21 A. Yes. There was clearly a projectile inside the
22 chamber.

23 Q. Were you able to run zip ties through it so that the
24 slide couldn't be manipulated or anything?

25 A. No, we --- we were unable to do that.

Cross-Exam Garrison

1 Q. And therefore the firearm was unable to be rendered safe?

2 A. Correct.

3 MS. NORVELL: Beg the Court's indulgence.

4 The State has no further questions of this witness
5 at this time, Judge.

6 THE COURT: Okay.

7 MS. NORVELL: Thank you.

8 THE COURT: All right. Any cross-examination?

9 MR. DALTON: Thank you, Your Honor.

10 THE COURT: Yes, sir.

11 CROSS-EXAMINATION

12 BY MR. DALTON:

13 Q. I'm going to try to keep this brief, Sergeant Garrison.

14 A. No worries, sir.

15 Q. So just for clarity's sake, actually ---

16 MR. DALTON: (Unintelligible).

17 BY MR. DALTON:

18 Q. I hate to do this to you again, could you circle where
19 the spark is in that picture?

20 A. Yes.

21 Q. Okay. And just for clarity's sake, whenever I mention
22 the spark or a spark, we're talking about that so we're on the
23 same page?

24 A. Correct.

25 Q. So just to clarify ---

Cross-Exam Garrison

1 THE COURT: Just for the record, what exhibit was
2 that?

3 MR. DALTON: State's Exhibit 5.

4 THE COURT: State's 5. Thank you.

5 BY MR. DALTON:

6 Q. Just to clarify, you don't see exactly what made that
7 spark, right?

8 A. Correct.

9 Q. And in the moments --- seconds leading up to this, you
10 don't see anything thrown out the window?

11 A. I do not.

12 Q. Okay. The beginning of this pursuit, you saw Mr.
13 Blakeney strike the median of the road, right?

14 A. Yes.

15 Q. Okay. And then maybe moments after that, he strikes
16 another vehicle?

17 A. Yes.

18 Q. And then both of those occur prior to this spark in the
19 road?

20 A. Correct. It does.

21 Q. Okay. And this was while you were eastbound on I-26?

22 A. Yes.

23 Q. Is that correct? Okay. And you can kind of make it out,
24 but this is a four-lane highway, correct?

25 A. Yes, it is.

Cross-Exam Garrison

1 Q. And then that spark appears to be in lane three?

2 A. Yes, it appears to be in lane three.

3 Q. Okay. So then --- then all the way to the right of that
4 picture, you can't see it, but I'm assuming it's, you know,
5 grass on the side?

6 A. There's one more lane, and then, yes it is grass on
7 the side.

8 Q. So had something been thrown out of that vehicle, could
9 it have had to travel two lanes traffic to end up on that
10 grass on the side?

11 A. I'm not sure how it would travel. An item being
12 thrown out at that high rate of speed, I --- I couldn't
13 tell you how that would end up.

14 Q. Understood. And then as we saw, Mr. Blakeney was
15 eventually arrested that night, correct?

16 A. Correct.

17 Q. And afterwards, you searched his person, right?

18 A. Yes.

19 Q. And on his person you didn't find an ammunition?

20 A. No.

21 Q. And you didn't find a gun magazine on him either?

22 A. No.

23 Q. And then you also searched his car, correct?

24 A. Correct.

25 Q. And you didn't find any ammunition in his car?

Cross-Exam Garrison

1 A. No, we did not.

2 Q. Okay. And you didn't find a gun magazine in his car
3 either?

4 A. No, we didn't.

5 Q. And you previously testified Officer Schuessler is the
6 one that found --- allegedly found the gun on the side of the
7 road, right?

8 A. Yes, he was.

9 Q. So you were not personally present for finding this gun?

10 A. I was not.

11 Q. Seeing as you weren't present, you can't testify to
12 exactly where on the side of the highway this gun was located,
13 right?

14 A. I cannot testify to where it was exactly located,
15 no, but I can testify to where the area to be searched
16 should be.

17 Q. And, again, because you weren't the one that found it,
18 you can't speak to your own personal knowledge of the
19 condition the gun was in right when it was found?

20 A. Correct. I cannot speak to the condition of the gun
21 at the exact moment it was found. But the gun was turned
22 over to me shortly after it was found, so I can speak to
23 that condition then.

24 Q. So between the time Officer Schuessler allegedly finds it
25 and then hands the gun to you, you essentially don't know what

Cross-Exam Garrison

1 happened with this gun, right?

2 A. Right.

3 Q. Until it's in your position?

4 A. Correct.

5 Q. At which point then you put the gun into evidence?

6 A. Yes.

7 Q. And again, you testified about those silver scratches on
8 the black firearm, right?

9 A. Correct.

10 Q. And just again, we don't know --- you don't know for a
11 fact when those scratches occurred?

12 A. No, I do not.

13 Q. You can't testify to how the gun was pulled out of the
14 ground, right?

15 A. I cannot. No.

16 Q. And then not to beat a dead horse, but you can't testify
17 to how the gun was stored prior to it coming into your
18 possession, right?

19 A. I cannot.

20 Q. Okay. During pursuit, did you take note of the weather
21 conditions?

22 A. Yes.

23 Q. Okay. And on this night, you noted that it was very dark
24 given it's 2:00 in the morning?

25 A. Yes. I mean, streetlights is the extent of the

Cross-Exam Garrison

1 light and our headlights. So yes, it was --- I mean, it
2 was --- it was nighttime.

3 Q. And then you also noted that the skies were clear that
4 day?

5 A. Correct.

6 Q. So I'm assuming that means it wasn't raining, right?

7 A. Right.

8 MR. DALTON: Court's indulgence, Your Honor.

9 THE COURT: Uh-huh.

10 MR. DALTON: Promise, this will be the last of it.

11 BY MR. DALTON:

12 Q. You previously testified that you knew the gun was
13 loaded, correct? Because it had a projectile in it, correct?

14 A. Yes.

15 Q. Okay. Do you remember writing an incident report for
16 this?

17 A. Yes.

18 Q. And in it, you don't make any mention of the projectile
19 still being inside of the gun, correct?

20 A. Right. I --- I don't recall putting that in the
21 report, no. What happens with that is we submit the
22 firearm to evidence and then evidence is responsible for
23 the contact of the gunsmith rendering the firearm safe.

24 The information that I have is because I spoke with
25 the lieutenant of the evidence department to figure out

Cross-Exam Garrison

1 what the current state of that firearm was after we
2 submitted it to him.

3 MR. DALTON: One more second.

4 THE COURT: Uh-huh.

5 BY MR. DALTON:

6 Q. Just stay on this personal knowledge theme. Because you
7 didn't personally inspect the gun, the gunsmith did, you can't
8 speak to --- you don't have personal knowledge that there was
9 a projectile still in it, correct? Other than what the
10 gunsmith told you?

11 A. The personal knowledge that I have is being able to
12 see the projectile itself from the top of the firearm.
13 So the slide is out of battery, causing a gap in between
14 the barrel and the firing pin. And you could see the
15 projectile in between the barrel and the firing pin, but
16 I cannot manipulate that slide to get the projectile out
17 of firearm. So I can personally see that there is
18 something in there, projectile of some sort, but I can't
19 get it out.

20 (Simultaneous speaking)

21 Q. Understood. And then just to reiterate, you did not
22 include that detail in your report, correct?

23 A. Would have to review my report, but I do not recall
24 putting that in the report.

25 Q. I have a copy of it if you'd like to.

Redirect Exam Garrison

1 A. Okay. Sure.

2 MR. DALTON: May I approach?

3 THE COURT: Uh-huh.

4 THE WITNESS: Thank you, sir. Yes, that detail is
5 not in the report. It just states that the firearm was
6 submitted to evidence for further analysis.

7 MR. DALTON: Thank you. No further questions.

8 THE COURT: Okay. Any redirect, for this witness?

9 MS. NORVELL: Briefly, Your Honor.

10 THE COURT: Uh-huh.

11 REDIRECT EXAMINATION

12 BY MS. NORVELL:

13 Q. Sergeant Garrison, what did you see prior to the spark in
14 the road?

15 A. The suspect vehicle was --- it swerves back and
16 forth maybe two or three times ever so slightly in lane
17 two as if to be moving around in that vehicle and not ---

18 MS. CURRIN: Objection. Speculative.

19 THE WITNESS: --- hanging onto the steering wheel.

20 THE COURT: I don't know. Maybe I --- I'll allow
21 it. I think he's just observing what he saw. Okay.

22 THE WITNESS: So yes. I observe the suspect vehicle
23 swerve two or three times in lane two as if he's not
24 holding onto the steering wheel very securely. And then
25 shortly after, that's where you see the spark in the

Redirect Exam Garrison

1 road ---

2 BY MS. NORVELL:

3 Q. What ---

4 A. --- just outside the passenger-side window.

5 Q. What speed did you testify the chase reached on the
6 interstate?

7 A. It was exceeding 90 miles an hour on the interstate.

8 Q. And lastly, you did document your possession of the
9 weapon that you testified to? Did you document it in your
10 report or did you document it on another document?

11 A. As for possession of the weapon, I believe it
12 was --- I'd have to review the report again, but I
13 believe it was documented in the report as well as, you
14 know the affidavit and (unintelligible).

15 Q. Did you complete a chain of custody when you received the
16 weapon from Officer Schuessler?

17 A. I did complete a chain of custody, yes.

18 Q. And is that the document --- the controlling document
19 that goes with the weapon for --- from every location?

20 A. Yes. Any time we have evidence, we're required to
21 complete a chain of custody.

22 Q. And you started that chain of custody because you were
23 the individual logging the item into evidence?

24 A. I did.

25 MS. NORVELL: Thank you, Judge. I don't have

Direct Exam Schuessler

1 anything further.

2 THE COURT: All right. Any re-cross?

3 MS. CURRIN: No, Your Honor.

4 THE COURT: Okay. All right. Officer, you can step
5 down from the witness stand.

6 THE WITNESS: Thank you.

7 THE COURT: State can call your next witness.

8 MR. HULSHULT: State calls officer Chris Schuessler.

9 THE COURT: All right. Schuessler. All right.
10 Officer, either way you can come on up. Clerk of court
11 will swear you in and then you'll sit down.

12 (Witness sworn)

13 Chris Schuessler, Having Been Duly Sworn, Testified As
14 Follows.

15 CLERK: Please be seated. Please state your full
16 name into the microphone. Spell your last name loudly
17 and clearly for the record.

18 THE WITNESS: Christopher Alan Schuessler. My last
19 name is S-C-H-U-E-S-S-L-E-R.

20 DIRECT EXAMINATION

21 BY MR. HULSHULT:

22 Q. Good afternoon, Officer Schuessler. Where do you work?

23 A. North Charleston Police Department.

24 Q. And how long have you been employed at North Charleston
25 Police Department?

Direct Exam Schuessler

1 A. About eight years and three months.

2 Q. What is your current role at North Charleston Police
3 Department?

4 A. I'm a K9 officer.

5 Q. Were you working as a K9 officer on February 10, 2024?

6 A. I was.

7 Q. Can you describe the general duties of a K9 officer?

8 A. We're there to assist patrol, handle any K9-related
9 call --- calls for service.

10 Q. Are you subject to any certain bureau in the North
11 Charleston Police Department?

12 A. No, we just kind of go where the calls are.
13 Where --- where we can roam throughout the whole city.

14 Q. Okay. Did you take part in a vehicle chase on
15 February 10, 2024?

16 A. I did.

17 Q. Were you of the lead vehicle in that chase?

18 A. I was.

19 Q. Can you describe the vehicle that you were chasing?

20 A. It was a tan GMC SUV.

21 Q. During that chase were you in a marked police vehicle?

22 A. I was.

23 Q. Was your vehicle equipped with blue lights and sirens?

24 A. It was, yes.

25 Q. Were your blue lights and sirens activated while you were

Direct Exam Schuessler

1 chasing the tan SUV?

2 A. They were.

3 Q. Did the tan SUV stop when you were behind it?

4 MS. CURRIN: Objection. Leading.

5 THE COURT: Sustained. You need to rephrase your
6 question, counselor, so they're not leading.

7 BY MR. HULSHULT:

8 Q. What did the vehicle do when you pulled behind him with
9 your sirens on?

10 A. He --- he continued to evade. Failed to stop.

11 Q. And where did that chase come to an end?

12 A. In the area of Rivers and Helm, I believe.

13 Q. And that's in North Charleston?

14 A. It is.

15 Q. How did North Charleston police get him to stop?

16 A. They utilized spike strips, deflated the tires.

17 Q. And were you present when the driver of that tan SUV was
18 the apprehended?

19 MS. CURRIN: Objection. Leading.

20 THE COURT: Overruled, I'll allow it. You can
21 answer.

22 THE WITNESS: I was. Yes.

23 MR. HULSHULT: May I approach the witness?

24 THE COURT: Yes.

25 BY MR. HULSHULT:

1 Q. Show you what's been marked as State's Exhibit 7. Do you
2 recognize the person in this photo?

3 A. Yes, I do.

4 Q. Who is that person?

5 A. That's Thomas Blakeney.

6 Q. Is Mr. Blakeney in the courtroom today?

7 A. He is. Yes.

8 Q. Would you point him out?

9 A. Gentleman sitting with the dark suit right over
10 here.

11 MR. HULSHULT: Judge, can you let the record reflect
12 he identified the defendant.

13 THE COURT: Well, there's two gentleman in dark
14 suits at the table. Can he be a little bit more
15 specific?

16 THE WITNESS: Far right of the --- the table to my
17 left.

18 THE COURT: Glasses or no glasses?

19 THE WITNESS: The African American gentleman with
20 the glasses.

21 THE COURT: All right. He has so identified the
22 defendant.

23 BY MR. HULSHULT:

24 Q. About what time was Mr. Blakeney taken into custody?

25 A. It was a few minutes past 2:00 a.m.

Direct Exam Schuessler

1 Q. And after he was taken into custody, what did you do?

2 A. I left that scene and I went to where they believe
3 that the item was discarded from the vehicle.

4 Q. And initially what area was that?

5 A. Initially, it was between Midland Park and Eagle
6 Drive --- sorry, Eagle Drive Overpass and Aviation.

7 Q. And did you locate a gun there?

8 A. No, I didn't.

9 Q. What happened after that?

10 A. After a phone call with Sergeant Garrison, we
11 narrowed it down to before Eagle Drive Overpass.

12 Q. Did Sergeant Garrison tell you how he narrowed it down?

13 A. Through viewing the in-car footage.

14 Q. That's Garrison's in-car footage?

15 A. Yes, sir.

16 Q. Okay. I'm sorry. Where again did he tell you to begin
17 chase --- or ---

18 MS. CURRIN: Objection. Hearsay.

19 THE COURT: Overruled. That was an open-ended
20 question.

21 THE WITNESS: He instructed anywhere between the
22 Eagle Drive --- I'm sorry, the Midland Park overpass and
23 Eagle Drive Overpass prior to a blue sign.

24 Q. Showing you what's been marked as State's Exhibit 12. Do
25 you recognize the area in this picture?

1 A. I do. Yes.

2 Q. Can you tell the jury where this is?

3 A. It's I-26 eastbound just before the Eagle Drive
4 Overpass.

5 Q. And does it fairly and accurately reflect the area it
6 depicts and your --- what did you do at that location?

7 A. I started at the --- there's a --- a --- a
8 barrier --- a guardrail on the right side. I started at
9 that and searched along the interstate.

10 Q. Does it fairly and accurately reflect the location of
11 your search?

12 A. Yes, sir. It does.

13 MR. HULSHULT: The State moves to admit and publish
14 the Exhibit 12.

15 THE COURT: Any objection to State's 12?

16 MS. CURRIN: No objection.

17 THE COURT: All right. Without objection. It's
18 admitted. You can publish it to the jury.

19 (State's Exhibit 12 entered)

20 BY MR. HULSHULT:

21 Q. Would you orient the jury on what this picture is
22 showing?

23 A. Yup. So this is I-26 eastbound. To the --- I guess
24 off picture of this is the Midland Park Overpass. It's
25 26 passes over Midland Park and then in the background is

Direct Exam Schuessler

1 the Eagle Drive Overpass.

2 Q. And can you point out on the picture where you began your
3 search? Prefer to use the stylus draw (unintelligible) you
4 know how it works?

5 A. Right in this area here.

6 Q. Okay. And then where did your search take you?

7 A. It took me all the way down here (indicating). All
8 the way to the --- I continued down the right side of the
9 interstate.

10 Q. And did you end up finding anything?

11 A. I did. Yes.

12 Q. What did you find?

13 A. I found a --- a black Glock in the grass.

14 Q. And where in that picture was that Glock found?

15 A. Much farther down --- I don't know if you see it on
16 the picture, but there's a blue sign in the --- in the
17 background about 30 yards prior to that.

18 Q. Show you what's been marked as State's Exhibit 13. Can
19 you tell the jury what this depicts?

20 A. Yes. In the background of that, the Eagle Drive
21 Overpass and then that's the blue sign.

22 Q. Does it fairly and accurately depict the location at that
23 time?

24 A. Oh yes, it does.

25 MR. HULSHULT: I'd like to admit to publish.

1 MS. CURRIN: No objection.

2 THE COURT: All right. Without objection, 13 can
3 come in.

4 (State's Exhibit 13 entered)

5 BY MR. HULSHULT:

6 Q. What is this picture showing in relation to State's
7 Exhibit 12?

8 A. So this is 26 eastbound again, and then the overpass
9 right there is the Eagle Drive Overpass. So it's farther
10 down 26 from the previous photo.

11 Q. Could you point out to the best of your recollection
12 where on that photo you found the gun?

13 A. It was right in here (indicating).

14 Q. Now I'm showing you a picture that's been marked as
15 State's Exhibit 11. Do you recognize this photograph?

16 A. I do. Yes.

17 Q. Tell the jury what it is.

18 A. It's a photo of the --- of a black Glock in the
19 grass that I took.

20 Q. Do you find this Glock?

21 A. I did. Yes.

22 Q. Does it fairly and accurately reflect your observations
23 that night?

24 A. Yes, sir.

25 MR. HULSHULT: State would move to admit 11.

Direct Exam Schuessler

1 THE COURT: Any objection to 11?

2 MS. CURRIN: No objection.

3 THE COURT: All right. No objection.

4 (State's Exhibit 11 entered)

5 BY MR. HULSHULT:

6 Q. Officer Schuessler, what part of the Glock is sticking
7 out?

8 A. It would be the handle.

9 Q. Did you touch the firearm prior to taking this photo?

10 A. No, I did not.

11 Q. Can you describe the position that the gun's oriented?

12 A. It's --- it's more of a barrel down with the handle
13 sticking up.

14 Q. Can you describe the vegetation, I guess, surrounding it?

15 A. It's loose --- loose grass. It's vegetation,
16 leaves.

17 Q. So was the gun buried?

18 A. No, it was not buried. It was just kind of sitting
19 on top of a thick layer.

20 Q. Did you notice anything in particular about the gun when
21 you picked it up?

22 A. It had rust on it. It had silver scratches on
23 the --- the right side of the barrel.

24 Q. I'm now going to show you three exhibits that have been
25 marked as State's 8, 9, and 10. Can you tell the jury what

Direct Exam Schuessler

1 these are?

2 A. They're pictures of the black Glock.

3 Q. Do they fairly and accurately represent the firearm that
4 you found that night?

5 A. Yes, sir, they did.

6 MR. HULSHULT: I would like to admit State's
7 Exhibits 8, 9, and 10.

8 THE COURT: Any objection to 8, 9, and 10?

9 MS. CURRIN: No objection.

10 THE COURT: All right. Admitted, no objection.

11 (State's Exhibits 8, 9 and 10 entered)

12 MR. HULSHULT: Permission to publish these
13 (unintelligible).

14 BY MR. HULSHULT:

15 Q. Officer Schuessler, would you point out what you see on
16 that Glock?

17 A. That's silver scratches right here on the right
18 side, and then the slide locked.

19 Q. What color is the finish on that gun?

20 A. It is black.

21 Q. Can you tell the jury what portion of that gun is made
22 out of metal?

23 A. The upper slide is made out of metal and the barrel.

24 Q. Just the barrel. And what portion is made out of
25 plastic?

Direct Exam Schuessler

- 1 A. The lower half of the pistol is a polymer plastic.
- 2 Q. And what part of the gun are the silver scrapes on?
- 3 A. It is on the metal barrel.
- 4 Q. Do those appear fresh to you?
- 5 A. They do.
- 6 Q. Did the gun have --- was the gun loaded?
- 7 A. I was unable to tell. I was unable to clear it.
- 8 Q. Did it have a magazine in it?
- 9 A. It did not.
- 10 Q. About what time did you find that gun?
- 11 A. Approximately 3:35.
- 12 Q. 3:35. What time does your shift end?
- 13 A. 3:00 a.m.
- 14 Q. So you stayed late?
- 15 A. I did. Yes.
- 16 Q. Why did you spend all that time searching for a gun?
- 17 A. A public safety issue. I didn't want to leave a
- 18 firearm on the side of the interstate.
- 19 Q. And after you located it what --- what did you do with
- 20 the gun?
- 21 A. I took it so Sergeant Garrison.
- 22 Q. And where was that?
- 23 A. The North Bureau of the police department.
- 24 MR. HULSHULT: Beg the Court's indulgence.
- 25 THE COURT: Uh-huh.

1 BY MR. HULSHULT:

2 Q. Okay. A couple more questions for you. Do you normally
3 wear a body camera when you're working?

4 A. I do, yes.

5 Q. Was your body camera on that night?

6 A. It was.

7 Q. Was it recording?

8 A. It was.

9 Q. Did you save the body camera?

10 A. I did not.

11 Q. Can you describe the general process that officers have
12 to go through to save their body camera?

13 A. So we have to go to one of three of the downloading
14 stations, Central, South, Or North. And then put it on
15 a --- a docking station which can take --- depending on
16 how much is on it --- from an hour to four hours to
17 download.

18 Q. And did you download it that night?

19 A. Not that night, no.

20 Q. Did you download it all for this incident?

21 A. I --- I did download it after.

22 Q. Did you save your body camera?

23 A. I did not.

24 Q. And any specific reason why you did not?

25 A. It was oversight on my part.

Cross-Exam Schuessler

1 Q. Did that have anything to do with your role as a K9
2 officer?

3 A. As a K9 we go to so many calls for service in the
4 city and we have so much video that I just forgot to save
5 that particular incident.

6 Q. Last question for you. Does you forgetting to save your
7 body camera from that night have any --- any bearing at all on
8 your ability to tell the truth about what occurred that night?

9 A. No, it doesn't.

10 MR. HULSHULT: Court's indulgence.

11 THE COURT: Uh-huh.

12 BY MR. HULSHULT:

13 Q. When you download a body camera, how does it they did get
14 saved?

15 A. So once you download it, you have to log into a
16 separate Web site, and then find the incident, and then
17 save it to that case number.

18 Q. So you forgot to save it to a case number?

19 A. Yes.

20 MR. HULSHULT: No further questions.

21 THE COURT: Okay. Any cross?

22 MS. CURRIN: Yes, Your Honor.

23 CROSS-EXAMINATION

24 BY MS. CURRIN:

25 Q. Good afternoon.

Cross-Exam Schuessler

1 A. How are you?

2 Q. Officer Schuessler, you testified that you've been an
3 officer for eight years and three months now, right?

4 A. Yes, ma'am.

5 Q. And to become a officer, you have to go through a
6 significant amount of training?

7 A. Yes.

8 Q. You've also had continuing training as a North Charleston
9 Police Department officer as well?

10 A. Correct.

11 Q. And the NCPD training, North Charleston Police
12 Department, you call each other NCPD, right?

13 A. Yes, ma'am.

14 Q. Okay. Just to clarify that. A part of that training is
15 that you are trained on the department policies and
16 procedures; is that right?

17 A. Yes, ma'am.

18 Q. And you also had to go to the police academy when you
19 first started, right?

20 A. Yes.

21 Q. Okay. The police academy is --- is it a several week
22 long program; is that right?

23 A. Yes, at the time it was 12.

24 Q. Okay. A 12-week long program?

25 A. Yes, ma'am.

Cross-Exam Schuessler

1 Q. Okay. So in that training at the police academy and in
2 your training with NCPD, you learn a lot of skills to be a
3 good officer, right?

4 A. Yes.

5 Q. Okay. Such as you learn about the justice system and the
6 courts?

7 A. Yes, ma'am.

8 Q. You learn about criminal law so you can make lawful stops
9 and arrests?

10 A. Yes, ma'am.

11 Q. You learn about how to respond to incidents and
12 effectively patrol your community, right?

13 A. Yes.

14 Q. And you learn about how to collect evidence?

15 A. At a very basic level, yes.

16 Q. Okay. How to preserve it, essentially?

17 A. Yes.

18 Q. And you also learned how to write incident reports,
19 right?

20 A. Yes, ma'am.

21 Q. And incident reports are meant to document what you did
22 in the case?

23 A. Correct.

24 Q. And you try and write those in close --- close in time as
25 possible to the incident so that it's accurate and fresh in

1 your mind, right?

2 A. Yeah.

3 Q. And you try to include details like what you saw?

4 A. Correct.

5 Q. Who you may have talked to?

6 A. Correct.

7 Q. What your role on scene was?

8 A. Yes, ma'am.

9 Q. Any evidence you may have collected?

10 A. Yes, ma'am.

11 Q. And if needed, you can reference back to incident report
12 at a later date to recall what you did at the incident, right?

13 A. Correct.

14 Q. So it's essentially your notes that you can reference
15 back to say if you were in a trial for example?

16 A. Yes, ma'am.

17 Q. So as far as your involvement in this case, you assisted
18 with the arrest and of Mr. Blakeney on Rivers Avenue, right?

19 A. Yes, ma'am.

20 Q. Once the car came to a stop?

21 A. Yes.

22 Q. And you documented your involvement with that arrest in
23 an incident report?

24 A. No, I didn't.

25 Q. Okay. You don't recall writing an incident report?

Cross-Exam Schuessler

1 A. I --- I don't believe I've added a supplement to
2 this one.

3 Q. So I'm asking, did you write an incident report about
4 what you initially did in this case with the arrest of Mr.
5 Blakeney?

6 A. No, ma'am. I didn't write this report.

7 Q. Would it help for me to show you a copy of your report to
8 refresh your memory?

9 A. Sure.

10 MS. CURRIN: Your Honor, may I approach the witness?

11 THE COURT: Of course.

12 THE WITNESS: Okay. Yes, I did.

13 BY MS. CURRIN:

14 Q. So I'll ask again, you did originally write a report
15 involving what you did with the arrest of Mr. Blakeney?

16 A. Yes, ma'am.

17 Q. With the arrest of Mr. Blakeney on Rivers Avenue?

18 A. Yes, ma'am.

19 Q. Okay. Did you have an opportunity to read this?

20 A. Not recently. No.

21 Q. Okay.

22 MS. CURRIN: I'm sorry, Your Honor. May I approach
23 the witness again?

24 THE COURT: Yeah.

25 MS. CURRIN: I'm just going to let you ---

Cross-Exam Schuessler

1 THE WITNESS: Okay.

2 MS. CURRIN: --- let you (inaudible).

3 THE WITNESS: Okay.

4 BY MS. CURRIN:

5 Q. Okay. So that incident report documents what you did at
6 that scene, right?

7 A. Yes, ma'am.

8 Q. You documented the specifics like where you were located
9 when Mr. Blakeney stopped the vehicle?

10 A. Yes.

11 Q. Okay. You documented that you were there with your K9
12 officer?

13 A. Correct.

14 Q. And you documented how the K9 was used during the arrest?

15 A. Yes.

16 Q. Now, you also testified earlier about your involvement in
17 the case regarding the location of a gun?

18 A. Yes, ma'am.

19 Q. So you testified on direct where you found the gun?

20 A. Yes, ma'am.

21 Q. Specifically how long it took you to find the gun?

22 A. Yes.

23 Q. What you did once you found the gun?

24 A. Correct.

25 Q. And seeing as the gun resulted in two criminal charges

1 against Mr. Blakeney, the finding of the gun was a very big
2 deal here?

3 A. Yes.

4 Q. But despite all your training and despite the seriousness
5 of the situation, you didn't write an incident report about
6 finding the gun, did you?

7 A. No, I did not.

8 Q. Now, it's in the policies and procedures that you're
9 required to follow as an officer of NCPD is how to collect
10 evidence and use the chain of custody form; is that right?

11 A. Correct.

12 Q. Now, NCPD has policies and procedures specifically
13 regarding how to collect evidence and how to document it?

14 A. Yes.

15 Q. And per policy, evidence collected in a case is kept in
16 NCPD evidence room?

17 A. Yes, ma'am.

18 Q. And so how exactly evidence gets to the evidence room is
19 documented?

20 A. Yes.

21 Q. Because documenting evidence ensures among many things
22 that there's no claim of wrongdoing with the evidence, right?

23 A. Yes.

24 Q. So NCPD policy requires documentation in the form of an
25 incident report detailing the circumstances of how the

1 property came into the department custody; is that right?

2 A. Can you repeat? I'm sorry.

3 Q. NCPD policies require documentation in the form of an
4 incident report detailing how the property came into the
5 department's custody?

6 A. Yes, ma'am.

7 Q. But as you mentioned, you didn't write an incident report
8 about locating the gun?

9 A. No, I did not.

10 Q. And you did not write an incident report about how the
11 gun ended up in the evidence room?

12 A. No, I did not.

13 Q. And so you testified that you were the officer who found
14 that gun, right?

15 A. Yes, ma'am.

16 Q. You were the first officer to put a hand on it?

17 A. Correct.

18 Q. And then you delivered it to Officer Garrison?

19 A. Yes.

20 Q. So policy also requires that a chain of custody form is
21 completed?

22 A. Yes.

23 Q. And a chain of custody form is pretty much what it sounds
24 like, it's a document who had the gun in the chain of getting
25 to the evidence room?

Cross-Exam Schuessler

1 A. Yes, ma'am.

2 Q. Okay.

3 MS. CURRIN: The Court's indulgence, Your Honor.

4 Your Honor, may I approach the witness?

5 THE COURT: Of course.

6 BY MS. CURRIN:

7 Q. Officer Schuessler, I am showing you what has been marked
8 as Exhibit 1 for identification purposes only. Do you
9 recognize this document?

10 A. I do. It's a chain of custody.

11 Q. Okay. So this is North Charleston Police Department's
12 chain of custody sheet, right?

13 A. Yes.

14 Q. So you recognize it from your duties as an officer?

15 A. I do.

16 Q. And the one that I'm showing you now is the one
17 specifically from Mr. Blakeney's (unintelligible)?

18 A. Okay. Yeah.

19 Q. Is that correct?

20 A. Yes, ma'am.

21 Q. (Inaudible)?

22 A. Okay.

23 Q. So on that chain of custody form I'll draw your attention
24 to a couple of things. That form has the case number on it,
25 right?

1 MS. NORVELL: Objection pursuant to Rule 613. May
2 we approach?

3 THE COURT: Uh-huh. Yes.

4 (Bench conference)

5 THE COURT: Sorry ladies and gentlemen, we'll be
6 right back with you in a few minutes.

7 (Bench conference)

8 THE COURT: All right. What's the question? Sorry,
9 go ahead. I think I (unintelligible). Just re-ask the
10 question as it was posed to the best of your ability and
11 we'll go from there.

12 BY MS. CURRIN:

13 Q. This document has listed the case number, correct?

14 A. Yes, ma'am.

15 Q. And policy requires that?

16 A. Yes.

17 Q. And you're documenting in a chain of custody form here
18 the gun, correct? That was located?

19 MS. NORVELL: Same objection, Judge.

20 MS. CURRIN: Your Honor, may we approach?

21 THE COURT: Yes.

22 (Bench conference)

23 THE COURT: Okay. I'll overrule that objection.

24 Okay. You got it. Okay.

25 BY MS. CURRIN:

Cross-Exam Schuessler

1 Q. My apologies, Officer Schuessler. Just to start over,
2 what is the point of that form in Mr. Blakeney's case?

3 A. In any case it's to document the chain of custody of
4 the evidence.

5 Q. So for this case, it's to document the chain of custody
6 of the gun?

7 A. Correct.

8 Q. Okay. And your name is not on that form?

9 A. No, ma'am, it's not.

10 Q. Okay. Thank you.

11 MS. CURRIN: May I approach the witness?

12 THE COURT: Sure.

13 BY MS. CURRIN:

14 Q. Okay. Let's talk about your body-worn camera. So as an
15 NCPD officer, you have body-worn cameras, right?

16 A. Yes, ma'am. I do.

17 Q. That is a small camera that attaches to your uniform?

18 A. Yes.

19 Q. And so it will audio and video record whatever it's
20 pointed at?

21 A. Yes, correct.

22 Q. Okay. So it's not just always on and recording?

23 A. No, ma'am.

24 Q. You have to actually turn it on?

25 A. Yes. Yeah, you have to turn it on.

1 Q. Okay. And the purpose of body-worn camera is to document
2 things that happen while you're doing your law enforcement
3 duties?

4 A. Yes. Correct.

5 Q. So just to go over a couple things that that could be.
6 Law enforcement duties could include interactions with
7 civilians?

8 A. Yes. Correct.

9 Q. Okay. It may include you conducting a traffic stop?

10 A. Yup.

11 Q. Arrests that you may make?

12 A. Correct.

13 Q. And evidence that you may find?

14 A. Yup.

15 Q. So body-worn camera among many reasons, is --- it creates
16 transparency between law enforcement and the community?

17 A. I --- I suppose, yeah.

18 Q. And it's also useful to protect you and other officers
19 against accusations of wrongdoing?

20 A. Yeah, I agree.

21 Q. According to NCPD policies and procedures, body-worn
22 camera is also meant to enhance the accuracy of officer
23 reports and testimony in court?

24 A. Okay.

25 THE COURT: Is that a question?

Cross-Exam Schuessler

1 BY MS. CURRIN:

2 Q. Is it true that North Charleston policies on body-worn
3 camera are meant to enhance accuracy and testimony in court?

4 A. That's what I said is true. Yes.

5 Q. You've been trained on your policies, right?

6 A. Yes, ma'am. But I don't have them memorized.

7 Q. Would it help to see a copy to refresh your recollection?

8 A. Sure. Yes.

9 MS. CURRIN: Your Honor, may I approach the witness?

10 THE COURT: Okay.

11 THE WITNESS: What was the question? I apologize.

12 BY MS. CURRIN:

13 Q. Okay. So I'll direct you to policy 3A 1(a). So NCPD
14 policies and procedures: Body-worn camera is meant to enhance
15 the accuracy of officer reports and testimony in court?

16 A. Yes, that's correct.

17 Q. And also according to that policy, body-worn camera is
18 useful in documenting crime and accident scenes that include
19 the (unintelligible) and documentation of evidence
20 (unintelligible) right?

21 A. Yes, ma'am.

22 Q. And just like an incident report, the body cam would be
23 useful for you to review in preparation for say, a trial?

24 A. That is correct.

25 Q. You've already testified that as an officer you have an

1 extensive amount of training, right?

2 A. Yes, ma'am.

3 Q. And in that training you learned how to actually
4 physically operate that body-worn camera?

5 A. Yes.

6 Q. How to turn it on?

7 A. Yes, ma'am.

8 Q. You know what to do if your body-worn camera isn't
9 working?

10 A. Yes, ma'am.

11 Q. You know the steps to take to download the footage?

12 A. Yes, I do.

13 Q. And you know the steps to take to ensure the recordings
14 are safe, right?

15 A. Yes, ma'am.

16 Q. So collecting evidence would be a part of your law
17 enforcement-related activities, correct?

18 A. Yes, it would.

19 Q. And per policies, if it's later discovered say during a
20 shift or after, that your body-worn camera isn't working or
21 you don't have footage, you have to make a report of it,
22 right?

23 A. Yes, ma'am.

24 Q. And if you don't comply with the body-worn camera
25 policies an officer would be subject to disciplinary action,

Cross-Exam Schuessler

1 right?

2 A. That is correct.

3 Q. So you testified that you have no body-worn camera of you
4 locating his this gun, right?

5 A. That is correct.

6 Q. How you found the gun?

7 MS. NORVELL: Objection. Asked and answered.

8 THE COURT: I'll allow it. Go ahead.

9 BY MS. CURRIN:

10 Q. No body-worn camera of where exactly this gun was found?

11 A. Correct.

12 Q. And per policy, you are to inspect your body-worn camera
13 before each shift to ensure it is properly functioning?

14 A. Yes. That's correct.

15 Q. And per policy, you're to document in a report if your
16 body-worn camera wasn't working or why it was not turned on?

17 A. Yes.

18 Q. There is no documentation of you doing that here?

19 A. Correct.

20 Q. And per policy, you are to ensure that the video is
21 downloaded after each --- each shift?

22 A. Yes, ma'am.

23 Q. And as you testified, that would require you to go back
24 and plug it in?

25 A. Yes, it would.

Cross-Exam Schuessler

1 Q. So then you'd have to download it?

2 A. Yes.

3 Q. And then save it?

4 A. Correct.

5 Q. Okay. So if you --- you --- you didn't save it here,
6 right? Is what you testified to?

7 MS. NORVELL: Judge, asked and answered like 17
8 times.

9 THE COURT: Yeah. Agree. But one last time.

10 MS. CURRIN: Thank you.

11 THE COURT: Yeah. I think that would establish he
12 did not save it. Go ahead.

13 BY MS. CURRIN:

14 Q. If you do not save it after a certain amount of time, it
15 gets purged from the system?

16 A. That is correct. Yes.

17 Q. And that's what happened?

18 A. Yes.

19 Q. And that's a violation of your policy?

20 A. Yes.

21 Q. Despite knowing these policies in your time as an NCPD
22 officer, you have been reprimanded for not complying with this
23 policy?

24 A. Yes, I ---

25 MS. NORVELL: Judge, objection. Relevance. He's

Cross-Exam Schuessler

1 admitted and then thoroughly impeached the fact he did
2 not preserve his body camera in this case. I mean, I'm
3 not sure whether there is any meat left on the bone.

4 MS. CURRIN: Your Honor, may we approach?

5 THE COURT: Sure.

6 (Bench conference)

7 THE COURT: Move on with this.

8 MS. CURRIN: Yes, Your Honor. I'll ask last
9 question.

10 THE COURT: Thank you.

11 BY MS. CURRIN:

12 Q. I'll ask it again, Officer Schuessler. Despite knowing
13 these policies, you have been reprimanded other times for not
14 complying with the policy, right?

15 A. Yes.

16 Q. Now, this incident that you were involved in with Mr.
17 Blakeney's case occurred in February of 2024?

18 A. Yes, ma'am.

19 Q. And since that time, would it be fair to say that you've
20 had hundreds of more shifts?

21 A. Safe to say. Yeah.

22 Q. Okay. Had hundreds of more arrests?

23 A. No, ma'am.

24 Q. More than 20?

25 A. No, ma'am.

Cross-Exam Schuessler

1 Q. Okay. You've written more incident reports?

2 A. That is correct.

3 Q. Okay. And now a year and a half later after locating the
4 gun in this case you're testifying to involvement, correct?

5 A. Yes, ma'am.

6 Q. Giving specific details about your involvement, right?

7 A. Yes.

8 Q. And despite hundreds of more shifts you want the jury to
9 believe that you remember this case with a lot of detail?

10 A. Yes, that is correct.

11 Q. In preparation for your testimony today ---

12 THE COURT: I'm going to ask the jury to strike
13 that. That's inappropriate --- inappropriate question
14 and my duty requires me --- you need to rephrase that
15 last question of what he wants the jury to believe.
16 Okay?

17 MS. CURRIN: Yes, Your Honor.

18 THE COURT: Okay.

19 BY MS. CURRIN:

20 Q. Despite the hundreds of more shifts that you've completed
21 since this incident, you are testifying to locating the gun
22 with detail?

23 A. Yes, ma'am.

24 Q. In preparation for your testimony, you have met with the
25 solicitors on this case?

Cross-Exam Schuessler

1 A. I have. Yes.

2 Q. Did you speak with them over the phone?

3 A. Yes.

4 Q. How many times?

5 A. Oh, I wouldn't --- I wouldn't know to be honest with
6 you. Just maybe --- maybe two or three times. The rest
7 was in person.

8 Q. Okay. Thank you. So you met with them in person as
9 well?

10 A. Yes, ma'am.

11 Q. Can you guesstimate of how many times?

12 A. Once prior to today.

13 Q. Okay. And so that was to discuss your involvement with
14 this case?

15 A. Yes, ma'am.

16 Q. Okay. And discussed your testimony?

17 A. Yes.

18 Q. So you testified that you located this rusty gun on the
19 side of the highway, right?

20 A. Yes.

21 Q. And that would be I-26?

22 A. I-26 eastbound. Yes, ma'am.

23 Q. Okay. So a major highway in our county, right?

24 A. Yeah. Correct.

25 Q. And you testified that you looked for the gun for a good

Cross-Exam Schuessler

1 amount of time?

2 A. Yes, ma'am.

3 Q. How long would you say?

4 A. I'd say approximately an hour and a half.

5 Q. And you took a picture of the gun you say you found?

6 A. Yes, ma'am.

7 Q. Okay.

8 MS. CURRIN: Your Honor, may I approach?

9 THE COURT: Yeah. Of course. Go ahead. Help
10 yourself.

11 BY MS. CURRIN:

12 Q. I am going to show you what's already been --- been
13 marked as State's Exhibit 11. (Inaudible)?

14 A. You're going to have to tell me how to do that.

15 Q. (Inaudible) so this is a photo that you took?

16 A. Yes, ma'am.

17 Q. Okay.

18 A. It's oriented ---

19 Q. Yeah, I'm going to ---

20 (Simultaneous speaking)

21 Q. Sorry about that. You took this picture with your cell
22 phone?

23 A. Yes, ma'am.

24 Q. And you provided this picture to the Solicitor's Office a
25 few months ago?

Cross-Exam Schuessler

1 A. I did. Yes.

2 Q. Okay. But this incident occurred over a year ago?

3 A. Yes, ma'am.

4 Q. And this is a --- since you took it on your cell phone,
5 this is a photo from your camera roll, right?

6 A. Correct.

7 Q. You didn't upload this photo into evidence?

8 A. No, ma'am, I did not.

9 Q. Okay. So you testified that this is exactly how you
10 found it?

11 A. Yes. Correct.

12 Q. And what we're looking at here is the --- I need to call
13 it the grip, or like the butt of the gun sticking out?

14 A. The handle, yes.

15 Q. Okay. That is where the magazine would be inserted into
16 that gun?

17 A. Yes. Correct.

18 Q. So it's missing the magazine?

19 A. That is correct. Yes.

20 Q. You never found the magazine, right?

21 A. No, I did not.

22 Q. Okay. So not on the shoulder of highway or in the
23 roadway?

24 A. No, I --- I never found the magazine.

25 Q. So the --- in this photo, the barrel of the gun is

Cross-Exam Schuessler

1 covered?

2 A. In this photo, yes.

3 Q. Okay. So you --- you cannot see where the barrel is,
4 correct?

5 A. I can't see the barrel no, but I ---

6 Q. Okay.

7 A. --- I know where it is, yes.

8 Q. Okay. So the gun is covered in what appears to be dead
9 grass?

10 A. Yes.

11 Q. And it's also covered by some leaves, correct?

12 A. It appears that way.

13 Q. Okay. And it looks like there's some fresh grass growing
14 around it?

15 A. Yes, ma'am.

16 Q. And you testified that this gun that you found was very
17 rusted?

18 A. It had rust spots on it, yes.

19 MS. CURRIN: Court's indulgence.

20 THE COURT: Uh-huh.

21 BY MS. CURRIN:

22 Q. Oh, I did want to ask you --- I'm showing you what's been
23 marked as State's Exhibit 10 --- actually sorry. I'm going to
24 show you State's Exhibit 8. Now, you testified to what the
25 gun is made of, right?

Redirect Exam Schuessler

1 A. Yes, ma'am.

2 Q. So you're saying that this is the plastic part?

3 A. Essentially, yes.

4 Q. Okay. And then this is metal up here?

5 A. Yes. Correct.

6 Q. This is metal too, right?

7 A. Yes.

8 MS. CURRIN: Thank you. Your Honor, I have nothing
9 further.

10 THE COURT: Okay. Any redirect?

11 MR. HULSHULT: Yes, Your Honor.

12 THE COURT: Okay.

13 REDIRECT EXAMINATION

14 BY MR. HULSHULT:

15 Q. Officer Schuessler, I just want to show you State's
16 Exhibit 11, could you read the date and time on the top of
17 that photograph?

18 A. It's February 10, 2024, 3:33 a.m.

19 Q. Okay. We've already touched on it, but was there a
20 chain of custody on this case?

21 A. There was. Yes.

22 Q. Did anyone else touch that gun prior to you giving it to
23 Sergeant Garrison?

24 A. No, sir.

25 Q. Do you remember exactly what happened that night?

Redirect Exam Schuessler

1 A. To the best of my recollection, yes.

2 Q. Does not writing something down mean it didn't happen?

3 A. No, it does not.

4 Q. Back to State's 11, did you have to dig that gun out?

5 A. No, not at all.

6 Q. Was it easy to remove?

7 A. Yeah. Alls I had to do was pick it up. It was ---
8 it was not buried. It was exposed.

9 Q. Last question for you: Does your body camera not being
10 on have anything to do with what Thomas Blakeney did that
11 night?

12 A. No, it does not.

13 MR. HULSHULT: No further questions, Your Honor.

14 THE COURT: Okay. Any re-cross?

15 MS. CURRIN: No, Your Honor.

16 THE COURT: Okay. All right. You can step down.

17 Thank you so much. All right. Given the hour, ladies
18 and gentlemen, we will break for the day right at 5:00.

19 I'm going to ask that you be back --- we'll start
20 tomorrow about let's say, 9:30. I know the bailiffs will
21 probably make you get here at 9:15. Say 9:30. So we
22 might start a few minutes before 9:30, but we'll say
23 9:30.

24 And please once again, do not discuss the case.

25 Don't do any independent research. And we'll see you

Proceedings

1 back then. Have a good evening.

2 MS. NORVELL: Judge, can you let the witnesses be
3 excused?

4 THE COURT: Uh-huh. Fine with me. You're asking
5 the witnesses to be excused. Any problem with that?

6 MS. CURRIN: For today?

7 THE COURT: You want to recall them?

8 MS. CURRIN: I currently have ---

9 THE COURT: They'll be excused and they'll be
10 released from subpoena. There's two different ---

11 MS. CURRIN: Right.

12 THE COURT: They asked to be excused. I thought she
13 meant today.

14 MS. CURRIN: For the day, that's perfectly fine.

15 THE COURT: Okay. No, doesn't mean they have to
16 keep coming back.

17 (Jury exits courtroom)

18 THE COURT: Okay. I'm fine with them being excused
19 from the courthouse. All witnesses remain under subpoena
20 for the length of the trial until I say otherwise. Okay?
21 That doesn't mean they're released from subpoena.
22 They're always subject to recall. Okay? All right.
23 Thank you all. We'll see you in the morning.

24 (PROCEEDINGS FOR 6-9-25 CONCLUDED AT 5:00 P.M.)

25

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1 (PROCEEDINGS BEGIN 6-10-25 9:28 A.M.)

2 THE COURT: Mr. Hulshult, who will testify next?

3 MR. HULSHULT: We just need to read the stipulation
4 and then we plan on resting.

5 THE COURT: Oh, is that right?

6 MR. HULSHULT: Yes, Your Honor.

7 THE COURT: Okay. All right. We'll have to bring
8 them in, read that, excuse them, let you all rest, then
9 we'll take up motions. And then of course I'll talk to
10 Mr. Blakeney about whether or not he wants to testify.
11 We're going to go through that and then go from there.

12 All right. I guess we're ready.

13 Next trial then, gosh, I'd like to have that jury
14 come in this afternoon.

15 MS. LINDER: Do you want me to try to see if they
16 can be ready for trial this afternoon?

17 THE COURT: Maybe. Maybe just have them on standby?

18 MS. LINDER: Okay. If --- if they're ready for
19 that. I mean, I guess they are. Maybe that would be
20 good and then maybe all things go well, you know, we can
21 just have their jury panel come in in the morning and get
22 started.

23 THE COURT: If you don't mind. I mean, I'd like to
24 eat lunch today. So maybe --- I mean, maybe have them on
25 standby for like 1:30 or 2:00.

Proceedings

1 MS. LINDER: Okay.

2 THE COURT: Or something like that.

3 MS. LINDER: I'll --- I'll reach out to them and
4 then I'll reach out to the clerk and try to get all
5 sorted out.

6 THE COURT: Thank you. That would be great. Okay.
7 All right. Are we ready for the jury to come in then?
8 Everybody all set?

9 MS. CURRIN: Yes, Your Honor.

10 MR. HULSHULT: Yes.

11 THE COURT: Okay. Great. We can bring the jury in.
12 Thank you, Mr. Hulshult.

13 THE COURT: Can I read y'all's stipulation real
14 quick ---

15 MR. HULSHULT: Yes, ma'am.

16 THE COURT: --- although I meant do that yesterday.

17 MS. NORVELL: Is there any particular procedure the
18 Court wishes for the State to follow when publishing
19 stipulation? We just talked to Ms. Currin.

20 THE COURT: It's always a little odd and awkward.
21 Not really ---

22 MS. NORVELL: Okay.

23 THE COURT: --- however you want to do it fine.
24 You'll just say, you know, Your Honor, we have a
25 stipulation. I'll just say I'll let you go ahead and

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1 read, come up to the podium and read it and mark it.

2 MS. NORVELL: Marked as State's exhibit.

3 THE COURT: Yeah. We'll do that.

4 MS. NORVELL: Okay.

5 THE COURT: Well, we'll --- we'll handle it.

6 MS. NORVELL: Thank you.

7 THE COURT: Thank you. I'll make it as less awkward
8 as possible. It's just a weird one.

9 (Jury enters courtroom)

10 BAILIFF: All jurors present.

11 THE COURT: Thank you all. Come on. You don't have
12 assigned seats or anything. Y'all have a seat. Okay.
13 All right.

14 Welcome back ladies and gentlemen. Good morning.
15 We are ready to proceed this morning. Based on the
16 information I've gotten this morning, I do believe we
17 will wrap up today, so that's good news for you all.

18 Let's see, my alternates are in the back, I
19 think --- I hope. And then young lady here with the red
20 lanyard and the blue sweater, tell me your number.

21 JUROR: 12.

22 THE COURT: 12. You will be the foreperson.
23 Doesn't really mean a whole --- whole lot, and except you
24 don't have --- so at the end of the trial, you'll be
25 doing the signs the verdict form. That's all. And you

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1 don't have any greater regular vote than anybody else,
2 you just happen to be sitting in the seat that I always
3 appoint the foreperson. That's all that means. Okay.
4 We'll talk more about that toward the end of the trial.

5 At this point in time, I believe the State's ready
6 to proceed. The State have any other witnesses they wish
7 to call this morning?

8 MR. HULSHULT: No, Your Honor. The State at this
9 time would just move to admit a stipulation between the
10 parties into evidence.

11 THE COURT: Okay. You can go ahead and --- what is
12 that marked?

13 MR. HULSHULT: State's Exhibit 15.

14 (State's Exhibit 15 marked)

15 THE COURT: 15. Okay. Ladies and gentlemen, from
16 time to time, the parties will agree or stipulate to
17 certain facts or circumstances. That has been reduced to
18 a writing and will now be read to you and published by
19 the State by Mr. Hulshult. He will read that to you at
20 this time. Please pay attention.

21 MR. HULSHULT: Thank you, Your Honor.

22 The State and the defense stipulate that the
23 defendant, Thomas Carson Blakeney, has a qualifying prior
24 conviction for a controlled substance violation from
25 July 2023. This stipulation fulfills the element of a

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1 prior conviction with relation to the unlawful possession
2 of a firearm by a person prohibited charge.

3 THE COURT: All right. Thank you very much. And
4 you can just bring that on up here if you will, Mr.
5 Hulshult, and put it on this table once you're finished
6 with it. Thank you for that. And that will be marked as
7 an exhibit and back with the other exhibits for the jury
8 at the appropriate time.

9 All right. Does the State have any other witnesses
10 they wish to call at this time?

11 MR. HULSHULT: No, Your Honor. The State rests.

12 THE COURT: Okay. Well, ladies and gentlemen, at
13 this time, the State has rested. I'm going to excuse you
14 right back out of the courtroom. There's some things
15 I've got to handle with the lawyers at this particular
16 stage of the trial and then we'll bring you back in
17 momentarily. Okay? Thank you very much.

18 (Jury exits courtroom)

19 THE COURT: Okay. Thank you very much. Y'all can
20 be seated. I'm happy to entertain any motions at this
21 point in time from the State or the defense.

22 MR. HULSHULT: Just one quick second. I noticed
23 when I was reading in our stipulation the defendant's
24 last name is spelled incorrectly on it.

25 THE COURT: Blakeney's spelled incorrectly?

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1 MR. HULSHULT: It's spelled Blakely.

2 THE COURT: Oh, the spell check must have auto
3 corrected that. You want to print a new one and just
4 mark it accordingly?

5 MR. HULSHULT: Yes.

6 THE COURT: I don't have a problem with that. You
7 have a problem with that?

8 MS. CURRIN: No, Your Honor.

9 THE COURT: Spelling correction here. Okay. We'll
10 do that. Okay. All right. Anything from the defense at
11 this time?

12 MS. CURRIN: Yes, Your Honor. The defense moves for
13 a directed verdict on Rule 19 of the South Carolina Rules
14 of Criminal Procedure on the charges against Thomas
15 Blakeney, of unlawful carrying of a handgun and
16 possession of a firearm or ammunition by the person is
17 unlawful.

18 Our argument in support of this directed verdict is
19 that though the evidence is viewed as most favorable to
20 the State the State has failed to put forth substantial
21 evidence that Thomas Blakeney ever possessed a gun here
22 in question. The State's evidence regarding the gun
23 charge merely raises a suspicion that Mr. Blakeney ever
24 possessed the gun that was located, and further only in
25 mere suspicion that the gun subsequently located by

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1 Officer Schuessler was what even caused the spark
2 testified to. Mere suspicion is not enough to move
3 beyond the directed verdict phase and submit to the jury.

4 Your Honor, may I approach?

5 THE COURT: Yes, ma'am.

6 MS. CURRIN: I'm just handing up two cases for my
7 motion.

8 THE COURT: Okay. Thank you.

9 MS. CURRIN: Your Honor, one of the cases that I
10 handed up with you --- to you is State v Lollis 343 S.C.
11 580 2011. The Court in that case ruled at the trial,
12 judge should grant the directed verdict motion when
13 evidence merely raises the suspicion that the accused is
14 guilty. Suspicion implied the belief or opinion as to
15 guilt based upon facts or circumstances which do not
16 amount to proof.

17 Testimony of officer Garrison seeing the spark near
18 the vehicle, the defense could contend is a mere
19 suspicion. The officer did not see the actual object
20 that caused the spark. And now the State is arguing that
21 the spark was, in fact, caused by a gun. And we would
22 submit, Your Honor, there is a mere suspicion and their
23 suspicion does not rise to the level of proof.

24 Another mere suspicion here is testimony was
25 elicited where witnesses theorized that the silver

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1 scratches on one side of the gun were fresh scratches
2 from hitting the pavement. I believe they called it road
3 rash.

4 THE COURT: Uh-huh.

5 MS. CURRIN: Again, just a mere suspicion that does
6 not --- does not rise to the level of tending to prove
7 the guilt of Mr. Blakeney.

8 Lastly, another mere suspicion is the State is
9 trying to put together regarding the gun charge, the mere
10 suspicion that the gun to be found by Officer Schuessler
11 could bounce across the highway, lodge itself on the side
12 of the road to the point that the barrel is submerged.
13 No testimony on how far the gun was off the shoulder of
14 the highway from the road. No in-camera reports
15 documenting any discovery or body-worn camera of the
16 discovery of that gun. And no expert testimony on how a
17 gun could come from the vehicle pass across multiple
18 lanes and still end up barrel down in the grass.

19 Your Honor, as it relates to substantial evidence
20 that I referenced at the beginning of my motion, absent
21 two gun charges, the State's case solely relies on
22 circumstantial evidence.

23 The other case I handed up to you is State v
24 Edwards. That provides guidance on the assessment of a
25 directed verdict motion by a judge for a solely

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1 circumstantial case. It first references the mere
2 suspicion, the judge's concern will be existence and
3 non-existence of evidence, not its weight. The judge
4 should grant a directed verdict motion where the evidence
5 merely raises a suspicion of the guilt of the accused,
6 but should submit the case to the jury if there be any
7 substantial evidence which reasonably tends to prove the
8 guilt of the accused, or from which the guilt may be
9 fairly and logically deduced.

10 Based on the pieces of evidence that the State has
11 produced and by the spark being seen, the assumptions
12 about what caused the spark with no further proof of
13 that, and the evidence that a gun was allegedly found
14 somewhere along that stretch of the highway but in very
15 poor condition, being rusted to the point where
16 potentially it's inoperable and partially submerged in
17 the ground.

18 The defense has argued that the evidence put forward
19 by the State does not rise to the level of substantial
20 evidence tending to prove the guilt of Mr. Blakeney. And
21 the guilt of Mr. Blakeney cannot be fairly and logically
22 deduced from that evidence which is by the State.
23 Further, Your Honor, I think it is important to point out
24 the fact that Officer Schuessler --- the officer said to
25 have located the gun, and did not provide any

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1 documentation of that.

2 Your Honor, the condition of the gun supports a very
3 reasonable conclusion that the gun was there for a long
4 period of time.

5 And briefly moving onto the specific definition of a
6 gun, in order to be in violation of the statutes these
7 guns need to be real, operable guns. A gun, there has
8 been no testimony submitted by the State that this gun
9 was operable and capable of expelling the bullets. Thus
10 the State has failed to meet the elements of those
11 charges.

12 I will point out the definition of handgun in SC
13 code 16-23-10. The object must be able to fire fixed
14 cartridges. So I'd argue that the State had not produced
15 that this gun can in fact expel a fixed cartridge.

16 Lastly, and very briefly, Your Honor, as to
17 constructive position, the State has not put any evidence
18 that the gun was ever, in fact, in Mr. Blakeney's actual
19 possession to then get to the argument of him being in
20 constructive possession of the gun said to be found on
21 the side of a highway.

22 No testimony regarding fingerprints on the gun or
23 DNA on the gun belonging to Mr. Blakeney. No evidence
24 put forth of any objects relating to a gun such as
25 ammunition for a gun magazine were found in the vehicle

Proceedings

1 Mr. Blakeney was driving or on his person at the time of
2 arrest.

3 And constructive possession requires knowledge and
4 rights of dominion and control over the object in order
5 to establish that Mr. Blakeney constructively possessed
6 the item said to be located by Officer Schuessler.

7 Given many reasons, Your Honor, the defense again
8 moves for a directed verdict on the two gun charges
9 against Mr. Blakeney under Rule 19 of the South Carolina
10 rules of criminal procedure. Thank you.

11 THE COURT: Yeah. Just --- all right. You want to
12 respond?

13 MS. NORVELL: Thank you, Judge. In viewing the
14 evidence in a light most favorable to the non-moving
15 party, the State contends that we met a substantial
16 circumstantial evidence that would allow the jury to
17 reasonably find the defendant guilty. There's been
18 testimony from the officers that other items were thrown
19 from the vehicle that was recorded on their camera. And
20 they pointed those particular timestamps when they
21 observed multiple items being thrown prior to
22 (unintelligible).

23 The officer, Sergeant Garrison, testified that the
24 vehicle was shaking as if somebody was moving around
25 prior to the object being thrown from the vehicle, and

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1 landing on the roadway causing a spark. There was
2 testimony following that that the gun was located in
3 nearly the exact same area of the interstate where the
4 spark was observed. That in-car camera was utilized to
5 narrow down the area, and Officer Schuessler found that
6 weapon.

7 I believe that the defense has mischaracterized the
8 testimony of Officer Schuessler. He specifically said
9 the gun was not there, all I did was pick it up. I just
10 had to lift it up. No part of the weapon was buried into
11 the ground. It was just beside --- or had some leaves
12 and grass around it.

13 Additionally, Judge, the testimony was elicited that
14 the scrapes on the gun are on the metal part, which is
15 consistent and would allow a fair and logical deduction
16 that those scrapes on that metal surface is what caused
17 the spark in the roadway.

18 As the defendant mentioned, there was --- they
19 called it a chain of suspicion. The State would call it
20 a chain of circumstances. There is no different weight
21 between circumstantial and direct evidence. And if we
22 have --- which we contend we have --- if we submit
23 substantial circumstantial evidence, then that should
24 rightfully be passed to the jury to deliberate.

25 Again, I also believe that the definition of handgun

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1 and firearm was mischaracterized. It's designed to expel
2 a projectile not operational and able to expel a
3 projectile and that's what the law requires that is not
4 an accurate statement of the law.

5 THE COURT: All right. Well, I enjoyed reading the
6 cases you handed up. Always enjoy getting those cases
7 and always learn something new in this cases. But
8 respectfully, your directed verdict motion is denied and
9 I'll delineate those bases for the record.

10 As to your sort of first argument regarding the mere
11 suspicion, you know I would agree with you if no gun was
12 found. That would be a --- this would be a case where
13 that might be (unintelligible). Okay. If you just
14 look --- I saw a spark, I think it probably was a gun,
15 and that was the end of the gun charge, then I would ---
16 I would agree with you. But the fact is that he
17 testified under oath exactly about the parameters for
18 this really long, really (unintelligible) case where
19 they --- he thinks the spark was and what are the odds
20 they found a gun on the side of the road? I don't know,
21 it is North Charleston. What are the odds?

22 And that's really going to be the case right here,
23 did he find a gun on the side of I-26? I don't know the
24 answer to that question, but that's what this basically
25 boils down to and that's an issue for the jury to decide.

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1 It goes to the weight of the evidence.

2 So that's my ruling on that item that you brought
3 up. The intersection thing with respect to the firearm,
4 that's an interesting argument. I --- I agree with the
5 State, it's designed to expel a projectile I think works
6 towards gun laws if you could just destroy the guns and
7 they no longer be charged with firearm charges. So
8 that --- I deny on that basis.

9 And then finally, on the constructive possession, I
10 think there's enough evidence. Officer Garrison
11 testified that the defendant was the only person in the
12 car, and the window was rolled down, and --- and
13 (unintelligible) windows. I think that's enough to
14 survive (unintelligible) basis as well.

15 So with that said, I'm going to ask that you --- I'm
16 going to quick break and get some coffee. I ask y'all to
17 talk to your clients and advise them that when we come
18 back, I'll be going over his rights regarding whether or
19 not he wants to testify. And just take a few more
20 minutes to talk to him about that and what all that
21 means, and then we'll come back and place that on the
22 record. Okay?

23 MS. CURRIN: Yes, Your Honor.

24 THE COURT: Thank you so much.

25 (Off the record)

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1 THE COURT: All right. Okay. Mr. Thomas Carson
2 Blakeney, at this time, I'm going to explain to you
3 certain rights that you have with respect to this trial.
4 Okay? If you don't understand anything I say, will you
5 please let me know? I need you to say yes or no.

6 MR. BLAKENEY: (Inaudible).

7 THE COURT: Okay. And he --- he can stand or sit,
8 however he's most comfortable for this. Are you okay
9 sitting down right now, or do you want to stand up?

10 MR. BLAKENEY: (Unintelligible).

11 THE COURT: However you're most comfortable is fine
12 with me. If you want me to explain anything in more
13 detail, Mr. Blakeney, would you also let me know that as
14 well?

15 MR. BLAKENEY: (Unintelligible).

16 THE COURT: Okay. We've now arrived the stage ---
17 stage of the trial where you can present your defense, or
18 you have the right to claim the protections given to you
19 by the 5th Amendment of the Constitution of the United
20 States, which says in a part that no person shall be
21 compelled in any criminal case to be a witness against
22 himself.

23 That means that I cannot require you to testify in
24 this case. And you have the right to testify in your own
25 defense if you wish. However, nobody can make you

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1 testify. This is a personal right and nobody can give it
2 up except for you. If you decide to testify, you're
3 going to be subject to the same rules that govern every
4 other witness on that stand, and you might be examined
5 and cross-examined on any relevant issue in this case.

6 Additionally, if you have any convictions involving
7 dishonesty or false statements, or for crimes that were
8 punishable by imprisonment for more than a year, and a
9 court determines that the probative value of admitting
10 those outweighs the prejudicial effect to you, the
11 solicitor could be able to introduce your prior record to
12 attack your credibility.

13 If you decide to testify, this decision on your part
14 must be freely and intelligently made with the knowledge
15 of the protections given to you by the 5th Amendment. If
16 you decide not to testify, I will instruct the jurors
17 that they cannot give the fact that you did not testify
18 any consideration whatsoever. They are --- are to draw
19 no conclusions in --- there is to be absolutely no
20 prejudice to you because you did not testify. It's left
21 entirely up to you whether or not you testify.

22 I can give you some more time to talk to your
23 lawyer, your family, or your friends, or anybody else,
24 but the final decision's going to be up to Mr. Blakeney.
25 Okay?

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1 Do you understand everything I've just explained to
2 you?

3 MR. BLAKENEY: (Inaudible).

4 THE COURT: Okay. Do you have any questions about
5 what I just explained to you? All right.

6 Have you been able to discuss with these lawyers
7 whether you should or should not testify?

8 MR. BLAKENEY: (Inaudible).

9 THE COURT: All right. Do you want to talk to them
10 anymore at this time?

11 MR. BLAKENEY: (Inaudible).

12 THE COURT: All right. Do you want to testify in
13 this case?

14 MR. BLAKENEY: (Inaudible).

15 THE COURT: All right. You may be seated. Thank
16 you very much.

17 I find the defendant has indicated to the Court that
18 he's had adequate time to talk to his attorneys, and he
19 does not wish to testify. Of course, as I stated, the
20 jury will be instructed that they are to draw no
21 conclusions whatsoever by the fact that you did not
22 testify. Okay? All right.

23 Now, Ms. Currin and Mr. Dalton, are there any other
24 witnesses that the defense intends to call when we bring
25 the jury back in?

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1 MS. CURRIN: No, Your Honor.

2 THE COURT: All right. If that's the case, then we
3 will bring them back in. And of course I'll let you say
4 that in front of them and that you'll be able to rest.
5 We'll excuse them right back out of the courtroom to
6 renew any objections and motion at that time. And then I
7 will bring them back in for close and charge. Are y'all
8 ready to proceed with closing arguments?

9 MR. HULSHULT: Yes, Your Honor.

10 THE COURT: Mr. Hulshult, you'll be doing for the
11 State and who will for the defense?

12 MS. CURRIN: I will, Your Honor.

13 THE COURT: Excellent. Are you all ready to
14 proceed, or would you all like --- you didn't really get
15 a break. Do you want to quick break right now? Or are
16 you ready to --- it's totally up to you all.

17 MS. CURRIN: No, Your Honor, we're okay.

18 THE COURT: All right. We can bring them in. Just
19 note, Mr. Hall, we're going to get them right back out
20 and then right back in. Okay.

21 (Jury enters courtroom)

22 THE COURT: Y'all can be seated. Thank you, ladies
23 and gentlemen. Have a seat.

24 BAILIFF: Jury is present, Your Honor.

25 THE COURT: All right. Thank you so much. Okay.

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1 I'm going to the defense now. Ms. Currin, does the
2 defense have any witnesses they wish to call?

3 MS. CURRIN: No, Your Honor. The defense rests.

4 THE COURT: All right. Ladies and gentlemen,
5 believe it or not I'm going to excuse you very briefly at
6 this time, and then we'll see you back here in just a
7 couple of minutes. I have additional matters to discuss
8 with these attorneys.

9 At this stage as well, the defense has now rested as
10 well. And they will bring you back in, and at that time
11 we'll go ahead and start the closing arguments of the
12 trial. Okay. Just give me one more minute.

13 (Jury exits courtroom)

14 THE COURT: Okay. Happy to entertain any motions or
15 the renewed objection from the State if there are any.

16 MS. NORVELL: Nothing from the State, Judge.

17 THE COURT: All right. Any from the defense at this
18 time?

19 MS. CURRIN: Your Honor, we would just renew our
20 directed verdict motion. And also, I believe I want to
21 clarify a couple of things for the jury charge. Would
22 this be the appropriate time?

23 THE COURT: Yeah, let's do that. I'm happy to do
24 that at this time. Yes.

25 MS. CURRIN: I assume you received my ---

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1 THE COURT: We did.

2 MS. CURRIN: Okay. Did you want to speak?

3 MR. HULSHULT: The State just recommended using the
4 standard jury charges.

5 THE COURT: Okay. The only ones with Ms. Currin I
6 was going to --- I wasn't really sure about that you
7 submitted, were the ones regarding intent. I'm not sure
8 how that applies for this particular case. It's a rather
9 long portion on intent.

10 And then the copy of the charge in the jury room, I
11 don't usually do unless the jury requests it and both
12 sides agree. So I'm not going to charge that at this
13 time, but you go ahead and if you want to talk to me
14 about why you think intent is important.

15 MS. CURRIN: Your Honor, I don't believe intent is
16 necessary. I also placed originally in the instructions
17 a prior and consistent statement. I don't believe
18 there's been any testimony of that. I think it's
19 appropriate to remove that.

20 THE COURT: Uh-huh.

21 MS. CURRIN: There is the clarification about how we
22 are going to name that charge ---

23 THE COURT: I can read to you exactly how I'm going
24 to read it; will that help?

25 MS. CURRIN: Okay.

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1 THE COURT: Yeah.

2 MS. CURRIN: Yes, sure.

3 THE COURT: Give me one minute and I'll get to that.

4 Okay. So the defendant is charged with possession
5 of a firearm or ammunition by a person prohibited by law.
6 In order to prove the crime, the State must --- must
7 prove beyond a reasonable doubt that the defendant has
8 been convicted of a prior crime which prohibits him from
9 possessing a firearm, and that the defendant was in
10 position of the firearm or ammunition within the State.

11 The parties have stipulated that the defendant was
12 convicted of a crime or crimes other than the one for
13 which the defendant is now on trial. This evidence may
14 only be considered by you on the question of prior
15 conviction and for no other reason and no other purpose.
16 You may give this evidence the weight and value, if any,
17 which you find it should have on the sole issue of prior
18 convictions. You must not consider evidence of the
19 commission of another offense as proof of the defendant's
20 guilt of the current charge we are trying today.

21 Okay? And that's how it reads. Any issues with
22 that?

23 MS. CURRIN: No, Your Honor.

24 THE COURT: I think that tracks along with our case
25 law and how to handle similar issues (unintelligible).

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1 Okay? All right.

2 And then I'm going to charge definition of a firearm
3 which you requested, Ms. Currin. That's fine. I have no
4 issue with that.

5 Actual and constructive possession. But I'm not
6 going to charge the intent you requested and I'm not
7 going to charge a copy of the charge in the jury room,
8 because (unintelligible) I don't as a policy, send back a
9 copy absent jury requests (unintelligible) all that.

10 Okay.

11 Anything else?

12 MR. HULSHULT: Nothing from the State.

13 MS. CURRIN: There was something I wanted to point
14 out in the circumstantial evidence instruction. I
15 deleted an additional paragraph that is from State v
16 Littlejohn.

17 THE COURT: Okay. Give me one minute to pull up
18 here --- and I'll compare it to what we have. What ---
19 it's under several subsections, which one are you ---

20 For the record, I'm looking at defendant's paragraph
21 Roman numeral five under direct and circumstantial
22 evidence on defendant's request to charge.

23 MS. CURRIN: Yes. One moment let me make sure
24 I'm --- so it could be 5D.

25 THE COURT: I have that. Yeah, the proof has failed

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1 or whatever. That finishes in that phrase, Ms. Currin?

2 MS. CURRIN: The proof has failed.

3 THE COURT: Yes, I do have that. Okay.

4 MS. CURRIN: Okay. Thank you.

5 THE COURT: Yes. Any other specific things you
6 wanted to ask? I think everything that you have except
7 for intent and that copy of the charges reflected in my
8 charge.

9 MS. CURRIN: Okay. And then I apologize if you
10 already said this. You have an instruction as well that
11 he did not testify.

12 THE COURT: Yes. And I don't call it failure to
13 testify.

14 MS. CURRIN: Okay. Thank you.

15 THE COURT: That's an issue (unintelligible) I've
16 heard. Yes. That's absolutely in there. Okay. All
17 right. Well, if that's the case, y'all ready for your
18 closing?

19 MR. HULSHULT: Yes, Your Honor.

20 THE COURT: Okay. So obviously the defense did not
21 put in any evidence or call any witnesses, so they will
22 get last close. Mr. Hulshult, you'll go first and then
23 Ms. Currin will finish. Okay?

24 You can bring the jury in once again. Thank you so
25 much.

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1 (Jury enters courtroom)

2 THE COURT: Thank you all. Have a seat once again.
3 This time it will be a little bit longer. Make sure
4 everybody's got their blood pumping this morning. We get
5 you too comfortable.

6 BAILIFF: All jurors present, Your Honor.

7 THE COURT: Thank you so much. Everybody can be
8 seated. Ladies and gentlemen, the parties have presented
9 their evidence in this case and it is now time for the
10 attorneys to make their closing arguments. The arguments
11 of the attorneys, ladies and gentlemen, are not evidence
12 in this case. Their statements and arguments are meant
13 to help you understand the evidence and apply the law to
14 the evidence, but please disregard any remark, statement
15 or argument, which is not supported by the evidence
16 presented during the trial, or the law that I'm going to
17 explain to you following these arguments of the
18 attorneys. Now, the State will give the first closing
19 argument, and then the defense will.

20 Mr. Hulshult, happy to hear from you.

21 MR. HULSHULT: May it please the Court. Ladies and
22 gentlemen, you've now seen all the evidence in this case
23 and hopefully, you understand why at the beginning of
24 this trial my co-counsel and even defense told you this
25 is not really a trial about failure to stop for blue

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1 lights. It's a trial about possession of a firearm and
2 the illegal carrying of the firearm. And that is because
3 Thomas Blakeney is guilty of failing to stop for blue
4 lights. That is a fact. It is not just proven beyond a
5 reasonable doubt. It's been proven he did beyond all
6 doubt.

7 Watch the video that's in evidence. There's a
8 17-minute showcase of Thomas Blakeney recklessly driving
9 around North Charleston, crashing into an innocent
10 civilian driver, causing damage to that innocent civilian
11 driver's vehicle, then continuing to endanger the lives
12 of dozens of other innocent drivers. All the while, many
13 clearly marked police vehicles all with blue lights and
14 sirens blazing attempted to stop him. But he didn't
15 stop, he drove that car around North Charleston until
16 quite literally, the tires fell off.

17 There was no one else in the car, it was only
18 Blakeney. Sergeant Garrison and Officer Schuessler both
19 took part in that chase. They both testified that they
20 were the lead vehicle in that chase at certain points.
21 And they both identified Blakeney as the driver and sole
22 occupant of that vehicle that ran from police on
23 February 10, 2024.

24 Now, to prove failure to stop for blue lights, the
25 law requires the State to prove four elements of that

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1 crime. One, the defendant was driving. Two, the
2 defendant was driving on a road or highway of the State.
3 Three, the defendant was signaled to stop by blue lights
4 or sirens. And four, the defendant didn't stop.

5 You have video evidence and testimony from both
6 officers that confirm all of that beyond any shred of a
7 doubt. You must find Thomas Blakeney guilty of failure
8 to stop for blue lights.

9 Moving on to the reason we're here, firearms charge.
10 One question I kept asking myself about that charge and
11 basically surrounding this entire case, is why would a
12 person evade police for 17 minutes and do what Thomas
13 Blakeney did that night? And I believe the answer is
14 honestly quite simple. There's no need to over think it.
15 Thomas Blakeney had items in that car that he did not
16 want the police to find.

17 So when Sergeant Garrison blue-lighted him, Blakeney
18 made a business decision. He decided it was in his own
19 best interest to run from the police and endanger the
20 public rather than face the consequences of what he had
21 in that car.

22 Now, Thomas Blakeney threw a lot of items out of
23 that car. I can't tell you exactly what every single
24 thing that he through out of that car was. I can tell
25 you what one thing was beyond a reasonable doubt, and

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1 that's a firearm. The black Glock that's in evidence.
2 He knew that he is prohibited from possessing a firearm,
3 so he ran from police and did his best to distance
4 himself from the weapon and he did distance himself.

5 Defense even said it in their opening statement.
6 They said that the gun was found miles away from his car.
7 Of course it was. He threw it out on the highway and
8 then ran for another ten minutes. The circumstantial and
9 direct evidence in this case prove that the gun was in
10 Blakeney's possession in that vehicle and that he threw
11 it out in an attempt to distance himself from what he
12 wasn't allowed to have.

13 Seven minutes into Sergeant Garrison's dash-cam
14 video --- camera, you can see a spark on the road. We
15 then provided you with a still screenshot of that spark.
16 Sergeant Garrison saw it with his own eyes. He even
17 called it out on the radio, which you can hear on the
18 video.

19 I ask you to watch that spark, then continue to
20 watch as only a few seconds later Blakeney and Garrison's
21 car pass that blue road sign that officer Chris
22 Schuessler testified under oath that he found the gun in
23 front. So it logically flows, Blakeney threw that gun
24 out of a speeding vehicle that Sergeant Garrison
25 testified was going in excess of 90 miles an hour. The

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1 metal barrel of that gun sparked when it hit the
2 pavement. Then that gun's forward momentum, problem
3 being essentially thrown 90 miles an hour caused that gun
4 to skid across the pavement and eventually come to rest
5 in the bush on the side of the road.

6 Once again, don't take my word for it, review the
7 evidence. The evidence shows a spark and you have
8 testimony of a spark, dash cam proves it. What else but
9 a metal gun could Blakeney have thrown out of that
10 vehicle that would cause a spark like that?

11 The evidence also shows that the gun recovered by
12 Chris Schuessler, has fresh-looking silver scrapes on it
13 consistent with what would happen if it hit a hard
14 abrasive surface at a high rate of speed.

15 The evidence also shows the slide of that gun is
16 damaged to the point where you cannot crack it, another
17 defect that was caused by striking the pavement at
18 excessive speeds.

19 Officer Schuessler also found that firearm in the
20 exact area where Sergeant Garrison told him to look
21 between the Midland Park overpass and the Eagle Drive
22 Overpass on I-26 heading towards Charleston. The gun was
23 not buried in dirt. It's sitting right --- it's sitting
24 upright in some thick brush. It wasn't there long enough
25 to settle underneath the grass. Rain didn't cause it to

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1 settle lower. A roadside lawnmower didn't hit it. The
2 gun landed there after it was thrown from Blakeney's car.

3 The location that Officer Schuessler found that
4 firearm was farther down the road from where the spark
5 occurred. He testified that he found that gun in front
6 of that blue sign. Watch the video of Sergeant
7 Garrison's dash cam. You can see --- literally, when you
8 look at the dash cam and see the spark, you see that blue
9 sign right off in the distance.

10 So in summation, Blakeney has motive to throw the
11 gun, there was a spark in the road consistent with a
12 metal object striking pavement. The gun was found in the
13 exact area where it would come to rest given the location
14 of the spark and speed of the vehicle traveling. And the
15 gun has fresh silver scrapes on it consistent with
16 striking pavement. And the gun's position in the grass
17 shows that it hadn't been there long, because it hadn't.

18 Now, the can Judge is going to instruct you on the
19 law and please defer to anything she says, but the law of
20 possession is the ability to exercise --- the definition
21 of possession is the ability to exercise dominion and
22 control over an object or to have something in your
23 physical control as that relates to the firearms charge.
24 For us to prove the unlawful possession of this firearm,
25 we must prove, one, that Thomas Blakeney possessed that

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1 firearm, and two, he was not allowed to possess that
2 firearm due to a qualifying prior criminal conviction.
3 Both sides have already stipulated the conviction part.
4 So you can take that as true and proven.

5 Which leaves the State with just need to prove the
6 possession. And as I said, possession is actual
7 physical --- physical control over an object. Thomas
8 Blakeney threw that gun from the vehicle. By doing so,
9 he controlled the gun. He controlled the trajectory of
10 it, he had it in his hand. He possessed it. He also
11 needed to have that pistol on his person to be able to
12 throw it from the vehicle.

13 One of the charges he's charged with is the unlawful
14 carrying of a pistol, which requires the State to prove
15 the defendant carried the pistol about his person. Think
16 about it. If you threw a gun out the window, you --- you
17 were carrying the pistol on your person.

18 Now, after me defense is going to come up here and
19 make their argument. Don't be fooled by their attempts
20 to distract you from the facts of this case. I expect
21 them to try to say the gun could have been thrown there
22 by anyone, as if guns just litter the side of the highway
23 of this state. They may also say the Glock was rusty, so
24 it could have been there for any period of time. But if
25 it had, the fresh scrapes on the barrel would have

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1 already been rusted.

2 They'll also draw attention to Officer Schuessler
3 not saving his body camera. They made very sure to draw
4 attention to that fact several times. And yes, he should
5 have saved his body camera, but just because he forgot to
6 save his body camera does not make that man a liar.
7 Instead, he admitted to it. He's honest, told you
8 exactly what he did that night. And he also told you
9 exactly what he didn't do.

10 Well, let's focus on what he did that night. Chased
11 Thomas Blakeney throughout North Charleston, helped
12 apprehend him, then volunteered to go search for a gun at
13 the location of the spark. And he continued to search
14 for that gun after his shift ended, because he didn't
15 want the firearm to remain on the side of the road.

16 Then he found that gun exactly where he was told it
17 would be. Documented it with a photo that's timestamped,
18 and immediately brought it to Sergeant Garrison to be
19 checked into evidence. Don't be distracted by smoke and
20 mirrors. Look at the facts. The fact remains that
21 Blakeney has a requisite conviction that prohibits him
22 from possessing firearms. He knew he'd receive an
23 additional charge if he was caught with a firearm, so he
24 had all the motive in the world to discard that gun. The
25 gun then sparked when it hit the pavement and Officer

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1 Schuessler found the gun exactly where he was told to
2 look for it. Thomas Blakeney had a gun in that car. He
3 had it under control, threw it out of the car to distance
4 himself from it. I repeat. He possessed it.

5 In a few minutes, the Judge will instruct you on
6 what it means to prove guilt beyond a reasonable doubt.
7 There are several ways to describe it, but generally what
8 it boils down to is the evidence proves guilt beyond a
9 reasonable doubt when it leaves you firmly convinced.

10 I ask you to follow the evidence, think logically
11 about what has been presented to you and you will be
12 firmly convinced. Do not reward Thomas Blakeney for
13 recklessly endangering the motorists of this state and
14 county just so he could hide the evidence against him.
15 Find him guilty of failure to stop for blue lights,
16 unlawful possession of a firearm, and unlawful carrying
17 of a pistol. Thank you.

18 THE COURT: All right. Ms. Currin, happy to hear
19 from you.

20 MS. CURRIN: Thank you. My co-counsel started this
21 trial by telling you that Thomas Blakeney was guilty of
22 failure to stop for blue lights. And yet, Mr. Blakeney
23 wasn't supposed to be driving. He had a suspended
24 license. So when he saw the blue lights, he panicked and
25 he didn't stop. He is now taking responsibility for

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1 that.

2 But failure to stop for blue lights is the only
3 thing that Mr. Blakeney was guilty of. Mr. Blakeney
4 never possessed a gun on that night. He never tossed a
5 gun from his vehicle. And he will not claim ownership
6 for a gun he never had. So he is exercising his
7 Constitutional right to a jury trial and placing this
8 case in your hands.

9 There are too many possibilities to explain why
10 Officer Garrison may have seen that spark. Too many
11 possibilities for why the gun was found on the side of a
12 major highway. And under a reasonable doubt standard, if
13 a reasonable explanation of innocence exists, then the
14 state has not met its burden of proof of beyond a
15 reasonable doubt.

16 What the State has presented to you is a theory, but
17 with no concrete proof that the gun said to have been
18 tossed from that vehicle and found by Officer Schuessler
19 was a gun Mr. Blakeney actually tossed from the vehicle
20 or ever even had in his possession.

21 Let me be clear that Mr. Blakeney does not have to
22 prove these other reasonable possibilities. But if you
23 believe there are other reasonable possibilities, then
24 that means there a reasonable doubt. A reasonable
25 explanation here is that the rusty gun found barrel down

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1 according to Officer Schuessler, covered by dead grass on
2 the side of a major highway had been there for more than
3 just a mere two hours it took Officer Schuessler to find
4 it.

5 And the spark seen by Sergeant Garrison wasn't caused
6 by a gun, but could have been caused by many different
7 things. A cigarette hitting the pavement, as it was
8 tossed out the window. Something striking the car like a
9 rock. Other mechanical issues with the car. Equipment
10 from the vehicle dragging or striking the pavement at a
11 high rate of speed after being damaged during the
12 pursuit, a pursuit that included running over a very
13 large curb, a pursuit that included hitting another car.
14 All of which happened before this spark was observed. I
15 submit to you that those are reasonable explanations here
16 to explain why the officer saw a spark and how the spark
17 could have been caused by something other than the metal
18 object that this officer assumed was a gun. Because
19 Officer Garrison said himself, he did not see what caused
20 the spark. He only saw a spark. And then made the
21 assumption that it was a gun.

22 There are also many reasonable explanations of how
23 the gun ended up on the side of the road in that
24 condition. The condition of the gun being rusted creates
25 a strong possibility that the gun had been there a long

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1 time rusting away as it sat partially covered in grass.
2 The fact that the --- the gun is covered by matted grass,
3 leaves, and then green grass growing around it, again
4 creates a real possibility the gun had been there for
5 more than the two hours it took Officer Schuessler to
6 supposedly find it.

7 This is a major highway traveled day in and day out
8 by thousands of people. It's not like this is gun that
9 was found in a rural area where no one ever traverses.
10 But this isn't a highway that has sidewalks. People are
11 not walking along the highway. So it's reasonable to
12 believe that it could take a long time for it to be
13 discovered. That's --- it could be so rusted.

14 And how about the quote/unquote fresh scratch marks.
15 The scratches on the gun, the State wants you to believe
16 were caused with the gun striking the pavement, what I
17 believe one of the officers testified to as road rash as
18 it was tossed out the window. This is again a mere
19 theory by the State that has no concrete evidence to back
20 it up. A reasonable explanation for the silver scratches
21 is that they were caused when Officer Schuessler grabbed
22 the gun from its position on the ground barrel down as he
23 said. Well, perhaps during the handling of the gun and
24 whatever happened between the time that Officer
25 Schuessler had the gun and provided it to Sergeant

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1 Garrison, those scratches were made. Perhaps the gun was
2 dropped by Officer Schuessler. Perhaps wherever he put
3 it in while being transported to Officer Garrison, it hit
4 something and chipped off some of the rest and left those
5 silver scratches underneath. Those are all reasonable
6 explanations here to explain those scratches. Reasonable
7 possibilities that the State has not overcome.

8 Another reasonable explanation is that the condition
9 of the gun being barrel down and covered by dead grass,
10 and having those fresh scratches was caused by the gun at
11 some point being run over by a lawn mower cutting the
12 grass on the side of the highway. Seeing the way in
13 which the gun is heavily covered by dead grass and then
14 green grass growing around it, there is a real
15 possibility the dead grass came from the most recent
16 trimming of the grass by a lawnmower. And you didn't
17 hear any testimony that the highway was mowed between the
18 time that they say they saw this spark and Officer
19 Schuessler went back and is said to have found this gun.

20 Again, when you go back for deliberations, you will
21 have those photos and you will be able to look at them
22 more closely. If a gun hit the pavement and bounced
23 across two lanes before throwing itself somewhere on the
24 shoulder of the highway, wouldn't it have more scratches
25 than that? I would submit to you the scratches on the

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1 gun don't appear to be severe enough to have caused
2 sparks. The entire upper part of the gun is metal as
3 Officer Schuessler told us. However, there are only a
4 few scratches on the front of the barrel, but that entire
5 slide is metal. In the photos you will notice the most
6 damaged parts of the gun at the front, you'll notice a
7 chip that is not silver, it is rusted, hinting that this
8 gun was damaged long ago. There are real explanations as
9 to how the gun ended up on the side of the road
10 completely separate from anything to do with Mr.
11 Blakeney.

12 And I'm sure that you can think of more reasonable
13 explanations than I have pointed out myself. If an
14 innocent explanation from the facts exists, then the
15 State has not met its burden of proof of beyond a
16 reasonable doubt and you must find Mr. Blakeney not
17 guilty of these gun charges.

18 Let's talk about the lack of evidence that the State
19 has presented to you. The government presented you with
20 no forensic evidence tying Mr. Blakeney to this gun. You
21 did not hear about any fingerprints, you did not hear
22 about any DNA on that gun. Seeing as the gun was so
23 rusted, if someone were actually touching it, don't you
24 think that it could scrape at the skin to get DNA onto
25 that gun? If the State wants you to believe that my

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1 client was in possession of a rusty gun, how is it that
2 the rusty gun has zero indication of ever being touched
3 by my client? There's no evidence found on Mr.
4 Blakeney's person other in his --- in his car pointing to
5 the fact that he ever possessed a gun. He didn't have
6 any ammunition on his person, no ammunition was found in
7 the car. He didn't have a gun magazine on his person. A
8 gun magazine was not found in his car. Nothing to
9 further prove that he had possession of that gun.

10 And as I've already pointed out, there was no
11 testimony from either officer actually even seeing a gun
12 being tossed out the vehicle. All you heard about was a
13 spark. No one saw what caused a spark, they just assumed
14 it was a gun. No evidence to show the spark Officer
15 Garrison saw was actually caused by a gun other than his
16 little scratches.

17 There's no incident report to provide us realtime
18 details about the discovery of that gun by Officer
19 Schuessler. No documentation to say how far the gun was
20 off the side of the highway for you to assess the ability
21 for it to even land there. Was it really found where
22 Officer Garrison saw the spark? There is no
23 documentation of that and there is no body worn camera to
24 show that either. There's solely the word of Officer
25 Schuessler.

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1 Now, the State said in their opening and their
2 closing that I was going to try and distract you with the
3 fact that there is no body-worn camera here. That's not
4 a distraction, it's simply a fact. Despite having no
5 incident report or body-worn camera from this incident of
6 locating the gun, the State wants you to believe that
7 Officer Schuessler's testimony is accurate, and that he
8 remembers these details from an incident that occurred a
9 year and a half ago. A year and a half of Officer
10 Schuessler working hundreds of more shifts.

11 No one's memory of an incident gets better over
12 time. You start to forget things. You aren't able to
13 remember such close detail. You may misstate things. We
14 have a picture that Officer Schuessler says is a picture
15 of the gun he found. A picture he provided to the State
16 a year after this incident. A picture he never even
17 bothered to put into evidence. We just have a screenshot
18 of a photo said to be taken by Officer Schuessler of a
19 gun said to be found in the same area the spark was seen,
20 but absolutely nothing to back that up other than Officer
21 Schuessler's word.

22 The State wants you to believe the testimony of
23 Officer Schuessler when he cannot even follow NCPD
24 policies and procedures. I certainly harped on that. I
25 really did. And I did that because not following

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1 policies and procedures is a glaring issue in this case.
2 A police officer whose duty it is to enforce the law
3 cannot follow his own rules. Rules that are there for a
4 reason to ensure accuracy of his testimony in court, to
5 ensure the integrity of evidence in the case, to ensure
6 transparency between the community and their law
7 enforcement officers.

8 Officer Schuessler does not get to decide what
9 policies he does and does not follow, and the State does
10 not get to decide when it is and is not okay to follow
11 the rules.

12 Officer Schuessler supposedly found this gun, yet
13 his name is nowhere to be found on the chain of custody
14 form, a form that you heard is a document to note who
15 exactly had custody of the gun in the chain of getting to
16 the evidence room. But you heard him say that he had his
17 hands on it first, it is nowhere to be found on that
18 form. Something else, another policy that he violated.
19 He violated his policies in failing to write an incident
20 report about finding the gun. A gun that is a key piece
21 of evidence here in this case. A crucial moment in the
22 case that resulted in two charges against Mr. Blakeney.
23 Officer Schuessler knows how to write an incident report
24 because he did it for his involvement in Mr. Blakeney's
25 arrest mere two hours before this.

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1 Officer Schuessler further violated his body-worn
2 camera policies by not saving his body-worn camera after
3 his shift. Something that he testified to that he has
4 been reprimanded for doing before. Body-worn camera that
5 could have assisted Mr. Blakeney in his --- his defense.
6 And body-worn camera that would have given you, the jury,
7 more clarity in this case. Body-worn camera that is
8 required because of the crucial evidence that it
9 provides.

10 Officer Schuessler is an officer in your community
11 that has proven to be an officer that doesn't follow the
12 rules. And yet the State wants the 12 of you to convict
13 my client based on what Officer Schuessler alleged has
14 happened. You the jury must assess the trustworthiness
15 of each witness. The State is asking you to take Officer
16 Schuessler's word for it, but there's no documentation to
17 support his testimony. He violated numerous policies and
18 procedures in this one case and he should not be trusted.

19 I'm going to briefly touch on the evidence of the
20 prior conviction. Mr. Blakeney, as an element of those
21 offenses, the State has brought up a prior conviction Mr.
22 Blakeney has on his record. Yes, Mr. Blakeney has a
23 criminal record, he has a past. However, please do not
24 let that distract you from the evidence here in this case
25 and your duty as a juror to hold the State to their

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1 burden of proof beyond a reasonable doubt as to the
2 question here of whether Mr. Blakeney ever possessed that
3 gun in question. Ultimately, the State has the burden of
4 proof here to prove these sets of facts, hold them to it.

5 Now, let's talk about the gun a little bit more in
6 detail. As we have all heard, it is a rusty gun found
7 barrel down, according to Officer Schuessler, on the side
8 of a major highway covered by dead grass and leaves.
9 That's what you have here along with a shaky theory from
10 the government that this gun came from Mr. Blakeney who
11 tossed it out the passenger-side window.

12 I would submit to you that it is physically
13 impossible for a gun that has been tossed by a driver
14 across their console, out their passenger-side window to
15 skid across multiple lanes of a major highway, and then
16 land barrel down and be so thickly covered in dead grass
17 and leaves in less than a two-hour period. Physically
18 impossible for a gun to so perfectly land itself in that
19 position. Wouldn't you see loose dirt or other debris
20 surrounding the gun if it had just landed with such
21 force? Please take a look at the photo when you get back
22 in.

23 And further, why would anyone even be carrying the
24 rusty gun? Why would someone walk around with a rusted,
25 potentially not working gun?

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1 In closing, Mr. Blakeney is guilty of failure to
2 stop for blue lights, and is taking responsibility for
3 that. However, he's not guilty of these two gun charges,
4 and the State has not proven to you beyond a reasonable
5 doubt that he is. There is not just a real possibility,
6 but a very strong likelihood that the rusty gun was never
7 in Mr. Blakeney's possession. Additionally, the gun was
8 not found in some isolated area, but on a major highway
9 traveled day in and day out by thousands of other people.

10 I ask that you hold the State to their burden of
11 proof and demand a more thorough and complete
12 investigation from your local law enforcement. Demand
13 more of law enforcement. Demand documentation. Demand
14 compliance with policies and procedures that are there
15 for a reason. Demand evidence of more than just Officer
16 Schuessler's word. Demand from your local law
17 enforcement and demand of the government in this case.

18 I ask that you return a verdict of guilty to failure
19 to stop for blue lights and not guilty on both charges.
20 I know you will take your deliberations seriously, and I
21 thank you for your time. And I encourage each and every
22 one of you to have a voice in that room. Do not feel
23 pressured or rushed. Please take your time in reviewing
24 all of the evidence.

25 And I stated, I thank you, my co-counsel thanks you

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1 and Mr. Blakeney thanks you for your attention here today
2 to ensure that he gets a fair trial by his community
3 members.

4 THE COURT: Thank you so much. All right. Tell you
5 what, could somebody do me a favor and move that
6 microphone or I can go do it. Put that thing down on
7 the --- down --- thanks Ms. Currin. I appreciate it.
8 Just put it down on that podium. Like the whole thing,
9 pick it up and --- that whole --- no, just put it down.
10 Yeah. That's all. Thank you so much. It's like right
11 in my eye line. Okay.

12 All right. Ladies and gentlemen, during this trial
13 you and I have had certain duties to perform. As a trial
14 Judge, it's been my responsibility to preside over the
15 trial of this case. I've also had the duty to rule on
16 the admissibility of the evidence offered during this
17 trial.

18 You are to consider only the evidence before you.
19 If there was any testimony ordered stricken from the
20 record in this case during the trial, you must disregard
21 that testimony. You are to consider only the testimony
22 which has been presented from witness stand right there,
23 and any exhibits which have been made a part of the
24 record, and any stipulations of counsel.

25 I have the additional duty to charge you the law

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1 that applies to this case. As the presiding judge, I am
2 the sole judge of the law in this case and it's your duty
3 as jurors to accept and apply the law as I now state it
4 to you. If you think you already have an idea as to what
5 the law is, or what the law should be and it doesn't
6 agree with what I tell you the law is, you must abandon
7 that idea because you are sworn to accept and apply the
8 law exactly as I state it to you. I am reading this
9 portion and that is so that I give you the law
10 accurately.

11 In every case tried in this court before a jury, the
12 jury becomes the sole and exclusive judge of the facts in
13 a case. The trial judge cannot comment on or make any
14 statement to a jury about the facts in a case. Since you
15 the sole judges of the facts, do not think from anything
16 I have said during the progress of this trial or by my
17 rulings that I have any opinion about this case. I can
18 assure you I do not. This is a matter solely for you to
19 determine.

20 As jurors, it's your duty to determine the effect,
21 the value, the weight of the evidence presented during
22 this trial. When I use the word "defendant," I refer to
23 Mr. Thomas Carson Blakeney. The defendant here has been
24 accused in what we call indictments, a piece of paper on
25 which accusation against defendants are placed.

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1 Indictments are not evidence in the case. These
2 indictments in this case allege different offenses
3 against the defendant, and these charges are failure to
4 stop for a blue light, unlawful carrying of a handgun,
5 possession of a weapon by a person prohibited by law.
6 Each of these charges are separate and distinct offenses.
7 You must decide each charge separately on the evidence
8 and the law that applies to it uninfluenced by your
9 decision as to any other charge.

10 The defendant may be convicted or acquitted on any
11 other all of the offenses charged. You will be asked to
12 write a separate verdict of guilty or not guilty for each
13 indictment, and that will be on the verdict form you
14 hear --- you have here at the end of the case.

15 Now, to these indictments, the defendant has
16 rendered a plea of not guilty which then places upon the
17 State the burden of proving beyond a reasonable doubt
18 that the defendant is guilty. In this state and in this
19 country, a person who is accused of a criminal offense is
20 never required to come in and prove himself or herself
21 innocent. This principle of law is called the
22 presumption of innocence.

23 Each of you is required under our law and by your
24 oath to actively presume that the defendant is not
25 guilty. The presumption of innocence is maintained at

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1 all times throughout the trial of this case and is only
2 removed when and if the State brings in enough evidence
3 to persuade you beyond a reasonable doubt that the
4 defendant is guilty.

5 And what is reasonable doubt? A reasonable doubt is
6 a doubt which makes an honest, sincere, conscientious
7 person hesitate to act. Proof beyond a reasonable doubt
8 is proof that leaves you firmly convinced of the
9 defendant's guilt.

10 There are very few things in this world that we know
11 with absolute certainty and in criminal cases, the law
12 does not require prove that overcomes every possible
13 doubt. If based on your consideration of the evidence
14 you are firmly convinced that the defendant is guilty of
15 the crime charged, you must find him guilty. If on the
16 other hand you think there is a real possibility that he
17 is not guilty, you must give him the benefit of the doubt
18 and find him not guilty.

19 As the sole factfinders, you should have listened
20 closely to the evidence presented during the trial.
21 Weighing the evidence is entirely a mental process. You
22 must weigh it using your good judgment and your common
23 sense.

24 Now, ladies and gentlemen, cases can be presented or
25 evidence can be presented in one of two ways. Direct

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1 evidence or indirect which is also called circumstantial
2 evidence. Direct evidence is when someone comes in and
3 testifies to the commission of the crime that they
4 perceive through their own senses. For example, if the
5 witness saw someone commit a crime. Indirect evidence or
6 circumstantial evidence is when someone testifies as to
7 different events that occurred, and when you link them
8 all together they point to the commission of a crime.

9 One or both methods can be used to present a case.
10 Crimes may be proven by circumstantial evidence. The law
11 makes absolutely no distinction between the weight or
12 value to be given to direct or circumstantial evidence,
13 nor is a greater degree of certainty required of
14 circumstantial evidence than of direct evidence.

15 However, to the extent the State relies on
16 circumstantial evidence all of the circumstances must be
17 consistent with each other, and when taken together point
18 conclusively to the guilt of the accused beyond a
19 reasonable doubt.

20 If the circumstances merely portray the defendant's
21 behavior as suspicious, the proof has failed. The State
22 has a burden of proving the defendant guilty beyond a
23 reasonable doubt. This burden rests with the State
24 regardless of whether the State relies on direct
25 evidence, circumstantial evidence, or some combination of

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1 the two. The evidence you are to consider consists of
2 the testimony from the witnesses and the exhibits that
3 have been offered and received during the trial. Any
4 objections and rulings in the matter that may have been
5 excluded from the record are not to be considered by you
6 in any way. If it appears to you that I've commented ---
7 commented on the case during my rulings, you must
8 disregard that entirely.

9 Also, the remarks of these attorneys are not
10 evidence. Their statements and arguments are intended to
11 help you understand the evidence and apply the law, but
12 you should disregard any remark, statement, or argument,
13 which is not supported by the evidence or the law as
14 given to you by the Court.

15 So how do you decide the facts of a case? You do it
16 through the exercise of your good judgment and your
17 common sense, your sense of logic and reasoning and your
18 life experiences. Every day in your lives you judge
19 credibility. You make decisions every day with regard to
20 whether people are believable, persuasive, convincing, or
21 not. You do the same thing here as a jurors in deciding
22 believability. You may consider what was the manner and
23 appearance of the witness who testified. Was he
24 straightforward or hesitant in answering? Was the
25 testimony of a witness consistent or inconsistent? How

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1 did the witness come to know the facts he testified to?
2 Or what was his ability to know these facts? Is there
3 some reason a witness would want to give testimony which
4 would help or hurt one side or the other? In other
5 words, was the witness biassed to prejudice?

6 In determining the question of credibility or
7 believability of witnesses, you might believe one witness
8 against others or others against one. You may believe
9 part of the testimony of a witness and reject the
10 remaining part of the testimony of that same witness.
11 You might believe the testimony of a witnesses in its
12 entirety or reject the testimony of a witness in its
13 entirety. You are to consider all the evidence in the
14 case and determine what you believe to be the facts of
15 this dispute.

16 I instruct you and emphasize that the fact that the
17 defendant did not testify is not a factor to be
18 considered by you in any way in your deliberation and in
19 your consideration on the question of the guilt or
20 innocence of the defendant. It must not be considered by
21 you in any manner whatsoever. A defendant has the
22 constitutional right to remain silent and the assertion
23 of this right must not be considered by you in your
24 deliberations. I repeat: Under your oath, you are to
25 draw no conclusions whatsoever from the fact that the

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1 defendant in this case did not testify. The fact that
2 this defendant did not testify should not even be
3 discussed in the jury room. The burden of proof as I had
4 stated to you is on the State. The defendant is not
5 required to prove his innocence. The burden of proof
6 remains on the State to prove guilt beyond a reasonable
7 doubt.

8 Now, I have the additional duty to charge you the
9 law --- the specific laws that apply to those charges.
10 As the presiding judge, I am the sole judge of the law in
11 this case, and as I stated, it's your --- your duty as
12 jurors to accept and apply it as I now state it to you.

13 The defendant is charged with failing to stop for a
14 blue light. In order to prove this crime, the State must
15 prove beyond a reasonable doubt that the defendant was
16 driving a motor vehicle, that the defendant was driving
17 this motor vehicle on a road, street, or highway of this
18 state. That the defendant was signaled to stop by a law
19 enforcement vehicle by means of a siren or flashing
20 lights and that the defendant did not stop.

21 In determining whether or not there are mitigating
22 circumstances which would justify the defendant's failure
23 to stop for a blue light, you may consider road
24 conditions, roadside conditions, other conditions such as
25 lighting and weather, officer, driver, or passenger

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1 safety and any other circumstances you believe to be
2 reasonably mitigate the alleged violation.

3 An official signal requiring a motorist to stop may
4 be a siren or flashing lights, but both are not required.
5 And attempt to increase the speed of a vehicle or in some
6 other manner, avoid the pursuing law enforcement vehicle
7 when signaled by a siren or flashing light may also be
8 considered as evidence of failure to stop for a blue
9 light.

10 However, it is merely an evidentiary fact to be
11 taken into consideration by you along with all the other
12 evidence in the case and to be given the weight that you
13 think it should receive.

14 The defendant is charged with unlawful carrying of a
15 handgun. The State must prove beyond a reasonable doubt
16 that the defendant carried a handgun about his person
17 whether concealed or not. A weapon is about the
18 defendant's person if it is readily accessible and
19 convenient for immediate use. A handgun need not be
20 actually touching the person of the defendant.

21 The defendant is charged possession of a firearm or
22 ammunition by a person prohibited by law. In order to
23 prove the crime the State must prove beyond a reasonable
24 doubt that the defendant has been convicted of a prior
25 crime which prohibits him from possessing a firearm, and

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1 that the defendant was in possession of the firearm or
2 ammunition within the State.

3 The parties have stipulated that the defendant was
4 convicted of a crime other than the one for which the
5 defendant is now on trial. This evidence may be only
6 considered by you on the question of prior conviction and
7 for no other reason whatsoever and no other purpose. You
8 may give this evidence the weight and value, if any,
9 which you find it should have on the sole issue of prior
10 convictions. You must not consider evidence of the
11 commission of another offense as proof of the defendant's
12 guilt of the current charge we are trying today.

13 A firearm means any machine gun, automatic rifle,
14 revolver, pistol, or any weapon which will, is designed
15 to, or may readily be converted to excel a projectile.

16 To prove possession, the State must prove beyond a
17 reasonable doubt that the defendant had both the power
18 and intent to control the disposition or use of the gun
19 in question. Possession may be either actual or
20 constructive. Actual possession means the gun was in the
21 actual physical custody of the defendant. Constructive
22 possession means the defendant had dominion and control
23 over right --- dominion and control over either the gun
24 itself, or the property on which the gun was found.

25 Ladies and gentlemen, you are not partisans or

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1 advocates for the State of South Carolina. You do not
2 serve as jurors to reward friends or punish enemies. You
3 have been selected by both the State and this defendant
4 as fair and impartial jurors. It is your duty then to
5 determine the facts in this case giving to this defendant
6 the benefit of every reasonable doubt, then to the facts
7 which you determine you take and apply the law that has
8 been given to you by me and thus arrive as a verdict.
9 It's that simple.

10 When you've accomplished this and written your
11 verdict on each charge you will have satisfied your oath
12 as jurors, and you will be discharged from your duty to
13 the State, Mr. Blakeney, and to the Court.

14 Your verdict, ladies and gentlemen, on each charge
15 must be unanimous, meaning all 12 of you must agree.
16 Madam Foreperson, when the jury agrees on the verdict,
17 you will then indicate by checking the line next --- next
18 to each one, and signing your name as foreperson on the
19 bottom of the form. You will then knock on the jury room
20 door and inform the bailiff that you have reached a
21 verdict and we will receive you back in the courtroom
22 where the court or the clerk will then publish the
23 verdict.

24 I will now ask that you return to the jury room but
25 do not yet begin deliberating until you are told to do

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1 so. We will be collecting the evidence to send back
2 before you begin your deliberations.

3 (Jury exits courtroom)

4 THE COURT: Any exceptions or objections to the
5 charge as read by the Court from the State?

6 MR. HULSHULT: No, Your Honor.

7 THE COURT: Any from the defense?

8 MS. CURRIN: Your Honor, I would point out you read
9 the definition of a firearm for the possession of a
10 firearm, ammunition by a certain person unlawful, but you
11 did not read the definition of a handgun under unlawful
12 carrying of a handgun. And although they are similar,
13 there are some differences.

14 THE COURT: All right.

15 MS. CURRIN: My understanding was you were going to
16 read both, but I think we --- we had a miscommunication.

17 THE COURT: Maybe so, but I'll --- I'm happy --- do
18 you want to give that to me? I'm happy to bring them
19 back and we'll read that.

20 MS. CURRIN: Yes, Your Honor. Your Honor, may I
21 approach?

22 THE COURT: Yeah.

23 (Bench conference)

24 THE COURT: Got it. Bring them back in for me real
25 quick. I'm just going to recharge that, unlawful

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1 carrying, plus that's reasonable doubt.

2 MS. CURRIN: Thank you. And otherwise, I have no
3 objection.

4 MS. NORVELL: You're going to recharge the
5 reasonable doubt?

6 THE COURT: I have to by law every time I have to
7 recharge them again, otherwise an appealable issue, which
8 I don't think you want.

9 (Jury enters courtroom)

10 THE COURT: Y'all come in. I forgot to read you a
11 couple sentences, and I got to recharge something real
12 quick. Okay? It's my fault.

13 Okay. Ladies and gentlemen, thank you so much. I
14 left out one sentence on the unlawful carrying of a
15 handgun charge. So let me just go back and read that
16 back just that limited portion. Okay? All right.

17 The defendant is charged with unlawful carrying of a
18 handgun. The State must prove beyond a reasonable doubt
19 that the defendant carried a handgun about his person
20 whether concealed or not. A weapon is about the
21 defendant's person if it is readily accessible and
22 convenient for immediate use. A handgun need not be
23 actually touching the person of the defendant. "Handgun"
24 means any firearm designed to expel a projectile and
25 designed to be fired from the hand but shall not include

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1 any firearms generally recognized or classified as an
2 antique, curiosity, or collector's item, or any that does
3 not fire fixed cartridges.

4 I've got to recharge you on reasonable doubt, and we
5 talked about that. A reasonable doubt is a doubt which
6 makes an honest, sincere, conscientious person hesitate
7 to act. Proof beyond a reasonable doubt is proof that
8 leaves you firmly convinced of the defendant's guilt.
9 There are very few things in this world that we know with
10 absolute certainty. And in criminal cases the law does
11 not require proof that overcomes every possible doubt.

12 If based on your conversation of the evidence, you
13 are firmly convinced that the defendant is guilty of the
14 crime charged, you must find him guilty.

15 If on the other hand you think there is a real
16 possibility that he is not guilty, you must give him the
17 benefit of the doubt and find him not guilty.

18 Now, at this time, we will once again excuse you. I
19 do not believe I have any other additions to the charge
20 at this time. And we will momentarily bring back the
21 evidence. And after that, you can begin your
22 deliberations. Thank you so much.

23 Okay. Any other exceptions or objections at this
24 time from the charge?

25 MS. CURRIN: No, Your Honor.

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1 THE COURT: Okay. Any from the State?

2 MR. HULSHULT: No, Your Honor.

3 THE COURT: All right. Well, if y'all could just
4 double-check the exhibits for me that would be great and
5 we'll send them on back and let them get started.

6 (Off the record)

7 THE COURT: All right. So we received a note from
8 the jury which has been marked Court's Exhibit 2.

9 (Court's Exhibit 2 marked)

10 THE COURT: It actually contained six --- excuse me,
11 ten questions and is dated and signed by the foreman.
12 Just read these out loud.

13 Number one, did Officer Schuessler's K9 assist in
14 search for firearm?

15 Number two, was firearm registered? Did it have a
16 serial number identifiable?

17 Number three, can Officer Schuessler tell us how far
18 off the road the firearm was found?

19 Number four, is the defendant right-handed?

20 Number five, any other metal objects found on the
21 side of the road?

22 Number six, can we review Officer Schuessler's
23 incident report from arrest?

24 Number seven, last time the grass was cut in the
25 area the firearm was found.

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1 Number eight, how fast was defendant going at the
2 time of the spark?

3 Number nine, are there any additional pictures of
4 the firearm?

5 Number ten, does defendant own the vehicle?

6 Dated and signed by foreman, 6/10/2025. Typically
7 when I get questions such as these that are looking for
8 answers, I tell the jury that they have the evidence that
9 has been presented during the course of the trial and
10 they are to render a verdict based on the evidence as
11 received here in the courtroom during the course of the
12 trial. And that's basically all I tell them.

13 So any objection to me responding like I usually do
14 for these types of questions?

15 MS. NORVELL: Do you plan on responding in writing
16 or bringing them out?

17 THE COURT: I'm going to bring them.

18 MS. NORVELL: Okay.

19 MS. CURRIN: Have no objection to that.

20 THE COURT: Okay. All right. So you can bring them
21 in. I do think too, did they ask about a --- I know
22 we're trying to get a DVD player in there and Jace
23 (phonetic) just told me they have one. So while they're
24 bringing the jury in here, he's going to slide that in
25 the jury room just and leave it there for him to --- so

Proceedings

1 if they want to play that DVD, they can. Okay? You can
2 bring them now, thank you.

3 (Jury enters courtroom)

4 BAILIFF: All jurors present, Your Honor.

5 THE COURT: All right. Thank you all. Have a seat.
6 Ladies and gentlemen, we received your note with the ten
7 questions on it, and I --- I'm going to answer that at
8 this point time.

9 You are to consider only the evidence before you
10 which has been presented during the course of this trial.
11 You are to consider only the testimony which has been
12 presented from the witness stand, and any exhibits which
13 have been made a part of the record, and any stipulations
14 of counsel.

15 Thank you very much. You can retire back to your
16 jury room.

17 (Jury exits courtroom)

18 THE COURT: All right. Thanks. We'll be back at
19 ease.

20 MS. NORVELL: Is a clerk or a bailiff going to let
21 them know that the DVD player is operational for them to
22 use? Somebody --- some comment was made that can we
23 watch the video.

24 THE COURT: You heard somebody say that.

25 MS. NORVELL: Yes.

Proceedings

1 THE COURT: Oh, I didn't hear that.

2 MS. NORVELL: Yes.

3 THE COURT: Was it sort of like under their
4 breath ---

5 MS. NORVELL: Yes.

6 THE COURT: --- or something?

7 MS. NORVELL: Yes, Judge.

8 THE COURT: Okay. Yeah. I would --- yeah, I'll
9 make sure that I'll go tell the bailiff that if they
10 don't notice the big with screen with the DVD that just
11 rolled into the room that that's for their use.

12 MS. NORVELL: Fair enough.

13 THE COURT: Yeah, certainly. And I didn't hear
14 that. Sorry.

15 MS. NORVELL: Okay.

16 THE COURT: I'll certainly make sure that they know
17 that is for their use. Okay.

18 MS. NORVELL: Thank you.

19 THE COURT: Thank you all. Sorry about the quick
20 interruption.

21 (Off the record 12:06 p.m.)

22 (On the record 1:34 p.m.)

23 THE COURT: It's just a note. So it says: Your
24 Honor, we are deadlocked with about half of us in favor
25 of conviction. No one is willing to change their minds,

Proceedings

1 and we are unsure of how to proceed, Juror 12. So we'll
2 mark this as the next Court exhibit.

3 (Court's Exhibit 3 marked)

4 THE COURT: I'm happy to entertain thoughts or
5 suggestions from the attorneys. My initial thought,
6 typically when this happens, I give them the Allen charge
7 and then send them back. And I do need to, I think,
8 explain to them, or reiterate that these are all separate
9 charges and that it's not like all or nothing. You know,
10 that that's okay if they --- yeah, in other words, I need
11 to have an eloquent way of saying that it's --- you know,
12 you can come back with one, or two, or three verdicts.

13 MS. NORVELL: Yes. And the State would request the
14 Allen charge. Yeah, whatever. Okay. Ms. Currin, any
15 other suggestions or ---

16 MS. CURRIN: No, Your Honor. I just think the
17 clarity on they can have different verdicts for each
18 charge ---

19 THE COURT: Yes.

20 MS. CURRIN: --- I think are needed.

21 THE COURT: Okay.

22 MS. CURRIN: Thank you.

23 THE COURT: Okay. Okay. All right. You can bring
24 the jury back in. Thank you.

25 (Jury enters courtroom)

Proceedings

1 BAILIFF: All jurors present.

2 THE COURT: Okay. Thank you so much. Ladies and
3 gentlemen, we got your note. Everybody can be seated in
4 here as well. We received your note, ladies and
5 gentlemen. And we understand you're deadlocked on some
6 verdict or verdicts related to this trial. I instructed
7 you earlier, but I'll reiterate that each of these
8 charges are separate and distinct offenses. You must
9 decide each charge separately on the evidence and the law
10 that applies to it uninfluenced by your decision as to
11 any other charge. The defendant may be convicted or
12 acquitted on any or all of the offenses charged.

13 You will be asked to write a separate verdict of
14 guilty or not guilty for each charge, and obviously,
15 that's what the verdict form contemplates.

16 To answer your question in terms of not sure what to
17 do, I --- I would reiterate you can come back guilty or
18 not guilty on all three, if you need to leave one or
19 zero, or zero or one or two, or three, of them blank,
20 that would be we would --- we would interpret that as you
21 were unable to reach a verdict on count, you know,
22 whatever that you did not check a box on. We would
23 interpret that as could not reach a verdict on that
24 charge. But you could still fill out the remainder of
25 the form, for example. Okay? And then as to the

Proceedings

1 deadlocked note, I'm going to give you a separate charge
2 about that and then after that we'll let you go back and
3 see if you can deliberate any further. Okay? All right.

4 Ladies and gentlemen, you have stated that you have
5 been unable to agree on a verdict in this case. As I
6 instructed you earlier, the verdict of the jury must be
7 unanimous when a matter is in dispute, it isn't always
8 easy for even two people to agree, so when 12 people have
9 to agree, it becomes even more difficult. In most cases,
10 absolute certainty cannot be reached or exhibited.

11 However, you have a duty to make every reasonable
12 effort to reach a unanimous verdict. In doing this, you
13 should consult with one another, express your own views
14 and listen to the opinions of your fellow jurors. Tell
15 each other how you feel and why you feel that way.
16 Discuss your differences with open minds.

17 Although the verdict of the jury must be unanimous,
18 every one of you has the right to your own opinion. The
19 verdict you agree on must be your own verdict, the result
20 of your own convictions, and you should not give up your
21 firmly held belief merely to be in agreement with your
22 fellow jurors.

23 The majority should consider the minority's opinion
24 and the minority should consider the majority's opinion.
25 You should carefully consider and respect the opinion of

Proceedings

1 each other and reevaluate your position for
2 reasonableness, correctness, and impartiality. You must
3 lay aside all outside matter and re-examine the questions
4 before you based on the laws and the evidence in this
5 case.

6 If you do not agree on a verdict in this case, I
7 would declare a mistrial on that particular charge. And
8 it does not mean that anybody wins or loses, it just
9 means that at some future time, this case would be tried
10 on that particular charge or charges with some other jury
11 sitting where you now sit. The same participants would
12 come in and the same lawyers would ask basically the same
13 questions and gets basically the same answers, and we
14 would go through this entire process all over again. You
15 were selected in the same manner and from the same source
16 as any future jury will be and there's no reason for me
17 to think that the case would ever be submitted to 12 more
18 intelligent, impartial, conscientious, and competent
19 jurors than you or that more or clearer evidence would be
20 produced on one side or the other.

21 I therefore ask you to return to your deliberations
22 where, again, you have clarification on how you would
23 fill a form out as to each separate charge and then
24 they're all considered separately. Okay? All right.
25 Thank you very much.

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1 (Jury exits courtroom)

2 THE COURT: All right. Any exceptions or objections
3 from the State on how the Court handled that particular
4 issue?

5 MR. HULSHULT: No, Your Honor.

6 THE COURT: Okay. Any from the defense?

7 MS. CURRIN: No, Your Honor.

8 THE COURT: All right. Well, we'll be at ease
9 again.

10 MS. CURRIN: Thank you.

11 THE COURT: Thank you all.

12 (Off the record)

13 THE COURT: Bring the jury in. All right. Welcome
14 back, ladies and gentlemen. Everybody can be seated.
15 Madam Foreman, I've seen the jury reached whatever
16 verdict it's going to reach; is that right? Is it on the
17 piece of paper you have? Okay. Can you pass that to the
18 bailiff and he'll pass it to me.

19 All right. Defendant shall rise. Please receive
20 the jury verdict. The State of South Carolina,
21 Charleston County, the State verses Thomas Carson
22 Blakeney.

23 Number one, we the jury in the above captioned case
24 on the charge of failure to stop for a blue light
25 unanimously find Thomas Carson Blakeney guilty.

Proceedings

1 Number two and three, regarding the unlawful
2 carrying charge and the possession of a firearm or
3 ammunition by a person prohibited by law charge, both
4 left blank; is that because the jury was deadlocked on
5 those two charges, Madam Forelady?

6 JUROR: (Inaudible).

7 THE COURT: Okay. All right. Any other motions
8 from the State before the jury is released at this point
9 in time?

10 MR. HULSHULT: Not at this time, Your Honor.

11 THE COURT: All right. Any from the defense before
12 the jury is released?

13 MS. CURRIN: No, Your Honor.

14 THE COURT: All right. I will declare a mistrial on
15 those two charges. Ladies and gentlemen of the jury, I
16 appreciate your service this week. I make it a point
17 never to comment on a jury's verdict or lack of, but I
18 certainly do appreciate you all showing up, and we
19 appreciate you being here, and we appreciate your
20 attention and thought which you put into this case. You
21 are now free to go.

22 At this point in time, what's going to happen is
23 just I will sentence Mr. Blakeney on the charge you found
24 him guilty for. You're welcome to stick around if you
25 want to, but you're also free to leave. Your jury duty

Proceedings

1 is discharged. We do not need you to continue to call
2 the hotline at night. You're finished for the whole
3 week. Okay? Thank you so much. All right.

4 State has sentence sheet on the failure to stop for
5 a blue light charge. All right.

6 And y'all can free --- it's free to come and go as
7 you want.

8 MS. CURRIN: And, Your Honor, as I ---

9 THE COURT: You want a minute?

10 MS. CURRIN: --- yes, Your Honor.

11 THE COURT: Sure. Go for it.

12 MS. CURRIN: We'll just talk ---

13 (Simultaneous speaking)

14 THE COURT: Sure. You need to go out in the hall or
15 in this room? How long we going to talk?

16 MS. CURRIN: No more than five minutes. Just a
17 quick brief check-in.

18 THE COURT: Okay.

19 MS. CURRIN: We can talk in ---

20 THE COURT: A little unorthodox, but all right.

21 MS. CURRIN: Okay.

22 THE COURT: I guess we can do that. Okay.

23 MS. CURRIN: Your Honor ---

24 THE COURT: Be at ease for a few minutes, I guess.
25 Yes, ma'am.

Proceedings

1 MS. NORVELL: Probation is present.

2 THE COURT: Thanks. How are you?

3 UNIDENTIFIED SPEAKER: I'm doing well.

4 THE COURT: All right. We'll be at ease for a few
5 minutes.

6 (Off the record)

7 THE COURT: All right. Happy to hear from the State
8 as to Mr. Blakeney's sentencing.

9 MR. HULSHULT: Thank you, Your Honor. If I just may
10 start by reading Mr. Blakeney criminal record.

11 In 2003, he was convicted of resisting arrest and
12 possession of a stolen vehicle.

13 In 2004, conviction for assault and battery of a
14 high and aggravated nature. Possession with intent to
15 distribute crack and unlawful carry of a pistol for which
16 he received a five-year sentence.

17 2008, he was convicted of possession of meth or
18 cocaine base. In 2010, he was convicted of
19 manufacturing, or distribution, or possession with intent
20 to distribute cocaine base second. He received a
21 five-year sentence for that as well.

22 In 2016, he was convicted of possession of a
23 controlled substance.

24 2017, hit-and-run with property damage. In 2019,
25 the first of his three failure to stop for blue light

Proceedings

1 convictions, he received a one-year sentence on that.

2 And in 2023, in a global resolution to multiple
3 arrests, he was convicted of two counts of failure to
4 stop for blue lights, second offense unlawful carrying of
5 a pistol, possession with intent to distribute cocaine
6 second, resisting arrest, and two counts of assault and
7 battery second degree. The facts of one of those
8 failures to stop for blue lights was remarkably similar
9 to the facts in this case where he was blue-lighted by
10 law enforcement. The assault and battery stemmed from
11 him backing up his vehicle at a high rate of speed into a
12 deputy's cruiser, and then taking off at a high rate of
13 speed and dumping large amounts of white powder out of
14 his vehicle.

15 As a result of that global resolution on July 7th of
16 2023, Judge Price sentenced him to 12 years suspended to
17 four years of probation. Thomas Blakeney then picked up
18 these charges only seven months later. So ---

19 THE COURT: Okay. So he was on ---

20 MR. HULSHULT: He was on ---

21 THE COURT: --- probation.

22 MR. HULSHULT: --- he was on probation ---

23 THE COURT: --- at the time ---

24 MR. HULSHULT: --- when he picked up these charges.

25 THE COURT: This chase. Okay.

Proceedings

1 MR. HULSHULT: Due to an oversight as we were told
2 by probation, he was terminated from probation on
3 March 31st of this year. We have spoken with probation
4 and they've essentially told us that was an oversight and
5 poor supervision on their part. And she --- he should
6 have never been terminated from probation.

7 THE COURT: Okay.

8 MR. HULSHULT: So the State's under the impression
9 that --- well, I mean, well, we obviously cannot have a
10 probation revocation sentencing. We would hope that the
11 Court weighs that in their --- in its sentencing, given
12 that he has --- he essentially should still be in
13 probation with 12 years hanging over his head.
14 Additionally, the reason as it pertains to this case, the
15 reason why Sergeant Garrison knew who Thomas Blakeney was
16 was because Thomas Blakeney was under an active narcotics
17 investigation and Sergeant Garrison and a member of the
18 SWAT team and just days prior to this was set to execute
19 a search warrant on a house that Thomas Blakeney is known
20 to frequent. So that is how he knew who he was.

21 With that being said, given his severe criminal
22 record and that the only times that Mr. Blakeney seems to
23 not be re-arrested on new charges is when he's
24 incarcerated, the State believes that a --- a five-year
25 maximum active sentence is wholly appropriate in this

Proceedings

1 situation and would ask for that.

2 THE COURT: Okay. Thank you. All right. Ms.
3 Currin, happy to hear from you.

4 MS. CURRIN: Thank you. Taylor Currin on behalf of
5 Mr. Blakeney. Your Honor, I understand that the State
6 addressed the concerns that they had with probation's
7 decision. Ultimately at the end of the day, he's no
8 longer on probation, so we don't believe that it's
9 appropriate for the Court to be considering that prior
10 sentence.

11 Your Honor, Mr. Blakeney was willing to plea to the
12 failure to stop for blue lights. It was a gun charge and
13 the State was not willing to let up on that charge. And
14 so Mr. Blakeney continues to assert his innocence to that
15 charge ---

16 THE COURT: Uh-huh.

17 MS. CURRIN: --- and so essentially he --- he had to
18 have this trial and that's what he did.

19 Given the state and the condition of the gun, I
20 certainly understand Mr. Blakeney's assertion of this
21 trial right. But I did want to bring that Your Honor's
22 attention ---

23 THE COURT: Uh-huh.

24 MS. CURRIN: --- and of course ask that he not be
25 punished solely for exercising his constitutional right

Proceedings

1 to a jury trial.

2 THE COURT: Okay. Does he want to speak at all? Of
3 course he doesn't have to, but does he want to?

4 MR. BLAKENEY: Yes, ma'am.

5 THE COURT: You do? Happy to hear from you.

6 MR. BLAKENEY: I know I keep making the same
7 mistakes at the end of the day, and whatever you decide
8 to do, I --- I probably deserve it.

9 You know. I --- I also got kids and I don't think
10 they deserve not to have me. But the charge
11 (unintelligible) a suspend sentence like I was facing
12 that. I don't even want to drive anymore.

13 I just been --- I just been striking
14 (unintelligible) I got trauma. I --- I supposed to be
15 taking therapy. I got (unintelligible) case where I
16 supposed to be getting my eye removed. I just don't
17 think jail was the best place for me to get my treatment.

18 And, you know. It's part of what --- I can make a
19 mistake again. I ain't saying I perfect. But I would be
20 punished for and then (unintelligible) can happen to me.
21 (Unintelligible) a newborn baby (unintelligible). I have
22 even seen her yet. That's (unintelligible) she was
23 actually downstairs so I could see her for the first
24 time. Her mama came from (unintelligible) the state
25 (unintelligible). I understand I ain't perfect. I made

Proceedings

1 a mistake. I'm about to be 40. I got a lot of things
2 coming up (unintelligible). I sorry for bringing all
3 y'all up (unintelligible).

4 THE COURT: It's okay. Happy to be hear. All
5 right.

6 MS. CURRIN: May I just expand on a couple of things
7 that Mr. Blakeney shared? Just about Mr. Blakeney as he
8 stated, he's almost 40 years old. He's a lifelong
9 resident of the Charleston area. He lives in the
10 Charleston area with his mother and stepfather on James
11 Island. He also has several siblings that live here in
12 the area and as he was telling you, he has five children
13 ages 18, 16, 7, 5, and then his six-week old daughter.

14 THE COURT: Uh-huh.

15 MS. CURRIN: As he was telling you, he's very
16 concerned about being out in order to be able to support
17 that daughter as well as the mother of his child.

18 As far as education, he did not go past the 10th
19 grade, but he tells me that he does want to go back to
20 school. He is a part-time worker at a food truck and
21 tells me that he also is a part-owner in that food truck.

22 I know that at the beginning before we even started,
23 I alluded to some health issues, but I wanted to expand
24 on that. I know Mr. Blakeney touched on that as well.
25 He mentioned the injury so his eye. That was sustained

Proceedings

1 about a year ago. He tells me that it was a scratch that
2 resulted in essentially the rupture of his pupil.

3 THE COURT: Uh-huh.

4 MS. CURRIN: As can be imagined, extremely painful.
5 He tells me he uses eye drops to try and manage the pain.
6 But he does have upcoming doctor's appointments. He has
7 a doctor here in the Charleston area that he sees. And
8 he tell me that ultimately, he's going to be having that
9 eye removed.

10 And, Your Honor, as --- since the incident last
11 month with the assault, that also resulted in the
12 damaging of his glasses, so unfortunately, at this time
13 he has a prescription that is not right for him.

14 He has been taking his medications that I shared
15 with you at the beginning. One of those medications is
16 a --- it is a antipsychotic prescribed to treat bipolar
17 disorder, schizophrenia, and depression.

18 THE COURT: Uh-huh.

19 MS. CURRIN: He tells me that he was prescribed that
20 to help him with any paranoid thoughts. He tells me he
21 does suffer from paranoid thoughts but he's never had any
22 type of formal diagnosis.

23 THE COURT: Uh-huh.

24 MS. CURRIN: For the record, I'm not concerned with
25 any competency issues here. I never have been. However,

Proceedings

1 I did want to bring that to Your Honor's attention,
2 because he shared with me that a part of the failure to
3 stop for blue lights is he feels these feelings of
4 paranoia and he also has a fear of law enforcement.

5 THE COURT: Uh-huh.

6 MS. CURRIN: Given these things, Your Honor, and as
7 he mentioned, and as an advocate for my client, we would
8 be requesting that the Court consider a probationary
9 sentence for Mr. Blakeney given his medical issues, the
10 fact that he has doctors here in the area for that very
11 unique eye injury.

12 THE COURT: Uh-huh.

13 MS. CURRIN: And given the fact that he has multiple
14 children that he's very concerned about being able to
15 provide. And just for the record, he does have ten days
16 of credit.

17 THE COURT: Okay.

18 MS. CURRIN: Thank you.

19 THE COURT: All right.

20 MR. HULSHULT: Judge, if I may briefly reply to
21 that.

22 THE COURT: All right.

23 MR. HULSHULT: About the State's offer in this case.
24 The State always planned to recommend a five-year
25 sentence regardless of State --- was asking he plead to

Proceedings

1 every charge, but was always asking for a five-year
2 sentence.

3 And as for his new health injuries, those are
4 results from him traveling out of state on bond, which is
5 a direct violation of his bond. So it's evident that he
6 would not be able to comply with any type of supervision.

7 And the fact that he was --- he did these crimes
8 while on supervision is more evidence that he is just not
9 a good candidate for probation.

10 THE COURT: Okay.

11 MR. HULSHULT: Thank you.

12 THE COURT: All right. I don't know if it's
13 necessary that probation thought y'all --- if you want
14 to --- I don't know --- it's not a probation case to deal
15 with today; is that --- it's my understanding; is that
16 right?

17 UNIDENTIFIED SPEAKER: That's correct, Your Honor.

18 THE COURT: Okay. I don't know what that is about.
19 Okay. Okay. Well, anything else?

20 MS. CURRIN: No, Your Honor.

21 THE COURT: All right. Sentence is going to be five
22 years. That's the same sentence I would have given him
23 if he pled guilty. I never punish anybody for exercising
24 their right to a jury trial.

25 And this was a very aggravated failure to stop for a

Proceedings

1 blue light. Mr. Blakeney, you put a lot of people's life
2 in danger unnecessarily that night for reasons as yet
3 unbeknownst to the Court. But for whatever reason you
4 did. I --- obviously, I take into consideration your
5 record which is pretty abysmal when it comes to this kind
6 of thing. Of course you know, you'll get ten-days credit
7 for that.

8 I wish you look and I wish your family luck as well.
9 Obviously, I hate that you're not going to be there for
10 them, but that's is a direct result of the decisions you
11 made that night last year. So thank you very much. Good
12 luck to you.

13 Court is adjourned as to this case. We will resume
14 the other trial. Defendants and lawyers can swap seats.

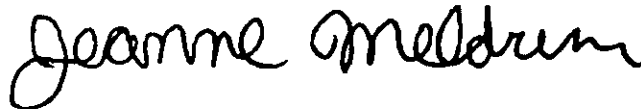
15 (PROCEEDINGS FOR 6-10-25 CONCLUDED AT 3:26 P.M.)
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25

CERTIFICATE OF TRANSCRIBER

I, JEANNE MELDRIM, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of CIRCUIT COURT 9 for CHARLESTON COUNTY, South Carolina, on the 9th and 10th Days of June, 2025.

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

October 17, 2025

A handwritten signature in black ink that reads "Jeanne Meldrim". The signature is written in a cursive, flowing style with a large initial 'J'.

Jeanne Meldrim

Transcriber

JAS/0410438
WITNESSES

North Charleston Police Department

Danika Parker / Danielle Cockrum

AGENCY CASE NUMBER

2024-003794

ARREST WARRANT NUMBER

2024A1010200889

DATE OF ARREST

02/10/2024

ACTION OF GRAND JURY

TRUE BILL

Laura Lloyd
Foreperson of Grand Jury

MAR 11 2025

Date:

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2025-GS-10-01378

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

MARCH TERM 2025

THE STATE

VS.

THOMAS CARSON BLAKENEY

B/M DOB: [REDACTED]

Indictment for

FAILURE TO STOP FOR A BLUE LIGHT

SC Code: § 56-05-0750(B)(2)

CDR Code: 2396

FILED

3/21/2025 12:32:52 PM

JULIE J. ARMSTRONG

CLERK OF COURT

STATE OF SOUTH CAROLINA

INDICTMENT

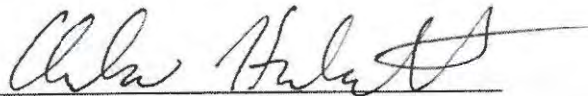
COUNTY OF CHARLESTON

At a Court of General Sessions, convened March 2025, the Grand Jurors of Charleston County present upon their oath:

Failure To Stop For A Blue Light

That in Charleston County, South Carolina, on or about February 10, 2024, the Defendant, Thomas Carson Blakeney, while driving a motor vehicle on a road, street, or highway of the State did, in the absence of mitigating circumstances, knowingly fail to stop after being signaled to do so by a law enforcement vehicle by means of flashing light and/or a siren, such being a second or subsequent offense, in violation of Section 56-5-750 of the South Carolina Code of Laws (1976) as amended.

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



ANDREW E. HULSHULT
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

STATE vs.

Thomas Carson BlakeneyAKA: Thomas Carson
Blankeney, Thomas BlakneyRACE: BSEX: M

SSN: [REDACTED]

DOB: [REDACTED]

) INDICTMENT/CASE#: 2025-GS-10-01378) AW#: 2024A1010200889) Date of Offense: 02/10/2024) S.C. Code§: 56-05-0750(B)(2)) CDR Code #: 2396) Range of Offense: Failure To Stop For A Blue Light (NMT 5 years)In disposition of the above indictment comes now the Defendant who was CONVICTED OF ☒ or ☐ PLEADSTO: Failure To Stop For A Blue LightRange of Offense Pled: (NMT 5 years)In violation of § 56-05-0750(B)(2) of the S.C. Code of Laws, bearing CDR Code # 2396☒ NON-VIOLENT☐ VIOLENT☐ SERIOUS☐ MOST SERIOUS☐ MANDATORY GPS☐ § 17-25-45(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☒ As indicted☐ Lesser Included Offense☐ Defendant Waives Presentment to Grand JuryThe plea is: ☐ w/o Rec/Negotiations ☐ Negotiated☐ Recommendation/s Andrew E. Hulshult 106937

Solicitor

SC Bar #

/s Taylor Hall Currin 104113

Attorney for Defendant

SC Bar #

The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Programfor a determinate term of 5 days/months/years/Time Served ☐ YOANTE years and/or shall pay a fineof \$; provided that upon the service of days/months/years/Time Served and or paymentof \$ plus costs and assessments as applicable*; balance is suspended with probation for months/years

and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

The sentence shall run ☐ CONCURRENT or ☐ CONSECUTIVE to sentence on: ☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC10days☐ To include time spent on monitored house arrest prior to trial and sentencing

SPECIAL CONDITIONS:

☐ PTUP☐ No Contact with Victim☐ Domestic Violence Intervention Program☐ Hold for Inpatient Treatment☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430☐ SAC/MHC if necessary☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135☐ Other: ☐ RESTITUTION See Separate Order (20% per S.C. Code §24-21-490(B))

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1) Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-1995 (DUI Assessment)

§56-1-286 (DUI Breath Test)

§14-1-212 (Law Enforcement Funding)

§14-1-213 (Drug Court Surcharge)

§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel. Proviso requires \$500 to be paid to Clerk during probation and shall be collected before any other fees☐ §17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund

Restitution

FINE:

\$100

\$100

\$12

\$25

\$25

\$150

\$41

\$50

\$40/ea

TBD

\$500

\$40

TOTAL

\$

\$

\$100.00

\$

\$

\$

\$25.00

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\$

\$

\$128.75

/s

Clerk of Court/Deputy Clerk

DCRP
Court Reporter2764
Judge Code6/10/2025
Sentence DateAMG
Presiding JudgeSCCA217B
01/27/2025

STATE OF SOUTH CAROLINA	)	IN THE COURT OF GENERAL SESSIONS
	)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	
	)	Indictment No.(s): 2025GS1001378 -80
	)	Warrant No.(s): 2024A1010200889-91
STATE OF SOUTH CAROLINA	)	
	)	
	)	VERDICT FORM
vs.	)	
	)	
THOMAS CARSON BLAKENEY,	)	
	)	
Defendant.	)	

1. We, the jury in the above-captioned case, on the charge of **FAILURE TO STOP FOR BLUE LIGHT**, unanimously find Thomas Carson Blakeney (foreperson shall check one):

_____ Not Guilty.

 J Guilty.

2. We, the jury in the above-captioned case, on the charge of **UNLAWFUL CARRYING OF A HANDGUN**, unanimously find Thomas Carson Blakeney (foreperson shall check one):

_____ Not Guilty.

_____ Guilty.

3. We, the jury in the above-captioned case, on the charge of **POSSESSION OF A FIREARM OR AMMUNITION BY A PERSON PROHIBITED BY LAW**, unanimously find Thomas Carson Blakeney (foreperson shall check one):

_____ Not Guilty.

_____ Guilty.

I certify that this is the unanimous decision of the jury.

 J Spell
Foreperson

June 10, 2025
Charleston, South Carolina

When you have completed your deliberations, please notify the bailiff.

Patient: **Thomas Blakeney**
 Medication: **gabapentin 300 mg capsule**
 Directions: Take 1 capsule (300 mg total) by mouth every 8 hours.

Provider: **Ryan Brad Fransman, MD**
 Rx #: [REDACTED]

Medication Monograph

Read this medicine information sheet carefully each time you get this medicine filled. You must carefully read the "Consumer Information Use and Disclaimer" below in order to understand and correctly use this information.

Gabapentin Capsules

Pronunciation (GA ba pen tin)

Brand Names: US Neurontin.

Product Dispensed: Gabapentin Oral Capsule 300 MG

What is this drug used for?

- It is used to treat painful nerve diseases.
- It is used to help control certain kinds of seizures.
- It may be given to you for other reasons. Talk with the doctor.

What do I need to tell my doctor BEFORE I take this drug?

- If you are allergic to this drug; any part of this drug; or any other drugs, foods, or substances. Tell your doctor about the allergy and what signs you had.
- If you have kidney disease or are on dialysis.

This is not a list of all drugs or health problems that interact with this drug.

Tell your doctor and pharmacist about all of your drugs (prescription or OTC, natural products, vitamins) and health problems. You must check to make sure that it is safe for you to take this drug with all of your drugs and health problems. Do not start, stop, or change the dose of any drug without checking with your doctor.

What are some things I need to know or do while I take this drug?

For all uses of this drug:

- Tell all of your health care providers that you take this drug. This includes your doctors, nurses, pharmacists, and dentists.
- Avoid driving and doing other tasks or actions that call for you to be alert until you see how this drug affects you.
- This drug may affect certain lab tests. Tell all of your health care providers and lab workers that you take this drug.
- Have your blood work and other lab tests checked as you have been told by your doctor.
- Talk with your doctor before you use alcohol, marijuana or other forms of cannabis, or prescription or OTC drugs that may slow your actions.
- This drug is not the same as gabapentin enacarbil (Horizant). Do not use in its place. Talk with the doctor.
- Do not stop taking this drug all of a sudden without calling your doctor. You may have a greater risk of side effects. If you need to stop this drug, you will want to slowly stop it as ordered by your doctor.
- Severe breathing problems have happened with this drug in people taking certain other drugs (like opioid pain drugs). This has also happened in people who already have lung or breathing problems. The risk may also be greater in people who are older than 65. Sometimes, breathing problems have been deadly. If you have questions, talk with the doctor.
- If you are 65 or older, use this drug with care. You could have more side effects.
- If the patient is 3 to 12 years of age, use this drug with care. The risk of mood or behavior problems may be higher in these children.
- Tell your doctor if you are pregnant, plan on getting pregnant, or are breast-feeding. You will need to talk about the benefits and risks to you and the baby.

For seizures:

- If seizures are different or worse after starting this drug, talk with the doctor.

What are some side effects that I need to call my doctor about right away?

WARNING/CAUTION: Even though it may be rare, some people may have very bad and sometimes deadly side effects when taking a drug. Tell your doctor or get medical help right away if you have any of the following signs or symptoms that may be related to a very bad side effect:

- Signs of an allergic reaction, like rash; hives; itching; red, swollen, blistered, or peeling skin with or without fever; wheezing; tightness in the chest or throat; trouble breathing, swallowing, or talking; unusual hoarseness; or swelling

Patient: **Thomas Blakeney**
 Medication: **gabapentin 300 mg capsule**
 Directions: Take 1 capsule (300 mg total) by mouth every 8 hours.

Provider: Ryan Brad Fransman, MD
 Rx #: [REDACTED]

Medication Monograph

of the mouth, face, lips, tongue, or throat.

- Trouble controlling body movements, twitching, change in balance, trouble swallowing or speaking.
- Memory problems or loss.
- Change in eyesight.
- Not able to control eye movements.
- Feeling confused, not able to focus, or change in behavior.
- Shakiness.
- Trouble breathing, slow breathing, or shallow breathing.
- Blue or gray color of the skin, lips, nail beds, fingers, or toes.
- Swelling in the arms or legs.
- Severe dizziness or passing out.
- Get medical help right away if you feel very sleepy, very dizzy, or if you pass out. Caregivers or others need to get medical help right away if the patient does not respond, does not answer or react like normal, or will not wake up.
- Like other drugs that may be used for seizures, this drug may rarely raise the risk of suicidal thoughts or actions. The risk may be higher in people who have had suicidal thoughts or actions in the past. Call the doctor right away about any new or worse signs like depression; feeling nervous, restless, or grouchy; panic attacks; or other changes in mood or behavior. Call the doctor right away if any suicidal thoughts or actions occur.
- Severe skin reactions may happen with this drug. Sometimes, body organs may also be affected. These reactions can be deadly. Get medical help right away if you have signs like red, swollen, blistered, or peeling skin; red or irritated eyes; sores in your mouth, throat, nose, eyes, genitals, or any areas of skin; fever, chills, or sore throat; body aches; shortness of breath; muscle pain or weakness; any unexplained bruising or bleeding; feeling very tired or weak; dark urine or yellow skin or eyes; trouble passing urine; or swollen glands.

What are some other side effects of this drug?

All drugs may cause side effects. However, many people have no side effects or only have minor side effects. Call your doctor or get medical help if any of these side effects or any other side effects bother you or do not go away:

- Feeling dizzy, sleepy, tired, or weak.
- Diarrhea, upset stomach, or throwing up.
- Dry mouth.

These are not all of the side effects that may occur. If you have questions about side effects, call your doctor. Call your doctor for medical advice about side effects.

You may report side effects to the FDA at 1-800-332-1088. You may also report side effects at <https://www.fda.gov/medwatch>.

How is this drug best taken?

Use this drug as ordered by your doctor. Read all information given to you. Follow all instructions closely.

- Keep taking this drug as you have been told by your doctor or other health care provider, even if you feel well.
- If you are taking an antacid that has aluminum or magnesium in it, take this drug at least 2 hours after taking the antacid.
- Take with or without food.
- Swallow whole with a full glass of water.

What do I do if I miss a dose?

- Take a missed dose as soon as you think about it.
- If it is close to the time for your next dose, skip the missed dose and go back to your normal time.
- Do not take 2 doses at the same time or extra doses.

How do I store and/or throw out this drug?

- Store at room temperature in a dry place. Do not store in a bathroom.
- Keep all drugs in a safe place. Keep all drugs out of the reach of children and pets.
- Throw away unused or expired drugs. Do not flush down a toilet or pour down a drain unless you are told to do so. Check with your pharmacist if you have questions about the best way to throw out drugs. There may be drug take-back programs in your area.

Patient: **Thomas Blakeney**
Medication: **gabapentin 300 mg capsule**
Directions: Take 1 capsule (300 mg total) by mouth
every 8 hours.

Provider: Ryan Brad Fransman, MD
Rx #: [REDACTED]

Medication Monograph

General drug facts

- If your symptoms or health problems do not get better or if they become worse, call your doctor.
- Do not share your drugs with others and do not take anyone else's drugs.
- This drug comes with an extra patient fact sheet called a Medication Guide. Read it with care. Read it again each time this drug is refilled. If you have any questions about this drug, please talk with the doctor, pharmacist, or other health care provider.
- If you think there has been an overdose, call your poison control center or get medical care right away. Be ready to tell or show what was taken, how much, and when it happened.

Consumer Information Use and Disclaimer

This generalized information is a limited summary of diagnosis, treatment, and/or medication information. It is not meant to be comprehensive and should be used as a tool to help the user understand and/or assess potential diagnostic and treatment options. It does NOT include all information about conditions, treatments, medications, side effects, or risks that may apply to a specific patient. It is not intended to be medical advice or a substitute for the medical advice, diagnosis, or treatment of a health care provider based on the health care provider's examination and assessment of a patient's specific and unique circumstances. Patients must speak with a health care provider for complete information about their health, medical questions, and treatment options, including any risks or benefits regarding use of medications. This information does not endorse any treatments or medications as safe, effective, or approved for treating a specific patient. UpToDate, Inc. and its affiliates disclaim any warranty or liability relating to this information or the use thereof. The use of this information is governed by the Terms of Use, available at <https://www.wolterskluwer.com/en/know/clinical-effectiveness-terms>.

Issue Date: 05/07/2025

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- pain from damaged nerves (postherpetic pain) that follows healing of shingles (a painful rash that comes after a herpes zoster infection) in adults.
- partial seizures when taken together with other medicines in adults and children 3 years of age and older with seizures.

It is not known if gabapentin is safe and effective to treat:

- children with pain from damaged nerves from a painful rash caused by the chicken pox virus.
- partial seizures in children under 3 years of age.

Do not take gabapentin if you:

- are allergic to gabapentin or any of the other ingredients in gabapentin. See the end of this Medication Guide for a complete list of ingredients in gabapentin.

Before taking gabapentin, tell your healthcare provider about all of your medical conditions including if you:

- have or have had kidney problems or are on hemodialysis.
- have or have had depression, mood problems, or suicidal thoughts or behavior.
- have a history of drug abuse.
- have diabetes.
- have breathing problems.
- are pregnant or plan to become pregnant. It is not known if gabapentin can harm your unborn baby. Tell your healthcare provider right away if you become pregnant while taking gabapentin. You and your healthcare provider will decide if you should take gabapentin while you are pregnant.
- **Pregnancy Registry:** If you become pregnant while taking gabapentin, talk to your healthcare provider about registering with the North American Antiepileptic Drug (NAAED) Pregnancy Registry. The purpose of this registry is to collect information about the safety of antiepileptic drugs during pregnancy. You can enroll in this registry by calling 1-888-233-2334 or visiting <http://www.aedpregnancyregistry.org/>.
- are breastfeeding or plan to breastfeed. Gabapentin can pass into breast milk. You and your healthcare provider should decide how you will feed your baby while you take gabapentin.

Tell your healthcare provider about all the medicines you take, including prescription and over-the-counter medicines, vitamins, and herbal supplements.

Especially tell your healthcare provider if you take:

- any opioid pain medicine such as morphine, hydrocodone, oxycodone, or buprenorphine.
- any medicines for anxiety (such as lorazepam) or insomnia (such as zolpidem), or any medicines that make you sleepy. You may have a higher chance for dizziness, sleepiness, or breathing problems if these medicines are taken with gabapentin.

Taking gabapentin with certain other medicines can cause side effects or affect how well they work. Do not start or stop other medicines without talking to your healthcare provider.

Know the medicines you take. Keep a list of them and show it to your healthcare provider and pharmacist when you get a new medicine.

How should I take gabapentin?

- Take gabapentin exactly as prescribed. Your healthcare provider will tell you how much gabapentin to take.
- **Do not** change your dose of gabapentin without talking to your healthcare provider.

- Gabapentin can be taken with or without food.
- Swallow gabapentin capsules whole with water.
- If you take an antacid containing aluminum and magnesium, such as Maalox, Mylanta, Gelusil, Gaviscon, or Di-Gel, you should wait at least 2 hours before taking your next dose of gabapentin.
- In case of overdose, get medical help or contact a live Poison Center expert right away at 1-800-222-1222. Advice is also available online at poisonhelp.org.

What should I avoid while taking gabapentin?

- Do not drink alcohol or take other medicines that make you sleepy or dizzy while taking gabapentin without first talking with your healthcare provider. Taking gabapentin with alcohol or drugs that cause sleepiness or dizziness may make your sleepiness or dizziness worse.
- Do not drive, operate heavy machinery, or do other dangerous activities until you know how gabapentin affects you. Gabapentin can slow your thinking and motor skills.

What are the possible side effects of gabapentin?

Gabapentin may cause serious side effects, including:

See **“What is the most important information I should know about gabapentin?”**

- problems driving while using gabapentin. See **“What should I avoid while taking gabapentin?”**
- sleepiness and dizziness, which could increase your chance of having an accidental injury, including falls.
- **The most common side effects of gabapentin include:**
 - lack of coordination
 - feeling tired
 - viral infection
 - fever
 - feeling drowsy
 - jerky movements
 - nausea and vomiting
 - difficulty with coordination
 - difficulty with speaking
 - double vision
 - tremor
 - unusual eye movement
 - swelling, usually of legs and feet

Tell your healthcare provider if you have any side effect that bothers you or that does not go away.

These are not all the possible side effects of gabapentin. For more information, ask your healthcare provider or pharmacist.

Call your doctor for medical advice about side effects. You may report side effects to FDA at 1-800-FDA-1088.

How should I store gabapentin?

- Store gabapentin Capsules between 20° to 25°C (68° to 77°F); [see USP Controlled Room Temperature].

Keep gabapentin and all medicines out of the reach of children.

General information about the safe and effective use of gabapentin.

Medicines are sometimes prescribed for purposes other than those listed in a Medication Guide. Do not use gabapentin for a condition for which it was not prescribed. Do not give gabapentin to other people, even if they have the same symptoms that you have. It may harm them.

You can ask your pharmacist or healthcare provider for information about gabapentin that is written for health professionals.

What are the ingredients in gabapentin?

Active ingredient: Gabapentin USP

Inactive ingredients in the capsules: anhydrous lactose, cornstarch, and talc. The 100-mg capsule shell also contains: gelatin, sodium lauryl sulfate, and titanium dioxide.

The 300-mg capsule shell also contains: gelatin, sodium lauryl sulfate, titanium dioxide, and yellow iron oxide.

The 400-mg capsule shell also contains: gelatin, sodium lauryl sulfate, red iron oxide, titanium dioxide, and yellow iron oxide. The imprinting ink contains shellac, dehydrated alcohol, isopropyl alcohol, butyl alcohol, propyl glycol, strong ammonia solution, and titanium dioxide.

Manufactured by:

Alkem Laboratories Ltd.,
Mumbai - 400 013, INDIA.

Distributed by:

Ascend Laboratories, LLC
Bedminster, NJ 07921

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For more information, call 1-877-272-7901.

This Medication Guide has been approved by the U.S. Food and Drug Administration.

Revised: January, 2025

- Stay out of the sun. Do not wear too much or heavy clothing.
 - Drink plenty of water.
- Do not drink alcohol while taking quetiapine. It may make some side effects of quetiapine worse.

What are possible side effects of quetiapine?

Quetiapine can cause serious side effects, including:

- See “What is the most important information I should know about quetiapine?”
- **stroke that can lead to death can happen in elderly people with dementia who take medicines like quetiapine**
- **neuroleptic malignant syndrome (NMS)**. NMS is a rare but very serious condition that can happen in people who take antipsychotic medicines, including quetiapine. NMS can cause death and must be treated in a hospital. Call your healthcare provider right away if you become severely ill and have some or all of these symptoms:
 - high fever
 - excessive sweating
 - rigid muscles
 - confusion
 - changes in your breathing, heartbeat, and blood pressure
 - **falls** can happen in some people who take quetiapine. These falls may cause serious injuries.
- **high blood sugar (hyperglycemia)**. High blood sugar can happen if you have diabetes already or if you have never had diabetes. High blood sugar could lead to:
 - build-up of acid in your blood due to ketones (ketoacidosis)
 - coma
 - death

Increases in blood sugar can happen in some people who take quetiapine. Extremely high blood sugar can lead to coma or death. If you have diabetes or risk factors for diabetes (such as being overweight or a family history of diabetes) your healthcare provider should check your blood sugar before you start quetiapine and during therapy. Call your healthcare provider if you have any of these symptoms of high blood sugar (hyperglycemia) while taking quetiapine:

- o feel very thirsty
- o need to urinate more than usual
- o feel very hungry
- o feel weak or tired
- o feel sick to your stomach
- o feel confused, or your breath smells fruity

- **high fat levels in your blood (increased cholesterol and triglycerides)**. High fat levels may happen in people treated with quetiapine. You may not have any symptoms, so your healthcare provider may decide to check your cholesterol and triglycerides during your treatment with quetiapine.
- **increase in weight (weight gain)**. Weight gain is common in people who take quetiapine so you and your healthcare provider should check your weight regularly. Talk to your healthcare provider about ways to control weight gain, such as eating a healthy, balanced diet, and exercising.

- high levels of total cholesterol, triglycerides or LDL-cholesterol, or low levels of HDL-cholesterol
- low or high blood pressure
- low white blood cell count
- cataracts
- seizures
- abnormal thyroid tests
- high prolactin levels
- heart problems
- liver problems
- any other medical condition
- pregnancy or plans to become pregnant. It is not known if quetiapine will harm your unborn baby.
- If you become pregnant while receiving quetiapine tablets, talk to your healthcare provider about registering with the National Pregnancy Registry for Atypical Antipsychotics. You can register by calling 1-866-961-2388 or go to <http://womensmentalhealth.org/clinical-and-research-programs/pregnancyregistry/>
- breast-feeding or plans to breast-feed. Quetiapine can pass into your breast milk. Talk to your healthcare provider about the best way to feed your baby if you receive quetiapine tablets.
- if you have or have had a condition where you cannot completely empty your bladder (urinary retention), have an enlarged prostate, or constipation, or increased pressure inside your eyes

Tell the healthcare provider about all the medicines that you take or recently have taken including prescription medicines, over-the-counter medicines, herbal supplements, and vitamins.

Quetiapine and other medicines may affect each other causing serious side effects. Quetiapine may affect the way other medicines work, and other medicines may affect how quetiapine works.

Tell your healthcare provider if you are having a urine drug screen because quetiapine may affect your test results. Tell those giving the test that you are taking quetiapine.

How should I take quetiapine?

- Take quetiapine exactly as your healthcare provider tells you to take it. Do not change the dose yourself.
- Take quetiapine by mouth, with or without food.
- **If you feel you need to stop quetiapine, talk with your healthcare provider first.** If you suddenly stop taking quetiapine, you may have side effects such as trouble sleeping or trouble staying asleep (insomnia), nausea, and vomiting.
- If you miss a dose of quetiapine, take it as soon as you remember. If you are close to your next dose, skip the missed dose. Just take the next dose at your regular time. Do not take 2 doses at the same time unless your healthcare provider tells you to. If you are not sure about your dosing, call your healthcare provider.

What should I avoid while taking quetiapine?

- Do not drive, operate machinery, or do other dangerous activities until you know how quetiapine affects you. Quetiapine may make you drowsy.
- Avoid getting overheated or dehydrated.
 - Do not over-exercise.
 - In hot weather, stay inside in a cool place if possible.

- **movements you cannot control in your face, tongue, or other body parts (tardive dyskinesia).** These may be signs of a serious condition. Tardive dyskinesia may not go away, even if you stop taking quetiapine. Tardive dyskinesia may also start after you stop taking quetiapine.
- **decreased blood pressure (orthostatic hypotension),** including lightheadedness or fainting caused by a sudden change in heart rate and blood pressure when rising too quickly from a sitting or lying position.
- **increases in blood pressure in children and teenagers.** Your healthcare provider should check blood pressure in children and adolescents before starting quetiapine and during therapy.
- **low white blood cell count.** Tell your healthcare provider as soon as possible if you have a fever, flu-like symptoms, or any other infection, as this could be a result of a very low white blood cell count. Your healthcare provider may check your white blood cell level to determine if further treatment or other action is needed.
- **cataracts**
- **seizures**
- **abnormal thyroid tests.** Your healthcare provider may do blood tests to check your thyroid hormone level.
- **increases in prolactin levels.**
- **sleepiness, drowsiness, feeling tired, difficulty thinking and doing normal activities**
- **increased body temperature**
- **difficulty swallowing**
- **trouble sleeping or trouble staying asleep (insomnia), nausea, or vomiting if you suddenly stop taking quetiapine.** These symptoms usually get better 1 week after you start having them.

The most common side effects of quetiapine include:

In Adults:

- drowsiness
- sudden drop in blood pressure upon standing
- weight gain
- sluggishness
- abnormal liver tests
- upset stomach
- dry mouth
- dizziness
- weakness
- abdominal pain
- constipation
- sore throat

In Children and Adolescents:

- drowsiness
- dizziness
- fatigue
- nausea
- dry mouth
- weight gain
- increased appetite
- vomiting
- rapid heart beat

These are not all the possible side effects of quetiapine. For more information, ask your healthcare provider or pharmacist.

Call your doctor for medical advice about side effects. You may report side effects to FDA at 1-800-FDA-1088.

How should I store quetiapine?

- Store quetiapine at room temperature, between 68°F to 77°F (20°C to 25°C).
- **Keep quetiapine and all medicines out of the reach of children.**

General information about the safe and effective use of quetiapine.

Medicines are sometimes prescribed for purposes other than those listed in a Medication Guide. Do not use quetiapine for a condition for which it was not prescribed. Do not give quetiapine to other people, even if they have the same symptoms you have. It may harm them.

This Medication Guide summarizes the most important information about quetiapine. If you would like more information, talk with your healthcare provider. You can ask your pharmacist or healthcare provider for information about quetiapine that is written for health professionals.

What are the ingredients in quetiapine? Active ingredient: quetiapine

Inactive ingredients: povidone, dibasic dicalcium phosphate dihydrate, microcrystalline cellulose, sodium starch glycolate, lactose monohydrate, magnesium stearate, hypromellose, polyethylene glycol and titanium dioxide. The 25 mg tablets contain red iron oxide and yellow iron oxide and the 100 mg, 150 mg and 400 mg tablets contain only yellow iron oxide.

This Medication Guide has been approved by the U.S. Food and Drug Administration.

Manufactured by:

Alkem Laboratories Ltd.,
Mumbai - 400 013, INDIA.

Distributed by:

Ascend Laboratories, LLC
Parsippany, NJ 07054

Revised: September, 2023

PT 1438-15

Patient:	Thomas Blakeney	Provider:	Ryan Brad Fransman, MD
Medication:	cyclobenzaprine 5 mg tablet	Rx #:	XXXXXXXXXX
Directions:	Take 1 tablet (5 mg total) by mouth 3 times every day for 10 days.		

Medication Monograph

Read this medicine information sheet carefully each time you get this medicine filled. You must carefully read the "Consumer Information Use and Disclaimer" below in order to understand and correctly use this information.

Cyclobenzaprine Tablets

Pronunciation (syə kloe BEN za preen)

Brand Names: US Flexeril.

Product Dispensed: Cyclobenzaprine HCl Oral Tablet 5 MG

What is this drug used for?

- It is used to relax muscles.

What do I need to tell my doctor BEFORE I take this drug?

- If you are allergic to this drug; any part of this drug; or any other drugs, foods, or substances. Tell your doctor about the allergy and what signs you had.
- If you have any of these health problems: Heart block or other heartbeat that is not normal, heart failure (weak heart), liver disease, or an overactive thyroid gland.
- If you have had a recent heart attack.
- If you have taken certain drugs for depression or Parkinson's disease in the last 14 days. This includes isocarboxazid, phenelzine, tranylcypromine, selegiline, or rasagiline. Very high blood pressure may happen.
- If you are taking any of these drugs: Linezolid or methylene blue.

This is not a list of all drugs or health problems that interact with this drug.

Tell your doctor and pharmacist about all of your drugs (prescription or OTC, natural products, vitamins) and health problems. You must check to make sure that it is safe for you to take this drug with all of your drugs and health problems. Do not start, stop, or change the dose of any drug without checking with your doctor.

What are some things I need to know or do while I take this drug?

- Tell all of your health care providers that you take this drug. This includes your doctors, nurses, pharmacists, and dentists.
- Avoid driving and doing other tasks or actions that call for you to be alert until you see how this drug affects you.
- Be careful in hot weather or while being active. Drink lots of fluids to stop fluid loss.
- Talk with your doctor before you use alcohol, marijuana or other forms of cannabis, or prescription or OTC drugs that may slow your actions.
- Do not take this drug for longer than you were told by your doctor.
- This drug is used with rest, PT (physical therapy), pain drugs, and other therapies.
- If you are 65 or older, use this drug with care. You could have more side effects.
- Tell your doctor if you are pregnant, plan on getting pregnant, or are breast-feeding. You will need to talk about the benefits and risks to you and the baby.

What are some side effects that I need to call my doctor about right away?

WARNING/CAUTION: Even though it may be rare, some people may have very bad and sometimes deadly side effects when taking a drug. Tell your doctor or get medical help right away if you have any of the following signs or symptoms that may be related to a very bad side effect:

- Signs of an allergic reaction, like rash; hives; itching; red, swollen, blistered, or peeling skin with or without fever; wheezing; tightness in the chest or throat; trouble breathing, swallowing, or talking; unusual hoarseness; or swelling of the mouth, face, lips, tongue, or throat.
- Fast or abnormal heartbeat.
- A severe and sometimes deadly problem called serotonin syndrome may happen if you take this drug with certain other drugs. Call your doctor right away if you have agitation; change in balance; confusion; hallucinations; fever; fast or abnormal heartbeat; flushing; muscle twitching or stiffness; seizures; shivering or shaking; sweating a lot; severe diarrhea, upset stomach, or throwing up; or severe headache.

What are some other side effects of this drug?

All drugs may cause side effects. However, many people have no side effects or only have minor side effects. Call your doctor or get medical help if any of these side effects or any other side effects bother you or do not

Patient:	Thomas Blakeney	Provider:	Ryan Brad Fransman, MD
Medication:	cyclobenzaprine 5 mg tablet	Rx #:	██████████
Directions:	Take 1 tablet (5 mg total) by mouth 3 times every day for 10 days.		

Medication Monograph

go away:

- Feeling dizzy, sleepy, tired, or weak.
- Dry mouth.
- Constipation.
- Upset stomach.

These are not all of the side effects that may occur. If you have questions about side effects, call your doctor. Call your doctor for medical advice about side effects.

You may report side effects to the FDA at 1-800-332-1088. You may also report side effects at <https://www.fda.gov/medwatch>.

How is this drug best taken?

Use this drug as ordered by your doctor. Read all information given to you. Follow all instructions closely.

- Take with or without food.

What do I do if I miss a dose?

- If you take this drug on a regular basis, take a missed dose as soon as you think about it.
- If it is close to the time for your next dose, skip the missed dose and go back to your normal time.
- Do not take 2 doses at the same time or extra doses.
- Many times this drug is taken on an as needed basis. Do not take more often than told by the doctor.

How do I store and/or throw out this drug?

- Store at room temperature in a dry place. Do not store in a bathroom.
- Keep all drugs in a safe place. Keep all drugs out of the reach of children and pets.
- Throw away unused or expired drugs. Do not flush down a toilet or pour down a drain unless you are told to do so. Check with your pharmacist if you have questions about the best way to throw out drugs. There may be drug take-back programs in your area.

General drug facts

- If your symptoms or health problems do not get better or if they become worse, call your doctor.
- Do not share your drugs with others and do not take anyone else's drugs.
- Some drugs may have another patient information leaflet. Check with your pharmacist. If you have any questions about this drug, please talk with your doctor, nurse, pharmacist, or other health care provider.
- If you think there has been an overdose, call your poison control center or get medical care right away. Be ready to tell or show what was taken, how much, and when it happened.

Consumer Information Use and Disclaimer

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Patient: **Thomas Blakeney** Provider: **Ryan Brad Fransman, MD**
 Medication: **QUetiapine fumarate 50 mg tablet** Rx #: XXXXXXXXXX
 Directions: Take 1 tablet (50 mg total) by mouth every night as needed.

Medication Monograph

Read this medicine information sheet carefully each time you get this medicine filled. You must carefully read the "Consumer Information Use and Disclaimer" below in order to understand and correctly use this information.

Quetiapine Tablets

Pronunciation (kwe TYE a peen)

Brand Names: US Seroquel.

Product Dispensed: QUetiapine Fumarate Oral Tablet 50 MG

- There is a higher chance of death in older adults who take this drug for mental problems caused by dementia. Most of the deaths were linked to heart disease or infection. This drug is not approved to treat mental problems caused by dementia.
- Drugs like this one have raised the chance of suicidal thoughts or actions in children and young adults. The risk may be greater in people who have had these thoughts or actions in the past. All people who take this drug need to be watched closely. Call the doctor right away if signs like depression, nervousness, restlessness, grouchiness, panic attacks, or changes in mood or actions are new or worse. Call the doctor right away if any thoughts or actions of suicide occur.
- This drug is not approved for use in children younger than 10 years of age. Talk with the doctor.

What is this drug used for?

- It is used to treat bipolar disorder.
- It is used to treat schizophrenia.
- It may be given to you for other reasons. Talk with the doctor.

What do I need to tell my doctor BEFORE I take this drug?

- If you are allergic to this drug; any part of this drug; or any other drugs, foods, or substances. Tell your doctor about the allergy and what signs you had.
- If you have any of these health problems: Low potassium or magnesium levels.
- If you have ever had a long QT on ECG or other heartbeat that is not normal.
- If you are taking any drugs that can cause a certain type of heartbeat that is not normal (prolonged QT interval). There are many drugs that can do this. Ask your doctor or pharmacist if you are not sure.

This is not a list of all drugs or health problems that interact with this drug.

Tell your doctor and pharmacist about all of your drugs (prescription or OTC, natural products, vitamins) and health problems. You must check to make sure that it is safe for you to take this drug with all of your drugs and health problems. Do not start, stop, or change the dose of any drug without checking with your doctor.

What are some things I need to know or do while I take this drug?

For all patients taking this drug:

- Tell all of your health care providers that you take this drug. This includes your doctors, nurses, pharmacists, and dentists.
- Avoid driving and doing other tasks or actions that call for you to be alert until you see how this drug affects you.
- To lower the chance of feeling dizzy or passing out, rise slowly if you have been sitting or lying down. Be careful going up and down stairs.
- Avoid drinking alcohol while taking this drug.
- Talk with your doctor before you use marijuana, other forms of cannabis, or prescription or OTC drugs that may slow your actions.
- Do not stop taking this drug all of a sudden without calling your doctor. You may have a greater risk of signs of withdrawal. If you need to stop this drug, you will want to slowly stop it as ordered by your doctor.

Patient:	Thomas Blakeney	Provider:	Ryan Brad Fransman, MD
Medication:	QUetiapine fumarate 50 mg tablet	Rx #:	53807857
Directions:	Take 1 tablet (50 mg total) by mouth every night as needed.		

Medication Monograph

- Have your blood work checked and eye exams as you have been told by your doctor.
- This drug may affect certain lab tests. Tell all of your health care providers and lab workers that you take this drug.
- High blood sugar or diabetes, high cholesterol, and weight gain have happened with drugs like this one. These may raise the chance of heart and brain blood vessel disease.
- Check your blood sugar as you have been told by your doctor.
- Cataracts may rarely happen.
- Dizziness, sleepiness, and feeling less stable may happen with this drug. These may lead to falling, which can cause broken bones or other health problems.
- Be careful in hot weather or while being active. Drink lots of fluids to stop fluid loss.
- It is common to have constipation with this drug. Sometimes, bowel block has happened. Rarely, bowel block has been deadly in people taking this drug with other drugs that slow movement through the GI (gastrointestinal) tract. If you have questions, talk with the doctor.
- If you are 65 or older, use this drug with care. You could have more side effects.
- Older adults with dementia taking drugs like this one have had a higher number of strokes. Sometimes these have been deadly. This drug is not approved to treat mental problems caused by dementia.
- This drug may affect being able to get pregnant. This effect goes back to normal when the drug is stopped. If you have questions, talk with the doctor.
- Tell your doctor if you are pregnant, plan on getting pregnant, or are breast-feeding. You will need to talk about the benefits and risks to you and the baby.
- Taking this drug in the third trimester of pregnancy may lead to side effects or withdrawal in the newborn.

Children:

- If the patient is a child, use this drug with care. The risk of some side effects may be higher in children.
- High blood pressure has happened in children and teenagers. Have your child's blood pressure checked as you have been told by your child's doctor.

What are some side effects that I need to call my doctor about right away?

WARNING/CAUTION: Even though it may be rare, some people may have very bad and sometimes deadly side effects when taking a drug. Tell your doctor or get medical help right away if you have any of the following signs or symptoms that may be related to a very bad side effect:

- Signs of an allergic reaction, like rash; hives; itching; red, swollen, blistered, or peeling skin with or without fever; wheezing; tightness in the chest or throat; trouble breathing, swallowing, or talking; unusual hoarseness; or swelling of the mouth, face, lips, tongue, or throat.
- Signs of low thyroid levels like constipation; not able to handle cold; memory problems; mood changes; or a burning, numbness, or tingling feeling that is not normal.
- Signs of high blood sugar like confusion, feeling sleepy, unusual thirst or hunger, passing urine more often, flushing, fast breathing, or breath that smells like fruit.
- Severe dizziness or passing out.
- Chest pain or pressure, a fast heartbeat, or an abnormal heartbeat.
- Trouble controlling body movements, twitching, change in balance, trouble swallowing or speaking.
- Shakiness, trouble moving around, or stiffness.
- Drooling.
- Seizures.
- Change in eyesight.
- Severe constipation or stomach pain. These may be signs of a severe bowel problem.
- Trouble passing urine.
- Flu-like signs.
- Enlarged breasts, nipple discharge, not able to get or keep an erection, or menstrual changes.
- Low white blood cell counts have happened with drugs like this one. This may lead to a higher chance of infection. Rarely, infections have been deadly. Tell your doctor if you have ever had a low white blood cell count. Call your doctor right away if you have signs of infection like fever, chills, or sore throat.
- A very bad and sometimes deadly health problem called neuroleptic malignant syndrome (NMS) may happen. Call your doctor right away if you have any fever, muscle cramps or stiffness, dizziness, very bad headache, confusion, change in thinking, fast heartbeat, heartbeat that does not feel normal, or are sweating a lot.

Patient: **Thomas Blakeney** Provider: **Ryan Brad Fransman, MD**
 Medication: **QUetiapine fumarate 50 mg tablet** Rx #: XXXXXXXXXX
 Directions: Take 1 tablet (50 mg total) by mouth every night as needed.

Medication Monograph

- Some people may get a severe muscle problem called tardive dyskinesia. This problem may lessen or go away after stopping this drug, but it may not go away. The risk is greater with diabetes and in older adults, especially older females. The risk is greater with longer use or higher doses, but it may also occur after short-term use with low doses. Call your doctor right away if you have trouble controlling body movements or problems with your tongue, face, mouth, or jaw like tongue sticking out, puffing cheeks, mouth puckering, or chewing.

What are some other side effects of this drug?

All drugs may cause side effects. However, many people have no side effects or only have minor side effects. Call your doctor or get medical help if any of these side effects or any other side effects bother you or do not go away:

- Feeling dizzy, sleepy, tired, or weak.
- Headache.
- Feeling nervous and excitable.
- Trouble sleeping.
- Constipation.
- Dry mouth.
- Increased appetite.
- Weight gain.
- Upset stomach or throwing up.
- Stomach pain.
- Back pain.
- Stuffy nose.

These are not all of the side effects that may occur. If you have questions about side effects, call your doctor. Call your doctor for medical advice about side effects.

You may report side effects to the FDA at 1-800-332-1088. You may also report side effects at <https://www.fda.gov/medwatch>.

How is this drug best taken?

Use this drug as ordered by your doctor. Read all information given to you. Follow all instructions closely.

- Take with or without food.
- Keep taking this drug as you have been told by your doctor or other health care provider, even if you feel well.
- Drink lots of noncaffeine liquids unless told to drink less liquid by your doctor.

What do I do if I miss a dose?

- Take a missed dose as soon as you think about it.
- If it is close to the time for your next dose, skip the missed dose and go back to your normal time.
- Do not take 2 doses at the same time or extra doses.
- If you are not sure what to do if you miss a dose, call your doctor.

How do I store and/or throw out this drug?

- Store at room temperature protected from light. Store in a dry place. Do not store in a bathroom.
- Keep all drugs in a safe place. Keep all drugs out of the reach of children and pets.
- Throw away unused or expired drugs. Do not flush down a toilet or pour down a drain unless you are told to do so. Check with your pharmacist if you have questions about the best way to throw out drugs. There may be drug take-back programs in your area.

General drug facts

- If your symptoms or health problems do not get better or if they become worse, call your doctor.
- Do not share your drugs with others and do not take anyone else's drugs.
- This drug comes with an extra patient fact sheet called a Medication Guide. Read it with care. Read it again each time this drug is refilled. If you have any questions about this drug, please talk with the doctor, pharmacist, or other health care provider.
- If you think there has been an overdose, call your poison control center or get medical care right away. Be ready to tell or show what was taken, how much, and when it happened.

Consumer Information Use and Disclaimer

Patient:	Thomas Blakeney	Provider:	Ryan Brad Fransman, MD
Medication:	QUetiapine fumarate 50 mg tablet	Rx #:	
Directions:	Take 1 tablet (50 mg total) by mouth every night as needed.		

Medication Monograph

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MEDICATION GUIDE

Gabapentin Capsules USP

(GA ba PEN tin)

What is the most important information I should know about gabapentin?**Do not stop taking gabapentin without first talking to your healthcare provider.**

Stopping gabapentin suddenly can cause serious problems.

Gabapentin can cause serious side effects including:**1. Suicidal Thoughts. Like other antiepileptic drugs, gabapentin may cause suicidal thoughts or actions in a very small number of people, about 1 in 500.****Call a healthcare provider right away if you have any of these symptoms, especially if they are new, worse, or worry you:**

- thoughts about suicide or dying
- attempts to commit suicide
- new or worse depression
- new or worse anxiety
- feeling agitated or restless
- panic attacks
- trouble sleeping (insomnia)
- new or worse irritability
- acting aggressive, being angry, or violent
- acting on dangerous impulses
- an extreme increase in activity and talking (mania)
- other unusual changes in behavior or mood

How can I watch for early symptoms of suicidal thoughts and actions?

- Pay attention to any changes, especially sudden changes, in mood, behaviors, thoughts, or feelings.
- Keep all follow-up visits with your healthcare provider as scheduled.

Call your healthcare provider between visits as needed, especially if you are worried about symptoms.

Do not stop taking gabapentin without first talking to a healthcare provider.

- Stopping gabapentin suddenly can cause serious problems. Stopping a seizure medicine suddenly in a person who has epilepsy can cause seizures that will not stop (status epilepticus).
- Suicidal thoughts or actions can be caused by things other than medicines. If you have suicidal thoughts or actions, your healthcare provider may check for other causes.

2. Changes in behavior and thinking. Using gabapentin in children 3 to 12 years of age can cause emotional changes, aggressive behavior, problems with concentration, changes in school performance, restlessness, and hyperactivity.

3. Gabapentin may cause serious or life-threatening allergic reactions that may affect your skin or other parts of your body such as your liver or blood cells. This may cause you to be hospitalized or to stop gabapentin. You may or may not have a rash with an allergic reaction caused by gabapentin. Call a healthcare provider right away if you have any of the following symptoms:

- skin rash
- hives
- difficulty breathing
- fever
- swollen glands that do not go away
- swelling of your face, lips, throat, or tongue
- yellowing of your skin or of the whites of the eyes
- unusual bruising or bleeding
- severe fatigue or weakness
- unexpected muscle pain
- frequent infections

These symptoms may be the first signs of a serious reaction. A healthcare provider should examine you to decide if you should continue taking gabapentin.

4. Serious breathing problems. Serious breathing problems can happen when gabapentin is taken with other medicines (such as opioid pain medicines) that can cause severe sleepiness or decreased awareness, or when it is taken by someone who already has breathing problems. Call your healthcare provider or get medical help right away if you have any of the following symptoms:

• feel short of breath	• feel very tired	• dizziness
• breathing slower than normal	• confusion	• headache

Be sure that your caregiver or family members know which symptoms may be serious so they can call your healthcare provider or get medical help if you are unable to seek treatment on your own.

Your healthcare provider may lower your dose or stop your treatment with gabapentin if you have serious breathing problems.

What is gabapentin?

Gabapentin is a prescription medicine used to treat:

- feeling very agitated or restless
- panic attacks
- trouble sleeping (insomnia)
- new or worse irritability
- acting aggressive, being angry, or violent
- acting on dangerous impulses
- an extreme increase in activity and talking (mania)
- other unusual changes in behavior or mood

What else do I need to know about antidepressant medicines?

- **Never stop an antidepressant medicine without first talking to your healthcare provider.** Stopping an antidepressant medicine suddenly can cause other symptoms.
- **Antidepressants are medicines used to treat depression and other illnesses.** It is important to discuss all the risks of treating depression, and also the risks of not treating it. Patients and their families or other caregivers should discuss all treatment choices with the healthcare provider, not just the use of antidepressants.
- **Antidepressant medicines have other side effects.** Talk to the healthcare provider about the side effects of the medicine prescribed for you or your family member.
- **Antidepressant medicines can interact with other medicines.** Know all of the medicines that you or your family member take. Keep a list of all medicines to show the healthcare provider. Do not start new medicines without first checking with your healthcare provider.
- **Not all antidepressant medicines prescribed for children are FDA approved for use in children.** Talk to your child's healthcare provider for more information.

What is quetiapine?

Quetiapine is a prescription medicine used to treat:

- schizophrenia in people 13 years of age or older
- bipolar disorder in adults, including:
 - depressive episodes associated with bipolar disorder
 - manic episodes associated with bipolar I disorder alone or with lithium or divalproex
 - long-term treatment of bipolar I disorder with lithium or divalproex
- manic episodes associated with bipolar I disorder in children ages 10 to 17 years old.

It is not known if quetiapine is safe and effective in children under 10 years of age.

What should I tell my healthcare provider before taking quetiapine?

Before you take quetiapine, tell your healthcare provider if you have or have had:

- diabetes or high blood sugar in you or your family. Your healthcare provider should check your blood sugar before you start quetiapine, and also during therapy

MEDICATION GUIDE

Quetiapine Tablets, USP

(kwe-TYE-a-peen)

Read this Medication Guide before you start taking quetiapine tablets and each time you get a refill. There may be new information. This information does not take the place of talking to your healthcare provider about your medical condition or your treatment.

What is the most important information I should know about quetiapine?

Quetiapine may cause serious side effects, including:

1. risk of death in the elderly with dementia. Medicines like quetiapine can increase the risk of death in elderly people who have memory loss (dementia). Quetiapine is not for treating psychosis in the elderly with dementia.

2. risk of suicidal thoughts or actions (antidepressant medicines, depression and other serious mental illnesses, and suicidal thoughts or actions).

- **Talk to your or your family member's healthcare provider about:**

- o all risks and benefits of treatment with antidepressant medicines.
- o all treatment choices for depression or other serious mental illness

- **Antidepressant medications may increase suicidal thoughts or actions in some children, teenagers, and young adults within the first few months of treatment.**
- **Depression and other serious mental illnesses are the most important causes of suicidal thoughts and actions. Some people may have a particularly high risk of having suicidal thoughts or actions.** These include people who have (or have a family history of) depression, bipolar illness (also called manic-depressive illness), or suicidal thoughts or actions.
- **How can I watch for and try to prevent suicidal thoughts and actions in myself or a family member?**

- o Pay close attention to any changes, especially sudden changes, in mood, behaviors, thoughts, or feelings. This is very important when an antidepressant medicine is started or when the dose is changed.

- o Call the healthcare provider right away to report new or sudden changes in mood, behavior, thoughts, or feelings.

- o Keep all follow-up visits with the healthcare provider as scheduled. Call the healthcare provider between visits as needed, especially if you have concerns about symptoms.

Call a healthcare provider right away if you or your family member has any of the following symptoms, especially if they are new, worse, or worry you:

- thoughts about suicide or dying
- attempts to commit suicide
- new or worse depression
- new or worse anxiety

Patient: **Thomas Blakeney**
 Medication: **AmLODIPine 10 mg tablet**
 Directions: Take 1 tablet (10 mg total) by mouth every day.

Provider: **Ryan Brad Fransman, MD**
 Rx #: XXXXXXXXXX

Medication Monograph

Read this medicine information sheet carefully each time you get this medicine filled. You must carefully read the "Consumer Information Use and Disclaimer" below in order to understand and correctly use this information.

Amlodipine Tablets

Pronunciation (am LOE di peen)

Brand Names: US Norvasc.

Product Dispensed: amLODIPine Besylate Oral Tablet 10 MG

What is this drug used for?

- It is used to treat high blood pressure.
- It is used to treat some types of chest pain (angina).
- It is used in some people to lower the chance of having to go to the hospital for chest pain (angina) and needing certain heart procedures.
- It may be given to you for other reasons. Talk with the doctor.

What do I need to tell my doctor BEFORE I take this drug?

- If you are allergic to this drug; any part of this drug; or any other drugs, foods, or substances. Tell your doctor about the allergy and what signs you had.

This drug may interact with other drugs or health problems.

Tell your doctor and pharmacist about all of your drugs (prescription or OTC, natural products, vitamins) and health problems. You must check to make sure that it is safe for you to take this drug with all of your drugs and health problems. Do not start, stop, or change the dose of any drug without checking with your doctor.

What are some things I need to know or do while I take this drug?

For all uses of this drug:

- Tell all of your health care providers that you take this drug. This includes your doctors, nurses, pharmacists, and dentists.
- Avoid driving and doing other tasks or actions that call for you to be alert until you see how this drug affects you.
- To lower the chance of feeling dizzy or passing out, rise slowly if you have been sitting or lying down. Be careful going up and down stairs.
- Check your blood pressure as you have been told.
- It is rare, but chest pain that is new or worse can happen after this drug is first started or after the dose is raised. Heart attack can also happen. The risk may be greater in people who have very bad heart blood vessel disease. Talk with the doctor.
- If you are taking this drug and have high blood pressure, talk with your doctor before using OTC products that may raise blood pressure. These include cough or cold drugs, diet pills, stimulants, non-steroidal anti-inflammatory drugs (NSAIDs) like ibuprofen or naproxen, and some natural products or aids.
- Talk with your doctor before you drink alcohol.
- Liver problems have happened with this drug. Sometimes, liver problems have needed to be treated in the hospital. Talk with the doctor.
- If you are 65 or older, use this drug with care. You could have more side effects.
- Tell your doctor if you are pregnant, plan on getting pregnant, or are breast-feeding. You will need to talk about the benefits and risks to you and the baby.

For chest pain:

- Do not use this drug to treat sudden chest pain. It will not help. Talk with your doctor.

What are some side effects that I need to call my doctor about right away?

WARNING/CAUTION: Even though it may be rare, some people may have very bad and sometimes deadly side effects when taking a drug. Tell your doctor or get medical help right away if you have any of the following signs or symptoms that may be related to a very bad side effect:

- Signs of an allergic reaction, like rash; hives; itching; red, swollen, blistered, or peeling skin with or without fever; wheezing; tightness in the chest or throat; trouble breathing, swallowing, or talking; unusual hoarseness; or swelling

Patient: **Thomas Blakeney** Provider: **Ryan Brad Fransman, MD**
Medication: **AmLODIPine 10 mg tablet** Rx #: XXXXXXXXXX
Directions: Take 1 tablet (10 mg total) by mouth every day.

Medication Monograph

of the mouth, face, lips, tongue, or throat.

- Signs of liver problems like dark urine, tiredness, decreased appetite, upset stomach or stomach pain, light-colored stools, throwing up, or yellow skin or eyes.
- Very bad dizziness or passing out.
- Chest pain that is new or worse.
- Fast or abnormal heartbeat.
- Swelling.
- Stiff muscles, shakiness, or muscle movements that are not normal.

What are some other side effects of this drug?

All drugs may cause side effects. However, many people have no side effects or only have minor side effects. Call your doctor or get medical help if any of these side effects or any other side effects bother you or do not go away:

- Feeling dizzy, sleepy, tired, or weak.
- Flushing.
- Upset stomach.
- Stomach pain.

These are not all of the side effects that may occur. If you have questions about side effects, call your doctor. Call your doctor for medical advice about side effects.

You may report side effects to the FDA at 1-800-332-1088. You may also report side effects at <https://www.fda.gov/medwatch>.

How is this drug best taken?

Use this drug as ordered by your doctor. Read all information given to you. Follow all instructions closely.

- Take this drug at the same time of day.
- Take with or without food.
- Keep taking this drug as you have been told by your doctor or other health care provider, even if you feel well.

What do I do if I miss a dose?

- Take a missed dose as soon as you think about it.
- If it has been 12 hours or more since the missed dose, skip the missed dose and go back to your normal time.
- Do not take 2 doses at the same time or extra doses.

How do I store and/or throw out this drug?

- Store at room temperature protected from light. Store in a dry place. Do not store in a bathroom.
- Protect from heat and light.
- Keep all drugs in a safe place. Keep all drugs out of the reach of children and pets.
- Throw away unused or expired drugs. Do not flush down a toilet or pour down a drain unless you are told to do so. Check with your pharmacist if you have questions about the best way to throw out drugs. There may be drug take-back programs in your area.

General drug facts

- If your symptoms or health problems do not get better or if they become worse, call your doctor.
- Do not share your drugs with others and do not take anyone else's drugs.
- Some drugs may have another patient information leaflet. Check with your pharmacist. If you have any questions about this drug, please talk with your doctor, nurse, pharmacist, or other health care provider.
- If you think there has been an overdose, call your poison control center or get medical care right away. Be ready to tell or show what was taken, how much, and when it happened.

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Patient:	Thomas Blakeney	Provider:	Ryan Brad Fransman, MD
Medication:	AmLODIPine 10 mg tablet	Rx #:	
Directions:	Take 1 tablet (10 mg total) by mouth every day.		

Medication Monograph

care provider's examination and assessment of a patient's specific and unique circumstances. Patients must speak with a health care provider for complete information about their health, medical questions, and treatment options, including any risks or benefits regarding use of medications. This information does not endorse any treatments or medications as safe, effective, or approved for treating a specific patient. UpToDate, Inc. and its affiliates disclaim any warranty or liability relating to this information or the use thereof. The use of this information is governed by the Terms of Use, available at <https://www.wolterskluwer.com/en/know/clinical-effectiveness-terms>.

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GRADY HEALTH SYSTEM

Thomas Blakeney MRN: [REDACTED] Trauma 5/4/2025 - 5/12/2025 GHS 6A 404-616-4635

Instructions

**Your medications have changed****START taking:**

acetaminophen (TYLENOL)

AmLODIPine (NORVASC)

cyclobenzaprine (FLEXERIL)

gabapentin (NEURONTIN)

melatonin

polyethylene glycol (MIRALAX)

QUetiapine fumarate (SEROQUEL)

sennosides (SENNAGEN)

Review your updated medication list below.

Why you were hospitalized

Your primary diagnosis was: Trauma

Your diagnoses also included: Skull Fracture, Subdural Hematoma, Agitation, Acute Pain Due to Trauma, Increased Lactic Acid Level, Unsp Occipital Condyle Fracture, Init for Clos Fx, Alcohol Withdrawal Syndrome With Complication, Assault By Blunt Object

You are allergic to the following

No active allergies

Your Latest Vitals

Blood Pressure
132/88BMI
32.44Weight
207 lb
1.6 ozHeight
5' 7"Temperature
(Oral)
98.4 °FPulse
62Respiration
18Oxygen Saturation
99%

Your Next Steps

**Do**☐ Pick up these medications from GHS PRATT STREET PHARMACY (FORMERLY SENIOR CARE)

- AmLODIPine
- cyclobenzaprine
- gabapentin
- QUetiapine fumarate

☐ Pick up these medications from any pharmacy

- acetaminophen
- melatonin
- polyethylene glycol
- sennosides

**Go**JUL
8**SPINE FU 11:15 AM**

David Adam Gimbel

Stroke & Neuroscience Center

80 Jesse Hill Jr. Drive SE

8th Floor, C Hallway

ATLANTA GA 30303

404-616-1000

Arrive at: Stroke & Neuroscience Center- 8th Floor, C Hallway

Plan to arrive 15 minutes before your appointment so we can see you on time. Patients who arrive late may be rescheduled.

Please bring the following items with you:

- All medication bottles
- Picture ID
- Current insurance card
- Payment/copayment for service (cash, check or credit card)

Your Latest Vitals (continued)

BSA
2.11 m²**Other instructions**

Ambulatory referral to Rehab

Please enter the ACTUAL date of onset of the referring diagnosis which cannot be today's date.: 5/4/2025

Weight Bearing Status: Weight bearing as tolerated

Routine

External Unknown Provider

Grady Health System

80 Jesse Hill Jr Dr, SE

ATLANTA GA 30318

Ambulatory Referral to Neurosurgery

Complete by: Aug 07, 2025 (Approximate)

Routine

Stroke & Neuroscience Center

404-616-1000

80 Jesse Hill Jr. Drive SE

8th Floor, C Hallway

ATLANTA GA 30303

XR CERVICAL SPINE AP AND LATERAL

Complete by: Aug 07, 2025 (Approximate)

Clinical Indication: Pain Following Trauma

DO YOU CLEAR THIS PATIENT TO SIT/STAND UPRIGHT: Yes Comment - out of collar

What's Next

Follow up with Stroke & Neuroscience Center80 Jesse Hill Jr. Drive SE
8th Floor, C Hallway
ATLANTA GA 30303
404-616-1000

MyChart Sign-Up

Send messages to your doctor, view your test results, renew your prescriptions, schedule appointments, and more.

Go to <https://mychart.gradyhealth.org/MyChart/>, click "Sign Up Now", and enter your personal activation code: CD9JH-2VB9J. Activation code expires 6/9/2025.

Medication List

	Morning	Around Noon	Evening	Bedtime	As Needed
 START acetaminophen 500 MG tablet Commonly known as: TYLENOL Take 2 tablets (1,000 mg total) by mouth every 6 hours. For diagnoses: Trauma Last time this was given: 1,000 mg on May 12, 2025 5:49 AM	Take 2 tablets (1,000 mg total) by mouth every 6 hours.				
 START AmLODIPine 10 mg tablet Commonly known as: NORVASC Take 1 tablet (10 mg total) by mouth every day. For diagnoses: Trauma Last time this was given: 10 mg on May 11, 2025 9:46 AM	 1 tablet				
 START cyclobenzaprine 5 mg tablet Commonly known as: FLEXERIL Take 1 tablet (5 mg total) by mouth 3 times every day for 10 days. For diagnoses: Trauma Last time this was given: 5 mg on May 12, 2025 5:49 AM	 1 tablet	 1 tablet		 1 tablet	
 START gabapentin 300 mg capsule Commonly known as: NEURONTIN Take 1 capsule (300 mg total) by mouth every 8 hours. For diagnoses: Trauma Last time this was given: 300 mg on May 12, 2025 5:49 AM	Take 1 capsule (300 mg total) by mouth every 8 hours.				
 START melatonin 3 mg Tabs tablet Take 1 tablet (3 mg total) by mouth every night. For diagnoses: Trauma Last time this was given: 3 mg on May 11, 2025 9:08 PM				 1 tablet	
 START polyethylene glycol 17 GM/SCOOP powder Commonly known as: MIRALAX Take 17 g by mouth every day. For diagnoses: Trauma Last time this was given: Ask your nurse or doctor	 17 g				
 START QUetiapine fumarate 50 mg tablet Commonly known as: SEROQUEL Take 1 tablet (50 mg total) by mouth every night as needed. For diagnoses: Trauma Last time this was given: 50 mg on May 11, 2025 9:08 PM					 1 tablet

Medication List (continued)

	Morning	Around Noon	Evening	Bedtime	As Needed
 sennosides 8.6 MG tablet Commonly known as: SENNA-GEN Take 2 tablets (17.2 mg total) by mouth 2 times every day. For diagnoses: Trauma Last time this was given: 17.2 mg on May 11, 2025 9:08 PM	 2 tablets			 2 tablets	

Where to pick up your medications

**Pick up these medications at GHS PRATT STREET PHARMACY (FORMERLY SENIOR CARE)**

AmLODIPine • cyclobenzaprine • gabapentin • QUetiapine fumarate

Address: 80 JESSE HILL JR DRIVE SE Rm GF003, ATLANTA GA 30303-3031

Hours: 7AM-7PM Mon-Fri

Phone: 404-616-5080

**Pick up these medications from any pharmacy**

You don't need a prescription for these medications

- acetaminophen 500 MG tablet
- melatonin 3 mg Tabs tablet
- polyethylene glycol 17 GM/SCOOP powder
- sennosides 8.6 MG tablet

Medication Refills Instructions

There are three ways to request a refill.

- 1. By Phone:** Dial the phone number on your prescription label.
- 2. In Person:** Go to the pharmacy where you initially filled your prescription and request a refill.
- 3. Use MyChart:** You can request a refill of your prescription in MyChart, on the medication icon

Managing Your Medication

Managing medicine can be difficult, especially if you are taking many medicines. Here are some tips:

1. Tell each of your doctors about the medication you take.
2. Carry a list of your medicines with you (your pharmacist can give you an updated list).
3. Keep the medicine in the bottle it came in. The label has important information.
4. Never crush, chew or break capsules or pills unless a pharmacist or doctor says it is Okay
5. Once the expiration date on a medicine passes, throw it away.
6. Use one pharmacy so the pharmacist can look for possible drug interactions.

7. Talk to your doctor about any changes in doses, new medications, side effects, discontinued medications, questions or concerns related to prescribed and over the counter medications.

Scheduling

Need an Appointment?

Call (404) 616-1000, Monday-Friday, from 6 a.m. to 11 p.m., to schedule an appointment. Existing Grady patients can use their MyChart account to request an appointment.

If this is a medical emergency, please dial 911 immediately, and ask to be taken to Grady.

Additional Instructions

Trauma and Acute Care Surgery Discharge Instructions

Precautions / Instructions

- Continue to wear C-collar (neck brace) when out of bed until seen by neurosurgery in clinic.
 - You have been taking amlodipine 10mg daily for high blood pressure while in the hospital. Please see your PCP to continue monitoring of high blood pressure and for any refills of this medication or other medications for high blood pressure.
 - You may continue seroquel as needed for sleep.
- Activity: activity as tolerated
Diet: regular diet

Referrals / Follow-up

Please follow-up with the following providers after your discharge:

Neurosurgery: Follow up in the outpatient Neurosurgery clinic on 7/8/2025 as scheduled. 80 Gilmer St. SE, Atlanta GA 30303 6th Floor

Follow up with your PCP in 7-10 days for all prior medical conditions. Inform them of your recent injuries.

If an appointment is not listed in your discharge instructions or your do not receive an appointment, please call Grady Scheduling Line for an appointment - 404-616-5800

- You may also visit the web site - <https://www.gradyhealth.org/make-an-appointment/>

Future Appointments

	Provider	Department	Center
7/8/2025 11:15 AM	Gimbel, David Adam, MD	Stroke & Neuroscience Center Arrive at: Stroke & Neuroscience Center- 8th Floor, C Hallway	GHS Outpatie

Additional Instructions (continued)

Medications

- Take all medications exactly as prescribed on your discharge summary.
- DO NOT DRIVE OR OPERATE MACHINERY WHILE TAKING PAIN MEDICATIONS.
- A stool softener is recommended while taking opioid pain medications to prevent constipation.
- Medications may have been added/deleted/changed from your medications prior to your hospital admission.
- If you were prescribed antibiotics, please ensure you complete the entire prescription and take as prescribed, even if you start to feel better.
- Trauma Clinic will NOT refill all medications. If you were prescribed a new medication, please follow-up with your primary care provider or the provider managing the injury for any refills.

Pain medication refills require an in person visit, electronic requests will not be honored

Keep all medications out of reach of children. IF you do not use all of your medications you may drop off the remaining pills at a medication drop off (usually a pharmacy) or you may crush up the medication and mix with cat litter or coffee grounds.

How should I take my pain medication?

You have been given several pain medications. The medications are all at safe doses and work well together to provide pain relief while minimizing side effects. General guidelines are as follows:

Tylenol - every 6 hours while awake. , Cyclobenzaprine - every 8 hours while awake as needed for pain., and Gabapentin - follow weaning taper.

How do I wean off my pain medication?

1. To begin weaning, you should try taking oxycodone or tramadol as needed. Once you are no longer requiring this medication on a regular schedule, reduce the dose and frequency when you take it. Once you no longer require oxycodone decrease the amount and frequency of the "baseline" medications if your pain is controlled.
2. For medication refills this will require a follow-up clinic appointment.
3. Gabapentin Weaning as follows

If prescribed 300mg q8hrs Week 1: 300mg 3 times/day, 1 capsule 3 times/day = 3 capsules/day (21) then Week 2: 300mg 2 times/day, 1 capsule 2 times/day = 2 capsules/day (14) then Week 3: 300mg once daily at night, 1 capsule 1 time/day = 1 capsule/day (7)

Wound Care

- Keep your surgical wound clean and dry
- If you have a bandage (*dressing*), change it at least once a day. Change the bandage if it gets wet or dirty, or as told by your doctor.
- You may shower after the first 24 hours. **Do not** soak the cut in water until the stitches/staples are removed and the wound has fully healed.
- Only take medicines as told by your doctor.
- Have your stitches or staples removed as told by your provider.

Grady Nurse Advice Line

The Advice Nurse is available 24 hours a day, seven days a week to help patients access the healthcare services they need. The center is staffed by specially trained registered nurses. Doctors are also on call around the clock to support the advice nurses.

Call (404) 616-0600.

When to return to the Emergency Department

- Please return the Emergency Department for evaluation if you develop any of the following symptoms:

Additional Instructions (continued)

- Fever
- Increased pain or drainage from wound
- Nausea & vomiting
- Chest Pain
- Shortness of breath
- New or unusual swelling or pain in your legs
- Any other new or unusual symptom
- You may also call the Grady Nurse Advice Line at 404-616-0600.

Behavioral Health - Grady Mental Health Clinic (Park Place)

Park Place offers psychiatry, individual therapy, group therapy, substance abuse counseling and social services for chronic and severe mental illnesses including depression, schizophrenia, bipolar, ADHD, anxiety, psychosis, addiction

Grady Mental Health Clinic

10 Park Place, 2nd Floor

404-616-1713

Georgia Crisis Access Line

Call the Georgia Crisis Access Line at 800-715-4225 if you are having mental health problems, thoughts of harming yourself/others/suicide, any other psychiatric-related crisis. The number is available 24 hours a day/7 days a week for those with behavioral health needs. They are also able to get you setup with outpatient appointments.

Safety

If you were prescribed a narcotic or muscle relaxer, you are at risk for temporary or lasting memory/mental impairment that may affect driving or work safety. Do not drive or operate any heavy machinery while taking the narcotics or muscle relaxer. Use safety precautions when walking.

Financial Assistance

If you live in Fulton or DeKalb County, we offer a Financial Assistance Program. For an appointment with a Financial Counselor to determine if you are eligible, please call (404) 616-1000. Your information will be evaluated for financial assistance and eligibility for a Grady Card.

Patient Survey

Your Opinion Counts!

We want to improve and you can help. You may receive a survey asking about your visit. Please complete the survey. Your feedback helps us improve the patient experience.

Thank you for choosing Grady for your care.

Financial Assistance

Financial Assistance

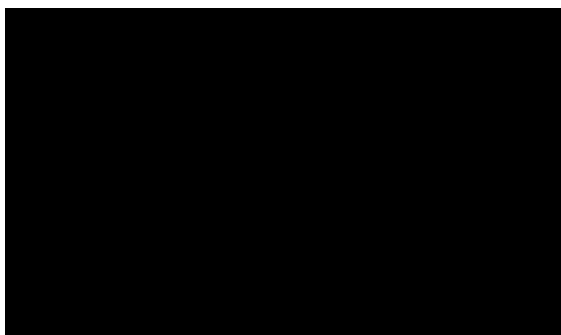
Not everyone has the resources to pay for medical care. Grady offers financial assistance to help cover the costs of your care.

To see if you qualify visit: <https://www.gradyhealth.org/billing-insurance/#financial-assistance-program>

Request Medical Records

To request a copy of your medical records, visit <https://www.gradyhealth.org/medical-records> or scan the QR code below.

Please contact medical records at 404-616-4282 for any questions.



Treatment for Alcohol Problems: Finding and Getting Help

This guide is written for individuals, and their family and friends, who are looking for options to address alcohol problems. It is intended as a resource to understand what treatment choices are available and what to consider when selecting among them

When Is It Time for Treatment?

Alcohol-related problems which result from drinking too much, too fast, or too often are among the most significant public health issues in the United States.

Many people struggle with controlling their drinking at some time in their lives. Approximately **17 million adults ages 18 and older have an alcohol use disorder (AUD)** and 1 in 10 children live in a home with a parent who has a drinking problem.

Does Treatment Work?

The good news is that no matter how severe the problem may seem, most people with an alcohol use disorder can benefit from some form of treatment.

Research shows that about one-third of people who are treated for alcohol problems have no further symptoms 1 year later. Many others substantially reduce their drinking and report fewer alcohol-related problems.

Signs of an Alcohol Problem

Alcohol use disorder (AUD) is a medical condition that doctors diagnose when a patient's drinking causes distress or harm. The condition can range from mild to severe and is diagnosed when a patient answers "yes" to two or more of the following questions.

In the past year, have you:

- Had times when you ended up drinking **more, or longer** than you intended?
- More than once wanted to **cut down or stop drinking**, or tried to, but couldn't?
- Spent a **lot of time** drinking? Or being sick or getting over the aftereffects?
- Experienced **craving** a strong need, or urge, to drink?
- Found that drinking or being sick from drinking often **interfered with taking care** of your **home** or **family**? Or caused **job** troubles? Or **school** problems?
- Continued to drink even though it was causing **trouble** with your **family** or **friends**?
- **Given up** or **cut back** on **activities** that were important or interesting to you, or gave you pleasure, in order to drink?
- More than once gotten into situations while or after drinking that **increased your chances of getting hurt** (such as driving, swimming, using machinery, walking in a dangerous area, or having unsafe sex)?
- Continued to drink even though it was making you feel **depressed or anxious** or adding to **another health problem**? Or after having had a **memory blackout**?
- Had to **drink much more** than you once did to **get the effect** you want? Or found that your **usual number** of drinks had **much less effect** than before?
- Found that when the effects of alcohol were wearing off, you **had withdrawal symptoms**, such as trouble sleeping, shakiness, irritability, anxiety, depression, restlessness, nausea, or sweating? Or sensed things that were not there?

If you have any of these symptoms, your drinking may already be a cause for concern. The more symptoms you have, the more urgent the need for change. A health professional can conduct a formal assessment of your symptoms to see if an alcohol use disorder is present. For an online assessment of your drinking pattern, go to <https://checkupandchoices.com/alcohol>.

Options for Treatment

When asked how alcohol problems are treated, people commonly think of 12-step programs or 28-day inpatient rehab, but may have difficulty naming other options. In fact, there are a variety of treatment methods currently available, thanks to significant advances in the field over the past 60 years.

Ultimately, there is no one-size-fits-all solution, and what may work for one person may not be a good fit for someone else. Simply understanding the different options can be an important first step.

If you or anyone you may know is experiencing challenges with alcohol or drug concerns please explore treatment options at this website: <https://alcoholtreatment.niaaa.nih.gov/> or contact either resource listed below:



GCAL is the 24/7 hotline for accessing mental health services in Georgia. The Georgia Department of Behavioral Health and Developmental Disabilities (DBHDD) provides treatment and support services to people with mental illnesses and addictive diseases, and support to people with mental retardation and related developmental disabilities. For more information, go to the Georgia DBHDD website.

Alcoholics Anonymous

Alcoholics Anonymous is a diverse community of people sharing their experiences as they offer support for one another reaching toward the common goal of recovering from alcoholism.

Free and Confidential. Call Alcoholics Anonymous: 800-839-1686

(For any Georgia resident) please contact the **Georgia Crisis and Access Line**
contact information (1-800-715-4225)

(Si es residente de Georgia) Por favor, llame a la Georgia Crisis and Access Line (Línea de crisis y acceso de Georgia) al 1-800-715-4225

Georgia Crisis and Additional Resource Information

Georgia crisis información de recursos adicionales)

Intervention Intervención	Phone number Número de teléfono	Webpage Página Web

Alcoholics Anonymous (alcohólicos anónimos)	404-525-3178	https://atlantaaa.org/
Narcotics Anonymous (narcóticos anónimos)	1-888-947-7262	https://www.na.org https://www.na.org/admin/include/spaw2/uploads/pdf/PR/SP_Info-about-NA_2016.pdf (este sitio web tiene algunas páginas en español, por ejemplo, este enlace).
Statewide Domestic Violence Hotline (Línea directa estatal para la violencia doméstica)	1-800- 33-HAVEN or 1-800-334-2836	https://gcadv.org/projects-and-initiatives/statewide-domestic-violence-hotline/
Partnership for Domestic Violence (Asociación para la Violencia Doméstica)	404-873-1766	https://padv.org/
Substance abuse and mental health administration (SAMHA) (Administración del abuso de sustancias y de la salud mental)	1-800-662- HELP (4357)	samhsa.gov/find-help/national-helpline samhsa.gov/linea-nacional-ayuda en español
Suicide & Crisis Lifeline (Línea de Prevención del Suicidio y Crisis)	988	988lifeline.org/ 988lifeline.org/help-yourself/en-espanol/
DeKalb Crisis Center	404- 294-0499	https://dekcsb.org/crisis
Women's Resource Center to End Domestic Violence (Centro de recursos para mujeres para acabar con la violencia doméstica)	404-688-9436	https://www.wrcdv.org
Summit Behavioral Health Center (Centro de Salud de la Conducta Summit)	877-463-3553	https://summitbhc.com
National Institute on Alcohol Abuse and Alcoholism (Instituto Nacional sobre el Abuso del Alcohol y el Alcoholismo)	301-443-3860	https://alcoholtreatment.niaaa.nih.gov/

Work/School/Sports Excuse



GRADY HOSPITAL

80 Jesse Hill Jr. Drive SE
Atlanta, GA 30303
404-616-1000

RE: Patient: Thomas Blakeney

Department : GRADY HOSPITAL
GHS 6A
80 JESSIE HILL JR DRIVE SE
ATLANTA GA 30303

On 5/12/2025 at time 12:40 PM EDT

To whom it may concern: Thomas Blakeney has been under my care from 5/4/2025 to 5/12/2025.

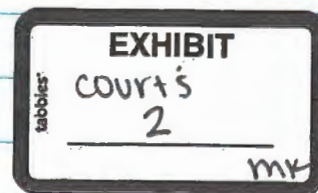
Electronically Signed,

Thank you. Howley, Isaac William, MD

1. Did Officer Schuessler's K9 assist in search for firearm?
2. Was firearm registered? Did it have a serial # identifiable?
3. Can Officer Schuessler tell us how far off the road the firearm was found?
4. Is the defendant right-handed?
5. Any other metal objects found on the side of the road?
6. Can we review Officer Schuessler's incident report from arrest?
7. Last time grass was cut in the area firearm was found?
8. How fast was defendant going at time of spark?

- 9 Are there any additional pictures of the firearm?
10. Does defendant own the vehicle?

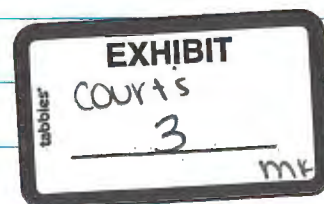
6/10/2025
Spell



Your Honor,

We are deadlocked, with about half of us in favor of conviction. No one is willing to change their minds and we are unsure of how to proceed.

- Juror 12



STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

vs.

THOMAS CARSON BLAKENEY,

DEFENDANT.

IN THE COURT OF GENERAL SESSIONS

NINTH JUDICIAL CIRCUIT

Arrest Warrant #2024A1010200889

Arrest Warrant #2024A1010200890

Arrest Warrant #2024A1010200891

Indictment #2025-GS-10-01378

Indictment #2025-GS-10-01379

Indictment #2025-GS-10-01380

STIPULATION

The State and the Defense stipulate that the Defendant, Thomas Carson Blakeney, has a qualifying prior conviction for a prohibited Controlled Substance from July 2023. This stipulation fulfills the element of prior conviction with relation to the Unlawful Possession of a Firearm by a Prohibited Person charge.



STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF GENERAL SESSIONS

MOTION COVERSHEET

) WARRANT/TICKET/

) INDICTMENT #'s 2024A1010200889

STATE OF SOUTH CAROLINA

-vs-

THOMAS CARSON BLAKENEY
DEFENDANT

Solicitor:

Jordan Norvell, Bar No.

Address:

101 Meeting St. Ste. 400 Chas., SC 29401

Phone: (843) 958-1900

E-mail: Norvelli@scsolicitor9.org

Defendant's Attorney:

Taylor H. Currin, Bar No. 104113

Address:

101 Meeting St. 5TH Floor Charleston, SC 29401

Phone: (843) 958-1850

E-mail: TCurrin@charlestoncounty.org

☒ MOTION HEARING REQUESTED

☐ FORM MOTION, NO HEARING REQUESTED

SECTION I: Hearing Information

Nature of Motion: Motion to Reconsider Sentence

Estimated Time Needed: 15 minutes

Court Reporter Needed: ☒ YES / ☐ NO

SECTION II: Motion/Order Type

☒ Written motion attached

☐ Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

s/ Taylor H Currin

Signature of ☐ Solicitor ☒ Attorney for Defendant

6/16/2025

Date submitted

2024 JUN 16 AM 10:56
CLERK OF COURT
FILED

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT
)

) Warrant: 2024A1010200889

) Charge: Failure to Stop for Blue Lights
)

STATE OF SOUTH CAROLINA

vs.

**MOTION TO RECONSIDER
SENTENCE**

THOMAS CARSON BLAKENEY

Defendant.

COMES NOW, that Defendant, Mr. Thomas C. Blakeney, and moves for the Court to reconsider the sentence imposed on Mr. Blakeney pursuant to his guilty verdict hearing that was on June 10, 2025, before the Honorable Jennifer B. McCoy, and respectfully requests that a hearing be scheduled on the matter. In support of this motion, Mr. Blakeney states as follows: Mr. Blakeney respectfully requests that the Court reconsider the length of his sentence in consideration of the on-going health issues he has that require medication and continuous doctor's appointments.

I SO MOVE:

 For
Taylor H. Currin
Attorney for Thomas C. Blakeney

Charleston, South Carolina

Dated: 6/16/25

FILED
2025 JUN 16 AM 10:56
JULIE J. ARMSTRONG
CLERK OF COURT
pc

CERTIFICATE OF SERVICE

I hereby certify that this Motion to Reconsider Sentence regarding the case of State v. Thomas Blakeney has been served on Andrea B. Williams of the Solicitor's Office in receipt for Jordan Norvell, Assistant Solicitor for the Ninth Judicial Circuit on June 16, 2025.

STATE OF SOUTH CAROLINA IN THE COURT OF GENERAL SESSIONS
 COUNTY OF CHARLESTON NINTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA

Arrest Warrant #2024A1010200889

vs.

Indictment #2025-GS-10-01378

THOMAS CARSON BLAKENEY,

DEFENDANT.

**STATE'S BRIEF OPPOSING
 RECONSIDERATION OF SENTENCE**

On June 10, 2025, Thomas C. Blakeney was convicted of Failure to Stop for Blue Lights, 2nd or Subsequent Offense. The Honorable Jennifer B. McCoy presided over the trial and sentenced the Defendant to 5 years in the custody of the State Department of Corrections. On July 16, 2025, the Defendant filed a motion to reconsider sentencing. The State finds the original sentence appropriate and respectfully opposes reconsideration of sentencing for the reasons set forth below:

I. The Defendant has a Significant Criminal History

The Defendant has a significant criminal record which warrants the Court's imposition of a 5 year sentence. This conviction is also the Defendant's 4th for Failure to Stop for Blue Lights since 2019, making him a repeat offender. A complete record of the Defendant's Criminal Convictions is listed below:

2003: Resisting Arrest and Possession of a Stolen Vehicle,

2004: Assault and Battery of a High and Aggravated Nature, Possession with Intent to Distribute (PWID) Cocaine Base, Unlawful Carrying of a Pistol;

2008: Possession of Meth or Cocaine Base;

2010: Three Counts of Manufacturing/Distribution/PWID Cocaine Base 2nd

2016: Possession of a Controlled Substance

2017: Hit and Run with Property Damage

2019: Failure to Stop for Blue Lights

2023: Two Counts of Failure to Stop for Blue Lights 2nd, PWID Cocaine 2nd, Resisting Arrest, Unlawful Carrying of a Pistol, Two Counts of Assault and Battery 2nd Degree.

II. The Facts of this Conviction are Aggravated and Warrant the Sentence.

The Defendant led Police on a roughly 17 minute, high-speed chase throughout North Charleston. The defendant crashed into an innocent driver and continued to flee, violated dozens of traffic laws, and endangered the lives of many other innocent civilians in North Charleston. The sentence passed by the court is therefore fair given the aggravated nature of this most recent Failure to Stop conviction.

III. Defendant's Motion Raises No New Issues for the Court to Consider in Sentencing.

During the sentencing hearing, Defense presented Mr. Blakeney's medical records and health concerns to the Court as mitigation. The Court considered Mr. Blakeney's health issues and weighed them in determining an appropriate sentence. By his Motion, the Defendant does not raise any new issues or health concerns that the Court has not already considered. Instead, the Defendant is simply asking the Court to reconsider sentencing based on information already fairly weighed by the Court.

For the above listed reasons, the State argues the original sentence was fairly decided and respectfully asks the Court to deny Defendant's motion for reconsideration of sentencing.

Respectfully Submitted,



Andrew E. Hulshult
Assistant Solicitor

Charleston, South Carolina

Dated: 6/16/2025

2025 JUN 16 PM 3:38
JULIE J. ARMSTRONG
CLERK OF COURT
W

LED

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

FILED
JUL 18 2025

COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

Indictment #2025-GS-10-01378
Arrest Warrant #2024-A1010200889

STATE OF SOUTH CAROLINA,

VS.

THOMAS CARSON BLAKENEY.

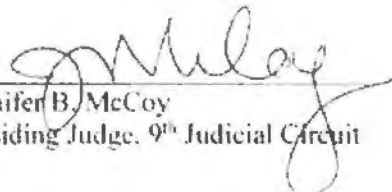
Defendant

ORDER ON DEFENDANT'S MOTION
TO RECONSIDER SENTENCE

Defendant Thomas Carson Blakeney filed a Motion to Reconsider Sentence with this Court on June 16, 2025 and served that same day. Upon review of the record and briefs, this Court hereby DENIES Defendant's motion without the necessity of a hearing.

IT IS SO ORDERED.

Charleston County, South Carolina
June 18, 2025


Jennifer B. McCoy
Presiding Judge, 9th Judicial Circuit

RECEIVED

Jul 03 2025

SC Court of Appeals

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,

RECEIVED

Jan 08 2026

SC Court of Appeals



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 8th day of January, 2026.

RECEIVED

Jan 08 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Honorable Jennifer B. McCoy, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

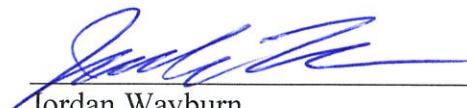
THOMAS CARSON BLAKENEY,

APPELLANT

APPELLATE CASE NO. 2025-001287

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 Mark Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS); and on Thomas Blakeney, #303735, at Manning Correctional Institution, 502 Beckman Drive, Columbia, SC 29203, this 8th day of January, 2026.



Jordan Wayburn
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
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ATTORNEY FOR APPELLANT