

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Feb 13 2026
SC Court of Appeals

Appeal from Horry County

Honorable Michael G. Nettles, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CHRISTOVA PIERRE KNOWLIN,

APPELLANT

APPELLATE CASE NO. 2025-000314

RECORD ON APPEAL

DAVID ALEXANDER
Deputy Chief Attorney for Capital Appeals

ALAN WILSON
Attorney General

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

BRIAN HOLLIS GIBBS
Assistant Attorney General
S.C. Attorney General's Office
PO Box 11549
Columbia, SC 29211-1549
(803) 734-0515

ATTORNEY FOR APPELLANT

JIMMY A. RICHARDSON, II
Solicitor, Fifteenth Judicial Circuit
PO Box 1276
Conway, SC 29528
(843) 915-8608

ATTORNEYS FOR RESPONDENT

INDEX

INDEX	i
TRIAL TRANSCRIPT DATED FEBRUARY 11-12, 2025	1
OPENING STATEMENT BY MS. JOHNSON.....	11
OPENING STATEMENT BY MR. HILLER	14
TESTIMONY	
BRANDON YOUNG	
Direct Examination by Ms. Ortiz.....	18
Cross-Examination by Mr. Hiller	28
Redirect Examination by Ms. Ortiz	33
ADAM SHER	
Direct Examination by Ms. Johnson.....	35
Cross-Examination by Mr. Hiller	41
KIMAYSH LILES	
Direct Examination by Ms. Ortiz.....	48
Cross-Examination by Mr. Hiller	63
Redirect Examination by Ms. Ortiz	71
T'KEIRA NELSON	
Direct Examination by Ms. Ortiz.....	73
Cross-Examination by Mr. Hiller	84
Redirect Examination by Ms. Ortiz	87
HELEN SORACE	
Direct Examination by Ms. Johnson.....	94
Cross-Examination by Mr. Hiller	98
Redirect Examination by Ms. Johnson	107
MICHELE PAITSEL	
Direct Examination by Ms. Johnson.....	108
ANTONIO PEPE	
Direct Examination by Ms. Johnson.....	112
<i>Voir Dire</i> Examination by Mr. Hiller	116
Continued Direct Examination by Ms. Johnson	118
Cross-Examination by Mr. Hiller	126
Redirect Examination by Ms. Johnson	132

NATASSJA BROWN	
Direct Examination by Ms. Johnson	135
PRISCILLA CROMEDY	
Direct Examination by Ms. Johnson	139
DEFENSE OBJECTION TO STATE’S EXHIBIT 5 BY MR. HILLER	141
COURT’S RULING DENYING DEFENSE OBJECTION TO STATE’S EXHIBIT 5 BY MR. HILLER	141
TESTIMONY	
PRISCILLA CROMEDY	
Continued Direct Examination by Ms. Johnson	142
DEFENSE OBJECTION TO STATE’S LINE OF QUESTIONING BY MR. HILLER	143
STATE’S RESPONSE BY MS. JOHNSON	143
COURT’S RULING DENYING DEFENSE OBJECTION TO STATE’S LINE OF QUESTIONING BY MR. HILLER	144
TESTIMONY	
PRISCILLA CROMEDY	
Continued Direct Examination by Ms. Johnson	144
STATE RESTS	145
DEFENSE MOTION FOR DIRECTED VERDICT BY MR. HILLER	146
STATE’S RESPONSE BY MS. ORTIZ	148
COURT’S RULING DENYING DEFENSE MOTION FOR DIRECTED VERDICT BY MR. HILLER	148
TESTIMONY COLLOQUY WITH DEFENDANT	149
CHARGE CONFERENCE	153
DEFENSE RESTS	157
CLOSING ARGUMENT BY MS. ORTIZ	161
CLOSING ARGUMENT BY MR. HILLER	173

CHARGE ON THE LAW	181
JURY NOTE	198
COURT’S RESPONSE TO JURY NOTE	199
VERDICT	200
POLLING OF THE JURY.....	201
DEFENSE MOTION FOR NEW TRIAL BY MR. HILLER	205
STATE’S RESPONSE BY MS. JOHNSON	205
COURT’S RULING DENYING DEFENSE MOTION FOR NEW TRIAL BY MR. HILLER	205
SENTENCING	208
INDICTMENT.....	210
SENTENCE SHEET.....	212
CERTIFICATE OF COUNSEL	213

[THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:

**STATE’S EXHIBIT 2 (PICTURE), STATE’S EXHIBIT 3 (PICTURE), STATE’S
EXHIBIT 4 (PICTURE), STATE’S EXHIBIT 5 (PICTURE)]**

STATE OF SOUTH CAROLINA **TRANSCRIPT OF RECORD**

COUNTY OF HORRY CASE.:2023-GS-26-06528

**** ORIGINAL ****

February 11-12, 2025

BEFORE: The Honorable Michael Nettles

STATE OF SOUTH CAROLINA,

Plaintiff,

vs.

CHRISTOVA KNOWLIN,

Defendant.

APPEARANCES:

Lauree Richardson Ortiz, Esq.
Catherine Girgan Johnson, Esq.
Appearing for the State.

Jonathan Hiller, Esq.
Appearing for the Defendant.

Court Reporter: Natalie Dahl, RPR
Registered Professional Reporter

NOTE: Pursuant to Rule 607 (h) (1) (B), SCACR "A COURT REPORTER SHALL RECEIVE THE FEE OF \$1.00 PER PAGE FOR FURNISHING A COPY OF A PREVIOUSLY PREPARED TRANSCRIPT." All requests for a copy of the enclosed transcript shall be sent to: Natalie Dahl, RPR, P.O. Box 762, Conway, SC 29526

INDEX

Jury Selection.....	4
Motions	28
Opening statement by Ms. Johnson.....	58
Opening statement by Mr. Hiller.....	61

STATE'S WITNESSES

BRANDON YOUNG	
Direct Examination by Ms. Ortiz.....	65
Cross-Examination by Mr. Hiller.....	75
Redirect Examination by Ms. Ortiz.....	80
ADAM SHER	
Direct Examination by Ms. Johnson.....	82
Cross-Examination by Mr. Hiller.....	88
KIMAYSH LILES	
Direct Examination by Ms. Ortiz.....	95
Cross-Examination by Mr. Hiller.....	110
Redirect Examination by Ms. Ortiz.....	118
T'KEIRA NELSON	
Direct Examination by Ms. Ortiz.....	120
Cross-Examination by Mr. Hiller.....	131
Redirect Examination by Ms. Ortiz.....	134
HELEN SORACE	
Direct Examination by Ms. Johnson.....	141
Cross-Examination by Mr. Hiller.....	145
Redirect Examination by Ms. Johnson.....	154
MICHELE PAITSEL	
Direct Examination by Ms. Johnson.....	155

1 **STATE'S WITNESSES (CONT.)**

2 DR. ANTONIO PEPE

3 Direct Examination by Ms. Johnson..... 159

4 Cross-Examination by Mr. Hiller..... 173

5 Redirect Examination by Ms. Johnson..... 179

6 NATASSJA BROWN

7 Direct Examination by Ms. Johnson..... 182

8 PRISCILLA CROMEDY

9 Direct Examination by Ms. Johnson..... 186

10 Closing arguments by Ms. Ortiz..... 208

11 Closing arguments by Mr. Hiller..... 220

12 Jury Charge..... 228

13 Verdict..... 246

14 Sentencing..... 255

15 **STATE'S EXHIBITS**

16			MARKED	ADMITTED
17	1	Picture	84	84
18	2	Picture	86	86
19	3	Picture	87	87
20	4	Picture	157	157
21	5	Picture	189	189

22 **DEFENDANT'S EXHIBITS**

23 1 Picture 344 --

24 **COURT'S EXHIBITS**

25 1 Juror note 246

26 **Transcript Legend**

27 Dash (--) Indicates an interruption in speech

28 Ellipses (...) Indicates trailing off in speech

29 Phonetic (ph) Indicates a phonetic word

30 (sic) Indicates word(s) is as said

31

THE COURT TO THE JURY

1 discussion about that as well. I'll ask that you
2 instruct all of your witnesses to that effect.

3 And you don't intend on offering any
4 witnesses other than, potentially, the defendant?

5 MR. HILLER: That is correct, Your Honor.

6 THE COURT: Okay. All right.

7 Anything further from the State?

8 MS. JOHNSON: No, Your Honor.

9 THE COURT: We'll stand at ease until 1:30.

10 (A recess was taken.)

11 THE COURT: Anything from the State before we
12 proceed?

13 MS. JOHNSON: We have a witness with a prior
14 conviction. I don't know if you want to address
15 that now or before she testifies?

16 THE COURT: We'll do that -- we'll start and
17 give a preliminary charge and opening statements,
18 and we'll deal with that at the appropriate time.

19 Anything from the defense?

20 MR. HILLER: No, Your Honor.

21 THE COURT: All right. We're ready for the
22 jury.

23 (The jury enters at 1:29 p.m., and the
24 following is heard in the presence of the jury.)

25 THE COURT: Mr. Foreman, ladies and

THE COURT TO THE JURY

1 gentlemen, we're about to begin the trial of the
2 case of State versus Christova Knowlin. I'll give
3 you an overview about what to expect. The court in
4 which you have been asked to take a very important
5 part in is general sessions court, criminal court.
6 That has become obvious to you at this point.

7 I bring that up because many of you may have
8 served on a civil jury before. A good example of a
9 civil case is an automobile accident, medical
10 malpractice, contract disputes, where the issue to
11 be litigated has to do with money. Obviously, in
12 criminal court, a person's liberty is at stake.

13 If you were to stand at the back of this
14 courtroom and you didn't hear the subject matter,
15 you couldn't tell if it was civil court or criminal
16 court, because in both forums you have a jury
17 sitting there listening to the evidence to
18 determine what the true facts are and apply it to
19 the law. You have a judge presiding, litigants on
20 both sides, witnesses from the witness stand, but
21 the similarities really stop there.

22 In criminal court, there are very important
23 Constitutional safeguards that come into play.
24 First is the defendant is assumed to be innocent.
25 It's not just a phrase or something you hear. It's

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

THE COURT TO THE JURY

1 a real right, a substantial right, that all of us
2 as American citizens have.

3 I envision the presumption of innocence as
4 being a protective cloak that guards all of us as
5 American citizens throughout a criminal trial on
6 into the deliberation.

7 The second Constitutional safeguard is that
8 the State has the burden of proof. There is a
9 theoretical reason behind that, because we live in
10 a free and democratic society. If the government
11 tries to take your liberty, they have to prove
12 that.

13 There is a practical reason behind that. The
14 State has all of the resources in the world to
15 establish proof to bring before a jury. They have
16 the police departments, the sheriff's department,
17 highway patrol, SLED, all of those resources to
18 gather evidence and present it in a criminal trial.

19 You know, in a criminal trial, the defendant
20 need not prove anything. He need not call any
21 witnesses. He need not testify. And the reason is
22 that the State has the burden of proof.

23 The third Constitutional safeguard is that
24 the State has the highest burden of proof known in
25 our judicial system. If you are involved in an

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

THE COURT TO THE JURY

1 automobile accident, and there was a question with
2 regard to liability, and you listened to all of the
3 evidence, imagine, if you will, the scales of
4 justice where the lady is blindfolded from all
5 biases and prejudice. In that civil case, the
6 scales, when the trial starts, is even. In a civil
7 case, if the plaintiff tilts the scales ever so
8 slightly in their favor, they prevail, more likely
9 than not.

10 But proof in a criminal trial is much heavier
11 than that, more substantial. I envision that as
12 locking up the scales. Proof beyond a reasonable
13 doubt, I envision that the State not only has to
14 prove their case more than by a preponderance of
15 the evidence, but by beyond a reasonable doubt.
16 It's the highest burden of proof known in our
17 judicial system.

18 I want to talk to you about how this trial is
19 going to progress. The State is going to have an
20 opportunity to stand up before you and give an
21 opening statement. That will be given in summary
22 form. I anticipate they will talk about the case,
23 talk about the law and what they intend to prove.
24 The defense is going to have an opportunity to give
25 an opening statement, and they don't have to. They

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

THE COURT TO THE JURY

1 are given the opportunity if they want to, but they
2 are not required to do anything.

3 After that, the State has the burden of
4 proof; therefore, they go first. They call one
5 witness right after the other. They come forward,
6 place their left hand on the Bible, swear to tell
7 the truth. The State will ask them questions, and
8 the defense will have an opportunity to cross
9 examine them, and then the State will have an
10 opportunity to ask them redirect questions. That
11 will be the way it progresses.

12 When they rest, the defendant will have an
13 opportunity to present a defense if they want to do
14 so. If they do, the State will have an opportunity
15 to reply. That's how this procedure works.

16 After the presentation of all of the
17 evidence, then these fine lawyers have an
18 opportunity to give closing arguments. They are
19 very similar in form to opening statements;
20 however, they are different in a very real way.
21 Because in that juncture, in a trial, the evidence
22 will have been presented, you would have heard all
23 of that, and these fine lawyers can point to the
24 evidence that supports their relative theory of the
25 case. What they have to say is not evidence, but

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

THE COURT TO THE JURY

1 will aid you immensely in your deliberation
2 process. So it is important to pay close
3 attention.

4 Ladies and gentlemen of the jury, you and I
5 have certain roles to fulfill in this procedure.
6 I'm the arbiter of the law; that means I preside
7 over the proceeding. I rule on the evidence that
8 you get to hear, and I charge you the law at the
9 conclusion of the case.

10 Ladies and gentlemen, you are judges in a
11 way, but in a different way. You all are judges of
12 the facts. You listen to the evidence, determine
13 what the truth is, and apply it to the law.

14 I'll tell you from the very outset, if I make
15 an error with regard to the law, those areas are
16 easily corrected. However, if you make an error
17 with regard to the findings of fact, that quite
18 often can never be corrected. So it is important
19 for you to pay close attention to the evidence that
20 comes from this witness stand. These are important
21 matters.

22 Necessarily, in your role as a trier of fact,
23 you are going to be called upon to evaluate the
24 credibility of witnesses. The law says that when
25 you evaluate the credibility of a witness, you need

THE COURT TO THE JURY

1 to ask yourself, What opportunity did this witness
2 have to see and observe the things which they are
3 testifying to. Ask yourself whether or not the
4 witness has any interest, bias, or prejudice in
5 their testimony. You can believe one witness
6 against many, many against one. You can believe
7 all what a witness says, or none, or a portion
8 thereof.

9 The law also says that it's important to pay
10 attention to what a witness says. It's also
11 equally important to pay attention to their
12 demeanor. All of us who have children and
13 grandchildren, it is just as important to pay
14 attention to how they say it as to what they are
15 saying. Their demeanor. The law says you can take
16 that into consideration.

17 Your role as a juror -- we, in our every day
18 lives, evaluate credibility and whether someone is
19 telling us the truth. Use your good common sense
20 in that regard. You are participating in a
21 time-tested system. This is an important case.
22 It's an important case to the State of South
23 Carolina, an important case to the defendant,
24 Mr. Knowlin, and an important case to you, because
25 you have taken the solemn oath to listen to the

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

OPENING STATEMENT - BY MS. JOHNSON

1 evidence, determine what the truth is, and apply it
2 to the law. I'm confident that you will do that,
3 and I ask that you proceed forward with a serious
4 and contemplative mind.

5 Madam Solicitor, you are recognized.

6 (The following bench conference was had.)

7 MS. JOHNSON: We would like our lead officer
8 to be present. I know --

9 THE COURT: Lead investigator is always able
10 to.

11 Do you have an objection?

12 MR. HILLER: No.

13 MS. ORTIZ: We just wanted to be sure.

14 THE COURT: Yeah. You're good.

15 (The following is had in open court.)

16 MS. JOHNSON: **Complainant** is disabled for the
17 rest of her life due to the actions of that
18 defendant. Someone she loved, someone she trusted,
19 beat her so severely with his fist that she had to
20 have facial reconstruction surgery. Not only that,
21 she suffered a permanent brain injury for which
22 she's going to have to deal with for the rest of
23 her life.

24 In South Carolina, domestic violence is
25 causing harm or injury to a household member. A

OPENING STATEMENT - BY MS. JOHNSON

1 household member -- the best way I can describe
2 it -- is a current or former live-in boyfriend. So
3 that's someone that you have lived with in the past
4 or currently, and are in a romantic relationship
5 with. So those are the two parts of the domestic
6 violence statute in South Carolina.

7 For domestic violence of a high and
8 aggravated nature, that's the most serious level of
9 domestic violence in South Carolina, you have to
10 commit the crime with extreme indifference to human
11 life and great bodily results. This is a case
12 about extreme indifference to human life. When you
13 break someone's face, when you make their brain
14 bleed, when you leave them lying there while you
15 clean up the evidence, you have no regard for their
16 life.

17 The other part of the domestic violence is
18 great bodily injury. That's when the injury can
19 cause risk of death, permanent disfigurement or
20 loss of bodily function. We're going to show those
21 elements from testimony from our various witnesses.
22 You are going to hear from the paramedic. He came
23 to the scene. He thought he was coming for a
24 seizure. After taking a look at the victim, he
25 quickly realized this was not from a seizure.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

OPENING STATEMENT - BY MS. JOHNSON

1 You are going to hear from our officers, how
2 they responded to both the scene of the crime and
3 the hospital, and how they determined through their
4 investigation that the defendant is the one that
5 caused those injuries.

6 You are going to hear from hotel staff. They
7 found the victim. They very likely saved her life.
8 They called 911 and allowed her to be taken to the
9 hospital. You'll hear from the ER doctor that
10 treated **Complainant** during her almost
11 two-and-a-half week stay in the hospital. And
12 you'll hear that without treatment, she would have
13 succumbed to those injuries.

14 Most importantly, you are going to hear from
15 the victim's family and about how it has impacted
16 her, impacted them, how she can't drive. She can
17 never live alone. She will always need a
18 caregiver, and about those long-term neurological
19 effects she's dealing with.

20 The State has the burden to show that the
21 defendant committed this crime beyond a reasonable
22 doubt, and we are happy to meet that burden. That
23 is not beyond all doubt, that's just what a
24 reasonable person, such as yourselves, seeking the
25 truth would find.

OPENING STATEMENT - BY MR. HILLER

1 Through the overwhelming evidence that we
2 present, we will show that the defendant is the one
3 that committed this crime, and that he beat our
4 victim so severely that her life will never be the
5 same.

6 Thank you.

7 THE COURT: Defense, you are recognized.

8 MR. HILLER: Thank you, Your Honor. May it
9 please the Court?

10 THE COURT: Yes.

11 MR. HILLER: Good afternoon, ladies and
12 gentlemen. As the judge said earlier, I don't have
13 to give an opening statement, but I do like to at
14 least make a few opening remarks.

15 It is true that I, as the representative of
16 Mr. Knowlin, his defense attorney, do not have a
17 burden of proof. I'm not here to prove a case. I
18 don't have a responsibility of presenting you with
19 sufficient evidence to prove anything. My job is
20 to test their case.

21 You heard a bunch of serious allegations.
22 You heard a clear accusation that my client, Mr.
23 Knowlin, is guilty of causing very serious
24 injuries. But for right now -- and I'll say
25 through the duration of the trial -- not guilty is

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

OPENING STATEMENT - BY MR. HILLER

1 Mr. Knowlin's plea. That's what brings us into the
2 courtroom. That's what brings you 14 members of
3 Horry County here to hear this case and,
4 ultimately, render a verdict.

5 I've done this for a while now, and it's
6 really, honestly, one of the most -- it's hard not
7 to get emotional, but here we are. As the judge
8 said, the immense resources of the State, and then
9 me and this guy. Bring it on. Here we are.

10 It's amazing that we live in a nation that we
11 can do this. It's not Afghanistan or Japan where
12 it is guilty until proven innocent with a 99.8
13 conviction rate. It is an amazing country, and
14 this is something we should never, ever take for
15 granted.

16 The laws of our state, laws of our federal
17 government also presume his innocence. It is
18 really the bedrock principal of the criminal
19 justice system of the judicial system. It is not
20 just a legal theory for lawyers and judges to put
21 up on a shelf and admire. It's what gets us
22 through the day in a lot of ways.

23 I know a lot of us aren't in courtrooms a lot
24 and it might not feel that relevant in day-to-day
25 life. It doesn't have to do with price of eggs or

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

OPENING STATEMENT - BY MR. HILLER

1 the other things that's going on, but it is what
2 drives so much of this. It's what keeps us a
3 society. I believe that.

4 I do like to think about the burden of proof
5 and presumption of innocence a lot. They are so
6 important. I think about, like, a lever. You
7 know, like an old train station where you pull the
8 switch, and the train goes that way or that way.
9 That is kind of what the presumption of innocence
10 is. That lever is on not guilty. The only way it
11 can switch the track is if every single one of you,
12 12 at the end for deliberations, each
13 individually -- therefore, unanimously -- agree
14 that there is enough evidence to switch that lever
15 for not guilty, the default, to guilty. So that's
16 it.

17 Each of you have an equal voice in this.
18 Each of you have the exact same say. There is a
19 foreperson, but that is more for administrative
20 purposes. Someone has to say, Don't talk about the
21 case. Someone has to say, Time to talk about the
22 case, and that's what the foreperson does. It's
23 important, but does not have any additional
24 authority or power than any of the other 11 who
25 will be deliberating.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

OPENING STATEMENT - BY MR. HILLER

1 The judge pretty much said it all. He knows
2 the law, and anything I say -- if the judge says
3 something, and I say something else, listen to the
4 judge. But he's right, the presumption of
5 innocence is a cloak, really. It's something that
6 can only be ripped off of Mr. Knowlin's shoulder
7 if -- and only if -- the State can prove his guilt
8 beyond a reasonable doubt, which means each of you
9 has to be firmly convinced of his guilt.

10 Another way to say it is hesitate to act.
11 It's not beyond all doubt, but if there is a
12 hesitation in your mind. If you hear competing
13 things from the witness stand and you're like,
14 (indicates) I'm not sure. Well, that is hesitant
15 to act. That means that the State did not carry
16 their burden.

17 As I said a minute ago, an opening statement
18 is a place for each side to preview their case. If
19 my theory was the light was green, and their theory
20 was the light was red, sure, I would be telling you
21 why the light was the color I thought. But that's
22 not the kind of case we're doing here today.

23 Since I do not have a burden of proof of
24 carry, I'll reserve my comments about what I think
25 the evidence will show until the end. But, for

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

BRANDON YOUNG - DIRECT EXAMINATION

1 now, I ask that you keep an open mind. Do not
2 close your mind until the last witness takes the
3 stand, and we rest.

4 Thank you.

5 THE COURT: Thank you.

6 Yes, ma'am, you are recognized. Call your
7 first witness.

8 MS. ORTIZ: Thank you, Your Honor. The State
9 would call Brandon Young.

10 THE COURT: Please come forward, place your
11 left hand on the Bible, raise your right while the
12 clerk administers the oath.

13 (BRANDON YOUNG, having been duly sworn,
14 testified as follows:)

15 THE COURT: Pull up real close up to the
16 microphone. Speak loudly, clearly, and slowly, and
17 start with your full name.

18 THE WITNESS: My name is Brandon Tyler Young.

19 DIRECT EXAMINATION

20 BY MS. ORTIZ:

21 Q Good afternoon. Where are you employed?

22 A Horry County Fire and Rescue.

23 Q How long have you been employed there?

24 A About seven years.

25 Q And what was through that seven years? What

BRANDON YOUNG - DIRECT EXAMINATION

1 have been your duties and responsibilities over
2 those seven years?

3 A I started off as an EMT, about two years,
4 basic vital signs, taking people to the hospital.
5 Then I did two years as an advanced EMT. They do a
6 little more, like start IVs and give medicines.
7 Then, for almost three years, I've been a
8 paramedic, full treatment, medications, the whole
9 nine yards.

10 Q And just, in general, you are on an
11 ambulance?

12 A Yes, ma'am.

13 Q You operate an ambulance, okay.

14 Do all three of those that you just
15 mentioned, do all three ride on one ambulance at a
16 time?

17 A All three positions?

18 Q Yeah.

19 A No. Just usually two people. So it can be
20 an EMT and paramedic. It could be an EMT and EMT,
21 or it could be an EMTA and EMT, you know, a
22 combination.

23 Q Over your course of seven years, how many
24 calls would you say you've responded to?

25 A Probably close to 10,000. I do an average of

BRANDON YOUNG - DIRECT EXAMINATION

1 1500, 2,000 a year.

2 Q Out of those, how many of those calls,
3 approximately, are seizure patients?

4 A Several hundred, if not more.

5 Q And when you respond to a seizure call, just
6 in general, what does a victim typically display?

7 A So usually with someone with a seizure, one
8 of two things. They are either on the ground and
9 out of it, or they are sitting up and unable to
10 answer questions, lethargic. We call it a
11 postictal state. They are not able to answer
12 questions, stand, walk, usually laying down.

13 Q Did you have an occasion to respond to the
14 Summer Breeze -- Southern Breeze, sorry, I get them
15 confused -- Southern Breeze Hotel on or about
16 September 29 of 2023?

17 A Yes, ma'am.

18 Q Tell us what was that call for.

19 A So it turned out for a seizure, female, that
20 had a seizure.

21 Q So when the call came in, it was a seizure
22 call?

23 A Yes, ma'am.

24 Q Do you recall, approximately, what time of
25 day that was?

BRANDON YOUNG - DIRECT EXAMINATION

1 **A** I think it was just past midnight, maybe
2 12:10, 12:15 in the morning.

3 **Q** So September 29th, its early morning hours?

4 **A** Yes, ma'am.

5 **Q** So when you arrive on scene, tell us what you
6 see.

7 **A** So we were met outside by the patient. From
8 my understanding, her husband and/or boyfriend --
9 I'm not really sure what he was -- and the
10 manager -- the manager was the one that called us.

11 **Q** And you said the patient. Who is the
12 patient?

13 **A** **Complainant**. She was in the middle of them,
14 pretty much being held up by them.

15 **Q** And were you able to make contact with
16 **Complainant**?

17 **A** Yeah. So when we first got on scene, like we
18 do in every patient, we go straight to the patient
19 and ask what is going on. Usually, they are able
20 to answer. If they are in a seizure, a family
21 member or whoever is on scene answers. In this
22 case, her significant other was the one that was
23 answering her questions.

24 **Q** And when you first approached **Complainant**,
25 what injuries did you observe?

BRANDON YOUNG - DIRECT EXAMINATION

1 **A** It was dark. I don't remember exactly any
2 injuries other than the fact she was slouched over.
3 Like, I mean, they were full-on holding her up. It
4 did look like some swelling to the face, but it was
5 dark, so I couldn't tell for sure if it was
6 swelling or not until we got her in the ambulance.

7 **Q** When you say it was dark, they were outside
8 when you were --

9 **A** Yes, ma'am.

10 **Q** All right. At some point, were you able to
11 put her in the ambulance?

12 **A** Yes, ma'am.

13 **Q** Tell us what happened there.

14 **A** So we got her on the stretcher. Her
15 significant other brought her over to it, helped us
16 get her onto the stretcher. We got her into the
17 ambulance. He tried to come in the ambulance, and
18 we told him not to. Ever since Covid, we're not
19 letting anyone in the ambulance unless it's a
20 pediatric patient, and it's one of their parents.
21 He was rather pushy, which was the big reason why
22 we didn't let him in the back.

23 **Q** What do you mean by that?

24 **A** So, like I said, he was answering all of the
25 questions for her even though it looked like she

BRANDON YOUNG - DIRECT EXAMINATION

1 wanted to talk. And when we went to help her onto
2 the stretcher, he wouldn't let us help. He was
3 kind of doing it himself. He was very pushy on
4 trying to get into the ambulance, which most
5 people, when they try to go into the ambulance,
6 they ask, Is it okay if I good inside until you are
7 ready to leave. But it was more so, I'm coming
8 into the ambulance, I'm going to the hospital with
9 her. That's when we're like, No, sir, ever since
10 Covid, we're not allowed to let you in the
11 ambulance.

12 Q Okay. Now, let me ask you: What is your
13 treatment of care with someone who has had a
14 seizure?

15 A Okay. So we're always proactive. So any
16 time we go to a seizure call, we have a medication
17 called Versed. It is a medication we give that
18 stops seizures. So if they are actively seizing,
19 we have it in our pocket, so if they start seizing
20 again, we can give it. Oxygen, vital signs, you
21 know.

22 Q Okay. And did you have -- did you talk to
23 **Complainant?**

24 A I did once we got into the ambulance.

25 Q And were you able to confirm that she had a

BRANDON YOUNG - DIRECT EXAMINATION

1 seizure?

2 A No.

3 Q What did **Complainant** said happened to her?

4 A Initially --

5 MS. ORTIZ: Your Honor, it is a statement for
6 medical purposes. It's a hearsay exception.

7 THE COURT: Might Counsel approach the bench?

8 (The following was a bench conference.)

9 MS. ORTIZ: He's been instructed to say --
10 not who did it, but he's going to say that she was
11 assaulted --

12 MR. HILLER: It's just so broad. I don't
13 know where they were going.

14 THE COURT: She can ask that question. Is
15 she on the witness list?

16 MS. ORTIZ: She is. My questions of him --
17 I'm going to say don't tell us who, but tell us
18 what she said happened to her.

19 THE COURT: Very good.

20 (The following was had in open court.)

21 Q (BY MS. ORTIZ) So don't tell us who, but tell
22 us what **Complainant** said happened to her.

23 A Okay. So, like I said, initially, she wasn't
24 talking, but once we got her into the ambulance, we
25 were able to see more of the wounds and how she

BRANDON YOUNG - DIRECT EXAMINATION

1 presented, which to me and my partners that I was
2 working with on that day, it didn't seem familiar
3 with a seizure-like activity. It was more like she
4 had been assaulted. So we had asked if she had
5 been assaulted. Initially, she didn't answer. She
6 started to tear up. We asked her again, and that's
7 when she said, yes, she had been assaulted that
8 night; that it wasn't a seizure, she had been
9 assaulted.

10 Q What injuries, specifically, did you note
11 that told you it wasn't a seizure?

12 A So she had significant swelling and bruising
13 to the entire face, forehead, cheekbones, chin,
14 mouth, both eyes. Normally, in a seizure, you
15 know, if you are hitting something, it will affect
16 one part of the face, the right side, left side,
17 forehead, chin. It doesn't usually affect the
18 entire face. For her to have as much swelling and
19 bruising as she had, she would have had to have
20 several seizures. I'm talking four, five seizures
21 in a row to that part of the face and kept getting
22 hit.

23 Q All right. Random question: What kind of
24 sheets do you guys use?

25 A We use pink and white.

BRANDON YOUNG - DIRECT EXAMINATION

1 **Q** So we talked about the treatment for seizure.
2 What about an assault patient, what treatment do
3 you administer for an assault?

4 **A** So as far as an assault patient, depending on
5 how significant the wounds are, the biggest
6 treatment is pain medication. We have two
7 different pain medications. We would give either
8 morphine or fentanyl. In this case, we gave
9 fentanyl twice. Oxygen. We would put a C-collar
10 on. In this instance, she requested not to have a
11 C-collar on because it was hard to breathe due to
12 all of the swelling in her face. Vital signs.

13 **Q** I'm sorry.

14 **A** No. It was just like everybody, vital signs.

15 **Q** You gave her fentanyl twice?

16 **A** Yes, ma'am.

17 **Q** Why?

18 **A** In our protocol, we can give fentanyl, wait
19 several minutes, if it doesn't start helping at
20 all, we're allowed to give it again. In her
21 instance, we gave her fentanyl, and she had zero
22 improvement, so we had to give a second dose.

23 **Q** When you say zero improvement, improvement in
24 what?

25 **A** In her pain scale. We ask everybody to rate

BRANDON YOUNG - DIRECT EXAMINATION

1 their pain one to ten, ten the worst pain ever felt
2 in their life. She rated a ten, which gave us the
3 okay to give fentanyl. After a few minutes, we
4 asked again, What would you rate your pain on a
5 scale one out of ten, ten being the most pain ever
6 felt. She was still at ten. Never changed. No
7 improvement at all. So we gave it again.

8 Q Is it common in your practice and in your
9 experience dealing with seizure patients that a
10 patient would be in that much pain from a seizure?

11 A No, ma'am.

12 Q And what medicine -- did you actually
13 administer the seizure medication?

14 A No, ma'am.

15 Q Why is that?

16 A Because I had no indication that she had a
17 seizure.

18 MS. ORTIZ: Court's indulgence.

19 (A brief pause in the proceedings.)

20 Q (BY MS. ORTIZ) Once you discovered it was an
21 assault call instead of a seizure, what did you do?
22 Did you alert anybody?

23 A Yeah. I requested Myrtle Beach PD.

24 Q Tell us, how does that work?

25 A So when it is listed as an assault -- when

BRANDON YOUNG - CROSS EXAMINATION

1 it's an assault, the PD is automatically notified.
2 They show up on scene with us just in case they are
3 needed. In this instance, they were not, so we
4 were required to alert law enforcement there was an
5 assault. Due to how pushy he was on scene, we told
6 them that they can meet us at the hospital, that we
7 weren't going to stay there and wait for them.

8 Q And did law enforcement meet you at the
9 hospital?

10 A Yes, ma'am.

11 Q And when you transfer a patient over at the
12 hospital, how do you transfer them from your gurney
13 to the hospital bed?

14 A So we slide them over on the sheet they are
15 laying on.

16 Q And does that sheet stay with them, or do you
17 take it back?

18 A No, they -- it stays with them at the
19 hospital.

20 MS. ORTIZ: That's all from the State.

21 THE COURT: Cross examination?

22 MR. HILLER: Thank you.

23 CROSS EXAMINATION

24 BY MR. HILLER:

25 Q I think at the beginning of your direct you

BRANDON YOUNG - CROSS EXAMINATION

1 were asked to describe different ways that you have
2 found seizure patients during, I think you said,
3 hundreds or 10,000 or so calls you've been on?

4 A Yes, sir.

5 Q I don't want to mischaracterize, but you said
6 sometimes you can find them on the ground and out
7 of it?

8 A Yes, sir.

9 Q And sometimes sitting up, but also really not
10 able to communicate?

11 A Right. So lethargic. When they are laying
12 down, usually they are either sleeping, drowsy to
13 the point they can't get themselves up, or getting
14 ready to have another seizure. Whereas if they are
15 sitting on the couch or chair or whatever, and a
16 family member puts them in it, it is more of a --
17 they are awake and alert, but they are confused,
18 more of a lethargic state.

19 Q And your testimony about how you found
20 **Complainant** was that she couldn't support herself?
21 She had two people supporting her in a standing
22 position?

23 A Yes, sir.

24 Q And she was not able to speak?

25 A Not so much that she wasn't able to speak,

BRANDON YOUNG - CROSS EXAMINATION

1 but when she went to speak, he spoke for her.

2 Q You have a copy of your report?

3 A Yes, sir, I have a copy of it.

4 Q I was just making sure.

5 So it's your testimony not that she couldn't
6 speak, just that she wasn't.

7 A Correct.

8 Q And you just didn't try to get her side of
9 it, or what?

10 A Yeah. So we always try to talk to the
11 patient first. A lot of times family members can
12 be pushy and overtalk people, and then they feel
13 like they can't talk, so then they don't, which is
14 a lot of the times when we try to get them by
15 themselves so they will talk.

16 Q The 911 call is what brought you guys to the
17 hotel?

18 A Yes, sir. Call for a seizure.

19 Q And dispatch relays to you it's for a
20 seizure?

21 A Yep.

22 Q You don't know who called 911, do you?

23 A Yeah. So the call notes stated that the
24 manager on scene had called 911. When we got
25 there, the manager also stated that she called 911,

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

BRANDON YOUNG - CROSS EXAMINATION

1 that the significant other stated that she had a
2 seizure, and she felt like she needed medical care.

3 Q But the 911 operator received the diagnosis
4 from the hotel manager, not from the significant
5 other?

6 A Yeah, she got it from whoever called it,
7 which was the manager.

8 Q But you don't know where the manager got that
9 from? You don't know if she saw the seizure with
10 her own eyes, or if she just heard someone say
11 that? You don't have any independent knowledge of
12 that, do you?

13 A Correct. I was not there.

14 Q How long of a ride from the hotel to Grand
15 Strand, roughly?

16 A Anywhere from 10 to 15 minutes, depending on
17 the lights.

18 Q You can run those lights?

19 A Yeah -- right. So we did go emergent to the
20 hospital because we trauma'd her. That being said,
21 we still have to obey traffic lights, stop at red
22 lights, look both ways, make sure there is not a
23 car.

24 Q Definitely. I understand.

25 So you administered two doses of fentanyl to

BRANDON YOUNG - CROSS EXAMINATION

1 **Complainant** on the way to Grand Strand, was your
2 direct testimony?

3 **A** That's correct. I gave it at 12:26 and then
4 again at 12:32.

5 **Q** I'm assuming in your many call-outs for
6 service, you unfortunately have responded to
7 overdose situations as well?

8 **A** Correct.

9 **Q** Would it be fair to say that some of those
10 call-outs involve fentanyl?

11 **A** Yes. Not medical grade, but, yes.

12 **Q** Right. Street fentanyl is the stuff that
13 will kill you?

14 **A** Correct.

15 **Q** Fentanyl is not a drug that will make someone
16 coherent, is it?

17 **A** They can still answer questions on fentanyl.
18 It is not one that's going to -- like the
19 medication we give for seizures, that has the
20 capability of making them a little loopy.

21 **Q** So were you in charge of that ambulance that
22 night -- or what was your exact role? You said you
23 had a team of three?

24 **A** I did. I had a student that day. So I was
25 the paramedic, the person in charge. We had an

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

BRANDON YOUNG - REDIRECT EXAMINATION

1 EMT, who was the driver. Then I had a paramedic
2 student that was there to learn and practice his
3 paramedic skills.

4 Q So you were involved in this case from the
5 time of -- well, I guess from the time of the
6 call-out, slash, time of arrival on scene, until
7 the time she was entrusted into the care and
8 custody of Grand Strand?

9 A Correct.

10 Q Did you have any other involvement in this
11 case?

12 A No.

13 MR. HILLER: I have no other questions, Your
14 Honor.

15 THE COURT: Redirect?

16 MS. ORTIZ: Just a couple.

17 REDIRECT EXAMINATION

18 BY MS. ORTIZ:

19 Q How was **Complainant**, as far as her physical -- her
20 demeanor? How was it different from a seizure
21 patient?

22 A So she was in an extreme pain. It didn't
23 matter, it hurt to breathe, to move; hence, why we
24 couldn't put a C-collar on her. She refused that.
25 Most of the time when someone has a seizure, they

BRANDON YOUNG - REDIRECT EXAMINATION

1 are exhausted, because during a seizure every
2 muscle in your body is tensing up for however long.
3 They can seize from 30 seconds to five minutes. So
4 most of the time they are extremely exhausted by
5 the time they come out of a seizure, whereas she
6 was in extreme pain.

7 Q When you were able to separate her from the
8 defendant, did you have any concerns about her
9 abilities to communicate?

10 A No.

11 Q Was she able to communicate?

12 A Yeah. She spoke with us all the way to the
13 hospital.

14 Q Did she appear to be confused at all to you?

15 A No.

16 Q And you administered two doses of medical
17 grade fentanyl. Somebody that has had those doses,
18 would they still be able to answer questions?

19 A Yes, ma'am.

20 Q Would it -- okay.

21 MS. ORTIZ: Nothing further, Your Honor.

22 THE COURT: You may step down, and you are --
23 any objection to this witness being excused?

24 MS. ORTIZ: Your Honor, he can be excused,
25 not released.

ADAM SHER - DIRECT EXAMINATION

1 THE COURT: Okay. You are free to leave, but
2 stay in touch with the attorneys, and if needed
3 back, you'll have to come back.

4 THE WITNESS: Okay.

5 THE COURT: Call your next witness.

6 MS. ORTIZ: State calls Adam Sher.

7 (ADAM SHER, having been duly sworn,
8 testified as follows:)

9 THE COURT: Pull up real close and speak
10 loudly, clearly, and slowly so we can hear
11 everything you have to say. Start with your full
12 name.

13 THE WITNESS: Adam Sher, S-H-E-R.

14 DIRECT EXAMINATION

15 BY MS. JOHNSON:

16 Q Where are you currently employed?

17 A Mount Pleasant Police Department.

18 Q Where were you previously employed?

19 A Myrtle Beach Police Department.

20 Q How long have you been employed in law
21 enforcement?

22 A About three years now.

23 Q Back in September of 2023, what were your
24 duties?

25 A I was just in the patrol division.

ADAM SHER - DIRECT EXAMINATION

1 Q How many calls of service do you think you've
2 responded to in your times as a police officer?

3 A Thousands.

4 Q So where did you respond the night of
5 September 29, 2023?

6 A Grand Strand Regional Hospital.

7 Q Is that an area you routinely worked?

8 A Yes.

9 Q Do you recall coming in contact with a victim
10 in this case, **Complainant** ?

11 A I did.

12 Q How did you first come in contact with her?

13 A When I first saw her, she was wheeled out on
14 the stretcher by the paramedic.

15 Q When she arrived at the hospital, what was on
16 her person?

17 A Just clothing, blanket and --

18 Q What color was the blanket?

19 A I believe it was pink.

20 Q Do you recognize this?

21 A I do.

22 Q How do you recognize it?

23 A It was what was on her when she came on the
24 stretcher.

25 Q Does that fairly depict what you saw what was

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

ADAM SHER - DIRECT EXAMINATION

1 on her person?

2 A Yes.

3 Q Could that have been altered in any way, to
4 your knowledge?

5 A No.

6 MS. JOHNSON: State would like to publish to
7 the jury.

8 MR. HILLER: I haven't had a chance to see
9 it, Your Honor.

10 THE COURT: Show it to defense.

11 Any objection?

12 MR. HILLER: Yes, Your Honor. I don't
13 believe he took that picture. If you look at it,
14 it looks like it was taken fairly recently. Kind
15 of held up. I don't know how he could have seen --
16 obviously what's on it, but on top of it. So I
17 don't know how he can identify that.

18 THE COURT: Okay. It's not necessary that he
19 take the picture.

20 MR. HILLER: Right.

21 THE COURT: Nonetheless, I'll allow it. You
22 will be given a wide range of cross examination.

23 (State's Exhibit 1 marked and admitted.)

24 MS. JOHNSON: May I publish to the jury at
25 this time?

ADAM SHER - DIRECT EXAMINATION

1 THE COURT: Yes.

2 (State's Exhibit 1 published.)

3 Q (BY MS. JOHNSON) So this was on the victim's
4 person when she arrived at the hospital?

5 A Yes.

6 THE COURT: I think it is on the screen now.

7 Q (BY MS. JOHNSON) To the best of your
8 knowledge, what appears to be on this blanket?

9 A Looks like blood or bodily fluid.

10 Q From there, where did she go?

11 A Any time any traumas come in, they go to a
12 room right there to the right. There is a thousand
13 people sitting there waiting, because they knew she
14 was coming in. So they immediately took her into
15 there. Then I turned off my body cam because they
16 had to undress her and everything else, so I cut it
17 off there and let them work on her.

18 Q What injuries did you notice?

19 A Just as she was being rolled in, her face was
20 swollen. The entire face, left, side, top, center,
21 everything. There was minor scrapes and cuts on
22 her hands and arms. Looked like there was a pretty
23 massive laceration, a cut, to her right eyebrow.

24 Q Do you recognize this?

25 A I do.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

ADAM SHER - DIRECT EXAMINATION

1 **Q** How do you recognize this?

2 **A** I took my body cam and held it up to get
3 still-shots.

4 **Q** Does this photo fairly and accurately
5 represent what the victim looked like?

6 **A** Yes.

7 **Q** Has it been altered in any way, to your
8 knowledge?

9 **A** No.

10 MS. JOHNSON: We move to introduce State's 2
11 in evidence.

12 THE COURT: Any objection?

13 MR. HILLER: No, Your Honor.

14 THE COURT: In evidence without objection.

15 (State's Exhibit 2 marked and admitted.)

16 MS. JOHNSON: May I publish this to the jury,
17 Your Honor?

18 THE COURT: You may.

19 (State's Exhibit 2 published.)

20 **Q** **(BY MS. JOHNSON)** What kind of injuries did
21 you notice while you were taking this?

22 **A** First, the cut to her right eye, over her
23 eyebrow. And the second was almost to her left
24 eye, the swelling of it. And then pretty much it
25 looked like her face was blown up like -- there was

ADAM SHER - DIRECT EXAMINATION

1 swelling across the entire face, and there was cuts
2 and scrapes on her hands and arms.

3 Q Do you recognize this?

4 A Yes.

5 Q How are you able to recognize it?

6 A It's what she looked like when I saw her.

7 Q Has it been altered in any way, to your
8 knowledge?

9 A No.

10 MS. JOHNSON: We move to admit State's 3.

11 THE COURT: Have you shown it to defense?

12 MR. HILLER: Yes, sir, and no objection.

13 (State's Exhibit 3 marked and admitted.)

14 MS. JOHNSON: May I publish?

15 THE COURT: You may.

16 (State's Exhibit 3 published.)

17 Q (BY MS. JOHNSON) Again, Officer, what
18 injuries did you notice?

19 A Same thing. You can see this better with the
20 cut to her right eye and the swelling of her
21 cheeks, lips, mouth, everything, forehead.

22 Q Based on your training and experience, did
23 **Complainant** appear to be a victim of a crime?

24 A Yes.

25 Q Was she able to speak whenever you were

ADAM SHER - DIRECT EXAMINATION

1 there?

2 A Very little.

3 Q Was she able to tell you what happened?

4 A Not specifics.

5 Q Based on what she told you, were you able to
6 determine if a crime was committed?

7 A Yes.

8 Q Based on what she told you, were you able to
9 generate a suspect?

10 A Yes.

11 MS. JOHNSON: No further questions.

12 THE COURT: Cross examination?

13 CROSS EXAMINATION

14 BY MR. HILLER:

15 Q Did you write a report in this case?

16 A I wrote something that's like a report.

17 Q Was that basically a summary of your duties
18 that night in response to this call?

19 A Yeah. So any time you are not the
20 investigating officer, you are the supplemental.
21 It's to say what your piece of it was, and it gets
22 to the actual report so that you have all the
23 pieces altogether.

24 Q Did you have any responsibilities other than
25 reporting to the hospital?

ADAM SHER - DIRECT EXAMINATION

1 **A** In what way?

2 **Q** Did you undertake any other investigative or
3 law enforcement duties in response to this case,
4 other than reporting to the hospital?

5 **A** No. That's it. The hospital, and that was
6 it.

7 MS. HILLER: No other questions.

8 THE COURT: Redirect?

9 MS. JOHNSON: No redirect.

10 THE COURT: You may step down.

11 Call your next witness.

12 MS. ORTIZ: May we approach?

13 THE COURT: Yes.

14 (The following was a bench conference.)

15 MS. ORTIZ: There is a record that is a
16 criminal record that we'll have to do outside of
17 the presence of the jury.

18 THE COURT: All right. Let's do that.

19 (The following was had in open court.)

20 THE COURT: Mr. Foreman, ladies and
21 gentlemen, we have a legal matter that has to be
22 taken up outside of your presence. We'll ask that
23 you return to the jury room. We've been going
24 about an hour. I'll give you an opportunity to
25 refresh yourselves.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

ADAM SHER - DIRECT EXAMINATION

1 Mr. Foreman, enforce the rule that there is
2 no discussion about the case, about the lawyers,
3 witnesses. Don't discuss the case.

4 Everyone remain seated as the jury exits the
5 courtroom.

6 (The jury exits at 2:20 p.m., and the
7 following is heard out of the presence of the jury.)

8 THE COURT: All right. I'll recognize the
9 defense -- I mean the State. I'm sorry.

10 MS. ORTIZ: Thank you. Our next witness,
11 Your Honor, does have an NC -- what we refer to as
12 an NCIC criminal history. I'll hand that to the
13 defense attorney for him to take a look at it.

14 I believe the only conviction she has, Your
15 Honor, is one on the very last page. It's a
16 misdemeanor, false report to law enforcement on --
17 looks like the conviction was from 6/16 of 2014.

18 THE COURT: And the penalty for that
19 particular offense is what?

20 MR. HILLER: It appears to a Virginia
21 conviction, Your Honor. I believe there are
22 several different ways to charge that charge here
23 in South Carolina. It can be from a 30-day
24 misdemeanor, all the way up to at least a five-year
25 felony, if you are filing a false report of a

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

ADAM SHER - DIRECT EXAMINATION

1 felony. Three years if it's a misdemeanor.

2 Regardless, it would likely be a crime of
3 dishonesty.

4 THE COURT: Right. What is your position?

5 MR. HILLER: I believe that since she's just
6 a witness in the case, it would -- she could -- she
7 should be subject to be asked about that, and if
8 she were to deny that conviction -- it does say
9 misdemeanor on this.

10 THE COURT: Misdemeanors and felony
11 distinctions in South Carolina mean very little.

12 MR. HILLER: Not to speak over you, this is
13 Virginia.

14 THE COURT: That's my point. We don't know
15 whether that sentence is more than a year or not,
16 but I think the key factor is that's, indeed, a
17 crime of dishonesty or false statement. So I would
18 be glad to hear from the State, but my initial
19 inclination is that it's admissible -- or he's
20 allowed cross examine with regard to that.

21 MS. ORTIZ: The State has -- the State agrees
22 with Your Honor.

23 THE COURT: Very good. All right. There
24 certainly will be no discussion about the -- you
25 can ask the question about whether or not she's

ADAM SHER - DIRECT EXAMINATION

1 been convicted of that. All right.

2 MR. HILLER: Your Honor, since we are on the
3 topic of this witness and her criminal matters, I
4 do believe that she's currently being prosecuted by
5 the Fifteenth Judicial Circuit Solicitor's Office,
6 and has an attorney who has a contract with our
7 office. That case involves --

8 THE COURT: What is that for?

9 MR. HILLER: I believe drug offenses, Your
10 Honor.

11 THE COURT: Well, you know, just being
12 charged and being prosecuted, as we all know, she's
13 presumed to be innocent of all of that. So my
14 initial inclination is that that is not -- you are
15 not allowed to bring that up.

16 What does the State have to say?

17 MS. ORTIZ: I agree with Your Honor. Again,
18 he would not be able to talk to her about that.

19 Your Honor, just for clarity as well, she is
20 being prosecuted by the AG's office, not our
21 office. So there has been no deals made with her,
22 no exchanges, no wink-wink, nod-nod. I was
23 perfectly clear today was my first day actually
24 speaking with her with her attorney.

25 That brings up another matter. I have to

ADAM SHER - DIRECT EXAMINATION

1 call Melinda Knowles before she testifies.

2 THE COURT: Where is she?

3 MS. ORTIZ: She was across the street at a
4 roster meeting at 1:00, Your Honor. So I asked her
5 to be here at 1:30, 2:00. So I can step out and
6 call her to have her come over.

7 But, again, there is no proffer agreements,
8 there is nothing.

9 THE COURT: All right.

10 MR. HILLER: That's where I was going. I
11 certainly agree she's innocent until proven guilty,
12 but it was more of --

13 THE COURT: I heard -- did I pronounce your
14 name correct, Ortiz?

15 MS. ORTIZ: Yes, sir.

16 THE COURT: Ms. Ortiz, as an officer of the
17 court has indicated, there has been no deals
18 offered, and I'm not going to -- do you have
19 anything to indicate otherwise?

20 MR. HILLER: No, Your Honor. I would accept
21 her statement as an officer of the court as well.

22 THE COURT: Very good. We'll do that.

23 MR. HILLER: Since we're on the topic of last
24 names, it is Knowlin for my client.

25 THE COURT: How have I been saying it? I'll

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

ADAM SHER - DIRECT EXAMINATION

1 try to do better. I went to school with a fellow,
2 and he pronounced it Knowlin (pronunciation).

3 But, at any rate, tomato/tomato.

4 We'll stand at ease for about five minutes
5 until we can get a witness here.

6 (A recess was taken.)

7 THE COURT: Anything from the State before we
8 bring the jury out?

9 MS. ORTIZ: No, Your Honor.

10 THE COURT: Defense?

11 MR. HILLER: No, Your Honor.

12 THE COURT: Ready for the jury.

13 (The jury enters at 2:49 p.m., and the
14 following is heard in the presence of the jury.)

15 THE COURT: Mr. Foreman, ladies and
16 gentlemen, thank you for your patience. Sometimes
17 the wheels of justice grind slow. Thank you for
18 being patient.

19 State, you are recognized.

20 MS. ORTIZ: We call Kimaysh Liles.

21 THE COURT: Please come forward. If you can,
22 approach the clerk here and place your left hand on
23 the Bible and raise your right.

24 (KIMAYSH LILES, having been duly sworn,
25 testified as follows:)

KIMAYSH LILES - DIRECT EXAMINATION

1 THE COURT: Come around here and have a seat
2 in the witness chair. Pull up real close to the
3 microphone. Speak loudly, clearly and slowly in
4 order we hear everything you have to say, and let's
5 start with your full name.

6 THE WITNESS: Kimaysh Liles.

7 DIRECT EXAMINATION

8 BY MS. ORTIZ:

9 Q It is pronounced Kimaysh?

10 A Uh-huh.

11 Q Can I call you Kim?

12 A Uh-huh.

13 Q All right. Kim, tell me, are you familiar
14 with the Southern Breeze Hotel?

15 A Yes, ma'am.

16 Q How are you familiar with the Southern
17 Breeze?

18 A I worked there as a property manager.

19 Q When did you work there?

20 A Between the years of 2020 to 2023, '24.

21 Q What did you do as a property manager?

22 A Just check people in, making sure people do
23 their jobs, things like that.

24 Q And where did you reside at the time?

25 A At the Southern Breeze. I lived on the

KIMAYSH LILES - DIRECT EXAMINATION

1 property.

2 Q Do you recall what room you lived in?

3 A 405, I believe. It was like two years ago,
4 so I can't really remember.

5 Q Is it safe to say you recall being on the
6 fourth floor?

7 A Yes, ma'am.

8 Q On September 29, 2023, do you recall that
9 day?

10 A Yes, ma'am.

11 Q Or those early morning hours?

12 A Uh-huh.

13 Q How do you -- I guess, when is your birthday?

14 A September 27th.

15 Q So this was two days after your birthday?

16 A Yes, ma'am.

17 Q All right. Do you know the defendant in this
18 case?

19 A I don't know him, but I know of him, because
20 my brother that passed, he was friends with my
21 brother.

22 Q And what about the victim in this case?

23 A No, ma'am, I don't know her.

24 Q Do you know her name?

25 A Huh-huh.

KIMAYSH LILES - DIRECT EXAMINATION

1 THE COURT: I need you to answer audibly.

2 A No. No, ma'am.

3 Q (BY MS. ORTIZ) The court reporter is taking
4 down what you say, so we just need yeses and noes.

5 A Yes, ma'am.

6 Q On the night of September 28th until the
7 early morning hours of September 29 of 2023 --
8 well, first, where is this hotel located, what
9 county?

10 A Horry County.

11 Q What city is it located in?

12 A Myrtle Beach.

13 Q On that night, what were you guys doing?

14 A We had me a birthday party.

15 Q Where was that party taking place?

16 A At Southern Breeze.

17 Q Who all was there?

18 A Just tenants and a couple of my friends.

19 Q You say tenants that was there, is this like
20 a long-term stay hotel?

21 A No, ma'am, but it is like a transition.

22 We'll let them stay, like, six months until they
23 find another place.

24 Q So this is a long-term rental versus a
25 touristy type of place?

KIMAYSH LILES - DIRECT EXAMINATION

1 **A** Yes, ma'am.

2 **Q** All right. So you say tenants that were
3 there, do you recall, approximately, how many
4 people were living at the hotel?

5 **A** It was so many. Southern Breeze and Southern
6 Winds was together, so it's like so many rooms with
7 so many people.

8 **Q** About how many people were at your party; do
9 you recall?

10 **A** Yes, ma'am. Probably 10, 15.

11 **Q** Was the defendant there?

12 **A** Yes, ma'am.

13 **Q** Tell us, what was he doing?

14 **A** He was cooking on the grill.

15 **Q** What about the victim in this case, was she
16 there?

17 **A** Not at first, but I told him to go get her
18 because she couldn't be there alone while we're
19 having the party.

20 **Q** So when you say you don't know this victim,
21 tell us what you mean by that.

22 **A** I don't know her. Never seen her before, but
23 I do know they go together; that's it.

24 **Q** And I want to make sure I'm understanding you
25 correctly. You say you've never seen her before,

KIMAYSH LILES - DIRECT EXAMINATION

1 but would you see her around the hotel?

2 A Yeah. That's when I first saw her, when she
3 came to the hotel. I didn't know her prior to that
4 or after that.

5 Q How long was she living at the hotel for?

6 A Like three weeks to a month.

7 Q How long had he been there?

8 A Like three weeks to a month.

9 Q To your knowledge, did they come together?

10 A I can't remember.

11 Q Did anyone else reside in that room with
12 them?

13 A No, ma'am.

14 Q So it was the two of them?

15 A Uh-huh.

16 Q And, to your knowledge, were they
17 boyfriend/girlfriend?

18 A Yes, ma'am.

19 Q So going back to the party, you said that you
20 asked the defendant to go get the victim in this
21 case?

22 A Yes, ma'am.

23 Q And did he do that?

24 A Yes, ma'am.

25 Q So she came down and was attending the party

KIMAYSH LILES - DIRECT EXAMINATION

1 as well?

2 A Yes, ma'am.

3 Q What were you guys doing?

4 A She was just sitting there. We were all
5 talking. She didn't do too much talking. She was
6 a quiet individual, and we were just getting ready
7 to eat the food he was preparing for us.

8 Q Do you remember what he was cooking?

9 A Some chicken and hot dogs.

10 Q All right. So when she comes down, do you
11 recall, approximately, what time of night that was?

12 A I want to say around -- between the hours of
13 7:00 and 10:00.

14 Q Why do you say that?

15 A Because we had the party at 5:00, and it was
16 daylight, and we was drinking. I was like, Don't
17 you have a girlfriend? Where is she? And that was
18 between the hours of 7:00 and 10:00.

19 Q All right. So she comes down. Did anything
20 happen at the party that caused you some concerns?

21 A She started having a seizure.

22 Q How do you know she was having a seizure?

23 A Because she was choking on the food she was
24 eating, and her eyes was rolling back. My dad had
25 epilepsy, and that's the same thing he used to do.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

KIMAYSH LILES - DIRECT EXAMINATION

1 **Q** So you are familiar with what a seizure
2 looked like?

3 **A** Yes, ma'am.

4 **Q** Any doubt she was having a seizure at that
5 point in time?

6 **A** Huh-huh. She was having a seizure.

7 **Q** And what did the defendant do when she was
8 having a seizure?

9 **A** Got a little aggressive telling her to snap
10 out of it.

11 **Q** What do you mean aggressive?

12 **A** Like, Get out of this. Stop it. Stop it.
13 Like that's her head and his finger in the eyes
14 (indicates). Like, you know, like, Get it
15 together, Girl. Get it together. Stop this.
16 You're embarrassing me. That type of thing.

17 **Q** What did you do?

18 **A** If you don't move out of the way -- she's
19 having a seizure, and I pushed him out of the way.
20 My housekeeper, my friend, she got a paper plate to
21 catch the throw up because I leaned her over.
22 That's what we used to do to my dad, because when
23 you have a seizure, you have to let it go through
24 and let them work it out. You have to make sure
25 she don't get choked on food.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

KIMAYSH LILES - DIRECT EXAMINATION

1 Q Did you call the ambulance at that point?

2 A It wasn't really major. She didn't want me
3 to call the ambulance after I got her back. She
4 said she just needed to take her medicine.

5 MR. HILLER: Hearsay.

6 THE COURT: Sustained.

7 Q (BY MS. ORTIZ) We'll try hard not to say what
8 people tell us, okay.

9 So you say you got her back. Did she stop
10 seizing at some point?

11 A Yes.

12 Q And, at that point, were you worried about
13 her physical condition?

14 A Yes, because she couldn't walk. We had to
15 help her up the stairs to her room after the
16 seizure.

17 Q You say "we," who is "we"?

18 A Me and him (indicates).

19 Q So you walked with the defendant to the hotel
20 room?

21 A Uh-huh.

22 Q And was the victim able to communicate at
23 that point in time?

24 A She already didn't talk, so it was kind of
25 hard anyway. When I asked her a question, she

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

KIMAYSH LILES - DIRECT EXAMINATION

1 would always nod. So when I asked her a question,
2 she just nod. But she was like looking, and she
3 was like, I got it, like, very slowly. But that's
4 how she talked anyway, so it was very hard to tell.

5 Q When you say the victim didn't talk, what do
6 you mean by that?

7 A Like, you ask her a question, and she was so
8 shy she would look down like (indicates). You get
9 what I'm saying? She was very quiet.

10 Q At that point in the night, I think you
11 testified -- your testimony is between 7:00 and
12 10:00, did you notice any injuries on the victim?

13 A No, ma'am.

14 Q So it's safe to say that she looked normal?

15 A Uh-huh. Yes, ma'am.

16 Q At some point, do you get notified to come
17 back to the room?

18 A Yes, ma'am.

19 Q Tell me about that.

20 A I was sitting on my bed, hear a knock at the
21 door, like a big ole' knock. My husband went to
22 open the door. When he opened the door, it was my
23 housekeeper. She had her baby in her hands. She
24 fell to the ground, and my husband caught the baby
25 in midair. When he caught the baby, I was like,

KIMAYSH LILES - DIRECT EXAMINATION

1 What is wrong with you? I thought she had gotten
2 hit. So I was like What's wrong with you? What's
3 wrong with you? She said, You got to help her --

4 MR. HILLER: Objection.

5 THE COURT: Sustained. You can't say what
6 other people said. You can say what you observed.

7 Q (BY MS. ORTIZ) Based on what she said, where
8 did you go?

9 A To the room. To his room.

10 Q What did you do? How did you get in his
11 room?

12 A I walked in.

13 Q How did you walk in?

14 A With my master key.

15 Q So the door was locked?

16 A Yes, ma'am.

17 Q When you went in, what did you see?

18 A Him in the back of her, and she was bent over
19 the mattress.

20 Q And what was she doing?

21 A Just laying there crying and bleeding.

22 Q Who else was in the hotel room?

23 A Just me, my husband, her and him.

24 Q So there was no one else in the room?

25 A (Witness shakes head.)

KIMAYSH LILES - DIRECT EXAMINATION

1 Q When you say she was bleeding, where was she
2 bleeding from?

3 A Like her face and, you know, other places.
4 Like she had been hit or something on her body.

5 Q What did you do?

6 A I went immediately to her. I backed him away
7 from her, and I asked her, Are you okay?

8 Q What did you do from there?

9 A I pulled her pants up, told my husband I'm
10 taking her with me, because she whispered, Please
11 don't leave me. Please don't leave me.

12 MR. HILLER: Objection.

13 THE COURT: Sustained.

14 A Oh, I'm sorry.

15 Q (BY MS. ORTIZ) So you said you pulled her
16 pants up, and what did you do? You took her out of
17 the room?

18 A I did. I drug her out. I had her like a
19 baby, and I walked backwards out, and blood was all
20 over her.

21 Q Do you recall where TK was?

22 A She was in my room with her baby. I told her
23 to sit there in my room.

24 Q So whenever you and your husband went down,
25 why did you take your husband with you?

KIMAYSH LILES - DIRECT EXAMINATION

1 **A** Because he's a man.

2 **Q** So you are dragging the victim out. Tell me
3 what you observed in the room.

4 **A** Piles of bones on the floor, blood all over
5 the walls, mattresses was not aligned with, like,
6 the box springs, the TV looked like it was slung.
7 It was a mess. The whole room was a mess.

8 **Q** What about the bathroom? Did you go into the
9 bathroom?

10 **A** I glanced at the bathroom. There was blood
11 all over there. Stuff all over. Like, you could
12 stuff was supposed to be sitting up, like the soap
13 and stuff. It was all on the floor, clothing.

14 **Q** What did you do with the victim at that
15 point?

16 **A** I took her with me downstairs.

17 **Q** And what else -- who did you call?

18 **A** The ambulance.

19 **Q** What did you tell them?

20 **A** I told them that she just had a seizure.

21 **Q** Why did you tell them that?

22 **A** Because he was around, and I didn't want to
23 make a problem bigger than it was, because I didn't
24 know how he would act if I told what really
25 happened. So I just, you know, thought maybe say

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

KIMAYSH LILES - DIRECT EXAMINATION

1 she had a seizure, and then I told her to tell the
2 ambulance what happened and follow protocol from
3 there.

4 Q When you were taking her downstairs, was she
5 able to assist you at all?

6 A Huh-huh.

7 Q So is it safe to say that you and the
8 defendant were virtually carrying her?

9 A Uh-huh.

10 Q And whenever you got downstairs and waiting
11 on the ambulance, how long did it take for EMS to
12 get there?

13 A Ten, 15 minutes.

14 Q What was being said at that time?

15 A I'm sorry, sis --

16 MR. HILLER: Objection.

17 THE COURT: Sustained.

18 MS. ORTIZ: I'm sorry. I apologize, Your
19 Honor.

20 Q (BY MS. ORTIZ) What were you guys doing?

21 A Waiting on the ambulance.

22 Q And you stayed with her until the ambulance
23 got there?

24 A Uh-huh.

25 Q I'll show you what is marked as State's

KIMAYSH LILES - DIRECT EXAMINATION

1 Exhibit 3. I think it is already in evidence. Is
2 that who you ever referring to as the victim in
3 this case?

4 A (Witness nods head.)

5 Q Is that what you recall her looking like?

6 A Worse. Blood everywhere.

7 Q What do you mean "blood everywhere"?

8 A It wouldn't stop leaking. It was leaking on
9 me, leaking on my hair, on my face.

10 Q It was leaking on you?

11 A Uh-huh. It wouldn't stop.

12 Q Kim, let me ask you, you have been charged
13 with a crime before?

14 A Yes, ma'am.

15 Q And you were actually charged in 2014. What
16 was that for?

17 A Lying to the police.

18 Q Why did you lie to the police?

19 A It was a domestic violence situation. My
20 baby's father beat me. I was pregnant. I was in
21 another state, in Virginia. I had no family there.
22 When I called the police, they took him to jail. I
23 didn't have no means of getting anything, so I went
24 to the police station and told them that I lied,
25 and they took me and let him out.

KIMAYSH LILES - DIRECT EXAMINATION

1 Q They charged you with --

2 A Yes, ma'am.

3 MS. ORTIZ: Nothing further at this point.

4 THE COURT: Cross examination?

5 (Whereupon, a bench conference was had.)

6 THE COURT: Mr. Foreman, ladies and
7 gentlemen, once again we have to take up a matter
8 of law outside of your presence. I'll ask you to
9 return to the jury room, but do not discuss the
10 case. Thank you very much.

11 (The jury exits at 3:08 p.m., and the
12 following is heard out of the presence of the jury.)

13 THE COURT: We'll take a brief recess.

14 Under these circumstances, I'll ask you to
15 remain on the witness stand throughout this, and
16 then if you need assistance with the bathroom, the
17 bailiff or deputy will help you in that regard.

18 THE WITNESS: Yes, sir.

19 THE COURT: Very good. But you can't discuss
20 the case with either lawyer. Have a seat right
21 there.

22 THE WITNESS: Yes, sir.

23 THE COURT: We'll stand at ease for about
24 five minutes.

25 (A recess was taken.)

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

KIMAYSH LILES - CROSS EXAMINATION

1 THE COURT: Anything from the state?

2 MS. ORTIZ: No, sir.

3 THE COURT: Defense?

4 MR. HILLER: No, sir. Thank you.

5 THE COURT: We're ready for the jury.

6 (The jury enters at 3:19 p.m., and the
7 following is heard in the presence of the jury.)

8 THE COURT: Yes, sir.

9 MR. HILLER: Thank you, Your Honor.

10 CROSS EXAMINATION

11 BY MR. HILLER:

12 Q Ms. Liles, you were the property manager at
13 the time my client, Mr. Knowlin, and Complainant
14 were living there?

15 A Yes.

16 Q And you stated that they lived there, you
17 said, for -- I think you said three weeks to a
18 month?

19 A Yes, sir.

20 Q Do you know if they arrived at the same time?

21 A I'm -- I wasn't the one that checked them in.

22 Q How often do people who live long term at the
23 Southern Breeze pay? Is it weekly, biweekly? What
24 kind of --

25 A Whatever fits your plan. Some pay

KIMAYSH LILES - CROSS EXAMINATION

1 day-by-day, some weekly, some by month.

2 Q So the property is flexible, is what you are
3 saying?

4 A Yes, sir.

5 Q Do you have any recollection -- you admit,
6 this is September of 2023, and you don't work there
7 anymore, correct?

8 A Correct.

9 Q But do you have any recollection of what kind
10 of plan Room [REDACTED] was on?

11 A Day-by-day.

12 Q Is that more expensive or less?

13 A More expensive.

14 Q So they were there for maybe up to a month,
15 but day-by-day?

16 A Yes, sir.

17 Q Okay. And whose name was the room rented in;
18 do you remember?

19 A His name, and then they changed it over to
20 her name.

21 Q And I think we've established on direct it
22 was Room [REDACTED] that they were staying in?

23 A Correct.

24 Q Was there ever a request for a room change
25 that you recall, or was it always Room [REDACTED]?

KIMAYSH LILES - CROSS EXAMINATION

1 **A** I can't remember, but I do know it was [REDACTED].

2 **Q** Were room changes common?

3 **A** It's common. The building was old, so....

4 **Q** So like if the AC breaks, so then someone
5 wants to move?

6 **A** Correct.

7 **Q** You and ten or 15 others are down at the
8 pool, and **Complainant** does have a seizure; you are
9 clear in that?

10 **A** Yes.

11 **Q** And your testimony on direct, I believe, was
12 that you took her to her room, or did you say that
13 Mr. Knowlin did?

14 **A** No, we both did.

15 **Q** You both took her up to the room?

16 **A** Yes. I took her to the stairway, and he said
17 he got it from there.

18 **Q** So you didn't see her go into the room?

19 **A** No, sir.

20 **Q** How much time do you think passed between the
21 time that you went -- I don't want to assume. Did
22 you go back down to your party?

23 **A** Yes.

24 **Q** How much time passed, to your best memory,
25 between the time that you went back to your party,

KIMAYSH LILES - CROSS EXAMINATION

1 and the time that you -- let's just say you became
2 involved in the goings on in Room [REDACTED]?

3 A I can't remember. Maybe three, four hours.

4 Q Do you remember if you saw Mr. Knowlin again
5 that night?

6 A I saw him in his room.

7 Q So let's review your testimony on direct.

8 TK, is that a house manager?

9 A Housekeeper.

10 Q Is she the only housekeeper, or one of many?

11 A There were only two.

12 Q Okay. But your story today about how you
13 became back involved in this case that night is
14 that TK came to you, to your room, saying to come
15 to Room [REDACTED]?

16 A Yes.

17 Q And your room is on the fourth floor, so it
18 was obviously one, two, three, four?

19 A Correct.

20 Q What room number were you in?

21 A I can't remember, but I want to say 405.

22 Q Almost directly above?

23 A No. See, I was on the side. His room was
24 like third floor here. My room is fourth, like
25 (indicates). So 406, maybe 407.

KIMAYSH LILES - CROSS EXAMINATION

1 Q Do you remember how many rooms are on each
2 floor in that hotel?

3 A Ten.

4 Q So 101 to 110?

5 A Yes. But it skipped numbers, like the number
6 13.

7 Q Superstition and all?

8 A I guess.

9 Q Regardless, you are one floor above him. Did
10 you hear any yelling or screaming that night?

11 A No, I didn't.

12 Q You called 911 that night?

13 A Yes.

14 Q And do you -- you told the 911 operators that
15 she had a seizure earlier that night. I'm assuming
16 you are talking about the seizure at the pool
17 party?

18 A Yes.

19 Q And then you say -- well, I'll get there in a
20 second. I'm sorry, I keep jumping ahead.

21 Your testimony is that TK came to you,
22 presumably to Room 405, or whichever one it is, and
23 said, Come on downstairs, something happened?

24 A Correct.

25 Q Do you have any idea how it came -- how TK

KIMAYSH LILES - CROSS EXAMINATION

1 came to know that something happened downstairs?

2 A No.

3 Q Do you recall telling the 911 operator that
4 you received a phone call telling you to come to
5 Room [REDACTED]?

6 A Correct.

7 Q On the 911 call, which is the actual and
8 initial report of call for help, you told them that
9 somebody called me and said, Hey, get down here?

10 A Yes, they did.

11 Q Don't say who that is, but that was what you
12 presented.

13 But today you said it was a completely
14 different of how you became involved?

15 A Correct. And that night I also told the
16 police that, too.

17 Q Let's talk a little bit about the security
18 system at the Southern Breeze Hotel. There are two
19 stairwells -- two stairwells per -- well, all the
20 way up each floor has two stairwells?

21 A Correct.

22 Q And then an elevator?

23 A Correct.

24 Q And the stairwells are -- the elevator is in
25 the middle, more or less, of the hallway?

KIMAYSH LILES - CROSS EXAMINATION

1 **A** Yes.

2 **Q** And the stairwells are more on the wings?

3 **A** Yes.

4 **Q** But not at the very, very, very end, I don't
5 believe?

6 **A** It was on the inside of the building, not on
7 the outside. But there was only two stairways on
8 both ends of the hallway.

9 **Q** So -- right. So when you get off the stairs,
10 if you are climbing, you would have to go up to
11 your right, and then turn to go down the hallway?

12 **A** Yes.

13 **Q** What is immediately on the wall on each side
14 of the stairs?

15 **A** "No elevator" signs.

16 **Q** Security cameras, right?

17 **A** Oh, correct.

18 **Q** And isn't it true that in the -- I'll call it
19 lobby or the manager's station, where people come
20 in and check in and out, is there a TV about as big
21 as the one behind you?

22 **A** Yes.

23 **Q** And there are squares broken down with all of
24 the different feeds from all of the different
25 security cameras in the hotel?

KIMAYSH LILES - CROSS EXAMINATION

1 **A** Correct.

2 **Q** Were those cameras operational that night, to
3 the best of your knowledge?

4 **A** Yes. Some of them. Some had been tampered
5 with by the customers, so we had to get them fixed.

6 **Q** So there was a couple black squares, but you
7 could see that --

8 **A** Yes.

9 **Q** Do you happen to know -- so do you happen to
10 recall which -- if you do, good for you -- but what
11 cameras were and were not working?

12 **A** No, sir.

13 **Q** At some point in time, did you receive a
14 request from law enforcement to pull surveillance
15 footage?

16 **A** Yes.

17 **Q** Did you?

18 **A** Only our general manager had that.

19 **Q** So you would have passed that request along?

20 **A** And I did.

21 **Q** But you don't know what actually happened, if
22 they got it or not?

23 **A** I'm not sure.

24 MS. HILLER: I don't believe I have any other
25 questions.

KIMAYSH LILES - REDIRECT EXAMINATION

1 THE COURT: Redirect?

2 MS. ORTIZ: Yes, Your Honor.

3 REDIRECT EXAMINATION

4 BY MS. ORTIZ:

5 Q Did you review the camera footage from that
6 night?

7 A Not that night, no, I didn't. Because I
8 don't have access to get into the security camera
9 room. The general manager only had the key to
10 that, so I couldn't watch it that night.

11 Q Did you watch it later?

12 A Yes.

13 Q What did you see?

14 A Nothing, because we don't have nothing inside
15 of the room. There was no cameras inside the room.
16 We have it of the hallway.

17 Q Okay. You testified on cross that you said
18 in the 911 call that you had received a call for
19 help?

20 A Correct. I did say that.

21 Q Why did -- so I want to be clear to the jury.
22 Did you receive a call, or did TK come to your
23 door?

24 A TK came to my door. The reason I said that
25 is because he wouldn't be around -- everywhere I

KIMAYSH LILES - REDIRECT EXAMINATION

1 go, he was right there. So instead of making a
2 problem bigger than what it is, I said that because
3 I had my husband. If he would have tried to strike
4 me, that would have been a bigger problem.

5 Q What was his demeanor?

6 A Like, he was like, whatcha gonna tell?

7 Whatcha gonna tell? Whatcha gonna do?

8 MR. HILLER: Objection; this is beyond the
9 scope of my cross.

10 THE COURT: I think she can ask her about his
11 general demeanor.

12 Q (BY MS. ORTIZ) And so -- you said that you
13 were familiar with epilepsy?

14 A Yes, ma'am.

15 Q What you saw that night, was it consistent
16 with someone having a seizure?

17 A Yes, ma'am.

18 Q What you saw when you went back to the room
19 and walked back in there, was that consistent with
20 someone with a seizure?

21 A No, ma'am. No, ma'am.

22 Q And was care being rendered that's
23 appropriate for seizure patients?

24 A No, ma'am.

25 MS. ORTIZ: Nothing further.

T'KEIRA NELSON - DIRECT EXAMINATION

1 THE COURT: You may step down.

2 Any objection to her being excused?

3 MS. ORTIZ: No. We are fine with her being
4 excused and released from her subpoena.

5 MR. HILLER: No objection.

6 THE COURT: You are free to leave. Thank
7 you.

8 Call your next witness.

9 MS. ORTIZ: T'Keira Nelson.

10 THE COURT: Yes, ma'am. If you will, come
11 forward and place your left hand on the Bible and
12 raise your right hand as she administers the oath.

13 (T'KEIRA NELSON, having been duly sworn,
14 testified as follows:)

15 THE COURT: Come around here and have a seat
16 in the witness chair. If you could, please, ma'am,
17 pull up real close to that microphone. Speak
18 loudly, clearly and slowly in order we can hear
19 everything you have to say. You can pull that
20 microphone down, if you would like.

21 Your full name?

22 THE WITNESS: T'Keira Nelson.

23 **DIRECT EXAMINATION**

24 **BY MS. ORTIZ:**

25 **Q** Good afternoon.

T'KEIRA NELSON - DIRECT EXAMINATION

1 **A** Good afternoon.

2 **Q** You go by TK?

3 **A** Yes, ma'am.

4 **Q** Is it okay if I call you that?

5 **A** Yes, ma'am.

6 **Q** TK, are you familiar with the Southern
7 Breeze?

8 **A** Yes, ma'am.

9 **Q** Tell me how.

10 **A** I used to work there as a housekeeper.

11 **Q** How long did you work there for?

12 **A** Just a couple of months.

13 **Q** Was that back in 2023?

14 **A** Yes, ma'am.

15 **Q** Where did you live at that time?

16 **A** I was staying at the hotel.

17 **Q** And how long had you been staying at the
18 hotel?

19 **A** When I moved, it was like a couple of months
20 at the same time I was working there.

21 **Q** Who did you live with?

22 **A** I was staying with the guy I was talking to
23 at the time.

24 **Q** Was anyone else in your room?

25 **A** Me and my son.

T'KEIRA NELSON - DIRECT EXAMINATION

1 Q How old was your son?

2 A He wasn't even one yet. Probably like
3 between seven and nine months.

4 Q So he was a baby?

5 A Uh-huh.

6 Q Do you know the defendant in this case?

7 A I don't know him, but I know of him, uh-huh.

8 Q You are familiar with him?

9 A (Witness nods head.)

10 Q Do you recognize him as living in that hotel
11 at the same time you did?

12 A Yes, ma'am.

13 Q And the victim in this case, **Complainant** ?

14 A No, ma'am. I know of her; that's it.

15 Q Were you familiar with her living in that
16 hotel as well?

17 A Yes, ma'am.

18 Q Do you recall what room they lived in?

19 A 305.

20 Q I know it's been a long time ago. Safe to
21 say it was on the third floor?

22 A Uh-huh.

23 Q Where was your room?

24 A Right above it on the fourth floor.

25 Q Do you know if anyone else lived in that room

T'KEIRA NELSON - DIRECT EXAMINATION

1 with them?

2 A No, ma'am.

3 Q I guess I asked that poorly. Who lived in
4 the room?

5 A It was him and **Complainant**.

6 Q Early -- the late night of September 28th,
7 into the early morning hours of September 29th,
8 2023, do you recall that night?

9 A A little bit, here and there.

10 Q Tell me what you remember.

11 A I remember -- all I remember is walking in
12 the room, and I heard some -- like her like falling
13 a little bit -- not even falling, but, you know,
14 tripping up. I went running, and I seen how she
15 looked, and I was like, Who did this? And she told
16 me it was him.

17 MR. HILLER: Objection.

18 THE COURT: Sustained.

19 MS. ORTIZ: Your Honor, I believe it's going
20 to be an excited utterance, but I can --

21 THE COURT: Might counsel approach.

22 (Whereupon, a bench conference was had.)

23 Q (BY MS. ORTIZ) We're going to get to that,
24 and I'll back up further to that.

25 Your friend, Kim -- you know Kim?

T'KEIRA NELSON - DIRECT EXAMINATION

- 1 **A** Yes.
- 2 **Q** I say "your friend." Who was Kim to you?
- 3 **A** My friend. I called her my cousin.
- 4 **Q** So you were close?
- 5 **A** Uh-huh.
- 6 **Q** Was she your boss?
- 7 **A** Uh-huh.
- 8 **Q** And do you recall where your room was in
9 relation to hers?
- 10 **A** Hers was on the fifth floor.
- 11 **Q** Okay?
- 12 **A** I believe they was on the fifth floor at the
13 time.
- 14 **Q** Do you know how many floors that hotel has?
- 15 **A** Five.
- 16 **Q** Do you know how many rooms are on each floor?
- 17 **A** Nine, I think. I think it was nine.
- 18 **Q** And it has been a couple years ago. You have
19 to answer out loud because the court reporter has
20 to --
- 21 **A** Yes, ma'am. I'm sorry.
- 22 **Q** It's okay. The court reporter has to type
23 what you are saying.
- 24 **A** Yes, ma'am.
- 25 **Q** Kim, do you know and remember it being her

T'KEIRA NELSON - DIRECT EXAMINATION

1 birthday?

2 A Uh-huh.

3 Q Let's talk about that. What did you guys do
4 to celebrate her birthday?

5 A We was in the back by the pool having a
6 little grill-out.

7 Q Do you remember who all was there?

8 A Mostly everybody, actually.

9 Q When you say "everybody," was it common at
10 the hotel to have long-term tenants?

11 A Yes, ma'am.

12 Q And is that who was present?

13 A Yes, ma'am.

14 Q Approximately, how many people would you say?

15 A Wasn't no more than ten maybe. Maybe a
16 little more. Not even ten -- about ten. Close to
17 ten.

18 Q Do you recall seeing the defendant and **Complainant**
19 at the birthday party?

20 A Yes, ma'am.

21 Q Tell me about that.

22 A Well, honestly, I don't remember the night of
23 the party, but I do remember we was out there, and
24 I think she was -- I don't know for a fact, because
25 she was having a seizure. I feel like she was

T'KEIRA NELSON - DIRECT EXAMINATION

1 having a seizure. He was basically trying to tell
2 her to wake up, poking her eyes, telling her to
3 wake up.

4 Q Did you personally witness that seizure?

5 A Not really. I don't think so. I don't
6 remember.

7 Q So you don't remember being down there for
8 that part?

9 A I don't remember.

10 Q So let's not talk about it if that's not
11 something you remember.

12 A Yes, ma'am.

13 Q What is the first thing that you remember
14 from that night?

15 A Kim's birthday.

16 Q Do you remember the defendant and the victim
17 being there?

18 A Uh-huh.

19 Q Were you with them the entire night?

20 A No, ma'am. I had to leave and come back
21 because I was -- I think I was cooking something,
22 so I was in and out.

23 Q At some point, did you end up at the
24 defendant's hotel room?

25 A Yes, ma'am. I don't remember why.

T'KEIRA NELSON - DIRECT EXAMINATION

1 Q Why would you go to the hotel room?

2 A I don't remember why.

3 Q Were you called to the hotel room?

4 A I don't remember.

5 Q What happened when you got to the hotel room?

6 A The only thing I remember when I got to --

7 whenever I was already in there, I seen how she

8 was, and I asked her the question that I had asked.

9 Q At that point, who was with you?

10 A It was me and the guy I was talking to at the
11 time.

12 Q Was Kim with you then?

13 A No, ma'am.

14 Q So it was just you and your boyfriend?

15 A Uh-huh.

16 Q Do you remember how you got into the hotel
17 room?

18 A No, ma'am, I don't remember.

19 Q So tell me what you saw whenever you walked
20 into the hotel room.

21 A I seen her.

22 Q Where was she?

23 A In the bathroom.

24 Q What was she doing?

25 A At the time, she was sitting on the toilet.

T'KEIRA NELSON - DIRECT EXAMINATION

1 Q How was she dressed.

2 (A brief pause in the proceedings.)

3 A Right now, I can't think off the top of my
4 head. I just was paying attention to her face.

5 Q (BY MS. ORTIZ) Tell me about her face. What
6 did you see?

7 A Swollen, swelling, blood.

8 Q How much blood was it?

9 A A lot, because I already don't like too much
10 blood, so it was a lot to me. Yes, ma'am.

11 Q Had you ever seen anything like that before?

12 A No, ma'am.

13 Q What did you do upon seeing her?

14 A I went out of the room to go get Kim.

15 Q Did you check on her?

16 A Yes, ma'am, I checked on her. I went in and
17 asked her -- I was like, Who did this to you?

18 Q What did she say?

19 A She told me him.

20 MR. HILLER: Objection for the record again.

21 THE COURT: Overruled.

22 Q (BY MS. ORTIZ) What did you do upon being
23 told that information?

24 A I went out of the room to go get Kim.

25 Q What did you do when you got to Kim's room?

T'KEIRA NELSON - DIRECT EXAMINATION

- 1 **A** I remember knocking on her door hysterical.
- 2 **Q** What did you say to her?
- 3 **A** He beat her. He beat her. She needs help.
- 4 He beat her.
- 5 **Q** And then did you -- what did you do after
- 6 telling Kim that?
- 7 **A** I sat in the room. Because Kim made me sit
- 8 in the room because how hysterical I was.
- 9 **Q** Is it safe to say that this was a
- 10 life-changing event for you?
- 11 **A** Yes, ma'am.
- 12 **Q** Were you present when EMS came?
- 13 **A** Yes, ma'am.
- 14 **Q** Were you downstairs with them?
- 15 **A** I was already downstairs, I believe, yes,
- 16 ma'am.
- 17 **Q** Was the defendant there?
- 18 **A** I don't remember him being downstairs, but I
- 19 remember him being on the staircase.
- 20 **Q** When police got there?
- 21 **A** Uh-huh.
- 22 **Q** When EMS came, do you know where the
- 23 defendant was?
- 24 **A** Not off the top of my head, no, ma'am.
- 25 MS. ORTIZ: Court's indulgence just a moment.

T'KEIRA NELSON - DIRECT EXAMINATION

1 (A brief pause in the proceedings.)

2 Q (BY MS. ORTIZ) Why didn't you call 911?

3 A I was too hysterical. I wouldn't be able to
4 do it. I wanted to get some muscle.

5 Q Why?

6 A Because she was my boss, so I had to let her
7 know what was going on in the hotel.

8 Q Do you recall being present on scene when the
9 police arrived?

10 A Yes, ma'am.

11 Q Were you the one that let the police in the
12 room?

13 A I probably was. I believe so, yes, ma'am.

14 Q Did you ever go back into the room once the
15 victim had been taken by EMS?

16 A I believe that the detectives needed to go in
17 the room to take pictures, so, yes, ma'am.

18 Q What did you see when you entered that room?

19 A I seen one of the mattresses scooted off the
20 bed. The room was destroyed, blood and....

21 Q Have you talked to **Complainant** since this event?

22 A No, ma'am.

23 MS. ORTIZ: Nothing further, Your Honor.

24 THE COURT: Yes, sir.

25 MR. HILLER: Thank you, Your Honor.

T'KEIRA NELSON - CROSS EXAMINATION

1 CROSS EXAMINATION

2 BY MR. HILLER:

3 Q Ms. Nelson, correct?

4 A Yes, sir.

5 Q I believe you said that you don't know my
6 client, but you know of him?

7 A Uh-huh.

8 Q You said the same about **Complainant**. You
9 don't know her, but know of her?

10 A Uh-huh.

11 Q Is it common for you just to walk into a
12 hotel room of someone you don't know?

13 A I worked there, sir.

14 Q At what --

15 A Southern Breeze, I worked there.

16 Q Let me finish the question, okay?

17 A Uh-huh.

18 Q What time of day was it when you walked in
19 there?

20 A It was nighttime.

21 Q Right. So is it your testimony you went in
22 there to perform housekeeping duties?

23 A No.

24 Q Why did you go there?

25 A I knocked first.

T'KEIRA NELSON - CROSS EXAMINATION

1 Q Why?

2 A I don't remember.

3 Q So you went to their room, you don't know
4 why, you knocked first, didn't get an answer, so
5 you went on in?

6 A I don't remember.

7 Q Did you go in or not?

8 A Yes, sir, I did.

9 Q Did you get an answer to your knock?

10 A I don't remember.

11 Q Your testimony was that you saw **Complainant**
12 on the toilet?

13 A Yes, sir.

14 Q But the mattress was messed up, and there was
15 blood on the mattress?

16 A May I ask you a question?

17 THE COURT: No. He asks questions, and you
18 have to provide answers.

19 A I was trying to figure out what was the
20 question to that.

21 MS. ORTIZ: I don't think she understood.

22 THE COURT: Yeah. Rephrase.

23 Q (BY MR. HILLER) You found her in the
24 bathroom?

25 A Uh-huh.

T'KEIRA NELSON - CROSS EXAMINATION

1 Q But you also observed that -- I think you
2 testified you went in the room later when the
3 policemen were around?

4 A Uh-huh.

5 Q And you observed the bedroom portion of the
6 unit disheveled as well?

7 A Yes, sir.

8 Q All right. I'm just trying to make sure I
9 understood that.

10 So you don't have a very good memory of that
11 night, do you?

12 A No, sir. It was almost two years ago.

13 Q Did you have, like, a master key or access to
14 a master key?

15 I guess what I mean -- first of all, are
16 these units keyed access, like an actual key,
17 old-school key?

18 A No. A tap key.

19 Q Is that the key that you used to enter the
20 room?

21 A Yes, sir.

22 Q You don't remember why you did that?

23 A No, sir.

24 MR. HILLER: No other questions.

25 THE COURT: Redirect?

T'KEIRA NELSON - REDIRECT EXAMINATION

1 MS. ORTIZ: Briefly.

2 REDIRECT EXAMINATION

3 BY MS. ORTIZ:

4 Q What was the relationship between your
5 boyfriend and the friend?

6 A They were friends. They might still be --
7 yes, they are.

8 Q Was it common that your boyfriend and his
9 friend would go to his room?

10 A Yes, ma'am.

11 Q And so they were friends. I know you are
12 having a hard time recalling things, but what you
13 testified to today, do you recall those events
14 happening?

15 A Yes, ma'am.

16 Q Any doubt in your mind that you saw
17 Complainant sitting on that toilet that night?

18 A No, ma'am.

19 Q Brutally beaten?

20 A No, ma'am.

21 Q Any doubt in your mind about that?

22 A No, ma'am.

23 Q Did you see that?

24 A Yes, ma'am.

25 Q Any doubt in your mind that Complainant was

T'KEIRA NELSON - REDIRECT EXAMINATION

1 the one that told you that the defendant was the
2 one that had done it to her?

3 A No, ma'am.

4 Q No doubt in your mind?

5 A No, ma'am.

6 MS. ORTIZ: Nothing further.

7 THE COURT: You may step down.

8 Any objection to her being excused?

9 MS. ORTIZ: Excused for the day, not released
10 from the subpoena.

11 THE COURT: So you need to stay in touch with
12 the solicitor's office.

13 MS. ORTIZ: Actually, she's free to go. I'll
14 release her -- well, you don't need her? Okay.

15 THE COURT: All right. Then you're free to
16 go for the week.

17 Call your next witness.

18 MS. ORTIZ: Your Honor, may we approach?

19 (The following was a bench conference.)

20 MS. ORTIZ: That's all we have today.

21 THE COURT: All right. We'll break for the
22 evening. Anything else we need to tend to?

23 MR. HILLER: I was going to look at the
24 photographs per the Fourth Amendment.

25 THE COURT: Okay.

T'KEIRA NELSON - REDIRECT EXAMINATION

1 (The following was had in open court.)

2 THE COURT: Mr. Foreman, ladies and gentlemen
3 of the jury, we have concluded the witnesses today.
4 We'll start again at 9:30 -- 9:30 sharp in the
5 morning.

6 Do not discuss the case among yourselves or
7 with anyone else. You have heard the location of
8 where these allegations arose, don't do any
9 independent investigation like ride by and do your
10 own investigation. You must base your decision on
11 what transpires here in this courtroom. No social
12 media. Be back at 9:30 -- 9:30 sharp.

13 Thank you very much.

14 (The jury exits at 3:52 p.m., and the
15 following is heard out of the presence of the jury.)

16 THE COURT: Anything further from the
17 defense?

18 MR. HILLER: Not before we adjourn today,
19 Your Honor.

20 THE COURT: From the state?

21 MS. JOHNSON: No, Your Honor.

22 THE COURT: We'll stand at ease until 9:30 in
23 the morning.

24 (WHEREUPON, THE PROCEEDINGS FOR FEBRUARY 11,
25 2025 CONCLUDED.

T'KEIRA NELSON - REDIRECT EXAMINATION

1 (THE FOLLOWING WAS HAD ON FEBRUARY 12, 2025
2 OUT OF THE PRESENCE OF THE JURY.)

3 THE COURT: Be seated.

4 Good morning, everybody.

5 Anything from the State before we proceed?

6 MS. ORTIZ: No, Your Honor.

7 THE COURT: Defense?

8 MR. HILLER: I don't know what order --
9 before we bring the jury out, to avoid sending them
10 back, I wanted to put on the record that after we
11 adjourned, I went over to the solicitor's office.
12 We looked at the photographs that were taken during
13 the protective sweep that Your Honor said would be
14 admissible.

15 I believe what the State ended up doing is
16 taking some still screen shots from the body cam
17 that we watched pretrial. I don't believe that
18 those photographs actually made it into the
19 solicitor's file, the ones that appear to be taken
20 on the phone during the protective sweep. As a
21 substitute, if whatever they would do, they would
22 be using stills from the body cam footage.

23 THE COURT: Do you have an objection to that?

24 MR. HILLER: I do not. No, sir, I do not.

25 The only other thing I wanted to bring up, Your

T'KEIRA NELSON - REDIRECT EXAMINATION

1 Honor, is -- again, because I did not know what
2 order the State is calling their witnesses in, on
3 the witness list is **Complainant's** mother. I would
4 just want to object, I guess, in limine -- an
5 objection to any kind of victim impact statement
6 during the State's case in chief.

7 THE COURT: I noticed there was comments
8 about that in the opening statement. As a general
9 rule, it's probably not appropriate to talk about
10 how it impacts a person's life.

11 MS. JOHNSON: Her mother is going to be
12 testifying about her injuries caused by the assault
13 and the impact from the great bodily injury that
14 it's had on her.

15 THE COURT: Well, I think she can talk in a
16 general way about some type of impairment, but
17 we're not going to talk about how it affects her
18 life. You can talk about injuries and the fact she
19 has some permanent impairment. There isn't going
20 to be a long, long discussion about how it actually
21 affects every portion of her life, okay.

22 And, Defense, you are on notice to object to
23 anything that you find to be inappropriate.

24 MR. HILLER: Yes, Your Honor.

25 MS. JOHNSON: Could we talk about the

T'KEIRA NELSON - REDIRECT EXAMINATION

1 mother's life, because that is her personal
2 knowledge.

3 THE COURT: What is she going to say?

4 MS. JOHNSON: She is the victim's caregiver,
5 so this has greatly affected her life.

6 MR. HILLER: If I may, Your Honor? I think
7 under the Victims Bill of Rights Act, an
8 appropriate time for that to be discussed is if it
9 comes to sentencing. I don't know it has anything
10 to do with the State's duty to prove each element
11 of the DVHAN. They can get what they need from the
12 medical doctor alone for it to go to the jury.

13 THE COURT: I think in a general way she can
14 say that she has disabilities and I help her with
15 that, but there won't be any detailed discussion
16 about that. I think that -- the real issue for
17 this jury is whether or not he's committed a crime,
18 and whether or not you've proven the elements, not
19 how it has affected them.

20 To some extent -- whether it is great bodily
21 injury, I think to some extent that is relevant.
22 So, in a general way, you can say what the injuries
23 are and what her impairments are, and she can say
24 that she can't care for herself, essentially. All
25 right.

T'KEIRA NELSON - REDIRECT EXAMINATION

1 We're ready for the jury.

2 (The jury enters at 9:44 a.m., and the
3 following is heard in the presence of the jury.)

4 THE COURT: Mr. Foreman, ladies and gentlemen
5 of the jury, thank you for being here and being
6 here on time. I apologize for our lateness. We
7 had legal matters we had to attend to outside of
8 your presence. I want to let you know that we were
9 here and working. We weren't lolly-gagging. We
10 appreciate your time, and we'll try to make the
11 most efficient use of it.

12 State, you are recognized.

13 MS. JOHNSON: State calls Helen Sorace.

14 THE COURT: If you could please come forward
15 and I'll ask you to approach the clerk, raise your
16 right hand.

17 (HELEN SORACE, having been duly sworn,
18 testified as follows:)

19 THE COURT: I'll ask you to have a seat in
20 the witness chair. Pull up real close to that
21 microphone. Speak loudly, clearly and slowly.
22 Start with your full name.

23 THE WITNESS: Helen Sorace.

24

25

HELEN SORACE - DIRECT EXAMINATION

1 **DIRECT EXAMINATION**2 **BY MS. JOHNSON:**3 **Q** Where are you currently employed?4 **A** Horry County Police Department.5 **Q** Where were you employed September of 29 of
6 2023?7 **A** Myrtle Beach Police Department.8 **Q** What was your title then?9 **A** Patrol officer.10 **Q** What were your duties?11 **A** Duties were to respond, investigate, and make
12 sure the crime scenes was safe.13 **Q** Back in September of 2023, did you respond to
14 the Southern Breeze Hotel?15 **A** Yes.16 **Q** Is that in Horry County?17 **A** Yes.18 **Q** Is that a place you were familiar with?19 **A** Yes.20 **Q** How are you familiar with it?21 **A** I had responded there many times. At that
22 time, I responded there at least five times, and I
23 wasn't even on that peak for very long.24 **Q** Do you recall coming in contact with the
25 defendant in this case on September 29 of 2023?**CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!**

HELEN SORACE - DIRECT EXAMINATION

1 **A** Yes.

2 **Q** Where was he when you came in contact with
3 him?

4 **A** In the hallway on the third floor.

5 **Q** What was his demeanor?

6 **A** Calm.

7 **Q** Did you interview the defendant?

8 **A** Just basic questions, pedigree information,
9 just asking preliminary type of questions.

10 **Q** Did you later advise him of his Miranda
11 rights?

12 **A** I did.

13 **Q** What did you and the defendant talk about?

14 **A** After the Miranda rights, the detective
15 arrived on scene, and she started to interview him.

16 **Q** Before that when you were just talking, what
17 was he talking about?

18 **A** So I asked him if he had called the
19 ambulance. He said, no, that the hotel manager had
20 called. And then I said, What had gone on? He
21 stated that a seizure had happened, and that he was
22 worried and went to the hotel manager. That is
23 basically all he said.

24 **Q** Where did the defendant say he lived?

25 **A** He said he lived in that room, [REDACTED], at 1901

HELEN SORACE - DIRECT EXAMINATION

1 South Ocean Boulevard.

2 Q Did he say who he lived with?

3 A Yes.

4 Q Who did he live with?

5 A Complainant .

6 Q Did he say how long they were living there?

7 A He said about a month.

8 Q Did he say they had been in a relationship?

9 A He said about four to five years, is what he
10 said originally.

11 Q When responding to a crime scene, is it
12 normal to conduct what police call a "protective
13 sweep"?

14 A Yes.

15 Q Was a protective sweep done of the hotel
16 room?

17 A Yes.

18 Q What did you see when you did the protective
19 sweep?

20 A When I entered the room, I saw blood
21 everywhere. I saw blood on the walls, blood on the
22 floors, blood on the sheets on both beds. I saw
23 blood up the walls in the bathroom. So it was
24 pretty much in plain view the whole -- plain sight,
25 sorry.

HELEN SORACE - DIRECT EXAMINATION

1 Q So you were present later when the detective
2 was questioning him?

3 A Yes, ma'am. I was present throughout the
4 whole investigation on scene.

5 Q What was he saying when he was being
6 questioned by the detectives?

7 A He was helping to clean her up prior to
8 contacting the ambulance after she had the medical
9 event, which is a seizure.

10 Q So what was he doing while she was having a
11 medical event?

12 A He was cleaning up the room.

13 Q Did he ever state that he called 911?

14 A No.

15 Q To your knowledge, did he ever call 911?

16 A Not to my knowledge, no.

17 Q Did you follow up with the hotel?

18 A I did. I did follow up about -- less than a
19 week later, and they were unable to obtain that
20 video footage, as far as I knew -- as far as I
21 knew.

22 Q What were you following up on with the hotel?

23 A I just wanted to check the cameras to see if
24 she had that seizure prior to us responding,
25 because they stated she had a seizure by the pool.

HELEN SORACE - CROSS EXAMINATION

1 I don't believe the cameras were operational at
2 that point.

3 Q You were unable to collect any video?

4 A That is true, yes.

5 MS. JOHNSON: Court's indulgence.

6 (A brief pause in the proceedings.)

7 MS. JOHNSON: No further questions.

8 THE COURT: Cross examination, Mr. Hiller?

9 MR. HILLER: Thank you, Your Honor.

10 (Defendant's Exhibit 1 marked.)

11 **CROSS EXAMINATION**

12 **BY MR. HILLER:**

13 Q I'm sorry, I didn't catch your rank?

14 A Private first class. Upon arriving at the
15 scene, it was patrolman.

16 Q Thank you. You were -- so part of your
17 agency-issued standard attire is a body cam,
18 correct?

19 A Yes.

20 Q Could you tell the jury about what a body cam
21 is and what it does?

22 A A body-worn camera is something we activate
23 every time we go on scene just to ensure that we're
24 following our policy and procedure, as well as
25 catching anything, you know, what the defendant

HELEN SORACE - CROSS EXAMINATION

1 says, what I say, and being able to review that for
2 later purposes, such as for this trial.

3 Q The night -- or I guess the early morning
4 hours that you responded to the hotel, were you
5 wearing your issued body-worn camera?

6 A Yes.

7 Q It was operational?

8 A Yes.

9 Q Did you turn that body-worn camera over to
10 the solicitor's office in the due course of your
11 responsibilities?

12 A Yes.

13 Q You describe Mr. Knowlin as calm when you
14 first encountered him. Was he also cooperative?

15 A He was cooperative, yes.

16 Q Tell me about his clothes. Did you observe
17 there to be blood on his clothes?

18 A Yes.

19 Q Which portion of his clothes?

20 A Lower pant leg.

21 Q What kind of shirt was he wearing; do you
22 recall?

23 A I don't recall the color. It was a T-shirt.

24 Q Did you notice any blood on that T-shirt?

25 A No.

HELEN SORACE - CROSS EXAMINATION

1 **Q** You were present, and I believe your body cam
2 probably best captured the detectives' interview
3 with Mr. Knowlin given your proximity. You were
4 there for that interview, correct?

5 **A** Yes.

6 **Q** I believe you actually stepped away, maybe
7 with the detective to carry on another line of
8 inquiry; do you remember that?

9 **A** Say that again.

10 **Q** You actually stepped away with one of the
11 detectives after she terminated the interview?

12 It doesn't matter, really.

13 **A** It depends when, but my body cam was on that
14 entire time.

15 **Q** So I'm going to just summarize, from the
16 defense's perspective, of what Mr. Knowlin said.
17 Because, obviously, it appears that the jury may
18 not see the actual recorded interview; therefore, I
19 have to get out what --

20 MS. JOHNSON: Objection, Your Honor.

21 THE COURT: I'll ask that you --

22 MR. HILLER: Not narrative.

23 THE COURT: Well, you can ask -- you can ask
24 a question and not testify.

25 **Q** **(BY MR. HILLER)** Officer, isn't it true that

HELEN SORACE. - CROSS EXAMINATION

1 Mr. Knowlin told you that they went down to a
2 birthday party at the pool?

3 A Yes.

4 Q And you heard that there was a seizure down
5 at the pool?

6 A Uh-huh. Yes.

7 Q And Mr. Knowlin told the detective that he
8 took **Complainant** back upstairs?

9 A Yes.

10 Q And he told her that he gave her her
11 medication and water. Do you remember that?

12 A He had said that she was supposed to take her
13 medication, that he was going to give it to her.

14 Q And he put her in the bed?

15 A Yeah. He said he tried to drag her back up
16 onto the bed.

17 Q I'll get there. But he told you that he put
18 her in bed, and told you which bed, the far bed.
19 Do you remember him saying that?

20 A Yes.

21 Q And then he told you he left the room?

22 A Say that again.

23 Q He told you he left the room?

24 A Did he leave the room? I believe so, to get
25 the house manager, yes. Yep.

HELEN SORACE - CROSS EXAMINATION

1 Q And he specifically -- and it's on body cam,
2 so if you need me to play it, I'll be happy to, but
3 specifically he told you that he left the room, and
4 he came back in at 9:15 to check on her again?

5 A Uh-huh. Yes.

6 Q Then he told you he left again?

7 A Uh-huh.

8 Q Well, not you. He told anyone that was
9 listening.

10 A The detectives.

11 Q The audience of law enforcement, I suppose,
12 that he left again. And then he told the detective
13 that when he came back again, he found her on the
14 floor in the bathroom?

15 A Yes.

16 Q And that's when -- you are correct -- that he
17 got her back in the bed, which is what you just
18 testified to a minute ago?

19 A Yes.

20 Q He testified that he cleaned her up. He also
21 stated that, yes, he did clean up the mess?

22 A Yes.

23 Q And then he told the detective that he called
24 the hotel manager, who then called 911?

25 A Correct.

HELEN SORACE - CROSS EXAMINATION

1 Q Can you tell the jury what a CAD or a
2 call-out detail?

3 A CID is county for Criminal Investigations
4 Division, but we had crime scene.

5 Q Oh, I'm sorry c-A-D, "A" as in "apple."

6 A Oh, CAD. I'm sorry. My apologies.

7 So CAD is basically our form of communication
8 on computer that dispatches us to calls, to get
9 information on possible suspects, information on
10 victims prior to arrival so we know what we're
11 somewhat walking into. That would sum it up the
12 best.

13 Q Do you have that CAD printout with you?

14 A I do have it, yes.

15 Q I think you are identified by your unit
16 number and --

17 A Yes. 352111581.

18 Q What was your arrival time, according to the
19 CAD?

20 A I'll have to look back.

21 Q I would expect so.

22 A It's been a while.

23 (A brief pause in the proceedings.)

24 A Give me one more moment -- it's right here.

25 All right. So I was dispatched originally to GSR,

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

HELEN SORACE - CROSS EXAMINATION

1 so I was in route to GSR. Then location was
2 changed to 1901 South Ocean Boulevard, so the
3 location change was at 0:27:00 hours. And then I
4 was canceled at 0:28:00 hours. And then I was
5 dispatched again at 0:46:00 hours, and I arrived
6 there -- I was in route at 0:46:00 hours, and I
7 arrived at 0:49:00 hours. So, basically, at
8 12:49 in the morning. So it took me a couple
9 minutes to get there.

10 Q You were the first officer to make contact
11 with Mr. Knowlin?

12 A Yes.

13 Q Thank you for going through that.

14 You mentioned surveillance footage at the
15 hotel, and your incident report mentioned that that
16 was a line of inquiry, correct?

17 A Yes.

18 Q I think you said on direct that you followed
19 up about a week later?

20 A Yeah. It's not on the incident report.

21 Q Right. And, ultimately, I assume that you
22 were unable to secure --

23 A It was unsuccessful. I couldn't even talk to
24 the people that were working there that night.

25 Q But how hard you push is up to you, correct?

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

HELEN SORACE - CROSS EXAMINATION

1 **A** Yeah.

2 **Q** You were interested -- I believe in your
3 direct testimony was that you were interested in
4 the surveillance footage from the pool?

5 **A** Yes.

6 **Q** You wanted to corroborate the initial
7 seizure?

8 **A** Yeah.

9 **Q** Did you ever seek to obtain the surveillance
10 footage from the third floor hallway?

11 **A** No. Because the incident occurred in the
12 room, and the defendant never mentioned anything
13 about the incident occurring in the hallway.

14 **Q** But to get into the room, you have to go into
15 the hallway, correct?

16 **A** Uh-huh. Yes.

17 **Q** And that surveillance footage would have --
18 could have been useful to corroborate people's
19 accounts of what happened?

20 **A** To an extent, yeah.

21 **Q** There were two detectives on scene, correct?

22 **A** Yes.

23 **Q** Do you recall their names?

24 **A** Laken Bull and Terry Boyd.

25 **Q** Okay. Were you -- I do have -- I can refresh

HELEN SORACE - CROSS EXAMINATION

1 your recollection if you can't remember, because I
2 know this was a long time ago, but do you recall
3 being present when Detective Boyd inspected Mr.
4 Knowlin's hands?

5 A Yes, I was.

6 Q You were identified as lead officer on this
7 case, I believe?

8 A Not initially. So, but, yes, eventually I
9 became the primary officer since there was so many
10 moving parts to this.

11 Q And is that the reason that you ended up,
12 ultimately, writing a report and not perhaps
13 others?

14 A Yes.

15 Q If you don't know, that's fine, but do you
16 know if Detective Boyd wrote a report of his
17 involvement in this incident?

18 A Not as detailed here. Because Paitzel was
19 the primary detective for that. I don't have
20 anything in my paperwork.

21 Q Thank you. You answered the question, I do
22 appreciate that.

23 MR. HILLER: I don't have any other
24 questions. Thank you.

25 THE COURT: Redirect?

HELEN SORACE - REDIRECT EXAMINATION

REDIRECT EXAMINATION

BY MS. JOHNSON:

Q How long is your body-worn camera footage?

A It is almost an hour long.

Q Does it include everyone who you talked with that night?

A Yes.

Q When you were speaking with the defendant, and based on your protective sweep, is what he told you consistent with how the room looked?

A No, not in my experience.

Q I know we talked about the CAD report a little bit. Were you immediately dispatched?

A Was I immediately dispatched? Yes, but originally to GSR.

Q So was there a delay?

A There was. There was a delay.

Q So there was a delay between when EMS was called, 911, and when you responded?

A Yes.

MS. JOHNSON: No further questions.

THE COURT: Any objection to this witness being excused?

MS. JOHNSON: No, Your Honor.

THE COURT: You are free to leave. Thank

MICHELE PAITSEL - DIRECT EXAMINATION

1 you, ma'am.

2 Call your next witness.

3 MS. JOHNSON: State calls Detective Michele
4 Paitsel.

5 THE COURT: Please come forward.

6 (MICHELE PAITSEL, having been duly sworn,
7 testified as follows:)

8 THE COURT: Have a seat in the witness chair
9 and speak clearly and slowly so we can hear
10 everything you have to say. Start with your full
11 name.

12 THE WITNESS: Michele Paitsel.

13 THE COURT: Thank you.

14 **DIRECT EXAMINATION**

15 **BY MS. JOHNSON:**

16 **Q** Where are you currently employed?

17 **A** Myrtle Beach Police Department.

18 **Q** What is your current title?

19 **A** I'm the domestic violence officer.

20 **Q** How long have you been employed with Myrtle
21 Beach?

22 **A** Approximately -- about 14 years.

23 **Q** Back in September of 2023, what were your
24 duties?

25 **A** I was a domestic violence officer.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

MICHELE PAITSEL - DIRECT EXAMINATION

1 Basically, what I do is I investigate victims of
2 domestic violence.

3 Q Did you come in contact with this victim in
4 this case, **Complainant**?

5 A I did.

6 Q When did you come in contact with her?

7 A I was advised she was at Grand Strand Medical
8 Center on 82nd Parkway. I went there and was
9 advised she was there. So I went inside, and I was
10 escorted to the neuroscience building, which is
11 part of the IC unit.

12 Q And what day was that?

13 A That was September the 29th, which was the
14 morning of the incident.

15 Q Do you know about what time?

16 A I think it was, approximately, 10:30.

17 Q In the morning?

18 A Yes, ma'am.

19 Q Do you recognize this?

20 A I do.

21 Q How are you able to do so?

22 A I took the photo myself.

23 Q Does that fairly and accurately represent
24 what she looked like when you visited her?

25 A Yes, ma'am.

MICHELE PAITSEL - DIRECT EXAMINATION

1 MS. JOHNSON: The State moves to introduce
2 State's 4 into evidence.

3 THE COURT: Any objection from defense?

4 MR. HILLER: I haven't seen it yet.

5 (A brief pause in the proceedings.)

6 MR. HILLER: I would object on the grounds of
7 accumulative. It looks almost identical to State's
8 3.

9 THE COURT: It's admitted over the defense's
10 objection.

11 (State's Exhibit 4 marked and admitted.)

12 MS. JOHNSON: May I publish to the jury, Your
13 Honor?

14 THE COURT: Yes.

15 (State's Exhibit 4 published to the jury.)

16 Q (BY MS. JOHNSON) You took this photo?

17 A Yes.

18 Q So you responded to the hospital about 11:30
19 in the morning?

20 A Approximately, 10:30.

21 Q What time did she arrive at the hospital; do
22 you know?

23 A That, I do not know.

24 Q Was it late in the night or early in the
25 morning?

MICHELE PAITSEL - DIRECT EXAMINATION

1 **A** I think it was very early in the morning, but
2 I don't know approximately what time.

3 **Q** Do you believe it was several hours later?

4 **A** Yes, I do.

5 **Q** What did you notice about the victim?

6 **A** When I went inside the room, I noticed she
7 was in the neck brace collar, severe lacerations
8 and swelling of the face, cuts around her mouth,
9 and then bruising.

10 **Q** What was she being treated for?

11 **A** From my understanding, she was being treated
12 for the laceration over her right eye, the swelling
13 of her face, neck pain, back pain and ribs.

14 **Q** And following up with your investigation,
15 what treatment did you learn the victim needed?

16 **A** From my understanding, she was going to leave
17 there and went to a step-down room in part of the
18 hospital. They were going to do rehabilitation.
19 From there, she was going to be transported to
20 Charleston to continue rehabilitation and physical
21 therapy.

22 MS. JOHNSON: No further questions, Your
23 Honor.

24 THE COURT: Cross examination?

25 MR. HILLER: No questions for this witness.

DR. ANTONIO PEPE - DIRECT EXAMINATION

1 THE COURT: Any objection to this witness
2 being excused?

3 MS. JOHNSON: No, Your Honor.

4 THE COURT: You are free to leave.

5 Call your next witness.

6 MS. JOHNSON: State call Antonio Pepe.

7 THE COURT: Please come forward and approach
8 the clerk as she administers the oath.

9 (ANTONIO PEPE, having been duly sworn,
10 testified as follows:)

11 THE COURT: Come around, Doctor, and have a
12 seat in the witness chair. I'll ask that you pull
13 up real close to that microphone. Speak loudly,
14 clearly and slowly in order that we can hear
15 everything you have to say. Start with your full
16 name. Pull that microphone -- there you go.

17 THE WITNESS: Antonio Pepe, P-E-P-E.

18 DIRECT EXAMINATION

19 BY MS. JOHNSON:

20 Q Good morning. What is your current
21 occupation?

22 A I'm the trauma medical director at Grand
23 Strand Medical Center.

24 Q What was your occupation September 29 of
25 2023?

DR. ANTONIO PEPE - DIRECT EXAMINATION

1 **A** Still trauma medical director at Grand
2 Strand.

3 **Q** Are you licensed in the State of South
4 Carolina?

5 **A** Yes, ma'am.

6 **Q** How long have you been licensed in South
7 Carolina?

8 **A** Since 2011.

9 **Q** What medical school did you attend?

10 **A** University of British Columbia in Vancouver
11 for my undergraduate. Simon Fraser University for
12 my second degree. Also a graduate in medical
13 physiology at University of British Columbia, and
14 then medical school in Vancouver British Columbia,
15 followed by residency in internal medicine for two
16 years, and transitioned to general surgery for five
17 of six years, and then went to a trauma critical
18 care fellowship in Miami.

19 **Q** Specifically, what degree did you receive
20 from your medical school?

21 **A** So from medical school it's my medical
22 doctorate. Then I have fellowship degree in trauma
23 and critical care.

24 **Q** What is the nature of your practice?

25 **A** Nature of my practice is pretty much more of

DR. ANTONIO PEPE - DIRECT EXAMINATION

1 acute care surgery. So anything that's emergency
2 from an emergency general surgery standpoint,
3 ruptured appendix or bowel or any surgical
4 emergency.

5 From a trauma side, anyone that comes in with
6 any penetrating or blunt trauma, I'm involved
7 there. Also, I'm involved in the surgical critical
8 care as well, and surgical rescue. So any patient
9 that's crashing in the hospital, whether it is
10 under our service or another, that may need
11 surgical intervention, we will respond to them. We
12 are in the house 24/7 at the hospital. And also
13 elective practice.

14 Q What requirements do you have to have to
15 maintain your medical license?

16 A Well, first, we have to obtain our medical
17 degrees. In this case, it was general surgery and
18 critical care. So we sit for our boards. I'm
19 board certified in Canada and in the U.S. In
20 Canada for general surgery, and in the U.S for
21 general surgery and also surgical critical care and
22 trauma.

23 And then every -- initially, it was every ten
24 years we do a recertification in the U.S. It's now
25 changed to every two years. So I'm recertified

DR. ANTONIO PEPE - DIRECT EXAMINATION

1 four times, I believe, since I graduated.

2 Q How long have you been at Grand Strand?

3 A Since 2011.

4 Q How many patients do you think you've
5 diagnosed and treated since you've been there?

6 A Oh, my God.

7 Q Roughly.

8 A I think I'm lowballing, but probably 7,000 a
9 year.

10 Q Can you tell me how you go about providing
11 diagnosing and treatment for a patient that comes
12 to a hospital?

13 A It obviously depends why we're being called.
14 Sometimes we get calls for different levels of
15 emergency or risks of a patient. If they come in
16 for trauma, we have levels of activation. If they
17 are a Level 1, 2 or 3 trauma, it determines the
18 nature of our response.

19 A Level 1 would involve myself, a trauma
20 surgeon, with chief residents and multiple other
21 residents at various levels, advanced care
22 practitioners. We have trauma nurse leads. The OR
23 responds, blood bank responds, respiratory therapy
24 responds. The house supervisor is also aware of
25 what is going on with that patient coming in.

DR. ANTONIO PEPE - VOIR DIRE - MR. HILLER

1 Level 2 trauma is pretty much the same thing
2 minus OR. And Level 3 is a consult, but they are
3 -- consult has to be seen within an hour. The
4 others have an immediate response. You have to
5 meet the patient in the trauma bay as they arrive.

6 And for the emergency general surgery, it is
7 also based on acuity. The higher the more acute --
8 or sicker the patient -- the more immediate the
9 response as to be.

10 MS. JOHNSON: Your Honor, we would offer Dr.
11 Pepe as a medical expert in the field of emergency
12 and trauma care.

13 THE COURT: Any inquiry with regard to his
14 qualifications?

15 MR. HILLER: Just one.

16 **VOIR DIRE**

17 **BY MR. HILLER:**

18 **Q** I was obviously present for your recitation
19 of your background, but I did not catch your
20 current title?

21 **A** I do acute care surgery, which falls under
22 the umbrella of trauma emergency general surgery,
23 surgical critical care, surgical rescue, and
24 elective practice. And I'm currently the trauma
25 medical director at Grand Strand.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

DR. ANTONIO PEPE - VOIR DIRE - MR. HILLER

1 Q Thank you.

2 Have you been qualified in state or federal
3 court before?

4 A Yes, sir.

5 Q About how many times?

6 A Probably three in this setting.

7 MR. HILLER: No further questions, Your
8 Honor.

9 THE COURT: Yes, ma'am.

10 MS. JOHNSON: We would have him submitted as
11 an expert --

12 THE COURT: Mr. Foreman, ladies and gentlemen
13 of the injury, normally a layperson, when they
14 testify, as you have seen witnesses testify before,
15 they have to testify as to what they saw, heard and
16 sensed by smell. However, there is an exception
17 when a person that is qualified as an expert in
18 some calling or profession. If, based on their
19 education and experience, the Court determines they
20 are an expert, they cannot only testify as to what
21 they saw and heard and felt, they can also render
22 opinions in that field of study.

23 The fact that a person is qualified as an
24 expert witness does not mean that you automatically
25 have to believe what they say. You evaluate their

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

DR. ANTONIO PEPE - DIRECT EXAMINATION (CONT.)

1 testimony just like you would with any other
2 evidence.

3 Yes, ma'am.

4 DIRECT EXAMINATION (CONT.)

5 BY MS. JOHNSON:

6 Q Did you become involved in treating and
7 diagnosing the victim in this case, Complainant ?

8 A Yes. By review of the medical records, yes,
9 I was there.

10 Q How did you become involved in treating her?

11 A Well, I was on-call that night.

12 Q What trauma level was she originally admitted
13 for?

14 A Basically, it seems like she came in by the
15 emergency -- by EMS, pre hospital, brought into the
16 hospital without activation. Then there was a
17 change in her clinical status, and the change of
18 clinical status met Level 1, or the highest level
19 activation. So when in the hospital, the team
20 noticed a change in clinical status, and upgraded
21 her to Level 1, which initiated that Level 1
22 response I spoke of earlier.

23 Q Did you examine the injuries to her face?

24 A Yes, ma'am.

25 Q What were your clinical findings?

DR. ANTONIO PEPE - DIRECT EXAMINATION (CONT.)

1 **A** Again, I'll go through what was in the notes.
2 But there were injuries noted to, pretty much,
3 every area to her face. There was swelling and
4 bruising to the left side around the area of the
5 eye. There was a laceration to the right eyebrow.
6 Laceration inside the mouth. An abrasion to the
7 head somewhere up top. There were abrasions noted
8 to the right hand or wrist area.

9 **Q** What kind of treatment --

10 **A** Also the nose.

11 **Q** What treatment was prescribed for her?

12 **A** When she came in with that, we do a systems
13 approach, looking at the physiology of the patient
14 and all of the systems that impose an immediate
15 threat to life. So that's our approach for a
16 Level 1. So anything that can cause an immediate
17 threat to life is immediately evaluated and
18 examined. So she would get a chest x-ray, pelvic
19 x-ray, ultrasound of her chest and belly, IVs
20 established, blood is being administered, wounds
21 are addressed, assessment of breathing status,
22 neurological status, her blood pressure,
23 neurological status. Then we will do a head-to-toe
24 examination to make sure that there is nothing that
25 we missed, and that usually take place within the

DR. ANTONIO PEPE - DIRECT EXAMINATION (CONT.)

1 first five minutes of a patient's assessment.

2 And then from that standpoint, then we go to
3 the CT scanner, which is only feet -- several feet
4 away, and do a full head-to-toe CT to make sure
5 there is no internal injuries that may be
6 associated with the external injuries that we see.

7 Q You talked about her external injuries. What
8 about internally; do you recall?

9 A Again, I'm going by record, but there were
10 injuries to the left side of her face, to the bones
11 around the eye. I think inferior and the medial
12 aspect of the eye socket. There was some swelling
13 to the side of the face on the left side.
14 Internally, inside the brain, there were multifocal
15 brain injuries, so multiple areas in the brain had
16 brain bleed. Subarachnoid bleed, which is a type
17 of a brain bleed, which was found diffusely
18 throughout. She had a subdural head bleed on the
19 right and left side, and some contusions in the
20 brain matter itself. And I think that's about it,
21 in terms of injury. Nothing in the chest or belly
22 or anywhere else.

23 Q Could these injuries be consistent with a
24 fall?

25 A Some could if it is a significant fall. But

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

DR. ANTONIO PEPE - DIRECT EXAMINATION (CONT.)

1 of concern was the finding of injuries on both
2 sides of her face. So a laceration here, to the
3 mouth, injuries on the left side of the face
4 (indicates), and the diffuse nature of her head
5 bleed, both on the left and right side. It's very
6 difficult to say if that can be caused by a single
7 fall.

8 Q What were her injuries more consistent with?

9 A Just by looking at the injuries by
10 themselves, I would say blunt trauma on both sides
11 is most consistent with that pattern.

12 Q What are the long-term effects of a traumatic
13 brain injury?

14 A It's variable. Depends on what type of brain
15 injury they present with. They can be mild,
16 moderate or severe. In this case, she was
17 beginning mild into moderate, but improved very
18 quickly. So the good thing is that the neurologic
19 status improved to the point she was discharged
20 after a couple of weeks.

21 But the effects can vary with the severity of
22 the injury and the diffuse nature, and it can vary
23 with the individual. Also, the impact of the
24 timing and the completeness of the resuscitation
25 that we provide can impact that as well. So many

DR. ANTONIO PEPE - DIRECT EXAMINATION (CONT.)

1 factors weigh into it. But even a mild head injury
2 with a concussion could have, in a general
3 population, very devastating effects. You can have
4 patients who have difficulty maintaining
5 relationships, maintaining a job, focusing, memory,
6 and being able to learn, you know, at a higher
7 level again. Again, it's variable. I'm not sure
8 in this case what the eventual outcome was, but
9 that is what we would expect. That's why there is
10 follow-up with a concussion team as well as part of
11 the rehabilitative process once she leaves the
12 hospital.

13 Q Going back to her facial injuries. What kind
14 of treatment did she require for that?

15 A Well, she required local treatment for the
16 mouth and laceration up here. And for the facial
17 fracture, she was taken to surgery by the oral
18 maxillary facial surgeon.

19 Q What kind of surgery did she have to have and
20 where?

21 A So she had, I guess, reconstruction of her
22 eye socket and stabilization of the fractures, what
23 we call an open induction and internal fixation, in
24 this case by the oral maxillary facial team. So
25 there was various plates and screws to ensure

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

DR. ANTONIO PEPE - DIRECT EXAMINATION (CONT.)

1 stability of those fractures.

2 Q Are seizures -- going back to the traumatic
3 brain injury, are seizures a long-term effect of a
4 traumatic brain injury?

5 A They can. Every patient that comes in with a
6 traumatic brain injury, mild or severe, will be
7 placed on seizure prophylaxis as part of the trauma
8 brain foundation recommendations and requirements
9 for someone that comes in with that. So they are
10 placed on anti-seizure medication. We use Kepra,
11 and they'll be placed on that for a week if they
12 have not had a seizure.

13 If a patient has had a seizure or having
14 seizures while in the hospital, we then have the
15 assessment done with an EEG, and a neurology team
16 will then help with the long-term management of
17 that. The seizure itself can worsen a brain
18 injury.

19 Q All of those injuries you have listed, could
20 those cause substantial risk of death,
21 disfigurement, or protracted loss of an organ or
22 bodily function?

23 A When they come in initially -- we see her
24 neurologic change which occurred in the emergency
25 department. She dropped her blood pressure, and so

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

DR. ANTONIO PEPE - DIRECT EXAMINATION (CONT.)

1 until we know the nature of the injuries, she met
2 criteria for Level 1.

3 So, at that point, when a patient comes with
4 that level of activation, which is made by the
5 emergency department at the time, the concern is,
6 you know, there is potentially an immediate threat
7 to life for this patient. So any patient in that
8 category has a potential and immediate threat to
9 life or function based on how they presented. So,
10 yes, they can.

11 Q Without medical intervention, would
12 **Complainant** have died?

13 A She had -- it's hard to say if she would have
14 died, but the risk would be very high. If I
15 remember correctly, she also had a blood clot
16 disorder and was on Eliquis, which is a very potent
17 blood thinner, which in the face of trauma, it can
18 cause more bleeding. The brain itself is an
19 enclosed space. It doesn't expand. So if there is
20 continued bleeding there, from any kind of trauma,
21 that bleeding can continue if it's not stopped or
22 reversed. So she was at a higher risk than the
23 general population based on the fact she was on a
24 blood thinner.

25 When she came in, we were aware of that, and

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

DR. ANTONIO PEPE - DIRECT EXAMINATION (CONT.)

1 we reversed that agent so it would stop
2 functioning. Her first CT scan showed those
3 injuries that I described. Her second CT scan
4 still showed some progression, and then ultimately
5 it stopped.

6 Q Okay. What kind of follow-up treatment was
7 recommended?

8 A The follow-up treatment was specifically with
9 her trauma service to make sure that she -- what
10 she needs as resources when she -- or any
11 patient -- has left the hospital. But specific to
12 her injuries, she was followed up by the oral
13 maxillofacial team for the facial reconstruction,
14 and the neurosurgical team, who were addressing the
15 brain injuries, which did not require surgery.

16 MS. JOHNSON: Court's indulgence.

17 (A brief pause in the proceedings.)

18 Q (BY MS. JOHNSON) To your knowledge, while
19 Complainant was in the hospital, did she have any
20 seizures?

21 A Not that I recall in the hospital, no.

22 MS. JOHNSON: No further questions, Your
23 Honor.

24 THE COURT: Cross examination, Mr. Hiller?

25 MR. HILLER: Thank you, Judge.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

DR. ANTONIO PEPE - CROSS EXAMINATION

CROSS EXAMINATION

1

2 BY MR. HILLER:

3

Q Doctor, when did your responsibilities for attending to the care and treatment of **Complainant** end? In other words, were you -- first of all, how long was she in the hospital?

7

A Roughly, two weeks. The chart was on the 29th until the 16th or 17th of October. Something like that.

10

Q Yes, sir. And for that amount of time, how much of that time were you involved in her care and treatment?

13

A I know -- going through the record, I believe I was involved -- obviously, with the admission. After that, I don't think much more. I would have to review the chart to see specifically, but I didn't see my name much afterwards.

18

Q Could you please tell me what a "problem list" is? I'm asking it correctly. Could you explain what a problem list is to the jury?

21

A So a problem list is what we create when a patient comes in. We identify injuries. In this case, it is a trauma, so we indicate injuries that the patient may have and itemize those injuries.

25

We'll also include in that -- if a patient

DR. ANTONIO PEPE - CROSS EXAMINATION

1 has underlying medical conditions, we'll include
2 those as well in that list because they may be
3 pertinent to the recovery of a patient or their
4 course in the hospital, so we'll identify those.

5 Q And so you identify them. Are they ranked in
6 order?

7 A No, they are not ranked in order.

8 Q Now, is it true that a bleeding of the brain
9 can cause facial swelling?

10 A Not bleeding of the brain. That's inside the
11 brain, inside the skull. So facial swelling is
12 usually from some kind of blunt force that would be
13 transmitted to the brain to cause a brain injury.

14 Q But if fluid inside the brain is leaking
15 out -- I know it's graphic, but I don't know
16 another way to say it -- would that not cause
17 swelling?

18 A Well, that's a different type of injury.
19 That is an open skull fracture where brain fluid is
20 coming out and/or also blood is coming out in that
21 scenario.

22 Q So in your opinion as an expert, in the field
23 of trauma surgery, it was impossible for the --
24 maybe that's too strong of a word, but whatever the
25 right word is -- I'm sorry. I'm struggling for

DR. ANTONIO PEPE - CROSS EXAMINATION

1 that. But it's your testimony that the injury to
2 her brain had no impact on the swelling that we see
3 on her face?

4 A No, there is no evidence of or management of
5 what we would call a cerebral spinal leak from the
6 brain to the outside. That can cause a very severe
7 brain infection if that was the case, if it is not
8 identified or managed appropriately or timely.

9 Q And what about -- what -- I guess -- I don't
10 want to leave the jury confused, so let's take it
11 from the top. What was her -- there was a brain
12 bleed, correct?

13 A Yes, sir.

14 Q And how did you treat that?

15 A Yes. We initially treated it not knowing
16 that she had it. We assumed she had it because of
17 the outward trauma signs. Her neurologic status
18 declined. She became altered, and so our initial
19 management for someone in that state, who becomes a
20 Level 1 activation, as was in this case, and met
21 criteria for that, we start initiating by giving
22 her what she needs. We'll make sure she's
23 oxygenated, blood pressure, fluids, blood if that's
24 needed. We gave her seizure prophylaxis,
25 medications to minimize risk of seizure.

DR. ANTONIO PEPE - CROSS EXAMINATION

1 As we gathered information from a medical
2 history, we realized she was on Eliquis. We gave
3 her a product called Kcentra, which is a
4 four-factor blood product that we give to reverse
5 the effect of the Eliquis, which would stop the
6 bleeding or slow it down or reverse the bleeding.

7 We would then do our CT scans. They would
8 delineate what type of injuries we're dealing with,
9 and then admit her to the intensive care unit where
10 we continue on an hourly assessment of the patient
11 until a time that we can downgrade the patient from
12 a one-hour to two-hour or four-hour assessment to
13 then leave the ICU gradually.

14 Q Okay. I know you testified on direct that
15 the injuries that **Complainant** sustained was most
16 consistent with blunt force trauma?

17 A Yes, sir.

18 Q And part of the reason is you noted injuries
19 to more than one side of the face?

20 A Yes, sir.

21 Q Obviously, these medical records are not for
22 the purpose of court or anything. It's to help
23 someone get better and document that?

24 A Sure.

25 Q And so other members of the staff, when you

DR. ANTONIO PEPE - CROSS EXAMINATION

1 are off-duty, can pick up where you left off and
2 provide assistance and adequate care, correct?

3 A Yes, sir.

4 Q So high blood pressure -- just hypothetically
5 -- if somebody fell down a flight of stairs, they
6 could have more than one site of trauma on their
7 body from that fall?

8 A Correct. Correct.

9 Q And, obviously, there is no way to know
10 without a camera or someone knowing if they were
11 pushed or tripped over a shoelace?

12 A Correct.

13 Q I want to turn your attention to the
14 laceration that I believe was on **Complainant's**
15 right eye. Could you describe that cut in more
16 detail?

17 A I can only go by what was on the record, and
18 it described -- I recall the side of the laceration
19 was over the right eyebrow.

20 Q And you are actually the doctor who repaired
21 that injury?

22 A Well, my team. My team.

23 Q But you supervise that team?

24 A Yes, sir.

25 Q Do you know -- was it sutures, glue, for lack

DR. ANTONIO PEPE - CROSS EXAMINATION

1 of a better word?

2 A Sutures.

3 Q Do you know how many?

4 A No, I don't, sir.

5 Q Would it be fair to say, in your opinion as a
6 trauma surgeon, that upon -- we're not going to say
7 what caused the laceration. I know you don't know,
8 but would bloodletting be immediate from an injury
9 like that?

10 A I'm sorry?

11 Q Would bloodletting be instant from an injury
12 like that?

13 A Yeah, it would. And especially in the face;
14 it's very vascular. Depending how deep, you can
15 bleed significantly. In this case, she was on a
16 blood thinner, which you would bleed a little more.

17 Q If you can't answer this, just tell me. But
18 if another human being's hand caused a laceration
19 of that size, would that impact leave a mark on the
20 other person's hand?

21 A It might. I don't know how that specific
22 laceration occurred.

23 Q Of course. I mean, if it was a --

24 A It might. I don't have any recollection what
25 this wound looked like. It was a year-and-a-half

DR. ANTONIO PEPE - REDIRECT EXAMINATION

1 ago, and I've treated so many people. I don't have
2 a photograph of that injury.

3 Q Would looking at a photograph refresh your
4 recollection?

5 A Probably not. It might help, but, I mean....

6 Q So, hypothetically, it would be possible for
7 someone to fall, maybe hit their head on the
8 counter or edge, and then fall the rest of the way,
9 and hit their head again? That's possible,
10 correct?

11 A We weren't there, so anything can happen.

12 MR. HILLER: Nothing else.

13 THE COURT: Redirect?

14 REDIRECT EXAMINATION

15 BY MS. JOHNSON:

16 Q Dr. Pepe, what goes to a patient's treatment
17 in regards to having a safe place?

18 A Well, we would get -- depending on the
19 nature, what we would have is -- if there is a
20 violent act that brought a patient in --

21 MR. HILLER: Objection, Your Honor. Beyond
22 the scope of direct, and he's also a surgeon in
23 trauma, not safety care.

24 THE COURT: I'll allow her to ask it.

25 A It's a part of our process. We have case

DR. ANTONIO PEPE - REDIRECT EXAMINATION

1 management that follows a patient all the way
2 through for resources and offerings to the patient.
3 In this case, when we have -- if there is a violent
4 act, we have security there. And if the patient is
5 admitted, they are placed in a secured unit under
6 an alias name and limited visitors. Then we
7 would -- the case management team or social workers
8 would work on establishing the ultimate discharge
9 plan when it does approach and ensuring that that
10 kind of environment is safe.

11 I'm not directly involved with that, just the
12 care of the patient, but that is a part of our
13 resources that we offer.

14 Q (BY MS. JOHNSON) Was that done for this
15 patient?

16 A I would have to look in the chart to see if
17 it was.

18 Q I can pull it up. Would that refresh your
19 recollection?

20 A Sure.

21 (A brief pause in the proceedings.)

22 Q (BY MS. JOHNSON) The patient's medical
23 records are very lengthy, so I don't know if you
24 can find what you're looking for.

25 A Sure.

DR. ANTONIO PEPE - REDIRECT EXAMINATION

1 (A pause in the proceedings while the
2 witness examines documents.)

3 A I'm looking for the discharge plan. It
4 should be in this, so just bear with me.

5 (A pause in the proceedings.)

6 A One of the notes says, Continued care on the
7 trauma floor, pending safe discharge plan,
8 appreciate case management's assistance.

9 Q (BY MS. JOHNSON) So she was receiving it?

10 A Yeah, she was receiving it, which is standard
11 practice.

12 MS. JOHNSON: No further questions, Your
13 Honor.

14 THE COURT: You may step down.

15 Any objection to this witness being excused?

16 MS. JOHNSON: No, Your Honor.

17 MR. HILLER: No, Your Honor.

18 MS. JOHNSON: We can release him from the
19 subpoena.

20 THE COURT: He's excused.

21 Call your next witness.

22 MS. JOHNSON: We call Natassja Brown.

23 THE COURT: Yes, ma'am. Come forward and
24 place your left hand on the Bible and raise your
25 right as the clerk administers the oath.

NATASSJA BROWN - DIRECT EXAMINATION

1 (NATASSJA BROWN, having been duly sworn,
2 testified as follows:)

3 THE COURT: Come around and have a seat in
4 the witness chair. If you could have a seat, pull
5 up real close to the microphone. Speak loudly,
6 clearly and slowly so we can hear everything you
7 want to say. Start with your full name.

8 THE WITNESS: Natassja Brown.

9 DIRECT EXAMINATION

10 BY MS. JOHNSON:

11 Q What is your relationship with the victim in
12 this case?

13 A That's my mother.

14 Q So you know the defendant in this case?

15 A Yes.

16 Q How do you know him?

17 A He was in a relationship with my mother at
18 one point in time.

19 Q Have you ever previously lived with your mom
20 and the defendant?

21 A Yes.

22 Q When did you live with them?

23 A It was around 2021 and later around 2023.

24 Q Where were you all living together?

25 A Staying in an apartment, and then we was

NATASSJA BROWN - DIRECT EXAMINATION

1 staying in a house in 2023.

2 Q Any other times that they were living
3 together?

4 A Yes. We were on the road around 2022. That
5 was in Minnesota and Wisconsin.

6 Q And, in your opinion, were the defendant and
7 your mom living together?

8 A Yes.

9 Q Were they in a romantic relationship?

10 A It wasn't romantic at all.

11 Q Were they in a dating relationship?

12 A Yes, they were dating.

13 Q Do you know if your mom is left-handed or
14 right?

15 A She's right-handed.

16 MS. JOHNSON: One moment, Your Honor.

17 (A brief pause in the proceedings.)

18 Q (BY MS. JOHNSON) Did you go and see your mom
19 at the hospital after the assault happened?

20 A Yes, ma'am.

21 MR. HILLER: Objection.

22 THE COURT: Might Counsel approach?

23 (The following was a bench conference.)

24 THE COURT: What was your objection?

25 MR. HILLER: Characterizing it as whether she

NATASSJA BROWN - DIRECT EXAMINATION

1 was assaulted, and that's what they are to come to
2 a conclusion of.

3 THE COURT: And the question was what?

4 MS. JOHNSON: If she went to the hospital
5 after the assault.

6 THE COURT: You can ask her if she went to
7 the hospital that evening, on that day.

8 MS. JOHNSON: She would be there.

9 THE COURT: "She" being who?

10 MS. JOHNSON: The daughter.

11 THE COURT: Let's not refer to it as "an
12 assault."

13 MS. JOHNSON: Okay.

14 (The following was had in open court.)

15 Q (BY MS. JOHNSON) Did you see your mom at the
16 hospital?

17 A Yes, ma'am.

18 Q What kind of impairments, to your knowledge,
19 is your mom dealing with?

20 A Traumatic brain injury.

21 Q How has that impaired her body?

22 A She's having, like, a lot of -- sometimes she
23 is just slow with everything she does.

24 Q I know we talked about their relationship,
25 and you said you wouldn't call it a romantic

NATASSJA BROWN - DIRECT EXAMINATION

1 relationship, but were they together? Were they
2 dating? Were they -- they weren't just roommates?

3 A No.

4 MS. JOHNSON: No further questions.

5 THE COURT: Cross examination?

6 MR. HILLER: Nothing, Your Honor.

7 THE COURT: You may step down.

8 Any objection to this witness being excused?

9 MS. JOHNSON: No, Your Honor.

10 THE COURT: Mr. Foreman, ladies and gentlemen
11 of the jury, I'll allow you to go to the jury room,
12 refresh yourselves. Do not discuss the case.
13 Everyone remain seated as the jury exits the
14 courtroom.

15 (The jury exits at 10:46 a.m., and the
16 following is heard out of the presence of the jury.)

17 THE COURT: We'll stand at ease for a moment.

18 (A recess was taken.)

19 THE COURT: Please be seated.

20 (A brief pause in the proceedings.)

21 THE COURT: How many more witnesses does the
22 State anticipate?

23 MS. JOHNSON: Just one more, Your Honor.

24 THE COURT: Anything from the State before we
25 proceed?

PRISCILLA CROMEDY - DIRECT EXAMINATION

1 MS. JOHNSON: No, Your Honor.

2 THE COURT: Defense?

3 MR. HILLER: No, Your Honor.

4 THE COURT: We're ready for the jury.

5 (The jury enters at 11:03 a.m., and the
6 following is heard in the presence of the jury.)

7 THE COURT: Mr. Girgan, you are recognized.

8 MS. JOHNSON: We call Priscilla Cromedy.

9 THE COURT: Please come forward and approach
10 the clerk here. Place your left hand on the Bible
11 and raise your right as she administers the oath.

12 (PRISCILLA CROMEDY, having been duly sworn,
13 testified as follows:)

14 THE COURT: Come around and have a seat in
15 the witness chair. Pull up real close to the
16 microphone. Speak loudly, clearly and slowly so we
17 hear everything you have to say. Start with your
18 full name.

19 THE WITNESS: Priscilla Cromedy.

20 **DIRECT EXAMINATION**

21 **BY MS. JOHNSON:**

22 **Q** Good morning, Ms. Cromedy.

23 **A** Good morning.

24 **Q** What is your relationship with the victim in
25 this case?

PRISCILLA CROMEDY - DIRECT EXAMINATION

1 **A** I'm her mom.

2 **Q** When did you find out your daughter was in
3 the hospital?

4 **A** It was October 6th, I believe.

5 **Q** Were you looking for your daughter prior to
6 finding out she was in the hospital?

7 **A** We were.

8 **Q** When did you last see her?

9 **A** It had to have been maybe like the latter
10 part of August, first part of September.

11 **Q** Why were you looking for her?

12 **A** Well, we were looking for her because we
13 didn't know where she was for about -- almost three
14 weeks to a month.

15 **Q** What steps had you taken attempting to locate
16 her?

17 **A** First we went to the police department in
18 Georgetown, and they said if it was in Horry
19 County --

20 MR. HILLER: Objection to hearsay and
21 relevance at this point.

22 THE COURT: Sustained.

23 **Q** **(BY MS. JOHNSON)** Let me ask it in another
24 way. How did you find out she was in the hospital?

25 **A** She called her sister.

PRISCILLA CROMEDY - DIRECT EXAMINATION

1 Q Did you go see her after you got that call?

2 A Not that night, but we went the next day.

3 Q How did she look whenever you got to the
4 hospital?

5 A She had black and blue bruises on her face.
6 She was complaining about her hip hurting. She
7 couldn't stand.

8 Q I'm going to hand you a photo. Do you
9 recognize this?

10 A Yes.

11 Q How do you recognize it?

12 A That's **Complainant**.

13 Q Does that photo fairly and accurately depict
14 what your daughter looked like before going to see
15 her at the hospital?

16 A Yes.

17 Q Has it photo been altered in any way, to your
18 knowledge?

19 A No, ma'am.

20 MS. JOHNSON: The State would move Exhibit 5
21 into evidence.

22 MR. HILLER: I don't object on the grounds --
23 well, it's victim impact.

24 THE COURT: I'm going allow her to introduce
25 it. I think it is relevant to show what she looked

PRISCILLA CROMEDY - DIRECT EXAMINATION

1 like at the time. I will allow it.

2 (State's Exhibit 5 marked and admitted.)

3 MR. HILLER: For the record, I do object on
4 the grounds of relevance and victim impact.

5 THE COURT: All right. It is admitted into
6 evidence over objection.

7 MS. JOHNSON: May I publish to the jury?

8 (State's Exhibit 5 published to the jury.)

9 Q (BY MS. JOHNSON) What kind of injuries was
10 she being treated for at the hospital?

11 A Bruises. The doctor was saying that she had
12 bleeding on the brain. She -- I don't know. They
13 were treating her for the hip, but she was
14 complaining about having pain in her hip. And when
15 she stand -- she don't stand because the hip was
16 hurting.

17 Q What kind of permanent impairment from her
18 injuries is she dealing with?

19 A Traumatic brain damage.

20 Q Specifically, how are those permanent
21 injuries affecting her?

22 A She has problems like walking normally. She
23 walks with a drag and kind of a skip. She does not
24 sit normally. She flops. It's just changed her
25 from the normal things that a person would do.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

PRISCILLA CROMEDY - DIRECT EXAMINATION

1 Q How has this -- how has this event changed
2 your life?

3 MR. HILLER: Objection, Your Honor.

4 THE COURT: Mr. Foreman, ladies and gentlemen
5 of the jury, I'll ask you to return to the jury
6 room. Do not discuss the case.

7 (The jury exits at 11:12 a.m., and the
8 following is heard out of the presence of the jury.)

9 THE COURT: Glad to hear from the State.

10 MS. JOHNSON: Yes, Judge. She is her
11 daughter's caregiver due to these permanent
12 injuries, so I believe her testimony is relevant
13 and outweighs any prejudice.

14 THE COURT: I think it's relevant because one
15 of the elements they have to prove is great bodily
16 injury, and I think it is relevant to say, you
17 know, that she has permanent impairment as a result
18 of that. I don't know it is unduly prejudicial.
19 We won't allow any emotional rendition on what is
20 going on, but I think it's relevant for them to be
21 able to establish that she was hurt and that the
22 injuries are continuing.

23 MR. HILLER: Your Honor, for my objection, I
24 object that I believe this would be drawing an
25 undue victim impact into the case in chief, and

PRISCILLA CROMEDY - DIRECT EXAMINATION

1 object on the grounds of 403, more prejudicial than
2 probative, and under 403 also cumulative. She just
3 testified she has problems walking, dragging and
4 skip, and flops when she tries to sit. I think the
5 State established it.

6 THE COURT: Well, I'll allow this question.

7 We're ready for the jury.

8 (The jury enters at 11:15 a.m., and the
9 following is heard in the presence of the jury.)

10 THE COURT: Ms. Girgan, you are recognized.

11 Q (BY MS. JOHNSON) Ms. Priscilla, I'm going to
12 reask my last question. How has this impacted your
13 life?

14 A It has impacted my -- all of our lives a
15 great deal. A lot of the things that we used to
16 do, we can't do it anymore because, for one, she
17 cannot be left alone. She can't cook unless
18 someone is there. A lot of things that I used to
19 do -- I'm in a lot of things. I had to change my
20 whole life in a sense.

21 When **Complainant** first came out of the hospital,
22 she spent two weeks with her sister. And her
23 daughter and I -- while Felicia worked -- we took
24 turns. I had to get up -- I go to work -- I have
25 to be at work at 8:00, but I used to get up about

MOTIONS

1 6:30 -- 7 o'clock in order to take Natassja over to
2 Felicia's house so she can stay with her mom. I
3 get off work at 2:00. I leave work, went straight
4 there, be there until 9:00, 10 o'clock at night.

5 So after two weeks, **Complainant** came with me at my
6 house, and this is where she's been until right
7 now, and it's just hard. Everybody had to kind of
8 turn their life upside down to be there to do
9 things, take her places that -- because she can't
10 drive. So it's solely on either -- the majority on
11 me, but the rest on her sister, her kids. So it
12 actually just turned our life upside down. We had
13 to do some major changes.

14 THE COURT: Sustained. Sustained. I'll ask
15 that you move on.

16 MS. JOHNSON: Okay. Thank you. No further
17 questions, Your Honor.

18 THE COURT: Cross examination?

19 MR. HILLER: No, Your Honor.

20 THE COURT: Very good. You may step down.

21 THE COURT: Call your next witness.

22 MS. JOHNSON: No other witnesses. We rest.

23 THE COURT: Ladies and gentlemen, at this
24 time we have to discuss matters of law outside of
25 your presence. I'll ask that you return to your

MOTIONS

1 jury room, but do not discuss the case.

2 (The jury exits at 11:19 a.m., and the
3 following is heard out of the presence of the jury.)

4 THE COURT: I'll be glad to entertain motions
5 at this time.

6 MR. HILLER: Before I do that, I do want to
7 put on the record that as a result of that last
8 question, to which I objected, that witness became
9 emotional, as I anticipated she would, tissues came
10 out, all of the things that I was concerned about
11 happened. It put me in a spot of, I felt, like
12 interrupting her, but Your Honor already ruled the
13 question admissible. But I want to put on the
14 record, since the record will be cold, that tissues
15 did come out and **Complainant's** mother was very
16 emotional.

17 Your Honor, at this time, since the State has
18 rested, the defense would move for a directed
19 verdict. I understand that the standard for a
20 directed verdict is that the evidence presented in
21 the State's case in chief is in the light most
22 favorable to the State.

23 Your Honor, I do want to point out, in making
24 this motion, that the State presented a list of 16
25 witnesses. Right in the middle, the eighth witness

MOTIONS

1 is listed as **Complainant**. She is the State's
2 alleged victim. She was not called. The only --
3 she is the accuser. She is the witness he has the
4 Constitutional right to confront.

5 I understand that the State got in through an
6 excited utterance hearsay exception through the
7 tenth witness, Ms. Nelson, that when she somehow
8 entered her room, that she spontaneously uttered,
9 He did it. That's the only evidence that the State
10 presented that my client committed any crime,
11 whatsoever. That may be considered an end-round to
12 the confrontational clause. I understand that's
13 not a testimonial statement. She is not an officer
14 or law enforcement, but I think I can probably see
15 that's a non-testimonial statement, but how does
16 that intersect with the right to confront his
17 accuser?

18 So, Your Honor, I would move for a directed
19 verdict. The State has not presented evidence for
20 which this jury could conclude my client's guilt
21 without calling their chief complaining witness.
22 But for her, this case wouldn't exist, and she's
23 absent.

24 THE COURT: All right.

25 I'll hear from the State.

MOTIONS

1 MS. ORTIZ: Your Honor, cases are tried every
2 day which a victim is not put up. There is murder
3 cases tried every single week -- or just about
4 every month where a victim is not put up.

5 Your Honor, we made a decision not to call
6 her, and I do not believe that that's his
7 Constitutional right to confront that particular
8 witness. He has a Constitutional right to be here,
9 which obviously he is. He has a Constitutional
10 right to confront the witnesses the State presents.
11 He's been here and participating, and his attorney
12 has done just that.

13 The State believes that as far as a directed
14 verdict, we have put up ample evidence which a jury
15 can conclude that he is guilty of domestic violence
16 of a high and aggravated nature.

17 THE COURT: And the excited utterance is,
18 indeed, direct evidence. But there is a wealth of
19 circumstantial evidence, which the jury can rely
20 upon.

21 So your motion for directed verdict is
22 denied.

23 Anything further?

24 MR. HILLER: I would just, for the record,
25 renew all of my pretrial motions and objections

MOTIONS

1 made throughout the course of the case. I don't
2 want to be in too much detail on them all, but I do
3 believe that I need to renew them now for the
4 record.

5 THE COURT: Say that again?

6 MR. HILLER: I don't think I need to recite
7 them in detail, but I want to renew them for the
8 record.

9 THE COURT: All right.

10 I'll ask Mr. Knowlin if he would stand at
11 this time.

12 Mr. Knowlin, I'm going to explain to you
13 certain of your rights. If you do not understand
14 what I say, please let me know, and I'll be happy
15 to explain it further. Is that fair?

16 MR. KNOWLIN: Yes, sir.

17 THE COURT: We have now reached the stage in
18 the trial where you present your defense. You have
19 the right to claim the protections given to you by
20 the Fifth Amendment to the Constitution of the
21 United States of America which provides, in
22 relevant part, no person shall be compelled in any
23 criminal case be a witness against himself. This
24 means that you cannot be required to testify in
25 this case.

MOTIONS

1 You have the right to testify on your own
2 behalf; however, no one can make you testify. This
3 is a personal right, and no one can waive this
4 right except you.

5 If you decide to testify, you will be subject
6 to the same rules that govern our witnesses, and
7 you may be examined and cross examined on any
8 relevant issue in this case.

9 There are two specific crimes that the State
10 will be able to cross examine you on with regard to
11 your believability: Unlawful weapon, and
12 shoplifting, I believe. Is that correct? Was that
13 it?

14 MR. HILLER: It was possession of cocaine and
15 shoplifting.

16 THE COURT: Possession of cocaine and
17 shoplifting, that's correct. Those would be
18 admitted against you to impeach your credibility.

19 If you decide to testify, your decision --
20 the decision must be your decision, and must be
21 done freely, voluntarily and intelligently with the
22 knowledge of protections given to you by the Fifth
23 Amendment of the Constitution of the United States
24 of America.

25 If you decide not to testify, I will instruct

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

MOTIONS

1 the jurors that they cannot give the fact that you
2 did not testify any consideration, whatsoever; that
3 there is to be absolutely no prejudice to you
4 because you did not testify.

5 It is left entirely up to you whether or not
6 to testify. You may talk with your attorney, talk
7 with your family members, talk with your friends or
8 anyone else, but the final decision is left
9 entirely up to you. Do you understand?

10 MR. KNOWLIN: Yes, sir.

11 THE COURT: And you understood my explanation
12 of the Fifth Amendment?

13 MR. KNOWLIN: Yes, sir.

14 THE COURT: All right. Do you have any
15 questions?

16 MR. KNOWLIN: No, sir.

17 THE COURT: Have you talked about these
18 matters with your lawyer?

19 MR. KNOWLIN: The matters you just discussed
20 now?

21 THE COURT: That, and your right to testify.

22 MR. KNOWLIN: Briefly, I did.

23 THE COURT: All right. Do you want
24 additional time to talk with him?

25 MR. KNOWLIN: Yes.

MOTIONS

1 THE COURT: All right. I'll give you that
2 opportunity, and I'll come back and hear from you
3 all as to what your decision is.

4 We'll stand at ease while you do that.

5 (A recess was taken.)

6 THE COURT: Be seated.

7 Mr. Knowlin, do you wish to testify?

8 MR. KNOWLIN: No, sir.

9 THE COURT: Very good. All right.

10 We'll have a charge conference. I'll charge
11 the duties between the jury and the trial judge.
12 I'll charge the fact that the indictment is not
13 evidence. Charge presumption of innocence.
14 Reasonable doubt, I'll charge the long version of
15 that and the short version. Charge how to evaluate
16 credibility of witnesses, direct and circumstantial
17 evidence. Charge how to evaluate expert testimony,
18 I'll charge the jury with regard to the law about
19 the defendant not testifying. I'll charge the law
20 about how to evaluate the record of a witness.
21 I'll charge domestic violence of a high and
22 aggravate nature, and first degree domestic
23 violence.

24 I'll allow you all to have an opportunity to
25 review the substantive charges and look at the

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

MOTIONS

1 verdict form.

2 (A brief pause in the proceedings.)

3 MS. ORTIZ: The only thing is the second page
4 of the verdict form, No. 2, it says: Please circle
5 the appropriate verdict below. I understand
6 completely what Your Honor is asking them to do. I
7 just wonder if it's confusing to the jury. Maybe
8 if we could just take that part out and just leave
9 these two?

10 THE COURT: I haven't even looked at it.

11 MS. ORTIZ: I just feel like that is making
12 them reach a verdict on domestic violence first,
13 and my understanding is that they should not move
14 to domestic violence first if they reached a guilty
15 verdict on domestic violence of a high and
16 aggravated.

17 MR. HILLER: On the first page?

18 MS. ORTIZ: The Roman numeral two said:
19 Please circle one below. So it is almost like it's
20 mandating that they have to move on to domestic
21 violence first. I think it might be confusing to a
22 jury. And I'm sure Your Honor will instruct
23 them....

24 THE COURT: What I'm saying is -- they are
25 mutually exclusive, and you can't be found guilty

MOTIONS

1 of both. You can be found not guilty of both, but
2 can't be guilty of both. It says -- you are
3 talking about the -- where it says, "Please circle
4 the appropriate verdict below"?

5 MS. ORTIZ: Yeah. If we can just take that
6 part out?

7 THE COURT: Yeah. And if you find the
8 defendant guilty of domestic violence high and
9 aggravated nature, cease deliberations. If you
10 find the defendant is not guilty, you can consider
11 the lesser included offense.

12 MS. ORTIZ: That's right.

13 THE COURT: All right. Very good.

14 Any objection to the substantive law with
15 regard to domestic violence high and aggravated
16 nature or first degree?

17 MR. HILLER: No exceptions from the defense,
18 Your Honor.

19 MS. ORTIZ: No exceptions.

20 I want to make sure I'm clear with my closing
21 statement. There is some talk in the statute about
22 weapons being used and that sort of thing. So Your
23 Honor does not intend to charge fists being not
24 typically weapons, but could be considered weapons?
25 You are not getting into any of that language?

MOTIONS

1 THE COURT: All of the examples weren't
2 applicable here. I don't think you need to talk
3 about weapons if it wasn't so in this case. It
4 goes -- there are about five of them, but none
5 applied here and, therefore, I think that is the
6 appropriate charge. If you would like me to
7 consider some other charge, I'll be happy to
8 consider that. Did you have anything?

9 MS. ORTIZ: I was assuming -- which I know
10 we're not supposed to do -- that we would give a
11 fist as weapons charge.

12 THE COURT: Do you have that?

13 MS. ORTIZ: I do. I don't think that that
14 list is exclusive to just those particular items.

15 THE COURT: That is why it is going to the
16 jury. But the ones set out in the statute don't
17 apply here.

18 MS. ORTIZ: Right.

19 THE COURT: Or in the charge.

20 MS. ORTIZ: Honestly, the way....

21 THE COURT: I think that might be a comment
22 on facts, to tell you the truth.

23 MS. ORTIZ: I think I'm okay with it. I
24 think this is more confusing. So I'm fine with it
25 the way it is.

MOTIONS

1 THE COURT: Do you have any objection?

2 MR. HILLER: I just think the statute should
3 be charged, and the applicable part, I think that's
4 what Your Honor has.

5 THE COURT: Yeah. All right.

6 Under these circumstances, State goes first.

7 MS. ORTIZ: We're prepared to go into closing
8 arguments?

9 THE COURT: I think we are, but I'm going to
10 give you an opportunity to rest on the record.

11 Is there any objection to him renewing his
12 motion so that we don't have to send the jury back
13 out again?

14 MS. ORTIZ: No, sir. But if I can have five
15 minutes? I put that fist in language in here, and
16 I just want to take it out.

17 THE COURT: Okay.

18 MR. HILLER: Your Honor -- obviously, Your
19 Honor controls the scheduling, but it is only
20 11:45. That's right at lunchtime. I would,
21 obviously, appreciate the lunch hour to collect my
22 thoughts. It's been a busy morning. I feel like I
23 can't imagine not wrapping up at a reasonable time
24 today.

25 THE COURT: Well....

MOTIONS

1 MR. HILLER: If I rested and came back even
2 at 1 o'clock, if you wanted a short amount of time.
3 I'm certainly not arguing, but I just wanted my
4 request on the record, respectfully.

5 THE COURT: When is lunch going to be -- I
6 think we kind of anticipated having it to the jury
7 this morning and have them lunch so they can
8 deliberate.

9 What time is lunch going to be here?

10 THE CLERK: I have a deputy picking it up at
11 12:15.

12 THE COURT: Let's bring the jury out.

13 (The jury enters at 11:49 a.m., and the
14 following is heard in the presence of the jury.)

15 THE COURT: Defense is recognized.

16 MR. HILLER: Your Honor, at this time the
17 defense rests.

18 THE COURT: Very good.

19 Mr. Foreman, ladies and gentlemen, you heard
20 all of the evidence that is going to be presented
21 in this case, and at this juncture, we are going to
22 hear closing arguments from the State and the
23 defense.

24 As far as scheduling, we have a delicious
25 lunch provided to you at 12:30. You all are

MOTIONS

1 welcome to sit here in the jury room until then, or
2 you are welcome to go and be back at 12:30 sharp,
3 and we'll have food waiting for you. Shortly
4 thereafter, we'll proceed forward with closing
5 arguments and charge.

6 Do not discuss the case among yourselves or
7 anyone else. As they say in Lake City, we're
8 getting in the short rows, getting towards the end,
9 but it's inappropriate for you to talk about the
10 case and discuss it in any way, shape or form. No
11 investigation. No social media. And we'll see you
12 back at 12:30 -- 12:30 sharp.

13 (The jury exits at 11:50 a.m., and the
14 following is heard out of the presence of the jury.)

15 THE COURT: Anything from the State before
16 recess?

17 MS. JOHNSON: No, Your Honor.

18 MR. HILLER: I believe it is appropriate to
19 renew my motion for a directed verdict now that the
20 defense has rested.

21 THE COURT: Your motion is noted, but denied.

22 MR. HILLER: Yes, sir.

23 THE COURT: We'll stand at ease, and the food
24 for the jury is going to be here at 12:30. When
25 they are finished with their food, we'll start.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

MOTIONS

1 Very good. Thank you.

2 (A lunch recess was taken.)

3 COURT: Please be seated.

4 Defense, you are recognized?

5 MR. HILLER: I do realize that we already
6 have discussed the charging conference, I guess I
7 should say it that way. As I was reflecting on it,
8 while using the time to prepare for my closing
9 argument, I was thinking about the reality that the
10 jury is a sole finder of fact. I believe Your
11 Honor instructed they can believe one witness to
12 the exclusion of others, or some of what a witness
13 says and not others.

14 My concern is limiting the jury to DV first
15 only as a lesser included would invade their role
16 as sole finder of fact. I would ask the Court to
17 consider charging DVHAN all the way down to
18 include, of course, DV second.

19 THE COURT: What does the State have to say
20 about that?

21 MS. ORTIZ: The State feels it is DVHAN or
22 nothing at all. The extent of her injuries has
23 been very clear, as far as the lasting effects of
24 those injuries. They either believe that and
25 believe the State's case, or they don't.

MOTIONS

1 THE COURT: All right. Your objection is
2 noted, but overruled.

3 Anything further from the State?

4 MS. ORTIZ: No, sir.

5 THE COURT: Under these circumstances, the
6 State goes first.

7 We're ready for the jury.

8 (The jury enters at 1:17 p.m., and the
9 following is heard in the presence of the jury.)

10 THE COURT: Mr. Foreman, ladies and gentlemen
11 of the jury, you have heard all of the evidence
12 that is going to be presented in this case. And as
13 I mentioned in the beginning of this trial, at this
14 juncture we'll hear closing arguments. It's very
15 similar in form to opening, but they are different
16 in a very real way in that all of the evidence has
17 been presented, and these fine lawyers can point to
18 the evidence that supports their relative theory of
19 the case.

20 What they have to say is not evidence, but
21 will aid you immensely in your deliberation
22 process. These fine lawyers have been dealing with
23 this case for a lot longer than you and I, and
24 their insight is important. So pay close attention
25 to both attorneys.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

CLOSING ARGUMENT - BY MS. ORTIZ

1 Under these circumstances, the State goes
2 first.

3 MS. ORTIZ: Thank you, Your Honor may it
4 please the Court?

5 THE COURT: Yes.

6 MS. ORTIZ: A life-changing event for this
7 victim, for her family members, for the witnesses
8 of this case. It has been life changing. We're
9 going to talk about what the defendant has been
10 charged with. He's charged with domestic violence
11 of a high and aggravated nature. What does that
12 mean? It is an injury to a household member under
13 circumstances manifesting extreme indifference to
14 the value of human life, and because of that, great
15 bodily injury results.

16 So this is just some little sub-notes.
17 Injury to a household member. What is a household
18 member? Kind of common sense. It is someone -- a
19 spouse, former spouse, a person you may have a
20 child in common with. It's a person who you live
21 with or have lived with in the past.

22 Under circumstances manifesting extreme
23 indifference to the value of human life. There
24 several ways you can get here, and we'll talk about
25 this in a minute, but I'll ask you to use your good

CLOSING ARGUMENT - BY MS. ORTIZ

1 common sense on this. We'll talk about that more
2 in detail in a minute.

3 Then great bodily injury to the victim
4 results. It is an injury that causes a substantial
5 risk of death, or which causes serious permanent
6 disfigurement, or loss or impairment of the
7 function of a body member.

8 So, basically, you have long-term effects
9 from your injuries, okay. So we'll look at those
10 same elements, and then we'll plug in the evidence
11 we have for those.

12 How do we know it was a household member? If
13 you will recall the testimony, EMS said, When I got
14 there her boyfriend, husband, I'm not sure who he
15 was, but there was a gentleman standing there with
16 her. Kim says that they had been living together
17 at the hotel. She said they had been there -- I
18 think she testified to three weeks or a month. Let
19 me state here. My memory is terrible. If you
20 remember something that differs from what I do,
21 reflect on your all's memory. Talk about that
22 together as a group. And you are welcome to come
23 back and listen to any testimony that you need to
24 listen to.

25 But from what I recall, she said that they

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

CLOSING ARGUMENT - BY MS. ORTIZ

1 had been living together. In fact, she said
2 whenever they were at her party that night, she
3 told him, Where is your girl? Go get your girl.
4 Why isn't she down here with you? TK said they
5 were living together at the hotel. The defendant,
6 by his own statement, told the police, Yeah, we
7 were living together. She was living here with me.
8 We've been living -- I think at that specific
9 hotel -- for about a month's time.

10 **Complainant's** daughter testified. She testified
11 today. She said that they were living together on
12 and off for several years, okay. I submit to you
13 that we have proved that element beyond a
14 reasonable doubt.

15 Under circumstances manifesting extreme
16 indifference to the value of life. Let's talk
17 about this. We know that when she was at that
18 party, she was not injured. I believe there is
19 testimony in the record that that party happened
20 around 9 o'clock at night. I believe one of the
21 ladies testified it was between 7:00 and 10:00, and
22 I think one might have said specifically around
23 9 o'clock. She was not injured. She had a medical
24 event, and we're not disputing that.

25 Kim said that she is familiar with seizures.

CLOSING ARGUMENT - BY MS. ORTIZ

1 She believed what she was witnessing was a seizure.
2 She comes out of it. She's fine. There is no
3 injury to her. There is no allegation that she
4 fell, hits her head, that she does anything.

5 Kim says she turns her over on her side, gets
6 the vomit out of her mouth so she doesn't choke,
7 and she said I didn't call the ambulance then
8 because she came out of it. She was okay. But she
9 didn't want to be at a party at that point. She
10 wanted to go back up to the room. So she takes her
11 back to the room with the assistance of the
12 defendant, okay.

13 So that's, approximately, 10 o'clock at
14 night. We know the police come on scene around
15 12:00, a little after 12:00 when help starts
16 getting called. 911 gets called. All of her
17 injuries come from that time period.

18 TK said she will never forget what she saw
19 when she entered that room. There was blood
20 everywhere. She said when she came in, she was
21 sitting on the toilet, blood everywhere. The room
22 was completely disheveled. Kim said that she was
23 bleeding so badly that she had **Complainant's** blood
24 dripping off of her.

25 He told police that he put her in the bed and

CLOSING ARGUMENT - BY MS. ORTIZ

1 left her there. Ladies and gentlemen, he never
2 calls 911. He never tries to get her EMS help --
3 never.

4 Great bodily injury to the victim results.
5 You heard from Dr. Pepe today. He talked about
6 multiple contusions to the brain. Again, you can
7 go back and listen to his testimony. He didn't say
8 one, he said there were multiple contusions.
9 Bleeds on both sides of her brain. She had to have
10 surgery on her eye, screws and plates put in. We
11 know that she was in Grand Strand for at least two
12 weeks. She leaves there, and has to go to rehab
13 facility for a period of time.

14 Her daughter testified today, and somewhat
15 reluctantly, but she testified that she's slow in
16 everything she does now. Her response is slow.
17 Her mama said it's been life changing for everyone.
18 She can't be left alone at this point.

19 Let's talk about the victim's actions that
20 night. We know she wasn't down at the party
21 originally. She stays in the hotel room. I don't
22 remember if it was TK or Kim, but they described
23 her as nice, very quiet, very timid, wouldn't make
24 eye contact, barely answer your question if you
25 spoke directly to her. This was her natural

CLOSING ARGUMENT - BY MS. ORTIZ

1 demeanor. Why is that? Why?

2 We know she has a medical event at the pool.
3 So when TK walks in, she is sitting on the toilet,
4 bleeding profusely, and she tells TK, He did this
5 to me. He did this. TK don't know what to do.
6 She freaks out a little bit, runs upstairs, gets
7 Kim. When Kim comes in -- and I'm going to jump
8 out of order, and I'm sorry. Let me talk about
9 these two ladies for a minute, okay.

10 I can't even sit here and tell you exactly
11 what was said from the witness stand. It is
12 common, you all, when you get multiple people to
13 see one event, if you have five people that see
14 that event, five people will tell you a different
15 story. That's common. You'll see that when you go
16 back to your jury room, okay. You'll say, I
17 remember this. No, I remember this. That's the
18 natural human experience.

19 There is no evidence that these women had any
20 motivation to lie -- any motivation. In fact, TK's
21 boyfriend was friends with the defendant. They
22 both testified, We don't know her. We don't know
23 her know her. They said they didn't know him
24 either, but if there is any connection, it is with
25 the defendant. He was the one at the party. The

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

CLOSING ARGUMENT - BY MS. ORTIZ

1 victim wasn't at the party originally; he was.

2 These women -- again, there is zero evidence
3 that they had any reason to lie. Their stories are
4 a little different, they are. But I submit to you,
5 ladies and gentlemen, that if their stories were
6 exactly the same, that is when red flags should
7 start going off, because a year-and-a-half later,
8 there is going to be some confusion. There is.

9 But what they know, and they were very clear
10 as to what they knew, is that TK says, I walked in,
11 I don't remember why, I don't remember if my
12 boyfriend got asked to come over and hang out with
13 him, I don't remember why, but I went in, and I'll
14 never forget what I saw when I entered. I saw her
15 on the toilet, blood everywhere, pouring down her
16 face, room is a mess. She's so distraught that she
17 runs immediately to get Kim. Kim comes downstairs,
18 and this is what I think is telling. The victim is
19 bent over a bed with her pants still down, crying,
20 crying. Her face beat to crap. And Kim, who has
21 seen a lot in her life, runs in, grabs her. She
22 said, I took her and I pulled her out, because
23 whatever she saw, it was that disturbing, that life
24 changing.

25 She drags her out and calls for help. She

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

CLOSING ARGUMENT - BY MS. ORTIZ

1 says, I called for help. I said whatever I had to
2 say. Remember, she's been a victim of domestic
3 violence as well, so she knows. She knows what to
4 say. She knows.

5 She calls the police. It is going to set him
6 off, and they are going to have a bigger problem on
7 their hand. So she calls 911 to get her help. She
8 has seizure. But what did she tell her as she is
9 dragging her down the steps away, and he refuses to
10 leave her side? What does she whisper to her?
11 Tell them the truth. Tell them the truth. Tell
12 EMS, they can help you.

13 What does she do when she gets in the EMS?
14 He told you, When I first asked her, she didn't
15 answer. She didn't answer. But when I asked her
16 again, she said, I've been assaulted. Her
17 statement to EMS is crucial, because she's either
18 had a seizure and he has to administer seizure
19 medication, or he has to administer something else.
20 She's in so much pain that he administers two doses
21 of fentanyl, medical grade fentanyl.

22 When she gets to the hospital, a lot of
23 things are happening. According to Dr. Pepe, all
24 of that happened in the first five minutes. That's
25 a lot that went down in the first five minutes.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

CLOSING ARGUMENT - BY MS. ORTIZ

1 But in that, you heard from the officer. He says
2 that he spoke to the victim. We know from that
3 conversation that he determines the suspect and
4 determines that an assault has happened.

5 Let's talk about the defendant's actions. I
6 think it is very telling. Although what happens at
7 the pool is not really relevant to the events, I
8 think it is very telling that when she has a
9 seizure, his reaction is to go over, put his hands
10 around her head, and shake her back and forth. One
11 of the witnesses said that he had his thumbs in her
12 eyes. Is that the actions of someone who loves
13 you? Who cares for you? Looking for your best
14 interest? I think it was TK or Kim -- and, again,
15 I'm sorry, but one of them said it was almost as if
16 she was embarrassing him.

17 Kim tries to help her back up or help her up
18 to the room. The defendant, obviously, goes with
19 them. He pushes her off when she gets to the
20 stairs, and he says, I got it from here.

21 We know that when witnesses come in, there's
22 blood everywhere: Walls, bathroom, floor, both
23 beds. This is telling, you all. He tells the
24 police officer -- he admits to the police officer
25 that he never calls 911. He admits to the police

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

CLOSING ARGUMENT - BY MS. ORTIZ

1 officer that instead, he was cleaning up the room.
2 Does that make sense? Why would you do that? If
3 you are not responsible for her injuries, why would
4 you try to clean it up?

5 Again, he was pushy, demanding, trying to get
6 into the ambulance. He wouldn't leave her side
7 when she was calling for 911. That is because he's
8 trying to control the story, folks.

9 When police arrive, he says that, Yes, she
10 had a seizure. He didn't call the police.
11 Instead, he took a mop and cleaned up the crime
12 scene. Does that make sense? Does that make
13 sense?

14 Again, the doctor testified she had multiple
15 contusions to her brain. That is bruising, right?
16 Contusions or a bruise. Multiple contusions, two
17 brain bleeds, one on the right, one on the left.
18 So she has bruising and active bleeding. Does that
19 come from hitting your head one time? He said, No.
20 Couldn't of. Couldn't of. Her left eye is swollen
21 shut, it looks -- appears to me. You can be your
22 own judge of that. Maybe she has her eyes closed,
23 but it looks swollen shut.

24 Her right side has a big gash on it. She
25 also has a gash here. One of the ladies -- I think

CLOSING ARGUMENT - BY MS. ORTIZ

1 it was Kim -- testified that she was bleeding from
2 other areas of her body as well. You can see, and
3 you'll -- this picture is in evidence, so you can
4 take those pictures back so you can look at it up
5 close. You can see here, this is all bleeding in
6 her head. So she's got a cut on this side, some
7 sort of bleeding on this side, swollen eye. And,
8 again, I don't want to -- look at her ear. Look at
9 her ear. It looks like it -- looks like blood is
10 coming out of her ear, but you guys decipher that,
11 okay.

12 Ladies and gentlemen, there is no way, I
13 submit to you, that this lady fell one time. There
14 is no way. You have to use your good common sense,
15 okay. Does it make sense that she fell and hit her
16 head while she was having a seizure? Does it make
17 sense that you would get up from having a seizure,
18 fall down again, get up, have another seizure, fall
19 down again? That's not plausible.

20 EMS told you, Listen, when you have a
21 seizure, you are out of it. You are either laying
22 down on the ground and it takes you a while to come
23 back, or you are up, but you're not with it
24 mentally. Like, you would have a hard time
25 responding to answers and stuff. You are not going

CLOSING ARGUMENT - BY MS. ORTIZ

1 to keep getting up and falling down. Why would one
2 do that?

3 She has multiple -- here, here, here -- her
4 nose is bleeding, eye bleeding (indicates). Did
5 you hear him say -- what did Dr. Pepe say about her
6 right arm? She had an injury to her right arm,
7 too. I think that is telling, because you heard
8 her daughter say she's right handed. What do you
9 do when you are being hit? You hold up your
10 dominant hand to try to protect yourself. That
11 right arm had an injury to it as well.

12 Now, the judge is going to instruct you on
13 domestic violence of a high and aggravated nature,
14 which we just went over. He'll also instruct you
15 on domestic violence first degree, which is a
16 lesser included of domestic violence of a high and
17 aggravated nature. You guys get to choose. But,
18 basically, domestic violence first degree is the
19 exact same thing, except you take out that part
20 (indicates). Okay.

21 So if you guys find that none of this
22 happened, this part here -- none of this happened
23 (indicates), then it is a domestic violence first
24 degree, okay.

25 I submit to you that we have proved domestic

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

CLOSING ARGUMENT - BY MR. HILLER

1 violence of a high and aggravated nature, beyond a
2 reasonable doubt. Ladies and gentlemen, make today
3 a life-altering event for the defendant.

4 Thank you for your time.

5 THE COURT: Defense, you are recognized.

6 MR. HILLER: Thank you, Your Honor. May it
7 please the Court?

8 THE COURT: Yes.

9 MR. HILLER: Ladies and gentlemen, we're at
10 the end of a case that took about day-and-a-half to
11 hear. I submit you should still have questions.
12 We heard from a couple different people in this
13 case, lay witnesses, hotel staff. We heard through
14 my client indirectly, through the officer, he had
15 given a statement. Again, the judge will tell you
16 he does not have to testify, and you cannot use his
17 silence here today against him. His story is out
18 in this. It might be out there through a weird
19 interchange between a defense lawyer and officer,
20 but his story is out there. I'll go over it with
21 you to make sure you hear it.

22 Let's start with the part everyone agrees on.
23 There was a party, at a pool, at a hotel. People
24 were invited. Some people may know each other
25 better than others. As you heard the property

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

CLOSING ARGUMENT - BY MR. HILLER

1 manager say and the housekeeper say, We knew of
2 them, but we didn't really know of them. But,
3 nonetheless, it is gathering of associated people.
4 Let's get together and celebrate this birthday. We
5 used to do that a lot during Covid in the
6 cul-de-sacs. I'm familiar with hanging out with
7 people who you kind of know. But they agree that
8 there was an event, medical event. The State
9 doesn't contest that.

10 A medical event to **Complainant** did happen at
11 the pool. She was taken upstairs to Room **████**. The
12 property manager said she helped, but didn't go all
13 the way. She stopped on the stairs, and that would
14 mean Mr. Knowlin, who she said assisted, took her
15 the rest of the way.

16 Then, the hotel folks, they are kind of out
17 of it for a while. I guess they go back to the
18 party. Whatever they said they did, they did. Mr.
19 Knowlin picks up the story from there. He told the
20 officer -- or you heard through the officer,
21 Sorace, that -- sorry, Officer Sorace that he said
22 that they went up to the party around 9 o'clock.
23 He put her to bed and got her medication, water.
24 Basically, tucked her in for the night. She just
25 had a seizure. That seems a reasonable thing to do

CLOSING ARGUMENT - BY MR. HILLER

1 to me. And he left out.

2 He says -- through, again, the officer --
3 that he came back about 15 minutes later to check
4 on her. He left out again. And then he came back
5 again. Now, we don't have a timeline for that,
6 because no one asked him. Not the trained
7 detectives, not the officer here, no one asked, How
8 long were you out the second time? I can't tell
9 you something I don't know.

10 But he left out and came back and that's when
11 he said he found her in the bathroom covered in
12 blood. He says that he took her to the bed. Not
13 unreasonable. He's not a medical doctor. No one
14 presented any kind of proof that he knows the best
15 way to respond to a crisis. But he did something
16 reasonable, which was to lay her down on the bed.
17 He called the property manager.

18 Now, the State pointed out he didn't call
19 911. Okay. We have to deal with that fact. We
20 don't have any choice but to deal with that fact,
21 but he did call the property manager, and 911 was
22 promptly called.

23 The State, in their closing, excused the
24 housekeeper for running to the property manager,
25 but, apparently, we're going to hold Mr. Knowlin to

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

CLOSING ARGUMENT - BY MR. HILLER

1 a higher standard. Regardless, help arrived. Mr.
2 Knowlin ultimately initiated the call for help in
3 that he brought somebody -- and maybe he perceived
4 this person to be in a position of authority -- to
5 the room to help. So he got her help.

6 Now, that's his version. Let's go back to
7 the other version. The housekeeper, for reasons
8 known only to herself, was at Room [REDACTED]. Didn't
9 respond to a distress call, she's just there. She
10 lets herself in -- maybe -- she can't remember.
11 She finds **Complainant** on the toilet. She
12 immediately goes to the property manager -- maybe
13 with her kid. She had almost some memory that she
14 almost dropped her baby. Maybe she's in Room [REDACTED]
15 with a baby, I have no idea. But she goes and
16 finds the property manager, Kim. They, together,
17 go to the room.

18 Again, I don't know how long that took. But,
19 now, at that time, **Complainant** is on the bed, not
20 the toilet. So it's unclear to me whether Mr.
21 Knowlin was there when the hotel -- sorry, the
22 housekeeper said that she went in there and found
23 this. So either Mr. Knowlin found this -- found
24 **Complainant** in that state and did what he did to
25 get her help, or he was maybe there, or not, and

CLOSING ARGUMENT - BY MR. HILLER

1 the housekeeper is kind of the heroine of the story
2 in that she gets **Complainant** aid. I don't know.
3 You guys have to figure that out. Which one makes
4 sense? The housekeeper burglarizing their
5 residence in the early morning hours of
6 September 29th, or Mr. Knowlin's version of
7 events? That is for you to deliberate on, but only
8 one of those can be accurate. They can't both
9 stand. So you have to decide who are you going to
10 give credibility to? Which story makes more sense?

11 I'll point out, if we had surveillance
12 footage from the room, we would know. Case closed.
13 Either the housekeeper is there going in, or Mr.
14 Knowlin is there going in. You would know.

15 It is the State's job to prove what happened.
16 We just don't get to speculate when someone's life
17 is on the line. My remarks are really to point out
18 what I think is missing from the State, point out
19 what I think is missing for you to actually vote
20 guilty.

21 We heard about **Complainant's** injuries from
22 both her mother, daughter, and very importantly,
23 the expert who is entitled to give an opinion. I
24 want -- well, I'll circle back to that. I'm sorry.
25 But what I was interested in asking the doctor

CLOSING ARGUMENT - BY MR. HILLER

1 about -- among others things -- was the cut that
2 we've all seen on **Complainant's** eyebrow there.
3 Pretty big cut. Because a fist is the only
4 implement -- maybe that is not the best word -- but
5 the only object that has been alleged to cause
6 **Complainant's** injuries. To me, that is an
7 incredible reason for you to have doubt in this
8 case.

9 We heard also the important fact that
10 **Complainant** was on blood thinners, which makes
11 bleeding worse. So for Mr. Knowlin to have caused
12 this injury, he has to be within arm's reach of
13 her. You heard the officer's testimony that he was
14 wearing a shirt. She didn't see any blood on it.
15 He did have blood on his hands. Having blood on
16 his hands is consistent with finding someone in
17 that condition. Having no blood on his shirt is
18 also consist with that.

19 What is not consistent is no blood on his
20 shirt, punching someone so hard that this punch to
21 the eye requires stitches, and having no blood on
22 his shirt. That, I believe, is something that has
23 to be addressed. It is something I have to point
24 out.

25 Dr. Pepe also conceded that it is possible

CLOSING ARGUMENT - BY MR. HILLER

1 for someone to hit their head twice on the way to
2 the ground. And, frankly -- in the event of a
3 fall, I can't think of a better place for something
4 like that to happen other than a small bathroom in
5 a hotel. There is sharp objects, counters,
6 toilets, showers, baths, all kinds of places for
7 someone to hit their head and continue to fall to
8 the ground. Don't be confused. There is no way to
9 know actually.

10 The State was suggesting maybe a second
11 seizure and a fall in relation to that. I don't
12 know. I wasn't there. I'm not suggesting a second
13 seizure. I have no idea. But I do know that the
14 testimony was a seizure occurred, and I do know
15 that the EMS gentleman said the longer you are
16 groggy after that -- I don't know how long it takes
17 to come out of a seizure. Obviously, you would
18 come out gradually and regain more and more of your
19 balance, things like that. But we don't know what
20 happened in the bathroom.

21 You can't say -- it's not impossible that
22 **Complainant**, whether or not she had another seizure
23 or not, was still out of from the first seizure,
24 went to use the bathroom, and fell and hit her
25 head. You can't rule that out. You might discount

CLOSING ARGUMENT - BY MR. HILLER

1 it, but it is a valid theory to explain her
2 injuries. And, again, the State has the burden.

3 So it is not like, you know -- it's not --
4 I'm not trying to put words in the Solicitor's
5 mouth, but you pick between DVHAN, DV first, and
6 not guilty, to make that clear. There is a theory
7 out there, I believe, that could -- that you could
8 believe that would mean that Mr. Knowlin is
9 innocent of this crime. Blood on his pants. No
10 blood on his shirt. Blood in the bathroom. Blood
11 on the bed and sheets. It's all consistent with
12 her being moved from one place to another.

13 As the judge told you, and as the judge will
14 tell you again, the burden is on the State to prove
15 this. To convict Mr. Knowlin, you have to have
16 proof, beyond a reasonable doubt, of his guilt.

17 I talked in my opening about the lever, and
18 it is still not guilty now. It is to that point
19 where you decide if it stays there, or if the State
20 has proven their burden. I submit they have not.
21 I would recall the words of His Honor -- well, I'll
22 do my best to recall the words of His Honor -- that
23 the State has to, in this case, lockup the scales.
24 I submit to you, they have not. I'm asking you to
25 find Mr. Knowlin not guilty.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

JURY CHARGE

1 Thank you.

2 THE COURT: Thank you, Mr. Hiller.

3 I'll ask you, if you could, stand up and
4 stretch for a minute.

5 (A brief pause in the proceedings.)

6 THE COURT: These fine lawyers have given
7 their arguments, and now it's my responsibility to
8 charge you the law. I wish there was an
9 entertaining way to do that, but there isn't. But
10 this is important in order for you to fulfill your
11 duties as jurors. You have to listen to the
12 evidence. I watched you all and paid attention to
13 you all, and when lawyers were asking questions,
14 you would look at the lawyer. When they would
15 answer, you looked at the witness. You clearly
16 have listened to the testimony, and you have the
17 tools to find the appropriate findings of fact.

18 You also have to understand the law in order
19 to apply the facts to the law. So I'll ask that
20 you pay close attention. I know you have had some
21 lunch, and it's now in the afternoon, but I'll ask
22 you to perk up. Pay close attention.

23 Mr. Foreman, ladies and gentlemen of the
24 jury, I remind you that during this trial you and I
25 have certain duties to perform. As trial judge, it

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

JURY CHARGE

1 is my responsibility to preside over the trial, and
2 I also have the duty to rule on the admissibility
3 of evidence. You are to consider only the
4 competent evidence before you. You are to consider
5 only the testimony which has been presented from
6 this witness stand, and any exhibits which have
7 been made a part of the record, and any
8 stipulations of counsel.

9 I have the additional duty to charge you the
10 law. As the presiding judge, I'm the sole judge of
11 the law, and it is your duty, as jurors, to accept
12 and apply the law as I now state it to you. If you
13 already have an idea as to what the law is or what
14 the law ought to be, and it does not agree with
15 what I now tell you the law is, you must abandon
16 this idea, because you are sworn to accept the law
17 and apply the law exactly as I state it to you.

18 In every case tried before a jury, the jury
19 becomes the sole and exclusive judge of the facts.
20 A trial judge cannot intimate, state, comment on,
21 or make any statement to a trial jury about the
22 facts. Since you, the jury, are the sole judge of
23 the facts, you are not to infer from what I have
24 said during the progress of this trial in ruling on
25 the admissibility of evidence, or otherwise, or

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

JURY CHARGE

1 anything that I say now during the course of this
2 instruction to you, that I have any opinion about
3 the facts. The law simply does not allow me to
4 have an opinion about the facts.

5 This is a matter solely for you, the jury, to
6 determine. As jurors, it is your duty to determine
7 the effect, value, weight and truth of the evidence
8 presented during this trial.

9 The indictment in this case charges the
10 defendant with one count of domestic violence of a
11 high and aggravated nature, and within that, the
12 lesser included offense of first degree criminal
13 domestic violence. The fact that the defendant was
14 arrested, charged and indicted is not evidence and
15 cannot be considered by you as evidence of guilt,
16 nor does it create any presumption or inference of
17 guilt. This indictment is simply the formal
18 written instrument which contains the charge made
19 against the defendant. It is formal document by
20 which this case is brought to court.

21 The defendant has pled not guilty to this
22 indictment, and that plea puts the burden on the
23 State to prove the defendant guilty beyond a
24 reasonable doubt. A person charged with committing
25 a criminal offense in South Carolina is never

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

JURY CHARGE

1 required to prove himself innocent.

2 I charge you that as a guiding rule of the
3 law that a defendant in a criminal trial, no matter
4 how serious the charge is, is always presumed
5 innocent of the crime for which the indictment was
6 issued, unless guilt is proven by evidence
7 satisfying you of that guilt beyond a reasonable
8 doubt.

9 This presumption of innocence does not end
10 when you begin your deliberations. It accompanies
11 the defendant throughout the trial until you reach
12 your verdict of guilt based on the evidence
13 satisfying you of that guilt beyond a reasonable
14 doubt.

15 The presumption of innocence is like a robe
16 of righteousness placed about the shoulders of the
17 defendant, which remains with the defendant until
18 it is stripped from the defendant by evidence
19 satisfying you of the defendant's guilt beyond a
20 reasonable doubt.

21 The presumption of innocence is not a mere
22 legal theory. It's not just a legal phrase. It is
23 a real and substantial right, to which every
24 defendant is entitled, unless you, the jury, are
25 satisfied from the evidence of the defendant's

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

JURY CHARGE

1 guilt beyond a reasonable doubt.

2 What is reasonable doubt in the eyes of the
3 law? A reasonable doubt is the kind of doubt that
4 would cause a reasonable person to hesitate to act.
5 The State has the burden of establishing every fact
6 necessary to prove the defendant guilty beyond a
7 reasonable doubt. The law presumes every person
8 charged with a crime as innocent, and the burden of
9 establishing guilt is placed solely on the State.

10 Some of you have served as jurors in civil
11 cases where you were told it is only necessary to
12 prove that a fact is more likely true than not
13 true, such as by a greater weight or preponderance
14 of the evidence. Other civil cases use clear and
15 convincing evidence standard. In those cases, it
16 is necessary to prove that a fact is highly
17 probable.

18 This is a criminal case, and the State's
19 proof must be more powerful than those burden of
20 proofs. In a criminal case, the State's proof must
21 be beyond a reasonable doubt. Proof beyond a
22 reasonable doubt is proof that leaves you firmly
23 convinced of the defendant's guilt.

24 There are very few things in this world that
25 we know with absolute certainty. In a criminal

JURY CHARGE

1 case, the law doesn't require proof that overcomes
2 every possible doubt. If, based on your
3 consideration of the evidence, you are firmly
4 convinced that the defendant is guilty of the crime
5 charged, you must find the defendant guilty.

6 The defendant is not required to prove his
7 innocence. If, on the other hand, you think there
8 is a real possibility that the defendant is not
9 guilty, you must give the defendant the benefit of
10 every reasonable doubt and find him not guilty.

11 Necessarily, you must determine the
12 credibility of witnesses who have testified.
13 Credibility simply means believability. It is your
14 duty as jurors to analyze and evaluate the evidence
15 and determine which evidence convinces you of its
16 truth. In determining the believability of
17 witnesses who have testified, you may believe one
18 witness over several witnesses, or several
19 witnesses over one witness. You may believe a part
20 of the testimony of a witness and reject the
21 remaining part of the testimony of that same
22 witness. You may believe the testimony of a
23 witness in its entirety, or reject the testimony of
24 a witness in its entirety. You may consider
25 whether any witnesses exhibited any interest, bias,

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

JURY CHARGE

1 prejudice or other motive in this case. You may
2 also consider the appearance and manner of the
3 witness while on the witness stand, their demeanor.

4 There are two types of evidence which are
5 generally presented during a trial: Direct
6 evidence and circumstantial evidence. Direct
7 evidence directly proves the existence of a fact
8 and does not require deduction. Circumstantial
9 evidence is proof of a chain of facts and
10 circumstances indicating the existence of a fact.

11 Crimes may be proven by circumstantial
12 evidence. The law makes no distinction between the
13 weight or value to be given to either direct or
14 circumstantial evidence. However, to the extent
15 the State relies on circumstantial evidence, the
16 circumstances must be consistent with each other,
17 and when taken together, point conclusively to the
18 guilt of the accused beyond a reasonable doubt.

19 If these circumstances merely portray the
20 defendant's behavior as suspicious, the proof has
21 failed. The State has the burden of proving the
22 defendant guilty beyond a reasonable doubt. This
23 burden rests with the State, regardless of whether
24 the State relies on direct evidence, circumstantial
25 evidence, or some combination of the two.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

JURY CHARGE

1 The Rules of Evidence ordinarily do not
2 permit witnesses to testify to opinions or
3 conclusions. An exception to this rule exists for
4 witnesses we call expert witnesses. A witness who
5 by education and experience has become an expert in
6 some art, science, profession or calling may state
7 an opinion as to the relevant and material matter
8 in which the witness claims to be an expert, and
9 may also state the reasons for the opinion.

10 You should consider any expert opinion
11 received into evidence, and like any other
12 evidence, give it the weight you think it deserves.
13 If you decide that the opinion of an expert is not
14 based on sufficient education and experience, if
15 you conclude that the reasons given in support of
16 the opinion are not sound, or that the opinion is
17 outweighed by other evidence, you may disregard the
18 opinion entirely. Expert witness testimony is to
19 be given no greater weight than that of other
20 witnesses simply because the witness is an expert.

21 Further, you are not required to accept an
22 expert's opinion, even though it is not
23 contradicted.

24 I instruct you and emphasize that the fact
25 that the defendant didn't testify is not a factor

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

JURY CHARGE

1 to be considered by you, in any way, in your
2 deliberations and in your consideration on the
3 question of the guilt or innocence of the
4 defendant. It must not be considered by you in any
5 manner, whatsoever. A defendant has the
6 Constitutional right to remain silent, and the
7 assertion of this right must not be considered by
8 you in your deliberations. I repeat: Under your
9 oath, you are to draw no conclusions, whatsoever,
10 from the fact that the defendant in this case did
11 not testify.

12 Mr. Foreman, I'll ask that you enforce that
13 rule. There is no discussion about that in the
14 jury room. The fact that the defendant did not
15 testify should not even be discussed at all in the
16 jury room.

17 Madam Forelady, the burden of proof, as I
18 stated it to you, is on the State. The defendant
19 is not required to prove his innocence. The burden
20 of proof remains on the State to prove guilt beyond
21 a reasonable doubt.

22 A person who has a past criminal record is
23 competent to testify during a trial. A past record
24 does not affect the ability of that witness to
25 testify. The past record may only be considered by

JURY CHARGE

1 you, if at all, in determining the witness'
2 believability. Remember, you are the sole judges
3 of the facts in the case and the believability of
4 any and all of the witnesses.

5 I'll charge you the substantive law with
6 regard to domestic violence of a high and
7 aggravated nature and first degree domestic
8 violence. Pay very close attention.

9 Domestic violence of a high and aggravated
10 nature: The defendant is charged with domestic
11 violence of a high and aggravating nature. The
12 State must prove beyond a reasonable doubt that the
13 defendant caused physical harm or injury to a
14 member of the defendant's own household, or that
15 the defendant offered or attempted to cause
16 physical harm or injury to a member of the
17 defendant's own household with apparent present
18 ability to cause harm or injury under circumstances
19 reasonably creating a fear of imminent danger.

20 A household member is a spouse, former
21 spouse, a person with whom the defendant has a
22 child in common, or a person of the opposite sex
23 with whom the defendant is living or has lived in
24 the past. The State must also prove one of the
25 following: The defendant committed the offense

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

JURY CHARGE

1 under circumstances manifesting extreme
2 indifference to the value of human life, and great
3 bodily injury to the victim resulted. Or, the
4 defendant committed the offense with or without an
5 accompanying battery and under circumstances
6 manifesting extreme indifference to the value of
7 human life, and would reasonably cause a person to
8 fear imminent great bodily injury or death.

9 First degree domestic violence: The State
10 must prove beyond a reasonable doubt that the
11 defendant caused physical harm or injury to a
12 member of the defendant's own household, or that
13 the defendant offered or attempted to cause
14 physical harm or injury to a member of the
15 defendant's own household with apparent present
16 ability to cause harm or injury under circumstances
17 reasonably creating a fear of imminent danger.

18 A household member is a spouse, former
19 spouse, a person with whom the defendant has a
20 child in common, or a person of the opposite sex
21 with whom the defendant is living with or has lived
22 with in the past.

23 The State must also prove the following:
24 Great bodily injury to the defendant's own
25 household member results, or the act is

JURY CHARGE

1 accomplished by means likely to result in great
2 bodily injury to the defendant's own household
3 member.

4 I'm going to define "great bodily injury."
5 Great bodily injury means bodily injury which
6 causes a substantial risk of death or causes
7 serious permanent disfigurement or protracted loss
8 or impairment of the function of a body member or
9 organ.

10 It took me awhile to figure this out. I'm a
11 guest in this courtroom. You can usually walk
12 around. But, at any rate, before we get started,
13 the alternates, I'm going to ask that you remain
14 with us. I'll tell the jury to go back to the jury
15 room, but you remain with us, and I'll talk to you.

16 Mr. Foreman, if you could stand, I want to go
17 over with you this verdict form. It is a two-page
18 document. It has the caption of the case there.
19 It has the two different offenses that we've talked
20 about: Domestic violence of a high and aggravated
21 nature, and it has two verdicts: Not guilty or
22 guilty. Circle one of those. If you find the
23 defendant guilty of domestic violence of a high and
24 aggravated nature, stop deliberations, because
25 there are only this offense and a lesser included

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

JURY CHARGE

1 offense. You can't be guilty of both.

2 If you were to find him guilty, stop
3 deliberations. If you find him not guilty, then
4 you can consider the lesser included offense of
5 first degree domestic violence. You can make the
6 determination, if you get to that point, of not
7 guilty or guilty. There is a place for you to
8 sign.

9 The verdict must be unanimous. It can't be
10 eleven to one, six to six, eight to eight.
11 Everybody has to agree. I'll ask you to hold onto
12 that verdict, and I'll talk to you a little more
13 about what needs to transpire.

14 Mr. Foreman, you are going to be charged with
15 the responsibility of presiding over the
16 deliberation process. Essentially, that means that
17 you are to ensure that everyone's voice is heard.
18 During the process of deliberations, if someone
19 gets up to use the restroom, stop deliberations,
20 because everybody has to participate in all of the
21 deliberation process.

22 If there's a question that comes up, I'll ask
23 that you reduce that question or concern to
24 writing, give it to the foreman, and he'll give it
25 to the bailiff. If it is something I can help you

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

JURY CHARGE

1 with, I will. You paid attention to the law, and
2 the law doesn't allow me to comment or resolve any
3 factual issues. That is your job. That is the
4 difficult thing you are all called upon to do. If
5 there is a question with regard to the law, that is
6 something I can help you with.

7 You know, I don't anticipate that there will
8 be any questions, because you paid attention to the
9 testimony, you listened to the law, and you have
10 all of the tools necessary to resolve this case.

11 Momentarily here, I'll release you to go back
12 to the jury room. I always tell you when you leave
13 not to discuss the case. Once again, I'll tell you
14 that, because I'll talk to these fine lawyers and
15 determine whether they have an objection in the
16 manner which I charged you the law, left something
17 out or stated something inadvertently wrong. That
18 is something we will address.

19 If there is no objections, then we'll gather
20 up the documentary evidence, carry it to the jury
21 room, and tell you to begin deliberations. But do
22 not begin deliberations until you are instructed to
23 do so.

24 I'll ask the alternates to remain with us.
25 I'm going to give you the substance of the

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

JURY CHARGE

1 substantive offenses that define each of the
2 criminal domestic violence of a high and aggravated
3 nature, and the first degree domestic violence, and
4 give you the substance of those offenses. You can
5 carry that back with you.

6 FOREPERSON: Thank you, Your Honor.

7 THE COURT: You may all proceed back to the
8 jury room.

9 (The jury exits at 2:10 p.m., and the
10 following is heard out of the presence of the jury.)

11 THE COURT: I can't tell you how important it
12 is to have alternates. There is a lot of resources
13 that go into this. We have the time of the jurors,
14 the time of the lawyers, the court reporter, the
15 clerk's office, and if a conflict develops with one
16 of the acting jurors, then you all can step in, and
17 we wouldn't have to start all over again. It is
18 particularly important in a criminal case for there
19 to be 12 deliberating.

20 Have you all ever served on a jury before?

21 JUROR: First time.

22 THE COURT: Hopefully, it's been a learning
23 experience, and maybe you have a little better idea
24 on how our judicial system is intended to work.

25 I do have good news for you. If called upon

JURY CHARGE

1 to serve in this courtroom within the next three
2 years, you can exercise an exemption. However,
3 that does not apply to municipal court, magistrates
4 court or federal court. But if you are subpoenaed
5 to this court, you can exercise an exemption, if
6 you choose to do so. You will be paid handsomely.

7 Madam Clerk, how much?

8 THE CLERK: I don't know.

9 THE COURT: I think it about \$25 a day and
10 ten cents a mile -- something like that. It is
11 hardly -- it's better than a poke in the eye, but
12 not much better. It is a small token of our
13 appreciation on behalf of the State of South
14 Carolina.

15 This is a public forum. You have a right to
16 stay and listen to the rendering of a verdict and
17 in the proceedings after that. You don't have to.
18 You are discharged in your duty, and you are free
19 to leave now. But if you would like to stay, you
20 have time invested. If you choose to leave, but
21 curious on how it resolved, you can call the
22 clerk's office, and they'll tell you.

23 You are now welcome to leave at this time.

24 Do you have any questions of me?

25 JUROR: No, sir.

JURY CHARGE

1 THE COURT: No one ever asks me any
2 questions. But, at any rate, you are all welcome
3 to have a seat in the audience or the bailiff will
4 assist you in getting out.

5 (Whereupon, the alternates exit at 2:13 p.m.)

6 THE COURT: Any objections to the jury
7 charge, from the State?

8 MS. ORTIZ: No, Your Honor.

9 THE COURT: Defense?

10 MR. HILLER: Just renew my objections
11 regarding the Court charging DV second.

12 THE COURT: Your objections are noted.

13 I'll ask you if you can come forward and look
14 at everything in this pile and make a determination
15 if everything in that pile is in evidence.

16 (A brief pause in the proceedings.)

17 THE COURT: Ms. Ortiz, is everything in that
18 pile in evidence?

19 MS. ORTIZ: Yes, Your Honor.

20 THE COURT: Anything in the pile not in
21 evidence?

22 MS. ORTIZ: No, sir.

23 THE COURT: Mr. Hiller, everything in that
24 pile in evidence?

25 MR. HILLER: Yes, sir.

JURY CHARGE

1 THE COURT: Is there anything in the pile not
2 in evidence?

3 MR. HILLER: It's all here.

4 THE COURT: I will ask the bailiff to give
5 the documentary evidence to the jury, and tell them
6 to begin deliberations.

7 Anything from the State before we stand in
8 recess?

9 MS. ORTIZ: No, sir.

10 THE COURT: Defense?

11 MR. HILLER: No, sir.

12 THE COURT: I'll ask that you stay with us
13 pretty close. Quite often, they'll have a
14 question, and we don't want to have to round up.

15 Very good. Thank you.

16 (The jury begins deliberations at 2:15 p.m.)

17 THE COURT: Please be seated.

18 They have requested to hear the testimony --
19 oh, I'm sorry, the defendant.

20 (Whereupon, the defendant enters the
21 courtroom.)

22 THE COURT: They have requested to hear the
23 testimony of the EMT, and I understand that that is
24 being loaded up.

25 Are we ready?

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

VERDICT

1 We're ready for the jury.

2 (The jury enters at 3:02 p.m., and the
3 following is heard in the presence of the jury.)

4 THE COURT: Mr. Foreman, ladies and
5 gentlemen, you have made a request to hear the
6 testimony of the EMT driver. Pay close attention.

7 (Whereupon, the testimony of Brandon Young
8 was published to the jury.)

9 THE COURT: Please go back to the jury room
10 and resume deliberations.

11 (Court's Exhibit 1 marked.)

12 (The jury exits at 3:24 p.m., and the
13 following is heard out of the presence of the jury.)

14 THE COURT: We'll stand at ease.

15 (A recess was taken at 3:25 p.m.)

16 THE COURT: I understand they've reached a
17 verdict.

18 Are we ready for the jury?

19 We'll receive the verdict, and I know there
20 are people here supporting various sides. I know
21 it can be an emotional thing. If you feel you
22 can't maintain your proper decorum, I'm going to
23 ask that you leave; otherwise, you'll be held in
24 contempt.

25 (The jury enters at 3:49 p.m., and the

VERDICT

1 following is heard in the presence of the jury.)

2 THE COURT: Mr. Foreman, have you reached a
3 verdict?

4 FOREPERSON: Yes, we have, Your Honor.

5 THE COURT: Is it, indeed, unanimous?

6 FOREPERSON: Yes, it is.

7 THE COURT: I'll ask you to give the deputy
8 the verdict form.

9 (A brief pause in the proceedings.)

10 THE COURT: Verdict form seems to be in
11 proper order. I'll ask the clerk to publish, and
12 I'll ask the defendant to stand.

13 THE CLERK: Indictment 2023-GS-26-06528,
14 State of South Carolina, County of Horry, versus
15 Christova Knowlin.

16 We, the jury, unanimously find the defendant,
17 Christova Knowlin, as to the charge of domestic
18 violence of a high and aggravated nature guilty.

19 Signed by foreperson, John Buckley. Dated
20 February 12, 2025.

21 Ladies and gentlemen of the jury, if this is
22 your verdict, please signify by raising your right
23 hand.

24 Thank you.

25 THE COURT: Any additional request for

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

VERDICT

1 polling?

2 MR. HILLER: From the defense, yes.

3 THE CLERK: Please stand when I call your
4 number, and I'll ask you two questions. After you
5 answer them, you can be seated.

6 Juror 52, is this your verdict?

7 JUROR: Yes, ma'am.

8 THE CLERK: Is this still your verdict?

9 JUROR: Yes, ma'am.

10 THE CLERK: Juror 370, is this your verdict?

11 JUROR: Yes, ma'am.

12 THE CLERK: Is this still your verdict?

13 JUROR: Yes, ma'am.

14 THE CLERK: Juror 353, is this your verdict?

15 THE JUROR: Yes, ma'am.

16 THE CLERK: Is this still your verdict?

17 JUROR: Yes, it is.

18 THE CLERK: Juror 186, is this your verdict?

19 JUROR: Yes.

20 THE CLERK: Is this still your verdict?

21 JUROR: Yes.

22 THE CLERK: Juror 337, is this your verdict?

23 JUROR: Yes.

24 THE CLERK: Is this still your verdict?

25 JUROR: Yes.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

VERDICT

1 THE CLERK: Juror 165, is this your verdict?

2 JUROR: Yes, ma'am.

3 THE CLERK: Is this still your verdict?

4 JUROR: Yes, ma'am.

5 THE CLERK: Juror 401, is this your verdict?

6 JUROR: Yes, ma'am.

7 THE CLERK: Is it still your verdict?

8 JUROR: Yes, ma'am.

9 THE CLERK: Juror 37, is this your verdict?

10 JUROR: Yes, ma'am.

11 THE CLERK: Is this still your verdict?

12 JUROR: Yes, ma'am.

13 THE CLERK: Juror 349, is this your verdict?

14 JUROR: Yes, ma'am.

15 THE CLERK: Is this still your verdict?

16 JUROR: Yes, ma'am.

17 THE CLERK: Juror No. 79, is this your

18 verdict?

19 JUROR: Yes, ma'am.

20 THE CLERK: Is this still your verdict?

21 JUROR: Yes, ma'am.

22 THE CLERK: Juror 28, is this your verdict?

23 JUROR: Yes, ma'am.

24 THE CLERK: Is this still your verdict?

25 JUROR: Yes, ma'am.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

VERDICT

1 THE CLERK: Juror 204, is this your verdict?

2 JUROR: Yes.

3 THE CLERK: Is this still your verdict?

4 THE JUROR: Yes, ma'am.

5 THE CLERK: Thank you.

6 THE COURT: All right. Mr. Foreman, ladies
7 and gentlemen of the jury, thank you so much for
8 your service. As you have heard the law, it is
9 inappropriate for me to comment on a particular
10 verdict, but I can thank you for your time and
11 attention to this matter. It is clear you paid
12 close attention and took your oath very seriously.
13 You have been able to do what no one in this
14 courtroom has been able to do; that is, to bring
15 finality to this matter. And, for that, I'm
16 appreciative.

17 You have earned a three-year exemption if
18 called upon to serve on the jury in this courtroom
19 within the next three years. You can exercise an
20 exemption if you choose to do so. It doesn't apply
21 for federal court, magistrates court, or municipal
22 court, but if subpoenaed in the next three years to
23 this court, you have earned an exemption.

24 How many never served on a jury before?

25 Virtually everyone.

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

VERDICT

1 Hopefully, this has been a learning
2 experience and have learned a little bit more about
3 how our judicial system works.

4 Do you all have any questions?

5 All right. Well, you are free to leave. You
6 are discharged from your duty. Of course, at this
7 juncture, as the trier of the law and the judge of
8 the law, it is my responsibility to sentence the
9 defendant. You are welcome to stay. You have time
10 invested in this. If you are interested in that,
11 you can do that. If that is what you would like to
12 do, you can have a seat out here in the audience
13 when I discharge the jury, but you don't have to do
14 that. If you would like to leave, feel free to do
15 so.

16 Thank you very much for your service.

17 Madam Solicitor, is there any other business
18 for the week?

19 MS. ORTIZ: No, Your Honor.

20 THE COURT: Your duty has been discharged for
21 the week. Thank you very much.

22 Mr. Hiller, will you bring Mr. Knowlin
23 forward.

24 MR. HILLER: For the record, Your Honor, do I
25 renew?

VERDICT

1 THE COURT: You can do that now.

2 MR. HILLER: I'll take care of it now.

3 Despite the jury's verdict, I would move and
4 ask Your Honor to set aside the verdict and grant
5 Mr. Knowlin a new trial for grounds previously
6 raised in my directed verdict motions, specifically
7 the allowance of the victim's mother to deliver
8 victim impact during her case in chief.

9 THE COURT: Would the State like to be heard?

10 MS. JOHNSON: We agree with your ruling as
11 far as the directed verdict. The victim's mother
12 did testify about how her permanent impairment, due
13 to the great bodily injury, has affected her life.

14 THE COURT: Very good. Anything further from
15 the State with regard to sentencing?

16 MS. JOHNSON: The victim's family does not
17 wish to be heard. They are glad this is over.

18 As far as the defendant's prior record we
19 have a 2005, public disorderly conduct; 2007, armed
20 robbery; 2019, possession of cocaine and
21 shoplifting; 2021, domestic violence third degree.

22 And, Judge, we would also request a permanent
23 restraining order for witness T'Keira Nelson and
24 Kimaysh Liles.

25 THE COURT: If you will, prepare those orders

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

VERDICT

1 and I'll be happy to do that.

2 I'll be glad to hear from you, Mr. Hiller,
3 with regard to mitigation.

4 MR. HILLER: Thank you, Your Honor. I think
5 you are absolutely correct when you said that it
6 did take this jury to bring this case to trial.
7 Mr. Knowlin still maintains his innocence. I have
8 no doubt he'll continue to maintain his innocence.
9 This is the nation we live and the laws we abide
10 by. I tried this case to the best of my ability.

11 This is a zero to 20-year offense,
12 85 percent, most serious, no parole. The State had
13 extended -- and my client rejected -- a 12-year
14 offer. My client understands that the Court could
15 give him more than that. You did hear the case.
16 You did see the evidence put on for both sides, and
17 I'm not suggesting that the Court consider
18 sentencing him to more time because he went to
19 trial, but I would ask that the Court fashion the
20 sentence that you feel appropriate, taking into
21 account the type of time that will be required to
22 be served for the crime he's been convicted of.

23 So the Court knows, his time served is 353
24 days. He was arrested the day of bond, on
25 September 12 of 2024. Earlier this week, he was

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

VERDICT

1 remanded into custody.

2 THE COURT: Would you like to say anything?

3 MR. KNOWLIN: No, sir.

4 THE COURT: I've taken into consideration the
5 facts of --

6 MR. HILLER: Your Honor, I'm sorry. He
7 changed his mind. He would like --

8 THE COURT: Yes.

9 MR. KNOWLIN: I would like to say something.
10 It is directed to the whole court. I'm innocent of
11 this whole thing, and I'll always remain innocent.
12 I know some people have some ill feelings towards
13 me through personal reasons. I can't blame them
14 for that. I brought that upon myself dealing with
15 them, but at the same time, I did not do this, Your
16 Honor. I tried to do what I could have did when I
17 saw her in the condition she was in, but I did not
18 do it.

19 THE COURT: I'm going to ask that security
20 allow the victim's family to leave first. Let's
21 maintain some separation there. Is there someone
22 here from the defendant's family?

23 MR. HILLER: No, Your Honor.

24 THE COURT: Okay. Very good. I've taken
25 into consideration the facts of this case. I got

CERTIFIED ORIGINAL FOR USE BY S.C. INDIGENT DEFENSE ONLY!

SENTENCING

1 to hear it all straight from the horse's mouth,
2 from all of the witnesses. Taking that into
3 consideration, and I've taken into consideration
4 the defendant's criminal record, and there was a
5 mention of the fact that he was offered a 12-year
6 sentence; is that correct?

7 MR. HILLER: I believe.

8 MS. JOHNSON: That was the original plea
9 offer, Your Honor.

10 THE COURT: I'm certainly not punishing him
11 for -- that was an offer for him to accept
12 responsibility, and he got some consideration for
13 that. This is really a fair sentence for the
14 conduct that he engaged in.

15 On Indictment 2023-GS-26-06528, domestic
16 violence of a high and aggravated nature, the
17 sentence of the Court is you are to be committed to
18 the State Department of Corrections for a period of
19 20 years, and you are given credit for 353 days.

20 Good luck to you.

21 Anything from the state?

22 MS. JOHNSON: We're working on his permanent
23 restraining orders.

24 THE COURT: I'll be happy to sign those. I'll
25 let you handle the logistics of serving that.

1 (Whereupon, the case of State v. Christova
2 Knowlin concluded.)

3 **CERTIFICATE OF REPORTER**

4 State of South Carolina)

5 County of Horry)

6
7 I, Natalie Dahl, Official Court Reporter for
8 the State of South Carolina, do hereby certify that
9 the foregoing is a true, accurate and complete
10 Transcript of Record of the proceedings had and
11 evidence introduced in the trial of the captioned
12 case, relative to appeal, in the Court of General
13 Sessions for Horry County, South Carolina, on the
14 11th-12th days of February, 2025.

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

17
18 April 1, 2025

19
20
21 -----
22 Natalie Dahl
23 Registered Professional Reporter
24 State of South Carolina Official Court Reporter
25

WITNESSES

Helen M Sorace Myrtle Beach Police Department

Daniel Eddy

ARREST WARRANT NUMBER

2023A2620602702

CDR: 3814 16-25-0065(A)

DOA: 9/29/2023

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

Date: DEC 20 2023

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2023GS2606528

The State of South Carolina

County of Horry

Catherine Girgan

23H05120

COURT OF GENERAL SESSIONS

December, 2023 TERM

THE STATE

vs.

Christova Pierre Knowlin
B/MDOB:
SSN:

ATTORNEY: Jonathan Hillier

Indictment for

Domestic Violence of a High and Aggravated
Nature

Jimmy A. Richardson, II, Solicitor

ORIGINAL

FILED
HORRY COUNTY

2023 DEC 21 P 4:26

RENEE H. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

DATE RECEIVED FROM

GRAND JURY

RECEIVED

FEB 20 2025

SC Court of Appeals

CERTIFIED COPY
RENEE H. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

STATE OF SOUTH CAROLINA)
)
 COUNTY OF HORRY)

INDICTMENT

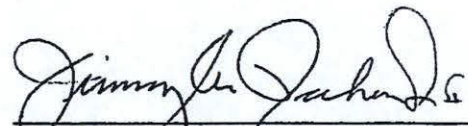
At a Court of General Sessions, convened on December 20, 2023, the Grand Jurors of Horry County present upon their oath:

Domestic Violence of a High and Aggravated Nature

CDR: 3814 16-25-0065

That, Christova Pierre Knowlin, did in Horry County on or about September 29, 2023, cause physical harm or injury to his/her own household member, Complainant [REDACTED], or did offer or attempt to cause physical harm or injury to Complainant [REDACTED] with the apparent present ability under the circumstances to do so reasonably creating fear of imminent peril, and the circumstances manifested extreme indifference to the value of human life, and great bodily injury to the victim resulted or the victim reasonably feared imminent great bodily injury or death, in violation of Section 16-25-0065, S.C. Code of Laws, 1976, as amended.

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



JIMMY A. RICHARDSON, II
 FIFTEENTH CIRCUIT SOLICITOR

CLERK OF COURT
 HORRY COUNTY, SC
 RENEE M. EVANS
 CERTIFIED COPY

01/27/2025

CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,



David Alexander
Deputy Chief Attorney for Capital Appeals

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

ATTORNEY FOR APPELLANT

RECEIVED

Feb 13 2026

SC Court of Appeals

This 13th day of February, 2026.