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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lee County

Honorable R. Ferrell Cothran, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

SHONTRELL LAMONT BLYTHER,

APPELLANT

APPELLATE CASE NO. 2025-000797

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STATE OF SOUTH CAROLINA

COURT OF GENERAL SESSION

COUNTY OF LEE

THIRD JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

Plaintiff,)

) FILE NO:

versus)

) 2025-GS-31-0033

SHONTRELL LAMONT BLYTHER,)

Defendant.)

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Monday, April 14, 2025

Monday, April 14, 2025 General Session

Honorable R. Ferrell Cothran, Jr., Judge Presiding

Jury Selection

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Jury selection

3

1 we waited.

2 Finally, I sent the sheriff looking for her. She
3 -- they finally found her at 4:30 walking around in a
4 courtroom. I said, "Ma'am, how come you didn't you show up
5 at 2? She said my shows were on. I don't miss my shows for
6 anything."

7 That is not an emergency. I need you here at 9:30
8 in the morning. You have a great afternoon. Thank you.
9 You're excused.

10 (The jury panel exited at 11:10 a.m.)

11 THE COURT: So do you-all need anything or do you
12 need to talk about something?

13 MR. FINNEY, III: Give me a minute, Your Honor.

14 MR. HICKS: I just wanted to go over the
15 stipulation we discussed. Thank you, Your Honor, if that's
16 alright.

17 THE COURT: Okay.

18 MR. HICKS: I just wanted to go over that the
19 defense, with consent of the Solicitor, we're stipulating to
20 the element of the offense charge that Mr. Blyther has two
21 prior convictions.

22 I brought it up to you and the -- the Solicitor
23 that there was a problem with 403, unfair prejudice, with
24 that, and he's agreed to rely on that. So I just wanted to
25 go on the record with that, Your Honor.

1 THE COURT: Is that right, Solicitor?

2 MR. FINNEY, III: Yes, sir.

3 THE COURT: So -- so it'll be stipulated. All
4 right. And you won't offer any proof, so if this jury
5 convicts him, he'll be burglary first?

6 MR. FINNEY, III: That's correct, Your Honor.

7 MR. HICKS: That -- that's correct, Your Honor.

8 THE COURT: Okay. Anything else?

9 MR. HICKS: Not from the defense, Your Honor.

10 MR. FINNEY, III: I might just want to add two
11 things. We do have some photographs. I suspect that he's
12 seen them.

13 MR. HICKS: Yeah, I've seen all of those
14 photographs.

15 MR. FINNEY, III: All right. We'll -- We'll have
16 these marked in a few minutes so that we can go into it
17 tomorrow. There is a 911 call that is being offered by the
18 State in this case, and I didn't know if there was going to
19 be a problem.

20 The call was made by the defendant's sister. Her
21 name is Shonda. We expect to call her a witness. She's on
22 the list. We're going to subpoena her today, but we -- if
23 for some reason she doesn't testify, we'd still like to play
24 the 911 call that she made on the day of the burglary.

25 MR. HICKS: Your Honor, the call is hearsay.

STATE OF SOUTH CAROLINA

COURT OF GENERAL SESSION

COUNTY OF LEE

THIRD JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

Plaintiff,)

) FILE NO:

versus)

) 2025-GS-31-0033

SHONTRELL LAMONT BLYTHER,)

Defendant.)

TRANSCRIPT, Volume 2 of 2, Pages 22 - 137

Tuesday, April 15, 2025

Monday, April 14, 2025 General Session

Honorable R. Ferrell Cothran, Jr., Judge Presiding

Criminal Hearing

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E X H I B I T SON BEHALF OF THE STATE:

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1 (The case of State of South Carolina vs. Shontrell
2 Lamont Blyther, File No. 2025-GS-31-0033, was
3 called for hearing at 10:23 a.m. on Monday, April
4 14, 2025. All parties were present.)

5 (State's Exhibit Nos. 1 - 13 inclusively were
6 marked.)

7 THE COURT: Okay. Do you want this to be on the
8 record?

9 MR. FINNEY, III: No.

10 THE COURT: Okay. Go ahead.

11 (Off the record at 9:45 a.m.)

12 (The defendant entered the courtroom at 9:55 a.m.)

13 THE COURT: Okay. We're -- I'm -- we're ready
14 when you are.

15 MR. HICKS: Yes, Your Honor. So as I was saying,
16 I'm objecting to -- well, I'm asking you to suppress any law
17 enforcement testimony because the -- the State failed to
18 respond to my February supplemental discovery request asking
19 for any impeachment information or disciplinary files for of
20 the law enforcement involved.

21 This is based on Rule 5; additionally, it's based
22 on U.S. v. Bagley, which is an extension of Brady -- Brady
23 v. Maryland, and also Giglio v. the United States, which
24 specifically addresses the impeachment information and
25 disciplinary jackets involved -- regarding law enforcement

1 involved in an investigation.

2 THE COURT: Are you going to respond to that,
3 Solicitor?

4 MR. FINNEY, III: Yes, sir. First of all, I would
5 say that according to this filing in February of 2025, the
6 assistant solicitor who was assigned to this case was
7 probably already out of office in terms of working because
8 of her medical condition.

9 So obviously, it's -- it's my responsibility to
10 oversee the case, but this is the first time I've seen this
11 motion.

12 I can call the chief of the department to testify
13 to the Court today that there is no disciplinary record on
14 Officer Bryan Phelps or on himself. Those are the only two
15 officers that will be called in this case.

16 So they had -- there was no information for the
17 State to turn over. Had we known that this request -- you
18 know, because if it was served on the office -- I don't know
19 who it was served on in the office, but if it was served on
20 the office, Ms. Irma Brooks, who is the office leader here
21 in Lee County, was not able to see it and respond to it, and
22 I didn't know about it because I took over the case about,
23 probably a month after this motion was filed.

24 THE COURT: Okay. So do you want him to put the
25 officer on the stand and testify there's nothing?

1 MR. HICKS: I would accept that as a responsive,
2 Your Honor, yes.

3 THE COURT: Okay.

4 MR. HICKS: And we can do that before the jury
5 comes in if you want just to get it on the record. I'm
6 totally fine with all of that.

7 THE COURT: And if you accept -- if you accept
8 that, we don't need to do that. If you don't, alright, and
9 he can put -- call somebody on the stand that says it is no
10 disciplinary issue.

11 I mean, if you -- it only goes to impeachment on
12 the Giglio and the other cases, so if there's nothing to
13 impeach him on, you just have to -- you've got a right to
14 cross-examine the fact.

15 MR. HICKS: Yes, sir. I'll -- I'll accept that
16 there is nothing responsive --

17 THE COURT: Okay.

18 MR. HICKS: -- and we're okay with all that then.

19 THE COURT: Okay. All right. Anything else
20 before we bring in the jury?

21 MR. HICKS: Nothing from the defense, Your Honor.

22 MR. FINNEY, III: Nothing from the State.

23 THE COURT: Okay. If you'll bring the jury,
24 please, sir.

25 (Pause in proceedings.)

1 (The jury pool entered at 9:50 a.m.)

2 THE COURT: Okay. Good morning, ladies and
3 gentlemen. I appreciate all of you coming back. The Clerk
4 is going to swear you in, and we'll -- and we'll begin this
5 trial.

6 THE CLERK: Jurors, please stand.

7 (The jury pool was sworn in at 9:51 a.m.)

8 THE COURT: Okay. You can have a seat. Now,
9 ladies and gentlemen, we're about to begin the trial of
10 the -- *State versus Shontrell Blyther*.

11 Now -- and I'm simply going to give you, kind of,
12 an introduction of what you can expect what your duties are
13 what your responsibilities are.

14 Mr. Blyther has been indicted with the crime of
15 burglary in the first degree, and I will explain to you the
16 elements of that indictment at the end of this trial, but
17 basically, he's entered a plea to that indictment of not
18 guilty.

19 So it casts the burden of proof upon the State to
20 prove each and every element of that crime to you beyond any
21 reasonable doubt.

22 Now, your job is to listen to the evidence in this
23 case and -- and determine what the facts are.

24 My job is to rule upon the admissibility of the
25 evidence, what evidence that I rule that you can hear and

1 what you can't hear, and to charge you on the law, but your
2 job is to determine, based on the evidence, what the facts
3 are, and you will get that evidence in basically three
4 forms.

5 First of all, through sworn testimony. You will
6 have witnesses come before you under oath and testify as to
7 about the facts that they observed, or they know, or they
8 saw.

9 The other way that you may get evidence in this
10 case is through exhibits. Under our rules, there are
11 certain exhibits, photographs, and other documents that the
12 State may introduce or the defense may introduce.

13 So you will receive evidence through the exhibits
14 that's introduced. And the third way that you may receive
15 evidence in a case is through stipulations.

16 Sometimes in a trial, certain facts are agreed to
17 by both sides, so if the attorneys stipulate that this is a
18 fact we agree to. So that's basically how you're going to
19 receive the evidence in this case.

20 And you've got to reach your verdict of guilt or
21 innocence based on that evidence. Now, the attorneys are
22 going to get up in a few minutes and make opening
23 statements, and they're going to try to explain to you what
24 they think the evidence is going to show or not show.

25 Their opening statements is not evidence. Even

1 the questions they ask is not evidence. The evidence is
2 what the testimony you get from the stand as well as the
3 exhibits and the stipulation.

4 And so I need you to pay close attention to that
5 evidence. Because if I make a mistake at some other time,
6 in some other place, it will be reviewed, but if you make a
7 mistake, it's very hard to correct that mistake.

8 So it's important that you listen carefully to the
9 evidence, alright, and -- and determine what the facts are
10 based on that evidence.

11 Now, I try to take a break every hour or so, and I
12 try not to take a break in the middle of a witness's
13 testimony, but sometimes that testimony is way too long and
14 we have to take a break.

15 Having said that, I need each one of you to pay
16 close attention. So if you're uncomfortable for any reason,
17 if you need to go to the restroom or any other reason, if
18 you're uncomfortable, you can't pay attention, so if that
19 happens, just raise your hand, we'll take a break. I'll
20 send you out, and then we'll come back.

21 So you need to let me know if for any reason you
22 need a break because it's important that you pay close
23 attention.

24 Sometimes in a trial, certain issues come up.
25 Lawyers may make an objection, and I have to rule on it, and

1 sometimes I have -- they have to discuss certain facts with
2 me that you can't hear.

3 So I have to send you out sometimes to make a
4 ruling, and that may mean I have to send you out because of
5 that, but that's why that happens that way.

6 But it's important that you pay close attention to
7 the evidence in this case because your job is to determine
8 what the facts are.

9 My job is to determine what the law is, and you've
10 got to accept the law as I give it to you, but your job is
11 to determine the facts based on the evidence in this case.

12 Now, you can't talk about the facts in this case
13 until I tell you you can.

14 You can't -- you know, when you go home tonight,
15 if we don't finish this case, when you sit around the dinner
16 table, your family's going to want to know what you've been
17 doing all day.

18 And you can't tell them because if your family is
19 anything like my family, they're going to have an opinion
20 about what you out to do. They haven't been here. They
21 haven't seen what you've seen.

22 So it's important that you don't discuss this case
23 until the end, and -- and you can't talk about it to each
24 other either.

25 And I know that sounds strange, but if we have the

1 first witness who testified in this case, and then you go
2 back to the jury room for break, and if you start talking
3 about the case you're going to have an opinion about the way
4 you think this case is going, and if you share that opinion
5 with your fellow jurors, at the end, you're going to have to
6 defend that opinion you had at the very first witness.

7 So I don't want you to start forming opinions and
8 sharing those opinions with each other until you've heard
9 everything, until you've heard all the case, all the
10 testimony, and the law that I will give you, and then and
11 only then is it proper for you to share opinions.

12 We've been doing this thing a long time in this
13 country, and this is the best -- it's not perfect, but it's
14 probably the best system that's been devised, and it works.

15 All right. And so if you follow my instructions
16 and start talking about this case at the end after you've
17 heard everything, most of the time, they'll always get it
18 right.

19 So it's important that you do that. Now, the
20 attorneys are going to get up and make their opening
21 statement to you.

22 Then -- then we're going to start with the
23 testimony, so if you'll pay close attention. The State has
24 the burden of proof, and they go first. Mr. Solicitor?

25 **Opening Statements**

Opening Statements

1 MR. FINNEY, III: Good morning, Your Honor. Thank
2 you. Mr. Hicks. Good morning, ladies and gentlemen.

3 THE JURY POOL: (In unison:) Good morning.

4 MR. FINNEY, III: My name is Ernest Finney, and
5 I've been elected for 15 years as your solicitor. I help
6 run the Court in Lee County, Sumter County, Williamsburg
7 County, and Clarendon County, and I've been honored to -- to
8 be elected to that position and to serve the people.

9 The reason I'm honored to do that is because of
10 the reason we're here today. We had a very nice lady who
11 was sitting on the front row, Ms. Slater.

12 Her apartment was broken into on October 8, 2024.
13 A window was broken. Items in her house, two TVs, and a
14 Crock-Pot were taken out. Those items were taken by
15 Mr. Blyther, we allege, and taken across the street from
16 where Ms. Slater lived to his mother's house, Mrs. Blyther.

17 And we have called all those witnesses together so
18 that we can give him the trial that he asked for. Now, the
19 judge just told you that the system that we have here in
20 this country is a very good system.

21 It's been around a long time. It has rights.
22 Mr. Blyther has a lot of rights. He has the right to remain
23 silent.

24 He doesn't have to say anything. He doesn't have
25 to prove anything. He has the right for his charges to be

Opening Statements

1 taken before a magistrate.

2 Before he can be arrested, the magistrate judge
3 has to be convinced that there was probable cause that
4 existed when the police did the investigation to charge him
5 and arrest him. That was done. He has a right to an
6 attorney.

7 You're going to hear a lot from his attorney over
8 the -- the course of this trial. He has a right to sit
9 there because he doesn't have a burden of proof. The burden
10 of proof is on me and my witnesses.

11 Chief Dellinger is the chief of police here in
12 Bishopville. I've known him a long time. He's going to be
13 one of the witnesses because he came to that apartment that
14 day when the call came in and he took photographs that we're
15 going to show you.

16 Sergeant Phelps is here. He was the first officer
17 on the -- on the call that day when the call came in to go
18 to the apartment. You're also going to hear from Amanda
19 Slater, the daughter of Mrs. Slater who owned the apartment.

20 She is going to talk to you about the facts of the
21 case that she remembers, and she's going to say things to
22 you that's going to help you put the case together.

23 All of this has to do with Mr. Blyther going to a
24 place that he did not have permission, breaking the window,
25 going inside the apartment, and taking items that did not

Opening Statements

1 belong to him, and carrying those items away.

2 That is the street definition of a burglary, and
3 if you find that we have proved that beyond a reasonable
4 doubt, then you have a duty to follow the law and find him
5 guilty.

6 If we have not proved that, if there's a doubt in
7 your mind to which you can feel uncomfortable about signing
8 a paper saying guilty, then you have a right under the law
9 to find him not guilty.

10 Today is his day in court, and we expect to be
11 able to show everything that we've charged him with to be
12 true. What we need for you to do is, one, listen to the
13 evidence and use your common sense.

14 You don't have to be a lawyer or a judge. That's
15 why the beauty of this system is, the judge doesn't get to
16 make the decision today. I don't get to make the decision
17 today.

18 The police don't get to make the decision. A jury
19 of Lee County residents is going to make the decision based
20 on nothing more than the evidence and the common sense that
21 they brought.

22 All 12 of you, 14 really right now, will have
23 learned about how things work, and you use your common
24 sense, and you use the evidence, and we'll be all satisfied
25 with the results. Thank you.

Opening Statements

1 THE COURT: Mr. Hicks?

2 MR. HICKS: Thank you, Your Honor. Allegedly,
3 we're all going to come back to that one. Good morning,
4 everyone.

5 THE JURY POOL: (In unison:) Good morning.

6 MR. HICKS: Ladies and gentlemen, I'm really glad
7 to see you all here. I think -- we'll, kind of, get into
8 that in a minute. My name is Matthew Hicks.

9 I'm an attorney here in Bishopville. I work right
10 across the street there at Jennings and Jennings. I'm here
11 today representing Shontrell Blyther.

12 I know you've heard it a whole bunch of times
13 already, but I'm going to say it to you again. I -- I think
14 it's safe for me to speak for everybody in this room that we
15 are all very grateful for you all being here.

16 I know it's a huge inconvenience putting your life
17 on pause for a couple of days to come and hear this matter,
18 even considering all the big bucks that the Clerk of Court
19 is paying you for a couple of days' work.

20 But in spite of all that, thank you because our
21 criminal legal system just doesn't work without you. Okay.
22 And we all greatly appreciate you being here.

23 More personally -- more personally, Mr. Blyther
24 and I would like to express our deepest gratitude for you
25 for the difficult work that you're about to do today.

Opening Statements

1 I say difficult because I know those chairs aren't
2 comfortable, and what we're asking you to do is sit there
3 and pay very close attention to what's going on to
4 everything that's presented to you.

5 Before we really get started and get into this,
6 there's one thing that I really want all of you to
7 understand. This is in person. At times, it may look like
8 it is, at times, it may look like we're fighting, but I
9 assure you it's not.

10 Solicitor Finney and I, we are colleagues and
11 friends. Chief Dellinger, we are also colleagues and
12 friends, and I respect both of them very much.

13 The best analogy that I can give you is it's like
14 a -- like a professional sports team.

15 Those players those, athletes they get on the
16 field, and they beat the brakes off each other, they go
17 hard, and at the end of the game they shake hands, and they
18 sometimes trade jerseys, and some of them are roommates and
19 friends.

20 This is not that different from a -- from a sports
21 team playing on a -- on a field, so, yeah, it can look
22 unfriendly at times, but I want you to know it's definitely
23 the opposite of that. Our system requires that when we take
24 the field we are on opposite teams.

25 Again, at the end of it, we're going to shake

Opening Statements

1 hands, and we're still going to be colleagues and friends.
2 The Government's responsibility in all of this is they're
3 going to provide you with evidence that they believe is
4 sufficient to convince you that what Mr. Blyther is alleged
5 to have done. That just means they think he did it.

6 My job in all of this is just to point out all of
7 the flaws in that evidence, and there's some pretty big
8 flaws.

9 Most of the evidence that you're going to be
10 presented with today is going to be in the form of
11 testimony, most of it.

12 The Government wants each and every one of you to
13 connect the dots in that testimony to try and create a clear
14 picture.

15 There's, kind of, a really, really big problem
16 with that though, and that problem is that there's a whole
17 lot of really, really important dots missing, and you're not
18 going to be able to paint a clear picture out of all of
19 this.

20 The State -- the Government is only able to prove
21 convincingly and unequivocally that Shontrell Blyther was in
22 the neighborhood where the crime was committed allegedly.

23 They're not going to provide you any evidence that
24 even indicates he was in the neighborhood when the crime was
25 committed.

Amanda Slater - Direct by Mr. Finney, III

1 I've got a lot of problems with that, and I hope
2 that you eventually do as well. Solicitor Finney and I have
3 one thing in common as far as all of this is concerned. We
4 want -- we both want you to listen to the story.

5 Listen really good. Pay close attention to what's
6 missing, those really important dots. What's missing is the
7 compelling evidence that Shontrell committed a burglary.

8 When you've heard all of the testimony given the
9 weight that you believe it deserves, and I'm confident that
10 if you do as I ask, you will return with the only verdict
11 that makes any sense and that's not guilty.

12 MR. FINNEY, III: May it please the Court. We
13 call Ms. Amanda Slater.

14 THE COURT: Okay. If you'll can come around,
15 please, ma'am, and place your left hand on the Bible and
16 raise your right.

17 (Witness sworn.)

18 THE CLERK: Have a seat and be careful of the
19 bench, and state your full name.

20 THE WITNESS: Amanda Charnese [phon.] Slater.

21 **AMANDA SLATER**

22 **having been called as a witness for the State at 10:07 a.m.**
23 **was sworn and testified as follows:**

24 **DIRECT EXAMINATION by Mr. Finney, III:**

25 Q. Good morning, Ms. Slater.

Amanda Slater - Direct by Mr. Finney, III

1 A. Good morning.

2 Q. Tell the ladies and gentlemen of the jury where
3 you live.

4 A. I live at [REDACTED] Longstreet, Bishopville, South
5 Carolina.

6 (The court reporter asked for clarification.)

7 BY MR. FINNEY, III:

8 Q. Say that again, please, ma'am.

9 A. [REDACTED] Longstreet, Bishopville, South Carolina.

10 Q. And what do you do for a living?

11 A. I am an educator with a nonprofit organization.

12 Q. And have you lived in Bishopville all of your
13 life?

14 A. Yes.

15 Q. All right. And you are the daughter of
16 Mrs. Slater?

17 A. Yes, that's correct.

18 Q. What's her first name?

19 A. Her first name is Cheryl.

20 Q. Cheryl Slater?

21 A. Yes.

22 Q. All right. And where does she live?

23 A. She lives at [REDACTED] Fairview Avenue, which is
24 Cloverleaf Apartments.

25 Q. And what apartment number?

Amanda Slater - Direct by Mr. Finney, III

1 A. ■.

2 Q. All right. Did you have occasion back in October
3 of 2024 to go to your mom's apartment at Cloverleaf?

4 A. Yes, my mom was hospitalized, so I went by that --
5 well, I've been going by all week, and the week before she
6 was in the hospital so that particular day, I went by to
7 clean out her refrigerator, clean up the house, just make
8 sure it was tidied up, and that was the reason why I went
9 by.

10 Q. All right. And you say she had been in the
11 hospital for about a week?

12 A. Yes, she was in the hospital.

13 Q. All right.

14 A. McLeod Hospital.

15 Q. All right. The apartment she lives in, does she
16 live in that apartment alone?

17 A. Yes, she does.

18 Q. All right. And how long, if you remember -- back
19 in October of 2024, how long had she lived there?

20 A. She lived there almost a year at that point.

21 Q. All right. Now, had you made purchases for your
22 mother of items that were in that apartment?

23 A. Yes, there are many items that I made purchases
24 for that home, but the particular items for this case, I did
25 purchase both of her TVs that I purchased online for her,

Amanda Slater - Direct by Mr. Finney, III

1 and they were a Roku TV, and they were an Amazon Fire Stick
2 TV.

3 Q. And where were the TVs located inside her
4 apartment?

5 A. One of the TVs were located in her living room.
6 We call it the living room. The -- the TV is in the middle,
7 and then we have one TV in the bedroom --

8 Q. All right.

9 A. -- that's all.

10 Q. And you purchased both of those TVs?

11 A. Yes --

12 Q. All right.

13 A. -- I did purchase both of those items for her.

14 Q. On the 7th of October, 2024, did you have occasion
15 to go to your mom's apartment to check on it and do anything
16 there?

17 A. Yes, I've been going by just to check on the
18 apartment the whole time that she was hospitalized.

19 I just go by and make sure everything -- that
20 particular day I was going -- I knew that she was going to
21 be coming home soon, so I wanted it to just be clean when
22 she got there.

23 Q. All right.

24 A. So I went by, cleaning out the refrigerator,
25 throwing out old items --

Amanda Slater - Direct by Mr. Finney, III

1 (The court reporter asked for clarification.)

2 A. Okay. I'm sorry. I'm sorry. Just making sure
3 that items were cleaned out because she's going to be coming
4 home soon.

5 Q. And so you did that before she came home?

6 A. Yes, she was still hospitalized, but I would go by
7 regularly just to check on the apartment.

8 Q. All right. And when you left that evening, what
9 did you do to secure the apartment?

10 A. Oh, I locked all the doors. I turned off the A/C
11 unit, and then turned off the -- the lights as well in the
12 apartment.

13 Q. All right. And was the -- as far as you could
14 tell, was the apartment in good condition when you left?

15 A. Yes, everything was as normal in the apartment.

16 Q. All right.

17 A. Nothing was missing. Nothing was broken.
18 Everything was normal in the apartment when I left that
19 evening.

20 Q. When you got a call regarding the apartment later
21 on the next day, do you remember what time it was that you
22 got a call?

23 A. I got a call that morning. I was working from
24 home that day.

25 Q. All right.

Amanda Slater - Direct by Mr. Finney, III

1 A. And I got a call from the apartment complex
2 manager. She wanted me to come down to the apartment
3 because she said there was a break-in.

4 Q. All right.

5 MR. HICKS: Objection, Your Honor. It's hearsay.

6 THE COURT: Okay. I'll sustain the objection.

7 BY MR. FINNEY, III:

8 Q. After you got the call, did you go down to your
9 mother's apartment?

10 A. Yes, I went down to the apartment complex because
11 I got the call to come down. There was a break-in.

12 Q. Okay --

13 MR. HICKS: Objection, Your Honor. She's going
14 back to hearsay.

15 MR. FINNEY, III: I'm sorry.

16 (Multiple people speaking simultaneously. Unable
17 to transcribe.)

18 THE COURT: Okay.

19 BY MR. FINNEY, III:

20 Q. After you got the call --

21 THE COURT: It's sustained.

22 BY MR. FINNEY, III:

23 Q. -- you went down to the apartment. Did you go
24 into the apartment?

25 A. Yes. They asked me to verify the items first that

Amanda Slater - Direct by Mr. Finney, III

1 was on --

2 Q. All right. Let's start -- Let's start this. When
3 you got to the apartment, what -- what time would you say it
4 was?

5 A. It was in the morning when I got there, probably
6 about 9:15, around that -- it was in the morning time.

7 Q. All right. And who was there when you got there?

8 A. When I got to the apartment complex, it was -- the
9 landlord was there, the --

10 Q. Chief?

11 A. -- chief was there. The mother, Mrs. Hattie, was
12 there, and then there was a sister that was there. That's
13 what I was told. That was the sister that was all at the
14 complex when I got there.

15 Q. All right. And so you went into your mother's
16 apartment?

17 A. Yes, I did go into my mother's apartment.

18 Q. All right. And what was the condition of the
19 apartment that you found at that time?

20 A. There was a bathroom in her apartment. Those
21 windows were busted out. Also, there was no TV in her
22 bedroom.

23 There were clothes, like, thrown all over. There
24 was no TV in the living room space that usually is there,
25 and there was some broken glass that was in a trash can.

Amanda Slater - Direct by Mr. Finney, III

1 She -- we would usually use that trash can to,
2 kind of, mop the floors, but it was some broken glass with
3 the broken blinds from that window in that back bedroom.

4 Q. All right. And did you note those items? Did you
5 tell the police that those items were the way you found
6 them?

7 A. They asked me to verify the items first.

8 MR. HICKS: Objection, Your Honor. That's hearsay
9 again.

10 THE COURT: Overruled. And she can answer that.
11 If they asked her to verify items, she can answer. Go
12 ahead.

13 BY MR. FINNEY, III:

14 Q. All right. After you verified the items, did you
15 have an occasion to see the broken window?

16 A. Yes, I did see that. That window was broken in
17 the back bedroom.

18 Q. Did you happen to see that day, that morning, when
19 you went down to the apartment, the items that had been
20 taken? Did you see those items anywhere that morning?

21 A. I saw those items located on the porch.

22 Q. On whose porch?

23 A. The neighbor across the street's porch.

24 Q. Another porch? Not your mom's porch?

25 A. Not my mom's porch.

Amanda Slater - Direct by Mr. Finney, III

1 Q. Okay.

2 A. It was across the street.

3 Q. All right. And what -- what did those items --
4 what -- would you name those items to us?

5 A. It was -- it was a Roku TV, and also an Amazon TV.

6 Q. Okay.

7 A. And there was also a Crock-Pot that I was -- my
8 best friend bought for her as a gift as well.

9 Q. All right. I want to show you some photographs.
10 This is what's been marked as State's Exhibit 1. I think we
11 have 13 color photographs.

12 MR. HICKS: No objection to again, Your Honor.

13 THE COURT: Okay. 1 through 13 are in evidence
14 without objection.

15 (State's Exhibit Nos. 1 - 13 inclusively were
16 admitted.)

17 BY MR. FINNEY, III:

18 Q. Can you identify what you see in that photograph?

19 A. This is the door to my mom's apartment complex.

20 Q. And does it say ■ on the front of the apartment?

21 A. That is an ■ apartment.

22 Q. All right. This would be State's Exhibit 1.
23 That's the front door?

24 A. That's correct.

25 (State's Exhibit No. 1 was identified.)

Amanda Slater - Direct by Mr. Finney, III

1 BY MR. FINNEY, III:

2 Q. All right. And let me show you State's Exhibit
3 No. 2. This is a close-up. Would that again be your
4 mother?

5 A. Yes, that is her apartment door.

6 (State's Exhibit No. 2 was identified.)

7 BY MR. FINNEY, III:

8 Q. And this is No. -- State's Exhibit No. 3. That's
9 the apartment number?

10 A. That's correct.

11 (State's Exhibit No. 3 was identified.)

12 BY MR. FINNEY, III:

13 Q. All right. Now let's go to State's Exhibit No. 4.
14 Can you tell us what that is?

15 A. That is the window to the back bedroom that was
16 broken.

17 (State's Exhibit No. 4 was identified.)

18 BY MR. FINNEY, III:

19 Q. All right. And that blue curtain looking item,
20 was that in that window?

21 A. That was not in that window. It was blinded to
22 that window, but the day that I went to the apartment
23 complex, there was like a -- like a curtain that was in the
24 closet that was placed at the top of that.

25 Q. But that curtain -- that blue curtain was not on

Amanda Slater - Direct by Mr. Finney, III

1 that window prior to your seeing it that day?

2 A. No, it was just blinds at that window.

3 Q. All right. State's Exhibit No. 5, is that the
4 same window there from a little different area?

5 A. That's -- that is the -- that's looking from the
6 back side of that window.

7 (State's Exhibit No. 5 was identified.)

8 BY MR. FINNEY, III:

9 Q. And where --

10 A. That's the busted window.

11 Q. All right. And State's Exhibit No. 6?

12 A. That's the same window.

13 (State's Exhibit No. 6 was identified.)

14 BY MR. FINNEY, III:

15 Q. The same window?

16 A. Yes.

17 Q. All right. State's Exhibit No. 7? I know you
18 didn't take these pictures, but is that the way the window
19 looked that day when you got there that morning?

20 A. Yes, the window -- that's the busted window. It
21 was a covering when I got there, but that's the window
22 busted out; that's correct.

23 (State's Exhibit No. 7 was identified.)

24 BY MR. FINNEY, III:

25 Q. All right. And this is State's Exhibit No. 8.

Amanda Slater - Direct by Mr. Finney, III

1 Did you see debris under the window when you got there that
2 day?

3 A. That is -- when you're looking out the window, the
4 blinds that were in the glass busted on the back side of
5 that window.

6 (State's Exhibit No. 8 was identified.)

7 BY MR. FINNEY, III:

8 Q. So those are actual pieces from inside that have
9 fallen outside?

10 A. Yes.

11 Q. All right.

12 A. From the window.

13 Q. Now, look at State's Exhibit No. 7 (sic) and tell
14 us what you see in that.

15 A. That is the bucket that was located by the back
16 door. That is the bucket that we would usually use to clean
17 the floors, but when I got into the apartment complex, those
18 are the blinds and glass that was in that window when I got
19 there.

20 Q. All right. State's Exhibit No. 10?

21 A. That is the window, and that is where I'm saying
22 that someone placed a curtain. We had some curtains -- some
23 items -- I'm sorry -- in the closet, but somebody placed
24 that on that window.

25 (State's Exhibit No. 10 was identified.)

Amanda Slater - Direct by Mr. Finney, III

1 BY MR. FINNEY, III:

2 Q. And is that the broken window behind that curtain?

3 A. Yes.

4 Q. But that curtain wasn't there while your mom was
5 living there?

6 A. No.

7 Q. Okay.

8 A. Well, we had the curtain in the house, yes.

9 Q. But it wasn't hanging on the window?

10 A. No.

11 Q. State's Exhibit No. 11, can you see -- can you
12 identify that?

13 A. Those -- one of those is her neighbor that lives
14 across the street, and then I was told that that is the
15 sister. That's what I was told that day when I went by.

16 (State's Exhibit No. 11 was identified.)

17 BY MR. FINNEY, III:

18 Q. The items that you say were taken out of your
19 mom's house, do you see them on this picture?

20 A. They're behind that tree back there.

21 Q. All right. And what -- all right. And let me
22 show you State's Exhibit No. 12. Tell us what you see.

23 A. Those are the two items that I purchased, two of
24 the televisions, and then that Crock-Pot is a gift that my
25 best friend gifted my mom.

Amanda Slater - Direct by Mr. Finney, III

1 (State's Exhibit No. 12 was identified.)

2 BY MR. FINNEY, III:

3 Q. And when you got there this -- this particular
4 day, when you got the call to come down, that's where those
5 items were?

6 A. They were located on the porch.

7 Q. All right. And this is the final photograph,
8 State's Exhibit No. 13. Do you recognize the Crock-Pot?

9 A. Yes, that's the Crock-Pot that my best friend
10 brought her.

11 (State's Exhibit No. 13 was identified.)

12 BY MR. FINNEY, III:

13 Q. Do you recognize the tools?

14 A. I don't know whose tools those are.

15 Q. All right.

16 A. I don't recognize those. I only recognize the
17 Crock-Pot.

18 Q. Very good. After you came down and talked to the
19 police, did the officers ask you to go to the police station
20 to make a statement?

21 A. Yes, I was told that I needed to come down to the
22 police station to make a statement that those were the items
23 that belonged to my mom were.

24 Q. All right. And did you comply with that?

25 A. Yes, I went down to the police station and wrote a

Amanda Slater - Cross by Mr. Hicks

1 statement.

2 Q. All right. And just to show you, is that the
3 document that you wrote? Is that your signature?

4 A. Yes, this is the statement that I gave and my
5 signature on that day.

6 Q. And what time does it say that you gave the
7 statement?

8 A. It was at 9:08.

9 Q. 9:08 a.m.?

10 A. A.m. in the morning.

11 Q. All right. Ms. Slater, thank you for coming. I
12 want you to answer any questions Mr. Hicks may have.

13 A. All right.

14 MR. HICKS: May it please the Court, Your Honor?

15 THE COURT: Yes, sir.

16 **CROSS-EXAMINATION by Mr. Hicks:**

17 Q. Ms. Slater?

18 A. Yes, sir.

19 Q. Would you prefer I call you Mrs. Slater,
20 Ms. Slater, Amanda, ma'am, whatever is going to make you
21 happy?

22 A. Ms. Slater is fine.

23 Q. Ms. Slater? Yes, ma'am. It's nice to meet you.
24 Thank you for being here. You stated that you arrived at
25 your mother's apartment at roughly 9:15 that morning; is

Amanda Slater - Cross by Mr. Hicks

1 that correct?

2 A. I was working from -- it was 9:00. It was in the
3 morning before I start my usual work shift to log on for
4 virtual because sometimes I work from home, but it was 9
5 something, 9:15.

6 I can't remember exactly what time, but I know it
7 was 9:00 in the morning.

8 Q. Okay. Thank you. The window was already broken
9 when you arrived; is that correct?

10 A. When I got there, yes, there was a broken window.

11 Q. Okay. What time was it you said you were at the
12 apartment the day before?

13 A. I came to the apartment. I arrived there usually
14 when I get off work, so probably around 3:45, 3:30 when I
15 got there, and I cleaned up the apartment that day, so I
16 left that apartment around 5:30 that afternoon because I
17 cleaned out the refrigerator, I cleaned out the bathroom,
18 folded some of her clothes.

19 I just did some normal things around the house,
20 but I left that apartment around 5:30 in the afternoon the
21 night before.

22 Q. And so -- so it's fair to say then, that sometime
23 roughly between 5 the prior evening and 9:15 is when the
24 window was broken, is that -- is that a fair statement?
25 Sometime in the --

Amanda Slater - Cross by Mr. Hicks

1 A. Yes, that's a fair statement because when I left
2 there, nothing was broken. Nothing was missing when I left
3 the apartment complex that evening.

4 Q. I believe everything you're saying. You never saw
5 anybody break the window, did you; is that -- is that
6 correct?

7 A. I did not see anybody break the window.

8 Q. You never saw anybody enter your mother's
9 apartment after breaking the window?

10 A. I did not see no one enter the apartment or break
11 the window.

12 Q. And you didn't see anybody leave your mother's
13 apartment with any of the items that were listed as taken
14 from the apartment; is that correct?

15 A. I did not see anyone.

16 MR. HICKS: I beg the Court's indulgence, Your
17 Honor. I have no further questions, Your Honor.

18 MR. FINNEY, III: May it please the Court? Thank
19 you, ma'am.

20 THE COURT: You can step down.

21 MR. FINNEY, III: I call Ms. Sheryl Slater.

22 THE COURT: Okay. If you'll Come around, please,
23 ma'am, and place your left hand on the Bible, and raise your
24 right.

25 (The witness was sworn.)

Sheryl Slater - Direct by Mr. Finney, III

1 THE CLERK: Watch for the ledge. Remember to
2 speak very loud and very clear. Okay? Please state your
3 name for the record.

4 THE WITNESS: Sheryl Slater.

5 **SHERYL SLATER**

6 having been called as a witness for the State at 10:22 a.m.
7 was sworn and testified as follows:

8 **DIRECT EXAMINATION by Mr. Finney, III:**

9 Q. Ms. Slater, good morning.

10 A. Good morning.

11 Q. You live in Cloverleaf Apartments?

12 A. Yes, sir.

13 Q. What number is the apartment?

14 A. It's [REDACTED] Fairview Avenue.

15 Q. What number is the apartment?

16 A. Oh, [REDACTED].

17 Q. And as of today, how long have you lived there?

18 A. About a year. Almost a year.

19 Q. All right. I'm sorry for the outside noise. It's
20 bad enough with the noise in here. Tell us, you -- you live
21 there at the apartment alone?

22 A. Yes, I do.

23 Q. All right. And back in October of 2024, were you
24 committed to a hospital for some treatment?

25 A. Yes.

Sheryl Slater - Direct by Mr. Finney, III

1 Q. All right. How long had you stayed in the
2 hospital?

3 A. Almost, you know, a week.

4 Q. A week? And were you living alone at that time?

5 A. Yes.

6 Q. All right. Now, your apartment, ■■■, you have
7 neighbors. Do you know Mrs. Blyther?

8 A. Yes, she stay across the street from me.

9 Q. Across the street? How long have you all been
10 neighbors?

11 A. A year, but she was there before I was.

12 Q. She was there before when you moved in?

13 A. Yes.

14 Q. All right. And at the time that you moved in,
15 we've heard testimony that your daughter has given you a few
16 items in the house?

17 A. Yes.

18 Q. Do you remember having the TV in the bedroom and
19 the TV in the living room?

20 A. Yes.

21 Q. That your daughter purchased?

22 A. Yes.

23 Q. All right.

24 THE COURT: If you-all -- if you-all can hear, let
25 me know, because I've sent somebody to shut that thing off

Sheryl Slater - Direct by Mr. Finney, III

1 quickly. If you can't hear, it's about to get shut off.

2 (Pause in proceedings.)

3 BY MR. FINNEY, III:

4 Q. Ms. Slater, I'm going to show you a colored
5 photograph that's been marked State's Exhibit No. 12 and
6 ask, can you identify any of the items in that picture?

7 A. Yes, those are my two TVs and my Crock-Pot.

8 Q. All right. And that -- that picture was not taken
9 on your porch, was it?

10 A. No.

11 Q. Whose porch is that?

12 A. My neighbor's across the street.

13 Q. Ms. Blyther?

14 A. Yeah.

15 Q. All right. And this is State's Exhibit No. 13. I
16 just want to show you that. Is that the same box, the
17 Crock-Pot box?

18 A. Yes, it is.

19 Q. Now, those two screwdrivers on top of the box, do
20 they belong to you?

21 A. No, I don't know where they came from.

22 Q. You don't know where they came from? All right.
23 But those are the items that were taken out of your house?

24 A. Yes. Yes.

25 Q. And you had had these items in your house for how

Sheryl Slater - Direct by Mr. Finney, III

1 long?

2 A. About six months almost.

3 Q. All right. Now --

4 A. The TV was when I -- when I first -- when I moved
5 there, my daughter bought the TVs.

6 Q. All right. When you found out that the house had
7 been broken into, you were still in the hospital?

8 A. Yes.

9 Q. How long did you stay in the hospital before you
10 came home?

11 A. About a day.

12 Q. Okay. And so when you came home, did you still
13 have a broken window?

14 A. Yes. My daughter told me when I came home, the
15 window was broken.

16 MR. HICKS: Objection, Your Honor. It's hearsay.

17 BY MR. FINNEY, III:

18 A. Yeah, the window was broken.

19 Q. Hold on, ma'am. Hold on.

20 THE COURT: She -- she answered, when she came
21 home, the window was broken.

22 BY MR. FINNEY, III:

23 Q. All right. So after the -- after you got home who
24 fixed the window?

25 A. The -- the complex did.

Sheryl Slater - Direct by Mr. Finney, III

1 Q. The maintenance department?

2 A. Yes.

3 Q. All right. And did you see a curtain hanging in
4 the window when you came home?

5 A. Yes, the curtain was up there before they fixed
6 the window.

7 Q. Okay.

8 A. They took the curtain out of my window.

9 Q. Was the curtain there when you left the apartment
10 when you --

11 A. No. Nothing was up there but the blinds.

12 Q. All right. And the TVs, did you get them back?

13 A. No, they're still at the police station.

14 Q. And the Crock-Pot, did you get it back?

15 A. It's still at the police station.

16 Q. So they put that in evidence?

17 A. Yes.

18 Q. All right. Very good. Did you have occasion --
19 you were still in the hospital for a day or two, so you
20 didn't talk to the police?

21 A. No, I was in the hospital for a week.

22 Q. Right. But you didn't talk to the police after
23 the break in?

24 A. No.

25 Q. All right. Thank you, ma'am. Answer any

Sheryl Slater - Cross by Mr. Hicks

1 questions Mr. Hicks has.

2 **CROSS-EXAMINATION by Mr. Hicks:**

3 Q. Good morning, Ms. Slater.

4 A. Good morning.

5 Q. Would you prefer I called you Mrs. Slater, or
6 Ms. Slater, or how would you like me to use?

7 A. Ms. Slater.

8 Q. Ms. Slater, yes, ma'am. I will do exactly that.
9 First of all, I'm glad you're out of the hospital. You seem
10 like you're feeling better. I hope that you are, and I'm
11 glad that you're healthy and you can be here.

12 You said that that curtain was not hanging up in
13 your window ever before when you went to the hospital; is
14 that correct?

15 A. Right. It wasn't up but the blinds.

16 Q. Just the blinds? Okay. And you also said --
17 correct me if I'm wrong. I want to make sure I got that
18 right. You don't know where those tools came from that were
19 sitting on top of that Crock-Pot; is that correct?

20 A. No, I don't know.

21 Q. Those tools could have been sitting in a bush out
22 back; isn't that right, and somebody found them and put them
23 there?

24 (Cross talk.)

25 BY MR. HICKS:

Sheryl Slater - Cross by Mr. Hicks

1 Q. Those tools could have been in anybody's pocket
2 and they could have just put them there; is that right?

3 A. They could have been.

4 Q. You just don't know -- you just don't know where
5 those screwdrivers came from --

6 A. No.

7 Q. -- true?

8 A. True.

9 MR. HICKS: No further questions. Thank you.

10 MR. FINNEY, III: Call Ms. --

11 THE COURT: You can step down, Ms. Slater.

12 MR. FINNEY, III: Thank you, ma'am. You can step
13 down. May they be excused, Your Honor?

14 THE COURT: Any objection?

15 MR. FINNEY, III: Ms. Slater --

16 MR. HICKS: No objection Your Honor.

17 THE COURT: Yes, sir.

18 MR. FINNEY, III: Call Hattie Slater.

19 THE CLERK: Place your left hand -- put this hand
20 on the Bible. This hand goes on the Bible. There you go.
21 It's okay.

22 (Witness sworn.)

23 THE CLERK: Thank you, ma'am. If you'll have a
24 seat. I need you to speak loudly and clearly, and state
25 your name for the record.

Hattie Blyther - Direct by Mr. Finney, III

1 THE WITNESS: Hattie Blyther.

2 HATTIE BLYTHER

3 having been called as a witness for the State at 10:29 a.m.
4 was sworn and testified as follows:

5 DIRECT EXAMINATION by Mr. Finney, III:

6 Q. Good morning, Ms. Blyther. Tell the ladies and
7 gentlemen where you live.

8 A. At [REDACTED] Fairview Avenue, Apartment [REDACTED].

9 Q. And is Apartment [REDACTED] across the street from
10 Apartment [REDACTED] where Ms. Slater lives?

11 A. Yes.

12 Q. You all have been neighbors for a while.

13 A. Yes, I have.

14 Q. All right. Is this State's Exhibit Number 11,
15 this photograph, do you see yourself and your -- somebody
16 else in that photograph?

17 A. Yeah, that's me and my daughter.

18 Q. Okay. That's you inside the door and that's your
19 daughter outside the door?

20 A. Yes.

21 Q. All right. What's your daughter's name?

22 A. Shonda Blythe.

23 Q. Does she live with you?

24 A. No, she lives on Broadway.

25 Q. Okay. When the police came that day and took this

Hattie Blyther - Direct by Mr. Finney, III

1 picture they found some items on your porch.

2 A. Uh-huh.

3 Q. I can show you a better picture. State's Exhibit
4 No. 12, that -- is that your porch, and is that you standing
5 in the porch?

6 A. Yes, sir.

7 Q. And the police took that picture with two TVs, and
8 a Crock-Pot, and two screwdrivers on your porch?

9 A. Yes, sir.

10 Q. All right. You were there that day when -- when
11 those items were found?

12 A. Yes, sir.

13 Q. Did you tell your daughter to do something that
14 day when you saw the items?

15 A. Yeah, when I saw him, you know, when I looked out
16 my window, and he was sitting on the porch with the items on
17 the porch, I just, you know, I just got nervous and called
18 my daughter, and told her about it, and so she called 911.

19 Q. All right. So who did you see sitting on your
20 porch with the items?

21 A. My son.

22 Q. Is his name Shontrell Blyther?

23 A. Yes, sir.

24 Q. Did he live with you at the time?

25 A. No, sir.

Hattie Blyther - Direct by Mr. Finney, III

1 Q. Had he been living with you before that?

2 A. No, sir.

3 Q. He's always --

4 A. He's out in the street.

5 Q. He's been out in the street?

6 A. Yeah.

7 Q. All right. When you saw him that morning sitting
8 on your porch, those items were also on the porch with him?

9 A. Yes, sir.

10 Q. All right. The two screwdrivers, the Crock-Pot,
11 and the two TVs?

12 A. Well, I saw -- when I looked out the building, I
13 saw the two TVs and the Crock-Pot, but I didn't -- I didn't
14 see any screwdrivers.

15 Q. Okay.

16 A. I didn't pay any attention.

17 Q. You didn't pay attention?

18 A. No.

19 Q. All right. Now, when Shonda called 911, were you
20 listening to her? Was she with you, or was she at her
21 house?

22 A. She was at her house.

23 Q. All right. So you -- you described to her what
24 was going on in your house?

25 A. Yes, sir.

Hattie Blyther - Direct by Mr. Finney, III

1 Q. And you told -- did you tell her to call the
2 police?

3 A. Yes.

4 Q. All right. And so she did what you asked, which
5 was to call the police and get them to come?

6 A. Yes.

7 Q. And they did come?

8 A. Yes. She came before them.

9 Q. She -- she came -- because that's her in the
10 picture with --

11 A. Yeah.

12 Q. -- State's Exhibit No. 11, that's Shonda?

13 A. Yeah.

14 Q. Is that right?

15 A. Yeah.

16 Q. All right. Now, when the police arrived, did you
17 talk to them?

18 A. Yes.

19 Q. And was your son, Shontrell, still there on your
20 porch?

21 A. Yes.

22 Q. All right. And --

23 A. No, he was out -- the -- the officer had him out
24 and put him in the car.

25 Q. In the car? Okay. And you told the officers that

Hattie Blyther - Direct by Mr. Finney, III

1 these items didn't belong to you; is that correct?

2 A. Yes, sir.

3 Q. All right. Now, did -- while you were there
4 talking to the officers, did they tell you that they had
5 looked around and found that Apartment ■ had a broken
6 window?

7 A. Yes.

8 Q. All right. And did you go back there and see the
9 broken window and everything?

10 A. No.

11 Q. Okay. And did -- did you talk to -- or did you
12 talk to or hear Ms. Amanda, who testified -- do you know
13 Ms. Slater's daughter, Amanda?

14 A. Yes, I know her.

15 Q. Did you hear Amanda tell the officers that these
16 items that were on your porch --

17 A. Yes, sir.

18 Q. -- came out of her mother's apartment?

19 A. Yes, sir.

20 Q. Did I ask you, I'm sorry, how long had you lived
21 at these -- in ■?

22 A. For a few years now.

23 Q. All right. Okay. Did you have any conversation
24 with Shontrell that morning about the items that were on
25 your porch?

Hattie Blyther - Direct by Mr. Finney, III

1 A. No.

2 Q. You stayed inside --

3 A. Yes.

4 Q. -- and called Shonda?

5 A. Yes, sir.

6 MR. FINNEY, III: I beg the Court's indulgence.

7 THE COURT: Okay.

8 BY MR. FINNEY, III:

9 Q. Do you know this gentleman here, Chief Dellinger?

10 A. Yes, sir.

11 Q. Did you have a conversation with Chief Dellinger
12 that morning when he arrived at your apartment?

13 A. Yes, sir.

14 Q. And you walked inside -- and he walked inside and
15 you-all talked inside?

16 A. I was talking to all of them.

17 Q. Was it this gentleman here?

18 A. Yes, sir.

19 Q. You talked to this gentleman?

20 A. Yes, sir.

21 Q. Did you also talk to Chief Dellinger?

22 A. No.

23 Q. You're not sure?

24 A. No.

25 Q. Do you remember telling the police that were there

Hattie Blyther - Direct by Mr. Finney, III

1 that morning that you had been woken up and that you got up
2 to look outside and you saw Shontrell?

3 A. I was asleep. It was around 6:30 that morning
4 and -- and someone knocked on my window. I knew it was
5 him --

6 Q. Yes, ma'am.

7 A. -- so -- so I got up, and I went in my living
8 room, and I just -- I looked out the blinds, so I -- he was
9 there sitting on the porch, so I sit there for a while, and
10 I went back to my bedroom. I didn't lay back down. I just
11 sit up on the bed because I couldn't go back to sleep.

12 Q. Right.

13 A. And then, later on, I went back. I didn't see
14 him, and then, I leave there, and I went into the bathroom,
15 and just that quick, when I go back and sit back in my
16 living room and look out the blinds, he was sitting on the
17 porch. I don't know.

18 Q. All right.

19 A. Yeah.

20 Q. So did you see him walking back and forth?

21 A. No.

22 Q. Okay. But the first time you looked out there, he
23 was there?

24 A. Yeah.

25 Q. Then you looked out again, he was gone?

Hattie Blyther - Direct by Mr. Finney, III

1 A. Yes.

2 Q. And then you looked out again, and he was back?

3 A. Yes.

4 Q. All right.

5 A. Just that quick, yes.

6 Q. And that would have been around the time that you
7 called Shonda?

8 A. Yes, sir.

9 Q. And you asked her to call for the -- for the
10 police?

11 A. Yes, sir.

12 Q. All right. Now, when -- how long do you -- if you
13 remember, how long do you think it took the police to get
14 there after you told -- called Shonda?

15 A. I'd say about 10 or 15 minutes.

16 Q. All right. And all that time while you were
17 waiting, your son was sitting on the porch?

18 A. Yes, sir.

19 Q. But you didn't talk to him?

20 A. No.

21 Q. You didn't -- you kept the door closed?

22 A. Yeah.

23 Q. All right. Thank you very much for coming today.

24 Answer any questions Mr. Hicks may ask you.

25 **CROSS-EXAMINATION by Mr. Hicks:**

Hattie Blyther - Cross by Mr. Hicks

1 Q. Good morning, Mrs. Blyther.

2 A. Good morning.

3 Q. We've met before a couple of times, haven't we?

4 A. Yes, sir.

5 Q. I'm glad to see you again today. You saw the
6 picture that the Solicitor showed you. I'll pull it up
7 again for you right here.

8 This is State's Exhibit 12. Do you remember this
9 picture the Solicitor showed you?

10 A. No, I -- I mostly got a look at -- I mostly see --
11 saw the Crock-Pot and the two TVs.

12 Q. And you told them you never saw the screwdrivers;
13 isn't that right?

14 A. No. No.

15 Q. So as far as we know, those screwdrivers could
16 have come from anywhere, right?

17 MR. FINNEY, III: Objection, Your Honor.

18 MR. HICKS: I'll withdraw it, Your Honor.

19 BY MR. HICKS:

20 Q. You did not speak with the police on the
21 telephone, correct?

22 A. No, sir.

23 Q. You didn't speak with Shontrell sitting on your
24 front porch that day, correct?

25 A. No, sir. I didn't open the door.

Hattie Blyther - Cross by Mr. Hicks

1 Q. You didn't see Shontrell walking back to the back
2 side of Ms. Slater's apartment, did you?

3 A. No, sir, I sure didn't.

4 Q. You didn't see your son break a window; is that
5 right?

6 A. No, I couldn't see him or hear him. I was on the
7 regular -- the other side, behind the apartment, no.

8 Q. And you didn't see him trying to break in the
9 front door or anything?

10 A. No, sir.

11 Q. And you didn't see him carrying two televisions
12 and a Crock-Pot back from her apartment to your front porch,
13 right?

14 A. I didn't open my blinds. My blind was closed.

15 Q. But you were -- your blinds were open enough, you
16 could just see him sitting out there? You -- you...

17 A. I was just peeking through the blinds.

18 Q. Just a little peek?

19 A. Yeah.

20 Q. Okay. And you saw him sitting there?

21 A. Uh-huh.

22 MR. HICKS: No further questions, Your Honor.

23 MR. FINNEY, III: I ask that the witness be
24 excused.

25 THE COURT: Any objections?

Hattie Blyther - Cross by Mr. Hicks

1 MR. HICKS: No objections, Your Honor.

2 THE COURT: Thank you, ma'am. You can step down.

3 MR. FINNEY, III: Your Honor, can we take a break
4 now?

5 THE COURT: Okay. Ladies and gentlemen, we'll
6 take a short break, and we'll send you to the jury room. I
7 ask that you don't discuss the case, and I'll get you back
8 out as quick as I can.

9 (Jury exits at 10:39 a.m.)

10 MR. FINNEY, III: Your Honor, I'd like to have a
11 10-minute break because I want to call Shonda Blyther.
12 She's under subpoena. She's supposed to be here. She
13 hasn't responded.

14 THE COURT: Okay.

15 MR. FINNEY, III: I may have to ask for them to go
16 get her.

17 THE COURT: Okay.

18 MR. FINNEY, III: I have one more law enforcement
19 officer to call, so it won't be too long --

20 THE COURT: Okay.

21 MR. FINNEY, III: -- but I may need a little time.

22 THE COURT: Okay.

23 MR. FINNEY, III: Thank you, sir.

24 THE COURT: Come get me.

25 MR. FINNEY, III: Okay.

Sergeant Bryan Phelps - Direct by Mr. Finney, III

1 (A recess was taken 10:40 a.m. until 11:02 a.m.)

2 THE COURT: Okay. Are we ready for the jury?

3 MR. FINNEY, III: We're ready for the jury.

4 MR. HICKS: We are ready, Your Honor.

5 THE COURT: Okay.

6 (Jury entered at 11:02 a.m.)

7 THE COURT: Okay. Mr. Solicitor?

8 MR. FINNEY, III: Thank you, Your Honor. We call

9 Sergeant Bryan Phillips.

10 THE WITNESS: Phelps.

11 MR. FINNEY, III: I'm sorry. Phelps.

12 (Witness sworn.)

13 THE CLERK: Watch your step. Please state your
14 name for the record.

15 THE WITNESS: Sergeant Bryan Phelps.

16 **SERGEANT BRYAN PHELPS**

17 **having been called as a witness for the State at 11:03 a.m.**

18 **was sworn and testified as follows:**

19 **DIRECT EXAMINATION by Mr. Finney, III:**

20 Q. Good morning, sir.

21 A. Good morning, sir.

22 Q. Tell the ladies and gentlemen where you work.

23 A. Bishopville Police Department.

24 Q. And are you a patrol officer?

25 A. I'm a sergeant with patrol operations.

Sergeant Bryan Phelps - Direct by Mr. Finney, III

1 Q. All right, sir. How long have you been working
2 law enforcement?

3 A. Law enforcement, about 17 years.

4 Q. All right, sir. And how many years here at
5 Bishopville?

6 A. A year and a half.

7 Q. Very good. Do you remember back in October of
8 2024 responding to Cloverleaf Apartments?

9 A. Yes, sir.

10 Q. To a call that came in?

11 A. Yes, sir.

12 Q. All right. So tell the ladies and gentlemen what
13 you did that morning. Can you give us an idea about what
14 time you remember getting there?

15 A. If memory serves me correctly, we got there around
16 5:00 in the afternoon. I have some -- wait. Nevermind.
17 Actually, no I take that back. It was in the morning. It
18 was in the morning time --

19 Q. All right, sir.

20 A. -- when we arrived. We arrived on scene. I
21 observed Mr. Blyther sitting on the front seat of the porch
22 of his mom's apartment. Sitting on the front porch with him
23 were two televisions, and a box that looked like it held a
24 Crock-Pot --

25 Q. All right, sir.

Sergeant Bryan Phelps - Direct by Mr. Finney, III

1 A. -- sitting on the ground beside him.

2 Q. And this is State's Exhibit No. 12. I know you
3 didn't take this photograph, but is that an accurate
4 description of what you saw that day?

5 A. Yes, sir.

6 Q. And is that the one --

7 A. Mr. Blyther was sitting in the chair beside it.

8 Q. He was sitting in the chair?

9 A. Yes, sir.

10 Q. On the porch there?

11 A. On the porch.

12 Q. All right. Now, when you got there, the items
13 were there already?

14 A. Yes, sir.

15 Q. Did you have an occasion to see or call Chief
16 Dellinger?

17 A. Chief Dellinger was working with me that day. He
18 arrived on scene about 30 -- 30 seconds to a minute after I
19 did.

20 Q. All right. And what was your responsibilities
21 once you got there and Chief Dellinger got there?

22 A. My responsibility was to talk to Mr. Blyther, find
23 out -- just basically, detain him while we find out what was
24 going on.

25 Q. All right. And did you talk to the owner of the

Sergeant Bryan Phelps - Direct by Mr. Finney, III

1 apartment, Mrs. Blyther?

2 A. Briefly.

3 Q. You talked to her briefly?

4 A. Briefly.

5 Q. Did Chief Dellinger have a talk with her?

6 A. Yes, sir, he did.

7 Q. All right. And based on the conversations of what
8 you determined -- determined that day, did you see Chief
9 Dellinger leave you for a while to go investigate some other
10 apartments?

11 A. Yes, sir, he did. He went across the street to
12 another apartment, and I stayed on the scene with
13 Mr. Blyther.

14 Q. All right. At that point, you hadn't done any
15 investigation. You had just come right on the scene with
16 him?

17 A. Yes, sir. I hadn't done any investigation.

18 Q. All right. Did you have occasion when Chief
19 Dellinger, kind of, came back to where you were, did you
20 have occasion to do anything with Mr. Blyther?

21 A. I placed him under investigative detention and
22 placed him in the back of my patrol car.

23 Q. All right. And at that point, you hadn't had
24 any -- he hadn't given you any statements?

25 A. No, sir.

Sergeant Bryan Phelps - Direct by Mr. Finney, III

1 Q. All right. Once the Chief came back, and you put
2 Mr. Blather in detention, did the Chief tell you what was --
3 for example, what to do with the TVs and the Crock-Pot?

4 A. That -- at that time, we left them on the scene
5 while they were being photographed. We didn't -- I
6 didn't -- I didn't touch anything until -- until later on in
7 the investigation, I didn't touch any of the property.

8 Q. All right. Did Chief Dellinger take the
9 pictures --

10 A. Yes, sir.

11 Q. -- as far as you know? He did? All right. Did
12 you ever go over to Apartment ■ to do any investigations or
13 see the scene over there?

14 A. No, sir, I did not.

15 Q. All right. Would you tell the ladies and
16 gentlemen a little bit about how the apartments are set up?

17 A. When you -- the apartments that are --

18 Q. These two apartments ■ and ■.

19 A. When you look at the apartments, you've got
20 apartment ■ right here, and ■ and there's a
21 driveway in between.

22 There's four apartment complexes in this strip,
23 and four apartments -- or four apartments in this strip on
24 the other side, so they're basically right across from each
25 other.

Sergeant Bryan Phelps - Direct by Mr. Finney, III

1 Q. All right. So the front doors of ■ and ■
2 would -- would face each other?

3 A. Facing each other or basically caddy corner to
4 each other, yes, sir.

5 Q. All right. Very good. Do you know about what
6 time it was in -- well, first of all --

7 A. I can't -- I can't -- I can't -- I can't give you
8 an approximate time.

9 Q. All right.

10 A. I remember the time it was in the morning time,
11 but I can't remember the exact time.

12 Q. All right. Did -- did you have occasion to see
13 Ms. Amanda Slater come down to check on her mother's
14 apartment that morning?

15 A. Yes, sir.

16 Q. All right. And did she -- did you --

17 A. I didn't -- I had no contact with her.

18 Q. Very good. All right. Very good. After
19 everything was wrapped up, the photographs were taken, you
20 took Mr. Blyther away?

21 A. Yes, sir, he was transported to the detention
22 center.

23 Q. All right. And did you have anything to do with
24 having charges put on him?

25 A. I believe I took the -- I can't remember if I

Sergeant Bryan Phelps - Cross by Mr. Hicks

1 served the warrant on him or not.

2 Q. All right.

3 A. It may have been myself or one of the other
4 officers, but I know that the warrant was served on him at
5 the jail.

6 Q. All right. Very good.

7 MR. FINNEY, III: Let me ask the Court's
8 indulgence. I thank you for coming and answering the
9 questions. Answer any questions Mr. Hicks may have.

10 **CROSS-EXAMINATION by Mr. Hicks:**

11 Q. Good morning, Sergeant Phelps.

12 A. Good morning, sir.

13 Q. Would you prefer I address you as Sergeant Phelps,
14 Officer Phelps?

15 A. Either or is fine with me.

16 Q. I'm going to go with Sergeant Phelps. I used to
17 be in the Army, and that makes a lot more sense to my brain.

18 Sergeant Phelps, on the day that you arrested
19 Mr. Blyther, you were -- you said you were the patrol
20 sergeant?

21 A. The sergeant on patrol, yes, sir.

22 Q. The sergeant on patrol? So that means you were,
23 kind of, like, out patrolling around --

24 A. Patrolling --

25 Q. -- Bishopville --

Sergeant Bryan Phelps - Cross by Mr. Hicks

1 A. -- the area --

2 Q. -- is that right?

3 A. -- yes, sir.

4 Q. And that involves, kind of, just driving around
5 town, correct --

6 A. Yes, sir.

7 Q. -- to different areas?

8 A. Yes, sir.

9 Q. I mean, but during a shift where you're on patrol,
10 you might park and observe in areas, sometimes specifically
11 areas higher incidents of crime; is that right? Is that a
12 fair statement?

13 A. That's a fair statement, yes, sir.

14 Q. All right. And so the day that you arrested
15 Shontrell Blyther, on a normal shift, you would have
16 probably been performing at some -- some --

17 A. I would have been driving around checking the
18 property, responding to calls for service, things like that.

19 Q. Yes, sir. And in the course of that shift that
20 day, do you remember if you ever happened to drive by the
21 clover -- Cloverleaf Apartments?

22 A. I can't with -- with 100 percent certain
23 knowledge, I can't say, no, sir.

24 I can't say, "Yes, sir," but I'm sure at some
25 point in time, I did drive by, sir --

Sergeant Bryan Phelps - Cross by Mr. Hicks

1 Q. Sure.

2 A. -- because I'm constantly patrolling around and
3 driving around.

4 Q. Yes, sir. So, Sergeant Phelps, other than when
5 you were dispatched to the Cloverleaf Apartments, you never
6 observed Mr. Blyther at the apartments --

7 A. No.

8 Q. -- that day? And you -- you never saw anyone
9 breaking into the apartment in question either; isn't that
10 true?

11 A. No, sir, I did not.

12 Q. Even more specifically, Sergeant Phelps, you never
13 saw Mr. Blyther breaking into an apartment at the Cloverleaf
14 Apartments, did you?

15 A. I did not no, sir.

16 Q. All right. So conducting the investigation, was
17 it Chief Dellinger doing the -- the investigative work or
18 were you -- like, other than detaining and questioning, were
19 you doing any other?

20 A. That -- that -- I mean, at that point in time,
21 when I first got there, my main function was staying with
22 Mr. Blyther, and Chief Dellinger was the one who spoke to
23 his mother and went across the street and looked at the
24 apartment.

25 So -- so, at that time, my main focus was paying

Sergeant Bryan Phelps - Cross by Mr. Hicks

1 attention to Mr. Blyther and making sure he didn't -- he
2 didn't leave the scene until we could figure out what
3 exactly was going on.

4 Q. Yes, sir. And during the course of that, you did
5 take statements from some of the witnesses; is that correct?

6 A. Chief Dellinger took the statements mostly.

7 Q. Okay. And Chief Dellinger is the one that
8 photographed all of the stuff at the alleged crime scene,
9 including the broken window, right?

10 A. Including the, what, sir?

11 Q. Including the broken window?

12 A. Yes, sir.

13 Q. -- at the back of the apartment ■.

14 MR. HICKS: I beg the Court's indulgence.

15 BY MR. HICKS:

16 Q. Sergeant Phelps, when you arrived on the scene,
17 you found Shontrell Blyther sitting on his mother's porch
18 and the items in question were sitting on the porch as well;
19 is that right?

20 A. Yes, sir.

21 Q. And you didn't touch those items; is that right?

22 A. To my knowledge, I didn't touch them, no, sir.

23 MR. HICKS: Okay. I have no further questions,
24 Your Honor.

25 MR. FINNEY, III: May the officer be excused?

Chief James D. Dellinger - Direct by Mr. Finney, III

1 THE COURT: Any objection?

2 MR. HICKS: No objection, Your Honor.

3 MR. FINNEY, III: Thank you, officer.

4 THE WITNESS: Thank you, sir.

5 MR. FINNEY, III: I call Chief Dellinger.

6 (Witness sworn.)

7 THE CLERK: State your name for the record.

8 THE WITNESS: James D. Dellinger.

9 **CHIEF JAMES D. DELLINGER**

10 **having been called as a witness for the State at 11:05 a.m.**
11 **was sworn and testified as follows:**

12 **DIRECT EXAMINATION by Mr. Finney, III:**

13 Q. Chief Dellinger, how long have you been chief at
14 the Bishopville Police Department?

15 A. Three and a half years.

16 Q. And how long have you been in law enforcement?

17 A. 35 and a half years.

18 Q. Thank you for your service. Chief, you got a call
19 responding to the incident at the Cloverleaf Apartments on
20 October the 8th. Do you remember what time you might have
21 arrived there that morning?

22 A. We were dispatched around 8:12 a.m.

23 Q. All right. And for the next few minutes, once
24 you -- once you got there, tell us what you did.

25 A. When I arrived, Officer Phelps was already there

Chief James D. Dellinger - Direct by Mr. Finney, III

1 with Mr. Blyther, and the two televisions. We spoke to the
2 mother, Ms. Hattie Blyther.

3 Q. All right. And did you have a conversation
4 with -- with Mrs. Blyther inside her apartment?

5 A. Yes, I went inside the apartment.

6 Q. Why did you go inside?

7 A. She seemed apprehensive in speaking in front of
8 her son.

9 Q. All right. So when the two of you all were
10 together, was the other young lady Shonda involved there was
11 she --

12 A. She had not arrived yet.

13 Q. She had not arrived? Did you learn who -- who --
14 what Mrs. Blyther was concerned about?

15 A. Yes.

16 Q. All right. And when you learned that, did you
17 also learn who made the 911 call?

18 A. Yes.

19 Q. All right. And did you learn that from Mrs.
20 Blyther?

21 A. Yes.

22 Q. All right. Based on the information that you
23 gathered, did you go and investigate in the area of the
24 apartments?

25 A. Well, when I first went back outside the

Chief James D. Dellinger - Direct by Mr. Finney, III

1 apartments, I spoke to Sergeant Phelps and asked him to
2 detain Mr. Blyther.

3 He put Mr. Blyther in handcuffs and secured him,
4 and then I went across the apartment complex to the back of
5 the -- that row of apartments and looked at the back of
6 Apartment ■.

7 Q. And did you take the photographs that we've been
8 showing in court today?

9 A. Yes, sir.

10 Q. All right. So when you got to the back of the
11 apartment, I believe it's ■, did you -- tell the -- tell
12 the ladies and gentlemen what you saw?

13 A. Well, when I walked around to the back of the
14 apartment as you -- as you said, there's several apartments
15 in a row. This one's, kind of, in the middle. I saw parts
16 of a window blind and broken glass laying on the ground
17 outside of the window.

18 Q. At some point that day, did you photograph what
19 you saw?

20 A. Yes, sir.

21 Q. All right. I want to show you what's been marked
22 as State's Exhibit No. 5.

23 A. Yes, that's as the window appeared as I walked
24 around to the back of the apartment complex.

25 Q. All right. And State's Exhibit No. 6, is -- does

Chief James D. Dellinger - Direct by Mr. Finney, III

1 that show debris and blinds that were on the inside and now
2 on the outside on the ground?

3 A. Yes. And I usually -- typically take more than
4 one picture at different angles, some close, some farther
5 away, so you have, kind of, context of what I was seeing.

6 Q. And is that what you did in State's Exhibit No. 8?

7 A. Yes, that's a more close-up of the glass and
8 debris underneath that window as it -- it would have fallen
9 out.

10 Q. All right. Very good. Now, State's Exhibit No. 7
11 tell us what's in there.

12 A. That's a picture from inside the apartment looking
13 out into the backyard the area behind the apartments.

14 Q. Did you take that picture?

15 A. I did.

16 Q. Would you tell the ladies and gentlemen of the
17 jury how you got in the apartment?

18 A. The back door of the apartment was unlocked,
19 unsecured, and once I found a burglary, there was an
20 individual across the street with items, I wanted to go
21 inside and make sure that, first, there wasn't any other
22 individuals inside the apartment, or that there wasn't
23 anybody injured inside the apartment.

24 Q. All right. And when you went through the
25 apartment, you were able to take that picture from inside?

Chief James D. Dellinger - Direct by Mr. Finney, III

1 A. Yes, sir.

2 Q. And that room location is where?

3 A. That is a back bedroom that I think they referred
4 to as a spare bedroom. It didn't appear to be, like, the
5 master bedroom or where anyone slept.

6 Q. All right. State's Exhibit No. 9, can you tell us
7 why you took that picture?

8 A. This was some glass and particles of the blind
9 that was in a mop bucket right beside the back door.

10 (State's Exhibit No. 9 was identified.)

11 BY MR. FINNEY, III:

12 Q. And so you didn't put that stuff in the -- in the
13 bucket?

14 A. I did not.

15 Q. And the owner's daughter, Ms. Amanda, she didn't
16 put those items in the bucket? They were already there when
17 you came on scene?

18 A. That's correct.

19 Q. All right. The curtain that was hanging in the
20 window that was broken, you didn't know whether that curtain
21 was there all the time or not?

22 A. I didn't know any details about the curtain.

23 Q. Okay. Once you did your photographs and you
24 found -- did you have occasion to talk to Ms. Amanda Slater?

25 A. Yes.

Chief James D. Dellinger - Direct by Mr. Finney, III

1 Q. What -- what did she tell you?

2 A. So at that point, we knew that we had a burglary.
3 I wanted to contact the apartment owner, so we spoke to the
4 apartment manager, who told us that the apartment owner was
5 in the hospital and had Amanda, the daughter's, contact
6 number, and she came to the scene to look at the apartment.

7 Q. All right. And so she would have been able to go
8 through the apartment with you to tell you that this, in
9 fact, was not the way the apartment was left the night
10 before when she had seen it?

11 A. That's correct.

12 Q. And did Ms. Amanda get to go across the street to
13 Apartment ■, Mrs. Blyther's apartment to see the items on
14 the porch?

15 A. Yes. So when I was walking in the apartment,
16 there was a void area on the dresser where it looked like a
17 television belonged, and in the living room there was a
18 metal bracket on the wall where it looked like a television
19 belonged so.

20 And there was two televisions across the street,
21 so I assumed that there was two televisions missing from
22 there, so I asked her to identify those items.

23 Q. And was she able to identify that those
24 televisions had, in fact, been in her mother's apartment the
25 night before?

Chief James D. Dellinger - Direct by Mr. Finney, III

1 A. Yes, she did and then she also said that the
2 Crock-Pot looked like the one that was given as a gift to
3 her mother, so I said, "Let's go back to the apartment."

4 She said, "The Crock-Pot should be underneath the
5 kitchen cabinet." And we looked underneath the kitchen
6 cabinet, and then realized that the Crock-Pot, in fact, was
7 missing from there.

8 Q. All right. Once the items had been identified as
9 belonging to Ms. Slater, is that when you made a decision to
10 charge -- to detain Mr. Blyther?

11 A. Yes.

12 Q. All right. And did you have him taken into
13 custody?

14 A. Yes.

15 Q. All right. The -- the -- the items that were
16 taken, would they have been able to be carried all at one
17 time?

18 A. I don't believe so. They're bulky. I don't think
19 that you could carry two televisions and a Crock-Pot at the
20 same time. At least probably two trips, if not three.

21 Q. All right. And you didn't have any idea, at the
22 time, that the person who did the burglary had actually put
23 debris, glass, and -- and blinds -- broken blinds into a
24 bucket in -- in the house?

25 A. No, sir.

Chief James D. Dellinger - Direct by Mr. Finney, III

1 Q. You didn't have any idea that the person who had
2 done the burglary had hung a curtain up to try to disguise
3 the broken window?

4 A. No, sir.

5 Q. And the tools that were located on top of the
6 Crock-Pot -- Crock-Pot box, State's Exhibit No. 13, were
7 those tools -- would they have been helpful to somebody who
8 was taking the TV off the bracket?

9 A. Yes, sir. In fact, you can see at the bottom of
10 the black screwdriver, a small metal piece that would have
11 most likely come off of the same bracket.

12 Q. All right. That -- that metal piece is located?

13 A. On top of the screwdrivers behind the black -- or
14 beside the black screwdriver.

15 Q. And those screwdrivers were found on top of the
16 box by you and Officer Phelps when you arrived?

17 A. That's correct.

18 Q. They weren't in the bush, they weren't anyplace
19 else but on top of the box on top of Mrs. Blyther's porch?

20 A. Correct.

21 Q. To your knowledge, did you talk to Ms. Blyther
22 that day about whether her son lived with her at the ■
23 apartment?

24 A. I knew that he did not live there.

25 Q. All right. Did he have a permanent residence, to

Chief James D. Dellinger - Cross by Mr. Hicks

1 your knowledge?

2 A. I have always known him for the last several years
3 to be homeless or live in the streets.

4 Q. Is there anything else that you can tell us about
5 that investigation that day that I haven't asked you about?

6 A. No, sir.

7 Q. Thank you very much. Answer your questions
8 Mr. Hicks may have.

9 **CROSS-EXAMINATION by Mr. Hicks:**

10 Q. How are you doing, Chief?0.

11 A. How are you doing, Mr. Hicks?

12 Q. I'm doing well. Thank you for asking. Chief,
13 you're the one who took photographs of the crime scene; is
14 that correct?

15 A. That's correct.

16 Q. I need to take a look at this. I believe it's
17 State's Exhibit 9. This picture -- you say you arrived on
18 the scene -- through the course of your investigation, you
19 entered the apartment, and you found that garbage can in
20 that back room with that trash inside it, that broken glass
21 and the parts of the blinds and stuff in it already, Chief;
22 is that right?

23 A. Yes. It's not in the back room. It's in the
24 kitchen area right beside of the back door.

25 Q. Okay. Thank you. And, Chief, in your experience,

Chief James D. Dellinger - Cross by Mr. Hicks

1 is it often that people break into apartments and then clean
2 up after themselves?

3 A. No.

4 Q. And this is State's Exhibit No. 6. That's the
5 back window of the apartment that was broken; is that
6 correct?

7 A. That's correct.

8 Q. And what's that on the window sill right there,
9 Chief?

10 A. A brick.

11 Q. Why is that brick there, do you know?

12 A. I do not know.

13 Q. Was it there when you arrived on the scene?

14 A. The picture was as I was walking around the back
15 of the house.

16 Q. Okay. In your opinion -- in your experience --
17 Chief, in your -- in your experience, 35 years in law
18 enforcement, is it a common occurrence that someone will
19 throw a brick through a window, and then pick the brick up
20 off the floor and put it on the window sill?

21 A. Well, I don't -- I wouldn't assume that. You may
22 use the brick to break the glass, and then you may use the
23 brick in your hand to break the glass out of the way so you
24 could climb through without getting injured.

25 Q. That makes perfect sense. But you said the back

Chief James D. Dellinger - Cross by Mr. Hicks

1 door was unlocked when you arrived; is that right, Chief?

2 A. That's correct.

3 Q. This is State's Exhibit 10. That's -- correct me
4 if I'm wrong, Chief, but that's a picture of the broken
5 window from the inside looking out; is that right, Chief?

6 A. That's correct.

7 Q. Okay. And you stated that that drape was already
8 on the window when you arrived; that's correct?

9 A. That's correct.

10 Q. In your experience, Chief, is it common practice,
11 is it -- is it a regular occurrence that somebody will break
12 into an apartment, tear the blinds down, and then hang a
13 drape over the window before they leave?

14 A. That is sometimes my experience. Houses inside
15 the city limits or sheds inside the city limits, people who
16 are homeless will often go inside there and stay, or what we
17 refer to as squatting, so they will put blinds and things
18 like that over the window and stay there for a few days
19 until somebody discovers them or they move on to a different
20 location.

21 Q. Okay. That makes perfect sense. Thank you for
22 that. When you arrived on scene -- on the scene that --
23 that morning, Mr. Blyther was -- he wasn't in custody,
24 legally speaking, but he was under the eye and -- I guess,
25 covers -- we're going to call it custody of -- of Officer

Chief James D. Dellinger - Cross by Mr. Hicks

1 Phelps at the porch still when you arrived; is that right?

2 A. I'm not sure I understand the time frame of that
3 question so.

4 Q. What -- where -- when you arrived at the scene
5 after you were dispatched -- you said you were dispatched at
6 8:12 in the morning.

7 You arrived, I'm assuming, just a couple of
8 minutes after. Mr. Blyther was still on his mother's porch
9 when you arrived?

10 A. That's correct.

11 Q. Okay. And you never saw Mr. Blyther walking
12 across the parking lot; is that correct, Chief?

13 A. That's correct.

14 Q. You never saw Mr. Blyther going behind the other
15 building where the broken window was; is that correct,
16 Chief?

17 A. That's correct.

18 Q. You never saw Mr. Blyther coming back from the
19 other side of that building to his mother's porch; is that
20 correct, Chief?

21 A. That's correct.

22 Q. You never saw him carrying any of those items that
23 he allegedly took from that apartment; is that correct?

24 A. I did not.

25 Q. In fact, you never saw him touch any of those

Chief James D. Dellinger - Cross by Mr. Hicks

1 items; is that correct, Chief?

2 A. No, I did not see him.

3 Q. Okay. So during the course of your investigation,
4 you took -- you dusted for fingerprints, right?

5 A. I did dust for fingerprints at -- at the back door
6 where the person would have come and gone with negative
7 results for anything.

8 Q. No results for that? You didn't dust around the
9 window frame where somebody would have reasonably put a hand
10 stepping over?

11 A. I didn't dust the window frame because all the
12 glass had been rigged out, and my training and experience of
13 bricks -- or the brick surface is very porous and is not a
14 surface for fingerprints.

15 The brick is clay. The materials in it just, kind
16 of, sucks up and absorbs any latent material.

17 Q. Okay. Did you happen to notice any -- you didn't
18 happen to notice any cuts or abrasions or scrapes on
19 Mr. Blyther's hands when you guys were talking to him and
20 detaining him, did you?

21 A. I did not, but I had no idea whether he had gloves
22 on at the time, or used the brick.

23 Q. Uh-huh. You didn't find -- you didn't search for
24 or find any, like, hair or anything like that that was in
25 the drape, did you, Chief?

Chief James D. Dellinger - Redirect by Mr. Finney, III

1 A. No, I did not look.

2 Q. All right.

3 A. -- for any -- any hairs.

4 Q. It seems, maybe, a little extreme, but you didn't
5 find any DNA either, did you?

6 A. No, sir.

7 Q. So there was no forensic physical evidence leaking
8 -- linking Mr. Blyther to that apartment; is that correct,
9 Chief?

10 A. I think Mr. Blyther's person and the two stolen
11 TVs and Crock-Pot are pretty big physical evidence. I mean,
12 he was there with the televisions and Crock-Pot --

13 Q. He was in the neighborhood.

14 A. -- just chilling with them.

15 Q. There's no physical evidence linking Mr. Blyther
16 to that apartment other than you say the televisions and the
17 Crock-Pot on his mother's porch with him; is that correct,
18 Chief? Is that a fair statement?

19 A. That's correct.

20 MR. HICKS: I have no further questions, Your
21 Honor.

22 MR. FINNEY, III: Just a -- just a little
23 follow-up.

24 **REDIRECT EXAMINATION by Mr. Finney, III:**

25 Q. Chief, the conversations you had with

Chief James D. Dellinger - Redirect by Mr. Finney, III

1 Mrs. Blyther, did -- did that information lead you to
2 believe that Mr. Blyther was connected to the items on the
3 porch?

4 A. Yes, and that's why, at that time, I instructed
5 Sergeant Phelps to place him into custody because prior to
6 that, I didn't know that we had a burglary. She just called
7 that he was on her porch.

8 Q. Is it your -- from your experience, is it your
9 belief that Mr. Blyther went into the house -- apartment
10 through the window in the back?

11 A. Yes, he entered through the -- breaking the back
12 glass window, and then what most criminals do, exit through
13 an unlocked door and walk back and forth through the
14 doorway.

15 Q. All right.

16 A. The same way I entered.

17 Q. All right. And one -- if he had gone outside to
18 carry items away, it would have been easier for him to do
19 that through the doorway?

20 A. Correct. It wouldn't make sense to crawl back
21 through a window when there's a perfectly open door there to
22 walk out.

23 Q. All right. And if he made more than one trip to
24 carry items out of the apartment, he would have been able to
25 use the doorway easier than going through the broken glass

Chief James D. Dellinger - Redirect by Mr. Finney, III

1 window?

2 A. Yes, sir.

3 MR. FINNEY, III: Nothing further.

4 THE COURT: You can step down.

5 MR. FINNEY, III: Your Honor, at this time, I'd
6 like to ask for us to go to an early lunch so that I can go
7 through the file before I rest.

8 THE COURT: Okay.

9 MR. HICKS: No objection, Your Honor.

10 THE COURT: 1:31. All right. Ladies and
11 gentlemen, we're going to break for lunch. I ask you to be
12 back in the jury room at 1:30.

13 If you have an emergency, please, call us. If
14 not, I'll see you-all back at 1:30. Don't discuss the case,
15 or allow anyone to discuss it with you. Don't do any
16 research. Thank you so much.

17 (Jury exited at 11:31 a.m.)

18 THE COURT: Okay. Anything before we go to lunch?

19 MR. FINNEY, III: No, sir.

20 MR. HICKS: Your Honor, I'd like to ask the Court
21 to -- you said you were going to review your file before you
22 rest?

23 MR. FINNEY, III: Correct.

24 MR. HICKS: I'll circle back over it when we come
25 back, Judge.

1 THE COURT: Okay. And just for scheduling
2 purposes, if he does rest after lunch, are you planning on
3 putting up any witnesses?

4 MR. HICKS: Currently, no, Your Honor.

5 THE COURT: So we'll go to arguing charge?

6 MR. FINNEY, III: That's correct.

7 THE COURT: Okay. Well, then --

8 MR. HICKS: Your Honor --

9 THE COURT: Let me -- let me --

10 MR. HICKS: -- for scheduling purposes -- purposes
11 it might actually be more convenient for the Court for me to
12 bring this up now.

13 I would ask the Court to also issue a jury charge
14 for receiving stolen goods on this matter.

15 THE COURT: It is not a lesser-included offense.
16 He has not been indicted for that.

17 MR. FINNEY, III: Yes, Your Honor.

18 THE COURT: I mean, they can't convict him of
19 that. It's not in the indictment. They didn't indict him
20 for that. The only thing that's in the indictment is
21 burglary first.

22 That's the only thing they can convict him of.
23 They can't -- because the lesser included -- I mean,
24 receiving stolen goods is not a lesser-included offense or
25 burglary first.

Farraday colloquy by the Court

1 MR. HICKS: Yes, Your Honor.

2 THE COURT: While we're here though, let me deal
3 with -- Mr. Blyther, raise your right hand real quick.

4 (The defendant was sworn at 11:33 a.m.)

5 THE COURT: Okay. You can put your hand down. Do
6 you understand there's a possibility that when we get back
7 the State is going to rest, and you have an opportunity to
8 testify in this case.

9 You have a constitutional right to remain silent,
10 and if you exercise that right, I'm going to instruct the
11 jury that they cannot consider that against you in any way.
12 Do you understand that?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: If you decide to testify, you're going
15 to be treated like any other witness, and you'll be subject
16 to impeachment.

17 I don't know about your criminal record, but that
18 could come out as a result of this. Do you understand?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Whether you testify or don't testify
21 is your decision. Your attorney can advise you as to what
22 he thinks you should do or should not do, but ultimately,
23 that's your decision. Do you understand?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Do you got any questions concerning

Farraday colloquy by the Court

1 your rights?

2 THE DEFENDANT: No, sir.

3 THE COURT: Okay. Thank you.

4 THE COURT: I'll see you all at 1:30.

5 MR. HICKS: Thank you, Your Honor.

6 (A lunch recess was taken at 11:34 a.m. until 1:32
7 p.m.)

8 THE COURT: Okay.

9 MR. FINNEY, III: I'm ready to go. I'm going to
10 rest.

11 THE COURT: Okay. Have we got your client here?

12 MR. HICKS: He's going to bring him in in just a
13 second, I believe, Judge, and then I'll confer with him one
14 last time that he doesn't intend to testify, and then we'll
15 be good to go with closing.

16 THE COURT: All right. Do you-all want to look at
17 the populated verdict form?

18 MR. HICKS: Your Honor, I'm going to to step and
19 let --

20 THE COURT: Okay.

21 MR. HICKS: -- before they bring him in.

22 THE COURT: Matt, look at that.

23 MR. HICKS: No objection to that at all, Your
24 Honor.

25 MR. FINNEY, III: Judge, Matt is going to put some

Farraday colloquy by the Court

1 motions on the record that I -- when I rest.

2 THE COURT: Okay.

3 MR. FINNEY, III: Do you want to go ahead and do
4 that now before we bring in the jury?

5 THE COURT: Yeah, absolutely. And then you can
6 rest in front of them. You can officially rest in front of
7 the jurors, if you want to. We need to deal with the
8 motions, but sent the jury right back out.

9 (Pause in proceedings.)

10 THE COURT: Okay.

11 MR. HICKS: Are we ready, Your Honor?

12 THE COURT: Yes, sir.

13 MR. HICKS: All right. Your Honor, I would move
14 for a directed verdict on the charge of burglary first of
15 not guilty.

16 THE COURT: Okay. Do you want to respond to that,
17 Solicitor?

18 MR. FINNEY, III: Your Honor, I do believe that
19 based on the circumstantial evidence that has been presented
20 and what direct evidence we have, the State has shown that
21 this is the defendant who broke into the house and took the
22 items that belonged to Ms. Slater.

23 THE COURT: Okay.

24 MR. HICKS: Your Honor, to -- to that, I would
25 argue that the State's allegation that Mr. Blyther was in

Farraday colloquy by the Court

1 possession of the items taken from the apartment is that
2 they have provided no witness that says Mr. Blyther was
3 physically in possession, holding, touching, controlling the
4 items.

5 So my argument would be that they're alleging
6 constructive possession, but they failed to allege any sort
7 of knowledge component of that, which is required by State
8 v. -- it's either Washington or Langford. I'll get a
9 citation for you after we're done here, Your Honor.

10 THE COURT: Yeah, but the knowledge aspect of it
11 deals with possession of stolen goods. They did not indict
12 him of possession of stolen goods, you know?

13 And knowledge, he's got to be in possession of the
14 stolen goods and have knowledge or a reasonable belief a
15 reasonable person would assume that they were stolen.
16 That's not even an element before it.

17 MR. HICKS: Yes, Your Honor.

18 THE COURT: It deals with -- with the burglary
19 in -- in the first degree, which is breaking into a dwelling
20 with one of the aggravating circumstances.

21 All right. And so -- and you-all have stipulated
22 that the aggravating circumstances in this case -- because
23 there -- was that he had two prior burglaries.

24 MR. HICKS: Yes, Your Honor.

25 **COURT'S RULING**

Farraday colloquy by the Court

1 THE COURT: So it's not like it happened in the
2 night time because he would have to prove it occurred in the
3 night time, which that wasn't necessarily the proof this
4 case.

5 But with this -- the problem is there's enough
6 circumstances the fact that -- that the break is across the
7 street that -- and I understand that the time of the crime,
8 the location, where he was and where the goods were, at
9 least there's -- there's circumstances that the jury could
10 find that the circumstances are such that he would be guilty
11 of burglary first.

12 If -- if there had been any time -- time after he
13 hadn't be there, I would probably have granted your motion,
14 but I think there's at least circumstances in this case that
15 I'm going to deny the motion and let it go to the jury.

16 MR. HICKS: Yes, Your Honor. I have nothing
17 further right now. I'll probably be asking on post-verdict,
18 if we --

19 THE COURT: Okay.

20 MR. HICKS: -- get a guilty verdict on that.

21 THE COURT: Okay. All right. Is there anything
22 else before we bring the jury in?

23 MR. FINNEY, III: Nothing from the State. I'll
24 open and Mr. -- Matt will close.

25 THE COURT: Okay.

Farraday colloquy by the Court

1 MR. HICKS: Nothing from the defense, Your Honor.

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

3 (Jury entered at 1:37 p.m.)

4 THE COURT: Okay. Solicitor?

5 MR. FINNEY, III: Your Honor, the State of South
6 Carolina rests.

7 THE COURT: All right.

8 MR. HICKS: I'm begging the Court's indulgence,
9 Your Honor.

10 THE COURT: Sure.

11 MR. HICKS: Your Honor, the defense also will
12 rest.

13 THE COURT: Okay. Ladies and gentlemen, you have
14 heard all of the evidence that you're going to hear in this
15 case. Now you will hear the closing arguments of the
16 attorneys.

17 I will charge you on the law to give you this case
18 to decide. So if you would, pay close attention to the
19 attorneys. Mr. Solicitor.

20 **CLOSING ARGUMENTS**

21 MR. FINNEY, III: Thank you, Your Honor,
22 Mr. Hicks. Ladies and gentlemen, Mr. Hicks was very cordial
23 to you when he spoke to you this morning and thanked you all
24 for your service, and I want to do that as well.

25 I don't know that I did that this morning. I've

Farraday colloquy by the Court

1 been around courtrooms now for 40 years in South Carolina,
2 and I grew up over in Sumter, and I've enjoyed being a
3 lawyer and enjoyed bringing cases to court, and like
4 Mr. Hicks said, we, kind of, feel like we're both pretty
5 good quarterbacks, and we're trying to win this for our
6 team.

7 You know, Ms. Slater didn't deserve to have to go
8 to the hospital and deal with the medical stuff she was
9 dealing with, and the lady was living her apartment alone,
10 she lived alone, had to come back to find out that somebody
11 had broken in.

12 It -- it came to me during the lunch hour that
13 what's going to happen here is that Mr. Hicks is going to
14 have one viewpoint, and I'm going to have another viewpoint.

15 And what I want you to carry back there in that
16 jury with you is it is very important for you to watch what
17 a person does and not what they say.

18 I think you can tell a lot about a person if you
19 watch what they do and not what they say. Why is that
20 important in this case?

21 Well, you've got a senior citizen that lives alone
22 in an apartment, she gets sick and has to go to the
23 hospital, and what happens on her side where she's got a
24 good daughter that stood up and stands up and come in to
25 take care of Mamma's place, and take care of the things, and

Farraday colloquy by the Court

1 looked after -- looked after that.

2 It's important what she did. On the other side of
3 the corner, we've got a gentleman who when his Mamma saw him
4 earlier that morning, heard him outside knocking on the
5 window, she didn't want to open the door.

6 It's important that you remember what a person
7 does. What did she do, Mrs. Blyther? She picked up the
8 phone and called Shonda.

9 "You need to get me some help over here. He's
10 here." Then she looks back on the porch, he's not there.
11 Then she looks back on the porch again, and he's back.

12 It's important what a man does because when he's
13 inside stealing large items, he can't carry them all at one
14 time. He got to make at least two trips, maybe three.

15 Mr. Hicks is going to say, "Well, he cleaned up.
16 That's not usual for a burglar." That's right It's not. He
17 put up a sheet. That's not usual for a burglar.

18 Well, maybe he was going back. Ms. Slater had
19 other stuff in that house. Maybe he knew that she wasn't
20 coming back for a day or two. Maybe he didn't know. Maybe
21 he didn't care.

22 Like the chief said to you, some people they go
23 stash in a house, stay there for a day or two or three.
24 Maybe that's why he cleaned up. We don't know, but the
25 police didn't put that stuff in that bucket.

Farraday colloquy by the Court

1 Ms. Slater's daughter didn't put it in the bucket.
2 The burglar put it in the bucket, and he hung the sheet up
3 because it's -- with the sheet up there, you can't tell the
4 window's broken very well, unless you see the breeze blow on
5 the sheet, then you know the window's out.

6 That's disguise. But what does a fellow that
7 doesn't seem to have a permanent address do when he steals
8 stuff? Remember I told you it's important what you do.

9 You take it to your Momma's house, and you put it
10 on the porch, and then you sit there, and then you wait for
11 the next thing to happen, whatever that's going to be. He
12 didn't have a very good plan.

13 You will be hearing the judge say to you over and
14 over for the next few minutes when he gets a chance to
15 talk -- I get a chance to talk, then Mr. Hicks will talk,
16 then the judge will talk.

17 He's going to tell you about reasonable doubt you
18 have to find Mr. Blyther guilty beyond a reasonable doubt.
19 And what that, kind of, means in street terms is you have to
20 be firmly convinced of his guilt, firmly convinced.

21 Now, Mr. Hicks will tell you," Well, nobody saw
22 him carrying the TV. Nobody saw him break the window. We
23 don't know who broke the window with the brick and put the
24 brick on the window. We don't know all those things."

25 But if you are firmly convinced that this man went

Farraday colloquy by the Court

1 over there, committed the crime, took the items over to his
2 Mamma's house because he didn't have a car, he didn't have
3 an apartment of his own to put them in, takes them over to
4 his Mamma's house -- she is the one who did the most
5 important thing.

6 Mamma said, we're not going to have that around
7 here. She did two things that day. She called Shonda and
8 said, get me some help, and that's what Shonda did.

9 The other thing she did that was important, she
10 went inside and sat down and talked to Chief Dellinger and
11 told Chief Dellinger what she knew, and that's why Chief
12 Dellinger got up from her apartment and went across the
13 street and looked in the back of Apartment ■.

14 And what did Chief Dellinger find when he got
15 there? You got it in the pictures. Chief Dellinger had to
16 go inside to make sure nobody was hurt inside. He had to go
17 inside to see if anything was missing.

18 He did his job while the other officer was
19 standing guard for Mr. Blyther. That is the key to this
20 case. Mamma knew, then sister knew, then the police knew,
21 and now you know.

22 Reasonable doubt only means if you feel some
23 uncertainty about something, but if you feel certain, if you
24 are firmly convinced, then you have to do your duty and say
25 the evidence shows that Shontrell Blyther broke into that

Farraday colloquy by the Court

1 lady's house, took that lady's items, took them over to his
2 Mamma's house, and when Mamma called, the help came and he
3 got arrested for it and charged with it, and now he's here
4 facing you all.

5 It's a pretty simple case. Mr. Hicks is going to
6 get up here, and from my side, he's going to say -- he's
7 going to try muddy the water. That's his job. He's got --
8 he's got a big job.

9 I used to do his job when I was a young lawyer. I
10 represented people in this courtroom for years. Watch what
11 a man does. Watch what his Mamma did. Watch what the chief
12 did when he talked to Mamma, and went, and found out what
13 was going on.

14 The Chief wouldn't have gone over there unless he
15 knew -- that had been told things. He was, and everything
16 the Chief was told came in those pictures that the Chief
17 took a few minutes later.

18 No one saw him carry the items. No one saw him
19 break the window. No one saw him take the TV off the wall,
20 but in this courtroom across the State of South Carolina,
21 across the whole nation, we have two kinds of evidence;
22 direct evidence, what you can see, what you can hear, what
23 you can smell.

24 Direct evidence. I heard the gunshot. I heard
25 six gunshots. Or you can have something just as good called

Farraday colloquy by the Court

1 circumstantial evidence. This case has a lot of
2 circumstantial evidence that we are relying upon to use to
3 get you to use your common sense to come to the judgment of
4 guilty.

5 The circumstances are nobody else was out there
6 doing this kind of crime and just happened to put the things
7 on Mamma's porch for him to come sit by. No. Common sense.
8 No.

9 He was the one that broke in and took the items.
10 He was the one that made more than one trip. He was the one
11 that hung the sheet up. He was the one that put the glass
12 in the bucket to get it out of his way.

13 Common sense and circumstances. As soon as Mom
14 knew what was going on and got the help there, he was done.
15 He wants to hear it from you? I'm glad. It gives me a
16 chance to get up and help Mrs. Slater get her life back
17 together.

18 It's been a year almost. She doesn't have her TV
19 and Crock-Pot back because it's still in evidence. She has
20 to deal with people coming in her house to repair windows.

21 This is a burglary. This is a violation of her
22 space. She doesn't deserve that. We want you to find him
23 guilty because the circumstances, the facts, the evidence
24 all point to the fact that he did this crime. Nobody else.

25 One of the things that Mom said that was very

Farraday colloquy by the Court

1 important to me, to get in the record, was that she came and
2 saw him on the porch, and then he left, and then she came
3 back and looked out those blinds again, and he was back.

4 That fits into the circumstances of why he had to
5 leave to go and get stuff because he had to make more than
6 one trip.

7 Mr. Blyther doesn't have a home to go use those
8 TVs in or that Crock-Pot in. And you heard her testify, he
9 doesn't live with me, and I didn't open the door that day.
10 Watch what a man does.

11 I would like very much to thank you for your
12 service. We've heard -- and good lawyers that told me over
13 the years that service on the jury is just as important as
14 service in the military.

15 You're doing civic duty for your communities
16 because you've got good people here that need both sides,
17 both families need closure, and they need good, solid
18 citizens to come and spend some time and do their duty, so
19 thank you for doing your duty.

20 Go back there and talk to one another. Go back
21 there and consider what we've brought for you. It's a
22 one-day case, but it's an important case.

23 We ask that you find from the evidence and the
24 circumstances that Mr. Blyther is guilty of burglary. Thank
25 you.

Farraday colloquy by the Court

1 MR. HICKS: Mr. Solicitor.

2 MR. FINNEY, III: Yes, sir.

3 MR. HICKS: Thank you. I'm going to mirror
4 Solicitor Finney for just a second and tell you all, again,
5 thank you.

6 You saw me crossing off a sentence here because he
7 might have landed on my shoulder talking about the civic
8 duty part, because I was going to thank you for that as
9 well.

10 We're not going to get into that for a second
11 time. I've sometimes considered quitting the practice of
12 law, opening up shop as a psychic.

13 You all remember what I told you in my opening
14 argument. I told you that the Government has been failing
15 to provide any compelling evidence that Mr. Blyther was even
16 in the neighborhood when the crime was committed. They
17 didn't.

18 He was in the neighborhood where a crime was
19 committed. I didn't say he was in the neighborhood when the
20 crime was committed.

21 Solicitor Finney made a compelling argument to you
22 all a moment ago about how Mr. Blyther's mother sat up there
23 and talked about how she peeked through the blinds and he
24 was sitting on the porch, and then she looked through the
25 blinds again, and he wasn't sitting on the porch.

Farraday colloquy by the Court

1 She looked through the blinds again, and he was
2 back at the porch. What didn't she say? She didn't say, "I
3 looked through the blinds a second time and he was gone. I
4 looked through the blinds a third time and he was back, and
5 he had a Crock-Pot and a couple of TVs."

6 She didn't say that. Look for the holes. Look
7 for all the missing dots. They failed to provide you that
8 compelling evidence. I told you they would fail to provide
9 you compelling evidence that Mr. Blyther committed a crime.

10 Guess what? They failed that, too. What the
11 Government has done is they've tried to convince you that
12 anybody who happens to be in a neighborhood where a crime
13 gets committed, gets to get locked up and charged with a
14 crime just because the police said so even without any
15 compelling evidence that they were there when the crime was
16 committed or participated in the crime.

17 You just got to be there. That's all, apparently.
18 The Government failed to provide any compelling evidence to
19 you that Shontrell was anywhere near the apartment complex
20 at all when the crime was allegedly committed.

21 Frankly, they failed to provide any evidence,
22 compelling enough for me, that says Shontrell committed the
23 crime alleged. What they want you to do is, they want you
24 to take that story they told you, and they want you all to
25 connect those dots.

Farraday colloquy by the Court

1 I'm sure everybody remembers the little connect
2 the dot puzzles when you were a kid. What I used to do as a
3 fun joke -- for my brother, my mom used to give him these
4 little puzzle books once in a while.

5 Do you remember that cheap paper they were on?
6 You could take a pencil eraser and erase half the dots if
7 you wanted to, and I used to do that because my little
8 brother was four years younger.

9 He didn't know how any better, and he always came
10 up with these pictures that didn't make any sense. I erased
11 a bunch of really important dots on it.

12 That's what's happening here today, friends.
13 Gearing up with a distorted, inaccurate, and incomplete
14 picture because there's a lot of information missing.

15 We have a distorted picture that alleges
16 Mr. Blyther did this because he had a couple televisions and
17 a Crock-Pot. Are there other plausible theories that could
18 explain that? I believe there are several.

19 We have an inaccurate picture to let you believe
20 that Mr. Blyther did this simply because he was in the
21 neighborhood where a crime may have been committed.

22 His mother lives there. Why would he be there?
23 My mother lives on the other side of the continent, or I'd
24 probably be in her house pretty frequently visiting as well.

25 Is the fact that someone is in the neighborhood

Farraday colloquy by the Court

1 where a crime was committed enough evidence to convict?

2 That's what you guys need to ask yourselves. It's not in my
3 book.

4 We have an incomplete picture because there was
5 ample opportunity to investigate this crime the day of the
6 occurrence. Ample opportunity to collect any physical
7 evidence.

8 You heard Chief Dellinger testify that they dusted
9 the fingerprints and didn't find any. They didn't look for
10 DNA evidence. It's probably a little harder to come by, but
11 any kind of fiber transfer on the curtains, any of that
12 stuff. Nothing.

13 No shoe prints. No nothing. They want you to
14 believe that not a single one of the dozens of residents
15 that live in this apartment complex, let alone the two
16 residents that live on either side of the apartment when the
17 window was broken, heard a single thing because they weren't
18 here as witnesses to testify to tell you what they heard.

19 Dozens of people live in there. My memory may be
20 flawed, but I believe October 7, 2024, was a Monday and not
21 a holiday. What about all the kids sitting outside waiting
22 for the school bus?

23 Our school buses are picking them up real early
24 here in Lee County. None of those kids are here to say we
25 saw so-and-so doing such and such. What about the people

Farraday colloquy by the Court

1 getting ready for work, walking outside to their cars,
2 starting the engine, getting ready to go? I didn't see a
3 single one of them.

4 Dozens at least. Witnesses that aren't here.
5 They want you to believe that that makes sense. Not even
6 the nextdoor neighbors came to testify.

7 Remember what I asked you in my opening statement?
8 I asked you to pay attention to what was missing. I asked
9 you to give all the testimony the weight it deserves.

10 I say this again to you that if you do this, you
11 must return the only verdict that makes any sense in this,
12 and that verdict is not guilty.

13 THE COURT: Okay. Ladies and gentlemen, I need
14 you to do one thing before I charge you with a law. I need
15 you to go to the jury room and select a foreperson.

16 That person doesn't have any greater vote than
17 anyone else. They simply reside over the deliberation and
18 sign the verdict form, and it needs to be out of the
19 original 12.

20 The two alternates can't be the foreperson, so if
21 you'll go back to the jury room and select a full person,
22 tell the bailiff when you have, and I'll bring you back in
23 and charge you with the law and give you this case to
24 decide. Okay?

25 (Jury exited at 1:58 p.m.)

Farraday colloquy by the Court

1 (At ease at 1:58 p.m. until 2:01 p.m.)

2 THE BAILIFF: Judge, they're ready.

3 THE COURT: Okay. Bring them in.

4 (Jury entered at 2:01 p.m.)

5 THE COURT: And who -- did you-all select a
6 foreperson?

7 THE FOREPERSON: Yes, sir.

8 THE COURT: That's you?

9 THE FOREPERSON: Yes, sir.

10 **JURY CHARGE**

11 THE COURT: You're in the right seat then. The
12 rest of you, like the people in my church, you're going to
13 sit in the same seat all the time then.

14 Okay. Now that you've heard all OF the evidence
15 in this case as well as the arguments of both the State and
16 the defendant, I'm going to explain to you the law that
17 you're going to apply in this case.

18 Under our constitution and code of law, only the
19 jury can make a finding of the fact of the case. I am not
20 permitted to indicate to you how I feel about the case, so
21 if I've said anything or done anything in this trial that
22 you think I have an opinion about the facts of this case,
23 you're to disregard that because you and only you are to
24 determine what the facts are in the case.

25 And the same law that makes you the exclusive

Farraday colloquy by the Court

1 judge of the facts, makes me the exclusive judge of the law.
2 So if you have an opinion about what you think the law is
3 what the law should be and it differs from what I'm now
4 telling you the law is, you're to disregard your opinion and
5 apply the law exactly as I give it to you.

6 The fact that the defendant was arrested, charged,
7 and indicted in this case is not evidence in this case, and
8 it cannot be considered by you as evidence of guilt in this
9 case, nor does it create any presumption or inference of
10 guilt.

11 The indictment is simply a formal legal document
12 which contains the charges made against this defendant, and
13 it serves as a formal document, which this case is processed
14 as court system.

15 The defendant has entered a plea of non-guilt for
16 this indictment, and that plea casts the burden from the
17 State to prove each and every element beyond a reasonable
18 doubt.

19 A person -- person charged with a criminal offense
20 in South Carolina is never required to prove himself or
21 herself innocent, and the fact that the defendant failed to
22 testify in this case cannot be considered by you in any way
23 whatsoever.

24 He has a constitutional right to remain silent,
25 and the fact that he has exercised that right cannot be

Farraday colloquy by the Court

1 considered by you and held against him in any way. In fact,
2 you can't even discuss in the jury room that he did not
3 testify in this case.

4 He has a constitutional right to remain silent,
5 and the State has the burden of proving his guilt beyond a
6 reasonable doubt.

7 And it's an important rule of law that covers the
8 defendant in every criminal trial is always presumed
9 innocent to the crime for which he or she is charged in
10 indictment, unless and until that guilt has been proven by
11 evidence that satisfies you with that guilt beyond a
12 reasonable doubt.

13 Presumption of innocence is not a mere legal
14 theory. It is not just a legal framework. It is the
15 essential constitutional right to which every defendant is
16 entitled.

17 The presumption of innocence accompanies the
18 defendant from the time he's charged throughout the trial
19 until you reach a verdict of guilt based on evidence that
20 satisfies you of that guilt beyond a reasonable doubt.

21 A reasonable doubt is a doubt which makes an
22 honest, sincere, conscientious juror in search of the truth
23 to hesitate to act. Proof beyond a reasonable doubt must
24 be; therefore, such proof that would convince a reasonable
25 person not to hesitate, and to rely and act upon it in the

Farraday colloquy by the Court

1 most important of his or her -- or her own affairs.

2 Proof beyond a reasonable doubt can also be
3 described as proof that leaves you firmly convinced that the
4 defendant is guilty.

5 Now, there are very few things in this world we
6 know with absolute certainty, and in criminal cases the law
7 does not require proof that overcomes every possible doubt.

8 If based on the consideration of evidence you are
9 firmly convinced that the defendant is guilty of the crime
10 charged, you must find him guilty.

11 If on the other hand you think that there's a real
12 possibility that he is not guilty you must give him the
13 benefit of the doubt and find him not guilty.

14 In determining the facts of the case, you must
15 necessarily pass upon the credibility of the witnesses,
16 which simply means the believability of the witnesses and
17 the value and weight to be given to their testimony.

18 You alone -- you alone must decide the force and
19 effect of the truth of this testimony. In making these
20 decisions, there are many things that you may should take
21 into consideration such as their appearance and manner of
22 the witness on the stand.

23 Sometimes referred to as the demeanor of the
24 witness. Was the witness forthright or hesitant? Was the
25 witness's testimony consistent, or did it contain

Farraday colloquy by the Court

1 discrepancies?

2 What was the ability of the witness to know the
3 facts about which he or she testified? Did the witness have
4 a cause or reason to be biased and prejudiced in favor of
5 the testimony that he or she gave?

6 Was the testimony of the witness corroborated or
7 made strong by other evidence of testimony, or was it made
8 weak or impeached by other evidence of testimony?

9 As jurors, you have a right to believe a small
10 portion of the witness's testimony and disregard for the
11 larger or vice versa.

12 You may believe all of the witness's testimony or
13 none. You may believe the testimony of a single witness
14 against that of many, or the other way around.

15 Now, criminal intent is a necessary element of
16 each crime, and it must be proven beyond a reasonable doubt.

17 Criminal intent is always a matter that must be
18 determined by the jury from the circumstances surrounding
19 the situation. There is no way to prove criminal intent to
20 a mathematical certainty.

21 There's no way medical science can dissect a
22 person's brain and determine what he or she had in mind, so
23 the law states criminal intent may be inferred from the
24 circumstances shown to have existed before and after the
25 fact.

Farraday colloquy by the Court

1 This is how you, the jury, determine whether or
2 not the element requiring intent was credible. Criminal
3 intent is a state of mind that operates jointly with an act
4 or omission in the commission of a crime.

5 Criminal intent is a mental state of conscious
6 wrongdoing, so it is up to you, the jury, to determine what
7 the defendant intended based on the circumstances shown to
8 have existed.

9 The State must prove from the intent beyond a
10 reasonable doubt just as the State must prove every element
11 beyond a reasonable doubt.

12 Now, there are two types of evidence which are
13 generally presented during a trial; direct evidence and
14 circumstantial evidence. Direct evidence directly proves
15 the existence of the facts and does not require deduction.

16 Criminal -- circumstantial evidence is proof of a
17 chain of facts or circumstances indicating the existence of
18 a fact.

19 Crimes may be proved by circumstantial evidence
20 and the law makes no distinction between the weight or value
21 to be given to either direct or circumstantial evidence;
22 however, to the extent the State relies on circumstantial
23 evidence, all of the circumstances must be consistent with
24 each other and when taken together, one conclusively to the
25 guilt of the accused beyond a reasonable doubt.

Farraday colloquy by the Court

1 It these circumstances -- these circumstances
2 merely portray the defendant's behavior as suspicious, the
3 proof has failed.

4 The State has the burden of proving the defendant
5 guilty beyond a reasonable doubt, and this verdict rests
6 upon the State regardless of whether the State relies on
7 direct evidence, or circumstantial evidence, or the
8 combination of the two.

9 Now, the defendant is charged with first degree
10 burglary. the State must prove beyond a reasonable doubt
11 that the defendant entered a dwelling without consent. A
12 dwelling is any building or portion of a building in which a
13 person ordinarily sleeps.

14 A building constructed as a dwelling that has
15 never been occupied cannot be considered a dwelling for the
16 purpose of burglary, but a building is a dwelling even if
17 the residents are temporarily absent from the building.

18 In order to prove the defendant entered the
19 dwelling, the State does not have to show the defendant's
20 entire body entered the dwelling. The smallest entry is
21 sufficient.

22 It may be any part of the body such as the hand or
23 foot or even an instrument, such as a hook or other
24 instrument. In addition, the State does not have to prove
25 that force was used to gain entry.

Farraday colloquy by the Court

1 If a person enters a building by using deception,
2 a trick, or misrepresentation to get consent to enter, this
3 entry is without consent.

4 Next, the State must prove beyond a reasonable
5 doubt that the defendant intended to commit a crime
6 either -- either a felony or a misdemeanor, and at the time
7 of the entry is when they intended to commit a crime.

8 The mere entry into a dwelling without consent is
9 not burglary. If the intended to commit a crime was formed
10 after the entry, it is not burglary.

11 On the other -- if it was after the entry. On the
12 other hand, if the defendant intended to commit a crime at
13 the time of the entry, it is burglary even if the intent was
14 abandoned after the entry.

15 It does not matter that the intended crime was not
16 completed. Intent may be shown by acts and conducts of the
17 defendant and other circumstances from which you may
18 naturally and reasonably infer intent.

19 Now, ladies and gentlemen, you are not parties or
20 advocates of the State of South Carolina for this defendant.
21 You do not serve as jurors to reward your friends or punish
22 your enemies.

23 Obviously, such a perverse system of justice would
24 not be tolerated. You have been selected by both the State
25 and this defendant to be fair and impartial jurors.

Farraday colloquy by the Court

1 All right. And you are to determine what the
2 facts are in this case based on the evidence that has been
3 presented to you, and when you make this determination, you
4 will have satisfied your responsibilities as jurors.

5 Now, Mr. Foreman, I have a verdict form here, and
6 it simply states the caption of the case, the County of --
7 Lee County, the State of South Carolina versus Shontrell
8 Lamont Blyther.

9 And the verdict form simply reads, (as read:) We
10 the jury find the defendant guilty or not guilty of the
11 offense of burglary of first degree.

12 When you've reach a verdict, and it must be
13 unanimous, you must sign the verdict form, date it, and
14 knock on the door, and we will bring you out and receive
15 verdict.

16 All 12 of you must agree. The order that I put
17 upon you, you should draw no conclusions from it. I just
18 had to put them in some order.

19 Now, when you -- when you're deliberating, all 12
20 of you must be in the room, so if somebody needs to go to
21 the restroom or needs a break for any reason, you've got to
22 stop talking about the case.

23 When they come back, you continue talking, and
24 your -- whatever verdict you reach, it must be unanimous.
25 All 12 of you must agree on it, and like I say, when that

Farraday colloquy by the Court

1 happens, if you'll just knock on the door and let us know.

2 If you have a question, you have to write that
3 question down on a piece of paper and give it to the
4 bailiff. She will bring it in here, and I will try to
5 answer it.

6 Having said that, I can only answer questions of
7 law. I can't reopen this case. If you have a question of
8 fact, I can't -- the case is closed. I can't reopen it. I
9 can't answer those questions.

10 You've heard all of the evidence that the State
11 has in this case. I mean -- and so you have to reach a
12 verdict based on my charge and that evidence that I've given
13 you, but if you have a question at all, I can bring you back
14 out and recharge you on any of this, if you need that.

15 Now, I got to talk to the lawyers to be sure I
16 covered everything. If I did cover everything, I will send
17 the evidence in the jury room along with this verdict form,
18 and when you complete -- when you receive that, then that
19 will be your indication to start your deliberations.

20 And like I say, knock on the door when you have
21 reached a verdict. And that's probably the most important
22 thing I tell you because I tried the case one time when I
23 was a lawyer, and the jury went out at 10:00 that morning
24 and at 8:00 that night, the judge said, "Bailiff, go see
25 what's wrong with the jury."

Farraday colloquy by the Court

1 And they came back out and said, "Judge, we
2 reached a verdict at 11:00 that morning, but you didn't tell
3 us what to do. We've been sitting back there waiting on
4 you."

5 So when you reach your verdict, knock on the door.
6 All right. If you'll go to the jury room, if I need to send
7 this back, I'll bring you back out and charge you further.

8 (Jury exited at 2:16 p.m.)

9 THE COURT: Now, the two alternates, you-all need
10 to stay with me. I'm sorry. I should have told you that.
11 Who are the two alternates? Hang on. Ms. Sanders and
12 Corley, oh, you all are staying with me? Good.

13 All right. Any additions, exceptions, deletions
14 from the State?

15 MR. FINNEY, III: None from the State.

16 THE COURT: From the defense?

17 MR. HICKS: None from the defense, Your Honor.

18 THE COURT: Okay. If you-all want to get your
19 evidence together and check it all with the court reporter
20 and give it to the bailiff.

21 (The Court released the alternate jurors at 2:16
22 p.m.)

23 MR. FINNEY, III: We marked the CV but we didn't
24 put it into evidence, so I'm going to withdraw it from the
25 case.

Verdict

1 THE COURT: Okay. Well, if it isn't in evidence,
2 they don't need to see it. But they've got the photographs
3 and everything so, thank you.

4 (At ease at 2:18 p.m. until 2:36 p.m.)

5 THE COURT: Okay. Mr. Foreman, I understand you
6 all have reached a verdict?

7 THE FOREPERSON: Yes, sir. Yes, Your Honor.

8 THE COURT: Is it unanimous?

9 THE FOREPERSON: Yes, Your Honor.

10 THE COURT: Okay. You can hand it up. Okay. All
11 right. Madam Clerk, you may publish the verdict.

12 **VERDICT**

13 THE CLERK: Okay. In the case for the *State of*
14 *South Carolina versus Shontrell -- Shontrell Lamont Blyther*,
15 warrant number 2024A3110100186, we, the jury, find the
16 defendant guilty. And it's signed by the foreperson and
17 dated today's date, 4/15/2025, of first -- of the offense of
18 first degree burglary.

19 THE COURT: Okay. Anything from the State before
20 I dismiss the jury?

21 MR. FINNEY, III: No, Your Honor, just give them
22 our thanks for their service.

23 MR. HICKS: I would just that you poll the jury,
24 Your Honor.

25 THE COURT: All right. Madam Clerk, if you will

1 poll the jury.

2 THE CLERK: Okay. So when I call your name if you
3 would, please stand. Shannon Brown. So is this verdict
4 your verdict?

5 JUROR BROWN: Yes.

6 THE CLERK: Is this still your verdict?

7 JUROR BROWN: Yes.

8 THE CLERK: Okay. Thank you. Catherine
9 Champagne, is this verdict your verdict?

10 JUROR CHAMPAGNE: Yes.

11 THE CLERK: Is this still your verdict?

12 JUROR CHAMPAGNE: Yes.

13 THE CLERK: Angela Anderson, is this your verdict?

14 JUROR ANDERSON: Yes.

15 THE CLERK: And is this still your verdict?

16 JUROR ANDERSON: Yes.

17 THE CLERK: Sinclair Monroe, is this your verdict?

18 JUROR MONROE: Yes, ma'am.

19 THE CLERK: And is this still your verdict?

20 JUROR MONROE: Yes, ma'am.

21 THE CLERK: Lavinia Robinson, is this your
22 verdict?

23 JUROR ROBINSON: Yes, ma'am.

24 THE CLERK: And is this still your verdict?

25 JUROR ROBINSON: Yes, ma'am.

1 THE CLERK: Marvin Green, is this your verdict?

2 JUROR GREEN: Yes.

3 THE CLERK: And is this still your verdict?

4 JUROR GREEN: Yes.

5 THE CLERK: Nikiyah McLeod. Did I say that right?

6 JUROR MCLEOD: Yes, ma'am.

7 THE CLERK: Okay. Is this your verdict?

8 JUROR MCLEOD: Yes.

9 THE CLERK: And is this still your verdict?

10 JUROR MCLEOD: Yes, ma'am.

11 THE CLERK: Thank you. Alexis Wilson, is this
12 your verdict?

13 JUROR WILSON: Yes, ma'am.

14 THE CLERK: And is this still your verdict?

15 JUROR WILSON: Yes, ma'am.

16 THE CLERK: Dustin Sims, is this your verdict?

17 JUROR SIMS: Yes.

18 THE CLERK: And is this still your verdict?

19 JUROR SIMS: Yes.

20 THE CLERK: Adrian Rogers, is this your verdict?

21 JUROR ROGERS: Yes, ma'am.

22 THE CLERK: And is this still your verdict?

23 JUROR ROGERS: Yes, ma'am.

24 THE CLERK: Okay. Darrrell Watkins, is this your
25 verdict?

1 JUROR WATKINS: Yes, ma'am.

2 THE CLERK: And is this still your verdict?

3 JUROR WATKINS: Yes, ma'am.

4 THE CLERK: Thank you. Rick Funderburk, is this
5 your verdict?

6 JUROR FUNDERBURK: Yes, ma'am.

7 THE CLERK: And is this still your verdict?

8 JUROR FUNDERBURK: Yes, ma'am.

9 THE CLERK: Okay. That's all the jurors.

10 THE COURT: Thank you, ma'am. Ladies and
11 gentlemen, I want to thank you for your service. I know
12 this has been a quick case, and we normally don't finish one
13 in a day.

14 You've paid close attention throughout this, and I
15 appreciate it. You're free to go now. You don't have to do
16 this again for three years.

17 I've been telling you couldn't talk about this
18 case. Now you can talk about it with anybody you want to.
19 You don't have to, but it's up to you.

20 So you're free to, go or you can stay if you want
21 to. I'm going to deal with the sentencing of the defendant
22 in this case. Okay.

23 So if any of you want to leave, you can leave. You
24 can go sit in the back of the room, you can stay where you
25 are, whatever you want to do.

Sentencing

1 (The jury pool was released at 2:41 p.m.)

2 MR. HICKS: All right. Your Honor, before we get
3 into that I would ask -- I would move for a new trial -- a
4 new trial based on the sufficiency of the evidence.

5 **COURT'S RULING**

6 THE COURT: Okay. Then I'll respectfully deny
7 your motion.

8 MR. HICKS: Yes, Your Honor.

9 **SENTENCING**

10 THE COURT: All right. Mr. Solicitor, anything
11 you want to tell me about him?

12 MR. FINNEY, III: Your Honor, I just wanted to
13 hand up the defendant's prior record. It is my belief that
14 he had his first burglary in 1994. He received a youthful
15 offender sentence. It was a burglary 3rd.

16 He did have a strong-arm robbery in 2004. He
17 received 15 years suspended to time served. Another
18 burglary, second, nonviolent with a grand larceny in 2009.
19 He received seven years.

20 Another burglary, third, in 2015, he received five
21 years suspended. And then a burglary, second, in 2016,
22 eight years suspended. His last two convictions were just a
23 few months before this burglary that we're here today on.

24 In March of '23, he was convicted of malicious
25 injury to real property. April of '23, he was convicted of

Sentencing

1 shoplifting enhancement. He received a three-year sentence
2 along with a violation of probation sentence.

3 And I have the record here if you would like to
4 see it. And I did not put all of his convictions. He has a
5 number of convictions for shoplifting, breach of peace, and
6 other small violations that I don't know about today because
7 -- on his record.

8 THE COURT: Okay. Anything else? Does the victim
9 want to address me in any way?

10 THE OFFICER: The victim is not here.

11 MR. FINNEY, III: The victim is not here, Your
12 Honor.

13 THE COURT: Okay.

14 MR. FINNEY, III: I will tell the Court, we -- I
15 think, made a generous plea offer of eight years to allow
16 him not to be facing the minimum, and he chose to go to
17 trial, and so I will leave it in the discretion of the
18 Court. The minimum, I believe, is 15 years.

19 THE COURT: Okay. Yes, sir?

20 MR. HICKS: Your Honor, I would ask the Court to
21 be lenient and impose the minimum sentence required in this
22 matter. Mr. Blyther is 48 years old at this point.

23 Anything beyond that is going to -- functionally,
24 it'll be a death sentence for the man. I don't think that's
25 appropriate for this matter, Your Honor.

Sentencing

1 THE COURT: All right. The sentence of the Court
2 is you -- and he has a terrible record. The sentence of the
3 Court is you're committed to the State Department of
4 Corrections for a term of 30 years. Good luck to you.

5 MR. HICKS: Thank you, Your Honor, and I would
6 also move the Court to reconsider his sentence.

7 THE COURT: All right. Denied.

8 MR. HICKS: Thank you, Your Honor.

9 (These proceedings were concluded at 2:45 p.m.)

10 (End of transcript.)

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CERTIFICATION OF TRANSCRIPT

STATE OF SOUTH CAROLINA)

COUNTY OF FLORENCE)

 This is to certify that the foregoing transcript
of the proceedings taken at the Monday, April 14, 2025
General Session of Lee County is a true and accurate
transcript of the proceedings recorded by the office of the
Lee County Clerk of Court and transcribed by me to the best
of my ability.

 I further certify that I am not related to any
party or attorney, nor do I have any interest whatsoever in
the outcome of this action.

 This 27th day of June, 2025.



Julia A. Titus Emerson, CVR, RCP-M
SC Official Court Reporter, Circuit 3
Jemerson@sccourts.org

WITNESSES

James D Dellinger Bishopville Police Dept

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DOCKET NO. 2025-GS-31-0033

The State of South Carolina

County of LEE

COURT OF GENERAL SESSIONS

FEBRUARY TERM 2025

THE STATE

VS.

SHONTRELL LAMONT BLYTHER

ARREST WARRANT NUMBER

2024A31 10100186

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

Date:

FEB 27 2025

VERDICT

TRUE BILL

Foreperson of Petit Jury

Date:

FEB 27 2025

Indictment for

Burglary / Burglary (After June 20, 1985) -
First degree

Ernest A. Finney III

ERNEST A. FINNEY, III, SOLICITOR

STATE OF SOUTH CAROLINA)

INDICTMENT FOR

COUNTY OF LEE)

Burglary / Burglary (After June 20, 1985) - First degree

At a Court of General Sessions, convened on February 27, 2025 the Grand Jurors of
LEE County present upon their oath:

COUNT ONE**BURGLARY (AFTER JUNE 20, 1985)- FIRST DEGREE**

That the Defendant, Shontrell Lamont Blyther did in Lee County on or about October 8, 2024, willfully and unlawfully entered the dwelling of Sheryl Slater located at Cloverleaf Apartments, [REDACTED] Fairview Avenue, by breaking out the window, without consent and with the intent to commit a crime therein, and did take and carry away two televisions and a crock pot, and the Defendant, Shontrell Lamont Blyther having two or more prior convictions of burglary, in violation of the Common Law and Section 16-11-311, 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.

Solicitor



RECEIVED

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Mar 26 2026

SC Court of Appeals

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,



Joanna K. Delany
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 26th day of March, 2026.