



STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Berkeley County

Honorable The Hon. Dale E Van Slambrook, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

AUBREY DUPREE TUCKER,

APPELLANT

APPELLATE CASE NO. 2025-000663

RECORD ON APPEAL

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STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

COURT OF GENERAL SESSIONS
2022-GS-08-00740-00742

State of South Carolina)

) TRANSCRIPT OF RECORD

-vs-

)

) March 24, 2025 - Day 1

Aubrey Dupree Tucker,)

) Moncks Corner, South Carolina

B E F O R E:

The Honorable Dale E. Van Slambrook, Judge

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Reported By:

Yvestre Torres, OCR
Circuit Court Reporter for the
Ninth Judicial Circuit

Jury No.	Name	Race	Gender	Jury No.
141	Tranetta Palmer	B	F	1
204	Jamie Wiemann	W	F	Def. Strike
7	William Bates	B	M	Plt. Strike
46	Charles Dempsey	W	M	2
117	Kathleen Malpeli	W	F	Def. Strike
54	Chani Egge	W	F	3
67	Kaneisha Gilson	B	F	Plt. Strike
40	Kelsie Davis	W	F	Def. Strike
66	Benjamin Gatlin	W	M	4
89	Rachel Jaeger	W	F	5
98	Ayhan Kasikci	W	M	Def. Strike
68	Justin Golzari	W	M	6
3	Joeylyne Anderson	W	F	7
60	Holly Frankel	W	F	Def. Strike
133	Austin Moreland	W	M	Plt. Strike
39	Karen Davis	W	F	Def. Strike
158	Gigi Raju	A	F	Def. Strike
201	Garrett Weeks	W	M	8

1	20	Gregory Brownlee	W	M	Def. Strike
2	59	Jonathan France	W	M	9
3	178	Nicholas Shuler	W	M	Plt. Strike
4	174	Linsy Sechler	W	F	10
5	52	Sierra Duncan	W	F	11
6	69	Antonio Gonzalez	H	M	Def. Strike
7	14	Michael Bozzelli	W	M	12
8	151	Guy Polin	W	M	Def. Strike
9	19	Madelyn Brown	W	F	Plt. Strike
10	177	Carolyn Shoener	W	F	Def. Strike
11	75	Robin Gregg	W	F	Alt. No. 1
12	137	Kevin Murrell	B	M	Alt. No. 2
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1 THE COURT: All right. Good morning,
2 everybody. Y'all go ahead and have a seat. Thank you.
3 Madam Clerk, we've got 72 jurors present; is that
4 correct?

5 THE CLERK: Yes, Your Honor.

6 THE COURT: Thank you very much. You gave
7 me a list, I appreciate that. All right. Ladies
8 and gentlemen, my name is Dale Van Slambrook. I am
9 a circuit judge. I reside in Goose Creek. I'm from
10 Berkeley County, just like y'all, and I sat exactly
11 where y'all were sitting as being pulled in for
12 potential jury duty in the past. Of course, I can't
13 serve there now, but I've sat where y'all sat before.

14 And, first off, I want to start out by
15 thanking y'all for coming out. I know that y'all
16 probably were not very excited when you got your
17 invitation to come down here and serve. However,
18 I can tell you that the process, the system, would
19 not work and cannot work if it does not have willing
20 jurors to come forward and serve, or potentially serve
21 as jurors.

22 So again, I thank you. You're an integral
23 part of our criminal justice system, what has been
24 described as the best in the world. It has its flaws,
25 of course, but it is the best in the world. It's best

1 in the world because it is based upon the jury trial
2 system, and I thank y'all for being a part of that.
3 I apologize for any inconvenience it's going to cause
4 you. We're going to try and make it as painless as
5 possible and enjoyable as well as educational for y'all.

6 What I've got to do now is what's called
7 qualification of the jurors. Y'all have already given
8 information to the clerk and shared that information,
9 made sure that you're in the right courtroom and so
10 forth. But, at this point, we're going to go forward
11 with what's called qualifications to see if you're
12 qualified to serve. I'm not sure if -- Madam Clerk,
13 did you introduce everybody and tell everybody who ---

14 THE CLERK: Yes, Your Honor, I did.

15 THE COURT: Okay. I just wanted to make
16 sure. We've got the clerk staff; we've got our clerk
17 of court here; we've got the bailiffs; we've got
18 security folks, bailiffs over here, and attorneys
19 and the parties up here. And if she didn't already
20 say so, if y'all have any needs, concerns, problems,
21 issues, questions at all, reach out to one of these
22 folks, and they'll either be able to answer the question
23 or put you in touch with somebody who can answer
24 a question that you have while you're serving this week.
25 And this is a one-week term of court, in case y'all

1 didn't hear that already.

2 The way this is going to work, I'm going
3 to ask some questions, and it's going to be followed
4 by -- if that applies to you, please stand. And some
5 of the questions sometimes are rather personal, and you
6 may not want to stand up around some of your fellow
7 jurors and display or share some of that information
8 that I'm asking about, and that's perfectly
9 understandable. I'm going to ask at the end if there
10 was any question that you felt uncomfortable, and you
11 want to come up and talk to me about it, I'll let you
12 come forward and share the information at that time.

13 So the first one, is any member of the
14 jury panel not a resident or -- not a citizen rather,
15 of the United States of America? If so, please stand,
16 and seeing none. I say seeing none, not to hear myself
17 talk, but we have a court reporter taking everything
18 down to preserve the record, and if nobody stands up,
19 it's properly reflected when I say that.

20 Is any member of the jury panel not
21 a resident and a citizen of Berkeley County,
22 South Carolina? If so, please stand, and seeing none.
23 Is any member of the jury panel unable to read, write,
24 speak, or understand the English language? If so,
25 please stand. Yes, sir, what's your juror number?

1 THE JUROR: 156.

2 THE COURT: 156. Yes, sir. And how does
3 that apply to you?

4 THE JUROR: Sorry?

5 THE COURT: How does that apply to you?

6 THE JUROR: Sir, I know only the basic words
7 in English, and I really didn't understand everything
8 you're asking.

9 THE COURT: All right. Would that
10 limitation of your understanding of the English language
11 prevent you or stop you from understanding what's going
12 on here today?

13 THE JUROR: Yeah.

14 THE COURT: You think so? What is your
15 primary language?

16 THE JUROR: Polish.

17 THE COURT: Polish?

18 THE JUROR: Yes.

19 THE COURT: Okay. And again, your juror
20 number?

21 THE JUROR: 156.

22 THE COURT: 156. All right. And your name
23 again, sir?

24 THE JUROR: Marek Pyzikiewicz.

25 THE COURT: All right. I'm not going to try

1 and pronounce that, all right? All right. Given your
2 limitations with the English language, it's my
3 suggestion that we excuse this juror. Any objections?

4 MR. MCNEELY: None from the State,
5 Your Honor.

6 THE COURT: Okay.

7 MS. WHITE: None from the defense.

8 THE COURT: All right. Thank you, sir.
9 We're going to excuse you for now. Thank you for coming
10 down, and I appreciate it. Hopefully, at some point
11 in time in the future, you'll get another invitation,
12 and you can come back and serve, okay?

13 THE JUROR: Yes.

14 THE COURT: All right. Thank you. Is there
15 any member of the jury panel who is unable, because
16 of mental or physical infirmities, to render efficient
17 jury service? For example, do you have some medical
18 condition that would prevent you from serving on a jury
19 this week? Typically, we're in -- you're in session
20 in the box for an hour or two at a time between breaks,
21 and we're usually running from 9:30 to 5:00 or so.

22 Is there any member of the jury panel that
23 thinks that applies to them, relative to a medical
24 condition? I'm seeing none. Oh, I'm sorry. Go ahead.
25 What's your number?

1 THE JUROR: 164.

2 THE COURT: 164. And how does that apply
3 to you?

4 THE JUROR: I have a colonoscopy and
5 a checkup on -- a colonoscopy on Friday.

6 THE COURT: On Friday?

7 THE JUROR: At the VA hospital. And also,
8 I'm supposed to be at home. I'm not sure if you know
9 about the -- I have to start my colon prep by 1:00 a.m.
10 -- 1:00 p.m.

11 THE COURT: On Thursday?

12 THE JUROR: Yes, sir.

13 THE COURT: All right. I do not envy you in
14 your preparation. There's another question that applied
15 more fully to it as to any other compelling reason or
16 appointments, medical or otherwise, that would prevent
17 you from serving this week? I can tell you what I think
18 we'll do on this one -- and tell me your name.

19 THE JUROR: Dana Ricafrente.

20 THE COURT: All right, Mr. Ricafrente,
21 what we're going to do is I'm going to ask the clerk
22 to assign you or transfer you to another term of court,
23 okay?

24 THE JUROR: Okay.

25 THE COURT: They have to be done with that

1 process, and good luck with that. It's not any fun.
2 So you'll come back and serve with us another time,
3 okay?

4 THE CLERK: June 16th, Your Honor.

5 THE COURT: June 16th, okay? So plan on
6 being here on June 16th.

7 THE JUROR: Okay.

8 THE COURT: Okay?

9 THE JUROR: Okay.

10 THE COURT: All right. Thank you, sir.

11 THE JUROR: Thank you.

12 THE COURT: You're excused. Is any member
13 of the jury panel -- has any member of the jury panel
14 been convicted by guilty plea or trial in a state
15 or federal court of record of a crime punishable
16 by imprisonment for more than one year and your civil
17 rights have not been restored by pardon or amnesty?
18 And by punishable by more than one year means that you
19 could have received a sentence of more than one year
20 regardless of what sentence you might have actually
21 received. If that applies to you, please stand,
22 and seeing none.

23 Is any member of the jury panel a clerk
24 or deputy clerk of court, a constable -- I'm sorry.
25 Oh, I missed you. I'm sorry. What's your number?

1 THE JUROR: Forty-two.

2 THE COURT: All right. And how does that
3 apply to you?

4 THE JUROR: I was convicted of a crime.

5 THE COURT: Is that punishable by more than
6 one year?

7 THE JUROR: Yeah, it was suspended to
8 probation.

9 THE COURT: Suspended. The charge -- the
10 sentence could have been more than one year; is that
11 right?

12 THE JUROR: Yes.

13 THE COURT: And when was that?

14 THE JUROR: 2010.

15 THE COURT: 2010. And since then, have
16 you gotten any documents indicating that you received
17 a pardon or an expungement or anything of that nature?

18 THE JUROR: (Shakes head.)

19 THE COURT: And tell me your name again.

20 THE JUROR: Wendi Davis.

21 THE COURT: Ms. Davis. All right,
22 Ms. Davis, I'm going to excuse you from this term, okay?
23 If at some time -- if at some point in time in the
24 future your rights have been restored, then you get
25 to come back and see us, okay?

1 THE JUROR: All right.

2 THE COURT: All right. Thank you for
3 coming down, Ms. Davis. I think I started before,
4 is any member of the jury panel a clerk or deputy clerk
5 of court, constable, sheriff, or other commissioned law
6 enforcement officer, probate judge, county commissioner,
7 magistrate, or other county officer, or so employed
8 within the walls of any courthouse? If that applies
9 to you, please stand, and seeing none.

10 Is there any member of the jury panel who
11 has previously served on jury duty in circuit court,
12 not city court, magistrate court, or even federal court,
13 during the last calendar year? If so, please stand,
14 and seeing none. Has any member of the jury panel
15 served as a member of the Berkeley County Grand Jury
16 during the past several years? If so, please stand.

17 All right. That is the qualifications.
18 I'm going to move to the next stage, which is
19 exemptions. Exemptions are what state law describes
20 as when you're qualified to serve, but you have a right
21 because of that exemption to say I choose not to serve.

22 First is, those of you who are 65 years
23 of age or older may be exempted from jury service.
24 Those of you 65 years of age or older represent a pool
25 of tremendous talent for jury service, and we would urge

1 you to serve this week, if you are inclined to do so.
2 If you wish to be exempted and that applies to you,
3 then you may certainly choose to be exempted.

4 Is there any member of the jury panel who
5 is 65 years of age or older who wishes to be exempted
6 from jury service this week? If so, please stand.
7 Seeing none.

8 Another one -- another exemption concerns
9 prior jury service. No person is required to serve
10 as a juror more often than once every three calendar
11 years. Therefore, if any member of the jury panel has
12 served on jury duty during the last two calendar years,
13 you may be exempt from service this week, if you choose
14 to be exempted. The exemption does not apply for jury
15 service in magistrate court, city court, or any federal
16 court. If this exemption applies to any member of the
17 jury panel, please stand, and seeing none.

18 Is there any member of the jury panel who
19 has served as a grand juror in the last five calendar
20 years? If so, you may be exempt from jury service for
21 this term of court. Is there any member of the jury
22 panel that applies to? Again, seeing none.

23 The next exemption deals with those of you
24 who have small children. You need to listen carefully
25 to this exemption. It has several parts, all of which

1 must apply for you to be exempted on this basis.
2 You may be exempted from jury service if you have
3 a small child or small children under the age of seven
4 years, you have legal custody of your child or children,
5 and you have the principal care, custody, and control
6 of your child or children, and you're unable to make
7 arrangements for the adequate care of your child or
8 children while performing jury duty.

9 If all of those requirements apply to you,
10 then you may be exempted on that basis. If this
11 exemption applies to you, and you wish to be exempted,
12 please stand. Yes, sir, what's your juror number?

13 THE JUROR: Sixty-three.

14 THE COURT: I'm sorry. Sixty-three?

15 THE JUROR: Yes.

16 THE COURT: All right. And how does that
17 apply to you?

18 THE JUROR: I have a three-year-old at home.
19 I don't have, like, adequate -- like, babysitting or
20 anything like that, and usually on my days off, I have
21 to be home.

22 THE COURT: Okay. So you work full time?

23 THE JUROR: Yes.

24 THE COURT: And what is your work schedule?

25 THE JUROR: It's about 50 to 60 hours

1 a week.

2 THE COURT: All right.

3 THE JUROR: I'm actually ---

4 THE COURT: When would you be called upon
5 to provide care for the children or child?

6 THE JUROR: In -- actually, I don't know.
7 If I'm not working, I'm with my kids. If I'm working,
8 my spouse is with the kids, but that's usually at night.

9 THE COURT: Who's working at night, you or
10 the spouse?

11 THE JUROR: Me.

12 THE COURT: You?

13 THE JUROR: Yes. But I go in ---

14 THE COURT: At night?

15 THE JUROR: --- at, like, 12, one o'clock.

16 THE COURT: Okay. All right. All right.

17 And tell me your name.

18 THE JUROR: Teshawn Gamble.

19 THE COURT: Teshawn Gamble. All right.

20 I'm not sure if that precisely fits your situation.

21 I'm going to ask you to stay for now, okay?

22 THE JUROR: Okay.

23 THE COURT: All right. Thank you.

24 All right. The next exemption involves those of you
25 who may be attending school at this time, or working

1 in some capacity at a school. If this exemption applies
2 to you, and you wish to be exempted, we'll transfer
3 your service to another term of court at such time
4 it wouldn't conflict with your school responsibilities.

5 Is there any member of the jury panel who
6 is a full-time student, schoolteacher, crossing guard,
7 school bus driver, or who serves in any other
8 school-related function who is unable to serve on jury
9 duty this week as a result of that school involvement?
10 If so, please stand. Yes, ma'am, what's your juror
11 number?

12 THE JUROR: Twenty-five.

13 THE COURT: Twenty-five. And how does that
14 apply to you?

15 THE JUROR: I work full time in a
16 kindergarten room as an assistant teacher. If it's
17 possible to do it in the summertime, that would be
18 helpful.

19 THE COURT: So you would rather not get
20 away from the kids, you'd rather use up your vacation.

21 THE JUROR: This would be calmer.

22 THE COURT: Okay. All right. That is
23 certainly fair enough. When does school end for you?

24 THE JUROR: I'm finished June 1st.

25 THE COURT: June 1st. So that would be

1 June 16th. All right. We're going to exempt you this
2 week. You will come back on June the 16th, okay?

3 THE JUROR: Thank you.

4 THE COURT: All right. And tell me your
5 name.

6 THE JUROR: Ashley Butler.

7 THE COURT: Ashley Butler. Thank you,
8 Ms. Butler.

9 THE JUROR: Thank you.

10 THE COURT: I missed you. I'm sorry.
11 Tell me your juror number.

12 THE JUROR: Brendan Kade, 97.

13 THE COURT: Ninety-seven. And your name?

14 THE JUROR: Brendan Kade.

15 THE COURT: All right. And how does that
16 apply to you?

17 THE JUROR: I'm currently in the middle
18 of doing my master's.

19 THE COURT: All right. So you're going
20 to school full time?

21 THE JUROR: Well, it's remote, but yeah.

22 THE COURT: Okay. You're going to be done
23 by June 16th?

24 THE JUROR: Yes.

25 THE COURT: Okay. All right. We're going

1 to transfer you to June 16th, okay?

2 THE JUROR: Sounds good.

3 THE COURT: All right, good. We will see
4 you then. Thank you. Is there any member of the jury
5 panel who is employed with the department of corrections
6 at a penitentiary? And if so, and you wish to be
7 exempted, please stand. Seeing none.

8 Is there any member of the jury panel who
9 perform services for a commercial business, agricultural
10 enterprise which is so essential, your duties are
11 so essential to the operation of that enterprise,
12 that if you're required to perform jury duty this week,
13 that enterprise would have to close up or stop
14 functioning this week? If that applies to you, and you
15 wish to be exempted, please stand, and seeing none.

16 Is there any member of the jury panel who
17 is the primary caretaker of a severely disabled person
18 who is unable to care for himself or herself and/or
19 cannot be left unattended? If so, and you wish to
20 be exempted, please stand, and seeing none. Is there
21 any member of the jury panel who is the primary
22 caretaker of a person age 65 years of age or older,
23 and you wish to be exempted, please stand, and seeing
24 none.

25 All right, ladies and gentlemen,

1 that concludes the statutory list of qualifications
2 and exemptions for jury service. And it may be that
3 you're qualified and that no exemption applies to you,
4 but jury service this week would constitute an extreme
5 hardship on you for some particular reason.

6 I can't permanently excuse a qualified juror
7 from jury service, but under extreme and compelling
8 circumstances, I may excuse a juror from this term of
9 court and transfer the juror to another term of court,
10 particularly, jurors who have not been previously
11 transferred. And please understand that general
12 inconvenience is not a sufficient reason to transfer you
13 to another term. To justify a transfer to another term
14 of court, service this week must constitute an extreme
15 hardship to you.

16 If any member of the jury panel believes
17 that that applies to them, they have such an extreme
18 hardship, please stand.

19 THE JUROR: I'm not sure if it's an extreme
20 hardship. I work for Dorchester County Department
21 of Social Services. I'm an investigative -- the team
22 lead investigator. I have contested dockets this
23 Thursday with the Dorchester County courts.

24 THE COURT: All right. And what's your
25 juror number, ma'am?

1 THE JUROR: Sixty-seven.

2 THE COURT: Sixty-seven?

3 THE JUROR: Yes.

4 THE COURT: And you work for Dorchester DSS?

5 THE JUROR: Yes.

6 THE COURT: And you have a contested docket?

7 THE JUROR: Dockets, this Thursday.

8 THE COURT: Docket this Thursday?

9 THE JUROR: Yes. One contested case and two
10 pre-merits -- merits.

11 THE COURT: All right. And are they going
12 to be able to go forward with those cases without you?

13 THE JUROR: I'm sure they would. I mean,
14 I'm just the supervisor on it, so anybody would --
15 I could give my notes to someone else to go forward.

16 THE COURT: Okay. All right. Well, thank
17 you for sharing that. All right. We're going to ask
18 you to stay for now, okay? Yes, ma'am.

19 THE JUROR: Well, I don't know if this
20 counts as extreme, and I'm juror 138.

21 THE COURT: 138.

22 THE JUROR: But I am a disabled veteran,
23 and I can get paperwork, but I do not operate in group
24 settings.

25 THE COURT: You have difficulty in group

1 settings?

2 THE JUROR: Uh-huh.

3 THE COURT: Okay. All right. Have you
4 served on a jury before?

5 THE JUROR: No, sir.

6 THE COURT: No?

7 THE CLERK: She's a nurse.

8 THE JUROR: Yes, I'm a nurse, and I work
9 alone.

10 THE COURT: As far as a group setting, you'd
11 be in a jury panel. The jury panel runs -- not the jury
12 panel, I'm sorry -- in the jury box with 12 other folks.
13 Obviously, there would be other people in the room
14 and in the jury room itself with those other folks.

15 THE JUROR: Right.

16 THE COURT: Would that affect your ability
17 to participate? Would your condition or situation
18 affect your ability to participate?

19 THE JUROR: Yes.

20 THE COURT: Do you think that you would not
21 be able to render fair and impartial service as a result
22 of that?

23 THE JUROR: Yes, sir.

24 THE COURT: Okay. And tell me your name.

25 THE JUROR: Marvette Myers.

1 THE COURT: I'm sorry?

2 THE JUROR: Marvette Myers.

3 THE COURT: Myers?

4 THE JUROR: Uh-huh.

5 THE COURT: Okay. All right, Ms. Myers,
6 I'm going to excuse you, okay?

7 THE JUROR: Okay.

8 THE COURT: And thank you.

9 THE JUROR: Thank you.

10 THE COURT: All right. Now, I've said
11 before that I would make kind of an all-encompassing
12 question and say, if there were any of those prior
13 questions that maybe occurred to you after I asked,
14 or we moved onto the next one that applies to you,
15 or if there are some other reasons that you would wish
16 to be exempted or excluded from jury service this week,
17 and felt uncomfortable in standing up around the other
18 jurors, and you wish to have -- to exercise that
19 exemption or request service to be transferred,
20 I'm going to ask you to come forward at this time.

21 THE BAILIFF: Jennifer Cornwell, juror 34.

22 THE COURT: Ms. Cornwell, why don't you come
23 over here? I want to make sure our court reporter can
24 hear you.

25 THE JUROR: I have a doctor's appointment

1 on Thursday for a follow-up for my cancer.

2 THE COURT: Okay.

3 THE JUROR: I can transfer.

4 THE COURT: All right. Where's the
5 appointment at? Downtown?

6 THE JUROR: Summerville.

7 THE COURT: Summerville. All right.

8 Good luck. Better going to Summerville than downtown.

9 THE JUROR: Oh, you got that right.

10 THE COURT: All right. So we're going
11 to transfer you, the 16th -- June 16th.

12 THE JUROR: Okay.

13 THE COURT: All right. All right.

14 Good luck, Ms. Cornwell. We'll see you back then.

15 THE JUROR: Okay. Thank you.

16 THE COURT: All right. Yes, ma'am.

17 THE BAILIFF: Juror 143.

18 THE COURT: All right. Ms. Patel?

19 THE JUROR: Yes.

20 THE COURT: Good morning, Ms. Patel.

21 THE JUROR: Good morning. I own businesses.

22 I have two locations, and I have only one employee
23 between two locations. So one store, my husband opened
24 today, and he's a felon, and I cannot trust him.

25 THE COURT: All right. Tell me that one

1 more time.

2 THE JUROR: He's a felon, and I don't trust
3 him.

4 THE COURT: This is your husband?

5 THE JUROR: Yes. And he's also -- I do
6 not have any staffing right now. These businesses --
7 and also, I have to take care of my son. He's only
8 15 years old, but he doesn't have a car, so I have
9 to pick him and drop him to school.

10 THE COURT: Would one of those stores have
11 to close?

12 THE JUROR: Yes.

13 THE COURT: When you're not there?

14 THE JUROR: Yes.

15 THE COURT: All right. You've got plans
16 to hire somebody else?

17 THE JUROR: I keep trying, but -- when
18 I received this summons -- so it's unpredictable.

19 THE COURT: All right. We're going to
20 transfer you, okay?

21 THE JUROR: Okay.

22 THE COURT: Madam Clerk, we're going to
23 transfer Ms. Patel.

24 THE CLERK: June 16th?

25 THE COURT: June 16th.

1 THE JUROR: June 16th, I'm not in the
2 country. I already booked flights.

3 THE COURT: Okay. When is the next term
4 after that?

5 THE CLERK: We don't have the new dates.
6 It'll be after July.

7 THE COURT: Okay.

8 THE CLERK: It will be in July or after.

9 THE COURT: You'll get a notice for after
10 July.

11 THE JUROR: Okay. No problem.

12 THE COURT: Okay. All right. Thank you.

13 THE JUROR: Thank you.

14 THE COURT: Yes, ma'am.

15 THE BAILIFF: Juror 73.

16 THE COURT: Good morning, Ms. Gray.

17 THE JUROR: Hi. I have a flight leaving
18 on Saturday, so it's just this week, right?

19 THE COURT: Yes.

20 THE JUROR: Okay.

21 THE COURT: All right. You're good?

22 Thank you.

23 THE JUROR: Just asking.

24 THE COURT: Anybody else? All right.

25 All right, ladies and gentlemen, our jury panel is now

1 qualified, and I'm sure that Madam Clerk -- some
2 of the instruction for this week, and I apologize if
3 I'm repeating them, cell phones, pagers, communication
4 devices, that sort of thing need to be on silent mode.
5 And usually it's best to leave them outside of the
6 courthouse so that a potential -- avoids any potential
7 disruptions.

8 And, further, during the course of the week
9 -- and I don't want you starting any kind of
10 deliberations or discussions. You say, well, how would
11 I do that? Well, any kind of discussion about a case,
12 the nature of a case, even the names in the case between
13 fellow jurors could potentially be considered some sort
14 of premature, which is not allowed -- premature
15 deliberations.

16 It wouldn't be fair to start discussing
17 the status of the case or something that may involve
18 your decision as to your verdict without hearing
19 all of the evidence, hearing all of the arguments from
20 the attorneys, and the charge on the law from the judge.
21 So, I'm going to ask you not to discuss -- and if you're
22 selected for the jury panel, you'll hear from me more
23 than once, don't discuss the case.

24 Talk about the weather, talk about football,
25 talk about basketball, but not the case or cases itself,

1 or do any kind of communication, looking up lawyers,
2 looking up cases, looking up names, anything at all like
3 that, any kind of independent research. The natural
4 inclination for people today is to Google something
5 and look stuff up. So, I'm instructing you at this
6 point, as to everything we're doing here, do not.

7 And if somehow you come across something
8 in your normal inquiry or newspaper or query into
9 the media and come across something that's talking about
10 the cases here, then pass it by or move on and do not
11 pay any attention to it, and do not begin deliberations
12 until instructed to do so by the Court.

13 Another matter that's important as well,
14 no contact at all with any of the parties, lawyers,
15 or possible witnesses in this case. That means if
16 there's somebody here, and they're a potential witness,
17 even if you know them, if they ignore you, they are just
18 following my instructions not to talk to you because
19 even an innocent hello from you as a juror, or potential
20 juror, to somebody who's a lawyer or a participant
21 in a case could be misunderstood by the other folks.
22 So don't take any offense if somebody doesn't talk
23 to you, or doesn't even get on the elevator with you.

24 I ask you to be prompt, be on time.
25 I'm going to make sure that I am on time. I'm going

1 to make sure that we move along as quickly and/or as
2 efficient as possible as we go forward with the case
3 or cases this week. As I indicated, our jury panel
4 is now qualified. We're ready to proceed with the
5 qualification or jury selection process for our first
6 case?

7 MR. MCNEELY: The State is prepared,
8 Your Honor.

9 MS. WHITE: Defense is prepared.

10 THE COURT: Okay. All right. Madam Clerk,
11 can you call our first case?

12 THE CLERK: State of South Carolina
13 versus Aubrey Dupree Tucker, 22-GS-08-740; State of
14 South Carolina versus Aubrey Dupree Tucker -- I'm sorry.
15 I didn't state the charge. Murder on the first charge.
16 State of South Carolina versus Aubrey Dupree Tucker,
17 22-GS-08-741, for the charge of possession of a weapon
18 during the commission of a violent crime; State of
19 South Carolina versus Aubrey Dupree Tucker,
20 22-GS-08-742, possession of a firearm or ammunition
21 by a person convicted of a violent crime.

22 THE COURT: All right. Thank you. All
23 right. Ladies and gentlemen, that is the first case,
24 the State versus Aubrey Tucker. Before we select
25 the jury for this case, there's several questions

1 which I'll ask you, and you have already been sworn.

2 Madam Clerk, have they been sworn?

3 THE CLERK: Yes, Your Honor.

4 THE COURT: And I tell you that some of
5 these sound like duplicates. Sometimes there's subtle
6 differences in the questions, and sometimes they do
7 overlap in that. So please pay attention to these
8 questions that would help determine whether you would
9 be selected in this case.

10 Well, first off, I'm going to ask the
11 attorneys to introduce themselves and anybody at their
12 table prior to us beginning. We'll hear from the State.

13 MR. MCNEELY: Thank you, Your Honor.
14 My name is Wilton McNeely. I'm a senior assistant
15 solicitor here in Berkeley County. I serve on behalf
16 of deputy solicitor Anne Williams, who is over our
17 Berkeley County office, and we both work under the
18 elected solicitor, Scarlett Wilson, who represents
19 both Charleston and Berkeley Counties.

20 Assisting me this week will be
21 Olivia Hassler Lynch; she's an assistant solicitor
22 in our office, as well as Allison Mills, our paralegal.
23 And seated with me is Detective Kimber Gist with the
24 Berkeley County Sheriff's Office.

25 THE COURT: All right.

1 MS. WHITE: My name is Keshia White, and my
2 co-counsel today is Corey Hughes. We are employed
3 by the Ninth Circuit Public Defender's Office, where
4 Cameron Blazer is the circuit public defender, and we
5 represent Mr. Aubrey Dupree Tucker.

6 THE COURT: All right. Thank you all.
7 All right. Is there any member of the jury panel that
8 has a close personal or social relationship with either
9 the solicitor's office or the solicitors that have
10 identified themselves, or the public defender or the
11 parties or the Defendant in this matter? If so, please
12 stand, and seeing none.

13 Is any member of the panel -- jury panel
14 related by blood or marriage, or have a close personal
15 or social relationship with anyone in the Ninth Circuit
16 Solicitor's Office or in the Berkeley County Public
17 Defender's Office? If so, please stand, and seeing
18 none. Has any member of the jury panel formed or
19 expressed an opinion about any issue or matter involved
20 in this case? If so, please stand.

21 And by way of background, this matter
22 involves an incident which took place on June the 9th,
23 2021, on Old Back River Road in the Goose Creek area
24 of Berkeley County, and the Defendant is alleged to have
25 shot and killed Jessica Ancrum. And again, is there

1 any member of the jury panel who is either familiar
2 with the case or has expressed any opinion or formed
3 any opinion relative to this matter? If so, please
4 stand. And again, seeing none.

5 Has any member of the jury panel ever
6 had -- any member of the jury panel or your family
7 ever had any criminal charges adjudicated by the
8 Ninth Circuit Solicitor's Office in either Charleston
9 or Berkeley County? If so, please stand. Seeing none.

10 Does any member of the jury panel know
11 Aubrey Dupree Tucker or any member of his family?
12 If so, please stand. Seeing none.

13 Is there anyone who has previously been
14 a witness in a criminal or a civil case? If so, please
15 stand, and seeing none. Would any member of the jury
16 panel have any problem following the law as the judge
17 cites it to you, even if you believe that that law
18 is inappropriate or unfair? If so, please stand.
19 Seeing none.

20 Is there any member of the jury panel that
21 has a religious conviction or convictions, philosophical
22 or moral beliefs, or political orientations that would
23 make it difficult for you to sit in judgment of another
24 person? If so, please stand. Yes, ma'am, your juror
25 number?

1 THE JUROR: 148.

2 THE COURT: 148. And how does that apply
3 to you, ma'am?

4 THE JUROR: I am a licensed therapist.
5 I have been for years, and my employment is for mobile
6 crisis in North Charleston at Stall. I cannot find
7 a way in my brain that my information and experience
8 and current employment would not impact my judgment.

9 THE COURT: All right. So you think it
10 would impair -- not impair, but impact your judgment?

11 THE JUROR: Yes.

12 THE COURT: Okay. And your name?

13 THE JUROR: Brandi Pfeil, P-F-E-I-L, juror
14 148.

15 THE COURT: All right. Thank you,
16 Ms. Pfeil. Thank you for sharing that. Is there
17 any member of the jury panel or a member of your family
18 or close personal friend been the victim of any violent
19 crime? If so, please stand, and seeing none.

20 Is there any member of the jury panel
21 or a member of your family or a close personal friend
22 been accused of a violent crime? If so, please stand.
23 Yes, sir, what's your number?

24 THE JUROR: Juror 178.

25 THE COURT: 178. Was that you or some other

1 person accused of a violent crime?

2 THE JUROR: My cousin was accused of
3 shooting his wife up in Florence a couple of years ago.

4 THE COURT: And do you believe that that
5 situation involving your family would affect your
6 ability to render fair and impartial service in this
7 case?

8 THE JUROR: I suppose not.

9 THE COURT: Okay. All right. Thank you.
10 You're 178?

11 THE JUROR: That's correct.

12 THE COURT: All right. Thank you.

13 All right. Does any member of the jury panel have
14 a relative currently serving a prison sentence? If so,
15 please stand. Yes, ma'am.

16 THE JUROR: I have a cousin that is serving
17 a life sentence for murder in Shreveport, Louisiana.

18 THE COURT: And what was the relative?

19 THE JUROR: My cousin.

20 THE COURT: Your cousin?

21 THE JUROR: Yes.

22 THE COURT: And would that affect your
23 ability to render fair and impartial service in this
24 matter?

25 THE JUROR: No.

1 THE COURT: Okay. And your number again?

2 THE JUROR: Sixty-seven.

3 THE COURT: Sixty-seven. Okay. I thought
4 so. All right, thank you. Yes, ma'am.

5 THE JUROR: Juror number 130. I also have
6 a cousin who is in prison now as an accessory to murder,
7 but it wouldn't affect.

8 THE COURT: Okay. That was my follow-up
9 question. Would that affect your ability to render fair
10 and impartial service?

11 THE JUROR: No.

12 THE COURT: All right. Any doubt in your
13 mind?

14 THE JUROR: No.

15 THE COURT: Okay. Thank you. Yes, sir,
16 what's your juror number?

17 THE JUROR: 136.

18 THE COURT: 136. Yes, sir.

19 THE JUROR: I have a cousin serving 12 years
20 for murder that I don't believe -- she's railroaded.

21 THE COURT: I'm sorry, the last part?

22 THE JUROR: I believe she was railroaded.

23 THE COURT: Okay.

24 THE JUROR: So it would affect my judgment.

25 THE COURT: Okay. And tell me your name.

1 THE JUROR: Abraham Murray.

2 THE COURT: Martin?

3 THE JUROR: Abraham Murray.

4 THE COURT: Murray. Okay. All right.

5 Thank you, Mr. Murray. All right. Any member
6 of the jury panel familiar with or frequented or lived
7 in the area of Old Back River Road or Riverside Circle,
8 or in the immediate surrounding area in Goose Creek?
9 If so, please stand, and seeing none.

10 Excuse me if I duplicated this. I may have
11 gotten off track. Has any member of the jury panel or
12 your relatives or close personal friends had any contact
13 with law enforcement officials that might affect
14 your view of law enforcement? If so, please stand,
15 and seeing none.

16 Has any member of the jury panel read
17 about or heard about through social media, newspapers
18 or television about this matter? If so, please stand.
19 Seeing none. Has any member of the jury panel, family,
20 or a close personal friend a former law enforcement
21 employee, or any members of your immediate families
22 or close personal friends employed by law enforcement
23 agencies? If so, please stand. All right, there we
24 go. All right. I'll start -- I'll go left to right.
25 In the front, what's your number?

1 THE JUROR: Twenty-four.

2 THE COURT: Twenty-four. And what is your
3 connection to law enforcement?

4 THE JUROR: My brother-in-law works for
5 Florence County Sheriff's Department.

6 THE COURT: Brother-in-law. All right.
7 Would the fact that your brother-in-law works for law
8 enforcement in Florence County affect your ability to
9 render fair and impartial service in this case?

10 THE JUROR: No.

11 THE COURT: All right. Any doubt in your
12 mind?

13 THE JUROR: No.

14 THE COURT: Okay. And your name?

15 THE JUROR: Bryson Busniuk.

16 THE COURT: Last name?

17 THE JUROR: Busniuk.

18 THE COURT: Busniuk. All right. Thank you,
19 sir. All right, yes, ma'am.

20 THE JUROR: Juror number 1. My brother
21 is a -- was a state trooper for South Carolina up
22 in Horry County.

23 THE COURT: All right. And with that
24 connection to law enforcement, would that affect your
25 ability to render fair and impartial service in this

1 case?

2 THE JUROR: No.

3 THE COURT: Any doubt in your mind?

4 THE JUROR: (Shakes head.)

5 THE COURT: Okay. All right. And tell me
6 your name again.

7 THE JUROR: Cassie Aiello.

8 THE COURT: Okay. Thank you, ma'am.
9 All right, yes, sir.

10 THE JUROR: Juror 72, Jeremy Gray. My uncle
11 is a captain for Charleston County Sheriff's Office.

12 THE COURT: All right. Say that again
13 slower for me.

14 THE JUROR: My uncle is a captain for
15 Charleston County Sheriff's Office.

16 THE COURT: Okay. And would that affect
17 your ability to render fair and impartial service in
18 this case?

19 THE JUROR: No, sir.

20 THE COURT: All right. Any doubt in your
21 mind?

22 THE JUROR: No, sir.

23 THE COURT: Okay. Thank you. Yes, ma'am.

24 THE JUROR: Juror 148, Brandi Pfeil.

25 THE COURT: All right. And your connection

1 to law enforcement?

2 THE JUROR: Current dating partner is
3 previous law enforcement, father was law enforcement,
4 brothers, cousins, friends.

5 THE COURT: Okay.

6 THE JUROR: Multiple through Berkeley
7 and Dorchester Counties.

8 THE COURT: All right. And would that
9 aspect affect your ability to render fair and impartial
10 service?

11 THE JUROR: No.

12 THE COURT: All right. Thank you, ma'am.
13 All right, yes, ma'am.

14 THE JUROR: Juror number 176. I have
15 a brother-in-law -- two brothers-in-law and one nephew.
16 My nephew is an LAPD cop, and a brother-in-law that
17 is in Georgia is a captain of the prison system
18 there. I guess, the federal prison there in Georgia,
19 and a brother-in-law that was a retired state marshal
20 in California.

21 THE COURT: All right. With that connection
22 to law enforcement, would that affect your ability
23 to render fair and impartial service in this case?

24 THE JUROR: No, sir.

25 THE COURT: Okay. Thank you, ma'am.

1 All right, yes, sir.

2 THE JUROR: Tony Gonzalez, juror 69. I have
3 a cousin with Miami PD.

4 THE COURT: All right. And what agency was
5 that?

6 THE JUROR: Miami.

7 THE COURT: Miami. Okay. All right.
8 And would that affect your ability to render fair
9 and impartial service in this case?

10 THE JUROR: It will not.

11 THE COURT: Any doubt in your mind?

12 THE JUROR: No.

13 THE COURT: Okay. Thank you. All right,
14 yes, ma'am.

15 THE JUROR: Juror 95, Kristina Jones.

16 THE COURT: Was it 85? I'm sorry.

17 THE JUROR: Ninety-five.

18 THE COURT: Ninety-five. Got it.

19 THE JUROR: I have a nephew that's currently
20 a state trooper in Virginia.

21 THE COURT: Okay. And would that connection
22 to law enforcement affect your ability to render fair
23 and impartial service?

24 THE JUROR: No, sir.

25 THE COURT: All right. Thank you, ma'am.

1 All right, yes, ma'am.

2 THE JUROR: Juror 123. I have an uncle
3 who works for Berkeley County Sheriff's Department.

4 THE COURT: Okay. All right. And would
5 that affect your ability to render fair and impartial
6 service in this case?

7 THE JUROR: No, sir.

8 THE COURT: Okay. Thank you, ma'am.
9 Yes, ma'am.

10 THE JUROR: Me?

11 THE COURT: Yes.

12 THE JUROR: Juror number 32,
13 Meredith Clever. My brother-in-law, a Horry County
14 police officer, but he's a U.S. marshal working in the
15 east coast.

16 THE COURT: Okay. All right. And would
17 that connection to law enforcement affect your ability
18 to render fair and impartial service?

19 THE JUROR: It will not.

20 THE COURT: All right. Thank you, ma'am.
21 All right, yes, ma'am.

22 THE JUROR: Juror 21, Kaitlin Bruccoliere.
23 My husband is the supervisor at Berkeley County
24 Probation and Parole.

25 THE COURT: All right. And would that

1 connection to law enforcement affect your ability
2 to render fair and impartial service?

3 THE JUROR: I think it would, yeah.

4 THE COURT: Okay. Thank you, ma'am.

5 All right, yes, sir.

6 THE JUROR: Juror 56.

7 THE COURT: All right.

8 THE JUROR: I was a police officer for
9 22 years in Mount Pleasant and Moncks Corner. I used
10 to prosecute all my cases, so would definitely render
11 judgment as far as that goes because I lean more towards
12 the prosecution than anything else.

13 THE COURT: All right. And your name?

14 THE JUROR: Bruce Evensen.

15 THE COURT: All right. Thank you, sir.

16 THE JUROR: Yes, sir.

17 THE COURT: All right. Any others?

18 Is there any member of the jury panel or any member of
19 your immediate family or close personal friends related
20 to -- or a personal friend or acquaintance of anyone
21 employed in the Ninth Circuit Solicitor's Office?

22 If so, please stand, and seeing none. Has any member
23 of the jury panel formed an opinion concerning the guilt
24 or innocence of Mr. Tucker? If so, please stand.

25 Seeing none.

1 Other than what may have already been
2 previously indicated, is there any member of the jury
3 panel who is aware of any reason whatsoever why they
4 would not be able to -- or you would not be able
5 to render a fair and impartial verdict on behalf
6 of the Defendant or the state of South Carolina in this
7 case? If so, please stand. Seeing none. Is there
8 any member of the jury panel who has served on a jury
9 before?

10 THE JUROR: Anytime?

11 THE COURT: Anytime.

12 THE JUROR: Oh, yeah. Yes, sir.

13 THE COURT: Civil or criminal?

14 THE JUROR: Criminal.

15 THE COURT: Criminal. And would that
16 previous service affect your ability to understand --
17 not understand, but to render a fair and impartial
18 verdict in this matter?

19 THE JUROR: Not at all.

20 THE COURT: All right. And what was your
21 number again?

22 THE JUROR: 207.

23 THE COURT: 207. Prior jury, criminal.

24 All right. Thank you, sir. Yes, ma'am.

25 THE JUROR: Juror number 2, and I served

1 in civil in Goose Creek.

2 THE COURT: Civil in Goose Creek. That
3 would be magistrate court?

4 THE JUROR: Yes, sir.

5 THE COURT: All right. And would that
6 affect your ability to render fair and impartial service
7 in this case?

8 THE JUROR: No, sir.

9 THE COURT: All right. Thank you. Yes,
10 sir.

11 THE JUROR: Juror 172.

12 THE COURT: 172.

13 THE JUROR: Criminal in Anderson County.

14 THE COURT: Okay. And would that affect
15 your ability to render fair and impartial service in
16 this case?

17 THE JUROR: No.

18 THE COURT: All right. Any doubt in your
19 mind?

20 THE JUROR: No.

21 THE COURT: Okay. And your name?

22 THE JUROR: Kevin Sammons.

23 THE COURT: All right. Thank you, sir.

24 All right. Yes, sir, your juror number?

25 THE JUROR: Forty-six.

1 THE COURT: Forty-six.

2 THE JUROR: I served in the grand jury here
3 in Berkeley.

4 THE COURT: Grand jury here in Berkeley.
5 It's been a while?

6 THE JUROR: It's been about six or seven
7 years.

8 THE COURT: Okay. All right. And your
9 name?

10 THE JUROR: Charles Dempsey.

11 THE COURT: All right. Thank you, sir.
12 Would that affect your ability to render fair and
13 impartial service in this case?

14 THE JUROR: No.

15 THE COURT: All right. Any doubt in your
16 mind?

17 THE JUROR: No.

18 THE COURT: Okay. All right, yes, ma'am.

19 THE JUROR: Number 73, Robin Gray. I've
20 served civil, downtown federal.

21 THE COURT: Civil, downtown federal. Would
22 that affect your ability to render fair and impartial
23 service in this case?

24 THE JUROR: No, sir.

25 THE COURT: Any doubt in your mind?

1 THE JUROR: No.

2 THE COURT: Okay. Thank you. All right.
3 Did I miss anybody? All right. Is there any member
4 of the jury panel, or their family, members of crimes --
5 of victim's rights or law enforcement organizations,
6 such as Citizens Against Violent Crime, CAVE, People
7 Against Rape, P-A-R, Mothers Against Drunk Driving,
8 MADD, Persons in Power to Save Teens, P-P-S-T, or the
9 Fully-Informed Jury Organization or any other community
10 watch program or the like? If so, please stand, and
11 seeing none.

12 All right, ladies and gentlemen, we have
13 a list of potential witnesses. It doesn't mean they're
14 all going to be called. They're potential witnesses
15 in this matter, and what I've asked them to do was
16 to try and put the list up there. Hopefully, that will
17 be blown up a little bit on there. I thought instead
18 of just reading the names out, it might be a little
19 confusing. I'm going to read the names out, and the
20 list is up there, and you could follow along with me.

21 My question is going to be, does any member
22 of the jury panel know or have a close personal
23 relationship with any of these potential witnesses?
24 I'm going to read them out. If it applies to you,
25 at the end, I'll ask you to stand up. Don't stand

1 up in the middle of it. We'll just go through it, and
2 then come back to you whether you have any connection
3 with this potential witness or not.

4 Number one, Carolyn Jefferson,
5 Robert Jefferson, Lee Doris Richardson, Steward Simpson,
6 Chanel Butler, Justin Proveaux, Delmus "Beau" Wilson,
7 Patrick Daniels, Hailfair Cierra Williams,
8 Nathan Gaines, Jerrica Drayton, Kimber Gist,
9 Perry Smith, Timothy Ham, Joe Seegars, Heather Haag,
10 Daniel Lambert, James Vansant, Steven Zubkoff,
11 Zachary Wright, Robert Dwyer, Bernard Nelson,
12 Scott Bell, Dustin Morris, Jason Williams,
13 Jessica Mackie Keefer, Steven Russell Gottula,
14 Eric Melendez, Taylor Ware Fowler, Damian Smith,
15 Alexander Tfank, Gideon Wilz, Kimberly Milks,
16 Kyle Bealer, Lamar Cole Alsbrook, Geno Alteri,
17 Crystal Spence, Kevin McGowan, Michael Lockilear,
18 Katherine Bruhl, Neal Johnson, Nathan Rollins,
19 Chris Gilbreath, John Caddell, Michael Crumley,
20 Jason Potteiger, Willie Hickman, David Brabham,
21 Jeremy Baker, Duane Lewis, Paul McManigal,
22 Sean McPherson, Brittany Butler, Chastity Simpson,
23 Peggy Brown, Yancey Wright, Tyler Harris, Mark Dunham,
24 Christine Kinney, Darnell Hartwell, Paul Taylor,
25 Bridgette Walker, Dr. Susan Erin Presnell,

1 Olivia Rivera, Madison Willis, Rachel Noelle Johnson,
2 Christine Dabado, Susan Smith, Madlyn Baxley,
3 Hannah Jefferson, Bailey Haynes, Hailey Gardner,
4 Kayleigh Soto, Lynn Black, Doug Robinson,
5 Megan Fletcher, James Green, Eddie Haselden.

6 Same question. Any member of the jury panel
7 know or have a close personal relationship with any
8 of the folks that I have named? If so, please stand.
9 All right. I'm going to go again left to right.
10 Yes, ma'am, your number?

11 THE JUROR: 148, Brandi Pfeil.

12 THE COURT: All right. And which person?

13 THE JUROR: North Charleston Police
14 Department officers and clerk of court for
15 Charleston County, working relationship frequently.

16 THE COURT: Okay. And would that affect
17 your ability to render fair and impartial service?

18 THE JUROR: Yes.

19 THE COURT: Okay. Thank you, ma'am.
20 Yes, ma'am.

21 THE JUROR: Elizabeth Bailey, juror 5.
22 EMS worker.

23 THE COURT: Okay. And which one
24 specifically?

25 THE JUROR: Yancey Wright.

1 THE COURT: Yancey Wright?

2 THE JUROR: Yes.

3 THE COURT: And would that affect your
4 ability to render fair and impartial service in this
5 matter?

6 THE JUROR: No, sir.

7 THE COURT: You said no?

8 THE JUROR: No.

9 THE COURT: Okay. Thank you, ma'am.
10 Yes, ma'am.

11 THE JUROR: Juror 32, Meredith Clever.
12 I know Nathan Rollins.

13 THE COURT: All right. And would that
14 affect your ability to render fair and impartial service
15 in this matter?

16 THE JUROR: It would not.

17 THE COURT: All right. Any doubt in your
18 mind?

19 THE JUROR: No.

20 THE COURT: Okay. All right. Yes, ma'am.

21 THE JUROR: Juror 21, Kaitlin Bruccoliere.
22 I know Heather Haag.

23 THE COURT: And knowing that witness or
24 potential witness, Ms. Haag, would that affect your
25 ability to render fair and impartial service in this

1 matter?

2 THE JUROR: Yes, sir.

3 THE COURT: Okay. All right. Thank you,
4 ma'am. Anything further from the State?

5 MR. MCNEELY: Yes, Your Honor.

6 THE COURT: All right.

7 MR. MCNEELY: May we approach?

8 THE COURT: Certainly.

9 (Off-the-record conversation held at sidebar.)

10 (Back on the record.)

11 THE COURT: All right, ladies and gentlemen,
12 everyone is qualified, and I appreciate y'all's
13 attention so far. We're going to take a short break.
14 I'm going to ask y'all to return into the courtroom
15 at about 11:15, and we'll proceed with the jury
16 selection for our case. I'm sorry. I'm looking
17 at the wrong one, 12:15. Yeah. I didn't even realize
18 that. So 12:15, please. Thank you.

19 (Recess taken.)

20 (Back on the record.)

21 THE COURT: All right. Good afternoon
22 again. Y'all have a seat. Thank you. All right.
23 All right. For the record, is there any objections
24 or additions as to voir dire from the State?

25 MR. MCNEELY: No, Your Honor.

1 THE COURT: From the defense?

2 MS. WHITE: None from the defense,
3 Your Honor.

4 THE COURT: And we had a bench conference
5 that outlined the strikes for cause. You enumerated
6 those, and I'll put those on the record when
7 appropriate. Is the State ready to proceed with the
8 jury selection?

9 MR. MCNEELY: State's ready, Your Honor.

10 THE COURT: Defense?

11 MS. WHITE: Defense is ready, Your Honor.

12 THE COURT: All right. Alternates, two.
13 All right, Madam Clerk.

14 THE CLERK: Ladies and gentlemen of the jury
15 panel, if I call your juror number and name, please
16 gather your belongings, come forward, and the bailiff
17 will show you where to stand. If I say seat the juror,
18 you will be directed to be seated in the jury panel
19 box. If I say excuse the juror, you will be returned
20 to your seat. Juror 141, Tranetta Palmer. What sayeth
21 the State?

22 MR. MCNEELY: Please seat the juror.

23 THE CLERK: What sayeth the Defendant?

24 MS. WHITE: Please seat the juror.

25 THE CLERK: Seat the juror. Juror number

1 204, Jamie Wiemann. What sayeth the State?

2 MR. MCNEELY: Please seat the juror.

3 THE CLERK: What sayeth the Defendant?

4 MS. WHITE: Please excuse the juror.

5 THE CLERK: Excuse the juror. Juror number
6 7, William Bates. What sayeth the State?

7 MR. MCNEELY: Please excuse the juror.

8 THE CLERK: Excuse the juror. Juror number
9 46, Charles Dempsey. What sayeth the State?

10 MR. MCNEELY: Please seat the juror.

11 THE CLERK: What sayeth the Defendant?

12 MS. WHITE: Please seat the juror.

13 THE CLERK: Seat the juror. Juror 117,
14 Kathleen Malpeli. What sayeth the State?

15 MR. MCNEELY: Please seat the juror.

16 THE CLERK: What sayeth the Defendant?

17 MS. WHITE: Please strike the juror --
18 please excuse the juror.

19 THE CLERK: Excuse the juror.

20 MS. WHITE: Sorry.

21 THE CLERK: Juror number 54, Chani Egge.
22 What sayeth the State?

23 MR. MCNEELY: Please seat the juror.

24 THE CLERK: What sayeth the Defendant?

25 MS. WHITE: Please seat the juror.

1 THE CLERK: Seat the juror. Juror number
2 67, Kaneisha Gilson. What sayeth the State?

3 MR. MCNEELY: Please excuse the juror.

4 THE CLERK: Excuse the juror. Juror number
5 40, Kelsie Davis. What sayeth the State?

6 MR. MCNEELY: Please seat the juror.

7 THE CLERK: What sayeth the Defendant?

8 MS. WHITE: Please excuse the juror.

9 THE CLERK: Excuse the juror. Juror number
10 66, Benjamin Gatlin. What sayeth the State?

11 MR. MCNEELY: Please seat the juror.

12 THE CLERK: What sayeth the Defendant?

13 MS. WHITE: Please seat the juror.

14 THE CLERK: Seat the juror. Juror number
15 89, Rachel Jaeger. What sayeth the State?

16 MR. MCNEELY: Please seat the juror.

17 THE CLERK: What sayeth the Defendant?

18 MS. WHITE: Please seat the juror.

19 THE CLERK: Seat the juror. Juror number
20 98, Ayhan Kasikci. What sayeth the State?

21 MR. MCNEELY: Please seat the juror.

22 THE CLERK: What sayeth the Defendant?

23 MS. WHITE: Please excuse the juror.

24 THE CLERK: Excuse the juror. Juror number
25 68, Justin Golzari. What sayeth the State?

1 MR. MCNEELY: Please seat the juror.

2 THE CLERK: What sayeth the Defendant?

3 MS. WHITE: Please seat the juror.

4 THE CLERK: Seat the juror. Juror number 3,
5 Joeylyne Anderson. What sayeth the State?

6 MR. MCNEELY: Please seat the juror.

7 THE CLERK: What sayeth the Defendant?

8 MS. WHITE: Please seat the juror.

9 THE CLERK: Seat the juror. Juror number
10 60, Holly Frankel. What sayeth the State?

11 MR. MCNEELY: Please seat the juror.

12 THE CLERK: What sayeth the Defendant?

13 MS. WHITE: Please excuse the juror.

14 THE CLERK: Excuse the juror. Defense has
15 exhausted five strikes. Juror 133, Austin Moreland.
16 What sayeth the State?

17 MR. MCNEELY: Please excuse the juror.

18 THE CLERK: Excuse the juror. State has
19 exhausted three excuses. Juror number 39, Karen Davis.
20 What sayeth the State?

21 MR. MCNEELY: Please seat the juror.

22 THE CLERK: What sayeth the Defendant?

23 MS. WHITE: Please excuse the juror.

24 THE CLERK: Excuse the juror. Juror number
25 158, Gigi Raju. What sayeth the State?

1 MR. MCNEELY: Please seat the juror.

2 THE CLERK: What sayeth the Defendant?

3 MS. WHITE: Please excuse the juror.

4 THE CLERK: Excuse the juror. Juror 201,
5 Garrett Weeks. What sayeth the State?

6 MR. MCNEELY: Please seat the juror.

7 THE CLERK: What sayeth the Defendant?

8 MS. WHITE: Please seat the juror.

9 THE CLERK: Seat the juror. Juror number
10 20, Gregory Brownlee. What sayeth the State?

11 MR. MCNEELY: Please seat the juror.

12 THE CLERK: What sayeth the Defendant?

13 MS. WHITE: Please excuse the juror.

14 THE CLERK: Excuse the juror. Juror number
15 59, Jonathan France. What sayeth the State?

16 MR. MCNEELY: Please seat the juror.

17 THE CLERK: What sayeth the Defendant?

18 MS. WHITE: Please seat the juror.

19 THE CLERK: Seat the juror. Juror 178,
20 Nicholas Shuler. What sayeth the State?

21 MR. MCNEELY: Please excuse the juror.

22 THE CLERK: Excuse the juror. Juror 174,
23 Linsy Sechler. What sayeth the State?

24 MR. MCNEELY: Please seat the juror.

25 THE CLERK: What sayeth the Defendant?

1 MS. WHITE: Please seat the juror.

2 THE CLERK: Seat the juror. Juror number
3 52, Sierra Duncan. What sayeth the State?

4 MR. MCNEELY: Please seat the juror.

5 THE CLERK: What sayeth the Defendant?

6 MS. WHITE: Please seat the juror.

7 THE CLERK: Seat the juror. Juror number
8 69, Antonio Gonzalez. What sayeth the State?

9 MR. MCNEELY: Please seat the juror.

10 THE CLERK: What sayeth the Defendant?

11 MS. WHITE: Please excuse the juror.

12 THE CLERK: Excuse the juror. Juror number
13 14, Michael Bozzelli. What sayeth the State?

14 MR. MCNEELY: Please seat the juror.

15 THE CLERK: What sayeth the Defendant?

16 MS. WHITE: Please seat the juror.

17 THE CLERK: Seat the juror. Alternate
18 number 1. Juror number 151, Guy Polin. What sayeth
19 the State?

20 MR. MCNEELY: Please seat the juror.

21 THE CLERK: What sayeth the Defendant?

22 MS. WHITE: Please excuse the juror.

23 THE CLERK: Excuse the juror. Juror number
24 19, Madelyn Brown. What sayeth the State?

25 MR. MCNEELY: Please excuse the juror.

1 THE CLERK: Please excuse the juror. Juror
2 number 177, Carolyn Shoener. Any cause for challenge
3 from the State?

4 MR. MCNEELY: No, Your Honor -- no,
5 Madam Clerk.

6 THE CLERK: What sayeth the Defendant?

7 MS. WHITE: Please excuse the juror.

8 THE CLERK: Excuse the juror. Juror number
9 75, Robin Gregg. Any cause for challenge from the
10 State?

11 MR. MCNEELY: No.

12 THE CLERK: Any cause for challenge from the
13 defense?

14 MS. WHITE: No.

15 THE CLERK: Seat the juror. Alternate
16 number 2, Kevin Murrell, juror number 137. What sayeth
17 the State?

18 MR. MCNEELY: No challenge.

19 THE CLERK: We're on alternate number 2.

20 MR. MCNEELY: Oh. Please seat the juror.

21 THE CLERK: What sayeth the defense?

22 MS. WHITE: Please seat the juror.

23 THE CLERK: Seat the juror. Jury is seated,
24 Your Honor.

25 THE COURT: I'm sorry?

1 THE CLERK: I said the jury is seated.

2 THE COURT: All right, we have our jury.

3 All right. And we have our two alternates. Any
4 exceptions from the State regarding the jury selection
5 process?

6 MR. MCNEELY: None from the State,
7 Your Honor.

8 THE COURT: From the defense?

9 MS. WHITE: None from the defense.

10 THE COURT: Okay. All right. I am going to
11 get y'all to go back to the jury room here in a moment.
12 Ms. Palmer, I think you were the first person selected.
13 I'm going to appoint you as the foreperson of the jury.
14 I'm going to ask you to sit in that seat. You don't
15 get paid anything extra, okay? But there'll be some
16 instructions and some duties that you will have,
17 which I will share with you as we go forward, okay?
18 So, I'm going to appoint Ms. Palmer as the foreperson.

19 Our two -- last two who are the alternates,
20 Mr. Murray [sic], and the other one, I did not write
21 your name down. I'm sorry.

22 THE CLERK: Gregg.

23 THE COURT: Ms. Gregg, right? Okay.
24 Y'all are our alternates. I'm going to ask y'all
25 to sit in those two seats -- the last two seats on

1 the end each time we come and go. Everybody else
2 can sit wherever they want or however you wish, other
3 than the foreperson and our two alternates.

4 So, I told you I would instruct you not
5 to discuss the case. Don't -- the natural inclination
6 is to go back, start talking about the case. Don't do
7 it. Again, it wouldn't be fair. I'm going to send you
8 back to the jury room, and then we're going to figure
9 out the schedule for the rest of the day and for
10 tomorrow. So, I'm going to ask y'all to be excused back
11 to the jury room until I get further word. Ask y'all
12 to rise for the jury.

13 (The jury exited the courtroom at 12:29 p.m.)

14 THE COURT: All right. Y'all can be seated.
15 Thank you. All right, ladies and gentlemen of my jury
16 panel, we have selected a jury for the first case.
17 There may be further cases this week, or if that case
18 resolves, we may be able to go forward. I'm going
19 to ask y'all to call the number that the clerk provided
20 to you after six o'clock this evening for instructions
21 as to tomorrow, okay?

22 And, of course, with any questions,
23 just touch base with the bailiffs or the deputies,
24 and we'll get the answers for you. But your service
25 as far as today is concluded. Call back after six

1 tonight, find out what your next step will be.

2 And again, thank y'all for your service.

3 (Remaining jury panel exits the courtroom at 12:31 p.m.)

4 THE COURT: All right. Does the Defendant
5 wish to be arraigned -- formally arraigned?

6 MS. WHITE: No, Your Honor.

7 THE COURT: Okay. We'll note the waiver
8 for our record. All right. So the jury panel has left.
9 We've got our jury selected for this case. My
10 suggestion is to let them leave now. It's 12:30.
11 Have them come back here at two o'clock and proceed.

12 Is there anything that I need to take up
13 in the meantime, any motions? Anything that I need
14 to be -- that needs to be heard by me before they come
15 back?

16 MR. MCNEELY: Just a few things, Your Honor.

17 THE COURT: Okay. All right.

18 MR. HUGHES: We have just a few motions
19 as well, Your Honor.

20 THE COURT: Okay. All right. Well, I will
21 be happy to hear them right now.

22 MR. MCNEELY: Let me start.

23 THE COURT: Yes, please.

24 MR. MCNEELY: Most of these are outlined
25 in my trial brief, the first being in regard to what

1 I classified as 404(b) evidence or Lyle. The Defendant,
2 at the time of this offense, was on bond for a murder
3 charge in Charleston County. He was wearing an ankle
4 monitor.

5 This evidence, we intend to present during
6 the trial of this case because it goes specifically
7 to his identity, as it places him directly at the crime
8 scene at the time of the incident. While I understand
9 it may be damning, certainly the prejudicial effect
10 does not substantially outweigh the probative value,
11 which is extraordinarily relevant to his identity in
12 this case.

13 I put in the trial brief, and I'll say that
14 now, if Your Honor is so inclined to allow it, the State
15 could limit it to just saying that he was on bond
16 and on an ankle monitor, and we don't need to discuss
17 the nature of the charge for which he was on bond
18 at the time. But I certainly believe that they're
19 entitled to know that he was on bond and an ankle
20 monitor, as it goes directly to his identity as the
21 perpetrator of the crime.

22 THE COURT: And I'm assuming that the
23 person from whatever the monitoring company is, is going
24 to be here to testify as to his location at the scene;
25 is that correct?

1 MR. MCNEELY: That's correct, Your Honor.

2 THE COURT: Okay. All right. From the
3 defense, response?

4 MR. HUGHES: Thank you, Judge. We would
5 just ask that you sequester all the State's witnesses.

6 THE COURT: Yeah, I'm going to jump back
7 and forth.

8 MR. HUGHES: Oh, sorry.

9 THE COURT: The first motion -- that's okay.
10 The first motion relative to the ankle monitor, any
11 objection?

12 MR. HUGHES: Judge ---

13 THE COURT: What's your position relative
14 to the ankle monitor?

15 MR. HUGHES: We would ask that any mention
16 of the Defendant's ankle monitor without -- no mention
17 of it without clarifying that it is unrelated to the
18 present case, Judge. I don't believe that we would
19 have an issue with them saying that he was out on bond.
20 But any mention of the ankle monitor, we would want
21 it to be said that it is unrelated to this matter.

22 THE COURT: You're asking for the jury --
23 not the jury, an instruction from the Court to that
24 effect; is that right?

25 MR. HUGHES: Yes, Judge.

1 THE COURT: All right. Any objection to
2 that?

3 MR. MCNEELY: I don't. I think it will
4 be pretty self-evident because he was on it before the
5 crime was committed here. But, no, it was not related
6 to this; it was related to a separate case.

7 THE COURT: All right.

8 MR. HUGHES: And, Judge, I think the way
9 that Mr. -- Wilton said that was just fine with the bond
10 issue.

11 THE COURT: All right. As long as the State
12 is not going to inquire as to the nature of the charges
13 relative to that. I imagine the questions would
14 be along the lines of, you're the monitoring company,
15 did you have an ankle monitor on this person? Yes.
16 Was that in connection with a bond situation? Yes.
17 And then that would be the extent of it.

18 MR. MCNEELY: Well ---

19 THE COURT: Is that what we're talking
20 about?

21 MR. MCNEELY: The initial witnesses are
22 going to say that he had an ankle monitor on at the time
23 because when they called it in, they told the police
24 immediately he's wearing an ankle monitor.

25 THE COURT: Okay.

1 MR. MCNEELY: But that's as far as it'll go.

2 THE COURT: Okay.

3 MR. MCNEELY: And then the ankle monitoring
4 service will testify that he had a monitor on, and this
5 is where he was.

6 THE COURT: Yeah, I think -- yeah,
7 certainly, it's seems relevant that he had it on,
8 number one. And then, number two, that although it is
9 associated with the bond situation, that it does provide
10 for the identification because it's going to -- sounds
11 like the testimony is going to be that it placed him
12 at the scene.

13 MR. HUGHES: Yes. Yeah, Judge. We just
14 want to make sure that the witnesses are limited to
15 saying what the ankle monitor was actually for, for his
16 pending charge in Charleston. We just don't want them
17 to -- that they don't say that.

18 MR. MCNEELY: Yeah, I have no intention
19 of eliciting that it was for a murder charge.

20 THE COURT: Okay. All right.

21 MR. HUGHES: Okay.

22 THE COURT: So, yeah, counsel the witnesses.
23 We don't want pending charges, identification charges,
24 anything of that nature. And we've got some lay
25 witnesses that are going to be testifying to that,

1 so you may have to talk to them about that limitation
2 as well, okay? All right. So that will be allowed as
3 to -- due to the identification relevance. All right.
4 What was the other motion from the State?

5 MR. MCNEELY: The second thing I referenced
6 was evidence of flight. So the evidence will show,
7 and the testimony will show, that when the Defendant
8 committed this offense, he fled the scene on foot
9 initially, then became traveling by vehicle around
10 the North Charleston area for a couple of hours until
11 ultimately cutting his ankle monitor off at an apartment
12 complex where he left in another vehicle and was
13 ultimately apprehended in Columbia two days later.

14 We believe that evidence, just related
15 to where he was tracked following the crime, is directly
16 relevant and admissible in the guilt phase of this
17 trial. The case law is pretty well settled,
18 State v. Beckham, the critical factor of admissibility
19 is whether the totality of the evidence creates an
20 inference that the Defendant had knowledge he was being
21 sought, which it certainly does here as he's running
22 around town, cutting an ankle monitor off, and then
23 fleeing out of town.

24 THE COURT: All right. What says the
25 defense?

1 MR. HUGHES: Judge, we would leave that
2 in the Court's discretion.

3 THE COURT: My question is, does the
4 information and the testimony that's going to be
5 elicited relative to, I guess, what the Defendant's
6 knowledge would be, knowledge of the pending charges,
7 is there clear and convincing evidence to that effect?

8 MR. MCNEELY: Well, I believe what the
9 witnesses are going to testify is that as soon as the
10 crime was committed, he fled on foot, and then went
11 around the area, and cut his ankle monitor off. So,
12 certainly, it's clear and convincing that he knew
13 he was being pursued for this. Otherwise, that course
14 of action would not have taken place.

15 THE COURT: Okay. All right. Certainly,
16 provided the testimony tracks that, and that seems to
17 be the case, and there's no objection from the defense.
18 All right. What else?

19 MR. MCNEELY: The next thing is related
20 to the prior record of the Defendant. Just so the
21 Court is clear, his prior record includes the following:
22 2017, failure to stop for a blue light, possession
23 of cocaine, possession of cocaine base, unlawful
24 carrying of a handgun, possession of marijuana in 2015.
25 And then in 2006, assault and battery with intent to

1 kill, possession of a stolen motor vehicle, and unlawful
2 carrying of a firearm.

3 In general, the State does not intend
4 to elicit testimony regarding his prior record in
5 its case-in-chief, with the exception of that related
6 to the charge of assault and battery with intent
7 to kill, as that is the violent crime that sustains the
8 charge he's facing here today of possession of a weapon
9 or ammunition by a person convicted of a violent crime.

10 Accordingly, it's well settled that the
11 State is entitled to introduce evidence regarding that
12 charge -- that prior conviction rather, as an essential
13 element of the offense for which he is charged, and
14 that's referenced in State v. Benton, which is a 2000
15 case from the Supreme Court. Once it's established
16 that's admissible, we can discuss further how it will
17 be admitted in the case-in-chief. There are a couple
18 of options, and we can work together to discuss that.

19 THE COURT: All right. So as to everything
20 but the assault and battery with intent to kill, that
21 would be essentially reserved as to -- if the Defendant
22 testifies, and there will be a consideration ---

23 MR. MCNEELY: That's correct.

24 THE COURT: --- the intention to bring
25 it in, in any manner whatsoever, relative to the

1 case-in-chief?

2 MR. MCNEELY: Correct.

3 THE COURT: Okay.

4 MR. MCNEELY: Just the ABWIK from 2006.

5 THE COURT: All right. And that being
6 an element of the charge, y'all are asking for that to
7 be admitted in some fashion in that regard. What says
8 the defense?

9 MS. WHITE: Judge, if I understand
10 correctly, I believe that the State is asking that --
11 is that in reference to the ABWIK in bringing in the
12 certified clerk -- the clerk to certify the conviction?

13 MR. MCNEELY: Correct.

14 MS. WHITE: I would ask that we -- we would
15 be willing to stipulate to the fact that he does have
16 a conviction for which he is not allowed to carry
17 a weapon. And that would -- in lieu of the testimony
18 of the clerk or having someone come in and testify about
19 that.

20 THE COURT: The State prepared to stipulate?

21 MR. MCNEELY: I am prepared to stipulate,
22 but not in that limited fashion, Your Honor. I would
23 be willing to stipulate -- and I actually drew one up,
24 if I could find it. It says -- my proposed stipulation
25 would be, the parties hereby agree to the following

1 stipulation of fact to be provided to the jury
2 during the trial of this matter. Defendant
3 Aubrey Dupree Tucker has a prior conviction for assault
4 and battery with intent to kill, which occurred in
5 Charleston County, South Carolina, on March 2nd, 2006.
6 The crime of assault and battery with intent to kill
7 is classified as a violent crime, pursuant to
8 South Carolina Code of Laws, Section 16-1-160.

9 THE COURT: All right. Defense?

10 MS. WHITE: Judge, I would say that we would
11 be able to stipulate without it necessarily having what
12 the charge is. I think that the element -- the only
13 element that needs to be proven is the fact that he is a
14 convicted felon and is not able to carry a weapon. And
15 so with that stipulation just being that he is convicted
16 of a crime or an offense for which he is unable to carry
17 a weapon, I think would be sufficient, as opposed to
18 it necessarily saying what the charge is. I think that
19 that part can be omitted and still have the same effect.

20 THE COURT: All right. All right.

21 MR. MCNEELY: And, Your Honor, if I may.
22 Like I said initially, I believe I'm entitled to call
23 a witness in my case-in-chief by the case law.
24 I'm willing to stipulate it down to limit the number
25 of witnesses and make it clear for the jury. But the

1 State's position is that we're entitled to call the
2 witness and get into it regardless, but if they want
3 a stipulation, I do want it to include the actual
4 charge. Otherwise, we can enter the charge -- the
5 sentencing sheet, along with an exemplified copy
6 is a self-authenticating document.

7 But for practical purposes, for the
8 argument, I believe I'm entitled to call a witness
9 to testify to it. If you would like us to stipulate,
10 I'm willing to do it, but it needs to include what the
11 charge is, what the date is, and that it's classified
12 as a violent crime.

13 THE COURT: Okay. All right. Well -- yeah,
14 let me look at that one to make sure I'm comfortable
15 with whatever that ruling would be. I'll let y'all
16 know that after we get back.

17 MR. MCNEELY: Would you like the case
18 I cited?

19 THE COURT: I think I have it, but give
20 it to me anyway.

21 MR. MCNEELY: State v. Benton, 338 S.C. 151;
22 it's a 2000 Supreme Court decision.

23 THE COURT: All right. Thank you for that.
24 All right. Any other motions from the State?

25 MR. MCNEELY: Not so much motions as just

1 scheduling matters.

2 THE COURT: Well, let me hear the motions,
3 then we'll talk about scheduling.

4 MR. MCNEELY: Okay.

5 THE COURT: From the defense, any motions?

6 MR. HUGHES: Thank you, Judge. We would
7 just motion to sequester all witnesses the State may
8 bring, with the exception of Ms. Gist, their
9 investigator. So we would just ask for that
10 sequestration.

11 THE COURT: Any objection?

12 MR. MCNEELY: I have no problem with the
13 witnesses being sequestered, other than my case agent,
14 Kimber Gist. I will say that two of our witnesses
15 reside together, those being his mother and stepfather,
16 so they are together now. They're not sequestered
17 from each other, but once they come in, they won't
18 be permitted in the courtroom together to testify.

19 THE COURT: Okay.

20 MR. HUGHES: No objection with that,
21 Your Honor.

22 THE COURT: All right. So, yeah, let them
23 know, and you'll identify who's the witness or not
24 to monitor that. So y'all keep an eye out on that
25 and let me know if there's any issues that arise with

1 that. Any other motions from the defense?

2 MR. HUGHES: Court's indulgence.

3 (Pause.)

4 MR. HUGHES: We would ask that the State
5 not mention anything regarding the fact that they served
6 Mr. Tucker with life without the possibility of parole.

7 MR. MCNEELY: No objection from the State,
8 Your Honor.

9 THE COURT: All right.

10 MR. MCNEELY: It's a matter for sentencing.

11 THE COURT: Yeah, I think that's appropriate
12 that it not be mentioned, and it would be objectionable
13 if it was discussed relative to the punishment. But it
14 isn't an issue since the State is not going to mention
15 it anyway; is that right?

16 MR. MCNEELY: That's correct.

17 THE COURT: Okay. All right.

18 MR. HUGHES: No further motions from the
19 defense, Your Honor.

20 THE COURT: All right. Scheduling.

21 MR. MCNEELY: Yeah, this is actually
22 scheduling and practical matters for evidence.
23 Ms. White and I have discussed the chain of custody
24 witnesses. If we are not required -- and Hatcher
25 is referenced in my trial brief. If we are not required

1 to call every witness that touched an item at SLED
2 or at the Berkeley County evidence holding, we could
3 eliminate about ten people.

4 So right now, my intention is to call
5 the person that collected it and logged in at
6 Berkeley County, and then the SLED agent who -- the
7 SLED agent who unwrapped it and tested it. I believe
8 she is agreeable to that, but I just want to put that
9 on the record.

10 MS. WHITE: And, Judge, that is correct.

11 THE COURT: That's correct?

12 MS. WHITE: Yes.

13 THE COURT: All right. Good. Thank y'all
14 for that.

15 MR. MCNEELY: Another thing, we have
16 redacted two body cam videos that we intend to enter,
17 as well as seven or eight photos. I previously provided
18 copies to the defense. We intend to introduce the
19 redacted version. What they're redacted of is object
20 -- arguably objectionable photographs of sizable pools
21 of blood and the deceased victim.

22 Would you -- would the Court and the defense
23 prefer that we introduce an un-redacted copy as a
24 court's exhibit off the record so it's in the file ---

25 THE COURT: Yes.

1 MR. MCNEELY: --- but then when we go to
2 actually introduce the items, we can introduce the
3 redacted version?

4 THE COURT: Yes, exactly right. We'll put
5 it in as a court's exhibit, the un-redacted records.
6 And then -- do that in advance, the admission. And
7 then, of course, that court's exhibit would be ---

8 MR. MCNEELY: Would you like me to do that
9 now?

10 THE COURT: Certainly.

11 MR. MCNEELY: Okay.

12 THE COURT: Good idea. You said seven
13 or eight photographs. Is that the total number of
14 photographs?

15 MR. MCNEELY: No, no. The total number
16 of photographs is about 160, but the total number
17 of redacted photographs is, like, seven or eight.

18 THE COURT: So y'all agreed to redact seven
19 or eight of the photographs?

20 MR. MCNEELY: I redacted them just
21 because I thought they would be objectionable, and then
22 I provided them to the defense, and I don't think they
23 have a problem with my redactions; is that correct?

24 MS. WHITE: That's correct, Your Honor.

25 THE COURT: That's correct?

1 MS. WHITE: That's correct.

2 THE COURT: Relative to the body cam,
3 kind of before and after the redactions. We'll enter
4 the un-redacted as a court's exhibit. Then, presumably,
5 the rest of it will be admitted upon testimony from the
6 appropriate witness. As to the photographs, certainly,
7 I guess, the defense doesn't object to the photographs
8 being removed. But those being redacted, you don't have
9 any objection to that?

10 MS. WHITE: None, Your Honor, as to the ones
11 that we've been provided.

12 THE COURT: Okay. And as to the remaining
13 photographs, you said there's hundreds. Is there going
14 to be objections as we go along to those as to the scope
15 of those or the relevance of those?

16 MS. WHITE: It may be possible, Your Honor.

17 THE COURT: Okay. And do you anticipate
18 -- and I know it's a fluid situation. I'm not going
19 to hold you to it, but do you expect objections to
20 a significant amount of the photos?

21 MS. WHITE: No, Your Honor, not significant,
22 no.

23 THE COURT: Okay. But, yeah, certainly as
24 to the photographs, if there's any question or objection
25 as to relevancy, put that upfront so you can address

1 that outside of the jury. And let -- if you can,
2 let Mr. McNeely know so it doesn't inadvertently get
3 presented to the jury.

4 MS. WHITE: Yes, sir.

5 MR. MCNEELY: So for purposes of the record,
6 Your Honor, the court's exhibits are going to be
7 Heather Haag's body cam, Perry Smith's body cam,
8 and then six crime scene photos which are together.

9 MS. WHITE: Yeah.

10 THE COURT: All right. Madam Court
11 Reporter, can you mark those for us?

12 (Court's Exhibit Nos. 1 through 3 were marked for
13 identification.)

14 (Court's Exhibit Nos. 1 through 3 were entered into
15 evidence.)

16 THE COURT: Okay. All right. So we've
17 got the chain of custody resolved, body cams admitted
18 as court's exhibits and redacted to be admitted by
19 the appropriate witness, seven or however many number
20 of photographs, are being redacted or being made court's
21 exhibits, and the remainder agreement ---

22 MR. MCNEELY: It's just six, Your Honor.

23 THE COURT: --- or redaction as of yet.
24 And an indication that there will not likely be an
25 objection, but that remains. So what else

1 scheduling-wise, Mr. McNeely?

2 MR. MCNEELY: Yes, Your Honor, just two more
3 things, briefly. For practical purposes, when we enter
4 a disc and load -- and put that disc into a drive on
5 the computer, sometimes due to the size, they lag
6 substantially. So, I have the hard files loaded onto
7 our desktop where we could play them directly from that
8 to prevent the lag. It would just result in us not
9 directly playing the disc that's entered into evidence,
10 but I can assure you it's the exact same material.
11 Does the Court or the defense have any objection
12 to doing it that way?

13 THE COURT: Any objection from the defense?

14 MS. WHITE: No objection, Your Honor.

15 THE COURT: All right. We're going to send
16 the jury to lunch; we should have done that already.
17 We're going to send the jury to lunch, tell them to come
18 back in an hour, 2:10, and that's without any further
19 admonishment from me as to not discussing the case since
20 we covered that already. But rather than bringing them
21 back in, shuffling them back out, this may save a few
22 minutes, so I should have done that before. So -- all
23 right. What else?

24 MR. MCNEELY: The last thing I have,
25 Your Honor, is I mentioned to your clerk before, we have

1 a witness who's with SLED who is going to be probably
2 our last witness. He is unavailable on Wednesday
3 afternoon. I think if we move along as I anticipate, we
4 could probably call him then, but he won't be available.
5 He's tied up in Columbia, so we'll likely need to
6 call him Thursday morning. I just wanted to prepare
7 the Court for a potential lag in testimony if you have
8 to release the jury early Wednesday and bring them back
9 on Thursday.

10 THE COURT: Okay. All right. I think that
11 will work, shouldn't be a problem. All right. What
12 else? Anything else? All right. From the defense,
13 anything?

14 MS. WHITE: Nothing, Your Honor.

15 THE COURT: All right. So we'll bring
16 them back ten minutes after two. Y'all ready to open?

17 MR. MCNEELY: Yeah.

18 MR. HUGHES: Yes, Your Honor.

19 THE COURT: All right. Good deal. I'll see
20 y'all back then. Thank you.

21 MR. HUGHES: Thank you, Judge.

22 (Recess taken.)

23 (Back on the record.)

24 (State's Exhibit Nos. 1-146, 148-156, 159-177, 188-196
25 were premarked for identification.)

1 THE COURT: Thank you. Have a seat.
2 All right, we've got everybody? All right. The only
3 matter I left open when we went to our lunch break was
4 how to bring forward the conviction regarding the felony
5 as a predicate to the charge that we have here today.
6 And the charge here today is possession of a weapon
7 by a convicted felon. And, of course, the predicate
8 to that charge is the prior conviction, and it requires
9 only a conviction of a felony.

10 The statute doesn't require identification
11 or a specific type of felony or the nature of a specific
12 type of felony. So, basically, three parts; conviction,
13 felony -- in a conviction, there's three parts; the
14 conviction, the felony, and the nature of the felony.
15 It appears to me that the conviction, of course, is
16 probative, but it's the felony that's probative.

17 However, the nature of the felony
18 is not necessarily probative. Essentially, the nature
19 of the felony is immaterial and not a necessary element
20 to prove. And, therefore, not necessarily probative
21 as to the charge.

22 If the State presents the assault and
23 battery with intent to kill by way of documentation,
24 including any presentation, in this murder trial,
25 I think that would be an opportunity for unfair

1 prejudice. It could potentially cause the jury to base
2 their decision on something other than the relevant
3 evidence, which I do not think could be overcome by way
4 of a curative instruction because of that prejudicial
5 effect.

6 However, any prejudicial effect as to the
7 mere conviction, I don't think that's sufficiently
8 substantial to require any exclusion and can be cured
9 by way of an instruction. So what I'm going to do is
10 I'm going to limit it to the testimony to -- of course,
11 I'm not going to require and can't require a
12 stipulation, but I'm going to limit the testimony and
13 the information presented to the jury that the Defendant
14 was convicted of a felony, which is a violent crime,
15 sufficient to meet the predicate for the weapons charge
16 for which he is charged.

17 And as far as the proposed documents
18 or certified copies of records proving that, that can
19 be entered as a court's exhibit. Anything further from
20 the State?

21 MR. MCNEELY: Yes, Your Honor. I did just
22 want to clarify for the record. This charge precedes
23 the March 2024 change in the gun laws. So the actual
24 element of this offense is violent crime, not a felony.
25 So we'll be required to say that he has a prior

1 conviction for a violent crime.

2 THE COURT: All right. Yeah, I was mixing
3 the terms up. You're right. So, yeah, that predicate
4 would be the violent crime, yes. Anything beyond that
5 as to that exact nature of it, no. But I would like you
6 to offer the documents in support. That can be entered
7 as court's exhibit if you wish, okay? Anything else
8 we need to take up?

9 MR. MCNEELY: I don't believe so from the
10 State, Your Honor.

11 THE COURT: Okay.

12 MS. WHITE: Nothing from the defense, Judge.

13 THE COURT: And what I failed to do earlier
14 is mention the specific jurors that had struck for
15 cause. I don't think I put that on the record. Those
16 were 148, 136, 21, 56, and 72. And I don't think
17 there's any disagreement or objection to those being
18 struck for cause; is that correct?

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

20 MS. WHITE: That's correct, Your Honor.

21 THE COURT: I didn't get it on the record.
22 I want to make sure it was there. All right. We can
23 bring the jury back in.

24 (The jury entered the courtroom at 2:17 p.m.)

25 THE COURT: All right. Y'all can have

1 a seat. Thank you. All right. We have everybody
2 in their proper seats? Where is our foreperson?
3 All right. And our alternates? Okay. All right.
4 I wasn't sure of the proper location, but we'll leave
5 y'all there. Everybody else can move around as you
6 wish, okay? Just so I can make sure we've got everybody
7 on there, okay? All right. So Madam Clerk, can we
8 swear our jury?

9 THE CLERK: Ladies and gentlemen of the
10 jury, please stand and raise your right hand to be
11 sworn.

12 (Whereupon the jury panel was duly sworn.)

13 THE CLERK: Thank you. You may be seated.

14 THE COURT: Ladies and gentlemen, we are
15 about to try the case of the state of South Carolina
16 versus Aubrey Dupree Tucker. Before we begin, I just
17 want to tell you that this trial is probably going
18 to be different from what you may expect. Many people
19 do not have the chance to attend actual court sessions,
20 as you are doing now, and you may think from watching
21 television or movies or reading books that trials are
22 always full of high drama, intense action, and riveting
23 circumstances.

24 While all those things may be true
25 at times, this trial is not for entertainment.

1 It is a fundamental part of our democracy. Justice
2 is done often slowly, deliberately, and repetitively,
3 the opposite of what you may have seen on television,
4 in the movies, or read in books. The courtroom
5 is a place of honor, dedicated to the protection and
6 preservation of citizens's rights through what many
7 have called the greatest justice system ever created.

8 The attorneys appearing before you are
9 advocates for the parties they represent. But, first
10 and foremost, they are officers of the court. They
11 are sworn to uphold the integrity and fairness of our
12 judicial system, and to help you reach a just verdict.
13 You should expect from them to be professional,
14 competent, ethical in the representation of their
15 client's interest. And, remember, that you have taken
16 an oath to try this case and reach a fair and just
17 verdict, and you are also expected to be professional,
18 reasonable, and ethical.

19 I thank you for accepting the important
20 responsibility of jury service and for your contribution
21 today to our justice system. What I say now is intended
22 to serve as an introduction to the trial of the case.
23 These remarks are not a charge on the law of the case.
24 I will instruct you on the law applicable to this case
25 at the end of the trial before you retire to consider

1 your verdict. This is merely an explanation of the
2 procedure that we will follow in the trial of this case
3 so that you may better understand what is happening.

4 I'm not sure -- Madam Clerk, do we have
5 notepads for the jurors?

6 THE CLERK: We do.

7 THE COURT: Okay. And are they available
8 for them now?

9 THE CLERK: Yes, sir.

10 THE COURT: Okay. Some trials do not need
11 notes; this one, we're going to allow notes to be taken.
12 One of the requirements regarding notes is that they
13 will not go home with you, it'll be in the jury room,
14 and they are for you and you alone. But I also warn
15 you not to take notes -- do not let taking notes
16 distract you from listening.

17 Usually what I instruct folks is if you
18 take notes, keep them to yourself. Your notes may
19 be different from other folks. You don't want to rely
20 on someone else's notes because I think that would not
21 be proper. So keep them for yourself, do not share
22 them.

23 The Defendant is charged by the indictment
24 filed with this court as to the crimes of murder,
25 possession of a weapon during the commission of a

1 violent crime, and possession of a firearm or ammunition
2 by a person convicted of a violent offense. I will
3 explain to you the elements of each one of those charges
4 later on.

5 What we have here is indictments, and
6 indictments are merely and simply the charge by which
7 the case is brought to the court. And the document
8 itself is not, in any sense, evidence of any of the
9 allegations that it contains. The Defendant has pled
10 not guilty to this indictment. The State, therefore,
11 has the burden of proving each of the elements of
12 the indictment beyond a reasonable doubt. And it will
13 be your duty, ladies and gentlemen, to decide whether
14 the State has met that burden.

15 Your purpose as jurors is to find and
16 determine the facts. You're the sole judges of the
17 facts. If any -- if at any time I make any comment
18 regarding the facts, you must disregard it. You are
19 to determine the facts from the testimony that you
20 hear and other evidence that is introduced in court.
21 It is up to you to determine the inferences which
22 you feel may properly be drawn from the evidence.

23 It's especially important that you perform
24 your duty of determining the facts diligently and
25 conscientiously because ordinarily there's no way

1 to correct an erroneous determination of the facts
2 by a jury. On the other hand and with equal emphasis,
3 the same law that makes you the judges of the facts
4 makes me the judge of the law. The law as given
5 by the Court is the only law which you may consider.
6 You must accept and follow it, even though you may
7 disagree with it. I cannot tell you what the facts
8 are, and you cannot disagree with me about what the
9 fact -- about what the law is or what the law should be.

10 Your job is to take the law as I give
11 it to you and apply it to the facts as you find them
12 from the testimony of the witnesses and any other
13 evidence that's introduced. After doing that, you'll
14 render your verdict, a true and just verdict, under
15 the solemn oath that you just took as jurors. Until
16 I advise you to begin your deliberations, you must
17 not discuss the case with anyone, including your fellow
18 jurors, friends, family members, anyone involved
19 in the case. This includes discussions face-to-face,
20 telephone, email, text, blog, any other method of
21 communication.

22 You may not use a computer, cell phone,
23 or other electronic device with communication
24 abilities at any time while in the courtroom or during
25 deliberations. During your breaks for meals or

1 overnight, if necessary, you may use these devices.
2 However, you may not at any time use them to get or send
3 information about the case. That includes information
4 about the party, a witness, an attorney, court officer,
5 news accounts, or anything at all about the case.

6 During the trial, do not read, listen to,
7 or watch any news reports about the case. This includes
8 anything that may be in the newspapers, on television,
9 internet, radio, or any such thing. You must not
10 consider anything that you may have previously heard or
11 read about the case, or anything for that matter outside
12 of the courtroom, wether before or during the trial.
13 After the case is submitted to you, you must discuss
14 it only in the jury room with your fellow jurors.

15 The attorneys and the parties in this case
16 have been advised by me that they are not to talk to
17 you at all. So if you see anyone involved in the case,
18 and they don't even say hello, again, they're not being
19 unfriendly, they're just following my instructions.
20 It's important that you keep an open mind and not decide
21 any issue in this case until all of the evidence has
22 been presented, and the parties have made their closing
23 arguments, and I have instructed you on the law in this
24 case.

25 It's your solemn responsibility to determine

1 the guilt or innocence of the Defendant, and your
2 verdict must be based solely on the evidence as
3 it is presented to you in this trial, and on the law
4 as I instruct you during and at the close of the trial.

5 In just a moment, the solicitor will make
6 what is called an opening statement, in which the
7 solicitor will explain to you the issues of this case,
8 or at least what the solicitor thinks the issues in this
9 case are. The attorney for the Defendant may also make
10 an opening statement, although he or she is not required
11 to do so. What the attorneys tell you during their
12 opening statements is not evidence in the case.
13 It is only their contention as to what the issues
14 are. The evidence in this case will be presented
15 to you by the testimony of sworn witnesses from the
16 witness stand and any exhibits that may be introduced
17 into evidence.

18 From time to time during the trial, you may
19 hear one of the lawyers say something like, Your Honor,
20 I believe we have a question of law or a matter of law
21 to discuss with you, or, Your Honor, may we approach the
22 bench? Or sometimes, I, myself, might find it necessary
23 to excuse you from the jury -- from the courtroom
24 back to the jury room for a short while so that
25 the attorneys and I can discuss a matter of law.

1 The reason for this is because you are
2 the judges of the facts in this case, and sometimes
3 when I am discussing matters of law with the attorneys,
4 it may be necessary for me to make some comment as
5 to the facts in connection with the ruling on whether
6 or not a particular law applies. I'm not supposed
7 to tell you what the facts are, so I will excuse you
8 from the courtroom while these discussions take place
9 so that in no way will you be influenced by anything
10 that I may say or do in connection with those facts.

11 In determining what the true facts are
12 in this case, you must decide whether or not the
13 testimony of a witness or witnesses is believable.
14 It will be my responsibility to rule as a matter
15 of law as to whether certain testimony is admissible
16 at all or not. But once the testimony is admitted,
17 whether or not you believe it, is solely for you to
18 determine.

19 In deciding whether to believe a witness,
20 you have the right to consider the interest of any
21 witness, the bias of any witness, the prejudice of any
22 witness, the opportunity for the witness to have seen
23 the matters or things which that witness may testify,
24 and the way that the witness acts on the witness stand.

25 You have the right to consider anything

1 that is in the record that will help you evaluate the
2 testimony of a witness. That means it is your duty
3 to pay close attention to the witnesses, observe the
4 witnesses, listen to the witnesses, and to pay close
5 attention to the attorneys and to the Court.

6 Don't let your thoughts wander, but give
7 strict attention to the testimony in this case, so that
8 at the end of all the testimony, after the arguments
9 of counsel, and after the charge on the law by the
10 Court, you will then be in a position to determine what
11 the true facts are and to apply the law to those facts,
12 and thus render a true and just verdict.

13 It's your added duty, Madam Foreperson, to
14 preside in the jury room and be the jury's spokesperson
15 here in court. It will also be your duty to write the
16 verdict, but I'll give you further instructions about
17 that at the conclusion of the case.

18 In order to preserve everyone's rights,
19 I'm going to give the parties an opportunity to object
20 to anything that I have said. Any exceptions from the
21 State?

22 MR. MCNEELY: No, Your Honor.

23 THE COURT: Any exceptions from the defense?

24 MS. WHITE: None, Your Honor.

25 THE COURT: All right. And you're ready

1 to proceed?

2 MR. MCNEELY: State is prepared, Your Honor.

3 THE COURT: All right. We'll now begin the
4 trial. Mr. McNeely.

5 MS. LYNCH: May it please the Court,
6 Your Honor?

7 THE COURT: Yes.

8 MS. LYNCH: Good afternoon, ladies
9 and gentlemen of the jury, my name is Olivia Lynch.
10 I'm one of the assistant solicitors here in the Ninth
11 Circuit. Me, along with -- myself, along with my
12 co-counsel, Wilton McNeely, are representing the State
13 in this matter today, and on behalf of the Ninth Circuit
14 Solicitor's Office and Scarlett Wilson.

15 Today, Aubrey Tucker is on trial today
16 for several charges, the first one being murder, the
17 second, possession of a weapon during the commission
18 of a violent crime, and the third, possession
19 of a firearm or ammunition by a person convicted
20 of a violent crime.

21 Now you heard Judge Van Slambrook explain
22 to you in the beginning about how he's going to give
23 you a full explanation of the law at the end of this
24 case. So what I want to do is just do a brief overview
25 of what the law is so that while we're going through

1 this week, you know what we're trying to prove and what
2 we're looking for. But if anything I say today differs
3 from what the judge instructs you on, defer to the
4 judge. But I just want make sure that we're all on the
5 same page as we go forward.

6 So the first charge -- the first charge
7 that he's charged with is murder. Under South Carolina
8 law, what this is, is that it's an accusation that
9 Aubrey Tucker killed a person with malice aforethought,
10 whether that malice was expressed or implied. Now what
11 I want to do is explain some of those words that are
12 in there. Now malice doesn't just mean it's an anger
13 towards someone. It's hatred, it's ill will, hostility
14 towards a person. It shows a depraved spirit and an
15 intention to do something that was wrong.

16 The next part of the malice that fits
17 in is whether it was expressed or implied. Now it
18 can be either or. Expressed means that the malice
19 was something that was deliberate, and it's -- what
20 we view it as is it's a deliberate intention to take
21 the life of another. The implied malice can arise in
22 other circumstances, whether it's a reckless disregard
23 for human life, and when you do something that common
24 sense would lead you to believe would result in the
25 death of somebody else, that's an example of an implied

1 malice.

2 Now the Defendant is also charged with
3 several other crimes, the first one being the possession
4 of a weapon during a violent crime. And what this is,
5 just very simply, is that he had a gun, and he committed
6 a violent crime. In this case the violent crime that
7 we're alleging is the murder, which is the first charge
8 I just explained.

9 The second is a possession of a firearm
10 by a person that's convicted of a violent crime or
11 ammunition. This says that a person who was previously
12 charged with a violent crime and convicted of that crime
13 had possession of a gun when they were not supposed to.

14 Now those are the regular, just facts
15 of what we believe the law is. Now as far as the facts
16 go, you're going to hear a lot of information this
17 week. But, to us, this case is very straightforward,
18 it's not complicated. What it is, is just tragic,
19 and it was senseless.

20 On June 9th, 2021, Jessica Ancrum wanted
21 to leave, and Aubrey Tucker made sure that she didn't.
22 When she tried to leave, she was gunned down, and you'll
23 hear exactly who did it. It was Aubrey. On June 9th,
24 2021, there was just four people located at the house
25 on Old Back River Road. That included Jessica, that

1 included the Defendant, Aubrey Tucker, and that included
2 his mother and his stepfather.

3 Now evidence will show that Jessica
4 and Aubrey were arguing that day, and Jessica needed
5 to get away, but she never got the chance. Just after
6 2:30 p.m., there's a 911 call placed, and it comes from
7 inside that home at Old Back River Road. On that call,
8 you'll hear panic, you'll hear fear, and you'll hear
9 who did it. You'll hear that it was Aubrey.

10 When deputies arrived, they find Jessica in
11 a pool of her own blood laying on the floor of a bedroom
12 that she shared with the Defendant. She was shot five
13 times, twice in the chest, twice in the back, once in
14 her leg. We expect you to hear about how those bullets
15 entered and exited her body, including one that went
16 and traveled up her brainstem into her brain directly,
17 which led to her being killed instantly.

18 The evidence will show that after the
19 shooting, Aubrey Tucker didn't call for help, he didn't
20 check to see if she was okay, he didn't wait for law
21 enforcement. The only thing that he did that day after
22 pumping her full of bullets, leaving her in a pool
23 of her own blood, was run out the door of the house
24 as fast as he could. He ran past his mom, he ran past
25 his stepfather, and he ran past both of them, holding

1 a gun in his hand, trying to get away from that scene
2 as fast as he could.

3 Now when he ran out of that house, he just
4 kept on going. We expect the evidence will show you
5 that he ran around Charleston and North Charleston for
6 two and a half hours approximately, and he's continuing
7 to try to find a way out of the mess that he created
8 that morning. Eventually, he finds himself, after
9 running around for two and a half hours, on a parking
10 lot off of Otranto Road down in North Charleston.

11 Now he's in this parking lot, he has another
12 problem that he needs to deal with, and that's the ankle
13 monitor that's around his ankle. That's how we knew
14 where he was and where he went. The monitor was
15 tracking his movements from Old Back River Road all
16 the way down to that very moment when he entered that
17 parking lot onto Otranto Road, and when he ultimately
18 decided to make a decision that he had already made
19 once before in the day, earlier: You see the problem,
20 eliminate it, leave it behind, and just run as fast
21 as you can. In that parking lot, he cuts off the ankle
22 monitor, and he runs again and flees the scene.

23 The evidence that we're going to present
24 to you this week, as I said earlier, we believe that
25 it's simple. It was an unnecessarily violent end

1 to an argument that began in the earlier morning of that
2 day. Don't allow the defense to feed you some idea that
3 this was anything other than what the common sense shows
4 you that it was.

5 He wasn't scared; he wasn't confused.
6 What he was doing was he was fleeing his justice, and he
7 was running away, trying to get away from the situation
8 that he created himself. But running and fleeing from
9 justice, that's ending today. That ends today in this
10 courtroom, where the flight stops, and the truth will
11 catch up.

12 Now, this week, you've heard from the judge,
13 it's your job to listen carefully, to see what comes
14 up off of the witness stand, to see what's presented
15 to you throughout the week. Pay attention and try
16 to use your common sense to understand what happened.

17 Now what we're going to do is present
18 you evidence; that comes in a lot of different forms.
19 One of the forms is witnesses. You'll hear from several
20 witnesses this week. You're going to hear from the
21 Defendant's mother and his stepfather. You're going
22 to hear from law enforcement that arrived on the scene
23 and investigated this case. You'll also hear from
24 several other witnesses that were involved while trying
25 to apprehend Mr. Tucker.

1 Now you'll see the other pieces of evidence.
2 You'll see different videos and photographs that
3 were taken at the scene or by law enforcement.
4 You'll see, you know, how the investigation took place,
5 and you'll see just the way that everything unfolded.
6 You'll also hear the 911 that was placed from the
7 call inside the home, and we expect that you'll see
8 the physical evidence that was collected at the scene.
9 This could be shell casings, it could be projectiles,
10 anything that was recovered from the scene and from
11 the victim's body.

12 Now on that 911 call when you hear it,
13 you'll hear it very clearly, and I've said it before,
14 it was Aubrey. You'll learn -- after all the evidence
15 is presented, you'll learn where he went, you'll learn
16 who and what he left behind, and you'll learn what
17 he did.

18 Now this week I urge you to listen very
19 closely, to pay attention, and use your common sense.
20 And once you've seen this evidence, and you've heard
21 everything that this courtroom has to offer you,
22 we believe that you'll be firmly convinced of what
23 happened that day and in that bedroom. It was Aubrey.

24 Jessica Ancrum tried to leave, and Aubrey
25 Tucker made sure she never would. On June 9th, 2021,

1 Aubrey murdered Jessica Ancrum on Old Back River Road.
2 And at the end of this trial, we are going to ask that
3 you return a verdict, guilty on all counts. Thank you.

4 THE COURT: All right.

5 MR. HUGHES: Thank you, Judge. May it
6 please the Court. Thanks to all of you for coming here
7 today, ladies and gentlemen of the jury. My name is
8 Corey Hughes, and I have the privilege of representing
9 Mr. Aubrey Tucker today.

10 Before we go any further, I want to remind
11 you of what I think is the most fundamental principle
12 of our justice system, the presumption of innocence.
13 Mr. Tucker is presumed innocent until and unless
14 the State can prove beyond a reasonable doubt that
15 he committed the crime of murder. That burden rests
16 solely with the State; Mr. Tucker has to prove nothing.

17 Now, the charge before you today is murder,
18 a very tragic and serious accusation, but an accusation
19 is not evidence. The State will attempt to paint
20 a picture of guilt, but it is your duty as jurors
21 to remain objective, to listen carefully to the
22 evidence, and to hold the State to the high burden
23 that our justice system demands of you.

24 The State must prove every single element
25 beyond a reasonable doubt. Not just that a death

1 occurred, but that it was intentional, unlawful,
2 and carried out malice aforethought. If they cannot
3 meet that burden, you must find Mr. Tucker not guilty.

4 This case is not as straightforward as the
5 State would have you believe. The evidence you will
6 hear will reveal inconsistencies, gaps, and unanswered
7 questions. You will hear that there were no
8 eyewitnesses to this shooting. That leaves more
9 questions than answers. What you will hear are
10 assumptions and speculation, not direct proof.
11 The State will try to rely on circumstantial evidence,
12 but circumstantial evidence gives room for more doubt.

13 The State will attempt to paint
14 Aubrey Tucker as a violent man, but the evidence
15 will tell a different story. At the end of this trial,
16 Judge Van Slambrook will instruct you that the State
17 must prove its case beyond a reasonable doubt. That
18 means if you have any reasonable doubt at all, if there
19 is any alternative explanation that fits the facts
20 of this case, you must find Aubrey Tucker not guilty.

21 The evidence will show that there's more
22 than reasonable doubt here. Aubrey Tucker deserves
23 a fair trial; he deserves the presumption of innocence.
24 The evidence will not meet the highest standard of proof
25 required to convict him. The State will try to fill

1 gaps with speculation and assumptions. But, remember,
2 speculation is not proof, assumptions are not evidence.

3 At the end of the day, folks, you're going
4 to hear about a room where gunshots were fired and heard
5 coming from. But what you won't hear is anyone get up
6 on that stand and say that they saw Aubrey Tucker shoot
7 Ms. Ancrum. I want you to consider that when the State
8 attempts to convince you that they know what happened.
9 They don't know what happened.

10 They want you to blindly believe everything
11 they're telling you. Keep that in mind as you listen
12 to the testimony today and throughout this trial.
13 I believe when the desk -- when the dust settles,
14 and you've had a chance to carefully weigh the facts,
15 you'll see there's only one just verdict in this case,
16 and that is not guilty. Thank you.

17 THE COURT: Mr. McNeely, Ms. Lynch.

18 MR. MCNEELY: Thank you, Your Honor.

19 The State calls Carolyn Jefferson.

20 THE CLERK: Please raise your right hand,
21 and place your left hand on the Bible.

22 MS. CAROLYN JEFFERSON was called as a
23 witness, being duly sworn, was examined and testified
24 as follows:

25 THE CLERK: Thank you. You may be seated.

1 Please state your full name and spell your last name
2 for the record.

3 THE WITNESS: First name is Carolyn
4 Jefferson. My name is C-A-R-O-L-Y-N, J-E-F-F-E-R-S-O-N.
5 Carolyn Jefferson.

6 THE COURT: All right, Ms. Jefferson, turn
7 just a little bit there so the folks on the jury can see
8 you. There you go. Mr. McNeely.

9 MR. MCNEELY: Thank you, Your Honor.

10 DIRECT EXAMINATION

11 BY MR. MCNEELY:

12 Q. Good afternoon, Ms. Jefferson.

13 A. Hi.

14 Q. Are you married?

15 A. Huh?

16 Q. Are you married?

17 A. Yes.

18 Q. Who is your spouse?

19 A. Robert Jefferson.

20 Q. Do you have any children?

21 A. Yes.

22 Q. What are their names?

23 A. Aubrey Tucker and Tamika [sp.] Simpson.

24 Q. Okay. So the Defendant in this case,
25 Aubrey Tucker, is your son?

1 A. Yes.

2 Q. Okay. Is that him seated right there at the
3 defense table?

4 A. Yes.

5 Q. Let the record reflect she identified the
6 Defendant. Do you work, Ms. Jefferson?

7 A. No.

8 Q. Are you retired?

9 A. Yes.

10 Q. Okay. Is that nice, nice to be retired?

11 A. Huh?

12 Q. Is it nice to be retired?

13 A. Yes, it's good.

14 Q. I'm sure.

15 A. It's good.

16 Q. Where do you live, Ms. Jefferson?

17 A. Goose Creek.

18 Q. Okay. What's your address?

19 A. It's [REDACTED] Old Back River Road in Goose Creek,
20 South Carolina 29445.

21 Q. Okay. Where about in Goose Creek is that?

22 A. That's on Howe Hall Road.

23 Q. Okay. Kind of in the Red Bank area?

24 A. That's Old Back River Road. I'm sorry.
25 Old Back River Road.

1 Q. Correct me if I'm wrong, you can turn onto
2 Old Back River off of Red Bank Road?

3 A. Right. There you go, uh-huh.

4 Q. Okay. Is that in Berkeley County?

5 A. Yes.

6 Q. Okay. Is there a street immediately beside your
7 house off of Old Back River?

8 A. Yeah, Riverside.

9 Q. What's the name of it?

10 A. Riverside.

11 Q. Is it Riverside Circle?

12 A. Uh-huh.

13 Q. The court reporter is taking down your answer,
14 so please make sure to say yes or no rather than um-hum
15 or uh-uh.

16 A. Okay. Yes, sir. Okay.

17 Q. How long have you lived at that address?

18 A. Seventeen years.

19 Q. Okay. Did you live in that home in June of 2021?

20 A. Yes.

21 Q. In early June of 2021, who was residing
22 or staying at that home with you?

23 A. My husband, Robert Jefferson, and Aubrey Tucker,
24 and Jessica. She was staying with me, uh-huh.

25 Q. And who was Jessica to you?

1 A. Was my son's girlfriend.

2 Q. So she was the Defendant's girlfriend?

3 A. Uh-huh.

4 Q. That's yes?

5 A. Yes.

6 Q. Okay. During that time was Aubrey wearing
7 an ankle monitor?

8 A. Yes.

9 Q. Did he have his own car?

10 A. No.

11 Q. He didn't have a car?

12 A. No.

13 Q. Okay. Did you have a car?

14 A. (No response.)

15 Q. Did you have a car?

16 A. Yes, I do.

17 Q. Okay. How long had Jessica been staying there
18 in June of 2021?

19 A. I remember it's almost two months and a half,
20 about three.

21 Q. Can you describe the house for the jury, please,
22 sort of the layout when you walk in the front door?

23 A. Okay. I walk in -- okay. If you walk in, in the
24 house, and the wash room -- the wash room, you're
25 talking about?

1 Q. I'm just talking about generally when you walk
2 in the front door. What's the first room you walk into?

3 A. Well, the first room is my room, and the second
4 room is my son's room.

5 Q. Okay. You're talking about bedrooms?

6 A. Yeah, uh-huh.

7 Q. What does the front door lead into, the front
8 door of the house?

9 A. It's the living room.

10 Q. The living room?

11 A. Uh-huh.

12 Q. And then where do you go from the living room?

13 A. You go from the dining room into the kitchen.

14 Q. Okay. That's a straight shot back?

15 A. Uh-huh.

16 Q. Living room, dining room, kitchen?

17 A. Uh-huh.

18 Q. Okay. Where are the bedrooms in relation
19 to those?

20 A. The bedroom is close to the dining room.

21 Q. Okay. So the hallway to the bedroom is off the
22 dining room?

23 A. Right, right, uh-huh.

24 Q. Okay. Is there a bedroom in the front of the
25 house?

1 A. Yes.

2 Q. Whose room is that?

3 A. That's my room.

4 Q. Okay. And then is there a bathroom?

5 A. Yes.

6 Q. And is there another bedroom?

7 A. Yes.

8 Q. Okay. And where is that other bedroom?

9 A. Next to mine.

10 Q. Okay. In the back of the house?

11 A. In front.

12 Q. Yours is in front?

13 A. Front and the second -- you know, the first room,

14 the second room, right by my ---

15 Q. Okay. So you have two rooms?

16 A. Yes.

17 Q. Okay. And then is there a bathroom?

18 A. Yes.

19 Q. Okay. And there is another bedroom after that?

20 A. Right, right.

21 Q. Okay. Is that one in the back of the house?

22 A. Right.

23 Q. Okay. And whose bedroom was that?

24 A. That's Aubrey -- my son, Aubrey. Uh-huh.

25 Q. And was Jessica staying in that room too?

1 A. Yes.

2 Q. Was there a useable back door to the house,
3 or was it just the front door?

4 A. There's a back door.

5 Q. Okay. Could you use the back door though, or was
6 it blocked?

7 A. There's a laundry room right there.

8 Q. Okay.

9 A. That's where I have my laundry room, right there.

10 Q. So there's a washing machine right beside the
11 back door?

12 A. Right, washer and dryer. Yeah, right there.

13 Q. You didn't go in and out the back door, correct?

14 A. Can't use the back door.

15 Q. Okay. In June of 2021, did you have or keep any
16 guns in your home?

17 A. No.

18 Q. Did your husband, Robert Jefferson, have or keep
19 any guns in the home?

20 A. No.

21 Q. All right, I want to talk specifically about
22 the day that brings us here today, Wednesday, June 9th,
23 2021. And I know this is incredibly difficult for you
24 to be here.

25 A. Yes. Yes, it is.

1 Q. So, I apologize for how you're feeling. I know
2 it can't be easy. But were you present at your home
3 on Wednesday, June 9th, 2021?

4 A. Yes.

5 Q. Who else was present at the home that day?

6 A. My husband and my son and Jessica and myself.

7 Q. Okay. So you said yourself?

8 A. Uh-huh.

9 Q. Your husband, Robert?

10 A. Uh-huh.

11 Q. Jessica?

12 A. Uh-huh.

13 Q. And the Defendant, Aubrey Tucker?

14 A. Right.

15 Q. Tell us about that morning and early afternoon.
16 What was going on in the home that day?

17 A. Okay. Everybody had a nice day, you know,
18 a nice evening and everything. And they were talking
19 about a phone, and Jessica was talking about this
20 girlfriend -- you know, not girlfriend, a young lady
21 has been talking to my son. That's all. I don't know.

22 Q. Okay. Did you say they were talking about
23 a phone?

24 A. Yeah, they were talking about the phone and stuff
25 like that.

1 Q. Okay. Were they arguing that morning?

2 A. No, I ain't see no argument or nothing like that.

3 Q. Okay. At some point, did they begin arguing?

4 A. I guess. I didn't see it. You know, talking,
5 you know, just talking. That's it.

6 Q. Okay. Did you give a statement to law
7 enforcement in this case?

8 A. Yes, I did.

9 Q. Okay. And that was on the afternoon
10 of June 9th, 2021, correct?

11 A. Correct.

12 Q. Okay. And during that statement, you were asked,
13 did you hear any arguing or screaming while you were
14 washing clothes?

15 A. Right.

16 Q. And you said, "They were fussing. They were
17 talking about the phone. She said that she was going
18 to leave. I was washing her clothes for her and stuff
19 like that, and she said that, telling boyfriend she
20 was going to leave, and I said y'all need to stop that,
21 stop that, stop that." Is that accurate?

22 A. No, that's wrong.

23 Q. You didn't say that?

24 A. No, I did not say that.

25 Q. Okay.

1 MR. MCNEELY: Your Honor, at this time,
2 pursuant to South Carolina Rule of Evidence 613,
3 I'm going to ask to publish a portion of her recorded
4 statement with law enforcement.

5 THE COURT: Any objection?

6 MR. HUGHES: No objection, Judge.

7 THE COURT: All right. Without objection.

8 MR. MCNEELY: Your Honor, I'm going to
9 mark this for -- ask the court reporter to mark this
10 as State's Exhibit 197.

11 THE COURT: And what is that?

12 MR. MCNEELY: That's the statement of
13 Carolyn Jefferson to law enforcement that day.

14 THE COURT: That's a recording?

15 MR. MCNEELY: That's correct, Your Honor.

16 THE COURT: What is the number again, one
17 what?

18 MR. MCNEELY: State's 197.

19 THE COURT: 197. All right.

20 (State's Exhibit No. 197 was marked for identification.)

21 BY MR. MCNEELY:

22 Q. And you said you remember giving a statement
23 to law enforcement that day?

24 A. Yes, I did.

25 Q. Okay. And did I review the statement with

1 | you on your front porch about a month or so ago?

2 | A. Yeah.

3 Q. Okay. We sat out there and listened to it on
4 your front porch, correct?

5 | A. Right, right.

6 | Q. Okay.

7 MR. MCNEELY: Let the record reflect,
8 I'm publishing the statement of Ms. Jefferson made
9 at approximately -- at four minutes and 15 seconds into
10 the statement.

11 (Audio recording played for the jury.)

12 BY MR. MCNEELY:

13 Q. Is that your statement to law enforcement?

14 A. That's it.

15 Q. Okay. So did you tell them they were fussing
16 that day?

17 A. Yeah, I remember.

18 | Q. Okay.

19 | A. Yes.

20 Q. And you told them that they were arguing about
21 the phone, correct?

22 | A. Right.

23 Q. And that Jessica was planning to leave?

24 | A. Yes.

25 MR. HUGHES: Objection, Judge, leading.

1 BY MR. MCNEELY:

2 Q. Did you tell law enforcement that Jessica was
3 planning to leave?

4 A. I don't remember. I don't remember. I don't
5 remember.

6 Q. Okay. We just listened to it.

7 A. Right.

8 Q. Did you hear yourself tell law enforcement ---

9 A. Right, right.

10 Q. And that was on the afternoon of the incident,
11 correct?

12 A. Right.

13 Q. All right, Ms. Jefferson, I understand this
14 is very difficult ---

15 A. Yes, it is.

16 Q. --- and that you don't want to be here. But
17 at some point, did an incident occur in your home that
18 afternoon?

19 A. Repeat.

20 Q. At some point, did an incident occur in your home
21 that afternoon that brings us here today?

22 A. Right, I know that. Uh-huh.

23 Q. Okay. Please tell the jury what happened.

24 A. Okay. We had a good -- we had a good day on
25 the 9th of June, and my son tried to show me the phone,

1 and I don't want to see the phone, and just keeps
2 talking about the phone and stuff like that. So,
3 I start -- I said stop that, stop that, I don't want
4 to see no phone, you know, like that. So, I really
5 don't know -- I don't know.

6 And after that, I get the clothes where I do
7 my laundry and everything. So, I already did two loads
8 and everything, so I had two in the car. So, I put the
9 last load in the machine, and so I heard the shot three
10 times, pow, pow, pow, and I start screaming. I said,
11 oh God, oh, God, what's going on? What's going on?
12 What's going on? And my husband was outside, and he
13 sees me screaming, and he came in the house, and he's
14 coming to check to see what's going on. And I just
15 keep screaming and yelling and hollering and screaming.

16 And I tried to find my phone. I can't find
17 my phone, and I realized my phone was gone, and my
18 son runs out the house, and he said, Mom, it's a setup,
19 it's a setup, and the gun -- and I run and call 911
20 and tell the police we're at [REDACTED] Old Back River Road,
21 that the girlfriend was shot, and I started screaming,
22 and scream and scream and scream, and I'm so sorry.

23 Q. Okay. Let's back up and walk through it just
24 step by step, okay?

25 A. Okay.

1 Q. Where were you just before you heard what you
2 described as gunshots?

3 A. I've been in my laundry room putting the clothes
4 in the machine.

5 Q. Okay.

6 A. In the washer, I'm sorry. In the washer.

7 Q. And just to clarify, the laundry room is adjacent
8 to the kitchen?

9 A. Right, there you go. Uh-huh.

10 Q. And on the other side of the wall from the
11 kitchen is what?

12 A. That's the bedroom.

13 Q. Okay. And who was in the bedroom?

14 A. My son and Jessica.

15 Q. Okay. Jessica and Aubrey were in that room?

16 A. Right, right.

17 Q. Okay. And I think you said your husband was out
18 front?

19 A. Outside; he was outside.

20 Q. And you heard what you just described to the jury
21 as what you think was three gunshots?

22 A. I heard three shots.

23 Q. Okay. Were you wearing any shoes at that time?

24 A. Yes, I did. I stepped in the blood.

25 Q. And the bedroom that they were in is just on the

1 other side of the wall, correct?

2 A. Uh-huh.

3 Q. And the sound of gunshots, where did that come
4 from?

5 A. The shot, it comes out the room, out the room,
6 and that's why I screamed because it shocked me,
7 you know. I hear a gun shoot twice -- three times,
8 you know. I'm screaming and hollering and yelling.

9 Q. Okay. So the gunshots were in that bedroom that
10 they were in?

11 A. Yes.

12 Q. What did you do when you heard the shots?

13 A. I screamed and hollered and yelled. Screamed,
14 hollered, and yelled.

15 Q. Okay. What did you see after you heard the
16 shots?

17 A. What did I see? Repeat it again, please.

18 Q. What did you see right after you heard the shots?

19 A. I saw -- see him running out of the house with
20 a gun. That's it.

21 Q. Okay. When you say, him running out of the house
22 with a gun, who is him?

23 A. That's Aubrey; my son, Aubrey.

24 Q. Okay. Did you, at some point, go into the room?

25 A. Excuse me?

1 Q. Did you, at some point, go into the bedroom?

2 A. I stand to the door and I, you know, started
3 screaming and just screamed, you know. I keep calling
4 Jessica, Jessica, Jessica, Jessica, Jessica, and after
5 that my son called and said, Momma, it's a setup, it's
6 a setup, it's a setup. I said, oh, my God, oh, my God,
7 no, no, oh, my God, oh, my God. And then, I go and use
8 my husband's phone to call the policeman and let them
9 know what's going on.

10 Q. To call 911?

11 A. Yes.

12 Q. Okay. Did you see Jessica in the room?

13 A. Yeah, she's on the floor.

14 Q. Okay. Was she moving?

15 A. No.

16 Q. Was she bleeding?

17 A. Yes.

18 Q. Okay. Now did you actually see the shooting,
19 or did you just hear it?

20 A. No, I did not. I've been in the laundry room
21 putting the clothes in the washer.

22 Q. Okay. But you heard it?

23 A. I heard it.

24 Q. Okay. And then, I believe you just told the jury
25 that you saw your son, Aubrey Tucker, running out of the

1 house with a gun in his hand; is that correct?

2 A. That's correct.

3 Q. Can you describe the gun?

4 A. I don't know nothing about no guns.

5 Q. Well, what color was it?

6 A. Brown.

7 Q. Brown?

8 A. Uh-huh.

9 Q. Okay. I believe you told the investigator
10 when you gave your statement that day, it was black?

11 A. Well, the brown is the one I see; it's brown.

12 Q. Okay. Were there two guns?

13 A. No.

14 Q. Okay. So you told them it was black on June 9th
15 -- correct -- - but today you're saying it was brown;
16 is that right?

17 A. I think about it, yeah, it was black, but it was
18 brown. A mistake; it was brown.

19 Q. Okay. It was a dark color?

20 A. Yeah.

21 Q. Okay. And you're certain it was a gun?

22 A. Yeah.

23 Q. Was it big or small?

24 A. It was long.

25 Q. And the person running out of the house with

1 a gun that day was the Defendant; that's correct?

2 A. Yes.

3 Q. Where did the Defendant go after the shooting?

4 A. Running to Riverside.

5 Q. Which is the road by your house?

6 A. Yeah.

7 Q. Okay. Did you see where he went?

8 A. No.

9 Q. Okay. And I believe you said just a second
10 ago that when he's running out of the house, he said
11 something along the lines that it was a setup?

12 A. Huh?

13 Q. You just told the jury that when he was running
14 out of the house he said something like it was
15 a setup?

16 A. Yes, he did.

17 Q. Okay.

18 A. He keeps saying it over and over ---

19 MR. HUGHES: Objection, Judge.

20 THE WITNESS: --- mom, it's a setup.

21 MR. HUGHES: Objection, Judge, hearsay.

22 THE WITNESS: Yes, he did.

23 THE COURT: Mr. McNeely.

24 MR. MCNEELY: It's a party-opponent
25 statement, and she's already testified to it.

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

2 BY MR. MCNEELY:

3 Q. Was there any -- was there any explanation
4 of that, or is that just what he said, it's a setup?

5 A. I don't know.

6 Q. Okay.

7 A. He just keeps saying, Mom, it's a setup, it's
8 a setup.

9 Q. So you don't know what he meant by that?

10 A. No, I don't know.

11 Q. Okay. All right. And at the time the shooting
12 occurred, who was inside of your house?

13 A. Repeat that again.

14 Q. When the shooting occurred, who was inside
15 of your house?

16 A. It was me and my son.

17 Q. And anybody else?

18 A. No.

19 Q. Was Jessica in there?

20 A. Yeah, Jessica was gone. She died.

21 Q. Okay.

22 A. Yeah.

23 Q. So it was just you and your son and Jessica
24 because Mr. Robert was out front, correct?

25 A. Yeah, outside. Yeah.

1 Q. Okay. Nobody else was in the house at all?

2 A. No, nobody else.

3 Q. And after the shooting, I believe you testified
4 your son left on foot with a gun in his hand, correct?

5 A. Yes.

6 Q. So once the Defendant left the house, who was
7 left at the house?

8 A. Just me.

9 Q. It was just you?

10 A. Uh-huh.

11 Q. And was Jessica still there?

12 A. They were still working on her ---

13 Q. Okay.

14 A. --- and stuff like that.

15 Q. She was on the floor, correct?

16 A. Huh?

17 Q. She was on the floor?

18 A. Yes, she was on the floor.

19 Q. And Mr. Robert was there?

20 A. Yeah, Robert was there.

21 Q. Did you go into the room and check on her?

22 A. Jessica? She's been gone. I mean, she done pass
23 and everything, so.

24 Q. You say she was already deceased?

25 A. Yeah, passed. Uh-huh.

1 Q. Was there blood in the room?

2 A. Yes.

3 Q. Did you walk through some of it?

4 A. Yes, I did.

5 Q. Were you barefooted?

6 A. Yes.

7 Q. How were you feeling at that time?

8 A. I still feel bad, feel real bad.

9 Q. Were you in shock?

10 A. Yes, I was.

11 Q. Okay. And after your son fled the home that day
12 with a gun in his hand, did you call 911?

13 A. I did.

14 Q. Okay. And you placed that call pretty much
15 immediately after the shooting?

16 A. Yes, I did.

17 Q. Did you speak with dispatch at that time and
18 report it?

19 A. Yes, I did.

20 Q. Did you talk to them and tell them what happened
21 that day?

22 A. Yes, I did.

23 Q. I'm showing you what's been marked as
24 State's Exhibit 146.

25 MR. MCNEELY: Permission to approach,

1 Your Honor?

2 THE COURT: Yes.

3 BY MR. MCNEELY:

4 Q. All right, Ms. Carolyn, I want you to look real
5 close at that disc. Do you recognize that disc?

6 A. Yes.

7 Q. Okay. Did you put your ---

8 A. Initials.

9 Q. --- and date on it?

10 A. Yes.

11 Q. And you initialed and dated it when you reviewed
12 it, correct?

13 A. Correct.

14 Q. Is it an authentic accurate copy of the 911 call
15 you placed to dispatch that day?

16 A. Uh-huh.

17 Q. Is that a yes?

18 A. Yes.

19 MR. MCNEELY: At this time, the State moves
20 to admit State's 146 into evidence, Your Honor.

21 THE COURT: Any objection?

22 MR. HUGHES: No objection, Judge.

23 THE COURT: All right, entered without
24 objection.

25 MR. MCNEELY: Thank you, Your Honor.

1 (State's Exhibit No. 146 was entered into evidence.)

2 MR. MCNEELY: Permission to publish?

3 THE COURT: Yes.

4 (911 audio recording played for the jury.)

5 BY MR. MCNEELY:

6 Q. All right, Ms. Jefferson. Now, at that point,
7 somebody takes the phone from you; is that right?

8 A. That's my husband.

9 Q. That was Mr. Robert Jefferson?

10 A. Yes.

11 Q. Okay. And that's the call you placed to 911 that
12 day?

13 A. (Witness nods head.)

14 Q. Is that a yes?

15 A. Yes.

16 Q. Okay. And you told 911 that your son,
17 Aubrey Tucker, shot Jessica; is that correct?

18 A. (Witness sobbing.)

19 Q. Is that a yes?

20 A. Yes.

21 Q. Why did Mr. Jefferson take the phone from you
22 that day?

23 A. Because I was busy just crying and crying and
24 crying and crying.

25 Q. You were upset, right?

1 A. Yes, I was.

2 Q. As any mother would be. But you called 911
3 anyway, correct?

4 A. I did. I did.

5 Q. What did you do after Mr. Jefferson took the
6 phone from you?

7 A. He -- I didn't do nothing. Nothing.

8 Q. Did the police respond?

9 A. Yes.

10 Q. You know about how long that took?

11 A. It didn't take -- 10, 15 minutes.

12 Q. What happened when the deputies arrived?

13 A. They came, go in the house, and checked things
14 out in the house and everything.

15 Q. Did you show them where Jessica was?

16 A. Yes, they walked in, and they see Jessica.

17 Q. And you told them that your son, the Defendant,
18 had shot her, correct?

19 A. Yes.

20 Q. That's a yes?

21 A. Yes.

22 Q. What did you do after that?

23 A. I know my blood pressure went up.

24 Q. I'm sure.

25 A. Yes. My blood pressure went up and had to get

1 myself calmed down and stuff like that.

2 Q. Did you give law enforcement the Defendant's
3 name, birthday, and a description of clothing he was
4 wearing that day?

5 A. Yes, I did.

6 Q. Okay. And what was he wearing that day?

7 A. I remember he had a white jump pant -- jumpsuit
8 with a white -- you know, white shirt, white pants,
9 blue sided, you know ---

10 Q. Okay. So a white T-shirt and white pants with
11 a blue stripe?

12 A. Yeah.

13 Q. Okay. Was the T-shirt plain white, or did it
14 have anything on it?

15 A. White, white.

16 Q. Okay. You don't remember if it had anything
17 on it or not?

18 A. No.

19 Q. Okay. And you told law enforcement he was
20 wearing an ankle monitor at that time, correct?

21 A. He did.

22 Q. What happened after that at the house that day?
23 Did you give a statement to law enforcement?

24 A. Yeah, I did.

25 Q. Okay. Where did you do that?

1 A. After -- oh, God. I did it after all that
2 happened, and I've been inside the car and talked
3 to them.

4 Q. Okay. You sat in a car and gave them a recorded
5 statement?

6 A. Yes.

7 Q. Okay. They didn't make you come up to
8 headquarters, they just did it in the car right there?

9 A. In the car, yes. Yeah.

10 Q. Okay. We touched on this a little earlier,
11 but I want to make sure we're clear. Did you own a gun
12 that day?

13 A. Huh?

14 Q. Did you own a gun that day?

15 A. Oh, no, uh-uh.

16 Q. Did you have a gun in your home that day?

17 A. No.

18 Q. Did you shoot a gun that day?

19 A. No.

20 Q. Have you ever shot a gun?

21 A. No.

22 Q. That's a no?

23 A. No.

24 Q. To your knowledge, did anyone else at the house,
25 other than your son, the Defendant, shoot a gun that

1 day?

2 A. He's the only one.

3 Q. He's the only one?

4 A. Uh-huh.

5 Q. That's a yes?

6 A. Yeah.

7 Q. Did you go into the room or to the door of the
8 room where the victim was shot immediately after the
9 shooting occurred?

10 A. Repeat that again.

11 Q. Did you go into the room where the victim was
12 shot immediately after the -- after she was shot?

13 A. Like I said, I've been in the laundry room,
14 I didn't see nothing, you know. And after that
15 happened, I run to the room to check on Jessica.

16 Q. Okay. And that's just right around the wall?

17 A. Yeah.

18 Q. Okay. Do you remember them collecting a GSR
19 kit from your palms that day? When you were giving
20 your statement to law enforcement, do you remember
21 them collecting a little punch kit on your palms?

22 A. Oh, yeah. I see a thing with my hand.

23 Q. Okay. To see if you had any gunshot residue?

24 A. Right, right.

25 Q. Okay. All right. After you gave your statement

1 to law enforcement and they did that kit on you,
2 what happened after that, that day?

3 A. Repeat that again.

4 Q. What happened after you got done talking to law
5 enforcement that day?

6 A. After that?

7 Q. Did you see or speak with the Defendant again
8 that day?

9 A. No.

10 Q. No?

11 A. No.

12 Q. Did you see or speak with the Defendant the
13 following day?

14 A. No.

15 Q. Do you have any idea where he went after running
16 out of your house that day?

17 A. No.

18 Q. Did the Defendant at any point come back
19 to your house at [REDACTED] Riverside Circle -- excuse me,
20 [REDACTED] Old Back River Road?

21 A. No, uh-uh.

22 Q. Did you see or hear from him at any point from
23 the time he ran out of your house after the shooting
24 on June 9th, 2021, until you found out he was arrested?

25 A. No.

1 Q. Ms. Jefferson, again, thank you for being here
2 today. I know it was extremely difficult.

3 A. Yes.

4 MR. MCNEELY: No further questions from the
5 State at this time.

6 THE COURT: Thank you. Wait right there.

7 THE WITNESS: Okay.

8 THE COURT: Any cross-examination?

9 MR. HUGHES: Yes, Your Honor.

10 THE COURT: I want to make sure I understand
11 first, 146 is in without objection. What about 197,
12 is that in?

13 MR. MCNEELY: We would move to admit it at
14 this time, Your Honor.

15 THE COURT: All right. Any objection on
16 that?

17 MR. HUGHES: No objection, Judge.

18 THE COURT: Both without objection.
19 Thank you.

20 (State's Exhibit No. 197 was entered into evidence.)

21 MR. HUGHES: May it please the Court.

22 THE COURT: Yes.

23 CROSS-EXAMINATION

24 BY MR. HUGHES:

25 Q. Good afternoon, Ms. Jefferson.

1 A. Hi.

2 Q. I can only imagine how difficult this is for you,
3 so I'm going to try and keep it brief, and I'm going
4 to ask you a few questions, okay?

5 A. Okay.

6 Q. Okay, Ms. Jefferson. You are Mr. Tucker's
7 mother, correct?

8 A. Correct.

9 Q. And you were present in the house at the time
10 of the shooting?

11 A. Yes.

12 Q. And you stated that you heard yelling and arguing
13 before the gunshots; is that right?

14 A. I didn't hear no noise at all.

15 Q. Okay.

16 A. Yeah.

17 Q. So you don't know what you heard that day before
18 the shooting?

19 A. I didn't hear no noise.

20 Q. Okay. And you also stated to Officer Smith,
21 one of the officers you spoke to, that you didn't
22 actually see the shooting; that's right?

23 A. That's right.

24 Q. Okay. So your statement about the argument
25 and all of that, that the solicitor played for you,

1 that you said, okay, maybe I may have said that ---

2 A. Yes.

3 Q. --- that was based on only what you heard, right?

4 A. Right.

5 Q. You didn't actually see anything?

6 A. I didn't see nothing.

7 Q. Okay. But you were inside of the house when
8 the shooting occurred, but you were in a different room,
9 right?

10 A. Yes.

11 Q. Is it possible that you misheard or misunderstood
12 anything that day?

13 A. You know, I just didn't pay any attention --
14 I was just doing my laundry, you know, just get the
15 laundry and put them in the washer, and I didn't hear
16 nothing.

17 Q. Okay.

18 A. I didn't pay no attention. I didn't pay no
19 attention.

20 Q. Okay. Is it safe to say you knew the victim
21 for some time, or did you not know her for that long,
22 Jessica?

23 A. Not that long.

24 Q. Okay. For how long would you say?

25 A. I'd say almost three months.

1 Q. Three months?

2 A. Almost three.

3 Q. Okay.

4 A. Yeah.

5 Q. And would you describe Mr. Tucker's relationship
6 with Jessica as volatile or unpredictable, usually for
7 the worse? Would you call it a, you know, very volatile
8 relationship or no?

9 A. Well, you know, sometimes they're happy, you
10 know, they laugh and smile.

11 Q. Kind of like any other relationship, right?

12 A. Yeah, yeah.

13 Q. Almost everybody else's?

14 A. Yeah, yeah.

15 Q. Okay, okay.

16 A. Uh-huh.

17 Q. All right. In the past, did you ever see
18 Mr. Tucker physically threaten or abuse Jessica?

19 A. I never see nothing happen.

20 Q. Okay. And you stated you didn't see Mr. Tucker
21 with a gun that evening?

22 A. Umm ---

23 Q. Let me ask you this. Your emotions were running
24 high, right?

25 A. Right.

1 Q. You know, you saw a lot. You saw Jessica on the
2 floor?

3 A. Yeah.

4 Q. You weren't used to that, right?

5 A. Yeah.

6 Q. And it's possible that, you know, your thought
7 and your process and how you process things might have
8 been a little dull, and that you could have maybe saw
9 something you didn't really see. It's possible that
10 you never saw a gun, right?

11 A. (Witness shakes head.)

12 Q. It's possible you never saw a gun?

13 A. (Witness shakes head.) I heard the gunshots.

14 Q. You heard the gunshots, but you never saw ---

15 A. I heard the gunshots ---

16 Q. Did you ever see a gun?

17 A. --- you know.

18 Q. Okay.

19 A. Yeah.

20 Q. Well, let me ask you this. Did you ever
21 personally see Aubrey fire a gun?

22 A. No, I didn't see. I didn't see.

23 Q. The State is alleging that the shooting occurred
24 after an argument, okay?

25 A. Uh-huh.

1 Q. But you never saw any physical struggle
2 or a confrontation between Mr. Tucker and the victim
3 that day, did you?

4 A. No.

5 Q. Okay. Prior to the day of this incident,
6 Ms. Jefferson, had you ever seen a gun within your
7 household? Had you ever seen a gun inside before?

8 A. (Witness shakes head.)

9 Q. That's a no?

10 A. No.

11 Q. Okay. And you don't know if anyone else could
12 have shot that gun that day, do you? It could have
13 been anybody. You didn't actually see the shooter?

14 A. (Witness shakes head.)

15 Q. And that's a no?

16 A. Like I said -- no, I've been in the laundry room,
17 like I said, go do my laundry.

18 Q. Okay. So it could have been somebody else,
19 right, because you don't really know what happened
20 in that room, do you?

21 A. No, I don't.

22 Q. And that's a no?

23 A. Nope.

24 Q. Okay, Ms. Jefferson. Well, that's all the
25 questions I have for you. Thank you so much for

1 answering those, okay?

2 A. Okay.

3 MR. HUGHES: Thank you, Judge. No further
4 questions.

5 THE COURT: All right. Mr. McNeely.

6 MR. MCNEELY: Thank you, Your Honor, just
7 briefly.

8 REDIRECT EXAMINATION

9 BY MR. MCNEELY:

10 Q. The defense attorney asked you about seeing
11 a gun in your hand -- in the Defendant's hand, correct?

12 A. Huh?

13 Q. The defense attorney just asked you about seeing
14 a gun in Aubrey's hand, correct?

15 A. Yes.

16 Q. And on June 9th, you told the investigator that
17 I didn't see him shoot her, but I had seen the gun in
18 his hand, then he ran.

19 A. He ran, that's right. That's the only thing
20 I see.

21 Q. And what color was the gun, and you said black,
22 correct?

23 A. You're trying to confuse me. I see a -- it was
24 dark, you know.

25 Q. Okay. The point I'm trying to make is you told

1 the investigator that day that you saw a gun in his
2 hand, correct?

3 A. Yeah, I did.

4 Q. Okay. Because you did?

5 A. Yeah, I did.

6 Q. Okay. And you described it for them?

7 A. Like I said, I had a rough day, a rough day for
8 me in my life.

9 Q. I'm certain it was.

10 A. I can't see nothing, you know. I can't see --
11 I was busy crying, just crying.

12 Q. And we already established that the only people
13 in the house that day when the shooting happened were
14 you and Jessica and the Defendant, correct?

15 A. Right.

16 Q. Okay. So did you shoot Jessica?

17 A. No.

18 Q. No?

19 A. I loved Jessica.

20 Q. Okay.

21 A. I don't do nothing to hurt her.

22 Q. Okay. Do you think Jessica shot herself five
23 times?

24 A. I don't know, I don't know.

25 Q. Okay. Or the Defendant shot her?

1 A. I don't know.

2 Q. Okay. But you heard shooting?

3 A. I heard shooting.

4 Q. And you saw the Defendant run out of the room
5 with a gun in his hand?

6 A. Exactly. That's it.

7 MR. MCNEELY: Nothing further, Your Honor.

8 THE WITNESS: That's it.

9 THE COURT: Recross?

10 MR. HUGHES: No, Your Honor.

11 THE COURT: All right. You can step down,
12 Ms. Jefferson. Thank you. Is Ms. Jefferson here under
13 subpoena?

14 MR. MCNEELY: She is, Your Honor.

15 THE COURT: All right. And you're free to
16 go. You're released from your subpoena, Ms. Jefferson.
17 Mr. McNeely.

18 MR. MCNEELY: Thank you. At this time,
19 the State calls Robert Jefferson.

20 THE COURT: All right. Robert Jefferson.

21 THE CLERK: Please raise your right hand,
22 and place your left hand on the Bible.

23 MR. ROBERT JEFFERSON was called as a
24 witness, being duly sworn, was examined and testified
25 as follows:

1 THE CLERK: Thank you. You maybe seated.
2 Please state your full name, and spell your last name
3 for the record.

4 THE WITNESS: Robert L. Jefferson, last name
5 J-E-F-F-E-R-S-O-N.

6 DIRECT EXAMINATION

7 BY MR. MCNEELY:

8 Q. Good afternoon, Mr. Jefferson.

9 A. Good afternoon.

10 Q. Are you married?

11 A. Yes, sir.

12 Q. Okay. Who is your spouse?

13 A. My spouse, Carolyn Jefferson.

14 Q. Okay. Was that Ms. Carolyn that just walked out
15 of here?

16 A. Yes, sir.

17 Q. Do you have any children?

18 A. I have two boys in Colorado.

19 Q. Okay. Are those children in common with
20 Ms. Carolyn, or they have a different mother?

21 A. A different mother.

22 Q. Okay. Do you have any stepchildren?

23 A. Yeah, Aubrey Tucker.

24 Q. Okay. And is the Defendant seated right over
25 here your stepson, Aubrey Tucker?

1 A. Right.

2 Q. Let the record reflect Mr. Jefferson identified
3 the Defendant. Do you work?

4 A. No, sir.

5 Q. Okay. Are you retired?

6 A. Right.

7 Q. Congratulations. Where do you live,
8 Mr. Jefferson?

9 A. [REDACTED] Old Back River Road, Goose Creek.

10 Q. And where is that located in the Goose Creek
11 area?

12 A. Off Red Bank Road.

13 Q. Is that in Berkeley County?

14 A. Right.

15 Q. Is your home near a cross street off of
16 Old Back River Road?

17 A. A cross street?

18 Q. Is there a road that runs beside your house,
19 other than Old Back River?

20 A. Yes, yes.

21 Q. Okay. What's the name of that?

22 A. Riverside.

23 Q. And is your home at the corner of Old Back River
24 and Riverside Circle?

25 A. Right.

1 Q. How long have you lived there?

2 A. Seventeen years now.

3 Q. Did you live at the home in June of 2021?

4 A. Yes.

5 Q. In early June 2021, who was residing at the home
6 with you?

7 A. In '21, me and my wife at that time.

8 Q. Okay. In June of 2021, was the Defendant living
9 there?

10 A. Right.

11 Q. That's correct? Is that yes?

12 A. Yes.

13 Q. Okay. Was anybody else living there?

14 A. No.

15 Q. Okay. At some point, in June 2021, did Jessica
16 Ancrum live there?

17 A. In '21, yes, sir.

18 Q. And who was Jessica to the Defendant?

19 A. Was a friend, girlfriend.

20 Q. Was Aubrey wearing an ankle monitor at that time?

21 A. At that time, an ankle monitor, yes, sir.

22 Q. Did he have his own car?

23 A. Oh, no, sir.

24 Q. But you had a car, right?

25 A. Right.

1 Q. How long had Jessica been staying there at the
2 home in June of 2021?

3 A. I would say for two, going on three months.

4 Q. Just a couple of months?

5 A. Right.

6 Q. Can you describe the house for the jury, just
7 like as you walk in the front door what's the layout?

8 A. You walk in the front door, then you've got
9 the dining room area, then the kitchen, then the back
10 bedroom, then the room going to the bathroom.

11 Q. Okay. Where's your bedroom?

12 A. The front part of the house.

13 Q. Okay. So you walk into the living room, correct?

14 A. Right.

15 Q. Then the dining room?

16 A. Right.

17 Q. Then straight back into the kitchen?

18 A. Right.

19 Q. And off the dining room is a hall?

20 A. A hall going to the restroom.

21 Q. Okay. And a back bedroom and a front bedroom?

22 A. Right.

23 Q. And your bedroom is the front bedroom?

24 A. Right.

25 Q. Who stayed in the back bedroom?

1 A. Aubrey Tucker stayed in the back bedroom.

2 Q. Okay. Who stayed -- did anybody stay in there
3 with him?

4 A. At that time?

5 Q. Yes.

6 A. Yeah, Jessica was staying at that time with him.

7 Q. Okay.

8 A. She was staying in the room back there.

9 Q. During that time, did you have or keep any guns
10 in your home?

11 A. No, sir.

12 Q. Did your wife, Carolyn Jefferson, have or keep
13 any guns in the home?

14 A. No, sir.

15 Q. All right. I want to talk specifically
16 about the day that brings us here today, Wednesday,
17 June 9th, 2021. Were you present at the home that day?

18 A. Yes, sir.

19 Q. Who else was present at the home that day?

20 A. That day, me, my wife, and Aubrey.

21 Q. Is Jessica there?

22 A. And Jessica is there, yeah. Four people.

23 Q. So you, your wife, Aubrey, and Jessica?

24 A. Right.

25 Q. Four people?

1 A. Four people.

2 Q. Anybody else?

3 A. No.

4 Q. Was anybody else, other than those four people,
5 there at all that day?

6 A. No.

7 Q. Okay. Until law enforcement arrived after
8 the incident?

9 A. Right.

10 Q. Okay. Tell us about the early -- the morning
11 and early afternoon that day. What was going on?

12 A. Well, we had a good morning, a good breakfast
13 that morning, everybody laughing. Jessica was washing
14 some clothes, you know, and my dryer don't work,
15 so we're getting ready to take that to another
16 laundromat to get it dried. We're waiting on the last
17 load.

18 Q. Was there any arguing in the home that day?

19 A. I heard no argument at all. It was completely
20 quiet.

21 Q. Was Jessica planning to leave that day?

22 A. Yes, she said she called her brother, but he
23 never showed up.

24 Q. Were they arguing over the phone that day?

25 A. No, they wasn't arguing over the phone. Showed

1 my wife something on the phone, but she didn't want
2 to see nothing on the phone, you know. She didn't want
3 to hear nothing going on really.

4 Q. You gave a statement to law enforcement that day,
5 correct?

6 A. Right.

7 Q. Okay. And within that statement, you said --
8 "Did you know what was going on between the two of them
9 or anything?" And you say, "Okay, I broke the first
10 fight up." "When was that?" "Before it happened,
11 something was in the phone that he'd seen. He said
12 someone tried to set him up, all kinds of stuff, that's
13 what he was talking."

14 A. Yeah, yeah.

15 Q. That's what you said to law enforcement?

16 A. Right.

17 Q. Okay. And is that true today?

18 A. It's true.

19 Q. Okay. Mr. Jefferson, I understand that this
20 is very difficult, and you don't want to be here.
21 But did an incident occur that afternoon at your home?

22 A. Yes, that afternoon.

23 Q. Okay. Please tell the jury what happened in the
24 home that afternoon.

25 A. Well, I was getting ready to go to the store,

1 getting my pack of cigarettes, and I was standing
2 at my car getting ready to get in the car, and I heard
3 three shots, and then my wife was screaming
4 hysterically, so she comes running. I ran in the house
5 there, and she ran outside into the road getting ready
6 to go to her cousin's across the street. So, I got
7 off the road, then I told her to call 911. So we went
8 under a tree and called 911. We were looking for her
9 phone; we never found her phone, so she used my phone.

10 Q. Okay. So when the shooting occurred, you said
11 you were outside the front door?

12 A. I was by my car outside.

13 Q. Okay. Who was inside the house?

14 A. My wife and Aubrey and Jessica.

15 Q. Okay. Anybody else at all?

16 A. No.

17 Q. Okay. And immediately after you heard shooting,
18 what did you see?

19 A. I see Jessica slumped over. I knew she was dead
20 the way she wasn't moving.

21 Q. Okay. Did you see the Defendant after the
22 shooting?

23 A. The Defendant after the shooting?

24 Q. Yeah.

25 A. Yes, he ran out the house saying he was set up.

1 He looked like he was some kind of spooked, you know
2 what I'm saying? Eyes pure white, you know. I said,
3 that don't look like him at all. He just kept on saying
4 he was set up. Then, I kept on telling him, don't run,
5 you know, don't run, and he ran toward Riverside.

6 Q. Did he have anything in his hand?

7 A. He had a gun in his hand.

8 Q. Did he try to take the keys to your car?

9 A. Yes, he wanted me to take him somewhere. That's
10 why I tried to tell him don't run. Then, he would
11 try to grab my keys, so I put my keys in my pocket,
12 and then he ran toward Riverside.

13 Q. So he left the property on foot?

14 A. Right.

15 Q. Did the shots come from inside or -- inside the
16 home or outside the home?

17 A. Inside the house; sounded like it was inside.

18 Q. And the only people in the house were your wife,
19 the Defendant, and Jessica?

20 A. Right.

21 Q. After the Defendant left with a gun that day,
22 did you see any other guns inside the house?

23 A. No.

24 Q. And when you saw him run from the house with
25 a gun, was that immediately after the shooting occurred?

1 A. Yeah, immediately.

2 Q. Can you describe the gun for the jury?

3 A. Looked like one of the mini M-16s. I've been
4 in the military, looked like one of the mini M-16s
5 to me.

6 Q. Okay. So what color was it?

7 A. Black.

8 Q. Okay. So you're saying M-16 but mini, you're
9 saying, like, a short, little rifle?

10 A. Yeah, it's a smaller version of an M-16.

11 Q. Okay. And the person we're talking about running
12 from the scene with a gun that day is the Defendant,
13 Aubrey Tucker?

14 A. Right.

15 Q. And once Mr. Tucker left the property that day,
16 who was left at the house?

17 A. Just me and -- me and my wife.

18 Q. Where was Jessica?

19 A. Jessica was still in the bedroom.

20 Q. Did you ever go in the bedroom?

21 A. Yes, sir, I went in the bedroom. I tried not to
22 touch nothing, tried to keep my wife from not touching,
23 but she was stepping in a little blood with her shoes.

24 Q. Did you see Jessica at that time?

25 A. No. No, I didn't, no.

1 Q. You went in the room, but you didn't see Jessica?

2 A. I went in the room, Jessica was slumped on the
3 floor.

4 Q. Okay. She was on the floor?

5 A. Yes.

6 Q. Did she appear alive or deceased?

7 A. Deceased.

8 Q. Okay. And you said the floor was covered with
9 blood?

10 A. Right. And I wasn't trying to touch nothing.

11 Q. And what happened after you saw that?

12 A. Well, the wife still was hysterical. I tried
13 to calm her down, tell her to call 911, and that's what
14 she's done.

15 Q. Okay. How were you feeling at that time?

16 A. I was -- oh, big shock.

17 Q. I can imagine.

18 A. Seeing happiness in the morning time, then
19 sadness in the later part of the day.

20 Q. So you said your wife called 911?

21 A. Right.

22 Q. At some point while she was talking to 911,
23 did you take the phone from her?

24 A. Yes, I did, because she was crying so much,
25 you know. Then, I finished talking with the lady

1 on 911.

2 Q. Okay. Did you speak to dispatch at that time?

3 A. Yes, we was talking on the phone.

4 Q. Okay. And did you tell them what happened that
5 day?

6 A. Yes, I told them that Jessica was shot, and she's
7 dead.

8 Q. Okay. I'm showing you what's been marked as
9 State's Exhibit 146.

10 MR. MCNEELY: Permission to approach the
11 witness, Your Honor?

12 THE COURT: Yes.

13 BY MR. MCNEELY:

14 Q. Do you recognize this disc?

15 A. Yes.

16 Q. Is that the 911 call you placed in this case?

17 A. Yes.

18 Q. And is it an accurate copy of your discussion
19 with 911 that day?

20 A. Right, uh-huh.

21 MR. MCNEELY: Your Honor, at this time --
22 it's already been admitted. At this time, the State
23 would like to publish the 911 call beginning at 1:38
24 when Mr. Jefferson takes over the call.

25 THE COURT: Any objection?

1 MS. WHITE: No objection.

2 MR. HUGHES: No objection, Judge.

3 THE COURT: Without objection.

4 (911 audio recording played for the jury.)

5 BY MR. MCNEELY:

6 Q. Sorry. One quick question, Mr. Jefferson.
7 You said -- you were heard there saying, "Hold on,
8 you're tracking that blood everywhere." What are
9 you talking about right there?

10 A. I'm talking about her not going in the room,
11 not to step on that blood.

12 Q. Okay. Your wife?

13 A. Yeah, but she stepped a little bit in it.
14 She tracked a little bit.

15 Q. Okay. Was she barefooted?

16 A. No, tennis shoes.

17 Q. Okay.

18 (Audio recording continued to be played for the jury.)

19 BY MR. MCNEELY:

20 Q. Is that the complete 911 call you made that day?

21 A. Yes, sir.

22 Q. Okay. And you told dispatch that the Defendant
23 had shot Jessica; is that correct?

24 A. Right.

25 Q. And I believe at the end of the call, we heard

1 that law enforcement had arrived on scene by that time?

2 A. Right.

3 Q. Okay. What happened after that?

4 A. Well, they went in the house and started
5 investigating.

6 Q. Okay. Do you remember about how long it took
7 them to respond?

8 A. They've been there about less than five minutes.

9 Q. Okay. I'm sure it felt like a long time.

10 A. Yeah, by the time we've been on the phone with
11 911, they was coming up already.

12 Q. Okay. What happened when the deputies arrived?

13 A. They went in the house and checked the body out.

14 Q. Okay. Did you tell the deputies that arrived
15 what had happened that day?

16 A. Yes, I told them she was shot.

17 Q. Okay. Did you tell them that the Defendant
18 was the one that shot her?

19 A. Yes, sir.

20 Q. Okay. Did you provide them his name?

21 A. Provide his name, Aubrey Tucker? Yes, sir.

22 Q. Did you describe the clothing he had on?

23 A. Yes, sir.

24 Q. Did you tell them he was wearing an ankle monitor
25 at the time?

1 A. I didn't see no ankle monitor at all when he was
2 running off.

3 Q. But he had one on at the time?

4 A. He had one on, but when he ran off, he didn't
5 have no ankle monitor on.

6 Q. Okay.

7 A. That's why I told him don't run, you know.

8 Q. Because he's got an ankle monitor on?

9 A. An ankle monitor.

10 Q. Okay. So if you run, they're going to be able
11 to find you, correct?

12 A. Correct.

13 Q. Did you give a statement to law enforcement that
14 day?

15 A. Yes, sir.

16 Q. Okay. Was that up at the station, or did they
17 do it in the car?

18 A. I done it in his truck.

19 Q. Okay. At your property there?

20 A. Yes, on Riverside; he was parked on Riverside.

21 Q. Okay. Did they collect a gunshot residue kit
22 from you?

23 A. Right.

24 Q. I believe we touched on this earlier, but did
25 you own any guns that day?

1 A. No.

2 Q. Okay. Did you have a gun in your home that day?

3 A. No.

4 Q. Did you shoot a gun that day?

5 A. No.

6 Q. Had you touched a gun that day?

7 A. No.

8 Q. To your knowledge, did anyone else at the house,
9 other than your stepson, shoot a gun that day?

10 A. No, sir.

11 Q. After you completed your statement to law
12 enforcement and your GSR kit, what happened after that?

13 A. Well, we was kind of sitting around under a tree.

14 Q. Was law enforcement there for a while?

15 A. Yes, they've been there for a while.

16 Q. Did they go all through the house?

17 A. Yes, they went all through the house.

18 Q. After he left on foot that day, did you speak
19 with the Defendant again that day?

20 A. No, sir.

21 Q. Did you see or speak with the Defendant the
22 following day?

23 A. No, sir.

24 Q. Do you have any idea where he went after he ran
25 out of your house carrying a gun?

1 A. No, sir.

2 Q. Did you see ---

3 A. We tried to call the phone, but we got no answer.

4 Q. Okay. Did you see or hear from him at any point
5 from the time he ran out of your house after the
6 shooting on June 9th until you found out he was
7 arrested?

8 A. No, sir.

9 Q. And the only people in your house that day were
10 you, correct?

11 A. Correct.

12 Q. The Defendant?

13 A. Right.

14 Q. Your wife?

15 A. Right.

16 Q. And Jessica?

17 A. And Jessica.

18 Q. And at the time of the shooting, you were
19 outside?

20 A. Outside.

21 Q. And the shooting came from where, inside
22 or outside?

23 A. Inside the house.

24 Q. And the only people inside were your wife ---

25 A. And Jessica.

1 Q. And?

2 A. And the Defendant.

3 Q. Okay. And after the shooting, he immediately
4 ran from the scene carrying a gun?

5 A. Right.

6 MR. MCNEELY: Nothing further from the State
7 at this time. Thank you, Mr. Jefferson, I know this
8 wasn't easy.

9 THE WITNESS: Yes, sir.

10 THE COURT: Any cross-examination?

11 MS. WHITE: Briefly.

12 CROSS-EXAMINATION

13 BY MS. WHITE:

14 Q. Good afternoon, Mr. Jefferson.

15 A. Good afternoon.

16 Q. You had mentioned earlier in your testimony that
17 the day started off happy, and then there was some
18 testimony about ---

19 A. It's like ---

20 Q. --- an argument?

21 A. It's, like, yeah, had a little fussing, you know,
22 over that phone, you know. Something in that phone,
23 you know, and he wanted his momma to look at the phone.

24 Q. So there was some fussing that occurred?

25 A. Yeah, a small little fussing, then she started

1 laughing, you know.

2 Q. And so it was nothing that you were concerned
3 about as far as the fussing was concerned?

4 A. No, you know, felt like a little giggly type
5 of fussing, you know.

6 Q. But it was something about the phone?

7 A. About the phone.

8 Q. Okay. And who had an issue about the phone?

9 A. Aubrey took issue with the phone, wanted to show
10 his momma something on the phone, some text on the
11 phone.

12 Q. Do you know whose phone it was?

13 A. My wife's phone.

14 Q. Oh, it was your wife's phone ---

15 A. Right.

16 Q. --- that Aubrey wanted to show your wife?

17 A. Right.

18 Q. Okay. And your wife didn't want to see the
19 phone?

20 A. She didn't want to see the phone because she's
21 the type of person that don't want to know nothing
22 bad, you know, going on. That's the type of person
23 she is.

24 Q. Right.

25 A. She's sensitive with stuff like that.

1 Q. So did you know what it was about?

2 A. I didn't look at it either.

3 Q. You didn't look at it either?

4 A. I didn't -- see what I'm saying?

5 Q. You don't want to get involved?

6 A. No.

7 Q. All right. And so ---

8 A. Not too much into phones anyway.

9 Q. I understand. And so what -- around what time
10 of day was that?

11 A. A little after one, something like that.

12 Q. A little after one?

13 A. Yeah.

14 Q. Okay. And so I think your testimony was before
15 the shooting, you were actually outside?

16 A. Right.

17 Q. And how long had you been outside?

18 A. I've been outside at least 15 minutes.

19 Q. About 15 minutes?

20 A. Fifteen minutes. I was waiting to load up the
21 last load into the car, then I said I will go to the
22 store, get some cigarettes.

23 Q. Okay.

24 A. So, I was outside waiting for that last load
25 when all that happened.

1 Q. So you were going to go to the store before you
2 went to the -- I think you were going to the laundromat,
3 is that it?

4 A. Right. Yeah, we're waiting on the last load
5 coming out the washing machine.

6 Q. Okay. Who was going with you?

7 A. To the store?

8 Q. Yes.

9 A. Oh, just myself.

10 Q. Just you?

11 A. Yeah.

12 Q. Okay. Who was going with you to the laundromat?

13 A. I ain't going to no laundromat.

14 Q. Okay.

15 A. My wife was supposed to take her to the
16 laundromat.

17 Q. Right. Oh, okay. So you were going to go to the
18 store, come back?

19 A. That's right.

20 Q. And then she was going to go to the laundromat?

21 A. Yeah.

22 Q. Okay.

23 A. She was going to take Jessica to the
24 laundromat ---

25 Q. Okay.

1 A. --- to dry the clothes.

2 Q. So was that supposed to be your wife,
3 Ms. Jefferson, and Jessica were going to go to the
4 laundromat?

5 A. Right.

6 Q. Okay. And so after you had been outside, I think
7 you said for about 15 minutes, at what point did you
8 hear shots?

9 A. You mean, like -- three shots.

10 Q. You heard three shots?

11 A. Yeah.

12 Q. Okay.

13 A. I heard three shots, then I heard a scream,
14 and I went to the door, and she was in the hallway
15 just screaming and stuff like that, you know.

16 Q. But prior to that, you're saying you didn't --
17 the only arguing or fussing that you heard was just
18 about the phone, and it didn't appear to be serious?

19 A. It didn't appear to be serious at all. They
20 just -- then, she started laughing, you know, giggling,
21 something like that.

22 Q. And that's Jessica?

23 A. Yeah. Jessica, yeah.

24 Q. And how long had you known Jessica?

25 A. Going on three months.

1 Q. Three months?

2 A. Yeah, she was starting to open to me, you know
3 what I'm saying?

4 Q. Okay.

5 A. You know.

6 Q. Had she been living in the house three months,
7 or you've known her three months?

8 A. No, she was living in the house.

9 Q. Living in the house three months?

10 A. Yes.

11 Q. Had you met her before she moved in?

12 A. Oh, no. That was my first time meeting her.

13 Q. The first time is when she moved in?

14 A. Yes, yes.

15 Q. Okay. Had you ever witnessed -- you never
16 witnessed any physical altercations between Mr. Tucker
17 and Jessica, had you?

18 A. No, no.

19 Q. Okay. Did you ever -- did Jessica ever say
20 anything to you -- you said she had just started opening
21 up. She never said anything to you about Mr. Tucker
22 threatening her?

23 A. Oh, no, no.

24 Q. And you never witnessed anything ---

25 A. No.

1 Q. --- before that?

2 A. No.

3 Q. Now you did say that when Mr. Tucker came out
4 of the house, you said he didn't seem like himself?

5 A. No, it seemed like some type of ghostly spirit
6 because he -- I mean, he kind of scared me, you know,
7 coming running to the door anyway. His eyes were just
8 pearly white, and he was saying he was set up, you know
9 what I'm saying? Had me all woo.

10 Q. Did you know what that meant?

11 A. I didn't. Right now, four years that went by,
12 I still don't know what that means, you know? I don't
13 know if he was threatened. I don't know.

14 Q. Right. Had you seen him that day?

15 A. Aubrey?

16 Q. Other than the argument -- yes, Mr. Tucker.
17 Had you seen him? Other than the arguing, had you seen
18 him that day?

19 A. Yes, yes.

20 Q. Did he seem like himself earlier that day?

21 A. He seemed himself earlier.

22 Q. He did?

23 A. Yes.

24 Q. And so, as you testified before, you were
25 outside, and you heard the shots?

1 A. Uh-huh.

2 Q. So you didn't see anything ---

3 A. I didn't see nothing.

4 Q. --- inside the room. You weren't in the room,
5 you don't know what happened in the room?

6 A. I don't know what happened at all.

7 Q. Okay. And how many shots did you say you heard?

8 A. About three shots.

9 Q. Okay. All right. Thank you, Mr. Jefferson.

10 MS. WHITE: No further questions.

11 THE COURT: Any redirect?

12 MR. MCNEELY: Just briefly, Your Honor.

13 REDIRECT EXAMINATION

14 BY MR. MCNEELY:

15 Q. And I know we've hit on this, but you were
16 outside, correct?

17 A. Right.

18 Q. And the only people inside were your wife,
19 Jessica, who's now dead ---

20 A. Uh-huh.

21 Q. --- and the Defendant?

22 A. Right.

23 Q. And immediately after the shooting, your wife
24 stayed inside and started screaming, correct?

25 A. Screaming.

1 Q. And the Defendant ran out with a gun?

2 A. Right.

3 Q. And ran off on foot?

4 A. He ran toward me, you know what I'm saying?
5 He wanted me to drop him off. I said, no, no, no, no,
6 you can't run, you can't run. Right there, he tried
7 to take my keys. I said, no, no, no, no, and he ran
8 off to Riverside.

9 Q. Okay. Do you have any reason to believe your
10 wife shot Jessica?

11 A. No. No, sir, she ain't the type.

12 Q. Do you have any reason to believe that Jessica
13 shot herself five times, including two in the back?

14 A. I really don't know that at all. I don't know.

15 Q. So the only person that could ---

16 A. Ain't nobody tussling or wrestling or nothing
17 like that. It was -- the house was quiet.

18 Q. So the only person that could have shot Jessica
19 is the Defendant?

20 A. Right.

21 MR. MCNEELY: Nothing further, Your Honor.

22 THE COURT: Any recross?

23 MS. WHITE: None, Your Honor.

24 THE COURT: Okay. Mr. Jefferson, you can
25 step down. Mr. McNeely, is Mr. Jefferson here under

1 subpoena?

2 MR. MCNEELY: He is, and he's free to go
3 as far as the State is concerned, Your Honor.

4 THE COURT: All right. You are free to go
5 and released from the subpoena.

6 THE WITNESS: Okay.

7 THE COURT: You can certainly stay if you
8 wish.

9 THE WITNESS: All right.

10 THE COURT: Thank you, sir. Mr. McNeely.

11 MR. MCNEELY: Thank you, Your Honor.

12 MS. LYNCH: The State calls Perry Smith.

13 THE CLERK: Please raise your right hand,
14 place your left hand on the Bible.

15 OFFICER PERRY SMITH, was called as a
16 witness, being duly sworn, was examined and testified
17 as follows:

18 THE CLERK: Thank you. You may be seated.
19 Please state your full name and spell your last name
20 for the record.

21 THE WITNESS: Perry Smith, Jr.

22 THE CLERK: Spell your last name.

23 THE WITNESS: Smith, S-M-I-T-H.

24 DIRECT EXAMINATION

25 BY MS. LYNCH:

1 Q. Where are you currently employed?

2 A. Pulaski County, Little Rock, Arkansas.

3 Q. And what's your current position there?

4 A. I'm a patrol officer.

5 Q. How long have you been employed there?

6 A. For three years now.

7 Q. Okay. And where did you work prior to that
8 position?

9 A. Berkeley County Sheriff's Office.

10 Q. And were you working at the Berkeley County
11 Sheriff's Office in June of 2021?

12 A. Yes.

13 Q. And on June 9th of 2021?

14 A. Yes.

15 Q. What was your position at that time?

16 A. I was a road deputy, patrol.

17 Q. And can you describe what your duties were under
18 that role?

19 A. Under the role of patrol, community area,
20 serving, traffic stops, enforcement of the traffic
21 laws.

22 Q. And would you respond to the scene of crimes?

23 A. Yes.

24 Q. And when you were -- on June 29th [sic], 2021,
25 were you working as the patrol deputy?

1 A. Yes.

2 Q. Were you notified of an incident that occurred
3 at [REDACTED] Old Back River Road on that date?

4 A. Yes.

5 Q. And what area is that in?

6 A. Goose Creek, Zone 4.

7 Q. Okay. And you responded?

8 A. Yes.

9 Q. And were you wearing a body cam?

10 A. Yes.

11 Q. Once you were notified, do you know how quickly
12 you responded to the scene?

13 A. I was off of Red Bank Road, Harbour Lake area,
14 so possibly estimated around five minutes or so.

15 Q. And when you arrived, who else was on the scene?

16 A. I was first. As far as officer-wise, I was first
17 on scene.

18 Q. Who else was on the scene aside from officers?

19 A. The parents.

20 Q. Okay. And when you arrived on the scene,
21 what did you observe when you approached?

22 A. When I first arrived, I've seen a vehicle
23 in the yard, the parents were standing on the side.
24 I asked where the victim was, from the communications
25 from dispatch saying that a young lady was shot.

1 The mother escorted me in the house and saw the victim.

2 Q. So when you entered into house, can you describe
3 where you went to get to where the victim was located?

4 A. You walk straight into the door, on the
5 right-hand side is going to be a hallway. And then
6 on the left and right, there's bedrooms, right side --
7 left side was the deceased.

8 Q. And did you enter into that room?

9 A. Yes.

10 Q. And what did you see when you entered?

11 A. A female laying on the ground, blood coming from
12 the area.

13 Q. And did you see how she was laying?

14 A. Head was facing toward the entry room -- or the
15 entry door.

16 Q. Okay. And did you observe any injuries at that
17 time?

18 A. At that time, no.

19 Q. Okay. Did you observe any blood?

20 A. Yes.

21 Q. Okay. Who else arrived on the scene next?

22 A. Deputy Haag.

23 Q. Do you know how quickly she got there after you?

24 A. We were right behind each other.

25 Q. And once she arrived, did you work together

1 to assess the victim?

2 A. Yes.

3 Q. When she arrived, can you describe what you did
4 next?

5 A. We tried to check for a pulse, but there was no
6 pulse at that time.

7 Q. And then once you checked that, what did you do
8 next?

9 A. I believe it was -- we talked to the parents to
10 kind of get a description of the Defendant at the time
11 to see if we can try to get more deputies in the area
12 to see his location.

13 Q. Do you remember where you talked to them?

14 A. It was outside the house, right in the porch
15 area.

16 Q. And do you remember anything you did within
17 the house, other than checking on the victim?

18 A. Just taped off as a crime scene.

19 Q. Did you clear the house?

20 A. Yes.

21 Q. Can you describe what that means, clearing the
22 house?

23 A. Clearing the house is making sure there's nobody
24 else extra in the house that was not stated before,
25 walking towards the kitchen area, looking around, make

1 sure there's nobody else in, going into the second
2 bedroom, checking again to make sure there's nobody
3 in the area.

4 Q. And did you find anyone else in the house?

5 A. No.

6 Q. Can you describe how you helped maintain the
7 integrity of the crime scene?

8 A. I started with crime scene tape, kind of just
9 blocking off the area just for an immediate, make sure
10 no one is crossing over the line to get into the area.

11 Q. And where was that crime scene taped?

12 A. It started off being from the driveway to the
13 porch.

14 Q. Okay. And what happened when someone would cross
15 over the line?

16 A. They would be added to a crime scene log.

17 Q. Okay. Who kept the log that day?

18 A. That day, I started the crime scene log once more
19 officers arrived.

20 Q. Do you remember what information you collected
21 on the scene?

22 A. I spoke with the mother, who said the victim's
23 name was Jessica, but that was the only thing that
24 was provided. So, I called into dispatch to see
25 if they can run an in-house to see if any other actions

1 had happened at that residence where they can pull
2 anybody that had the name of Jessica.

3 Q. And after that point, do you remember how much
4 longer you remained on the scene?

5 A. I do not.

6 Q. Okay. And did you do anything further beyond
7 what you've already discussed?

8 A. No.

9 Q. You stated earlier that you were wearing a body
10 cam when you responded on June 9th, 2021?

11 A. Yes.

12 Q. Was it turned on and operational?

13 A. Yes.

14 Q. Did it record your response to the incident?

15 A. Yes.

16 Q. And have you reviewed that footage prior
17 to testifying?

18 A. Yes.

19 Q. All right.

20 MS. LYNCH: Your Honor, may I approach?

21 THE COURT: Yes.

22 BY MS. LYNCH:

23 Q. I'm going to show you a disc. Do you recognize
24 this disc?

25 A. Yes.

1 Q. And how do you recognize it?

2 A. That has my body cam footage on it.

3 Q. Okay. And is that your initials?

4 A. My initials, yes.

5 Q. And when did you initial this?

6 A. That would be on Saturday, the 22nd of March.

7 Q. And it was when you reviewed it?

8 A. Yes.

9 Q. And when you reviewed it, it was redacted,
10 correct?

11 A. Correct.

12 Q. And could you describe how it was redacted?

13 A. Certain sensitive material was blacked out.
14 That's about it, yeah.

15 Q. And could you, I guess, describe what that was?

16 A. Explicit material, blood, for example, an area
17 of that range.

18 Q. And was that a fair and accurate representation
19 of your response to the incident on June 9th?

20 A. Yes.

21 Q. Other than the redactions we discussed, was it
22 changed or altered in any way?

23 A. No.

24 Q. And did it capture your full response?

25 A. Yes.

1 Q. Okay.

2 MS. LYNCH: Your Honor, at this time,
3 the State would move to admit what's been premarked
4 as State's Exhibit 170 into evidence.

5 THE COURT: All right. Any objection?

6 MR. HUGHES: No objection, Judge.

7 THE COURT: All right, entered without
8 objection.

9 (State's Exhibit No. 170 was entered into evidence.)

10 MS. LYNCH: And, Your Honor, with the
11 Court's permission, the State would like to publish
12 it at this time.

13 THE COURT: Any objection?

14 MR. HUGHES: I'm sorry?

15 MS. LYNCH: Publish it.

16 THE COURT: Any objection to publishing?

17 MR. HUGHES: Oh, no objection, Judge.

18 THE COURT: All right, published without
19 objection. Thank you.

20 BY MS. LYNCH:

21 Q. And when you reviewed this, did the redacted
22 version only cover the first 15 minutes of your
23 response?

24 A. Yes.

25 (Body cam footage played for the jury.)

1 BY MS. LYNCH:

2 Q. Just a quick question. Can you -- who is that
3 calling out to you?

4 A. Deputy Haag.

5 Q. And can you just describe what you're doing here
6 since it's redacted?

7 A. That is the point of where I saw the victim
8 on the ground to see if we can check for a pulse.

9 Q. Okay.

10 MS. LYNCH: You can turn the lights back
11 down. Thank you.

12 (Body cam footage continued to be played for the jury.)

13 BY MS. LYNCH:

14 Q. And can you just clarify what you're doing here?

15 A. This is securing the scene, making sure there's
16 nobody else in the house. Even though they said he
17 ran out of the door, we still have to secure the house,
18 make sure no one else is in the residence.

19 (Body cam footage continued to be played for the jury.)

20 BY MS. LYNCH:

21 Q. And can you describe for the jury what you're
22 doing here?

23 A. This is the start of the crime scene log.
24 Anybody that passes through the yellow ripped-off tape
25 gets put into the log.

1 Q. And whose names are you writing down at this
2 point?

3 A. Myself, Deputy Haag, and the EMS that arrived.

4 (Body cam footage continued to be played for the jury.)

5 BY MS. LYNCH:

6 Q. And is what we just saw an accurate
7 representation of your response to the incident
8 on June 9th?

9 A. Yes.

10 Q. And just to clarify, when you did your
11 walkthrough of the house, did you find anyone else
12 there?

13 A. No.

14 Q. And did you do anything further after you
15 responded that day?

16 A. No.

17 MS. LYNCH: Beg the Court's indulgence,
18 Your Honor. No further questions at this time,
19 Your Honor.

20 THE COURT: All right. Any
21 cross-examination?

22 MR. HUGHES: Beg the Court's indulgence
23 for one minute, Your Honor.

24 THE COURT: Certainly.

25 (Pause.)

CROSS-EXAMINATION

BY MR. HUGHES:

Q. Good afternoon, Officer Smith.

A. Good afternoon.

Q. You were first on the scene, correct?

A. Yes.

Q. When you arrived, where was Ms. Jefferson when you showed up?

A. She was standing outside the residence.

Q. Okay. Did you see any blood on her when you got there?

A. No.

Q. Okay. Did you see a trail of blood leading away from the victim when you showed up?

A. Not that I recall.

Q. Okay. I noticed in the State's exhibit, you used a flashlight when sweeping the house; is that correct?

A. Yes.

Q. Is that because it was dark in there?

A. Some areas were dark, some areas were lit.

Q. Okay. Were any lights on in the house?

A. I believe the kitchen was on, but I do not recall.

Q. Okay. It is safe to say you don't know what happened in the room to Jessica before you got there?

1 A. Correct.

2 Q. Okay.

3 MR. HUGHES: Court's indulgence.

4 (Pause.)

5 BY MR. HUGHES:

6 Q. Officer Smith, you made calls regarding anybody
7 that might have been in any trouble named Jessica in
8 that video, right?

9 A. Correct.

10 Q. Did any reports come back?

11 A. I do not remember.

12 Q. So no reports came back when you asked for that?

13 A. I don't remember.

14 Q. Okay. Last question. In the room that the
15 victim was in, Jessica, was it dark in there?

16 A. Yes.

17 Q. Okay. You had to use a flashlight?

18 A. Yes.

19 Q. Okay.

20 MR. HUGHES: No further questions.

21 THE COURT: All right. Any redirect?

22 MS. LYNCH: Not at this time, Your Honor.

23 THE COURT: All right. Is this witness
24 under subpoena?

25 MR. MCNEELY: He is, Your Honor.

1 THE COURT: All right. Any objection to
2 releasing him from the subpoena?

3 MR. MCNEELY: None from the State.

4 MR. HUGHES: None from the defense,
5 Your Honor.

6 THE COURT: You can step down. You're free
7 to go, or stay if you wish.

8 THE WITNESS: Thank you.

9 THE COURT: It is 4:20, so we're going
10 to take a break right now. I'm going to send y'all
11 back to the jury room, and then I'll bring y'all back
12 out in a few minutes, okay? And, of course, don't
13 start discussing the case just yet, okay? See y'all,
14 go on back to the jury room.

15 (The jury exited the courtroom at 4:20 p.m.)

16 THE COURT: All right, let's be -- y'all
17 can sit. Let's be at ease for about five minutes,
18 then we'll touch base to try and get the jury back
19 in at 4:30, okay?

20 (Recess taken.)

21 (Back on the record.)

22 THE COURT: All right. So what do we have
23 in store for us the rest of the day, Mr. McNeely?

24 MR. MCNEELY: Yes, Your Honor. I had
25 intended on calling two more witnesses today, the EMT

1 and then the other responding deputy, Heather Haag.
2 She has about 20 minutes of body cam video to play,
3 so if it's your preference, we can just call the EMT,
4 get her out of here -- or get him out of here and start
5 with Haag in the morning. Otherwise, that may put
6 us after five o'clock.

7 THE COURT: How long is the EMT going to
8 take, just a guess?

9 MR. MCNEELY: Ten, 15 minutes.

10 THE COURT: All right, all right. Let's do
11 that. Let's bring the jury back in, if they're ready,
12 and we'll take the EMT. After we release the jury,
13 we'll spend a few minutes and touch base on who you're
14 going to call and in what order tomorrow, okay?

15 (The jury entered the courtroom at 4:31 p.m.)

16 THE COURT: Y'all can be seated. Thank you.
17 All right, Mr. McNeely.

18 MR. MCNEELY: Thank you, Your Honor.
19 State calls Yancey Wright.

20 THE COURT: Yancey Wright?

21 MR. MCNEELY: Correct.

22 THE CLERK: Please raise your right hand,
23 place your left hand on the Bible.

24 MR. YANCEY WRIGHT was called as a witness,
25 being duly sworn, was examined and testified as follows:

1 THE CLERK: Thank you. You may be seated.
2 Please state your full name and spell your last name
3 for the record.

4 THE WITNESS: Yancey Wright, W-R-I-G-H-T.

5 DIRECT EXAMINATION

6 BY MR. MCNEELY:

7 Q. Good afternoon, Mr. Wright.

8 A. Good afternoon.

9 Q. Where are you currently employed?

10 A. Port City Ambulance.

11 Q. I'm sorry. I didn't hear that.

12 A. Sorry. Port City Ambulance.

13 Q. Port City Ambulance. What is your position
14 there, and how long have you been employed there?

15 A. I'm the clinical education manager there,
16 and I've been employed for two years.

17 Q. Okay. Please describe your education and
18 training for the jury.

19 A. I have a bachelor's degree in healthcare
20 administration. I got my paramedic in 2017.
21 I'm a South Carolina state instructor as well.

22 Q. Paramedic instructor?

23 A. Yes, sir.

24 Q. Okay. Beyond paramedic and instructor, do you
25 hold any additional certifications?

1 A. Yes, I have my instructor in all AHA classes.

2 Q. What are those?

3 A. ACLS, which is advanced cardio-life support,
4 BLS, PALS.

5 Q. Where did you work before your current job?

6 A. I worked as a flight medic for a company called
7 Guardian Flight.

8 Q. Okay. And where did you work before
9 Guardian Flight?

10 A. City of Goose Creek Fire Department.

11 Q. Okay. And how long did you work for them?

12 A. Approximately three years.

13 Q. Okay. What was that time frame?

14 A. Probably around 2018 -- between 2018 and 2021.

15 Q. What was your position there?

16 A. Paramedic.

17 Q. What were the duties of your position
18 as a paramedic?

19 A. Basically, I provide pre-hospital healthcare
20 to get the patient to the hospital.

21 Q. So in a nutshell, you get emergency calls,
22 you respond to provide care, and if somebody needs
23 to go to the hospital, you take them to the hospital?

24 A. Correct.

25 Q. All right. Were you employed with Goose Creek

1 as a paramedic on June 9th, 2021?

2 A. Yes.

3 Q. Were you working in that capacity on the
4 afternoon of June 9th, 2021?

5 A. Yes.

6 Q. During that time, were you dispatched to an
7 incident at [REDACTED] Old Back River Road in Goose Creek?

8 A. Yes.

9 Q. Is that in Berkeley County?

10 A. Yes.

11 Q. Please explain to the jury where in
12 Berkeley County that location is.

13 A. Old Back River Road, I believe, off of Red Bank
14 Road.

15 Q. Did you respond to that location that day?

16 A. Yes.

17 Q. Approximately what time did you respond?

18 A. Sometime in the early afternoon, don't know
19 the exact time.

20 Q. Okay. If I had a copy of your report, would that
21 refresh your memory as to the time?

22 A. Yes.

23 Q. Okay.

24 MR. MCNEELY: Permission to approach the
25 witness, Your Honor?

1 THE COURT: Yes.

2 (Pause.)

3 BY MR. MCNEELY:

4 Q. Does that refresh your memory?

5 A. Yes, sir.

6 Q. Okay. What time did you respond?

7 A. So we got dispatched at about 2:39, and I was
8 on scene at 2:46.

9 Q. Okay. And that's in the afternoon, p.m.?

10 A. Correct.

11 Q. Where did you respond from?

12 A. Station 1.

13 Q. Where is Station 1?

14 A. Off of 52 by the railroad tracks.

15 Q. Why were you dispatched to [REDACTED] Old Back River
16 Road that day?

17 A. We were dispatched to a shooting.

18 Q. Who was with you responding that day?

19 A. Well, I had two other people with me,
20 Tyler Harris, and we also had a new hire with us as
21 well.

22 Q. Do you remember his name?

23 A. No, I don't remember his name.

24 Q. Who was the lead on the call?

25 A. I was.

1 Q. I believe you may have already touched on this,
2 but what time did you arrive on the scene?

3 A. Around 2:46.

4 Q. What did you initially observe when you arrived
5 on scene?

6 A. When I arrived on scene, I observed a bunch
7 of police officers outside.

8 Q. What did you do at that time?

9 A. I met another officer at the front door who
10 stated that there was possibly a person inside.
11 I walked inside, I noticed a female laying on the
12 ground.

13 Q. Okay. Did the officer escort you to the
14 location?

15 A. Correct.

16 Q. Okay. Can you describe the female you saw
17 on the ground?

18 A. It was an African-American female. She was --
19 it was dark inside, but she was laying by the entry
20 of the doorway. It was a very small house.

21 Q. Okay. Was there anything around the victim
22 on the floor?

23 A. There was a shell casing. I know there was
24 a bed off to my right, and there was a dresser as well.

25 Q. Was there any visible blood at the time?

1 A. Yes, there was a bunch of blood around her head,
2 her body area.

3 Q. What did you do once you got into the room?

4 A. I -- well, I walked into the room, I looked
5 for any signs of life. I noticed there wasn't any signs
6 of life. I checked for a pulse, I walked out, I grabbed
7 our EKG monitor, helped the patient up to confirm that
8 there's no signs of life. Then, I contacted dispatch,
9 told them that the patient was deceased.

10 Q. Okay. So when you initially encountered the
11 victim, you knelt down and checked for a pulse?

12 A. Correct.

13 Q. Was any present?

14 A. No.

15 Q. Was she warm to the touch, or was she cold to the
16 touch?

17 A. She was cold to the touch.

18 Q. Okay. What does that mean to you?

19 A. Basically that means that there's no signs
20 of life, and the patient is cold to the touch, that
21 she's been deceased, and that there's no saving her,
22 basically.

23 Q. Okay. Did you observe any injuries to the victim
24 at that time?

25 A. I noticed what appeared to be two gunshot wounds

1 to her chest area.

2 Q. Did you do anything to treat those?

3 A. No.

4 Q. Okay. You mentioned at some point you left
5 and came back in?

6 A. Yes.

7 Q. What did you do?

8 A. Well, I went out to grab our cardiac monitor to
9 basically hook the patient up to see if she had any
10 organized heart rhythm.

11 Q. Okay. Is that standard protocol?

12 A. Yes.

13 Q. Okay. Did you feel like at that time you
14 actually needed to do that?

15 A. No, her injuries were incompatible with life.

16 Q. Okay. They were incompatible with life?

17 A. Correct.

18 Q. Okay. But because it's protocol, did you hook
19 her up to the EKG?

20 A. Yes.

21 Q. All right. Please describe how that works for
22 the jury.

23 A. So you hook a patient up to an EKG, we call that
24 our limb leads. So we put them to her arms, either her
25 lower abdomen or her legs, it really doesn't matter.

1 Once you do that, it will show a heart rhythm or no
2 heart rhythm. You either have an agonal rhythm, sinus
3 rhythm, which is a normal rhythm, too fast, too slow,
4 it just depends on what's going on with that certain
5 patient at that time.

6 Q. Okay. And what did that show for this victim?

7 A. She was -- had what we call an agonal rhythm,
8 a rhythm that's terminal.

9 Q. Which is to say there was no rhythm?

10 A. Correct.

11 Q. What did you do after the EKG?

12 A. Once I got the EKG, I notified dispatch that --
13 what we call, the patient was 7-9, which is deceased.

14 Q. Okay. So you declared her deceased at the scene?

15 A. Correct.

16 Q. Did you have the victim's name at that time?

17 A. All I knew was a first name.

18 Q. What was that?

19 A. Jessica.

20 Q. Did you observe or treat anyone else on the scene
21 that day for injuries?

22 A. No.

23 Q. Okay. What did you do after you finished
24 declaring Jessica deceased on scene?

25 A. I cleared the call and went back to the station.

1 Q. Okay. Following that, did you do anything
2 further in response to this incident?

3 A. I did my report.

4 Q. After submitting the report, did you do anything
5 further?

6 A. No.

7 MR. MCNEELY: Nothing further from the State
8 at this time, Your Honor.

9 THE COURT: Any cross-examination?

10 MS. WHITE: No cross-examination for this
11 witness, Judge.

12 THE COURT: All right. Thank you.
13 All right, is this witness under subpoena?

14 MR. MCNEELY: He is, and he is free to
15 leave.

16 THE COURT: All right. Any objection?

17 MS. WHITE: No objection.

18 MR. HUGHES: No objection.

19 THE COURT: Okay. All right. You can step
20 down. You're released from the subpoena. You're free
21 to go, or stay if you wish. Thank you.

22 THE WITNESS: Yes, sir. Thank you.

23 THE COURT: All right. I understand that
24 you have some witnesses, but they may take longer than
25 we have available for this afternoon; is that correct?

1 MR. MCNEELY: Yes, Your Honor. Our next
2 witness would exceed five o'clock.

3 THE COURT: Okay. All right, ladies
4 and gentlemen, what we're going to do here in a moment
5 is break for the day. First, I want to just give you
6 kind of general instruction, and I should have given
7 this earlier as a part of the preliminary instructions.

8 Just that in cases where there might
9 be a firearm involved, usually I provide assurances
10 that there is a protocol in place in the courtroom,
11 in the courthouse, regarding firearms, their use,
12 their transportation, and presentation in cases, that
13 any firearms that might possibly be used in a case
14 for whatever purpose -- and I do not know whether there
15 will be one presented in this case or not.

16 This is a general instruction that there
17 are safety factors, safety protocols that are in place,
18 assurances from the people that handle them that the
19 weapons are always unloaded, the action -- slides are
20 open, they're always unloaded whenever they are in the
21 courtroom.

22 If, for whatever reason, there is ammunition
23 that's associated with that weapon, those two are always
24 separated and in different locations, never go back
25 to the jury room together, and basically are not ever

1 together in any fashion, and they remain protected
2 during any breaks or overnight. And we provide that
3 information just as a matter of course so that people
4 can be familiar with the fact there are safety protocols
5 in place, and that there should not be any concerns
6 in that regard. So, like I said, I should have provided
7 that a little bit earlier, and I apologize for not doing
8 that.

9 So what we're going to do is we're going
10 to take a break. I'm going to ask you to be here about
11 9:15. We're going to try and start about 9:30 tomorrow
12 morning. I'll have everybody else in here, the
13 attorneys and the parties, around 9:15 to see if there's
14 any matters we need to take up. I'll try and start with
15 y'all at about 9:30 with our next witness.

16 So again, y'all want to probably talk about
17 it, think about it, but don't talk about it, don't think
18 about it, wait until tomorrow. You get home, somebody
19 says what's the case about, your answer is the judge
20 told me I can't talk about it. I don't want to get
21 in trouble. I'll tell you about it when he says I can,
22 okay? So, y'all have a good evening. Thank you again.

23 (The jury exited the courtroom at 4:43 p.m.)

24 THE COURT: All right, y'all can sit if
25 you wish. All right. So y'all be ready to begin about

1 9:15 just in case anything comes up and we touch
2 base. We'll plan on bringing the jury in about 9:30.
3 And you'll have your witness ready to roll?

4 MR. MCNEELY: Correct.

5 THE COURT: Okay. All right, anything else
6 I need to address?

7 MS. WHITE: Nothing.

8 THE COURT: All right. Thank y'all.

9 MR. MCNEELY: Thank you.

10 MR. HUGHES: Thank you, Judge.

11 (End of Transcript of Record.)

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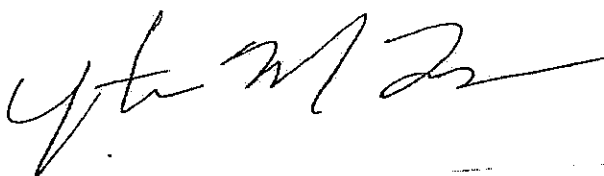
CERTIFICATE OF REPORTER

State of South Carolina)
County of Berkeley)

I, the undersigned, Yvestre Torres, Circuit Court Reporter for the Ninth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Circuit Court for Berkeley County, South Carolina, on the 24th of March, 2025.

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

July 17, 2025



Yvestre Torres

Circuit Court Reporter

STATE OF SOUTH CAROLINA

COURT OF GENERAL SESSIONS

COUNTY OF BERKELEY

2022-GS-08-00740-00742

State of South Carolina)

) TRANSCRIPT OF RECORD

-vs-)

) March 25, 2025 - Day 2

Aubrey Dupree Tucker,)

) Moncks Corner, South Carolina

B E F O R E:

The Honorable Dale E. Van Slambrook, Judge

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

Wilton Hart McNeely, Esquire
Olivia Hassler Lynch, Esquire
Attorneys for the State

Keshia V. White, Esquire
Corey Hughes, Esquire
Attorneys for the Defendant

Reported By:

Yvestre Torres, OCR
Circuit Court Reporter for the
Ninth Judicial Circuit

EXHIBITS

<u>NO</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EVIDENCE</u>
S-1	Crime Scene Photo		282
S-2	Crime Scene Photo		282
S-3	Crime Scene Photo		282
S-4	Crime Scene Photo		282
S-5	Crime Scene Photo		282
S-6	Crime Scene Photo		282
S-7	Crime Scene Photo		282
S-8	Crime Scene Photo		282
S-9	Crime Scene Photo		282
S-10	Crime Scene Photo		282
S-11	Crime Scene Photo		282
S-12	Crime Scene Photo		282
S-13	Crime Scene Photo		282
S-14	Crime Scene Photo		282
S-15	Crime Scene Photo		282
S-16	Crime Scene Photo		282
S-17	Crime Scene Photo		282
S-18	Crime Scene Photo		282
S-19	Crime Scene Photo		282
S-20	Crime Scene Photo		282
S-21	Crime Scene Photo		282

EXHIBITS

	<u>NO</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EVIDENCE</u>
5	S-22	Crime Scene Photo		282
6	S-23	Crime Scene Photo		282
7	S-24	Crime Scene Photo		282
8	S-25	Crime Scene Photo		282
9	S-26	Crime Scene Photo		282
10	S-27	Crime Scene Photo		282
11	S-28	Crime Scene Photo		282
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23	S-40	Crime Scene Photo		282
24	S-41	Crime Scene Photo		282
25	S-42	Crime Scene Photo		282

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EXHIBITS

<u>NO</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EVIDENCE</u>
S-43	Crime Scene Photo		282
S-44	Crime Scene Photo		282
S-45	Crime Scene Photo		282
S-46	Crime Scene Photo		282
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S-48	Crime Scene Photo		282
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S-60	Crime Scene Photo		282
S-61	Crime Scene Photo		282
S-62	Crime Scene Photo		282
S-63	Crime Scene Photo		282

EXHIBITS

NO	DESCRIPTION	ID	EVIDENCE
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S-65	Crime Scene Photo		282
S-66	Crime Scene Photo		282
S-67	Crime Scene Photo		282
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S-79	Crime Scene Photo		282
S-80	Crime Scene Photo		282
S-81	Crime Scene Photo		282
S-82	Crime Scene Photo		282
S-83	Crime Scene Photo		282
S-84	Crime Scene Photo		282

1	<u>EXHIBITS</u>			
2				
3	<u>NO</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EVIDENCE</u>
4				
5	S-85	Crime Scene Photo		282
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25 THE COURT: Right. All right, so we'll

1 do that. Let me take a look at the stipulation.
2 Go ahead and hand it up. Y'all -- defense counsel
3 has had an opportunity to review all of it?

4 MS. WHITE: Yes, sir.

5 THE COURT: You said the stipulation will
6 be Exhibit 204?

7 MR. MCNEELY: That's correct.

8 THE COURT: And it's entered without
9 objection.

10 (State's Exhibit No. 204 was entered into evidence.)

11 (Court's Exhibit No. 4 was marked for identification.)

12 (Court's Exhibit No. 4 was entered into evidence.)

13 MR. MCNEELY: And then the last thing, with
14 regard to the recorded statement of Carolyn Jefferson,
15 which I admitted yesterday due to impeachment purposes
16 because she rejected what her prior statement was.
17 It was not my initial intention to admit it; I didn't
18 think I would need to. However, I ended up needing to.

19 After review and consideration of that
20 last night, I did note that there was one potentially
21 objectionable question and answer in it. At
22 approximately 10:42, she is asked what kind of history
23 -- what kind of criminal history does your son have?
24 And she responds, "He's been doing good, he'd been
25 back and forth in jail, he'd been doing good, and,

1 you know."

2 While it's rather innocuous, especially
3 given the fact that we're stipulating that he has
4 a prior violent crime, and he's on bond on an ankle
5 monitor has come in, I wanted to be cautious and bring
6 it to the Court's and defense counsel's attention
7 and present a solution, if you believe that we need
8 to take it out.

9 THE COURT: And that was not published
10 yesterday?

11 MR. MCNEELY: It wasn't published, but the
12 whole thing is admitted.

13 THE COURT: It's now admitted ---

14 MR. MCNEELY: Yes.

15 THE COURT: --- and potentially ---

16 MR. MCNEELY: So, I've made a copy
17 that extracts that, it mutes that two-line question,
18 which we can substitute in for State's 197 and make
19 the original a court's exhibit so they can take it back
20 without issue. Or alternatively, if they want to listen
21 to it during deliberations, we can just bring them
22 out here, let them listen to the current 197, pause it,
23 skip forward. But I wanted to present options and bring
24 it to everyone's attention just so there's not an issue
25 down the road.

1 THE COURT: All right. Defense?

2 MS. WHITE: I think that we would not have
3 an objection to the redacted copy being exchanged for
4 what's been admitted yesterday, and making the copy
5 that was admitted yesterday a court's exhibit.

6 THE COURT: All right. That's a good way
7 to approach that. We'll -- what was the exhibit number
8 yesterday?

9 MR. MCNEELY: It's 197.

10 THE COURT: So 197 would be considered
11 a court's exhibit. What was previously 197, which will
12 now be 197, will be the redacted version to address any
13 concerns regarding the admissibility of the one question
14 that was not published yesterday, but could potentially
15 have been published. And that's a good way to handle
16 that.

17 (Court's Exhibit No. 5 was marked for identification.)

18 (Court's Exhibit No. 5 was entered into evidence.)

19 THE COURT: All right. What else?

20 MR. MCNEELY: I think that's all from the
21 State.

22 THE COURT: That's all from the State.
23 All right.

24 MS. WHITE: Nothing from the defense, Judge.

25 THE COURT: All right. And you indicated,

1 you have 10 to 12 today?

2 MR. MCNEELY: That's correct.

3 THE COURT: All right. And you say there's
4 one that was a SLED representative who you're
5 anticipating Thursday?

6 MR. MCNEELY: Correct. If we get through 12
7 today, I will have three remaining. The three remaining
8 are the pathologist from MUSC, a SLED GSR analyst,
9 and the SLED ballistics analyst. The SLED ballistics
10 analyst cannot go tomorrow afternoon. Pathology will
11 take a while.

12 So the issue, I can't call ballistics before
13 pathology because he evaluates the projectiles that were
14 removed from the victim in autopsy, so I've got to
15 establish that. So it may be that we end up with four
16 to two witnesses tomorrow morning, and then bring them
17 back Thursday morning for the SLED analyst.

18 THE COURT: And the SLED analyst is not
19 available at all tomorrow?

20 MR. MCNEELY: He's available in the morning,
21 but he would have to be gone from here by about 11.

22 THE COURT: All right.

23 MR. MCNEELY: And I don't think that
24 will ---

25 THE COURT: And you don't want to bring him

1 tomorrow?

2 MR. MCNEELY: I don't want to bring him
3 tomorrow and risk putting him out because I can't call
4 him before pathology, which could take a while.

5 THE COURT: Okay. All right. I understand.
6 All right. So that's what we'll anticipate, and then
7 we'll see that -- you're expecting 10 to 12 today?

8 MR. MCNEELY: Correct. And if we only get
9 through ten today, then we'll have four in the morning.

10 THE COURT: Okay. So what was the total
11 number remaining?

12 MR. MCNEELY: The total number remaining
13 is 15.

14 THE COURT: Fifteen. Okay. All right.
15 Any expected problems, concerns, anything we need
16 to address in advance with any of these witnesses?

17 MS. WHITE: Nothing that I know of, Judge.

18 THE COURT: All right, that's good.

19 (Pause.)

20 THE COURT: Okay. All right. Y'all may
21 have overheard that. Sounds like one of the jurors,
22 there's something going on with her vehicle, maybe
23 possibly hit, and someone from the clerk's office
24 is going out to check on that on behalf of the juror.
25 So, in other words, they wouldn't be ready to go

1 in a few minutes. We'll stand down. I'll step back,
2 and then as soon as we get word that the juror is back
3 in the jury room and ready to go, then we'll commence
4 then. Hopefully, it won't be very long, all right?

5 MR. MCNEELY: Sounds good.

6 THE COURT: All right. We'll be at ease
7 until then. Thank you.

8 (Recess taken.)

9 (Back on the record.)

10 THE COURT: All right. Thank you. Y'all
11 have a seat. Jurors are ready to go?

12 THE CLERK: Yes, Your Honor.

13 THE COURT: Okay. All right. Y'all ready
14 to bring the jury in?

15 MS. WHITE: Yes, Your Honor.

16 MR. MCNEELY: Yes, Your Honor.

17 THE COURT: Okay. All right. Let's bring
18 our jury in.

19 (The jury entered the courtroom at 9:36 a.m.)

20 THE COURT: All right, y'all can be seated.
21 Thank you. All right, good morning, ladies and
22 gentlemen. All right. Is the State ready to proceed?

23 MR. MCNEELY: We are, Your Honor.

24 THE COURT: All right. Be happy to hear
25 from you.

1 MR. MCNEELY: Thank you, Your Honor.

2 The State calls Heather Haag.

3 THE CLERK: Please raise your right hand,
4 place your left hand on the Bible.

5 OFFICER HEATHER HAAG was called as a
6 witness, being duly sworn, was examined and testified
7 as follows:

8 THE CLERK: Thank you. You may be seated.
9 Please state your full name and spell your last name
10 for the record.

11 THE WITNESS: Heather Patricia Haag,
12 H-A-A-G.

13 DIRECT EXAMINATION

14 BY MR. MCNEELY:

15 Q. Good morning.

16 A. Good morning.

17 Q. Where are you currently employed?

18 A. South Carolina Probation, Parole, and Pardon.

19 Q. What is your position there, and how long have
20 you been employed there?

21 A. I'm a sex offender agent. I supervise sex
22 offenders for the state, and I've been there for about
23 two and a half years now.

24 Q. Where did you work prior to the department
25 of probation?

1 A. I started in law enforcement in October of 2005,
2 and then -- that was with North Charleston Police
3 Department. I was there for almost 11 years. And then,
4 I was with Berkeley County Sheriff's Office for about
5 six years.

6 Q. When did you leave the Berkeley County Sheriff's
7 Office?

8 A. October of 2022.

9 Q. Please describe your education and training.

10 A. I graduated the South Carolina Law Enforcement
11 Academy in 2006, and then I -- since then, I have been
12 through numerous trainings related to sex offender
13 supervision, investigations. I was a patrol unit,
14 school resource officer, warrants and civil process unit
15 between Berkeley and North Charleston, and a detective
16 there with ICAC, and I received numerous trainings
17 throughout those positions.

18 Q. So you did a little bit of everything?

19 A. A little bit of everything, yes.

20 Q. Okay. Were you working at the Berkeley County
21 Sheriff's Office in June of 2021?

22 A. Yes, sir, I was.

23 Q. What was your position with Berkeley County
24 at that time?

25 A. At that time, I was with the warrant civil

1 process unit.

2 Q. Okay. What were the duties in your position
3 at the warrant civil process unit?

4 A. We did everything from handling evictions
5 and foreclosures to serving civil process papers,
6 as well as locating and apprehending warrant suspects.

7 Q. Okay. In addition to those duties, did you ever
8 respond to calls for service?

9 A. Yes, sir, I did.

10 Q. Okay. How did that work?

11 A. If we were in the area, or just if patrol
12 was shorthanded, then we would respond as needed.

13 Q. Were you working in that capacity in the warrants
14 department on the afternoon of June 9th, 2021?

15 A. Yes, sir, I was.

16 Q. During that afternoon, were you notified of
17 an incident that had occurred at [REDACTED] Old Back River Road
18 in the Goose Creek area of Berkeley County?

19 A. Yes, sir, I was.

20 Q. Okay. What part of Goose Creek is that in?

21 A. That's off Red Bank Road in the area of
22 Forest Lawn and Sedgefield.

23 Q. Okay. And that is in Berkeley County, correct?

24 A. Yes, sir, it is.

25 Q. Okay. Did you respond to that location that

1 afternoon?

2 A. Yes, sir, I did.

3 Q. I'm going to show you what's been marked
4 as State's 150, 151, and 152.

5 MR. MCNEELY: Permission to approach
6 the witness, Your Honor?

7 THE COURT: Yes.

8 BY MR. MCNEELY:

9 Q. Can you please look at those and tell me if
10 that's familiar to you?

11 A. Yes, they are, sir.

12 Q. Okay. What are those?

13 A. This first one, which I don't know what number
14 it's marked as ---

15 Q. It's on the back.

16 A. Oh, there you go. It's marked as State's Exhibit
17 150. This would be Old Back River Road, and this
18 is Riverside Circle, and this would be the Defendant's
19 residence where I responded to on that date.

20 Q. Okay. What about 151?

21 A. 151 is -- this is Old Back River Road,
22 and Riverside Circle right here goes up and loops
23 around, and this would be the Defendant's residence
24 where I responded to on that date.

25 Q. Okay. So is that just a little further out than

1 the initial one?

2 A. Yes, sir.

3 Q. Okay. And what about 152?

4 A. This is a lot further out. And this right here
5 would be 52, and that is Saint James or 176, which turns
6 into Red Bank Road. And Old Back River Road runs
7 right along there, and that's Riverside Circle right
8 there, and then that would be -- it's really small --
9 the Defendant's residence is right there.

10 Q. Okay. Do those fairly and accurately represent
11 the area as it appeared in June of 2021?

12 A. Yes, sir, they do.

13 MR. MCNEELY: Your Honor, at this time,
14 I move to admit State's 150 to 152 into evidence.

15 THE COURT: All right. Any objection?

16 MR. HUGHES: Without objection, Judge.

17 THE COURT: All right.

18 MR. MCNEELY: Thank you.

19 THE COURT: State's Exhibits 150, 151,
20 and 152 entered without objection.

21 (State's Exhibit Nos. 150-152 were entered into
22 evidence.)

23 MR. MCNEELY: I would ask you to please
24 publish 150 for the jury.

25 BY MR. MCNEELY:

1 Q. Do you have a laser pointer in front of you?

2 There should be a little red dot.

3 A. Would you like me to point out where?

4 Q. Yeah, point out what we're looking at here.

5 A. Okay.

6 Q. Here, let me give you this one.

7 A. Some assistance with that.

8 Q. This one works.

9 A. Okay. Thank you. Could be user error. That
10 is the residence that I responded to on Old Back River
11 Road. This is Old Back River Road, and this right here
12 is Riverside Circle.

13 Q. Okay. So the red roof is the incident location?

14 A. Yes, sir, it is.

15 Q. Okay. 151, please. All right. Please describe
16 what we're looking at here for the jury.

17 A. This road right here is Old Back River Road.
18 The red roof right here is the incident location,
19 and this right here would be Riverside Circle.

20 Q. Okay. And it loops all the way around there like
21 a horseshoe?

22 A. Yes, sir, it does.

23 Q. Okay. And then 152, and I know this is going
24 to be really small. Please describe what we're looking
25 at here.

1 A. Okay. This right here is 52, right here would be
2 Saint James or 176, which goes down into Red Bank Road.
3 And then, you have Old Back River Road, and right
4 there is the incident location and Riverside Circle,
5 which loops around.

6 Q. Thank you very much. You can turn around.
7 Approximately what time did you respond to [REDACTED] Old Back
8 River Road on June 9th, 2021?

9 A. It was a couple of minutes after the dispatched
10 call, about 2:37 p.m.

11 Q. Okay. And how long did it take you to arrive?

12 A. It -- maybe a few minutes.

13 Q. Okay. Where were you responding from?

14 A. The Goose Creek area.

15 Q. Okay. So is this one of those that you described
16 where you were in the area when the call went out,
17 and you responded to assist patrol?

18 A. Yes, that's an all hands on deck kind of
19 situation.

20 Q. Okay. Who was on scene when you arrived at the
21 location?

22 A. Deputy Perry was already on scene. He beat
23 me there, I think, by a few seconds.

24 Q. Anyone else?

25 A. The -- Mr and Ms. Jefferson, the residents at the

1 incident location.

2 Q. Okay. Anyone other than those three?

3 A. The victim was deceased in one of the bedrooms.

4 Q. Okay. Anyone beyond that?

5 A. No, sir.

6 Q. Okay. So just Deputy Perry Smith, Carolyn
7 and Robert Jefferson, and the deceased victim?

8 A. Yes, sir.

9 Q. Okay. And then you made five?

10 A. Yes, sir.

11 Q. What did you observe upon arriving at the
12 location?

13 A. When I got out of my vehicle and I approached
14 the residence, I observed Mr. Jefferson on the porch,
15 and I asked where they were, meaning the deputy that had
16 already arrived, and the victim, and he said that they
17 were -- I believe he pointed to the front right bedroom.
18 And then, he also said that the Defendant had run
19 towards Riverside Circle.

20 Q. Okay. So he confirmed with you that the
21 perpetrator was not present at that time?

22 A. Yes, sir, he did.

23 Q. At that point, did you go into the house?

24 A. Yes, sir, I did.

25 Q. Okay. What did you see when you went into the

1 house?

2 A. When I went into the house, I called out to
3 Deputy Perry to kind of understand the layout on where
4 he would be. He responded, which he was in the front
5 right bedroom. When I went into that bedroom,
6 Deputy Perry was in there, and the victim was on
7 the floor on her back between the bed and the dresser
8 with her head closest to the door. She was surrounded
9 by a pool of blood.

10 Q. Okay. And just to confirm, was it the front
11 bedroom or the back bedroom?

12 A. When I walked into the house, it would be the
13 front bedroom.

14 Q. Okay. Was it light or dark in the room?

15 A. It was dark; it was very dim lighting. I don't
16 believe the light worked, or we were unable to find
17 it at that time.

18 Q. Okay. And you entered the bedroom at that time?

19 A. Yes, sir, I did.

20 Q. What did you do when you entered the bedroom
21 and observed the victim on the floor?

22 A. The victim was unconscious or unresponsive.
23 I put on gloves and attempted to find a pulse on her;
24 there was none.

25 Q. Okay. What did you do then?

1 A. At that point -- I'm trying to remember the exact
2 order. It's been a little while. At that point, I did
3 radio to, obviously, EMS, kind of updated everyone
4 on the radio what we had. And then, I believe my
5 supervisor at the time called me and asked me what
6 we had as well.

7 Q. At some point, after initially observing
8 the victim and checking the pulse, did you back
9 out of the room and talked to other people on scene?

10 A. Yes. When I initially got there -- and I forgot
11 to mention this, I did pass Ms. Jefferson coming
12 out of the house, and she was crying and distraught
13 at that time. And then, I made contact with the
14 victim, and when I came back out, I made contact
15 with Ms. Jefferson again, established that her son
16 was definitely gone from the residence at that time,
17 and that no one else was in there.

18 She also advised that she had no shoes on.
19 She asked for slippers. I don't remember if it was me
20 or another deputy assisted in getting her some slippers
21 to bring out to her.

22 Q. At some point soon thereafter, did EMS arrive
23 on scene?

24 A. Yes, sir, they did.

25 Q. Okay. What did you do when EMS arrived on scene?

1 A. When EMS arrived, there was two of them,
2 and because of -- we had verified there was no pulse,
3 and the amount of blood that was there, I wanted
4 to make sure the crime scene was preserved if we could
5 not save the victim. So, I asked one of them to come
6 in with the EKG machine to be able to confirm death
7 at that point.

8 Q. Okay. And did they do that?

9 A. Yes. It was firefighter/paramedic Yancey Wright.
10 I escorted him in, pointed out -- for the dim lighting,
11 I think we used flashlights, just kind of show where
12 he could walk around so he didn't disturb the blood
13 or any shell casings or any other evidence that might
14 be there.

15 Q. Okay. Speaking of shell casings and the evidence
16 that may be there, when you went into the room, did you
17 observe anything of note at that time?

18 A. I believe initially, I was just concerned with
19 establishing where it occurred and the safety and
20 security on scene, so we were careful not to disturb
21 anything. But when I went back in after escorting
22 paramedic Yancey Wright out, I did -- sorry. I can't
23 recall if it was before or after. But I did, at some
24 point, locate -- there was two small-caliber shell
25 casings on the floor near the victim as well as a cell

1 phone.

2 Q. Okay. When you say small-caliber shell casings,
3 what do you mean by that?

4 A. Handgun-sized rounds.

5 Q. Did you touch or collect any of those items
6 at that time?

7 A. No, in order to maintain the crime scene.

8 Q. Okay. What did you do after you escorted EMS
9 out of the bedroom when they confirmed the death?

10 A. I went back out and spoke with Mr and
11 Ms. Jefferson.

12 Q. Okay. And what were you doing at that time
13 speaking with them?

14 A. Just trying to gather more information, such as
15 did they have a cell phone number, where their son could
16 be located, did they have any idea of where he could
17 have gone? And, at that point, they did provide
18 a cell phone number, and also Mr. Jefferson advised
19 he was on an ankle monitor.

20 Q. Okay. At some point, did detectives arrive
21 on scene?

22 A. Yes, sir, they did.

23 Q. Okay. What did you do when detectives arrived
24 on scene?

25 A. At that point, I briefed the detectives and any

1 responding supervisors as to the situation and what
2 we had, and just relay any pertinent information.

3 Q. What was your duty on scene after the detectives
4 arrived?

5 A. After the detectives arrived, I did assist
6 with coordinating with North Charleston police
7 and the bondsman to determine where the GPS was tracking
8 to, to try and apprehend the Defendant. And outside
9 of that, it was just scene security and turned it over
10 to them. So because it was a small neighborhood, making
11 sure no additional family members came into the crime
12 scene or -- and that traffic kept moving.

13 Q. Okay. Did you -- did the coroner arrive on
14 scene?

15 A. Yes, sir. The coroner arrived on scene,
16 and I briefed her as to what we had there.

17 Q. Okay. By the time the coroner was on scene,
18 had the victim already been pronounced dead by the
19 paramedic?

20 A. Yes. Yancey Wright did put leads on her with
21 the EKG machine and confirmed that she was deceased.

22 Q. Okay. How much longer did you remain on scene
23 that day after briefing the detectives and the coroner?

24 A. I'm unsure how long. It was probably most
25 of the day, but it was -- I stayed out of the crime

1 scene at that point and was just scene security, like
2 I mentioned, making sure no family members came in,
3 and making sure any media that responded stayed out
4 of it, and that everything was kept safe and secure.

5 Q. Okay. I forgot to mention it. At some point,
6 did you locate a shell casing outside the house?

7 A. Yes, I did.

8 Q. Where was that?

9 A. That was on the -- when you came off the front
10 porch, it was on, like, the sidewalk right there ---

11 Q. Okay.

12 A. --- in front of the house.

13 Q. Did you collect it at that time?

14 A. No, sir, I didn't. I marked it with one of my --
15 like, a business card I had, and put it over it so that
16 way no one would trample on it.

17 Q. Okay. Is that standard practice?

18 A. Yes, sir.

19 Q. Okay. So as initial responding deputy, you're
20 not looking to collect items of evidence, correct?

21 A. No, sir.

22 Q. Okay. But if you see something, you'll mark
23 it sometimes so that they can locate it when they get
24 there?

25 A. My only job was to initiate first-aid if it

1 was beneficial and secure the crime scene and preserve
2 it for investigation.

3 Q. Okay. And is it customary after detectives
4 and crime scene arrive for initial responders to stay
5 on scene and secure and direct traffic, things like
6 that?

7 A. Yes, sir.

8 Q. Okay. Other than what we discussed here today,
9 did you do anything further in this case?

10 A. No. I had no further involvement in the
11 investigation, and nothing until I was subpoenaed
12 to testify here today.

13 Q. Okay. Please answer any questions from the
14 defense. I don't have anything further. Thank you.

15 A. Thank you, sir.

16 THE COURT: Any cross-examination?

17 MR. HUGHES: Just briefly, Judge.

18 CROSS-EXAMINATION

19 BY MR. HUGHES:

20 Q. Good morning, Officer Hag -- Haag.

21 A. Good morning, sir.

22 Q. You don't have any firsthand knowledge of what
23 happened in that room, do you?

24 A. No, sir.

25 MR. HUGHES: No further questions, Judge.

1 THE COURT: All right. Thank you. Any
2 redirect?

3 MR. MCNEELY: No, Your Honor.

4 THE COURT: All right. Is this witness
5 under subpoena?

6 MR. MCNEELY: She is. We do not ---

7 THE COURT: Any objection to her being
8 excused or released from her subpoena from the State?

9 MR. MCNEELY: None from the State.

10 THE COURT: Defense?

11 MR. HUGHES: No, Your Honor.

12 THE COURT: Okay. All right. You can step
13 down, and you're released from the subpoena. You can
14 stay if you wish.

15 THE WITNESS: Thank you, Your Honor.

16 THE COURT: State can call its next witness.

17 MS. LYNCH: State would call James Vansant.

18 THE CLERK: Please raise your right hand,
19 place your left hand on the Bible.

20 MR. JAMES VANSANT was called as a witness,
21 being duly sworn, was examined and testified as follows:

22 THE CLERK: Thank you. You may be seated.
23 Please state your full name and spell your last name
24 for the record.

25 THE WITNESS: James Vansant, V-A-N-S-A-N-T.

1 DIRECT EXAMINATION

2 BY MS. LYNCH:

3 Q. And good morning, Mr. Vansant.

4 A. Good morning.

5 Q. Could you tell the jury what your current
6 occupation is?

7 A. I'm an engineer with the power company.

8 Q. And where did you previously work before?

9 A. The Berkeley County Sheriff's Office.

10 Q. And how long did you work there?

11 A. Five, six years, roughly.

12 Q. And were you working there on June 9th of 2021?

13 A. Yes.

14 Q. And what was your position at that time?

15 A. I was a deputy assigned to the warrants division.
16 I went out looking for people with active warrants.17 Q. And did you ever hold any other roles while
18 you were with Berkeley County Sheriff's Office?19 A. Yeah, I sure did. I -- when I started
20 there, I started on patrol briefly. I came from
21 North Charleston, so I worked patrol for a brief moment.
22 Went to a specialized team doing traffic enforcement,
23 DUI enforcement. Then, I went to detectives, and then
24 from detectives, I went to the warrants unit.

25 Q. And you mentioned, you worked for

1 North Charleston. Could you describe any other law
2 enforcement experience that you had?

3 A. Sure, yeah. When I came out of the military
4 in 2009, I went to work at North Charleston. Started
5 off on patrol in North Charleston. After about two
6 years there, I went to a specialized team, the speed
7 team. From there, worked some narcotics, worked other
8 teams within the scope of North Charleston, and then
9 came to Berkeley County in 2016.

10 Q. Okay. And when you were working on June 9th,
11 2021, were you working in that capacity as a deputy
12 in the warrants division?

13 A. I was, yes.

14 Q. And as part of your duties, would you respond to
15 scenes that maybe didn't involve going to get warrants?

16 A. Sure. I would -- yes, I would respond out to
17 assist the patrol deputies or any other units that
18 needed assistance, or a call that sounded like it might
19 need some help.

20 Q. And on that day, were you notified of a shooting
21 incident that occurred at [REDACTED] Old Back River Road?

22 A. Yes.

23 Q. And could you describe where that area is?

24 A. I'm sorry. I haven't looked at a map in a long
25 time. It's a -- at that moment in time -- I don't

1 know what it looks like today, but at that moment
2 in time, it's a rural -- kind of a rural area within
3 Berkeley County. There's a population there. There's
4 homes there, but they're spread out. The particular
5 one was kind of on a corner, rural. There was really
6 no houses -- there was one house behind it, a trailer
7 or something down the street from it, not a whole
8 lot right there around it, though, just mainly woods.

9 Q. And did you respond to the incident that
10 afternoon?

11 A. I did.

12 Q. And were you wearing a body camera when you
13 responded?

14 A. Yes, I was.

15 Q. And when you responded to the scene, what
16 information did you have?

17 A. Just a shooting. Someone -- excuse me. I'm not
18 sure what all was said on the radio or was typed into
19 the CAD, but there was a shooting. That's all -- that's
20 what I remember.

21 Q. And do you remember if you responded directly
22 to the scene?

23 A. Oh, I do remember. I did not drive directly
24 to the scene. I actually came in, and there's --
25 like I said, the house was on the corner, and I forget

1 the road that's on the corner right there. I went
2 around, riding around trying to locate the suspect.
3 I think there must have been a descriptor of the
4 suspect. I'm not 100 percent sure. But I came,
5 you know, looking for somebody who probably shouldn't
6 be out and about doing whatever, running around with
7 a gun or something.

8 Q. Okay. And were you able to locate the suspect
9 during that initial sweep?

10 A. No.

11 Q. What did you do next?

12 A. Next -- like I said, I was working in the
13 warrants unit, so Deputy Haag and I -- she was my
14 partner. We went to the scene location. And upon
15 arrival at the scene location, there was a road deputy
16 there already. She went inside, and I started securing
17 the perimeter, and there were two people on site --
18 on scene there that were outside, and I started talking
19 with them.

20 Q. Okay. And do you remember from there what else
21 you observed on scene?

22 A. What else I observed on scene? Outside?

23 Q. Or if you were involved in another portion
24 of the investigation, aside from talking to the people
25 initially on scene?

1 A. Oh, yeah, yeah, yeah. As the scene progressed --
2 as it progressed, I called in K-9. We knew where
3 the suspect had run at that point, or where he fled
4 the residence from, and we secured that area, called
5 for K-9. And upon their arrival, I assisted in the
6 track of K-9 for the suspect.

7 Q. And do you remember who came to the scene
8 for the K-9?

9 A. Yes. Joey Seegars was the primary K-9 officer,
10 and then Zachary Wright was the secondary K-9 officer.

11 Q. Okay. And can you describe how it got started
12 as far as the K-9 track?

13 A. How it got started. So -- yeah, when
14 Joey Seegars arrived at the scene, I briefed him on the
15 situation that was there, what was going on, explained
16 to him that I had spoken with the suspect's parents,
17 and that they stated that he ran around the side of the
18 -- he came out the front of the house, went to his left,
19 and around the side of the house, and that was the last
20 spot that his stepfather told me that he had seen him,
21 and that's where we started our track from.

22 This is, you know, a pretty quick environment
23 going on, it's all happening pretty rapid, and the
24 stepfather had said, I had last seen him right there.
25 So, I made a note of that, this was where he was last

1 seen, and that's where we started at.

2 Q. Okay. And from there, can you describe how
3 it progressed as far as the track?

4 A. Yeah. We started off, there was -- there was
5 four of us initially in the track, and we took off.
6 The K-9 started tracking. It tracked us to a trailer
7 that sits several -- I don't know, maybe 100, 150 yards
8 behind the primary residence that we were at on that
9 secondary road. It tracked -- we tracked right to that
10 residence.

11 There was a person there and her son, he was
12 on the roadway. And they said that they -- the son
13 had not seen the suspect. The mother -- the lady
14 rather that we spoke to at that residence said that
15 he had been there. She knew him, he had been there,
16 stole her cell phone and proceeded on down the roadway.
17 And we continued to attempt to track him. Eventually,
18 the track just -- we couldn't track anymore. Perhaps,
19 he got into a vehicle and fled. We don't know.

20 Q. Okay. And you stated earlier in your testimony
21 that you were wearing a body camera when you responded?

22 A. Correct.

23 Q. And was that turned on and operational at the
24 time?

25 A. Yes.

1 Q. And did it record your response to the scene
2 accurately?

3 A. I believe so.

4 Q. And you reviewed the footage prior to testifying
5 today?

6 A. I did. I did, yes.

7 Q. Okay.

8 MS. LYNCH: Your Honor, may I approach?

9 THE COURT: Yes.

10 BY MS. LYNCH:

11 Q. I'm going to show you what's been marked
12 as State's 148. Do you recognize that?

13 A. It looks like the DVD that I signed.

14 Q. And you signed it when you reviewed it?

15 A. Correct.

16 Q. And was it changed or altered in any way from
17 when you reviewed it?

18 A. No.

19 MS. LYNCH: Your Honor, at this time,
20 the State would move to enter State's Exhibit 148
21 into evidence.

22 THE COURT: Any objection?

23 MR. HUGHES: No objection, Judge.

24 THE COURT: All right, entered without
25 objection.

1 (State's Exhibit No. 148 was entered into evidence.)

2 MS. LYNCH: And, Your Honor, at this time,
3 we would like to publish it as well.

4 (Body cam footage played for the jury.)

5 BY MS. LYNCH:

6 Q. Okay. And was what we just viewed accurate
7 as far as your response to the scene that day?

8 A. Yes.

9 Q. I'm going to show you what's already been
10 admitted into evidence, State's 150 and 151.

11 MS. LYNCH: May I approach, Your Honor?

12 THE COURT: Yes.

13 BY MS. LYNCH:

14 Q. Do you recognize those?

15 A. These are the overhead photographs of the
16 incident location and the area of the incident.

17 Q. Okay. I'm going to put them up on the screen
18 for you. Could you -- there's a laser pointer in front
19 of you. Show the jury the path of the track.

20 A. Oh, sure.

21 Q. And the first would be with a closer-up view
22 so you can show how it started.

23 A. Let's see ---

24 Q. Might be upside down.

25 A. There we go. So this is the residence that

1 we responded to -- that we're going to because we came
2 here to this call location. The suspect, we were told,
3 ran this way. This was the last known tracking
4 location. So when everyone was there, and we started
5 the track, K-9 took us this way.

6 We came -- there's a fence line right here.
7 We came to this fence line, came around, and this
8 is where we made contact with the lady in this residence
9 who, I believe, on that video it would say something
10 like she's a relative of him or something like that.
11 She knows him.

12 And then her son, who is coming -- he parked
13 and had run down the road because his mom had that
14 incident with her phone being taken. So that's --
15 this is where the track went, and then we went further
16 down. If you continue with the video, further down
17 until K-9 finally does what they do.

18 Q. I'll put up a bigger map for you. You may
19 need to rearrange yourself. But could you show from
20 that second -- that first response residence to where
21 you went?

22 A. Yes. So once again, this is the call location.
23 The track goes down beside right here to here. Then,
24 we come around to the front, made contact with the
25 residents here who stated that the phone had been

1 stolen, had been taken from them by the suspect.
2 Then, we continued down, and K-9 eventually called --
3 I'm not sure how far down we ended up going, but K-9
4 eventually calls it. We lost the track, whether due
5 to environmental reasons, or he got in a vehicle.
6 At that time, we didn't know.

7 Q. Okay. But that was the general area which you
8 tracked?

9 A. Yep.

10 MS. LYNCH: Nothing further at this time.
11 Please answer any questions for the defense.

12 THE WITNESS: Sure.

13 THE COURT: All right. Any
14 cross-examination?

15 MR. HUGHES: No, Your Honor.

16 THE COURT: All right. Is this witness
17 under subpoena?

18 MR. MCNEELY: He is, Your Honor.

19 THE COURT: All right. Any objection
20 to releasing him?

21 MR. MCNEELY: None from the State.

22 MR. HUGHES: None from the defense,
23 Your Honor.

24 THE COURT: All right. You are -- you may
25 step down, you are free to go.

1 THE WITNESS: All right. Thank you,
2 Your Honor.

3 THE COURT: Free to stay if you wish.
4 State can call its next witness.

5 MS. LYNCH: The State would call
6 Joe Seegars.

7 THE CLERK: Please raise your right hand,
8 place your left hand on the Bible.

9 SERGEANT JOE SEEGARS was called as a
10 witness, being duly sworn, was examined and testified
11 as follows:

12 THE CLERK: Thank you. You may be seated.
13 Please state your full name, and spell your last name
14 for the record.

15 THE WITNESS: Sergeant Joe Seegars,
16 S-E-E-G-A-R-S.

17 DIRECT EXAMINATION

18 BY MS. LYNCH:

19 Q. And where are you currently employed,
20 Sergeant Seegars?

21 A. I'm employed at the Berkeley County Sheriff's
22 Office.

23 Q. And how long have you been employed there?

24 A. Since summer of 2015.

25 Q. And could you go through the different positions

1 you've held there?

2 A. Yeah. I initially started my law enforcement
3 career in 2010 in Greenville County, came to
4 Berkeley County, where I started on uniformed patrol
5 division. I then accepted a collateral duty
6 as a bloodhound handler. After working as a bloodhound
7 handler for a little while, I moved full time into
8 the K-9 unit handling a dual-purpose dog. I also work
9 as a -- the collateral duty of the special response
10 team's entry team leader, and now I'm one of the lead
11 firearms instructors at the agency.

12 Q. And do you have any other education and training
13 as far as law enforcement?

14 A. Yes. So, I graduated from The Citadel in 2019
15 with a bachelor's of criminal justice. Obviously,
16 went to the South Carolina Criminal Justice Academy.
17 Went through FTO and my basic training at Greenville,
18 similar here at Berkeley. After completing all that,
19 I've also done a lot of training as far as in the K-9
20 field and then the tactical field.

21 I started on the Greenville County SWAT Team
22 in 2013, where I went through basic SWAT schools,
23 TCCC classes. I've been doing that for about -- let's
24 see, it's 2025, almost 15 years now.

25 Q. And could you describe what your role was in --

1 on June 9th of 2021?

2 A. Yeah. I was requested to respond to that area
3 in reference to a suspect that had fled the scene
4 of a shooting. I was called there due to the fact that
5 I was a K-9 handler, and I was responding to attempt
6 to track the suspect.

7 Q. And what was your official, I guess, title with
8 Berkeley County at that time?

9 A. At that time, I was a -- my rank was a corporal,
10 and my primary duty was a K-9 handler assigned to the
11 K-9 unit.

12 Q. And could you describe within that role what your
13 responsibilities were?

14 A. Yeah. So aside from just being the normal roles
15 of a deputy sheriff, the primary function for the K-9
16 unit is we serve as a locating tool. We have a --
17 the dogs in law enforcement, a lot of people think
18 that they're used for their teeth, when, in general,
19 most of the time, they're used for their nose.
20 We offer something that no other -- no other technology
21 or anything can offer.

22 There's no -- there's nothing that exists
23 out there in any computer system or anything like that,
24 that can detect odor. We still use dogs for that,
25 so it's a very niche position. And one of the biggest

1 things we try to do is support every other division
2 within the sheriff's office as that locating tool.

3 Q. And could you describe -- I know you mentioned
4 some specific training as far as K-9 handling.
5 Could you go through some of that specified training
6 or certifications?

7 A. Yes. So, I started handling a bloodhound
8 in 20 -- right at the end of 2015. I started off with
9 a week-long NAPWDA seminar, then our weekly trainings
10 here at the sheriff's office. After that, when I moved
11 to working a dual-purpose dog, I went through my basic
12 training with him, and the train-up was -- which
13 was about eight to ten weeks. After that, we always
14 have to log at least 16 hours of training every month.
15 We typically train every Tuesday.

16 On top of that, we also do a yearly seminar
17 every year, bare minimum, where we conduct a third-party
18 certification. We use NAPWDA, which is the
19 North American Police Work Dog Association. On top
20 of that, and I think it was -- I think it was 2007
21 -- 2017 or 2018, I went to a trainer school that
22 was a 1,600-hour training course, where I was trained
23 by a master trainer through NAPWDA.

24 I've also conducted a number of seminars,
25 including deploy workshops, first-aid for dogs,

1 and then tactical deployments, and then a team leader
2 course as well.

3 Q. And could you go through which dogs you've had
4 assigned to you?

5 A. Yeah. I've only worked two dogs in my career.
6 I worked Red; he was my first bloodhound. I got him
7 towards the end of his career. I worked him for about
8 a year and a half. And then, I've also worked K-9 Rex;
9 he's still in the truck today. He's -- we've been
10 together a long time.

11 Q. And do you -- how do you describe -- is it,
12 like, K-9 partner, or just K-9 Rex?

13 A. I just call him K-9 Rex.

14 Q. Okay.

15 A. He's just Rex to me.

16 Q. So in -- on June 9th, 2021, was Rex assigned
17 to you?

18 A. Yes, ma'am.

19 Q. Okay. And could you describe if Rex was in good
20 health at that time?

21 A. Yes, ma'am, he was. Typically, what we always
22 try to do is -- we call it a nose detail inspection
23 before the dog comes to work. We're just making
24 sure that nothing has happened. As long as they're
25 in good health, and we don't see any kind of issues

1 or any issues with their performance, then we're going
2 to go ahead and continue working him. And if we see
3 a problem, we just sit him out.

4 Q. And what type of odors is Rex trained to detect?

5 A. So as far as -- he's a dual-purpose dog, which
6 essentially means he does main work and odor work.
7 He's trained for narcotics detection for marijuana,
8 methamphetamine, cocaine, heroin, or any derivatives
9 thereof. And then, he's also trained to locate a pool
10 of human odor. That's going to be where we're searching
11 for human odor in an area, or if somebody's hidden
12 in a building.

13 Say if somebody breaks into a house, we can
14 utilize the dog to go find that concentration of human
15 odor that will either alert us to it so we can deal
16 with it a different way. And then tracking is going
17 to be following -- following scent that's left.

18 Q. Okay. And when you're talking about human odor,
19 could you describe how sensitive a dog's nose is?

20 A. Yeah. So a nose -- a dog's nose is about 44
21 times greater than that of a human being. Where we have
22 about five to eight million scent receptors in our nose,
23 a dog has between 220 and 240 million. And also one of
24 the biggest things that makes a dog's nose so powerful
25 is that they can scent discriminate.

1 The best way I know to explain that is if we
2 go into -- whoever your person is who can cook spaghetti
3 the best. If you go in, and they're cooking spaghetti,
4 you smell spaghetti. But a dog can smell the noodles,
5 he can smell the red sauce, he can smell the meat,
6 he can smell the salt, he can smell the pepper. He can
7 break down those different molecules, and then interpret
8 them in his brain as individual smells where we just
9 smell spaghetti.

10 Q. So he could smell the differences in what one
11 would have over the other?

12 A. Yes.

13 Q. And can you describe how a dog looks for human
14 scent?

15 A. Yes. So as -- in regards to tracking?

16 Q. Scent tracking.

17 A. Okay. Yeah, so, typically with tracking --
18 we like to call it the scent picture. The scent picture
19 is all those smells that are kind of combined together.
20 So the way we train our dogs, and the way we really work
21 to train them is that they primarily focus on human
22 odor.

23 However, there's also going to be ground
24 disturbance. So if I step on a piece of grass,
25 I'm actually going to break it, it's going to start

1 off-gassing the chlorophyll. And then, as human beings
2 are walking, we're losing millions of skin rafts every
3 moment. They're falling off of -- they're falling off
4 of you now. Those molecules, when they fall and hit
5 that grass, they start interacting with it, and the
6 off-gas is what we'll typically call crush vegetation.
7 That's going to be those environmental odors.

8 And then the third thing for a scent picture
9 is going to be other human smells that aren't human,
10 right? So, say, the shampoo you wear, the clothes,
11 the clothes detergent, the cologne you may wear, those
12 other human smells that just aren't necessarily human.
13 So those three things really create the scent picture
14 for the dog.

15 For a dog to be able to track somebody, there
16 has to be several things. There has to be a start,
17 a track layer, a direction, and an end. You can never
18 -- you can never have a track without those things.
19 So, typically, as a K-9 handler, if I come to a track,
20 I'm going to get some basic information regarding
21 the description, charges to determine if we should or
22 should not track this person, the direction of travel,
23 a clothing description.

24 All that information at that point, I start into
25 -- I'll start into Rex's tracking ritual, which will --

1 once he acquires the odor, he can commit to it and
2 continue tracking.

3 Q. And could you describe -- I know you said that
4 there was four layers, a start and a tracking layer,
5 and then two other layers. Could you break that down
6 a little bit more for the jury?

7 A. Absolutely. So if you just think about a track
8 just as a line -- it's the easiest way to think about
9 it. There's always going to have to be somebody
10 who walks that line. That's what I mean by a track
11 layer. There has to be somebody to leave scent,
12 to crush that vegetation, to leave all that odor along
13 the track.

14 The other thing is they have to start. It has
15 to start somewhere. Even if they parachuted out of
16 the ground, wherever they hit the ground, that's going
17 to be the start of the track. A track cannot exist
18 without a start. It's also going to have to have
19 an end. Wherever that person either decides to hide,
20 whether that person decides to get into a car and leave,
21 the odor is going to start and stop somewhere.

22 And then the final thing is going to be the
23 direction. The direction is obviously just a -- as the
24 track is getting fresher, all right? So if you think
25 about the beginning of a track, it's going to be the

1 oldest point versus the end of the track will be the
2 youngest point. So that direction is how we kind of
3 determine that.

4 Q. And could you elaborate for the jury what air
5 scent versus an environmental or ground scent is?

6 A. Yeah. So one of the biggest things that will --
7 we'll typically see is with a tracking dog, we primarily
8 will try to track odor left on the ground. When we're
9 talking about tracking, we are talking about that.

10 The air scent is what we typically will talk
11 about with -- when we're looking for a concentration
12 of human odor or in a building search. Essentially,
13 the dog will not put -- his head won't be on the ground,
14 he'll be searching for the higher levels of air currents
15 because, like I said, you're losing millions of skin
16 rafts this second, they're falling off of you.

17 Those skin rafts have to be -- for a dog
18 to actually breathe them and interpret them, they have
19 to be lightweight, volatile, and soluble, which means
20 on that wind currents that's going to blow those skin
21 rafts. So as the human -- as the dog is entering
22 into what we call the scent cone because odor is always
23 dispersed in a conical shape, the dog will transition
24 to searching and his head higher, and that's going
25 to be the air scent.

1 It's also a big indicator for us as K-9 handlers
2 when we're getting close. We'll typically call that
3 -- if my dog was tracking and then begins to air scent,
4 we typically call it proximity alert.

5 Q. And could you describe where human -- how human
6 odor, I guess, comes to be or where it comes from?

7 A. Yeah. So it's -- the majority of it is going to
8 be those skin rafts that you're always losing. Odors,
9 when you really think about it, it's just molecules.
10 It's these molecules falling off of you. When you smell
11 a banana, you're just breathing in banana molecules.
12 It's always leaving. Anything that's living is always
13 going to be losing those molecules. It's probably
14 the easiest way to describe odor.

15 Q. And when you mentioned earlier about some
16 of the information you're gathering, and you said
17 you decide if you should track the person based
18 on the charges ---

19 A. Uh-huh.

20 Q. Can you go through what -- how that determination
21 is made?

22 A. Yeah. So there's a lot of times that we'll
23 track people for many different reasons. For example,
24 with a -- if it was a missing kid or an endangered adult
25 or something like that, we're typically going to want

1 to use one of our bloodhounds mainly because those
2 dogs are trained to not apprehend somebody at the end
3 of the track. We typically reserve the patrol dogs,
4 the dual-purpose dogs, like Rex, for a more dangerous
5 or a criminal offense.

6 Say, it was some kind of a little misdemeanor,
7 we -- we're typically not going to deploy a K-9 --
8 or dual-purpose K-9 for a misdemeanor. That might
9 be something where we call in a bloodhound or work
10 that. We're always going to gauge the risk versus
11 reward to the general public, to the danger of the
12 criminal that's out there. All this stuff is going
13 to dictate our tactics.

14 Q. Okay. And I want to go to June 9th, 2021,
15 specifically. Do you remember being dispatched
16 to [REDACTED] Old Back River Road?

17 A. Yes, ma'am, I do.

18 Q. Do you remember why you were dispatched?

19 A. I was dispatched in reference to -- I think I got
20 the information that it was a shooting. Once I got --
21 once I got on scene, I was able to get some brief
22 information from a couple of deputies that had already
23 been there. That information was that the suspect had
24 fled with a long gun, potentially.

25 I was given a picture of the suspect, and that

1 he was fleeing back towards other homes. So at that
2 point, it's very, very pertinent that we get a dog
3 on the ground quickly because we don't want this to
4 continue to spill over to other victims or the rest --
5 putting the community at large.

6 Q. And you said once you got on scene, you were
7 given the brief information. What is the next thing
8 you did?

9 A. So the next thing that I did once I was given
10 the brief information, I decided to deploy with my
11 heavier vest from my SRT entry vest, typically because
12 the bulletproof vest that you normally see us wear,
13 they're for handguns. They're not for rifle rounds
14 or anything like that. It's going to zip right through
15 them.

16 So, I put on some better equipment for this
17 circumstance. I then got some more information, made
18 sure that we had enough cover personnel for our
19 preferred tactic. Then, I went and got Rex, moved into
20 that last known area. Absent exigent circumstances,
21 we're always going to give K-9 warnings. So after
22 K-9 warnings were given, I began my tracking ritual.

23 Q. What are K-9 warnings?

24 A. So K-9 warnings are something that we're going
25 to do at the start -- before we deploy a dog for any

1 kind of search. We're also going to do it any time
2 we see that proximity alert, again absent exigent
3 circumstances. There's times where warnings won't be
4 given, but it consists of announcing ourselves as law
5 enforcement, the presence of a K-9, a demand, and then
6 what will happen if you don't follow through with the
7 demands.

8 So in a tracking circumstance, the most common
9 warning that's always given, you say, this is the
10 Berkeley County Sheriff's Office K-9 Unit, make yourself
11 known now, or I'll send my dog, and he will find
12 you. When he finds you, he will bite you. That's --
13 in a track, that's typically the warnings I'm going
14 to give.

15 Q. And you gave those warnings on June 9th of 2021?

16 A. I can't remember if I did or if -- I remember
17 Corporal Zach Wright, who is another K-9 handler with
18 me. I can't remember which one of us gave the warning,
19 but one of us did.

20 Q. And you mentioned a tracking ritual. Can you
21 explain what that is?

22 A. Yes. So a lot of times people think dog handling
23 is just, hey, I say the command, and the dog is going
24 to do the thing. There's a lot more to it than that.
25 A lot of times, learning how to communicate with a dog

1 is going to be the hardest -- the hardest part for,
2 like, a newer handler when they're going through it.
3 It's one of the reasons training is so long for new dog
4 handlers.

5 So Rex's tracking ritual is I place him into
6 a down, I'll switch his tracking leash over from his
7 collar to his harness. After the warnings are given,
8 I'll typically -- I make this call depending on Rex
9 if I see his nose start working and him start sniffing
10 the ground already. Then, at one point, if he's kind
11 of trying to air scent or anything like that, then
12 I'll point to the ground and give him his track command.

13 Q. And could you start, I guess, from the tracking
14 ritual on June 9th, 2021, and describe the track?

15 A. Yeah. So -- so, I wrote in here, I used Rex
16 on his 20-foot leash, which is my most common leash
17 I use when he's tracking. He was able to quickly
18 acquire the track. He was able to show that tracking --
19 those positive tracking behaviors really, really quickly
20 and efficiently.

21 We were able to follow that from the front --
22 excuse me, from the last known location to the front
23 door of a neighboring home. One of the cover deputies
24 was able to make contact with somebody at the home,
25 and they were able to tell us that he had been there.

1 Q. And I'm going to back up a little bit. There's
2 some maps sitting in front of you up there that were
3 already entered into evidence. Do you recognize those
4 maps?

5 A. Trying to just get my bearings with it.
6 I believe so, yes, ma'am.

7 Q. Okay. I'm going to put one of the maps up
8 to help you describe the track. Now, there should be
9 a laser pointer in front of you, maybe under the page.
10 Yeah.

11 A. Yep, I got it.

12 Q. So we'll put it up there, and I just want
13 you to show me first where -- it's behind you.

14 A. Yep.

15 Q. --- where you started the track.

16 THE WITNESS: May I stand up, Your Honor?

17 THE COURT: Yes.

18 THE WITNESS: So from the best that
19 I can remember, we staged and met up somewhere in this
20 general area. I was given that last known location.
21 And when we tracked, we tracked along this side
22 through this fence -- not through the fence, but kind
23 of a paralleling it, coming around, and entering into
24 this area.

25 At that point, I started losing -- I started

1 seeing some negative tracking behavior. That's what
2 we're typically going to see. Like, if you imagine
3 the dog as he's doing his thing, tracking an odor,
4 and then the odor stops, a dog is typically going
5 to have certain tells that we call negatives. Hey,
6 now I'm getting out of that odor. I started getting
7 those negatives on the backside of this home.

8 I then tried to reacquire throughout here
9 and wasn't able to reacquire anything in this backyard,
10 so we began to assume that either somebody ducked in,
11 and we began to try to acquire throughout over here.

12 Q. Okay. And I'm going to just put up a zoomed map
13 so you can maybe show a bigger view, and you can
14 describe it once you're ---

15 A. Yeah. So again, I believe this is going to be
16 the incident location right here. After we confirmed
17 that he was at this location -- we had a lot of deputies
18 moving up and down the road, which is pretty typical.
19 We always try to set up a perimeter. I have a saying
20 that dogs don't catch people, they find them.

21 Perimeters are typically what's going to catch
22 people, but when people are getting out on foot, they're
23 also contaminating a lot and putting a lot of cross odor
24 out, so it became really difficult to try to find what
25 -- the fresh human odor with a bunch of people walking

1 up and down the road.

2 We began to try to continue to acquire the track,
3 couldn't -- never really acquired another track.

4 It was a -- I remember it was a very hot and humid
5 day, like, I remember driving there that there was
6 a torrential downpour on the way there, thinking that
7 it was going to be a miserable time to try to track.
8 So as you can -- everybody is probably familiar with
9 what South Carolina feels like after rain in summer.

10 Rex got tired pretty quickly. We then switched
11 dogs and tried to -- we tried to deploy with K-9 Kai;
12 that was Corporal Wright's dog at the time. We couldn't
13 acquire a track. At that point, we then broke up
14 different areas. We typically do this to try to locate
15 articles.

16 Q. Okay. You can have a seat. I'll continue
17 questioning about the maps. So, I just want to go back
18 to something you said, I guess, from the first point.
19 Can you describe -- do you remember what Rex's behaviors
20 were showing when you first started as far as his nose?

21 A. Yeah. So his typical tracking behavior is going
22 to be that he's going to drop his body posture a little
23 bit. His head is going to go down to the ground.
24 One of the biggest things that you'll actually see
25 differently with dogs is that their breathing is going

1 to change. So when a -- a dog pulls air differently
2 versus when he's sniffing versus when he's breathing.

3 Typically, when they're sniffing, you're going
4 to -- it's, like, if anybody has a dog, think about
5 when you walk in and your dog -- and you have a treat
6 for your dog, the dog may have been really excited,
7 and he comes up panting, and then all of a sudden
8 as he comes up to you, that mouth closes, and you hear
9 -- I'm sorry for my attempt here, but it goes (makes
10 sniffing noises.), something along those lines, right?
11 That sniffing is the dog actually pulling his air
12 a different way to use his nose to hit all those scent
13 receptors. That's what's happening and why you -- why
14 he's doing it.

15 So as the -- the nose is going to tell you the
16 majority of it. His tail will also typically stiffen
17 out, and then you'll feel a lot of pressure on the line.
18 Imagine trying to watch a dog in the middle of the dark
19 in the woods, the line is going to tell you a lot just
20 by how it feels.

21 Q. And you also mentioned that it was raining.
22 Could you describe how rain would affect a scent track?

23 A. It really depends. If it's a light rain,
24 it can actually help because that moisture will stick
25 to the ground, and like all those -- you imagine those

1 skin rafts are falling off of you, it will actually hold
2 them in place. So we like to say those summer mornings
3 where there's still dew on the ground where if I walk,
4 and I can see my footprints in the grass, that's, like,
5 our prime time for tracking behavior. That's, like,
6 our best conditions we can ever have.

7 Now vice versa, if it's a heavy rain, it's going
8 to start washing that scent away from where it was.
9 It's lighter than water, so it's going to be pushed
10 away. So it's kind of one of those "it's good to a
11 point, and then it's bad."

12 Q. And another thing you described was that he
13 started to show negative behavior. Could you describe
14 what that is?

15 A. Yes. So Rex's most common negative behavior
16 is that he's going to pick his head up. Sometimes,
17 he'll actually turn and look back at me, like, I don't
18 know where it's at. But the biggest thing that he's
19 going to do most often is he's going to cut a big
20 circle.

21 These dogs come from a lineage of herding.
22 If you can imagine them herding cattle back in the day,
23 it was running circles around the -- so as soon as
24 he -- as soon as he lost the thing that he was looking
25 for, that natural instinct of herding comes back in,

1 let me circle and try to reacquire and figure out where
2 it went.

3 Q. Did you exhibit him doing any of -- which
4 behavior would you say he did that day?

5 A. I would have to review a camera just because
6 I've ran so many tracks in my career.

7 Q. It's all right.

8 A. Most of the time, it's easier for me to watch
9 and say, hey, this is what the behavior I'm seeing
10 right now is because he doesn't change over time.

11 Q. And when you said ---

12 A. But ---

13 Q. I'm sorry.

14 A. I was going to say, I can't put a number on
15 the amount of tracks I've ran in my career, training,
16 and live deployments.

17 Q. And after this negative behavior, you also
18 mentioned he was getting tired. Could you describe more
19 about that?

20 A. Yeah. So you'll see the dogs, they exhibit
21 -- they exhibit signs of overheating in a bunch
22 of different ways. The -- dogs can't sweat like
23 human beings, all right? The only place where
24 they can actually sweat is the bottom of their feet,
25 so it doesn't do us a lot of good if we're seeing that.

1 But the -- you're going to see panting, you're
2 going to see the tongue hanging out. A lot of times,
3 this is -- a lot of people don't realize this, but the
4 dog will start opening his mouth a little bit wider.
5 So if you ever start seeing the back teeth on your dog
6 when you can't normally see it, he's getting hot.
7 He's trying to get that hot air out so he can cool
8 off.

9 You'll also see shade-and water-seeking
10 behaviors. It's just stuff -- working these
11 shepherd-type dogs in South Carolina, they were never
12 made for this environment, so heat can really hurt us.
13 So it's something we really watch closely.

14 Q. And when you notice those behaviors, what do you
15 do?

16 A. Typically, once we start seeing it, we're
17 going to start to try to do what we call a pass-off
18 track. We're going to have another dog set up to come
19 and enter the -- one handler will brief the other
20 handler, this is where I came from, this is the behavior
21 I had, this is what I'm seeing in this area, this area
22 has been walked through, this area has been clean,
23 if you get any odor over here, we have not been there,
24 and then we'll switch those dogs out.

25 Q. And on June 9th, 2021, was there a passover track

1 -- pass-off?

2 A. Yep. I passed it off to Corporal Zach Wright.
3 I didn't have to do that briefing with him because
4 he was my primary cover deputy on the first part
5 of the track.

6 Q. And after you passed off the track, do you
7 remember trying to track it a second time?

8 A. I remember deploying for an article search the
9 second time. I don't think I tried to deploy with Rex
10 again.

11 Q. What's an article search?

12 A. So an article search is -- and I'll use the laser
13 pointer as an example. We have oils and stuff on our
14 skins, right? As I touch an article, whether it's this
15 remote, this water bottle, this microphone, I'm sticking
16 those skin rafts to that object.

17 So typically what an article search is,
18 is depending on the weather conditions, it's going
19 to dictate how long that odor stays, we're going
20 to deploy the dog to look for that concentration
21 of human odor on an article, whether it's a gun,
22 whether it's money, whether it's -- whatever it is.
23 It's how we try to find dogs -- try to find evidence
24 with dogs.

25 Q. And with that being called an article search,

1 what would you categorize the first search you did?

2 A. A track.

3 Q. A track?

4 A. Yes.

5 Q. And could you describe on June 9th, 2021,
6 the article search?

7 A. Yeah. So typically we're going to split up
8 different areas. I believe -- I believe ---

9 Q. Do you want me to put the map back up?

10 A. That probably would be the best way for me to
11 explain.

12 THE WITNESS: May I stand up again,
13 Your Honor?

14 THE COURT: Certainly.

15 THE WITNESS: To the best of my
16 recollection, I know we did an article search in this
17 backyard where I got my initial negative behavior,
18 and Corporal Wright, I believe, did one over here.
19 And I think we also ran the edge of this wood line right
20 here.

21 Q. Okay. And do you remember what article you were
22 searching for?

23 A. So ---

24 Q. You could have a seat.

25 A. Yeah. So whenever -- whenever we're looking

1 for anything like this, or if it's something as serious
2 as this incident, we're always going to deploy to try
3 to find anything. There may not be -- you want to say,
4 hey, I was looking for a gun, but I could find a shoe
5 that's got DNA on it that could be very helpful.
6 We're really looking for anything left behind.

7 Q. And on either of these searches, were you able
8 to find anything?

9 A. No, ma'am.

10 Q. You also mentioned that the track ended near
11 the roadway. Could you describe how the foot traffic
12 was causing an issue?

13 A. Yeah. So, like I said, there was a lot of people
14 walking around. And, at that point, it's just getting
15 difficult for the dog. Rex was on this track for such
16 a short period of time because the houses are so close
17 together that it's -- having that high contamination
18 of foot traffic makes it very difficult because
19 all of the human odors are going to be similar ages.

20 I didn't have a scent article belonging to the
21 suspect to -- for him to discriminate off of. So it's
22 -- it just -- it always hurts us. It's -- if anybody
23 plays video games or anything like that, it's like
24 fighting on hard mode.

25 Q. And how would getting into a vehicle disrupt

1 a track?

2 A. If the track layer got into a vehicle?

3 Q. Yeah.

4 A. It would end; that would be the end of a track.

5 Q. Okay.

6 A. The human odor is not -- you'll get a little
7 bit escaping from the car, but the car is going 40 miles
8 an hour and those -- you have no clue where those scent
9 molecules are going to wind up.

10 Q. So the dog can't track it?

11 A. Not if they get in a car, no.

12 Q. Okay. Just to confirm, the track that led
13 initially to the neighboring house next door, was the
14 Defendant at that location?

15 A. No, we did not locate the Defendant. The track
16 started from the last known and then ended -- that
17 initial track ended at that house, and then another
18 deputy was able to confirm that he had been there
19 and left, but he was not there when we were there.

20 Q. Okay.

21 A. So, I just want to make sure I'm answering
22 that question correctly. Like, I know that we were told
23 that he was there and that he took a phone, but we were
24 not told -- he was not there while we were there.

25 Q. Okay. And did the track lead to the Defendant

1 at all that day?

2 A. No, we did not locate him.

3 Q. And no articles of evidence were located by the
4 article search?

5 A. No, ma'am.

6 MS. LYNCH: Nothing further at this time.
7 Thank you.

8 THE COURT: Any cross-examination?

9 MR. HUGHES: Just briefly, Your Honor.

10 CROSS-EXAMINATION

11 BY MR. HUGHES:

12 Q. Good morning, Mr. Seegars.

13 A. Good morning, sir.

14 Q. You said that when it's damp, it could help
15 the track?

16 A. Yeah. Like I said, there's typically a fine
17 line. The difficult thing about tracking an odor is --
18 the acronym we always like to use for any kind of odor
19 source is TADD. So time, time is going to affect it.
20 A track that's 20 minutes old is going to be easier
21 than a track that's two hours old, so time can affect
22 it.

23 The amount of odor that's left, right? That's
24 what the A stands for, is amount. So if a person,
25 say, took a lot longer time to walk that track,

1 they're going to be losing more and more skin rafts.
2 Even something that we call a scent pool, the amount
3 of odor can make it more. And then, what we call it,
4 packaging because we always talk about it in, like,
5 terms of narcotics as well. But that's going to be
6 if somebody gets into a car, there's going to be less
7 odor.

8 If somebody is making attempts to, like -- I've
9 seen people try to use the deer hunting sprays and stuff
10 like that, the odor eliminator. If they're going to do
11 something like that, they might try to conceal their
12 odor a little bit, might make it a little more
13 difficult. Can't really do it but ---

14 Q. Okay. Let me get back to -- do you remember --
15 I know it was a long time ago. Do you remember
16 what it was like that day, what the weather was like,
17 if it was damp or not?

18 A. I remember that when I was driving there that
19 it was absolutely pouring, like, one of those summer,
20 like, massive short bursts of rain.

21 Q. Uh-huh.

22 A. And then, by the time I got there, it had
23 stopped.

24 Q. Okay. With everything the solicitor was asking
25 you regarding this incident, is it fair to say no

1 evidence or contraband was found by either yourself
2 or Rex?

3 A. No, sir, we didn't locate anything.

4 Q. Okay.

5 MR. HUGHES: No further questions,
6 Your Honor.

7 THE COURT: All right. Any redirect?

8 MS. LYNCH: Nothing, Your Honor.

9 THE COURT: All right. We've reached
10 a time where we take a short break, about ten minutes.
11 I'm going to excuse the jury. And again, don't start
12 talking about the case yet. So we'll be back in about
13 ten minutes.

14 (The jury exited the courtroom at 11:06 a.m.)

15 THE COURT: All right, y'all can sit.
16 Anything further for this witness?

17 MR. MCNEELY: No, Your Honor.

18 THE COURT: All right. He's under subpoena?

19 MR. MCNEELY: He is.

20 THE COURT: All right. Any objection
21 to him being released from the subpoena?

22 MR. HUGHES: None, Your Honor.

23 THE COURT: Okay. All right. You are
24 released from the subpoena. You could step down.
25 You could stay if you wish.

1 THE WITNESS: Thank you, Your Honor.

2 THE COURT: Thank you. All right. We'll
3 be back in, ready to start about 11:20, okay? Anything
4 further I need to address?

5 MR. MCNEELY: No. Just so that everyone
6 is aware, our next witness is crime scene, which should
7 be fairly lengthy, so that should take us to the lunch
8 break.

9 THE COURT: All right. All right. That's
10 what we'll plan on. Thank you.

11 (Recess taken.)

12 (Back on the record.)

13 THE COURT: Y'all go ahead and have a seat.
14 Everyone ready to go?

15 MR. MCNEELY: Yes, sir.

16 THE COURT: All right. Let's bring our jury
17 back in.

18 (The jury entered the courtroom at 11:22 a.m.)

19 THE COURT: All right. Y'all can be seated.
20 Mr. McNeely.

21 MR. MCNEELY: Thank you, Your Honor.
22 The State calls Lamar Alsbrook.

23 THE CLERK: Please raise your right hand,
24 place your left hand on the Bible.

25 DETECTIVE LAMAR ALSBROOK was called as a

1 witness, being duly sworn, was examined and testified
2 as follows:

3 THE CLERK: Thank you. You may be seated.
4 Please state your full name, and spell your last name
5 for the record.

6 THE WITNESS: My name is Lamar Alsbrook.
7 Last name, A-L-S-B-R-O-O-K.

8 DIRECT EXAMINATION

9 BY MR. MCNEELY:

10 Q. Where are you currently employed?

11 A. South Carolina Department of Probation and
12 Parole.

13 Q. What is your position there, and how long have
14 you been employed there?

15 A. I'm an agent with them. I've been there since
16 October of '24.

17 Q. Where did you work prior to the department
18 of probation?

19 A. Berkeley County Sheriff's Office. Prior to that,
20 I was with Charleston County Sheriff's Office.

21 Q. Okay. What was your position with the
22 Charleston County Sheriff's Office?

23 A. I was a road deputy.

24 Q. And what about with the Berkeley County Sheriff's
25 Office?

1 A. I was a road deputy for a little over a year,
2 and then I was in the crime scene and forensic
3 investigations unit.

4 Q. Okay. Please describe your education and
5 training for the jury.

6 A. I have a bachelor's degree in criminal justice
7 administration. As far as trainings, I've had shooting
8 reconstruction, crime scene processing, crime scene
9 reconstruction, blood spatter analysis, advanced blood
10 stain analysis, and there's probably some more.

11 Q. Were you working at the Berkeley County Sheriff's
12 Office in June of 2021?

13 A. Yes, I was.

14 Q. What was your position with Berkeley County
15 at that time?

16 A. I was a forensic investigator assigned to the
17 investigations unit.

18 Q. Okay. What were the duties of your position
19 as a forensic investigator?

20 A. Process crime scenes, mostly a lot of
21 photographs, collecting evidence, studying, things
22 of that nature.

23 Q. Did you also act as the custodians of evidence
24 for the entire department?

25 A. We did.

1 Q. Okay. What does that mean?

2 A. It means any evidence that comes into the
3 forensics unit, we log it, keep track of it, store it,
4 securely housed.

5 Q. And are the only people that have access
6 to it the forensic services unit?

7 A. Yes.

8 Q. Were you working in that capacity on
9 June 9th, 2021?

10 A. I was.

11 Q. During the afternoon of June 9th, 2021, were
12 you notified of a shooting incident that had occurred
13 at [REDACTED] Old Back River Road in the Goose Creek area
14 of Berkeley County?

15 A. I was.

16 Q. What part of Goose Creek is that in?

17 A. Old Back, it's near Sedgefield.

18 Q. And that's in Berkeley County, correct?

19 A. Correct.

20 Q. Approximately, what time did you respond to that
21 location that day?

22 A. I believe it was around 3:45.

23 Q. Is that in the afternoon?

24 A. Yes, 3:45 in the afternoon.

25 Q. Why did you respond later than others?

1 A. So we -- as a crime scene, you have to wait for
2 the warrants to get in hand, search warrants and things
3 of that nature, so there's no reason for us to go
4 immediately. We have to collect gear and everything
5 else, depending on the scene.

6 Q. Okay. Did anyone else respond with you that day?

7 A. I had an intern with me that day, and I believe
8 another forensics tech showed up.

9 Q. Please describe the incident location.

10 A. It was a small, kind of green-colored house
11 at the corner of, I believe, it was Old Back and
12 Riverside Circle.

13 Q. Okay. How did the scene appear when you first
14 arrived?

15 A. A little busy, had a lot of deputies running
16 around, a lot of people on scene trying to get it
17 secured up.

18 Q. What did you do when you first arrived?

19 A. When I first got there, I got out of the truck,
20 and I spoke to Detective Bell. Just kind of got a brief
21 of what it was, and he advised me they had a search
22 warrant in hand.

23 Q. Okay. Did you know you had a deceased individual
24 at that time?

25 A. I did.

1 Q. Please describe the process when you arrive
2 on a murder scene for processing the crime scene.
3 What do you do first and then so on?

4 A. So when you get on the scene, you verify you have
5 the search warrant, conducted a walkthrough, just kind
6 of look and see, and what's what and where because
7 it's hard to find that kind of stuff looking through
8 the lens of a camera. You kind of make a mental note
9 of what you've got, where it is. You start taking
10 photos after that.

11 After you get your photos done, you come back,
12 any items deemed pertinent or evidentiary value, scale
13 them with numbered markers, and then you rephotograph
14 them, and then you collect them, and then you transport
15 them to secure.

16 Q. And did you follow that procedure in this case
17 that day?

18 A. I did.

19 Q. I'm going to show you what's been marked
20 as State's Exhibits 1 through 145.

21 MR. MCNEELY: Permission to approach,
22 Your Honor?

23 THE COURT: Yes.

24 MR. MCNEELY: I know it's a lot, but please
25 flip through those and see if you recognize these.

1 THE WITNESS: Yes, sir.

2 (Pause.)

3 BY MR. MCNEELY:

4 Q. Do you recognize what's depicted in those photos?

5 A. I do.

6 Q. What is depicted in those photos?

7 A. These are the crime scene photos that I took.

8 Q. From [REDACTED] Old Back River Road on June 9th, 2021?

9 A. Correct.

10 Q. Are they a fair and accurate depiction of the
11 scene as it appeared that day?

12 A. They are.

13 Q. Do they appear to be changed or altered in any
14 way?

15 A. A few of them have ---

16 Q. Okay.

17 A. --- been redacted.

18 Q. And describe that.

19 A. A few of them are redacted, probably due to the
20 graphic photograph that it was ---

21 Q. Okay.

22 A. --- for court purposes.

23 Q. But other than that, they're an accurate
24 depiction of the crime scene in this case?

25 A. They are.

1 MR. MCNEELY: At this time, State moves
2 to admit State's 1 through 145 into evidence.

3 THE COURT: All right, any objection?

4 MR. HUGHES: No objection, Judge.

5 THE COURT: All right. Entered without
6 objection, Exhibits 1 through 145.

7 MR. MCNEELY: Thank you.

8 (State's Exhibit Nos. 1 through 145 were entered into
9 evidence.)

10 MR. MCNEELY: At this time, I would ask
11 my paralegal to publish No. 1.

12 BY MR. MCNEELY:

13 Q. You have a laser pointer in front of you.
14 I think it's nature to try to turn that way, but I think
15 if you actually spin the chair the other way, it spins
16 further. Yeah, there we go. Can you please describe
17 what we're looking for -- or we're looking at here
18 for the jury, please?

19 A. That's a photo ID sheet, case number, date, time,
20 address, and my name.

21 Q. Okay. Is that -- is that done for every crime
22 scene you process?

23 A. Yes.

24 Q. What's the purpose?

25 A. To track it. Date, time, your case number,

1 so you know what evidence goes with what and where
2 you were.

3 Q. So it includes the address of the crime scene,
4 correct?

5 A. Correct.

6 Q. The date?

7 A. Right there.

8 Q. The time you start taking photographs?

9 A. Right there.

10 Q. Which would be what time?

11 A. That is 3:55 p.m.

12 Q. Okay. And then your name, correct?

13 A. Right there.

14 Q. All right. What's this next one?

15 A. Mailbox in front of the residence.

16 Q. Okay. Is that a standard practice to take
17 a photo of the mailbox?

18 A. Yes.

19 Q. Okay. Why is that?

20 A. It just verifies the address for the initial face
21 sheet.

22 Q. Okay. What are we looking at here?

23 A. That is the beginning of the overall photos.
24 So starting at the mailbox, I believe I was moving
25 right.

1 Q. Okay. And what road is that?

2 A. That is Old Back.

3 Q. Okay. What do we have here?

4 A. That is moving towards the house from the road,
5 same thing, just kind of continue that initial 360
6 degree. Same thing.

7 Q. Okay. Is that your truck right there?

8 A. That right there is my truck.

9 Q. Okay.

10 A. And then going back to the house.

11 Q. Okay. Is that sort of the standard practice
12 to sweep 360 in the area and come back for more detailed
13 photos?

14 A. Yes.

15 Q. Okay. And why do you do that?

16 A. Just to kind of give an overlay of everything
17 you're looking at, and then you start outside, and you
18 move your way in.

19 Q. Okay.

20 A. This is going into the house, and that was the
21 vehicle in the front yard, just kind of going around
22 the car. Same thing, just carrying on. The front
23 of the residence, same thing, just trying to cover
24 all aspects of it. And then that's from the front
25 of the residence moving left, continuing on, same thing.

1 Q. Oh, skipped one.

2 A. That's the same, just kind of moving back towards
3 the mailbox area.

4 Q. So back from that patio towards the road?

5 A. Correct, and then back to the sidewalk.
6 And then starting to zoom in on that right there,
7 and it was a cartridge case.

8 Q. Okay. And that was located on the front patio?

9 A. That front sidewalk area, yes, sir.

10 Q. Okay. Just back up one. Can you show it on that
11 further out?

12 A. Right there.

13 Q. Okay. I don't know if you'll be able to see
14 it on this further.

15 A. It should be right about there.

16 Q. Okay. What are we looking at here?

17 A. And that's moving -- I believe I went down the
18 side of the house to get exterior photos.

19 Q. Is that standard to take full exterior photos?

20 A. Yes, sir. Just kind of getting situated in.
21 I guess -- that's another 360, I guess. Now, I'm going
22 down the side of the house to try and catch the windows
23 and stuff, moving throughout the yard. That's just
24 the first window and the second window as you go down.

25 Q. Why are you taking pictures of these side

1 windows?

2 A. To show that there was no damage to the window,
3 to prevent a break-in, or to prove there was or was not
4 a break-in.

5 Q. Okay. You're looking for evidence of potential
6 forced entry?

7 A. Correct.

8 Q. Okay. Was any present here?

9 A. No, sir. Same thing, the windows, meter box,
10 moving around to the back of the house, just kind
11 of showing the back of the house and then the side
12 of the house we just came from and the back door.
13 That's just kind of moving along but back.

14 Q. Okay. Any evidence of forced entry in the back
15 of the house?

16 A. No. Back to the back door.

17 Q. Oh, I went back.

18 A. Okay.

19 Q. Apologies.

20 A. And that's showing where we just came from and
21 where I'm going, and that's down the side of the house.

22 Q. Still the same?

23 A. Carrying on, yes, sir. Same thing, same thing,
24 showing where I was. Security cameras that we found,
25 back to the front.

1 Q. Okay. And after you take overall exterior
2 photos, what do you do?

3 A. If nothing is found, then we move inside.

4 Q. Okay.

5 A. We start with the interior of the house,
6 and that's what we're doing here.

7 Q. So that's the front with the front door open,
8 correct?

9 A. Correct.

10 Q. Still ---

11 A. Yeah, just more exterior photos. I'm getting
12 ready to go inside. Oh, and I marked the cartridge
13 case with marker No. 1.

14 Q. Okay. That's depicting the cartridge casing
15 outside?

16 A. Correct.

17 Q. Okay. I'll just back up. And that's where
18 it was located?

19 A. Yes.

20 Q. What do we have here?

21 A. That's the patio, and there was actually a cell
22 phone on that.

23 Q. Okay.

24 A. So, I took a picture of that, and then that's
25 going into the front door.

1 Q. Okay. That's -- what's depicted here?

2 A. The front door open.

3 Q. And then how do you photograph the rooms inside
4 the home?

5 A. Once you step in, you try to start as you enter,
6 and I usually go left to right in a circle.

7 Q. Okay. So you do a 360 in each room?

8 A. Correct.

9 Q. Okay.

10 A. That's going through the front door, that's
11 to the left of the front door, and then that's going
12 right inside that room and continuing right, and that
13 would be from the room into the next door. And that
14 was going -- that was right by -- that's the living
15 room that we were in when we entered the front door,
16 and that's the kitchen, and then I took a picture
17 of that.

18 Q. Okay. What's depicted here?

19 A. It might be the back of the front door.

20 Q. Okay.

21 A. And then, that's starting to go into the next
22 room.

23 Q. Okay. What are you focusing on here?

24 A. Footprints and blood on there and back here.

25 Q. Okay. I'm guessing you can't affirmatively

1 say it's blood?

2 A. No.

3 Q. But did it appear to be blood to you?

4 A. It did appear. It was a red, blood-like
5 substance.

6 Q. So you're photographing because there's
7 footprints, right?

8 A. Correct.

9 Q. Okay. And is that the next room?

10 A. That's moving into, yeah, the dining room area.
11 Same thing, starting left, working my way right through
12 the kitchen -- dining room, and carrying on around.

13 Q. And was that back towards the living room?

14 A. Yes.

15 Q. Okay. And then what about here?

16 A. And that's from the dining room into the kitchen.

17 Q. Okay.

18 A. And that's the entrance to the kitchen,
19 and that's to the left of the kitchen door and spinning
20 to the right, and that's the laundry room, but it was
21 too crowded to really get in there.

22 Q. Okay. Is that the back door?

23 A. Right there.

24 Q. Okay. But it's not accessible, correct?

25 A. It's not accessible. And that's just kind of

1 finishing up that spin, a shot of the top of the fridge,
2 and then heading back out.

3 Q. Okay. What do you see on the floor there?

4 A. More of those footprints.

5 Q. Okay.

6 A. That's into the kitchen -- the bathroom. Sorry.

7 Q. Okay. So that's into the hall, off of the dining
8 room?

9 A. Correct. That's the dining room, the hallway,
10 and the next photo is in this bathroom right here.

11 Q. Okay.

12 A. And that's just the same thing, kind of go in ---

13 Q. Into the bathroom?

14 A. Into the bathroom. And then the next one, if you
15 came out of the bathroom and went right, that's going
16 down to the right.

17 Q. Okay.

18 A. And all those rooms have just been starting left
19 and moving right in each one, and then that next one.

20 Q. And then, you're into a different bedroom now?

21 A. Yes, sir. That's the bedroom that's closest
22 to the front of the house.

23 Q. Okay. And the victim was not located in this
24 bedroom, correct?

25 A. No, she was not. And then, the same thing,

1 starting left, moving right.

2 Q. Okay. What is this?

3 A. I believe that's just showing a curtain,
4 securing, like, the door to that room.

5 Q. Okay.

6 A. And this is the room where the victim was found.

7 Q. Okay. And it's blacked out a little bit.
8 Why is that?

9 A. That is the redacted photo. There was a large
10 pool of what appeared to be blood right here.

11 Q. Okay. Do those appear to be more footprints
12 in front there on the linoleum?

13 A. Right there at the bottom, yes, sir. That's
14 moving into that bedroom, I believe.

15 Q. Yeah.

16 A. It's another redacted photo.

17 Q. Okay. Where's the victim? Can you describe
18 that?

19 A. The victim is right here. Feet are here, arms,
20 her head is here, another arm. This is a -- what we
21 believe to be blood.

22 Q. Okay.

23 A. It's another redacted photo of the victim.

24 Q. And those are her feet at the top of the ---

25 A. Correct. Those are her shoes there.

1 Q. Okay. So she's between the bed and a dresser?

2 A. And a dresser, yes, sir. That's just an upper
3 view of what's going on.

4 Q. Okay.

5 A. And the same thing. That's entering the room
6 and then moving right. That's at the foot of the bed.

7 Q. What do you see there?

8 A. That is a cartridge case right here.

9 Q. Just close in on it?

10 A. Zoomed-in photo of that cartridge case.

11 Q. And then?

12 A. And then, I tried to get that cartridge case
13 in the frame to show the next cartridge case.

14 Q. Okay. Is that just close in on the next
15 cartridge?

16 A. That is, yeah. That's the next one.

17 Q. Is that just further out there?

18 A. I believe so.

19 Q. Okay.

20 A. And then that's just back up and continuing
21 to move right and then coming back left, back around
22 again, and just carrying on, showing there are bullet
23 holes in the headboard there.

24 Q. Okay.

25 A. And that is another cartridge case on the bed.

1 Q. Closer in on it?

2 A. Yes, sir.

3 Q. This was down to the victim?

4 A. That's just another -- yes, sir, pointed at the
5 victim.

6 Q. What are we looking at there?

7 A. That is -- if I'm not mistaken, that was
8 jacketing off of a bullet.

9 Q. Okay. Put -- like, what's a jacketing as
10 compared to a bullet?

11 A. So they wrap the bullet in the copper, and when
12 it's -- a lot of times when the bullet strikes the
13 jacket, it'll pull off the projectile, and you'll
14 end up with the jacketing and the projectile separate.

15 Q. Okay. So one bullet can turn into two parts?

16 A. Correct.

17 Q. Okay. What are we looking at here?

18 A. That is kind of in the closet where she is.
19 That's the dresser, the bed would have been over here,
20 her feet are extended this way.

21 Q. Okay.

22 A. That's into the closet, and the cell phone
23 that we found next to her.

24 Q. Okay. And it's redacted, correct?

25 A. As well, yes, sir. And that's the cell phone.

1 Q. That was beside the victim?

2 A. It's beside the victim, yes, sir. That is
3 another redacted photo.

4 Q. Right. What's different than the ones we looked
5 at previously?

6 A. We started marking these, I did, with the
7 evidence markers that I was talking about earlier.

8 Q. Okay. So you marked the cell phone as Item 2?

9 A. Item 2.

10 Q. Okay. And then, I think those are six and seven
11 at the top?

12 A. Six and seven at the top. I think two and three
13 are the cartridge cases over here -- three and four,
14 I mean.

15 Q. We'll walk through.

16 A. Yeah.

17 Q. So what is that?

18 A. Just a zoomed-in photo of the marker and the
19 phone.

20 Q. Okay.

21 A. And then, three and four.

22 Q. And what are they?

23 A. A cartridge case and a cartridge case. Those
24 are the ones at the foot of the bed. And that's just
25 starting to zoom in, a zoomed-in photo.

1 Q. Okay. And is this standard, you take further
2 back, zoomed in, and then really zoomed in of every
3 item?

4 A. Yes, yes. And No. 4.

5 Q. Okay. So that's the different cartridge casing
6 that was in front of the bed?

7 A. Correct. And then that's No. 5.

8 Q. And what is it?

9 A. It is a -- that's a cartridge case as well.

10 Q. Okay.

11 A. And then six and seven.

12 Q. Can you tell what they are from that photo?

13 A. No, sir.

14 Q. Okay. What are we looking at here?

15 A. That's cartridge No. 5 right there. Six looks
16 like a projectile; seven is that jacketing.

17 Q. Okay.

18 A. So five is the cartridge case zoomed in on it;
19 six looks like a projectile.

20 Q. Okay. And then seven?

21 A. And seven is the jacketing. It's a fragment
22 of a projectile.

23 Q. Okay. So that looks like the interior
24 of a projectile, correct?

25 A. Correct.

1 Q. Okay. Versus the jacketing you described?

2 A. Yeah. Yes, sir.

3 Q. And that's just closer in on it?

4 A. Yes, sir. And that's that jacketing, and that's
5 just the same too in a different angle.

6 Q. Okay.

7 A. And that one's been redacted.

8 Q. Okay. Why was it redacted?

9 A. There was an apparent gunshot wound right here
10 to the leg.

11 Q. Okay. And that's -- all of these items that
12 we've looked at, those are where they are when you found
13 them, correct?

14 A. Correct. And then No. 8, that was taken from not
15 that bedroom; that was from that far bedroom, I believe.

16 Q. What is eight?

17 A. No. 8 is a phone.

18 Q. Okay. And then, is this a different bedroom?

19 A. It is back to the bedroom where the deceased
20 was at.

21 Q. And what are we looking at here?

22 A. That is No. 9 and No. 10. I believe they were
23 cartridge cases.

24 Q. Okay. It's closer in?

25 A. Yeah, No. 9 and No. 10. I marked them before --

1 I believe before I took the blank shots so I wouldn't
2 lose them.

3 Q. Okay. Those were together on that blanket?

4 A. Yes, sir. Zoomed in and zoomed in.

5 Q. Okay. How many cartridge casings total were
6 found in the bedroom where the deceased victim was
7 located?

8 A. I believe it was eight.

9 Q. Cartridge casings?

10 A. Cartridge casings, I'm really not sure off the
11 top of my head.

12 Q. Okay. We'll get back to that.

13 A. Okay.

14 Q. Actually, let's just back up. All right.
15 So we're into the room.

16 A. Right.

17 Q. So two is the phone. Three and four are?

18 A. Are cartridge cases.

19 Q. Five?

20 A. Five is a cartridge case; six and seven are not.

21 Q. Okay. Eight is not.

22 A. Nine and ten, so five.

23 Q. Okay. So five total cartridge cases ---

24 A. Five total.

25 Q. --- are located in the bedroom with the victim?

1 A. Yes, sir.

2 Q. That's just closer in?

3 A. Correct.

4 Q. What is this?

5 A. That was a purse we found with the deceased.

6 Q. Okay. And what is this?

7 A. This is to look -- I believe that's inside
8 the purse -- inside a bin ---

9 Q. Okay.

10 A. --- that the purse was sitting on. That's inside
11 the purse.

12 Q. Okay.

13 A. And then, that's a debit card.

14 Q. Is there a name on it?

15 A. There is.

16 Q. What is it?

17 A. I believe it's Jessica Ancrum.

18 Q. Okay. And is that standard to take pictures
19 like that for ownership purposes?

20 A. Yes, sir.

21 Q. What are we looking at here?

22 A. Eleven is that laptop that I photographed
23 earlier.

24 Q. Same thing?

25 A. Yes, sir, just zooming in on it.

1 Q. And that's a cell phone?

2 A. That's a cell phone.

3 Q. That was beside the laptop?

4 A. Yes, sir.

5 Q. Okay. And then back here, what are we looking
6 at?

7 A. This is back in the room where the deceased
8 was, and this is the overall shot as I moved in to
9 try to collect, I believe, it was this piece I was
10 after.

11 Q. Okay. What is that?

12 A. It's a micro-conversion kit for a firearm.

13 Q. Okay. What is a micro-conversion kit for
14 a firearm?

15 A. It is -- if you look at it, you can put a --
16 depends on the gun, usually a Glock, you can stick
17 it in here, the pistol, and it'll basically turn into
18 a little mini-rifle.

19 Q. Okay. So it's not a firearm itself?

20 A. No, sir. In and of itself, it's not.

21 Q. You can stick another firearm until it's, like,
22 a stabilizing ---

23 A. Correct.

24 Q. Okay. Did you collect that item?

25 A. We did.

1 Q. Okay. And what is this?

2 A. This is a -- it's, like, a DVR recorder, I guess.
3 And the -- the brand matched the security cameras at the
4 front.

5 Q. Okay. That's just closer in?

6 A. Yes, sir.

7 Q. Are you aware if those cameras were working?

8 A. I am not.

9 Q. Okay. But did you collect that item?

10 A. I did, and the power cord.

11 Q. Okay. And what is this?

12 A. Fourteen. I believe that is a -- kind of, like,
13 an iPad or a tablet of some type.

14 Q. Okay.

15 A. That's just zooming in on it.

16 Q. All right. And then 15?

17 A. Fifteen is in another bedroom, and that was
18 a phone.

19 Q. Okay. So this is not the bedroom ---

20 A. No.

21 Q. --- where the victim was located?

22 A. No, sir.

23 Q. All right. All right. You can turn around,
24 Detective Alsbrook. Do those photos accurately and
25 depict -- accurately depict the crime scene as you found

1 it that day?

2 A. They do.

3 Q. Okay. And all those items that you had marked
4 with the little numbered placards, were those collected
5 as pieces of evidence for the case?

6 A. They were.

7 Q. Okay. And you go back and collect those after
8 the photographs are taken?

9 A. Yes.

10 Q. When you say collect, what do you mean? Explain
11 that process, please.

12 A. We collect them, you pick them up. Like the
13 cartridge cases, you tend to write what it is, a 9-mm,
14 you know, whatever, you put them in envelopes, seal
15 the envelopes, initial it, secure it in your vehicle,
16 and transport it back.

17 Q. Okay. So do you securely package the items?

18 A. I do.

19 Q. Okay. What's the purpose of that?

20 A. So there's no questions, and the evidence doesn't
21 get switched over and messed up.

22 Q. Is that standard protocol?

23 A. It is.

24 Q. Okay. And for items of evidence that
25 you collected in this case from this home at

1 [REDACTED] Old Back River, what did you do with those
2 ultimately?

3 A. Those were secured in the vehicle. I transported
4 them back to the forensics unit, and I logged them into
5 the system.

6 Q. Okay. So you logged them in the secure evidence
7 holding?

8 A. Yes, sir.

9 Q. Is that standard practice for every item you
10 collect?

11 A. Yes, sir.

12 Q. Okay. And did you follow that procedure in this
13 case?

14 A. Yes, sir.

15 Q. I'm going to show you first what's been marked
16 as State's Exhibit 198.

17 MR. MCNEELY: Permission to approach the
18 witness, Your Honor?

19 THE COURT: Yes.

20 BY MR. MCNEELY:

21 Q. I think you may have to open these to look at
22 them. But can you look at those, and tell the jury what
23 that item is.

24 A. From the evidence labels, these are the cartridge
25 cases collected from the home, along with the projectile

1 and the jacketing.

2 Q. Okay. If you need your chains of custody to
3 assist, just let me know.

4 A. Okay.

5 Q. So those are the six cartridge casings collected
6 from the home, as well as the projectile and the
7 jacketing found in the room with the victim, correct?

8 A. Correct.

9 Q. Okay. And did you collect those items
10 on June 9th, 2021?

11 A. Yes, I did.

12 Q. How do you know that?

13 A. I was there. I photographed them, collected
14 them, I sealed the evidence bag at the time.

15 Q. Nobody else collected items; is that correct?

16 A. No, sir.

17 Q. Okay. Were the items contained in
18 State's Exhibit, I believe, 198 ---

19 A. Yes, sir.

20 Q. --- were they in your continuous custody
21 and control from the time you collected them until
22 you logged them in the secure evidence holding
23 at the forensics building?

24 A. Yes, sir.

25 Q. Okay. Were they sealed?

1 A. Yes.

2 Q. Okay. Did anyone else ever take control of them
3 before they were logged in?

4 A. No.

5 Q. All right. I'm going to show you what's been
6 marked as State's Exhibit 199. Do you recognize that
7 item?

8 A. That is the cell phone that was near the victim
9 in a teal case.

10 Q. Okay. Is that the one with the shamrock on the
11 back of it?

12 A. Yes, sir.

13 Q. Okay. Did you collect that at the scene that
14 day?

15 A. I did.

16 Q. And was it securely sealed?

17 A. It was.

18 Q. And was it in your continuous custody and control
19 from the time you collected it until you logged it in at
20 the evidence building?

21 A. It was.

22 Q. Okay. State's 200. Do you recognize that item?

23 A. That is the micro-conversion kit.

24 Q. Okay. And if you could, please just describe
25 how that works for the jury.

1 A. So you would take a pistol, basically, breach
2 it open, put your pistol inside here, lock it down,
3 and you would have a grip and another grip for your gun,
4 shoot it like that. Just turns into a little small
5 rifle.

6 Q. And that item was collected from the bedroom
7 where the victim was located?

8 A. Correct.

9 Q. And was it packaged and sealed?

10 A. This was not.

11 Q. Okay. Why was it not?

12 A. Due to its size, I didn't have anything to wrap
13 it up in.

14 Q. Okay. Was it labeled?

15 A. Yes.

16 Q. Okay. And why was it labeled?

17 A. So I would know where it came from, where to put
18 it, what to do with it.

19 Q. And what case it belonged to?

20 A. Exactly.

21 Q. Okay. And was it in your continuous custody and
22 control from the time you collected it until you logged
23 it into evidence?

24 A. Yes, sir.

25 Q. Okay.

1 MR. MCNEELY: At this time, I move to admit
2 State's Exhibit 200 into evidence, Your Honor.

3 THE COURT: What about 198 and 199?

4 MR. MCNEELY: Those are further tested,
5 so they have to be admitted after.

6 THE COURT: All right. So -- all right,
7 thank you for clarifying. Any objection to 200?

8 MR. HUGHES: Without objection, Judge.

9 THE COURT: All right, entered without
10 objection.

11 (State's Exhibit No. 200 was entered into evidence.)

12 BY MR. MCNEELY:

13 Q. I would ask you now to look at State's 201.
14 Do you recognize this item? And if you need to open
15 it up, I think that's fine.

16 A. That is a gun magazine.

17 Q. Can you open it and show it to the jury, please?

18 A. (Indicating.)

19 Q. And where was that collected from?

20 A. The bedroom where the deceased was at.

21 Q. Okay. Does it have a caliber on it?

22 A. Not that I see, no.

23 Q. Okay. In your experience, what kind of magazine
24 does it appear to be?

25 A. An extended mag ---

1 Q. For what kind of weapon?

2 A. More like a pistol.

3 Q. Okay. It doesn't appear to be calibered
4 in a rifle range?

5 A. No, sir, no.

6 Q. Okay.

7 MR. MCNEELY: At this time, I would move
8 to admit State's 201 into evidence.

9 THE COURT: Any objection to 201?

10 MR. HUGHES: No objection, Judge.

11 THE COURT: Without objection.

12 (State's Exhibit No. 201 was entered into evidence.)

13 BY MR. MCNEELY:

14 Q. And just for the record, that was in your
15 continuous custody and control from the time you
16 collected it from the bedroom where the deceased
17 was located until you logged in to secure evidence
18 holding, correct?

19 A. Correct.

20 Q. Were any firearms at all located in the residence
21 that day?

22 A. No, sir.

23 Q. Did you all perform a thorough search in the
24 residence looking for firearms?

25 A. Yes, sir.

1 Q. But there were none at all?

2 A. None at all.

3 Q. In addition to collecting evidence, do you
4 sometimes receive items of evidence from detectives
5 or others on scene that they have collected themselves
6 for you to then transport back to the forensics building
7 and log into evidence?

8 A. Yes, sir.

9 Q. Did that happen in this case?

10 A. It did.

11 Q. Okay. And what were those items?

12 A. I got GSR kits from Detective Bell and
13 Detective Gist.

14 Q. Okay. How many from each?

15 A. I believe one from each.

16 Q. Okay. Do you know who those GSR kits were for?

17 A. I do not.

18 Q. Okay. I'm going to ask you to look at
19 State's Exhibit 202. Do you recognize that item?
20 And if you need your chains of custody ---

21 A. So two GSR kits. Tell you the names?

22 Q. Yeah.

23 A. GSR kit from Robert Jefferson, and the GSR kit
24 from Carolyn Jefferson.

25 Q. Okay. And you collected one from?

1 A. Detective Gist and one from Detective Bell.

2 Q. Okay. Do you know which one was collected from
3 Detective Gist, and which one from Detective Bell?

4 A. No, sir, not right off the top of my head.

5 Q. Would your chains of custody assist you in that?

6 A. Yes, sir. So the GSR from Robert Jefferson
7 was collected by Detective Bell, and the GSR kit from
8 Carolyn Jefferson was collected by Detective Gist.

9 Q. Okay. Were each of those items sealed when you
10 received them?

11 A. Yes.

12 Q. Okay. You did not receive them opened. They
13 were sealed by the detectives that collected them?

14 A. Correct.

15 Q. Okay. Did you ever open them?

16 A. Did not.

17 Q. Okay. But you took them from Detective Bell
18 and Detective Gist on scene at [REDACTED] Old Back River
19 that day?

20 A. Yes, sir.

21 Q. Okay. Were they in your continuous custody
22 and control from the time you collected them from
23 the detectives on scene that day until you logged
24 them into evidence at the Berkeley County forensics
25 evidence building?

1 A. Yes, they were.

2 Q. Okay. Were they ever opened at all?

3 A. No, sir.

4 Q. Now as part of your job processing crime scenes,
5 do you also sometimes attempt to collect forensic
6 evidence, such as fingerprints or swabs for DNA?

7 A. I do.

8 Q. Why would you do that?

9 A. Helps to identify a suspect.

10 Q. Okay. So you would do that in a case where
11 you don't know who you're looking for?

12 A. Correct.

13 Q. Okay. Did you attempt to lift any fingerprints
14 in this case?

15 A. I did not.

16 Q. And why not?

17 A. We had witnesses and a suspect in sight.
18 We learned that he probably lived in the residence,
19 so I would expect to find his fingerprints everywhere
20 anyway.

21 Q. Okay. So in your assessment, collecting
22 fingerprints from the Defendant who resided at the
23 residence would be of little evidentiary value?

24 A. Correct.

25 Q. Okay. And what about for DNA swabs?

1 A. None were, same reasons.

2 Q. Okay. You would expect to find DNA from someone
3 who lived there?

4 A. I would, yes, sir.

5 Q. And it wouldn't confirm or ---

6 A. Or deny anything.

7 Q. --- deny whether a crime occurred?

8 A. Yes, sir.

9 Q. Okay. When you process a crime scene, do you
10 also take measurements?

11 A. I do.

12 Q. Okay. Why do you -- why do you take
13 measurements?

14 A. It's to give a bird's eye view of how the crime
15 looked, try to be able to show locations, distances,
16 where we need to go back to and visit later.

17 Q. Okay. Do you sometimes use them to create
18 sketches of the crime scene?

19 A. I do.

20 Q. And is that a routine part of your job as a crime
21 scene tech?

22 A. Yes, sir.

23 Q. Okay. Please explain to the jury how you create
24 a crime scene sketch?

25 A. So you find two points; the way I always

1 did it. It's two unmovable points so, like, a corner,
2 a doorjamb, something like that. You use one as point
3 A, one as point B. We had a laser measuring device,
4 and you would basically hit your corner or your point
5 that you were using over the piece of evidence, and it
6 would give you a measurement from point A to that piece
7 of evidence, and you do it again from that piece of
8 evidence to point B, and it gives you a triangulation.

9 You would then, basically, use a computer program
10 to draw your scene or the room, and then put those
11 measurements in or manually enter them by hand, and it
12 would create a sketch on how things were laid out in the
13 house.

14 Q. Okay. And did you do that for this case?

15 A. I did.

16 Q. Okay. I want you to look at State's Exhibit 159.
17 Please tell me if you recognize this item.

18 A. That's the scene sketch I put together.

19 Q. All right. Is it an accurate copy of the sketch
20 you produced for this case from [REDACTED] Old Back River Road?

21 A. Yes.

22 Q. Does it appear to have been changed or altered
23 in any way?

24 A. It does not.

25 MR. MCNEELY: At this time, I move to admit

1 State's 159 and publish for the jury.

2 THE COURT: Any objection?

3 MR. HUGHES: No objection, Judge.

4 THE COURT: Entered without objection.

5 (State's Exhibit No. 159 was entered into evidence.)

6 BY MR. MCNEELY:

7 Q. Is this a couple -- two or three pages?

8 A. Yes.

9 Q. Okay. So tell us what's on the first page.

10 A. Just a cover sheet. It's got the case number,
11 date of the incident, location of the incident, just
12 a quick narrative, kind of checks and balances, case
13 number, type of incident, again, date and time,
14 location, who prepared it, and what agency.

15 Q. Okay. Now what is this?

16 A. That is kind of an overview of the bedroom.
17 So this would have been my point B. My point A
18 is that closet. This would have been evidence marker
19 Nos. 2, 3, 4, 5, 6, 7, 9, and 10.

20 Q. Okay. Do you recall what Item 2 was?

21 A. Item 2 was the cell phone.

22 Q. Okay. What about three and four?

23 A. Those are cartridge cases.

24 Q. Okay. And those are in front of the bed there?

25 A. Correct.

1 Q. What about five?

2 A. Five was a cartridge case.

3 Q. Okay. Six and seven?

4 A. Six was a projectile, seven was the jacketing,
5 nine and ten are both cartridge cases.

6 Q. Okay. So a cell phone, five cartridge casings,
7 and then a bullet core and a jacketing?

8 A. Correct.

9 Q. Okay. And those are relative to where they
10 were in relation to the body on the floor, which would
11 be the deceased victim, correct?

12 A. Correct.

13 Q. And on page 3, what is that?

14 A. Those were the measurements. From point A
15 to where the phone was, it was 2 foot, 6 inches.
16 From point B to where it was, was 3 foot, 3 inches,
17 so on and so forth.

18 Q. Now just so the jury is clear, is this 100
19 percent to scale?

20 A. Not even close.

21 Q. Okay. Is it more of a general representation
22 of where things were located in relation to the victim?

23 A. Yes, sir.

24 Q. Okay. And for that, it is accurate, correct?

25 A. Yes, sir.

1 Q. You can turn back around. Thank you. Other
2 than -- once you completed processing the crime scene
3 that day and collecting the evidence, what did you do?

4 A. Transported all the evidence back to the
5 forensics unit where I logged it all in and secured it.

6 Q. And that's standard procedure, correct?

7 A. Yes, sir.

8 Q. All right. And then subsequent to that, do you
9 create the crime scene sketch?

10 A. Crime scene sketches and everything, yes, sir.

11 Q. Other than what we've discussed today, did you
12 do anything further for this case?

13 A. I think I retrieved some evidence from SLED
14 and brought it back.

15 Q. Okay. So sometimes you transport items
16 from the evidence holding to SLED for testing?

17 A. And bring them back, yes, sir.

18 Q. And bring them back?

19 A. Correct.

20 Q. Okay. And if you do that, are those items
21 in your continuous custody and control from the time
22 you do that until you get back to the forensics
23 building?

24 A. They are.

25 Q. Or until you securely log them into SLED?

1 A. Correct.

2 Q. And are they sealed?

3 A. Yes.

4 Q. And are they ever opened in transport?

5 A. No.

6 Q. Okay.

7 MR. MCNEELY: I have no further questions
8 at this time, Your Honor.

9 THE COURT: All right. Cross-examination?

10 MR. HUGHES: Yes, Your Honor.

11 CROSS-EXAMINATION

12 BY MR. HUGHES:

13 Q. Good afternoon.

14 A. Good afternoon.

15 Q. Just a few brief questions for you.

16 A. Okay.

17 Q. Are you the one who conducted the gun residue
18 kit on the victim in this case?

19 A. Yes.

20 Q. Okay. Is it standard practice to do that?

21 A. Yes.

22 Q. Okay. Has the items shown to you today by
23 the solicitor, for example, this micro-conversion kit,
24 you don't know who put that in the room, do you?

25 A. No, sir.

1 Q. You just collected it?

2 A. Correct.

3 Q. So your job is pretty much just to collect
4 things, that's about it?

5 A. Yes, sir.

6 Q. Okay. As a forensics investigator, you just take
7 information you're given, right?

8 A. Yes, sir.

9 Q. And base your investigation based on what you
10 are given by the officers, right?

11 A. I mean, strictly from the aspect of there's a
12 deceased individual in the back, and we have a suspect,
13 yes.

14 Q. Okay. And in this instance, you were told that
15 my client, Aubrey Tucker, was the only suspect in this
16 case from the start?

17 A. Yes.

18 Q. Okay. Did you photograph Mr and Ms. Jefferson's
19 feet?

20 A. I did not.

21 Q. Why not?

22 A. I believe they were with the detectives at the
23 time being interviewed.

24 Q. Okay. Were you aware that they were there when
25 -- that they were there at the scene when law

1 enforcement arrived?

2 A. I was advised that the person that called 911
3 walked through what was believed to be blood barefooted.

4 Q. Isn't it possible to match footprint and blood
5 to someone's feet if we have a picture?

6 A. I'm really not sure.

7 Q. So whoever left those bloody footprints had
8 to walk in the victim's blood there, right?

9 A. Yes, sir.

10 Q. Okay. And did you swab the bloody footprints
11 for any DNA testing?

12 A. No, sir.

13 Q. Okay.

14 MR. HUGHES: No further questions, Judge.

15 THE COURT: Any redirect?

16 MR. MCNEELY: Yeah, just briefly,
17 Your Honor.

18 REDIRECT EXAMINATION

19 BY MR. MCNEELY:

20 Q. We looked at some photographs of the footprints
21 in the blood, correct?

22 A. Correct.

23 Q. And at that time, when you were taking those,
24 did you have information that the mother walked through
25 the blood when she checked on the deceased victim?

1 A. I was told whoever called 911 had walked in the
2 blood.

3 Q. Okay. And there was reference to a GSR kit
4 from the victim. You collected one in this case?

5 A. I did.

6 Q. Okay. And do you know if SLED tested those?

7 A. I -- they don't do to the -- if the person
8 sustained a gunshot wound, they won't test them.

9 Q. Okay. Do you know why?

10 A. Because if you sustained a gunshot wound,
11 it would stand to reason that gunshot powder would
12 be all over you anyway.

13 Q. Okay. So you collected it, but they wouldn't
14 test it ---

15 A. Yes.

16 Q. --- because they would expect to find it anyway?

17 A. Correct.

18 Q. Okay.

19 MR. MCNEELY: Nothing further, Your Honor.

20 THE COURT: All right. Any recross?

21 RECROSS-EXAMINATION

22 BY MR. HUGHES:

23 Q. The victim had shoes on, correct?

24 A. Yes.

25 Q. So she didn't walk through that blood, did she?

1 A. No, sir.

2 MR. HUGHES: No further questions, Judge.

3 THE COURT: All right. All right.

4 Any objection to this witness being released?

5 MR. MCNEELY: None from the State,
6 Your Honor.

7 MR. HUGHES: None from the defense,
8 Your Honor.

9 THE COURT: All right. Thank you, sir.
10 You can step down, you are free to go, and free to
11 stay if you wish. All right. I think we've reached
12 an appropriate time to take a lunch break right here.
13 Let's plan on -- it's ten minutes after. Let's plan
14 on being back in the jury room at 1:30, that will give
15 you an hour and 20 minutes, and we'll restart at 1:30,
16 okay? All right. Thank you all.

17 (The jury exited the courtroom at 12:10 p.m.)

18 THE COURT: All right. Y'all can be seated.
19 All right. So, I think that was four witnesses.
20 How many more do you anticipate for today?

21 MR. MCNEELY: Possibly for today, seven.

22 THE COURT: Seven?

23 MR. MCNEELY: If we can get that far, yes.

24 THE COURT: All right. All right, anything
25 we need to take up before we break for our lunch?

1 MR. MCNEELY: I don't believe so,
2 Your Honor.

3 THE COURT: Okay. All right. Yeah,
4 y'all be back about five minutes early. We'll
5 double-check, make sure there's nothing else we need
6 to do, and be ready to start right at 1:30.

7 MR. HUGHES: Thank you, Judge.

8 THE COURT: Thank you all.

9 (Recess taken.)

10 (Back on the record.)

11 THE COURT: All right. Good afternoon,
12 everyone. Y'all go ahead and have a seat. We've got
13 everybody back. Is the State ready to proceed?

14 MR. MCNEELY: We are, Your Honor.

15 THE COURT: All right. Defense ready
16 to proceed?

17 MS. WHITE: We are, Your Honor.

18 MR. HUGHES: Yes, Judge.

19 THE COURT: Okay. Let's call our jury back.

20 (The jury entered the courtroom at 1:33 p.m.)

21 THE COURT: Y'all may be seated. All right.
22 Good afternoon, everyone. I hope you had a pleasant
23 lunch. Is the State ready to proceed?

24 MR. MCNEELY: We are, Your Honor.

25 THE COURT: You can call your next witness.

1 MR. MCNEELY: State calls Scott Bell.

2 THE CLERK: Please raise your right hand,
3 place your left hand on the Bible.

4 DETECTIVE SERGEANT SCOTT BELL was called as
5 a witness, being duly sworn, was examined and testified
6 as follows:

7 THE CLERK: Thank you. You may be seated.
8 Please state your full name, and spell your last name
9 for the record.

10 THE WITNESS: Scott Bell, B-E-L-L.

11 DIRECT EXAMINATION

12 BY MR. MCNEELY:

13 Q. Good afternoon. Where are you currently
14 employed?

15 A. With the Berkeley County Sheriff's Office.

16 Q. What is your position there, and how long have
17 you been employed?

18 A. I'm a detective sergeant. I work with the
19 criminal investigations division; I'm currently the
20 supervisor for the sex offender registry, and I've been
21 with the department since 2013.

22 Q. Okay. How long have you been in CID?

23 A. Since 2016.

24 Q. And since I called it CID, what does CID stand
25 for?

1 A. Criminal investigations division.

2 Q. Okay. What did you do before you were
3 a patrolman with Berkeley County?

4 A. Before I was a patrolman, I worked
5 Berkeley County EMS. I was a certified paramedic,
6 crew chief, and I also worked as a medic with the --
7 it's called the strategic response team, SWAT, with the
8 sheriff's office.

9 Q. Okay. So you were a medic, then you were
10 a patrolman, and then you've been in CID since 2016,
11 I think you said?

12 A. Yes, sir.

13 Q. Okay. Please describe your education and
14 training.

15 A. My education and training, I do have high school
16 -- I've taken college courses, a lot of college courses.
17 I do not have a degree. Since I've been with the
18 sheriff's office, I have completed basic academy
19 training, I've completed a basic detective course
20 with them. I've had classes and courses in homicide,
21 death investigations, child investigations, child death
22 investigations. I worked as a child abuse, elder abuse.
23 I did that for almost four years before I moved over to
24 work persons crimes, which are major crimes involving
25 persons.

1 Q. Were you working -- what capacity were you
2 working at in June of 2021?

3 A. I was a detective corporal, and I worked in
4 criminal investigations division, persons crimes.

5 Q. Okay. What were the duties of your position
6 at that time?

7 A. My duties were to investigate crimes against
8 persons, which could be a myriad of any crime against
9 a person. I mean, I could name them, but that's pretty
10 much what I did.

11 Q. Okay. And what's the -- is there a department
12 different than persons crimes?

13 A. Property crimes.

14 Q. Okay.

15 A. So there's persons and property, that's ---

16 Q. So you ---

17 A. --- a major division.

18 Q. So you all divide the crimes between person
19 victims and property victims?

20 A. Correct.

21 Q. Okay. During the afternoon of June 9th, 2021,
22 were you notified of a shooting incident that occurred
23 at [REDACTED] Old Back River Road in the Goose Creek area
24 of Berkeley County?

25 A. Yes, sir.

1 Q. And what part of Berkeley County is that in?

2 A. It's in the -- Goose Creek. It's -- the area
3 is like -- the major streets are, like, Red Bank,
4 Howe Hall, Old Back River. It's an area -- often
5 in that area.

6 Q. Okay. And that's in Berkeley County, correct?

7 A. Yes, sir, in Berkeley County.

8 Q. And that's within the jurisdiction of the
9 sheriff's office?

10 A. Yes, sir.

11 Q. What time -- did you respond to the location
12 that day?

13 A. Yes, sir.

14 Q. Okay. Approximately what time did you respond?

15 A. It's around three o'clock. I believe it was --
16 1450 was the actual time I arrived on scene.

17 Q. Okay. What is 1450?

18 A. Three -- which is 2:50 p.m., sorry.

19 Q. What did you observe upon arriving at the
20 location?

21 A. What I observed when I arrived on the location,
22 there were other law enforcement and investigators
23 and -- yeah, there was a myriad of people.

24 Q. What did you do initially upon arrival?

25 A. Initially upon arrival, I went to the responding

1 deputies that actually responded to the incident just
2 to see what actually was going on or what had occurred.
3 And after I got that information, I went to talk to my
4 lieutenant.

5 Q. Okay. What was your understanding at that time
6 of the incident at the location?

7 A. That there was a deceased person located inside
8 the residence.

9 Q. Okay. Did you know how the person became
10 deceased?

11 A. From a shooting.

12 Q. Okay. And at that time, did you all have
13 a suspect identified?

14 A. At that exact time, it was not by name. I just
15 knew it was someone that lived or stayed at the
16 residence, and eventually got the name that it was the
17 Defendant, Aubrey Tucker.

18 Q. Okay. After you got briefed on the incident,
19 what did you do?

20 A. I called Detective Morris, who actually stayed
21 behind at the sheriff's office to receive information to
22 get a search warrant in order to search the residence.
23 So I provided him that information to get the search
24 warrant.

25 Q. Okay. What did you do next after that?

1 A. After that, I was tasked with interviewing
2 Robert Jefferson, who identified himself as the
3 stepfather of the Defendant.

4 Q. Did you interview him at that time?

5 A. Yes, sir. I escorted Mr. Jefferson to my
6 vehicle. And inside my vehicle, I had an audio
7 interview that I recorded on a department-issued
8 recorder inside my vehicle.

9 Q. And during that time, did Mr. Jefferson identify
10 the Defendant as the perpetrator?

11 A. Yes, sir, he did.

12 Q. Did you do anything else with Mr. Jefferson
13 in your car at the time?

14 A. Yes. One of our procedures is also to
15 collect what's called a gunshot residue collection,
16 and I collected the gunshot -- a kit that's SLED
17 approved that I had with me to do a gunshot residue
18 on Mr. Jefferson.

19 Q. Okay. Please describe that process. How does
20 that work?

21 A. Okay. The process is, there's actually
22 a package, an envelope that's sealed. You show that
23 to the person you're going to do the gunshot residue.
24 You actually unseal it in front of them. Inside, there
25 is actually a set of instructions. You follow the

1 instructions from the first one to the last one.
2 Inside, there's a set of gloves so that you don't
3 contaminate it.

4 There's -- for gunshot residue, it's a -- like
5 a button almost, but one end is where the residue
6 is collected. It's kind of tacky, and the other,
7 you hold in your hand, and you do one hand with a --
8 that kit, I believe had two. Some of them used to have
9 four, but you actually use that, and you do a left hand,
10 you do a right hand. Then you repackage that inside,
11 and then you seal that inside, and then you initial
12 and date the package, and then you turn it in for
13 evidence.

14 Q. Okay. You said one side of the little device
15 is tacky. Do you more or less just, like, stamp that
16 on their hands?

17 A. The motion is actually like this on the hand.
18 (Indicating.) Literally, like that on the hand,
19 and then the backside of the hand. That's pretty much
20 the procedure.

21 Q. That's all there is to it?

22 A. Yes, sir.

23 Q. Okay. And I believe you mentioned once you
24 collect a kit, you package it and seal it?

25 A. Yes, sir.

1 Q. Okay. And did you do that for Robert Jefferson
2 that afternoon?

3 A. Yes, sir.

4 Q. Okay. Did you follow the SLED-directed process
5 while collecting the GSR kit from Robert Jefferson?

6 A. Yes, sir.

7 Q. And once the kit was collected, did you seal it
8 and provided it to evidence crime scene on scene that
9 day?

10 A. Yes. I actually turned it over to -- I call
11 him Cole, but it's Lamar Alsbrook who worked for the
12 forensics service unit. That's who I turned it over to.

13 Q. And you turned it over to him on scene?

14 A. On scene, yes, sir.

15 Q. Was the GSR kit you collected from
16 Robert Jefferson in your continuous custody and control
17 from the time you collected the samples until you turned
18 it over to Cole Alsbrook ---

19 A. Yes, sir.

20 Q. --- in the forensics service unit?

21 A. Yes, sir.

22 Q. Okay. I'm showing you what's been marked
23 as State's Exhibit 203. You're welcome to open this
24 because there are a couple of items packaged together,
25 if you need to. I also have your chain of custody

1 if you need it. But do you recognize that item?

2 A. Yes, sir.

3 Q. Okay. What is ---

4 A. This would be the packaging that -- yes, sir.

5 Q. What is that item?

6 A. This item is the GSR that I collected from
7 Mr. Jefferson.

8 Q. Okay.

9 A. Robert Jefferson.

10 Q. And it was in your continuous custody and control
11 until you logged it in -- submitted it to the crime
12 scene tech on scene?

13 A. Yes, sir.

14 Q. And it was sealed when you provided it?

15 A. Yes, sir.

16 Q. Okay. After completing the interview and
17 collecting a GSR kit from Mr. Jefferson, what did you do
18 next on scene that day?

19 A. The next thing I did is I -- after the search
20 warrant was obtained, executed the search warrant on the
21 residence.

22 Q. When you say executed the search warrant, what
23 does that mean?

24 A. It means that overall photographs are taken of
25 the scene, the outside, inside. Once that's completed,

1 then detectives, along with the forensics service unit,
2 actually go in the house, observe what's inside the
3 house, look for evidence of a crime.

4 Q. Okay. And we've already heard from
5 Lamar Alsbrook today and went through a myriad
6 of photos. Did you basically just assist him in that
7 process?

8 A. Not on the photos, but assisted in the evidence
9 -- collecting of the evidence. I actually recorded
10 it on the -- what items were taken from the residence.

11 Q. Okay. So did you physically collect any items
12 from the home that day?

13 A. No, sir.

14 Q. But you observed what was collected?

15 A. Yes, sir.

16 Q. Okay. Were any firearms located inside the home
17 that day?

18 A. I would have to look at the list, but I believe
19 the answer is yes.

20 Q. Okay.

21 A. There was -- I'm not 100 percent on ---

22 Q. Okay.

23 A. --- what it actually was without looking at the
24 list. Might have been parts.

25 Q. And you mean the list on the search warrant

1 return?

2 A. Yes, sir, that is what I mean, the return.

3 Q. I'm going to show you what I'm going to mark
4 for identification as State's Exhibit 205.

5 (State's Exhibit No. 205 was marked for identification.)

6 BY MR. MCNEELY:

7 Q. Please look at that. Just tell the jury what
8 it is.

9 A. This is the search warrant with the return, which
10 consisted of two pages.

11 Q. Okay. And were any firearms located in the house
12 that day?

13 THE COURT: What number is that exhibit?

14 MR. MCNEELY: State's 205.

15 THE COURT: 205. Thank you.

16 THE WITNESS: No, sir.

17 BY MR. MCNEELY:

18 Q. No, there were not?

19 A. No, sir.

20 Q. Okay.

21 MR. MCNEELY: Move to admit State's 205
22 at this time.

23 THE COURT: Any objection?

24 MR. HUGHES: No objections, Judge.

25 THE COURT: All right, entered without

1 objection.

2 (State's Exhibit No. 205 was entered into evidence.)

3 BY MR. MCNEELY:

4 Q. After completing the search warrant that day,
5 what did you do?

6 A. After the search warrant was completed, I was
7 requested to go to North Charleston, an address
8 of [REDACTED] Captain Street in North Charleston.

9 Q. Why were you requested to go to that address?

10 A. To assist with a search warrant at that address.

11 Q. Okay. And why were you all searching a residence
12 in North Charleston related to this case?

13 A. Information came out, and I believe it was
14 Detective Williams that brought it up, that he had
15 met with a Steward -- just a second, Simpson,
16 Steward Simpson and had -- that address had come
17 up in the interview, and I was requested to come there
18 to assist with that.

19 Q. Okay. Was there information that the Defendant
20 was possibly at that location?

21 A. Yes, sir. That was the information that was
22 provided to them, not me personally, from the
23 Detective Williams.

24 Q. Okay. Was the Defendant located at that
25 location?

1 A. No, sir.

2 Q. Okay. I'm going to show you what's been marked
3 as State's Exhibits 153, 154, and 155. Just tell me
4 if you recognize what's in those.

5 A. Yes, sir.

6 Q. Okay. What is in those?

7 A. These are aerial views of the [REDACTED] [sic] Captain
8 Avenue in North Charleston.

9 Q. I believe earlier you said [REDACTED].

10 A. [REDACTED], excuse me. Yes, sir.

11 Q. Is there an adjacent street to Captain Avenue?

12 A. The adjacent street is actually called
13 Commander Avenue.

14 Q. Okay. And do they back up to one another?

15 A. It's -- the way it is, you have, like,
16 Captain Avenue, there's a street here, I believe it's
17 called Arapahoe, and then this side is Commander Avenue.
18 There's two houses in between.

19 Q. So they're back-to-back?

20 A. Back-to-back, yes, sir.

21 Q. Are those a fair and accurate representation
22 of the areas as it appeared on June 9th, 2021?

23 A. Yes, sir.

24 Q. Okay.

25 MR. MCNEELY: At this time, I move to admit

1 State's 153, 154, and 155.

2 THE COURT: Any objection?

3 MR. HUGHES: No objections, Judge.

4 THE COURT: All right, without objection.

5 (State's Exhibit Nos. 153 through 155 were entered into
6 evidence.)

7 BY MR. MCNEELY:

8 Q. There should be a laser pointer.

9 A. Got it.

10 Q. Okay. Can you show us -- and, first of all,
11 how far is this area of North Charleston from

12 [REDACTED] Old Back River Road?

13 A. So approximately 11 miles.

14 Q. Okay. So it's not just right down the block?

15 A. No, sir.

16 Q. Okay. Can you show us on the map here where
17 [REDACTED] Captain is?

18 A. Yes, sir. I'm going to turn around. Excuse me.

19 This is Captain Avenue; that's [REDACTED] Captain Avenue.

20 Q. Okay. Where -- what is the street behind it?

21 A. This is Commander Avenue.

22 Q. Okay. And what's the house adjacent to it,
23 there on Commander?

24 A. This is [REDACTED] Commander Avenue.

25 Q. Okay. So they're right beside each other?

1 A. Yes, sir, like, the property line is right here.

2 Q. Okay. Are those driveways right there on that
3 side street?

4 A. Yes, sir.

5 Q. Okay. And then, 154 please. What are we looking
6 at here?

7 A. Okay. This right here is Rivers Avenue,
8 this is Cosgrove, and this is the area we're talking
9 about.

10 Q. Okay. And then next. What about here?

11 A. This is just a further back shot with the
12 interstate. I've got to orient myself here. Okay.
13 So it's going to be right in here. This is the
14 interstate, this is Cosgrove, this is Rivers Avenue,
15 this is the area where the search was ---

16 Q. Okay. When you say ---

17 A. --- Captain Avenue.

18 Q. When you say the interstate over there to the
19 left, is that 26?

20 A. This is interstate -- yes, sir.

21 Q. Okay. And I believe you already testified --
22 you can turn around, Detective Bell ---

23 A. Thank you, sir.

24 Q. --- that you went to that location for purposes
25 of conducting a search warrant in reference to

1 potentially locating the Defendant there?

2 A. Yes, sir.

3 Q. But he was not located there, right?

4 A. He was not located at that residence.

5 Q. Okay. Did you all encounter an individual
6 at that residence?

7 A. Yes. There was -- it was Steward Simpson.

8 Q. Okay. Did he have a vehicle at that location?

9 A. It was a black Ford Ranger.

10 Q. Is that a small pickup truck?

11 A. Yes, sir.

12 Q. Did you search the residence?

13 A. Yes, sir.

14 Q. Okay. Was anything of note located at that time?

15 A. No, sir.

16 Q. Okay. I'm going to show you what's been marked
17 as State's Exhibits 160, 161, and 162. These aren't
18 very good. I think somebody's flash feature
19 malfunctioned. But can you look at those and tell me
20 if you know what those are?

21 A. This is the residence, [REDACTED] Commander --
22 Captain Avenue. Excuse me.

23 Q. Okay. Are they a fair and accurate depiction
24 of the scene as it appeared that day, other than being
25 very dark photos?

1 A. Yes, sir.

2 Q. Okay.

3 MR. MCNEELY: At this time, I move to admit
4 160, 161, and 162 into evidence.

5 THE COURT: Any objection?

6 MR. HUGHES: No objections, Judge.

7 THE COURT: All right, without objection.
8 (State's Exhibit Nos. 160 through 162 were entered into
9 evidence.)

10 MR. MCNEELY: Yeah, please turn the lights
11 off as much as possible.

12 BY MR. MCNEELY:

13 Q. Can you turn around and tell the jury what we're
14 looking at here?

15 A. Okay. This is the actual residence,
16 [REDACTED] Captain Avenue, and this is the black Ford pickup
17 truck.

18 Q. Okay.

19 A. And you can see the signs; that's Captain Avenue
20 right there.

21 Q. Next one?

22 A. This is more of a -- the front door is actually
23 over here. This is more of a side shot. This is the
24 garage and appears to be, like, a vehicle. You can see
25 the outline of it, but that's ---

1 Q. And that shot is taken from that side street
2 between Captain and Commander, correct?

3 A. Yes, sir.

4 Q. Okay.

5 A. And this is a little bit better depicted.
6 There is a door here. This is the garage. It was open,
7 and this is the vehicle that was in the driveway.

8 Q. Okay. Does that appear to be -- who is that
9 in the back of the photo, do you have any idea?

10 A. Not being 100 percent, but I'm pretty sure that's
11 Mr. Simpson and ---

12 Q. Okay.

13 A. --- the chief deputy.

14 Q. Chief Deputy Baker?

15 A. Baker, yes.

16 Q. And Steward Simpson?

17 A. Steward Simpson, yes, sir.

18 Q. Do you know if Mr. Simpson is still alive at this
19 time?

20 A. He -- my understanding, he is deceased.

21 Q. Okay. You can turn around. I believe you
22 said you completed a search warrant at the location
23 on the home and the truck, but nothing was located
24 of note?

25 A. Correct. Yes, sir, I said that.

1 Q. And the Defendant was not present?

2 A. No, he was not.

3 Q. Okay. Could you do anything further that day,
4 on June 9th, 2021?

5 A. On that day, no.

6 Q. Okay. After that day, did you do anything
7 further in this case?

8 A. Yes. I turned in the interview with
9 Robert Jefferson. I put that into evidence; I entered
10 the information into our database. It's called RMS,
11 but I entered that information in there. And then,
12 I turned that interview recording of it in to forensics
13 service unit.

14 I also entered the information for the gunshot
15 residue that I collected because I'm the one that
16 collected it. And in that, I showed where I turned
17 that over to Deputy Alsbrook. I also had the two search
18 warrants where I presented them back to the judge
19 that had signed them to complete the search warrant
20 and the return.

21 Q. Okay. Anything further in the case, other than
22 that?

23 A. No, sir.

24 MR. MCNEELY: Nothing further from the State
25 at this time, Your Honor.

1 THE COURT: Any cross-examination?

2 CROSS-EXAMINATION

3 BY MR. HUGHES:

4 Q. Good afternoon, Detective Bell. Everything
5 in your investigation that you know is based on what
6 others tell you; is that correct?

7 A. Other than ---

8 Q. You only know what you're told. You can only
9 go off of what you're told, right?

10 A. As far as? I'm just trying to clarify what
11 the question is. I apologize.

12 Q. Yeah, sure. I'll try to make it easier.
13 Throughout your investigation, to get to the point
14 of investigating, you have to be told facts to begin
15 that investigation, right?

16 A. Provided information, yes, sir.

17 Q. Okay. So everything you're told -- everything
18 you know is what you're told by other people when you
19 get that information?

20 A. Up to a certain point, yes, sir.

21 Q. Okay. And you don't know that my client was ever
22 at the location?

23 A. Personally, no, sir.

24 Q. Okay. And you don't know what happened in that
25 room, personally?

1 A. I was not there, no, sir.

2 Q. Did you ask Ms. Jefferson -- or Mr. Jefferson
3 if he ever -- if he saw who shot Jessica?

4 A. I would have to listen to the interview to be
5 100 percent of what he actually told me.

6 Q. Okay. But at this point, you weren't in the
7 position that you knew who shot Jessica when you were
8 doing this interview?

9 A. Based on information I had prior to the
10 interview ---

11 Q. So ---

12 A. --- I believed it was Mr. Tucker, yes, sir.

13 Q. Okay. So if you already knew that my client
14 was the one who shot Jessica, then why did you take
15 a GSR on the Jeffersons?

16 A. That's standard procedure for anybody that's
17 at the location to take a gunshot residue.

18 Q. So would it be safe to say you didn't know who
19 actually shot her?

20 A. I did not.

21 Q. Okay.

22 MR. HUGHES: No further questions, Judge.

23 THE COURT: Any redirect?

24 MR. MCNEELY: No, Your Honor.

25 THE COURT: All right. And can this witness

1 be excused?

2 MR. MCNEELY: He can.

3 THE COURT: All right. Mr. Bell, you are
4 excused. You're certainly welcome to stay if you wish.
5 Thank you.

6 THE WITNESS: Thank you, Your Honor.

7 THE COURT: You can step down. All right,
8 Mr. McNeely, call your next witness.

9 MR. MCNEELY: Thank you. The State calls
10 Beau Wilson.

11 THE CLERK: Please raise your right hand,
12 place your left hand on the Bible.

13 MR. DELMUS WILSON was called as a witness,
14 being duly sworn, was examined and testified as follows:

15 THE CLERK: Thank you. You may be seated.
16 Please state your full name, spell your last name for
17 the record.

18 THE WITNESS: Delmus Eugene Wilson, Jr.

19 THE CLERK: Spell your last name.

20 THE WITNESS: W-I-L-S-O-N.

21 DIRECT EXAMINATION

22 BY MR. MCNEELY:

23 Q. Good afternoon, Mr. Wilson.

24 A. Good afternoon, sir.

25 Q. Where are you currently employed?

1 A. Wilson Monitoring and Skip Tracing.

2 Q. Is that your own company?

3 A. Yes.

4 Q. Okay. What do you do there?

5 A. GPS monitors, a little bit of everything,
6 skip tracing.

7 Q. What did you do for work in 2020 and 2021?

8 A. GPS monitors.

9 Q. Okay. And that was for your own company,
10 Wilson Monitoring Services?

11 A. Yes, sir.

12 Q. Okay. And what was the standard business of the
13 company?

14 A. Install the monitors. Installing them, making
15 sure the clients do what they're supposed to do, make
16 sure they follow the curfews, monthly check-ins.

17 Q. Okay. Did you contract with bonding companies
18 to monitor individuals via GPS ankle monitor?

19 A. Yes.

20 Q. When did you start doing that?

21 A. About 2015.

22 Q. Okay. So in 2020 and 2021, you've been doing
23 that about five years?

24 A. Yes, sir.

25 Q. Did you have any specialized training in

1 providing those services?

2 A. Yes, sir. We had to go through training,
3 40 hours.

4 Q. Okay. Please explain exactly what that entailed.

5 A. Training just showed you the system, how to
6 install them, upload them, track them, monitor them,
7 I mean, anything involving the monitor, like, monthly
8 service, pretty much the whole thing, the ins and outs
9 of the monitor, the straps, you know, when the straps
10 was tampered with, taught us what we would get on our
11 phones.

12 Q. Okay. Can you pull the microphone just a hair
13 closer?

14 A. Yes.

15 Q. Did you get a certification at all?

16 A. Yes.

17 Q. Okay. And what was your certification?

18 A. That I completed the course.

19 Q. Okay. Did you have to do continuing or refresher
20 courses?

21 A. They did it probably once every six months
22 to a year.

23 Q. Okay.

24 A. Unless -- if we had the same monitor, it wasn't
25 much. But if we switched to different monitors, we had

1 to go through it all over again.

2 Q. Okay. And you did those as required?

3 A. Yes.

4 Q. Okay. Please explain for the jury how monitoring
5 an individual actually works. What do you do from start
6 to finish?

7 A. Well, once we get the client, we put everything
8 in the system, upload everything. If there's, like,
9 exclusions, like, if they have medical/legal, we pretty
10 much set them in a zone to where if they go within
11 100 to 150 feet away from the residence, we get alerts.
12 We learn the exclusion; we learn if it's a tamper.
13 Pretty much if they're charging it, not charging it.

14 Q. Did you physically place the monitor on an
15 individual client?

16 A. Yes.

17 Q. Okay. And then do you yourself do the monitoring
18 of what the monitor is showing you?

19 A. Yes, me and National Pretrial.

20 Q. Okay. You bring up the National Trial. Did you
21 actually own the monitors you used in your company?

22 A. No. National Pretrial owned them, and they just
23 subbed them to me.

24 Q. Okay. So you lease them?

25 A. Yes, sir.

1 Q. Okay. What kind of monitors did you lease from
2 National Pretrial?

3 A. We had the OM500s.

4 Q. Okay. When you say OM, what do you mean?

5 A. It's, like, Omnilink.

6 Q. Omnilink?

7 A. It's an Omnilink 500.

8 Q. So when you were hired to monitor an individual,
9 what was the first step to that process?

10 A. Get the conditions. Get the conditions of the
11 release, know what the conditions -- know what the
12 Defendant could and could not do. And once we got that,
13 and we spoke to the proper people, that's when we set
14 them up in the system.

15 Q. Okay. When you set say set them up in the
16 system, did that include physically placing the monitor
17 on their leg?

18 A. Well, after we got everything set up and it was
19 activated, and that's when we attempt to put it on them.

20 Q. Okay. Are each of the monitors assigned an
21 individual serial number?

22 A. Yes.

23 Q. Okay. And that's so the information for one
24 monitor will not cross with another; is that correct?

25 A. Correct.

1 Q. Okay. And when you say link it up in the system
2 and activate it, what does that entail?

3 A. Like, we put all the information; name, date
4 of birth, social, charges, addresses. If there's
5 a victim, put the victim's information in. Pretty much
6 make sure all that's done before we even install it.

7 Q. Okay. And once it's installed, is that when
8 you activate it to start the GPS tracking?

9 A. Yes.

10 Q. And is that tracking done 24 hours a day?

11 A. Yes, 24/7.

12 Q. I want to break it down a little further.
13 Can you explain the parts and components of the actual
14 monitoring device to the jury?

15 A. You mean, like, the charge, the strap, and the
16 monitor?

17 Q. Yes.

18 A. The monitor is -- the monitor is like a little
19 black box -- it's like a black box. It depends on the
20 size of it. And then, you -- the charger is a magnetic
21 charger. You pretty much put it on the -- you charge
22 every -- I tell them every 15 to 20 hours, you put it
23 on the charger. It let's you know when it's charging.
24 When it's fully charged -- it tells you it's charging.

25 We have a strap that we connect it. If that

1 strap is cut or tampered with, I get notified through
2 my cell phone and my email address. So it pretty much
3 let's us know everything that it does. If somebody
4 messes with it, or if somebody is not charging it,
5 or if somebody leaves their house, I know when they
6 leave and when they get back. I know exact times.

7 Q. You mentioned the strap. Once you strap or place
8 a monitor on an individual, can they remove that
9 monitor?

10 A. Only way to remove is by cutting it.

11 Q. Okay. So the strap locks into place?

12 A. Yes. It locks in by -- we lock it into place.
13 Once we fit it to the ankle, it locks in place.

14 Q. Okay. And only you can remove it at that point?

15 A. Yes. You have to have a special tool to remove
16 it.

17 Q. And once you activated the device, if it's
18 removed or cut off, I believe you testified Omnilink
19 would notify you?

20 A. Yes. The command center would send me a text
21 message or an email right away, within probably three
22 to four seconds.

23 Q. Okay. You mentioned charging. How does that
24 work?

25 A. Charging is -- when you put it on the charger,

1 it pretty much tells you -- you put it on the charger,
2 it says device charging. And then, if you charge
3 it properly, you go two, two and a half hours every day.
4 I usually say 15 to 20 hours it needs to be on a
5 charger.

6 Q. Okay. And when you say on the charger, is this
7 like a cell phone? Is there, like, a cable that it
8 literally plugs into this thing?

9 A. It's a magnetic device that locks onto the
10 charger -- the monitor part, and then you plug it into
11 the wall just like a cell phone.

12 Q. Okay. So there's a cord that goes from the wall
13 to the device on the client's ankle?

14 A. Yes, sir.

15 Q. And that charges it up?

16 A. Yes, sir.

17 Q. Okay. What happens if they don't keep it
18 charged?

19 A. I get a notification that says low battery.

20 Q. Okay. And what do you do at that point?

21 A. Pick up the phone and call the client.

22 Q. And what if you can't get them?

23 A. I'm going to their house.

24 Q. Okay. And what happens if the device goes dead?

25 A. We got a problem.

1 Q. Okay. Do you set a base location for the
2 individual in the system when you place the monitor
3 on them?

4 A. Yes. If they -- if that have an inclusion
5 zone, and the inclusion zone says medical, legal,
6 or if it says work, church, medical, legal, we still
7 put the zone around the house to where if they leave,
8 then we know if it's medical, legal. And if they leave
9 the house and not going to medical, legal, then it's
10 a violation.

11 Q. Okay. And I believe you just testified to this.
12 But if an individual leaves the location where they're
13 supposed to be, do you get notified?

14 A. Yes.

15 Q. All right. Let's talk about how the device
16 actually works. How is it tracked?

17 A. It's tracked with database that Omnilink has.
18 And once we set it up, we can log into it. We have our
19 own logins, but we can log in to it, and we can see
20 everything they do.

21 Q. Does it use GPS?

22 A. Yes, GPS. Cellular towers.

23 Q. So it uses GPS and cell phone tower
24 triangulation?

25 A. Yes.

1 Q. Does that provide a precise geographic location
2 for the individual wearing it?

3 A. Yes, it does.

4 Q. Is it continually monitored 24 hours a day?

5 A. Yes.

6 Q. In standard mode, what -- please explain standard
7 mode to the jury.

8 A. Standard mode is just basically the actual
9 tracking.

10 Q. Okay.

11 A. So you have standard, you have pursuit.

12 Q. Okay. What's the difference between standard
13 and pursuit?

14 A. Standard is just, like, basically, daily
15 tracking. Pursuit mode is if the Defendant is not where
16 he's supposed to be, and we go looking for him, then we
17 put it on pursuit mode, which tells us everywhere they
18 -- where they are, where they're going to be, and how
19 long they've been there.

20 Q. Okay. So in standard mode, how often do you get
21 a precise location for the individual?

22 A. It updates us every five minutes.

23 Q. Okay. And in pursuit mode, how often do you get
24 a ---

25 A. Every -- probably every 30 seconds.

1 Q. Okay. So in standard mode, you're still getting
2 routine ---

3 A. Yes.

4 Q. --- many times a day?

5 A. Yes.

6 Q. It's just not as frequent as if you're pursuing?

7 A. Yes.

8 Q. Is the tracking data for an individual wearing
9 a monitor recorded somewhere?

10 A. Yes, in Omnilink's database.

11 Q. Okay. Is that a secure server?

12 A. Yes.

13 Q. And does Omnilink operate it?

14 A. Yes.

15 Q. But as you -- do you -- as the monitoring agency,
16 do you have access to it?

17 A. Yes.

18 Q. Okay. Is the tracking data for an individual
19 stored long term, or can you only look at realtime
20 locations?

21 A. It's stored long term.

22 Q. Okay. Is it preserved in perpetuity as far as
23 you know?

24 A. Yes.

25 Q. And they're monitored the entire time they're

1 wearing the device with you, correct?

2 A. Yes, sir.

3 Q. And all of that data is stored in a secure
4 server?

5 A. Yes.

6 Q. Could you log on at any time and get the full
7 monitoring data for an individual for the entire time
8 that you had them wearing a monitor?

9 A. Yes. I would have to contact Omnilink. I tell
10 them what I need, and they would give it to me.

11 Q. Okay. You said the system uses a combination
12 of GPS and cell phone tower triangulation ---

13 A. Yes.

14 Q. --- to provide a precise geographic location.
15 In your experience, was the tracking data accurate
16 to the actual location of the monitoring device?

17 A. Yes, sir.

18 Q. How accurate?

19 A. It was within five to ten feet.

20 Q. Did you ever have any problems with the accuracy
21 of the location data provided by the system?

22 A. No, sir.

23 Q. So in your experience, it was routinely very
24 accurate?

25 A. Yes.

1 Q. Okay. Now specifically as to this matter,
2 are you familiar with the Defendant in this case,
3 Aubrey Tucker?

4 A. Yes.

5 Q. Do you see him in the courtroom today?

6 A. Yes, I do.

7 Q. Please point him out for the jury and describe
8 what he's wearing.

9 A. (Indicating.) He's right there with a black
10 jacket on -- blue jacket.

11 Q. How do you know this Defendant?

12 A. Because I placed a GPS monitor on him in 2020.

13 Q. Okay. And did you monitor him from the time
14 you placed it on him until June 9th of 2021?

15 A. Yes, sir.

16 Q. What kind of monitoring device did you place
17 on the Defendant?

18 A. Omnalink 500.

19 Q. And is that the one you've described here for
20 the jury today?

21 A. Yes.

22 Q. Did it operate in the manner that we discussed
23 here today as to how you attached it, how it monitored
24 and tracked, how the data was stored, and how accurate
25 the location tracking was?

1 A. Yes.

2 Q. When you placed the monitoring device on the
3 Defendant, did you set a home or base location for the
4 Defendant where he was supposed to be?

5 A. Yes, we did.

6 Q. What was that location?

7 A. It was the Defendant's address.

8 Q. Is that [REDACTED] Old Back River Road in Goose Creek?

9 A. Yes, it is. We put a zone -- an inclusion zone
10 around him.

11 Q. Okay. During this time, did you ever have any
12 accuracy with -- have any issue at all with the accuracy
13 of the location data for the Defendant?

14 A. No, sir.

15 Q. At some point during the afternoon of June 9th,
16 did you become alerted to an incident involving this
17 Defendant and started looking at his tracking
18 information?

19 A. Yes, sir.

20 Q. Please explain for the jury what that entailed.

21 A. I got a call from a detective and asked me
22 was I monitoring Aubrey Tucker. I said, yes, I am.
23 He said, well, we just had an incident, could you tell
24 me where his location is? I said, well, let me get
25 to my office. I'm about two minutes away, and I'll pull

1 it up. So when I got there, I pulled it up, and they
2 sent a detective to my office, and I monitored him
3 pretty much the whole -- the whole incident.

4 Q. So you were providing real-time updates ---

5 A. Yes.

6 Q. --- to the detectives?

7 A. Yes.

8 Q. Did you switch it into pursuit mode at that time?

9 A. Yes, I did.

10 Q. Okay.

11 A. Within probably 20 minutes after they sent
12 somebody to my office.

13 Q. Okay. I'm showing you what's been marked
14 as State's Exhibit 163. Do you recognize this?

15 A. Yes, sir.

16 Q. What is that?

17 A. It's a movement report.

18 Q. Who is it a movement report for?

19 A. I'm sorry?

20 Q. Who is it a movement report for?

21 A. Aubrey Tucker.

22 Q. Okay. What is a movement report?

23 A. Movement reports tell me every location he goes
24 to from the start to the end.

25 Q. Okay. And for what date is that movement report

1 for this Defendant?

2 A. June the 9th.

3 Q. Of?

4 A. June the 9th, 2021.

5 Q. Okay. Is it a fair and accurate copy of the
6 movement report that you pulled for this Defendant?

7 A. Yes, sir.

8 Q. At this time -- excuse me. Does it appear to be
9 altered in any way?

10 A. No.

11 MR. MCNEELY: At this time, the State would
12 move Exhibit 163 into evidence.

13 THE COURT: Any objection?

14 MR. HUGHES: No objection, Judge.

15 THE COURT: All right, without objection.

16 (State's Exhibit No. 163 was entered into evidence.)

17 BY MR. MCNEELY:

18 Q. All right, Mr. Wilson, I'm going to actually put
19 163 up. You can keep it in your hands. Where --
20 according to the movement report, where is the Defendant
21 on June 9th, 2021, at approximately 1:45 p.m.?

22 A. Can I turn and look?

23 Q. Yeah. I don't know if you'll be able to see
24 it better.

25 A. Oh. Yeah, this is dark. I'm sorry. You said

1 where was he?

2 Q. At 1:45 p.m. that day.

3 A. [REDACTED] Old Back River Road.

4 Q. Okay. And that's where he was supposed to be,
5 correct?

6 A. Yes.

7 Q. And where was he at approximately 2:30 p.m.
8 that day?

9 A. 2:30, still at [REDACTED] Old Back River Road.

10 Q. Okay. And then at 2:39 p.m., where was he?

11 A. He had left. Okay, so 2:39 -- okay. He was
12 at Old Back River Road, but he left Old Back River Road.
13 And at 3:11, he was in transit.

14 Q. Okay. How do you know he was in transit?

15 A. Because it tells me when a person moves.
16 But also I look at the speed limit that the monitor --
17 the monitor gives us the speed that a person is
18 traveling, so I can also see that he was moving.

19 Q. Okay. And this is fairly self-explanatory,
20 but correct me if I'm wrong, in the left-hand column
21 is the person's name who you're monitoring?

22 A. Yes.

23 Q. In the next column over is the start address
24 of any movement?

25 A. Yes.

1 Q. Then, the start time, correct?

2 A. Yes.

3 Q. Then, the stop time?

4 A. Yes.

5 Q. The duration of travel there in the middle?

6 A. Yes, sir.

7 Q. The travel distance?

8 A. Yes.

9 Q. The speed and miles per hour which they're
10 moving?

11 A. Yes, sir.

12 Q. And the end address?

13 A. Yes.

14 Q. Okay. And then the stop duration, how long
15 they're at that location?

16 A. Yes.

17 Q. Okay. So up until 2:39, the Defendant is at
18 [REDACTED] Old Back River Road in Goose Creek, correct?

19 A. Yes, yes.

20 Q. And then, at 2:39, he's on the move from

21 [REDACTED] Old Back River to the area of [REDACTED] Commander Road
22 in North Charleston, correct?

23 A. Correct.

24 Q. And how fast is he going?

25 A. Sixty-six miles an hour.

1 Q. Okay. I don't know if you know this, but can
2 Aubrey Tucker run 66 miles an hour?

3 A. No, sir.

4 Q. Okay. Which means what?

5 A. He was driving.

6 Q. He was in a vehicle?

7 A. Yes.

8 Q. Okay. And then, he's at [REDACTED], or in the area
9 of [REDACTED] Commander, for 11 minutes; is that correct?

10 A. Yes, sir.

11 Q. And then for -- and I'm just going to surmise
12 this for you. For the next, roughly two hours,
13 it's around North Charleston in the Ashley Phosphate,
14 Dorchester Road area; is that correct?

15 A. Yes, sir.

16 Q. Okay. Will you flip over to the next page.
17 All right. And is this still continuing around
18 North Charleston?

19 A. Yes.

20 Q. Dorchester Road?

21 A. Yes, it is.

22 Q. I'm seeing times of 3:55 p.m., 4:30 p.m.,
23 4:47 p.m. And where is the ultimate location where
24 this concludes?

25 A. Otranto Road.

1 Q. Okay. Does that say [REDACTED] Otranto Road?

2 A. [REDACTED] Otranto Road, yes.

3 Q. Okay. What's at [REDACTED] Otranto Road?

4 A. It's an apartment complex on the left-hand side
5 going down.

6 Q. Okay. I'm going to show you some -- I want
7 you to look at some maps. We're going to go back
8 to the initial location first. If you could please
9 look at State's Exhibit 153. Are you familiar with
10 the location of [REDACTED] Commander and [REDACTED] Captain Avenue?

11 A. Yes.

12 Q. All right. Is that what's depicted in that
13 photo?

14 A. Yes, sir.

15 Q. Okay. All right, we had Mr. -- Detective Bell
16 testified before that this is [REDACTED] Captain.

17 A. Yes.

18 Q. Is that correct?

19 A. Yes.

20 Q. And this is [REDACTED] Commander?

21 A. Yes.

22 Q. All right. Well, your report showed
23 [REDACTED] Commander. But my question is if the Defendant
24 was in the driveway area of the adjacent house, is that
25 within your range of accuracy?

1 A. Within -- yes, it is.

2 Q. Okay. And it showed him there immediately
3 following departure from [REDACTED] Old Back River?

4 A. Yes, sir.

5 Q. And ultimately, I believe, you testified, based
6 on the movement report, that he ends up at an apartment
7 complex off of Otranto Road in North Charleston
8 at approximately -- was it 4:57 p.m.? Do you have
9 that in front of you, the last entry?

10 A. 4:58.

11 Q. 4:58. Okay. What happened at [REDACTED] Otranto Road?
12 Why does your report end?

13 A. Because that's where Defendant cut the monitor
14 strap and placed it in a parking space.

15 Q. Okay. So he cut off his monitor at that
16 location?

17 A. Yes.

18 Q. Did you go to that location?

19 A. Yes, sir.

20 Q. Why did you go to that location?

21 A. I had to retrieve my merchandise, my monitor.

22 Q. So you physically retrieved the cut-off monitor
23 from this Defendant out of the parking lot of that
24 apartment complex?

25 A. Yes, sir.

1 Q. And you did that on the afternoon of
2 June 9th, 2021?

3 A. Yes, sir.

4 Q. And why did you go collect it rather than letting
5 law enforcement?

6 A. Because the device belonged to me. It was under
7 my name, and if I left it there, and a kid got ahold
8 -- if somebody got ahold of it, they didn't know
9 what it was, I probably would have been liable for it,
10 so I figured ---

11 Q. It's a leased device, right?

12 A. Yes. Yes, it's leased.

13 Q. You didn't actually own it?

14 A. No, I did not.

15 Q. If you didn't get it, would you owe the company
16 that does own it money?

17 A. Yes, sir.

18 Q. Okay. Did you tell the Berkeley County Sheriff's
19 Office that you recovered the monitor from that
20 location?

21 A. Yes, I did.

22 Q. And the device you collected that day at the
23 apartment complex off of Otranto Road, was it the
24 serial-numbered monitor assigned to Defendant
25 Aubrey Tucker?

1 A. Yes, sir.

2 Q. After that, at some point, did you meet with
3 Berkeley County detectives ---

4 A. Yes, the next ---

5 Q. --- in regard to this case?

6 A. Yes, the next day.

7 Q. Did you show them the monitoring device at the
8 time?

9 A. Yes, sir, I did.

10 Q. I'm going to show you what's been marked
11 as State's Exhibits 164 and 165. Do you recognize
12 what's depicted in those photos?

13 A. Yes, sir.

14 Q. What's depicted in those photos?

15 A. The Omnilink 500 GPS monitor.

16 Q. Is that the one from the Defendant that you
17 recovered at Otranto Road?

18 A. Yes, sir.

19 Q. Okay. Is that a fair and accurate depiction
20 of it as it appeared after you recovered it?

21 A. Yes.

22 Q. Okay. And has it been cut off ---

23 A. Yes, it has.

24 Q. --- or is that how -- that's not how they open
25 magically, correct?

1 A. No, it's been cut off.

2 Q. Okay.

3 MR. MCNEELY: I move to admit
4 State's Exhibits 164 and 165 at this time.

5 THE COURT: Any objection?

6 MR. HUGHES: No objection, Judge.

7 THE COURT: Without objection.

8 (State's Exhibit Nos. 164 and 165 were entered into
9 evidence.)

10 BY MR. MCNEELY:

11 Q. All right. Please turn around and tell the jury
12 what we're looking at.

13 A. Omnilink 500 GPS monitor.

14 Q. Okay. And that's a cut strap, correct?

15 A. Yes, sir.

16 Q. And in the base unit of the monitor, correct?

17 A. Yes, sir.

18 Q. And there's a little window -- or a little flap
19 at the top. What is that?

20 A. That's the charger.

21 Q. That's the charging port?

22 A. At the bottom -- the charger, that's at the
23 bottom of it.

24 Q. Okay. What's the little flap at the top?

25 A. That -- it's upside down.

1 Q. Oh, okay. I see what you're saying.

2 A. It's upside down. So that flap is the charging
3 device.

4 Q. Okay.

5 A. That's where you charge it.

6 Q. And that box is what communicates with the GPS
7 and cell phone triangulation?

8 A. Yes, sir.

9 Q. Okay. And is that -- what is that?

10 A. That's the backside of it. That's the back plate
11 that we put on it. Once we take that off, the serial
12 number is inside of there.

13 Q. Okay. So that plate locks in the strap?

14 A. Yes, sir.

15 Q. Okay. And that's -- you could see it's clearly
16 been cut, correct?

17 A. Yes.

18 Q. All right. Following your providing the report
19 for this Defendant and showing the sheriff's office
20 the removed device, did you do anything further in this
21 matter?

22 A. No, sir. After they came and took a picture
23 of it, I removed the strap. I turned it back in to
24 Omnilink.

25 Q. Okay. And just to confirm, on June 9th, 2021, at

1 2:35 p.m., the Defendant was at [REDACTED] Old Back River Road?

2 A. Yes.

3 MR. MCNEELY: Nothing further at this time,
4 Your Honor.

5 THE COURT: All right. Cross-examination?

6 MR. HUGHES: No questions for this witness,
7 Your Honor.

8 THE COURT: All right. Thank you.
9 All right, Mr. Wilson.

10 THE WITNESS: Yes, sir.

11 THE COURT: Any ---

12 MR. MCNEELY: I was just going to retrieve
13 the evidence from him.

14 THE COURT: Okay. Any objection to
15 Mr. Wilson being released?

16 MR. MCNEELY: No, he's free to go.

17 THE COURT: All right. Mr. Wilson, you are
18 free to go. You're free to stay if you wish, okay?

19 THE WITNESS: Yes, sir. Thank you.

20 THE COURT: Thank you. Mr. McNeely.

21 MR. MCNEELY: Yes. One moment, Your Honor.

22 MS. LYNCH: Your Honor, the State calls
23 Chanel Butler.

24 THE CLERK: Please raise your right hand,
25 place your left hand on the Bible.

1 MS. CHANEL BUTLER was called as a witness,
2 being duly sworn, was examined and testified as follows:

3 THE CLERK: Thank you. You may be seated.
4 Please state your full name, and spell your last name
5 for the record.

6 THE WITNESS: Good afternoon. Chanel Butler
7 -- Chanel Talonda [ph.] Butler, B-U-T-L-E-R.

8 DIRECT EXAMINATION

9 BY MS. LYNCH:

10 Q. Good afternoon, Ms. Butler. Where are you
11 currently employed?

12 A. I work for SK Management.

13 Q. And what's your position there?

14 A. I'm the regional property manager.

15 Q. And can you describe where you were working
16 on June 9th, 2021?

17 A. Still with SK Management, but the property
18 is Arbor Square Apartments.

19 Q. And where is Arbor Square Apartments located?

20 A. It's [REDACTED] Otranto Road, North Charleston.

21 Q. And what was your position at that time?

22 A. Property manager.

23 Q. Could you describe some of the duties
24 or responsibilities as a property manager?

25 A. I managed the property. We lease apartments,

1 collect rent, oversee all of the financials, pay bills
2 for the property, manage -- with me being the property
3 manager, I manage the staff and employees that were
4 there.

5 Q. And for the complex at that location, do you
6 remember if there were surveillance cameras on the
7 property on June 9th, 2021?

8 A. Yes, ma'am.

9 Q. And could you describe that system, like,
10 how many cameras or where they were located?

11 A. Right. Well, when we purchased the property,
12 the cameras were already there. But we have six cameras
13 -- five or six cameras that were located on the leasing
14 -- that are located on our leasing office that points
15 to different places on the property.

16 Q. And as part of your duties, do you have access
17 to that surveillance system?

18 A. I do.

19 Q. And you're able to review the video footage,
20 if necessary?

21 A. Yes, ma'am.

22 Q. And are you responsible for pulling that footage
23 if someone needs to see it?

24 A. Yes.

25 Q. Okay. Do you remember if a law enforcement

1 officer came to speak with you in connection with this
2 case?

3 A. I do.

4 Q. And could you describe what the officer was
5 requesting?

6 A. He had come to the office and stated who --
7 you know, who he was and the county that he was
8 working with, and that he needed -- that, I guess,
9 there was an incident had happened on the property
10 and wanted to know if we had cameras, and I told
11 him yes, and he asked if he could see -- you know,
12 if I had access to view them and see them, and I did.
13 And so I just kind of took him over to that side and
14 showed him the cameras.

15 Q. So you were able to locate the footage he was
16 requesting?

17 A. Yes, ma'am. He gave me a date and time.

18 Q. And once you were able to pull that, did you guys
19 review it and watch it ---

20 A. Yes.

21 Q. --- in full?

22 A. Yes, ma'am.

23 Q. Now -- do you remember how that was provided
24 to him after you reviewed it?

25 A. Right. I think he had a -- I had some type

1 of disc or something because I really -- I don't know
2 how to transfer it off of our system onto a disc.
3 But I do remember him having some type of device
4 and plugged into our unit and was able to scan it
5 off of that.

6 Q. And when he pulled it prior to having it scanned,
7 was it changed or altered in any way?

8 A. No, ma'am.

9 Q. Okay. And did you review the footage again
10 before testifying today?

11 A. I did see it, yes, ma'am.

12 MS. LYNCH: Your Honor, may I approach?

13 THE COURT: Yes.

14 BY MS. LYNCH:

15 Q. I'm going to show you a disc. Do you recognize
16 this disc?

17 A. Yes, ma'am.

18 Q. And can you explain what it is?

19 A. It is the disc that the gentleman brought to --
20 when he showed me the video. I guess he was coming
21 to talk to me in regards to the upcoming case, and
22 he showed me the video to verify if this is, in fact,
23 you know, from my property.

24 Q. And -- and after you reviewed it, did you mark
25 it in any way to show you reviewed it?

1 A. Yes, ma'am. He gave me a marker and asked if
2 I could initial that I've seen -- that this is the disc
3 itself and that I've seen it.

4 Q. Okay. And when you reviewed that footage,
5 was that a true and accurate copy of the footage that
6 you remember retrieving?

7 A. Yes, ma'am.

8 Q. And was it altered in any way since the first
9 time that it was retrieved?

10 A. No. It doesn't appear to be at all, no.

11 Q. Okay.

12 MS. LYNCH: Your Honor, at this time,
13 the State would move to admit what's been premarked
14 as State's 149 into evidence.

15 THE COURT: All right. Any objection?

16 MS. WHITE: No objection, Your Honor.

17 THE COURT: All right, without objection.

18 (State's Exhibit No. 149 was entered into evidence.)

19 BY MS. LYNCH:

20 Q. And, Ms. Butler, beyond providing this footage
21 to law enforcement, did you have any other involvement
22 in the investigation in the case?

23 A. Not at all.

24 MS. LYNCH: Beg the Court's indulgence,
25 Your Honor. Your Honor, nothing further for this

1 witness.

2 THE COURT: All right. Any

3 Cross-examination?

4 MS. WHITE: No questions, Judge.

5 THE COURT: All right. Any objection

6 to this witness being excused?

7 MR. MCNEELY: None from the State,

8 Your Honor.

9 THE COURT: All right. Ms. Butler, you are

10 free to go. Thank you.

11 THE WITNESS: Okay, thank you.

12 THE COURT: Free to stay if you wish.

13 THE WITNESS: Yes, sir.

14 THE COURT: Thank you. Mr. McNeely,

15 Ms. Lynch.

16 MS. LYNCH: Your Honor, the State calls

17 Justin Proveaux.

18 THE COURT: Justin Proveaux. Thank you.

19 THE CLERK: Please raise your right hand,

20 place your left hand on the Bible.

21 MR. JUSTIN PROVEAUX was called as a witness,

22 being duly sworn, was examined and testified as follows:

23 THE CLERK: Thank you. You may be seated.

24 Please state your full name, and spell your last name

25 for the record.

1 THE WITNESS: Justin Proveaux. Last name
2 is spelled P-R-O-V-E-A-U-X.

3 DIRECT EXAMINATION

4 BY MS. LYNCH:

5 Q. Good afternoon, Mr. Proveaux.

6 A. Hey.

7 Q. Could you please tell us where you're currently
8 employed.

9 A. I prefer not to say where I'm currently employed
10 at.

11 Q. What's your current job?

12 A. Maintenance person.

13 Q. Okay. And were you -- what was your position
14 on June 9th of 2021?

15 A. Maintenance technician.

16 Q. And where were you working at that time?

17 A. I want to say it was Arbor Square.

18 Q. And what's Arbor Square?

19 A. An apartment complex.

20 Q. Do you know where that was located?

21 A. Otranto Road.

22 Q. And what were your general duties at that time
23 as one of the maintenance technicians?

24 A. Pick up the property, if somebody's place breaks
25 -- something around their place breaks, go fix it.

1 If there's an emergency -- maintenance emergency,
2 go over there and handle it.

3 Q. And were you working on June 9th, 2021?

4 A. Yes.

5 Q. And at that point in the day, do you remember
6 a group of people entering the parking lot?

7 A. I don't really remember them entering the parking
8 lot. It's been awhile, but I remember the incident
9 you're speaking of.

10 Q. Okay. And would you recognize a map of the
11 apartment complex?

12 A. Yes.

13 MS. LYNCH: May I approach, Your Honor?

14 THE COURT: Yes.

15 BY MS. LYNCH:

16 Q. I'm handing you what's been premarked as
17 State's Exhibit 156. Do you recognize that?

18 A. Yes.

19 Q. What is it?

20 A. It's the apartment complex.

21 Q. And can you describe the layout of the apartment
22 complex for the jury?

23 A. There's one way in, one way out. Once you pull
24 in off the street, you can be seen pretty much from any
25 apartment building, or any apartment on the property.

1 Q. And what's the parking lot like?

2 A. Straight shot. As soon as you pull in off the
3 road, it goes straight back to the office. Parking
4 spots on the left-hand and right-hand sides and a basic
5 parking lot.

6 MS. LYNCH: Your Honor, at this time,
7 we would move to enter State's Exhibit 156.

8 THE COURT: Any objection?

9 MS. WHITE: No objection.

10 THE COURT: Without objection.

11 (State's Exhibit No. 156 was entered into evidence.)

12 MS. LYNCH: I'm going to ask my paralegal
13 to publish that.

14 BY MS. LYNCH:

15 Q. Now on June 9th, 2021, could you describe around
16 where you first noticed the individuals? And I don't
17 know -- you should have a laser pointer up there right
18 in front of you, I think.

19 A. (Indicating.) I want to say it was right around
20 in this area right here. I was walking, pretty much
21 coming straight down this road here, coming to the
22 office, and there was a group of vehicles right here
23 where the people -- a person standing outside of them.

24 Q. And could you show with the pointer where the
25 entrance is to the apartment complex?

1 A. Yes. (Indicating.) Right up there. Like
2 I said, it's just one way in, one way out. Once you
3 pull in, it's a straight shot to the back.

4 Q. Okay. And on June 9th, 2021, did you find
5 something on the property after that group left?

6 A. Yes, an ankle monitor. It was in the spot where
7 the vehicles were parked at.

8 Q. And can you show where that was found?

9 A. (Indicating.) Right around in these parking
10 spots right here.

11 Q. And when you found that, what did you do next?

12 A. The officer was with me. I pointed it to the
13 officer and said, I believe that's what you're looking
14 for right there.

15 Q. And did you touch it or ---

16 A. No.

17 Q. --- do anything with it?

18 A. No.

19 Q. Okay. And did you also review some surveillance
20 footage?

21 A. Yeah. They had me review some footage, asked
22 me some questions, if I actually was able to see
23 the people. I told them what I knew. I walked by,
24 looked up, saw the people standing there, had a person
25 with their back turned to me, I put my head back down,

1 kept walking.

2 Q. And when you reviewed it, you initialed the disc?

3 A. Yes.

4 Q. Okay.

5 MS. LYNCH: I would ask that the State
6 is able to publish Exhibit 149, which was admitted with
7 the last witness, Your Honor.

8 THE COURT: All right.

9 BY MS. LYNCH:

10 Q. And while we're waiting for it to get pulled up,
11 I do have another question. Could you describe the
12 individuals that you saw in the parking lot, just
13 generally?

14 A. I just remember the one individual was a Black
15 man. That's really all I could say. He had his back
16 turned to me.

17 Q. Okay.

18 A. So, I really couldn't see any faces.

19 MS. LYNCH: Your Honor, this was admitted,
20 correct? I'm just checking to make sure.

21 THE COURT: Yeah. This is 149?

22 MS. LYNCH: Yes.

23 THE COURT: It was admitted without
24 objection, yes.

25 MS. LYNCH: Okay. Thank you, Your Honor.

1 (Video footage played for the jury.)

2 BY MS. LYNCH:

3 Q. And can you describe what we're looking at here?

4 A. This would be the view from the office,
5 basically, looking -- if you're facing the office from
6 the front left corner of it, it's looking out over
7 the parking lot.

8 (Video footage continued to be played for the jury.)

9 MS. LYNCH: The clips are about a minute
10 long, so we've got to switch them.

11 (Video footage continued to be played for the jury.)

12 BY MS. LYNCH:

13 Q. Where that car just backed in, where is that
14 relative to where the ankle monitor was found?

15 A. I want to say that's about the position where
16 it was found at.

17 Q. Okay.

18 A. Yeah, I want to say it was right about where
19 it was found at.

20 Q. We've got a few more. I apologize. Are you able
21 to use a laser pointer to point out about where you
22 believe you found the monitor?

23 A. (Indicating.) Down here on the ground, around
24 in that area right in there.

25 Q. Okay.

1 (Video footage continued to be played for the jury.)

2 BY MS. LYNCH:

3 Q. Can you describe where this camera is in the
4 parking lot since it's a different angle?

5 A. This would be on the same building on the
6 opposite end of it. It's a direct line straight down
7 the street.

8 Q. And can you point out where that gray vehicle
9 was? You pointed to where the ankle monitor was found
10 there from this angle. Can you see it?

11 A. Gray car. It's kind of hard from this angle,
12 but it had been basically where the cop parked at when
13 he come up. It was just right about in that same area,
14 and it was right by where the cop car was at.

15 Q. Can you see yourself in this video?

16 A. Yep.

17 Q. Can you explain what's going on here?

18 A. I was walking back to the office. I'm not sure
19 what I was going back there to get, and that was the
20 moment when I said I looked over, looked back down,
21 minded my own business, and kept on walking.

22 Q. And what did you notice at that time?

23 A. There was a man with his back turned to me.

24 (Video footage continued to be played for the jury.)

25 BY MS. LYNCH:

1 Q. Where that person just came around the car,
2 and you can see the movement, is that the area where
3 the people were?

4 A. Yeah.

5 Q. Okay. And again, could you just generally
6 describe, you know, what they looked like, just
7 generally?

8 A. The only thing I can say is a Black male with
9 his back turned towards me.

10 Q. Okay.

11 A. It's really all I saw. And later on when
12 the police officer came out there, where he pulled
13 up at was right -- one spot over from where the ankle
14 monitor was sitting at.

15 Q. Where was that relative to that gray car?

16 A. (Indicating.) It's basically right there on
17 the other side of where that car is.

18 Q. Okay. And do you remember how quickly after
19 that the law enforcement officers got there?

20 A. Right off the top of my head, I can't say.
21 I know it was before I left for the day.

22 Q. Okay.

23 A. Before I left for the end of my shift.

24 Q. When did your shifts usually end?

25 A. Five o'clock.

1 Q. And then from that point on, did you have any
2 other involvement in the case, other than pointing out
3 the ankle monitor?

4 A. No, except for when I was contacted about coming
5 in for this.

6 MS. LYNCH: Nothing further. Please answer
7 any defense questions.

8 THE COURT: Any cross-examination?

9 CROSS-EXAMINATION

10 BY MR. HUGHES:

11 Q. Good afternoon. So you testified that you saw
12 a group of individuals, or just one man with their back
13 turned ---

14 A. I could only say that I saw the one person with
15 his back turned towards me.

16 Q. All right. Did you hear any discussions
17 or anything take place?

18 A. I was walking by. I didn't have enough time
19 really to listen in.

20 Q. Okay. Do you know who Beau Wilson is?

21 A. Beau Wilson? No.

22 Q. Okay. So he was a witness who testified right
23 before you. He testified that he came and picked up
24 the ankle monitor from that apartment complex. Now
25 can you please tell the jury whether it was Beau Wilson

1 or whether it was a police officer that picked up that
2 ankle monitor?

3 A. There was a police officer out there. I showed
4 him the ankle monitor. He was parked right beside
5 it. I don't know who it was that actually grabbed
6 it or picked it up.

7 Q. Was it an individual who was dressed up in
8 a police outfit -- uniform?

9 A. I would guess so. I wasn't paying attention.
10 By that point in time, I had already walked away.

11 Q. Okay.

12 MR. HUGHES: No further questions.

13 THE COURT: Any redirect?

14 MS. LYNCH: Briefly, Your Honor.

15 REDIRECT EXAMINATION

16 BY MS. LYNCH:

17 Q. So you testified you don't know for sure who
18 grabbed the item?

19 A. A hundred percent, no. It's been several years,
20 so I really can't say.

21 Q. But you did observe it?

22 A. Yes.

23 Q. And that was on June 9th, 2021?

24 A. I don't know the exact date right off the top
25 of my head, but that's the date we're going with, yes.

1 Q. Okay. Thank you.

2 THE COURT: All right. Any objection
3 to releasing Mr. Proveaux from the State?

4 MR. MCNEELY: None, Your Honor.

5 THE COURT: Defense?

6 MR. HUGHES: None, Your Honor.

7 THE COURT: All right. Mr. Proveaux,
8 you can step down. You are free to go. Thank you,
9 sir. Free to stay if you wish.

10 THE WITNESS: Prefer to go.

11 THE COURT: Mr. McNeely, Ms. Lynch, any --
12 next witness?

13 MR. MCNEELY: Yeah, we have two more for
14 the day -- three. Excuse me. Three more for the day.

15 THE COURT: All right.

16 MR. MCNEELY: Would you like to call the
17 next one now?

18 THE COURT: Yes.

19 MR. MCNEELY: Okay. State calls
20 Russell Gottula.

21 THE CLERK: Please raise your right hand,
22 place your left hand on the Bible.

23 CORPORAL STEVEN RUSSELL GOTTULA was called
24 as a witness, being duly sworn, was examined and
25 testified as follows:

1 THE CLERK: Thank you. Please be seated.
2 Please state your full name and spell your last name
3 for the record.

4 THE WITNESS: Steven Russell Gottula, Jr.,
5 G-O-T-T-U-L-A.

6 DIRECT EXAMINATION

7 BY MR. MCNEELY:

8 Q. Good afternoon, Mr. Gottula. Where are you
9 employed right now?

10 A. The Berkeley County Sheriff's Office.

11 Q. What is your capacity there, and how long have
12 you been employed there?

13 A. I'm currently assigned to the uniformed patrol
14 division as a corporal, and I've been with the sheriff's
15 office since 2014.

16 Q. Please describe your education and training.

17 A. High school, some college, majored in criminal
18 justice, military, law enforcement. With the civilian
19 side of law enforcement, I've had, you know, basic law
20 enforcement training, advanced homicide, homicides,
21 suicides, interview and interrogation, and a lot of
22 other training.

23 Q. What was your position with Berkeley County
24 during June of 2021?

25 A. I was assigned to the criminal investigative

1 division.

2 Q. What were the duties of your position at that
3 time?

4 A. I primarily investigated property crimes ranging
5 from stolen Weed eaters to burglaries. But I would
6 assist with crimes against persons, and I would handle
7 any call outs if I was called out during my week.

8 Q. During the afternoon of June 9th, 2021, were
9 you notified of a shooting incident that occurred
10 at [REDACTED] Old Back River Road in the Goose Creek area
11 of Berkeley County?

12 A. Yes.

13 Q. What part of Berkeley County is that in?

14 A. That's going to be in the -- on the corporate
15 area of Berkeley County in Goose Creek off
16 Red Bank Road.

17 Q. Did you respond to assist with the investigation
18 at that location that afternoon?

19 A. Yes.

20 Q. Where did you respond from?

21 A. Headquarters.

22 Q. Okay. And where is headquarters?

23 A. Located at 223 North Live Oak Drive, here in
24 Moncks Corner.

25 Q. Okay. Approximately what time did you respond

1 to that location?

2 A. Like, 2:50, three o'clock-ish.

3 Q. What did you observe upon arriving at that
4 location?

5 A. I observed a lot of police cars out front
6 in front of a house there on Old Back near
7 Riverside Circle.

8 Q. What did you do when you arrived?

9 A. I went and spoke to other detectives and made
10 contact with the lead investigator to find out what
11 I needed to do.

12 Q. Okay. What did they assign you to do?

13 A. They advised that -- I was advised that
14 a neighbor behind the incident location on
15 Riverside Circle had her cell phone stolen, like,
16 roughly around the same time as this incident.

17 Q. Okay. Did you go talk to that individual?

18 A. I did; I went and spoke with her.

19 Q. Do you know her name?

20 A. Lee Richardson, I believe is her name.

21 Q. After you spoke with Ms. Richardson and took
22 a statement, what did you do next in the case that day?

23 A. Nothing that I could remember.

24 Q. Okay. Did you do anything the following day?

25 A. Yes, I did.

1 Q. Okay. What was that?

2 A. I went to some apartments off Otranto Boulevard
3 -- or Otranto Road in North Charleston. I was advised
4 that the suspect in the investigation had GPS
5 monitoring, and it was last pinged at that location
6 the day of the incident.

7 Q. But at this point, you're going there on
8 June 10th?

9 A. I believe that -- yes, sir.

10 Q. And did you go to that location that day?

11 A. I did.

12 Q. Okay. I'm going to show you what's been marked
13 as State's Exhibit 156. If you'll look at the screen.
14 Does that look like the apartment complex?

15 A. It does.

16 Q. Okay. And where is this geographically in
17 relation to I-26?

18 A. I-26 would be back this way towards where the
19 door is at. I believe correctly that way goes back
20 towards Rivers. And if you go back this way, taking
21 the back way towards, like, Trident off 78.

22 Q. Okay.

23 A. If I remember correctly.

24 Q. Where on Rivers -- I think most people are
25 familiar with Rivers. What's close there?

1 A. The USA Murphy. Right as you're coming into
2 North Charleston from Goose Creek on 52, and it switches
3 from 52 to Rivers Avenue.

4 Q. Okay.

5 A. It's the first stop right when you come into
6 North Charleston.

7 Q. Like you were coming from Goose Creek?

8 A. Correct.

9 Q. Okay. And I believe you stated -- you didn't
10 go to that location on June 9th, correct?

11 A. No.

12 Q. Okay. You went the following day?

13 A. Correct.

14 Q. And what was the purpose of you going to those
15 apartments the following day?

16 A. To try to make contact with the manager, to try
17 to review any kind of video footage that might be
18 available.

19 Q. Okay. Were you able to review any video footage
20 at that time?

21 A. Not on June 10th. Nobody was there. I attempted
22 to email and to call the number that was on the door,
23 but nobody got back to me.

24 Q. Okay. So what did you do next?

25 A. On June 11th, the next day, I went back and was

1 able to make contact with the property manager.

2 Q. Okay. And who did you make contact with at that
3 time?

4 A. Chanel Burton [sic.] -- I don't remember her last
5 name. I apologize.

6 Q. Could it be Butler?

7 A. Butler. There we go. Chanel Butler.

8 Q. Was she able to provide you with access
9 to the video surveillance from the apartments for
10 June 9th, 2021, at that time?

11 A. Yes, sir.

12 Q. Did you review the video at that time?

13 A. I did.

14 Q. Did you observe anything pertinent to the case
15 on the video?

16 A. At 4:53, a gold -- a gold-ish Yukon arrived
17 and parked on the property. About seven minutes later,
18 a black Ford Ranger pulled up. Occupants exited both
19 vehicles, and a Black male subject wearing a white shirt
20 and a large logo on the front got out and limped around
21 the back end of the truck, and then both vehicles left.

22 Q. Describe the overall quality in the video.
23 Was it sufficiently detailed to identify faces?

24 A. It would not. Just vehicles and body styles
25 and clothing.

1 Q. After you reviewed the video with Ms. Butler,
2 what did you do at that time?

3 A. She advised that her maintenance technician
4 was on scene that day and observed the people talking,
5 and when they -- he kind of overheard some things,
6 so I took a written statement from him.

7 Q. What was his name?

8 A. Justin Proveaux.

9 Q. Other than the video at the apartment complex,
10 did you collect anything else?

11 A. I didn't collect anything, but I did check
12 the dumpster just to see if any evidence was in the
13 dumpster, but it looked like it's just been emptied.

14 Q. Okay. I want to show you a clip of the
15 surveillance video that's been entered as
16 State's Exhibit 149. Please watch this clip and point
17 out anything pertinent you believe that you see on
18 it for the jury, please.

19 (Video footage played for the jury.)

20 BY MR. MCNEELY:

21 Q. What are we looking at there?

22 A. That is the black Ford Ranger that pulled up, the
23 gold Yukon that he just pulled up next to is already --
24 you know, already arrived prior to this clip starting.
25 The driver gets out of the Yukon, and then here in

1 a moment, a Black male will come around the back end
2 of the Ford Ranger, and it looked like he was limping.

3 MR. MCNEELY: Can you go to camera 18,
4 please.

5 (Video footage continued to be played for the jury.)

6 BY MR. MCNEELY:

7 Q. Is that what you were describing for the jury?

8 A. Yes, sir.

9 Q. Okay. Did you pull or extract a copy of the
10 video for evidence in this case?

11 A. Yes, I did.

12 Q. Okay. Once back with the video, did you review
13 it further?

14 A. Yes, I did.

15 Q. Okay. Why did you review it further?

16 A. I was trying to zoom in on the video in an
17 attempt to get facial identifiers.

18 Q. Okay. Were you able to zoom in via the player
19 at all?

20 A. Yes, I was.

21 Q. Okay. Is it sufficient to identify anyone?

22 A. It was not.

23 Q. Okay. I'm going to show you what's been marked
24 as State's Exhibit 166 and 167.

25 THE COURT: What was the number again?

1 MR. MCNEELY: 166 and 167.

2 THE COURT: 166, 167.

3 BY MR. MCNEELY:

4 Q. Please look at those and tell me if they look
5 familiar.

6 A. Yes, sir.

7 Q. Okay. What are those?

8 A. Those are the still shots that I did on my
9 computer.

10 Q. Okay. At this time -- are they a fair and
11 accurate representation of the stills?

12 A. Yes, sir.

13 Q. Okay.

14 MR. MCNEELY: At this time, we would move
15 166 and 167 into evidence.

16 THE COURT: All right. Any objection?

17 MS. WHITE: No objection.

18 THE COURT: All right, entered without
19 objection.

20 (State's Exhibit Nos. 166 and 167 were entered into
21 evidence.)

22 BY MR. MCNEELY:

23 Q. And what are we looking at here in 166?

24 A. I'm sorry, sir?

25 Q. What are we looking at here in 166?

1 A. The black Ford Ranger that arrived with two
2 occupants inside of it.

3 Q. Okay. And then, 167.

4 A. The occupant limping around -- one of the
5 occupants limping around the back of the Ford Ranger.

6 Q. Okay. Is that as good as you could get the
7 image?

8 A. Yes, sir.

9 Q. Okay. And these are from the Arbor Square
10 complex video on June 9th, 2021, correct?

11 A. Yes, sir.

12 Q. After this, did you have any further involvement
13 in this case?

14 A. No. I just updated Detective Gist and completed
15 my reports and entered the video into evidence and
16 submitted my paperwork into records to be attached
17 to the case file.

18 MR. MCNEELY: Nothing further from the State
19 at this time, Your Honor.

20 THE COURT: All right. Any
21 cross-examination?

22 MS. WHITE: No questions of this witness.
23 Thank you.

24 THE COURT: All right. You are free to go.

25 THE WITNESS: Thank you, sir.

1 THE COURT: Thank you very much. Free
2 to stay if you wish.

3 THE WITNESS: Yes, sir.

4 THE COURT: Mr. McNeely.

5 MR. MCNEELY: Your Honor, can we take
6 a short break at this time? I have one here I know
7 is ready to go, and I'm trying to verify location on
8 the second.

9 THE COURT: All right. It's good timing.
10 We'll take a short ten-minute break. We'll try to move
11 forward at 3:15. And I will remind you not to start
12 discussing the case yet. Thank you all.

13 (The jury exited the courtroom at 3:02 p.m.)

14 THE COURT: All right. We're at ease until
15 3:15.

16 (Recess taken.)

17 (Back on the record.)

18 THE COURT: All right. We've got everybody?

19 MR. MCNEELY: We do. Detective Gist is
20 ready to go. The last witness should be here around
21 3:50, and she'll be very brief.

22 THE COURT: All right.

23 MR. MCNEELY: So we can do Detective Gist
24 and then potentially take a short break or ---

25 THE COURT: All right, we'll see.

1 MR. MCNEELY: --- wait a little longer for
2 now. It's totally up to you.

3 (Pause.)

4 THE COURT: All right. All right, bring
5 our jury back in. You said, Mr. McNeely, the next one
6 up is?

7 MR. MCNEELY: Detective Gist.

8 THE COURT: The last one is supposed to be?

9 MR. MCNEELY: I believe it's written on the
10 list as Hailfair Williams. Maybe Cee Cee Williams.

11 THE COURT: All right.

12 (The jury entered the courtroom at 3:16 p.m.)

13 THE COURT: All right. You can be seated,
14 please. Mr. McNeely.

15 MR. MCNEELY: Thank you, Your Honor.
16 The State calls Kimber Gist.

17 THE CLERK: Please raise your right hand,
18 place your left hand on the Bible.

19 DETECTIVE KIMBER GIST was called as a
20 witness, being duly sworn, was examined and testified
21 as follows:

22 THE CLERK: Thank you. You may be seated.
23 Please state your full name, and spell your last name
24 for the record.

25 THE WITNESS: Kimber Brianne Gist, G-I-S-T.

1 DIRECT EXAMINATION

2 BY MR. MCNEELY:

3 Q. Good afternoon, Ms. Gist.

4 A. Good afternoon.

5 Q. Where are you currently employed?

6 A. Department of Defense.

7 Q. Okay. What is your -- well, I'm not going to ask
8 you your position there because I'm sure you can't say
9 too much about that; is that correct?

10 A. Correct.

11 Q. Okay. Where were you employed before the
12 Department of Defense?

13 A. Berkeley County Sheriff's Office.

14 Q. Okay. And how long were you employed with the
15 Berkeley County Sheriff's Office?16 A. Almost ten years, like nine years and a couple
17 of months.

18 Q. Okay. What period was that?

19 A. December 2013 up until July of 2023.

20 Q. Okay. What was your position with
21 Berkeley County during that time period?

22 A. Criminal investigator, so CID, so a detective.

23 Q. Were you in detectives the whole time?

24 A. No. So in 2013, I started at our detention
25 center. After that, I shortly went to patrol, so I was

1 a patrol deputy. I stayed on patrol for about six or
2 seven years, became a detective, did some work with
3 narcotics, did some community policing, went to
4 detectives, became a supervisor over the professional
5 standards, and was an investigator as well.

6 Q. And then, I believe you stated you left in 2023?

7 A. Yes.

8 Q. Please describe your education and training.

9 A. I have a bachelor's degree in criminal justice,
10 I have a master's degree in criminal justice, I have
11 federal training as well, homicide investigations, went
12 to the South Carolina Criminal Justice Academy once for
13 detention and then again for patrol. I have numerous
14 trainings from how to investigate, how to do interviews
15 and interrogations.

16 Q. And what was your position with the sheriff's
17 office during June of 2021?

18 A. I was a detective, so assigned to the criminal
19 investigation division.

20 Q. What were the duties of your position at that
21 time?

22 A. I was assigned to the persons division,
23 so I investigated any crime that involved a person,
24 so murder, rape, manslaughter, sexual contact with
25 children, anything that involved an actual person

1 as a victim.

2 Q. During the afternoon of June 9th, 2021, were
3 you notified of a shooting incident that had occurred
4 at [REDACTED] Old Back River Road in the Goose Creek area in
5 Berkeley County?

6 A. Yes, I was.

7 Q. Where in Goose Creek is that?

8 A. It's off of Red Bank Road. So the easiest way
9 to get there would be just -- if you're coming from
10 here, 52 to Goose Creek, and then a left on Red Bank,
11 come down Red Bank about halfway, right before you get
12 to Goose Creek High School.

13 Q. And that is in Berkeley County, correct?

14 A. Yes.

15 Q. Did you respond to assist with the investigation
16 at that location that afternoon?

17 A. Yes, I did.

18 Q. Approximately what time did you respond to that
19 location?

20 A. I think the actual time was 3:01 p.m.

21 Q. Okay. Prior to your arrival, had you been
22 designated as the lead investigator for the case?

23 A. No.

24 Q. Okay. How did that come about?

25 A. That comes about once a ranking officer comes

1 on scene, so pretty much either a lieutenant, a captain,
2 or our chief and our sheriff were there too. So pretty
3 much a lieutenant or a captain makes that decision.

4 Q. Okay. Prior your arrival on scene, were you
5 aware of a suspect's name and description?

6 A. Yes.

7 Q. How were you aware of that?

8 A. So in cars, we have what we call 800 radios.
9 So as the incident was unfolding, they were putting
10 out the information pretty much firsthand as it was
11 occurring. So our dispatchers just notified us that
12 a female -- they only had Jessica at the time, was shot
13 by her boyfriend and that his name was Aubrey Tucker.

14 Q. Okay. And how did dispatch get that information?

15 A. Dispatch obtained that information from the
16 witnesses that were on scene who relayed it to the
17 responding deputies who you already heard from this
18 week.

19 Q. Okay. And can you describe the location?
20 I know you've been in here throughout as the case agent.
21 Is the small house at [REDACTED] Old Back River, is that the
22 incident site?

23 A. Yes, [REDACTED].

24 Q. Okay. And what did you observe upon arriving
25 at that location that day?

1 A. As soon as I got there, there was numerous
2 law enforcement between Berkeley County and Goose Creek
3 because it was so close. EMS, I think there were a few
4 fire personnel. There was already crime scene tape set
5 up around the house. There was a blue car on the
6 opposite side of the crime scene tape.

7 And then, I saw two individuals, like, under
8 a tree, kind of in some chairs that were sitting there.
9 And I could tell, like, walking up that they were --
10 either had already been crying or just were hysterical.
11 It was very obvious that they were upset.

12 Q. Okay. Who were the individuals seated under
13 the tree?

14 A. That was Carolyn Jefferson and then the
15 stepfather, Mr. Jefferson.

16 Q. Okay. What did you do after you arrived and
17 observed this?

18 A. First, I spoke with the responding deputies
19 on scene just to get any updated information that
20 may not have been relayed through our dispatcher,
21 and they had already been on scene roughly 10 or 15
22 minutes. So, obviously, they were getting live updates
23 on scene, so I just spoke with the deputies on scene
24 just to gather who was a victim, where the victim was,
25 and the two individuals and who they were in

1 relationship to the victim.

2 Q. Okay. Did you go in the residence at that time?

3 A. Not at that time.

4 Q. Okay. What did you do at that time?

5 A. At that time, it's standard for us if we already
6 have witnesses on scene to separate and conduct
7 interviews. So, I decided to take Ms. Carolyn
8 Jefferson, and then the -- Detective Bell took
9 Mr. Jefferson to his vehicle to conduct those
10 interviews.

11 Q. Okay. And did you conduct an interview with
12 Ms. Jefferson at that time?

13 A. I did.

14 Q. How so?

15 A. So, I escorted her to my car and asked her if
16 she minded just sitting in the front seat. It's just
17 easier to just go ahead and do the interview on scene.
18 She had no issues with it, so we just sat down in the
19 front seat of my car.

20 Q. Okay. Did she tell you what had happened that
21 day at the house?

22 A. She did.

23 Q. Okay. And that was recorded?

24 A. Yes, it was.

25 Q. And her recorded statement is one that was

1 admitted into evidence in this -- earlier in this case;
2 is that correct?

3 A. Yes, sir.

4 Q. And that's the one that you took from her that
5 day?

6 A. Yes, sir.

7 Q. Did you do anything else with Ms. Jefferson,
8 other than conduct an interview of her in your car
9 at that time?

10 A. I did. I collected what's called a gunshot
11 residue kit, which is just a GSR kit for short.

12 Q. And what was the purpose of collecting that from
13 Ms. Jefferson?

14 A. So policy at the sheriff's office is whenever
15 there is a shooting incident at a location, we are
16 mandated to collect GSR kits from anyone who was
17 actually on scene that day. So there's no going around
18 collecting those kits.

19 Q. Okay. And since you had Ms. -- the information
20 that Ms. Jefferson was present at the home when it
21 occurred, you collected a kit from her?

22 A. Yes, sir.

23 Q. Okay. How do the kits work?

24 A. So it's like a little brown envelope. It tells
25 you exactly on the front -- that it says GSR kit,

1 what it's for. It's actually sealed when you get it,
2 so there's no, like, contamination before you even
3 use it. And you can just open it up in front of whoever
4 you're about to administer the kit on. I explain
5 it to people because, one, it's a trauma incident,
6 so they're probably already in shock, and then I'm about
7 to start touching them, so I explain the steps and what
8 they're for.

9 So, I just explained to her that there were two
10 vials. They're about this big. On one side, you just
11 turn it upside side, and you just pretty much tap the
12 back of the hand, the front of the hand. There's one
13 vial for your left hand, and one vial for your right
14 hand. And then, of course, there's gloves in there
15 so you would use that just to make sure you don't
16 contaminate what you're collecting from whomever
17 you're using it for.

18 Q. And did you follow that SLED-directed process
19 while collecting the GSR kit from Carolyn Jefferson
20 that day?

21 A. Yes, sir.

22 Q. What did you do with the kit once it was
23 collected from Ms. Jefferson?

24 A. So, I seal it in front them so that way they
25 see that I'm sealing it according to the instructions.

1 And then, it goes into a -- back inside of that brown
2 envelope that you originally opened. You also seal
3 that one on the front. There's information that you
4 can write on. Then, I also have them initial, so that
5 way they say, hey, this is the one that I gave.

6 Q. Okay. Was the GSR kit you collected from
7 Carolyn Jefferson in your continuous custody and control
8 from the time you collected it until you turned it over
9 to someone else?

10 A. Yes, sir.

11 Q. Did you yourself seal it?

12 A. Yes, sir.

13 Q. Okay. Did you ever reopen it after you sealed
14 it?

15 A. No, sir.

16 Q. And who did you turn it over to and when?

17 A. We call him Cole, but Alsbrook, the FSU detective
18 that spoke earlier.

19 Q. Okay. Was he on scene that day?

20 A. Yes, sir.

21 Q. Did you turn it over to him on the scene?

22 A. Yes, sir.

23 Q. All right. At this time, I'm going to ask you to
24 look at State's Exhibit 202. Please look at this item,
25 and tell me if you recognize it. If you need your chain

1 of custody, I have it labeled.

2 A. I do recognize it.

3 Q. Okay. What is that item?

4 A. It is the GSR kit that was collected on scene.

5 Q. Okay. Are there more than one in there?

6 A. Yes.

7 Q. Okay. Is the one you collected from
8 Carolyn Jefferson in there?

9 A. Yes, sir.

10 Q. Okay. And how do you know that?

11 A. The tag on the front that says that and the
12 initials.

13 Q. Okay. So you personally collected and sealed
14 that kit from Ms. Jefferson, correct?

15 A. Yes, sir.

16 Q. And then turned it over to Cole --
17 Lamar Cole Alsbrook on June 9th, 2021, correct?

18 A. Yes, sir.

19 Q. Okay. And it was in your continuous custody
20 and control from the time of collection until you turned
21 it over to the forensics services unit?

22 A. Yes, it was.

23 Q. Okay. After completing the interview of
24 Carolyn Jefferson and collecting that kit, what did
25 you do next on scene that day?

1 A. So after completing the kit and completing
2 the interview, at that point, I was notified that
3 the search warrant for the house was obtained. So
4 I let Ms. Jefferson continue to stay in my car because
5 of how distraught she was; so she just sat in my car
6 while I executed the search warrant, and I believe
7 Mr. Jefferson eventually got in the car as well.

8 Q. Okay. What do you mean by execute the search
9 warrant?

10 A. So executing a search warrant just means now
11 we legally have the right to go inside of the residence
12 and take photographs of the incident, take photographs
13 of the victim, and obtain any evidence that we believe
14 is related to the crime that the person is being accused
15 of.

16 Q. Okay. Did you physically collect any items from
17 inside the home?

18 A. No.

19 Q. But do you assist in looking for items and
20 identifying items?

21 A. Yes.

22 Q. Okay. But anything that's collected, who does
23 that?

24 A. That would be FSU and that's, in this case,
25 Cole Alsbroom.

1 Q. Okay. Did you observe the scene inside the home
2 that day?

3 A. I did.

4 Q. Did you observe the victim?

5 A. I did.

6 Q. Did you observe any firearms in the home that
7 day?

8 A. I did not see a firearm.

9 Q. Okay. To your knowledge, were any located inside
10 the home that day?

11 A. They were not.

12 Q. Were any firearms accessories located in the home
13 that day?

14 A. Yes.

15 Q. Okay. What, to your recollection?

16 A. It's called a conversion kit.

17 Q. Okay. Is that State's Item 200?

18 A. Yes.

19 Q. Was there a magazine located?

20 A. There was.

21 Q. Okay. Were there shell casings and projectiles
22 located?

23 A. Yes.

24 Q. But no firearms of any kind were in the home?

25 A. No.

1 Q. Were there any surveillance cameras on the
2 residence that day?

3 A. There were. There was -- as soon as you walk
4 into the house, I remember seeing one facing the
5 highway, the road.

6 Q. Was any item related to the cameras recovered
7 or collected that day?

8 A. Yes.

9 Q. Okay. What?

10 A. They look like little DVD recordings, or like
11 a little satellite dish. It's pretty much the easiest
12 way to describe how it looks and a bunch of cords
13 that were coming from it so -- for a power source.
14 And then, if it was connected to, like, an internet
15 source.

16 Q. Did you attempt to have any video recordings
17 recovered from those cameras recovered?

18 A. We attempted, yes.

19 Q. Okay. Were you able to obtain any evidence
20 or any video from those cameras?

21 A. No, we were not.

22 Q. Okay. What did you do after completion of the
23 search warrant at [REDACTED] Old Back River Road that day?

24 A. So after we closed out the search warrant,
25 which just pretty much says we're legally leaving,

1 we're not coming back unless we obtain another search
2 warrant, that was when it was relayed to us that
3 he may be somewhere in North Charleston based off of
4 the GPS monitor. When I say "he", I mean the Defendant,
5 Aubrey.

6 Q. Okay.

7 A. So then, I went to actual North Charleston.

8 Q. Okay. Where did you go in North Charleston?

9 A. It was off of Captain Avenue near Cosgrove,
10 so off of 526, if you're familiar with -- excuse me,
11 526 and Cosgrove.

12 Q. Okay. 526 or 26?

13 A. Twenty-six. I'm sorry, 26, Interstate 26.

14 Q. And is that the location that we discussed with
15 Detective Bell earlier?

16 A. Yes, it is.

17 Q. And did you make contact with -- oh, first,
18 how far is that location from [REDACTED] Old Back River Road
19 in Goose Creek?

20 A. At least 11 miles.

21 Q. Okay. Did you -- and you went to the location
22 that day on Captain Avenue?

23 A. Yes.

24 Q. Was the Defendant located at that location
25 at that time?

1 A. No, he was not.

2 Q. Was anyone located there?

3 A. There was a young man there who was talking
4 to my chief deputy at the time.

5 Q. Okay. What was the person's name that was there?

6 A. I remember his last name was Simpson; I'm not
7 familiar with the first name, maybe Steward.

8 Q. Okay. Was anything -- was a search warrant
9 executed at that location?

10 A. It was.

11 Q. Okay. Was anything of note located at the
12 location that day?

13 A. No.

14 Q. Was there a vehicle in the driveway?

15 A. There was.

16 Q. What kind of vehicle?

17 A. It was like a -- a little black Ford Ranger,
18 a little small compact truck.

19 Q. Okay. Was Mr. Simpson interviewed at that time?

20 A. He was, but he was interviewed by other
21 detectives. So, I'm not sure what his statement was.

22 Q. Okay. Do you know if he is alive today?

23 A. I was told he is now deceased.

24 Q. What did you do after responding to

25 [REDACTED] Captain Avenue that day?

1 A. I don't believe I did anything that day, except
2 for -- either I or the coroner made contact with
3 Jessica's mother.

4 Q. Okay. By the conclusion of your involvement in
5 this investigation on June 9th, 2021, had the Defendant,
6 Aubrey Tucker, been taken into custody?

7 A. No, he was not.

8 Q. Okay. What did you do the following day?

9 A. The following day is when I obtained search
10 warrants for, like, the surveillance footage that we
11 attempted to get stuff from, the cell phones that we saw
12 that were collected. Once I obtained all those search
13 warrants, had them signed by a judge, I gave them over
14 to our detective, Bealer, who does the extractions --
15 pretty much tries to pull the data or the content from
16 the stuff that we collected.

17 Q. Okay. And that's when you discovered that
18 nothing could be extracted from the camera device
19 at the house?

20 A. That is correct.

21 Q. Did you do anything further, to your
22 recollection, on June 10th, 2021, in this investigation?

23 A. I reached out to Aubrey's mother, Carolyn, to see
24 if maybe he made contact back with them. She said she
25 hadn't spoken with him. I think about that time is when

1 I did reach back out to Jessica's mother and just let
2 her know what was going on, the bond hearing, if there
3 were going to be one, and I know she wanted her
4 daughter's clothing that we did not take as evidence.
5 She wanted that back, so I assisted her in obtaining
6 her daughter's items.

7 Q. Okay. By the conclusion of June 10th, 2021,
8 which I believe was a Thursday, had the Defendant been
9 located and taken into custody?

10 A. He had not.

11 Q. What did you do the following day,
12 June 11th, 2021?

13 A. The following -- that was the morning of
14 Jessica's autopsy, so that is normally conducted
15 at MUSC downtown. So I just go sit in an observation
16 room. I can talk to the pathologist on site, and I can
17 get the initial findings, so how many times we assumed
18 that she was shot, the blood patterns that they
19 obtained, nail clippings, clothing, projectiles. That's
20 my first look at everything that was on the victim that
21 we can obtain.

22 Q. Okay. I'm going to back you up one day. The day
23 prior, were you working with the U.S. Marshals Task
24 Force in any way?

25 A. Yes. So, I kept in contact with the U.S.

1 Marshals who assist in obtaining warrants and searching
2 for a fugitive who is at large for any serious crimes.
3 So, I made contact with Sergeant Milks, who at the time
4 was associated with the sheriff's office, but working
5 with the Marshals to get any updates, any possible leads
6 that there were, to get any addresses that we could
7 possibly go and locate Aubrey. So we were actively
8 still searching for him at the time.

9 Q. Okay. And on June 11th, 2021, was the Defendant
10 apprehended?

11 A. No, he was not -- on June 11th, yes. I'm sorry.
12 June 11th, yes.

13 Q. And where was he apprehended?

14 A. Columbia, in Richland.

15 Q. South Carolina?

16 A. South Carolina.

17 Q. Okay. Was he transported back to Berkeley County
18 at that time?

19 A. From my understanding, he had to have some
20 medical attention first in Columbia, and then he was
21 transported back to Charleston, to Trident, for them to
22 evaluate him, and then he stayed at Trident for a few
23 days.

24 Q. Did you make contact with the Defendant at that
25 time?

1 A. I -- not that same day. When he was being
2 released from Trident, I went and identified myself,
3 so that way he would know I was the investigator.

4 Q. Okay. Do you see the Defendant, Aubrey Tucker,
5 in the courtroom today?

6 A. Yes, sir.

7 Q. Okay. Can you please point him out and describe
8 what he's wearing?

9 A. Yes. (Indicating.) So he is at the opposite
10 table. He is the last seated person. He has on a dark
11 blazer with a blue tie and a white T-shirt with long
12 dreads.

13 Q. Okay. And is that the person that was
14 apprehended and charged with the offenses that we're
15 here about this week?

16 A. Yes.

17 Q. Was his hair as long as it is now when he was
18 apprehended in June of 2021?

19 A. No, it was short.

20 Q. Okay. All right. I believe a few minutes ago,
21 you mentioned an autopsy.

22 A. Yes.

23 Q. When did you -- approximately, when did you
24 attend the autopsy in this case?

25 A. That would be the following -- just one second.

1 Can I say something?

2 Q. Yes.

3 A. So, I have a glucose monitor on, so that's my
4 phone telling me my sugar is low.

5 THE COURT: Do you need to do something?
6 Need to take a break?

7 THE WITNESS: I just need to check it real
8 quick if that's okay.

9 THE COURT: Then, we'll be at ease while
10 you check that.

11 THE WITNESS: Thank you. Sorry.

12 THE COURT: No, that's quite all right.

13 (Pause.)

14 THE WITNESS: Is it okay if I ---

15 THE COURT: Absolutely. Do you need to take
16 a break?

17 THE WITNESS: No, sir, I'm fine.

18 THE COURT: Okay. If you do, let us know.

19 THE WITNESS: Yes, sir.

20 BY MR. MCNEELY:

21 Q. I don't have too much for you.

22 A. Okay.

23 Q. So at some point, did you attend the autopsy
24 of the victim in this case, Jessica Ancrum?

25 A. Yes, I did.

1 Q. Do you know approximately when that was?

2 A. That was June the 11 -- June the 11th,
3 the morning of. It was -- so Jessica's shooting
4 was that Wednesday. He was apprehended that Friday,
5 so that Thursday was when her autopsy was.

6 Q. Okay. Is it standard procedure for a detective
7 to attend an autopsy of a victim in a case?

8 A. Yes, it is.

9 Q. Why would a detective attend the autopsy?

10 A. So, like I stated before, it's standard
11 procedure, so that way I can officially obtain any
12 evidence from a victim. During a crime scene, we try
13 not to disturb the victim as much as possible because
14 if she has -- or if the victim has any additional
15 evidence that we need, we want to preserve that.

16 So that could be if there were defense wounds,
17 so the fingernail clippings, they did the blood
18 splatter, the clothing, the projectiles. They can do
19 angles to see exactly where the shooting and the bullets
20 came into the person, they can take photos. So that
21 would be the first look that I have for my
22 investigation.

23 Q. Okay. And when you say you attend, do you
24 observe the entire -- the entirety of the autopsy
25 procedure?

1 A. Yes.

2 Q. How long does that take?

3 A. It could take four or five hours.

4 Q. And at the conclusion, I believe you mentioned
5 you collect any evidence recovered during the autopsy?

6 A. Yes.

7 Q. Did you do that in this case?

8 A. I did.

9 Q. Okay, specifically as to evidence collected
10 at autopsy, what did you retrieve from the pathologist
11 in this case?

12 A. Her clothing that was on her body, the
13 projectiles that were pulled from her body during
14 the examination, the blood spatter, the blood cards
15 that they collect, nail trimmings that they would take
16 to see if there is any defensive wounds.

17 Q. Do you get a copy of any photos or X-rays taken
18 during the autopsy?

19 A. Yes. We'll -- they normally put the photos
20 and the X-rays on a DVD, or, like, a disc, and then
21 we put that also with the victim's items.

22 Q. Okay. When you as the detective collect items
23 of evidence from the pathologist at autopsy, are they
24 sealed?

25 A. Yes.

1 Q. Okay. The pathologist sealed them?

2 A. Yes.

3 Q. What do you do with those items once you collect
4 them?

5 A. So, I immediately -- I take all the information.
6 I immediately go to our forensics unit, so we don't make
7 any stops along the way, and all those items go directly
8 into our secure facility where we have all our evidence,
9 and then I complete a chain of custody statement that
10 I've done as such.

11 Q. Okay. And were all of the items that you
12 collected at autopsy in this case for Jessica Ancrum
13 in your continuous custody and control from the time
14 you collected them at MUSC until you logged them
15 into the Berkeley County Sheriff's Office forensics
16 building?

17 A. Yes.

18 Q. Were they all sealed?

19 A. Yes.

20 Q. Did you ever, at any point, open any of them?

21 A. No.

22 Q. I'm going to show you what's been marked as
23 State's Exhibit 203. Please look at this and tell
24 me if you recognize these items. And I have your chain
25 of custody if you need it.

1 A. I recognize it.

2 Q. Okay. What are those items?

3 A. It's the bullets from Jessica's autopsy.

4 Q. Okay. How many are there?

5 A. There are four.

6 Q. Okay. And those were recovered from the victim
7 at autopsy?

8 A. Yes, they were taken during the autopsy.

9 Q. Okay. And was State's Exhibit 203 sealed when
10 you received it?

11 A. Yes.

12 Q. And was it in your continuous custody and control
13 from the time you collected it at MUSC until you logged
14 it into the forensics services building?

15 A. Yes.

16 Q. And did you ever open it?

17 A. No.

18 Q. All right. Following the apprehension of the
19 Defendant in Columbia and the autopsy of the victim,
20 did you do anything further in this case?

21 A. In between the time, I think is when I obtained
22 Jessica's clothing from the Defendant's residence
23 to provide it back to her mother. I think that was
24 the time frame when that happened.

25 Q. Okay.

1 A. And attended a bond hearing after he was
2 apprehended.

3 Q. Okay. After that, did you do anything pertinent
4 in the case?

5 A. No, not until today.

6 MR. MCNEELY: I don't believe we have
7 anything further at this time, Your Honor.

8 THE COURT: Any cross-examination?

9 MR. HUGHES: Yes, Judge.

10 CROSS-EXAMINATION

11 BY MR. HUGHES:

12 Q. Good afternoon, Ms. Gist.

13 A. Good afternoon.

14 Q. Could you tell me why the force has the policy
15 to take everyone's GSR sample? Why does that exist?

16 A. I don't know the history behind it.

17 Q. Do you have an idea of why it might exist?

18 A. No, sir.

19 Q. Well, can you say -- because it's possible that
20 anybody can be the shooter, right? That's why they take
21 it, right?

22 A. Yeah. You never want to rule somebody out.

23 Q. Yeah, exactly. Okay. And you are aware that
24 Ms. Jefferson's GSR sample was sent off to SLED?

25 A. Yes.

1 Q. Can you explain to the jury kind of what SLED
2 does when they get that?

3 A. They will take it, and they will analyze it to
4 see if there is any gunshot residue either on the person
5 that we're collecting it from, and then like we heard
6 earlier, they typically won't do it for the victim
7 because it's assumed that it's there.

8 Q. Have you ever been made aware of the results
9 of Ms. Jefferson's GSR kit sample?

10 A. Yes, I was made aware.

11 Q. And what was that result?

12 A. That there was a particle, or some particles,
13 of GSR on Ms. Carolyn.

14 Q. So it came back positive that there was gunshot
15 residue on her hands?

16 A. Yes.

17 Q. Okay. You mentioned that you saw -- or that
18 Mr. Tucker was seen at Trident Hospital before you
19 ever laid eyes on him or ever met with him, right?

20 A. State that one more time.

21 Q. So you said -- you mentioned that Mr. Tucker
22 was seen by Trident Hospital, he was at Trident Hospital
23 before you ever laid eyes on him or anything like that?

24 A. To my recollection, yes.

25 Q. Okay. Do you know what Trident was seeing him

1 for? Was it for an illness? Was it for a wound?

2 A. It was for a wound.

3 Q. Okay. And what kind of wound was that?

4 A. He had an apparent gunshot wound to one of his
5 feet; I can't remember if it was left or right.

6 Q. Okay. A gunshot wound to his foot?

7 A. Yes.

8 Q. Okay. I want to backtrack for a second.

9 Let's go back to the [REDACTED] Old Back River Road address
10 where the incident occurred. You don't have any
11 firsthand knowledge of what happened there, do you?
12 Or what happened in that room?

13 A. What do you mean by firsthand?

14 Q. You don't know -- you didn't see any shooting,
15 you don't know what happened in that room? You just
16 got what you get?

17 A. I did not see the shooting.

18 Q. Okay.

19 MR. HUGHES: Thank you, Judge. No further
20 questions. Thank you for answering those questions.

21 THE COURT: All right, Mr. McNeely.

22 MR. MCNEELY: Yeah, just briefly,
23 Your Honor.

24 REDIRECT EXAMINATION

25 BY MR. MCNEELY:

1 Q. Between the time of the incident on
2 June 9th, 2021, until Mr. Tucker was apprehended over
3 two days later ---

4 A. Right.

5 Q. --- do you have any idea where all he went,
6 who all he had came in contact with?

7 A. I only had one lead from a marshal, and that
8 was he was supposedly seen somewhere in North Charleston
9 between zero -- so midnight and the early morning hours
10 of, like, four or five in North Charleston talking to
11 someone.

12 Q. Okay. Do you have any earthly idea how he became
13 wounded in the foot?

14 A. I do not.

15 Q. Okay.

16 MR. MCNEELY: Nothing further, Your Honor.

17 THE COURT: All right. Anything further?

18 MR. HUGHES: No further questions, Judge.

19 THE COURT: All right, you can step down.

20 Thank you.

21 THE WITNESS: Thank you.

22 THE COURT: Mr. McNeely.

23 MR. MCNEELY: Let me check real quick
24 if our last witness is here, Your Honor.

25 THE COURT: All right.

1 (Pause.)

2 MR. MCNEELY: She's in the parking lot
3 and on route.

4 THE COURT: Did you say in our parking lot?

5 MR. MCNEELY: Yes, she's walking in.

6 THE COURT: Okay. All right. How long
7 do you anticipate this witness will take?

8 MR. MCNEELY: Ten minutes, maybe.

9 THE COURT: Okay. All right.

10 (Pause.)

11 MR. MCNEELY: She's present, Your Honor.

12 MS. LYNCH: Your Honor, the State calls
13 Hailfair Cierra Williams.

14 THE COURT: All right.

15 THE CLERK: Please raise your right hand,
16 place your left hand on the Bible.

17 HAILFAIR CIERRA WILLIAMS was called as
18 a witness, being duly sworn, was examined and testified
19 as follows:

20 THE CLERK: Thank you. You may be seated.
21 Please state your full name and spell your last name
22 for the record.

23 THE WITNESS: Hailfair Cierra Williams,
24 C -- W-I-L-L-I-A-M-S.

25 DIRECT EXAMINATION

1 BY MS. LYNCH:

2 Q. Ms. Williams, do you go by any other names
3 or nicknames?

4 A. Cee Cee.

5 Q. And could you describe how you know the victim
6 in this case, Jessica Ancrum?

7 A. I was dating her brother at the time she got --
8 when she died.

9 Q. And did you ever know her to go by any other last
10 names, other than Ancrum?

11 A. Gaines.

12 Q. And could you describe how long you have known
13 her?

14 A. Five and a half years. Seven now, but five
15 and a half years at the time.

16 Q. And at the time of June 9th, 2021, was that the
17 five and a half years?

18 A. Yes.

19 Q. Could you describe your relationship with her?

20 A. Like a regular -- I guess, like a regular
21 girlfriend and brother/sister.

22 Q. And did you often see her or speak to her?

23 A. Yes.

24 Q. And did you ever share anything with Jessica
25 as far as property?

1 A. She loaned me and her brother her car because
2 ours was down, and we needed to get to work.

3 Q. And was that something that you guys often did?

4 A. Uh-huh.

5 Q. Okay. And at the time of June 9, 2021, were you
6 borrowing her car?

7 A. Yes.

8 Q. Okay. Could you describe how that arrangement
9 would work when you would be borrowing her car?

10 A. She would have us drop her off, and then
11 if she needed it, she would text us and tell us
12 she needed -- let us know she needed it, you know?
13 And then when she got done doing whatever she was doing,
14 she would bring it back to us because we used it to get
15 to work.

16 Q. And do you know the Defendant in this case,
17 Aubrey Tucker?

18 A. I don't know him like that, but I know of him.

19 Q. Had you ever met him before?

20 A. I think I've seen him once.

21 Q. Okay. And how did you know of him?

22 A. Dating Jessica.

23 Q. And do you know about how long they were dating,
24 or do you remember when?

25 A. I want to say, to my knowledge, from -- when she

1 first started telling me about him, like three months,
2 three and a half months.

3 Q. And you said that you thought you maybe saw him
4 once. Do you remember what that experience was like?

5 A. Really didn't say anything. We were -- we took
6 Jessica to his house to drop her off, and she got out
7 the car, and he walked by the car to the back where she
8 was, and that was that.

9 Q. Okay. Do you know where Jessica was living on
10 June 9th, 2021?

11 A. With him on Old Back River Road.

12 Q. Do you know about how long she was living there?

13 A. (Witness shakes head.)

14 Q. Do you remember when you started borrowing her
15 car, approximately how long before that?

16 A. I want to say maybe a month.

17 Q. Okay. And where would you drop her off if she
18 needed to get dropped off?

19 A. Back at his house on Old Back River Road.

20 Q. Okay. And did you guys ever talk about her
21 living there?

22 A. Not really.

23 Q. So on June 9th, 2021, do you remember if you were
24 working that day?

25 A. Yes, I was.

1 Q. Where were you working at that time?

2 A. Sea Island Linen.

3 Q. And could you describe what your typical day
4 was like, I guess, as far as your hours?

5 A. We usually go in at about 4:30, five o'clock
6 in the morning, and didn't get off until the work gets
7 done, which is usually -- for us at that time was, like,
8 maybe six, seven o'clock that afternoon.

9 Q. Okay. Were there times where you're able to
10 sometimes get off early?

11 A. Yes.

12 Q. Okay. And on June 9th, 2021, how did you get
13 to work that day?

14 A. Her car.

15 Q. And do you remember talking to her that day?

16 A. Yes, ma'am.

17 Q. And how would you guys communicate when you would
18 talk?

19 A. Messenger.

20 Q. And just to clarify, what is Messenger on?

21 A. Facebook Messenger.

22 Q. Okay. And do you remember what her Facebook name
23 was?

24 A. Jessica Ancrum.

25 Q. Do you remember if it was -- went by any other

1 last names?

2 A. Jessica Gaines.

3 Q. Okay. And do you remember your Facebook?

4 A. Cee Cee Williams. If it wasn't Cee Cee Williams,
5 then it was Cee Cee Williams-Gaines.

6 Q. Okay. And before you testified today, did you
7 review any of those messages between you?

8 A. You said did I look over them? No.

9 Q. Okay. Would you recognize them if I showed them
10 to you?

11 A. Yes.

12 Q. Okay. I'm going to show you what's been marked
13 as State's 196.

14 MS. LYNCH: May I approach, Your Honor?

15 THE COURT: Yes.

16 BY MS. LYNCH:

17 Q. Take a minute to review those. Do you recognize
18 those?

19 A. Yes, ma'am.

20 Q. And what are they?

21 A. The messages that she started sending me while
22 I was at work.

23 Q. And what day were those messages sent?

24 A. June 9th.

25 Q. And can you describe -- there's green and blue

1 bubbles. Which ones are yours and which is Jessica's?

2 A. The blue one is mine, and the green one is hers.

3 Q. Okay. And is that the account that you guys
4 would talk on?

5 A. Yes, ma'am.

6 Q. Okay. And do you recall the conversation when
7 you read through it?

8 A. Yes, ma'am.

9 Q. And you sent those from your account?
10 Your messages came from your account?

11 A. Yes.

12 Q. And are those screenshots I handed you an
13 accurate representation, it hasn't been tampered
14 or altered?

15 A. No.

16 Q. Okay.

17 MS. LYNCH: Your Honor, at this time,
18 we would move to enter State's Exhibit -- I think it was
19 196, into the record.

20 THE COURT: All right. Any objection?

21 MR. HUGHES: No objection, Judge.

22 THE COURT: Without objection.

23 (State's Exhibit No. 196 was entered into evidence.)

24 MS. LYNCH: And at this time, we would like
25 to publish them.

1 BY MS. LYNCH:

2 Q. So we'll put them behind you just so you can --
3 it might be easier to read off the physical ones.
4 But could you just read for the jury what the
5 conversation is?

6 A. She asked us -- she asked me what time we were
7 getting off, and I told her I didn't know, and then
8 she said, okay, when y'all are finished running around
9 and things, can I hold my car, please, I've got to get
10 away for awhile. I'll be back before 12, and I said,
11 okay. And then I told her -- I said, we can't get
12 through -- after that, you know, we got off about 3:00,
13 3:30, and I texted her because I saw on Facebook
14 that we couldn't get through to Old Back River Road
15 to get her.

16 So, I told her -- I said, we can't get through
17 to Old Back. Someone just posted four minutes ago
18 and said it's blocked off. Then, I texted her again.
19 I called her, and she didn't answer, and I called
20 her again, and she didn't answer. And then, I texted
21 her and told her it had started raining.

22 Q. I'm going to back up a little bit just so I can
23 kind of go through the messages and through your day.
24 So she messages you around what time that morning?

25 A. 7:46 was the first message.

1 Q. And then, when is the next request to get a ride?

2 A. At 10:43.

3 Q. And at that point when you were working that day,
4 what time were you expecting to get off?

5 A. We had no idea, but because it started raining,
6 and we had her car -- her windshield wipers didn't work.
7 So being that it was raining, we were trying to get off,
8 but our boss didn't let us get off until, like, 3:00,
9 3:30 that day.

10 Q. And do you remember what time you requested to
11 try to get off early around?

12 A. I started asking my boss at about 11 o'clock.

13 Q. Okay. And when you first made that request,
14 what was the answer of your boss at that time?

15 A. We had too much work that needed to get done.

16 Q. And once you got off work, what time was that?

17 A. About 3:00, 3:30.

18 Q. And what did you do from there?

19 A. We headed straight to her.

20 Q. Okay. And then, around what time would you say
21 on the messages that you started trying to get to her?

22 A. About 4:12.

23 Q. And did you physically ever get to
24 Old Back River Road?

25 A. No, ma'am.

1 Q. And do you remember why you couldn't?

2 A. After we saw it was blocked off and she wasn't
3 answering, we just thought she was sleeping, that she
4 didn't usually do during the day, and when she got up,
5 she would call us, and then we would get -- leave the
6 house and go and get her and give her her car.

7 Q. And how many times did you call her that day?

8 A. Twice.

9 Q. And did she ever answer those calls?

10 A. No, ma'am.

11 Q. And did you ever hear from her after that second
12 request to get picked up?

13 A. No, ma'am.

14 MS. LYNCH: Nothing further from this
15 witness, Your Honor. Thank you.

16 THE COURT: All right. Any
17 cross-examination?

18 MR. HUGHES: No questions for this witness,
19 Judge.

20 THE COURT: Okay. All right. Any objection
21 to this witness being excused?

22 MR. MCNEELY: No, Your Honor.

23 MS. LYNCH: No, Your Honor.

24 THE COURT: All right. You're excused,
25 Ms. Williams. You may stay if you wish. Thank you.

1 All right. Mr. McNeely.

2 MR. MCNEELY: That's all we have for today,
3 Your Honor. We have four total witnesses remaining.
4 I believe three will be tomorrow morning, and then one
5 Thursday morning.

6 THE COURT: Three tomorrow morning.
7 Okay. All right, ladies and gentlemen, the timing
8 of the witnesses is difficult sometimes. They've moved
9 very efficiently along today, and kept track and kept
10 us apprised of what's going on. We finished now
11 at four o'clock. We're going to be done for the day.
12 I'm going to ask you to come back, same thing as you
13 did this morning.

14 I thank you for being here on time,
15 be here about 9:15 or so. We're going to start at 9:30
16 with the next witness. And again, don't start talking
17 about the case yet. You'll get an opportunity soon
18 enough, all right? Thank you all. Y'all have a good
19 evening.

20 (The jury exited the courtroom at 4:00 p.m.)

21 THE COURT: All right. Y'all can be seated.
22 Anything further from the State for today?

23 MR. MCNEELY: No, Your Honor.

24 THE COURT: From the defense?

25 MR. HUGHES: None from the defense, Judge.

1 THE COURT: All right. And tell me again
2 who you anticipate for tomorrow.

3 MR. MCNEELY: So we have three tomorrow;
4 Chris Gilbreath at the sheriff's office, Megan Fletcher,
5 the GSR analyst from SLED, and Dr. Susan Presnell,
6 the pathologist who did the autopsy.

7 THE COURT: And those are expected for
8 tomorrow. And who is your witness for Thursday?

9 MR. MCNEELY: That would be James Green
10 from SLED, the ballistics analyst.

11 THE COURT: James Green. All right. Does
12 the defense anticipate putting up any witnesses?

13 MR. HUGHES: We do not intend to do that
14 right now, Judge.

15 THE COURT: Okay. And, of course, you're
16 welcome to do that. I was just trying to kind of knock
17 it out for scheduling purposes. All right. Well, we
18 will stand at ease and resume tomorrow. I would ask
19 y'all to be here in the courtroom at 9:15, we can touch
20 base, make sure there's nothing that need to be done,
21 and we'll start promptly at 9:30.

22 MR. HUGHES: Thank you, Judge, we will.

23 THE COURT: All right. Thank y'all.

24 MR. MCNEELY: Thank you, Your Honor.

25 (End of Transcript of Record.)

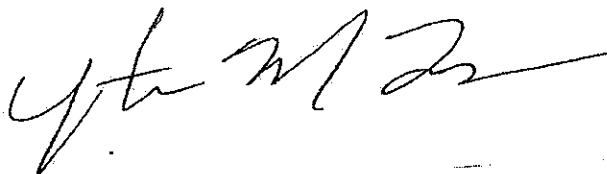
CERTIFICATE OF REPORTER

State of South Carolina)
County of Berkeley)

I, the undersigned, Yvestre Torres, Circuit Court Reporter for the Ninth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Circuit Court for Berkeley County, South Carolina, on the 25th of March, 2025.

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

July 17, 2025



Yvestre Torres

Circuit Court Reporter

STATE OF SOUTH CAROLINA

COURT OF GENERAL SESSIONS

COUNTY OF BERKELEY

2022-GS-08-00740-00742

State of South Carolina)

) TRANSCRIPT OF RECORD

-vs-)

) March 26, 2025 - Day 3

Aubrey Dupree Tucker,)

) Moncks Corner, South Carolina

B E F O R E:

The Honorable Dale E. Van Slambrook, Judge

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

Wilton Hart McNeely, Esquire
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Reported By:

Yvestre Torres, OCR
Circuit Court Reporter for the
Ninth Judicial Circuit

EXHIBITS

<u>NO</u>	<u>DESCRIPTION</u>	<u>ID</u>	<u>EVIDENCE</u>
S-168	Still from Phone		483
S-169	Still from Phone		483
S-171	Autopsy Sketch		501
S-172	Autopsy X-Ray		511
S-173	Autopsy X-Ray		511
S-174	Autopsy X-Ray		511
S-175	Autopsy X-Ray		511
S-176	Autopsy X-Ray		511
S-177	Autopsy X-Ray		522
S-188	Autopsy Photo		522
S-189	Autopsy Photo		522
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S-191	Autopsy Photo		522
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1 THE COURT: Good morning, everyone. Have a
2 seated. All right. So, I know Mr. McNeely is not here.
3 Is there anything the State intends to raise as an issue
4 this morning?

5 MS. LYNCH: Not that I know of. I want
6 to check when he gets here, but ---

7 THE COURT: Okay.

8 MS. LYNCH: --- not that I'm aware of.

9 THE COURT: All right, all right. I'll give
10 you the opportunity -- an opportunity when he comes
11 in. If there's something that you're aware of then,
12 of course, we would still wait for him anyway. Anything
13 the defense intends to raise this morning before we
14 bring the jury in?

15 MR. HUGHES: No, Judge.

16 THE COURT: Okay. All right. And,
17 Ms. Lynch, as far as you know, the plan is two or three
18 -- well, three witnesses this morning; is that right?

19 MS. LYNCH: Yes, Your Honor.

20 THE COURT: Okay. All right.

21 MR. MCNEELY: Good morning, Your Honor.

22 THE COURT: No problem, Mr. McNeely, I was
23 just double-checking to make sure that there wasn't
24 anything being raised this morning, and we're still
25 going with all three witnesses today; is that correct?

1 MR. MCNEELY: That's the plan.

2 THE COURT: Okay. All right. I just wanted
3 to touch base, give everybody a break before we get
4 started. I'll step back in, and we'll bring the jury
5 in at 9:30, so we'll be at ease until then. Thank you.

6 MS. LYNCH: Thank you.

7 (Recess taken.)

8 (Back on the record.)

9 THE COURT: Good morning, everyone. Have
10 a seat. All our jurors are here?

11 THE CLERK: Yes, sir.

12 THE COURT: All right. Let's bring our jury
13 in.

14 (The jury entered the courtroom at 9:32 a.m.)

15 THE COURT: All right. Good morning,
16 everyone. Y'all, have a seat. Thank you. I hope
17 everyone had a good evening. All right. The State
18 ready to proceed?

19 MR. MCNEELY: We are, Your Honor.

20 THE COURT: Defense ready to proceed?

21 MR. HUGHES: Yes, Judge.

22 THE COURT: All right. Thank you.

23 Mr. McNeely.

24 MR. MCNEELY: Thank you, Your Honor.

25 MS. LYNCH: Your Honor, State calls

1 Megan Fletcher.

2 THE COURT: All right.

3 THE CLERK: Please raise your right hand,
4 place your left hand on the Bible.

5 MS. MEGAN FLETCHER was called as a witness,
6 being duly sworn, was examined and testified as follows:

7 THE CLERK: Thank you. You may be seated.
8 Please state your full name, and spell your last name
9 for the record.

10 THE WITNESS: Megan Fletcher,
11 F-L-E-T-C-H-E-R.

12 DIRECT EXAMINATION

13 BY MS. LYNCH:

14 Q. Good morning, Ms. Fletcher.

15 A. Good morning.

16 Q. Could you start by telling the jury where you're
17 currently employed?

18 A. I'm employed by the South Carolina Law
19 Enforcement Division in the forensics services
20 laboratory in the trace evidence department.

21 Q. And what is your official position there?

22 A. I'm a forensic scientist.

23 Q. How long have you been employed there?

24 A. Seventeen and a half years.

25 Q. And can you describe some of your education

1 and training related to that position?

2 A. Sure. I have my bachelor's degree from
3 Chatham College in biochemistry and English. I also
4 have my master's degree in forensic science from
5 Marshall University, emphasizing in computer forensics
6 and forensic chemistry.

7 Once I obtained my employment with SLED,
8 I underwent in-house and outside training in each one
9 of the disciplines in which I am competent to perform
10 analysis. So that includes explosives, glass, fibers,
11 gunshot primer residue, paint, fire debris, general
12 physical chemical unknowns, physical fit, and
13 pressure-sensitive tapes.

14 Q. And do you have any other licences or
15 certifications?

16 A. Just that I'm deemed competent to perform my
17 analyses by SLED.

18 Q. And do you participate in any continuing
19 education programs?

20 A. I read every journal article that comes
21 out pertaining to all of my different disciplines.
22 As online training becomes available, I do participate
23 in webinars, and I keep up to date on the standards
24 that are produced for the different disciplines within
25 my -- within trace evidence as well.

1 Q. And could you describe for the jury what your
2 day-to-day responsibilities are?

3 A. So my day-to-day responsibilities include
4 analyzing evidence, generating reports, testifying.
5 I'm also responsible for training other analysts
6 and keeping up to date with new protocols and keeping
7 up to date on new methods and procedures and making sure
8 that our protocols at SLED are up to date with those.

9 Q. And could you cover any, I guess,
10 responsibilities related specifically to the gunshot
11 residue analysis?

12 A. I'm responsible for the analysis, for the
13 generation of reports, and for the testimony to those
14 reports. I'm also responsible for training new analysts
15 in gunshot primer residue.

16 Q. And could you explain how evidence comes to be
17 in your possession?

18 A. Evidence is submitted to SLED by other agencies
19 or SLED crime scene through our evidence control
20 department. Our evidence control department will
21 assign it a unique laboratory identification number.
22 It will also assign every item of evidence that's
23 submitted a unique item number, and then it will store
24 that evidence in a secure evidence location.

25 After it's been submitted for analysis,

1 somebody from the trace evidence department will go
2 down to the evidence control department and take that
3 evidence into their custody, meaning, they take physical
4 possession of that evidence and bring it to the trace
5 evidence laboratory where it is inventoried and
6 analyzed.

7 Q. And could you describe what happens once you
8 receive the evidence?

9 A. Once I receive the evidence, I either inventory
10 that evidence to ensure that it is properly sealed and
11 that no contamination could have occurred, or I analyze
12 that because it's already been inventoried by another
13 person.

14 Q. And could you -- do you have any idea how many
15 cases you've worked that include GSR?

16 A. Well over 2,000.

17 Q. And have you ever been qualified to testify
18 as an expert?

19 A. Yes, I have.

20 Q. Do you know about how many times?

21 A. I think it's around 78.

22 Q. And what courts are you qualified in?

23 A. I've been qualified in the general sessions
24 in South Carolina as well as the family court in
25 South Carolina.

1 MS. LYNCH: Your Honor, at this time,
2 we would move to qualify Megan Fletcher as an expert
3 in the field of gunshot residue analysis.

4 THE COURT: All right, any objection?

5 MR. HUGHES: No objection, Judge.

6 THE COURT: All right. Without objection
7 qualified as an expert in gunshot residue.

8 MS. LYNCH: Thank you, Your Honor.

9 BY MS. LYNCH:

10 Q. Can you explain to the jury what you mean by
11 trace evidence?

12 A. Trace evidence is typically evidence that you
13 can't see with the naked eye, so you need sensitive
14 instrumentation or a microscope to be able to identify
15 it or characterize it or compare it. In our laboratory,
16 it means explosives, fibers, paint, tapes, gunshot
17 primer residue, fire debris, among some other types
18 of evidence as well.

19 Q. And can you explain what gunshot residue is?

20 A. So gunshot residue is everything that comes
21 out of a gun when it's fired. That's the flames,
22 the soot, fragments of the bullet, burned and unburned
23 gunpowder, as well as something called gunshot primer
24 residue. And those are microscopic molten particles
25 that contain the elements lead, barium, and antimony.

1 And those specifically come from the primer
2 portion of a cartridge case, and those are formed
3 when the firearm is discharged and the small explosion
4 takes place inside that cartridge case. The primer --
5 those primer particles will exit the firearm from
6 the muzzle or any other openings, like an ejector port
7 in a semi-automatic or cylinder gaps in a revolver.

8 Q. And can you explain how GSR comes to be on
9 a person or an article of clothing?

10 A. So when it exit -- when that gunshot primer
11 residue exits that firearm, it will go about two
12 to three feet to either side, two to three feet behind
13 a person, and upwards of 60 feet in front of the firearm
14 itself, in front of the muzzle, because it's traveling
15 along with the bullet.

16 Q. And what can be determined from a gunshot residue
17 analysis test?

18 A. It can be determined that somebody was either
19 in the presence of a firearm when it was discharged,
20 or came into contact with something that had gunshot
21 primer residue on it.

22 Q. And, in general, when you collect gunshot residue
23 tests, who are they collected from?

24 A. They are collected from anybody who is suspected
25 to be around the discharge of a firearm.

1 Q. What about a victim?

2 A. The victim is known to have been in the presence
3 of a gunshot -- the discharge of a firearm. They have
4 sustained a gunshot wound, and we expect to find gunshot
5 primer residue on them. The majority of that gunshot
6 primer residue comes out the muzzle of the firearm
7 traveling along with the bullet. So we expect that
8 gunshot primer residue to be on the victim, and we
9 cannot tell the difference between gunshot primer
10 residue from one gun and gunshot primer residue from
11 another gun.

12 Q. So what does that mean when you receive a GSR
13 kit that is from a known victim?

14 A. We will not analyze that GSR kit at SLED.

15 Q. And is that for every case across the board?

16 A. We do have an exception that if that victim
17 is beyond 60 feet because that's about when that gunshot
18 primer residue stops traveling along with the bullet,
19 it just falls off at that point. But within that
20 60 feet, we do expect it, and we will not analyze
21 the GSR kit from that victim.

22 Q. And can you explain a little more in depth
23 about how you test the kits when you receive them?

24 A. So a GSR kit is -- a GSR kit includes two
25 sampling devices. They are stamp-like devices

1 with a sticky surface on it. One device is used on
2 the right hand of an individual. That stamp is dabbed
3 over the right palm and the right back of a hand,
4 and then the other device is used on the left palm
5 and the left back of a hand. And those devices
6 are submitted within a GSR kit, which includes a GSR
7 kit information form.

8 Then, that information form includes information,
9 such as who it was collected from, when the incident
10 occurred, and when it was collected. And that's
11 very important to us because gunshot primer residue
12 is a fragile type of evidence in that it's very easily
13 removed from your hands. You can shoot a gun, put that
14 gun down, and you essentially start to remove particles
15 from your hands immediately.

16 So even at SLED, we have a six-hour time frame
17 in which that GSR kit has to be submitted, otherwise
18 we won't analyze it. So that is information on that
19 information form is very important to us. Once it is
20 received at SLED, and we take it into our custody, we're
21 checking to make sure that it's properly sealed, that
22 the proper components are inside, that there are two
23 particle lifts inside the stamp-like devices, and we're
24 documenting all of that on our inventory worksheets.

25 After that happens, then we analyze those

1 particle lifts on what we call an SEM-EDX, that's
2 a scanning electron microscope with an energy-dispersive
3 X-ray detector. A scanning electron microscope is
4 a very powerful microscope that uses electrons instead
5 of light in order to image very, very small things.
6 Gunshot primer residue particles are so small that you
7 could fit anywhere between 10 and 100 on the diameter
8 of a human hair. So we need something way more powerful
9 than your typical light microscope, so we use the
10 electron microscope.

11 We also need to identify that lead, barium,
12 and antimony -- three elements -- are present in
13 a singular particle. So we have to pair it with
14 an energy-dispersive X-ray detector, which will allow
15 us to determine which elements are present in that
16 particle.

17 Q. When you're testing, what are the results that
18 you can produce?

19 A. We can produce results that say that no gunshot
20 primer residue was detected on the particle that's
21 submitted as the kit. We can say that one particle
22 of gunshot primer residue was detected, meaning, one
23 singular particle containing lead, barium, and antimony
24 was found, or I can say that gunshot primer residue
25 particles, plural, two or more, were found.

1 Q. And when you received the kits -- I'm going
2 to back up a bit. You mentioned about the information
3 sheets. Where do those information sheets come from?

4 A. They're included with the GSR kits by the
5 manufacturers.

6 Q. And who fills those out?

7 A. Whoever collected the kit.

8 Q. And as far as affecting the test or anything
9 that would affect the result, is there anything on
10 that form as far as what their hands might -- may have
11 had on them already?

12 A. There is different information that they can
13 include on that information form, including whether
14 or not the person sustained a gunshot, whether or not
15 that person has dirt, debris, blood on their hands,
16 their hobbies, their occupation, their activities
17 in between the time of the incident and the time of
18 collection. Those are all things that can be documented
19 on the form.

20 Q. And when you provide an analysis that states
21 there was gunshot residue present, is that positive
22 that they did shoot a gun?

23 A. Absolutely not. It just means that they either
24 discharged a firearm within the vicinity of the
25 discharge of a firearm, or it came into contact with

1 something that had gunshot primer residue on it.

2 Q. Could you get gunshot primer residue on you
3 by entering a room where someone was shot?

4 A. That is a possibly. After the discharge
5 of a firearm, gunshot primer residue particles are known
6 to be present in the environment for several minutes,
7 especially an enclosed environment.

8 Q. And in this case, did you have the opportunity
9 to analyze some GSR kits?

10 A. I did.

11 Q. And do you remember when you -- actually, I want
12 to back up. When you test a GSR kit, after you're done
13 testing, what do you do with it?

14 A. After I'm finished testing it, I will create
15 all my notes, I will generate a report, and then all
16 of my notes and the report will go through a technical
17 and administrative review process in which another
18 qualified, competent gunshot primer residue analyst
19 will review all of my documentation and a report
20 to confirm that they agree with the findings that
21 I have.

22 And then once that happens, the report is sent
23 out to the agency that submitted the kit. I then seal
24 the evidence and return it to our evidence control
25 department to be returned to the agency.

1 Q. What marks do you make on it after you seal it?

2 A. I seal it with our evidence tape with my initials
3 and the date.

4 Q. And for this case specifically, do you remember
5 when you analyzed the kits?

6 A. I analyzed the kits on August 2nd, 2024.

7 Q. And do you remember how many kits it was?

8 A. It was two GSR kits.

9 Q. Do you remember who the kits belonged to?

10 A. Robert L. Jefferson and Carolyn Jefferson.

11 Q. Do you remember how they were differentiated
12 on the report?

13 A. One GSR kit would have been from
14 Robert L. Jefferson, and one would have been from
15 Carolyn Jefferson with unique item numbers.

16 MS. LYNCH: Your Honor, may I approach?

17 THE COURT: Yes.

18 BY MS. LYNCH:

19 Q. I'm handing you what's been premarked as
20 State's Exhibit 202. And could you show the jury
21 the tape that you were discussing where you seal it?

22 A. This yellow SLED forensic services evidence
23 tape is across the opening of this manila envelope
24 with my initials and the date in which I closed it
25 of August 15th, 2024.

1 Q. And you -- just to be clear, you stated you did
2 see your initials on it?

3 A. Yes, ma'am.

4 Q. Okay.

5 A. And that's my initials.

6 Q. And we have some scissors for you to open it.
7 Could you just explain to the jury what's inside that
8 envelope?

9 A. There are two GSR kits inside of this envelope.

10 Q. And could you pull them out and show them to the
11 jury?

12 A. Sure. This is SLED Laboratory L21-15453,
13 Item No. 15. I recognize that based upon the lab --
14 laboratory bar code sticker that was placed on this.
15 I also recognize this based on my initials and the date
16 in which I opened this evidence, the yellow evidence
17 tape from SLED with my initials and date in which
18 I closed this evidence.

19 And this is the GSR kit labeled as
20 SLED Laboratory L21-15453, Item No. 16, with the bar
21 code sticker with my initials and the date in which
22 I opened it, and the initials and date on the evidence
23 tape in which I closed it.

24 Q. And does that look how you remember sealing it?

25 A. Yes, ma'am, it does.

1 Q. And do you remember who you got these kits from
2 initially before you tested it?

3 A. I retrieved them from a secure evidence location
4 within the trace evidence department.

5 Q. And when you received them, how do you know that
6 they were sealed?

7 A. On an inventory worksheet that was filled out
8 by a forensic technician within our trace evidence
9 department. That would have been filled out on that
10 information form.

11 Q. And what happens when you receive something
12 that's been tampered with or is not sealed properly?

13 A. If it had been tampered with in any way, notes
14 would have been taken, and we would have -- we would
15 have proceeded accordingly depending on the -- how
16 tampered with they were. That was not the case in this
17 because I did go ahead with the analysis.

18 Q. And it has not been altered in any way?

19 A. No, ma'am, it has not.

20 Q. Okay.

21 MS. LYNCH: Your Honor, at this time,
22 we would like to enter State's Exhibit 202 into
23 evidence.

24 THE COURT: All right. Any objection?

25 MR. HUGHES: Without objection, Judge.

1 THE COURT: All right. So 202 is entered
2 without objection.

3 (State's Exhibit No. 202 was entered into evidence.)

4 BY MS. LYNCH:

5 Q. I want to discuss the results from this analysis,
6 and we can go in numerical order.

7 A. Okay.

8 Q. So for 15, who did that belong to again?
9 Item 15?

10 A. Item 15 was from Robert L. Jefferson.

11 Q. Do you remember what the findings were for that?

12 A. If I may refer to my notes.

13 Q. Yes.

14 A. No particles characteristic of gunshot primer
15 residue detected. The absence of primer residue
16 on the hands is consistent with, but not limited
17 to, the following scenarios. The individual not having
18 discharged a firearm, four to six hours passing between
19 firing and sampling, normal physical activity between
20 firing and sampling, the individual washing the hands,
21 wiping the hands, or sweating profusely, the individual
22 wearing gloves during the discharge of a firearm,
23 excessive blood or debris on the hands, environmental
24 factors, including wind and rain, the ammunition
25 discharge not producing particles characteristic

1 of the conventional gunshot primer residue, or the
2 firearm not producing primer residue on the hands when
3 discharged.

4 Q. And we noted earlier about if there was debris
5 on your hands, it may be marked on that inventory sheet.
6 Would you mark that on your report if that was the case?

7 A. It would be marked on the information form,
8 but I would not mark that specifically on the report.

9 Q. Okay. And you mentioned that one of the results
10 was that the individual did not fire a firearm?

11 A. That's correct.

12 Q. And that's consistent with the finding of no
13 particles that you have?

14 A. That's correct.

15 Q. And for Item 16, who did that belong to?

16 A. It was one GSR kit from Carolyn Jefferson.

17 Q. And what were the findings on that?

18 A. One particle characteristic of gunshot primer
19 residue was found. In general, particles characteristic
20 of gunshot primer residue are microscopic molten
21 particles that contain the elements lead, barium,
22 and antimony. Gunshot primer residue can come
23 from discharging a firearm, being in the vicinity
24 to the discharge of a firearm, or coming into contact
25 with something that has gunshot primer residue on it.

1 Q. And how -- how does one particle compare to
2 what is typically seen when someone fires a firearm?

3 A. I can't really say for certain because there
4 are so many variables that happen if you discharge
5 a firearm and you have activity after that before
6 collection. So, I can't really say that there's
7 a known number or a specific number that you're supposed
8 to have on your hands when you discharge a firearm
9 and then a GSR kit is collected from your hands.

10 Q. Would you consider the one particle a significant
11 amount?

12 A. No, I would not.

13 Q. And if someone ran into a room to check on
14 a victim within several minutes after a gun was fired
15 in that room, would that be consistent with that
16 finding?

17 A. That is a possibility, yes.

18 Q. And is there any alternative explanations
19 for having one particle of gunshot residue?

20 A. They could have come into contact with something
21 that had gunshot primer residue on it. Given if they
22 ran into that room, if they touched anything in that
23 room, there's a possibility that had gunshot primer
24 residue on it as well.

25 Q. If someone fired five shots from a handgun very

1 quickly, would you expect to see more than one particle?

2 A. More than one particle where?

3 Q. In the analysis result.

4 A. It really depends on the type of gun, the type
5 of ammunition, the activity after the shooting incident.
6 If somebody washes their hands, I may only have one
7 particle left on their hands, so I can't really say
8 what I would expect or what I would not expect.

9 Q. And did you receive a GSR kit for Aubrey Tucker
10 in this case?

11 A. I did not.

12 Q. We've heard testimony this week that the
13 Defendant was not apprehended until June 11th, 2021,
14 which is over two days after the shooting incident.
15 Given that time gap, would a GSR kit be collected
16 at that time?

17 A. We would not analyze a GSR kit given that time
18 gap. We have a six-hour policy. Because gunshot primer
19 residue is so easily removed from your hands, we only do
20 a six-hour time frame between the time of the incident
21 and the time of collection.

22 Q. And why is that important, that six hours?

23 A. Because on an individual's hands, it couldn't
24 be linked back to an individual incident.

25 MS. LYNCH: Nothing further. Thank you.

1 THE WITNESS: Yes, ma'am.

2 THE COURT: All right. Any
3 cross-examination?

4 MR. HUGHES: Yes, Judge.

5 CROSS-EXAMINATION

6 BY MR. HUGHES:

7 Q. Good morning.

8 A. Good morning.

9 Q. Is it true you could only test what you receive
10 from the investigating agency?

11 A. That's correct.

12 Q. And in this case, that would be the
13 Berkeley County Sheriff's Office, right?

14 A. Yes, sir, that is correct.

15 Q. Okay. And you didn't receive any GSR kit to
16 analyze from the victim in this case, Jessica Ancrum?

17 A. I did not receive a GSR kit from Jessica Ancrum.

18 Q. Okay. And that's because she was the victim?

19 A. I don't know why I didn't receive one. We would
20 not test it given that she was a victim.

21 Q. Okay. Isn't it possible that while a victim
22 might have gunshot residue on them due to them being
23 shot, that you could still differentiate whether they
24 may have handled a gun before being shot?

25 A. No, it is not true.

1 Q. That is not true?

2 A. The gunshot primer residue that gets on your
3 hands from being shot looks identical to the gunshot
4 primer residue when you're handling a gun or shooting
5 a gun yourself.

6 Q. Okay. So once you fire a gun, though, you will
7 have more gunshot residue on your hands than whether --
8 if you did not fire a gun?

9 A. I'm not sure I understand.

10 Q. So -- all right. Let me try to rephrase this.
11 While I know gunshot residue is going to be there if
12 you're shot -- if you're a victim being shot, can't you
13 differentiate between that gunshot residue and somebody
14 actually firing a gun?

15 A. No, that gunshot primer residue looks the same.
16 That gunshot primer residue that we're looking for
17 are microscopic molten particles that contain lead,
18 barium, and antimony, so those are just singular
19 particles that contain all three of those elements.

20 Q. Okay. Maybe let me ask it a different way.
21 Will there be more gunshot residue if you shoot a gun?

22 A. Aside from being a victim, it is possible that
23 a victim may actually have more than being -- than
24 actually shooting because the majority of that gunshot
25 primer residue is coming out of the muzzle of that

1 firearm and being directed towards the target, in this
2 case, a victim. So it is possible that the victim may
3 actually have more than a shooter.

4 Q. Okay. And it's true you didn't receive
5 any gunshot residue to analyze from my client,
6 Aubrey Tucker, in this case?

7 A. That's correct.

8 Q. So there's no gunshot residue, there's no GSR
9 analysis linking my client to the shooting in this case?

10 A. I have nothing from Aubrey Tucker.

11 Q. Okay. Thank you.

12 MR. HUGHES: Court's indulgence.

13 (Pause.)

14 MR. HUGHES: No further questions,
15 Your Honor. Thank you.

16 THE WITNESS: Yes, sir.

17 THE COURT: All right. Any redirect?

18 MS. LYNCH: Nothing, Your Honor.

19 THE COURT: Okay. All right. You can step
20 down, and you are free to go. Thank you.

21 THE WITNESS: Yes, sir.

22 THE COURT: You're free to stay if you wish.

23 THE WITNESS: Thank you.

24 THE COURT: Mr. McNeely, Ms. Lynch.

25 MR. MCNEELY: Yes. Thank you, Your Honor.

1 MS. LYNCH: Your Honor, the State calls
2 Christopher Gilbreath. And, Your Honor, I'm just going
3 to grab the evidence and put it back into the envelope.

4 THE COURT: And those have all been marked?

5 MS. LYNCH: Yes, Your Honor.

6 THE COURT: Okay.

7 MS. LYNCH: It all came in one envelope.

8 THE COURT: All right. Thank you.

9 THE CLERK: Please raise your right hand,
10 and place your left hand on the Bible.

11 DETECTIVE CORPORAL CHRISTOPHER GILBREATH
12 was called as a witness, being duly sworn, was examined
13 and testified as follows:

14 THE CLERK: Thank you. You may be seated.
15 Please state your full name, and spell your last name
16 for the record.

17 THE WITNESS: Christopher Gilbreath,
18 G-I-L-B-R-E-A-T-H.

19 DIRECT EXAMINATION

20 BY MS. LYNCH:

21 Q. Good morning. Where are you currently employed?

22 A. Berkeley County Sheriff's Office.

23 Q. And what's your current position?

24 A. I'm a detective corporal and the digital
25 forensics examiner for Berkeley County.

1 Q. How long have you been with Berkeley County?

2 A. Just going on five years now.

3 Q. Can you describe any other positions you've
4 held within the Berkeley County Sheriff's Office?

5 A. Yes. I was a patrol deputy for several years.
6 Then, I transferred interdepartmentally to the criminal
7 investigation division. And then a position became
8 open for the digital forensics examiner, and I applied
9 and received that position.

10 Q. And can you describe any education or training
11 you have?

12 A. Certainly. So, I'm a Cellebrite certified
13 operator, certified Cellebrite physical analyst,
14 a premium operator through Cellebrite as well,
15 Cellebrite's mobile forensics fundamental course,
16 and then digital and evidence investigations through
17 the National Computer Forensics Institute in Hoover,
18 Alabama, and mobile device examiner, again through
19 the National Computer Forensics Institute.

20 Q. You mentioned Cellebrite. What is that?

21 A. Cellebrite is a software -- Cellebrite is
22 a company that provides hardware and software solutions
23 for examining digital evidence.

24 Q. Do you use that often?

25 A. That is what we use at Berkeley County

1 as our primary source of extracting and analyzing
2 digital data.

3 Q. And, in general, how are you advised that a phone
4 needs to be extracted?

5 A. I'm either told by a detective directly,
6 or I receive a search warrant being sent to me.

7 Q. Have you recently had to provide extractions
8 on devices that have had an extraction done in the past?

9 A. Yes.

10 Q. And is that more routine?

11 A. Yes. It's become very routine in regards
12 to older cases in which the -- technology moves
13 at such a great speed, software gets constantly updated,
14 greater access becomes available to us as examiners,
15 and so when it comes to older cases, we do utilize
16 a second extraction to ensure that we've got as much
17 possible information off of the device as possible.

18 Q. So when you're extracting a device that's
19 already been extracted, is it for investigative purposes
20 or purposes of updating the software?

21 A. It's just for purposes of updating.

22 Q. And I'm going to show you what's been marked
23 as Exhibit 199 in just a moment.

24 MS. LYNCH: May I approach, Your Honor?

25 THE COURT: Yes.

1 BY MS. LYNCH:

2 Q. And do you recognize what that is?

3 A. Yes. This is a cell phone that was found,
4 noted here, near a victim. Case number is 202106004881,
5 and the Item number is 0100013252. It does have my
6 county identification number, my signature, and the date
7 and time in which I sealed the evidence back in the bag.

8 Q. And when would you have sealed that evidence?

9 A. March 10th, 2025, at 5:06 in the afternoon.

10 Q. And could you -- I believe -- I don't know if
11 there's scissors up there still or not. Could you open
12 that envelope?

13 A. Certainly.

14 Q. Do you need the scissors?

15 A. I would prefer that.

16 Q. And now that it's out of the package, do you
17 recognize that device?

18 A. I do.

19 Q. What is it?

20 A. It's an Apple iPhone SE; it's a second generation
21 of that particular model.

22 Q. And how did you come to be involved with that
23 piece of evidence?

24 A. I received a search warrant and then obtained
25 the actual device from our forensics custodian,

1 Michael Lockilear.

2 Q. And when you obtained the advice -- device,
3 what did you do with it?

4 A. When I obtained the device, I go ahead
5 and inspect it for damage, I then place it on charge,
6 if it is without charge, and then I connect it to our
7 forensics software, again, Cellebrite, and commence
8 an extraction, and then, eventually, transition to
9 analysis, and then storage phase.

10 Q. And has that phone been altered or changed since
11 you last saw it?

12 A. No.

13 MS. LYNCH: Your Honor, the State would
14 move, at this time, to admit State's 199 into evidence.

15 THE COURT: All right. Any objection?

16 MR. HUGHES: No objection.

17 THE COURT: Without objection.

18 (State's Exhibit No. 199 was entered into evidence.)

19 BY MS. LYNCH:

20 Q. And I mentioned earlier about a second
21 extraction. Was this a second extraction that
22 you performed on this phone?

23 A. It was.

24 Q. And was that extraction for investigative
25 purposes?

1 A. No.

2 Q. Do you recall how you came into possession
3 of the phone?

4 A. Yeah. I received the request to extract
5 the device. I went and spoke with Michael Lockilear
6 who had pulled it from storage, and I then proceeded
7 with my normal processes.

8 Q. And for that second extraction, do you sometimes
9 perform those because the original extractor is no
10 longer with the county?

11 A. Correct.

12 Q. And was that the case in this?

13 A. Yes. Kyle Bealer was the original extractor
14 during the case.

15 Q. And for this case, did you receive something
16 when you received the device to help you understand
17 the parameters of the extraction?

18 A. Yes. The parameters of the extraction are
19 delineated within a search warrant, and it's provided
20 by the case detective.

21 Q. Do you remember when you received that search
22 warrant?

23 A. I would probably need refreshing. If you have
24 a search warrant I could look at, I can go further.

25 Q. I do.

1 MS. LYNCH: May I approach, Your Honor?

2 THE COURT: Yes.

3 THE WITNESS: Yes. The search warrant
4 is dated from March 7th and -- yes, I actually received
5 the device on March 10th from Michael Lockilear,
6 the forensics custodian.

7 Q. Do you remember when you completed the
8 extraction?

9 A. It was that same day.

10 Q. March 10th?

11 A. Yes, March 10th of this year.

12 Q. And does the search warrant specify what phone
13 is supposed to be extracted?

14 A. Yes, it does.

15 Q. Which phone is supposed to be extracted?

16 A. Premises, person, place or thing to be searched,
17 a black/blue Apple iPhone SE with IMEI as
18 356478109458552, located at the murder scene, which
19 is the residence where the victim and suspect both
20 cohabitated with each other at the time of the murder
21 and was secured by BCSO awaiting a search warrant.

22 Q. And can you explain what an IMEI is?

23 A. An IMEI is an acronym for international mobile
24 equipment identity or identifier. And, basically,
25 it is a 15-digit long serial number. It's unique

1 to that device in all of the world.

2 Q. And when you received this phone, what kind
3 of extraction did you perform?

4 A. I performed a full file extraction.

5 Q. How would you describe that?

6 A. So a full file extraction is a notation of how
7 much data I can extract from the device. It is the top
8 -- it is the pinnacle of what we can extract in modern
9 devices. And so, basically, I would get absolutely
10 as much and everything that I can off of that device
11 utilizing a full file extraction.

12 Q. What kind of files or items do you extract from
13 phones when you pull the extraction?

14 A. It does depend on the phone, but things like
15 text messages, chats, call logs, images, videos that
16 have been deleted by the user and not. I get baseline
17 information, such as WiFi and Bluetooth IP addresses.
18 I get device locations for GPS, WiFi locations. I get
19 user identification, I get passwords, I get everything.

20 Q. And when you extract all of that data on the
21 phone, how does a search warrant specify what data
22 is produced?

23 A. So the search warrant gives me limitations.
24 Typically, it's written within the warrant. And in this
25 particular instance, we wanted to make sure that we got

1 everything off of that black and blue Apple iPhone SE
2 with that particular IMEI.

3 Q. And with all of that data and images, photos,
4 how would you describe the size of the file?

5 A. Massive.

6 Q. And how long would it take to go through that
7 file if we were sitting up here on the stand one by one?

8 A. So the extraction process produces what could
9 only be determined as unreadable to human eyes: A
10 hexadecimal code. That's how it -- that's how it comes
11 out in the extraction process. I have to put it into a
12 physical analysis software program, again by Cellebrite,
13 and that converts that information into something that
14 is viewable and useable by humans.

15 Q. And in this case, you did use Cellebrite?

16 A. I did.

17 Q. Can you describe that extraction process for
18 the jury? I think you reviewed it in the initial
19 description of what you do.

20 A. Certainly. Upon receiving the device, I connect
21 the device to the actual hardware portion of -- what
22 we had is Cellebrite. It's utilizing the USB cable
23 connection, connects to a hardware portion that then
24 connects to the computer that's running the software.
25 That allows the computer and me as an examiner to set

1 certain limits, settings, and input information for case
2 reports.

3 Once the phone gains access, or once the computer
4 gains access to the phone, that digital data is then
5 extracted out. And then once I've got all of that
6 extracted data, I then take it and move it to a separate
7 software program, which then takes it and again kind
8 of puts it into something that humans can look at and
9 read and understand.

10 Q. And what's that separate program?

11 A. It's Physical Analyzer, again by Cellebrite.

12 Q. And once it's put into a readable format, what do
13 you do next?

14 A. I then go through with the detective and with
15 the notations that are limited -- listed on the warrant
16 and kind of go through the phone bit by bit looking
17 for any important images, conversations that may have
18 been taking place, anything that may have been deleted
19 by the user that are recovered and now we can see,
20 identify whose phone it was, stuff like user IDs for
21 stuff, like, Facebook, chat -- Snapchat, Instagram.
22 I get all of that information as well under a full file
23 extraction.

24 Q. And how do you share the extraction once it's
25 completed?

1 A. So we have an online secure cloud-based software
2 program called Guardian, again by Cellebrite, which
3 allows me to upload reports and other files associated
4 with a case to a central repository that is a secure
5 server. And then, it can be distributed and given
6 access to other key stakeholders within the case so
7 they can also review it.

8 Q. And when you place this on Guardian, can that
9 be downloaded by the people who have access to it?

10 A. If they have access to it, yes.

11 Q. And for this case, did you review the extraction
12 prior to testifying today?

13 A. I did.

14 Q. And when you reviewed it, do you remember whose
15 phone it was?

16 A. It was Jessica Ancrum's.

17 Q. And how can you tell that?

18 A. Her user IDs, passwords for all of the particular
19 applications were on the device as well.

20 Q. And what kind of user accounts are on there?

21 A. Facebook, Google, Facebook Messenger, things
22 like that.

23 Q. And do you remember for this case if the user
24 account associated with her Facebook was on that phone?

25 A. Yes, it was on her phone, but I would probably

1 need to double-check, if that's possible.

2 Q. And when you make these extractions, they -- you
3 can also pull a report that shows what you extracted?

4 A. Yes.

5 Q. And would that help you refresh your memory?

6 A. That would.

7 MS. LYNCH: May I approach, Your Honor?

8 THE COURT: Yes.

9 THE WITNESS: Thank you.

10 BY MS. LYNCH:

11 Q. After you review, could you tell the jury what
12 Facebook profile was associated with that phone with
13 the user account?

14 A. Jessica Gaines.

15 Q. And were there messages from Facebook Messenger
16 that were pulled during your extraction?

17 A. There was.

18 Q. And did you review those messages prior to court?

19 A. Yes, I did.

20 Q. When you reviewed those messages, can you tell
21 if they're native to the phone?

22 A. I can.

23 Q. And could you describe how?

24 A. So this particular Facebook Messenger, it does
25 list here a Facebook Messenger user identification

1 number that is produced by Facebook, as well as a common
2 name. This one is Jessica Gaines, and it is listed
3 as owner, which is the owner of the device. The
4 participants in this particular chat I'm referencing
5 also lists Cee Cee Williams-Gaines. Her Facebook
6 Messenger identifier and the time stamp here listed --
7 and the way I can tell is from the source file.

8 Now, the source file is extracted both by full
9 file extractions as well as app-selective extractions,
10 which concentrates only on third-party applications
11 within the device. It's another way of getting all
12 of that data off of the phone. So you have your full
13 file, and then you have your app-selective. So it cones
14 just the third-party applications, so your Facebook,
15 your Google apps, things of that nature, and grabs that
16 information as well.

17 So in this one, it says app selective dot zip,
18 forward slash route, forward slash private, forward
19 slash VAR, forward slash mobile, forward slash
20 containers, forward slash shared, forward slash app
21 group, and it gives a very extremely long listing
22 of alphanumeric characters, and then it continues on.

23 But all of that information basically tells
24 me that it comes from a database within the phone's
25 memory where it's going; yes, this particular

1 conversation was stored in the database file on this
2 phone.

3 Q. And you would be able to tell if it was altered
4 in any way?

5 A. Yes.

6 Q. An how could you tell that?

7 A. I could tell by the way of the extraction file
8 path, which is what I just went over, how it differs
9 from everything else that's associated with it, but also
10 it would have different metadata. And what metadata
11 is, is if you take a photograph, and you have metadata
12 turned on in your user settings, it will record the type
13 of phone, the make and model, what IOS you're running,
14 or operating system if you're using an Android, the GPS
15 location.

16 So it will record all of that, and that will not
17 be easily viewable by the user, but it's still stored
18 data and information. Your phone is constantly tracking
19 what you're doing, how you're doing it, and what you do.
20 And so that metadata will then delineate, okay, where
21 did it come from, you know, is it from another device,
22 things of that nature.

23 MS. LYNCH: And, Your Honor, may I approach
24 the witness?

25 THE COURT: Yes.

1 BY MS. LYNCH:

2 Q. I'm going to hand you what's been marked as
3 State's Exhibit 196, and it's been admitted. Do you
4 recognize those?

5 A. Yes.

6 Q. Are those the messages you reviewed?

7 A. I did.

8 Q. I'm going to have them put up on the screen
9 so that I can get some specific questions. And who
10 are these messages between?

11 A. Jessica Gaines and Cee Cee Williams.

12 Q. And when you look at the photo on the text
13 messages, there is the date and time on them and then
14 the UTC-4. Could you describe what that is, the UTC?

15 A. So UTC is coordinated universal time, and it's
16 a combination -- it's a way time zones are formulated,
17 and it takes into account an atomic clock. It -- and
18 basically it's what eastern standard time, pacific
19 standard time, is based off of. And so minus four is
20 the time zone for eastern -- eastern time zone during
21 daylight savings time.

22 Q. Okay. And I want to point your attention to
23 the top message there where it was from Jessica Gaines.
24 What date and time does that say?

25 A. It says June 9th of 2021, at 10:43 and 32 seconds

1 a.m., UTC-4.

2 Q. So would that be accurate to the time on the
3 message?

4 A. Yes.

5 Q. So the UTC doesn't affect the timing on that?

6 A. No.

7 Q. And it was sent June 9th, 2021?

8 A. Yes.

9 Q. Okay. And again, I see the source info up there.
10 Does that help you understand that they were native
11 to the phone? Is that part of what you were describing?

12 A. Yes, that was a portion of what I was describing.

13 Q. And they were native to the phone?

14 A. They were native to the phone.

15 Q. Okay. Part of your extraction, you also reviewed
16 a video that was extracted from the phone?

17 A. I did.

18 Q. And do you remember for that specific video,
19 was that video stored on the phone?

20 A. It was.

21 Q. And how could you tell that?

22 A. Again, by the file path, and I can reference
23 the report if it's allowed.

24 Q. Yes, to refresh your memory.

25 A. Yeah. So the file path for this particular video

1 is extraction full file dot zip, dot route, dot private,
2 dot VAR, dot -- correction, forward slash VAR, forward
3 slash mobile, forward slash media, forward slash DCIM,
4 forward slash 101 AP -- Apple, and then the actual file
5 name for that particular one, and that's an image
6 underscore 1245 dot MOE.

7 Q. And again, you can tell that that was taken
8 on the phone?

9 A. Yes.

10 Q. How can you tell if something is saved
11 to the phone that they receive it from somebody else,
12 or import it from a different device?

13 A. The file path changes, but also the metadata
14 changes. The metadata also tracks creation, access,
15 modified. So if you were to take a photo and zoom
16 in and then crop it, it changes the file. And so the
17 phone will save that new file as a different, complete
18 item than the original.

19 Q. And in this case, when was that video taken?

20 A. This video has a creation date of June 6th, 2021,
21 11:31 and 23 seconds a.m., again UTC minus four.

22 Q. And that's an accurate time, it's not changed
23 because of the UTC?

24 A. No.

25 Q. And ---

1 A. Yes, it is accurate. And, no, it is not changed.

2 Q. Thank you for clarifying. I'm going to show you
3 what's been premarked as State's Exhibits 168 and 169.
4 Did you review screenshots prior to -- prior to
5 testifying today?

6 A. I did.

7 Q. Would you recognize those if I showed them
8 to you?

9 A. Yes.

10 Q. Do you recognize those?

11 A. I do.

12 Q. And what are they?

13 A. It's a photograph of the Defendant wearing
14 a multicolored, primarily red, shirt, with what appears
15 to be a black firearm pistol on his chest.

16 Q. And what is the second photograph of?

17 A. The second photograph is of the same primary
18 image but zoomed in to focus primarily on the firearm.

19 Q. And where did the screenshots come from?

20 A. They came from the iPhone SE.

21 Q. Did they come from that video?

22 A. Yes. They came from that video that is on that
23 particular phone, yes.

24 Q. And again, that was taken on June 6th, 2021?

25 A. It was.

1 Q. Does that accurately represent what you saw
2 in the video?

3 A. Yes.

4 Q. Has it been altered in any way?

5 A. No.

6 Q. And would you be able to tell if that video was
7 altered in any way again?

8 A. There would be a secondary file associated that
9 would be also extracted.

10 Q. Okay.

11 MS. LYNCH: Your Honor, at this time,
12 we move to enter State's Exhibits 168 and 169 into
13 evidence.

14 THE COURT: All right. Any objection?

15 MS. WHITE: Court's indulgence.

16 (Pause.)

17 MR. HUGHES: Without objection, Judge.

18 THE COURT: All right, 168 and 169 admitted
19 without objection.

20 (State's Exhibit Nos. 168 and 169 were entered into
21 evidence.)

22 MS. LYNCH: And at this time, we're going
23 to publish them to the jury.

24 BY MS. LYNCH:

25 Q. Can you describe what we're seeing here?

1 A. That is the Defendant, again wearing a primarily
2 red, but with multicolored design, shirt with what
3 appears to be a black pistol firearm on his chest.

4 Q. And to review, this was taken on June 6th, 2021?

5 A. Yes.

6 Q. If you look closely at the photograph, there's
7 something right here in the photograph. Based on your
8 law enforcement experience, can you tell what that is,
9 or what it appears to be?

10 A. It appears to be some form of either cigarette
11 or marijuana in his hand.

12 Q. And underneath that, what is -- there's something
13 right here. You may have to look closely.

14 A. Yeah. It's difficult to see in the video --
15 the screenshots that I have here. But it appears
16 to be either part of upholstery, or something possibly
17 black in color. It's -- oh, okay. It looks to be some
18 portion of a firearm underneath his elbow, possibly.

19 Q. And we're going to show you the second exhibit,
20 169. And again, what are we seeing here?

21 A. That is a black in color pistol firearm.

22 Q. And based on your law enforcement experience,
23 can you identify what type of gun that appears to look
24 like?

25 A. It appears to be a Glock or a similar

1 manufacturer of small caliber, possibly and most likely,
2 a 9-mm.

3 Q. And I'm going to point out this. Again, what
4 does that appear to be?

5 A. So again, it is difficult to see on the screen.
6 But that does appear to be some form of other style
7 firearm, possibly a rifle, or other type of firearm
8 with black -- and it just kind of looks like an AR-style
9 receiver and butt shoulder.

10 Q. And these ---

11 A. Stock.

12 Q. I apologize.

13 A. No, you're fine.

14 Q. And these images, again, were taken from a video
15 on June 6th, 2021?

16 A. Yes, they were taken from that video.

17 Q. And all of the data we've discussed, these
18 screenshots and the text messages, they were all native
19 to that iPhone SE?

20 A. Yes.

21 MS. LYNCH: Nothing further, Your Honor.

22 THE COURT: All right. Any
23 cross-examination?

24 MR. HUGHES: No questions for this witness,
25 Your Honor.

1 THE COURT: Okay. All right. Thank you.

2 Mr. McNeely, Ms. Lynch ---

3 MR. MCNEELY: Pardon?

4 THE COURT: Your next witness?

5 MR. MCNEELY: Yes, it is the pathologist.

6 She will be lengthy, so I don't know if you want to
7 take a short break before. She'll be our last witness
8 of the day, or we can just roll. It's up to the Court.

9 THE COURT: All right. That's a good idea,
10 Mr. McNeely. We'll take a 15-minute break and be back
11 at just about a quarter till. The jury to be excused
12 back to the jury room.

13 MS. LYNCH: And, Your Honor, Mr. Gilbreath
14 is under subpoena, and he can be released.

15 THE COURT: Thank you for reminding
16 me of that. You are released from your subpoena.
17 You're certainly free to go or free to stay if you wish.
18 Thank you, sir.

19 THE WITNESS: Thank you.

20 THE COURT: All right. All rise for the
21 jury. We'll have you back in about 15 minutes.

22 (The jury exited the courtroom at 10:27 a.m.)

23 THE COURT: All right. You said the next
24 witness, that was Dr. Presnell; is that correct?

25 MR. MCNEELY: That's correct, Your Honor.

1 THE COURT: Okay. All right. We'll plan
2 on being back in here a quarter till. Thank you.

3 (Recess taken.)

4 (Back on the record.)

5 THE COURT: All right. Have a seat.
6 Ready to proceed from the State?

7 MR. MCNEELY: We are, Your Honor.

8 THE COURT: From defense? All right.
9 Let's bring our jury back in.

10 (The jury entered the courtroom at 10:46 a.m.)

11 THE COURT: Y'all be seated. Thank you.
12 All right, Mr. McNeely.

13 MR. MCNEELY: Thank you, Your Honor.
14 State calls Dr. Susan Presnell.

15 THE CLERK: Please raise your right hand,
16 place your left hand on the Bible.

17 DR. SUSAN PRESNELL was called as a witness,
18 being duly sworn, was examined and testified as follows:

19 THE CLERK: Thank you. You may be seated.
20 Please state your full name, and spell your last name
21 for the record.

22 THE WITNESS: My name is Susan Erin
23 Presnell. It's P-R-E-S-N-E-L-L.

24 DIRECT EXAMINATION

25 BY MR. MCNEELY:

1 Q. Good morning, Dr. Presnell.

2 A. Good morning.

3 Q. Where are you currently employed?

4 A. I'm a forensic pathologist at MUSC in downtown
5 Charleston.

6 Q. What is your position there, and how long have
7 you been employed as a forensic pathologist?

8 A. So, I'm a forensic pathologist, and I have been
9 there since 1999, so 25 years.

10 Q. Please describe your education and training for
11 the jury.

12 A. Well, to be a forensic pathologist, I would
13 go to college, so I went to Clemson and majored in
14 microbiology. And then after that, I moved to
15 Charleston to go to medical school at MUSC, and then
16 I never left. So, I did my four years of medical
17 school at MUSC. After medical school, I chose pathology
18 as my specialty and did that at MUSC. And then, after
19 my pathology training, I chose to do a subspecialty
20 in forensics at MUSC, and then they hired me.

21 Q. Do you hold any licenses or certifications?

22 A. Yes. So, I'm board-certified in general
23 pathology as well as forensic pathology, and I have
24 a license to practice medicine in South Carolina.

25 Q. And the exclusive specialization of your practice

1 is forensic pathology at this time?

2 A. Exclusive -- yes. Forensic pathology, yes.

3 Q. What does pathology involve?

4 A. Well, so pathology -- so forensic pathology
5 is actually a subspecialty of pathology, and pathology
6 is basically diagnosing disease. So it's your
7 pathologist -- like, if you go to the doctor and get
8 a biopsy, or you already had surgery and something
9 is taken out, that tissue goes to the pathologist,
10 and they look at it under the microscope, and they
11 diagnose disease, like, is it cancer or not, can we
12 get it all out or not? So, I'm trained in that.

13 But then forensic pathology, again, it's
14 a subspecialty where you're not looking at just a piece
15 of tissue, you're looking at an entire body of somebody
16 that's passed away. The process, as you're probably
17 familiar with, is called the autopsy. We are looking
18 for disease as part of our autopsy, but we're also
19 evaluating trauma.

20 And through this process, what our intention
21 is, is to decide what the cause of death is as well
22 as the manner of death. And through this process,
23 we generate an autopsy report with that information.

24 Q. Okay. And you may have said this, but are
25 you certified by the American Board of Pathology?

1 A. Yes.

2 Q. And that's in addition to your medical license,
3 correct?

4 A. Yes.

5 Q. How many autopsies have you performed in your
6 career?

7 A. It is an estimate; it would be over 5,000.

8 Q. Have you been qualified to testify as an expert
9 in the field of forensic pathology before?

10 A. Yes.

11 Q. How many times?

12 A. Again just an estimate, I would say around 200
13 or so.

14 Q. And did you provide expert testimony in those
15 matters?

16 A. Yes, in forensic pathology.

17 Q. Okay.

18 MR. MCNEELY: Your Honor, at this time,
19 I move to qualify Dr. Presnell as an expert under
20 Rule 702.

21 THE COURT: In the field of forensic
22 pathology?

23 MR. MCNEELY: That's correct, Your Honor.

24 THE COURT: Any objection?

25 MR. HUGHES: No objection.

1 THE COURT: So qualified as an expert
2 in the field of forensic pathology.

3 BY MR. MCNEELY:

4 Q. Dr. Presnell, were you employed with MUSC
5 as a forensic pathologist in June of 2021?

6 A. Yes.

7 Q. During that time, did you conduct autopsies
8 as part of your regular duties?

9 A. Yes, that's my main duty.

10 Q. What is an autopsy?

11 A. So an autopsy is a medical procedure where
12 we look at everything. So we'll do an external exam,
13 then we do an internal exam, remove all the organs,
14 examine them, dissect them, again looking for any
15 potential trauma, any potential disease. And then,
16 other things we do is gather blood for toxicology
17 analysis. I may take pieces of tissue to look at under
18 the microscope if I need to, to further, like, delineate
19 some kind of disease process. But, yeah, so that's
20 the autopsy.

21 Q. Okay. When you complete an autopsy for
22 a deceased individual, is part of that process making
23 a finding or forming an opinion as to the cause and
24 manner of death for the individual?

25 A. Yes.

1 Q. Is that more or less the purpose of the autopsy?

2 A. Well, it is, but also interpreting the injuries.
3 Like, you know, if somebody has a gunshot wound,
4 they have a gunshot wound. But just trying to decide
5 whether, you know, entrance versus exit and the range
6 of fire, that kind of thing.

7 Q. Can you explain for the jury what the difference
8 is between cause of death and manner of death?

9 A. So cause of death is what caused somebody's
10 death, and manner of death -- and it's a medical/legal
11 term for me. There's four manners of death: Natural,
12 when someone dies of a natural disease; accident,
13 accidental process; suicide; and homicide, or it could
14 be undetermined, but that's the four general categories.

15 Q. How do you determine the cause of death?

16 A. Through the autopsy.

17 Q. Okay. And that's the same for the manner
18 of death?

19 A. Well, the manner of death also takes in the
20 circumstances that surround the death.

21 Q. Okay. And you do that for every autopsy you
22 perform?

23 A. Yes.

24 Q. Do you prepare a report of your findings for
25 every autopsy you perform?

1 A. I do.

2 Q. In addition to your formal report, do you also
3 routinely prepare a sketch of your findings at autopsy?

4 A. Yes. So, I do diagrams, photographs in all the
5 cases.

6 Q. What's the purpose of the sketch or diagram?

7 A. Mostly so I can put together my report after
8 the autopsy is done.

9 Q. Okay. Does it also help you explain your
10 findings from the autopsy?

11 A. Oh, yeah. Yeah.

12 Q. Do you also take photographs during the autopsy?

13 A. I do.

14 Q. Is that standard in every one?

15 A. It is.

16 Q. Okay. What's the purpose of the photographs?

17 A. The same reason, illustration of the disease
18 or trauma, for me to put the report together, but also
19 if it's reviewed later on down the road, somebody else
20 can look at them too.

21 Q. Do you also take X-rays during the autopsy?

22 A. It depends on the type of case. So we'll
23 typically do it in gunshot cases, and the purpose
24 is to be able to find the bullet.

25 Q. Because that metal object is going to show

1 up on an X-ray, correct?

2 A. Yeah, it shows up.

3 Q. Do you collect items from a deceased individual
4 when you conduct an autopsy?

5 A. It -- well, like as far as things like fingernail
6 clippings, full head of hair, we do that in homicide
7 cases or potential homicide cases. And then, of course,
8 their clothes, we remove their clothing, and all that's
9 transferred to either law enforcement or the funeral
10 home.

11 Q. Is that the same with foreign bodies removed
12 from the body -- or foreign items removed from the body,
13 do you collect those?

14 A. Yes.

15 Q. Okay. And in a homicide case, would you turn
16 those over to law enforcement?

17 A. I would turn bullets over to law enforcement.
18 The -- something like a pacemaker would probably just
19 go back to the funeral home.

20 Q. Okay. When you complete an autopsy on an
21 individual -- and you may have mentioned this already --
22 do you draw blood for a toxicology screen on the
23 deceased to determine the presence of any drugs or
24 foreign substances in the Defendant's blood at the time
25 of death?

1 A. Yes ---

2 Q. Excuse me, the victim's blood at the time of
3 death?

4 A. Yes.

5 Q. And is that standard procedure?

6 A. It is. All of our forensic cases get toxicology.

7 Q. On June 12th, 2021, were you asked to perform an
8 autopsy on a deceased individual named Jessica Ancrum?

9 A. Yes, from the coroner of Berkeley County.

10 Q. Okay. When did you come into contact with
11 Ms. Ancrum?

12 A. So we're a coroner state, and the coroner
13 will decide who gets an autopsy, or who they're
14 going to authorize to get an autopsy, and they decide
15 where they're going to send it. So in this case,
16 Coroner Kinney had arranged an autopsy and transported
17 Ms. Ancrum to MUSC downtown, and that would be the first
18 time I saw her.

19 Q. Okay. And that was on the morning of
20 June 12th, 2021?

21 A. It was.

22 Q. Did you conduct a complete and full autopsy
23 on Ms. Ancrum that day?

24 A. Yes.

25 Q. How did she initially present to you?

1 A. I don't know what you mean.

2 Q. How did she appear upon your initial inspection
3 of the body?

4 A. Well, so she was deceased, and she was clothed
5 and ---

6 Q. Did she appear to have gunshot wounds at that
7 time?

8 A. Oh. Well, so part of our process, you know,
9 we're going to photograph the person when they
10 arrive into autopsy. And a lot of times the clothing,
11 or if there's blood, it's going to obscure the injury.
12 So what our -- so my initial impression is, you know,
13 that she needs to be cleaned up, she needs to have her
14 clothes removed and cleaned so I can actually evaluate
15 what's going on. After that, yeah, it was clear.
16 She had multiple gunshot wounds.

17 Q. Okay. Approximately, how long did it take
18 you to complete the autopsy for Ms. Ancrum?

19 A. Well, there's actually multiple parts of autopsy,
20 and what I -- I'm assuming you're referring to the part
21 that's in the autopsy room. And I don't know, I would
22 -- it would be an estimate. It would be several hours.

23 Q. Okay. Did you collect items from Ms. Ancrum
24 in the case during your autopsy?

25 A. Yes. We -- clothing. She had some headband-type

1 stuff around her neck, bullets, fingernail clippings,
2 full head of hair.

3 Q. And were those items turned over to law
4 enforcement after you collected them?

5 A. Yes. So we would -- let's see. Who did we turn
6 that over to? Detective Chris -- Gist.

7 Q. And when you collect items at autopsy, do you
8 seal those prior to turning them over to law
9 enforcement?

10 A. Well, what happens is we label them with our
11 autopsy label, so it's not like it's Ziploc-ed, per se,
12 but then they all go in a biohazard bag, and we transfer
13 them directly there at the autopsy room.

14 Q. Okay. Is the biohazard bag sealed?

15 A. No.

16 Q. Okay. But in this case, you turned over
17 the items collected to Detective Gist at the
18 Berkeley County Sheriff's Office?

19 A. Yes.

20 Q. Okay. After completing the autopsy for
21 Ms. Ancrum, did you prepare a sketch of your findings?

22 A. I did the sketch during the autopsy.

23 Q. Okay. And did you prepare a formal report
24 of your findings?

25 A. I did.

1 Q. Okay. Did you make a determination and form
2 an opinion as to the cause of death for Ms. Ancrum?

3 A. Yes.

4 Q. In your expert medical opinion, what was the
5 cause of death for Ms. Ancrum?

6 A. I did -- I did her cause of death as multiple
7 gunshot wounds to the head and chest. I'm sorry,
8 hold on, to the chest and back. She also had a gunshot
9 wound to the leg, which I made as a contributory.
10 And the manner of death was homicide, meaning death
11 at the hands of another.

12 Q. Okay. You mentioned one of the options before
13 was suicide in addition to homicide?

14 A. Yes.

15 Q. Okay. Could the -- did you form an opinion
16 as to whether the wounds inflicted on Ms. Ancrum could
17 have been self-inflicted?

18 A. These were not self-inflicted wounds.

19 Q. Okay. And I think you already mentioned this.
20 But in addition to the four gunshot wounds, two to the
21 chest and two to the back, that you determined were the
22 cause of death for Ms. Ancrum, did you observe any other
23 notable injuries to her that day?

24 A. She has a gunshot wound to her right leg.

25 Q. Okay. Did you form an opinion as to whether

1 the injuries to the leg contributed to cause her death?

2 A. I ran them contributory just because -- I mean,
3 it wasn't a fatal injury, the gunshot wound to the leg.
4 But, I mean, contributory as part of the whole trauma
5 process.

6 Q. Okay. So if I'm understanding correctly, on its
7 own, if she just had the wounds to the leg, that would
8 not have been fatal likely?

9 A. Correct.

10 Q. But in conjunction with all of the others,
11 they were contributing to her untimely demise?

12 A. Correct.

13 Q. Was a toxicology screen performed on the victim,
14 Ms. Ancrum?

15 A. Yes.

16 Q. Did it show any drugs or substances in her
17 system?

18 A. It showed some THC, which is marijuana,
19 and cotinine, which is nicotine metabolite.

20 Q. In your expert medical opinion, did these
21 substances in Ms. Ancrum's system at the time of her
22 death contribute in any way to causing her death?

23 A. They did not.

24 Q. And you said you created a sketch of the autopsy
25 for Ms. Ancrum?

1 A. Yes.

2 Q. Does that sketch indicate the wounds suffered
3 by Ms. Ancrum?

4 A. Yes. It has the gunshot wounds diagrams on it.

5 Q. Okay. I want to ask you to look at what's been
6 marked as State's Exhibit 171.

7 MR. MCNEELY: Permission to approach,
8 Your Honor?

9 THE COURT: Yes.

10 BY MR. MCNEELY:

11 Q. Do you recognize this?

12 A. Yes, this is a copy of my diagram from the time
13 of autopsy.

14 Q. Is it a fair and accurate representation
15 of Ms. Ancrum's body as it appeared at the time of the
16 autopsy in reference to your markings on the diagram?

17 A. Yes.

18 Q. Does it appear to have been changed or altered
19 in any way from your initial diagram?

20 A. I actually put a highlighter mark on the entrance
21 gunshot wounds.

22 Q. Okay. But other than the highlighting to
23 highlight those, is that accurate as to your diagram?

24 A. It is.

25 MR. MCNEELY: At this time, Your Honor,