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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Kershaw County

Honorable Paul M. Burch, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MARLO JACKSON,

APPELLANT

APPELLATE CASE NO 2025-000637

RECORD ON APPEAL

WANDA H. CARTER
Chief Appellate Defender

ALAN WILSON
Attorney General

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

MARK R. FARTHING
Senior Assistant Attorney General
1000 Assembly Street, Room 519
Columbia, SC 29201
(803) 734-4117

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

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STATE OF SOUTH CAROLINA) IN THE CIRCUIT COURT 5
COUNTY OF KERSHAW) DOCKET No.: 2022-GS-47-00007

THE STATE OF SOUTH CAROLINA,)
 Plaintiff,)
versus)
)
MARLO JACKSON,)
 Defendant.)

H E A R I N G
BEFORE THE HONORABLE PAUL M. BURCH

DATE: March 24, 26, 27, 2025.
TIME: 3:55 p.m.
LOCATION: South Carolina Circuit Court 5
TRANSCRIBED BY: Jackson Alexander

A P P E A R A N C E S:

SAVANNA GOUDE, ESQUIRE
Attorney for the State

BEN STITELY, ESQUIRE
Attorney for the Defense

LEGAL EAGLE
Post Office Box 5682
Greenville, South Carolina 29606
864-467-1373
depos@legaleagleinc.com

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

1 PROCEEDINGS - March 24, 2025.

2 MS. GOUDE: Your Honor, the State is ready to proceed.

3 THE COURT: (Inaudible).

4 MR. STITELY: Thank you, Judge.

5 THE COURT: Ladies and gentlemen, if I can have your
6 attention. We are about to commence the trial of a case
7 entitled: The State of South Carolina -- let me start over.
8 Sorry, I had the microphone off. We're about to commence the
9 trial of a case entitled: The State of South Carolina versus
10 Marlo Jackson. The Court is calling this case for trial, and
11 I am going to respectfully defer to the State to inform us of
12 the indictments and the charges.

13 MS. GOUDE: Thank you, your Honor. Marlo Jackson has
14 been indicted in Kershaw County under indictment
15 2022-GS-47-00007: Count one, for trafficking methamphetamine,
16 400 grams or more; conspiracy. Count two, trafficking
17 cocaine, 400 grams or more; conspiracy. Count three,
18 trafficking cocaine based 28 grams or more, but less than 100
19 grams; conspiracy. Count four, conspiracy to distribute
20 fentanyl, and count five, trafficking heroin, 28 grams or
21 more; conspiracy.

22 THE COURT: Thank you. The Defendant, Marlo Jackson,
23 is present in court, he is represented by Attorney Ben
24 Stitely. I'm going to ask if Mr. Jackson will stand and face
25 the jury so we can see if we got any relationship, business,

1 or family.

2 MR. STITELY: My office is over in Lexington.

3 THE COURT: You may be seated. Thank you, Mr. Jackson.
4 Now, I have some additional questions for you. Are any
5 members of the petit jury panel related by blood or connected
6 by marriage with the Defendant, Marlo Jackson? If so, we
7 need you to stand at this time.

8 Are any members of the petit jury panel related by
9 blood or connected by marriage with any of the following
10 potential witnesses? Jamie Shaw, with State Law Enforcement
11 Division, which is commonly called "SLED." Doug Edmonson,
12 with SLED. Lewis Stoltz (ph), with SLED. I hope I'm
13 pronouncing that correct. Millie Agrawal (ph), with SLED.
14 Jesse Bailey, with SLED. James Martin, with SLED. Jarret
15 Maffett, that's M-A-F-F-E-T-T, with SLED. Jesse Johnson,
16 with SLED. Ronald Dadabo, that's D-A-D-A-B-O, with SLED.
17 Matthew Phillips, Jack Thompson, Christopher Johnson, Jason
18 Wells, Tommy Hines, Janelle McMillan, Rod Green, all of those
19 with SLED, and Rod Green as formally with SLED.

20 Further SLED agents: Jamir Bennett, Kirkland Jordan,
21 Joseph Parsons, Joseph Count, Timothy Knox, Brandon Steam,
22 Jonathan Humphreys, Robert Downey, Jr., James Martin, Dennis
23 Tracy, formerly of SLED, Tiffany Tolorello, with SLED.
24 Caseon (ph) Gardner, James Neil, Daniel Calder, Dial Oaks,
25 Halle Godley, Harvey Sharks -- Shire, all of these are with

1 SLED. Jeffrey Williams, Brandon Fitzgerald -- Brandon
2 Fitzgerald, Brad Lawson, Lee Young -- let me back up. All of
3 those down through Brandon Fitzgerald with SLED.

4 Now I'm starting with the Kershaw County Sheriff's
5 Office: Brad Lawson, Lee Young, Michael Ross, John Carter,
6 Michael Davidson, Mark Bass, Eric Templer, David Miller,
7 Alexandria Nelson, Williams Sao (ph). Aaron Miles, formerly
8 with the Sheriff's Department here.

9 Lawrence A. Zivkovich, with SLED, I hope that's
10 pronounced right. Shana Sorrells, with SLED. Douglas
11 Robinson, with SLED. Marybeth McCormick, with SLED. William
12 C. Smith, formerly with SLED. Hannah Jefferson, formerly
13 with SLED. Bailey Haynes, formerly with SLED. Rochelle
14 Noelle Johnson, with SLED. Christine Dadabo, with SLED.
15 Madison Willis, with SLED. Susan D. Smith, with SLED. Wendy
16 Bell, with SLED. Chelsea Cockrell, with the sheriff's
17 department here. Courtney Burris, Kershaw County. Everett
18 Johnson, from Lee County. Billy Bell, from Kershaw County.
19 Gary Mackey (ph), from Lancaster County, and Don Compo,
20 C-O-M-P-O, with Kershaw -- or from Kershaw County.

21 Any of those potential witnesses' names -- are any of
22 you on the panel related by blood, or connected by marriage,
23 or have any business, social, religious, or fraternal
24 relationship with any of those individuals? We need you to
25 stand and be recognized. Yes, sir.

1 JUROR NUMBER 74: I work with (inaudible) one of those
2 detectives.

3 THE COURT: Okay. And your juror number?

4 JUROR NUMBER 74: 74.

5 THE COURT: Okay. With that relationship, if you were
6 to be seated on the jury, can you be both fair and impartial
7 to the State and the Defendant if seated?

8 JUROR NUMBER 74: Probably not.

9 THE COURT: I couldn't hear you.

10 JUROR NUMBER 74: Probably not, to be honest with you.

11 THE COURT: All right. I may come back and talk with
12 you in just a few minutes. Thank you. Have any of you,
13 members of the petit jury panel, formed or expressed an
14 opinion as to the guilt or the innocence of the Defendant, or
15 have any personal knowledge of these matters -- or this
16 matter?

17 Any members of the petit jury panel conscious of any
18 interest, any bias, or any prejudice for or against the
19 Defendant, Marlo Jackson? If so, please stand, but don't
20 make any comment.

21 Are any members of the petit jury panel conscious of
22 any interest, any bias, or any prejudice for or against the
23 State of South Carolina involved in this matter? If so,
24 please stand, but don't make any comment.

25 UNIDENTIFIED SPEAKER: Got one, Judge.

1 THE COURT: Counsel, you all may approach.

2 (Bench conference at 4:04 p.m.)

3 THE COURT: Okay. Come on up, sir, while I'm here.

4 Counsel also. Do any of you on the jury panel have a family
5 member who has been or is currently serving time in any jail
6 or prison? Your name and your number?

7 JUROR NUMBER 106: 106.

8 THE COURT: How does that question apply?

9 JUROR NUMBER 106: I have two brothers in prison right
10 now on drug charges.

11 THE COURT: Thank you, sir. Yes. Your number?

12 JUROR NUMBER 248: 248.

13 THE COURT: 248?

14 JUROR NUMBER 248: Yes.

15 THE COURT: How does that apply?

16 JUROR NUMBER 248: I have a cousin in prison.

17 THE COURT: Cousin?

18 JUROR NUMBER 248: Yes.

19 THE COURT: Thank you. Yes?

20 JUROR NUMBER 220: 220. I have a (inaudible).

21 THE COURT: Couldn't -- couldn't hear the number.

22 JUROR NUMBER 220: 220.

23 THE COURT: Okay.

24 JUROR NUMBER 220: That was (inaudible).

25 THE COURT: Thank you. Yes, sir.

1 JUROR NUMBER 145: 145. My cousin.

2 THE COURT: Thank you. At this time, I'm going to ask
3 both attorneys, beginning with the State, to introduce
4 themselves to you. And I have to ask if any of you have been
5 represented or represented presently by either attorney.

6 MS. GOUDE: Good afternoon. My name is Savanna Goude,
7 and I'm a prosecutor at the South Carolina Attorney General's
8 Office. With me Counsel table is Lieutenant Jamie Shaw, she
9 works with SLED. She's the case agent. Also, we have Brad
10 Lawson from the Kershaw County Sheriff's Office and
11 (inaudible) from the Kershaw County Sheriff's Office.

12 THE COURT: Anybody presently represented by the
13 Attorney General's Office, or represented in the past?
14 Counsel?

15 MR. STITELY: My name is Ben Stitely. I practice law
16 mostly over in Lexington. My office is Williams, Stitely &
17 Brink.

18 THE COURT: Anybody presently represented or
19 represented in the past by Mr. Stitely or the firm? Anything
20 further, Counsel?

21 MS. GOUDE: Your Honor, may we approach?

22 THE COURT: Sure.

23 (Bench conference at 4:10 p.m.)

24 THE COURT: Has anybody -- okay. I have anybody on the
25 panel who has an immediate family member that's in law

1 enforcement here? Your number?

2 JUROR NUMBER 29: 29. I have my uncle who works at the
3 Kershaw County Sheriff's Department.

4 UNIDENTIFIED SPEAKER: Your Honor (inaudible).

5 THE COURT: Yeah, yell at me.

6 JUROR NUMBER 29: Oh, I have a uncle who works at the
7 Kershaw County Sheriff's Department. He's an officer.

8 THE COURT: Okay. That's your uncle? And your number
9 again?

10 JUROR NUMBER 29: 29.

11 THE COURT: Yes?

12 JUROR NUMBER 47: 47. It's not a blood relative, but
13 he's like a brother, friend that's very close. He works in
14 Richland County as a lieutenant.

15 THE COURT: Thank you.

16 JUROR NUMBER 47: In Richland County.

17 THE COURT: Yes.

18 JUROR NUMBER 217: 217. I have a brother-in-law that
19 is a state trooper.

20 JUROR NUMBER 152: 152. My son is deputy (inaudible).
21 Here.

22 THE COURT: Okay. Thank you, sir.

23 MR. STITELY: What was his number?

24 THE COURT: Was that 152?

25 JUROR NUMBER 152: 152.

1 THE COURT: 1-5-2. Have any of you on the jury panel
2 ever been the victim of a violent crime? Yes, sir?

3 JUROR NUMBER 226: At MUSC Kershaw Health -- sorry, my
4 juror number is 226. At MUSC Kershaw Health, I was assaulted
5 by a patient, and I was present for the proceedings for that.

6 THE COURT: Thank you. Is that it?

7 MR. STITELY: Nothing from the Defendant, Judge.

8 THE COURT: Are we ready to print out something here?
9 While she's doing that -- you know, I don't have the statutes
10 right here in front of me. I can look it up.

11 MR. STITELY: Five -- five, Judge.

12 THE COURT: Five and five.

13 MR. STITELY: I'm assuming that's what you're asking.

14 THE COURT: You are right. I don't rely on my memory
15 anymore because -- that's why I always ask you all. Thank
16 you. All right. Ladies and gentlemen, this being General
17 Sessions Court, totally different from common pleas, if
18 you've ever been on a civil matter. Madam Clerk will call
19 the names out that have been printed by -- at random on the
20 computer. We need you to come around as your name is called.

21 THE CLERK: (Inaudible).

22 THE COURT: Okay. Come around -- as your name is
23 called, come around where both tables can get a look at you.
24 It is totally different from common pleas if you ever served
25 on that. Civil court is more secret (inaudible) without an

1 attorney strike.

2 THE CLERK: (Inaudible) if I call your name, come and
3 bring your personal belongings with you in case you are told
4 to be seated. The first one is Juror Number 217, Stephanie
5 Stokes.

6 THE COURT: Please -- please be sure to bring personal
7 belongings, and you also have court permission to feel
8 (inaudible) because I know you are.

9 THE CLERK: What says the State?

10 MS. GOUDE: Please present this juror.

11 MR. STITELY: Please swear Ms. Stokes.

12 THE CLERK: Juror Number 76, Janine Walton (ph). What
13 says the State?

14 MS. GOUDE: Please -- please present this juror.

15 MR. STITELY: Please excuse the juror from the trial of
16 this case.

17 THE CLERK: Juror Number 51, David Casa (ph). What
18 says the State?

19 MS. GOUDE: Please excuse this juror.

20 THE CLERK: Juror 79, (inaudible). What says the
21 State?

22 MS. GOUDE: Oh. Present this juror.

23 MR. STITELY: Please swear the juror.

24 THE CLERK: Juror 47, (inaudible). What says the
25 State?

1 MS. GOUDE: Please present this juror.

2 MR. STITELY: Please excuse the juror from the trial of
3 this case.

4 THE CLERK: Juror 61, (inaudible). What says the
5 State?

6 MS. GOUDE: Please present this juror.

7 MR. STITELY: Please swear the juror.

8 THE CLERK: Juror Number 11, Matthew Armand (ph). What
9 says the State?

10 MS. GOUDE: Please present this juror.

11 MR. STITELY: Please swear the juror.

12 THE CLERK: Juror Number 220, Melanie Thomas. What
13 says the State?

14 MS. GOUDE: Please excuse this juror.

15 THE CLERK: Juror Number 156, Gary Mans (ph). What
16 says the State?

17 MS. GOUDE: Court -- Court's indulgence, your Honor?

18 THE COURT: Sure.

19 MS. GOUDE: Please excuse this juror.

20 THE CLERK: Juror 111, Jeffrey Hatcher. What says the
21 State?

22 MS. GOUDE: Your Honor, may Mr. Stitely and I approach?

23 THE COURT: Sure.

24 (Bench conference at 4:23 p.m.)

25 THE COURT: How are you?

1 MS. GOUDE: Your Honor, the State (inaudible) strike
2 this juror for cause.

3 MR. STITELY: I'd object to that, Judge.

4 THE COURT: Hang on a second.

5 MR. STITELY: The State still has two preemptory.

6 THE COURT: I'm going to grant that motion. Overrule
7 the objection. You may return to your seat. We'll discuss
8 this later.

9 MR. STITELY: Yes, sir.

10 THE CLERK: Juror 76, Hass Dukes. What says the State?

11 MS. GOUDE: Please present this juror.

12 MR. STITELY: Please excuse the juror from the trial of
13 this case.

14 THE CLERK: Juror 184, Brandon Price. What says the
15 State?

16 MS. GOUDE: Please present this juror.

17 MR. STITELY: Please swear the juror.

18 THE CLERK: Juror Number 39, Robert Burns. What says
19 the State?

20 MS. GOUDE: Please excuse this juror.

21 THE CLERK: Juror Number 142, (inaudible) Lee. What
22 says the State?

23 MS. GOUDE: Please present this juror.

24 MR. STITELY: Please seat the juror.

25 THE CLERK: Juror 243, Ariel Willis. What says the

1 State?

2 MS. GOUDE: Please present this juror.

3 MR. STITELY: Please swear the juror.

4 THE CLERK: Juror Number 226, Wayne Cash (ph). What
5 says the State?

6 MS. GOUDE: Please present this juror.

7 MR. STITELY: Please seat the juror.

8 THE CLERK: 232, David Watkins. What says the State?

9 MS. GOUDE: Please present this juror.

10 MR. STITELY: Please swear the juror.

11 THE CLERK: Juror 24, Mindy Blakely. What says the
12 State?

13 MS. GOUDE: Please present this juror.

14 MR. STITELY: Please excuse the juror from the trial of
15 this case.

16 THE CLERK: Juror Number 114, Bobby Hollis. What says
17 the State?

18 MS. GOUDE: Please present this juror.

19 MR. STITELY: Please swear the juror.

20 THE CLERK: Juror 117, Gregory Horton. What says the
21 State?

22 MS. GOUDE: Please present this juror.

23 MR. STITELY: Please swear the juror.

24 THE CLERK: Juror Number 171, Jordan Noss (ph). What
25 says the State?

1 MS. GOUDE: Please excuse this juror.

2 THE CLERK: Juror Number 189, Robin Forseo (ph). What
3 says the State?

4 MS. GOUDE: Please present this juror.

5 MR. STITELY: Please excuse the juror from the trial of
6 this case.

7 THE CLERK: Juror Number 188, Joshua Coffrey (ph).
8 What says the State?

9 MS. GOUDE: Please present this juror.

10 MR. STITELY: Please swear the juror.

11 THE COURT: Let's see. Three alternates. Strikes:
12 One, two per all.

13 MR. STITELY: Yes, sir.

14 THE CLERK: Juror Number 5, Timothy Allen.

15 MS. GOUDE: Please present this juror.

16 MR. STITELY: Please excuse the juror from the trial of
17 this case.

18 THE CLERK: Juror 125, Jeffrey Ingram. What says the
19 State?

20 MS. GOUDE: Please present this juror.

21 MR. STITELY: Please swear the juror.

22 THE CLERK: Juror Number 50, Rebecca Carolina. What
23 says the State?

24 MS. GOUDE: Please excuse this juror.

25 THE CLERK: Juror 131, Stacey Jordan. What says the

1 State?

2 MS. GOUDE: Please present this juror.

3 MR. STITELY: Please swear the juror.

4 THE CLERK: Juror Number 144. Torah Laving. What says
5 the State?

6 MS. GOUDE: Please excuse the juror.

7 THE CLERK: Juror Number 63, Pauline Craig. What says
8 the State?

9 MS. GOUDE: Please present this juror.

10 MR. STITELY: Please swear the juror.

11 THE COURT: Any matters concerning the jury?

12 MR. STITELY: I have one, Judge. So before you dismiss
13 the jury, I'd like to be heard.

14 THE COURT: Ladies and gentlemen, don't discuss this
15 case, but step back to the jury room with the bailiff staff.

16 (Jury exits room at 4:38 p.m.)

17 THE COURT: And I need all the other jurors to step out
18 in the hallway away from the door, please.

19 (Jury pool exits room at 4:39 p.m.)

20 THE COURT: Yes?

21 MR. STITELY: Just -- first, I want to address the
22 matter on Juror 111. The State made a motion for cause,
23 stating that someone said that he had talked to someone in
24 the hallway. Your Honor clarified he did not speak to my
25 client nor to speak to my client's family. I don't believe

1 there -- and he said he didn't know anyone, didn't know any
2 of the witnesses in the case. I do not believe there was
3 cause there.

4 THE COURT: I very seldom step in on these jury
5 situations with misalignment of a juror for cause. However,
6 this is allegedly a widespread conspiracy, and the -- your
7 statement to the Court in case we didn't get on the record,
8 that he had -- did discuss with some of the -- one of the
9 co-defendant's families out there.

10 But because of the widespread conspiracy, I saw no
11 grounds to step in on that. Thank you for bringing that up.
12 I wanted to make sure we got that because the public courts,
13 every time we rule, if it's all possible, we need to discuss.
14 Thank you.

15 MR. STITELY: Yes, sir. The other one is a Batson
16 motion. There were three black female jurors called for
17 jury, possible options. All three of them were struck.
18 Three black females were called, the State struck all three.
19 It's an obvious race bias.

20 THE COURT: And I believe one of those is on the
21 original 12. And two of them were alternates?

22 MR. STITELY: Judge, Number 220, Number 50, and Number
23 144, all black females. The only three black females that
24 were called. All three struck by the State.

25 THE CLERK: Once again, what were the juror numbers?

1 MR. STITELY: 220, 50, and 144.

2 THE CLERK: Juror Number 50, Rebecca Carolina. I
3 believe she relayed to the Court about law enforcement that
4 she had a son who is currently in trouble (inaudible). 144
5 was (inaudible) Levy. She had relayed to the Court she was
6 an ex-correctional officer. (Inaudible) some problems within
7 SCDC, and that's why Ms. Goude struck her (inaudible) reason
8 for her leaving (inaudible). And then 220, Melanie Thomas,
9 was a stay-home mom and law enforcement (inaudible) higher
10 crime area. So that's why those three individuals were
11 struck, your Honor.

12 MR. STITELY: Judge, being a mom does not disqualify
13 her. I would also, for the record, point out that at the 78
14 possible jurors, 23 of them were black in the panel. On our
15 jury, due to the strikes of the State, we have one out of 15.
16 So where we had over 25 percent approaching 28 percent of the
17 whole jury panel we have less than 7 percent active on the
18 jury. It's an obvious race bias created by the State.

19 THE COURT: I have (inaudible) aspects of the Batson
20 motion.

21 MR. STITELY: Yes, sir. And I -- I'm just relying on
22 the counting straight down the line and then taking off for
23 those who were excused after we started, not -- not by the
24 jury strike, but during the qualification.

25 THE COURT: All right. Two of them were alternates. I

1 don't see no justification here to step in and grant that
2 motion. Racially-neutral explanations, all of which are the
3 key to these facts and motions. All right. Motion denied.

4 MR. STITELY: Thank you, Judge. My other motion, just
5 for the record's sake, would be that the impaneling in
6 general represents a misappropriation of the social and -- in
7 this case, racial bias, where you have a jury panel that
8 would've been essentially a 30 percent black jury. And we
9 ended up with one out of 15, which is only about 8 percent.

10 THE COURT: All kinds are different. I have -- I'm not
11 familiar, even though I used to represent Park County years
12 ago, I'm not -- I'm not apprised of what the racial breakdown
13 as far as the census were, but I do notice quite a few
14 African-Americans -- let's see, on the initial computerized
15 draw.

16 I am not going to step in on that either -- I mean,
17 it's a random computer. Madam Clerk, you raise your right
18 hand. You do solemnly swear the testimony you will give the
19 Court is the truth, the whole truth, and nothing but the
20 truth?

21 COURT CLERK,

22 being duly sworn, testified as follows:

23 THE COURT: Is this computer list drawn at random as
24 required by court administration?

25 THE CLERK: Yes.

1 THE COURT: 15 to 5:00. Let's bring them in. Bring
2 them back in. I'll give them a (inaudible) we won't swear
3 until in the morning.

4 (Jury and jury pool enter room at 4:47 p.m.)

5 THE COURT: Ladies and gentlemen of the jury panel and
6 out in the audience, thank you so much for your patience with
7 us today. We have now seated a jury, and this trial will
8 commence tomorrow morning because we are right close to 5:00
9 now. I need you all to stay a few more minutes to --
10 actually, on the jury.

11 We will not need to draw another jury this week. So
12 good news, you all are excused for the week. If you are
13 drawn on the jury for the rest of this year in the circuit
14 court, you will not have to serve. If you're drawn in two
15 more years, I would encourage you to come to be willing to
16 serve, if you will.

17 If you need an employment slip, please come forward to
18 the clerk's office. I'll refer to her about how that should
19 be handled because all counties are different about how they
20 do that. Thank you so much for coming in to help us. Okay?
21 Madam Clerk?

22 THE CLERK: If you need a work excuse, you can go over
23 to room 313, which is in the hallway, and they'll give you
24 one for today. And thank you all for coming.

25 THE COURT: All right. You are all excused. Thank

1 you.

2 (Jury pool exits at 4:50 p.m.)

3 THE COURT: All right. Thank you so much for your
4 patience. One good thing that's happened today, but us --
5 those of us that suffer from allergies, it'd be good to see
6 that rainbow on because I looked out of the window and it
7 looked like a yellow pie. It's true. So maybe that'll help
8 us out. All right. Unless Counsel suggests differently,
9 let's fire up at 9:30. Is there any problem?

10 MR. STITELY: We shall meet, Judge.

11 MS. GOUDE: No objection to the State, your Honor.

12 THE COURT: So I'm going to need you back here to
13 report to the jury room, 9:30, in the morning. Get started
14 with this case, but before I let you go, I have talked to you
15 a little bit: Do not allow anyone in any form or fashion to
16 try to communicate with you about this case. Things have
17 changed over the years that I have been involved in trials,
18 practicing law, and also serving on the bench.

19 Used to be, we just warned about in-person telephone
20 calls, there is so many ways now about communication.

21 Instruction: Do not allow anybody to communicate with you in
22 any form or fashion. The internet is here, cell phones. Do
23 not allow any third party to approach you in any form or
24 fashion to discuss this case. Should -- yeah. Something
25 like this very seldom happens. Okay?

1 In the event something like that is attempted,
2 immediately notify law enforcement. If you live in the city,
3 contact the police department. If you're out in the county,
4 let the sheriff's department know. Okay? One other thing:
5 Avoid any -- reading any local press coverage until this case
6 is complete, because -- you know, the situation nowadays with
7 mass communication. Sometimes it'll be a write-up or
8 something on the radio or a local TV station. And you try
9 this case based on the evidence presented in court, not on
10 the opinion of some news report. Okay? So let's just avoid
11 any local coverage, TV, press, internet, in person, okay?
12 Until the week the case is completed.

13 All right. Unless something changes, which I may
14 modify this later, we may have to take a break Thursday
15 morning. I got to defer to another court for a matter that
16 may -- may affect Thursday, but we -- we'll keep you abreast
17 of that. As far as reporting, I'm going to rely on the
18 bailiff staff to show you where you report and how to report.
19 Okay. Anything before I release the jury for the afternoon,
20 from the State or the Defense?

21 MS. GOUDE: Nothing from the State, your Honor.

22 MR. STITELY: No, sir.

23 THE COURT: Once again, it's been a long day. Lot of
24 (inaudible) have any lunch break today, and I appreciate
25 everybody working together with us. Get done what we need to

1 get done. Okay? You all have a good night. We'll see you
2 in the morning.

3 (Jury exits room at 4:55 p.m.)

4 THE COURT: We will hold up (inaudible) a minute to
5 make sure they get clear.

6 THE BAILIFF: We're clear, your Honor. We're clear.

7 THE COURT: Okay. All right. We are in recess until
8 9:30 in the morning. Let me talk to Counsel before we leave.

9

10 (THERE BEING NOTHING FURTHER, THIS HEARING CONCLUDED AT
11 4:57 P.M.)

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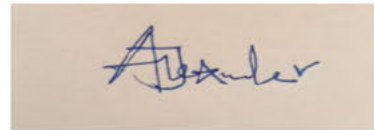
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CERTIFICATE OF TRANSCRIBER

I, JACKSON ALEXANDER, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of the proceedings had, and evidence introduced in the trial of the captioned case, relative to appeal, in the South Carolina Circuit Court 5 of Kershaw County, South Carolina, on March 24, 2025.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

September 20, 2025.

A rectangular box containing a handwritten signature in blue ink. The signature appears to be "Alexander" written in a cursive, stylized script.

JACKSON ALEXANDER

Transcriber

1 CONTINUATION OF PROCEEDINGS - March 26, 2025.

2 THE COURT: All right. Good morning, everybody. We're
3 back to work on the State versus Marlo Jackson. Everybody,
4 make sure they got their phone on silent, including me.
5 Okay. We need Mr. Jackson. All right. Counsel, I
6 understand from our pretrial conference.

7 MR. STITELY: Yes, sir. Judge, at this time, Mr.
8 Jackson would elect to request a bench trial to try this case
9 before your Honor. I have explained to him his rights, but I
10 told him you would go into depth with him on that as well.

11 He is aware that we have picked a jury. He is aware
12 that they are ready to proceed. He is aware that it's his
13 constitutional right, and all the rules are the exact same.
14 Instead of 12 people, there would be one, and it would be you
15 making the decision.

16 THE COURT: Thank you, sir. Mr. Jackson, I need to
17 just give some background information first. I need your
18 age.

19 MR. STITELY: You aren't talking to me.

20 THE DEFENDANT: I'm 41 years old.

21 THE COURT: And what is your education?

22 THE DEFENDANT: 11th grade.

23 THE COURT: And where did you last work?

24 THE DEFENDANT: Airtight installation.

25 THE COURT: And what did you do there?

1 THE DEFENDANT: Installation, pest control and
2 concrete.

3 THE COURT: All right. You have discussed this matter
4 at length with your attorney?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: You're satisfied with his help?

7 THE DEFENDANT: With -- with the procedure --

8 THE COURT: You're satisfied with his representation?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Okay. All right. Now, have you ever been
11 declared mentally incompetent? Has any court or any -- any
12 -- any medical professional ever found you be mentally
13 competent?

14 THE DEFENDANT: Yes, sir. When I was younger, I had a
15 situation when my father passed. I had to go through some --

16 THE COURT: I couldn't hear you.

17 THE DEFENDANT: I had a situation when I was young,
18 when my father passed, I had to go through some problems with
19 that.

20 THE COURT: Did any judge find you, for any reason, to
21 be mentally incompetent?

22 THE DEFENDANT: No -- no, sir. I just went to mental
23 health, and got help through mental health and sent to a
24 doctor and stuff like that.

25 THE COURT: That was when your father passed away?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: And how old were you then?

3 THE DEFENDANT: 16 -- 17 -- 17.

4 THE COURT: 17?

5 THE DEFENDANT: Yes.

6 MR. STITELY: I've noticed no competence issues, Judge.
7 We've had no problems in understanding our conversations.

8 THE COURT: Now, I understand you have been
9 incarcerated, but I have to get this on the record. Are you
10 presently under the influence of any drugs, alcohol, or any
11 medication?

12 THE DEFENDANT: No, sir.

13 THE COURT: And you're not on any prescription
14 medication?

15 THE DEFENDANT: No, sir.

16 THE COURT: All right. You understand that you have a
17 constitutional right to trial by jury. Now, as far as the
18 record is concerned here, we've already chosen a jury that's
19 back there in the jury room, there's 12 of them with three
20 alternates. You fully understand you have a right to have
21 that jury determine your guilt or innocence in this case?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: You understand that's a constitutional
24 right?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: You understand if we went through this
2 trial, the State would have to prove your guilt beyond a
3 reasonable doubt before the jury could convict you?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Of course, the same would apply if it's a
6 bench trial?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: You understand that?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Do you have any questions about this waiver
11 of your constitutional rights to a jury trial?

12 THE DEFENDANT: No, sir. Not -- not really. I just
13 asked my lawyer a couple questions, and I think he leads me
14 in the right way with it.

15 THE COURT: You understand if I accept your motion or
16 request to go forward with a bench trial, that once I release
17 this jury, you can't reverse your decision?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Once we start, it's going to be a bench
20 trial. The jury can't be brought back.

21 THE DEFENDANT: Yes, sir.

22 THE COURT: It will be my sole decision based on the
23 evidence that's presented in court?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Do you understand that this decision to

1 waive your constitutional right to a jury trial has to be
2 made by you? So therefore, I've got to ask you this: Has
3 anybody intimidated you, promised you anything, or threatened
4 you in any way in order for you to give up your
5 constitutional right to jury trial?

6 THE DEFENDANT: No, sir.

7 THE COURT: This is your decision and yours alone?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Counsel, you all approach, please.

10 (Bench conference 10:09 p.m.)

11 THE COURT: All right. Court is in recess just a few
12 minutes. Madam Clerk needs to release the jury. (Inaudible)
13 motion for (inaudible) we will continue with a bench trial in
14 just a few minutes.

15 (Judge exits at 10:11 a.m.)

16 (Off the record at 10:11 a.m.)

17 (Judge enters at 10:20 a.m.)

18 (On the record at 10:20 a.m.)

19 THE COURT: All right. Since we are all on a bench
20 trial, the Court will now be (inaudible) to open statements
21 to itself (inaudible) case. You certainly have a right to
22 make opening statements to me, (inaudible) it's up to you.

23 MS. GOUDE: Your Honor, before we begin, can we address
24 the witness sequestration? The State has a lot of law
25 enforcement witnesses on the witness list. I believe some of

1 them would like to watch the trial if they're not
2 sequestered. So we did want to address that with -- your
3 Honor, we should have no witnesses that aren't law
4 enforcement in the courtroom.

5 MR. STITELY: Yeah, I -- I would move to sequestration
6 of all witnesses. Obviously, she can have her case agent,
7 but that's the only person we would've agreed to have, your
8 Honor.

9 THE COURT: All right.

10 MS. GOUDE: Your Honor, we do have the SLED case agent
11 and the Kershaw County Sheriff's Office case agent, and we
12 would request they both be allowed, if your Honor sequesters
13 the witnesses.

14 THE COURT: Mr. Stitely?

15 MR. STITELY: If they have her case agents for the two
16 agencies. I think she can have them, Judge.

17 THE COURT: All right. The motion is granted
18 (inaudible) other case agents for state department -- State
19 Law Enforcement Division and the sheriff's department. Okay.
20 So do you all need to be (inaudible) there's some rooms
21 available somewhere.

22 MS. GOUDE: In court? Okay. All right.

23 THE COURT: Morning.

24 MR. PERRY: Morning, Judge. Good to see you, sir. I'm
25 not testifying, so I don't think I need to be sequestered.

1 MS. GOUDE: Okay. Your Honor, the State is prepared to
2 open.

3 MR. STITELY: I -- I'll be waiving, but...

4 MS. GOUDE: May it please the Court?

5 THE COURT: Yes.

6 MS. GOUDE: Morning, your Honor.

7 THE COURT: Good morning.

8 MS. GOUDE: I prepared my opening for the jurors, but
9 why should we let it go to waste here this morning, your
10 Honor?

11 THE COURT: So now all we have to do is just
12 (inaudible).

13 MS. GOUDE: All right. So this morning, I think we
14 should start out with something that we can all agree on.
15 That selling drugs is against the law. No matter who you
16 are, where you're from, what your job is, or how much money
17 you have, it's illegal to sell drugs. But we also know that
18 some people don't care about the law, and don't care about
19 right from wrong. And these people choose to live outside of
20 the law.

21 Your Honor, I submit to you that the Defendant, Marlo
22 Jackson, is one of those people. Mr. Jackson has chosen a
23 life of drug-trafficking, and he has dragged others into that
24 world with him. Mr. Jackson is from the Little Egypt area of
25 Lee County. That area is poor, that area is rural, and the

1 easiest way to make money out there is to sell drugs. This
2 isn't some glamorous car (inaudible) Hollywood movie. This
3 is rural South Carolina real life drug-trafficking. Mr.
4 Jackson sells his drugs from an area in Little Egypt known as
5 "The Shop." And The Shop isn't a shop. The Shop is an open
6 field where people go and they know they can buy any kind of
7 drug from Mr. Jackson, that it's a spot that's jumping all
8 the time.

9 Now, The Shop is in Lee County, and we are here today
10 in Kershaw County. We're in Kershaw County because the drug
11 activity at The Shop has affected the Kershaw County
12 community. And in 2019, Kershaw County Sheriff's Office
13 partnered with SLED to initiate an investigation into this
14 drug-trafficking organization. As a result of that
15 investigation, Mr. Jackson has been charged with the crimes
16 we're here on today: Trafficking methamphetamine, 400 grams
17 or more; conspiracy. Trafficking cocaine, 400 grams or more;
18 conspiracy. Trafficking cocaine based, 28 grams or more, but
19 less than a hundred grams; conspiracy. Conspiracy to
20 distribute fentanyl, and trafficking heroin, 28 grams or
21 more; conspiracy.

22 Your Honor, the State will prove these charges to you
23 through witness testimony and evidence presented. We'll have
24 law enforcement testify about Mr. Jackson and his
25 co-defendants who are working together to distribute drugs.

1 We'll have co-defendant, co-conspirators testify. We have an
2 undercover agent that Mr. Jackson sold drugs to. We also
3 have a wire intercept on two of Mr. Jackson's phones that is
4 full of drug activity. We have physical drugs that were
5 seized in this investigation, and we have lab analysts to
6 testify about those drugs. And at the end of this trial,
7 your Honor, the State would ask that you find Mr. Jackson
8 guilty.

9 MR. STITELY: Thank you, Judge. We defer, Judge, until
10 potentially after the State's case.

11 THE COURT: All right. State, call your first witness.

12 MS. GOUDE: The State calls Brad Lawson

13 THE COURT: Come around to be sworn, please.

14 THE CLERK: (Inaudible) please.

15 CAPTAIN BRAD LAWSON,

16 being duly sworn, testified as follows:

17 THE CLERK: Thank you. Have a seat and state your
18 name.

19 THE WITNESS: Brad Lawson.

20 DIRECT EXAMINATION

21 BY MS. GOUDE:

22 Q. Good morning Captain Lawson.

23 A. Good morning.

24 Q. Could you tell the Judge a little about your
25 employment? Where you're employed?

1 A. Yes, ma'am. So I currently work at the Kershaw
2 County Sheriff's Office, but prior to that I started my law
3 enforcement career in 2002 in Darlington County where I
4 worked there for about nine-, nine-and-a-half years before
5 coming to Kershaw County. Most of my career in Darlington
6 County was mainly working in part of the narcotics division.

7 Once coming here, I worked the interstate a little bit,
8 and then got promoted to lieutenant -- well, I came here in
9 2011, got promoted to lieutenant over the narcotics unit here
10 at the sheriff's office in 2013. Held that position until
11 January, 2023, when I was promoted to captain over our
12 special operations and specialized units.

13 Q. And you said you received that promotion when?

14 A. The latest promotion was January of 2023.

15 Q. So what capacity were you working for the
16 sheriff's office in 2019?

17 A. In 2019, I was the lieutenant of the narcotics
18 division.

19 Q. Did you have any special training and experience
20 in that position?

21 A. Yes, ma'am. Like I said, most of my career has
22 been -- of a 23-year career has been involved in narcotics.
23 So pretty much most of my training has been -- has evolved
24 around narcotics work in every facet of that, I guess you
25 would say. And then obviously in leadership -- leadership

1 roles as well.

2 Q. Can you explain how this investigation began?

3 A. So in 20 -- around 2019 and a little bit prior to
4 that, here in Kershaw County, we started having a number of
5 overdoses that were taking place. Some of that being heroin,
6 and then transitioning into fentanyl. And -- and a lot of
7 our seizures or other cases that we were making around that
8 time frame we were starting to see a transition from heroin
9 over to fentanyl, along with other drugs. So -- and -- and
10 --

11 Q. Why was the transition to it not particularly
12 alarming?

13 A. Well, really of just how dangerous it is, how much
14 more potent it is than -- than -- than heroin is.

15 Q. All right. So where does your investigation lead
16 you?

17 A. Well, again, out of those overdoses that we would
18 respond to, and other cases we would make on those seizures,
19 ultimately, it led us to -- I would say two -- in this
20 particular area in Lee County. We kept our investigation,
21 led us to two persons of interest, if you will. That being
22 an Everett Johnson and Mr. Marlo Jackson

23 Q. Now -- and before your Kershaw County Sheriff's
24 Office, you have jurisdiction in Lee County?

25 A. No, ma'am, I do not.

1 Q. Okay. So -- and how close to Kershaw County is
2 this area of Lee County that we're talking about?

3 A. So the Little Egypt area, which is Egypt Road, we
4 just call it "Little Egypt," is from the county line. A mile
5 to two miles, if you will. It's -- it's very close. I -- I
6 would say less than two miles.

7 Q. So to address this problem of drugs from Lee
8 County coming into Kershaw County, which is two miles, what
9 did you do?

10 A. Yeah. So obviously we don't have jurisdiction in
11 Lee County. Kind of finding it hard for us to -- on our end
12 in this county to kind of get anywhere and further that
13 investigation. So we contacted Agent Jamie Shaw with SLED to
14 assist us with that. And from there, we basically opened up
15 what -- I guess, I'd call a multi-jurisdictional
16 investigation.

17 Q. All right. As part of that investigation, what is
18 one of the first things you did?

19 A. Well, we would -- obviously, what we did was take
20 information that we were gathering on cases, and put all that
21 together obviously, and relay all that with -- with SLED to
22 -- to further that.

23 Q. Did you cultivate any confidential informants?

24 A. Yes.

25 Q. And what did those confidential informants do?

1 A. At times, we were -- we were -- sometimes it would
2 just be information we would get, or at times we were lucky
3 you could make some controlled buys here and there.

4 Q. And who did those confidential reports?
5 Informants conduct reported --

6 MR. STITELY: Judge, I'm going to object to that.
7 That's going to be requested hearsay. They would have to
8 actually be here to testify and give you how he got that
9 information.

10 THE COURT: You have to be careful with hearsay.

11 MS. GOUDE: Your Honor, he's just testifying about what
12 (inaudible) in the investigation.

13 THE COURT: All right. I'll give you some leeway to --
14 as far as any kind of hearsay unless it's an exception.

15 BY MS. GOUDE:

16 Q. So who were the controlled buys purportedly
17 conducted on?

18 MR. STITELY: And Judge, that's my objection. She's
19 asking purportedly, that means that someone told him this is
20 what they were doing. That's hearsay by definition. She
21 needs to bring those people to have them testify.

22 THE COURT: I don't necessarily agree with you on that.
23 He's lead investigator on it. He would know -- I'm going to
24 overrule. Go ahead.

25 THE WITNESS: All right. So at times those -- those --

1 that -- those controlled buys were made from Mr. Marlo
2 Jackson.

3 BY MS. GOUDE:

4 Q. All right. After that, and your partnership with
5 SLED, what other steps did law enforcement take to further
6 the investigation?

7 A. Well, there was a lot of surveillance done.
8 Whether that was on houses or cars that -- that -- that were
9 driven by -- by suspects in the investigation.

10 Q. What about a wire intercept?

11 A. Yes. So -- yeah -- well, that came eventually.
12 Yeah. So eventually, a -- a wiretap investigation was -- was
13 initiated.

14 Q. All right. Let's go to November 25, 2020.

15 A. All right. So on this particular date, your
16 Honor, myself and Lieutenant Young -- oh, he's lieutenant
17 now, he was Sergeant Young at the time because I was still in
18 the narcotics division. This particular date, we were
19 checking some of the local hotels, off of Highway 601 in the
20 Lugoff area, Kershaw County where we came across and
21 encountered a -- a subject by the name of Tevin Green. So
22 during that encounter with Mr. Green at that hotel, we found
23 out that Mr. Green, from talking to him, that he was --

24 MR. STITELY: I'm going to object to hearsay.

25 THE COURT: That's getting a little bit too far into

1 hearsay there.

2 BY MS. GOUDE:

3 Q. So in the course of your interaction with Mr.
4 Green, could you tell us about the search of his vehicle?

5 A. Yes. So -- well, yes. So we -- we searched his
6 vehicle and found him to be in -- in possession of a
7 significant amount of suspected heroin, suspected cocaine,
8 some -- and suspected crack cocaine.

9 MS. GOUDE: May I approach the witness, your Honor?

10 THE COURT: Yes.

11 MS. GOUDE: I'm going to show what's been marked as
12 Exhibits 1 through 3.

13 (State's Exhibits Numbers 1, 2, and 3 marked for
14 identification.)

15 BY MS. GOUDE:

16 Q. Take a look. Do you recognize?

17 A. Yes, ma'am.

18 Q. Are those a fair and accurate depiction of items
19 received that day?

20 A. Yes, ma'am. They are.

21 MS. GOUDE: Your Honor, at this time, I'll move State's
22 1 through 3 into evidence.

23 MR. STITELY: Could I have a general objection to
24 relevance? I guess you may be trying to establish this
25 later, but unless Mr. Green's going to be here to testify,

1 I'm going to object to relevance all day long. An unrelated
2 case. He is not one of the people who was on trial this
3 week, unless I'm going to be able to cross-examine him. I'm
4 going to object to any evidence from any case, unless he's
5 going to be here to testify.

6 THE COURT: I'll agree with that. You -- you testified
7 that that was what was in the car, correct?

8 MS. GOUDE: Yes, your Honor.

9 THE COURT: Okay.

10 MR. STITELY: And -- and just, your Honor, my objection
11 is relevance in general. He's not a named defendant. I
12 don't know who he is. Can't go with that.

13 MS. GOUDE: Your Honor, this is a conspiracy trial and
14 (inaudible).

15 THE COURT: I understand.

16 MS. GOUDE: Permission to move State's 1, 2, and 3,
17 your Honor?

18 THE COURT: I -- yes. Subject to his objection, noted
19 on that.

20 (State's Exhibits Numbers 1, 2 & 3 admitted into evidence.)

21 MS. GOUDE: Your Honor, I'd (inaudible).

22 THE COURT: You can pass it, please. And I'll have it
23 to my court reporter.

24 MS. GOUDE: And, your Honor, we may have Captain Lawson
25 refer to State's Exhibit 3.

1 THE COURT: All right.

2 MS. GOUDE: Okay.

3 BY MS. GOUDE:

4 Q. And in State's Exhibit 3, could you describe what
5 we're looking at there, Captain?

6 A. Yes, ma'am. So this was Mr. Tevin Green's South
7 Carolina driver's license that we located during that
8 encounter with him, as well as a vehicle registration to the
9 Infiniti that he was in that particular day, that's also
10 registered to him.

11 Q. What's the address on Mr. Green's driver's
12 license?

13 A. So on both of these, it's [REDACTED] Egypt Road. It
14 shows a Camden address, but that is Lee County. That
15 particular area still comes across as a Camden mailing
16 address, but it's Lee County.

17 Q. And were the suspected drugs in this case
18 collected?

19 A. Yes, ma'am. They were.

20 Q. And do you recall who collected and submitted
21 those drugs?

22 A. Well, I collected them from the car, now -- and
23 myself and Sergeant Young at the time, did the evidence to
24 together, which is what we always do when we have that much
25 suspected drugs to be packaged.

1 MR. STITELY: Judge, you -- I -- subject to my previous
2 objection, I'm not going to object any further to these items
3 that were collected.

4 THE COURT: All right. Noted.

5 MS. GOUDE: Do we have some scissors?

6 BY MS. GOUDE:

7 Q. Okay. Captain Lawson, I'm going to take State's
8 Exhibit 28 (inaudible).

9 A. I don't have my knife with me today.

10 Q. (Inaudible).

11 A. Okay.

12 Q. Okay. If you could hold up for the -- for the
13 Court and describe what's in State's Exhibit 28?

14 A. Yes. This is a -- this is, like, a little small
15 zip-up bag or pouch. Also, in here is -- should be a digital
16 scale and some packaging baggies that are all in one.

17 Q. And in your training and experience, what would a
18 person need digital scales and plastic baggies for?

19 A. In my training and experience, it's -- it's
20 usually for weighing and patching -- packaging illegal drugs.

21 Q. And illegal -- or suspected illegal drugs were
22 found in that backpack with the scale and baggie, correct?

23 A. That's correct. It was all found in that -- in
24 that little pouch inside of Mr. Tevin Green's vehicle on that
25 particular day.

1 Q. All right. Now in your position as captain at the
2 Kershaw County Sheriff's Office, are you in or involved in
3 the processing or handling of evidence?

4 A. Well, obviously, handling this at the time of the
5 incident, but as my position now, evidence is one thing that
6 falls under -- under my position. I don't necessarily handle
7 that. We have an evidence custodian that does that. It's
8 just one thing that -- that falls under me.

9 Q. And can you describe generally how an officer
10 submits evidence to the Kershaw County evidence?

11 A. Yes -- yes, ma'am. So basically, what we do on
12 that day, or -- you know, the day that we package it up, we
13 will, obviously, notate it on the evidence bag of what it is.
14 It's -- it's sealed up, it's dated that -- the day that we do
15 that, and in our system -- our reporting system the day that
16 we actually submit it. It then goes into a -- a locker. We
17 have a wall of lockers that you go in and you lock. And the
18 only -- the only person that has access to that at all
19 anymore is just me and the evidence custodian. That's it.
20 And that you -- you get that from the other side, and then
21 you put it where -- where it needs to go inside the evidence.

22 MS. GOUDE: Okay. All right. Your Honor, the State
23 would move Exhibit 28 into evidence.

24 MR. STITELY: Subject to my prior objection, Judge.
25 And I guess I kind of layer that once more. I don't really

1 have the ability to file a motion to suppress here because
2 this isn't part of my case. I don't have these witnesses; I
3 don't have the details. I'm not Mr. Green, I don't have
4 standing. That's why I have a problem with the relevance.

5 THE COURT: Okay. Noted (inaudible).

6 (State's Exhibit Number 28 admitted into evidence.)

7 MS. GOUDE: Thank -- thank you, your Honor.

8 BY MS. GOUDE:

9 Q. All right, Captain Lawson. Let's move forward to
10 an incident on June 16, 2021, involving Courtnege Burris.

11 A. Yes. So on June 16, 2021, I made a traffic stop
12 on a vehicle that Mr. Courtnege Burris was driving. And
13 during that traffic stop, I recovered a pretty significant
14 amount of suspected crack cocaine, suspected methamphetamine,
15 suspected cocaine along with a handgun that Mr. Burris had in
16 a book bag along with those suspected drugs as well as
17 digital scales and more packaging -- packaging material with
18 those drugs.

19 Q. And --

20 A. And -- I'm sorry.

21 Q. When you were questioning Mr. Burris, what did he
22 do?

23 A. So once I went to open the door to grab the bag,
24 Mr. Burris took off running down the street. We -- we
25 ultimately did not catch him that day. We got him at a later

1 date.

2 Q. And was he (inaudible) later after he did?

3 A. Yes. I think we got him, like, a -- I think we
4 apprehended him, like, a month later. It was in July. I do
5 know that. Of the same year.

6 MR. STITELY: And, Judge, my objection on this is going
7 to be the same thing. Other than that, no further
8 objections.

9 THE COURT: Noted.

10 BY MS. GOUDE:

11 Q. Captain Lawson, I have here State's Exhibit 30.

12 A. This one?

13 Q. State's 31, 32, and 29.

14 A. Okay.

15 Q. That's State's 30?

16 A. Yes, ma'am.

17 Q. What is that?

18 A. That is the Taurus handgun with an extended
19 magazine that was recovered out of Mr. Burris's book bag that
20 day with the suspected drugs.

21 MS. GOUDE: Your Honor, the State will move Exhibit 30
22 into evidence.

23 THE COURT: Yes. Subject to prior objection.

24 (State's Exhibit Number 30 admitted into evidence.)

25 BY MS. GOUDE:

1 Q. (Inaudible)?

2 A. Yes, ma'am, it is.

3 Q. Exhibit 31. What is that?

4 A. Okay. So there's two dig -- I think it's --
5 there's two digital scales in here, your Honor, as well as
6 there's a magnetic box on most of these boxes. It's like a
7 small little pelican case, if you will. We see these
8 commonly these days. A lot of them have magnets on them, but
9 it's what the -- a lot of the suspected drugs was in, the
10 crack coke -- suspected crack cocaine was in.

11 MS. GOUDE: May we move State's Exhibit 31 into
12 evidence?

13 THE COURT: Yes. Subject to prior objection.

14 (State's Exhibit Number 31 admitted into evidence.)

15 BY MS. GOUDE:

16 Q. State's 32?

17 A. Yes, ma'am, I recognize that. That is the book
18 bag that Mr. Burris had the suspected drugs in it.

19 MS. GOUDE: State moves Exhibit 32 into evidence.

20 THE COURT: In, subject to prior objection.

21 (State's Exhibit Number 32 admitted into evidence.)

22 MS. GOUDE: And finally, State's Exhibit 29, for ID
23 only at this time.

24 (State's Exhibit Number 29 marked for identification.)

25 BY MS. GOUDE:

1 Q. Could you tell us about Exhibit 29?

2 A. Yes, ma'am. So this is the base kit that the
3 suspected drugs was packaged in that particular --

4 Q. And who collected that evidence?

5 A. I did.

6 MR. STITELY: And -- and, Judge, I won't have any
7 objection to items like that coming in, subject to relevance
8 and stuff like that. I'm not going to challenge the chain or
9 along those lines, if that helps us facilitate.

10 THE COURT: Go ahead.

11 MR. STITELY: That's just the drug. I know that she's
12 putting it for ID only, I don't intend to anticipate chain
13 challenges or anything like that.

14 THE COURT: That's right.

15 MR. STITELY: If you want to put your drugs in, go
16 ahead.

17 MS. GOUDE: So you are not -- you're not going to
18 object? We're at that all the drugs are allowed in?

19 MR. STITELY: Well, as we're going something like this,
20 once the officer has laid a foundation to where they came
21 from, I may have other objections, but I'm not going to
22 object to them coming in once the Judge has gotten through
23 this.

24 MS. GOUDE: Well, your Honor, and at this time, we
25 would move State's Exhibit 29 into evidence.

1 THE COURT: It's in.

2 (State's Exhibit Number 29 admitted into evidence.)

3 MS. GOUDE: Your Honor, that's all I have for this
4 witness. If you'll please answer any questions from the
5 Defense?

6 THE WITNESS: Yes, ma'am.

7 MR. STITELY: No, I don't. No questions.

8 THE COURT: You may step down, please. Thank you.

9 THE WITNESS: Yes, sir.

10 MS. GOUDE: Your Honor, the State would next call Mr.
11 Courtnege Burris. And, your Honor, I would ask to approach if
12 the jury was here. So I don't know how your Honor would like
13 to do.

14 THE COURT: Sure. Yeah.

15 MR. PERRY: Your Honor, I'm going to represent Mr.
16 Burris. May I approach, please? I think this is about --

17 THE COURT: Yes, sir.

18 MR. PERRY: -- something that kind of involves me.

19 THE COURT: As -- as long as your intentions are
20 honorable.

21 MR. PERRY: Absolutely, Judge.

22 (Bench conference at 10:51 a.m.)

23 THE COURT: Good morning, Mr. Burris.

24 MR. BURRIS: Good morning.

25 THE COURT: Okay. The State has called you as a

1 witness and attorneys have approached. Mr. Perry is there
2 with you.

3 MR. PERRY: Your Honor, did you want him to be sworn in
4 before you question him any further?

5 THE COURT: Might be better. Yeah. Go ahead.

6 THE CLERK: Mr. Burris, put your hand on the Bible and
7 raise your right, please.

8 COURTNEG BURRIS,

9 being duly sworn, testified as follows:

10 THE CLERK: Thank you. You can state your full name
11 for the court reporter and spell your name.

12 THE WITNESS: Courtneg Burris, C-O-U-R-T-N-E-G
13 B-U-R-R-I-S.

14 THE COURT: Mr. Burris, the State has called you here
15 as a witness. Are you willing to go forward and testify at
16 this time?

17 THE WITNESS: Or plead the Fifth.

18 THE COURT: All right.

19 MR. PERRY: Your Honor, my client has discussed with me
20 the fact that it is his choice not to testify at this time,
21 on the grounds that anything that he says could potentially
22 be used against him at a future trial against him. He is
23 taking the Fifth Amendment.

24 MS. GOUDE: And, your Honor, the State's position is
25 that the Fifth Amendment applies to self-discriminatory

1 statements, and that certain questions the State asks, the
2 Fifth Amendment does not apply to. And we would ask to be
3 allowed on those questions.

4 THE COURT: All right.

5 MR. PERRY: And, your Honor, I would simply take the
6 position on behalf of my client that he is -- he is charged
7 in a drug conspiracy, your Honor. And that's a very broad
8 net. And anything that he says related to that conspiracy in
9 any way, whether or not it directly incriminates him for
10 something that he's actually doing, could tend to incriminate
11 him as a part of the overall conspiracy.

12 So that would be the position we would take with
13 respect to answering any questions by the State as it relates
14 to the prosecution of Marlo Jackson because they are
15 co-conspirators.

16 THE COURT: How about that, Madam Attorney General?

17 MS. GOUDE: Your Honor, these two are co-conspirators.
18 Again, Mr. Burris had cooperated in the investigation. He
19 did provide statements that are not self-incriminating that
20 we believe are valuable here today.

21 MR. PERRY: Your Honor, again, I take the position that
22 anything that he said related to this conspiracy, if he's
23 aware of anything that's going on in this conspiracy, that by
24 definition is self-incriminating. There's nothing that he
25 could have said that would not be self-incriminating because

1 he's charged as a conspirator.

2 THE COURT: All right. Come around and take a stand.
3 I'm going to let the State pose questions. Would you be
4 ready to object?

5 MR. PERRY: Yes, your Honor.

6 DIRECT EXAMINATION

7 BY MS. GOUDE:

8 Q. Hi, Mr. Burris.

9 A. Yep.

10 Q. I Know you don't want to be here today. And you
11 did receive a subpoena to be here; is that right?

12 A. I did.

13 Q. Okay. Do you remember when you interviewed with
14 SLED on December 6, 2024?

15 A. No.

16 Q. You don't remember interviewing with them that
17 day?

18 A. Uh-uh.

19 MS. GOUDE: Your Honor, may I approach the witness?

20 THE COURT: Sure.

21 BY MS. GOUDE:

22 Q. Mr. Burris, just to refresh your memory, here is
23 the report of that interview from December 6, 2024.

24 A. That's true.

25 Q. This is December 6, 2024. You were interviewed by

1 SLED, and this is the memorandum of your interview. Are you
2 saying you weren't interviewed that day?

3 A. I can't recall. I mean, it's been a minute ago.
4 This was since 2019 (inaudible).

5 MS. GOUDE: Your Honor, since Mr. Burris has said that
6 he was not interviewed on that day, the State's position is:
7 This is a prior inconsistent statement and that he may be
8 impeached with this statement that he made on December 6,
9 2024.

10 MR. STITELY: Judge, I a hundred percent object to
11 this. She's going to try to put in an officer summation
12 against a non-willing defendant. That's absolutely around
13 the side of the law.

14 MR. PERRY: And, your Honor, with respect to my client,
15 I don't think he said he -- he wasn't interviewed. I think
16 he said he didn't recall being interviewed. I -- I -- I --
17 maybe I didn't hear his testimony clearly, but I think -- I
18 -- I thought he said he couldn't -- he didn't recall. She
19 showed him the paperwork, and I --

20 THE COURT: He -- you want me to say so?

21 THE WITNESS: Yeah, I -- like I said that I don't know
22 nothing about nothing. I don't -- I -- I'm not in this, I'm
23 on my own.

24 MS. GOUDE: Your Honor, Rule 613 allows use of a
25 witness' prior statement to impeach his testimony.

1 MR. STITELY: Judge, he's pled the Fifth. He's not
2 testifying. He has said he does not want to give a
3 statement. She can't go up there. And once again, this is
4 not a written statement by the defendant that she's holding.

5 THE WITNESS: Exactly. That's not something I wrote.

6 MR. STITELY: This is a law enforcement report.

7 THE WITNESS: Yeah. Asking questions about the other
8 six.

9 THE COURT: He took the Fifth.

10 MS. GOUDE: Your Honor, I asked him if he remembered
11 this. He said, "No," and he said he didn't recall. I'm
12 simply seeking to show that he did give this statement and
13 ask about certain portions of the statement that he gave to
14 law enforcement.

15 THE COURT: All right. He said he didn't know
16 anything. Everybody heard what he said. So that incident --
17 except the Court's going to step in here. Mr. Burris, have
18 you been threatened by anybody in this proceeding?

19 THE WITNESS: No, I'm good. I'm -- like I said, I'm
20 good. I ain't -- I'm good. I don't know nothing about
21 nothing.

22 THE COURT: As a presiding judge, I've been in this a
23 long time. I don't take it lightly if anybody has
24 intimidated you or threatened you.

25 THE WITNESS: No, I'm good.

1 THE COURT: Or your family? If that's happening, now
2 is the time.

3 THE WITNESS: No, I'm good.

4 MR. PERRY: Judge, again, on behalf of my client, I --
5 I'm a little bit concerned if he -- if -- if he were to say
6 on the record that he had been threatened, perhaps that could
7 even be -- be -- being threatened by somebody in the
8 conspiracy is tantamount to being involved in the conspiracy,
9 so...

10 THE WITNESS: Like I said, I'm on my own. I don't know
11 nothing about nothing. And I plead the Fifth on anything
12 they want to ask me.

13 THE COURT: All right.

14 MS. GOUDE: Well, your Honor, I would just say, if he
15 said he doesn't know nothing about nothing, he did give a
16 statement to law enforcement.

17 THE WITNESS: Did I write it? No.

18 THE COURT: Okay. If those -- please, if you have been
19 threatened or you got a family that's been threatened -- and
20 I know we've got various people in this court business, find
21 some law enforcement officer and report that. Okay? All
22 right. That you trust. Okay? Witness may step down.

23 MR. PERRY: Thank you, Judge. Your Honor, may we
24 excuse this witness?

25 THE COURT: Yeah. And also, he needs to discuss that

1 with you if he's got any response to what I just said.

2 MR. PERRY: Absolutely, Judge. I'll meet up in a
3 moment.

4 MS. GOUDE: Your Honor, the State next calls Doug
5 Edmonson.

6 LIEUTENANT DOUGLAS EDMONSON,

7 being duly sworn, testified as follows:

8 THE CLERK: Thank you. Please have a seat. State your
9 name, and spell it for the court reporter.

10 THE WITNESS: All right. My name is Douglas Edmonson.
11 Last name spelled E-D-M-O-N-S-O-N.

12 DIRECT EXAMINATION

13 BY MS. GOUDE:

14 Q. All right. Lieutenant Edmonson, could you tell
15 the Court where you work?

16 A. The State Law Enforcement Division, also known as
17 "SLED."

18 Q. How long have you worked for SLED?

19 A. Four, going five years. We're going on five
20 years.

21 Q. Were you working for SLED back in 2021?

22 A. I was.

23 Q. Can you tell the Court about some of your training
24 and experience as an officer?

25 A. So I have a little over 20 years in law

1 enforcement. Majority of my time has been in narcotics,
2 doing UC work or developing of CIs, and I also do
3 interdiction work.

4 Q. All right. And in this case, did you have
5 occasion to use your experience in the confidential
6 informants?

7 A. Yes.

8 Q. Okay. Let's talk about an incident on October 20,
9 2021, concerning Mr. Jackson. Can you tell us what happened
10 on or about October 20, 2021?

11 A. That was a -- I completed a -- an undercover drug
12 deal at [REDACTED] Egypt Road in Lee County as the undercover
13 capacity. Yes.

14 Q. And I was going to ask you to explain how a
15 controlled buy works, but since we have the Judge here in
16 trial, we go through those steps here for the Judge. However
17 -- when you did this undercover then, were you with somebody?

18 A. For this one? I was, yes.

19 Q. Who would be?

20 A. Confidential informant that I knew is -- that -- I
21 know -- I know him as "Coon (ph)."

22 Q. Okay.

23 A. Yes.

24 Q. All right. And so, could you have gone out to
25 this location without the CI?

1 A. In the beginning? No.

2 Q. Okay. So can you just tell us how that kind of
3 developed there?

4 A. So as far as -- as my involvement in the
5 beginning, I went with a confidential informant, CI. He
6 introduced me to Mr. Marlo over here. And then, I -- and
7 then, I made my own connection with Marlo, and then that way
8 furthered me to be able to go alone in future drug dealing --
9 drug-wise.

10 Q. And in your training and experience, do drug
11 dealers usually sell drugs to people they don't know?

12 A. No. They -- you -- you -- you'd have to have an
13 insider.

14 Q. All right. And for the record, could you identify
15 Mr. Jackson in the courtroom today based on what (inaudible)?

16 A. Yes, ma'am. He's right there. He's with
17 (inaudible).

18 Q. All right. So tell us about this specific day,
19 October 20, 2021. How was Mr. Jackson reached to arrange the
20 drugs?

21 A. Phone call was made initially.

22 Q. Okay. And that phone call was made with what
23 phone number?

24 A. [REDACTED]

25 Q. All right. And where did -- could you describe

1 the area of where you and the CI went to?

2 A. So again, we went to Egypt Road. So we turn off
3 the main road. It's a long dirt road that you have to go
4 down and non-paved road. And then it opens up into a -- a --
5 a bigger road. And we met right there.

6 Q. And "by bigger area," what do you mean?

7 A. Like a field. A dirt field. And then -- and then
8 behind that, they had some houses, some sheds, some cars were
9 out there but is being worked on. Something looked like it
10 didn't run and so forth, like that.

11 Q. Could you see this area from the road?

12 A. No.

13 Q. And in your -- to your knowledge, what was this
14 place called?

15 A. "The Shop."

16 Q. Okay. What did you observe at "The Shop" while
17 you were out there on October 20, 2021?

18 A. We just had -- other people were out there. Like
19 I said, Mr. Jackson was sitting in his vehicle when I
20 arrived. And people were there either waiting, or had -- had
21 already conducted business with Mr. Jackson.

22 Q. All right. So what was your business with Mr.
23 Jackson?

24 A. I was there to buy drugs.

25 Q. Okay.

1 A. Yes.

2 Q. And was this incident audio and video recorded?

3 A. Yes, it was. Audio and video.

4 Q. And have you had the opportunity to review some
5 still shots from that recording?

6 A. I have.

7 Q. I am going to show you State's Exhibits 4, 5, and
8 6.

9 A. Thank you.

10 Q. Is that a fair and accurate depiction of still
11 shots from that video?

12 A. Yes.

13 MS. GOUDE: Your Honor, the State will move 4, 5, and 6
14 into evidence.

15 MR. STITELY: Without objection.

16 THE COURT: In without objection.

17 (State's Exhibits Numbers 4, 5, and 6 admitted into
18 evidence.)

19 MS. GOUDE: Permission to publish (inaudible)?

20 BY MS. GOUDE:

21 Q. Okay. Lieutenant Edmonson, that's a little
22 blurry. Can you tell us what we're seeing?

23 A. So this is when -- this is when I was there, and
24 Mr. Jackson was sitting in his vehicle and he has -- you can
25 -- you -- kind of hard to tell right here, but he has a

1 combination of drugs sitting in the seat and in the -- in the
2 middle of day center console, like, where the center console
3 would be.

4 Q. So a combination of drugs, you're talking about
5 (inaudible)?

6 A. Yes -- yes.

7 Q. State's 4. State's 5.

8 A. There you go.

9 Q. And what (inaudible).

10 A. So that's just a -- a closer picture. You can
11 actually see the bag now that's going to be in a -- the
12 yellow that is inside of the yellow, like Dollar General bag,
13 that had drugs in it. And if you look to the left over
14 there, those right there are marijuana, that's in food
15 (inaudible) bags.

16 Q. And that's what (inaudible) in the passenger seat,
17 is that correct?

18 A. Correct.

19 Q. The Exhibit 6?

20 A. It's Mr. Jackson.

21 Q. All right. So what -- what drugs did the CI
22 purchase from -- the detected drugs purchased from Mr.
23 Jackson on October 20, 2021?

24 A. Cocaine.

25 Q. Okay. Did you witness this transaction?

1 A. I did.

2 Q. Okay. And then, what drugs did you purchase from
3 Mr. Jackson that day?

4 A. Heroin.

5 Q. Okay. And can you educate us a little bit on the
6 difference between a "user amount" of a certain drug and the
7 "distribution amount"?

8 A. You just -- honestly, it deals with quantity of
9 what you purchase. A "user amount" would be something small,
10 maybe half grams a gram. Once you get into half ounces,
11 ounces or more, that becomes more of a "distribution level."
12 If I'm buying that much, I'm buying it to redistribute --

13 MR. STITELY: I'm going to object. She hasn't
14 qualified him as an expert, and he's stipulated. He's making
15 an assertion, that would require some kind of expertise. And
16 she hasn't labeled him as an expert yet.

17 THE COURT: I'm going to overrule that. I mean, he is
18 an experienced law enforcement officer. He's basically
19 laying out how the law works as far as the requirements of --
20 you're not making an analysis on what it was. I assume
21 they'll tie that in.

22 BY MS. GOUDE:

23 Q. Right. And the of drugs that you told Mr. Jackson
24 you wanted to buy today, what kind of quantities -- or that
25 day, what kind of quantities were those?

1 A. That'd be a distribution amount.

2 Q. All right. So when you and the CI purchased these
3 drugs, what did you do with these drugs?

4 A. I -- after I retained the drugs, we went back and
5 met with the case agent, and handed those drugs over to them.

6 Q. And do you remember who that case agent was?

7 A. The first time we did it, it was on this one
8 particular one Louis -- I -- I don't know her last name --
9 can't pronounce the last name.

10 Q. All right. Let's move next to December 2, 2021.

11 A. Yes.

12 Q. Did you conduct the control by suspected drugs
13 from the Defendant on that day?

14 A. I did.

15 Q. Okay. Where did this purchase happen?

16 A. This also happened on Egypt Road.

17 Q. What did you see on December 2, 2021, when you
18 were out on Egypt Road?

19 A. So this time, he was in a van. And when we pulled
20 up the same open area that we talked about before, this time
21 he had a lot more people there in line to buy drugs. I
22 witnessed that first.

23 Q. And again, was this recorded in any way?

24 A. Yes, it was.

25 Q. Were you and the confidential informant both

1 recording this incident?

2 A. We were.

3 Q. And you all were both together during this
4 incident?

5 A. We were.

6 MS. GOUDE: I'm going to show you what's been marked as
7 State's Exhibit 7.

8 (State's Exhibit Number 7 marked for identification.)

9 BY MS. GOUDE:

10 Q. Could you tell me what it is and how you recognize
11 it?

12 A. So this is the -- the -- the same video I looked
13 at. This is Marlo Jackson. This is the video that shows my
14 perspective as well as the CI's perspective. I know this to
15 be true because I signed it right here after I looked at it
16 to verify that's what it was.

17 Q. So you verified both -- both videos were
18 undercover and the CI video is on that?

19 A. Correct.

20 Q. (Inaudible) December 2nd?

21 A. Correct.

22 MS. GOUDE: Your Honor, at this time, the State moves
23 State's Exhibit 7 into evidence.

24 MR. STITELY: No objection.

25 THE COURT: Entered without objection.

1 (State's Exhibit Number 7 admitted into evidence.)

2 MS. GOUDE: Permission to publish, your Honor?

3 THE COURT: Yes.

4 MS. GOUDE: That's the party jam box over here for,
5 your Honor. The State would play the CI buy video first for
6 the record. And we do have some certain time stamps, if we
7 can fast-forward through, or we can play the whole video of
8 the --

9 MR. STITELY: It's in evidence so she can go to
10 whatever part you'd like on that.

11 THE COURT: You make her see that (inaudible) chance
12 said. And if you see something (inaudible).

13 (Video starts at 11:15:34 a.m.)

14 UNIDENTIFIED SPEAKER: Marlo -- Marlo (inaudible).

15 MR. JACKSON: (Inaudible) that?

16 UNIDENTIFIED SPEAKER: No, he'll be driving -- he'd be
17 driving everything (inaudible). What's up? What's up?
18 Everything (inaudible) man. When you get back? Yeah.
19 Cheating -- cheating, right? Like I did.

20 MR. JACKSON: (Inaudible).

21 UNIDENTIFIED SPEAKER: What's up? (Inaudible). You
22 going out?

23 MR. JACKSON: (Inaudible).

24 UNIDENTIFIED SPEAKER: I got (inaudible).

25 (Video stops at 11:18:17 a.m.)

1 MS. GOUDE: Fast-forward a little bit to around 18
2 minutes in.

3 (Video starts at 11:18:31 a.m.)

4 UNIDENTIFIED SPEAKER: (Inaudible).

5 (Video stops at 11:18:38 a.m.)

6 BY MS. GOUDE:

7 Q. Okay. Lieutenant Edmonson, can you tell me what
8 we're witnessing in this video?

9 A. So this is the -- this is the CI's perspective of
10 the drug deal that we completed that day. And this is about
11 to be the hand-to-hand of the drugs that we came to purchase,
12 so...

13 (Video starts at 11:19:04 a.m.)

14 UNIDENTIFIED SPEAKER: (Inaudible).

15 (Video stops at 11:19:19 a.m.)

16 BY MS. GAUDE:

17 Q. And then we can see there, you're about 18, 14 in
18 this (inaudible) right here where you're holding the -- the
19 CI hand and the plastic bag (inaudible)?

20 A. Right.

21 (Video starts at 11:20:43 a.m.)

22 UNIDENTIFIED SPEAKER: (Inaudible).

23 (Video stops at 11:20:49 a.m.)

24 MS. GAUDE: This video here and play the undercover
25 video. We'll start at 7:24 into the video. Roughly 7:24.

1 (Video starts at 11:21:10 a.m.)

2 UNIDENTIFIED SPEAKER: (Inaudible). House right there.
3 What about that one? That trailer.

4 (Video stops at 11:21:38 a.m.)

5 BY MS. GOUDE:

6 Q. And Lieutenant Edmonson, what are we watching
7 here?

8 A. So that's that dirt road I was talking about that
9 you have to -- to access the property. And then now we're
10 coming into that open -- open area where you have houses like
11 that car that have been worked on, so forth.

12 (Video starts at 11:21:56 a.m.)

13 UNIDENTIFIED SPEAKER: A tag. So on (inaudible) white
14 in color. (Inaudible).

15 (Video stops at 11:23:09 a.m.)

16 BY MS. GOUDE:

17 Q. Lieutenant Edmonson, was Marlo, in fact, there
18 when you all did arrive?

19 A. Yeah. He was -- he was in the -- in the van.

20 Q. Okay. Why didn't you recognize that he was there
21 when you --

22 A. I was -- I was under the impression he was going
23 to be in the same vehicle he was in the last time I did the
24 deal, so that's why I didn't recognize that vehicle.

25 MS. GOUDE: All right. We'll skip forward to 14

1 minutes in.

2 (Video starts at 11:23:39 a.m.)

3 UNIDENTIFIED SPEAKER: (Inaudible). I stand right
4 (inaudible).

5 MS. KISER: I don't know (inaudible) I really had a bad
6 for (inaudible), right? I went to court yesterday and had to
7 get a 600 walked out (inaudible). Because I had an old
8 (inaudible) I ain't paid and (inaudible), she cut (inaudible)
9 before. (Inaudible) my hair. Hell no. What is the issue
10 (inaudible)?

11 (Video stops at 11:26:05 a.m.)

12 THE COURT: Stop it. Was he videoing this?

13 THE CLERK: I'm not sure, your Honor. That's why I
14 took the phone. The phone is not on right now. But it was
15 up sitting towards the screen. I'm not sure if he was or
16 not.

17 THE COURT: Check it out. If he was videoing, he's not
18 allowed to leave.

19 THE CLERK: Yes, sir.

20 MR. STITELY: Judge, we're going to have a moment, if
21 you don't mind. No, not with you. Just restroom. Thank
22 you.

23 THE COURT: Stand at ease. All right. Listen. You
24 want to cooperate to prove that you weren't videoing?

25 MR. FREEMAN: My whole (inaudible).

1 THE COURT: I was watching this. How long has he been
2 here?

3 THE BAILIFF: A long time. (Inaudible).

4 THE COURT: All right. Anybody in this courtroom other
5 than Madam Court Reporter of mine is caught with a camera
6 out, you will be found in contempt. Don't mind you keeping
7 your phone in your pocket, but you don't -- personal items,
8 they all rely on.

9 If anybody has a phone out, here on out, you better
10 have your toothbrush packed because you will be going to the
11 Kershaw County Jail. Now he was given a chance to cooperate,
12 to lay a proof to the sheriff that he was not photographing
13 or video-taking anything in this courtroom. Otherwise, that
14 phone will be seized and we will send it to SLED.

15 MR. FREEMAN: I don't -- (inaudible) I was supporting
16 my brother. I was (inaudible).

17 UNIDENTIFIED SPEAKER: (Inaudible).

18 MS. GOUDE: Your Honor, may I approach?

19 THE COURT: Sheriff, take him into custody. You can
20 either give him the passcode and prove your point.
21 Otherwise, I have to assume that you violated the safety of
22 the people in this courtroom.

23 UNIDENTIFIED SPEAKER: (Inaudible) handcuffs?

24 THE COURT: Oh, yes. Take him into custody. All
25 right. Bring him around here. Bring him around here with

1 the microphone. You've got to understand the seriousness of
2 this.

3 MR. FREEMAN: I do, sir.

4 THE COURT: You come into this courtroom and have a
5 camera out.

6 MR. FREEMAN: I do.

7 THE COURT: You've already heard testimony or
8 statements of the Court this morning. There's been
9 threatening going on. You have to understand the position
10 I'm in. You either going to give them the passcode to look
11 at the last 30 minutes to see if you videoed. Otherwise, I
12 have to assume that you were doing that.

13 MR. FREEMAN: You got to ask your court officer
14 downstairs. When I entered this building, my phone was off.
15 When this officer approached, my phone was off. My phone was
16 off, I can't --

17 THE COURT: That's not the point.

18 MR. FREEMAN: I tell you. He's right here, sir. I
19 can't recall with a phone off.

20 THE COURT: All you got to do is --

21 MR. FREEMAN: I'm not doing nothing. I didn't take the
22 phone --

23 THE COURT: Clerk?

24 UNIDENTIFIED SPEAKER: All right. (Inaudible).

25 THE COURT: This is your last chance. You can open

1 that phone up and prove to him you have not videoed anything
2 in this courtroom --

3 MR. FREEMAN: Okay.

4 THE COURT: -- otherwise, I'm finding you in contempt.

5 MR. FREEMAN: Okay.

6 THE COURT: I can vacate that if you will just
7 cooperate.

8 MR. FREEMAN: Okay. You'll find --

9 THE COURT: Your sentence is 90 days in the county
10 jail. Now, take him back there and see if he wants to
11 cooperate. All right. Counsel, for both the State and the
12 Defense, do we have any idea why this gentleman is here?

13 MR. STITELY: No. Because the only people I know is my
14 client's mom and sister. Those are the only people I
15 actually know. His brother was here yesterday. He had work
16 today.

17 MS. GOUDE: Your Honor, I don't know why he's here. I
18 believe he may have just said he was related to the
19 Defendant, but I -- I have no knowledge of who that person
20 is.

21 MR. STITELY: Mom said she doesn't know him. Not --
22 not again, no.

23 THE COURT: All right. Maybe we can resolve this
24 issue. Let's take 10 minutes. If you need to step down,
25 just don't call anybody.

1 THE WITNESS: Yes, sir.

2 UNIDENTIFIED SPEAKER: (Inaudible)?

3 THE COURT: Yeah. 10 minutes.

4 (Off the record at 11:32 a.m.)

5 (On the record at 11:52 a.m.)

6 THE COURT: The gentleman wants to talk to me and I
7 can't -- I'm not going to talk to him unless it's on the
8 record, so -- we do. That's fine. (Inaudible). You bring
9 him around back to the microphone.

10 UNIDENTIFIED SPEAKER: Right there.

11 THE COURT: What is your name, sir?

12 MR. FREEMAN: I'm Devon Freeman.

13 THE COURT: Okay. Are you related to anyone that's on
14 trial here?

15 MR. FREEMAN: No, sir.

16 THE COURT: All right. You understand the situation
17 you're in. Now, let me explain it to you. There's a huge
18 sign out front, it says "No cameras in the courthouse." Now,
19 you got a cell phone. That's a camera too. You understand
20 the position the Court's in, the seriousness of the charges
21 here. We've already had a witness this morning who decided
22 he didn't want to testify after he had allegedly cooperated
23 with the State.

24 So clearly you came into this courtroom, the sheriff
25 saw you have that cell phone out. And when I looked back, I

1 saw it above that pew back there. So you are in contempt of
2 court. Now, talking with the sheriff, I think you reviewed
3 something back there, but you refused to show him, about
4 possible deletion of anything in the last hour or so.

5 MR. FREEMAN: Can I stop you right there, your Honor?

6 THE COURT: I'll be glad to hear from you.

7 MR. FREEMAN: When the -- when the gentleman -- when
8 the officer approached me back there, sir, my phone was
9 completely off, correct me if I'm wrong. When the man sat
10 there and watched me open my telephone in the back, he was
11 standing over me.

12 I went to my last -- my last photos in my -- my gallery
13 and my pictures. What did you see, sir? A -- a -- a sticker
14 of an -- FM-CH sticker. That was it. I never recorded, I
15 never videoed nothing in your courtroom. Nothing. My phone
16 is my personal space. I just showed this man a little too
17 much. I didn't want him to see -- am I right or wrong, sir?

18 THE BAILIFF: Right.

19 MR. FREEMAN: And if I go any further, that's a
20 violation of my rights and my personal -- my -- my -- my
21 personal space, sir. I did not record in your courtroom. I
22 did not do anything in your courtroom.

23 THE COURT: You did have a camera in here.

24 MR. FREEMAN: My phone was completely off, sir.

25 THE COURT: It doesn't matter. You had a camera in

1 this courtroom. Do you understand that?

2 MR. FREEMAN: I understand what you're coming from,
3 sir. If -- if that was -- if I wasn't allowed a court -- a
4 phone in the courtroom, they should have -- took it
5 downstairs. I put my phone and my keys up on the desk when I
6 came through the scanner. I didn't know it was allowed in
7 here. That's why I cut the phone off. I didn't want the
8 phone to ring in your courtroom (inaudible) had taken a video
9 in your courtroom. Right or wrong?

10 THE COURT: The -- the warning is a camera. There's
11 plenty of flip phones out here that don't have a camera.

12 MR. FREEMAN: I don't have a flip --

13 THE COURT: You had a camera out in this courtroom.
14 Are you worried about your rights?

15 MR. FREEMAN: Excuse me?

16 THE COURT: This court has a right to keep safety in
17 here. You understand that?

18 MR. FREEMAN: And I understand that, sir.

19 THE COURT: Okay.

20 MR. FREEMAN: I -- I -- I truly understand that.
21 That's why I cut my phone off when I entered the building.
22 My phone was completely shut off.

23 THE COURT: You're not making any sense with me.

24 MR. FREEMAN: I --

25 THE COURT: Because why did you have it out?

1 MR. FREEMAN: I -- I -- my phone was sitting on my
2 chest when I sat up here, in my stomach like this.

3 THE COURT: 90 days.

4 THE BAILIFF: Yes, sir, your Honor.

5 THE COURT: If he decides to show you that he proves
6 that he didn't delete anything in the last two hours, get
7 back with me. Otherwise, he serves for 90 days. Sorry
8 everybody that's in the courtroom, we didn't need all that
9 happening, but you cannot have cameras out in the courtroom,
10 or they had to deal with the same issue in Darlington County
11 when I had witnesses being videoed by alleged gang members.
12 So that's why we have to be very strict on that so that
13 everybody understands that. All right. Can -- we got
14 everybody with me, let's continue.

15 MR. STITELY: Judge, really quick. I did want to tell,
16 I spoke to the Attorney General. I do intend -- subject to
17 other kind of objections, I will stipulate when she goes to
18 offer the items collected by Detective Edmonson rather than
19 waiting through the chain, whatever -- you know, if -- if
20 there's no objection to the other collection of them, I don't
21 intend to even bring evidence. I don't intend to object to
22 what he collected. So we won't need those. I told her that
23 she can still proceed however she wants, but we've had that
24 discussion during the break (inaudible) the courtroom.

25 THE COURT: Right. Thank you.

1 MS. GOUDE: Your Honor, we'll resume the video at
2 around 15:55 into the video.

3 THE COURT: Okay.

4 (Video starts at 11:59:33 a.m.)

5 MS. KISER: (Inaudible). I just need some (inaudible).

6 (Video stops at 12:00:28 p.m.)

7 BY MS. GOUDE:

8 Q. Lieutenant Edmonson, can you tell us what we just
9 heard there in that video?

10 A. That was Ms. Janelle -- Kesler -- Kesler.

11 Q. Kiser?

12 A. Kiser. Yes, ma'am. Ms. Kiser is telling Mr.
13 Jackson that she needed some blues, pills, drugs, that she
14 wanted to purchase.

15 Q. And based on your training experience, what are
16 blues?

17 A. So blues also referred to m-box 30, which is a
18 pressed fentanyl pill.

19 Q. And did we see her counting out money there in
20 that video?

21 A. We did.

22 Q. Okay. And what did you personally witness that
23 may not have been captured there in video?

24 A. So I witnessed from start to finish. I -- I
25 witnessed her ask -- telling him what she needed, the money

1 transfer, and the pills being handed to her into her hand.

2 Q. So you actually saw the pills being handed to Ms.
3 Kiser?

4 A. Yes.

5 Q. And you're standing over there right on the side
6 of the van, is that correct?

7 A. Yes, I'm leaning against the van.

8 Q. Okay. And also, did she just indicate that she'd
9 be returning later or something?

10 A. Right -- right.

11 Q. And -- and why is that?

12 A. So she was told she was going to come back for
13 heroin.

14 MS. GOUDE: We will resume the video.

15 (Video starts at 12:01:50 p.m.)

16 MR. JACKSON: (Inaudible) you all with the white,
17 right? (Inaudible). Hell got to watch out. Still working
18 on that thing? You, what I'm saying (inaudible).

19 MS. KISER: (Inaudible). How much was it?

20 MR. JACKSON: But listen, I -- I -- I got another, like
21 (inaudible). What do you want to try out? I got a little
22 boxing (inaudible).

23 (Video stops at 12:03:48 p.m.)

24 BY MS. GOUDE:

25 Q. So Lieutenant Edmonson, at this point in the video

1 around 18:38 into the video, what are we seeing happening?

2 A. So he's bagging up my order. So that's heroin
3 that I told him I wanted, and preparing that for me.

4 Q. And where did he get that suspected drugs from?

5 A. So in that bag that is sitting in his lap, he had
6 all his drugs there in -- inside of that.

7 Q. And am I correct that you're standing at the
8 window of the van -- you know --

9 A. Yes.

10 Q. -- interacting with him?

11 A. I am.

12 MS. GOUDE: Resume the video.

13 (Video starts at 12:04:18 p.m.)

14 LIEUTENANT EDMONSON: You want me to shoot you a text?

15 MR. JACKSON: Yes. (Inaudible) [REDACTED]?

16 LIEUTENANT EDMONSON: Yes.

17 MR. JACKSON: [REDACTED]?

18 (Video stops at 12:05:06 p.m.)

19 BY MS. GOUDE:

20 Q. All right. And Lieutenant Edmonson, what did we
21 just hear?

22 A. That was the phone number he gave me.

23 Q. Okay. And that was [REDACTED].

24 A. [REDACTED]. Yes, ma'am.

25 Q. 75. Thank you.

1 THE BAILIFF: Your Honor, may I approach?

2 THE COURT: Yes. Standard legal.

3 THE BAILIFF: (Inaudible).

4 THE COURT: Okay.

5 THE BAILIFF: (Inaudible).

6 THE COURT: Yes.

7 THE BAILIFF: (Inaudible).

8 THE COURT: Bring him back around. All right. We've
9 already got on the record that you have a camera in the
10 courtroom. Because a cell phone is still a camera. Can't
11 have it out up here. I know it's difficult for security to
12 control folks as far as delineating flip phones, cell phones,
13 or whatever, but the -- the issue is the camera.

14 We are having problems all over the state with folks
15 videotaping witnesses and proceedings. We have to be tough
16 on that. I appreciate you cooperating with him about the
17 deletions. You owe this sheriff's deputy a lot of things for
18 working with you to get that resolved. Your contempt charge
19 will stand; however, I will amend my sentence from 90 days
20 back to a suspended sentence.

21 You are welcome to stay in this courtroom and watch,
22 but this goes for everybody in here: Do not have a cell phone
23 out. You all have got to understand that I cannot have any
24 intimidation of any witnesses, or any person involved in this
25 case by the use of camera or having a cell phone camera out

1 in this courtroom.

2 So everybody be warned. All right. Madam Clerk will
3 have to do a sentence sheet, indicate that I found him in
4 contempt and I'm vacating the sentence. We're well within
5 the 10 days where I can do that. Please don't put us in a
6 position like that again. All right. You're welcome to
7 stay.

8 MR. FREEMAN: All right, sir.

9 THE COURT: No phones out. Your witness. Oh, okay.
10 I'm sorry. I thought you were through. Go ahead.

11 MS. GOUDE: Thank you. We'll continue with the
12 testimony of Lieutenant Edmonson, and we're almost done
13 playing with a portion of the video, your Honor.

14 (Video starts at 12:09:05 p.m.)

15 LIEUTENANT EDMONSON: All right. I appreciate you too.
16 (Inaudible) you know what? (Inaudible) tomorrow, I got
17 (inaudible). Okay. Bro. All right.

18 (Video stops at 12:09:39 p.m.)

19 BY MS. GOUDE:

20 Q. All right. So Lieutenant Edmonson, during this
21 transaction, what suspected drug did the CI purchase?

22 A. Again, cocaine.

23 Q. And was the -- was the quantity of that -- based
24 on your training and experience, a user amount or a
25 distribution amount?

25 Q. And that was collected by you, and then given to

1 Millie (inaudible) to submit to the lab, is that correct?

2 A. Correct. Yes.

3 Q. And then State's Exhibit 39, October 20, 2021.

4 A. Right. All right. And then, that would be
5 cocaine.

6 Q. Those were also collected by you and given to
7 Millie (inaudible) turn into the SLED lab, is that correct?

8 A. Correct.

9 Q. And her name is there on the packaging, correct?

10 A. Yeah. Her last name. Yes.

11 Q. State's Exhibit 40.

12 A. Just a second.

13 Q. You can --

14 A. Oh, I'm sorry. So this is December 2, 2021. This
15 right here. Cocaine that I purchased. And it's Jamie Shaw
16 is the one -- name on this one. Agent.

17 Q. When you received those drugs, then you turned
18 over to (inaudible)?

19 A. Right. And then 12/2/2021, same date. This would
20 be the cocaine.

21 Q. That's State's Exhibit 41?

22 A. Right. And it's seal -- sealed by Shaw. Right
23 there.

24 MS. GOUDE: All right. At this time, the State moves
25 to admit 38, 39, 40, and 41 into evidence.

1 MR. STITELY: Without objection.

2 THE COURT: Entered without objection.

3 (State's Exhibits Numbers 38, 39, 40, and 41 admitted into
4 evidence.)

5 BY MS. GOUDE:

6 Q. And just to be clear, on the December buy, the CI
7 purchased the suspected cocaine and you purchased the
8 suspected heroin?

9 A. Correct?

10 Q. Is that correct?

11 A. Correct.

12 MS. GOUDE: Your Honor, no further questions for this
13 witness at this time.

14 CROSS-EXAMINATION

15 BY MR. STITELY:

16 Q. Lieutenant, how are you?

17 A. How are you doing?

18 Q. All right. Just a couple questions for you, if
19 you don't mind.

20 A. Yes, sir.

21 Q. Both of these buys that you were involved with
22 happened in Lee County?

23 A. Yes.

24 Q. All right. And just for clarification, you never
25 seized those "Blues," that you saw, did you? Seized those

1 blues, the pills that we saw?

2 A. Oh, no -- no.

3 Q. So we can't confirm what they were?

4 A. No. Like, chemically wise? No.

5 Q. Or what amount it was?

6 A. I can -- I know it was more than 10. It was -- it
7 was a -- I would guess that because it was a lot. It was a
8 -- it was a bag.

9 Q. But you couldn't put a gram on it, specifically?

10 A. Could not.

11 MR. STITELY: Thank you. Appreciate it.

12 THE COURT: Anything else?

13 MS. GOUDE: No, your Honor.

14 THE COURT: Thank you, sir. You can stand down.

15 MS. GOUDE: Your Honor, the State would next call
16 Lieutenant Christopher Johnson.

17 THE COURT: Would you like to stay?

18 THE WITNESS: Yes, your Honor.

19 THE COURT: Do you have any objection since he's
20 finished, if he stays?

21 MR. STITELY: Oh, no. Not -- no, Judge. We've known
22 each other more than 20 years. We're good.

23 THE COURT: Okay.

24 LIEUTENANT CHRISTOPHER JOHNSON,

25 being duly sworn, testified as follows:

1 THE CLERK: Thank you. You may have a seat. State
2 your name, and spell your last name for the court reporter.

3 THE WITNESS: Chris Johnson.

4 DIRECT EXAMINATION

5 BY MS. GOUDE:

6 Q. Good afternoon, Lieutenant Johnson.

7 A. Good afternoon.

8 Q. Thank you for being here today.

9 A. Yes, ma'am.

10 Q. Could you tell the Court where you currently work?

11 A. South Carolina State Law Enforcement Division.

12 Q. And how long have you worked for SLED?

13 A. Since 2003.

14 Q. 2003?

15 A. Yes, ma'am.

16 Q. What's your current position at SLED?

17 A. I supervise one of our surveillance and
18 intelligence units out of the Fusion Center. And so, as a
19 part of that unit, we're responsible for all of our
20 electronic surveillance and wiretapping equipment.

21 Q. Were you in that position back in 2022?

22 A. Yes, ma'am, I was.

23 Q. And you mentioned you supervised what?

24 A. Yes, ma'am. The software and the hardware that we
25 use.

1 Q. So can you tell us how the wiretapping process
2 works here?

3 A. Yes, ma'am. So --

4 Q. If you're familiar with.

5 A. Yes, ma'am. So once the court order is signed and
6 issued, it is given to me, I serve it to whatever particular
7 phone company or service provider. At that point, we give
8 them our IP information as well as our audio dial down logs
9 so that they can send the data as well as the audio across to
10 our servers. At that point, I build user accounts for each
11 of those that have been through the minimization training,
12 and...

13 Q. And what does that mean there, the "user accounts
14 for those minimization training"?

15 A. So each person who has been through the
16 minimization training that's going to sit and monitor that
17 wire has their own account. So everyone has to log in from
18 their own account for auditing purposes. And so, they each,
19 these cases are built where they're locked down, where the
20 only persons that can come into them are those that are on
21 that user list.

22 And so, that way they're the only ones that have access
23 to it that can look at it, but they don't have editing
24 capabilities as far as the back side where we set it up.
25 They can only edit the calls and do transcripts, and

1 synopsis, and that type of thing.

2 Q. Did you say they could edit the calls?

3 A. They cannot edit calls. They can only edit the
4 transcripts and do a synopsis. They can't edit anything on
5 the back side where it's set up coming from the phone
6 companies.

7 Q. So in the transcript, your synopsis would be that
8 person who was listening to notes?

9 A. Typing. Yes, ma'am. Right. That's the only
10 thing that they can add to it.

11 Q. So can you tell us about how these calls are
12 received and maintained?

13 A. Yes, ma'am. So again, they're whoever's sitting
14 on the wire that day. One is a primary listener; one is a
15 secondary listener. And as calls are made, the software will
16 indicate that call is incoming. It'll chirp and pop up on
17 the screen. At that point, they can automatically start
18 listening to the calls. But it's also giving the data. So,
19 who is calling, what time, the duration, what cell phone
20 tower that the call is -- is utilizing if it's a mobile
21 device. And then, again, they're able to -- if it's not a
22 pertinent call, then their minimization rules come in so they
23 can minimize, and it'll flag and do a counter.

24 Once that counter goes to whatever the predetermined
25 length is, they can bounce back in and listen to it. If it's

1 still not a pertinent call, then they can minimize back out.

2 So they have all those controls as they're listed.

3 Q. And you mentioned a "pertinent call." What does
4 that mean?

5 A. So it is a call where -- you know, that they
6 determined that it is -- information that is pursuant to the
7 probable cause that they had to do the wires out. So...

8 Q. The information concerning a legal app?

9 A. Yes. If they're talking to -- you know,
10 grandmother about baking a pie, then that's non pertinent.
11 They'll -- after a certain amount of time, they'll minimize
12 back out, but if it is pertinent to the case, then they can
13 stay listening.

14 Q. And you all -- did you listen to any calls or
15 anything like that?

16 A. No, ma'am. That's not my rule.

17 Q. Can you tell us how these -- these numbers, where
18 do they come from that are -- that are called?

19 A. So they come in with the audio from the phone
20 companies. And so, they come in -- you know, with a certain
21 date and time, they match up to the audio that's coming in.
22 With 5G and your newer technology, sometimes they come in as
23 one link and not from a dial down line like you did with the
24 analog systems. And so, it all comes across internet traffic
25 from the phone companies, and then it comes into our software

1 where they can monitor and do what they need to do.

2 Q. And did you state what kind of software you all
3 use?

4 A. Yes, ma'am. We currently use Penlink, their PLX
5 software.

6 Q. Okay. And what does that do?

7 A. That's just -- that's the answering point. So the
8 information comes through, again, our IP address that is set
9 up with a secure connection with the phone companies, it
10 comes into that software, and then that's their ability to
11 look at what they call "J-standard messaging," which is the
12 messaging that the phone companies utilize to send us across.

13 Software basically is able to interpret that
14 information, put caller ID in the caller ID column, put time
15 in the time column, that type of thing. And then, the audio
16 is -- if audio is allowed on the wire app, then the audio or
17 text messages come across.

18 Q. Can anyone from -- on this Penlink listen to these
19 calls?

20 A. No, ma'am. They were not given access at all.
21 Again, I set up the cases and I can lock them down or I can
22 leave them open. These types of cases are always locked
23 down, and I only assign user access to those sitting in the
24 wire.

25 Q. And how is all this data maintained?

1 A. So we have a server that is secured in that server
2 room, behind a passcode and lock. And so, it's maintained
3 there until the wiretap is over. Once it's over, then I burn
4 all of the reports and audio to disc for defense, for the
5 court seal, and for the prosecution. And then, we can burn
6 additional copies as needed.

7 Q. And in this case, do you recall the two phone
8 numbers that were being monitored?

9 A. I do not recall what they are. We worked so many.
10 I know we did --

11 Q. (Crosstalk) on recollection to take a look at the
12 application?

13 A. Yes, ma'am. Please.

14 Q. I believe the phone number should be located in
15 the header portion?

16 A. Yes, ma'am. It's -- one number is [REDACTED],
17 and also [REDACTED].

18 Q. All right. Now, did you pull some calls from the
19 server for me in preparation for this trial?

20 A. Yes, ma'am. We did just some individual calls
21 instead of the full report, said that it was easier to -- to
22 find versus scrolling through an entire report.

23 Q. Because there are hundreds of calls, is that
24 right?

25 A. Yes, ma'am -- yes, ma'am.

1 MS. GOUDE: I'm going to show you State's 10, 11, 12,
2 13, 14, 15, 16, 17, 18.

3 (State's Exhibits Numbers 10 through 18 marked for
4 identification.)

5 BY MS. GOUDE:

6 Q. And I ask you how you recognize those exhibits and
7 what is on each exhibit.

8 A. Yes, ma'am. These are the discs that I burned. I
9 recognize them: One, by my handwriting and two, that is my
10 initials and date that they were burned and produced.

11 Q. And you pulled these calls directly from the
12 server at SLED?

13 A. Yes, ma'am.

14 Q. And that's in a secure location?

15 A. Yes, ma'am.

16 Q. And did anything indicate to you -- or did anybody
17 else have access to do that?

18 A. No, ma'am. That case remains locked down. It has
19 not been unlocked or anyone else provided access to it. I'm
20 the administrator for it, and I'm the only one that's allowed
21 to -- through the software or policy, to issue those
22 permissions and access.

23 Q. And did you edit any of those calls in any way
24 when you downloaded it onto these exhibits?

25 A. No, ma'am -- no ma'am.

1 MS. GOUDE: Your Honor, at this time, State moves
2 State's Exhibits 10 through 18 into evidence.

3 MR. STITELY: Judge, I do have an objection. I believe
4 the officer's testimony is he doesn't actually listen to
5 these calls, so I don't think he can speak to what's on these
6 tapes and offer any authenticity or reliability. And if I'm
7 wrong, if I misheard him, he's more than willing to correct
8 me. His testimony earlier was he doesn't listen, so he
9 doesn't know what's on.

10 MS. GOUDE: Your Honor, these calls are being offered
11 into evidence under Rule 803(6): Records of a regularly-
12 conducted business activity. Lieutenant Johnson has
13 testified that he had the records as a custodian of these
14 records, and he was asked to pull a specific column whereas
15 in -- and did pull those and put those on the disc. And
16 these are the calls that he was asked to pull.

17 MR. STITELY: That exception wouldn't apply in a case.
18 We're trying to insert "hearsay," which the officer can't
19 testify to. I think they would have to provide some kind of
20 witness for context as well as in their business record.
21 This is someone else's -- and I might be once again just
22 relying what he said. This is software from some other
23 company that they utilize.

24 There's no comment as to what they are despite who
25 they're from, where they were collected, how they were done.

1 He says he's never listened to him. They contain hearsay,
2 which would be inadmissible and he can't authenticate who the
3 individuals are on the calls. I think it's improper play, or
4 ultimately to be played.

5 MS. GOUDE: Your Honor, as I said, these are records of
6 a regularly-conducted business activity. He has access to
7 the records to utilize the records. He pulled these phone
8 calls and it would be proper to admit these phone calls --
9 (inaudible) proper to admit any 911 call, your Honor.

10 THE COURT: Based on his testimony and the fact that
11 he's testified as to the security safety mechanisms they have
12 in place, I'm going to allow in, over the objection, but if
13 something comes up, if -- if these are played, whatever, I
14 may have to adjust accordingly according to what is on there
15 and what -- how you --

16 MR. STITELY: Sure. Judge, once again, I understand
17 what you're saying, but my objection is this officer can't
18 attest to what these are. So I think the State intends just
19 to play calls, and claim this is allegedly X, Y, or Z doing
20 L, M, N, O, P. She's now got records in without any basis to
21 establish what that's about. It creates a Confrontation
22 Clause problem. It's hearsay, and it's prejudicial without
23 probative value of telling me what establishes what these
24 are.

25 MS. GOUDE: Your Honor, I believe Lieutenant Johnson

1 has testified to what these are. These are phone calls made
2 to the phone numbers: [REDACTED], and also [REDACTED].

3 BY MS. GOUDE:

4 Q. And if we can go through each exhibit, State's
5 Exhibit 10. How would you identify what is on State's
6 Exhibit 10?

7 A. This was Call Number 25952 with a Curtis Davenport
8 on February 6, 2002. Any audio that's on here is only
9 recorded. If someone is sitting at that computer and
10 listening to those calls and then makes the transcript we
11 don't automatically record.

12 Q. And so, based on the record you have, what phone
13 number did that call come in on?

14 A. It was -- I think it's indicated it's TT2. I'm
15 not sure what that...

16 Q. That's TT2?

17 A. Yes, ma'am.

18 Q. And if you refer to Page 4 of the application, can
19 you tell us what is TT2?

20 A. So Target Telephone 2 is telephone number [REDACTED]
21 [REDACTED].

22 Q. And then, Target -- TT1 is what telephone?

23 A. That is [REDACTED].

24 MR. STITELY: Judge, maybe go in camera, I guess, would
25 be the best way to describe it here at this point for a

1 quasi-objection to what's going on, or -- objection, but,
2 like, off the record in front of the jury, but in front of
3 the judge. Your Honor, again, he's now saying that these
4 contained calls from individuals. He just said again he
5 never listened to them. Someone else listened to these and
6 made notes about what they are. That person needs to be here
7 to testify.

8 He is now relying on -- I don't know what officer, he
9 just said someone else was listening to these calls, made
10 notes. We need to be able to cross-examine that person as to
11 what they were listening to. And then, if we're going to put
12 something into context -- I appreciate you saying these are
13 the calls. We don't have the breadth of everything as he
14 said. We let -- if they're talking about, "Mom I'm baking a
15 pie," we don't record it. I want to be able to cross-examine
16 the individual who decided what tapes to tell this gentleman
17 to bring -- to put some context in it.

18 Additionally, if they're going to play testimony from
19 Mr. Curtis Davenport, I have a right to cross-examine him
20 about what he's actually talking about. So it's multiple
21 layers of hearsay, but then once again, the wrong officer to
22 be attesting to what's on these tapes.

23 THE COURT: I understand it to a certain degree. I'll
24 allow to complete this, and then we'll cross the bridge and
25 we get to it.

1 MR. STITELY: Yes, sir.

2 MS. GOUDE: And, your Honor, I do believe, as we said
3 that Rule 803(6) records that were regularly-conducted
4 business activity allows this type of evidence to be entered
5 as non-hearsay, your Honor. Lieutenant Johnson has testified
6 these credentials as a records custodian of this evidence.
7 He has the business records to refer to when he pulled these
8 phone calls, he's the only person that can pull them. He
9 pulled them from the server, and these are phone calls made.
10 Two telephone numbers: [REDACTED] and [REDACTED].

11 So based on that, these phone calls are admissible and
12 this is the -- I'll not be soliciting any other testimony
13 from Lieutenant Johnson on the content of these calls.

14 THE COURT: All right. I think I'll weigh myself here.
15 We're fine so far, but if I hear something later on, I'll
16 step in then. But for right now, I have no problem.

17 MS. GOUDE: So the State will move State's 10 through
18 18 into evidence.

19 THE COURT: Very in.

20 MS. GAUDE: Thank you, your Honor.

21 THE COURT: And subject to the objection.

22 (State's Exhibit Numbers 10 through 18 admitted into
23 evidence.)

24 MS. GOUDE: Your Honor, I have no further questions for
25 Lieutenant Johnson at this time.

1 CROSS-EXAMINATION

2 BY MR. STITELY:

3 Q. Lieutenant, you didn't listen to a single call in
4 this case, correct?

5 A. Yes, sir.

6 Q. So if there were calls from my client reporting
7 that he has never sold drugs, wouldn't sell drugs, never
8 would ever do that, did you bring those calls today?

9 A. They were on the initial report. Everything that
10 was done in that initial wire was burned to a disc and was
11 provided for discovery.

12 Q. Okay.

13 A. These are just individual calls that were pulled
14 out of that overall evidence that was burned in the
15 beginning.

16 Q. What about that call to someone's mama about
17 baking a cake? Is that call recorded?

18 A. Every -- if -- it was intercepted, it is in that
19 initial report. Yes.

20 Q. But you said the officers turned it off?

21 A. They can minimize, and so if they're not
22 listening, then it's not recording.

23 Q. Okay. So again, someone's picking and choosing
24 what they record?

25 A. They -- yes. They only record pertinent stuff

1 that's -- legally, they cannot record anything that's not.

2 Q. Right. So if the cops didn't want us to hear the
3 things that were good for us, they don't have to record
4 those?

5 A. That would be up to the user sitting the wire.

6 MR. STITELY: No other questions, your Honor.

7 MS. GOUDE: No further questions for this witness, your
8 Honor.

9 THE COURT: You may step down.

10 THE WITNESS: Yes, sir.

11 THE COURT: Do you want to stay?

12 THE WITNESS: If you need me to stay, I'll be pleased,
13 sir.

14 THE COURT: Counsel doesn't -- you don't have any --

15 MR. STITELY: No. Nothing further from me, Judge.

16 THE COURT: Okay. It's 12:35. I want everybody to
17 stand by. I want to meet with Counsel back in chambers for a
18 few minutes. We'll come back. We'll most likely break for
19 lunch. I do want to speak with Counsel just briefly. Court
20 stands at ease.

21 (Off the record at 12:34 p.m.)

22 (On the record at 1:56 p.m.)

23 MS. GOUDE: Your Honor, are we ready to resume the
24 trial?

25 THE COURT: We are. Sheriff called my attention the

1 Defendant wasn't in yet. Okay. All right.

2 MS. GOUDE: Your Honor, the State calls Investigator
3 John Carter.

4 THE CLERK: (Inaudible).

5 INVESTIGATOR JOHN CARTER,

6 being duly sworn, testified as follows:

7 THE CLERK: Thank you. Please have a seat.

8 DIRECT EXAMINATION

9 BY MS. GOUDE:

10 Q. Good afternoon, Investigator Carter.

11 A. Good afternoon.

12 Q. Could you please tell the Court what law
13 enforcement agency you work for?

14 A. Yes, ma'am. The Kershaw County Sheriff's Office.

15 Q. And what's your position at the sheriff's office?

16 A. I'm a narcotics investigator.

17 Q. How long have you been there?

18 A. Almost 10 years now.

19 Q. Eight years?

20 A. 10 years -- almost 10 years.

21 Q. Have you been a narcotics investigator for those
22 entire 10 years?

23 A. Since 2019.

24 Q. 2019?

25 A. Yes, ma'am.

1 Q. Were you a narcotics investigator in February of
2 2002 -- oh, not -- not 2002. 2022?

3 A. Yes, ma'am, I was.

4 Q. Were you involved in an incident with Anthony
5 Clarkson on February 11, 2022?

6 A. Yes, ma'am.

7 Q. Could you tell the Court how that incident kind of
8 began or came to your attention?

9 MR. STITELY: Judge, I'm going to object, again, to
10 this line of testimony on the relevance theory. Again, I
11 don't know who Mr. Clarkson is. I don't have the ability to
12 cross-examine him. I think he's also about to testify about
13 some kind of dealings with an individual who's not here.
14 It's also a confrontational problem.

15 THE COURT: Based on the conspiracy allegations, Mr.
16 Clarkson who is -- I've already sentenced him. Yeah.
17 Objection is overruled.

18 MS. GOUDE: Thank you, your Honor.

19 BY MS. GOUDE:

20 Q. Could you tell the Court about what brought your
21 attention to Mr. Clarkson on February 11, 2022?

22 A. Yes, ma'am. So on that day I was -- we were
23 notified by Special Agent Shaw with SLED that they had
24 intercepted a phone call on a wiretap in reference to
25 Mr. Clarkson going to purchase a --

1 MR. STITELY: I'm going to object to hearsay.

2 THE COURT: Articulate the foundation.

3 THE WITNESS: Mr. Clarkson was going to purchase a
4 quantity of suspected drugs from Marlo Jackson. So we set up
5 to conduct surveillance and possible enforcement actions that
6 day once we learned of this.

7 MS. GOUDE: Okay. Your Honor, at this time, the State
8 would play State's Exhibit 17 and State's Exhibit 18.

9 MR. STITELY: These -- those tapes, I'm going to object
10 unless this officer was the one who intercepted them, this
11 officer heard them, he's the one who recorded them, and he
12 can attest the actual individuals on them as well as the
13 conduct on them. I have an objection.

14 If he can say that he was the one who caught these
15 tapes, listened to them, but without that, it is hearsay, and
16 I understand that she wants to argue business record, but he
17 can't just get everything in saying it's a business record.
18 You actually have to have proper foundation within the actual
19 evidence.

20 THE COURT: I note your objection.

21 MS. GOUDE: Your Honor, these records have been
22 admitted as business records. They are not hearsay. They're
23 also non-testimonial statements. They have been reviewed by
24 Investigator Carter, and he was notified of on these calls.
25 And that is why -- why he conducted some subsequent action.

1 THE COURT: Objection is overruled at this time. I'll
2 step in if I see something that gives me a problem.

3 (Audio starts at 2:12:08 p.m.)

4 MR. CLARKSON: What's up, man?

5 MR. JACKSON: (Inaudible).

6 MR. CLARKSON: Yes, Marlo?

7 MR. JACKSON: Oh, shit. What's up bro?

8 MR. CLARKSON: I (inaudible).

9 MR. JACKSON: Oh, shit. Man, I need (inaudible) but
10 I'm fucking -- my car fucked up, man.

11 MR. CLARKSON: So you (inaudible).

12 MR. JACKSON: You can have -- I just need what we had
13 talked about, though. I'm still straight, otherwise.

14 MR. CLARKSON: (Inaudible)?

15 MR. JACKSON: Yeah.

16 MR. CLARKSON: All right. (Inaudible).

17 MR. JACKSON: (Inaudible). Did I -- I can pay two of
18 them.

19 MR. CLARKSON: (Inaudible)?

20 MR. JACKSON: If I pay -- whatever else you got with
21 you.

22 MR. CLARKSON: All right. Well, let me get
23 (inaudible).

24 MR. JACKSON: All right. I -- I appreciate it. I got
25 to be working at, like, 5:00, so...

1 MR. CLARKSON: All right. I be (inaudible).
2 MR. JACKSON: All right.
3 MR. CLARKSON: (Inaudible).
4 (Audio stops at 2:13:30 p.m.)
5 MS. GOUDE: And State's Exhibit 18?
6 (Audio starts at 2:13:48 p.m.)
7 MR. JACKSON: Yep.
8 MR. CLARKSON: What's up, bro?
9 MR. JACKSON: What's up?
10 MR. CLARKSON: What's up? I'm on my way to the shelter
11 house.
12 MR. JACKSON: Yeah.
13 MR. CLARKSON: See, I'll probably be there about 10
14 minutes. I probably -- I'll probably see you about 30
15 minutes.
16 MR. JACKSON: All right. That's cool.
17 MR. CLARKSON: All right. You know why (inaudible)?
18 MR. JACKSON: Yeah. You want one (inaudible). You
19 look out one.
20 MR. CLARKSON: Yeah. Okay. All right. I want two,
21 look out for one.
22 MR. JACKSON: All right. That works.
23 MR. CLARKSON: All right.
24 MR. JACKSON: All right, bye. (Inaudible).
25 (Audio stops at 2:14:31 p.m.)

1 BY MS. GOUDE:

2 Q. So Investigator Carter, you reviewed those calls?

3 A. Yes, ma'am. That's correct.

4 Q. And you said you've been a narcotics investigator
5 for how long?

6 A. Roughly about five years.

7 Q. So based on your training and experience, can you
8 tell us what's taking place on those phone calls, what we're
9 hearing?

10 A. Yes, ma'am. So it sounds like Mr. Clarkson has
11 called Marlo Jackson to possibly buy drugs. Through my
12 training experience, it sounds like he's wanting to buy
13 possibly two ounces of some kind of drug, and to be fronted
14 another ounce of some kind of drug.

15 Q. What does it mean "to be fronted"?

16 A. For the distributor or dealer to give them that
17 quantity of drugs for some time, and then they'll pay them
18 back at a later date and time.

19 Q. Okay. And that was the same for both calls?

20 A. Yes, ma'am.

21 Q. Okay. And you were notified of this on February
22 11, 2022?

23 A. Yes, ma'am.

24 Q. Okay. So what did you do based on that
25 information?

1 A. After we were notified by Agent Shaw, we -- I said
2 we set up in different areas to conduct surveillance with
3 possible enforcement actions. Knew Mr. Clarkson lived in the
4 Cassatt area of Kershaw County. That's mainly where we set
5 up to conduct surveillance and enforcement actions. We tried
6 to plan what route he might take to come back to his
7 residence, and possibly try to stop him on the way back.

8 Q. Try to stop him on the way back from where?

9 A. From Marlo Jackson's. I guess his shop is where
10 they normally would distribute narcotics out there.

11 Q. And did you stop Mr. Clarkson that day?

12 A. Yes, ma'am, I did.

13 Q. Okay. And what occurred during that --

14 MR. STITELY: (Crosstalk) suppression hearing on that
15 matter.

16 THE COURT: Pardon?

17 MR. STITELY: I'm going to make a motion to suppress
18 anything at this point. Did I get a suppression hearing
19 about this traffic stop?

20 THE COURT: No. You got to understand that this is a
21 big straw. It's up to me. I can -- I can disregard evidence
22 that I don't find critical.

23 MR. STITELY: Yes, sir. And I -- I think at this
24 point, I'd like to surpass anything as far as an
25 inappropriate traffic stop. The officer -- and I guess we

1 can go through -- clarify. He was told to stop someone.

2 There's no -- there's not a good testimony. He reviewed the
3 calls before that, what the actual contents were. You have
4 an officer saying, "We were told to go stop the vehicle."
5 That is insufficient for an appropriate traffic stop.

6 THE COURT: Okay. You can cross-examine him.

7 MR. STITELY: Yes, sir.

8 THE COURT: Okay.

9 MS. GOUDE: And, your Honor, I would note that -- that
10 Mr. Clarkson is not on trial here, so I believe he would lack
11 standing to challenge the said traffic stop. And that
12 Investigator Carter has testified he did receive information
13 to be on the lookout for Mr. Clarkson.

14 BY MS. GOUDE:

15 Q. Investigator Carter, did you see Mr. Clarkson
16 commit any traffic violations to conduct a traffic stop on
17 his vehicle?

18 A. Yes, ma'am, I did.

19 Q. Okay. All right. So how did that traffic stop
20 go?

21 A. After I observed a lane violation on Highway 1
22 North in the Cassatt area of Kershaw County, I activated my
23 emergency blue lights to conduct a traffic stop. The vehicle
24 failed to yield or show any signs of slowing down, so I
25 activated my emergency siren.

1 I could see in the driver side mirror Mr. Clarkson
2 looking back at me, still failing to stop my blue lights and
3 sirens. We traveled approximately one mile up Highway 1
4 North to Shepard Acres Trailer Park, which is where I know
5 Mr. Clarkson lived at. This is also a pretty high foot
6 traffic area.

7 Mr. Clarkson turned into the entrance of Shepard Acres.
8 By this time, Sergeant Ross was directly behind me, and I
9 attempted to conduct a rolling roadblock to prevent a pursuit
10 from happening inside of a heavily foot trapped area. While
11 conducting this rolling roadblock on my vehicle, struck by
12 Mr. Clarkson's and we were able to get him stopped.

13 As I exited my patrol vehicle, I pointed my service
14 weapon at Mr. Clarkson, told him to show me his hands, which
15 he opened the door and complied. I remember as I was getting
16 out of my vehicle and walking towards his, there was a
17 plastic bag floating in the air.

18 We took Mr. Clarkson into custody without incident at
19 that point, between the driver's seat and the center console
20 with a handgun and plain view. Once he was placed into
21 restraints, I was later notified that a bag of possible drugs
22 had been thrown from the vehicle, and we began to look in
23 that immediate area, and located a bag that contained a large
24 amount of suspected methamphetamine, approximately 10 to 15
25 yards from Mr. Clarkson's truck.

1 Q. Can you tell us anything about the windows on
2 Mr. Clarkson's vehicle?

3 A. Yes, ma'am. So the driver window was rolled
4 completely up and the passenger window was down.

5 Q. Okay. I'm going to show you State's Exhibits 19,
6 20, and 21. Take a look at those exhibits.

7 A. Yes, ma'am.

8 Q. This will be an accurate depiction of the crime
9 scene that day?

10 A. Yes, ma'am, they are.

11 MS. GOUDE: Your Honor, I'll move to enter State's
12 Exhibits 19, 20, and 21 into evidence.

13 THE COURT: Subject to previous objection.

14 (State's Exhibits Numbers 19, 20, and 21 admitted into
15 evidence.)

16 MS. GOUDE: Permission to publish, your Honor?

17 THE COURT: Yes.

18 BY MS. GOUDE:

19 Q. State's 19, what are we looking at?

20 A. That's my patrol vehicle. The white Chevrolet
21 Tahoe. And that's Mr. Clarkson's green Dodge pickup truck.

22 Q. It looks like you all -- like -- what kind of area
23 are we in right now?

24 A. So that's the entrance to Shepard Acres Trailer
25 Park. It's a dirt road off of Highway 1 North.

1 Q. And then, the State's Exhibit 20?

2 A. That's the front of Mr. Clarkson's green Dodge
3 pickup truck.

4 Q. What can we see in that -- during the butt-rail?

5 A. There is a -- a fence -- a black metal fence.

6 Q. And State's 21?

7 A. That is the bag that has the suspected
8 methamphetamine that was thrown from the vehicle.

9 Q. And that's near that fence which is State's 20?

10 A. Yes, ma'am.

11 Q. What did you do with the drugs you collected --
12 suspected drugs you collected that day?

13 A. They were taken back to the sheriff's office where
14 they were placed into evidence.

15 Q. I'm going to show you State's Exhibits 33 and 34.
16 State's Exhibit 33, tell us what that is.

17 A. Yes, ma'am. It's the suspected narcotics that
18 were seized that day.

19 Q. And then, what is State's 34?

20 A. It shows the firearm that was located in Mr.
21 Clarkson's truck in between the driver's seat and the center
22 console.

23 MS. GOUDE: Your Honor, the State would move State's 33
24 and State's 34 into evidence.

25 MR. STITELY: Subject to prior objections.

1 THE COURT: Entered, subject to prior objections.

2 (State's Exhibits Numbers 33 and 34 admitted into evidence.)

3 BY MS. GOUDE:

4 Q. And did you state what address this stop occurred
5 at?

6 A. It's not far from Mr. Clarkson's residence. He
7 stays at [REDACTED] Persimmon Drive in Cassatt.

8 Q. And what county was that in?

9 A. In Kershaw County.

10 MS. GOUDE: Okay. Your Honor, I have no further
11 questions for this witness.

12 THE COURT: Your witness.

13 CROSS-EXAMINATION

14 BY MR. STITELY:

15 Q. How much suspected meth was this? Do you have
16 your number? Do you --

17 A. I think it was approximately 80 grams.

18 Q. 80 grams was the approximate?

19 A. Yes, sir.

20 MR. STITELY: Thank you, Officer.

21 THE COURT: Anything further?

22 MS. GOUDE: Not from the State, your Honor.

23 THE COURT: You may step down.

24 THE WITNESS: Thank you, sir.

25 THE COURT: Do you want to stay?

1 THE WITNESS: Sir?

2 THE COURT: You want to stay --

3 THE WITNESS: Yes, please.

4 THE COURT: -- in the courtroom?

5 THE WITNESS: Yes, sir.

6 THE COURT: (Inaudible)?

7 THE WITNESS: No. Thank you, sir.

8 MS. GOUDE: The State next calls Dylan Oates.

9 INVESTIGATOR DYLAN OATES,

10 being duly sworn, testified as follows:

11 THE CLERK: Thank you. You can have a seat. State
12 your full name, and spell for the court reporter.

13 THE WITNESS: My name is Dylan Oates. D-Y-L-A-N
14 O-A-T-E-S.

15 DIRECT EXAMINATION

16 BY MS. GOUDE:

17 Q. What's your position, Mr. Oates?

18 A. I am currently assigned to the Vice Special
19 Operations Unit for South Carolina State Law Enforcement
20 Division. I'm also a K9 handler.

21 Q. And you worked for what law enforcement agency?

22 A. SLED.

23 Q. How long have you worked there?

24 A. Almost five years.

25 Q. Were you working for SLED in -- on June 2, 2022?

1 A. Yes, I was.

2 Q. And what was your position at that time?

3 A. I was assigned to Narcotics Team 5 at the time,
4 but I was also still a K9 handler.

5 Q. Were you working with the grand jury in this
6 investigation?

7 A. Yes, I was.

8 Q. Okay. Could you explain your involvement with a
9 Jonathan Cole on the June 2, 2022?

10 A. Yes. I was assigned to one of the search warrants
11 teams that was executed that day. Upon arrival and our SWAT
12 team doing -- securing the residence and such, I was asked to
13 deploy my K9 in the backyard of the residence, because there
14 had been multiple other times where they had believed
15 narcotics to be stored somewhere in the -- on the property.
16 Upon deploying my K9, he did lead me to the woods and --

17 Q. Okay. And does your -- what kind of training does
18 your K9 have to take narcotics?

19 A. Yes. He is certified through Nap Odor for five
20 different odors, and we train 16 hours a month every -- every
21 month of the year.

22 Q. Okay. All right. So did K9 -- did you say "K9
23 Rex"?

24 A. K9 Rex. That's correct.

25 Q. Did he locate anything?

1 A. He alerted on --

2 MR. STITELY: Objection. I know it going to sound like
3 correct. Once again, relevance, she's talking about a
4 Jonathan Cole. There's been no context who he is, where this
5 is. Literally, this officer's testifying about being
6 deployed to some location that hasn't been even stated to the
7 Court yet. So I'm going to object to any relevance. There's
8 been no foundation to what you've even searched for drugs on.

9 THE COURT: Okay. Let's see where it goes.

10 MS. GOUDE: And, your Honor, I said this is part of the
11 conspiracy investigation. Mr. Cole is a co-defendant.
12 Obviously, Jackson is charged in the indictment with
13 conspiracy, your Honor.

14 THE COURT: Go ahead.

15 MS. GOUDE: And we are building this case through
16 testimony of Mr. Oates and other law enforcement officers.

17 THE COURT: There's an objection. And I'm going to let
18 you go forward. And if I need to step in, I will.

19 BY MS. GOUDE:

20 Q. All right. And what did K9 locate during the
21 search?

22 A. He alerted to a board in the woods. I kicked the
23 board back and saw that there was a plastic bag. At that
24 time, I contacted the current lieutenant -- or now Captain
25 Downey and Agent Shaw who's here, and they came, collected a

1 quantity of cocaine and fentanyl from inside that bag.

2 MS. GOUDE: All right. I have no further questions for
3 this witness, your Honor.

4 MR. STITELY: Judge, I'd make a motion to strike all of
5 his testimony. There's been absolutely no foundation laid.
6 We don't -- I know she -- this -- Attorney General said he is
7 a co-defendant. This officer never testified to where this
8 location was. She gave a date.

9 There's been no testifying as to what the foundation
10 was to the search, anything. So I know she's saying she's
11 building a conspiracy, but there's been absolutely nothing
12 laid except for this officer was at a Jonathan Cole's house
13 June 2, and found something which isn't even put into
14 evidence. I'd ask to strike this entire testimony.

15 THE COURT: Denied.

16 CROSS-EXAMINATION

17 BY MR. STITELY:

18 Q. I -- I will ask the question: Where is Jonathan
19 Cole's house?

20 A. It's in Sumter. Was it a Sumter address? Genoa
21 Drive. I'm not exactly sure of the numeric. So I'd have to
22 go referencing.

23 Q. So not in Kershaw County?

24 A. No.

25 MR. STITELY: Thank you. Now, your Honor, I'd make a

1 motion to suppress it completely.

2 THE COURT: Still a conspiracy allegation here.

3 MR. STITELY: No other questions. Thank you.

4 THE COURT: Anything further?

5 MS. GOUDE: No, your Honor.

6 THE COURT: You may step down. Any problem if he wants
7 to stay? You can stay.

8 MS. GOUDE: And, your Honor, would you like for me to
9 ask for each witness to be released from subpoena or excused
10 after their testimony to handle -- handle that issue of
11 whether they're allowed in the courtroom or not, or how do
12 you want to proceed with that?

13 THE COURT: Well, we hadn't even gotten into releasing
14 them because everybody wanted to stay. Did you want to stay?

15 THE WITNESS: I -- I can answer the Court, your Honor.

16 THE COURT: Pardon?

17 THE WITNESS: I'm good to leave.

18 MR. STITELY: Judge, I do not envision the need to
19 recall him. So he's good to be excused. I'm good.

20 THE COURT: You are excused. Thank you.

21 THE WITNESS: Yes, sir.

22 MS. GOUDE: Your Honor, the State next calls Lieutenant
23 Lee Young.

24 LIEUTENANT WILLIAM LEE YOUNG,

25 being duly sworn, testified as follows:

1 THE CLERK: Thank you. Have a seat. State your name,
2 and spell it for the court reporter.

3 THE WITNESS: William Lee Young.

4 DIRECT EXAMINATION

5 BY MS. GOUDE:

6 Q. Good afternoon, Lieutenant Young.

7 A. Good afternoon.

8 Q. Could you tell the Court where you're currently
9 employed?

10 A. The Kershaw County Sheriff's Office.

11 Q. And how long have you worked for Kershaw County?

12 A. Over 17 years.

13 Q. Back in June 2023, were you employed with the
14 Kershaw County Sheriff's Office?

15 A. Yes, ma'am.

16 Q. What was your role at the sheriff's office at that
17 time?

18 A. At that time, I think I was a sergeant.
19 Narcotics.

20 Q. So you were in narcotics at that time?

21 A. Yes.

22 Q. Do you have any special training or education in
23 field of narcotics?

24 A. Yes, ma'am.

25 Q. Could you tell the Court a little about that?

1 A. Yeah. I've been in narcotics for -- it's been a
2 while. I started in 2007 with the road, did five years.
3 Ended up getting selected to go to the DEA task force where I
4 spent three years. After that, I came back to Kershaw County
5 Sheriff's Office, and I've been in narcotics ever since.
6 I've been to multiple trainings including Narcotics
7 Commanders School, any kind of basic narcotic class.
8 Advanced narcotic classes.

9 Q. Were you involved in this state grand jury
10 investigation of the Defendant, Marlo Jackson?

11 A. Yes, ma'am.

12 Q. Were you involved in the investigation of other
13 co-conspirators of Mr. Jackson?

14 A. Yes, ma'am.

15 Q. Are you familiar with an individual named "Curtis
16 Davenport"?

17 A. Yes, ma'am.

18 Q. Did -- during the state grand jury investigation,
19 were you aware of a wire intercept on Mr. Jackson's phone?

20 A. Yes, ma'am.

21 Q. Have you reviewed some calls from that wire
22 intercept for your testimony today?

23 A. Yes, ma'am.

24 MS. GOUDE: Your Honor, at this time, the State would
25 move to -- to play State's Exhibits 10, 11, and 12.

1 MR. STITELY: Judge, this would be my same objection
2 playing the other tapes before.

3 THE COURT: Entered and subject to previous objections
4 and renewed objections.

5 (Audio starts at 2:34:24 p.m.)

6 MR. DAVENPORT: What's up man?

7 MR. JACKSON: What's up, Mitch?

8 MR. DAVENPORT: Work. Trying to get the trailer down.
9 Need to come see you.

10 MR. JACKSON: All right. What you got in mind?

11 MR. DAVENPORT: Not quite sure on the way in. I'll let
12 you know when -- I'm on -- on the way. I'm trying to unload
13 this trailer.

14 MR. JACKSON: Because I pulled up after they pulled up
15 (inaudible).

16 MR. DAVENPORT: At least -- at least say four -- four.

17 MR. JACKSON: All right. Well, I'm going to call when
18 you pull up.

19 MR. DAVENPORT: All right.

20 (Audio stops at 2:35:02 p.m.)

21 BY MS. GOUDE:

22 Q. And based on your training experience, Lieutenant
23 Young, what did we just hear on that phone call?

24 A. It appeared that Curtis Davenport was ordering
25 some narcotics.

1 Q. Did -- could you tell how many?

2 A. Four -- four ounces.

3 Q. Four ounces?

4 A. Yes, ma'am.

5 Q. How many grams is that? You're better in math
6 than me.

7 A. 28 times four, whatever that is.

8 MS. GOUDE: State's Exhibit 11.

9 (Audio starts at 2:35:36 p.m.)

10 MR. JACKSON: Mitch?

11 MR. DAVENPORT: What up, man?

12 MR. JACKSON: What up bro?

13 MR. DAVENPORT: You don't want to get in touch with --

14 MR. JACKSON: Man (inaudible) I try to get the from --
15 I ain't know what the -- he's got going on. Probably get
16 some money. Take the money. So he told me -- he told me he
17 was supposed to come. Well, I can call him (inaudible).

18 MR. DAVENPORT: (Inaudible) I tell, but...

19 MR. JACKSON: I know -- I know he ain't (inaudible). I
20 just think he (inaudible) money -- my money to pay them
21 people, and then give him that back. So that's why I
22 (inaudible).

23 MR. DAVENPORT: (Inaudible).

24 MR. JACKSON: Yeah. But I don't know what he's got
25 going on, but he ain't --

1 MR. DAVENPORT: I (inaudible) like that.

2 MR. JACKSON: So I talked to his homeboy -- so I talked
3 to his homeboy. Right? And this -- his homeboy said
4 something -- you know what I'm saying? So I don't know what
5 the (inaudible).

6 MR. DAVENPORT: Man, people don't (inaudible) about
7 long (inaudible).

8 MR. JACKSON: No, no. (Inaudible).

9 MR. DAVENPORT: Yeah.

10 MR. JACKSON: (Inaudible) I get from anywhere
11 (inaudible). I'm just trying to put him -- keep him
12 (inaudible) -- you know.

13 MR. DAVENPORT: I got -- I got two -- two people that
14 gave the deals (inaudible) one thing, taking that ride
15 (inaudible).

16 MR. JACKSON: (Inaudible).

17 MR. DAVENPORT: (Inaudible). I don't care about that
18 (inaudible).

19 MR. JACKSON: (Inaudible).

20 MR. DAVENPORT: (Inaudible)?

21 MR. JACKSON: Yeah.

22 MR. DAVENPORT: You know what I'm talking about. But I
23 was (inaudible).

24 MR. JACKSON: Yeah. For sure.

25 MR. DAVENPORT: I -- I'm trying to see what's going on

1 -- you know what I'm saying?

2 MR. JACKSON: Yeah.

3 MR. DAVENPORT: (Inaudible).

4 MR. JACKSON: Honestly, (inaudible), I'll call you.

5 MR. DAVENPORT: All right.

6 (Audio stops at 2:38:13 p.m.)

7 BY MS. GOUDE:

8 Q. Lieutenant Young, can you tell us, based on your
9 training and experience, what that phone call was about?

10 A. Yeah, it sounded like that Marlo had trouble
11 getting it from his supplier. Maybe that his supplier wasn't
12 very reliable. Also, him and Mitch Davenport speak about the
13 dangers of transporting narcotics back and forth.

14 Q. Is that what he meant by taking that long ride or
15 something like that?

16 A. Yeah, that's what he meant by taking a long ride.
17 And Mitch ends up telling Marlo that he has a friend who uses
18 the mail because the dogs can't smell it.

19 Q. And you're saying "Mitch," who's Mitch?

20 A. Curtis Mitchell Davenport.

21 Q. And you know that to be a name that Curtis
22 Davenport goes by, Mitch?

23 A. Mitch. Yes, ma'am.

24 MS. GOUDE: State's Exhibit 12.

25 (Audio starts at 2:39:13 p.m.)

1 MR. JACKSON: Mitch?

2 MR. DAVENPORT: Yeah, you hit me up. What's going on?

3 MR. JACKSON: (Inaudible).

4 MR. DAVENPORT: Let it go. Hold on -- hold on. The
5 nigga is trying to get the stereo installed in this truck and
6 will be it -- and I'll be on my way.

7 MR. JACKSON: (Inaudible).

8 MR. DAVENPORT: Give me a -- give me a -- say about an
9 hour and a half, and I'll take -- what -- what -- what you
10 want? One?

11 MR. JACKSON: (Inaudible).

12 MR. DAVENPORT: (Inaudible) the same price?

13 UNIDENTIFIED SPEAKER: Yep.

14 MR. DAVENPORT: All right. He wants one, I'll take
15 (inaudible) he said that last you had same thing. He said
16 that that's some good shit.

17 MR. JACKSON: (Inaudible).

18 MR. DAVENPORT: I'm -- I'm going to get at least five
19 of them.

20 MR. JACKSON: (Inaudible).

21 MR. DAVENPORT: Yeah, we'll probably get about five of
22 them.

23 MR. JACKSON: (Inaudible).

24 MR. DAVENPORT: Thank you, man. Turn them all down. I
25 didn't --

1 MR. JACKSON: You -- you -- you got a club to -- you --
2 afloat for Pioneer city player? Pioneer city player? Or
3 Pioneer?

4 MR. DAVENPORT: Just Pioneer city player.

5 MR. JACKSON: It's a -- it's double Ds?

6 MR. DAVENPORT: (Inaudible) radio touch screen, but it
7 needs to down -- the flow to go into the -- to the back of
8 radio.

9 MR. JACKSON: (Inaudible).

10 MR. DAVENPORT: Appreciate it, man. (Inaudible).

11 (Audio stops at 2:41:36 p.m.)

12 BY MS. GOUDE:

13 Q. All right. What did we just hear on that call,
14 Lieutenant Young?

15 A. It sounded like Marlo was trying to rush Mitch to
16 come to get it -- coming to get the drugs from him at least
17 five ounces. Said that he had been turned down several
18 people for selling to them for -- for Mitch. There -- there
19 was also someone else in the background saying that they
20 would get one and Mitch said he would get at least five.

21 Q. Just based on that, do you know what type -- can
22 you tell what type of drug they were talking about?

23 A. I do know the -- the two people involved in this
24 call -- or three people involved in this call, and Mitch
25 Davenport and the other subject, Alan Beverly, heavily

1 involved in amphetamines.

2 Q. All right. Let's go to June 15, 2023. Did you
3 have some involvement with Curtis Davenport on that day?

4 A. Yes, ma'am.

5 Q. Okay. What occurred that day?

6 A. On June 15, 2023, we executed a search warrant at
7 the home of Curtis Davenport, at [REDACTED] Barlow Drive in Lugoff
8 area, Kershaw County.

9 Q. So I'm going to show State's Exhibit 22.

10 A. Yes, ma'am.

11 Q. Can you tell us what State's Exhibit 22 is?

12 A. Yes, ma'am. That's a -- a picture of Curtis
13 Davenport's home. He was staying in an RV on that property.

14 Q. Is that a fair and accurate depiction?

15 A. Yes, ma'am.

16 MS. GOUDE: Your Honor, at this time, the State will
17 move State's 22 into evidence.

18 MR. STITELY: Judge, again, for this whole time, now
19 we're going into a search warrant being executed. I don't
20 know the basis for it, the testimony, and this has happened
21 June of '23. My client had been in jail over a year at that
22 point.

23 THE COURT: I understand, but this whole thing involves
24 an allegation of a conspiracy.

25 MR. STITELY: And -- and -- and just like I understand

1 that -- that concept, my client had already been incarcerated
2 for over a year at this point.

3 THE COURT: Noted. Go ahead.

4 MS. GOUDE: So it's admitted?

5 (State's Exhibit Number 22 admitted into evidence.)

6 BY MS. GOUDE:

7 Q. And State's Exhibit 22. What was this again?

8 A. That's a picture of Curtis Davenport's residence.
9 It's an RV at the [REDACTED] Barlow Drive.

10 Q. What occurred during the search of that RV?

11 A. Yes, ma'am. We ended up securing Mr. Davenport
12 along with another subject who was staying in a shed that you
13 could see there in the picture as well. But Davenport was
14 staying in --

15 Q. That little, like, plywood building in the back?

16 A. Yes, ma'am.

17 Q. On the shed? Okay.

18 A. Yes, ma'am. We secured both of them. Advised
19 them of the Miranda rights. I advised them of the Miranda
20 rights while -- and a copy of the search warrant. Once
21 speaking with Mr. Davenport, he advised us that he had some
22 narcotics inside of the residence. He stated that he had
23 some methamphetamines, some fentanyl, some crack cocaine as
24 well as a handgun.

25 Q. And did you secure those items?

1 A. Ma'am?

2 Q. Did you secure the items or --

3 A. Yes.

4 Q. -- gathered --

5 A. Yes, ma'am.

6 Q. -- items from the camper?

7 A. Yes, ma'am, I did.

8 MS. GOUDE: I'm going to hand you State's Exhibit 35.

9 MR. STITELY: Judge, now I'm going for another
10 objection. She's trying to offer drugs found a year after my
11 client has been in custody. There's been nothing
12 establishing he had anything to do with this gentleman for
13 over a year in custody.

14 Admitting drugs found on a guy, that this detective
15 even said was a known meth person while my client's in
16 custody, has no relevance to his case whatsoever. It creates
17 an absolute prejudice with no value at all unless they're
18 going to say he was selling those drugs from inside of
19 wherever he was incarcerated. They're not admissible against
20 him as it relates to his interactions.

21 THE COURT: I'm noting all you're saying. I will give
22 what I've determined the proper weight. Okay?

23 MR. STITELY: Yes, sir.

24 BY MS. GOUDE:

25 Q. State's 35?

1 A. Yes, ma'am. This is the biscuit I submitted to
2 SLED that contains a suspected methamphetamine, suspected
3 fentanyl, suspected crack cocaine.

4 Q. And how do you know you submitted that?

5 A. My name is on the bag and dated, and I signed it
6 here.

7 MS. GOUDE: Your Honor, at this time, the State will
8 offer State's 35 into evidence.

9 THE COURT: I'm going to allow it in. You all heard
10 what I just said. It is up to me to decide what weight to
11 give that, but keep them in mind this is allegations of
12 widespread conspiracy and I heard everything Counsel had to
13 say about the timing of this particular drug seizure.

14 (State's Exhibit Number 35 admitted into evidence.)

15 BY MS. GOUDE:

16 Q. Lieutenant Young, were you also involved in an
17 incident earlier with Tevin Green back in November 26th of
18 2020?

19 A. Yes, ma'am.

20 Q. Let me show you State's Exhibit 27.

21 A. Yes, ma'am. This will be the base kit I submitted
22 with SLED, sealed and signed by me.

23 MS. GOUDE: State offers State's 27 into evidence.

24 MR. STITELY: Judge, literally the foundation she laid
25 for that was: "Were you somewhere in 2020?" And, "Did you

1 get a base kit?" I'm going to object to the foundation of
2 that completely.

3 MS. GOUDE: Your Honor, it looks -- Captain Brad Lawson
4 also testified earlier about the arrest of Tevin Green and
5 the seizure of his -- I believe it was Tevin Green, and the
6 seizure of his -- of the drugs during an encounter with him
7 at the Econo Lodge in Kershaw County. Lieutenant Lee Young
8 collected those drugs as he just testified to submit to the
9 lab.

10 MR. STITELY: I mean, she's saying that, but the
11 officers haven't attested to that. So the witness would
12 still -- she -- she can ask him: "Were you in the Econo Lodge
13 with so-and-so, did you do that?" And then I don't have that
14 particular objection, but the witness still needs to testify
15 to it, not the Attorney General.

16 MS. GOUDE: Your Honor, I did ask him if he collected
17 this evidence on November 26, 2020.

18 THE WITNESS: Yes, I did.

19 BY MS. GOUDE:

20 Q. And was that at the Econo Lodge in Kershaw County?

21 A. Yes.

22 Q. And were you there with Captain Lawson?

23 A. Yes.

24 THE COURT: Received. Subject to his objection.

25 (State's Exhibit Number 27 admitted into evidence.)

1 MS. GOUDE: So State's 27 into evidence? Okay. Thank
2 you, Lieutenant Young. No further questions from the State
3 at this time.

4 THE COURT: Defense?

5 CROSS-EXAMINATION

6 BY MR. STITELY:

7 Q. Did you guys have anyone do voice analysis of who
8 was actually on that call?

9 A. Not that I'm aware of. No, sir.

10 Q. What drugs were in Number 35? Do you need to pull
11 them back up so you can take a look?

12 A. Sure.

13 Q. Can you just give me the -- if you're -- what can
14 -- sorry.

15 THE COURT: You (inaudible).

16 BY. MR. STITELY:

17 Q. Do you have, like, a -- I mean, I'm not asking you
18 to like the microgram, but just how much did you say of what
19 was in Number 35?

20 A. How -- how much it was in 35?

21 Q. What -- what weights of what drugs?

22 A. What weights of what drugs? Okay.

23 Q. You might have to look at your report.

24 A. Yeah. From Curtis Mitchell Davenport, we seized
25 166 grams of methamphetamine -- oh, suspected

1 methamphetamine, I'm sorry, 12 grams of suspected crack
2 cocaine, and 26 grams of suspected fentanyl.

3 Q. Okay. And what's the other package?

4 A. The Tevin Green?

5 Q. Yes. Number 27. Thank you.

6 A. I do not have that information right in front of
7 me. I don't have that report. If I could get one from
8 someone?

9 Q. Sure.

10 A. I could give you the exact amounts.

11 MR. STITELY: Hold on one second. I -- I'm sure -- I
12 haven't discovered, but if you guys have a copy of your
13 report handy. Give me one second, your Honor.

14 THE COURT: Okay. Sure.

15 MR. STITELY: Thanks, sir. May I approach you with
16 this report, Judge?

17 THE COURT: Yes.

18 THE WITNESS: Thank you, sir.

19 BY MR. STITELY:

20 Q. And once again, I -- I know you didn't weigh it
21 perfectly, but just ballpark for me, what's in Number 27?
22 And what was it?

23 A. Yes, sir. It's going to be 25 grams of suspected
24 heroin, 25 grams of suspected crack -- oh, I'm sorry, six
25 grams of suspected crack cocaine, 10.5 grams of suspected

1 cocaine and nine grams of suspected methamphetamine. Also,
2 an additional 1.6 grams of methamphetamine for ecstasy pills.
3 That -- that -- positive for methamphetamine.

4 MR. STITELY: Thank you, Lieutenant. That's all I have
5 for you. Appreciate it.

6 THE WITNESS: Okay. Thank you.

7 MR. STITELY: Can you bring that -- before that?

8 MS. GOUDE: The State calls Michael Ross.

9 THE COURT: Any objection for this witness to stay?
10 Apparently not.

11 MS. GOUDE: No, your Honor.

12 THE COURT: Did you want to stay in the courtroom?

13 THE WITNESS: Yes, sir. I was going to get
14 (inaudible).

15 THE COURT: Any objection?

16 MR. STITELY: No -- no, Judge. He can leave.

17 INVESTIGATOR MICHAEL ROSS,

18 being duly sworn, testified as follows:

19 THE CLERK: Okay. Have a seat. State your name, and
20 spell it for the court reporter.

21 THE WITNESS: Michael Ross. M-I-C-H-A-E-L R-O-S-S.

22 DIRECT EXAMINATION

23 BY MS. GOUDE:

24 Q. Good afternoon, Invest -- or is it Investigator
25 Ross?

1 A. Yes, ma'am.

2 Q. Investigator Ross, what agency do you work for?

3 A. Kershaw County Sheriff's Office.

4 Q. And how long have you worked for the Kershaw
5 County Sheriff's Office?

6 A. About 10 years.

7 Q. What was your position at the sheriff's office in
8 2022?

9 A. I was a narcotics investigator.

10 Q. You were what?

11 A. Narcotics investigator.

12 Q. Do you have any special training or education as a
13 narcotics investigator?

14 A. I've been through a narcotics investigator course,
15 and just various narcotics-related classes throughout my
16 career.

17 Q. And were you involved in the investigation of
18 Marlo Jackson?

19 A. Yes, ma'am.

20 Q. Were you involved in the investigation of
21 Mr. Jackson's co-conspirators?

22 A. Yes, ma'am.

23 Q. Were you involved in the investigation of a Curtis
24 Davenport?

25 A. Yes, ma'am.

1 Q. Were you involved in the investigation of Anthony
2 Clarkson?

3 A. Yes, ma'am.

4 Q. Let's talk about Mr. Curtis Davenport.

5 A. Okay.

6 Q. Did you have an occasion on Jan -- oh, June 15,
7 2023 to assist with that investigation?

8 A. I do.

9 Q. Where did you respond to?

10 A. The address was [REDACTED] Barlow Drive in Lugoff, South
11 Carolina.

12 Q. And what county is that?

13 A. Kershaw.

14 Q. And what did you do when you got to the location?

15 A. Other agents made entry into Mr. Davenport's
16 camper. Once he was detained and escorted outside, I then
17 searched -- or assisted in searching the camper.

18 Q. I am going to show you State's -- marked State's
19 Exhibits 23, 24, 25. Do you recognize those pictures?

20 A. I do.

21 Q. Are those a fair and accurate depiction of the
22 camper that day?

23 A. Yes, ma'am.

24 MS. GOUDE: Your Honor, the State would move Exhibits
25 23, 24, and 25 into evidence.

1 MR. STITELY: Judge, this is going to be the same
2 objection. I believe we're still talking about that June of
3 2023, and so same objection.

4 THE COURT: In the camper. Yeah. Entered without
5 objection. Well, no. That's not correct. Entered, subject
6 to prior objections. Sorry.

7 (State's Exhibits Numbers 23, 24, and 25 admitted into
8 evidence.)

9 BY MS. GOUDE:

10 Q. State's Exhibit 23, what do we have here?

11 A. That's Mr. Davenport's bed. You can see obviously
12 a pistol. There's a -- a black core with two containers.
13 You only see the one on top of the blue lid that contains
14 suspected methamphetamine. Then you have a clear -- looks
15 like a jar that has suspected, I believe, marijuana and
16 suspected fentanyl on it, that you can see bagged up.

17 Q. And Number 24?

18 A. I believe that is a core once those blue
19 containers were removed with distribution baggies and more
20 suspected narcotics.

21 Q. State's 25?

22 A. Yeah. Those are two blue containers with the
23 suspected methamphetamine.

24 Q. And why would he need these little baggies we see
25 in State's 24?

1 A. To put a larger amount of methamphetamine or
2 suspected narcotics. And two smaller amounts for
3 distribution.

4 Q. Okay. Let's go a little further back to February
5 11, 2022. You said you were involved in the investigation of
6 Anthony Clarkson?

7 A. Yes, ma'am.

8 Q. Could you tell us your role in the investigation
9 on that day?

10 A. Yes, ma'am. We were notified by Agent Shaw with
11 SLED that they had intercepted a phone call from the wire
12 between Marlo Jackson and Anthony Clarkson, with a purchase
13 of three ounces of narcotics. So at that time, we knew where
14 Mr. Clarkson lived, and we tried to set up along routes that
15 he might take to get back to his house.

16 Investigator Carter was able to locate Mr. Clarkson's
17 truck on Highway 1 in Cassatt, Kershaw County, where he
18 attempted to make a traffic stop. Mr. Clarkson failed to
19 pull over that time and continued driving towards his house,
20 which is in Shepard Acres, on [REDACTED] Persimmon Drive.

21 Q. What county is that in?

22 A. Also in Kershaw County. Due to Mr. Clarkson not
23 pulling over, Investigator Carter moved his patrol vehicle in
24 front of Mr. Clarkson's truck.

25 Q. Did you go to assist Investigator Carter?

1 A. I did. Yeah, I was able to catch up with them
2 before he stopped the car, but Investigator Carter moved in
3 front of Mr. Clarkson to get him to stop. I was then located
4 behind Mr. Clarkson's vehicle. Investigator Carter slowed
5 down to get him to stop, and at that time, I observed Mr.
6 Clarkson throw an object out of the window.

7 Part of it went out the passenger side of the window, a
8 -- a clear bag. He separated and flowed across the bed of
9 the truck, and about that same time, he was looking back over
10 to towards the back of the truck, and that's when he struck
11 Investigator Carter because he wasn't really paying attention
12 to in front of him.

13 Q. I'm going to ask you to take a look at Exhibit --
14 State's 21. Do you recognize State's 21?

15 A. Yes, ma'am.

16 Q. As what is that?

17 A. That was the bag of suspected methamphetamine that
18 Mr. Clarkson threw out of his passenger vehicle -- passenger
19 side of his vehicle.

20 MS. GOUDE: Your Honor, I have no further questions for
21 this witness.

22 MR. STITELY: No questions.

23 THE COURT: You may step down.

24 THE WITNESS: Thank you, sir.

25 THE COURT: Would you like to be excused?

1 THE WITNESS: I -- yes, sir.

2 THE COURT: Any problem if he stays?

3 MR. STITELY: No -- no.

4 THE COURT: You may stay in the courtroom.

5 MS. GOUDE: Your Honor, we're having the next witness
6 brought up.

7 THE COURT: All right.

8 MS. GOUDE: Eric Johnson.

9 MR. STITELY: And, your Honor, just for the record, I
10 -- I represent Mr. Johnson, and we have discussed this case
11 thoroughly. I don't believe he has any more need to speak to
12 me, but he's aware of his rights, he's aware of how
13 testifying may affect that. And it's my understanding that
14 it is his desire to go ahead and testify unlike the client
15 earlier this morning. Thank you, sir.

16 THE COURT: All right. (Inaudible)?

17 ERIC JOHNSON,

18 being duly sworn, testified as follows:

19 THE CLERK: Please (inaudible).

20 THE COURT: You can have a seat and make yourself a
21 comfortable.

22 DIRECT EXAMINATION

23 Q. Good afternoon, Mr. Johnson.

24 A. How are you doing?

25 Q. We're here today to try this case in front of the

1 judge here, instead of a jury. Mr. Johnson, where are you --
2 have you been living?

3 A. [REDACTED] Beaver Dam Road, Camden.

4 Q. Currently, though, where -- where do you currently
5 live at right now? Where'd you come from today?

6 A. Alvin S. Glenn Detention Center.

7 Q. How long have you been in Alvin S. Glenn?

8 A. 10 months.

9 Q. Okay. You're in jail right now for charges in
10 this investigation?

11 A. Yes.

12 Q. Okay. That includes: Conspiracy to distribute
13 fentanyl, four counts of distribution of fentanyl,
14 trafficking cocaine based 10 to 28 grams, possession with
15 intent to distribute fentanyl, possession with intent to
16 distribute cocaine, possession with intent to distribute
17 hydrocodone, two counts of possession of a weapon during a
18 violent crime, unlawful conduct towards a child, and tracking
19 Fentanyl 4 to 14 grams. Those are your current charges?

20 A. Yes.

21 Q. And you have agreed to cooperate with the state
22 and be here today to testify, is that right?

23 A. Yeah.

24 Q. Have I made you any offers or promises to testify?

25 A. No.

1 Q. And you're facing a substantial amount of time
2 here, is that correct?

3 A. Yeah.

4 Q. It's -- I believe it's 25 to 40 years?

5 A. Yes.

6 Q. And in exchange for testifying, you are hoping to
7 get a better offer?

8 A. Yes.

9 Q. All right. Let's talk about Marlo Jackson. How
10 do you know Mr. Jackson?

11 A. Cousin.

12 Q. How long have you known him?

13 A. All my life.

14 Q. Okay. Did you all live in the same area?

15 A. Maybe two streets over.

16 Q. Okay.

17 A. So in the same area.

18 Q. Where is -- where was that?

19 A. Where was --

20 Q. Pardon me?

21 A. Where was what?

22 Q. Where did you and he live together growing up?

23 A. Lee County.

24 Q. Okay. What is that in, like, the Egypt Road area?

25 A. Yeah -- yeah, Red Hill, Egypt Road, Jamestown

1 Road, off of -- that'll be -- I'm on Beaver Dam Road.

2 Q. Are you and Marlo the same age?

3 A. No.

4 Q. Okay. Or -- tell me about that.

5 A. I'm 35.

6 Q. Okay. Is he older or younger or...

7 A. Yeah, he's older than me.

8 Q. Tell me a little bit about that area, Egypt Road,
9 where you grew up. What was it like?

10 A. It was pretty nice. Family oriented, everybody --
11 you know, country area. Everybody really related except for
12 a few -- you know, it's a pretty nice area.

13 Q. Did you grow up around drugs?

14 A. For the most part, watching other people in the
15 neighborhood. Yeah, it's like -- you know, looking up to a
16 couple guys who was the drug dealers.

17 Q. So you just described this as a pretty nice area
18 where people are doing drugs?

19 A. Nah. Like, mix of both -- you know, a lot of
20 working people in the area. Some people -- you know, indulge
21 in drugs and stuff like that. Some people.

22 Q. I mean, it was commonplace to do drugs in that
23 area?

24 A. That was the country. So -- you know, most people
25 came from city areas to come down there to use drugs or -- or

1 do drugs.

2 Q. Let's talk about your involvement in drugs. When
3 did you become involved with selling drugs?

4 A. Really after I came from college in 2008 -- I went
5 to college in 2008. Came home, like, 2013. That's when I
6 really started to indulge in drugs.

7 Q. And tell the court a little bit about you going to
8 college.

9 A. I went to Johnson & Wales to be a chef.
10 Unfortunately had to stop because my dad stopped paying,
11 having to stop paying for my education. Johnson & Wales at
12 the time was, like, 36,000 a year, so he wasn't making that
13 kind of money to stay.

14 Q. And so, when did you say you came back to Egypt
15 Road?

16 A. Round about -- shortly after -- round about '13 --
17 '13. Yeah, 2013.

18 Q. All right. And how'd you start selling drugs
19 then?

20 A. The typical way. You know, going to purchase
21 drugs and -- and it was -- you know, I know how to do it --
22 you know, from growing up around it. So -- but crack cocaine
23 is sold.

24 Q. Okay. So let's fast-forward to -- you went to
25 prison in 2015?

1 A. Yes.

2 Q. Of what?

3 A. Trafficking cocaine.

4 Q. Okay.

5 A. Distribution.

6 Q. Okay. And when did you get out?

7 A. 2017.

8 Q. Okay. Where'd you go when you got out?

9 A. I went back to the neighborhood. Yeah.

10 Q. Okay. All right. Did you -- were you able to
11 stay straight?

12 A. Not very long. Probably about a few months in.
13 Caught financial troubles and started back.

14 Q. All right. So how did you start back selling
15 drugs around 2019?

16 A. I started purchasing cocaine started selling crack
17 cocaine. And then the -- I think shortly after, new thing --
18 fentanyl came about.

19 Q. So when you first started back with the cocaine,
20 who were you buying that from?

21 A. When I started back with the cocaine, I was
22 getting them from Marlo then.

23 Q. From Marlo?

24 A. Yeah.

25 Q. Marlo Jackson?

1 A. Yeah.

2 Q. Do you see Marlo in the courtroom?

3 A. Yeah, I see him.

4 Q. Could you point him out for the judge?

5 A. He is right there on the -- right there by his
6 lawyer.

7 Q. What's he wearing?

8 A. Blue shirt.

9 Q. All right. What about the fentanyl?

10 A. I heard it was a new drug came about, and it --
11 was really strong, something like heroin. So I started to
12 know about that and -- and indulging that.

13 Q. Why didn't you know about it?

14 A. "Why did?" Say it again?

15 Q. Why -- why didn't you know about selling it? Is
16 that what you mean? Fentanyl?

17 A. I said, "I started to know about fentanyl."

18 Q. Okay.

19 A. And started to indulge with that.

20 Q. So how did you find out about the fentanyl?

21 A. One of the guys, one of her friends told me about
22 it. It was a new thing around and I started to -- you know,
23 see the effects of it, and -- and people started to come in
24 the area.

25 Q. So did you go to The Shop around that time?

1 A. Yeah, I was around The Shop at the time.

2 Q. So can you describe to -- "The Shop" to the Judge?
3 Tell us what it is.

4 A. The Shop?

5 Q. Uh-huh.

6 A. Everybody -- The Shop was -- it -- it was a -- it
7 was a place where all of our family and friends hung out at.
8 You know, some of -- some of everything cooking on the grill
9 or -- you know, drugs everything went on there, even down to
10 fixing cars.

11 Q. Would a lot of people that went out there go out
12 there to buy drugs?

13 A. Yeah.

14 Q. What kind of drugs could you buy?

15 A. Some -- everything.

16 Q. Everything?

17 A. Yeah.

18 Q. Okay. Name some.

19 A. Pills, cocaine, crack, weed, fentanyl.

20 Q. Methamphetamine?

21 A. Yeah. Ice. Yeah.

22 Q. Okay. And it -- it's called "The Shop." Was
23 there a shop out there?

24 A. Yeah. First it was a -- it was a shop; it was a
25 mechanic shop. Marlo had it -- you know, fixing cars and

1 stuff going on. Yeah.

2 Q. But what happened to The Shop?

3 A. Guess it became the spot for drug -- drugs, you
4 know what I'm saying?

5 Q. And when you went out to The Shop, who was out
6 there selling drugs?

7 A. Marlo was out there.

8 Q. And what did he sell his drugs from?

9 A. Huh? Say that again?

10 Q. Where did he keep his drugs as far as you know?

11 A. Well, he kept it on him all the time -- at all
12 times -- you know, kept it on him -- you know.

13 Q. Did you see him with a backpack?

14 A. A backpack? Yeah. He kept the backpack on.
15 Yeah.

16 Q. So he kept his drugs in a backpack?

17 A. Yeah. Backpack.

18 Q. That he had with him?

19 A. Yeah.

20 Q. Okay. Based on you being out there, about how
21 much drugs do you think he would have with him when you saw
22 him?

23 A. I -- I can't recall. I didn't -- I mean, I seen a
24 lot of drugs, but I -- I can't recall how much -- you know.

25 Q. How often do you think you went out there to The

1 Shop?

2 A. If not -- probably about every other day, but I
3 know at least -- at least once a week.

4 Q. Okay. Did you buy most of the drugs you sold from
5 Mr. Jackson?

6 A. Yeah.

7 Q. About how many drugs were you buying every week?

8 A. About -- what you mean, "How many?" Different
9 type of drugs, or...

10 Q. Like, the amounts?

11 A. Probably, like, an ounce.

12 Q. Okay.

13 A. Fentanyl. Yeah.

14 Q. What were you doing with the drugs that you bought
15 from Marlo?

16 A. I was selling them.

17 Q. Would you pay Marlo for those drugs?

18 A. Of course.

19 Q. Would -- sometimes he gives you drugs and you pay
20 him back later?

21 A. Yeah, sometimes.

22 Q. Tell us about the kinds of people you saw out
23 there at The Shop.

24 A. There's some of everybody: Drug heads, some
25 family, some of everybody.

1 Q. Were you surprised at certain people being out
2 there once fentanyl was popular?

3 A. Yeah, a lot of people I didn't think would
4 probably use was out there. I would say, like, "clean
5 people." That's what really made it kind of intriguing for
6 me. A lot of money was in it -- involved -- you know, and
7 different types of people would be there.

8 Q. So these people were all out there buying
9 fentanyl?

10 A. Yeah. Most part. Yeah.

11 Q. And you saw Marlo selling fentanyl?

12 A. Yeah.

13 Q. And was there a lot of money to be made here?

14 A. Oh, yeah.

15 Q. Okay. And so, you started selling fentanyl?

16 A. Uh-huh.

17 Q. How much money were you making selling fentanyl?

18 A. I -- I would sell a -- an ounce a week. So
19 pretty...

20 Q. You give us the idea. It wasn't, like, a hundred
21 dollars.

22 A. Nah, it was -- it's probably, like, I would say
23 off that ounce probably be, like, 3,000, 3,500, something
24 like that.

25 Q. A week?

1 A. Yeah.

2 Q. What do you know about Tevin Green?

3 A. That's a cousin of mine.

4 Q. Did you see him --

5 A. Of ours.

6 Q. Pardon?

7 A. Cousin of ours.

8 Q. Did you see him out at "The Shop"?

9 A. Yeah. He would be out there. He's from the

10 neighborhood.

11 Q. What was he doing?

12 A. Most part, I seen him chilling out there. He was

13 -- he was involved too.

14 Q. Involved how? What do you mean?

15 A. I think -- you know, for the most part, he was

16 selling drugs too.

17 Q. Do you know what drugs he sold?

18 A. I think weed, coke, crack, stuff like that. Yeah.

19 Q. Did you know Myron Green?

20 A. Yeah. That's a cousin too.

21 Q. Okay. Did you see him at The Shop?

22 A. Yeah.

23 Q. What was he doing out there?

24 A. Mostly just fixing cars, basically.

25 Q. Would he do things for Marlo?

1 A. Yeah. Like, give him rides or something like that
2 -- you know, doing -- fixing cars and stuff for him.

3 Q. Would he serve drugs for Marlo?

4 A. I didn't know really -- you know, about him
5 dealing drugs or nothing like that. I just know he's there -
6 - you know, fixing cars, and pulling stuff, and stuff like
7 that.

8 Q. Did you know him to be at The Shop a lot?

9 A. Yeah. From the area -- from the neighborhood.

10 Q. How often you say he would be there?

11 A. About every day.

12 Q. All right. Let's talk about some amounts of drugs
13 you saw at The Shop. You mentioned when you interviewed with
14 us seeing methamphetamine out there. What's the largest
15 amount of methamphetamine you think you saw out there?

16 A. I think I seen probably about a cooler full.

17 Q. Like, a cooler?

18 A. Yeah.

19 Q. What kind of cooler?

20 A. Like, a YETI cooler, like, a lot of -- I don't
21 know how much that would be, but pretty substantial amount.

22 Q. Like, a couple gallon bags' worth?

23 A. Yeah. Probably that. Yeah.

24 Q. All right. What about cocaine?

25 A. Yeah -- yeah, pretty much a lot of cocaine too. I

1 -- you know, I don't know how much -- you know, it would be,
2 but it's a lot.

3 Q. So if you wanted to purchase 28 grams of cocaine
4 or an ounce from The Shop, would that be a problem?

5 A. No.

6 Q. What about crack?

7 A. Yeah.

8 Q. Could you get that?

9 A. Yeah. Get that too.

10 Q. You know how to make crack?

11 A. Yes.

12 Q. Tell us how you make crack.

13 A. Put it in a -- a -- a -- a pyre (ph) jar, and put
14 it in the microwave. Let it melt down and just wait for it
15 to -- to get hard -- you know, pour the water off and wait
16 for it to get hard. You got crack from cocaine.

17 Q. So that's just cooked cocaine?

18 A. Uh-huh.

19 Q. All right. What about the fentanyl? Was it in
20 different colors? Sometimes?

21 A. Yeah, it'll come in different colors.

22 Q. What do you know about the colors?

23 A. It -- it depends on what you cut it with. It can
24 be colors -- different colors, yellow, blue, green. Yeah.
25 Stuff like that.

1 Q. Would it be sold as pills or powder?

2 A. Powder.

3 Q. And why did you say you decided to start selling
4 fentanyl?

5 A. I saw that -- that it was a new thing, and it was
6 a lot of money, and it was more money than crack. You know,
7 a lot of different people that -- you know, a lot of clean
8 people use fentanyl. Crack -- crackheads or crack users,
9 they don't have that type of money to -- to spend like
10 fentanyl users.

11 Q. Okay. And was Marlo Jackson blowing up, selling
12 all this fentanyl out there?

13 A. Yeah.

14 Q. And you witnessed that yourself?

15 A. Yeah.

16 Q. All right. Let's move on to Cortez Sullivan. Who
17 is that dude? Or Slim?

18 A. Guy I know.

19 Q. How do you know Slim?

20 A. He used to stay in my -- on my street.

21 Q. Okay.

22 A. Yeah.

23 Q. What'd you know Slim to do?

24 A. He was -- he was -- he was a dealer too.

25 Q. For who?

1 A. He sold drugs too. For Marlo.

2 Q. Did Slim come to your house one night in June
3 2022?

4 A. Yeah.

5 Q. What did he come there for?

6 A. He came there and tried to -- he said he wanted to
7 get Marlo out, and he tried to, like, front me some drugs,
8 get him out. But I ended up --

9 Q. Did he have -- did he have some drugs with him?

10 A. Yeah.

11 Q. What did he have?

12 A. He had a trash bag full.

13 Q. Okay.

14 A. Different drugs.

15 Q. All right. And he was trying to get you to do
16 what?

17 A. Front me some drugs to get Marlo out of jail.

18 Q. Did you get drugs from Slim?

19 A. I only took an ounce from him.

20 Q. Okay. An ounce of what?

21 A. Fentanyl.

22 Q. What'd you do with that? Fentanyl.

23 A. I sold it.

24 Q. All right. Around that time, do you also learn
25 about someone named Dorian Scarborough?

1 A. Yeah, I know -- I know them guys.

2 Q. How'd you find out about Dorian?

3 A. I used to talk to his sister. I used to date his
4 sister.

5 Q. Okay. So how'd you get hooked up with him the --
6 the drug connection?

7 A. Well, they had it going on at the time, so I start
8 -- I came to see them a few times.

9 Q. Why'd you start going to him instead of Marlo?

10 A. He -- at the -- you know, it was a lot of -- I
11 think it was just -- it was, like, a silent -- it wasn't
12 really beef, but it was, like -- you know, a lot of stuff
13 being said between us. So I just stopped going -- you know,
14 dealing with Marlo. So I just go -- came to him a few times.

15 Q. Well, hadn't Marlo been locked up?

16 A. At the time? Yeah.

17 Q. Yeah. So you couldn't get -- he wasn't out there
18 to get your drugs from?

19 A. Yeah. But there was a lot of -- I guess, Slim was
20 out there, but I didn't -- didn't deal with them -- those
21 guys no more.

22 Q. Do you know anything about Slim sending Marlo's
23 customers to Dorian Scarborough's?

24 A. Nah -- nah. Uh-uh. I think I -- I think I seen a
25 couple people from The Shop that came down to Dorian

1 Scarborough, but I don't -- you know -- you know, I just see
2 -- just keep going -- going. I think I did.

3 Q. All right. What did you see when you were at --
4 out there at Scarborough's residence?

5 A. A lot of people just was there. 30 people in the
6 house. Didn't like it because it was too many people that
7 saw what I was doing.

8 Q. And what did that mean, "People were watching"?

9 A. I think I shook 30 people's hands in the house
10 when I came in there, so that was kind of weird, so...

11 Q. But why do you care?

12 A. Because at the time, I hadn't -- I didn't know I
13 was on the list. I didn't know I was in trouble, so I
14 started to try to move -- you know, in silence.

15 Q. So it was loud. You were afraid the police were
16 going to come?

17 A. Yeah.

18 Q. Okay. How much drugs were you buying from Dorian
19 and Bryan Scarborough in (inaudible) Street?

20 A. Well, I think I got, like, seven grams, half --
21 half -- half-ounce from them.

22 Q. What kind of drugs was that?

23 A. That was fentanyl.

24 Q. Fentanyl?

25 A. Yeah.

1 MS. GOUDE: Court's indulgence, your Honor?

2 BY MS. GOUDE:

3 Q. Mr. Johnson, you -- you said how much fentanyl you
4 were buying per week from Mr. Jackson. For how long did that
5 go on?

6 A. It went on for a good while.

7 Q. Would you say years? Months?

8 A. Probably, like, a couple years, something like
9 that.

10 Q. So --

11 A. I don't -- you know, can't recall how exactly how
12 long.

13 Q. But, like, from 2019 until at least 2022, would
14 you say?

15 A. Yeah, I would think so.

16 Q. Okay. And that whole time you witnessed Marlo
17 Jackson selling these different drugs at The Shop?

18 A. Yeah.

19 MS. GOUDE: Nothing further from the State at this
20 time. Please answer any questions that the Defense have.

21 CROSS-EXAMINATION

22 BY MR. STITELY:

23 Q. Mr. Johnson, you haven't gotten a plea offer in
24 this case at all?

25 A. No.

1 Q. When were you -- okay, let's just -- we'll skip
2 all the previous times you've been to prison. Were you
3 arrested in 2021?

4 A. 2021? No. I think I got arrested in -- yeah --
5 yeah.

6 Q. Okay. What were you arrested for in 2021?

7 A. Conspiracy.

8 Q. Okay. This case or a different case?

9 A. This case.

10 Q. Okay. And then, you got out?

11 A. Uh-huh.

12 Q. So you were arrested for this conspiracy, you got
13 out. And then when were you arrested next?

14 A. Last year, May.

15 Q. May of 2024?

16 A. Yeah.

17 Q. What were you arrested for in May of 2024?

18 A. Distribution of fentanyl. Yes.

19 Q. Okay. So you were out in this conspiracy charge,
20 kept drug dealing, and get arrested again in 2024 for doing
21 more? Was that on the -- the best of the government? Were
22 they giving you drugs to get out there and sell it?

23 A. No.

24 Q. But you -- you were out on this conspiracy, and
25 you just kept doing your own game, you and your buddy

1 Scarborough?

2 A. Nah. Yeah -- yeah -- yeah, basically.

3 Q. Okay. Were you with Tevin Green on November 25,
4 2020?

5 A. Nah, I don't think so.

6 Q. Okay. So you have no idea who Tevin Green could
7 have gotten drugs from potentially on November 25, 2020?

8 A. No, I don't know.

9 Q. What was the beef you had with Marlo?

10 A. We didn't have beef. You -- we really didn't have
11 beef. Because when I saw him -- I mean, it was a lot of
12 rumors. When I saw him, it was -- when I saw him, it was
13 like we were friends still. So it really wasn't no beef,
14 but...

15 Q. Well, you -- you said that you had a -- more like
16 a silent beef with him. What was that about?

17 A. Yeah, basically because I think it's like when you
18 -- you hearing stuff from people, and you see them, and it's
19 something different -- you know, it's -- it is -- I guess it
20 can be a silent beef or something like that -- you know? I
21 guess.

22 Q. Well, let's not make no mistake, you were out in
23 the street selling drugs for two full plus years while Marlo
24 was back in jail, correct?

25 A. Say it again?

1 Q. You were moving drugs for two full years while he
2 was in jail, correct? From 2022 when he got locked up till
3 you got locked up end of 2024, you were out there doing your
4 thing, correct?

5 A. For the -- I was working most of the time, but for
6 the most part I was doing, yeah.

7 Q. How many drug dealers do you know?

8 A. Plenty.

9 Q. Plenty? Plenty of them in the Lee County area
10 alone?

11 A. Yeah, I would say. Yeah.

12 Q. When you got caught with the drugs you got caught
13 with, they obviously didn't come from Marlo, did they, in
14 2024? Whatever that fentanyl was --

15 A. 2024? No Uh-uh.

16 MR. STITELY: Nothing further for this witness.

17 RE-DIRECT EXAMINATION

18 BY MS. GOUDE:

19 Q. Mr. Johnson, if you wanted to buy drugs and --
20 when Marlo Jackson was out on the street, who would you buy
21 drugs from? Who was the man in Lee County?

22 A. He was. Marlo was.

23 Q. Now, let's talk about this beef. You mentioned in
24 an interview with me -- or decide the beef. Did you think
25 Mr. Jackson had a problem with you?

1 A. I -- I -- I -- I think so, but then I -- I don't
2 think so. Because like I said, when we seen -- when we seen
3 each other, he was -- you know, we were friends. We -- we --
4 we was good cousins then -- you know.

5 Q. And -- well, so about this beef -- and please tell
6 me if I'm wrong, do you mean you heard he was saying things
7 behind your back --

8 A. Yeah.

9 Q. -- and deny it to your face?

10 A. Yeah.

11 Q. Is that what you mean?

12 A. Exactly what I mean.

13 MS. GOUDE: No further questions.

14 MR. STITELY: No other questions, Judge.

15 THE COURT: Thank you, sir. You may step down. All
16 right. Let's take a brief recess. About -- hold about 10
17 minutes. Okay.

18 (Off the record at 3:29 p.m.)

19 (On the record at 3:42 p.m.)

20 MR. STITELY: I just asked what we were looking like,
21 Judge. At least she said she has two more fact witnesses
22 today, and then her chemists and stuff aren't available for
23 tomorrow. So -- and I think that's a blast of -- am I wrong?

24 MS. GOUDE: All right. Your Honor, we have two more
25 witnesses that are ready to go.

1 THE COURT: Okay.

2 MS. GOUDE: The other witnesses are, like, chain
3 witnesses, SLED lab chemists who were not available today.

4 THE COURT: Okay.

5 MS. GOUDE: And we honestly didn't think that they
6 would be needed today, but we can have them here ready to go
7 when we start court tomorrow. And I believe we wanted to ask
8 if Chelsea Cockle and Eric Templar can be released from their
9 subpoenas to watch the rest of the trial. I'm not expecting
10 to call them to testify. He's already --

11 MR. STITELY: Yeah, like I said, I think they're her --
12 some of her chain people and she's not using these witnesses.

13 MS. GOUDE: Ms. Cockle is part of the chain for
14 evidence in Kershaw County, but those drugs have been
15 admitted so we have no objection.

16 MR. STITELY: No objection.

17 MS. GOUDE: I mean...

18 THE COURT: It's all right.

19 MR. STITELY: That sounds like I'm going to be able to
20 (inaudible).

21 MS. GOUDE: Your Honor, should the State call their
22 next witness?

23 THE COURT: Just a second. Sheriff, clear the gallery
24 out there for a minute. No. The courtroom. Clear the
25 courtroom back here for just a minute. Everybody out.

1 (Spectators vacate the courtroom at 3:47 p.m.)

2 THE COURT: Sheriff, do we have instantaneous coverage
3 of the video of this courtroom?

4 THE BAILIFF: Yes, sir.

5 THE COURT: I want somebody on that video until this
6 trial is complete.

7 THE BAILIFF: Yes, sir.

8 THE COURT: The first one that pulls the cell phone
9 out, in defiance of my order, bring them immediately around
10 here. Now that gentleman who defied my order and has been
11 back their audio-taping?

12 THE BAILIFF: Yes, sir.

13 THE COURT: I want the sheriff's department to find out
14 who he was, and I want him brought in, I will issue a
15 warrant, a bench warrant for him. As soon as you determine
16 who he is, I want him brought back in here.

17 THE BAILIFF: Yes, sir.

18 THE COURT: There is no excuse for totally disregarding
19 what I told him. And clear a place out in the jail for him
20 because that's where he's going. All right. If you would
21 arrange somebody to be constantly monitoring this because
22 that rail back there skews the front part.

23 THE BAILIFF: We confiscated every phone. Nobody is
24 having a phone.

25 THE COURT: Okay.

1 THE BAILIFF: But I still have somebody to monitor.

2 THE COURT: All right. If you'll let them back in,
3 everybody has a right to be back in. Behave (inaudible).
4 Sorry. I've had problems with phones before, but not
5 anything like we've had today.

6 (Spectators enter the courtroom at 3:48 p.m.)

7 THE COURT: Okay. We've got everybody we need back to
8 the trial. Madam Attorney General?

9 MS. GOUDE: Thank you, your Honor. The State would,
10 next, call Billy Bell.

11 BILLY EARL BELL,

12 being duly sworn, testified as follows:

13 THE CLERK: Have a seat, and state your name for the
14 court reporter.

15 MR. PERRY: Your Honor, for the record, I represent Mr.
16 Bell. He and I discussed this. He's prepared to go forward
17 and testify today. I believe, Mr. Bell, you don't need any
18 more time with me before you go forward today?

19 THE WITNESS: No, sir.

20 THE COURT: Thank you, Mr. Perry.

21 THE WITNESS: I am Billy Earl Bell.

22 DIRECT EXAMINATION

23 BY MS. GOUDE:

24 Q. Good afternoon, Mr. Bell. Mr. Bell, do you really
25 want to be here today?

1 A. Not really.

2 Q. Have you received any threats in connection with
3 you being here?

4 A. My wife did. Yes, ma'am.

5 Q. Yeah. Are you afraid of what might happen to your
6 family because of you testifying today or to you?

7 A. My four daughters. Yes, ma'am.

8 Q. But you're here today to cooperate with the State?

9 A. Yes, ma'am.

10 Q. And you have been cooperating with the Kershaw
11 County Sheriff's Office as a confidential informant for some
12 time now, is that right?

13 A. Yes, ma'am.

14 Q. And you have pending charges in Kershaw County?

15 A. Yes, ma'am.

16 Q. Those charges are concerning drugs?

17 A. Yes, ma'am.

18 Q. Have I made any offer to help you out with those
19 charges?

20 A. No, ma'am.

21 Q. Are you getting anything from me for your
22 testimony here today?

23 A. No, ma'am.

24 Q. All right. Tell the Court where you're from.

25 A. I'm from Camden.

1 Q. How long have you lived in Camden?

2 A. On and off 41 years.

3 Q. When did you become involved in drugs here
4 recently?

5 A. I think it was 2020 is when I got -- 2021, I'm
6 sorry. It was when I got shot.

7 Q. Okay. So you got shot?

8 A. Yes, ma'am.

9 Q. Was that because of drug involvement or for some
10 other incident?

11 A. It was for another incident. Yes, ma'am.

12 Q. And, I guess, could you just elaborate, for
13 curiosity's sake?

14 A. Okay. I could -- when I got shot, I wasn't able
15 to work so I had to do something to -- you know, take care of
16 me and my wife, and I started selling drugs.

17 MR. STITELY: Can you put the mic closer? We have
18 trouble hearing that.

19 THE WITNESS: Yes, sir.

20 BY MS. GOUDE:

21 Q. So after you got shot, did you say you had a
22 problem finding a job?

23 A. Yes, ma'am.

24 Q. Okay. And why was that?

25 A. Well, because I -- first, because I got shot, and

1 then because of my tattoos and my felony record -- you know.

2 Q. Okay. And how did you get started selling drugs?
3 Speak up, I know you kind of stopped...

4 A. Okay. I -- I mean I just ran into a friend of
5 mine who introduced me to some people and it went from there.

6 Q. Okay. Who are you buying drugs from?

7 A. Streets and Juice.

8 Q. How do you know Streets' real name?

9 A. Darius -- Darien. I don't know.

10 Q. You just know him as "Streets"?

11 A. Yes, ma'am. I just know him as "Streets." It's
12 all I've ever called him.

13 Q. How'd you meet up with Streets?

14 A. One of his cousin's house. We met -- met him at
15 his cousin's house, which he made a call for me, and then
16 when I left his cousin's house, I went to a gas station and
17 he pulled up on me. Streets did, and then told me I could
18 start dealing with him personally myself.

19 Q. So you were buying drugs from Streets' cousin?

20 A. Well, it was coming from Streets, but I had to go
21 through his cousin to get to him.

22 Q. Okay.

23 A. Yes, ma'am.

24 Q. And so then, Streets thinks he can trust you and
25 he starts selling you drugs --

1 A. Yes, ma'am.

2 Q. -- personally?

3 A. Yeah. I met him at the gas station, told me I
4 could start dealing with him.

5 Q. Okay.

6 A. Give me his number.

7 Q. Where did you meet Streets to buy drugs?

8 A. I went to his house.

9 Q. Okay. And where was his house at? Do you
10 remember?

11 A. Bishopville.

12 Q. In Bishopville?

13 A. Yes, ma'am. Or Mayesville.

14 Q. Pardon?

15 A. Mayesville. Mayesville or Bishopville.

16 Q. Is that in the country or in the city?

17 A. It's in the country.

18 Q. Okay. Did Streets ever warn you about anything?

19 A. Well, he didn't. His cousin -- it was two cousins
20 --

21 MR. STITELY: Objection. Hearsay.

22 THE COURT: You have to be careful with hearsay.

23 MS. GOUDE: Well, I'm not asking him to say what
24 Streets said, I'm just asking if he was warned about.

25 MR. STITELY: That is -- that's hearsay. She's trying

1 to elicit -- is what he was told by someone named Streets who
2 we still haven't identified.

3 THE COURT: Next question.

4 BY MS. GOUDE:

5 Q. All right. So you're buying drugs from Streets in
6 Bishopville?

7 A. Yes, ma'am.

8 Q. Okay. At his house, what kind of drugs are you
9 buying?

10 A. Methamphetamine and fentanyl.

11 Q. Okay. And who -- who else was at the house when
12 you go over there?

13 A. Juice.

14 Q. Okay. Were there other people at the house?

15 A. There was. But I don't -- I don't know their
16 names. I mean...

17 Q. All right -- all right. So you were buying --
18 what were you buying from Streets, you said?

19 A. Methamphetamine and fentanyl.

20 Q. So how did you get connected to Juice?

21 A. For me going over there and him just coming out
22 the room -- you know, standing right there, we just started
23 talking.

24 Q. They both seemed to live there?

25 A. Yes, they both lived there.

1 Q. Okay. Let's talk about July 5, 2023. What -- do
2 you remember what -- what you did on that day?

3 A. I went and met Juice.

4 Q. And why'd you meet Juice?

5 A. I purchased a -- a quantity of methamphetamine.

6 Q. Were you acting as a control -- confidential
7 informant at that time?

8 A. Yes, ma'am.

9 Q. Okay. Were you -- did you communicate with law
10 enforcement about this deal?

11 A. Yes, ma'am.

12 Q. Were you equipped with a recording device during
13 this deal?

14 A. Yes, ma'am.

15 Q. Okay. And did you record the incident where you
16 purchased --

17 A. Yes, ma'am.

18 Q. -- methamphetamine?

19 A. Yes, ma'am.

20 Q. Okay. So how did that deal go down?

21 A. I just went over there. I gave him the money and
22 he gave it -- gave me what I purchased from him. He put it
23 in a Dollar General bag, and I got in the car, and I drove --
24 drove off, came back met them -- law enforcement. I gave it
25 back to them and I gave them the merchandise.

1 Q. You gave the drugs to law enforcement?

2 A. Yes, ma'am.

3 Q. Do you remember how many drugs you bought from
4 Streets that day, or how much you told him you wanted?

5 A. It was --

6 Q. Juice? Excuse me.

7 A. It was 10 ounces.

8 Q. 10 ounces of what?

9 A. Methamphetamine.

10 Q. From who?

11 A. Juice.

12 Q. Do you know who else some of the customers were
13 that were over there at Juice's and Streets' house? Like,
14 where they came from? Anything about them?

15 A. No, ma'am.

16 Q. What do you know about Anthony Clarkson, Brony
17 (ph)?

18 A. I mean, I've heard -- I've heard the name, but --
19 I mean, it is a small town that everybody hears names.

20 Q. Okay.

21 A. Yeah, I don't...

22 MS. GOUDE: Okay. Court's indulgence, your Honor? I
23 have no further questions for this witness, your Honor.

24 CROSS-EXAMINATION

25 BY MR. STITELY:

1 Q. Could you point out Juice or Streets in the
2 courtroom, please?

3 A. I don't see them. No, sir.

4 MR. STITELY: No other questions.

5 THE COURT: Anything further?

6 MR. STITELY: No, your Honor.

7 THE COURT: Thank you, sir. You may step down.

8 THE WITNESS: All right. Thank you.

9 MS. GOUDE: Your Honor, the State will next call
10 Lieutenant Jamie Shaw.

11 THE CLERK: (Inaudible).

12 LIEUTENANT JAMIE SHAW,
13 being duly sworn, testified as follows:

14 THE WITNESS: Okay. Jamie Shaw.

15 DIRECT EXAMINATION

16 BY MS. GOUDE:

17 Q. Lieutenant Shaw, could you tell the Court, like,
18 what law enforcement agency you work for?

19 A. Yes, ma'am. I work for SLED or the South Carolina
20 Law Enforcement Division.

21 Q. And how long have you worked for SLED?

22 A. This summer will be 10 years.

23 Q. Can you tell us about your current position?

24 A. I'm currently the lieutenant of Team 2 Narcotics,
25 which is the Midlands Division.

1 Q. What was your position in 2019?

2 A. In 2019, I was a member of the Narcotics Team 2.
3 I was also a task force officer with the violent crime task
4 force of the Federal Bureau of Investigation out of Columbia.

5 Q. Let's talk about your involvement in this case.
6 How did you become involved with the case?

7 A. Well, as a SLED agent, we were asked to assist
8 local law enforcement with various cases or requests that
9 come in. Also, as an FBI agent, that's another thing we
10 would do, is basically help local law enforcement. I
11 received a phone call from -- at the time, Lieutenant Brad
12 Lawson that they were having some troubles with overdoses as
13 well as some gang-related activity in the area. And I was
14 asked to assist with a conspiracy case -- or possible
15 conspiracy case.

16 Q. Okay. And what did you all do in the beginning of
17 that investigation?

18 A. We attempted to interview as many people as
19 possible, just gain as much information as possible,
20 cultivate confidential informants, and then conduct
21 surveillance operations or -- or controlled purchases, if we
22 could.

23 Q. Has it been easy to find people to interview about
24 this case?

25 A. No, ma'am.

1 Q. Has it been easy to find confidential informants
2 for this case?

3 A. No, ma'am.

4 Q. But you were able to cultivate a confidential --
5 one confidential informant, at least?

6 A. Yes, ma'am.

7 Q. Okay. And what was that confidential informant
8 able to do at the start of the investigation?

9 A. Able to purchase narcotics from Marlo Jackson.

10 Q. So after we did some controlled purchases from Mr.
11 Jackson, what were the next steps?

12 MR. STITELY: Judge, I'm going to object at this point.
13 I think they need to identify who they're talking about.
14 We're -- we're talking about an obscure person, and she's not
15 going to really -- relying on some hearsay unless it's
16 someone that we are able to cross-examine. She needs to
17 identify who the CI is. We can't just talk about a nebulous
18 CI. I mean, we're in the middle of the trial. They have to
19 -- they -- they're not even telling me who the potential
20 witnesses are so we can cross-examine them.

21 THE COURT: You (inaudible) a little more specific. So
22 the generalizations in that.

23 BY MS. GOUDE:

24 Q. Agent Shaw, we discussed -- you were in the
25 courtroom for Doug Edmonson's testimony, is that correct?

1 A. Yes, ma'am, I was.

2 Q. Okay. So who was the CI in this case?

3 A. Gary Mackey.

4 Q. Okay. And did the CI introduce an undercover
5 officer into this investigation?

6 A. Yes, he did.

7 Q. And who was that undercover officer?

8 A. At the time, Special Agent Doug Edmonson with
9 SLED.

10 Q. Okay. And Doug Edmonson and the CI, Gary Mackey,
11 bought drugs from Marlo Jackson?

12 A. Yes, ma'am.

13 Q. How many controlled buys did those two do?

14 A. I believe it was approximately five. Two were
15 before I took over. There was so much happening that we were
16 kind of splitting up responsibilities. Special Agent Millie
17 Agrawal was a -- a case agent at the -- was an agent at the
18 time. And the narcotics unit, she -- I believe, did the
19 first two controlled purchases from Marlo Jackson. And then
20 I did the last three.

21 Q. Okay. All right. Now, why don't we continue
22 doing controlled purchases?

23 A. We wanted to obviously gain information about Mr.
24 Jackson and the complexity of his network any associates
25 areas where he may store or operate from, basically get as

1 much information on him or his -- what we call a Drug
2 Trapping Organization or DTO as possible.

3 Q. Okay -- okay. So -- so why didn't we continue
4 with the controlled buys?

5 A. So we got to the point where we did not believe
6 that we could go above Mr. Jackson because of how much
7 narcotics he kept on him. At one point, it was above what we
8 would normally spend in order to jump him to a -- a -- a --
9 his source of supply.

10 It was also difficult to gain information because the
11 ruralness of the community, for us to be able to conduct
12 surveillance and gather as much information as we would like
13 to -- again, to reveal the complexity of the organization.

14 Q. And the ruralness of the community. What area are
15 you talking about?

16 A. It's known as "Little Egypt," but it's the Egypt
17 Road, Red Hill Road in Lila D area.

18 Q. Of where?

19 A. Of Lee County.

20 Q. You did do some surveillance though, right?

21 A. Yes, ma'am. We did.

22 Q. Okay. Tell us about that.

23 A. So in the beginning we were able to put at where
24 Egypt Road transitions into Red Hill Road, we were able to
25 put one or two people, basically we drop them off and they'd

1 be in the woods. From there, you could see up Egypt Road to
2 the crest of the -- the hill. And that's approximately right
3 where a vehicle would make a turn to go to what's known as
4 "The Shop." So you were able to see brake lights and then a
5 car turning.

6 We would then also position people in cars way off. We
7 -- we believe that there was a chance that local residents
8 would tip off anybody in the area, possibly of our -- our
9 being there. So we had to kind of keep our vehicle
10 surveillance way away. We also utilized aircraft in order to
11 obtain video and surveillance.

12 Q. Okay. And what could you see from -- from the
13 aerial surveillance?

14 A. It was reported that there was a lot of traffic to
15 and from The Shop and Egypt Road area. What we would call a
16 consistent with drug-trafficking or -- or drug distribution.
17 It would be a vehicle coming, parking, someone exiting the
18 vehicle, meeting another vehicle. We -- for a very short
19 period of time, return into their vehicle and then leaving.

20 Q. Did you try to identify any of these vehicles?

21 A. Yes, ma'am.

22 Q. How did you do that?

23 A. We would allow -- the aircraft would basically
24 guide us to where they were farther away from The Shop. We
25 would then attempt to run tag information, vehicle

1 information, if we knew the drivers, if we could see in, and
2 anything that local law enforcement knew about that person.

3 Q. Okay. Did you get any further in -- into your
4 investigation with the surveillance?

5 A. It -- it assisted, but it didn't, again, reveal
6 the full complexity of the organization.

7 Q. Okay. So then, what did law enforcement do?

8 A. We had obtained two telephone numbers from Marlo
9 Jackson. One was through an undercover agent, the other one
10 was through the confidential informant. Both were -- were
11 presented and used for obtaining illegal narcotics or
12 obtaining narcotics.

13 I wrote a historical search warrant for tolls to try to
14 reveal any -- any people in contact with those devices. I
15 wrote a pen register, which is basically active tolls, and
16 also gives geolocation of the device, or wherever that device
17 is when it's used, it uses a cell phone tower.

18 We were able to see in a mapping software where that
19 device approximately was. Obviously depending on the carrier
20 and where you are out in the country, those hits -- we call
21 "hits," can be very large. So it's -- it's very approximate.
22 I then also wrote a wire application and order for both
23 devices.

24 Q. Did you learn any valuable information from the
25 pen register?

1 A. We learned some trends. It kind of helped us
2 figure out a daytime, nighttime where the devices would be.
3 We also learned that the devices would travel up to the
4 Bishopville and Mayesville area. But the -- the hits were so
5 large that we were not able to, at the time, narrow down a
6 certain area that he was that the device was traveling to.
7 We had about a 2,000- to 4,000-meter hit where the device was
8 contained, again, near Mayesville.

9 Q. And let's just skip ahead for just a moment. You
10 mentioned the Bishopville, Mayesville area?

11 A. Yes, ma'am.

12 Q. Later in the investigation, did we develop
13 co-conspirators charged in the investigation from that area?

14 A. We did. Dorian Scarborough, also known as
15 "Streets" and Bryan Scarborough, also known as "Juice," were
16 at [REDACTED] Raccoon Road, which is near Mayesville and would've
17 been approximately near those geolocation hits.

18 Q. All right. Let's go back to the wire.

19 A. Yes, ma'am.

20 Q. Okay. We get the wire intercept?

21 A. Yep.

22 Q. You said we had two phone numbers from Marlo
23 Jackson?

24 A. Yes, ma'am. They were referred as TT1 and TT2.

25 Q. And off the top of your head, do you recall what

1 phone numbers those were?

2 A. I know one was a [REDACTED]-area code number, the other
3 one was an [REDACTED].

4 Q. And I have the wire application here, if you would
5 like to --

6 A. Yes, ma'am.

7 Q. -- refresh your memory.

8 A. So one number was [REDACTED], the second was
9 [REDACTED].

10 Q. Okay. So tell us what happens when we go up on
11 the wire intercept.

12 A. So the application and the order are signed by the
13 judge. They're then clocked in by the clerk. I provided a
14 copy to Chris Johnson. He was the -- basically, the liaison
15 between our system and the carriers getting the lines open.
16 We had a minimization hearing, which is where we go over our
17 minimization rules as well as some case background for any
18 monitors. Once the wire is up --

19 Q. And let me stop you right there. "Minimization
20 meeting", "minimization rules," just briefly, what are you
21 talking about?

22 A. So we know that a wire intercept is an intrusion
23 into someone's cellular telephone usage. So what we
24 established was minimization rules. We would have two
25 minutes when a call would come in to establish if that call

1 was pertinent or it was non pertinent. If it was deemed
2 pertinent, then we were able to listen for the duration of
3 the call as long as it was still deemed pertinent --
4 pertinent.

5 If it was non pertinent or became non pertinent at any
6 time, we would then minimize the call. We would go 30
7 seconds off and then we would call it "spot-checking." We
8 would turn the call back on for 30 seconds. If we could pick
9 up pertinent information, we could remain open and listening
10 to the call.

11 If it was not deemed as non pertinent information, we
12 would continue to spot-check 30 on, 30 off until the call was
13 done. But again, if it was a pertinent nature, drug-related,
14 money-related, anything that we thought was pertinent, we
15 would -- we were able to listen to the calls.

16 Q. So the minimization is done because of the
17 person's privacy rights?

18 A. Yes.

19 Q. Are you trying to hide some good evidence there by
20 not listening to the call?

21 A. No, ma'am. We're trying to be as non-intrusive
22 into someone's phone calls as possible while still -- you
23 know, within the -- the -- gathering information.

24 Q. Okay. All right. If you'll continue.

25 A. So what we would have is basically a primary

1 monitor and a secondary monitor. And most of the time there
2 was a case agent in the room. We had that because a call
3 could come in, a primary monitor would take the call, listen
4 to the call actively again, whether they were minimizing or
5 not. And then that call can terminate depending on the user,
6 and on a different device, that person can make another phone
7 call.

8 That primary person is the one always taking the live
9 calls. The secondary monitor was able to basically pick up
10 the last call, and start transcribing or gathering
11 information to relay to law enforcement. And that's how we
12 would stay caught up. But sometimes with a lot of usage of
13 the phone, we'd fall behind in transcribing, and that's why a
14 case agent would come and spot-check depending on the usage
15 of the phone.

16 Q. So you're listening to these calls in live time?

17 A. Yes, ma'am.

18 Q. Okay. And how do you know, like, who is calling?
19 Where are the numbers coming from?

20 A. So we would use open-source databases to try and
21 to find out who the user of the telephone was. You'd
22 obviously listen to the call. A lot of times they would say
23 names, or nicknames, or certain dialects that local law
24 enforcement be able -- maybe able to know. We would run them
25 in the jail database to see if it was listed as a cell phone

1 number for somebody in the databases. Just as much open-
2 source as we could.

3 Or, again, listen for nicknames or road names to come
4 to. We would do surveillance as well to corroborate the wire
5 if an unknown user, what -- we would call it "unsub," was
6 planning to meet or go to The Shop at approximate -- an
7 approximate time, surveillance would watch and try to see who
8 came in that time period to match that call up with a
9 possible user.

10 Q. And as the case agent, you have reviewed these
11 phone records and made aware of permanent calls in the case?

12 A. Yes, ma'am.

13 Q. And you identified some calls for the trial today,
14 is that right?

15 A. Yes, ma'am.

16 Q. Okay. Let's talk about Jonathan Cole. Who is
17 Jonathan Cole?

18 A. So through the intersection of Marlo Jackson's
19 cellular telephones, we learned that he was talking to a
20 Travis Wade. That person would then do a -- what we call a
21 "three-way telephone call." But we learned that he was a
22 middleman to a source of supply.

23 Through those three-way calls, we were able to do
24 search warrants as well as I did write an interception for --
25 he was known as "Buster," but Buster's telephone -- and it

1 was called TT3. Through that Buster source of supply, who he
2 was connecting with, Marlo Jackson was identified as Jonathan
3 Cole. And we -- we did write a wire intercept for Mr. Cole's
4 cell phone as well.

5 Q. And we have State's Exhibits 15 and 16 that had
6 been previously entered into evidence. Now, we'll play in a
7 moment but how did you identify these two calls as pertinent?

8 A. Well, for wire intercepts, we had to provide a
9 10-day progress report to the judge to show that the -- the
10 -- the wire was still necessary and that -- that it was --
11 basically, the phone was being used for illegal means. So
12 because of that, I would review most all of calls or a
13 significant amount of the calls that would come through,
14 especially those that were pertinent.

15 I would then have to document some of the pertinent
16 calls for the judge in a progress report. And obviously this
17 was a three-way call with a -- a Buster source of supply. So
18 this -- I would've documented this on a progress report and
19 noted this for the future.

20 Q. So just to be clear, before we play those calls,
21 these are calls captured from Marlo Jackson's wire
22 (inaudible)?

23 A. Yes, ma'am.

24 Q. And there are three-way calls between Marlo
25 Jackson, Travis Wade, and Jonathan Cole, is that correct?

1 A. Yes, ma'am. The calls were originally between
2 Mr. Jackson and -- and Mr. Wade. Mr. Wade would then
3 three-way Mr. Cole into the call.

4 Q. And so, you got a call number associated with
5 Mr. Wade?

6 A. Yes.

7 Q. How did you associate that number to figure out
8 Mr. Wade?

9 A. I believe it was his nickname. There was a
10 retired SLED agent that had worked several grand jury cases
11 in the area, and still had some sources of information, and
12 he was able to link the -- the name -- the nickname with a
13 possible name during one of the aerial surveillance stays
14 with the -- the hell -- the plane, a person matching a
15 description.

16 He was, like, 6'7" and drove a -- a Tahoe. And we had
17 seen that person on -- on surveillance through the plane that
18 matched Travis Wade's basically physical descriptors and it
19 matched the time that Buster was coming out there. So we
20 believe we had a -- a good description of who Buster was in a
21 positive identification.

22 Q. And then, we determined that was Jonathan Cole on
23 that phone call back?

24 A. We did a search warrant for tolls on Mr. Wade's
25 phone. We then aligned the incoming or upcoming calls with

1 Mr. Jackson, identified what call he -- what number he called
2 next, which would've been the three-way call. We then did a
3 search warrant for Cole's on that number -- or I did and Mr.
4 Cole's phone was actually subscribed to him. So it was
5 identified as Jonathan Cole's device.

6 MS. GOUDE: Your Honor, at this time, the State would
7 play State's Exhibit 15.

8 (Audio starts at 4:17:45 p.m.)

9 MR. COLE: What's up -- what's up, bro?

10 MR. JACKSON: (Inaudible). Cool. Cool.

11 MR. COLE: What you got going on?

12 MR. JACKSON: (Inaudible).

13 MR. COLE: Huh?

14 MR. JACKSON: (Inaudible) someone.

15 MR. COLE: Oh, shit. What -- what -- what kind -- what
16 kind -- what kind of (inaudible) do you know?

17 MR. JACKSON: (Inaudible) trying to work out -- you
18 know, if you got -- you got -- you know.

19 MR. COLE: Trying to catch (inaudible)? How to do that
20 half -- and how you're going to do it?

21 MR. JACKSON: (Inaudible).

22 MR. COLE: (Inaudible)?

23 MR. JACKSON: (Inaudible). I can give you a little
24 bit.

25 MR. COLE: Yeah. Probably, like, half or whatever you

1 want to do.

2 MR. JACKSON: Do you know what I'm saying?

3 MR. COLE: (Inaudible).

4 MR. JACKSON: Probably like four.

5 MR. COLE: (Inaudible). So -- I mean, what about the

6 one -- you get one? What that -- what it is?

7 MR. JACKSON: What is that?

8 MR. COLE: Yeah. (Inaudible).

9 MR. JACKSON: (Inaudible). Yeah, I mean he

10 (inaudible).

11 MR. COLE: (Inaudible).

12 MR. JACKSON: (Inaudible) I mean, I ain't going to lie.

13 MR. COLE: Yeah.

14 MR. JACKSON: Yeah.

15 MR. COLE: I don't -- don't -- don't matter (inaudible)

16 I ain't -- I ain't -- I (inaudible) yeah (inaudible).

17 MR. JACKSON: Say that again?

18 MR. COLE: (Inaudible). You said keep on doing what?

19 (Inaudible).

20 MR. JACKSON: Yeah. (Inaudible).

21 (Audio stops at 4:21:18 p.m.)

22 BY MS. GOUDE:

23 Q. Lieutenant Shaw, based on your training and

24 experience in narcotics, can you tell us what you hear on

25 that phone call?

1 A. So they talk about basically obtaining product.

2 Says it's --

3 Q. And who is "they"?

4 A. It's Mr. Jackson and Mr. Cole. They talk about,
5 is it the old stuff or is it new stuff? They also talk about
6 the strength. They said, "Is it -- is it low or is it high?"
7 Mr. Cole says, "It's in the middle." Mr. Jackson then states
8 that people around the area have a high tolerance, which
9 would lead me to believe that this is fentanyl related.
10 Mr. Jackson also said he wants four of them. So we believe
11 it's be to be four ounces.

12 Q. State's Exhibit 16. And Agent Shaw, while we're
13 queueing that up, where did Jonathan Cole reside?

14 A. Sumter County.

15 (Audio starts at 4:23:04 p.m.)

16 MR. WADE: (Inaudible). What's up?

17 MR. JACKSON: What's up?

18 MR. WADE: Chichi?

19 MR. COLE: What's up?

20 MR. WADE: (Inaudible) shot on the phone. Tough times.

21 MR. COLE: Hey, what's up bro?

22 MR. JACKSON: What's up?

23 MR. COLE: Cool. Hey, listen (inaudible) some really
24 hard.

25 MR. JACKSON: (Inaudible) kind of like dry hard?

1 MR. COLE: You know what I'm talking about?

2 MR. JACKSON: Okay -- okay -- okay.

3 MR. COLE: The wood dry hard (inaudible) but the wood
4 solid, like, solid hard, like, hard -- hard -- hard. Real
5 hard brick.

6 MR. JACKSON: They -- the other -- which -- which was
7 -- one of them, was one of them thicker than the other one?

8 MR. COLE: Yeah. The thick one, it's real hard. That
9 one want, like -- because I -- I hadn't really got down to
10 (inaudible) like, I was just doing it like that. You know
11 what I'm saying?

12 MR. JACKSON: But when I got down, my (inaudible)
13 brought my keys?

14 MR. COLE: No, no, no. Ain't (inaudible) same day
15 (inaudible). That one good. The other one, like -- I guess
16 I even done tried the -- the hard one then the (inaudible).

17 MR. JACKSON: So that one is better than the other, the
18 one that was (inaudible)?

19 MR. COLE: The bigger hard --

20 MR. JACKSON: (Inaudible).

21 MR. COLE: -- then the --

22 MR. JACKSON: (Inaudible). So one -- you're saying one
23 hard and one of them soft?

24 MR. COLE: No, it ain't soft. Just on --

25 MR. JACKSON: One is hard and one (inaudible)?

1 MR. COLE: Yeah. And the thick one, it wasn't hard.

2 (Inaudible) concrete was hard (inaudible).

3 MR. JACKSON: You bring up (inaudible).

4 MR. COLE: The other one?

5 MR. JACKSON: So the thick one go?

6 MR. COLE: The thick one will break up (inaudible).

7 MR. JACKSON: (Inaudible).

8 MR. COLE: That one they (inaudible), man, I

9 (inaudible) like -- about one and a half or the other one on

10 the left, but I had got -- I -- I had gotten already

11 (inaudible), but if you can get me that one that day, and I

12 promise you, you can move over (inaudible) off that day. You

13 know what I'm saying?

14 Because I just tried it out, but I'll be good with

15 somebody else too. So the only reason why I -- I let you

16 (inaudible) try something new (inaudible) and it's better

17 than what I been getting. See what I'm saying? (inaudible)

18 I ain't good, but I know -- I know if I get there, I can do

19 more. I can do --

20 MR. JACKSON: Okay. So what I'm going to do -- what

21 I'm going to do is, I (inaudible) what I'm going to do is --

22 it'll be A, B and C, right?

23 MR. COLE: Yeah.

24 MR. JACKSON: And he going to give you that, and you

25 just tell me what (inaudible) A, B, C. Just tell me what --

1 what they say, and then -- and then whatever -- what they
2 say, I'm going to make sure it is on that.

3 MR. COLE: Okay.

4 MR. JACKSON: (Inaudible) you talking about?

5 MR. COLE: Well, listen, I ain't going to lie to you
6 though. Now, I ain't -- I ain't really got time to do -- you
7 know what I'm saying? A, B, C. I just need to keep it
8 going, like, tomorrow. I -- you just -- I understand. I
9 think I -- I think I know the one trouble my -- just wanted
10 to make sure if you -- you thinking about saying -- I'm
11 thinking about (inaudible) sure.

12 Because -- you know, but what I'm saying is if you can
13 get everything, then I keep your hand on it, and I can get it
14 all the time. Like the other (inaudible) got all the way off
15 because they always think like I got to get (inaudible) like,
16 I ain't really, really (inaudible) money off, but I ain't
17 (inaudible) my money off of because by the time -- I got too
18 much, I just -- like, half (inaudible).

19 And then, they come more and (inaudible) the truck
20 going out, you see what I mean? So be having a bunch of
21 (inaudible) and -- and so of times the -- don't even be good.
22 But if I can get a bunch of that's good, and I can get set it
23 off and I'll be good. But when you get a bunch of shit and
24 some of good ain't good, then you -- it don't work out like
25 that. You can't out like that.

1 So I wind up having a bunch of (inaudible) bunch of
2 (inaudible) that good. Then by that time I up (inaudible) I
3 come back around (inaudible) get really good from you, and
4 that (inaudible) and get on rules. I got (inaudible) time,
5 don't worry about that part. That (inaudible) it's a lot
6 (inaudible). You know what I'm saying? (inaudible). I -- I
7 -- I the only (inaudible).

8 MR. JACKSON: Okay. (Inaudible).

9 MR. COLE: (Inaudible).

10 MR. JACKSON: All right.

11 (Audio stops at 4:28:52 p.m.)

12 BY MS. GOUDE:

13 Q. Lieutenant Shaw, if you could tell us what you
14 heard being said on that call.

15 A. So originally it was Mr. Wade talking to
16 Mr. Jackson saying, "Hold on -- hold on." And then he says
17 "Buckshot," or "Chichi," is what they would call Mr. Cole.
18 And they said, "All right. Go ahead and talk." So that was
19 the three-way call. Originally the call between Wade and
20 Jackson, and then, again, Cole was added to the call. Mr.
21 Jackson basically starts describing two different types of
22 narcotics that he has.

23 One is a different consistency, the other -- and one is
24 liked more by customers than the other. They try to figure
25 out which one it was. Eventually in the call, Mr. -- Mr.

1 Cole says, "Well, I'm going to send you three options. You
2 let me know which one you want the most of."

3 And Mr. Jackson basically said, "I want the good one.
4 If you can get me the good one, then I can get people. I've
5 -- I've got a spot that's jumping." He says it's busy all
6 the time. And customers that he could have come back. He
7 does admit in the call -- Mr. Jackson does, to having other
8 sources of supply or other people that he gets from. But if
9 Mr. Cole can continue to get him the good products, he would
10 buy consistently -- consistently from Mr. Cole and can sell
11 it consistently.

12 Q. And by them talking about thin or hard, can you
13 tell what drug they're referencing here based on your
14 experience?

15 A. When they describe it as "concrete," it would make
16 me believe it was an opioid, more than cocaine. But it's --
17 it's really undetermined through this call of which specific
18 narcotic it is.

19 Q. Also, through listening to calls on the wire, did
20 you learn anything about where Mr. Jackson or other
21 co-conspirators may store or keep their drugs?

22 A. When we went live on Target telephone four, which
23 is Mr. Cole's phone, the first intercepted call, it was
24 raining outside. Mr. Cole was located in the Horry County
25 area -- according to his geolocation on his device. He

1 received a phone call, and it was basically said that, "Hey,
2 it's raining outside, you need to check on something."

3 And they talked about something being in the ground.
4 Mr. Cole said, "Absolutely." He then loaded up his golf
5 cart, and immediately drove to [REDACTED] Genoa Drive in Sumter,
6 dropped off his golf cart, and then drove to a residence on
7 Daly Street in Dalzell.

8 Q. So after you learned that information, what did
9 law enforcement do?

10 A. After we learned that information, we continued to
11 monitor the wire from Mr. Cole to conduct surveillance.
12 Eventually, we conducted a search warrant at the Daly Street
13 residence and the [REDACTED] Genoa Drive residence, which is where
14 I informed Special Agent Oates of SLED, who had a K9, to pay
15 special attention to the backyard of the wooded area. Based
16 on information received from the call, I believe that there
17 were narcotics buried in the ground.

18 Q. Okay. And that search warrant, was executed when?

19 A. I believe it was June 2, 2022.

20 Q. And where at?

21 A. It was at [REDACTED] Genoa Drive, Sumter, in Sumter
22 County.

23 Q. And again, whose residence?

24 A. Jonathan Cole.

25 Q. Okay. And what -- what was found during a search

1 by the K9?

2 A. The K9 located several black Ziploc or vacuum-
3 sealed bags, and they were containing various white powders.
4 They were sealed in a box, submitted to the lab, and did test
5 positive for cocaine and fentanyl.

6 Q. Did you gather those drugs from that hole in the
7 backyard?

8 A. Yes, ma'am, I did

9 THE COURT: Cole's search warrant?

10 BY MS. GOUDE:

11 Q. Lieutenant Shaw, I'm going to hand you State's
12 Exhibit 44. If you can tell us what is in that exhibit.

13 A. These are the black vacuum-sealed bags. When you
14 lifted the cardboard off the ground that was covered in
15 leaves, there was a hole dug, these were what you saw with a
16 little bit of the white bags on the inside.

17 MS. GOUDE: Okay. State will move Exhibit 44 into
18 evidence.

19 MR. STITELY: Judge, I'm just going to -- similar
20 objection for -- with the relevance to an individual who were
21 found in Sumter County on Mr. Cole, not my client.

22 THE COURT: Okay. Overruled. Admitted.

23 (State's Exhibit Number 44 admitted into evidence.)

24 BY MS. GOUDE:

25 Q. Next, handing you State's 43, 45, and 46.

1 A. This is 43?

2 Q. State's Exhibit 43. What's in that exhibit?

3 A. This is a white, powder, substance that was
4 submitted to the lab that was contained in one of the black
5 vacuum-sealed bags.

6 Q. And you submitted that to the lab?

7 A. Yes, ma'am.

8 Q. Okay. And you can actually see -- it looks like
9 some bricks in there?

10 A. Yes, ma'am.

11 MS. GOUDE: All bricks? The State will move Exhibit 43
12 into evidence.

13 THE COURT: Same objections?

14 MR. STITELY: All these items will be the same
15 objection.

16 THE COURT: Again, subject to the previous objection.

17 (State's Exhibit Number 43 admitted into evidence.)

18 BY MS. GOUDE:

19 Q. State's 46?

20 A. Again, it's another -- I would describe it as a --
21 a powder and -- and rock-like substance. There's still some
22 harder sections and some broken-up powder. This was
23 contained in the black vacuum-sealed bags buried in the
24 ground.

25 MS. GOUDE: The State will move Exhibit 46 into

1 evidence.

2 THE COURT: Again, subject to the previous objection.

3 (State's Exhibit Number 46 admitted into evidence.)

4 BY MS. GOUDE:

5 Q. And State's Exhibit 45?

6 A. Again, this is more powder that was contained in
7 the -- the vacuum-sealed bags. The only thing that's
8 different about this one is one powder is more of a purplish
9 hue. And we have been seizing purple powder from the Egypt
10 Road area.

11 MS. GOUDE: The State will move Exhibit 45 into
12 evidence.

13 THE COURT: Again, subject to the previous objection.

14 (State's Exhibit Number 45 admitted into evidence.)

15 BY MS. GOUDE:

16 Q. Let's talk some more about what you heard on the
17 wire. Were there some calls intercepted between Mr. Jackson
18 and Myron Green?

19 A. Yes, ma'am, there were.

20 Q. You identified a phone number related to Mr. Myron
21 Green, is that correct?

22 A. Yes, ma'am.

23 MS. GOUDE: The State will play State's Exhibit 13 and
24 14. This will be State's Exhibit 13.

25 (Audio starts at 4:36:24 p.m.)

1 MR. GREEN: Yeah.

2 MR. JACKSON: Hello.

3 MR. GREEN: Marlo. Huh?

4 MR. JACKSON: (Inaudible).

5 MR. GREEN: Yeah.

6 MR. JACKSON: Oh, what do you want?

7 MR. GREEN: Give me (inaudible) that.

8 MR. JACKSON: (Inaudible).

9 MR. GREEN: The food you give me that time. I sold --
10 I said only 200 (inaudible).

11 MR. JACKSON: Oh, tell (inaudible).

12 MR. GREEN: Where you at?

13 MR. JACKSON: My house.

14 MR. GREEN: Hey, I want to run to work too.

15 MR. JACKSON: All right. You can come.

16 MR. GREEN: (Inaudible).

17 (Audio stops at 4:37:09 p.m.)

18 BY MS. GOUDE:

19 Q. Lieutenant Shaw, based on your training and
20 experience, what did we just listen to on that call, State's
21 Exhibit 13?

22 A. That was Myron Green saying that he had
23 distributed food or heroin, and that he wanted a hundred of
24 meth or crack cocaine.

25 Q. And how do you know those terms?

1 A. They're common drug terms that are used by users
2 and distributors, and through my investigative background.

3 MS. GOUDE: State's Exhibit 14.

4 (Audio starts at 4:37:45 p.m.)

5 MR. GREEN: Okay. Bro. Yeah. (Inaudible). Huh?

6 MR. JACKSON: Yeah.

7 MR. GREEN: Yeah. Talk with (inaudible).

8 MR. JACKSON: You (inaudible).

9 MR. GREEN: A zip of (inaudible). All right.

10 MR. JACKSON: (Inaudible).

11 (Audio stops at 4:38:37 p.m.)

12 BY MS. GOUDE:

13 Q. Lieutenant Shaw, what was that call about?

14 A. That's between Mr. Jackson and Mr. Myron Green.

15 Mr. Myron Green says he is across the street, and they talk
16 about an ounce. "A zip" is also an ounce of 28 grams, and
17 "Clear" is also methamphetamine.

18 Q. That would appear to be a deal for 28 grams of
19 methamphetamine?

20 A. Yes, ma'am.

21 Q. In your review of the wires, how many
22 communications, meaning phone calls or text messages, were
23 there between Myron Green and Marlo Jackson?

24 A. 108.

25 Q. Let's talk about some of these other people.

1 Earlier, we heard a call from Anthony Clarkson. How is
2 Mr. Clarkson a part of this investigation?

3 A. Mr. Clarkson was identified as an a -- as a
4 narcotics customer of Mr. Jackson. And a traffic stop was
5 conducted after an intercepted telephone call and
6 surveillance in Kershaw County.

7 Q. And that phone -- the phone calls that we heard
8 that were played concerning Mr. Clarkson, what was the
9 purpose of those phone calls?

10 A. Those were the phone calls that were leading up to
11 the narcotics transaction that occurred. And Mr. Clarkson
12 returned to the -- in -- in the direction of his home, where
13 he committed a traffic offense, and the traffic stop was
14 conducted and seizure of meth -- suspected methamphetamine
15 was done.

16 Q. So those were the calls arranging the drugs you
17 bought that day?

18 A. Yes, ma'am. The way that this worked was the --
19 the wire room is set up in Lexington County at SLED. It's
20 monitored by SLED agents. We had our radio guys basically
21 establish an encrypted radio channel that was just labeled as
22 a wire channel, which is how we would communicate with agents
23 and local law enforcement we call in the field.

24 A call would come in, and in order to get surveillance
25 set up or anything proactive, basically we would communicate

1 over the radio channel our agents in the field. This day the
2 call was -- had come in, they reviewed the calls, and
3 believed that surveillance could be conducted, which is how
4 we set up around the area, and observed Mr. Jack -- Mr.
5 Clarkson operating a vehicle back in Kershaw County when we
6 believed he had traveled to Lee County to purchase narcotics.

7 Q. And what total communications were there between
8 Mr. Jackson and Mr. Clarkson that you could -- that were
9 pertinent on these -- on the wire?

10 A. 35.

11 Q. What about Ms. Janelle Kiser?

12 A. There were 35 -- 34 electronic communications.

13 Q. And if you could remind us who Ms. Kiser is.

14 A. Janelle Kiser is a narcotics customer. We believe
15 a fentanyl -- suspected fentanyl, and heroin of Mr. Jackson.
16 She is the female who brought her approximately 4-year-old
17 child to a narcotics transaction with Jackson, I believe, on
18 December 2, 2021, when special agent Doug Edmonson, who was
19 acting in an undercover capacity in a SLED -- SLED CI, were
20 conducting control -- controlled purchase of cocaine and
21 heroin.

22 Q. And she was captured on that recorded video that
23 was played here in court earlier today?

24 A. Yes.

25 Q. Is that correct?

1 A. Yes, ma'am.

2 Q. What about Gary Mackey?

3 A. 100 intercepted communications.

4 Q. And who was he again?

5 A. He was a confidential informant for State Law
6 Enforcement Division. However, he was terminated when it was
7 learned and revealed during the wire, that he was out
8 operating outside of SLED's control.

9 Q. Curtis Davenport?

10 A. 67 electronic communications.

11 Q. Okay. And how did Curtis Davenport work?

12 A. He's a known methamphetamine user and distributor
13 to Kershaw County Sheriff's Office. He was arrested multiple
14 times in possession of suspected methamphetamine as well as
15 other narcotics and firearms during this investigation.

16 Q. And he's facing multiple charges in the
17 investigation as well, is that correct?

18 A. Yes, ma'am.

19 Q. Total communications between Marlo Jackson and
20 Travis Wade?

21 A. Approximately 101 electronic communications.

22 Q. And where did -- was Mr. Wade from?

23 A. He was from the Rembert area of Sumter County.
24 New Hope Church Road.

25 Q. And we just heard testimony from Mr. Everett

1 Johnson. Were there communications between him and
2 Mr. Jackson on these phones?

3 A. Yes, ma'am. There were six.

4 Q. In analyzing all of the massive amount of data and
5 calls that were collected on the wire, did you calculate the
6 total pertinent electronic communications that will be calls
7 concerning illegal activity on the wires?

8 A. We -- we did a -- a toll statistical analysis,
9 which would've given us the total amount of incoming
10 pertinent voice -- voice calls and text messages which would
11 be SMS and MMS, so -- so text and pictures. But I do not
12 have that total amount in front of me, I apologize. It was
13 significant.

14 Q. Would you say it was probably around 1500 --

15 MR. STITELY: Objection, speculation. She just said
16 she didn't remember.

17 THE WITNESS: It was a significant amount. It was --
18 it was a lot to go through.

19 THE COURT: All right.

20 BY MS. GOUDE:

21 Q. All right. Let's next talk, briefly, about
22 Mr. Billy Bell and the Scarboroughs. How did they come into
23 this investigation?

24 A. We had signed up Mr. Bell as a confidential
25 informant for SLED. He stated -- we always do a basic

1 debrief -- you know, "Who are you, and who you bought from?"
2 That kind of thing. Just to kind of learn what we could do
3 -- he had informed us that he had purchased methamphetamine
4 and fentanyl from Dorian and Bryan Scarborough, approximately
5 where they lived, and that he can continue to deal with them.

6 Q. Okay. And did you do a controlled buy on July 5,
7 2023 with Mr. Bell?

8 A. Yes, ma'am, we did. It was at [REDACTED] Raccoon Road in
9 Bishopville, which is Lee County. That was set up by phone
10 with Bryan Scarborough on that date. It was for
11 approximately 10 ounces -- 10 ounces of methamphetamine. It
12 was audio-video recorded and purchased with documented state
13 funds.

14 Q. I'm going to show you State's Exhibit 26. How do
15 you recognize that exhibit?

16 A. It is a -- it is labeled as "Scarborough, July 5,
17 2023 buy," and it is initialed and dated by me, the date I
18 reviewed it for authenticity.

19 Q. So you did review this disc?

20 A. Yes, ma'am.

21 Q. And it is the CI video for the controlled buy from
22 Bryan Scarborough --

23 A. Yes, ma'am.

24 Q. -- also known as "Juice"?

25 A. Yes, ma'am.

1 MS. GOUDE: Your Honor, at this time, the State moves
2 State's Exhibit 26 into evidence.

3 THE COURT: Objection?

4 MR. STITELY: Objection. This is now a buy between two
5 people: The CI we heard from and someone named Scarborough, a
6 full year after my client's in jail. It's not relevant to a
7 trial against my client.

8 THE COURT: Noted. But admitted.

9 (State's Exhibit Number 26 admitted into evidence.)

10 MS. GOUDE: Thank you, your Honor. At this time, the
11 State would play State's Exhibit 26. I think -- could we
12 switch to my computer instead of the (inaudible)? Thank you.
13 And go to 33 minutes and 27 seconds into the video.

14 BY MS. GOUDE:

15 Q. And Agent Shaw, the confidential informant was
16 Billy Bell for this transaction, is that correct?

17 A. Yes, ma'am.

18 (Video starts at 4:48:10 p.m.)

19 UNIDENTIFIED SPEAKER: (Inaudible).

20 (Video stops at 4:50:29 p.m.)

21 MS. GOUDE: And if we play just a brief part of the
22 second part of the video.

23 (Video starts at 4:50:39 p.m.)

24 UNIDENTIFIED SPEAKER: (Inaudible).

25 (Video stops at 4:51:31 p.m.)

1 BY MS. GOUDE:

2 Q. Lieutenant Shaw, if you could just briefly
3 describe what we watched?

4 A. That was a controlled purchase by the SLED CI with
5 Bryan Scarborough, also known as Juice. Approximately 10
6 ounces of meth of suspected methamphetamine was purchased on
7 that date in exchange for documented state funds. Mr.
8 Scarborough also lets the CI know that in a couple days,
9 he'll have approximately 10 pounds of methamphetamine
10 available for purchase.

11 Q. And did you collect those drugs that were bought
12 that day?

13 A. Yes, ma'am. I collected them, sealed them in a
14 SLED base kit, and submitted them to the lab for testing.

15 Q. What is State's Exhibit 42?

16 A. This is the suspected methamphetamine in the
17 Dollar General bag that I sealed into a SLED base kit, and
18 submitted to the SLED lab for testing.

19 MS. GOUDE: Your Honor, the State will move State's 42
20 into evidence.

21 THE COURT: All right. Again, subject to prior
22 objection.

23 (State's Exhibit Number 42 admitted into evidence.)

24 BY MS. GOUDE:

25 Q. And Agent Shaw, again, back in 2019 when this

1 investigation first started -- Mr. Jackson from Lee County,
2 why are we investigating this in Kershaw County?

3 A. There -- there was a massive string of overdoses
4 in Kershaw County, and we were receiving a lot of information
5 that those narcotics were coming out of Lee County, more
6 specifically the Egypt Road area. And were possibly being
7 distributed by Marlo Jackson.

8 Q. And those drugs were making their way to Kershaw
9 County?

10 A. Yes, ma'am. Having a significant impact.

11 MS. GOUDE: Your Honor, I have no further questions for
12 Lieutenant Shaw at this time.

13 MR. STITELY: It won't take long (inaudible).

14 CROSS-EXAMINATION

15 BY MR. STITELY:

16 Q. Detective -- Lieutenant?

17 A. Lieutenant.

18 Q. Sorry, last time you were a detective.

19 A. It's all right.

20 Q. Lieutenant, so you said there were five buys made
21 by the CI, Mackey. We've seen two of them. Where are the
22 other three?

23 A. I believe they would be contained at the SLED lab
24 in evidence storage.

25 Q. Okay. Why don't we have evidence of that to show

1 the Court today?

2 A. I don't know how they -- I (inaudible).

3 Q. Okay. You said there was some transactions
4 allegedly on a phone between my client, Wade and Cole, which
5 in your characterization, though, you would've described my
6 client as the purchaser in that case, not the distributor,
7 correct? Is at least that's what your testimony seemed to
8 be?

9 A. Yes, he was a customer. Yes, sir.

10 Q. So, again, he would've been allegedly purchasing
11 from, but not selling to Mr. Cole?

12 A. Mr. Cole was a source of supply for Mr. Jackson.

13 Q. Wonderful. You said there were a total of six
14 phone calls between Mr. Johnson and Mr. Jackson, or six
15 communications?

16 A. Six that were intercepted, but we do know that
17 there were significantly more cell phones that Mr. Jackson
18 would use. We only intercepted calls off -- or electronic
19 communications off of two.

20 MR. STITELY: Okay. Thank you, ma'am.

21 THE WITNESS: Yes, ma'am -- yes, sir.

22 RE-DIRECT EXAMINATION

23 BY MS. GOUDE:

24 Q. Just briefly. Agent Shaw, you just said that Mr.
25 Jackson was a customer of Mr. Cole. Was Mr. Jackson also a

1 distributor himself?

2 A. Yes, ma'am. A significant distributor.

3 MS. GOUDE: Thank you.

4 THE COURT: Anything else?

5 MR. STITELY: Nope. I'm good, Judge. Thank you.

6 THE COURT: You can step down, please. Madam Attorney
7 General, is it critical that we get the next witness in, or
8 can we resume tomorrow?

9 MS. GOUDE: Your Honor, the State will be happy to
10 resume tomorrow. Our next witness is prepared to be here
11 tomorrow, not today.

12 THE COURT: Oh, okay. I thought -- I misunderstood. I
13 thought you (inaudible). All right. It's almost 5:00.
14 Court will be in recess. Because of the federal matter, we
15 will reconvene to the best of our ability at 2:00 tomorrow
16 afternoon. Give us time to get lunch.

17 MR. STITELY: Yes, sir.

18 THE COURT: See everybody then. All right.

19 MR. STITELY: Thank you, Judge.

20

21 (THERE BEING NOTHING FURTHER, THIS HEARING CONCLUDED AT
22 4:55 P.M.)

23

24

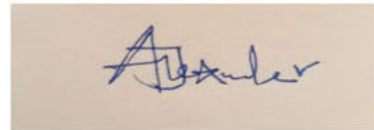
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CERTIFICATE OF TRANSCRIBER

I, JACKSON ALEXANDER, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of the proceedings had, and evidence introduced in the trial of the captioned case, relative to appeal, in the South Carolina Circuit Court 5 of Kershaw County, South Carolina, on March 26, 2025.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

September 20, 2025.

A rectangular box containing a handwritten signature in blue ink. The signature appears to be "Alexander" written in a cursive style.

JACKSON ALEXANDER

Transcriber

1 CONTINUATION OF PROCEEDINGS - MARCH 27, 2025.

2 THE COURT: Good afternoon, everybody. We got
3 everybody where we can resume? All right.

4 MS. GOUDE: Your Honor, the State calls Willie Smith.

5 THE CLERK: (Inaudible).

6 AGENT WILLIE SMITH,

7 being duly sworn, testified as follows:

8 THE CLERK: You can have a seat, and state your full
9 name for the court reporter.

10 THE WITNESS: My name is Willie C. Smith, III.

11 DIRECT EXAMINATION

12 BY MS. GOUDE:

13 Q. Good afternoon, Mr. Smith.

14 A. Good afternoon.

15 Q. Thank you for being here today. It's nice to meet
16 you in person. Mr. Smith, could you please tell the Court
17 where you were employed back in 2022?

18 A. I was employed to -- with Carolina Law Enforcement
19 Division, in the drug analysis department, the forensics
20 laboratory.

21 Q. And since 2022, have you retired from SLED?

22 A. Yes.

23 Q. When did you retire?

24 A. I retired in February of 2024.

25 MS. GOUDE: And I believe, your Honor, the Defense is

1 willing to stipulate that the SLED forensic chemists are
2 experts in forensic chemistry.

3 MR. STITELY: That's correct, Judge.

4 THE COURT: Thank you, sir. All right. So qualified.

5 BY MS. GOUDE:

6 Q. Mr. Smith, did you receive some items of evidence
7 to test in the "Triple Crown" investigation?

8 A. Yes, I did.

9 Q. I'm going to hand you what's been entered as
10 State's Exhibit 33. Mr. Smith, did you test State's Exhibit
11 33 to determine if that was a controlled substance?

12 A. Yes, I did test to determine if it was a
13 controlled substance that was in this package that was sent
14 to SLED for analysis.

15 Q. And when you received that package, was it
16 tampered with in any way?

17 A. No. When I get in a base evidence sample-testing
18 kit, that's the type of kits that we sent out secure where
19 the officers can put in the kit to send us for secure testing
20 -- it was sealed and intact, and I'd write that on my
21 evidence to verify that the evidence had not been tampered
22 with before I did my analysis.

23 Q. And when you analyzed that item, what did you
24 determine it to be?

25 A. This item that I tested; it was determined to be

1 methamphetamine, with a weight of 79.39 grams.

2 Q. I am going to hand you State's 45, 43, and 46,
3 which have been already admitted into evidence. Now, did
4 these bags contain four different items that you --

5 A. Sorry.

6 Q. -- performed analysis for a controlled substance?

7 A. Yes, it did.

8 Q. Okay. Did you test Item 1.1.1?

9 A. Item 1.1.1, I did test it. I did a chemical test
10 and I did an instrumental test to test the substance on a
11 molecular level so that I can identify it.

12 Q. And were you able to identify that item?

13 A. Item 1.1.1 was cocaine, and it had a weight of 635
14 grams.

15 Q. And which of these exhibits contained Item 1.1.1?

16 A. It would be this first item right here.

17 Q. So that would be State's Exhibit 45?

18 A. Yes.

19 Q. All right. Did you test Item 1.1.2?

20 A. Yes. Which is the second item right here.

21 Q. State's Exhibit 44?

22 MR. STITELY: State's 43. I'm sorry.

23 MS. GOUDE: Yes.

24 BY MS. GOUDE:

25 Q. Okay. And what were the results of your analysis

1 of that?

2 A. Yep. For item -- inside that evidence bag was
3 actually two items that -- two Ziploc bags to contain a
4 powder substance. The first Ziploc bag, which is Item
5 1.1.2.1, was tested to be fentanyl, 564 grams. And once
6 again, I did a chemical test, I did an instrumental test to
7 determine the molecular to identify the substance on a
8 molecular level.

9 Q. And --

10 A. It had another part that was in there, which is
11 1.1.2.2.

12 Q. Okay.

13 A. Which was a powder substance that was inside his
14 Ziploc bag, and that was also tested to be fentanyl, at 271
15 grams. And once again, I did a chemical test and an
16 instrumental test to test the substance on the molecular
17 level.

18 Q. And that is item State's 43?

19 A. That is correct.

20 Q. Okay. And in Item 1.1.2.3?

21 A. Item 1.1.2.3, which is this third bag right here.

22 Q. State's 46?

23 A. It had two Ziploc bags. I tested each of the
24 items inside of the Ziploc bags, and the first bag weighed
25 447 grams, and the second bag weighed 155 grams, with a total

1 weight of 602 grams that was tested for fentanyl. And once
2 again, I did two chemical tests, two instrumental tests to
3 test the substance on a molecular level to identify it.

4 Q. And in total, how many grams of fentanyl did you
5 have?

6 A. In total? It would be the 564, 271, and 602,
7 whatever all three of those numbers add up to be.

8 Q. So that would be 1,437 grams of fentanyl, is that
9 right?

10 A. That is correct.

11 Q. And is fentanyl a controlled substance?

12 A. Fentanyl is a Schedule 2 drug.

13 Q. And does one legally use this fentanyl?

14 A. There -- it's a Schedule 2 drug because there is a
15 legal use for fentanyl, and the legal use for fentanyl is
16 those fentanyl patches that usually people receive after
17 surgery. But in this form of fentanyl right here, there is
18 no medical use for this type of -- type of powder.

19 Q. And is this legal -- does fentanyl (inaudible)?

20 A. Very legal.

21 MS. GOUDE: Your Honor, I have no further questions for
22 this witness.

23 THE COURT: Counsel?

24 MR. STITELY: (Inaudible) that.

25 MS. GOUDE: That is on this.

1 MR. STITELY: Oh, okay. Cool. Thank you. Sorry.

2 (Inaudible). Congratulations on your retirement. We never
3 met, and I guess we won't hang out anymore.

4 THE WITNESS: No.

5 MR. STITELY: Have a good one.

6 THE WITNESS: All right. Thank you.

7 MR. STITELY: Thank you.

8 THE COURT: May the witness be excused?

9 MS. GOUDE: Yes, your Honor, please.

10 THE COURT: Thank you, sir.

11 MS. GOUDE: The State next calls Shana Sorrells.

12 THE CLERK: (Inaudible).

13 AGENT SHANA SORRELLS,

14 being duly sworn, testified as follows:

15 THE CLERK: Thank you. (Inaudible).

16 THE WITNESS: Shana Sorrells.

17 DIRECT EXAMINATION

18 BY MS. GOUDE:

19 Q. Good afternoon.

20 A. Good afternoon.

21 Q. Could you tell the Court where you're employed?

22 A. I'm employed at the South Carolina Law Enforcement
23 Division, more commonly known as "SLED."

24 Q. And have you been -- were you working for SLED in
25 2021?

1 A. Yes, I was.

2 Q. Was your position a forensic chemist at that time?

3 A. Yes, it was.

4 MS. GOUDE: The Defense has already stipulated to you
5 as an expert witness.

6 MR. STITELY: That's correct.

7 THE COURT: So qualified.

8 BY MS. GOUDE:

9 Q. Ms. Sorrells, did you receive some items to test
10 in the Triple Crown investigation in the course of your
11 duties as a forensic chemist?

12 A. I did not know at the time that they were the
13 Triple Crown, but I did receive some evidence, yes.

14 Q. I'm going to show you State's Exhibit 29 from an
15 incident on June 16, 2021, involving a Courtnege Burris, and
16 ask if you tested the items in this bag?

17 A. Yes, I did.

18 Q. And how do you know you tested that?

19 A. It is my initials and my handwriting on the
20 evidence in this bag, and it's my handwriting initials and
21 the date that I opened the bag on the front.

22 Q. Anything was sealed or tampered with, you would
23 have noted that?

24 A. Yes, I would have.

25 Q. In this case, does it appear to be (inaudible)?

1 A. No. I actually wrote "seal intact" to say that
2 the base kit itself was intact when I received it.

3 Q. Could you tell the Court about your analysis of
4 the items in State's 29? Let's talk with Item 1.1.1.

5 A. Okay. Do you want me to go through what I did
6 from the beginning or end, or just say what I found?

7 Q. If you could just tell us the results of
8 (inaudible).

9 A. Okay. In Item 1.1.1, I received five plastic bags
10 containing rock substance. I tested four of those plastic
11 bags and it was cocaine based, with a total net weight of
12 30.56 grams.

13 Q. And then Item 1.1.2?

14 A. It contained three plastic bags containing a rock
15 substance, that was also found to be cocaine based with --
16 and I only tested one of those bags, and that weight was 7.27
17 grams.

18 Q. So there were 7.27 grams of confirmed cocaine
19 based, and there was other -- other bags that you did not
20 test?

21 A. That is correct, yes.

22 Q. Why is that?

23 A. Because the -- of the maximum thresholds. In this
24 case, the threshold that I had reached was 28 grams, which is
25 a trafficking level of cocaine base. The next threshold is a

1 hundred grams. And even with the gross weight of the
2 remaining bags that were not tested, there was no way I was
3 going to reach a hundred grams. So those were not tested.

4 Q. And then Item 1.2?

5 A. Item 1.2 was a plastic bag containing a compressed
6 powder substance. It was also found to be cocaine based,
7 with a weight of 7.21 grams.

8 Q. And finally, Item 1.3?

9 A. And 1.3 was a plastic bag containing a powder
10 substance and cocaine was found. And it weighed 3.55 grams.

11 Q. All right. Let's move on to another item; State's
12 Exhibit 35 which is from an incident on June 15, 2023,
13 concerning Curtis Davenport. Can you tell us if you tested
14 the item in State's Exhibit 35?

15 A. Yes, I did.

16 Q. And, again, how do you know you tested that item?

17 A. Again, it is my handwriting and my initials on all
18 the evidence that was submitted, and it was my handwriting
19 and my initials from the front of the basket.

20 Q. And (inaudible) had been tampered with (inaudible)
21 drugs?

22 A. No, it was not. And, again, "Seal intact" was
23 written on the base kit showing that it was sealed when I
24 received it.

25 Q. Okay. Let's go through some of the items

1 according to this case. Did you analyze Item 2.1.1?

2 A. Yes, it was a -- a green container, and it
3 contained crystal substance. It was found to be
4 methamphetamine, with a net weight of 82.80 grams.

5 Q. What about Item 2.1.2?

6 A. It was a clear container also containing a crystal
7 substance. Again, methamphetamine was found, with a weight
8 of 69.60 grams.

9 Q. And that would be a total of 152.40 grams of
10 methamphetamine?

11 A. That is correct, yes.

12 Q. Let's move to Item 2.2.1.

13 A. Okay. That was a plastic tube containing a rock
14 substance. Cocaine based was found, with a net weight of
15 5.69 grams.

16 Q. And Item 2.2.2?

17 A. That was a prescription bottle containing a rock
18 substance. Cocaine based was found, with a weight of 6.47
19 grams.

20 Q. That would be a total of 12.16 grams of cocaine
21 base?

22 A. 12.16 grams of cocaine base. Yes.

23 Q. All right. And lastly, Item 2.3.

24 A. It is a -- it was two plastic bags containing a
25 powder substance. One of those bags was tested, and it was

1 found to have fentanyl, with a net weight of 24.07 grams.

2 Q. And was there a bag that was not tested?

3 A. There was a bag that was not tested because at the
4 -- at this time -- well, that bag would not have gotten me
5 over the next threshold based off of the gross weight of that
6 remaining bag.

7 Q. And the law has changed since that time these
8 drugs were tested, is that correct?

9 A. I do believe so, yes.

10 Q. And at the time, fentanyl was what Schedule
11 substance?

12 A. It is a Schedule 2.

13 Q. Thank you, Ms. Sorrells.

14 A. Okay.

15 Q. And just to be clear that it's all in State's
16 Exhibit 35, the items were tested, correct? Or the items we
17 talked about are all in State's Exhibit 35?

18 A. Yes. The items we spoke about are, yes.

19 MS. GOUDE: Okay. Thank you. That's all the questions
20 for me.

21 CROSS-EXAMINATION

22 BY MR. STITELY:

23 Q. Just a question out of curiosity. Do you do a
24 purity test on fentanyl?

25 A. No, we do not.

1 Q. Is that a SLED policy?

2 A. That is actually based off of the status. Any
3 part thereof, which includes whatever it's mixed with, any
4 cutting agents that it is mixed with.

5 Q. Have you guys been following and tracking, through
6 your training experience, in recent trends in dealing with
7 the federal standards for what fentanyl is and fentanyl is
8 not, including its analogs?

9 A. We do see a lot of the fentanyl analogs. That is
10 correct, yes.

11 Q. So as far as your analysis, can you separate
12 fentanyl from its analogs?

13 A. Yes, we can.

14 Q. How about the test viewed on this one?

15 A. Yes, we could.

16 Q. Did you do that in these?

17 A. In this case, it's all done by the same method.
18 We do not run a different method for each individual
19 compound. It is run on a Gas Chromatography Mass
20 Spectrometer, or a GCMS, which can separate not only fentanyl
21 but its analogs, and I mean it could have 12 different drugs
22 in it and we would be able to separate it based off of its
23 retention time on the gas chromatography part, and the
24 ionization breakdown on the mass spec part of the
25 instrumentation.

1 THE CLERK: Thank you. (Inaudible).

2 THE WITNESS: Mary Beth McCormick.

3 DIRECT EXAMINATION

4 BY MS. GOUDE:

5 Q. Good afternoon.

6 A. Hello.

7 Q. Could you please tell the judge who you work for?

8 A. I work for the South Carolina Law Enforcement
9 Division, commonly known as "SLED."

10 Q. And were you working for SLED in 2020?

11 A. Yes.

12 Q. What was your position at that time?

13 A. A forensic scientist in the drug analysis
14 department.

15 Q. Okay. The Defense had previously stipulated to
16 you being an expert in forensic chemistry. I believe you
17 received some drugs to test in this investigation. I'm going
18 to show you State's Exhibit 27 from an incident on November
19 5th -- 25th, excuse me, of 2020, on Mr. Tevin Green. You can
20 take a look at State's Exhibit 27 and tell us if you
21 recognize that as the item tested.

22 A. Yes.

23 Q. And how do you recognize that?

24 A. I see my initials in several places and also the
25 lab number.

1 Q. And was there any indication that that seal had
2 been tampered with, or anything tampered with when you
3 received those drugs for testing?

4 A. No.

5 Q. Can you tell us about your analysis of Item 1.1?

6 A. May I --

7 Q. How did you find that item to be?

8 A. May I refer to my notes?

9 Q. Yes.

10 A. Item 1.1 is heroin and fentanyl.

11 Q. How many grams of that item?

12 A. 25.32.

13 Q. Item 1.2?

14 A. Cocaine.

15 Q. And how many grams?

16 A. 10.34.

17 Q. Item 1.3?

18 A. Cocaine based crack.

19 Q. Okay. How many grams?

20 A. 4.57.

21 Q. Item 1.4?

22 A. Methamphetamine.

23 Q. And how many grams of methamphetamine?

24 A. 8.92.

25 Q. And then we have Item 1.5.1?

1 A. Luteolin and methamphetamine.

2 Q. And that was -- how many grams of that?

3 A. 1.21.

4 Q. And what is luteolin?

5 A. Luteolin is commonly known as a "bath salt," as a
6 substituted cathinone. It is a Schedule 1 drug.

7 Q. So what -- how would you describe those two then?

8 A. They were clandestine tablets in the shape or logo
9 of a transformer.

10 Q. Based on your being an expert or in your expert
11 analysis, what would you assume those would be sold as on the
12 street?

13 A. Possibly with a nickname of "Molly," just as an
14 example. I don't know in this particular case, but...

15 Q. Okay. All right. Let's move on to another item.
16 This is State's Exhibit 42. This is from an incident on July
17 5, 2023, involving Bryan Scarborough. Ask you take a look at
18 State's 42, and if you analyzed the items in State's 42.

19 A. Yes.

20 Q. And how do you know you analyzed those items?

21 A. My initials are in several places and also the lab
22 number.

23 Q. And was there any indication of that item was
24 (inaudible)?

25 A. No.

1 Q. What were your -- the results of your analysis of
2 Item 1.1?

3 A. Methamphetamine.

4 Q. And how many grams?

5 A. 7.20.

6 Q. And Item 1.2?

7 A. Methamphetamine.

8 Q. How many grams?

9 A. 220.32.

10 Q. Okay. So in total, that's 227.52 grams of
11 methamphetamine?

12 A. Yes.

13 Q. Was there any methamphetamine admitted that you
14 did not test versus (inaudible)?

15 A. Let me check my notes, please. Yes.

16 Q. Okay. So can you tell us about that?

17 A. Yes. For Item 1.2, there were 13 bags submitted.
18 I only tested eight of those bags.

19 Q. Okay. And why was that?

20 A. Our policies are based on the statutory thresholds
21 and testing the remaining five bags would not exceed the next
22 threshold.

23 Q. Just one, correct?

24 A. Yes.

25 Q. So a total of 227.52 grams of (inaudible)?

1 A. Yes.

2 MS. GOUDE: Thank you. I have no further questions.

3 Please answer any questions from the Defense.

4 MR. STITELY: No questions, your Honor.

5 THE COURT: May the witness be excused?

6 MS. GOUDE: Please, your Honor.

7 THE COURT: You are excused. Thank you.

8 MS. GOUDE: Lawrence Zivkovich.

9 AGENT LAWRENCE ZIVKOVICH,

10 being duly sworn, testified as follows:

11 THE CLERK: Thank you. Can you state your name for the
12 court reporter and spell your last name?

13 THE WITNESS: Lawrence Zivkovich. Z-I-V-K-O-V-I-C-H.

14 DIRECT EXAMINATION

15 BY MS. GOUDE:

16 Q. Good afternoon, Mr. Zivkovich.

17 A. Hello.

18 Q. How are you?

19 A. Doing well.

20 Q. Good. Could you please tell the Court who's your
21 employer?

22 A. The South Carolina Law Enforcement Division,
23 commonly known as "SLED."

24 Q. And what's your position at SLED?

25 A. I'm a forensic chemist.

1 Q. Have you been a forensic chemist since at least
2 October of 2021?

3 A. I have.

4 Q. Okay. The Defense has previously stipulated to
5 you being an expert in forensic chemistry.

6 A. Okay.

7 Q. I'm going to show you what's been marked as
8 State's Exhibits 40 and 41, or -- excuse me, let's start with
9 38 and 39. And I'm going to ask you if you received the
10 items in those exhibits for analysis.

11 A. I did.

12 Q. And how do you know that you tested the item?

13 A. Because my initial is under the heat seal at the
14 bottom of each of the (inaudible).

15 Q. And if those items had been tampered with in any
16 way, would you know that?

17 A. Yes, ma'am.

18 Q. And did you have any knowledge that they were
19 tampered with?

20 A. I did not.

21 Q. All right. Let's look at Item 1.1. What were the
22 results of your analysis that you have?

23 A. So my results for L21-22855, Item 1.1, I found it
24 to be a powder substance that was cocaine, with a weight of
25 27.88 grams.

1 Q. And could you tell us the individual who -- that
2 was associated here?

3 A. The suspect on the report is Marlo Jackson.

4 Q. Incident date of what?

5 A. 10/20/2021.

6 Q. And the 27.88 grams of cocaine is here, State's
7 39, is that correct?

8 A. Yes, ma'am.

9 Q. And then, State's 38 is Item 2.1?

10 A. Yes, ma'am.

11 Q. And that's from the same date?

12 A. It is. From October 20, 2021.

13 Q. With the same suspect?

14 A. Yes, ma'am. Marlo Jackson.

15 Q. And what were the results of your analysis of Item
16 2.1?

17 A. I found L21-22855, Item 2.1, to be a powder
18 substance with a mixture of heroin and fentanyl, with a
19 weight of 12.36 grams.

20 Q. Okay. Let's move on to State's 40 and 41. I
21 believe you also received these items to test as part of
22 (inaudible)?

23 A. Yes, ma'am.

24 Q. Let's start with State's 40. Can you tell us
25 which item is State's 40?

1 A. That would be lab number L22-01978.

2 Q. Okay. And those drugs were collected when?

3 A. The incident date on the report says "December 2,
4 2021."

5 Q. And who's the suspect?

6 A. Marlo Jackson.

7 Q. Okay. What were the results of Item 1.1.1?

8 A. For L22-01978, Item 1.1.1, I found to be a rock
9 substance that was fentanyl, with a weight of 1.33 grams.

10 Q. And Item 1.1.2?

11 A. Item 1.1.2 was a brown powder substance that I
12 found to also be fentanyl, with a weight of 26.01 grams.

13 Q. So that's a total of 27.34 grams of fentanyl?

14 A. That's correct.

15 Q. And if we take a look at that item, it looks like
16 it's fentanyl with the colors are different, or...?

17 A. Well, it just depends on how they may be preparing
18 it. If they were planning on pressing it into tablets or
19 something. A lot of times, I'll crush it up into a powder,
20 add a dye to change the color to make just different color
21 clandestine tablets. But that's just speculation.

22 Q. And -- I mean, this -- does that brown substance
23 look like it might be -- could be heroin if you had tested?

24 A. I mean, heroin has several different appearances.
25 Yes.

1 Q. Okay. Let's move on to -- but for clarity's sake,
2 State's Exhibit 40 was 27.34 gram of fentanyl?

3 A. Correct. Combined yes.

4 Q. And State's 41 was also collected on December 2,
5 2021 concerning a Marlo Jackson, is that correct?

6 A. That's correct.

7 Q. Okay. And in State's 41, Item 1.1, your analysis
8 of that item to be what?

9 A. I found Item 1.1 to be a powder substance that was
10 cocaine, with a weight of 56.18 grams.

11 MS. GOUDE: Thank you, Mr. Zivkovich. I have -- that's
12 all the questions.

13 CROSS-EXAMINATION

14 BY MR. STITELY:

15 Q. (Inaudible) this afternoon. So she wanted you to
16 point out who the suspect is. You don't know where those
17 drugs came from, that's just what's written on the form
18 you're handed, correct?

19 A. That's correct.

20 Q. So if they said my name, you wouldn't know where
21 they came from as a suspect?

22 A. I have no idea where the suspect is other than
23 it's entered that way into our system.

24 MR. STITELY: Exactly. Do you have -- may I approach
25 the witness?

1 THE WITNESS: Which report you're looking for? 78 is
2 below it.

3 BY MR. STITELY:

4 Q. And this -- Attorney General wanted to ask you to
5 guess what you thought a drug was by looking at it. That's
6 why we do the chemical testing, right? We can't guess what a
7 powder is just by looking at it anymore. Can we?

8 A. Well, the chemical testing really won't tell you
9 either. It's really defined by what the instrumentation will
10 tell you. Chemical is basically an indicative test.

11 Q. Well, we don't just look at a bag and say, "I
12 think that might be something"?

13 A. I mean --

14 Q. Publish it in court?

15 A. I don't as a main (inaudible). No.

16 MR. STITELY: Thank you. No -- no further questions.

17 MS. GOUDE: Nothing from the State, your Honor.

18 THE COURT: May this witness be excused?

19 MR. STITELY: Yes, sir.

20 THE COURT: Thank you, sir. You are excused.

21 THE WITNESS: Thank you.

22 MS. GOUDE: Your Honor, at this time -- your Honor, at
23 this time, the State rests.

24 MR. STITELY: Judge, I have a pretty extensive directed
25 verdict motion, which will pretty much be my argument in this

1 case. I don't know how you want to handle it. My client
2 will not be testifying. We'll be not putting forward any
3 evidence.

4 UNIDENTIFIED SPEAKER: (Inaudible).

5 MR. STITELY: Sorry. At this time, we are not putting
6 forward a defense. My client does not intend to testify. I
7 have a pretty extensive directed verdict motion, which will
8 pretty much be a closing summation. So however your Honor
9 would like to handle it, I'm ready to proceed.

10 THE COURT: Okay. Mistrial is definitely different.
11 Yeah, go ahead and do your motion, and then we -- I'll hear
12 any response, and then after that we'll be closing. But
13 don't let me forget to get on the record advising your client
14 about his rights.

15 MR. STITELY: Would you like to do that first, Judge,
16 while -- while we're here, you could advise him and...?

17 THE COURT: If you would like me to.

18 MR. STITELY: Yeah, you don't have -- if you don't
19 mind, let's go ahead and do that now, Judge, then we don't
20 forget.

21 THE COURT: Mr. Jackson, I need your undivided
22 attention. We'll speak with you about your constitutional
23 rights.

24 THE DEFENDANT: Yes, sir.

25 THE COURT: And what we are specifically concerned with

1 here is your rights about testifying. And that gets into
2 self-incrimination rights. You certainly have a right to
3 take the stand and testify, but you also, under our
4 constitutional standards, have a right to remain silent. If
5 you elect not to testify, it cannot be used against you to
6 mitigate either way that you -- it's your right to do so.

7 If you elect to testify, you need to understand that
8 you could be cross-examined just like any other witness. You
9 could be impeached like any other witness. But your right
10 not to testify is one of our most important constitutional
11 rights we've had. Any decision about not testifying or
12 testifying, that decision has to be made by you and you
13 alone. Okay?

14 Now, you can, of course, receive advice from your
15 attorney. The decision has to come down to you. So have you
16 had a chance to discuss your rights of testifying, which
17 would include the right to testify and the right not to
18 testify with your Counsel?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Okay. You're satisfied with your time that
21 you have had with him and speaking about this issue?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Has anyone tried to intimidate you, make
24 any promise, or any threat towards you about a decision about
25 testifying or not?

1 THE DEFENDANT: I feel like Savanna (ph) and all of
2 them --

3 MR. STITELY: He -- he's asking if anyone's made the
4 decision or forced you not to testify. We're not -- we're
5 not talking about their situation. Has anyone told you or
6 forced you not to testify? We're not talking about --

7 THE DEFENDANT: Oh, no -- no.

8 MR. STITELY: I just want to make sure he didn't say
9 something on the record that was not --

10 THE COURT: Do you have any questions about your
11 constitutional rights, the Fifth Amendment rights, basically?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: If so, I'm going to give you time to talk
14 with your attorney.

15 MR. STITELY: He's just saying: "Do you understand that
16 if you -- you testify you will give up your Fifth Amendment
17 right?"

18 THE DEFENDANT: Yes, I understand that.

19 THE COURT: Before you make a final decision on this,
20 would you like to discuss any of these issues with your
21 attorney?

22 THE DEFENDANT: No, sir. I'm fine.

23 THE COURT: Okay. Your -- and what is your decision?

24 THE DEFENDANT: My decision is not to testify.

25 THE COURT: Okay. And is that decision yours and yours

1 all alone?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: All right. Thank you for taking time to
4 discuss that with me.

5 MR. STITELY: Can I have the indictment, Ms. Peggy?
6 May I hold it? The indictment that was called. The
7 indictment was called, can I hold it real quick? I'm
8 guessing you have it.

9 MS. PEGGY: I (inaudible).

10 MR. STITELY: Do you have the indictment, Ms. Goude?
11 The actual -- the actual that you called today? When you
12 called the trial, you handed one. All right. That's fine.
13 All right. Your Honor, sorry.

14 So motion for directed verdict, and it's a very
15 specific legal argument. The State decided to call five
16 counts of conspiracy to traffic drugs in Kershaw County.
17 It's important because they didn't call a distribution case
18 in Lee County. They called a conspiracy case which requires
19 them to form a nexus.

20 It's not what the Attorney General said. And this kind
21 of goes into a comment about what's been actually placed into
22 the record by their witnesses. This isn't theoretical
23 musings from other pleas that have been heard. This isn't
24 musings from anything that's been said in a pretrial
25 conference. We're simply looking at what the State has put

1 into evidence -- actual evidence in this trial.

2 The State cannot reach their burden across four of them
3 for sure. I think they do potentially on one -- which I'll
4 have an argument for as far as a legal argument beyond a
5 reasonable doubt possibly coming to that. The one that I
6 think the State has at least substantially put forward a
7 nexus that potentially could go to the next stage of the
8 trial is a charge of methamphetamine.

9 Under the threshold they sought through the specific
10 interaction of a Mr. Clarkson, they're at least on its face,
11 and I'll give the State the credit, they could have proceeded
12 forward under a theory to a jury that there could be a
13 conspiracy involving the 78 grams of methamphetamine that
14 were seized from Mr. Clarkson in Kershaw County under their
15 theory that there was a phone call. And I'll get into an
16 argument about whether there's value in that down the road.

17 They have not proved a single nexus on any other
18 substance as required for this conspiracy to go forward. In
19 this case, Judge, they've tried to rely on drugs they've
20 seized from individuals without creating the causal link to
21 my client. So the first one you heard about in reference and
22 it's -- I think the easiest way is just to go through what
23 the SLED chemist just did because the drugs they have in this
24 case came in through the chemist. It's very easy to diagnose
25 where they are, where they think their causal link is.

1 The first item you heard was Number 33. That's the
2 Clarkson meth. Again, I think that that one potentially
3 could raise us to an issue where I would have to go to the
4 next stage of the trial on a meth charge for 79 -- 77.39
5 grams of meth.

6 The second item they brought up with the three bags
7 that were seized from Mr. Cole in Sumter County. They have
8 put forward some kind of evidence that my client was
9 potentially a buyer from Mr. Cole, but he's not Mr. Cole's
10 supplier. So you cannot use Mr. Cole's own dealings outside
11 of what my client as the apparent authority over Mr. Cole for
12 any theory of conspiracy.

13 There's been no actual substance brought into this
14 trial that my client actually received from Mr. Cole. No
15 testimony about an actual amount of drugs, no witness, no
16 identifiable drugs to my client -- sure if they probably have
17 a great case against Mr. Cole in Sumter County.

18 The next item was number 29, it was seized from Mr.
19 Burris, and that's crack and cocaine. Mr. Burris actually
20 took the stand and said, "I do my own" -- I think he used the
21 word, "Shit." But, "I do my own stuff. I ain't got nothing
22 to do with this." Can't attribute that to my client when Mr.
23 Burris took the stand and said, "I do my own thing."

24 Next, they brought in drugs in Number 35, Davenport in
25 2023. Bunch of meth, crack -- crack and fentanyl. My client

1 was already in jail for over a year. It is impossible to
2 form a nexus that he would've had some control or some
3 conspiratorial aspects with a man who was out on the street
4 dealing drugs a full year after he'd been incarcerated. Had
5 they brought up some kind of demonstration that he was trying
6 to do something from the jail -- but there's been no
7 allegation of that.

8 It is impossible to assume he could have any dominion
9 control, or have an actual meeting of the minds or a nexus
10 with Mr. Davenport. Also important to note, again, no
11 testimony saying Mr. Davenport received any of these
12 substances from my client to try to use any of the weight
13 against him. In a conspiracy case, absolutely inappropriate.

14 The next drug that they try to rely on is on arrest of
15 Tevin Green. That's Number 27, and it's a small amount of
16 substances on that one. There's fentanyl, crack, cocaine,
17 meth, and -- fentanyl, luteolin, and meth. The officer
18 tested that was just a traffic stop. No nexus cause from my
19 client. There's nothing linking Mr. Green to my client.
20 Again, things that are actually put into evidence in this
21 case. They can say all they want, "It's a conspiracy case.
22 We have 50 co-defendants." Great, but they cannot put those
23 drugs accountable to my client in Mr. Green's hands.

24 The next one was Number 42, and that was a bunch of
25 meth from Scarborough in 2023. Similar argument, also not in

1 Kershaw County, but my client's in jail for over a year when
2 they do that, there's been no testimony linking him to this
3 gentleman a year later that could put any kind of nexus of a
4 conspiracy on my client having any dealings with a Mr.
5 Scarborough in 2023.

6 The one thing that they actually can link my client to
7 directly in this case was the buys that were made by the CI,
8 who didn't testify, and Lieutenant Edmonson when they went to
9 his house in Lee. The problem with that, Judge, again, had
10 they...

11 THE COURT: Sorry.

12 MR. STITELY: Had they tried a distribution case track
13 whatever the weight was in Lee County, I think they would've
14 been potentially okay. But they chose to bring a conspiracy
15 case to distribute in Kershaw. There has been no testimony
16 whatsoever that there was any direct knowledge or theoretical
17 link between any of those substances leaving Lee County. You
18 can't form a conspiracy with the law enforcement officer.

19 So the drugs that were sold to the law enforcement
20 officer, you can't argue a conspiracy, anyway. Again, fine
21 for distribution, fine for trafficking, but that's not what
22 the State called. The -- there was no testimony from the CI
23 that there was any tacit agreement for any knowledge of what
24 would happen with those substances. Again, great
25 distribution case fails as a conspiracy case in Kershaw

1 County.

2 Before they called this case, the statewide grand jury
3 had every choice to call this case where they could prove it.
4 They chose to bring it in this one. That requires them to
5 prove a nexus, a link to Kershaw County, specific to my
6 client's dealings. All they said at the beginning of the
7 trial, they had the first lieutenant get up there and I
8 believe Ms. Shaw said it as well, "We got a call because we
9 had some deaths in Kershaw and we need help." None of that
10 is a direct link to my client. They could say all they want,
11 that they had some kind of theory that it might be coming
12 from another county, but there's been no actual evidence put
13 in linking those drugs that they recovered in this county to
14 my client, there's been no testimony saying we are going to
15 do these dealings in Kershaw County by the drugs that were
16 recovered directly from my client. That would've been a
17 requirement.

18 Again, your Honor, I think that there's enough to
19 possibly go forward on the Clarkson meth charge. The other
20 four failed, and it's a matter of law. They chose to bring a
21 conspiracy case. They did not present that -- sufficient
22 that they can achieve a jury or a bench verdict for
23 conspiracy without the actual nexus link. It didn't exist in
24 this case. It's that simple.

25 Again, had we tried a distribution case in Lee? I

1 think they would've had a shot at least at some of them. But
2 they didn't do that, and that was their allocation. So,
3 again, it is a directed verdict motion against the four
4 charges that are unrelated to meth and a motion to go forward
5 on the meth at the reduced level of under hundred grams.

6 THE COURT: Thank you. Counsel?

7 MS. GOUDE: Thank you, your Honor. Your Honor, State
8 versus Crawford, 2005 case 366 S.C. 394 states that: "The
9 venue of prosecution for a conspiracy may be laid in either
10 the county in which the agreement was entered or in any
11 county in which an overt act was done by any of the
12 co-conspirators in (inaudible) of their common design." Your
13 Honor, we have presented evidence of overt acts done in
14 Kershaw County, which is why the venue here is proper.

15 As far as the conspiracy goes, the conspiracy is a
16 combination between two or more persons for the purpose of --
17 of accomplishing an -- an unlawful object. And we submitted
18 evidence of Mr. Jackson and multiple co-defendants combining
19 for the purpose of trafficking drugs in multiple counties in
20 South Carolina.

21 The State doesn't have to prove Mr. Jackson is the main
22 co-conspirator. We must prove that he conspired with others,
23 which we have done through these overt acts, through cause on
24 the wire through selling to the undercover, and testimony of
25 Eric Johnson. Also, evidence at trial may not constitute

1 direct evidence of an agreement.

2 It is enough if the facts and circumstances are
3 susceptible to the reasonable inference that the Defendant
4 conspired to commit unlawful acts. The off -- the offensive
5 conspiracy may be completed without proof of an overt act.
6 Conspiracy can be proved through circumstantial evidence in
7 the conduct of the parties.

8 Once the conspiracy is shown, evidence shown beyond a
9 reasonable doubt, even a slight connection of the Defendant
10 to the conspiracy is enough to convict him of knowing
11 participation. Here in the conspiracy, we have Mr. Cole who
12 was developed through the wire on Mr. Jackson's phone. We
13 have them talking about arranging drug deals with each other
14 for large amounts of drugs. We had a large drug seizure at
15 Mr. Cole's residence. Around the time of those phone calls,
16 we get to Mr. Jackson. We have him distributing to Curtis
17 Davenport, Anthony Clarkson, Courtnege Burris, Janelle Kiser,
18 Tevin Green, our CI, Gary Mackey, and an undercover Doug
19 Edmonson. We then have Mr. Jackson distributing to Eric
20 Johnson. Mr. Johnson then testified that he further dealt
21 with Dorian Scarborough. And then, we have Mr. Billy Bell
22 who also dealt with Mr. Scarborough. And that gets us to Mr.
23 Bryan Scarborough.

24 So we can see how all of these people are connected for
25 the unlawful object of trafficking these drugs in Lee,

1 Kershaw, and Suffolk counties. Considering this light was
2 favorable to the State, we would say that evidence has been
3 submitted, and that would be proper in a normal case to send
4 this to the jury, but with be proper legal consideration.

5 MR. STITELY: With all due respect, Judge, again,
6 you've been sitting up there and heard what came into
7 evidence. The State keeps saying he sold to these people.
8 They haven't provided evidence of it. In a 50-co-defendant
9 case, I am not responsible for the actions of everyone else
10 unless you can prove I have some actual dominion and control,
11 actual responsibility and accountability for their actions.

12 If we did this, every single person in the country
13 who's ever touched any substance is in theory in one giant
14 conspiracy. It doesn't work that way. You have to prove the
15 actual link. The State can argue all they want, that they
16 have all these co-conspirators. But the one they brought in
17 said, "I run my own game, I do my own stuff." And the other
18 one didn't really attest to anything. He kind of kept
19 shining around and said, "Well, actually we had a beef. So I
20 went to someone else."

21 And once again, I understand she's saying you have to
22 have -- you can just jump in whatever county you want, but
23 you still have to have some overt act or some nexus for the
24 county you chose to get into. They don't have it on these
25 substances.

1 You can't say, "Well, he sold to a CI, so we can assume
2 that the CI two years later, who went to some other buyer,
3 all relates back to him." That's not how a conspiracy works.
4 She has to prove the actual action in the jurisdiction she
5 brought the case, and they chose wrong and failed that
6 burden.

7 THE COURT: Anything else?

8 MS. GOUDE: Your Honor, I would just reiterate that any
9 county in which an overt act was done by any of the
10 co-conspirators is a proper venue. Also, we have submitted
11 circumstantial evidence of the conduct of the parties and
12 once the conspiracy is shown, evidence showing beyond a
13 reasonable doubt, even a slight connection of the Defendant
14 with the conspiracy is enough, your Honor. And that is what
15 the law does say.

16 UNIDENTIFIED SPEAKER: I disagree. Okay.

17 THE COURT: All right. One thing I'm thinking about --
18 we -- I need the indictments.

19 MS. GOUDE: I wish to be able to get that (inaudible),
20 your Honor.

21 THE COURT: Right. We'll -- we'll take a recess and
22 try to (inaudible) that. All right. Unless you all give me
23 some guidance you would like for me to follow, then the next
24 -- next phase would be allow you to make closing statements
25 to -- to me if you so desire, and judges do this differently

1 concerning the charges. I'm trying to remember the last one
2 I did. I think I invited proposed charges for the Court to
3 look at. What's you all's feelings about that?

4 MR. STITELY: Judge, I don't have any specific charges.
5 I think you can go along just down the statutes, which you'll
6 have in front of your Honor. As far as the closing argument,
7 I would not need the additional argument. I think that it
8 flows in.

9 The only thing, if you'd like me to address that
10 briefly on the meth, I have a brief comment on that, but
11 that's it, on the Clarkson meth charge, depending on how you
12 would rule on the other thing, because that's the last issue
13 at that I would argue outside of what I've already spoken to.

14 THE COURT: I guess, the person -- you may approach for
15 closing statement.

16 MS. GOUDE: Your Honor, would the -- the State would do
17 a closing, your Honor. Yes.

18 THE COURT: All right. Okay. Then do closing.

19 MS. GOUDE: I don't -- I don't know how that works. If
20 the Defense is not going to do one. I don't know if it's
21 either or both, or I -- it's up to your Honor.

22 MR. STITELY: I guess I withhold my right to keep
23 making one if she wants to argue more. I -- I -- I don't --
24 I think making the directed verdict motions is pretty much
25 where we're at for closings, but whatever she'd like to do.

1 THE COURT: What about -- what's your position about
2 proposed charges?

3 MS. GOUDE: Your Honor, I do think it -- this is just
4 strictly statutory law here, with conspiracy and the
5 drug-trafficking statute.

6 THE COURT: We have those printed off anywhere?

7 MS. GOUDE: We can, your Honor.

8 THE COURT: Okay. All right. Let's take -- you -- you
9 together bring me those statutes back to chambers. All
10 right. We'll be in recess for a few minutes.

11 (Off the record at 3:12 p.m.)

12 (On the record at 4:16 p.m.)

13 THE COURT: I got everybody back. Okay. Let's clean
14 the record up a little bit. I haven't ruled on the directed
15 verdict motion at this time. I'm going to deny that motion.
16 I want to thank everybody working together and getting the
17 paperwork to me. So anything else that you feel like you
18 need to put on the record now before we do some closing?

19 MR. STITELY: Just to keep -- sorry. To keep the
20 record, your Honor. Now, since the Defense has no case, we
21 renew our motion and all previous objections for the record.

22 THE COURT: Okay. And I will still deny that, and I'll
23 try to sort things out as I get into deliberations a little
24 later. Anybody want to close out the statements?

25 MS. GOUDE: The State is prepared to close, your Honor.

1 THE COURT: All right.

2 MR. STITELY: And I think we get to go second because
3 we didn't present a case.

4 THE COURT: Yes, you do. You may proceed.

5 MS. GOUDE: Thank you, your Honor. Your Honor, at the
6 beginning of trial yesterday, I told the Court that some
7 people don't know right from wrong, or some people just don't
8 care. And I think throughout yesterday, we've seen just a
9 total disregard for the law here, and even in this area of
10 the county and these people involved in this conspiracy in
11 Kershaw County, to them, drug dealing isn't even wrong. It's
12 a way of life. It's what they do, it's their job. It's
13 everywhere, but it is illegal. It harms our communities.

14 First, we heard about an incident from involving a
15 Tevin Green back on November 26, 2020. That happened in
16 Kershaw County. There was a vehicle search at the Econo
17 Lodge watch. We saw that Mr. Green was from the Egypt Road
18 area. Mr. Green had a book bag in his car that contained
19 drugs.

20 We see a common theme here in this case, of people
21 using book bags to hold their drugs during these
22 transactions. Inside that book bag was 25.32 grams of
23 heroin, 10.34 grams of cocaine, 8.92 grams of
24 methamphetamine, and a scale and baggies, which would be used
25 to package those drugs for sale and distribution.

1 We heard from co-defendant, Eric Johnson, who said he
2 knew Tevin Green. He knew Tevin Green to be at The Shop,
3 which we know is an area where drugs of every kind are sold.
4 It's like the ice-cream truck of drugs out there where
5 Mr. Jackson's out there in his white van selling drugs. You
6 can get meth, you can get heroin, you can get crack, you can
7 get coke, you can get fentanyl. Anything you want, just go
8 to The Shop.

9 You heard about Mr. Courtnege Burris' encounter with law
10 enforcement on June 16, 2022, during a traffic stop in
11 Kershaw County. Mr. Burris had a book bag as well in his
12 car. Inside that book bag was 45 grams of cocaine based and
13 three grams -- oh, 3.5 grams of cocaine. Mr. Burris would
14 not testify. He had interviewed with the State. He claimed
15 to have not been threatened.

16 We saw video of a controlled buy -- oh, not video. We
17 saw have still images of a controlled buy from Mr. Jackson at
18 The Shop in Lee County. Mr. Jackson is sitting in his car
19 with a bag of drugs over here in the passenger seat, and
20 sells the drugs to the CI and undercover. And there's Mr.
21 Jackson from the video. You heard from Lieutenant Edmonson
22 about that incident.

23 Mr. Jackson sold 27.88 grams of cocaine to the CI and
24 12.36 grams of heroin mixed with fentanyl to Lieutenant
25 Edmonson. Mr. Jackson was contacted through the phone number

1 [REDACTED]. Lieutenant Edmonson explained the difference
2 between a user amount of drugs and a distribution amount of
3 drugs, saying a user amount would be under a gram. Here we
4 have distribution quantities of 27 and 12 grams, and we have
5 those drugs here in evidence.

6 Next, we had another controlled buy from Mr. Jackson on
7 December 2, 2021, at "The Shop." In that episode, we can see
8 Mr. Jackson selling to at least three people: The undercover,
9 Lieutenant Edmonson, the CI, Gary Mackey, and Ms. Janelle
10 Kiser. And we would like to play a portion of that video
11 starting at 14 -- is that 14 (inaudible)?

12 (Video starts at 4:23:03 p.m.)

13 MULTIPLE SPEAKERS: (Inaudible).

14 (Video stops at 4:25:27 p.m.)

15 MS. GOUDE: I need to switch to play the beginning of
16 undercover.

17 (Video starts at 4:25:38 p.m.)

18 MS. KISER: Marlo, this (inaudible) like a kidnapping,
19 I don't know (inaudible). I had a (inaudible) right. I went
20 to court yesterday, and had to get \$600 to walk out
21 (inaudible) because I had a (inaudible) I ain't paid. They
22 ran like (inaudible).

23 MULTIPLE SPEAKERS: (Inaudible).

24 MS. KISER: Since (inaudible) this morning (inaudible).
25 Hell no. Why you did (inaudible)?

1 LIEUTENANT EDMONSON: Yeah, you got that on though --
2 you know what I'm saying? Yeah. (Inaudible).

3 MS. KISER: Just a couple grams of (inaudible). That
4 means heroin? (Inaudible).

5 MULTIPLE SPEAKERS: (Inaudible).

6 (Video stops at 4:28:00 p.m.)

7 MS. GOUDE: And we have Lieutenant Edmonson going to
8 the window to make his drug purchase and he asked for heroin.
9 But the chemist testified that what he actually got was
10 fentanyl, which is much more dangerous than heroin.

11 In this video, we also saw yesterday Mr. Jackson had a
12 book bag in his lap that had -- as Lieutenant Edmonson
13 testified, various narcotics in the book bag. Anything you
14 could want.

15 Lieutenant Edmonson also testified that the blues
16 Ms. Kiser asked for would be fentanyl pills, and he did see
17 those pills exchanged. Also, if you go back and look at the
18 video from the CI they're talking about wondering if Marlo's
19 there because he's in the white van instead of the vehicle he
20 was in in October.

21 In the video, you can hear Mr. Jackson saying about him
22 being in the van, only way to stay low-key. He's driving
23 different vehicles so he's not being detected by law
24 enforcement.

25 We also hear in this video the phone number at the end,

1 [REDACTED]. That's the phone number that Marlo gives
2 Lieutenant Edmonson to contact him to arrange more drug
3 deals. We have the Anthony Clarkson traffic stop, and that
4 stop is where we start to hear calls on the wire intercept.
5 That traffic stop happened on February 11, 2022.

6 We have a call from Mr. -- let's see. We have a call
7 from Mr. -- between Mr. Jackson and Mr. Clarkson. It says
8 it's an outgoing call on February 10, 2022, where Marlo calls
9 Mr. Clarkson and agrees to sell him two. "You want me to
10 send somebody to come get you?" He asks Mr. Clarkson.

11 Then later when asking about how much Mr. Clarkson
12 wants, "I could take two." And Marlo says later, "Get
13 somebody" -- all right. "Well, let me get somebody come
14 through right quick." So that would indicate while they were
15 on the phone, somebody came to buy drugs --

16 MR. STITELY: Judge, I'm going to object to that.
17 That's not evidence.

18 MS. GOUDE: -- from Mr. Jackson.

19 MR. STITELY: I'm objecting. She's testified to facts
20 not evidence. That call was not put into evidence during the
21 trial of the case. The one she's referring to right now was
22 a different date. It was not put into evidence in this case.

23 MS. GOUDE: Your Honor, that call is State's Exhibit --

24 UNIDENTIFIED SPEAKER: Exhibit Number 17.

25 MS. GOUDE: It's State's Exhibit 17 that was played in

1 trial yesterday.

2 MR. STITELY: (Inaudible) to trial, was testified that
3 State's 17 was on February 11, 2022, not February 10.

4 MS. GOUDE: We have State's Exhibit 18, which is on
5 February 11.

6 MR. STITELY: I'd ask your Honor to reflect back to the
7 record and listen to them because that's not testified in the
8 trial.

9 MS. GOUDE: Can I continue?

10 THE COURT: Okay.

11 MS. GOUDE: On February 18, the day of the actual buy,
12 we have another phone call where Marlo says, "You want one
13 and look out for one." Clarkson says, "All right, yeah, I'm
14 going to do -- I want two." We had testimony that that means
15 he was going to buy two and get fronted one.

16 So Mr. Clarkson was going to purchase three ounces or
17 84 grams from Mr. Jackson. And then during that traffic stop
18 on that same day, February 11, 2022, Mr. Clarkson threw 79.39
19 grams of methamphetamine out of the window of his truck,
20 which is pretty close to 84 grams.

21 We also had several calls on the wire that were
22 testified to by Agent Shaw about the communications between
23 Mr. Clarkson and Mr. Jackson, where they communicated at
24 least 35 times while the wire was active, and those calls
25 were pertinent, meaning those calls involved illegal

1 activity. And Mr. Clarkson's traffic stop again was in
2 Kershaw County.

3 We also heard about Jonathan Cole. Mr. Cole is an
4 individual from Sumter County. He was intercepted on the
5 wire of Mr. Jackson. Agent Shaw testified -- let's see. I
6 apologize, your Honor. That there were 101 calls between a
7 Marlo Jackson and Travis Wade. Mr. Wade is the person that
8 put Mr. Johnson -- Jackson in contact with Mr. Cole, which is
9 reflected on these captures that we played from the wire
10 intercepts. The State will play State's Exhibit 16.

11 (Audio starts at 4:36:21 p.m.)

12 MR. WADE: (Inaudible). What's up, bro?

13 MR. JACKSON: What's up?

14 MR. WADE: Chichi?

15 MR. COLE: What's up?

16 MR. WADE: (Inaudible) shot on the phone. Tough times.

17 MR. COLE: Hey, what's up bro?

18 MR. JACKSON: What's up?

19 MR. COLE: Cool. Hey, listen (inaudible) some really
20 hard.

21 MR. JACKSON: (Inaudible) kind of like dry hard?

22 MR. COLE: You know what I'm (inaudible).

23 MR. JACKSON: Okay -- okay -- okay.

24 MR. COLE: The wood dry hard (inaudible) but the wood
25 solid, like solid hard, like hard -- hard -- hard. Real hard

1 brick.

2 MR. JACKSON: They -- the other -- which -- which was
3 -- one of them was one of them thicker than the other one?

4 MR. COLE: Yeah. The thick one, it's real hard. That
5 one want, like -- because I -- I hadn't really got down to
6 (inaudible) like, I was just doing it like that -- you know
7 what I'm saying?

8 MR. JACKSON: But when I got down, my (inaudible)
9 brought my keys?

10 MR. COLE: No, no, no. I ain't got (inaudible) same
11 day (inaudible). That one good. The other one, like -- I
12 guess I even done tried the -- the hard one then the
13 (inaudible).

14 MR. JACKSON: So that one is better than the other, the
15 one (inaudible).

16 MR. COLE: The bigger hard --

17 MR. JACKSON: (Inaudible).

18 MR. COLE: -- then the --

19 MR. JACKSON: (Inaudible). So one -- you're saying one
20 hard and one of them soft?

21 MR. COLE: No, it ain't soft. Just on --

22 MR. JACKSON: One is hard and one (inaudible)?

23 MR. COLE: Yeah. And the thick one, it wasn't hard.
24 (Inaudible) concrete was hard (inaudible).

25 MR. JACKSON: You bring up (inaudible).

1 (Audio stops at 4:38:54 p.m.)

2 MS. GOUDE: Your Honor, we won't listen to that whole
3 call. And all these calls are in evidence, which your Honor
4 can review during deliberation. We'll say during this call
5 they refer to each other as, "What's up with your partner?"
6 They're talking about, "I'm good, but I know if I can get
7 that right here, I can move more of it and get it done fast.
8 I get it all the time."

9 Marlo says, "I'd just be having a bunch of shit, and
10 some of the time the shit don't even be good. But if I can
11 get a bunch of shit that's good, then I can sell it all and
12 keep it going like that, then I'll be good. I got a spot
13 that's jumping all the time. There's a lot of competition
14 going on, but I just need the best of the best. You got to
15 keep the best because if you don't keep the best, these
16 people want to look for someone else that has something
17 better."

18 Mr. Jackson and Mr. Cole are on that call discussing
19 their partnership in selling drugs, and Mr. Cole supplying
20 Marlo with the best of the best quantity -- quality that he
21 has. We also heard call -- calls also back to Mr. Cole.
22 That was the search warrant of his residence for (inaudible)
23 all this cocaine and fentanyl in the backyard. He certainly
24 had enough to share with somebody. We got half a kilo of
25 coke and a kilo and half of fentanyl that could have

1 (inaudible) every time (inaudible).

2 We heard on the wire about calls with Curtis Davenport.
3 Those calls involve the two of them arranging for Marlo
4 Jackson to sell Curtis Davenport drugs. At least 140 grams
5 in one phone call, which is a distribution rate. And on the
6 wire, there were 67 calls between Marlo and Mr. Davenport,
7 that were pertinent, meaning they involved illegal drugs.

8 We talked about the substantive incident in Kershaw
9 County where Mr. Davenport was caught or possessed drugs. He
10 had 152 grams of methamphetamine, 12.16 grams of cocaine
11 based and 24.7 grams of fentanyl. That day we heard -- we
12 saw a controlled buy from Bryan Scarborough. That controlled
13 buy was done by Billy Bell, who was a confidential informant.
14 Billy Bell bought over 200 grams of methamphetamine from Mr.
15 Scarborough on that day.

16 We heard from Eric Johnson who's a co-conspirator and
17 charged in this case. He can kind of tie everything together
18 for us along with the testimony we heard from Agent Shaw.
19 Eric Johnson told you that he's a drug dealer. He told you
20 he's from Egypt Road. He even described that area as a nice
21 place, but everybody out there does drugs. That doesn't seem
22 nice to me. He's known Mr. Jackson his whole life. And I
23 think your Honor could tell it was not easy for him to be on
24 the stand. He was supplied by Mr. Jackson from 2019 forward.
25 He went to The Shop to buy drugs, and he sold those drugs.

1 He talked about the process of fronting, which means
2 Mr. Jackson gave him drugs for free, and once he sold those
3 drugs and made money, he had to pay Mr. Jackson back. That's
4 a common practice with drug traffickers. Initially,
5 Mr. Johnson testified he was buying crack cocaine from Mr.
6 Jackson, but then he saw how successful Marlo was selling
7 fentanyl and how he was selling to people that had money, and
8 was blowing up, and he said, "I could do that too."

9 Mr. Johnson testified that he was making over \$3,000 a
10 week selling drugs. Drugs that he got from Marlo Jackson.
11 He also told us about Mr. Jackson keeping book -- drugs in a
12 book bag, which we can see on that video. He said, "You
13 could buy any drug you wanted from Mr. Jackson at The Shop."
14 He even said he saw a cooler filled with methamphetamine.

15 He talked about when Mr. Jackson was arrested one time,
16 Cortez Sullivan, co-conspirator, showed up at his house with
17 a trash bag full of drugs, and the purpose of that was for
18 Mr. Johnson to buy drugs to help get money to bond Marlo out.
19 This would be in an ounce of the conspiracy.

20 Mr. Jack -- Johnson says he bought 28 grams of fentanyl
21 to sell, and then he started buying drugs from Dorian
22 Scarborough. So we go from Jackson to Johnson to
23 Scarborough, Dorian. Then we have Bryan Scarborough there at
24 Dorian's and he's selling drugs to -- and he sold that meth
25 to the CI, which we have on video. So we have all of those

1 people connected there throughout time.

2 Let's talk a little about the wall. You're the judge,
3 your Honor. So I'm not going to school you on the law. A
4 conspiracy is a combination of two or more people agreeing to
5 work together in an illegal purpose. Here, we have Mr.
6 Jackson and all these other people in agreement to traffic
7 drugs to make money. We've got Mr. Cole and all his drugs.
8 He's going to help Mr. Jackson. He's going to sell him drugs
9 and he can sell them to somebody else, and they can make some
10 money.

11 We got Mr. Jackson and Curtis Davenport on the phone
12 talking about selling drugs. We got Anthony Clarkson buying
13 drugs from Mr. Jackson. Courtnege Burris, Janelle Kiser on
14 video, Tevin Green, Gary Mackey, the CI, Doug Edmonson, and
15 Lieutenant Edmonson told us that there were often a lot of
16 people out there shot when he was out there. It wasn't just
17 a few people. And in that buy video, however long it may be,
18 maybe 15 or so minutes, he's already sold drugs at three
19 people.

20 We got Eric Johnson buying drugs from Mr. Jackson and
21 then Dorian Scarborough, Billy Bell, and Bryan Scarborough,
22 they are all working together for the purpose of selling
23 drugs to make money. We have the (inaudible) here. Heroin,
24 25.32 grams from Tevin Green, plus 12.36 grams sold by Marlo
25 Jackson, equaling 37.68 grams of heroin. That's the heroin

1 that's been entered into evidence.

2 That's not all the drug deals we've heard about in this
3 case, but that is the drugs that have been submitted. We got
4 cocaine, 10.34 grams from Tevin Green, 27.88 sold by Marlo
5 Jackson. 56.18 grams sold by Marlo Jackson, 635 grams buried
6 in Jonathan Cole's backyard. That's a total of 729 grams and
7 -- 729.40 grams of cocaine.

8 Cocaine based, we've got 4.57 grams from Tevin Green,
9 12.16 grams from Curtis Davenport, that only equals 16.73
10 grams. Courtnege Burris had 45.4 grams cocaine based in that
11 book bag. Mr. Burris was too scared to testify about that.

12 MR. STITELY: Judge, I'm going to object to that
13 characterization for the record. He specifically said, "I
14 plead the Fifth. I'm not scared. I ain't got nothing to do.
15 This is my own game." That's a mischaracterization for the
16 record.

17 MS. GOUDE: Moving on. We have methamphetamine, 8.92
18 grams from Tevin Green, 227 grams from Bryan Scarborough.
19 Shana testified that she didn't weigh -- weigh all of that.
20 We have 152.4 grams from Curtis Davenport. We have 79.39
21 grams from Anthony Clarkson. That's a total of 468.23 grams
22 of methamphetamine in evidence.

23 Fentanyl, the most dangerous drug out there, 24.07
24 grams from Curtis Davenport, 27.34 grams from Marlo Jackson,
25 which was sold as heroin, 1,437 grams from Jonathan Cole,

1 equaling 1,488 grams of Fentanyl.

2 These people can't accomplish their goal of selling
3 drugs and making money without each other. You've got to
4 have somebody to sell it to, and that person has to have
5 somebody else to sell it to, and so on and so forth. And
6 that is no agreement.

7 Back at the office, I asked my boss -- and he likes to
8 talk, and he was happy to explain to me about how he viewed a
9 conspiracy back when I first started it. And he told me it
10 was kind of like McDonald's, right? Say you go to work at
11 McDonald's. You know McDonald's is in the business of
12 selling hamburgers and fast food, and you agree to work
13 there, and that's what you've agreed to sell.

14 So whether you work at this McDonald's, or that
15 McDonald's, or corporate McDonald's as the CEO or the
16 accountant, whatever, or if you're frying fries at McDonald's
17 here in Kershaw County, you are all working together to sell
18 McDonald's. And that's what we have here. All of these
19 people working together to sell drugs.

20 And you might not know who works at this McDonald's or
21 that McDonald's, but you all know you're in the same business
22 of selling those burgers. And all of these people are in the
23 same business of trafficking any drug you want. Meth,
24 cocaine, cocaine based, heroin, and fentanyl.

25 And the State has submitted evidence to prove those

1 weights and evidence of the conspiracy. And your Honor has
2 heard the testimony and has the evidence to review, if your
3 Honor chooses. And, your Honor, we would ask that you find
4 Marlo Jackson guilty of drug-trafficking on all counts.

5 THE COURT: Thank you, Madam Attorney General.

6 MR. STITELY: May it please the Court?

7 THE COURT: Counsel.

8 MR. STITELY: Actually wasn't going to make a closing,
9 but I feel compelled to do so. So Attorney General just
10 said, "Everyone working at McDonald's is in the business
11 selling McDonald's burgers." Actually, we had a case in
12 Lexington County where I had a client who was selling
13 marijuana out of the Subway. It was kind of a cute case.

14 If you came up to the window and you order just a bag
15 of chips, you got an ounce of weed in a Ziploc or
16 vacuum-sealed bag of chips. Under the Solicitor's theory,
17 the Subway I went to in Camden when I bought my bag of chips
18 with my sandwich, they should be charged with conspiracy to
19 distribute marijuana. They work at a Subway, they sell
20 chips, they must be guilty. That's not how a conspiracy
21 works. You have to have a meeting of the minds.

22 Think of it as contract law. You have to have an
23 accord and agreement. You have to have consideration. You
24 have to have a meeting of the minds for a specific purpose.
25 You got to know the people you're dealing with to create a

1 meeting of the minds. You can't say, "Because Marlo lives in
2 Lee, he knows everybody in Kershaw County, so he must be in
3 this with them."

4 There's been no evidence of that. Evidence isn't what
5 she's arguing. Isn't her saying, "Look at all these drugs,
6 he must be a bad guy." It was funny she said, "Drugs are a
7 way of life to all the people in this community." I -- I
8 would be insulted if I was a juror sitting in Kershaw County
9 right now, because apparently that's their way of life. I'll
10 go through them, I've done it once, but here we are again.

11 Tevin Green, not a single word, Marlo Jackson, anywhere
12 in that. It was a stop at the Econo Lodge. Officer Kiser,
13 no interview with Mr. Green, no connection, except for saying
14 he knew where he was from. That's not a conspiracy. The
15 weight can't count.

16 You can't just say because someone had drugs, they're
17 on a conspiracy with Marlo Jackson. Because I make
18 hamburgers in Cam -- or sells Subway subs in Camden that I --
19 someone sells weed out of a Subway in Lexington, they're
20 obviously a weed seller too. It doesn't work. You have to
21 have an actual link.

22 She said, "A conspiracy is when people commit a crime
23 together." "Together." She relies on evidence from a year
24 after my client was incarcerated from a person he never met
25 once, who no one can attest, nor did they attest on the

1 stand, ever met him. And wants you to add that weight in to
2 say he's conspiracy to traffic those drugs. He's in jail.
3 He's not meeting these people. He's not up with Mr.
4 Scarborough a year later with a -- a CI who didn't know him.
5 There's no conspiracy. The way she tried to link that for
6 you is she said that Mr. Johnson, the co-defendant, got up
7 there and it wasn't easy. You sat there and watched it. It
8 was all too easy for him to testify. And he messed up.

9 He didn't mean to say it, but when the Solicit --
10 Attorney General was asking questions, "Why'd you go to
11 Scarborough?" "I had a beef with Marlo" -- and they just
12 glossed right over that. But you heard it. A beef. "What
13 -- what was it?" "Well, I don't -- maybe -- maybe I used the
14 wrong word. Maybe -- I don't know." "What was the problem
15 with Marlo?" "I don't want -- I -- I don't -- you know, it
16 was nothing."

17 You think maybe he had a reason to get up here and
18 throw him under the bus? He had a beef with another drug
19 dealer. What's better for your business? And remember
20 Judge, he was arrested in this conspiracy in 2011 -- 2021
21 gets out, is dealing for three more years while my client's
22 in jail until he gets busted again.

23 And then miraculously comes to terms a couple months
24 ago that he wants to cooperate, and point the finger at
25 someone who he had a beef with. That's as suspect as it

1 gets. What's better than to point the finger at the man on
2 trial, when you want to walk out of here, when you got your
3 own game running for three years?

4 MS. GOUDE: Objection, your Honor. I'd say that was a
5 mischaracterization of Eric Johnson's testimony. He was not
6 arrested in this case, in -- I believe you said 2021.

7 MR. STITELY: I asked him, he said he was arrested in
8 2021 for a -- a conspiracy case. He got out on bond, and was
9 re-arrested in 2024 where he's been incarcerated for 10
10 months. That was his testimony from the stand.

11 MS. GOUDE: And nobody (inaudible) case was charged in
12 2021.

13 MR. STITELY: That was his testimony.

14 THE COURT: Go ahead.

15 MR. STITELY: And he had a beef with my client. What a
16 better reason to throw him on the bus? And he's working for
17 this Scarborough, whoever. My client never knew Scarborough.
18 The witness never said he knew him. How could he be involved
19 in Scarborough's game? How can you involved in Johnson's
20 game when Johnson's on the street for two more years selling
21 dope while my client's in jail? There's no link there.

22 There's no conspiracy. Again, your Honor, the only
23 conspiracy that I think the State even has half a leg to
24 stand on is this allegation with Mr. Clarkson. Mr. Clarkson,
25 they have a phone call the day before where he claims to want

1 to buy drugs, and then a day later, they say they got another
2 call, even though there's no testimony about what happened in
3 the intervening time, and then four hours later, he stopped
4 with some drugs that aren't even the right amount.

5 She said, "Oh, close to good." Her words in her
6 closing argument, "Eh, it's pretty close to what they talked
7 about." You're going to hang a man's freedom in the balance
8 on, "Eh, it's pretty close. Four hours later he had some
9 drugs. I mean, it's kind of like what they talked about on
10 the phone."

11 I'd want some absolute certainty, not beyond the term
12 "absolute," but I want beyond a reasonable doubt. If I was
13 hanging my life on, "Well, it's pretty close, four hours
14 later." They said it's two miles away, but four hours later.
15 I got some doubt. She wanted to say because he used the word
16 "partner." They were obviously partners. I call everyone
17 brother. So I guess I'm guilty if he's not my biological
18 brother for committing perjury.

19 It's -- it's ludicrous. Where's the actual connection?
20 The State didn't prove it in this case, Judge. Again, this
21 is a conspiracy case in Kershaw County. They've got to prove
22 a nexus. They've got to prove a meeting of the minds.
23 Davenport, arrested in Kershaw County a year after he's in
24 jail. All those drugs are out, all those dealings with
25 Scarborough a year after he is in jail, they're out.

1 There are some distributions to a law enforcement
2 officer in Lee County. I acknowledge that. That is what's
3 in the evidence. You can't form a conspiracy with a law
4 enforcement officer. They're out. The other individual by -
5 - he was not a testifier. We don't know what those drugs --
6 happened. You can't form the conspiracy to distribute if
7 there's no proof that an individual intended to distribute.

8 No testimony, no evidence, they're out. (Inaudible)
9 drugs, he got up on that stand and the one thing he said is,
10 "I run my own thing. I ain't got nothing to do with it.
11 That's all I got to say." That's not a conspiracy. There's
12 no conspiracy, Judge. This is a conspiracy trial. The State
13 didn't meet their burden. He's not guilty.

14 THE COURT: Thank you, Counsel.

15 All right. I thank you all for your able argument. So
16 we will now begin deliberations. Everybody stand at ease.

17 MR. STITELY: Thank you.

18 (Off the record at 5:00 p.m.)

19 (On the record at 5:01 p.m.)

20 THE COURT: I got to clear something (inaudible).
21 We'll be at ease.

22 (Off the record at 5:01 p.m.)

23 (On the record at 5:41 p.m.)

24 THE COURT: We got everybody in we need?

25 MS. GOUDE: Your Honor, we're missing our case agent.

1 I think she would (inaudible).

2 THE COURT: All right. Got everybody we need. After
3 carefully weighing the testimony and evidence that's been
4 presented in this trial, taking into consideration the
5 complexity of the conspiracy allegations, also taking into
6 consideration the various amounts of evidence, given weight
7 to different testimony, and different pieces of evidence, the
8 Court has reached verdicts of all five of the indictments.
9 Let's make sure that I have deliberated and reached verdicts.
10 We are concerned with five indictments. I hadn't missed
11 anything, have I?

12 MS. GOUDE: No, your Honor. Five counts under the same
13 --

14 THE COURT: I'm sorry. Five counts. You're correct.
15 Five counts. Thank you for correcting me on that because
16 indictment's broken down in counts. So I deliberated on the
17 first five counts. And this is indictment, for the record,
18 2022-GS-47-00007, counts one through five.

19 Decision of the Court -- verdict of the Court on count
20 one: Trafficking methamphetamine, 400 grams or more,
21 conspiracy. Under 44-53-375(c)(5), the verdict is guilty.

22 On count two: Trafficking cocaine, 400 grams or more,
23 conspiracy. South Carolina Code, annotated
24 44-53-370(e)(2)(e), the verdict is guilty.

25 On count three: Trafficking in cocaine based, the

1 original charge was 28 grams or more, but less than 100
2 grams, conspiracy. After considerable consideration of the
3 testimony and evidence in this matter, the Court has some
4 concern about some of the testimony, and the alleged
5 measurements, the Court finds Marlo Jackson guilty of 3 to 10
6 grams of cocaine based.

7 Count four: For manufacturing, distribute, possess
8 narcotic drugs at Schedule 2, the fentanyl charge,
9 conspiracy. The Court finds Marlo Jackson guilty.

10 On count five: Trafficking heroin, 28 grams or more,
11 conspiracy. South Carolina Code 44-53-370(e)(3)(c), the
12 court finds Marlo Jackson guilty. We will proceed with
13 sentencing. I will hear mitigation at this time.

14 MR. STITELY: Judge, just very briefly, your Honor.
15 And I guess the Attorney General will give you his record.
16 He has a very minor conviction history with all candor. The
17 29th, Judge, is just two days from now, he tells me he'll
18 have three years of credit. It's 1,095 days. I've been
19 involved in the case for two years. I've been asking for a
20 plea for two years.

21 Your Honor, we were here, obviously, you were at length
22 with our plea discussions. I'd offered a plea to the
23 distribution counts, which they had on video. We were not
24 allowed to do that. I asked for a range, wasn't able to get
25 that. I even offered with my client to plead a 20, weren't

1 offered that.

2 Your Honor, as you heard, I think there were some
3 evidentiary concerns, some legal positions that warranted
4 having a trial in this case. It's my job to represent him
5 zealously, preserve the record for him. And we did that. I
6 think we did it expeditiously. I don't think we caused any
7 additional strain on the -- on the taxpayers of the
8 government and the way we did it. And I don't think he
9 should be punished for going to trial.

10 We'd ask -- there's a 25 mandatory minimum on two or
11 three of those. I'd ask you to give him the mandatory
12 minimum. 25 years. As I said, he does not have a
13 significant record. No violent felonies. I don't even know
14 if he has a felony on his record at all.

15 Your Honor, in the courtroom is his mother and his
16 sister. He has children, three children -- five children,
17 sorry. He's been in jail, like I said, for three years.
18 He's from -- you heard, the Lee area, lived there his entire
19 life. He had a full-time job as well. That's where we're
20 at, Judge.

21 Like I said, I -- I really tried to resolve this by way
22 of plea. We couldn't get an offer. So here we are. We'd
23 ask you to give him the 25. That's -- I -- I always do the
24 analysis in my head on this one, depending what evidence you
25 considered. And if I was doing a federal case, we always

1 talk about guideline points. He'd be a super low-point
2 offender. He wouldn't have any conduct to move him into
3 those higher tiers.

4 And then you go to the drug weights. I understand
5 South Carolina has these super high mandatory minimums. I'll
6 just give you an example. If you wanted to talk about
7 methamphetamine, the first time you get to a mandatory
8 minimum on methamphetamines at 5 kilograms, not 400 grams,
9 you get 5 to 40.

10 Once you hit 5 kilograms, that's the first threshold we
11 hit. And that mandatory minimum can be breached by a judge
12 if a Judge decides to do so. Or if someone's a low point
13 offender. I just use it as an illustration. All the drugs
14 in this case, he probably would've fallen the 10-year range.
15 It is what it is. We have these high mandatory minimums.
16 I'm asking you to stick to the minimum, Judge. Thank you.

17 THE COURT: Thank you. Counsel?

18 MS. GOUDE: Thank you, your Honor. Your Honor, I don't
19 want to beat a dead horse here, but this case was very
20 important to the State and has been for quite some time.
21 Mr. Jackson has been a huge problem in the Lee County area
22 and Kershaw County for many years. And he does have a prior
23 record here. He has a 2004 possession of less than one gram
24 of methamphetamine or cocaine based, first offense. Some
25 2004 traffic violations, 2006 open container and some

1 possession of marijuana.

2 A 2011 criminal domestic violence, second. 2011, he
3 has four convictions for possession of less than one gram
4 methamphetamine or cocaine based, second offense.

5 In 2011, he has three different counts or convictions
6 for some possession of marijuana, second. Or subsequent
7 offense. He has some traffic violations. And then in 2015,
8 failure to stop for a blue light. And, your Honor, I do have
9 the sentencing sheets from his prior convictions, but with
10 these weights, the -- that does not affect the sentencing,
11 your Honor.

12 THE COURT: Would you -- so we will be clear on the
13 record to make sure what I have reviewed in my deliberations,
14 will you state the possible penalties on the verdicts that I
15 have reached?

16 MS. GOUDE: Trafficking methamphetamine 400 grams or
17 more carries 25 to 30 years. Trafficking cocaine, 400 grams
18 or more carries 25 to 30 years -- let me look up. The
19 cocaine based charge for the smallest range there is -- your
20 Honor, let me just -- one moment. Yeah. For the trafficking
21 amount there -- for the lowest level is -- it's for a
22 conviction for trafficking cocaine based 10 grams or more,
23 but less than 28 grams, and that carries 3 to 10 years.
24 Count four: conspiracy to distribute fentanyl that was
25 charged under the old law that carries zero to 15 years, and

1 trafficking heroin 28 grams or more conspiracy, carries 25 to
2 40 years, your Honor.

3 THE COURT: What position does the State take about
4 these mandatory fines?

5 MS. GOUDE: Your Honor, the State's position is that
6 these fines are necessary. With -- we're dealing with these
7 large amounts of drugs. In some cases, we have over 400
8 grams or more. 400 grams is less than half a kilogram, your
9 Honor.

10 So I -- the State's position is these -- the mandatory
11 minimums are -- are necessary. And it impresses -- should
12 oppress upon potential defendants the serious nature of these
13 crimes, and deter them from further commission of the crimes.
14 But that's not always the case.

15 MR. STITELY: You were asking about fines, Judge? I
16 think they have really high fine numbers. I know that in
17 federal court, Judge (inaudible) on the ability to pay the
18 actual fines.

19 MS. GOUDE: Okay. And -- and, your Honor, we're not
20 asking for Mr. Jackson to pay any fines. We would say those
21 could be suspended.

22 THE COURT: Could say what?

23 MS. GOUDE: We're not asking for Mr. Jackson to -- for
24 fines to be part of his sentence.

25 THE COURT: Okay. All right. Chair, if you would take

1 the Defendant, Mr. Jackson, into custody, please. And have
2 him come around so I can hear from him --

3 MS. GOUDE: Okay.

4 THE COURT: -- if he so desires.

5 UNIDENTIFIED SPEAKER: Thank you.

6 MR. STITELY: He just wanted to hear from you.

7 THE COURT: Mr. Jackson, is there anything you'd like
8 to say to the Court?

9 THE DEFENDANT: Yes, sir. I would like to say that in
10 this case, it brought a lot of confusion and punishment
11 before I even got sentenced with -- where I was housed at in
12 Alvin S. Glenn Detention Center, as far as it goes with me up
13 getting a bond.

14 And I just want to be able to speak a little bit about
15 what happened when I was locked up these three years and the
16 things that I went through -- the punishment that I -- I was
17 encountered because of me not having no bond and other issues
18 as far as it goes with having a lawyer for 15 months, that
19 was not in the best of my interests.

20 Until I met Mr. Stitely, I had several rules. He --
21 which was representing three other clients that the
22 Prosecutor already knew that he was representing the clients,
23 that's my co-defendants. And I felt like he was more leaning
24 towards them because from my understanding, they wanted to
25 cooperate. And it caused me to be in a predicament where I

1 had to get another lawyer and know that he was feeling more
2 comfortable with him working for me.

3 Then I had incidents with me being in the -- they --
4 moving me in the -- I felt like they -- on purposely, moved
5 me in the room with people that was my co-defendants. And I
6 -- I talked to Ms. Shaw about that. One day when she took me
7 to court, and she did get in touch with (inaudible). And
8 what happened was he said, the only way that I could be moved
9 -- the only way that they would allow me to be moved from
10 Alvin S. Glenn Detention Center to another jail if I
11 cooperate. And I felt that he didn't -- that wasn't part of
12 my agreement when I hired him.

13 But I want to move a little further on into the
14 situation because after that, I got moved to Kershaw County
15 Detention Center. And I feel like my constitutional rights
16 tell me that I had a right -- that -- well, my Miranda right
17 told me I had the right to remain silent and I don't have to
18 say anything.

19 And I feel like by me not saying then, they wanted to
20 be more -- more, like, protect myself as far as the situation
21 with the case, it caused me to be in a situation to where I
22 was offered 25 years from the beginning because I didn't know
23 if I would be incriminated by doing certain things. And I
24 just made it best for me because I had already seen that
25 other people was doing other things that wasn't right as far

1 as things that they did.

2 I won't go into too much in detail about that, but a
3 lot of things that wasn't right in the case -- and from
4 various reasons of me seeing people coming to jail after I
5 was locked up that's in the case, and they telling me, "Oh"
6 -- by me being around them, that I'm not supposed to really
7 be around them because they're co-defendants, that the State
8 was asking them questions about me.

9 And they -- they -- if they didn't know -- like, know
10 of me, they knew me after they got locked up with me because
11 they never heard of me before. So they're just, like -- they
12 could lie and say all kinds of stuff because of the case and
13 that everybody knew the case. But -- make a long story
14 short, I just wanted to let everybody know, let you know most
15 -- I pick a jury -- I pick a -- went from picking a jury
16 trial to a bench trial because I know you would view the case
17 more and, you know, more about the case. And I was aware of
18 what could happen in the case, but the jury, they're more
19 firm on -- looking at everything from the State's point of
20 view because I wasn't going to testify, and I never have and
21 I never -- you know, cooperated with them because I didn't
22 want to incriminate myself on no level, or in the situation.

23 And it caused my kids a lot of hurt because I'm locked
24 up, and I know I'll take care of my kids. That's the main
25 responsibility. Be sure these kids are straight, but I --

1 I'm a man and I can accept when I'm wrong, but I don't feel
2 that it is right for me to weigh the pain of other people
3 from things that they did because they don't want to man up
4 and own up to the mistakes that they made.

5 So I came to my lawyer and I told him, "I would make
6 the best ability to own up to what I did, and the Solicitor
7 still didn't go along with it." So -- but I ain't trying to
8 get into that to convict myself of anything, but I just want
9 to let my family know that I love them, and I'm a God-fearing
10 man. And I changed a lot because I was locked up, and I see
11 how things really is, and how much hurt -- not be selfish,
12 how much hurt I -- hurt I caused to other people too.

13 But I want to let -- you know, everybody here knows I
14 ain't just the type of person that wants to waste your time
15 because everybody's time is precious, and you can't get that
16 back. You can have everything else but you can't get time
17 back and you can't get love back. And I really love my kids
18 and my mom, my sisters, and my brothers. But I just want to
19 tell you, thank you for taking your time out to hear my case,
20 and I'm going to just move forward with that.

21 THE COURT: I need to tell you now before I pass
22 sentence. You certainly have a right to appeal. Keep to
23 that. You've got 10 days after sentencing to give a notice
24 of appeal filed. That's critical time. Okay. All right.
25 Got some record out there?

1 MS. GOUDE: Your Honor, we are filling out the
2 sentencing sheets right now.

3 THE COURT: Okay.

4 MR. STITELY: Judge, if we have them on the -- while
5 she's doing it, like I said, I think his statements mirror
6 what I -- I told your Honor from the beginning. He's had
7 some problems with other people throwing stuff on him, but
8 he's always been willing to plead guilty to...

9 THE COURT: The distributions?

10 MR. STITELY: Just from -- as long as I -- to mirror
11 that in my comments.

12 THE COURT: From a philosophical point of view, many
13 people nowadays would say the fentanyl charges are the most
14 serious to all this, but the way that things were back then,
15 as the statute was drawn, definitely at the point of view
16 then was the heroin is the most serious charge.

17 But I'm going to tell you what really weighs on my mind
18 about passing sentence, because I watched that video, with a
19 4-year-old child standing there observing all of you in such
20 activity. Totally uncalled for.

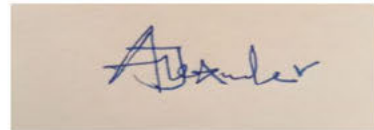
21 Okay. Trafficking meth, count one sentence is: You'd
22 be confined to State Department of Corrections for a period
23 of 30 years. Count two: Cocaine charge, you'd be confined --
24 that's a trafficking cocaine charge. You'll be confined to
25 State Department of Corrections for a period of 30 years.

CERTIFICATE OF TRANSCRIBER

I, JACKSON ALEXANDER, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of the proceedings had, and evidence introduced in the trial of the captioned case, relative to appeal, in the South Carolina Circuit Court 5 of Kershaw County, South Carolina, on March 27, 2025.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

September 26, 2025.

A rectangular box containing a handwritten signature in blue ink. The signature appears to be "Alexander" written in a cursive, stylized script.

JACKSON ALEXANDER

Transcriber

STATE GRAND JURY OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
)
 VS.)
)
 HOWARD TAYON OWENS A/K/A "OJ,")
 KIERRA TUYET BROWN,)
 YOLANDA DENISE REED,)
 CHARLENE NICOLE ALEXANDER,)
 SHAWN LEE HARRIS A/K/A "GANGSTER,")
 JEREMY AKEEN MCCRAY A/K/A "HOPO,")
 JAKE SANTONIO MCCRAY,)
 GLORIA JEAN BRISBON A/K/A "MUNCHY,")
 TYQUAN JAMAL GARY,)
 MARQUIS KENYON SMITH A/K/A "WIG,")
 THOMAS WAYNE WILSON A/K/A)
 "BOOZER,")
 SHAWN CHILEEN HALLEY,)
 COURTNEG LAMENZO BURRIS A/K/A)
 "ZOE,")
 CODY DREW BOONE,)
 CURTIS MITCHELL DAVENPORT,)
 DANNY LEVI BARRETT,)
 TEVIN ALMAINE GREEN,)
 ANTHONY CLARKSON A/K/A "NUCK,")
 TERRELL MAURICE HARRIS A/K/A "RELL,")
 JERE DARNELL CARTER,)
 WALTER JAMES COUNTS,)
 CHARLES RUSSELL DONAHUE, JR.,)
 MARLO JACKSON A/K/A "JO" AKA "LO,")
 JERMAINE BRISBON A/K/A "BLACK,")
 LEWIS LEE WILSON,)
 DEREK ANTWAN FRANKLIN,)
 MYRON MAURICE GREEN,)
 ANTINASHIA LASHAWN BURCH,)
 LEON ONEAL RIVERS A/K/A "THIRD,")
 JONATHAN WESLEY COLE A/K/A)
 "BUCKSHOT,")
 KEITH BERNARD TOMLIN,)
 TRAVIS DEWAYNE WADE A/K/A "BUSTA,")
 JANELLE RAYNISE KISER,)
 EVERETT WADE JOHNSON, II A/K/A "DA-)
 DA,")
 CHRISTOPHER EUGENE BRITT,)

CASE NO. 2022-GS-47-07

**THIRD SUPERSEDING
 INDICTMENT FOR
 UNLAWFUL DRUGS**

Trafficking Methamphetamine, 400
 Grams or More (Conspiracy)
 S.C. Code Ann. § 44-53-375(C)(5)
 (2 Counts)

Trafficking Cocaine, 400 Grams or
 More (Conspiracy)
 S.C. Code Ann. § 44-53-370(e)(2)(e)
 (2 Counts)

Trafficking Cocaine Base, 28 Grams
 or More, But Less Than 100 Grams
 (Conspiracy)
 S.C. Code Ann. § 44-53-375(C)(2)
 (4 Counts)

Manufacture, Distribute, Possess
 Narcotic Drugs In Schedule II
 (Fentanyl) (Conspiracy)
 S.C. Code Ann. § 44-53-370(b)(1)
 (2 Counts)

Trafficking Heroin, 28 Grams or More
 (Conspiracy)
 S.C. Code Ann. § 44-53-370(e)(3)(c)
 (3 Counts)

Trafficking Marijuana, 10 Pounds or
 More, But Less Than 100 Pounds
 (Conspiracy)
 S.C. Code Ann. § 44-53-370(e)(1)(a)
 (1 Count)

FILED

APR 10 2024

MARGARET J. SELF
 CLERK, SC STATE GRAND JURY

DWIGHT ALI MCCRAY,	)	Trafficking Methamphetamine or
LAROD BENTELL BARNES,	)	Cocaine Base, 28-100 Grams
ANDRE LEWAYNE BROOKS,	)	S.C. Code Ann. §44-53-375(C)(2)
SYMPHONY CORSHAY PORTEE A/K/A	)	(4 Counts)
"CUB,"	)	
SONYADA LATIFA ADAMS,	)	Manufacture, Distribution, Etc. of
LANCE MCCRAY A/K/A "TRAUMA,"	)	Cocaine Base
TYQUAN ALI MCCRAY A/K/A "QUAN,"	)	S.C. Code Ann. §44-53-375(B)
MARQUIS LEON PENNY,	)	(9 Counts)
DKELUS NIKEAL GRAVES,	)	
GARION TARIRH MACKEY,	)	Unlawful Conduct Towards a Child
JONATHAN CARROLL MCINTYRE,	)	S.C. Code Ann. §63-5-70
BRYAN LENERE SCARBOROUGH A/K/A	)	(4 Counts)
"JUICEMAN,"	)	
DORIAN JOVION SCARBOROUGH A/K/A	)	Manufacture, Distribute, Possess
"STREETS,"	)	Narcotic Drugs in Schedule I(b) & (c),
ISIAH OUTEN, II, JUNIOR,	)	LSD, and Schedule II
RASHEEM M. KENNEDY,	)	S.C. Code Ann. §44-53-370(b)(1)
TIMOTHY DARRELL DINKINS A/K/A "T	)	(7 Counts)
PAIN A/K/A PAIN,"	)	
TIMOTHY DARRELL DINKINS, JR.,	)	Distribute Controlled Substance Near
JAY NATHAN BENJAMIN,	)	School
CORTEZ MALEK SULLIVAN,	)	S.C. Code Ann. §44-53-445(A)
XAVIER WILBUR SUMMERS A/K/A	)	(2 Counts)
"PRIMO,"	)	
	)	Manufacture, Possession of Other
DEFENDANTS.	)	Substances in Schedule I, II, III or
	)	Flunitrazepam or Analogue, WITD
	)	S.C. Code Ann. §44-53-370(b)(2)
	)	(2 Counts)
	)	
	)	Possession of Cocaine
	)	S.C. Code Ann. §44-53-370(d)(3)
	)	(1 Count)
	)	
	)	Possession of Less than One Gram
	)	Methamphetamine or Cocaine Base
	)	S.C. Code Ann. §44-53-375(A)
	)	(3 Counts)
	)	
	)	Trafficking Cocaine, 10-28 Grams
	)	S.C. Code Ann. §44-53-370(e)(2)(a)1
	)	(4 Counts)
	)	

) Possession of a Weapon During the
) Commission of a Violent Crime
) S.C. Ann. §16-23-490
) (6 Counts)
)

) Trafficking in Methamphetamine or
) Cocaine Base, 10-28 Grams
) S.C. Code Ann. §44-53-375(C)(1)
) (5 Counts)
)

) Arson, Second Degree
) S.C. Code Ann. §16-11-110(B)
) (1 Count)
)

) Attempted Murder
) S.C. Code Ann. §16-3-29
) (1 Count)
)

) Criminal Conspiracy
) S.C. Code Ann. §16-17-410
) (1 Count)
)

) Trafficking Heroin, 4-14 Grams
) S.C. Code Ann. §44-53-370(e)(3)(a)1
) (2 Counts)
)

) Distribution, Etc. of
) Methamphetamine
) S.C. Code Ann. §44-53-375(B)
) (7 Counts)
)

) Resisting Arrest
) S.C. Code Ann. §16-9-320(A)
) (1 Count)
)

) Trafficking Heroin, 14-28 Grams
) S.C. Code Ann. §44-53-370(E)(3)(B)
) (1 Count)
)

) Failure to Stop for Blue Light
) S.C. Code Ann. §56-5-750
) (2 Counts)
)

) Possession of Narcotics in Schedule
) I(b), (c), LSD & Schedule II
) S.C. Code Ann. §44-53-370(d)(1)
) (5 Counts)

At a session of the State Grand Jury of South Carolina, convened in Columbia, South Carolina, on April 9, 2024, the State Grand Jurors present upon their oath:

COUNT ONE
TRAFFICKING METHAMPHETAMINE, 400 GRAMS OR MORE (CONSPIRACY)
S.C. CODE ANN. § 44-53-375(C)(5)

That MARLO JACKSON A/K/A “JO” A/K/A “LO,” MARQUIS KENYON SMITH A/K/A “WIG,” THOMAS WAYNE WILSON A/K/A “BOOZER,” JERMAINE BRISBON A/K/A “BLACK,” CHARLES RUSSELL DONAHUE, JR., COURTNEG LAMENZO BURRIS A/K/A “ZOE,” CODY DREW BOONE, CURTIS DAVENPORT, LEWIS LEE WILSON, TEVIN ALMAINE GREEN, WALTER JAMES COUNTS, DEREK ANTWAN FRANKLIN, ANTHONY CLARKSON A/K/A “NUCK,” MYRON MAURICE GREEN, ANTINASHIA LASHAWN BURCH, CORTEZ MALEK SULLIVAN, BRYAN LENERE SCARBOROUGH A/K/A “JUICEMAN,” DORIAN JOVION SCARBOROUGH A/K/A “STREETS,” TIMOTHY DARRELL DINKINS A/K/A “T PAIN A/K/A PAIN,” TIMOTHY DARRELL DINKINS, JR., JAY NATHAN BENJAMIN, XAVIER WILBUR SUMMERS, and other persons whose names are both known and unknown to the State Grand Jury did, in Kershaw County, during the period

of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, four hundred (400) grams or more of methamphetamine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT TWO
TRAFFICKING COCAINE 400 GRAMS OR MORE (CONSPIRACY)
S.C. CODE ANN. § 44-53-370(E)(2)(E)

That MARLO JACKSON A/K/A “JO” A/K/A “LO,” MARQUIS KENYON SMITH A/K/A “WIG,” LEON RIVERS A/K/A “THIRD,” COURTNEG LAMENZO BURRIS A/K/A “ZOE,” TEVIN ALMAINE GREEN, ANTINASHIA LASHAWN BURCH, JONATHAN WESLEY COLE, KEITH TOMLIN, GARION TARIRH MACKEY, CORTEZ MALEK SULLIVAN, and other persons whose names are both known and unknown to the State Grand Jury did, in Kershaw County, during the period of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into

this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, four hundred (400) grams or more of cocaine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT THREE
TRAFFICKING COCAINE BASE, 28 GRAMS OR MORE, BUT LESS THAN 100
GRAMS (CONSPIRACY)
S.C. CODE ANN. § 44-53-375(C)(2)

That MARLO JACKSON A/K/A “JO” A/K/A “LO,” LEON RIVERS A/K/A “THIRD,” SHAWN CHILEEN HALLEY, COURTNEG LAMENZO BURRIS A/K/A “ZOE,” TEVIN ALMAINE GREEN, ANTINASHIA LASHAWN BURCH, GARION TARIRH MACKEY, CORTEZ MALEK SULLIVAN, and other persons whose names are both known and unknown to the State Grand Jury did, in Kershaw County, during the period of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, twenty-eight (28) grams or more, but less than one hundred (100) grams of

cocaine base, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT FOUR
MANUFACTURE, DISTRIBUTE, POSSESS NARCOTIC DRUGS IN SCHEDULE II
(FENTANYL) (CONSPIRACY)
S.C. CODE ANN. § 44-53-370(b)(1)

That MARLO JACKSON A/K/A “JO” A/K/A “LO,” SHAWN CHILEEN HALLEY, CHARLES RUSSELL DONAHUE, JR., CODY DREW BOONE, DANNY LEVI BARRETT, WALTER JAMES COUNTS, TERRELL MAURICE HARRIS A/K/A “RELL,” ANTINASHIA LASHAWN BURCH, JONATHAN WESLEY COLE A/K/A “BUCKSHOT,” TRAVIS DEWAYNE WADE A/K/A “BUSTA,” JANELLE RAYNISE KISER, EVERETT WADE JOHNSON II A/K/A “DA-DA,” CORTEZ MALEK SULLIVAN, BRYAN LENERE SCARBOROUGH A/K/A “JUICEMAN,” DORIAN JOVION SCARBOROUGH A/K/A “STREETS,” TIMOTHY DARRELL DINKINS A/K/A “T PAIN A/K/A PAIN,” TIMOTHY DARRELL DINKINS, JR., JAY NATHAN BENJAMIN, and other persons whose names are both known and unknown to the State Grand Jury did, in Kershaw County, during the period of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell,

manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, fentanyl, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT FIVE
TRAFFICKING HEROIN, 28 GRAMS OR MORE (CONSPIRACY)
S.C. CODE ANN. § 44-53-370(E)(3)(C)

That MARLO JACKSON A/K/A “JO” A/K/A “LO,” CODY DREW BOONE, TEVIN ALMAINE GREEN, TERRELL MAURICE HARRIS A/K/A “RELL,” ANTINASHIA LASHAWN BURCH, JANELLE RAYNISE KISER, CHRISTOPHER EUGENE BRITT, CORTEZ MALEK SULLIVAN, BRYAN LENERE SCARBOROUGH A/K/A “JUICEMAN,” DORIAN JOVION SCARBOROUGH A/K/A “STREETS,” TIMOTHY DARRELL DINKINS A/K/A “T PAIN A/K/A PAIN,” TIMOTHY DARRELL DINKINS, JR., JAY NATHAN BENJAMIN, and other persons whose names are both known and unknown to the State Grand Jury did, in Kershaw County, during the period of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into

this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, twenty-eight (28) grams of heroin, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SIX
TRAFFICKING COCAINE 400 GRAMS OR MORE (CONSPIRACY)
S.C. CODE ANN. § 44-53-370(E)(2)(E)

That JEREMY AKEEN MCCRAY A/K/A “HOPO,” DWIGHT ALI MCCRAY, GLORIA JEAN BRISBON A/K/A “MUNCHY,” LAROD BENTELL BARNES, and other persons whose names are both known and unknown to the State Grand Jury did, in Kershaw County, during the period of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, four hundred (400) grams or more of cocaine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SEVEN
TRAFFICKING COCAINE BASE, 28 GRAMS OR MORE, BUT LESS THAN 100
GRAMS (CONSPIRACY)
S.C. CODE ANN. § 44-53-375(C)(2)

That JEREMY AKEEN MCCRAY A/K/A “HOPO,” DWIGHT ALI MCCRAY, GLORIA JEAN BRISBON A/K/A “MUNCHY,” LAROD BENTELL BARNES, ANDRE LEWAYNE BROOKS, JAKE SANTONIO MCCRAY, TYQUAN JAMAL GARY, SYMPHONY CORSHAY PORTEE A/K/A “CUB,” SONYADA LATIFA ADAMS, LANCE MCCRAY A/K/A “TRAUMA,” and other persons whose names are both known and unknown to the State Grand Jury did, in Kershaw County, during the period of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, twenty-eight (28) grams or more, but less than one hundred (100) grams of cocaine base, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not

having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT EIGHT
TRAFFICKING HEROIN, 28 GRAMS OR MORE (CONSPIRACY)
S.C. CODE ANN. § 44-53-370(E)(3)(C)**

That JEREMY AKEEN MCCRAY A/K/A “HOPO,” GLORIA JEAN BRISBON A/K/A “MUNCHY,” and other persons whose names are both known and unknown to the State Grand Jury did, in Kershaw County, during the period of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, twenty-eight (28) grams of heroin, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and

provided.

COUNT NINE
TRAFFICKING MARIJUANA, 10 POUNDS OR MORE, BUT LESS THAN 100
POUNDS (CONSPIRACY)
S.C. CODE ANN. §44-53-370(E)(1)(A)

JEREMY AKEEN MCCRAY A/K/A “HOPO,” TYQUAN ALI MCCRAY A/K/A “QUAN,” DWIGHT ALI MCCRAY, SONYADA LATIFA ADAMS, and other persons whose names are both known and unknown to the State Grand Jury did, in Kershaw County, during the period of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, ten (10) pounds or more, but less than one-hundred (100) pounds of marijuana, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT TEN
TRAFFICKING METHAMPHETAMINE, 400 GRAMS OR MORE (CONSPIRACY)
S.C. CODE ANN. § 44-53-375(C)(5)

That HOWARD TAYON OWENS A/K/A “OJ,” MARQUIS LEON PENNY, DKELUS NIKEAL GRAVES, CHARLENE ALEXANDER, SHAWN LEE HARRIS A/K/A “GANGSTER,” RASHEEM M. KENNEDY, and other persons whose names are both known and unknown to the State Grand Jury did, in Kershaw County, during the period of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, four hundred (400) grams or more of methamphetamine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT ELEVEN
TRAFFICKING COCAINE BASE, 28 GRAMS OR MORE, BUT LESS THAN 100
GRAMS (CONSPIRACY)
S.C. CODE ANN. § 44-53-375(C)(2)

That HOWARD TAYON OWENS A/K/A "OJ," KIERRA BROWN, YOLANDA REED, CHARLENE ALEXANDER, JERE DARNELL CARTER, ISIAH OUTEN, II, JUNIOR, and other persons whose names are both known and unknown to the State Grand Jury did, in Kershaw County, during the period of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, twenty-eight (28) grams or more, but less than one hundred (100) grams of cocaine base, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT TWELVE
TRAFFICKING HEROIN, 28 GRAMS OR MORE (CONSPIRACY)
S.C. CODE ANN. § 44-53-370(E)(3)(C)

That HOWARD TAYON OWENS A/K/A “OJ,” CHARLENE ALEXANDER, and other persons whose names are both known and unknown to the State Grand Jury did, in Kershaw County, during the period of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, twenty-eight (28) grams of heroin, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT THIRTEEN
MANUFACTURE, DISTRIBUTE, POSSESS NARCOTIC DRUGS IN SCHEDULE II
(FENTANYL) (CONSPIRACY)
S.C. CODE ANN. § 44-53-370(b)(1)

That HOWARD TAYON OWENS A/K/A “OJ,” KIERRA BROWN, YOLANDA REED, JERE DARNELL CARTER, SHAWN LEE HARRIS A/K/A “GANGSTER,” RASHEEM M. KENNEDY, and other persons whose names are both known and unknown to

the State Grand Jury did, in Kershaw County, during the period of time from January 1, 2019 until the present, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, fentanyl, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FOURTEEN
TRAFFICKING COCAINE BASE, 10-28 GRAMS
S.C. CODE ANN. §44-53-375(C)(1)**

That HOWARD TAYON OWENS, KIERRA BROWN, YOLANDA REED, and JERE DARNELL CARTER did, in Kershaw County, on or about August 13, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, ten (10) grams or more, but less than twenty-eight (28) grams of cocaine base, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit:

During the execution of a search warrant, at a residence owned by BROWN, 21.86 grams of cocaine base was found. Surveillance showed OWENS, REED, AND CARTER operating out of the residence.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FIFTEEN
MANUFACTURE OF COCAINE BASE
S.C. CODE ANN. §44-53-375(B)**

That HOWARD TAYON OWENS, KIERRA BROWN, YOLANDA REED, AND JERE DARNELL CARTER, did in Kershaw County, on or about August 13, 2021, knowingly manufacture, distribute, dispense, or deliver a quantity of cocaine base, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During the execution of a search warrant, at a residence owned by BROWN, evidence that the microwave was being used to manufacture cocaine base was found. Surveillance showed OWENS, REED, AND CARTER operating out of the residence.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being

of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SIXTEEN
POSSESSION WITH INTENT TO DISTRIBUTE NARCOTIC DRUGS IN SCHEDULE
II (FENTANYL)
S.C. CODE ANN. §44-53-370(b)(1)

That HOWARD TAYON OWENS, KIERRA BROWN, YOLANDA REED, AND JERE DARNELL CARTER did, in Kershaw County, on or about August 13, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, fentanyl, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During the execution of a search warrant, at a residence owned by BROWN, 1,002 grams of fentanyl was found. Surveillance showed OWENS, REED, AND CARTER operating out of the residence.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SEVENTEEN
UNLAWFUL CONDUCT TOWARDS A CHILD
S.C. CODE ANN. §63-5-70

That KIERRA BROWN, and did in Kershaw County, on or about August 13, 2021, as a person who had charge or custody of a child, place the child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, in violation of §63-5-70 Code of Laws of South Carolina (1976), as amended, to wit: BROWN allowed OWENS to use her residence where here children lived to traffick and manufacture drugs.

All in violation of Section 63-5-70 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT EIGHTEEN
UNLAWFUL CONDUCT TOWARDS A CHILD
S.C. CODE ANN. §63-5-70

That YOLANDA REED, and did in Kershaw County, on or about August 13, 2021, as a person who had charge or custody of a child, place the child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, in violation of §63-5-70 Code of Laws of South Carolina (1976), as amended, to wit: REED brought her child to a residence where drugs where being trafficked and manufactured.

All in violation of Section 63-5-70 of the South Carolina Code, and such conduct not

having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT NINETEEN
UNLAWFUL CONDUCT TOWARDS A CHILD
S.C. CODE ANN. §63-5-70

That CHARLENE ALEXANDER, and did in Kershaw County, on or about August 4, 2021, as a person who had charge or custody of a child, place the child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety, in violation of §63-5-70 Code of Laws of South Carolina (1976), as amended, to wit: ALEXANDER had two children living with her at a residence where cocaine base was being manufactured.

All in violation of Section 63-5-70 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWENTY
MANUFACTURE OF COCAINE BASE
S.C. CODE ANN. §44-53-375(B)**

That CHARLENE ALEXANDER, did in Kershaw County, on or about August 4, 2021, knowingly manufacture, distribute, dispense, or deliver a quantity of cocaine base, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a search of ALEXANDER'S residence, the microwave tested positive for cocaine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWENTY-ONE
DISTRIBUTION OF DRUGS IN SCHEDULE II (COCAINE)
S.C. CODE ANN. §44-53-370(b)(1)**

That SHAWN LEE HARRIS AKA "GANGSTER" did in Kershaw County, on or about August 31, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, cocaine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: Harris distributed approximately 0.93 grams

of cocaine.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWENTY-TWO
DISTRIBUTE CONTROLLED SUBSTANCE NEAR SCHOOL (COCAINE)
S.C. CODE ANN. §44-53-445(A)**

That SHAWN LEE HARRIS AKA "GANGSTER" did in Kershaw County, on or about August 31, 2021, knowing that he was in, on, or within a one-half mile radius of the grounds of a public or private elementary, middle, or secondary school; a public playground or park; a public vocational or trade school or technical educational center; or a public or private college or university; did distribute, sell, purchase, manufacture, or unlawfully possess with intent to distribute, a controlled substance within a one-half mile radius of the grounds of a public or private elementary, middle, or secondary school; a public playground or park; a public vocational or trade school or technical educational center; or a public or private college or university; to wit: HARRIS distributed approximately 0.93 grams of cocaine within one half mile of Camden Middle School.

All in violation of Section 44-53-445 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being

of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT TWENTY-THREE
POSSESSION OF LESS THAN ONE GRAM METHAMPHETAMINE
S.C. CODE ANN. §44-53-375(A)

That SHAWN LEE HARRIS AKA “GANGSTER” did in Kershaw County, on or about September 9, 2021, knowingly possess (actually or constructively) a quantity of methamphetamine (“ice” or “crank”), a controlled substance under provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During the execution of a search warrant at HARRIS’ residence, HARRIS did possess methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWENTY-FOUR
POSSESSION OF COCAINE
S.C. CODE ANN. §44-53-370(d)(3)**

That SHAWN LEE HARRIS AKA “GANGSTER” did in Kershaw County, on or about September 9, 2021, knowingly possess (actually or constructively) a quantity of cocaine, a controlled substance under provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During the execution of a search warrant at HARRIS’ residence, HARRIS did possess cocaine.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWENTY-FIVE
POSSESSION OF NARCOTICS IN SCHEDULE I(B), (C), LSD & SCHEDULE II
S.C. CODE ANN. §44-53-370(d)(1)**

That SHAWN LEE HARRIS AKA “GANGSTER” did in Kershaw County, on or about September 9, 2021, knowingly and intentionally possess (actually or constructively) a narcotic in Schedule I(B), (C), LSD & Schedule II, hydrocodone, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During the execution of a search warrant at HARRIS’ residence, HARRIS did possess hydrocodone.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not

having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWENTY-SIX
DISTRIBUTE CONTROLLED SUBSTANCE NEAR SCHOOL (COCAINE)
S.C. CODE ANN. §44-53-445(A)**

That SHAWN LEE HARRIS AKA “GANGSTER” did in Kershaw County, on or about September 9, 2021, knowing that he was in, on, or within a one-half mile radius of the grounds of a public or private elementary, middle, or secondary school; a public playground or park; a public vocational or trade school or technical educational center; or a public or private college or university; did distribute, sell, purchase, manufacture, or unlawfully possess with intent to distribute, a controlled substance within a one-half mile radius of the grounds of a public or private elementary, middle, or secondary school; a public playground or park; a public vocational or trade school or technical educational center; or a public or private college or university; to wit: HARRIS possessed drugs at his residence which is located within one half mile of Camden Middle School.

All in violation of Section 44-53-445 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county

of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWENTY-SEVEN
TRAFFICKING COCAINE, 10-28 GRAMS
S.C. CODE §44-53-370(e)(2)(a)**

That JEREMY AKEEN MCCRAY (A/K/A “HOPO”) did, in Kershaw County, on or about August 10, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, ten (10) grams or more of cocaine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: MCCRAY distributed approximately 28.11 grams of cocaine at [REDACTED] Tremble Branch Road.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWENTY-EIGHT
POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME
S.C. CODE ANN. §16-23-490**

That JEREMY AKEEN MCCRAY (A/K/A “HOPO”) did, in Kershaw County, on or about August 10, 2021, possess or visibly display a weapon during the commission of or attempt to commit a violent crime to wit: the defendant did possess a handgun, during the crime of trafficking methamphetamine, in violation of § 16-23-490, Code of Laws of South Carolina (1976), as amended, to wit: MCCRAY did possess a handgun while trafficking cocaine.

All in violation of Section 16-23-490 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWENTY-NINE
DISTRIBUTION OF COCAINE BASE
S.C. CODE ANN. §44-53-375(B)**

That JEREMY AKEEN MCCRAY (A/K/A HOPO) did, in Kershaw County, on or about August 11, 2021, knowingly manufacture, distribute, dispense, or deliver a quantity of cocaine base, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: MCCRAY did distribute cocaine base near Brewer Springs Road.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not

having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT THIRTY
UNLAWFUL CONDUCT TOWARDS A CHILD
S.C. CODE ANN. §63-5-70**

That JEREMY AKEEN MCCRAY (A/K/A “HOPO”) did, in Kershaw County, on or about August 11, 2021, as a person who had charge or custody of a child, place the child at unreasonable risk of harm affecting the child’s life, physical or mental health, or safety, in violation of §63-5-70, Code of Laws of South Carolina (1976), as amended, to wit: MCCRAY had a child with him during a drug transaction.

All in violation of Section 63-5-70 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT THIRTY-ONE
DISTRIBUTION OF COCAINE BASE
S.C. CODE ANN. §44-53-375(B)**

That JEREMY AKEEN MCCRAY (A/K/A “HOPO”) did, in Kershaw County, on or about September 28, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, cocaine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: MCCRAY distributed approximately 9.94 grams of cocaine base at [REDACTED] Queen Street.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT THIRTY-TWO
ARSON, SECOND DEGREE
S.C. CODE ANN. §16-11-110(B)**

That JEREMY AKEEN MCCRAY (A/K/A “HOPO”) did, in Kershaw County, on or about October 20, 2021, willfully and maliciously cause an explosion, set fire to, burned, or caused to be burned or aided, counseled, or procured a burning that resulted in damage to a dwelling house, whether the property of JEREMY AKEEN MCCRAY or another; all in violation of §16-11-110(B)

of the South Carolina Code of Laws (1976), as amended, to wit: MCCRAY caused a fire at Dwight Ali McCray's dwelling house.

All in violation of Section 16-11-110(B) of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT THIRTY-THREE
ATTEMPTED MURDER
S.C. CODE ANN. §16-3-29**

That JEREMY AKEEN MCCRAY (A/K/A "HOPO") did, in Kershaw County, on or about October 20, 2021, with intent to kill, attempted to kill another person with malice aforethought, either express or implied all in violation of §16-3-29 of the South Carolina Code of Laws (1976), as amended, to wit: MCCRAY cause a fire to be set at Dwight Ali McCray's house with the intent to kill Dwight Ali McCray.

All in violation of Section 16-3-29 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and

provided.

**COUNT THIRTY-FOUR
CRIMINAL CONSPIRACY
S.C. CODE ANN. §16-17-410**

That JEREMY AKEEN MCCRAY (A/K/A “HOPO”) and JAKE SANTONIO MCCRAY (A/K/A “Real OG”) did, in Kershaw County, between October 16 to October 20, 2021, unlawfully, willfully, and knowingly unite, combine, conspire, confederate, agree and have tacit understanding with one or more persons for the purpose of accomplishing an unlawful object; all in violation of §16-17-410 of the South Carolina Code of Laws (1976), as amended, to wit: JEREMY MCCRAY AND JAKE MCCRAY did conspire to burn down the residence of Dwight Ali McCray with the intent to kill Dwight Ali McCray.

All in violation of Section 16-17-410 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT THIRTY-FIVE
POSSESSION WITH INTENT TO DISTRIBUTE NARCOTIC DRUGS IN SCHEDULE
II (FENTANYL)
S.C. CODE ANN. §44-53-370(b)(1)**

That JEREMY AKEEN MCCRAY (A/K/A “HOPO”) and GLORIA JEAN BRISBON (A/K/A “MUNCHY”) did, in Kershaw County, on or about October 13, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide

financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, fentanyl, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a traffic stop BRISBON was in possession of 3.59 grams of fentanyl that she picked up at the direction of MCCRAY.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT THIRTY-SIX
TRAFFICKING COCAINE, 10-28 GRAMS
S.C. CODE ANN. §44-53-370(e)(2)(a)**

That JEREMY AKEEN MCCRAY (A/K/A “HOPO”) and GLORIA JEAN BRISBON (A/K/A “MUNCHY”) did, in Kershaw County, on or about October 13, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, ten (10) grams or more of cocaine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a traffic stop, BRISBON was in possession of 10.09 grams of cocaine that she picked up at the direction of MCCRAY.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT THIRTY-SEVEN
TRAFFICKING IN COCAINE BASE, 10-28 GRAMS
S.C. CODE ANN. §44-53-375(C)(1)**

That JEREMY AKEEN MCCRAY (A/K/A “HOPO”) and GLORIA JEAN BRISBON (A/K/A “MUNCHY”) did, in Kershaw County, on or about October 13, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, ten (10) grams or more of cocaine base, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a traffic stop BRISBON was in possession of 30.19 grams of cocaine base that she picked up at the direction of MCCRAY.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT THIRTY-EIGHT
TRAFFICKING HEROIN, 4-14 GRAMS
S.C. CODE ANN. §44-53-370(e)(3)(a)**

That JEREMY AKEEN MCCRAY (A/K/A “HOPO”) and GLORIA JEAN BRISBON (A/K/A “MUNCHY”) did, in Kershaw County, on or about October 13, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, four (4) grams or more of heroin, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a traffic stop BRISBON was in possession of 5.10 grams of heroin that she picked up at the direction of MCCRAY.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT THIRTY-NINE
POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME
S.C. CODE ANN. §16-23-490**

That JEREMY AKEEN MCCRAY (A/K/A “HOPO”) and GLORIA JEAN BRISBON (A/K/A “MUNCHY”) did in Kershaw County, on or about October 13, 2021, possess or visibly display a weapon during the commission of or attempt to commit a violent crime to wit: the defendant did possess a handgun, during the crime of trafficking methamphetamine, in violation of § 16-23-490, Code of Laws of South Carolina (1976), as amended, to wit: During a traffic stop BRISBON was in possession of a handgun that she picked up at the direction of MCCRAY.

All in violation of Section 16-23-490 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FORTY
POSSESSION OF LESS THAN ONE GRAM COCAINE BASE
S.C. CODE ANN. §44-53-375(A)**

That JAKE SANTONIO MCCRAY did, in Kershaw County, on or about February 17, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, cocaine base, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South

Carolina (1976), as amended, to wit: During a traffic stop, MCCRAY did possess approximately 0.96 grams of cocaine base.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FORTY-ONE
POSSESSION OF LESS THAN ONE GRAM METHAMPHETAMINE
S.C. CODE ANN. §44-53-375(A)**

That JAKE SANTONIO MCCRAY did, in Kershaw County, on or about February 17, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, methamphetamine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a traffic stop, MCCRAY did possess approximately 0.31 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county

of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT FORTY-TWO
POSSESSION WITH INTENT TO DISTRIBUTE COCAINE BASE
S.C. CODE ANN. §44-53-375(B)

That TYQUAN JAMAL GARY did, in Kershaw County, on or about September 27, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, possess with intent to distribute or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, cocaine base, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: When law enforcement initiated a traffic stop on GARY, he threw a bag of 1.41 grams of cocaine from his vehicle.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT FORTY-THREE
MANUFACTURE, POSSESSION OF OTHER SUBSTANCES IN SCHEDULE I
(MARIJUANA), WITH INTENT TO DISTRIBUTE
S.C. CODE ANN. §44-53-370(b)(2)

That SONYADA LATIFA ADAMS did, in Kershaw County, on or about October 20, 2021, knowingly possess (actually or constructively), manufacture, distribute, dispense, deliver, purchase, aid, abet, attempt or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with intent to manufacture, distribute, dispense, deliver, or purchase marijuana, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a search of ADAMS' residence, ADAMS did possess marijuana.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT FORTY-FOUR
TRAFFICKING METHAMPHETAMINE, 10-28 GRAMSS
S.C. CODE ANN. §44-53-375(C)(1)

That MARQUIS KENYON SMITH (A/K/A "WIG") did, in Kershaw County, on or about August 6, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into

this State, ten (10) grams or more of methamphetamine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: SMITH distributed approximately 23.95 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNTY FORTY-FIVE
POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE
S.C. CODE ANN. §44-53-375(B)**

That THOMAS WAYNE WILSON (A/K/A “BOOZER”) did, in Kershaw County, on or about February 25, 2022, knowingly possess (actually or constructively) a quantity of methamphetamine, a controlled substance under provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a traffic stop WILSON was in possession of approximately 5 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT FORTY-SIX
POSSESSION WITH INTENT TO DISTRIBUTE COCAINE BASE
S.C. CODE ANN. §44-53-375(B)

That SHAWN CHILEEN HALLEY did, in Kershaw County, on or about July 16, 2021, knowingly manufacture, distribute, dispense, or deliver a quantity of cocaine base, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a traffic stop HALLEY possessed approximately 1.77 grams of cocaine base.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT FORTY-SEVEN
POSSESSION WITH INTENT TO DISTRIBUTE NARCOTIC DRUGS IN SCHEDULE
II (FENTANYL)
S.C. CODE ANN. §44-53-370(b)(1)

That SHAWN CHILEEN HALLEY did, in Kershaw County, on or about July 16, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, possess with intent to distribute or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or

bring into this State, fentanyl, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a traffic stop HALLEY possessed approximately 1.98 grams of fentanyl.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FORTY-EIGHT
FAILURE TO STOP FOR A BLUE LIGHT
S.C. CODE ANN. § 56-5-750**

That SHAWN CHILEEN HALLEY did, in Kershaw County, on or about July 16, 2021, fail to stop the motor vehicle that he was driving on a road, street or highway of the State of South Carolina when he was signaled by a law enforcement officer by means of a siren or flashing light in violation of § 56-5-750, Code of Laws of South Carolina (1976), as amended.

All in violation of Section 56-5-750 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FORTY-NINE
RESISTING ARREST
S.C. CODE ANN. §16-9-320(A)**

That COURTNEG LAMENZO BURRIS (A/K/A “ZOE”) did, in Kershaw County, on or about June 16, 2021, knowingly and willfully oppose or resist a law enforcement officer in serving, executing, or attempting to serve or execute a legal writ or process or to resist an arrest being made by one whom the person knows or reasonably should know is a law enforcement officer, whether under process or not; in violation of §16-9-320(A) Code of Laws of South Carolina (1976), as amended.

All in violation of Section 16-9-320 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FIFTY
POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME
S.C. CODE ANN. §16-23-490**

That COURTNEG LAMENZO BURRIS (A/K/A “ZOE”) did, in Kershaw County, on or about June 16, 2021, possess or visibly display a weapon during the commission of or attempt to commit a violent crime in violation of § 16-23-490, Code of Laws of South Carolina (1976), as

amended, to wit: BURRIS did possess a handgun while trafficking cocaine base.

All in violation of Section 16-23-490 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FIFTY-ONE
TRAFFICKING COCAINE BASE, 28-100 GRAMS
S.C. CODE ANN. § 44-53-375(C)(2)**

That COURTNEG LAMENZO BURRIS (A/K/A “ZOE”) did, in Kershaw County, on or about June 16, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, twenty-eight (28) grams or more, but less than one hundred (100) grams of methamphetamine or cocaine base (“ice” or “crank”), a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a traffic stop BURRIS, possessed approximately 45.04 grams of cocaine base.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county

of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT FIFTY-TWO
POSSESSION WITH INTENT TO DISTRIBUTE DRUGS IN SCHEDULE II (COCAINE)
S.C. CODE ANN. §44-53-370(b)(1)

That COURTNEG LAMENZO BURRIS (A/K/A “ZOE”) did, in Kershaw County, on or about June 16, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, cocaine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: BURRIS possessed approximately 3.55 grams of cocaine.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FIFTY-THREE
MANUFACTURE, DISTRIBUTION, ETC. OF COCAINE BASE
S.C. CODE ANN. §44-53-375(B)**

That COURTNEG LAMENZO BURRIS (A/K/A “ZOE”) did, in Kershaw County, on or about July 1, 2021, knowingly manufacture, distribute, dispense, possess with intent to distribute, or deliver a quantity of cocaine base, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, cocaine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: BURRIS possessed approximately 5.05 grams of cocaine base.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FIFTY-FOUR
TRAFFICKING COCAINE, 10-28 GRAMS
S.C. CODE ANN. §44-53-370(e)(2)(a)**

That COURTNEG LAMENZO BURRIS (A/K/A “ZOE”) did, in Kershaw County, on or about July 1, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, ten (10) grams or more of cocaine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, cocaine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: BURRIS did possess approximately 21.03 grams of cocaine.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT FIFTY-FIVE
POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME
S.C. CODE ANN. §16-23-490

That COURTNEG LAMENZO BURRIS (A/K/A “ZOE”) did, in Kershaw County, on or about July 1, 2021, possess or visibly display a weapon during the commission of or attempt to commit a violent crime (trafficking cocaine), in violation of § 16-23-490, Code of Laws of South Carolina knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, cocaine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: BURRIS did possess a handgun while trafficking cocaine.

All in violation of Section 16-23-490 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT FIFTY-SIX
POSSESSION OF SCHEDULE II (FENTANYL)
S.C. CODE ANN. §44-53-370(d)(1)

That CODY BOONE did, in Kershaw County, on or about February 23, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, fentanyl, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: BOONE did possess approximately 0.54 grams of fentanyl.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT FIFTY-SEVEN
POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE
S.C. CODE ANN. §44-53-375(B)

That CODY BOONE did, in Kershaw County, on or about February 23, 2021, knowingly possess (actually or constructively), manufacture, distribute, dispense, possess with intent to distribute, or deliver a quantity of methamphetamine, a controlled substance under provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: BOONE did possess approximately 2.27 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FIFTY-EIGHT
TRAFFICKING METHAMPHETAMINE, 10-28 GRAMS
S.C. CODE ANN. §44-53-375(C)(1)**

That CODY BOONE did, in Kershaw County, on or about March 25, 2022, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, ten (10) grams or more of methamphetamine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: BOONE did possess approximately 11.4 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT FIFTY-NINE
POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE
S.C. CODE ANN. §44-53-375(B)

That CURTIS DAVENPORT did, in Kershaw County, on or about December 22, 2020, knowingly manufacture, distribute, dispense, possess with intent to distribute or deliver a quantity of methamphetamine, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: DAVENPORT did possess approximately 4.28 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SIXTY
DISTRIBUTION OF METHAMPHETAMINE
S.C. CODE ANN. §44-53-375(B)

That CURTIS DAVENPORT did, in Kershaw County, on or about April 6, 2021, knowingly manufacture, distribute, dispense, possess with intent to distribute or deliver a quantity of methamphetamine, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: DAVENPORT did distribute approximately

1.44 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SIXTY-ONE
POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE
S.C. CODE ANN. §44-53-375(B)**

That CURTIS DAVENPORT did, in Kershaw County, on or about May 17, 2021, knowingly manufacture, distribute, dispense, possess with intent to distribute or deliver a quantity of methamphetamine, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a traffic stop, DAVENPORT did possess approximately 1.1 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SIXTY-TWO
POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE
S.C. CODE ANN. §44-53-375(B)

That CURTIS DAVENPORT did, in Kershaw County, on or about March 6, 2022, knowingly manufacture, distribute, dispense, possess with intent to distribute or deliver a quantity of methamphetamine, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: DAVENPORT did possess approximately 4 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SIXTY-THREE
POSSESSION OF DRUGS IN SCHEDULE II (FENTANYL)
S.C. CODE ANN. §44-53-370(d)(1)

That DANNY LEVI BARRETT did, in Kershaw County, on or about September 23, 2020, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, possess with intent to distribute or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, fentanyl, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: BARRETT did possess

approximately 0.92 grams of fentanyl.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SIXTY-FOUR
MANUFACTURE, DISTRIBUTION, ETC. OF COCAINE BASE
S.C. CODE ANN. §44-53-375(B)**

That TEVIN ALMAINE GREEN did in Kershaw County, on or about November 26, 2020, knowingly manufacture, distribute, dispense, deliver or possess with intent to distribute a quantity of cocaine base, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: GREEN did possess approximately 4.57 grams of cocaine base.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SIXTY-FIVE
TRAFFICKING COCAINE, 10-28 GRAMS
S.C. CODE ANN. §44-53-370(e)(2)(a)

That TEVIN ALMAINE GREEN did in Kershaw County, on or about November 26, 2020, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, ten (10) grams or more of cocaine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: GREEN did possess approximately 10.34 grams of cocaine.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SIXTY-SIX
TRAFFICKING HEROIN, 14-28 GRAMS
S.C. CODE ANN. §44-53-370(e)(3)(b)

That TEVIN ALMAINE GREEN did in Kershaw County, on or about November 26, 2020, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, fourteen

(14) grams or more, but less than twenty-eight (28) grams of heroin, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: GREEN did possess 25.32 grams of heroin.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SIXTY-SEVEN
TRAFFICKING METHAMPHETAMINE, 10-28 GRAMS
S.C. CODE ANN. §44-53-375(C)(1)**

That TEVIN ALMAINE GREEN did in Kershaw County, on or about November 26, 2020, knowingly manufacture, distribute, dispense, possess with intent to distribute or deliver a quantity of methamphetamine, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: GREEN did possess approximately 10.13 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SIXTY-EIGHT
TRAFFICKING METHAMPHETAMINE, 28-100 GRAMS
S.C. CODE ANN. § 44-53-375(C)(2)

That WALTER JAMES COUNTS did, in Kershaw County, on or June 18, 2020, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, twenty-eight (28) grams or more, but less than one hundred (100) grams of methamphetamine or cocaine base ("ice" or "crank"), a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: COUNTS did possess approximately 59.03 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SIXTY-NINE
POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME
S.C. CODE ANN. §16-23-490

That WALTER JAMES COUNTS did, in Kershaw County, on or about June 18, 2020, possess or visibly display a weapon during the commission of or attempt to commit a violent crime in violation of § 16-23-490, Code of Laws of South Carolina (1976), as amended, to wit: COUNTS did possess a Ruger 9mm handgun while trafficking methamphetamine.

All in violation of Section 16-23-490 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SEVENTY
POSSESSION OF NARCOTIC DRUGS IN SCHEDULE II (FENTANYL)
S.C. CODE ANN. §44-53-370(d)(1)

That WALTER JAMES COUNTS did, in Kershaw County, on or about June 18, 2020, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, fentanyl, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: COUNTS did possess approximately 0.21 grams of fentanyl.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SEVENTY-ONE
DISTRIBUTION OF METHAMPHETAMINE
S.C. CODE ANN. §44-53-375(B)**

That ANTHONY CLARKSON (A/K/A “NUCK”) did, in Kershaw County, on or about August 19, 2019, knowingly manufacture, distribute, dispense, possess with intent to distribute or deliver a quantity of methamphetamine, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: CLARKSON did distribute approximately 0.37 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SEVENTY-TWO
DISTRIBUTION OF METHAMPHETAMINE
S.C. CODE ANN. §44-53-375(B)**

That ANTHONY CLARKSON (A/K/A “NUCK”) did, in Kershaw County, on or about August 20, 2019, knowingly manufacture, distribute, dispense, possess with intent to distribute or deliver a quantity of methamphetamine, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: CLARKSON did distribute approximately 0.49 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SEVENTY-THREE
MANUFACTURE, DISTRIBUTION, ETC. OF COCAINE BASE
S.C. CODE ANN. §44-53-375(B)**

That ANTHONY CLARKSON (A/K/A “NUCK”) did, in Kershaw County, on or about August 27, 2019, knowingly manufacture, distribute, dispense, deliver or possess with intent to distribute a quantity of cocaine base, a controlled substance under the provisions of § 44-53-110, *et seq.*, Code of Laws of South Carolina (1976), as amended, to wit: CLARKSON did manufacture methamphetamine at this residence.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not

having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SEVENTY-FOUR
TRAFFICKING METHAMPHETAMINE, 28-100 GRAMS
S.C. CODE ANN. § 44-53-375(C)(2)**

That ANTHONY CLARKSON (A/K/A “NUCK”) AND CORTEZ MALEK SULLIVAN did, in Kershaw County, on or about February 11, 2022, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, twenty-eight (28) grams or more, but less than one hundred (100) grams of methamphetamine (“ice” or “crank”), a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: SULLIVAN did distribute approximately 82 grams of methamphetamine to CLARKSON. CLARKSON did possess approximately 82 grams of methamphetamine during a traffic stop.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SEVENTY-FIVE
POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME
S.C. CODE ANN. §16-23-490**

That ANTHONY CLARKSON (A/K/A “NUCK”) did, in Kershaw County, on or about February 11, 2022, possess or visibly display a weapon during the commission of or attempt to commit a violent crime (trafficking methamphetamine), in violation of § 16-23-490, Code of Laws of South Carolina (1976), as amended, to wit: CLARKSON did possess a Smith and Wesson SD40 handgun while trafficking methamphetamine.

All in violation of Section 16-23-490 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SEVENTY-SIX
FAILURE TO STOP FOR A BLUE LIGHT
S.C. CODE ANN. § 56-5-750**

That ANTHONY CLARKSON (A/K/A “NUCK”) did, in Kershaw County, on or about February 11, 2022, fail to stop the motor vehicle that he was driving on a road, street or highway of the State of South Carolina when he was signaled by a law enforcement officer by means of a siren or flashing light in violation of § 56-5-750, Code of Laws of South Carolina (1976), as

amended.

All in violation of Section 56-5-750 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SEVENTY-SEVEN
TRAFFICKING HEROIN, 4-14 GRAMS
S.C. CODE ANN. §44-53-370(e)(3)(a)**

That TERRELL MAURICE HARRIS did, in Kershaw County, on or about October 2, 2019 did, in Kershaw County, on or about October 13, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, four (4) grams or more of heroin, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During a traffic stop, HARRIS did possess approximately 4.54 grams of heroin.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county

of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SEVENTY-EIGHT
POSSESSION WITH INTENT TO DISTRIBUTE NARCOTIC DRUGS IN SCHEDULE
II (FENTANYL)
S.C. CODE ANN. §44-53-370(b)(1)**

That TERRELL MAURICE HARRIS did, in Kershaw County, on or about February 24, 2022, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, possess with intent to distribute, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, fentanyl, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During the execution of a search warrant at HARRIS' residence, HARRIS did possess approximately 9.7 grams of fentanyl.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT SEVENTY-NINE
POSSESSION NARCOTIC DRUGS IN SCHEDULE II (FENTANYL)
S.C. CODE ANN. §44-53-370(d)(1)

That CHARLES RUSSELL DONAHUE, JR. did, in Kershaw County, on or about January 25, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, fentanyl, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: DONAHUE did possess approximately 0.43 grams of fentanyl.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

COUNT EIGHTY
MANUFACTURE, DISTRIBUTION, POSSESSION OF NARCOTIC DRUGS IN
SCHEDULE II (FENTANYL)
S.C. CODE ANN. §44-53-370(b)(1)

That CHARLES RUSSELL DONAHUE, JR. did, in Kershaw County, on or about February 2, 2022, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into

this State, fentanyl, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During the execution of a search warrant at DONAHUE'S residence, DONAHUE did possess approximately 13 grams of fentanyl.

All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT EIGHTY-ONE
TRAFFICKING METHAMPHETAMINE, 28-100 GRAMS
S.C. CODE ANN. § 44-53-375(C)(2)**

That THOMAS WAYNE WILSON (A/K/A "BOOZER") did, in Kershaw County, on or about February 25, 2022, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, twenty-eight (28) grams or more, but less than one hundred (100) grams of methamphetamine, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: During the execution of a search warrant at WILSON'S residence, WILSON did possess approximately 31 grams of methamphetamine.

All in violation of Section 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection

with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

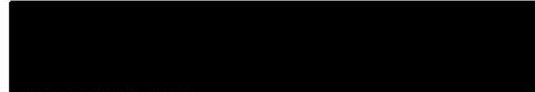
COUNT EIGHTY-TWO
MANUFACTURE, POSSESSION OF OTHER SUBSTANCES IN SCHEDULE I, WITH
INTENT TO DISTRIBUTE (MARIJUANA)
S.C. CODE ANN. § 44-53-370(b)(2)

That JONATHAN MCINTYRE did, in Kershaw County, on or about March 28, 2022, knowingly possess (actually or constructively), manufacture, distribute, dispense, deliver, purchase, aid, abet, attempt or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with intent to manufacture, distribute, dispense, deliver, or purchase marijuana, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended, to wit: MCINTYRE did possess marijuana during a traffic stop.

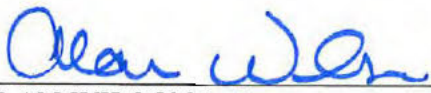
All in violation of Section 44-53-370 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county of this State.

Against the peace and dignity of the State and contrary to the statute in such case made and provided.

A. True Bill



FOREMAN


ALAN WILSON (sg)
ATTORNEY GENERAL

STATE OF SOUTH CAROLINA

COUNTY OF Kershaw

STATE

vs.

Mario JacksonAKA: Lo/JoRACE: BSEX: MDOB: [REDACTED]

In disposition of the above indictment comes now the Defendant who was

CONVICTED OF ☒ or ☐ PLEADSTO: Trafficking Meth, 400 Grams + (conspiracy)

Range of Offense Pled

In violation of § 44-53-375(c)(5) of the S.C. Code of Laws, bearing CDR Code # 0370☐ NON-VIOLENT ☒ VIOLENT ☒ SERIOUS ☐ MOST SERIOUS ☐ MANDATORY GPS ☐ § 17-25-45The charge is: ☒ As indicted ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated ☐ Recommendation

Savanna Goude

102256

Attorney General

SC Bar #

Attorney for Defendant

SC Bar #

The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Programfor a determinate term of 30 days/months/years/Time Served ☐ YOA NTE _____ years and/or shall pay a

fine of \$ _____; provided that upon the service of _____ days/months/years/Time Served and or payment

of \$ _____ plus costs and assessments as applicable*; balance is suspended with probation for _____ months/years

and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

The sentence shall run ☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.1095 (days/months)☐ To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

- ☐ PTUP _____
- ☐ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment
- ☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ SAC/MHC if necessary
- ☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- ☐ Other: _____

☐ RESTITUTION See Separate Order

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1) Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-1995 (DUI Assessment

§56-1-286 (DUI Breath Test)

§14-1-212 (Law Enforcement Funding)

§14-1-213 (Drug Court Surcharge)

§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel. Provisio requires \$500 to be paid to Clerk during probation and shall be collected before any other fees.☐ § 17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund

Restitution \$

FINE: \$

\$

\$100 \$ 100

\$100 \$

\$12 \$

\$25 \$

\$25 \$ 25

\$150 \$ 150

\$41 \$

\$50 \$

\$40/ea \$

TBD \$ 8.25

\$500 \$

\$40 \$

TOTAL

283.25

Margaret J. Sell
Clerk of Court/Deputy Clerk

Benee Standera DCRP 2048
Court Reporter

Judge Code

Sentence Date

Presiding Judge

SCCA217B
2025-01-27

STATE OF SOUTH CAROLINA

COUNTY OF

Kershaw**FILED**
Sentence Order

IN THE COURT OF GENERAL SESSIONS

MAR 27 2025

INDICTMENT/CASE#: 2022-GS-47-07 (Count 2)AW#: 20226547007

STATE

vs.

Mario Jackson

MARGARET J. SELF

CLERK, SC STATE GRAND JURY

Date of Offense: 1-1-2019 to 4-10-2024S.C. Code §: 44-53-370(e)(2)(e)AKA: Lo/Jo

SSN: [REDACTED]

CDR Code #: 0281RACE: BSEX: M

DOB: [REDACTED]

Range of Offense: 25-30yIn disposition of the above indictment comes now the Defendant who was CONVICTED OF ☒ or ☐ PLEADSTO: Trafficking Cocaine, 400 grams + (Conspiracy)

Range of Offense Pled

In violation of § 44-53-370(e)(2)(e) of the S.C. Code of Laws, bearing CDR Code # 0281☐ NON-VIOLENT ☒ VIOLENT ☒ SERIOUS ☐ MOST SERIOUS ☐ MANDATORY GPS ☐ § 17-25-45The charge is: ☒ As indicted ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated ☐ Recommendation

Savanna Goude

102256

Attorney General

SC Bar #

Attorney for Defendant

SC Bar #

The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Programfor a determinate term of 30 days/months/years/Time Served ☐ YOA NTE _____ years and/or shall pay a

fine of \$ _____; provided that upon the service of _____ days/months/years/Time Served and or payment

of \$ _____ plus costs and assessments as applicable*; balance is suspended with probation for _____ months/years

and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

The sentence shall run ☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.1095 days/months☐ To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

- ☐ PTUP _____
- ☐ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment
- ☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ SAC/MHC if necessary
- ☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- ☐ Other: _____

☐ RESTITUTION See Separate Order

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1) Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-1995 (DUI Assessment

§56-1-286 (DUI Breath Test)

§14-1-212 (Law Enforcement Funding)

§14-1-213 (Drug Court Surcharge)

§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel. Provisio requires \$500 to be paid to Clerk during probation and shall be collected before any other fees.☐ §17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund

Fine/Costs and Assessments are to be paid to the

Clerk of Court within _____ days/months

Restitution \$

FINE: \$

\$

\$100 \$100

\$100 \$

\$12 \$

\$25 \$

\$25 \$25

\$150 \$150

\$41 \$

\$50 \$

\$40/ea \$

TBD \$8.25

\$500 \$

\$40 \$

TOTAL

283.25

Margaret J. Self
Clerk of Court/Deputy Clerk

Renee Standen DCRP 2048
Court Reporter

Judge Code

Sentence Date

Presiding Judge

SCCA217B
2025-01-27

STATE OF SOUTH CAROLINA

FILED
Sentence Order

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

Kershaw

MAR 27 2025

INDICTMENT/CASE#: 2022-GS-47-07 (Cont 3)AW#: 2022GS47007

STATE

vs.

Mario Jackson

MARGARET J. SELF

CLERK, SC STATE GRAND JURY

Date of Offense: 1-1-2019 to 4-10-2024S.C. Code §: 44-53-375(c)(5)AKA: Lat Joe

SSN: [REDACTED]

CDR Code #: 0370RACE: BSEX: M

DOB: [REDACTED]

Range of Offense: _____

In disposition of the above indictment comes now the Defendant who was CONVICTED OF ☒ or ☐ PLEADSTO: Travelling Latrine Base 6-28 Grams (Conspiracy)Range of Offense Pled 0450In violation of § 44-53-375(c)(5) of the S.C. Code of Laws, bearing CDR Code # _____☐ NON-VIOLENT ☒ VIOLENT ☒ SERIOUS ☐ MOST SERIOUS ☐ MANDATORY GPS ☐ § 17-25-45The charge is: ☐ As indicted ☒ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated ☐ Recommendation _____

Savanna Goude

102256

Attorney General

SC Bar #

Ben Shitew75337

Attorney for Defendant

SC Bar #

The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Programfor a determinate term of 10 days/months/years/Time Served ☐ YOA NTE _____ years and/or shall pay a

fine of \$ _____; provided that upon the service of _____ days/months/years/Time Served and or payment

of \$ _____ plus costs and assessments as applicable*; balance is suspended with probation for _____ months/years

and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

The sentence shall run ☐ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.1095 days/months ☐ To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

- ☐ PTUP _____
- ☐ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment
- ☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ SAC/MHC if necessary
- ☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- ☐ Other: _____

☐ RESTITUTION See Separate Order

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1) Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-1995 (DUI Assessment

§56-1-286 (DUI Breath Test)

§14-1-212 (Law Enforcement Funding)

§14-1-213 (Drug Court Surcharge)

§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel. Provisio requires \$500 to be paid to Clerk during probation and shall be collected before any other fees.☐ §17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund

Fine/Costs and Assessments are to be paid to the

Clerk of Court within _____ days/months

Restitution \$

FINE: \$

\$

\$100 \$ 100

\$100 \$

\$12 \$

\$25 \$

\$25 \$ 25\$150 \$ 150

\$41 \$

\$50 \$

\$40/ea \$

TBD \$ 8.25

\$500 \$

\$40 \$

TOTAL

283.25

Margaret J. Self

Clerk of Court/Deputy Clerk

Rebecca Standera DXP 2048

Court Reporter

Judge Code

Sentence Date

Presiding Judge

SCCA217B
2025-01-27

STATE OF SOUTH CAROLINA

COUNTY OF Kershaw

STATE

vs.

Mario JacksonAKA: LaJo.RACE: BSEX: M

MARGARET J. SELF

CLERK, SC STATE GRAND JURY

SSN: [REDACTED]

DOB: [REDACTED]

Sentence Order

MAR 27 2025

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2022-GS-47-07 (Count 4)AW#: 2022 GS 47007Date of Offense: 1-1-2019 to 4-10-2024S.C. Code §: 44-53-375(b)(1)CDR Code #: 0183Range of Offense: 0-157In disposition of the above indictment comes now the Defendant who was CONVICTED OF ☒ or ☐ PLEADSTO: Consp. Dist. Fentanyl (Consp.) Range of Offense Pled _____In violation of § 44-53-375(b)(1) of the S.C. Code of Laws, bearing CDR Code # 0183☐ NON-VIOLENT ☒ VIOLENT ☒ SERIOUS ☐ MOST SERIOUS ☐ MANDATORY GPS ☐ § 17-25-45The charge is: ☒ As indicted ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated ☐ Recommendation _____

Savanna Goude

102256

Attorney General

SC Bar #

Ben Stirey75339

Attorney for Defendant

SC Bar #

The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Programfor a determinate term of 15 days/months/years/Time Served ☐ YOA NTE _____ years and/or shall pay a

fine of \$ _____; provided that upon the service of _____ days/months/years/Time Served and or payment

of \$ _____ plus costs and assessments as applicable* ; balance is suspended with probation for _____ months/years

and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

The sentence shall run ☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.1095 (days/months)☐ To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

☐ PTUP _____☐ No Contact with Victim ☐ Domestic Violence Intervention Program☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.☐ Other: _____☐ Hold for Inpatient Treatment☐ SAC/MHC if necessary☐ RESTITUTION See Separate Order

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1) Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-1995 (DUI Assessment

§56-1-286 (DUI Breath Test)

§14-1-212 (Law Enforcement Funding)

§14-1-213 (Drug Court Surcharge)

§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel. Provisio requires \$500 to be paid to Clerk during probation and shall be collected before any other fees.☐ §17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund

Fine/Costs and Assessments are to be paid to the

Clerk of Court within _____ days/months

Restitution \$

FINE: \$

\$

\$100 \$ 100

\$100 \$

\$12 \$

\$25 \$

\$25 \$ 25\$150 \$ 150

\$41 \$

\$50 \$

\$40/ea \$

TBD \$ 8.25

\$500 \$

\$40 \$

TOTAL

283.25Margaret J. Self
Clerk of Court/Deputy ClerkRenee Stendera DCRP
Court Reporter2048
Judge Code3/27/2025
Sentence Date[Signature]
Presiding Judge

STATE OF SOUTH CAROLINA

COUNTY OF Kershaw

STATE

VS.

Mario JacksonAKA: Lo/JoRACE: BSEX: MMARGARET J. SELF
CLERK, SC STATE GRAND JURY

SSN: [REDACTED]

DOB: [REDACTED]

IN THE COURT OF GENERAL SESSIONS

Sentence Order

FILED

MAR 27 2025

INDICTMENT/CASE#: 2022-GS-47-07 (Count 5)AW#: 2022 GS47007Date of Offense: 1-1-2019 to 4-10-2024S.C. Code §: 44-53-370(c)(13)(c)CDR Code #: 0149Range of Offense: 25-40YIn disposition of the above indictment comes now the Defendant who was CONVICTED OF ☒ or ☐ PLEADSTO: Trafficking Heroin, 28 Grams + Range of Offense Pled _____In violation of § 44-53-370(c)(13)(c) of the S.C. Code of Laws, bearing CDR Code # 0149☐ NON-VIOLENT ☒ VIOLENT ☒ SERIOUS ☐ MOST SERIOUS ☐ MANDATORY GPS ☐ § 17-25-45The charge is: ☒ As indicted ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (CSC w/minor 1st or CSC w/minor 3rd)The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated ☐ Recommendation _____

Savanna Goude

102256

Attorney General

SC Bar #

Attorney for Defendant

SC Bar #

The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Programfor a determinate term of 32 days/months/years/Time Served ☐ YOA NTE _____ years and/or shall pay a

fine of \$ _____; provided that upon the service of _____ days/months/years/Time Served and or payment

of \$ _____ plus costs and assessments as applicable*; balance is suspended with probation for _____ months/years

and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

The sentence shall run ☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.1095 days/months ☐ To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

- ☐ PTUP _____
- ☐ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment
- ☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ SAC/MHC if necessary
- ☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- ☐ Other: _____

☐ RESTITUTION See Separate Order

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1) Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-1995 (DUI Assessment)

§56-1-286 (DUI Breath Test)

§14-1-212 (Law Enforcement Funding)

§14-1-213 (Drug Court Surcharge)

§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)

§50-21-114 (BUI Breath Test Fee)

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Restitution \$

FINE: \$

\$

\$100 \$ 100

\$100 \$

\$12 \$

\$25 \$

\$25 \$ 25

\$150 \$ 150

\$41 \$

\$50 \$

\$40/ea \$

TBD \$ 8.25

\$500 \$

\$40 \$

TOTAL

283.25Margaret J. Self
Clerk of Court/Deputy ClerkRenee Standler DCRP 2048
Court Reporter

Judge Code

Sentence Date

Presiding Judge

SCCA217B
2025-01-27

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."

RECEIVED**Apr 15 2026**

Respectfully Submitted,

SC Court of Appeals

Wanda H. Carter
Chief Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 15th day of April, 2026.