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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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APPEAL FROM HORRY COUNTY
COURT OF GENERAL SESSIONS

Appellate Case No. 2025-001691

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William H. Seals, Jr., Circuit Court Judge

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Marcus Dwain Wright, . . . . . Petitioner,

v.

State of South Carolina, . . . . . Respondent.

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APPENDIX

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# VOLUME III

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though.
Q. Okay. And they were drinking beer and liquor, too, weren't they?
A. I don't know. I wasn't there when they was -- when they came.
Q. Well, you said you were there initially?
A. Yeah, earlier that day.
Q. All right. And they were drinking beer, wine, and liquor earlier that day, as well as smoking crack cocaine?
A. Not those. Those two girls wasn't there earlier that day.
Q. But you said Roy was doing it also, ---
A. Yeah, Roy.
Q. All day?
A. Yeah.
Q. Okay. So Roy was doing it all day, then Roy had to be stoned also, did he not?
A. Yes.
Q. Okay. One more thing -- a couple of other things. You indicated to the police in your first interview with them that the street rumor was that you had a lot of drugs and a lot of money and you were afraid that people were going to move in on you?
A. No.
Q. Well, was that the street rumor?

A. I didn't hear that rumor.
Q. Okay. But the purpose of the gun was to protect yourself?
A. Yes.
Q. Okay. Now, when you went in the house, isn't it a fact that you had a gun in your hand?
A. No.
Q. Where was the gun?
A. On my waist.
Q. On your waist, okay. You had the gun on your waist when you left the house?
A. Yes.
Q. And you kept it on your waist?
A. No. Actually I pulled it out and put them in Qwanda's car.
Q. Did you fire your gun in the house?
A. No.
Q. Did you see anybody else fire a gun in the house?
A. No.

**MR. BROWN:** Bear with me a minute.

Q. Now, at the -- at the motel where the alleged drugs were found, what did the police authority do when they came to the motel?
A. When they came -- when they came to the motel, first the phone rung.

Q. Who called?
A. I don't know. Mr. Wright answered the phone.
Q. And what happened after that?
A. He said they're out there.
Q. All right. And then what happened after that?
A. Once he said that, I was -- I was cleaning my shoes when the call came in and he said they're out there, so I went to put my shoes on, and when I went to open the door, soon as -- soon as I opened the door, it was like a barrel of a gun came through the door to stop the door from shutting back, because I tried to shut it back, and I had my foot behind the door, and when I looked up, I seen Mr. Wright with his hands up as if he was surrender, and that's when I laid in the floor. I surrender as well.
Q. So the door was not open initially?
A. No. It was up this far open. That's only as far as it got.
Q. And who had the gun?
A. There wasn't no gun in there.
Q. No, no, no, no. You said you saw the barrel of a gun through the door?
A. Yeah.
Q. Who had the gun that was pointing through the door?
A. The officers.
Q. Okay. How many officers?

A. It only took one to put the -- to put that barrel in there, but it was like three, four, probably five officers that came in the room.
Q. Did they force the door open then?
A. No. I let them in. They tried to force them, but I let them in after that.
Q. You were afraid of being shot?
A. Yeah, and I seen him surrender, so I surrender.
Q. So did you consent to them coming into the room?
A. No.
Q. So they forced themselves in the room with -- at gunpoint?
A. Exactly.
Q. All right. So you are on the floor. Mr. Wright is with his hands up. What did these police officers do then?
A. They handcuffed me and put the gun on Mr. -- Mr. Wright and threw him on ---
Q. Did they say anything?
A. No, I didn't.
Q. No, not you. Did the police officers say anything?
A. Put your hands up, lay face down. That's it.
Q. Okay. And after you laid face down, what did they then do?
A. They grabbed Mr. Wright and they slammed him.
Q. What do you mean, slammed him?

A. Slammed him on the bed.
Q. And then what happened?
A. Then they took us out into the hallway. They took us into the hallway and arrested us, and they separated us right then and there.
Q. And what -- what happened -- so you don't know what happened in the room?
A. No.
Q. Did they ever take you back into the room?
A. No.
Q. Did they ever take Mr. Wright back into the room that you know of?
A. Not that I know of. I know he ---
Q. Did anybody tell you they had a warrant for your arrest at that point?
A. No.
Q. Did anybody tell you they had a warrant for Mr. Wright's arrest?
A. No.
Q. And the entry into the room was made at gunpoint?
A. Yes.
Q. Okay. Now, you indicated further that Mr. Wright never forced you to write anything?
A. No, he didn't.
Q. Did you write a statement exonerating Mr. Wright at

one point?
A. Well, actually, he forced me to write that.
Q. Oh, so now he forced you to write that?
A. He asked me to.
Q. So you were -- you were incarcerated?
A. Yes.
Q. And he was not incarcerated?
A. He was also incarcerated.
Q. All right. So you -- were you in the same cell?
A. No. We was in different pods.
Q. Different parts of the detention center?
A. Yes.
Q. So how did he force you?
A. Between the pods, there's a rec field ---
Q. Say that again.
A. Between the pods at J. Reuben, there's a rec field where you have connection, not physically, but you're able to speak through the doors and slide letters, and he spoke with another inmate, I don't know his name, but he spoke with another inmate and the inmate came to me. It was like ---
Q. I don't want to know what that inmate told you. Okay, let me ask you this now. Could Mr. Wright physically put his hands on you while you were in there?
A. No, sir.
Q. All right. And being incarcerated in the facility,

you have brick walls that are at least six inches thick, the partitions, is that correct?

A. Well, where we was talking to was not a brick wall. It's a door.

Q. But Mr. Wright never physically touched you?

A. You're right.

Q. And you wrote the statement exonerating him because you wanted to?

A. He told me he was going to -- if I was going to write the statement he would come get me out.

Q. So that's why you were mad, because he didn't come get you out?

A. No. I would have been there a year already.

Q. Well, but the last letter you wrote him was May -- was May 21st, ---

A. Yes.

Q. --- wasn't it?

A. Yes.

Q. And you were arrested the previous May?

A. Yeah, May 2nd.

Q. All right. So now it's your testimony that he did not come get you out. Therefore, you're here today to testify, and the statement that you wrote, he forced you to write it?

A. He asked me to write it.

Q. Well, but the statement you wrote exonerated him,

saying he didn't do anything wrong, isn't that correct?
A. Yes.
Q. All right. And that was of your own free will and accord? I mean, he didn't have any physical means of touching you in that facility, did he?
A. No.
Q. He had no physical means of having anyone else touch you in that facility?
A. That, I don't know.
Q. But we know he couldn't touch you?
A. Exactly.
Q. All right. And you wrote the statement saying Mr. Wright was -- that he didn't do anything wrong. Now you are saying that wasn't true?
A. Nah, he didn't -- as far as I'm concerned, what he wrote in the letter, he didn't do anything wrong, and that's what he told me.
Q. So did you -- what do you mean, that's what he told you?
A. He told me in the letter that he wrote to me in order for me to copy it.
Q. And where did that letter come from, Mr. Powell?
A. He wrote it and told me to copy of it.
Q. And do you have a copy of the copy?
A. No.

Q. Did you give anybody else a copy of the copy?
A. No. I gave them both back to him.
Q. Are you familiar with a fellow named Two Guns?
A. Yeah.
Q. All right. And why do they call him Two Guns?
A. They said he tote two guns.
Q. And in the statement, you said that Two Guns did the shooting, isn't that what you said?

**MS. ELDER:** Objection, Your Honor. What statement are we talking about?

**THE COURT:** I sustain the objection.

**MR. BROWN:** Well, Your Honor, he said he wrote a statement.

**THE COURT:** Let's let the jury go to the jury room just for a minute while we take this matter up.

**(THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** All right. Mr. Brown, let's see where we are. You're asking about some statement?

**MR. BROWN:** Yes, Your Honor. It was a written statement.

**THE COURT:** Well, let's see it.

**MR. BROWN:** I've got to find it, Your Honor.

**THE COURT:** Beg your pardon?

**MR. BROWN:** I've got to find it.

**THE COURT:** Well, let's take a short refresher break. Let's take about a five minute break. Whenever you find it, show it to the State and then we'll ---

**MS. ELDER:** If it's what I think, Your Honor, the State has specifically over a month ago or three weeks ago requested a copy of this and I was told that nobody had it.

**THE COURT:** Okay. Well, we'll take care of that.

All right. Let's take a refresher break while the jury is out, while you're trying to find whatever it is that you're trying to find.

**(THE FOLLOWING TAKES PLACE AFTER A BREAK AND OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** Let's come to order.

**MR. BROWN:** Your Honor, the State was never produced ---

**THE COURT:** I'm sorry. Start over. The State ---

**MR. BROWN:** Sir?

**THE COURT:** I couldn't hear you. You do have a soft voice.

**MR. BROWN:** Your Honor, I said the statement was never produced to the Solicitor's Office, ---

**THE COURT:** Okay.

**MR. BROWN:** --- the written statement. However, I don't think -- I'm sure the evidence or the Rules of Evidence would not prevent me from -- he's already said that there was

a statement that he wrote.

Now, I don't have to produce the statement because there might be something in the statement that is nefarious to my client, so he said he wrote a statement, and I don't know that that -- I mean, the Rules of Evidence allow me to ask him about that, and we have done that and we are satisfied with that.

**THE COURT:** Okay.

**MS. ELDER:** Your Honor, when I talked -- when we spoke with Mr. Powell at least several -- three weeks ago ---

**THE COURT:** Mr. Powell, this Mr. Powell?

**MS. ELDER:** Yes sir.

**THE COURT:** Okay.

**MS. ELDER:** Yes sir. When we spoke to him, he indicated that he was coerced to write something by Mr. Wright and that he gave both copies back to Mr. Wright. In the statement he indicated that he wrote I didn't see nothing, I don't know nothing, and that was the extent of it.

I specifically wrote both attorneys on this case and requested a copy, and if they didn't have a copy or if they didn't want to produce it, to please respond immediately so that I could file an appropriate motion.

No statement exists. They can't find it today, as a matter of fact. They don't have it. So I can't even look at this supposed statement, and now by asking the question that

he did about some mythical person in the -- that he supposedly wrote a statement about that said he was the shooter, they've improperly put third-party guilt in front of the jury without laying a proper foundation.

We don't have the statement. I've -- I never heard this before. I asked specifically for a statement that they can't produce today, and now he has specifically read something off from this statement, that we can't locate, in front of a jury.

**THE COURT:** All right. We've got -- we've got maybe a Rule 11 situation where -- what are you basing -- what did you base your question on, Mr. Brown, if you do not have that statement? What did you base your question about Two Gun and is Mr. Powell's exoneration of your client -- what did you base it on if you don't have that statement?

**MR. BROWN:** There was a reference, Your Honor, to Two Gun in the photo I.D. line-up by Ms. Kelly Pinnix ---

**THE COURT:** No, but let's go back. You're talking about a statement.

**MR. BROWN:** Yes, sir.

**THE COURT:** I'm not talking about a reference. You, if I recall, and we can play it back, you asked this witness whether or not he gave a statement which implicated somebody named Two Gun. Now, this is, you know, -- back it up. I mean, I hate to be so blunt about it, but this is a court of

law, and if you ask him about this and it's based on some statement, it darn sure needs to be produced, so —

**MR. BROWN:** But Your Honor, ---

**THE COURT:** No, there's no Your Honor. That's just ---

**MR. BROWN:** I would like to be heard on that.

**THE COURT:** Okay.

**MR. BROWN:** Even if I don't -- don't have the statement, if my client tells me he said that, I think that is sufficient, and my client said ---

**THE COURT:** Well, now you're getting your client's testimony in ---

**MR. BROWN:** No, sir.

**THE COURT:** --- through another witness.

**MR. BROWN:** No, sir, I'm not. I mean, if the client said that he said Two Guns did it, then I can ask him about whether that is true, and if he says no, then that's the end of it.

**THE COURT:** Well, but you didn't say your client said -- told you that. You said there was a statement, a written statement.

**MR. BROWN:** But, I mean, the client did tell me there was a written statement and the client did tell me about Two Guns doing it, and that's ---

**THE COURT:** But your client -- you're basing your questions about a written statement on something your client

told you, and your client provided you all of these letters about getting out on bond, and yet you did not follow up and make your client provide a documentation to support what he's telling you to bring up in this trial.

**MR. BROWN:** Sir, in all candor, the client -- there was a statement, but we can't locate it. I can't locate the written statement in all candor.

**THE COURT:** Well, then, you need to stay away from it because you cannot rely on your client's telling you what was in a written statement.

**MR. BROWN:** Very well.

**THE COURT:** What relief does the State want?

**MS. ELDER:** Your Honor, I -- at this point from all that we've done to this case, I would ask that the Judge just ask the jury to disregard and that Mr. Brown is not to go any further on this issue.

**THE COURT:** Well, I'm going to instruct Mr. Brown -- go ahead.

**MR. BROWN:** Your Honor, now, there is another witness that we intend to call. I asked the gentleman about Mr. McCray, and ---

**THE COURT:** That's a different issue.

**MR. BROWN:** Yes sir. Okay. I'll stay away from the statement. We have -- I have no further questions related to this witness.

**THE COURT:** All right. Here's what I propose to tell the jury, and before I do it, have any input from the State and Counsel for Mr. Wright.

Members of the jury, there have been some questions regarding a purport- -- a purported statement that the witness made exonerating Mr. Wright as to the murder of Mr. Green and implicating a person known as Two Gun. There's no acceptable evidence to support these questions and you are to disregard the questions and any answers of this witness regarding same and are not to consider these questions or answers in your deliberation.

**MS. ELDER:** We're -- we're good with that, Your Honor.

**MR. BROWN:** Very well, Your Honor.

**THE COURT:** All right.

Bring in the jury.

**(THE FOLLOWING TAKES PLACE IN THE PRESENCE OF THE JURY.)**

**THE COURT:** All right. Members of the panel, there have been some questions regarding a purported statement that this witness, Mr. Powell, made exonerating Mr. Wright as to the murder of Mr. Green and implicating a person known as Two Gun.

There's no acceptable evidence to support these questions and you are discuss- -- to disregard these questions and any answers of this witness regarding same, and you are not to consider these questions or answers in your

deliberation.

And, Mr. Brown, you say you're through with your Cross?

**MR. BROWN:** We have nothing further, Your Honor.

**THE COURT:** Okay.

Redirect?

**MS. ELDER:** Thank you, Your Honor.

**REDIRECT-EXAMINATION BY MS. ELDER:**

Q. Mr. Powell, you were asked by Mr. Brown about all the letters that you wrote to Marcus Wright, correct?

A. Yeah.

Q. Did Marcus Wright write you letters?

A. Yes.

Q. And what was he saying in the letters to you?

A. Basically he was going to send me money and he -- he's working on trying to bond me out, and all that.

Q. Would he ask you questions about what kind of statements and things like that that you gave?

A. No, but when he was incar- -- when he was at J. Reuben with me, he would ask me through the door, nothing written.

Q. Mr. Powell, before the issue of bond ever came into play, ---

A. Yes.

Q. --- did you give a statement to the police?

A. Yes.

Q. Before there were any letters written between you and

Marcus Wright, did you give a statement to police about this night?

A. Yes.

Q. At that time, did you tell them what you told us here today?

A. Yes.

**MS. ELDER:** No further questions, Your Honor.

**THE COURT:** Any re- -- recross?

**RECROSS-EXAMINATION BY MR. BROWN:**

Q. Now, just so we are clear, you didn't see Mr. Wright shoot anybody at any time?

A. No, I didn't.

Q. And you didn't hear Mr. Wright tell anybody at any time to pick up any shells?

**MS. ELDER:** Objection, Your Honor, goes beyond the scope.

**THE COURT:** Well, go ahead and -- answer that question, but you've got to go within the scope of redirect.

**MR. BROWN:** I have nothing further.

**THE COURT:** You can step down and they will ---

**MS. ELDER:** We would ask this witness to be excused, Your Honor.

**THE COURT:** Well, I can't excuse him.

**MS. ELDER:** Excused to be returned, Your Honor.

**THE COURT:** Be excused from this proceeding?

**MS. ELDER:** Yes sir.

**THE COURT:** All right.

Call your next witness.

**MS. ELDER:** Call Officer Paul Johnson.

**MR. MARTIN:** Your Honor, can we approach the bench just a second?

**THE COURT:** Sure.

**(A BENCH CONFERENCE WAS HELD OFF THE RECORD.)**

**PAUL JOHNSON,** being first duly sworn, testifies as follows:

**THE DEPUTY CLERK:** Please state your full name and spell your last name.

**MR. JOHNSON:** Paul Johnson, J-O-H-N-S-O-N.

**DIRECT-EXAMINATION BY MS. ELDER:**

Q. Officer Johnson, where are you employed?

A. Horry County Police Department.

Q. And how long have you been there?

A. Six and a half years.

Q. And what do you do at Horry County Police Department?

A. I'm assigned to the Narcotics and Vice Section of the police department.

Q. And on May 2nd, 2012, were you assigned to the Narcotics Department?

A. Yes ma'am.

Q. Did you have an occasion to go to the Sleep Inn in

Conway?

A. I did.

Q. And what got you -- why did you go to the Sleep Inn in Conway?

A. On the morning of May 2nd, 2012, my supervisor, Lieutenant Stewart, advised me to go and assist the Violent Crime Section of the police department, in assisting and apprehending two people they were looking for.

Q. Did you -- did you know what charge?

A. It was murder. I knew it was a homicide, but I didn't know all the particulars at the time, just go and assist Violent Crimes.

Q. And did you, in fact, go to the Sleep Inn?

A. Yes ma'am.

Q. And what did you do upon arrival at the Sleep Inn?

A. When I arrived at the Sleep Inn, myself and the other detectives that were there set up a perimeter on the outside. They confirmed that the individuals that they were looking for were inside. We set up a perimeter and covered all the exits.

I think it was Detective Chatfield and Sergeant Troxell then spoke to the front desk, advised which room they were in, which is 105. I then positioned myself on the outside of Room 105 at the window in case the people inside of the room tried to flee.

At that time, the detectives right at the front of the door positioned theirself at 105 in case they fled. Detective Chatfield then asked the room -- the employees at the front desk to call Room 105 and ask the individuals in the room to step out. When they went to step out of the room, he observed the detectives in the hallway. He then tried to close the door. At that time they didn't allow him to close the door and they detained him at the time.

Q. Now, when you are responding, in your experience, when you are responding to a location where there are two murder suspects, how do you approach those individuals?

A. Very cautious and keep everyone's safety in mind, not on their safety, but the safety of the people inside the hotel.

Q. And is it typical for you to have your guns drawn at that time?

A. Yes ma'am.

Q. Now, you came -- did at some point in time you come back into the Sleep Inn?

A. I did. We were speaking with each other on our radios. Once they advised on the radio that they had the suspects detained, I walked around to the front and the detectives in Violent Crimes advised me that when the front door opened, they observed a substantial amount of cocaine and other drugs sitting on the refrigerator, which is right

by the front door in the hotel room, and once they observed that, they advised me of it.

We got everyone out of the room. I had someone position themselves at the door where no one could get inside. I then went and obtained a search warrant from Judge Mayers for that room.

Q. When you were standing outside the door of that room and the door was open, could you see the narcotics?

A. Yes ma'am. Before you even went in the room, you could see them probably -- in plain view sitting on the refrigerator.

Q. And then after the search warrant, you came back and executed it, is that correct?

A. Yes ma'am.

Q. And did you take anything into possession or custody at that time?

A. Yes ma'am We took an amount of cocaine, marijuana, and money outside of the -- from the inside of the hotel room.

**(DRUGS IN CLEAR PACKAGE MARKED AS STATE'S EXHIBIT NUMBER 11 FOR IDENTIFICATION ONLY.)**

**(DRUGS IN CLEAR PACKAGE MARKED AS STATE'S EXHIBIT NUMBER 12 FOR IDENTIFICATION ONLY.)**

Q. Just take a look at what's been marked for State's Exhibit identification at this time, Number 11 and 12. Can

you identify those two exhibits?
A. Yes ma'am.
Q. And what are they?
A. That is the narcotics that were taken from 105 at the Sleep Inn Hotel.
Q. And how do you know that?
A. I was the only one that handled the narcotics, and I actually placed them into evidence at the police department.
Q. Okay. And do you -- when you take narcotics from a location, do you package it in a certain way?
A. Yes ma'am. It's placed into a Best Kit. It's signed over to the Evidence Department, and then it's turned into our -- at the time, our chemist, Lisa Floyd, and she tests the drugs.
Q. Tell me about the Best Kit.
A. A Best Kit specifically is for cocaine, crack cocaine, and pills. It's signed by me. It's turned into Evidence. An investigator that works with us that works in the Crime Scene Section of our -- they take it and they give it to Lisa Floyd, who is our chemical analyst. She's not anymore. She was at the time, and she tests it, weighs it, examines it, and determines if it is, in fact, cocaine.
Q. And when you package things in a Best Kit, is it sealed in some way?
A. Yes ma'am. It's sealed, signed, so if anyone opens

it, you would plainly see that.

Q. Does it have a tamper -- a tamper-proof marking on the outside of the bag?

A. Yes ma'am. It's sealed on the top. When you peel it back, it seals. It's glue is what it is. You can't get it open without tearing the bag.

Q. And if you will look at State's Exhibit 11 and 12, is that a Best Kit that was prepared in these two cases?

A. Yes ma'am, it is.

Q. And do they have some kind of identifying code, or number, or something that you can track to the case it belongs to?

A. Yes ma'am. It has an H-number that's assigned to every Best Kit, and it's also got a date of seal, and the name of the person sealing it printed and signed, which is by me.

Q. And after you take -- you took these from the hotel room, is that correct?

A. Yes ma'am.

Q. And what room again, do you recall?

A. Room 105.

Q. And when you took that from Room 105, did you keep it in your possession until Evidence?

A. I kept it in my possession until I could get to the police department, fill out a Best Kit, and then I turned it

into Evidence as soon as I could.

Q. And while it was in your custody and possession, did anybody attempt to alter or have it -- could they have altered it without you knowing about it?

A. No ma'am. I was by myself the entire time until I turned it in.

Q. And in Room 105, were individuals apprehended and taken away from the scene?

A. Yes ma'am.

**MS. ELDER:** One moment, Your Honor.

No further questions.

**THE COURT:** All right.

Cross?

**CROSS-EXAMINATION BY MR. MARTIN:**

Q. Let me ask you, Officer Johnson, who took the drugs out of the room?

A. I did.

Q. You did?

A. Yes sir.

Q. And where were they?

A. The drugs in the room were on top of the -- it was a small refrigerator sitting right in front of the door.

Q. Everything was there?

A. The narcotics.

Q. Okay.

**MR. MARTIN:** That's all the questions for you.

**THE COURT:** You can step down and be excused. Thank you.

Call your next witness.

**MS. ELDER:** Your Honor, can we approach for scheduling?

**THE COURT:** Yes.

**(A BENCH CONFERENCE WAS HELD OFF THE RECORD.)**

**THE COURT:** Members of the jury panel, it appears that it's almost five o'clock and we are probably in a position to stop for the day, so we are going to stop for the day and have you come back at nine-thirty in the morning.

Keep in mind those admonitions about not discussing the case, making up your own mind, no news coverage or media, electronic information regarding anything to do with this trial.

Have a pleasant evening and we'll see you back, ready to go, at nine-thirty in the morning.

**(THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** The Defense has a -- wants to note on the record a renewal of its motion to suppress the drugs found in Room 105 of the Sleep Inn based on the testimony of Mr. Powell, this was all talked about at a sidebar, based on the testimony of Mr. Powell regarding the opening of the door, seeing the barrel, and law enforcement forcing their way in.

I'll be glad to hear you.

**MR. MARTIN:** Yes, Your Honor, we would like for the Court to renew that motion to suppress. There is additional testimony into the record from Mr. Powell, as you noted. I won't belabor the facts, but I think he did testify clearly to the extent that it's relevant, the Court's determination that it was a forced entry, not by consent, and I believe that that is material and would ask that the Court consider that and the testimony of Mr. Powell in its entirety, and reconsider its motion that the evidence is admissible.

**THE COURT:** The motion continues to be denied. The motion to suppress is continued to be denied. I don't -- the testimony of Mr. Powell is not inconsistent. It's a little different, but it's really not that inconsistent with the testimony that was given in the hearing on which I based my ruling, so the motion -- the renewal of the motion is denied.

**MR. MARTIN:** And then in accordance with that, Your Honor, I would also like to renew the motion in regard to the search warrant at 3635 Kate's Bay Highway. There is additional testimony in the record to the person who I believe to be Marthena Jackson, but that's not the name the witness testified under.

**THE COURT:** Menendez.

**MR. MARTIN:** Read the correct name for me in the record, if you would, so I -- Marthena Jackson Menendez testified as to the fact that she knew from her own personal knowledge and observation that 3635 Kate's Bay Highway was the address of her niece, Jacinda Wright, and her husband, Marcus Wright, and that she knew him to be there and residing at that place in and around the time that this search warrant was issued.

We believe that is supplemental testimony to establish standing of the Defendant to object to the search and the warrant previously brought before the Court and we would so ask the Court to reconsider its motion and suppress any evidence taken from the residence pursuant to the warrant.

**THE COURT:** Anything from the State?

**MS. ELDER:** Your Honor, only that Ms. Jack- -- or Menendez vacillated on the address. She said I'm not sure of the number. When pushed and given by Mr. Martin, she said, yeah, yeah, that's it. I've seen him in the yard.

**THE COURT:** Yeah, that's my recollection, that she saw him in the yard with some regularity, and I don't think that overcomes the evidence upon which I relied when I made my original ruling, so this motion, the renewal of the motion to suppress the drugs from the Kate's Bay Highway location is also continued to be -- that motion is denied.

**MR. MARTIN:** Thank you, Your Honor.

**THE COURT:** All right. Anything else for this afternoon?

**MR. MARTIN:** No sir. That's it.

**MS. ELDER:** No sir.

**THE COURT:** All right. We're through.

**MS. ELDER:** Thank you, Your Honor.

(END DAY.)

**(THE FOLLOWING TAKES PLACE ON JUNE 19, 2013, AND OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** We can go back on the record. Mr. Wright is present. Counsel is present.

Is the State ready to proceed?

**MS. ELDER:** Yes, Your Honor. I have one quick matter.

Your Honor, it's my understanding that Christopher -- I believe his name is Christopher McCray, may or may not be called.

**THE COURT:** He's listed.

**MS. ELDER:** Yes sir. Yester- -- either Monday or Tuesday we received a copy of a letter that Christopher McCray, I assume, wrote for the Defense in reference to Lanard Powell. Mr. McCray is or was represented by Mr. Fox, who represents Lanard Powell. He's had to withdraw obviously from representation.

**THE COURT:** Yes. Ms. Pratt, Barbara Pratt, tells me she represents him and will be present. She's present in the

courtroom now.

**MS. ELDER:** I just wanted to make sure, Your Honor. He was under a -- he was formerly under an agreement with the State regarding his case. I wanted to make sure his rights were protected, that that may be affected.

**THE COURT:** All right. Well, Ms. Pratt is here, and she's introduced herself, and she's seated in the courtroom and plans to spend the day with us, I believe.

**MS. ELDER:** That's great, Your Honor.

**THE COURT:** All right.

Mr. Martin.

**MR. MARTIN:** Well, she says he's formerly under an agreement with the State about his charges?

**MS. ELDER:** Uh huh **(indicating positive)**.

**MR. MARTIN:** Okay.

**MS. ELDER:** He was at one -- he was up until ---

**MR. MARTIN:** I'd like to know what that is at some point in time.

**MS. ELDER:** He was going to testify for the State, Your Honor.

**THE COURT:** In this case?

**MS. ELDER:** No, sir.

**THE COURT:** In another case?

**MS. ELDER:** Yes sir.

**THE COURT:** All right.

Bring in the jury.

**MR. MARTIN:** Wait, before you bring the jury, ---

**THE COURT:** Wait, wait, wait.

**MR. MARTIN:** In an effort to be sure we save as much time as we can, the State has multiple items of evidence that they are going to now move to introduce. Some of those items are items that were removed from the home at 3635 Kate's Bay Highway, and I would object, and I thought I'd do this out of the presence of the jury.

I'm going to object to any evidence that was taken from 3635 Kate's Bay Highway on the basis that it cannot be relevant since there is an insufficient nexus between that location and, therefore, anything in it and this Defendant, Marcus Wright.

**THE COURT:** Well, it was -- it crossed my mind that it was somewhat analo- -- anomalous that the State was taking the position that the Defendant had no standing because he didn't live there, and yet they wished to connect some of the more incriminating evidence up to the Defendant for things found therein.

Although I do understand that while that does seem anomalous at first, we're talking about, as I understand it, things that connect the pistol to the crime, not so much the individual, but as far as relevancy, I'll have to wait. I can't give a blanket ruling. Of course, you're protected on

the record from anything from the house if I'm wrong on the suppression motion, but as to the various things that come in, I'll probably have to -- I hate to put you in this position of doing that in front of the jury, but ---

**MR. MARTIN:** I don't mind. I just don't ---

**THE COURT:** Well, but it seemed to me, and I don't know what all it is, but the first thing that comes to my mind would be the -- and I still am kind of lost on why somebody would have manufacturer's test shell casings, but we will learn all that today, connecting that to the gun and the testimony already that the gun -- well, there will be testimony connecting the gun to the wife, and there's no issue about the wife not living there because she was confronted by an officer, but anyway, I can't give a blanket ruling, but I understand ---

**MR. MARTIN:** I understand that, but I'm just telling you in advance it's going to be interesting because there is no connection in the house. Well, we'll take it as it goes along, but connection to the wife is different than connection to him, ---

**THE COURT:** Well, I understand, and that's ---

**MR. MARTIN:** --- and it's been held by this Court to be a strong enough position that he doesn't have standing to object to the search, so it will be interesting.

**THE COURT:** Well, it crossed my mind while the

arguments were being made, but -- that it's kind of a double-edged sword, but many things in life and quite a few in litigation are a double-edge.

When I first started practicing, as one of my partners told me, you play the hand you're dealt, so bring in the jury.

**(THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE JURY.)**

**THE COURT:** Good morning.

Call your first witness.

**MS. ELDER:** Thank you, Your Honor.

The State would call Robbie Caulder.

**JOHN R. CAULDER, II,** being first duly sworn, testifies as follows:

**THE DEPUTY CLERK:** Please state your full name and spell your last name.

**MR. CAULDER:** John R. Caulder, II, C-A-U-L-D-E-R.

**DIRECT-EXAMINATION BY MS. ELDER:**

Q. Officer Caulder, where are you employed?

A. Horry County Police Department.

Q. And what do you do there?

A. I am the Senior Crime Scene Investigator for the department.

Q. And how long have you been at Horry County?

A. I have been in Horry County for fifteen years.

Q. What are the kind of things that you do as a crime scene investigator?

A. My main response is to respond out in a supplemental supportive role in major crimes, as well as burglaries or minor offenses where deemed necessary. I -- we generally tend to go out and diagram scenes of crimes where we can come back and reconstruct it at a later date where evidence is collected from within a scene.

Scenes can vary from anywhere from a house, to a wooded area, to a vehicle, so it doesn't really matter, but we collect items of evidence and take that -- items that we've collected, along with diagraming and measurements, and then reconstruct that scene.

Q. Do you also execute search warrants?

A. Yes ma'am.

Q. And I want to take you to specifically on, I believe, May 2nd, 2012, at 1:30 in the afternoon. Did you have an opportunity to execute a search warrant on a vehicle?

A. Yes ma'am.

Q. And what kind of vehicle was that?

A. A 2012 Chevrolet Camaro.

Q. Do you have any indication as to what case it relates to?

A. The only information I had at the time, it was involving a death investigation for a Mr. Jerome Green.

Q. And did you execute that search warrant on that vehicle?
A. Yes ma'am.
Q. And do you make a list of property that you take when you do an execution of a search warrant?
A. Yes ma'am, a return.
Q. And when you get those items of evidence, do you -- what do you do with them?
A. Basically during the search of a vehicle everything is photographed, and then for each item is deemed evidentiary value, it's photographed with a number placard. After it is numbered and photographed, it is then -- a log, what we refer to as a chain of custody, is then done and those items are then placed into the Evidence Section.
Q. And did you take several items from this red Camaro?
A. Yes ma'am.

**(SOUTH CAROLINA DRIVER'S LICENSE FOR D. JETTER IS MARKED AS STATE'S EXHIBIT NUMBER 21 FOR IDENTIFICATION ONLY.)**

Q. If you will take a look at what's been marked as State's Exhibit 21. Would you open that and identify that particular item.
A. Yes ma'am. I have it marked on the exterior as this case number -- well, our Horry County Police Department case number, 41053, Camaro, Item Number 8, and it is a South Carolina issued driver's license, serial number or D.L.

Number 7501290, to a Desmond Ron Jetter of Lavender Drive, Moore, South Carolina.

Q. And was in that -- the red Camaro?

A. Yes ma'am.

**MS. ELDER:** Your Honor, I would like to move this into evidence at this time.

**MR. MARTIN:** I would object at least until I've had an opportunity to examine the witnesses about these items of evidence. What I hope the Court could do, is she could lay her foundation and give me an opportunity to examine and then determine whether or not I have an objection to their entry into evidence.

**MS. ELDER:** Your Honor, I -- I don't know how I can present them in my direct if they're not in evidence.

**THE COURT:** Well, over objection, I'll allow it in.

**MR. MARTIN:** Well, if I -- can I state for the record my objection?

**THE COURT:** Yes.

**MR. MARTIN:** I want to be sure I do, and it's as to relevance. In other words, at this point in time, the relevancy of a driver's license of Desmond Jetter or of the other items that she has, I believe there has to be a nexus between those items and the Defendant in order for them to be relevant.

**THE COURT:** Well, it's kind of the cart before the

horse. I can't analyze everything in -- in that context because I don't know anything about this case other than what's -- no more than what the jury knows, so I'm going to overrule the objection subject to being it -- subject to it being -- subject to the item, the driver's license of Mr. Jetter being connected up and relevant to some -- somehow.

**MR. MARTIN:** If the Court would just note my objection, I believe that doing it in that method prejudices the Defendant, but I understand the Court's ruling and I won't continue to argue.

**THE COURT:** Okay. And that's a running objection to everything from the Camaro, is that correct?

**MR. MARTIN:** It is. The question in my mind to be sure as I stand here is do I need to object to every one as it comes up in the record?

**THE COURT:** I'll leave that up to you.

**MR. MARTIN:** Sir?

**THE COURT:** I'll leave that decision up to you.

**MR. MARTIN:** I understand, Judge. Thank you.

**MS. ELDER:** Your Honor, if we resolve Mr. Martin's issue -- if I can have the officer identify it and read it on to the record what he's identifying specifically and then -- I think it's ---

**THE COURT:** And not offer it until later?

**MS. ELDER:** Yes.

**THE COURT:** Okay. That's probably a good way. Go ahead.

**MS. ELDER:** As long as I am not prejudicing on redirect and moving it all back into evidence.

**THE COURT:** All right. I'm sorry we're doing all this in front of you. I know it's confusing, members of the jury, but we're getting a handle on it, and what we're going to do, as I understand, this witness will identify what was found in the Camaro.

Of course, he will be cross-examined, and only after that will I make a determination as to whether or not it should be admitted into evidence for your review while you are deliberating, that is whether it has some relevancy or not.

**MS. ELDER:** Thank you, Your Honor.

**(HERTZ RENTAL AGREEMENT IS MARKED AS STATE'S EXHIBIT NUMBER 22 FOR IDENTIFICATION ONLY.)**

Q. Can you take a look at what's been marked State's Exhibit 22?

A. Yes ma'am. It is a same case number, our Horry County case number, item -- as my Item Number 2, which was a Hertz Rental Agreement.

Q. And what vehicle is that rental agreement for?

A. It is for a 2012 Camaro.

Q. And whose name is the rental agreement in?

A. Jacinda Wright.

**(DIGITAL SCALE AND LAQUINTA INN HOTEL DIRECTORY MARKED AS STATE'S EXHIBIT NUMBER 23 FOR IDENTIFICATION ONLY.)**

Q. If you'll take what's been marked State's Exhibit 23 for identification, and can you identify those two items?

A. This is a scale and a LaQuinta Inn Hotel Directory which was collected by me out of the 2012 Camaro.

Q. And you said that's a scale. What kind of scale is that?

A. It's just a digital weight scale, one side the -- whatever is placed on that side, and it will read out a digital readout on this side.

Q. And have you had experience with any of those items before?

A. Yes ma'am, quite frequently.

Q. What is that typically used for in your experience?

A. Most of the times I've ever seen scales used like this in my experience is when I test marijuana cases.

**MR. MARTIN:** What is that exhibit number, please?

**MS. ELDER:** Item 23.

**(HIGH POINT NINE MILLIMETER PISTOL IS MARKED AS STATE'S EXHIBIT NUMBER 31 FOR IDENTIFICATION ONLY.)**

Q. If you'll take a look at what's been marked State's identification 31. Can you tell me what that is?

A. It is a High Point nine millimeter that I collected as

Item Number 5, my Item Number 5, from the 2012 Chevrolet Camaro.

**(MAGAZINE AND EIGHT LIVE ROUNDS MARKED AS STATE'S EXHIBIT NUMBER 30 FOR IDENTIFICATION ONLY.)**

Q. And State's Exhibit 30?

A. This is the magazine for the High Point and eight live rounds from the magazine that was with the High Point.

Q. And, I'm sorry, you said the High Point was a what calibre?

A. Was a nine millimeter.

**(BMW KEYLESS ENTRANCE KEY AND TWO LAQUINTA INN DOOR CARDS MARKED AS STATE'S EXHIBIT NUMBER 37 FOR IDENTIFICATION ONLY.)**

Q. Would you take a look at what's been marked State's identification Number 37, and could you tell me what that is?

A. It is a keyless entry key for a BMW and two LaQuinta Inn cards for the doors.

**(GLOCK STORAGE BOX AND CONTENTS, AND TWO MAGAZINES, FROM CAMARO MARKED AS STATE'S EXHIBIT NUMBER 26 FOR IDENTIFICATION ONLY.)**

Q. And could you take a look at what's been marked State's Exhibit 26. Could you tell me what that is?

A. It is a Glock handgun storage box that I recovered from the 2012 Chevrolet Camaro. I have it marked as my evidence item Number 3. On the inside during my collection

were two magazines. One magazine was -- both magazines were for a forty calibre weapon. One magazine contained nine live rounds and one magazine contained thirteen live rounds.

Q. And was there other documentation in the box?

A. There was safety pamphlets that come with the handgun itself, and then two receipts from Myrtle Beach Indoor Shooting Range for a Glock 23, and a grip, I'm assuming for -- the actual grip for a Glock 23, which is a forty calibre Glock.

Q. And on the receipt, does it indicate what calibre it is?

A. Forty calibre.

Q. And whose name is on the receipt?

A. Jacinda Wright.

Q. And where did you search this vehicle?

A. At the Horry County Police Department in the Impound Lot.

Q. Do you know how it came to be in the Impound Lot?

A. No ma'am. I just ---

Q. Towed in?

A. Yes ma'am.

Q. Now, Officer Caulder, you also prepared or executed a search warrant on another vehicle, is that correct, in conjunction with this same investigation?

A. Yes ma'am.

Q. And what kind of vehicle was that?
A. Actually there were two other vehicles. One was a Toyota Camry, a 2004 Toyota Camry, and the other was a BMW.
Q. All right. And the BMW, when did you execute that search warrant?
A. On the 4th of May, 2012, around 2:00 P.M.
Q. And where did you execute that search warrant at?
A. At the Horry County Police Department's Impound Lot.

**(FORTY CALIBRE ROUND FROM BMW IS MARKED AS STATE'S EXHIBIT NUMBER 34 FOR IDENTIFICATION ONLY.)**

Q. And can you take a look at what's been marked as State's Exhibit 34.
A. Yes ma'am. This is with this case number, and I have it identified as a forty calibre round, and I collected it as my evidence item Number 5 from the glove compartment of the BMW.

**MS. ELDER:** I assume Mr. Martin has the same objection on the BMW as he does the Camaro?

**MR. MARTIN:** At this time, I do, yes.

**MS. ELDER:** One moment, Your Honor. I'm sorry.

No other questions, Your Honor.

**THE COURT:** All right.

Cross.

**CROSS-EXAMINATION BY MR. MARTIN:**

Q. Officer Caulder, if we go back over the items that you

talked about, Exhibits 21, 22, 23, 31, 30, 37, and 26, did you lift any fingerprints off of any of those items?

A. No, sir. None were processed for fingerprints, no sir.

Q. Did you receive or collect any DNA off of any of those items?

A. Off of -- if you will give me just a second to look back over my notes.

Q. Okay.

A. I don't -- I don't -- I didn't have any privy to the information that was returned from SLED. I do know that during the search of the 2012 Chevrolet Camaro I did swab the plastic handgun container. I don't know what evidence item that is or ---

Q. Swabbed what, now?

A. The plastic Glock handgun container and the magazines that were inside, as well as the High Point nine millimeter itself. Both items were swabbed by me upon collection, but I don't know if SLED -- or if they were sent to SLED or if any DNA was returned.

Q. And then accordingly you cannot testify that Marcus Wright's DNA was on any of these items?

A. No, sir, I cannot.

Q. And there were no fingerprints lifted from any of those items to later be compared anywhere at any time?

A. That is correct.
Q. And that was -- how about Exhibit 34, which was a forty calibre round from a BMW, did you attempt to take any DNA or prints off of that item?
A. No, sir, I did not.
Q. Did anybody to your knowledge?
A. Not to my knowledge.
Q. Were you aware of any reports in this investigative file linking any fingerprints or DNA from any of these items to Marcus Wright?
A. No, sir, not to my knowledge.

**MR. MARTIN:** That's all the questions I have.

**THE COURT:** All right.

**MS. ELDER:** No further questions, Your Honor. I'd ask that this witness be excused.

**THE COURT:** All right.

**MS. ELDER:** I'm sorry. Your Honor, I'd like to move -- at this point in time I'd like to move the items that were previously identified into evidence. If I need to go through all of ---

**THE COURT:** Do you still object?

**MR. MARTIN:** The objection is to ---

**THE COURT:** All right. Let me let the jury step out just a minute while we discuss this portion.

You can step down and be excused.

**MR. CAULDER:** Thank you, Your Honor.

**(THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** I started off -- I've got my numbering system. I started off wrong. What was the first exhibit?

**MR. MARTIN:** 21 was the first exhibit.

**THE COURT:** 21. I just put one, and then the other one 22?

**THE REPORTER:** 21, 22 ---

**THE COURT:** Okay. I got the rest.

Okay, Mr. Morgan, briefly, you object on relevancy?

**MR. MARTIN:** I do object to the relevancy of those items. If you go back, the items in and of themselves, they are the name of Jacinda Wright, Desmond Jetter, different people, but not Marcus Wright, and the Camaro itself, which was, again, a rental agreement to Jacinda Wright, there's no linking of that through fingerprints or DNA to Marcus Wright.

And I would -- and, Judge, just so that -- unless I'm wrong, Ms. Elder could correct me, but what they did send to SLED to test for DNA, there were no matches made on any of these items of evidence to Marcus Wright and, therefore, I believe at the end of the day, those highly prejudicial things, like the Glock box and -- and I'll say each of these items which they have marked, are not relevant to the case as to whether -- with regard to this Defendant, Marcus Wright.

**THE COURT:** All right. Well, I've listened to the testimony and, of course, we don't look at these things in a vacuum, and somebody correct me, I know you will if I'm wrong, but it seems that my recollection was Desmond Jetter was the name used to check into LaQuinta. The Hertz Rental car was rented by the girlfriend -- or not, the wife, I'm sorry, in the wife's name.

There was testimony that they went to the LaQuinta Inn, so that would be relevant. That takes care of one -- 21, 22, and 23. Testimony about a nine point millimeter being toted around during all these events, so that takes care of the magazine and the High Point, testified that they went to the LaQuinta. That takes care of, I think, the door keys to the LaQuinta.

There was testimony about a BMW being involved, Mr. Wright fled the scene in a BMW. 37 would be relevant. The Glock storage box and all the things about the forty calibre, I think -- I can't remember whether specifically anybody has testified about the calibre that Mr. Wright had, but subject to it being tied up by testimony that I know from previous testimony will be presented regarding the forty calibre, then Number 26 would be relevant, and that would also from the BMW make Number 34 relevant.

Do you want to add anything?

**MS. ELDER:** Just one, Your Honor. I believe that Mr.

Powell testified, just for the record, on Desmond Jetter's I.D., they used that to check in -- he used that to check into the Sleep Inn, ---

**THE COURT:** Not the LaQuinta?

**MS. ELDER:** Yes sir.

**THE COURT:** Okay. I was wrong, Sleep Inn.

**MS. ELDER:** Yes sir. That's my recollection, Your Honor.

**THE COURT:** Well, it was used at one of the places, the Desmond I.D.

**MS. ELDER:** Yes sir, and the other issue about the forty box, I believe it's my recollection and Detective Cox's recollection that Lanard Powell did say that Marcus carried a forty calibre.

**MR. MARTIN:** He did, no question about that. I understand where the Court is going. Just note my objection for the record that in spite of those items which the Court has laid out being mentioned in evidence, which I agree is probably correct, it still doesn't rise to the level or relevancy in this case.

**THE COURT:** Again, I deny the motion. I find that they are relevant and it will be up to the jury, of course, to give whatever weight they wish to give the evidence, and they may reject it and find that it has no value.

**MR. MARTIN:** Very well, Your Honor.

**THE COURT:** Bring in the jury.

**MS. ELDER:** Can we -- or you wanted to tell them on the record?

**THE COURT:** I will, yeah.

**THE REPORTER:** Can you tell me which ones are in, Judge?

**THE COURT:** Yes.

**MR. MARTIN:** I think while we're here ---

**THE COURT:** We're going to be here for a while.

**MR. MARTIN:** Yes. But she's moving into evidence, and the chain of custody on these things, they've been back and forth ---

**MS. ELDER:** There's not a fungible item in there. I don't have to provide a chain of custody.

**THE COURT:** I mean, I don't know that she went through identifying, did he put his initials on it, and the date, and all those things, but ---

**MR. MARTIN:** If you'll just note my objection for the record.

**THE COURT:** Okay. There's no -- you're concerned about the -- that they're not fungible items, they're items that are -- I.D. particular characteristics, and check real quick. 21, 22, 23, ---

**MS. ELDER:** 21, 22, 23 ---

**THE COURT:** 31, 30?

MS. ELDER: 31, 30.

THE COURT: 37, 26?

MS. ELDER: 26, 37, yes sir.

THE COURT: 34?

MS. ELDER: Yes sir.

(SOUTH CAROLINA DRIVER'S LICENSE FOR D. JETTER INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 21.)

(HERTZ RENTAL AGREEMENT INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 22.)

(DIGITAL SCALE AND LAQUINTA INN HOTEL DIRECTORY INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 23.)

(HIGH POINT NINE MILLIMETER PISTOL INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 31.)

(MAGAZINE AND EIGHT LIVE ROUNDS INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 30.)

(BMW KEYLESS ENTRANCE KEY AND TWO LAQUINTA INN DOOR CARDS INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 37.)

(GLOCK STORAGE BOX AND CONTENTS, AND TWO MAGAZINES FROM CAMARO, INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 26.)

(FORTY CALIBRE ROUND FROM BMW INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 34.)

(THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE JURY.)

**THE COURT:** Members of the jury panel, the State has moved to offer into evidence those items identified by Officer Caulder. Over objection, I have allowed them to be admitted. They are State's Exhibits 21, 22, 23, 30, 31, 37, 26, and 34.

All right. Call your next witness.

**MS. ELDER:** Your Honor, the State would call Heather Brummett.

**HEATHER BRUMMETT**, being first duly sworn, testifies as follows:

**THE DEPUTY CLERK:** Please state your full name and spell your last name.

**MS. BRUMMETT:** Heather Brummett, B-R-U-M-M-E-T-T.

**DIRECT-EXAMINATION BY MS. ELDER:**

Q. Ms. Brummett, where are you employed?

A. Horry County Police.

Q. And in what capacity are you employed there?

A. Crime Scene Investigator.

Q. And how long have you been at Horry County Police Department in that capacity?

A. About seven years.

Q. And in your capacity as a Crime Scene Investigator, do you have occasion to go out to crime scenes?

A. Yes, I do.

Q. And did you go out or participate in the investigation

involving the death of Jerome Green?
A. Yes, I did.
Q. And do y'all have lead crime scene agents on cases?
A. Yes. Normally whoever is on call is the lead crime scene investigator.
Q. And was that you at the time?
A. It was.
Q. And during the course of the investigation, did you have an opportunity to assess or recover items from several different locations involving this investigation?
A. Yes, I did.
Q. I want to try to -- there's a lot of information. I will try to go one step at a time. In reference to State's Exhibit 12 and 11, do you recognize those items?
A. Yes, I do.
Q. And what are those items?
A. This is packaging for ---
**THE COURT:** This what?
A. I apologize. In this envelope there are two additional envelopes.
Q. And you're holding up State's Exhibit what?
A. Twelve. And these envelopes is what we use to collect items of evidence, so one is marked residue from shoe box, and another is marked Item Number 9, two small plastic baggies with white powder. In this envelope here, this is

the substance that I am referring to that were in these envelopes.

Q. And on Item Number 11, where did you -- who did you obtain that from?

A. This was obtained from Kate's Bay Highway.

Q. If you can take a look at Item 11, did you get that from another officer?

A. Oh, yes. I apologize. I did. I received this from Detective Paul Johnson.

Q. And how do you know that?

A. Chain of custody.

Q. And do you have records indicating that?

A. Yes, I do.

Q. Okay. What kind of records do you keep?

A. Well, we keep the original chain of custody that we sign, and then we also keep it in the computer.

Q. And do you have a copy of your chain of custody on this Item Number -- Item Number 11?

A. I do.

Q. And what does that indicate? Can you look at that for me?

A. (No response.)

**(DRUG LAB ANALYSIS FORM IS MARKED AS STATE'S EXHIBIT NUMBER 38 FOR IDENTIFICATION ONLY.)**

Q. I'm going to ask you to look at what's been marked

State's Exhibit 38 for identification. Is that the same chain that you have?

A. Yes, it is.

Q. And on that chain, is there a control number listed?

A. Yes, there is.

Q. And is there a lab number?

A. Yes, there's a lab number.

Q. And does that coincide what's been marked State's Exhibit 11?

A. Yes, it does. The control number is H007718.

Q. And does it have subject's last name and first name on that chain as well?

A. It does. It has two individuals listed.

Q. And who is that?

A. It is Lanard Powell and Marcus Wright.

Q. And does it have at the bottom who submitted it to you?

A. Yes, it does.

Q. And who was that?

A. Paul Johnson.

Q. On what day?

A. 5/2/2012 at 11:29.

Q. And tell me, why do you mark these with lab numbers and control numbers?

A. For documentation purposes so that they can be

(5) 21704

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM HORRY COUNTY
Court of General Sessions
John C. Hayes, Circuit Court Judge

Case No.: 2012-GS-26-2551; 2012-GS-26-2552;
2012-GS-26-2553; 2012-GS-26-2339
Appellate Case No.: 2013-001406

The State, ..... Respondent,

vs.

Marcus Dwain Wright, ..... Appellant.

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# RECORD ON APPEAL (VOL. II)

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differentiated between one another.

Q. So you know that this package was the package that Paul Johnson retrieved, is that correct?

A. Exactly.

Q. And does that have signatures on it as well?

A. Yes, on the envelope and then it is sealed by that detective.

Q. So when it comes to you, is it already sealed?

A. Yes, it's already sealed.

Q. And what would happen if you received a package that had been tampered with?

A. We would have to call that investigating detective or whoever was on the packaging to come in and fix it.

Q. And does there appear to be by your notes or anything any indication that this was ever tampered with in any way?

A. No.

Q. And once it left Mr. Johnson's custody and came into your custody, what did you do with it?

A. Well, I worked in Evidence, so we sign over evidence as well as work crime scenes, so it would have been held in a secure location until the 7th when I signed it over to the chemist, Lisa Floyd.

Q. And when you talk about a secure location, talk to me about that. Can anybody access that secure location?

A. No, no one other than Crime Scene and Evidence

personnel.

Q. And tell me about these Best Kit bags, can you detect when they have been opened after they've been sealed?

A. Yes, you can. There is a blue line in the envelope that the actual narcotic is in, and you can hold it up to the light, and if you can see an outline at all, then you can tell that it's been tampered with.

Q. And do you have any indication that any of that occurred with this particular item number 11?

A. No, it did not.

Q. I want to take you to Figure Eight Road. Did you process a crime scene there?

A. Yes, I did.

Q. And on what day was that?

A. May the 1st.

Q. At what time approximately?

A. Approximately 12:15.

Q. Would that be A.M. or P.M.?

A. A.M.

Q. Did you retrieve a number of items from that location?

A. Yes, I did.

Q. Did you also take photographs?

A. Yes.

Q. We don't want to publish them to the jury yet. If you can just look at these items as we go through and tell me if

you recognize them.

A. Okay.

**(PHOTO OF VICTIM'S HAND IS MARKED AS STATE'S EXHIBIT NUMBER 13 FOR IDENTIFICATION ONLY.)**

Q. Item Number 13, State's Exhibit 13, do you recognize that photograph?

A. I do.

Q. What is it?

A. It's a photo of the victim's hand at the scene on Figure Eight Road.

Q. And what does it indicate on his hand?

**MR. MARTIN:** Object.

**THE COURT:** Yeah, I sustain the objection.

**(COPY OF PHOTO OF VICTIM'S HAND IS MARKED AS STATE'S EXHIBIT NUMBER 14 FOR IDENTIFICATION ONLY.)**

Q. Take a look at what's been marked as State's Exhibit 14. Do you know that photograph?

A. Yes. This is a copy of the victim's hand at the scene at Figure Eight Road.

**(PHOTO OF VICTIM'S BODY IS MARKED AS STATE'S EXHIBIT NUMBER 15 FOR IDENTIFICATION ONLY.)**

Q. State's Exhibit 15?

A. This is a photo of the victim, almost his full body from feet to head, and blood droplings on the floor at Figure Eight Road.

Q. Is that how he was -- did anybody move him, police, or did anybody move him prior to this photograph?

A. No. Upon police arrival, no one had moved him.

**(PHOTO OF VICTIM ON FLOOR IS MARKED AS STATE'S EXHIBIT NUMBER 16 FOR IDENTIFICATION ONLY.)**

Q. State's Exhibit 16, do you recognize that photograph?

A. I do. This is another photo of the victim lying on the floor at Figure Eight Road, and it shows his waistband area with a cell phone in a cell phone cover.

**(PHOTO OF SPENT CASING IS MARKED AS STATE'S EXHIBIT NUMBER 18 FOR IDENTIFICATION ONLY.)**

Q. State's Exhibit 18, do you recognize that photograph?

A. I do. This is also a photo at Figure Eight Road. It's a photo of a spent casing which is in the middle of the walkway between the living room and the kitchen.

**(PHOTO OF TWO SPENT CASINGS IS MARKED AS STATE'S EXHIBIT NUMBER 19 FOR IDENTIFICATION ONLY.)**

Q. State's Exhibit 19?

A. This is a photo of, again, two casings, two spent casings, on scene at Figure Eight Road that are in the couch in the living room.

**MS. ELDER:** Your Honor, at this time, I would like to move State's Exhibit 13 through 19 into evidence.

**THE COURT:** Any objection?

**MR. MARTIN:** No objection as to 13, 14, 18, and 19. I

would object as to 15 and 16 as unduly prejudicial compared to the relevancy of them.

**THE COURT:** All right.

Let me let the jury go to the jury room just a minute while we take this up.

**(THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** 15, 16, are those the only two?

**MR. MARTIN:** Yes, Judge.

**THE COURT:** Let me see those. I probably need to see all of them.

All right. 15 and 16 are both pictures of the victim. Why does the State need both of them in?

**MS. ELDER:** Your Honor, in reference to -- if I could -- in reference to State's Exhibit 15, this is a photograph of Mr. Green as he was in the living room, which has been testified to. It does show on his waistband the cell phone. It also shows that there's a can right beside him, Your Honor. There's some testimony about him having something and drinking in his hand. We believe that's relevant under ---

**THE COURT:** I have no problem with one of them. Both -- both of them is my concern.

**MS. ELDER:** Your Honor, if we -- if we let State's Exhibit 15 in, I'll withdraw 16.

**THE COURT:** I'll allow 15, but I think it is -- there's

no -- I see no -- nothing -- I have to say nothing of value, but I find that there's no need to put two in, and putting in two would be somewhat, if not highly, but somewhat prejudicial. I think the one showing the full length body is the one she has chosen to put in, and the other one is out.

**MR. MARTIN:** If the Court would simply note my objections for the record.

**THE COURT:** Yes sir.

Bring in the jury.

**MR. MARTIN:** Objection to the extent necessary, just thinking of saving time. I know Figure Eight Road, no objection. She is going to ask this young lady about Kate's Bay Highway and items of evidence she took there. I don't know if it -- again, I've already mentioned to the Court I'm going to object to that, and I guess we've got to wait and see what it is, and you take it up, but ---

**THE COURT:** Well, it's a two -- sort of a two-prong thing. Number one, you've objected to everything.

**MR. MARTIN:** No. I let those pictures in.

**THE COURT:** No, that didn't come out right. You haven't objected to everything. You were very specific and selective. What I meant was you objected -- you didn't let me finish -- everything at Kate's Bay.

**MR. MARTIN:** Correct.

**THE COURT:** You've objected to all that, and I have --

it's suppressed and I have overruled that motion, so you are covered on all of it from that prospect, ---

**MR. MARTIN:** Right.

**THE COURT:** --- but you also have the right as to each individual item to also object to it on not the suppression basis, but on other bases.

**MR. MARTIN:** Right.

**THE COURT:** So I think you ---

Just have them stand right there just one second. Don't go back to the jury room. Just stand right there.

But you're protected a hundred percent on everything at Kate's Bay, but you have obviously the right to object specifically to each item on a different basis other than the constitutional basis of the illegal search and seizure. Am I clear on that?

**MR. MARTIN:** Yes.

**THE COURT:** Okay.

**MS. ELDER:** Your Honor, and I ---

**THE COURT:** And I didn't really mean you had objected to everything. Everybody kind of took that the wrong way, I think. You objected to everything at that location.

**MS. ELDER:** Your Honor, in reference to Kate's Bay, in an effort to avoid the out and in, we can -- if Your Honor wants to do that to save some time with the jury, if they want to stay back in the room, I can go through an in camera

type of -- go through the evidence and Mr. Morgan -- Mr. Martin, I assume, objects on relevancy grounds. We can go ahead and take care of that.

The problem that I'm going to have is when especially in reference to the two casings, I'm going to ask this witness to talk about those in comparison to some other items, so I can't really talk to her and ask her about this particular piece of evidence until it's moved in, so it's going to be a little more difficult for me. I can't do what we just did on the Camaro basically.

**THE COURT:** So you're talking about doing it in camera?

**MS. ELDER:** I can -- we can go through it right now, Your Honor, and I can indicate the items that we're moving in and she can identify them. I assume Mr. Martin is going to object on relevancy. Your Honor can make a ruling on the relevancy issue. Now, of course, if there is something else that comes up during the testimony, he could object at that time.

**THE COURT:** How many items are we talking about?

**MS. ELDER:** There's approximately five different main components, Your Honor.

**THE COURT:** All right. Any objection to us doing sort of an in camera review?

**MR. MARTIN:** No, Judge, no objec- -- whatever makes it most time-wise.

**THE COURT:** Let the jury -- let the jury go back to the jury room for just a few minutes.

All right. You may proceed.

**THE REPORTER:** Can we make it clear on the record which items are going in? I know 16 was withdrawn and 15 went in.

**MS. ELDER:** Well, it hasn't gone in yet.

I believe Your Honor has ruled that 13, 14, 15, 18, and 19 can go into evidence.

**THE COURT:** That would be correct.

**MS. ELDER:** And if I mis-spoke -- I may have asked for 17 to be moved in, but I'm not ready for that one yet.

**THE COURT:** All right. 15 over objection.

**MS. ELDER:** Your Honor, just briefly, two photographs. Number 20 is from Kate's Bay Road. That indicates some items that were found, a Glock manual that were found in a nightstand -- I'm sorry.

**(PHOTO OF ITEMS FOUND IN NIGHTSTAND IS MARKED AS STATE'S EXHIBIT NUMBER 20 FOR IDENTIFICATION ONLY.)**

**IN CAMERA DIRECT-EXAMINATION BY MS. ELDER OF HEATHER BRUMMETT:**

Q. Do you recognize Item Number 20?

A. Yes.

Q. And where was that located?

A. In a nightstand in the master bedroom.

Q. And what location was that?

A. That was on Kate's Bay Highway.

Q. And can you look at your -- did you do a search warrant return?

A. I did.

Q. Okay. Can you look at your return and give me the specific address, please?

A. 3635 Kate's Bay.

Q. And is this your photograph?

A. It is.

**MR. MARTIN:** And I would object, Your Honor. In addition to the overriding objection of all of those, and the objection, I believe, will be the same for each of these items of evidence and that is the relevancy thereof. There you've got a picture of a Glock magazine pamphlet, that one unspecific in nature as to any particular Glock from a bedroom in a home that the State takes the position that the Defendant doesn't have stand- -- is sufficient connection and nexus to that house to have standing to suppress -- to suppress the search thereof, and it is, therefore, I believe, not relevant to this particular case, and let me be a little specific about it.

You know, they say, okay, we've got testimony in the record that Marcus Wright carried a Glock, okay?

**THE COURT:** Of which there are a zillion in the world.

**MR. MARTIN:** You got it, and in this instance, there is

no evidence that I know of connecting him to that drawer in that bedroom and that picture, and I think, therefore, it is not relevant. They can -- got evidence that he carried a Glock, but of what value could it be to a jury that there was, in making this determination, that there was a Glock pamphlet in a drawer in a nightstand by a bed that we don't have a clue who slept in it.

**THE COURT:** All right.

Tell me the relevancy.

**MS. ELDER:** Your Honor, in his possession or constructive possession at the time of arrest, we did get a Glock box. We got a forty calibre, two magazines for that. There is testimony that Mr. Wright carried a Glock, in particular a forty calibre. This is offered and -- oh, I'm sorry, and in the box that Mr. Wright had possession of in the Camaro indicates that Jacinda Wright was the purchaser of that particular weapon.

**THE COURT:** All right, but there's nothing to tie that pamphlet to any particular weapon.

I sustain the objection on that.

**(PHOTO OF X-RAY IS MARKED AS STATE'S EXHIBIT NUMBER 17 FOR IDENTIFICATION ONLY.)**

**MS. ELDER:** Your Honor, State's Exhibit 17.

Q. Did you take this photograph?

A. I did.

Q. And what is that a picture of?
A. That's a picture of the x-ray of the victim's chest cavity.
Q. Is that at autopsy?
A. Yes, it is.
Q. And what does that show in that photograph?
A. That shows projectiles inside his chest cavity.

**THE COURT:** I'm not sure she's qualified to testify to that, but I think she can testify to what it's a picture of.

A. The only reason why -- Your Honor, the only reason why I know is because the doctor removed the projectiles while I was ---

**THE COURT:** All right.

Any objection to that?

**MR. MARTIN:** I object to that as being unduly prejudicial, unnecessary for the State to prove its case. The pathologist can testify that he removed five, six projectiles from the torso of the victim. The only reason to put this in, and she's doing a great job making as good a case as she can, is to kind of highlight the body, the bullets, the gruesomeness of what occurred, and it's unnecessary.

**THE COURT:** Well, it was gruesome, and we have to draw the line somewhere, but I don't think the line is drawn here. Depending on where we go when we get into the autopsy, and we

always have to deal with the autopsy pictures, if there are any presented, but I'll overrule your objection on the photograph of the x-ray of the chest cavity of the decedent.

**MS. ELDER:** Your Honor, I will -- based on your ruling in reference to the photograph of the Glock paperwork, I will not move in because that is the actual paperwork.

**THE COURT:** That's the contents of the drawer?

**MS. ELDER:** Yes sir.

That is State's Exhibit 33. We'll just -- will not move that forward, Your Honor.

**THE COURT:** Make sure that's put somewhere where it doesn't ---

**MS. ELDER:** I've got it on the side ---

**THE COURT:** Well, I know the Court Reporter will take care of that, but if you start handing stuff up in this general area, I get a little antsy.

**(GLOCK LOADER IS MARKED AS STATE'S EXHIBIT NUMBER 24 FOR IDENTIFICATION ONLY.)**

Q. If you will look at what's been marked as State's Exhibit 24. Can you identify that?

A. It's a Glock loader that was on the nightstand at Kate's Bay Highway.

**MR. MARTIN:** The very same objection, verbatim, from my last argument.

**THE COURT:** What's your argument, State?

**MS. ELDER:** Your Honor, it was the same argument as far as the -- that this was a Glock. There was testimony that there was a Glock and that Ms. Wright had purchased that weapon.

**THE COURT:** All right. I sustain the objection as to the loader.

**MR. MARTIN:** What exhibit number is that, Donna?

**MS. ELDER:** Document 24.

**MS. ELDER:** Your Honor, we've got two receipts in Item Number 25, but I would -- seeing your ruling, I would pull one of them out and only move in or ask the crime scene witness to identify that receipt.

Q. Where was that taken from?

A. It's from the nightstand on Kate's Bay and it says clean Colt AR15, Glock, and a ticket, and two boxes of ammunition, and a magazine.

Q. And what date was that?

A. 4/24/2012.

**MS. ELDER:** Your Honor, I would argue that this is particularly relevant because this indicates that she did have possession or someone had possession of that Glock on April 24th, six days prior to the shooting, that two boxes of ammunition were bought and a magazine.

**MR. MARTIN:** Well, my objection is the same, verbatim, that I made on the first item. I don't think the date

changes this. Again, it's a unspecified Glock. It doesn't even say what calibre it is. It does not have any indicia marking of the Defendant, Marcus Wright, on it, and therefore, I believe, inadmissible.

**THE COURT:** I'll overrule the objection on this. I think this is a little different because it does have the date.

**MS. ELDER:** Your Honor, we are marking that exhibit as 25(A), and the one that the State has withdrawn from this particular piece of evidence is 25(B).

**(RECEIPT IS MARKED AS STATE'S EXHIBIT NUMBER 25(A) FOR IDENTIFICATION ONLY.)**

**(RECEIPT IS MARKED AS STATE'S EXHIBIT NUMBER 25(B) FOR IDENTIFICATION ONLY.)**

**(PROJECTILE IS MARKED AS STATE'S EXHIBIT NUMBER 27 FOR IDENTIFICATION ONLY.)**

**(PROJECTILE IS MARKED AS STATE'S EXHIBIT NUMBER 28 FOR IDENTIFICATION ONLY.)**

**(PROJECTILE IS MARKED AS STATE'S EXHIBIT NUMBER 29 FOR IDENTIFICATION ONLY.)**

Q. Would you take a look at what's been marked State's Exhibit 27, 28, and 29.

**MR. MARTIN:** Is that -- let me just cut to -- I believe would be the projectiles from the house or ---

**MS. ELDER:** The autopsy.

**MR. MARTIN:** So it would be the projectiles taken from the autopsy or from the house?

**MS. ELDER:** That's correct.

**MR. MARTIN:** I don't have any objection.

**THE COURT:** That's just those three.

**MS. ELDER:** 27, 28, and 29.

**(SPENT CASINGS FROM SCENE MARKED AS STATE'S EXHIBIT NUMBER 35 FOR IDENTIFICATION ONLY.)**

**(TWO SPENT CASINGS MARKED AS STATE'S EXHIBIT NUMBER 36 FOR IDENTIFICATION ONLY.)**

Q. So take a look at Item 35 and 36. Do you know what those items are?

A. 35 are the casings collected from the scene, the spent casings.

**MR. MARTIN:** No objection.

A. 36 is an envelope containing two spent casings that would come from the factory, from Glock, with the serial number, that was found in the nightstand of the drawer in the master bedroom on Kate's Bay Highway.

**MR. MARTIN:** I would object to those and, ---

**THE COURT:** Go ahead.

**MR. MARTIN:** --- well, the overall objection from the search of the home and a more specific objection in that the gun that I believe SLED will say those were matched to was not a gun that was -- could be connected to Marcus Wright

through any official documentation, and has even the testimony of the Defendant, Lanard Powell, was that he carried a Glock.

**THE COURT:** I'll overrule your objection. Again, we can't do this in a vacuum, and I understand, and, of course, subject to -- this does not happen subject to a later objection that the manufacturer's shell casings and that -- and the shell casings, Number 35, from Figure Eight Road match up, and so I think it is relevant.

**MS. ELDER:** Your Honor, if I could also be heard on that for the record. State's Exhibit 36, that we are attempting to move into evidence, has a serial number on it that I would get Ms. Brummett to read out for the record.

Q. Is there a serial number on the outside of that envelope that you located those casings in?

A. Yes, there is. It's MAF699.

Q. Is what's been marked as State's Exhibit 26 from the red Camaro and the receipt that was in that Glock box, does that have a serial number on it?

A. Yes, it does. It's the same serial number.

**MS. ELDER:** I believe that makes it relevant, Your Honor.

**MR. MARTIN:** I would broaden my objection, Your Honor, in that I -- it's not necessarily the envelope I object to. It's the two shell casings contained in it, and could I look

at those?

**MS. ELDER:** Uh huh (**indicating positive**).

**EXAMINATION BY MR. MARTIN:**

Q. Ms. Brummett, do these shell casings have any nomenclature or marking on them that connect them to any particular Glock gun?

A. I couldn't answer that. I'm not a firearms expert.

**MR. MARTIN:** And, Judge, the problem we've got here that I see is that there's been an insufficient foundation laid for the admission of those two evidence -- items of evidence, at least at this time.

**THE COURT:** All right. Well, I'm allowing them in subject to them being connected up. If they're not connected up, you can renew your motion later.

**MR. MARTIN:** Okay. All right.

**MS. ELDER:** I believe that is it, Your Honor, if I can just ---

**THE COURT:** We're going to take a break and you can double-check while we take a break. We haven't had a break, and the jury has had several, so we'll take a short break.

**MS. ELDER:** Thank you, Your Honor.

**THE COURT:** You can step down, have some water, use the restroom. Just don't talk to anybody about your testimony.

**MS. BRUMMETT:** Yes sir.

**(DRAWING IS MARKED AS DEFENDANT'S EXHIBIT NUMBER 6 FOR**

**IDENTIFICATION ONLY.)** (Marked off-record during break.)

**(PHOTO IS MARKED AS DEFENDANT'S EXHIBIT NUMBER 7 FOR IDENTIFICATION ONLY.)** (Marked off-record during break.)

**(THE FOLLOWING TAKES PLACE AFTER A BREAK AND OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** Is there anything from the State before we get the jury in?

**MS. ELDER:** No, sir, Your Honor.

**THE COURT:** Anything from the Defense?

**MR. MARTIN:** No, Your Honor.

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

**(THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE JURY.)**

**THE COURT:** You may proceed.

**MS. ELDER:** Thank you, Your Honor.

**CONTINUING DIRECT-EXAMINATION BY MS. ELDER OF HEATHER BRUMMETT:**

Q. Ms. Brummett, I want to go back through the photographs that we identified earlier. State's -- this is at the location on Figure Eight Road, which is State's Exhibit Number 13. Could you tell me now what that's a photograph of?

A. That's a photograph of the victim's right hand.

**MS. ELDER:** Your Honor, I don't know if we did this for the record ---

**THE COURT:** You're offering it into evidence?

**MS. ELDER:** Yes sir, all the exhibits that we previously covered.

**THE COURT:** Okay, in without objection ---

**MR. MARTIN:** That one is, yes.

**THE COURT:** Right.

**MR. MARTIN:** That's correct. No objection.

**(SMALL PHOTO (VICTIM'S HAND) INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 13.)**

Q. What now is that? I'm sorry, Ms. Brummett.

A. The victim's right hand.

Q. And what is that on his hand?

A. It's some type of splint or something on one of his fingers.

Q. And was that taken at the crime scene before Mr. Green was moved?

A. Yes.

Q. State's Exhibit 14, you previously identified?

A. Yes.

**MS. ELDER:** Your Honor, I would to move that in.

**THE COURT:** In without objection?

**MR. MARTIN:** Yes, Your Honor.

**(COPY OF PHOTO OF VICTIM'S HAND INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 14.)**

Q. And what is that a photograph of?

A. That is also the victim's right hand showing the splint on his finger.

**MS. ELDER:** That was Number 14.

Q. State's Exhibit 15.

A. This is the photo of the victim, almost the full body view from the feet to the head.

**MS. ELDER:** Your Honor, at this time we would like to move in State's Exhibit 15.

**THE COURT:** In over objection.

**(PHOTO (VICTIM'S BODY) INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 15.)**

Q. Could you identify -- you were at the Figure Eight house, is that correct?

A. Yes, I was.

Q. And do you recall where the door was in that location?

A. Yes. The door was over here in this area, which is going to be off from his feet.

Q. If you'll take a look at State's Exhibit 9, already in evidence, the doorway you are referring to, is that the ---

A. This is the front door, yes. This here would be the front door that I'm referring to.

Q. If you'll take a look at what's been marked as State's Exhibit 10. You also took that photograph, is that correct?

A. Yes, I did.

Q. All right, and in comparison with State's Exhibit 15,

we are actually looking out like that, is that correct?
A. Yes.
Q. And that is, I believe, the Defendant's -- I'm sorry, the victim's feet?
A. Yes, that is the victim's feet, and you can see the rug underneath his feet and the rug beside him match in those photographs.
Q. I'm going to turn it this way so you can see it better. State's Exhibit 15, did you or could you identify from that photograph in your investigation at the crime scene what that is on his right hip?
A. Yes. That is a cell phone inside of a cell phone cover, case.
Q. And the splint that you took a photograph of, his hand, in State's Exhibit 14, that would be on his right side, is that correct?
A. Yes.
Q. Could you point that out on Exhibit 15? I don't know if you could see it from Exhibit 15. What side would it be on?
A. It would be on the same side as his cell phone.
Q. And also in looking at State's Exhibit 15, what is under his left arm?
A. I believe it was a Coors Light beer bottle or beer can.

Q. And again, that was how police came up on him, is that correct?

A. I don't understand.

Q. Was this how when the police arrived his body was laying?

A. Yes; yes.

Q. We had talked about that, but when you investigate a homicide scene, do you process the scene first or does somebody else go in first?

A. The first responders, patrol officers, respond. They make sure the scene or the residence is secure and no one else is inside. They come out. They don't touch anything. Then when we arrive on the scene, I go in first, usually with a detective, take photographs before anything is touched, and I do all the processing.

Q. Is that what you did in this case?

A. Yes, it is.

Q. State's Exhibit 18 and 19 I believe you previously identified?

A. Yes, I did.

**MS. ELDER:** Your Honor, at this time I'd like to move those into evidence.

**MR. MARTIN:** I'm sorry. Which one were you talking about? No objection.

**THE COURT:** In without objection.

**(PHOTO (SPENT CASING) INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 18.)**

**(PHOTO (TWO SPENT CASINGS) INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 19.)**

Q. And looking at State's Exhibit 18, could you tell me what that is?

A. That is a spent casing that was found in the middle of the walkway between the living room and the kitchen right there at the entrance.

Q. And State's Exhibit 19?

A. That is the two spent casings that were found at the cou- -- on the couch in the living room.

Q. And it doesn't look like -- did the couch have cushions on it?

A. I removed the cushions so I didn't have to stick my hand into the cushions. I just removed the cushion so I could photograph it and pick them up.

Q. If you'll take a look at what's been marked State's Exhibit 35. Do you know what those are?

A. These are the three casings that I collected from the scene.

Q. And ---

**MS. ELDER:** Your Honor, at this time I'd like to introduce those into evidence.

**MR. MARTIN:** Those are the three casings from the crime

scene?

**THE COURT:** Figure Eight, yes.

**MR. MARTIN:** No objection.

**THE COURT:** In without objection.

**(SPENT CASINGS FROM CRIME SCENE INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 35.)**

Q. Are those the items that are depicted as 9, 10, and 11 in Photograph Number 18 and 19?

A. Yes ma'am.

Q. And did you package them that way?

A. They were packaged individually in these boxes, as well as with evidence-tamper seal tape, my initials, and the date.

Q. And why did you do that?

A. So we can testify that it has not been tampered with from the time it leaves my custody to SLED's custody.

Q. Would you take a look at Items 27, 28, and 29. Do you recognize those items?

A. I do.

Q. What are they?

A. These are all projectiles or partial projectiles that were collected during the autopsy.

Q. Are there also some from the scene itself?

A. Yes, there are, three.

Q. And are they packaged -- how are they packaged?

A. These are packaged the same way, in their individual boxes, with the evidence-tamper seal tape on the back, with my initials and the date.

Q. Did you attend an autopsy of Jerome Green?

A. I did.

Q. And did you -- is that where you acquired those items in 29, 28, and 27?

A. Yes.

**MS. ELDER:** I'd like to move those into evidence at this time, Your Honor.

**THE COURT:** Mr. Martin?

**MR. MARTIN:** No objection.

**THE COURT:** In without objection.

**(PROJECTILES INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 27.)**

**(PROJECTILES INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 28.)**

**(PROJECTILES INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 29.)**

Q. You indicated that you did, in fact, go to the autopsy of Mr. Green?

A. Yes, I did.

Q. Would you take a look at State's Exhibit 17.

A. It's a photograph of the x-ray of the victim's chest cavity.

Q. And what was the purpose of that photograph?
A. Well, we do that -- it's customary, to show if there's any broken bones or anything that's foreign inside the cavity, or head, or whatever we're taking an x-ray of.
Q. Does that show items inside?
A. Yes.
**MS. ELDER:** I'd like to move in State's Exhibit 17, Your Honor.
**THE COURT:** In over objection.
**MR. MARTIN:** That is correct, Your Honor.
**(X-RAY PHOTO INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 17.)**
Q. And this is the x-ray. What are those darkened or those white spots in there?
A. They were projectiles that were collected by the pathologist.
Q. And were you present when he collected those?
A. I was.
Q. And are those the items that are contained in State's Exhibit 27, 28, and 29?
A. Yes, they are.
Q. In reference to the Figure Eight Road location, did you take any weapons from the victim in this case?
A. No.
Q. Did you locate any weapons around the victim in this

case?

A. No, I did not.

Q. Would you have checked for those items?

A. Yes.

Q. You also did or assisted with processing a crime -- a crime scene location, a residence, at Kate's Bay Road, is that correct?

A. Yes, that's correct.

Q. And what day did you process that location?

A. If I may flip to my notes?

Q. Please.

A. On 5/2/2012.

Q. And did you obtain items from that location as well?

A. I did.

Q. If you'll take a look at what's been marked State's Exhibit 25(A). Do you recognize that?

A. Yes, I do.

Q. And what is that?

A. This is a receipt that was collected from the nightstand in the master bedroom.

**MS. ELDER:** And, Your Honor, at this time I would like to move in State's Exhibit 25(A).

**THE COURT:** Over objection, in over objection.

**MR. MARTIN:** Yes, Your Honor.

**(RECEIPT INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT**

NUMBER 25(A).)

Q. Will you take a look at what's been marked as State's Exhibit 36 -- I'm sorry. On State's Exhibit 25(A), could you read what is on that -- what is on that receipt?

A. Yes. It is a receipt from HammerDown. It's dated 4/24/2012. It says clean Colt AR15, Thirty Five Dollars; Glock, Eighteen Fifty; two boxes of ammo, Twenty One ninety-five; magazine, Twenty Four ninety-five, and then it has the total.

Q. And what date is on that?

A. 4/24/2012.

Q. And that was approximately how many days before you were at the homicide location?

A. About seven days.

Q. If you will take a look at what's been marked State's Exhibit 36. Do you recognize that?

A. I do.

Q. And what is that?

A. This is a manila envelope also collected from the nightstand in the master bedroom with markings on the envelope, and it contained two spent casings.

**MS. ELDER:** Your Honor, I'd like to move in State's Exhibit 36 at this time.

**THE COURT:** Over objection, it's in evidence.

**MR. BROWN:** That is correct, Your Honor.

**(TWO SPENT CASINGS INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 36.)**

Q. Now, were they in some type of packaging?

A. They were in this envelope, along with additional paperwork.

Q. And could you read what's on that envelope?

A. Yes. Glock, Incorporated, 6000 Highlands Parkway, Pomaria, Georgia 30082, Glock semi-automatic pistol, calibre forty, Model G23, Number -- Serial Number MAF699, date collected 5/20/08. Technician, Chris Dupree, and it appears to be a signature of his right next to that.

Q. And do you know what those are?

A. Yes. These are casings that would come from the factory whenever the gun is shipped to the seller.

Q. And in your experience in Crime Scene, is that a normal process with newer guns?

A. Yes. The factory normally sends a casing or a projectile or something along with the gun to show that they test-fired it and it is in working condition.

Q. If you could take a look as what's been marked, I believe, as State's 26, previously introduced into evidence. Could you take a look at that receipt, and could you tell me what -- is that a -- what that receipt is for?

A. This receipt is for a purchase of a Glock 23-40 Smith & Wesson, Serial Number MAF699.

Q. And is that the same serial number from this box, is that the same serial number that is on Item 36 that you located at Kate's Bay Road?
A. Yes, it is.
Q. And what's the date on that receipt?
A. 6/7/08.
Q. And what is -- again, what is the date on the date collected on that Item Number 36?
A. 5/20/08.
Q. Now, did you do anything with the item, with Item State's Exhibit 36 and State's Exhibit 35?
A. I packaged them to send to SLED for processing.
Q. What type of processing did you send?
A. For ballistics to see if the casings were a match.
Q. Now, without getting into the report, did you receive a report back to SLED -- from SLED?
A. I did receive a report.
Q. Did you also send some other items up to SLED in reference to Items 27, 28, and 29?
A. Yes, I did.
Q. And why did you send those items?
A. Just to make sure that they all came from the same firearm and that there wasn't additional firearms involved.
Q. Did you send these to ballistics as well?
A. Yes, I did.

Q. Did you send a -- from State's Exhibit 26, did you send any magazines to SLED?
A. No, I did not send a magazine.
Q. Did you send anything in relation to these magazines?
A. I sent a DNA swab from a magazine, yes.
Q. And when you say swab, tell me what that means.
A. In this particular case, a swab -- what I'm referring to is a touch DNA swab. Any time you touch a surface, at times you may not leave a fingerprint. However, your oils from your skin can cause your DNA to be there, so we will swab it with sterile water, and it looks like a Q-tip, and then that is placed into a box and sealed on the ends and sent to SLED for DNA processing.
Q. Now, do you always get DNA from somebody touching something?
A. No, you do not.
Q. And in this case, did you retrieve anybody's DNA off of those forty magazines?
A. I do not have the report in front of me, but I do not believe we did.

**MS. ELDER:** One moment, Your Honor.

One more question, Ms. Brummett.

Q. At autopsy, do you retrieve all of the victim's clothing and things like that?
A. Yes.

Q. Personal belongings that he may have on him?
A. Yes.
Q. And during the collection of those items, are pockets gone through and things like that?
A. Yes.
Q. Did you find any kind of weapon on him?
A. No.
Q. Did you find any kind of ammunition on him?
A. No.

**MS. ELDER:** Your Honor, I have no further questions.

**THE COURT:** All right.

Cross.

**CROSS-EXAMINATION BY MR. MARTIN:**

Q. Did you check the deceased for gunshot residue?
A. I did collect a gunshot residue kit from his hands, yes.
Q. Did you have it analyzed or evaluated?
A. I did send it to SLED to be evaluated.
Q. Did you get a report on it?
A. No, I did not.
Q. You didn't?
A. No.
Q. Did you call SLED and inquire about why you didn't get a report on it?
A. I did.

Q. Have we got SLED agents here to testify, or do you know?

A. I'm not sure if you have someone from Trace or not.

Q. Let me hand you Exhibit Number 36 and ask you if that's an item that you just published to the jury about the two shells that were collected from where?

A. From the nightstand in the master bedroom on Kate's Bay Highway.

Q. By you?

A. Yes.

Q. Now, and do you do a Crime Scene Investigation Report ---

A. I do.

Q. --- after you do this?

A. Yes, I do.

**(INVESTIGATIVE REPORT IS MARKED AS DEFENDANT'S EXHIBIT NUMBER 8 FOR IDENTIFICATION ONLY.)**

**(PAGE FROM REPORT IS MARKED AS DEFENDANT'S EXHIBIT NUMBER 9 FOR IDENTIFICATION ONLY.)**

Q. Let me ask you, Ms. Brummett, I've got for identification only Defendant's Exhibit Number 8, which I represent to you is the Investigative Report.

A. Yes sir.

Q. And I've got a page, a single page, out of that Investigative Report that's marked Defendant's Exhibit Number

9. Let me ask you to read the second paragraph on Exhibit Number 9. Don't publish it. Just read it yourself.

A. On the third day of May ---

**MS. ELDER:** Your Honor, ---

Q. I'm just asking you to read it so I can ask you some questions about it and it can refresh your memory.

A. Okay.

Q. Have you had an opportunity to read it?

A. Yes sir.

Q. That indicates to me that these shell casings which you have testified to and which everybody said was collected from Kate's Bay Highway was collected elsewhere, am I correct?

A. No. That is a typo either on my part or when my report was corrected or proofread by a supervisor.

Q. It's a typo?

A. Yes, it's a typo.

Q. Is it accurate that it does report that the items also -- and I'll go down to the second sentence. The item was used by Mr. Wright ---

**THE REPORTER:** Mr. Martin, I'm having a problem hearing ---

Q. I'm sorry. All right. Also while inventorying all items in the lab, I observed spent casings ---

**MS. ELDER:** Objection, Your Honor.

**THE COURT:** I sustain the objection.

**MR. MARTIN:** What's the objection?

**THE COURT:** You can ask her questions and then ---

**MS. ELDER:** She affirmatively said that it was a typo, Your Honor, and ---

**THE COURT:** I'll overrule the objection. Go ahead.

**MS. ELDER:** Your Honor, is he going to introduce it then into evidence?

**MR. MARTIN:** No. I don't have to introduce it.

**THE COURT:** Well, just go ahead. I'm going to let him go forward. Overruled.

Q. Also while inventorying all items in the lab, I observed spent shell casings inside an envelope from the factory inside the package, logged in, and then a container box collected from the Chevrolet Camaro. Is that not what you wrote in your official report?

A. Yes, but again, that is a typo. It should have said I observed the casings, along with Glock paperwork, inside the residence and the receipt, as you read on further, the receipt from the plastic Glock box.

Q. And it says on the side of the box was information from a forty calibre Glock box with the serial number FASA699, is that correct?

A. Yes, that's correct.

Q. So it's your testimony that your report is incorrect

by virtue of a typographical error and that all the testimony about where these shell casings came from, though inconsistent with your report, is correct?

A. There is a typo on my investigative report. However, my chain of custody dictate that the casings did, in fact, come from Kate's Bay Highway, and the Glock box containing the receipts did come from the Camaro.

Q. Now, of course, you went out to the crime scene?

A. Yes, I did.

Q. And you don't know what happened at the crime scene before you got there in terms of who would have disturbed it, do you?

A. Prior to law enforcement arrival, no, I do not.

Q. Okay. And you don't know whether items, or do you know from being involved in the case, that there were items taken from the crime scene by individuals before the police got there?

A. I cannot testify that I was aware of that, no.

Q. You haven't heard that?

A. I haven't heard that from an individual, but I can suspect it.

Q. It obviously could happen, correct?

A. Right.

Q. All right. And so when they asked you about whether or not there was a gun on the person, or clothes, or effects

of the deceased when you got from the autopsy room, you said the answer to that was no, right?

A. Right, at the scene and the autopsy, correct.

Q. And you didn't see a gun on the victim at the crime scene?

A. No, I did not.

Q. It doesn't mean somebody didn't remove one before you got there, does it?

A. I can't testify and say it does or doesn't.

Q. Now, you did take some DNA swabs from some magazines and other items of evidence in this case?

A. Yes, That's correct.

Q. And you took DNA swabs from Marcus Wright?

A. Not -- yes.

Q. And you did that with a purpose, and that was to connect Marcus Wright with guns, and magazines, and the items of evidence which have been introduced by the State in this case, is that correct?

A. For the possibility, yes.

Q. And you sent it off to SLED?

A. Yes.

Q. And you got reports back on that?

A. Yes, we did.

Q. And to your knowledge, there was no matches with any of this evidence to Marcus Wright, was there?

A. No, not to my knowledge.
Q. And you talk about the fact if you touch something, you don't always get DNA, and that could be true with fingerprints, too. Likewise, did you process any of this -- any of these things for fingerprints?
A. Unfortunately I didn't do any of the vehicles, so no, I did not process any of them for latents.
Q. Well, who did those? Was that Caulder?
A. Caulder did a few, and then Florence County Sheriff's Office, I believe, did the victim's vehicle.
Q. Had you have done the vehicles, would you have checked them for fingerprints?
A. I would have checked the victim's vehicle for fingerprints, yes.
Q. Would you have checked any of the vehicles, would you have thought there would be evidentiary value derived from for prints?
A. Yes. If I did not know who was in the vehicle, I would have, yes.
Q. All right. And so if you've got a red Chevrolet Camaro rented to somebody and you want to put the Defendant in it, you would check it for prints because his prints ought to be in it, right?
A. Yes. If we could not put him in there, then I might possibly check it for prints.

Q. And you could check it for DNA to see if he'd been in that vehicle, could you not?
A. Possibly, yes.
Q. And you will agree with me that though I may reach down and touch this water jug, I may not leave DNA, but I am likely to leave DNA, am I not?
A. There's a lot of things that depend on whether you're going to leave a fingerprint or DNA when you touch something.
Q. Well, I realize that, but we live in a world, and you're educated and trained, we live in a world where you can detect DNA off of cigarette butts that have been left out for years, can't you?
A. Again, there's a lot that depends on that. I have multiple cases where you would think DNA would be present, and they are not.
Q. Well, I'm going to ask you again. DNA is readily leavable by a human, detectable and traceable in many, many instances, isn't it?
**MS. ELDER:** Your Honor, I'm going to object at this point. She's asked -- this question has been asked three times.
**THE COURT:** I overrule your objection. It's Cross. I'll give him some leeway.
Go ahead.
A. Sorry. Could you repeat.

Q. Yes. DNA, it seems as though you don't think we leave much DNA when we go around. Do you think you could go to my car today and get my DNA out of my car, or is it highly even likely?

A. If I could have a little bit of leeway, I could explain.

Q. Okay.

A. The thing is through my experience I have swabbed vehicles, as I was explaining, for touch DNA and things not come back. I have swabbed counters where you see like a possibility of a partial fingerprint and it appears that you might be able to get some DNA, and it comes back with no human DNA, so I'm not a DNA expert. However, at times when you feel like you may have DNA, we come back and we have a report from SLED that says there was no human DNA present.

Q. And suffice it to say that you oftentimes, as you did in this case, if not every time, check for human DNA because it is often found on items of evidence?

A. Yes, it is.

Q. And in this case, there was no DNA of Marcus Wright found on any of the items of evidence, guns, bullets, shell casings, cars, magazines, of any sort, was there?

A. Not to my knowledge, no.

Q. Let me show you what is marked as Defense Exhibit Number 10 for identification and ask if you can identify

that. You don't have to tell me what it is. Just tell me can you identify it.

A. I can.

Q. And also Number 6 for identification?

A. Yes, I can.

Q. And 6 is a diagram of the crime scene that you prepared?

A. Yes, it is.

Q. All right. And this mobile home has a front door and a back door?

A. Yes.

Q. And 6 for identification -- wait, it is 7 for identification, that's a projectile, one of these projectiles that you collected from the crime scene, correct?

A. I'm not certain if it is the projectile or the jacketing around the projectile, but yes.

Q. All right. And it came off -- that's a picture of it on the stove top in the kitchen, right?

A. Yes, it is.

Q. Now, help me with this. Do you know anything about automatic weapons eject shells? Is that out of your range of expertise?

A. That is out of my range, yes sir.

Q. Let me ask you this: Is this out of your range of

expertise? If an individual is in a kitchen firing a pistol into the living room, the projectile or the jacket around the projectile will go out of the end of the gun barrel into whatever direction it's being pointed, right?

A. Right. I do know that the projectile and the jacket around the projectile will go out of the end of the gun and the casing will be ejected out of the side of the firearm.

Q. Have you got any idea how that projectile wound up on the stove top in the kitchen in this particular case?

A. I do not. However, I have worked scenes where casings have ricocheted -- I apologize, projectiles have ricocheted off of other items that I have found at different locations.

Q. In this particular instance, did you find anything had ricocheted off of any evidence there in the pictures you took of that?

A. No, not to my knowledge.

Q. Can you imagine anything in that mobile home that that thing would ricochet off of and go backwards?

A. Off the top of my head, no, I couldn't.

**MR. MARTIN:** One second, Your Honor.

That's all the questions I have, Your Honor.

**THE COURT:** All right.

Redirect?

**MS. ELDER:** Yes sir.

**REDIRECT-EXAMINATION BY MS. ELDER:**

Q. First in regards to your report, do you have a copy of your report that Mr. Martin was asking you about one page of?

A. I do.

Q. And in your official report, do you list all the items taken by location?

A. Yes, under the evidence collected portion.

Q. And when you -- do you have a location identified as 3635 Kate's Bay Road?

A. I do.

Q. And what is Item Number 10?

A. Would you like for me to read it?

Q. Please.

A. Manila envelope containing two spent casings. Envelope marked 40 Glock G23, Serial Number MAF699, from master bedroom nightstand.

Q. And that would be Item Number 36?

A. Yes, it would.

Q. So Mr. Martin was asking you about, I believe, a summary, is that correct?

A. Yes.

Q. And the detailed list shows where it came from, is that correct?

A. Yes, as well as my official chain of custody.

Q. Did you execute what we call a return?

A. I did.
Q. And what is a return?
A. Any time we perform a search warrant, a return is all the items that are listed or the items that are taken from that location, whatever is searched, and then it is filed with the Judge and signed in his presence.
Q. Are you sworn when you appear in front of that Judge to say these are the items I received from this location?
A. Yes, we are.
Q. And do you have a copy of your return from the 35 -- I'm sorry, 3635 Kate's Bay Road address?
A. I do.
Q. Do you have Item Number 10 on that report -- on that return?
A. I do.
Q. And could you read out what Item 10 is on your official return to the Judge?
A. Manila envelope containing two spent casings, envelope marked 40 Glock G23, Serial Number MAF699, from master bedroom nightstand.
Q. And is that item State's Exhibit 36?
A. It is.
Q. Mr. Martin asked you about did you collect DNA from Marcus Wright. I want to show you a chain of custody ---
**MS. ELDER:** If I could have it marked for

identification, please.

**(HORRY COUNTY POLICE DEPARTMENT EVIDENCE RECORD, TWO SWABS FROM BOTTLE, MARKED AS STATE'S EXHIBIT NUMBER 39 FOR IDENTIFICATION ONLY.)**

Q. Just take a look at what's been marked State's Exhibit for identification only as Number 39. Do you recognize that?

A. I do.

Q. And what is that?

A. It is two touch-DNA swabs from the mouth of a Nestle 16.9 ounce water bottle used by Marcus Wright.

Q. So you did not get the DNA swab from him? You got it from a bottle, is that correct?

A. That's correct.

Q. And you submitted that swab from that bottle, along with the 40-cal magazine, is that correct?

A. Yes, that's correct.

**(SLED DNA ANALYSIS IS MARKED AS STATE'S EXHIBIT NUMBER 40 FOR IDENTIFICATION ONLY.)**

Q. And if you'll take a look at what's been marked for State's, identification only, 40, and in reference to Item 1, being a 40 calibre magazine, is there any human DNA on ---

**MR. MARTIN:** Object. Before you publish it, let me see what we're talking about here.

Judge, I would -- those are SLED Reports I'd be happy to get in, but I think they need to be gotten in by a SLED

person. I would object to her testimony on it.

**MS. ELDER:** I'm not moving them in, Your Honor. He asked a question, if Marcus's DNA was located. I'm clarifying ---

**THE COURT:** I'll allow the question, overrule the objection.

**MS. ELDER:** Thank you, Your Honor.

Q. On Item 1, the 40 magazine, was anybody's DNA found on those magazines?

A. No, there's no human DNA.

Q. In reference to the questions about fingerprints, to be clear, if you know a suspect was in a vehicle, you've got him in a vehicle, is there any need to do fingerprints?

A. No, it's not.

Q. If you know the suspect is at a particular location, is there any reason to do DNA to put him at that location?

A. No.

Q. And I know that he asked you about these times, DNA. How long does it take to get DNA and some of those things tested at SLED?

A. We do fingerprints in-house, but it does take a while to do, and DNA takes sometimes years to get back from SLED.

Q. And State's identification -- I'm sorry, Defendant's I.D. Number 7, you submitted that to SLED as well?

A. Yes, I did.
Q. And I know you're not a firearms expert, but in your experience, have you found projectiles in odd locations at crime scenes?
A. Yes.
Q. Take a look at what's been marked State's Exhibit 10. That's the inside that's showing the kitchen area?
A. It is, showing the living room and the kitchen.
Q. Could somebody standing behind that bar and behind that microwave, shooting into the living room, are there objects that could have ricocheted a bullet from?
A. Yes.
Q. Are there -- is that a partial wall, I believe, is that correct?
A. Yes, it is.
Q. And just to be clear, State's Exhibit -- on State's Exhibit 8 -- of 10, where is the stove located?
A. The stove is to the left in the picture here behind this -- I believe that's a pot.
Q. Behind the bar?
A. Yes, behind the bar.
Q. And the victim is here?
A. Yes.

**MS. ELDER:** No other questions, Your Honor.

**THE COURT:** All right.

**MR. MARTIN:** Just a couple.

**RECROSS-EXAMINATION BY MR. MARTIN:**

Q. What object do you see across the room that that projectile or whatever ricocheted off of?

A. Could you let me see the photo one more time? Depending on the angle that a bullet hits items, even hitting the microwave at a certain angle, it could ricochet off of that. Any of these bottles. Sometimes you would think they would go through, but again, depending on the angle -- I believe this was a light right here, a possibility.

Q. All right, an unlikely possibility, but since you processed the crime scene and you took that item off of the stove over here, the projectile, did you document any evidence of the projectile striking any of the microwave, countertop, the light, anything else which would have caused it to ricochet backwards?

A. No, I did not.

Q. I'm a little interested. You took a DNA swab of Marcus Wright off a bottle you knew that he had used, right?

A. Yes. The bottle was turned in to me and then I swabbed it.

Q. And that's where you got your DNA for him, right?

A. Yes, that's correct.

Q. And you knew you had DNA off of it when you took it?

A. No, I do not.

Q. You had to send it to SLED to find out, didn't you?
A. Exactly.
Q. Now, if you were confident enough that you could get Marcus Wright's DNA to test, instead of getting it from him personally, you just checked the bottle, didn't you?
A. No.
Q. Did you not check the bottle and get his DNA off of it?
A. No, I wasn't confident that we had DNA on the swab.
Q. Well, you could have gotten DNA from Marcus Wright if you wanted to, couldn't you?
A. I did not have any interaction with the Defendant. I was turned -- the bottle was turned in to me for processing to be able to try to obtain his DNA, which is what I did. I swabbed the mouth of it for DNA.
Q. Well, and I guess I'm not saying you personally, but you did have -- let me just say, you took that bottle and used that in this case to extract the DNA from Marcus Wright that could be used to check against other items of evidence, is that correct?
A. Yes, that's correct.

**MR. MARTIN:** That's all I have.

**THE COURT:** You can step down and be excused. We appreciate your time. Thank you.

You may call your next witness.

**MS. ELDER:** Your Honor, the State would call Lisa Floyd.

**LISA FLOYD,** being first duly sworn, testifies as follows:

**THE DEPUTY CLERK:** Please state your full name and spell your last name.

**MS. FLOYD:** Lisa Floyd, F-L-O-Y-D.

**DIRECT-EXAMINATION BY MS. ELDER:**

Q. Ms. Floyd, back in two thousand -- May of 2012, where were you employed?

A. I worked for the Horry County Police Department. I ran the Regional Drug Analysis Laboratory.

Q. And what did -- what does the drug lab do?

A. I just did pretty much anything that an officer might consider could be a controlled substance, prescription substance.

Q. And do you have training for that?

A. Yes, I do.

Q. What type of training have you had?

A. I went through a fourteen week training program with a lab in Spartanburg. It was run by a former SLED chemist who was a trainer at SLED as well.

Q. Have you been to school, high school?

A. Yes.

Q. College?

A. Yes.

Q. And what are your degrees in?

A. I have a Bachelor of Science degree in Biochemistry from Clemson University, and approximately twenty-four hours toward a Master's degree in Biochemistry from Clemson as well.

**MR. MARTIN:** Judge, I'm willing to stipulate that she's qualified to test whatever she tested in this case.

**THE COURT:** All right.

Are you tendering her as an expert in ---

**MS. ELDER:** In the testing of controlled substances, Your Honor.

**THE COURT:** All right.

Members of the jury panel, what we are having here is somebody that we refer to as an expert witness, and in my charge I'll go over this again, but basically someone who is a witness in a trial can only testify as to something they sense with one of their five senses. Usually it's something they've seen or heard, but it could be taste, touch, or smell.

However, if someone has certain qualifications based on their training, their experience, their knowledge, and their expertise, they can be qualified as an expert and they can take facts and render from those facts an opinion. Generally individuals cannot give an opinion based on facts unless they

have the expertise to do it.

I have used an example of a physician. I could have a child and I could touch the child's forehead and feel fever. The child could be throwing up; I could see that. The child may be crying, tossing in pain. I could come into court and testify to all of those things, but I could not testify as to what was wrong with the child.

However, I could take that child to a doctor, a physician, and that physician, based on education, training, experience, and knowledge could render an opinion. Of course, in that case we would call it a diagnosis, but a doctor could take the facts that I testify to and from that reach an opinion, that is that the child has the flu, or the child has bronchitis or something, so that's what an expert does.

They take facts from that to reach an opinion, whereas generally witnesses cannot from facts reach an opinion. They just have to testify directly as to facts, as to something they've sensed.

You may proceed.

**MS. ELDER:** Thank you, Your Honor.

Q. Ms. Floyd, in particular, did you have an opportunity to test some narcotics that were -- that were submitted to you by Crime Scene Analyst Heather Brummett on May 18th, 2012?

A. Yes, I did.
Q. And do you prepare a report in regards to that?
A. Yes.
Q. And do you -- let me just show you State's Exhibit 11. When you receive drugs submitted to you by officers or Crime Scene, what do you do upon initial inspection?
A. When I first receive drugs for testing, it's inside this inner envelope that has the blue tamper-evident markings around it. Right now, it's simply folded in half inside this clear outer packet, and I actually look at all of the markings all the way around and make sure that there is no evidence of tampering, and assuming there's not, I write my initials, the letters, OK, and the date, and if there is any evidence of tampering, then it would immediately be returned. It would not be accepted at the lab.
Q. And are your initials on State's Exhibit 11?
A. Yes, they are.
Q. Now, when you open that package, does it have control numbers or lab numbers?
A. It has both. The bags that the officers use to submit have a pre-printed number that comes from the bag -- or the company that makes the bag, and that's called the control number at the top.

In this case, it's H007718, and then when I receive the package, I give it a lab number, which is just another

control measure for the laboratory to make sure that we have the correct package, and in this case, it was L120331.

Q. And are those numbers matched up to particular defendants in cases?

A. Yes, they are.

Q. Is that how you tell what drugs go with what case?

A. That's correct, yes.

Q. And when you issue a report, do you itemize those items, the lab number, the incident date, the case control number, the suspect's name on the report itself?

A. Yes. All of those things are on the report.

Q. Do you have a copy of your report?

A. I do not.

**(HORRY COUNTY POLICE DEPARTMENT DRUG REPORT OF LISA FLOYD MARKED AS STATE'S EXHIBIT NUMBER 41 FOR IDENTIFICATION ONLY.)**

Q. If you can take a look at what's been marked as State's Exhibit 41 for identification. Is that a copy of your report?

A. Yes, it is.

Q. Does it indicate that you tested the items in State's Exhibit 11?

A. Yes, it does.

Q. And do those control numbers and lab numbers match from your report to what I have showed you in State's 11?

A. Yes, they do.
Q. And who are the suspects indicated on your report that this particular package is attached to?
A. Two subjects listed. First is Lanard Powell, and Marcus Wright is the second.
Q. And when you tested Item Number 11, did you, in fact, without indicating what yet, did you, in fact, find narcotic or controlled substances?
A. Yes, I did.

**MS. ELDER:** Your Honor, at this time, I would move in State's Exhibit 11 into evidence.

**MR. MARTIN:** Well, subject to the previous objection that has previously been stated and which I'll ---

**THE COURT:** Subject to earlier rulings by the Court into evidence, over objection to the ---

**MS. ELDER:** Thank you, Your Honor.

**(DRUGS IN CLEAR PACKAGE INTRODUCED INTO EVIDENCE AS STATE'S EXHIBIT NUMBER 11.)**

Q. Now, if you will tell us what your findings were.
A. There were five items present. Item 1 was a white rock substance in a sandwich baggie. It was found to be cocaine in the amount of 27.83 grams, which is ---

**THE COURT:** I'm sorry. Somebody coughed and I missed that. How many?

A. 27.83 grams, which is 429.41 grains. Item 2 was a

white rock substance in a sandwich baggie. It was also found to be cocaine in the amount of 13.44 grams, which is 207.37 grains.

Item 3 was an off-white rock substance inside of a corner bag, and it was found to be cocaine base, which is commonly referred to as crack cocaine, in the amount of 0.87 grams, which is 13.42 grains.

Item 4 was also an off-white rock substance inside a corner bag. It was also found to be cocaine base, referred to as crack, in the amount of 1.01 grams, which is 15.58 grains.

And Item 5 was an off-white rock substance inside of a corner bag also found to be cocaine base, or crack. It was 0.92 grams in weight, which is 14.19 grains.

Q. And for those of us who may not know, if you could take a look at State's Exhibit 11 in evidence. There are distinguishing characteristics between the two substances in the bag, is that correct?

A. Yes, they appear different.

Q. And could you tell me or describe what the bigger white-in-color items are? Is that the cocaine or the cocaine base?

A. The larger white rock substance is the cocaine.

Q. And the smaller off-white color substance, is that the crack?

A. Yes, that's correct, the ones that appear as cubes.

**MS. ELDER:** I have no further questions, Your Honor.

**CROSS-EXAMINATION BY MR. MARTIN:**

Q. Just one question. Do you check these -- these drugs were in little plastic bags?

A. That's correct, yes.

Q. Do you check them for fingerprints or DNA to see who had handled them?

A. Our lab does not do fingerprint analysis or DNA testing.

Q. So to your knowledge, there's no evidence of a report of that in the case?

A. I'm sorry. The question again?

Q. To your knowledge, there's no evidence of that in this case, to your knowledge?

A. I'm not aware of it, no.

**MR. MARTIN:** Thank you. That's all.

**MS. ELDER:** Your Honor, I have no further questions for Ms. Floyd and ask that she be excused.

**THE COURT:** You can step down and be excused. We appreciate your time. Thank you.

Call your next witness.

**MS. ELDER:** Your Honor, the State would call Michele Eichenmiller.

**MICHELE EICHENMILLER**, being first duly sworn,

testifies as follows:

**THE DEPUTY CLERK:** Please state your full name and spell your last name.

**MS. EICHENMILLER:** My name is Michele Eichenmiller, E-I-C-H-E-N-M-I-L-L-E-R.

**DIRECT-EXAMINATION BY MS. ELDER:**

Q. Please pronounce your last name again for me.

A. Eichenmiller.

Q. Ms. Eichenmiller, where are you employed?

A. I work for the South Carolina Law Enforcement Division, commonly known as SLED. I work in the Forensics Laboratory.

Q. And what type of things do you do for SLED?

A. I'm a forensic firearms examiner. Any time evidence comes in from a crime that is firearms related, it comes to my department.

Q. And have you had training for that particular job?

A. I have. I have a Bachelor's degree, and I also have a Master's degree, but as part of my training for SLED, I had to go through a three to five year internship, apprenticeship program, where I learned under trained firearms examiners.

I did extensive reading and testing on my own, as well as microscopic comparisons, and then I had a comprehensive exam, and then they deemed me qualified to do case work on my own.

Q. Now, when you were in that apprenticeship, did you have someone that was reviewing your work at that time?
A. I never did actual case work. I did practice cases and then worked alongside the examiners, so they were looking over what I had done.
Q. And how long have you been with SLED?
A. I've been there since April 2006, so seven years.
Q. And have you testified before in relation to testing firearms -- I'm sorry, analyzing, forensic analyzing of firearms and ballistics?
A. I have.
Q. And have you done so at the Circuit Court level?
A. Yes.
Q. Have you ever testified in Federal Court?
A. No ma'am.
Q. Just State Court?
A. Yes.
Q. How many times have you testified?
A. Approximately fifteen.
Q. And have you been deemed an expert in those prior cases?
A. Yes, I have.
**MS. ELDER:** Your Honor, at this time, I would move Ms. Eichenmiller to be qualified as an expert in forensic testing of firearms and ammunition.

**THE COURT:** All right.

Any voir dire?

**MR. MARTIN:** None, Your Honor.

**THE COURT:** All right.

I find she is qualified in the area articulated by Counsel, and we are dealing with another expert like the last lady, Ms. Floyd.

Q. Ms. Eichenmiller, I want to take you specifically to a case that you tested. I believe the date is August 20th, 2012, that was submitted from Horry County, in particular, Heather Brummett. Are you familiar with that?

A. Yes ma'am.

Q. And did you generate a report from that?

A. I did.

Q. Do you have that available for your review at this time?

A. I do, right here.

Q. I want to start by giving you what's been marked into evidence as State's 27, 28, and 29, and go through those items, in particular first in regards to State's Exhibit 27. Did you get that submitted for analysis?

A. I did. Whenever I receive evidence in a case, I will put my initials, the case number, and the item number on the evidence if possible. My initials, item number, and case number are on here, so this is what I examined.

Q. And did you assign an item number for the purpose of your report?
A. The -- when it's logged in to the Evidence custodians downstairs in our Log-in Department, our computer generates a number for it.
Q. And what number was generated for that particular item?
A. This is our Item 28.
Q. And you said you analyzed that, is that correct?
A. Yes.
Q. And what did you conclude? Well, let me ask you, on your report did you indicate where Item 28 came from per the submission?
A. Per the submission documents, I just had copied what was on there. They said it was from victim's right chest, the autopsy.
Q. And what were your conclusions about Item 28?
A. I had compared Item 28 to the other evidence that was submitted, and I couldn't conclude if it was -- they were all fired by one firearm or not.
Q. Okay. And is Item 28 on Page 3 of your report?
A. Yes. It carries over from 2 to 3.
Q. Okay. And could you indicate what you -- or could you say what you indicated about Item 28 regarding the suitability for identification?

A. Item 28, there's a small fragment in with the larger fragment, and the small fragment had no marks and was unsuitable for identification with a specific firearm. The larger fragment was -- may or may not be suitable for identification.

Q. But that was from the victim, is that correct?

A. Correct.

Q. Could you take a look in State's Exhibit 29 and 28 and locate your Item Number 17, 22, 24, 25, and 26.

A. Could you repeat those numbers.

Q. 17, ---

A. Uh huh **(indicating positive)**.

Q. 22.

A. Okay.

Q. 24.

A. All right.

Q. 25.

A. Okay.

Q. 26.

A. Uh huh **(indicating positive)**.

Q. Have you got all of those items in front of you?

A. I do.

Q. Item 17, could you indicate based on your report where your Item Number 17 came from?

A. It was described on the intake documents as from

victim's left side, Scene Number 5.
Q. Item 22.
A. Described as from top of stove in kitchen, Scene Number 12.
Q. Item 24.
A. Described as from victim's left lower chest, Autopsy Number 15.
Q. 25.
A. Described as victim's right arm, Autopsy Number 16.
Q. Item 26.
A. Described as victim's right costal margin, Autopsy Number 17.
Q. And when you examined them, what did you conclude?
A. I compared Item -- my Item 17, 22, 24, 25, 26, and 28, the large fragment, to each other and I had inconclusive results. They didn't have enough markings to be able to tell us they were all fired by the same firearm or different firearms.
Q. Did you indicate that they were consistent with a particular type of weapon?
A. I did.
Q. What is that?
A. They are consistent with having been fired from a firearm that was rifled with six grooves or right twists, and then we generated a manufacturer's list of possible

manufacturers that make guns that have that rifling.
Q. And what was -- what would that be?
A. In -- the fired bullets could have been forty S & W calibre or a ten millimeter automatic calibre. Firearms that are made in forty S & W calibre with that rifling is Glock, Heckler & Koch, IMI, Kahr Arms, and Vector, and then Glock also makes a ten millimeter auto with that rifling.
Q. So these are most consistent with either a forty calibre or a ten millimeter, is that correct?
A. Correct, based on the measurement of their diameter.
Q. And so you couldn't specify what specific handgun it was?
A. No.
Q. You didn't have a handgun to analyze it to, did you?
A. Correct.
Q. All right. And is that common when you're analyzing projectiles?
A. It depends, probably about fifty/fifty. We get cases without firearms and cases with firearms.
Q. And when you don't have firearms, is it difficult to pinpoint an exact weapon?
A. Sometimes. It depends on the rifling. Different manufacturers have different numbers of lands and grooves and different measurements. Sometimes we can come up with a list of just one firearm, and sometimes it could be as much as six

hundred.
Q. And I want to go back. Item 22 -- the jacket you indicated from the top of the stove in the kitchen, ---
A. Yes.
Q. --- that is one that is included as being most consistent with a forty S & W Glock or a ten millimeter Glock?
A. Correct.
Q. Could you also locate in State's Exhibit 35, what item number are those on your report?
A. These are SLED Item Numbers 19, 20, and 21.
Q. And from the report that you generated, where are those items indicated from?
A. Item 19 is described as from couch, Scene Number 9. Number -- Item 20 is described as from couch, Scene Number 10, and Item 21 is described as from living room floor, Scene Number 11.
Q. And what calibre are those?
A. Those are forty S & W calibre cartridge cases.
Q. Which is the weapon you indicated was a possible for 17, 22, 24, 25, 26, is that correct?
A. Correct, they could have been, yeah, the same calibre.
Q. And will you also take a look at State's Exhibit 36. Did you receive that as well?

A. I did.
Q. And what item number is that on your report?
A. Those are Items 30 and 31.
Q. And did you compare those items to -- I'm sorry. Where are those items indicated as being from?
A. From the packaging. It says received in an envelope marked in part, it said calibre forty Model G23, Serial Number MAF699.
Q. And did you compare State's Exhibit 36 with State's Exhibit 35?
A. I did.
Q. And what were your findings from that comparison?
A. My Items 19, 20, 21, 30, and 31 were all fired by the same firearm and they may be suitable for identification with that firearm.
Q. And I assume that would be a forty calibre?
A. Correct.
Q. How is it that you're able to conclude with specificity that 35 and 36 are from the same weapon?
A. When a piece of ammunition is fired and a firearm -- microscopic marks are applied to the components that are left, a cartridge case during firing will slam against the breach face, and so we receive breach face marks.

Also related to the operation of the firearm, different marks can be applied, such as magazine marks or ejector and

extractor. I put those on my microscope and I compare them to each other and if there's enough agreement between the two specimens, I say that they're from the same firearm.

Q. And you were able to conclude that about these two?

A. Correct.

Q. In regards to Item 28, 29, 35, or 36, could those have been fired from a nine millimeter pistol?

A. No.

**MS. ELDER:** One moment, Your Honor.

Your Honor, I have no other questions.

**CROSS-EXAMINATION BY MR. MARTIN:**

Q. Is it Ms. Eichenmiller?

A. Eichenmiller.

Q. Did you bring us any photographs of your work in comparison?

A. I just have what I have taken for my notes and my case file.

Q. You've got your notes; you don't have any photographs?

A. No. I take photographs as part of my notes, but it's just for me to remember what I was looking at.

Q. And in this case, your opinion that they were fired from the shell casings, fired from the same weapon, is, in fact, an opinion of yours, correct?

A. Correct.

Q. It is a judgment call?

A. Correct.
Q. Unlike DNA, it is not accepted as unattackable?
A. Any of our branches of forensic science can be attacked because it's all opinion. It's based on our training and experience.
Q. Right. And in this case you say there are ejector marks, extractor marks, and breach marks, all of which can factor into your comparison, is that correct?
A. Correct.
Q. And in this case, what you're telling us is you look at those, you came to the opinion that they were fired from the same gun?
A. Correct, and that's why we also have a hundred percent micro-verification so another court-qualified firearms examiner looked at the cartridge cases after I did and agreed with my opinion.
Q. They agreed with you?
A. Correct.
Q. And, of course, again, this is simply an opinion and it's one in which with all the firearms in the world, there are more than one that could leave the same extractor marks or breach marks, for example?
A. In our training and experience, no one has seen the same firearm leave the same marks.
Q. But you are aware of the fact that that could occur?

A. It's possible.

Q. Did you -- with any of the testing of the work you did able to determine who fired those shell casings?

A. No.

**MR. MARTIN:** That's all the questions I have.

**MS. ELDER:** Your Honor, we have no further questions. We would ask that Agent Eichenmiller be excused.

**THE COURT:** You can be excused. We appreciate your time. You can step down and be excused. Thank you.

**MS. ELDER:** Your Honor, I believe our next witness, if we could break for lunch, he will be here at two.

**THE COURT:** All right.

The next witness is scheduled at two o'clock, and we usually work a little bit longer than this, but this is a medical doctor, and we will have him here at two, so we'll break for lunch. Please be back about quarter till two.

If he gets here a little early, we can start a little early. That will be 1:45. That will give you plenty of time for lunch, and we will start hopefully no later than two, but it may be that we can start at a few minutes before two, so have a pleasant lunch, and we'll see you back at 1:45.

**(THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** Anything from the State before we break for lunch?

**MS. ELDER:** No, sir, Your Honor.

**THE COURT:** Defense?

**MR. MARTIN:** Nothing at this time, Your Honor.

**THE COURT:** Just for scheduling, we've done, I think, eleven witnesses. We'll do as many as you have, but you've got twenty-six listed. How are we coming?

**MS. ELDER:** Your Honor, the State expects to call Dr. Proctor, and more than likely, that will be our last witness.

**THE COURT:** All right.

The Defense has three witnesses. Would they be ready to go forward this afternoon at, say, three or three-thirty.

**MR. MARTIN:** Yes. We need some time, which we will take some of that at lunch to discuss the same, and we will be prepared to go forward this afternoon.

**THE COURT:** Okay. It sounds good.

All right. Have a pleasant lunch, and we will see you back at -- let's try to be back at quarter till two, and if the doctor gets here early, we can start a little earlier.

**MS. ELDER:** Judge, do you want to review his criminal history so they can be talking about that at lunch?

**THE COURT:** You mean for impeachment of Mr. Wright?

**MS. ELDER:** Yes sir.

**THE COURT:** Yeah. Why don't we look at that before we break for lunch so that can be discussed with Counsel.

**MS. ELDER:** Your Honor, it is my understanding that Mr.

Wright does have the following convictions. He has a 2002 conviction for carjacking, and we have a certified copy of that conviction, Your Honor. He has a 2001 conviction for carrying an unlawful pistol. He has a 2002 conviction for ---

**THE COURT:** Wait. A 2011 (sic) conviction -- carrying an unlawful pistol only carries a year.

**MS. ELDER:** It's a 2001 conviction, Your Honor.

**THE COURT:** That would only carry a year.

**MS. ELDER:** Yes sir, that's correct. He was sentenced on December, it looks like, 13th, 2002.

**THE COURT:** Okay. Go ahead.

**MS. ELDER:** He has a December 2002 conviction for receiving stolen goods. It looks like he received a five year sentence on that, Your Honor. Also, a 2002 conviction for malicious injury to personal property, received a five year sentence for that.

**THE COURT:** Is that the one that only carries thirty days?

**MS. ELDER:** No, sir. It's ---

**THE COURT:** A five year?

**MS. ELDER:** Yes sir. A 2002 conviction for assault and battery of a high and aggravated nature, received a ten year sentence on that. And I failed to say, Your Honor, on the carjacking that it's a December 2002 conviction, he received

a ten year sentence on that.

**THE COURT:** Mr. Brown.

**MR. BROWN:** Your Honor, we would agree that a couple of those are impeachable. I think it's those that are beyond the ten year statute we would have some significant problems with.

**THE COURT:** Well, I don't think any of them really are. The carjack- -- I mean the carrying a pistol, and it carries a year, but the others, he received sentences of ten years in 2002; that would have taken him into the ten years, which would have been sometime in 2003, a five year sentence on stolen goods, five years on the malicious injury to property, and ten years on assault and battery would all carry into the ten year time frame, so with the exception of perhaps carrying a pistol, the others, I think, would be admissible for impeachment purposes for Mr. Wright.

**MR. BROWN:** Yes sir.

**THE COURT:** Anything else?

**MS. ELDER:** No, sir, Your Honor. Would you like us to bring potential charges with us after lunch or ---

**THE COURT:** It would be nice if you would go ahead and get those together, and my clerk and my intern can start working on that. We've been discussing it, and I'll go ahead just real briefly. Please hand them up and we get to that point where we're thinking about lesser includeds, I don't

believe there's any lesser included in trafficking, ---

**MS. ELDER:** No, sir.

**THE COURT:** --- and as to the murder, ---

**MR. MARTIN:** There's evidence of manslaughter ---

**THE COURT:** Voluntary manslaughter.

**MR. MARTIN:** --- and/or self-defense, Your Honor.

**MS. ELDER:** Your Honor, there is absolutely nothing regarding self-defense. There is nobody -- nobody ever testified that Jerome Green made any aggressive -- aggression towards the Defendant, that he had a weapon in any way, shape, or form, absolutely not.

In regards to voluntary manslaughter, I don't see that killing that justi- -- first of all, justifiable killing or unjustifiable killing in a heat of passion. I don't see a heat of passion from the stand either. Every witness that was up there indicated all of a sudden Mr. Wright started opening fire.

**THE COURT:** The only remote testimony, if I remember correctly, had to do with him perhaps pulling up his shirt.

**MR. MARTIN:** Judge, there's testimony from obviously their witnesses, Lanard Powell, Veronica Chandler, Mildred Small, in some shape or form, that, yeah, had reached for something, pulled up his shirt. Powell testified that Wright told him thought he had a gun, thought he reached for a gun. They made a point to say never saw a gun, but that is not

definitive.

I've tried many self- -- not many. I've tried several self-defense cases where the victim didn't have a gun, nobody saw one, but it's clear under the case law with the evidence in the record he's entitled to a charge of voluntary manslaughter and self-defense.

**THE COURT:** All right. Well, let me think about that over lunch. If you have any cases, but, I mean, I know the law. Obviously I've already been thinking about that and my clerk and I have been talking about it.

Yes sir, Mr. Brown.

**MR. BROWN:** Your Honor, if I may be briefly heard on that. There was testimony in the record in regards to individuals coming to this house for the purpose of robbing the house and those individuals would, you know, have guns. I think Mr. Powell clearly testified to that, so I think inferentially there is some evidence in that regard.

**THE COURT:** Well, based on that logic, he could shoot anybody that came in the door.

**MR. BROWN:** No, sir.

**MR. MARTIN:** Well, Judge, and since you are going to be thinking about it over lunch, one other factor that would go more to -- is the evidence of the splint on his finger. I'm sure they've got their own theory about that, but you've got a man with a metal thing on his hand, evidence of that in the

record, and thought they saw something ---

**THE COURT:** We haven't got any testimony that the Defendant thought he saw anything. I mean, there's some tes- ---

**MR. MARTIN:** Oh, yeah, there's testimony from Lanard Powell he thought he saw something.

**THE COURT:** Well, he said he thought he saw something. You're right; you're right. All right. Well, we'll consider those things.

**MR. BROWN:** Thank you, Your Honor.

**THE COURT:** All right. Have a nice lunch.

**MS. ELDER:** Your Honor, I believe just on that, he would -- I believe the lesser included would be possession. That's the only indictment that I can think of that would have a lesser included.

**THE COURT:** That's on the crack?

**MS. ELDER:** Yes sir.

**THE COURT:** All right. We'll be at ease until 1:45.

**(THE FOLLOWING TAKES PLACE AFTER A LUNCH BREAK AND OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** Is the State ready?

**MS. ELDER:** Yes sir, Your Honor.

**THE COURT:** Defense ready?

**MR. MARTIN:** Yes, Your Honor.

**THE COURT:** All right.

Bring in the jury.

**(THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE JURY.)**

**THE COURT:** You may call your next witness.

**MS. ELDER:** Your Honor, the State would call Dr. Proctor.

**THE COURT:** All right.

Come up and be sworn.

**EDWARD LEROY PROCTOR, JR.**, being first duly sworn, testifies as follows:

**THE DEPUTY CLERK:** Please state your full name and spell your last name.

**DR. PROCTOR:** Yes ma'am. I am Edward Leroy Proctor, P-R-O-C-T-O-R, Jr.

**DIRECT-EXAMINATION BY MS. ELDER:**

Q. Dr. Proctor, what do you do for a living?

A. I am a medical doctor engaged in the practice of pathology.

Q. And pathology, that line of work, do you perform autopsies?

A. Yes ma'am. As part of my duties, I do perform autopsies. I perform forensic cases, and I have been sub-specialty certified for that practice.

Q. And you've testified many times in court, is that correct?

A. That is correct.

**MS. ELDER:** Your Honor, I believe that the Defense is going to stipulate that Dr. Proctor is an expert in the area of forensic pathology.

**MR. BROWN:** We are, Your Honor.

**THE COURT:** I find he is qualified.

Q. Dr. Proctor, where do you physically work at?

A. My office is in Myrtle Beach at Grand Strand Regional Medical Center.

Q. And is that where you conduct autopsies as well?

A. Yes ma'am.

Q. Okay. And how do you get the autopsies? Are they referred by law enforcement, the coroner?

A. These cases are referred to me by the offices of the coroner.

Q. And did you have an occasion to perform an autopsy on a deceased, Jerome Green?

A. Yes ma'am.

Q. And what was the date of that autopsy?

A. The date of that autopsy was May the 1st, 2012.

Q. And just briefly, for those who may not understand what an autopsy is, could you put that in layman's terms?

A. Yes ma'am. A forensic autopsy in layman's terms is the medical-legal examination of a body to determine cause and manner of death. We usually get -- or we do in this

county get a request from the office of the coroner and based upon the information that I am given by that office, I do an examination of a body to include an external exam, internal examination, microscopic exam, if necessary, and toxicologic examination, and based upon those findings, we determine a cause and manner of death.

Q. And did you determine a cause of death for Jerome Green?

A. Yes ma'am.

Q. And what was the cause of death?

A. The cause of death for Mr. Green was multiple gunshot wounds with extensive trauma to the visceral organs.

Q. Did you know how many or did you -- could you identify -- or how many did you identify gunshot wounds to Mr. Green?

A. I would have to count, but there were at least -- for certain, there were ten gunshot wounds because there were ten projectiles within the body. There may have been more through and through, but for accuracy's sake, absolutely ten.

Q. Now, you also indicated that you do toxicology, is that correct?

A. That is correct.

Q. And did you do toxicology on Jerome Green?

A. We send out toxicology, which is performed at a national forensic lab called National Medical Services, and

yes, we did.

Q. And what were the findings in relation to Mr. Green in reference to blood alcohol?

A. He had a blood alcohol of seventy-seven milligrams per deciliter. Converting that to breathalyzer or grams percent, that's .077.

Q. What would that be equivalent to drink-wise?

A. One -- one to two beers, a couple of glasses of wine.

Q. And did he have anything else in his system?

A. Cocaine metabolite.

Q. And what is a cocaine metabolite?

A. Pure cocaine is rapidly metabolized to or accurately broken down into its metabolite over the course of two to three hours, and the metabolite can be present from approximately two to three hours after cocaine use for approximately three days.

Q. So if you have a metabolite level, is it based on level?

A. There was probably a level given. I don't have the actual report in this autopsy, but for there just to have been metabolite there basically says he has used it in the past.

Q. But it doesn't necessarily mean recent?

A. No.

Q. Now, Dr. Proctor, in your report of your autopsy, did

you locate and identify the gunshot wounds?

A. Yes, I did.

**MS. ELDER:** Your Honor, at this time I would ask that Dr. Proctor be allowed to come down from the stand and diagram those as we go through them.

**THE COURT:** All right.

A. Okay. He had multiple gunshot wounds. These wounds are not necessarily in the order in which they were received because I just don't know. He had two gunshot wounds in the left chest, one slightly above and one below the other. He had two gunshot wounds in the left lateral chest in the posterior area.

Q. Let's see if we could switch these and maybe green might show up a little better.

A. All right. This area roughly. He had a gunshot wound in the right chest of the axillary area, which would be roughly in this area here. He had a gunshot wound in his left iliac crest, which is the crest above the waist, this area.

He had a gunshot wound in the superior aspect of the left shoulder, this area here. He had a gunshot of entrance and exit in the left upper arm, so enter here, came out here, and in all likelihood passed through one of these holes in his back because that one is hard to say.

He had a gunshot wound entrance and exit in the right

forearm below the elbow, this area here and here. He had two gunshot wounds in the right upper leg, basically here and here, and one was entrance and one was exit, that area.

He had three gunshot wounds in the back, two again close to the other two in the back in this area here, and he had -- the third one in his back was in the mid-line lower back and not -- and also there was a gunshot wound involving the hand, and that is of the left third finger and thumb, so it would be a gunshot wound in this area right here on the left side. Those were the wounds.

**MS. ELDER:** Doctor, if you could please take the stand again, please.

Q. Any other injuries of note, Dr. Proctor, other than the gunshot wounds?

A. No ma'am.

Q. Any issues, health issues, that you could see through your autopsy?

A. No ma'am.

Q. So he was a healthy -- how old was he?

A. Thirty-eight.

Q. A healthy, thirty-eight year old man?

A. That's correct.

Q. And you indicated that you also determined manner of death, is that correct?

A. That's correct.

Q. And the manner of death in this case, what did you conclude?

A. Homicide.

**MS. ELDER:** No other questions, Your Honor.

**MR. BROWN:** May it please the Court.

**THE COURT:** Yes.

**CROSS-EXAMINATION BY MR. BROWN:**

Q. Dr. Proctor, you indicated that there was cocaine in the decedent's system?

A. Cocaine metabolite.

Q. And that does not mean that it was used recently, or what does that mean?

A. Cocaine metabolite can show up as soon as approximately two to three hours after use and can stay in the system approximately two to three days, so all I can tell you is it could have been anytime two to two and a half hours to two to three days.

Q. Two to two and a half hours prior to the shooting or two to three days?

A. Yes sir, that's correct.

Q. And you further indicated that there was a blood alcohol content in the blood?

A. That's correct.

Q. And would it be correct to say from zero to point zero five to point zero seven is euphoric?

A. It's point zero five to point zero seven. Point zero eight is clinically, legally not drunk, not under the influence, but again, other than to tell you, it's possible he could have been. I don't know his tolerance levels or any of that.

Q. So at point zero seven seven, he was close to being inebriated?

A. Close to being under the terms for law enforcement to be charged with a DUI. He's right close to it, yes sir.

Q. Okay. And it's not your testimony today that any projectile that was the cause of the death of this young man was fired by a weapon owned or possessed by Mr. Green, is it?

A. I don't know who owned what weapon. I have no idea. All I know is that there were multiple gunshot wounds with multiple projectiles removed from this man's body.

Q. Okay, and one last question. Did you do any kind of analysis in regards to gunshot residue as it relates to the deceased?

A. There were no areas of residue around any of these wounds on the body. Any items of clothing that may have been there were given to law enforcement and you would have to ask them whether or not residue studies were performed on the clothes, but on this man's body there was no residue.

Q. I understand that. When you do the autopsy, you have

the body? You don't have the clothes on?

A. Sometimes we have the clothes, and in a case of this sort the crime scene people take all the clothing.

Q. All right. And -- but you did not -- and what my question ---

A. I physically did not perform any residue tests, no sir.

Q. All right. Thank you.

**MR. BROWN:** I have nothing further, Your Honor.

**MS. ELDER:** One quick follow-up question.

**(TOXICOLOGY REPORT IS MARKED AS STATE'S EXHIBIT NUMBER 42 FOR IDENTIFICATION ONLY.)**

**REDIRECT-EXAMINATION BY MS. ELDER:**

Q. Dr. Proctor, take a look at what's been marked State's Exhibit for identification 42. Is that a copy of the blood and toxicology report or a portion of it?

A. That is the second sheet, yes ma'am.

Q. And does that indicate the cocaine metabolite level?

A. Yes, it does.

Q. And what was that?

A. It says seventy-six nanograms per milliliter.

Q. And what's a baseline for a metabolite to show up?

A. Fifty.

Q. And what does it go up to?

A. Gosh, it can go -- it could go very high.

Q. And the higher, I assume, the more use, is that correct?
A. That's correct.
Q. But this was extremely low?
A. For what we had to evaluate, it was low, yes ma'am.
Q. Thank you, Doctor.

**MS. ELDER:** The State has no further questions, Your Honor.

**MR. BROWN:** I have one question on redirect -- or recross.

**THE COURT:** Okay.

**RECROSS-EXAMINATION BY MR. BROWN:**

Q. Dr. Proctor, cocaine is a drug that can make one aggressive? That's one of the features of ingesting cocaine, is it not?
A. It can, yes sir.

**MR. BROWN:** All right. Thank you, sir.

**MS. ELDER:** Your Honor, I ---

**REDIRECT-EXAMINATION BY MS. ELDER:**

Q. Can cocaine make somebody not aggressive as well, passive?
A. Cocaine could kill you the first time you use it on many cases, yes ma'am.

**MS. ELDER:** No further questions, Your Honor, and I would ask that this witness be excused.

**THE COURT:** You can step down and be excused. We appreciate your time. Thank you.

**MS. ELDER:** Your Honor, at this time, the State of South Carolina would rest.

**THE COURT:** All right.

Members of the jury panel, the State is resting. That is the State is telling us it has presented its case exhibit-wise and testimony-wise. Under certain circumstances, the State may be able at a later time to present other evidence, but basically you've heard the State's case.

At this time, even though you've been in here a short period of time, we have to take up matters of law outside your presence, so I'm going to let you go to the jury room and we will send for you as promptly as we can. Thank you.

**(THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** All right. Anything from the State?

**MS. ELDER:** No, sir, Your Honor.

**THE COURT:** Defense?

**MR. MARTIN:** Your Honor, the Defense would move at this time for a directed verdict of not guilty as to all counts based on the lack of insufficiency of the evidence presented at trial.

**THE COURT:** That motion is denied. I believe there is ample direct evidence and substantial circumstantial evidence

from which the jury could conclude that Mr. Wright was the person that committed this offense and killed Mr. Green, so I find the State has -- I find the evidence is sufficient to warrant the denial of that motion.

**MR. MARTIN:** And I would make the motion as to each count which is the subject of this trial.

**THE COURT:** And not only as to the murder, but as to the trafficking, I've looked at the weight and I've added that up, and it turns out to be forty-one grams, which is in excess of the twenty-eight grams required for -- which is the threshold for trafficking. There's evidence that there was crack cocaine recovered in -- I can't remember which automobile now. I would have to look back at my notes.

And the evidence is clear that whatever killed Mr. Green were projectiles from a firearm and, therefore, whoever killed him, whether it was Mr. Wright or someone else, it was done with a weapon and, therefore, I find -- and by law, murder is a violent crime, that -- as to all four indictments, the motion for a directed verdict is denied.

**MR. MARTIN:** Thank you, Your Honor.

**THE COURT:** Now, Mr. Wright, can you hear me?

**MR. WRIGHT:** Yes sir.

**THE COURT:** All right. We've reached a point in the trial where you have a right to present a defense. You do not have to present any evidence or any defense whatsoever.

You are presumed innocent of this charge and need not prove your innocence. The State must prove beyond a reasonable doubt your guilt before this jury could convict you. Again, you do not have to call any witnesses, but you certainly have a right to call as many witnesses as you wish.

You have a right to testify if you wish. You also have a right to remain silent. If you testify, the State can ask you about those crimes which you have in your past we went over earlier. I believe there was a carjacking, a malicious injury to property, ---

**MS. ELDER:** It's receiving stolen goods, Your Honor, and ABHAN.

**THE COURT:** All right. The State is going to ask you about those offenses and whether or not you have those as a part of your past history. The State can ask those only regarding your credibility, that is if you take the stand and you are asked whether you have this record and, of course, you do according to the information of record at this point.

I would tell the jury that those prior offense are allowed into evidence for the jury to consider whether to believe you or not, that is your credibility, not as any indication that you committed this offense, and I will tell the jury they cannot use your prior record as any evidence that you committed this offense. They can only use your

prior record to determine whether you are a truthful person or not.

If you exercise your constitutional right to remain silent, I will instruct the jury that you have done so, that you have an absolutely right to remain silent. I will tell them they cannot hold that against you in any way whatsoever or use that to mitigate against you in any way whatsoever.

I will tell them that they cannot even discuss, nor can they factor into their own deliberations, the fact that you exercised your constitutional right to remain silent. I will remind them that you are presumed innocent, you are not to prove your innocence. The State is required to prove your guilt beyond a reasonable doubt before you could be convicted.

Mr. Wright, do you understand all that?

**MR. WRIGHT:** Yes sir.

**THE COURT:** Do you have any question about any of it?

**MR. WRIGHT:** Not exactly.

**THE COURT:** Well, don't say not exactly. That doesn't help. You either do or you don't. I mean, I want to make sure you understand ---

**MR. WRIGHT:** No, sir.

**THE COURT:** You understand?

**MR. WRIGHT:** Yes sir.

**THE COURT:** Have you explained that to him, Mr. Martin?

**MR. MARTIN:** Yes.

**MR. BROWN:** Yes, we have, Your Honor.

**THE COURT:** Now, this is your decision, to testify or not. You can obtain such advice as you wish from your attorney or from others. Of course, it's not the State's, it's not mine, and it's really not your attorneys'. It's your decision, Mr. Wright, and it's up to you to determine whether you wish to testify or not.

And I ask you now -- you're not bound at this point, but have you determined whether you wish to testify or exercise your right to remain silent?

**MR. WRIGHT:** Exercise my right to remain silent.

**THE COURT:** All right. You may be seated.

Now, I understand we do have some witnesses?

**MR. MARTIN:** Well, we may. Your Honor, we're at the point in time -- Ms. Barbara Pratt is here, and because of talking with our client at lunch and her doing other things we need, a short opportunity to determine if we're going to call the witnesses or not.

**THE COURT:** Okay. We'll take a short break then. Will fifteen minutes be enough, fifteen or twenty?

**MR. MARTIN:** Yes.

**THE COURT:** Okay. All right. Well, why don't we -- twenty-five after two. Why don't we reconvene at quarter

till three.

**MR. MARTIN:** Okay, Judge.

**THE COURT:** If you need any extra time, let me know.

**MR. MARTIN:** Okay.

**THE COURT:** Now, this was not -- the mannequin was not put into evidence is my understanding, so we will need to have that removed.

**MS. ELDER:** Yes sir.

**MR. MARTIN:** Judge, I understand for planning purposes that you do not intend to argue or charge today?

**THE COURT:** No, I'm not going to do that. It would be after -- the old after-four-o'clock rule, plus we've got tomorrow, ---

**MR. MARTIN:** Okay.

**THE COURT:** --- and if we started back at quarter till three and we did arguments and charge, we wouldn't get it to the jury until after four, and we've got tomorrow.

**MR. MARTIN:** That's fine. I just ---

**THE COURT:** No, I don't plan on doing arguments and charge. I'd rather start fresh in the morning.

**MR. MARTIN:** Okay. Thank you, Judge.

**(THE FOLLOWING TAKES PLACE AFTER A BREAK AND OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** At this point I understand the Defense intends to call Christopher McCray, who is represented by Ms.

Barbara Pratt, who is present, and we've had some discussion as to where all this may end up or where it's going, so we're going to -- I'm going to allow the Defense to call Mr. McCray outside the presence of the jury and we'll see where we go as far as whether he testifies to anything that is admissible and relevant, and whatever other legal issues may be encapsulated in the testimony of Mr. McCray, so would you like to call Mr. McCray to the stand.

**MR. BROWN:** I will call Mr. McCray.

**THE COURT:** Mr. McCray, if you'll just walk around over here.

**MR. BROWN:** Your Honor, for the sake of brevity, can I dispense with the matter of the record and just move on directly to what we're going to get?

**THE COURT:** Well, I kind of hate to tell you what you can and can't do -- of course, that's my job, but the -- as far as -- you just don't want to go over as far as his impeachment, what kind of record he has?

**MR. BROWN:** Yes. I mean, I think ---

**THE COURT:** I'm not here to judge his credibility so much. I'm here to judge something else.

**MR. BROWN:** Yes sir. I'll just for the record ---

**CHRISTOPHER K. McCRAY,** being first duly sworn, testifies as follows:

**THE DEPUTY CLERK:** Please state your full name and

spell your last name.

**MR. McCRAY:** Christopher Kereinzom McCray, M-C-C-R-A-Y.

**THE REPORTER:** What was your middle name?

**MR. McCRAY:** Kereinzom.

**THE REPORTER:** Kereinzon?

**MR. McCRAY:** Kereinzom.

**THE REPORTER:** Spell it, please.

**MR. McCRAY?** K-E-R-E-I-N-Z-O-M.

**DIRECT-EXAMINATION BY MR. BROWN:**

Q. Mr. McCray, where are you presently located?

A. Conway, South Carolina, in the courthouse.

Q. Are you incarcerated presently?

A. Yes sir.

Q. And you have been incarcerated for how long?

A. Thirteen months.

Q. And that would be since May of 2012?

A. Yes sir.

Q. During that period of time, your incarceration, did you have contact with Lanard Powell?

A. Yes sir.

Q. And how did you have contact with Mr. Powell?

A. We were roommates on two occasions. The first time it was only for a week, but the second time, from late March until May 13th, this year.

Q. And during that period of time, did Mr. Powell -- when

you say -- when I say contact, how -- how did you have contact with him?

A. Like we were in a room together. There's four bunks in the room, and me and him were in the same room.

Q. There's four what?

A. There's four beds in the room, and we were in the same room.

Q. And how long were y'all in that capacity?

A. From like March 28th -- I want to say from like March 28th until May 13th.

Q. Okay. And during that period -- during that period of time, did you have a conversation with Mr. Powell?

A. Yes sir.

Q. And did y'all talk about his case?

A. Yes sir.

Q. And what -- what kind of conver- -- did you talk about your case to him also?

A. Yes sir.

Q. All right. Did he ever -- did he ever talk to you about the case in regard to Mr. Marcus -- Mr. Marcus Wright?

A. Yes sir.

Q. All right. What exactly did he tell you?

A. He told me that him -- Mr. Marcus Wright goes by the name of King, and a guy named Big Money, a/k/a Two Guns, were at the trailer that night, that night of the incident.

He said he left to go around the corner to make a sale at a trailer park behind the pawn shop on Socastee Boulevard. He said while he was gone, Mr. Wright had snuck off with his girlfriend, figured they was messing around behind his back or whatever. He was like he noticed that Mr. Wright's Escalade was parked at the McDonald's like ---

Q. Parked where?

A. At a McDonald's near the pawn shop, I guess. He say when he was leaving from making the sale, he noticed that his girlfriend's car was about to turn out of the McDonald's parking lot and so he flagged her down.

He said he noticed that Mr. Marcus Wright was trying to -- going to the drive-through to try to play it off like so he wouldn't see his car, so they went to -- she -- the girl followed them to a bar, like Mejay's, Midjay's or something like that. I'm not sure. I'm not familiar with the name.

It was like he got out of the car. He left a cracked window. He left the car parked there. He got in the car with the girlfriend. He said they started arguing or whatever, he cussing her out because he say he had a feeling like they were messing around or whatever, but he couldn't never prove it said but he finally caught them, say so they went back to the trailer that night.

He say him and the girl went back to the trailer, say when they got there, when he approached the trailer, he saw a

guy -- he saw the guy, Two Guns, running with a gun in his hand and get into a black Charger with chrome rims on it and leave out with the headlights off. Say he got out of the car, went in the house and noticed a body laying on the floor motionless.

Q. Say that again. I can't hear you.

A. Say he got out of the car, went into the house and noticed a body laying on the floor motionless. Say so he kind of kicked the leg, like kicked it with his foot to see if the body respond. Say the body was limp and the leg kind of moved a little bit, and he noticed a pistol on the floor.

Q. He noticed a what?

A. A pistol, a gun. Say he picked the gun up and picked a set of keys up. I can't -- I'm not sure if he said that he helped the white girl pick up the keys or he just the -- I mean the shells or he got the shells from the white girl, but he said that he had to -- he say he bust in the room, had to bust in the door of the room to get all the drugs out of the room.

So after he get all the drugs or whatever, he run out of the house and get into the dead man's Jeep, said because he wasn't going to ride with her, said he had nothing to say to her. Say when he pulled out, when he left the trailer, say she was following him.

Say Mr. Wright kept calling his phone over and over, say

but he wasn't interested because he ain't nothing he wanted to say to him, until he made a wrong turn and he got lost, but he knew Mr. Wright know the area because Mr. Wright been around this way longer than he has, say so he picked up the phone to tell Mr. Wright what he saw or whatever around him and tell him what was going on, say Mr. Wright found him.

Say he asked him man to man was he messing with his girlfriend. Say Mr. Wright denied it, say the girl denied it, so he was like okay, well, he gave him all the dope and he gave him the guns, and he went his way. Say Mr. Marcus Wright left and he left.

Q. And let me make sure ---

**MR. BROWN:** Your Honor, I need to mark this.

**(HANDWRITTEN STATEMENT OF CHRISTOPHER McCRAY IS MARKED AS DEFENDANT'S EXHIBIT NUMBER 10 FOR IDENTIFICATION ONLY.)**

Q. I'm going to show you what has been marked as Defendant's Exhibit Number 10 and ask if you can identify that?

A. Yes sir.

Q. And what is that?

A. That's a statement that I wrote.

Q. And when did you write that statement?

A. The 15th. That was Saturday.

Q. Okay. All right. Now, let me make sure I understand. Did Mr. Capone or Mr. Powell tell you at any point that he

saw -- he picked up a gun by the decedent?
A. Yes sir.
Q. Repeat that for me.
A. He walked in the house and noticed the body laying on the floor. It wasn't moving, motionless, say he kind of kicked it a little bit to see what it -- would it respond or whatever. Said the leg moved a little bit. I guess that it was limp. Say the leg moved a little bit and he noticed a gun. Say he picked it up and he picked up a set of keys.
Q. Did Mr. Wright promise you anything?
A. No, sir.
Q. Did Mr. Morgan Martin and I promise you anything for your coming here today to testify?
A. No, sir.
Q. You realize that you presently have charges against you being brought by the Solicitor's Office?
A. Yes sir.
Q. And you realize that that could jeopardize your present situation or the situation you have presently?
A. Yes sir.
Q. Did anybody promise you anything from that table in regards to this testimony?
A. No, sir.
Q. Why are you testifying?
A. Because, I mean, if some- -- if I was in his shoes, if

we could switch shoes right now, and someone had some information that could possibly help me out any kind of way, I would want that person to come forth and help me also.

**MR. BROWN:** Your Honor, I would move the introduction of the statement.

**MS. ELDER:** For the purpose of this preliminary hearing, I assume?

**MR. BROWN:** Yes.

**THE COURT:** Okay. That will be fine. In.

**MR. BROWN:** May I have a minute, Your Honor?

**THE COURT:** Yes.

Q. Now, do you have anything to gain from testifying here today?

A. No, sir.

Q. And when did you first see Mr. Wright?

A. Like the first time I ever saw him?

Q. Yes sir.

A. Was last year around -- last year, I'd say, around probably May the 10th at the latest.

Q. And how long did you know Mr. -- how long did you -- how long were you with Mr. Wright when you first met him?

A. We was in classification for like a week together.

Q. And that was at the detention center?

A. Yes.

Q. Okay. And did you strike up some kind of relationship

with him then?

A. No, sir. I wouldn't know ---

Q. Do you have a relationship with him now?

A. No, sir.

Q. Okay. So how did you know that -- how did you know to write this statement, or when did you meet Mr. Wright again in order to write this statement?

A. We were in max and my flap ---

Q. You have to explain that.

A. We was in MSU Max, so we clean up that night, and it's a little -- like a little door, like the door is closed, but it's a little door on the door where they can pass a tray, and they can pass a broom and a mop to you, and my flap was open and his was also.

And I looked down. I looked through the flap or whatever. He said what's up? I was like who is that? He was like this King. I was like oh, what's up? I was like what you doing here? He was like I'm going to have to go to trial. I was like, well, your co-defendant saying some crazy stuff about you. He was like what you mean? After we clean up or whatever, he was like what you mean by ---

**THE REPORTER:** I'm sorry. I can't understand you.

Q. Come closer to the microphone.

A. All right. I said, well, your co-defendant is saying some crazy stuff about you, like he has something against you

or whatever. He was like what you mean? Like later on or whatever, probably like thirty minutes to a hour later, he was like, yeah, what you mean by that, he's saying some crazy stuff about me?

I was like, well, he's saying that you messing with his girlfriend, like -- like he's going to do whatever to help hisself out and to bury you.

Q. Okay. All right. And this statement is dated what day?

A. The 15th.

Q. Okay. And when did you have that conversation with Mr. Wright?

A. I think it was probably like the 13th.

Q. And, again, has anyone promised you anything?

A. No, sir.

**MR. BROWN:** I have nothing further, Your Honor.

**CROSS-EXAMINATION BY MS. ELDER:**

Q. How do you know Marcus Wright?

A. From being in the jail.

Q. Which time?

A. Like when I first came here.

Q. In?

A. May -- I came in May the 6th of last year, 2012.

Q. That's the first time you ever met Marcus Wright?

A. Yes ma'am.

Q. How long were you with him?
A. For like a week.
Q. And when did you see him again? You saw him again a couple of months ago when he was re-arrested, is that correct?
A. Yes ma'am.
Q. For a DUI?
A. I think before that. Yeah, it was before that.
Q. And he got out of jail again?
A. Yes ma'am.
Q. And then you saw him again when he was re-arrested in June, is that correct?
A. Yes ma'am.
Q. So you've seen him three times at the jail?
A. Four, actually.
Q. Four?
A. Yes ma'am.
Q. And you've had conversations with him all along, is that correct?
A. Like about -- yeah, I have -- we have conversation, but it wasn't about the case or nothing.
Q. And when did this conversation supposedly occur between you and Lanard Powell?
A. From -- I want to say it was mid-April.
Q. Of this year?

A. 2013, yes ma'am. We were roommates from like late March, like March 28th, until May 13th.
Q. J. Reuben Long has you rooming with an individual named Bertino Gonzales between March 30th, 2013, and May 11, 2013?
A. Lanard Powell was in my room as well, and we was in Charlie 3 in Room 208.
Q. So the jail is wrong about that, is that correct?
A. Yes ma'am.
Q. You were also present and delivered, actually delivered, a statement that Marcus had wrote to Lanard Powell prior, weren't you?
A. I didn't deliver it, no ma'am.
Q. Were you present?
A. I was present, but I wasn't -- I didn't deliver it.
Q. Who delivered it?
A. I assume the other guy in the pool deck.
Q. And what was said when it was given to Lanard Powell?
A. What you mean, when it was given to him?
Q. When they handed it to him, what -- did anybody say anything to him, just threw him a piece of paper, or what?
A. I -- he gave me the paper, told me to pass it through the door.
Q. To who?
A. To Mr. Wright.

Q. Did you pass something to Lanard Powell?
A. No ma'am. I ain't passed him nothing.
Q. You were present when something was passed to Lanard Powell, weren't you?
A. To Lanard Powell, no ma'am, I wasn't.
Q. You were not?
A. No ma'am.
Q. What did you pass to Marcus Wright from Lanard?
A. I didn't pass -- I passed it to somebody else who did pass it. I couldn't pass it through the door. I couldn't get it through the door.
Q. What was it?
A. A piece of paper. It was a statement that Lanard Powell had wrote.
Q. Do you know why he wrote that?
A. He said -- he told me that that statement could help King get off his charges.
Q. Did he also tell you, or didn't you tell him that Marcus told him he had to write that because he knew where his family was?
A. No ma'am. No ma'am, I did not.
Q. Did you read that statement?
A. No ma'am.
Q. You don't have any idea what it said?
A. No ma'am. I mean, no, no ma'am, I ain't read the

statement.

Q. And you wrote this June 15th, 2003 (sic), two days before this trial was starting?

**THE COURT:** 2013 maybe.

**MS. ELDER:** June 15th, 2013.

**THE COURT:** You said 03.

**MS. ELDER:** I'm sorry.

Q. 2013, is that correct?

A. Yes ma'am.

Q. Two days before this trial started?

A. Yes ma'am.

Q. But yet you said that you had talked to Marcus Wright or at least seen him at least on three other occasions at the jail throughout the past year, is that correct?

A. Yes ma'am.

Q. And not once did you tell him about this?

A. No ma'am, because every time I saw him before this, we never was in the same dorm to have any contact with each other like that.

Q. What are you doing in max?

A. Fighting.

Q. Fighting who?

A. Last, I fought a guy named Joshua Smith.

Q. You were fighting a co-defendant, too, is that correct?

A. Yes ma'am. I fought my co-defendant the 13th of May.
Q. You've gotten in a lot of trouble out at the jail?
A. Kinda.
Q. Kinda?
A. Yes ma'am.
Q. You threatened a police officer?
A. Yes ma'am.
Q. Disruptive behavior?
A. Yes ma'am.
Q. Fighting?
A. Yes ma'am.

**MS. ELDER:** I don't have any questions, Your Honor.

**THE COURT:** Any redirect?

**MR. BROWN:** Nothing on redirect.

**THE COURT:** We can let Mr. McCray return to the holding cell.

All right. As I understand, the State objects to the testimony?

**MS. ELDER:** Yes sir, Your Honor, and this -- I believe if I could quote basically for the record, Rule 613(b) says extrinsic evidence of a prior inconsistent statement by a witness is not admissible unless the witness is advised of the substance of his statement, the time and place it is allegedly made, and the person to whom it was made, and is given the opportunity to explain or deny the statement.

If a witness does not admit that he was -- he has made the prior inconsistent statement, extrinsic evidence of such statement is admissible. However, if a witness admits making the prior statement, extrinsic evidence is not inadmissible.

Also, Your Honor, there is a case, and I apologize for not having it pulled, this has kind of come up -- it is reversible error to admit a declarant's prior inconsistent statement without his having first taken the stand and denying making it. Such error is not cured if he is subsequently called as a witness. That's Shepherd versus State, 357 S.C. 646.

**THE COURT:** Anything from the Defense?

**MR. BROWN:** Yes, Your Honor. I don't know that this is a prior -- I think the prior inconsistent statement rule is talking about a written statement. There was no written ---

**THE COURT:** No, it says written or oral.

**MR. BROWN:** Your Honor, our position is simply this. On direct examination and on cross examination, Mr. Powell testified that he didn't see a gun, that there was no gun. This man testified that Mr. Powell said to him that there was a gun.

**THE COURT:** You didn't ask Mr. Powell did you tell Mr. McCray that you saw a gun. You didn't ask him the substance of the statement that you're now trying to attribute to him.

**MR. BROWN:** Well, no, I did not ask him that, but he was asked that on direct examination. I asked him whether or not there was a gun. He said that ---

**THE COURT:** No. You're still -- I said that you did not ask him, did you tell Mr. McCray that you saw a gun? That's the statement we were talking about, not his testimony.

Anything else?

**MR. BROWN:** No, sir.

**THE COURT:** I -- I'm going to not allow him to testify. I've looked through the rules pretty good, and this is hearsay, number one, and I can't find any hearsay exception that applies. While this may appear to be a statement against penal interest, it does not apply under 804(b)(3) because the declarant is available to testify and has testified.

It is not an 801(d)(1) situation, again, because he has not been -- he was not cross examined, quote, concerning the statement, so it's not an exception to the hearsay, and it does not fall under 1613(b), is not a prior statement that can be impeached by intrinsic evidence. Mr. Powell was not advised of the substance, and I think that's the key of the statement and, therefore, he was not given an opportunity to explain or deny the statement.

And, again, I know the Defense's position is different.

You're either having trouble understanding me or you just have a different position, and I don't -- either way, it doesn't bother me, but I'm just try- -- I'm trying to get across that the statement has to do with the statement between Mr. McCray and Mr. Powell, not any other statement, so I'm going to deny -- I'm going to grant the State's objection to Mr. McCray testifying.

**MR. BROWN:** Your Honor, we just want to make sure to note our objection for the record.

**THE COURT:** Well, you're on record. Obviously you've presented it, so you're not happy with me and I ---

**MR. BROWN:** Very well.

**THE COURT:** All right. Do you have any other witnesses?

**MR. BROWN:** We have no other witnesses, Your Honor.

**THE COURT:** All right. So the Defense -- I'm going to let you rest in front of the jury then, and we'll get the jury back in, and we are -- Ms. Elder?

**MS. ELDER:** I'm sorry, Your Honor.

**THE COURT:** We're going to get the jury back in and let the State rest -- I mean let the Defense rest, and I'm going to let the jury go, and we can talk about charges, requests to charge, and any other matters that we need to, and then we can start back at 9:30 in the morning.

**MS. ELDER:** Yes sir.

**THE COURT:** So let's bring -- because it would be well after four before we got it to the jury, so bring in the jury.

**(THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE JURY.)**

**THE COURT:** Members of the jury panel, when you left the State had rested. The Defense now has a right to go forward if they wish, but they have no obligation, and I would call on the Defense at this time.

**MR. MARTIN:** The Defense would rest at this time also, Your Honor.

**THE COURT:** The Defense has also rested, so now you have heard all of the evidence, received into evidence all the exhibits.

We're not going to finish the case today because by the time we take care of some legal matters, arguments and charge, it would be five o'clock or so before we get it in your hands, and I'm not going to do that to you, so we're going to start back at 9:30 in the morning.

Now, even though you have in the record the evidence, testimony and the exhibits, you are yet not in a position to make up your mind or discuss the case because you don't have all the tools you need to be fair and reasonable in reaching a decision. You won't have all those tools until you have heard the summations and closing arguments of the attorneys

and my charge on the law.

Prior to that time, as I've told you earlier, you're not equipped to make a decision that is fair, and reasonable, and just, so don't try to make up your mind. Don't discuss the case among yourselves. Keep in mind about the news and the electronic forces. Keep all that in mind, and when you come in the morning, you will have the arguments of the attorneys and my charge, and then you will have the case in your hands.

We will order lunch in tomorrow so you can work through lunch, and we should have it in your hands at least by lunch time. Have a pleasant evening, and we will see you in the morning at 9:30.

**(THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** All right. Yes ma'am?

**MS. ELDER:** Your Honor, is it possible that the Court would allow me to allow the victim's family to leave at this point ---

**THE COURT:** Sure.

**MS. ELDER:** --- if they desire to?

**THE COURT:** Yeah. We'll just -- if they can leave fairly quietly. Everybody else can remain seated.

**MS. ELDER:** Thank you, Your Honor.

**THE COURT:** All right.

We can -- anything for the record? We can have a charge

conference?

**MR. MARTIN:** Judge, at the conclusion of all the evidence, we would renew our motion for a directed verdict of not guilty because of the insufficiency of evidence produced by the State against this Defendant as to each and every indictment at trial.

**THE COURT:** All right. Like I've ruled earlier this afternoon as to all four indictments, I believe there is sufficient direct evidence and substantial circumstantial evidence from which the jury could determine that the State has proven beyond a reasonable doubt Mr. Wright guilty of one or more, or all of these offenses.

Now, we've got discussions -- and I'll be glad to talk to Counsel in chambers. The first thing that we might as well go ahead and get off the table, I cannot recall -- I don't think the Defense put in any evidence. I think there was one thing marked for I.D.

**MR. MARTIN:** We didn't put anything in.

**MS. ELDER:** It was moved into evidence, Your Honor, yes sir.

**THE COURT:** Okay, because I ---

**MR. MARTIN:** What was?

**MS. ELDER:** The envelope.

**THE COURT:** Yeah.

**MR. BROWN:** It was the envelope.

**THE COURT:** So does the Defense waive -- the State waive opening?

**MS. ELDER:** Yes sir.

**THE COURT:** All right.

So the Defense will go first and the State will have the right to close since evidence was introduced.

The other two things, and I'm going to let you both research this tonight some more, has to do with the voluntary manslaughter and self-defense request. We can talk about it some more today, but I'm going to give each of you the opportunity to do some further research.

And I have asked the Court Reporter to isolate what I recall being the only testimony that -- or I guess it's the testimony based on what has been said earlier upon which the Defense relies to support both of those charges, and that is a comment by -- a self-serving, of course, comment by the Defendant as he fled.

My recollection is that the comment was something to the effect is the nigger tried to pull a jack. I don't know that that means anything to anybody outside of whatever community those are intelligible phrases, so with that being -- if that's the only thing, then I don't know that that's substantial enough to support either of those charges.

If there's other -- if there's more stuff, I'll look at it, but my recollection is, of course, the testimony of -- I

can't remember her name now, but the driver of the car was that he said, brother, go pick up some shells, and that's certainly of no help to the Defense, but -- and I stand to be corrected, but I've asked the Court Reporter to try to find that.

**MR. MARTIN:** Well, Judge, ---

**THE COURT:** If the Defense think there's some other comments ---

**MR. MARTIN:** Yeah, Judge, I can. Lanard Powell testified that first of all you're accurate on the comment I believe that he -- Lanard Powell's testimony was that the Defendant said he tried a jack move, a jack move, which in their world is pull a gun and rob him.

**THE COURT:** Well, we don't know -- I think jack means something like hijack, and that doesn't necessarily mean a gun was pulled.

**MR. MARTIN:** Yeah, who knows what it means, but my point is this ---

**THE COURT:** My street -- isn't enough to put me in that realm, so ...

**MR. MARTIN:** In that never, neverland of where are we, but there's that. In addition to that, it is my recollection that Lanard Powell testified that in some other conversations that Marcus Wright said that he thought he was pulling a gun, because the question was asked, well, did he say he ever saw

a gun, to which the answer was no, but it's clear that Lanard Powell testified that Marcus told him that he came in, made those comments about who's up -- and you're letting these boys up in your place, and was moving around, and that he reached for something. That's in there.

You've got Mildred Small who testified to the effect that the Defendant -- not the Defendant, that the victim in the case reached for something, and you've got Veronica Chandler who testified. Now, I've got to go back and look at her statement so I can tell you exactly what she did testify to.

Now, she denied that she said some- -- one thing that I asked her, but she admitted that she said the other that I asked her, which was that she thought something, and I can get the exact testimony, or the Court Reporter can, but something to the effect that he reached or went for something.

And I think, you know, all of that independent or cumulatively, under the standard that we have, and that is the evidence must be viewed in the light most favorable to the Defendant and if there's any evidence whatsoever, then the Court should charge manslaughter as well.

Of course, you know the law better than I do, but I think that there is other references in there that would get us to that, including the conversation that -- about him

coming in and say, hey, you got these boys up in your place, and doing it in a confrontive or combative manner, so I know those things there. I can think about more overnight, ---

**THE COURT:** Well, words alone wouldn't be sufficient, but ask the Court Reporter -- I hate to put Dixie to work, but it kind of comes with the territory, as she knows ---

**MS. ELDER:** Your Honor, and I may be able to -- what -- if Mr. Martin could repeat what he said on Lanard's testimony, I may be able to stipulate that if he will say that one more time.

**THE REPORTER:** I've got it right here.

**MS. ELDER:** Okay.

Can we get her to read that, Your Honor?

**THE COURT:** Yes.

**THE REPORTER:** I can go back to it, but I jotted down the note. I went back and listened on the break.

**MS. ELDER:** So you've got that?

**THE REPORTER:** It's something to the effect, you've got these young boys in your house now, and Green looks as if he's going for a gun, took three steps and he's reaching by his abdomen.

**MS. ELDER:** Your Honor, I have -- my recollection is Lanard Powell said that the Defendant told him he thought he was reaching for a gun, he put his hand towards his abdomen or something like that, but that he never saw a gun, that he

never told him he saw a gun.

I would stipulate that that is -- is that what Lanard Powell -- I don't think it gets to self-defense or voluntary, but I think he did say that, Your Honor. I think he said that Marcus Wright told him that, yes, sir.

**THE REPORTER:** Your question was, did he say Mr. Green threatened him in any way? And his answer was no.

**THE COURT:** So he asked if he was threatened in any way, and he said no?

**MS. ELDER:** That's correct.

**THE COURT:** Well, that's interesting because -- so that one case we've been looking at, State versus Starnes, and you might want to jot this down, 388 S.C. 590 talks about whether or not the person seeking voluntary manslaughter -- in this one, the State agreed that self-defense was applicable, but it talks about there having to be fear, and if he wasn't afraid, under Starnes it does not look like he would be entitled to voluntary manslaughter.

And under the general self-defense, he's got to be in reasonable fear of imminent harm, imminent danger. He must be either actually -- was actually in imminent danger of death or bodily injury or believed he was, and if he testified he was not, then that might end the inquiry, ---

**MR. MARTIN:** Well, Judge, I don't believe it's that simple. Our Defendant didn't testify to that. Lanard --

there was a testimony that he said that's what he answered in the question, but that is not definitive on the issue because you've got his other statements, which she also read into the record, which was, again, I believe, paraphrasing, that he came in, that he had that conversation, that he reached for something.

Now, for -- you can't take that away just simply because this co-defendant testifying to the State, said, well, did he say he was afraid of him? No. The reverse of that is, well, do you know whether he was afraid of him or not? The fact he didn't say it doesn't mean he wasn't afraid of him.

Matter of fact, it flies into the face of all of the facts as we know them if it happened at all, and that is Mr. Green did get shot. Maybe the question is why did he get shot. Maybe Mr. -- their -- the State's theory is, well, he just wanted to shoot him for whatever reason, but it's clear, and it's clear in my opinion that there is several witnesses who testified about this Defendant coming in and reaching or making a move for something, and I think that there has to be an implication from that that if the response to that is to pull a gun and to shoot, that there was circumstantial evidence, which is good evidence, of fear, even to the extent that it raise -- rise to the level of self-defense.

So I'll look at these cases tonight, as you've asked, and be willing to look at it, but I do -- did want to make the point I don't think it's definitive of anything, the answer he said, well, did he tell you he was afraid? And the answer was no. That doesn't mean he wasn't afraid. It just said he didn't say that to me.

**THE COURT:** He said no.

**MR. MARTIN:** Well, he said did he tell you that? He said no, he didn't tell me that. Well, did you ask him if he was afraid? Maybe the answer to that would have been no.

**THE COURT:** What's the question?

**MR. MARTIN:** If this Defendant had have said -- if you asked him were you afraid, and he said no, then you're right. That would end the inquiry, but for Powell to say he didn't tell me he was afraid doesn't end the inquiry in my mind at least.

**THE COURT:** All right.

Let me listen to the question and answer again.

**THE REPORTER:** The question by the Solicitor was did he say Mr. Green threatened him in any way? And the answer was no.

**MR. MARTIN:** Well, and that goes to my point, because that don't mean he didn't. Now, that's -- matter of fact, that's inconsistent with the other statements that he said Marcus Wright made to him.

**THE COURT:** All right. Well, we'll take a look at it overnight.

**MR. MARTIN:** Okay.

**THE COURT:** Anything else before we stop for the day.

**MS. ELDER:** Your Honor, did you want to have a conference in reference to the other charges other than manslaughter ---

**THE COURT:** Yeah. Why don't we just -- so we can let everybody else go. We can just sit down for a few minutes. The others are pretty straightforward, I think.

**MS. ELDER:** Yes sir, I think so, too.

**THE COURT:** Any of the collateral sort of charges, circumstantial evidence, expert witness, those sort of things are pretty standard, so let's take about five minutes, and then we'll get together and chat.

(END DAY.)

**(THE FOLLOWING TAKES PLACE ON JUNE 20, 2013, OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** Good morning. Is the State ready to proceed?

**MS. ELDER:** Yes sir, Your Honor.

**THE COURT:** The Defense ready to proceed?

**MR. MARTIN:** We are, Your Honor.

**THE COURT:** The State -- we had some issues we kind of left on the table last night. Does the State have any

comment on anything before I hear from the Defense?

**MS. ELDER:** Your Honor, since they're requesting it, I -- do you want me to ---

**THE COURT:** No. I'll hear from Mr. Morgan or Mr. Brown as to the voluntary manslaughter. I think those were the only two issues, voluntary manslaughter and self-defense.

**MR. MARTIN:** I believe that it is, and we believe that they both should be charged. You know, I think, you know, the case law is pretty clear, Judge, whether it's State versus Starnes or State versus Naughton, or a litany of cases which talk about it that start with the proposition that -- to warrant the Court eliminating the charge of manslaughter and, I believe, or self-defense, there must be no evidence whatsoever tending to justify that.

And we believe that in this case if you take the totality of the circumstances from the testimony of Lanard Powell, of Veronica Chandler, and of Qwanda Caldwell, that there is sufficient testimony in the record from -- from those folks.

There seems to be -- there's some varying degree of it, a gathering around the fact that when this young man walked in that he said something to the effect of, hey, you got these young boys up in here running your house, to which they say Marcus Wright took offense at.

And according to Roy Sinclair, fired back, oh, what are

you saying, and then there is certainly testimony in the record that Mr. Green reached up under his shirt, reached for something, went for something. Don't know if anybody saw a gun or did not see a gun, but that the shooting was in response to that set of circumstances and events.

As to the need for there to be both a sufficient legal provocation, which I believe that is, I think it's probably pretty clear law as relates to self-defense or murder, that if there's testimony in the record that an individual may be going for a gun or reaching for a weapon in those circumstances, that that can be evidence that would allow one to, number one, defend himself, and number two, to cause a legal provocation sufficient for manslaughter.

And then if you couple that with the fact in this instance that the shooting according to the facts propounded by the State indicates then that there was an impassioned response to that from Mr. Wright, and we've got the fact there must have been some passion or something going on because we've got evidence of at least ten shots in this case, that it does rise to that level, and we would ask that the State (sic) charge it.

**THE COURT:** All right.

Any brief response?

**MS. ELDER:** Yes sir, Your Honor. I did look and review the cases that Your Honor had -- we had talked about

yesterday, Starnes being one of them. Just out of that it says that fear is not sufficient by itself to entitle a defendant to manslaughter. The fear must be a result of sufficient legal provocation and cause the defendant to lose control and create an uncontrollable impulse to do violence. You have to have those.

Your Honor, there is absolutely nothing in the record that would indicate that Marcus Wright was acting in a sudden heat of passion, absolutely nothing. I listened to every witness interview -- I mean testimony last night, Your Honor.

It must create a fear that manifests itself in an uncontrollable impulse to do violence. Your Honor, and the standard for that must be such that would naturally disturb the sway of a rea- -- of reason, render the mind of an ordinary person incapable of cool reflection. We are not talking about the standard of what would a drug dealer do in his stash-house. We're talking about an ordinary person.

If we listen to and we go along with the fact that somebody merely has to lift up their shirt and somebody can put ten rounds in them because they lifted up their shirt, we're in a very dangerous position, Your Honor. That is the only thing in the record is that he lifted his shirt. No one saw a gun. Absolutely no witness said there was a gun. No witness said that they heard J.J. make any kind of threat,

and Lanard Powell actually said that Marcus never said he threatened him.

Your Honor, he also said in reference to self-defense that Marcus goes to the door with his gun in his hand, and that is when J.J. walks in reaching for what he thinks may be a gun, reaching for his abdomen, and he fires at him. That's the testimony of Lanard Powell, and that was at, I believe, 16:46 on the transcription that was provided to me. At 17:30, he did not threaten him in any way.

Your Honor, that -- we absolutely have nothing for voluntary manslaughter. As far as self-defense, again, Your Honor, we have to base it on the defendant's belief of imminent danger or a reasonable prudent man of ordinary courage would entertained the same belief. It is not absolutely out of the concept of reasoning to think just because somebody lifts their shirt, and we know that the cell phone was right here, so any time we go for our cell phone somebody is going to shoot us and be entitled to self-defense, Your Honor, it's beyond the scope of what self-defense and voluntary manslaughter was designed for.

**THE COURT:** Well, I'm not going to charge either. I don't consider this burden shifting. That is I do not -- not placing any burden on the Defense to present any evidence. Obviously the case is closed, but I want to make it clear that I do not consider this ruling to be implying that there

was any -- that there's been any burden shifting, that is putting on the Defense any burden of proving anything.

What I'm looking at is the presence or absence of evidence, and I find there's no evidence whatsoever of the crucial element required for both voluntary manslaughter and self-defense, of any fear of imminent danger on behalf of the Defendant at the time the shots were allegedly fired by -- allegedly by Mr. Wright, the Defendant, so I'm not going to charge either of those.

Is the State ready to proceed?

**MS. ELDER:** Yes, Your Honor.

**THE COURT:** All right.

And Defense will open. Is the Defense ready?

**MR. MARTIN:** Yes.

**THE COURT:** All right.

Bring in the jury.

**MR. WRIGHT:** Your Honor, may I say something for the record?

**THE COURT:** You've got a lawyer.

**MR. MARTIN:** Judge, ask them to hold the jury one second if you don't mind.

Judge, let me say for the record our client has come out this morning and tells me that he's changed his mind and he wants to testify. I have informed him that in my opinion that matter has passed us by as based on his assertion to the

Court that he wished to remain silent. We have rested, but out of an abundance of precaution for the record, I don't want to cut him off, and I'll tell the Court that is what he wants to address with the Court.

Am I correct, Marcus?

**MR. WRIGHT:** (Nods **affirmative.**)

**THE COURT:** No. The record is closed. We're at this stage of the trial. He had his opportunity. Now that he has seen how the Court has ruled, he wants to adjust his strategy, I guess. I don't know what he wants to do, quite frankly, but it would appear that the desire now to testify is the result of rulings by the Court.

He's had his chance, and I explained his rights to him, and Counsel indicated they did, so I -- I deny any motion to re-open the record for any testimony by the Defendant.

**MR. MARTIN:** Let me just say that he said, well, the Judge told him that he didn't have to tell him at that time, and ---

**THE COURT:** That's true. I told him that.

**MR. MARTIN:** Yeah, and I'm conveying to him, and he believes that in some manner that may entitled him to be able to testify at this time, I suppose.

**THE COURT:** Well, I can understand his reasoning. I think it's flawed reasoning. I did not say while the trial was going on or before the -- I did not emphasize that he had

to make that decision during the trial, but I think it stands to reason that any reasonable person would believe that that right to testify was extinguished after the Defense rests. That is the Defense telling us they're through, and they -- when they're through, they're through.

**MR. MARTIN:** Well, that's correct, and I want the record to reflect that, you know, this is a thought that Mr. Wright has had overnight apparently. He did not indicate to me or to Mr. Brown, that I'm aware of, that he had a desire to testify prior to us telling the Court that we rested, or I would not have done it that way.

**THE COURT:** Well, I'm not going to let him testify. Now, this does open another little door as to whether or not the Defense thinks it's entitled to make a proffer to preserve the record. I don't know. I've never had this happen. Of course, if he makes a proffer, then it would just be for the purposes of -- I don't know what purpose it would be for, but I'm not going to allow him to testify. The record is -- the record is closed.

**MR. MARTIN:** I understand that. Give me just a second to speak to him and Mr. Brown concerning ---

**MS. ELDER:** And, Your Honor, I want to preserve this record as much as possible. The Defense did have over, I think, an hour and a half, two hours, between the time that Your Honor advised him his right to testify and presenting

their case, so there was a sufficient break in time that they were able to speak with their client, Your Honor.

**THE COURT:** Yeah. Well, and it's very clear -- wait just one second.

**MR. MARTIN:** Judge, let me say for the record that Mr. Wright's position is that after the second witness -- excuse me, the witness, Chris McCray, was not allowed to testify, that we did not go back and have a specific conversation with him about whether or not he wanted to testify before we closed the case, and again, I want to just make that a part of the record for what it is.

Again, Mr. Brown may want to add or not add something to it, but all that I can say is that it was certainly my understanding that he did not want to testify and he did not indicate to me prior to when that witness was not allowed to testify that he had changed his mind and wanted to testify.

**THE COURT:** Did he indicate to you prior to coming in here this morning that he wished to testify?

**MR. MARTIN:** No, sir.

**THE COURT:** Did he indicate to you, Mr. Brown, prior to coming in here that he wished to testify?

**MR. BROWN:** He indicated -- I went back to see him, and Mr. Wright did indicate that he wanted to testify, and ---

**THE COURT:** All right. And why wasn't that called to the Court's attention before the Court ruled?

**MR. BROWN:** Well, Your Honor, no, that was this morning, not ---

**THE COURT:** I know, but I just ruled on the two, voluntary manslaughter and self-defense, just a few minutes ago, and he did not, when he came in here, neither he, nor you, nor Mr. Martin made any -- any -- any overture to the Court that he wanted to change his mind and testify. That would have been the time, before the Court ruled.

What he did, waited till I ruled, found out he wasn't going to have the benefit of these two defenses, and then he decided, well, maybe I better take the stand and tell them I was afraid to death, now that he knows what the Judge says is missing and now that he's got it all mapped out, and he can come up and just make whatever -- and fit his testimony into the parameters required. That ain't going to happen.

**MR. MARTIN:** Well, Judge, let me say this. That is not how it happened. For the clarity of the record, when he came out -- Mr. Brown came out, said he wants to testify. Then when he came out, we sat here and talked and I told him that time had passed him by, that we had rested based on his assertion that he didn't want to testify, and I -- I didn't bring it up before we got into the motion, so for whatever difference that makes, he did not wait until you ruled to say anything about that. He had said it prior to that.

**THE COURT:** Well, it wasn't called to the Court's

attention until that point.

**MR. MARTIN:** Right.

**THE COURT:** So I'm not going to allow him to testify. The record is closed.

**MR. MARTIN:** Thank you, Your Honor.

**THE COURT:** All right.

Bring in the jury.

**(THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE JURY.)**

**THE COURT:** Members of the jury panel, you will now hear the closing arguments of the attorneys. The Defense will go first. Then the State will follow up. We may take a break after we hear those two arguments before I charge you on the law. I'll see how the time goes.

I do not restrict attorneys as to any particular amount of time. That is I don't say you've ten, fifteen, twenty minutes. These are good attorneys and they will be reasonable with their time, but they are making their closing arguments. They are not testifying, just like when they made their opening statements. They are not witnesses.

If they, for any reason, and I don't think they will -- again, they're very good attorneys in this case, if they inadvertently make a statement that certain evidence materialized during the trial and you don't recall it having materialized, you rely on the record. If they make any such

mis-statement, I'm sure it would be unintentional.

Also, although they know -- we spent some time yesterday and this morning also going over my charge on the law, so they know what law I'm going to charge to you, but if they were to inadvertently say the Judge will charge you or the law is X, Y, and Z, and you don't hear it from me, then it doesn't count. You have to hear it from me for it to be the law to apply in this case.

So with that said, I turn it over to the attorneys.

**MR. MARTIN:** May it please the Court.

Madam Forelady and ladies and gentlemen of the jury, let me say at the outset thank you on behalf of myself, my client, Mr. Brown, and I think the entire legal community for your presence here today and your willingness to serve.

I know that it is an imposition upon your time. I know particularly the world we live in today is very busy. People have got schedules to meet, things to do, and any disruption of that causes problems for you, but I do hope that you understand and that when you leave the courtroom you'll have a greater appreciation for how important jury service is in this country. It's something that separates our legal system from most all others.

I just got through reading a book about Amanda Knox over in Italy and that legal system over there, and I couldn't help but think as I read that book, if I go to Italy I'm

going to be very careful about what happens over there because it's a totally different system, and it made me really appreciate what we have here, because the goal of everybody in a case like this -- and this is a serious case, you know, this is a case of violence. It's a case of drug trafficking.

It's a case of very bad things, very bad things, and I think over the years that I've been around this Courthouse and around, I've grown to hate crime, and wrong, and violence as much as anybody.

By the same token, I've grown to love and appreciate the legal system that these -- that makes sure that every individual, and you never know when it's going to be you or yours involved, gets as best the system can deliver, a fair trial. Who can complain about that? Who would want to complain about that? But that's the way it works.

And as a part of that system, we have learned over time, taking England into account as well, that in order to assure the best results we can, then the State is required to prove every case that it brings beyond a reasonable doubt.

You know, in England, there used to be three verdicts. One was guilty, one was not guilty, and one was unproven. In our country we have lumped the not guilty and the unproven, unproven beyond a reasonable doubt or beyond a doubt that causes you to hesitate, into not guilty, and accordingly, you

know, it's not enough in a case like this or any other case that the evidence presented leads you to believe I think he's guilty, possibly he's guilty, probably he's guilty, she's guilty.

I am convinced beyond each and every reasonable doubt of the guilt of the accused, and this is important, based on the evidence presented in the record. For example, I don't have a clue, and I'm certainly not indicating anybody did this, but we live in a world today where you can go get on a computer and Google anything, Google the law, Google guns, Google news articles, Google whatever, and things you hear on the street and things that people out here may think, the family of the young man who was shot, the family of Marcus Wright, these attorneys and people that are here, but until it comes through the filter of the witness stand, you don't know if there's any reliability to it at all. You don't know if it's relevant at all. You don't know if it's taken out of context at all.

And so it gets down to the evidence that is presented in the courtroom or the lack of the evidence that is presented in the courtroom. That's what you have to base your decision off of. That's what I want to talk with you about for a few minutes this morning.

The Judge said he doesn't put a time limitation on us. That might be dangerous with me, but I'll try to keep in mind

-- Judge Sidney Floyd's picture is in the courtroom here or not, I believe that's him over there, used to say that -- remind lawyers Billy Graham can't hold anybody's attention over fifteen minutes, so if you're a better speaker than Billy Graham, have at it.

But I don't want to waste your time, but I do want to take enough time to present the case of Marcus Wright to you as best I can, because if a Judge makes a mistake, there's somebody to reverse him. If the lawyers make a mistake, there's somebody to reverse us. If you make a mistake, there's nobody to reverse it, so your word is final.

You remember I told you about the baseball umpires. Well, you get to call it. You get to call it, and that's going to be final. There's no instant replays. There's no court to appeal that to. It is final.

Now, having said that, let me talk with you a few minutes about what I go through with you and help analyze what I think the evidence in this case is and what it means, and I wrote a chart here to help me. I don't know if my memory is as good as it used to be, and let me say this, this is the case -- before I get into this, this is the case of a lot of things that were said.

They are hard to hear sometimes. They are hard to remember what was said today, so if I say anything that you don't recall as being what was said or not accurate, then you

certainly ought to use your memory, or there's certainly a transcription or record here of everything that's said. If you believe it's important of what a particular person said, you go to that.

But I only say I certainly don't intend to mislead you in any shape, form, or fashion, but I want to be as thorough and accurate with you as I can because I believe in this case the devil lies in the details of it.

Mr. Reuben Long was a lawyer who practiced here years and years, and he was a lawyer when I was here, and he used to tell juries in that old courthouse across the street, if you want to know which way the wind is blowing, you don't look at the trunk of trees. You look at the leaves and the twigs to get an idea of which way the wind is blowing. Or another way of saying that is what is true or what you can trust and what you can't trust, and so kind of the general theme we've got here is, we've got certain witnesses that have said that Marcus Wright shot Jerome Powell (sic).

Now, what I suggest to you that we've got to do is examine that in light of the inconsistencies of a significant nature and what was told by the people who are telling this story, and the people who are telling the story, and the motives they have for telling what they are telling.

Now, this is a case based on testimony, by and large, unverified, uncorroborated testimony. I say A, B, C. I'll

talk about it a little bit more again. Usually the world we operate in, you have evidence to corroborate what people say, fingerprint, DNA, pictures, telephone records, cell phone records, telephone calls, things of that sort. It is striking in this case we have none of that.

Now, the Judge is going to charge you later about the various evidence and he's going to talk about direct evidence and circumstantial evidence, and there's some of that in this case of both sorts.

Every time I am in the courtroom like this and I'm talking about that, you think, okay, well, how can you be misled by direct evidence? If somebody says something happened, is that right? Eye witness identification, people do that a lot of times. We know sometimes that's right or wrong. Circumstantial evidence is probably -- I don't know which one is more reliable or which one more iffy, but I think it probably depends on the circumstances.

But we've known for a long, long time, even going back to the book of Genesis and the story of Joseph and Jacob, you know. Joseph was the favorite son of his father, Jacob, envied by the brothers, had the coat of many colors, grew in disfavor, and his own brothers sold him into slavery, killed a goat, bloodied the coat of many colors, took it back to the father and said, oh, father, we saw a beast kill your son, Joseph, and here is his bloody coat.

Direct evidence in that we saw it. Circumstantial evidence in here's the bloody coat, but we know the rest of that story, don't we, and it is with that premise I say to you, you owe it to yourselves, and the system, and to everybody in it to closely analyze and evaluate and hold the State to its burden before you even consider finding a verdict of guilty on any of these charges.

Now, you've got to start here with the credibility of these witnesses, and there's a lot to talk about there, and I hope I keep it in line so that it makes sense to you. I'm going to try to do that, but let's talk about the evidence that we've got, and it's inconsistent, and I've kind of lumped them into three groups.

You've got Ms. Mildred Small and Ms. Veronica Chandler. You remember those were the two ladies that testified that they were there and somebody got shot. They didn't identify who shot anybody other than a black guy shot J.J. Green.

You've got Mr. Roy Sinclair, whose home it was, and who called 9-1-1, and who testified, and who said yeah, it happened, and that it was Marcus Wright who shot him. That's one identification. That's the only eye witness identification.

Then you've got Capone and Qwanda, and they didn't see anything that happened, but they tell you a tale about what happened after and what Marcus said to them. Now, the deal

is can you trust any of that? Would you buy a used car from any of these folks? Would you be willing to trade you or your child's next five year salary based on the words of any one of these individuals or on the collective word of these individuals? Can you base a verdict beyond each and every reasonable doubt on that? And I think that's a significant question in this particular case, and here's why.

First of all, you've got to -- you've got to -- I call it two things. Number one, you've got the inconsistencies that don't seem to make sense in the case from what the witnesses say. You've got the things that they don't say that just don't seem to make a bit of sense, and then you've got let's see why they're saying what they're saying, because isn't that always what we have to do?

I mean, we live in a world which anybody will lie. I think we all lie from time to time. Most of the time it may be innocuous, like a teenage daughter saying when a boy calls, mom, tell him I'm not home. Do you tell him he's (sic) not home?

A baseball umpire, a baseball catcher -- when I go back to baseball, y'all can tell I'm watching baseball, but he catches that ball out here and he drags it back over the plate, and the umpire says ball, and they yell and scream at him, but they know it was a ball.

The football team, they all reach that ball out and try

to get a yard further than what they are. There's always some sort of deception going on, and a lot of it you understand, just like I've had people say, well, I would never tell a lie. Really?

What if you were a Jewish person in Hitler's Germany, and the S.S. Gestapo came knocking on your door and wanted to know where your Jewish granddaddy was, and he was in the basement below under a trap door covered by a rug? Would you tell the truth or would you consider telling something that was not true? It depends on what we've got at stake, doesn't it, whether or not we're willing to tell the truth.

The people in this case all have a lot at stake, because when it comes to telling what they told, and when they told it, and why they told it, but first of all, let's talk a minute about what I found interesting. If you go back and look at the testimony of Mildred and Veronica, the two ladies that were there, they've got totally different stories other than a guy got shot.

If you'll remember, Veronica says I came in. There's a gun on the table. Mildred says was no gun on the table. Ms. Elder asked them repeatedly. No, there was no gun on the table. I was in the kitchen. There was no gun on the table.

You've got Veronica saying that the shooter was in the kitchen. You've got Ms. Small saying no, he wasn't in the kitchen when the shooting started. The shooter, whoever it

was, was on the other side of the room.

You know, we've got that projectile that's on the kitchen stove. They said, well, it could have ricocheted off something. Well, there could be a Santa Claus, but it's unlikely really there is one. And you've got these -- the story depends kind of -- well, what is the deal here?

Now, we do know this, that we're talking about people who are admittedly on drugs and drinking alcohol. There's another basis to wonder just how credible the testimony may be. And then you've got people talking about what happened inside and outside.

You've got Roy Sinclair, and then when you throw Roy's testimony into the picture, I believe that it gets even a little more clouded. You've got Veronica Chandler saying whoever did the shooting was standing in the kitchen and shooting across the counter bar, and you've got Roy saying he's walking around and walks right up to him and keeps shooting, and he said after the first shot, he's on the ground. You can look at the testimony of the pathologist as to where the bullets went around to know that's inaccurate.

Of course, Roy, according to his own testimony, smoked some crack, drinking alcohol all day, and you've got varied accounts of who said what, or did what, or whatever, when they got in there, and then you've got the idea when we leave -- when whoever the shooter is, is leaving, what happened.

And another thing was Roy -- I forget things and have to go back to them, you know, but you go back and listen to Roy's testimony, Roy says that he's there, J.J. comes earlier, he leaves, they're around there. Capone leaves, Capone leaves. Qwanda is still there, because remember, he says that Marcus kept saying did you call that girl a B? Unc, did you call that girl a B? And then Qwanda was there and she finally said she heard it. And then he stops talking about that.

And then if you go on through this testimony, and I don't know, but he says after the shooting, after the shooting, he goes out the front door, down the walkway -- ramp, down the ramp, and he's in the yard, and he says Capone comes back up, is one thing he said. He don't say a word about Qwanda.

He also says this: Mildred -- I come out after the shooting, white car, Mildred and Veronica are pulling up. He never says they were in the house if I recall the testimony correctly. They say they were. They left after that. He says I go out after the shooting, they're pulling up.

If you go along with the inconsistencies as to what was said, if you get back there in another telling moment and you remember what was it that Marcus was supposed to have said as he leaves? Qwanda says, if I recall correctly, Qwanda says -- you remember Marcus is, according to her, Marcus is pulling

out of Figure Eight Road away from the residence. She's pulling in. They're in their cars, both moving, side to side, driver's side to driver's side, and she says -- this is one reason you sequester witnesses. They're not in there listening to each other so that they don't mimic their testimony.

She says that something was said about pick up the shells, do you remember that, pick up the shells? Then they say that Capone says -- when he testifies, Capone says he tried a jack move, or something like that. And he was asked what about pick up -- he doesn't hear anything else. Pick up shells? No, I didn't hear that.

And then you've got Roy, you've got Roy coming out, and he's got yet a third version of what was said. Roy said something was said about I just murdered that guy. That's a seemingly insignificant thing other than when you start trying to figure out why are they telling what they're telling and what -- why -- what has it got to do with anything, and I'll get to that in just a minute, but it's to point out to you that there are a myriad of inconsistencies.

You know, another thing that's interesting to me, Mildred said she didn't know who it was, but the shooter had a tattoo on his arm. Have you heard any evidence that Marcus Wright had a tattoo on his arm? The State has the burden to prove its case beyond each and every reasonable doubt. If

Marcus Wright had a tattoo on his arm, you'd think they would have provided it to you. Do you think they should have provided it to you?

This is a deep, dark world, and there's all kinds of scenarios, agendas, and motives afoot, and there's a reason to blame Marcus Wright. I'm not sure we'll ever know exactly what it is, but I'm going to give you some guideposts in just a few minutes as we go along on what it is.

Can you trust what they say without verification? Now, one thing we do know is somebody shot and killed Jerome Green, and they shot him a lot of times, but the State has failed to prove to you beyond a reasonable doubt who did that, and here's why I say that.

If you've got questionable testimony, you have to corroborate it somehow, and the State either did not or could not in this case do that. They've got a big table full of evidence, of items, over here that are more impressive in volume than they are in quality of evidence of the guilt of Marcus Wright, but, you know, I asked them about and I questioned them about what about DNA. What about fingerprints?

Well, the bottom line is they know DNA is a link, and in some instances they tried to get that link. They didn't get it, only this box, these magazines, what they contend was the murder weapon, magazines. There's no evidence of DNA or

fingerprints of Marcus Wright on any of that, and how strikingly strange is that in the world we live in where you leave DNA everywhere you go, and they can downplay, well, sometimes you can't find it. Yeah, sometimes you can't find it, but nowhere is there any DNA.

And you know what else is strikingly telling, how do we know Marcus Wright was ever in that house that night other than the word of people you can't trust? If he's in that house, they can find his DNA right there on that table where he's sitting, right where his elbows are propped, right where a beer can he might have been drinking, a Pepsi Cola can, trying to help Mildred open a bottle, she says, whoever that person was. DNA, his DNA, would have been all over that house, and/or his fingerprints would have been all over that house. How many do you have here today? None. None. None. None. None. Doesn't that cause you to wonder?

Cell phone records. Qwanda and Lanard, who are joined together by the bonds of love, if nothing else, tell what they testified to. Is it a tale? Is it accurate? Is there any credibility to it? Did they have a reason to tell something that helps them at the expense of others? I think we all agree on that, and I'll talk about it in a little detail in just a minute.

But, you know, they talk about going to Johnsonville and running into a police officer over there, and about burning a

car, to gas cans, and going to service stations where there's surveillance cameras -- well, maybe. I don't know whether there is, but most of them have got something there.

Have you heard one bit of corroboration of that wild tale? First of all, why is anybody trying to burn the car anyway? What good is it going to do in this case to burn the car? There's something more to this than what meets the eye. You're going to -- and who leaves with the car? Capone. Where does he get the keys? Why is he taking the car? Whatever happened to the car? What happened to the gas can? Any Johnsonville policeman to verify they saw somebody out on the road that night? None, nothing, just a tale floating around there in the air that seems to make little or no sense.

They talk about cell phone records, you know, and we live in a world now where your cell phones ping. You know that? They can tell you whether you're in Myrtle Beach, or they can tell you're in Conway this morning. Somebody is calling on your cell phone. You may not know it because it's turned off because you're in court, but it's pinging, pinging, and they can tell you where you are, in Georgetown, Andrews, Columbia, Myrtle Beach, Aynor, Galivants Ferry, tower, tower, tower.

Any evidence Marcus Wright's cell phone being at Figure Eight Road at any time during that day? Any evidence of him

riding around Johnsonville with a truck, anything like that? No. No. No.

Anytime there's a chance to verify or corroborate what this cast of characters are trying to sell you from that witness stand arises, the answer comes back a resounding no.

Now, here's what they are going to say is corroboration or circumstantial evidence. That is Jacinda Wright bought a Glock pistol, and she bought the Glock pistol that a SLED agent says had some shells that could be matched to the shells at the scene in her opinion. May be a good opinion, maybe not. I don't know. But that gun, that gun, is never attached to Marcus Wright through any competent evidence. It's attached to Jacinda Wright. We have no idea from the testimony in this record what the relationship was between Jacinda Wright and Marcus Wright. Were they together? Were they not together? Was she giving him things?

And then, you know, it all fits in. If you go back to Lanard Powell's testimony, you know, because Lanard, Capone, Trell, he is the man doing it all. Of course, when he gets caught, Marcus did -- Marcus told me to do it, Marcus do it -- Marcus did it. Capone is selling dope, says he was, and I think it's probably more reliable if you're telling on yourself. The law considers it that anyway if you're telling on a wrong you did as opposed to a wrong somebody else did, but he's the drug man. He's selling dope.

According to him after this shooting, he got the money, he got the drugs, he drove -- got the keys, he drove the car away. He is right in all of that. He got guns, he says, for Marcus. Any evidence of that other than what he said, and is he reliable? Is he credible? He has been convicted of armed robbery, kidnapping, and God knows what else, and in addition to that, they charged him with murder, murder.

He got a lawyer. Qwanda got a lawyer. They're making deals. Their testimony is being bought with the currency of freedom, and if you don't think that those two individuals would tell a story, an untruth, or deceive you to benefit their ownselves, I suggest you're wrong.

Think about it now. Now, this Qwanda, Qwanda testified she lives in Columbia. She drove, from what I could understand it, every day she had time, made it sound like every day, from Columbia to 5658 Figure Eight Road to hang out at a crack house with a gun-toting dope dealer.

When whatever happens happens, does she go to the police? No, sir. Where does she go? According to her, she's riding around trying to destroy evidence and then hauls buggy back to Columbia.

Does Lanard? Is he well-intended? Does he want to help the police get to the bottom what happened to tell the truth? No, he don't. What he is interested in doing is blaming Marcus Wright to save his own skin.

Let's talk a minute about the charge, the drug charge, and then I'll come back to the shooting. One thing we do know, because the police told us, and I think we can rely on that part, is that Lanard Powell and Marcus Wright were arrested together in a motel room, apparently no weapons in that room, but drugs in that room, and they've got Marcus charged with being in possession of those drugs, and that certainly is a call for you to make.

He's in the room. Lanard Powell is in the room. The drugs are in the room. Maybe he's in possession of them. In order to prove possession, there's two things at hand. First of all, you have to have knowledge. They said they were lying out on the counter as I -- or the refrigerator as I recall, so you would think anybody in the room had knowledge of them, and secondly, you've got to have an ownership interest, or a possessory interest, or a right, or an intent to exercise dominion and control over those.

And I don't know how that would come down with you, but what I can tell you is in terms of Marcus Wright, they didn't find any drugs on Marcus Wright anywhere else connected to him anywhere but in that room.

We know that they were Capone's drugs because he's told you that. He grabbed the drugs. He got the money. Once again, in order to determine or verify, we'll you've got these little plastic bags, check them, DNA prints of Marcus

Wright on those. Has he had them? Has he possessed them? We don't know. We don't have any of it, but that's something for you to determine. That's obviously a much closer case in many ways than this murder charge is.

But on the murder charge, and I know I've been talking a good while, but this is the last chance I get to talk to you, and you might be happy about that, but when I sit down, I don't get to stand up and say anything else. The prosecution goes last. They've got the burden of proof, and they get to go last, and they get to explain it to you in their world.

And Ms. Elder is a good lawyer, and I'm certain she will do a good job, but there are some facts that are uncontroverted, you can't get around, and that is, number one, they have a highly untrustworthy set of witnesses to tell their story and to make their case. Every one of them has got something to lose. Those that aren't charged could have been charged.

Roy James Sinclair, running a dope house. Is he fearful of the police? When they get him in and they corner him, and they say, all right, you'd better get with the program and tell us what the deal is, or you're lying to me, you'd better tell us right. They've got their own idea of what's right and wrong. He's going to say anything. He told you when I called 9-1-1, I told them a totally different story and it was a lie, so he will lie. It's a question of when, where,

and why.

And he told you from the witness stand I did not tell the story that I told in this courtroom to this jury to the police, to the 9-1-1, or anybody until today. How long does it take to get the truth out? Who has he been connected with?

You remember, he said -- you remember, he said how did you meet Marcus Wright, and he talked about sending somebody to Columbia to get a girlfriend and coming back on the roadway, and he sent one of his boys. Another boy he had up in his house was on that trip. He's run that drug house for God knows how long. He's had everybody in and out of that place, connections with this and that, and they're all dangerous people, and they've all got agendas, and they've all got motives to kill people, and they all need a scapegoat.

Once again, just like in the biblical days in the book of Leviticus, you know, where people used to get rid of their trouble is where the term, scapegoat, come from, they would get a goat and the priest would lay all the troubles and sins of the people on the goat, and they would send him into the wilderness.

There's more to this than meets the eye or there would be some corroboration of this unreliable cast of characters. We've got drug users using drugs at the time, facing criminal

charges, trying to buy freedom. That's their case.

Now, they're going to go chasing around trying to take magazines, and guns, and receipts, none of which have Marcus Wright's name on them, none of which has his DNA on it, none of which has his fingerprints on it. Maybe, maybe it was, maybe it was, maybe it wasn't, but maybe is not good enough, and I told you in this courtroom it's a question of is there credible evidence before the jury that you can base the verdict on? You can't base it on what you think. You can't base it on what you suppose.

You have to base it on the evidence in the record, and it has to be -- the Judge will tell you credibility is up to you. You can believe all of what a witness says or none of what he says, part of what he says and not believe the other part, but it is nothing until you get satisfied that the witnesses that have told you a story with which they want to convict Marcus Wright.

Whoever he may be or whatever he is, he's an American citizen just like everybody else who's entitled to nothing more or nothing less than a trial and be convicted only, only, only when there is evidence sufficient to base it on. If not, the whole foundation of our judicial system fails.

When I sit down, I'm sure I won't be in my chair five minutes before I wish I would have thought of something else I would have brought to your attention. You're probably

saying right now what else in the world could that be, because you said it once, you said it twice, and you said it three times, and I do that on purpose because so oftentimes, you know, attorneys spend weeks, and months, and years getting ready for a case, and then we bring a jury in, and we sit you down, with all the worries you've got on your mind, and throw it to you bam, bam, bam.

And then we think you're supposed to know it all. It's hard to catch it all, so I do for a purpose try to go over things not once, not twice, but maybe again, not for the sake of hearing myself talk, but trying to be helpful in helping you understand.

If I bored you, I apologize, but I don't apologize for this system that we operate in, and my asking of you to hold the State to the burden of proof, not maybe, not probably, but convinced of his guilt beyond each and every reasonable doubt on every count. Thank you.

**THE COURT:** All right. We'll take about a ten minute break before we do -- hear from the State, but you're not in a position yet to start discussing the case or try to make up your own mind, so we'll take about a ten minute break.

Everyone remain seated.

**(THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** Let me just -- one reason I wanted to take

a break then, we spent so much time on the voluntary manslaughter and that issue, there was one issue that may or may not be an issue, and I wanted to make sure I covered it before -- in case the Defense -- I mean the State planned to use it in their discussion, and that is that malice may be inferred from the use of a deadly weapon.

The Belcher case indicated that that was not an appropriate charge where there was an evidence which would reduce, mitigate, excuse, or justify a homicide. I just want to clarify first whether or not either side takes exception to that being charged under the facts of this case, and I wanted to do that before the State made its argument in case the State was going to comment on it.

What's the State's position?

**MS. ELDER:** I'm sorry, Your Honor. I'm -- were you intending to charge that as part of malice?

**THE COURT:** I've got it in my charge and I had intended to, but I just wanted to make sure that there wasn't -- I mean, I can leave it out. If the State wants it, if the State is kind of antsy about where the state of the law is on that, or I could consider leaving it out if the Defense says there's any evidence that would reduce, mitigate, or excuse the murder. If the State doesn't want it, then I'm sure the Defense doesn't, so ...

**MS. ELDER:** Your Honor, I -- considering the state of

the law and the potential sentence in this case, I would prefer that we leave that out. I don't think ---

**THE COURT:** That suits me fine. I think that's -- I have no problem with that, and that's why I wanted to do it before you made your closing argument.

**MS. ELDER:** Yes sir. Thank you.

**THE COURT:** All right. Well, let's take about a ten minute refresher break.

**(THE FOLLOWING TAKES PLACE AFTER A BREAK AND OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** Is the State ready?

**MS. ELDER:** Yes sir, Your Honor.

**THE COURT:** Defense?

**MR. MARTIN:** Yes.

**THE COURT:** All right.

Bring in the jury.

**(THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE JURY.)**

**THE COURT:** All right.

**MS. ELDER:** May it please the Court, Your Honor.

**THE COURT:** Yes ma'am.

**MS. ELDER:** Good morning. I know it's been a week. It's been a long week for you guys. It's been a long week for -- for us, too.

I do also want to thank you for being here. You've been

extremely attentive, and I appreciate that, and if J.J. Green was here, he'd appreciate that, too.

In just a few moments, the Judge is going to give you what we call the instruction on the law. He's going to go through the elements and things like that that we have to prove, and in doing so there may be things in the law that you may not necessarily agree with. Maybe you don't like it, maybe you don't agree with it, but you did take an oath that was administered to you, I believe, on Tuesday or Monday, that you are obligated to apply whatever the law is given to you by the Judge.

The first thing I always like to go over with the jury is he's going to -- he's going to tell -- the Judge is going to tell you that we have to prove our case beyond a reasonable doubt. Now, what is reasonable doubt?

He's also going to tell you that it's not a hundred percent certainty, because as we know, and as the old saying is, there's very few things in life that we know with a hundred percent certainty. My obligation is to prove to you, to leave you firmly convinced of the guilt of Marcus Wright.

Now, and I usually don't use notes, but there's so much that was said and so much evidence, that I want to make sure that I'm accurate, and I apologize ahead of time for language that I may use, but I am trying to be accurate and tell you the things that I recall or that may have come up during the

trial, so I do apologize for the language ahead of time.

Now, I want to start with the drug case. There are two indictments, and the Judge is going to read you the law for those two indictments. Those are trafficking cocaine. He's going to tell you basically that trafficking cocaine is just possession of cocaine more than a certain weight, in this case, more than twenty-eight grams. I only have to prove on trafficking that someone possessed more than twenty-eight grams.

A lot of times when you hear the word trafficking drugs, you think there has to be some transportation, there has to be some big network. That's not the case. All you have to do is hold an amount or have possession of an amount over a specified level.

And Lisa Floyd told you -- and you will have all of this back in the back with you -- told you that this white substance was powder cocaine and that it was approximately forty plus grams if you add up all the weight that she provided to you, so clearly we're over the twenty-eight gram threshold.

Also, there is a possession with intent to distribute cocaine base or what we call crack. That is the off-in-white color things that you will see. And the Judge is going to tell you that was a little bit different than trafficking because what the State has to prove on PWID is that someone

possessed it with an intent to actually then distribute it.

And there's a weight inference, what we call an inference, for a PWID charge, and that is there's an inference that it was, in fact, for distribution if it's over one gram, and in this case, you heard Lisa Floyd, the chemist, testify that that crack cocaine was weighed more than one gram.

Now, when you look at did someone possess it, we have two types of possession. We have actual and we have constructive. Actual is pretty simple. I'm holding this piece of paper. I'm in actual possession. Now, I don't have it in my hand, but I do exercise what we call in the law dominion and control over that. Just because I set it down doesn't mean that it's not still mine and I don't still possess it.

And Lanard Powell told you they were in the room at the Sleep Inn together, that that was Marcus Wright's cocaine, was Marcus Wright's crack cocaine, and the money that was in there was also Marcus's.

Now, Lanard is not an angel. He told you, yeah, I was selling dope for Marcus. He even tells you how much money he was giving to Marcus off of each ounce. An ounce goes Thirteen, Fourteen Hundred Dollars, and he was giving Marcus a Thousand Dollars from every ounce that he sold.

Roy Sinclair told you that Marcus Wright was sitting at

his house earlier in the day of the murder and what was he doing at the table? He was cutting up and packaging dope. Roy Sinclair testified to that.

Now, we also know that Lanard said that this nine millimeter gun, that nine millimeter was, in fact, the gun that Marcus Wright gave to him so he'd have protection when selling his -- Marcus's dope, and why would anybody else give somebody a gun? Well, that's easy. Lanard Powell is a felon. He couldn't go in and purchase one. He had to get one from someone else. And where was this gun found? Exactly where Lanard told you it was going to be found, in that red Camaro at the Sleep Inn.

Now, I'm going to get to -- the Court is going to instruct you on the charge of murder. And there are a number of elements in the offense of murder. It is the killing of another with malice, and malice is defined as hatred, an ill will, a hostility, intentional doing of a wrongful act with intent to inflict injury on another. Malice can be expressed, i.e., I'm going to kill you, and malice can be implied, from conduct that showed a complete disregard for human life.

Now, I want to take these slowly and go through the elements based on the testimony and what we've submitted. The killing of another person. Who shot J.J.? Well, we have a couple of witnesses. The first one, Roy Sinclair. Now,

you have to slow it down a little bit for Roy, but when you do, he understands what you're talking about. You come at him with fast talking, fast, rapid-fire questions, he gets confused.

Now, Roy says that Brah shot J.J., and one of the first things Roy Sinclair does when he gets right up here is go, Brah, that guy right there. He knows Marcus Wright as Brah. That's the guy sitting at his table. That's the guy that was cutting up dope. That's the guy that shot J.J.

Now, Roy Sinclair told you I called 9-1-1. I was scared. They were still in the area. I was scared. I didn't tell 9-1-1 anything. I don't know. I just came home and somebody was there. But yet when police arrived on the scene and there were police there and he was protected, what did he tell police at the scene? Brah shot J.J.

Now, there is absolutely no reason for Roy to have done that. Why would he put himself into a murder? He could have very well kept his story as to what he told 9-1-1, hey, I didn't see nothing, but he didn't. He did the right thing. He told police when they got there. When he was safe, he told police who shot J.J.

He also told you that J.J. had no gun, didn't even normally carry a gun, he made no threat, he knocked on the door, said what have you got these guys running your house for, and Marcus picks up the gun on the table and just starts

firing.

Now we have Veronica. Veronica gets up there. She doesn't know Marcus. She described him as a black male sitting at the table in the kitchen. She also tells you that J.J. had no weapon, that J.J. made no threats.

And think about -- she came down -- Veronica is the lady who came down off the stand and told you what happened in the millisecond before J.J. was shot. We were in the living room, angled like this to the kitchen, talking to each other. I was so close to the shot, that his blood got all over my clothes. I was so close to the shot, that I thought I had been shot.

Now, Mr. Martin wants you to think that for some reason Veronica just volunteered that to the police. Why in the world would she give that information to police that she saw a murder if she had not? Why would she go into detail about the blood on her clothes if she was not there?

She told you the police even took my clothes because it had blood on it. There is no doubt Veronica was in that house and she saw the black male that was sitting at the kitchen table open up on J.J. Green.

Mildred. There's a black guy at the table. I don't see a gun, but what does she see? She sees a magazine for a gun. This is the kitchen table. There is a lot of stuff on that kitchen table. This was one of the pictures that Crime Scene

took. Roy said there was a gun on a table. Lanard said there was a gun on the table. Mildred said, well, I didn't see the gun, but I did see the magazine.

Now, what's important about Mildred is that she tells you who was in the house just prior to the shooting, Mildred, Veronica, black guy at the table, J.J., and Roy. That's it. She was asked specifically any other guys? No. When the shooting happened, I didn't see who shot. I just heard get down, and the fire -- the shots rang out. I don't know what happened. I don't know where the black guy at the table was at the time. I don't know. Because she was, as she told you, when they say get down, she got down.

Now, think about that. Well, we know what Roy -- because he was -- he told you as soon as the fire -- shot -- it starts blowing up, I run out the front door. I wheel-chaired out the front door. We know it wasn't Veronica. She was with Mildred, and she was right there in front.

J.J. -- she told you that as she was running out of the house, he doesn't -- she doesn't see a gun in his hand. There's absolutely never -- but what she does tell you what she does see is, hey, I did notice something in his hand, but it was like a bandage or something. She told you that from the stand. So if he had a gun, she'd have known it. She'd have seen it.

And then she says, I believe as she's running out,

somebody says you say something, I'll kill you. Again, think about who's around at the time. Veronica didn't say it. She's running out the back door. Roy is already out of the house. Who does that leave? J.J. He's been shot. He's on the floor. He's gone. That leaves one other person. That leaves Marcus Wright.

Who else tells you that Marcus Wright is at the table? Qwanda. How does Qwanda know? When Capone -- when Lanard and I left to go to the store, we had to get something, he was sitting at the table, sitting at the table with his gun.

She also tells you that Marcus, when they pull up, is leaving in his black BMW and they are side by side. They're not passing ships in the night. They got their windows down. They're driver to driver. She says they stopped, slowed down enough, Marcus yells out, pick up the shells, Brah, to Lanard, pick up the shells. He's not talking about seashells.

And we know from Crime Scene that somebody did pick up the shells. How many shots were fired? There were at least ten shots that were fired into J.J. Green, at least ten. There was a projectile on the stove, and I'm briefly going to say regarding that, the stove projectile did a ricochet. It hit something, and the only person in that crime scene that was hit is J.J. Green. And you'll have this back there with you.

And the Crime Scene person told you in her experience, yeah, bullets ricochet all the time. Look at that photograph. Look at all of that stuff in between the kitchen and the living room. Ballistics tells you it's consistent with the firing, the forty calibres -- this forty calibre is consistent with the forty calibre in the deceased.

Marcus tells her as they're hiding the car, and driving in the woods, he had to get got, he had to get got. Lanard tells you Marcus, a/k/a King, a/k/a Money, is at the table, gun out, seems to be a pattern here, doesn't it? Everybody said that Marcus was at the table, either a gun or magazine in front of him.

Lanard tells you he carries a forty. Lanard should know. He's running dope for him. Lanard tells you he was never -- Marcus said -- never said anything about J.J. threatening him in any way before he shoots him.

Now, what else do we have? Mr. Martin wants to know forensics. Forensics, what do we have to link Marcus Wright as the shooter at Figure Eight, besides all that testimony I just went through?

Figure Eight, Jerome Green is shot consistent with forty calibre, consistent with forty calibre, consistent with forty calibre, forty calibre. All those were taken from the scene. Wait a minute. Marcus Wright leaves in a black BMW. Guess what's in the black BMW? Forty calibre.

What else do we have? A Camaro. What kind of proof do we have that these people aren't making all this stuff up? We went to the airport and picked up a Camaro that Marcus's wife rented for us. What do we have in the vehicle, the red Camaro? The rental agreement where Jacinda Wright rents a red Camaro on the day they say they went and got the red Camaro.

What else do we have to link him to a forty calibre and the red Camaro? We have this Glock box. On it or in it, we have receipts, in the box. What do we have receipts for? June 7th, 2008, Jacinda Wright buys a Glock, forty calibre, Serial Number MAF699. We also have extra ammunition and magazine for a forty calibre. Wonder what happened to that forty calibre.

What else do we have linking Marcus Wright to a forty calibre? The shell from Kate's Bay Road, Jacinda Wright. On here, and you'll have this, take a look at it. This is the manufacturer's test where this gun was shot before it was sold, and on here it has the serial number from the gun that it was taken from, MAF699.

All right, well, that could have been this type? No. SLED gets up and tells you that these two shells, the casings, were fired by the same gun, same forty calibre, that these three casings from the scene.

What else do we have Marcus had a forty calibre? There's

a receipt April 24, 2012, seven days before this homicide, that a Glock was cleaned and two boxes of ammo and magazines were purchased. That was in Jacinda Wright's house on Kate's Bay Road. So we know that Marcus Wright without a doubt was the shooter in this case.

Now, getting back to the other element, malice aforethought. What does that mean? It means that you have to have had a thought of malice. It doesn't mean that you had to carry a grudge for days, two weeks, even fifteen minutes. Mere seconds is sufficient. If prior to that shooting you see that Marcus Wright had hatred in his heart, that is malice aforethought.

Then you go down to malice. Did he have what is malice, the hatred, the ill will, the hostility, express or implied. Express. Roy said Marcus said before he starts firing, fuck this shit, and just started firing. Qwanda says Marcus yells out pick up the shells, pick up the shells. Why do you think he's yelling pick up the shells? But they missed some. They were in the cushions of the couch. That's how we got those three casings.

He also -- Qwanda tells you Marcus, after the shooting, is in a hotel room. She hears him say I knew I was going to have to shoot or kill a nigger tonight. Marcus had said this mere hours after putting ten rounds into J.J. Green. Qwanda tells you that Marcus never said he saw a gun on J.J.

How else have we got malice? Lanard tells you that Marcus is telling him hours after this shooting that J.J. took three steps in the house. Marcus said, yeah, he was reaching, so I shot him. What is on Marcus's (sic) waist? That's a cell phone, not a gun, not anything but a red cell phone.

What else shows his malice? They took the victim's car, drove it to Johnsonville and tried to burn it. When the police came, they ran, got in the car with Qwanda, didn't leave then, went back because Marcus said we've got to finish what we've started. Now, Mr. Martin said, oh, Lanard and Qwanda are making this up. Oh, that, yeah -- no, that couldn't have happened. There's no evidence other than them testifying to it.

Why do you think they told police about this last year? This is not something new. How do you think we even knew the vehicle was in the woods. They could have simply remained silent, but they didn't, and the reason they didn't is because it's true.

And what about the BMW? Marcus hides the BMW. Marthena testified, and she's related to Jacinda. I'm sure it was difficult for her to have to come in here. She gets a call from Jacinda within, as Lanard said, twenty minutes he had gotten rid of the BMW after the shooting, so we're talking about midnight. Yes, Marcus, could park the car in the

garage. Why do you think he wanted to park it in her garage. As Marthena said, Jacinda was two doors down.

They went from car, to car, to car, to the LaQuinta, which you have evidence of, to another hotel within a day. Hours after the shooting, Marcus is in the mindset of I want to go see some friends. Lanard tells you that's what they did once they got the Camaro. We stopped by and saw some friends of Marcus's, smoked a little bit. Really?

Qwanda told you that Marcus was in the vehicle with her. He showed -- as he's talking about having to take someone's life, no jitteriness. This is hours after, calm, no remorse. That's just the way it happened, and it was chilling when Qwanda testified from that stand about that officer out there by himself coming up to her car and what was she thinking? They're out there. God knows I don't want anybody else to get shot tonight. He's by hisself.

The last thing I want to leave you with is this. How we know Marcus Wright, King, is a cold killer, Dr. Proctor tells you this. Jerome Green was shot at least four times in the back, four times in the back. This is the position that Jerome Green died in. He's facing up. He's laying on his back. Four shots in the back, when do you think those occurred? And then Dr. Proctor tells you were the other shots were fired, here, here on this arm, there, there, and two to the chest.

You've got the crime scene photos. You can figure that out. That four shots in the back was malice, hatred, and in the State of South Carolina, that's murder.

**THE COURT:** Thank you. Members of the jury panel, I appreciate the attention you've given to us to this point. I am now going to charge you the law that you are to apply to the facts as you determine them to be in this case.

Mr. Wright is charged with murder, trafficking in cocaine in the amount of twenty-eight to one-hundred grams, possession with intent to distribute, possession of a weapon during the commission of a violent crime. Possession with intent to distribute had to do with cocaine base, commonly referred to as crack.

Each indictment charges a separate and distinct offense, and you must decide what verdict to render as to each indictment separately. You are not to be influenced on one indictment as to what verdict you render on the other. That is you must determine whether or not the State has to each charge proven that charge, regardless of whether it's proven the other charge or not, beyond a reasonable doubt.

The fact that Mr. Wright has been arrested, the fact that he is charged and indicted in this case, the fact that he is on trial is not evidence in this case. That's just the way our system works. When someone is thought to have committed an offense, they are arrested. They are brought to

trial, and the fact that he is on trial is not to be any evidence that he committed the offense. That's just the way our system works.

In fact, Mr. Wright is, under the laws of our State, presumed innocent. Anyone charged with any offense in our system is presumed innocent of that offense until such time as a jury is convinced beyond a reasonable doubt presented by the State -- beyond a reasonable doubt based on evidence presented by the State that the individual is, in fact, guilty.

This presumption of innocence is a substantial right that is not a mere legal theory or a mere legal phrase. It is a substantial right. It is a right that attached to Mr. Wright at the time of his arrest, remained with him as his case was processed, remains with him at this moment. As I speak, he is presumed innocent.

In fact, Mr. Wright is presumed innocent as you deliberate. The presumption of innocence is removed if and when, and only if and when, you as the trial jury in this case find that the State has proven his guilt beyond a reasonable doubt.

Now, I told you earlier I have several jobs to -- in this trial, and one of them is to charge you on the law, and that is what I am doing now. You must take, accept, and apply the law as I charge it. This is true even if you think

I charged the law -- let me back up one minute.

I told you that Mr. Wright is presumed innocent, and that this presumption of innocence is a substantial right. It is not a mere legal theory or a mere legal phrase, and that he is entitled to it even as you deliberate, and it is removed if and when, and only if and when, the State proves his guilt beyond a reasonable doubt.

Now, the State does not have to prove Mr. Wright's guilt beyond all or beyond every doubt, but beyond a reasonable doubt, and a reasonable doubt has been defined by our courts as the kind of doubt that would cause a reasonable person to hesitate to act.

Reasonable doubt is proof that leaves you firmly convinced of someone's guilt. There are very few things in our world that we can know with absolute certainty, and our law does not allow absolute certainty in a case such as this.

If based on your consideration of the evidence you are firmly convinced that Mr. Wright is guilty of one or more of the crimes charged, you would so find, that is, find him guilty. If on the other hand you think there is a real possibility that Mr. Wright is not guilty of one or more of the charges, he would be entitled to the benefit of that reasonable doubt and you would return a verdict as to that charge of not guilty. Mr. Wright is entitled to any reasonable doubt you have as to any issue involved in this

case.

I remind you that I am the sole judge of the law in this case, and you must take, accept, and apply the law as I charge it. This is true even if you think I charged the law in error or even if you think the law should be different. Your oath requires you to take, accept, and apply the law as I charge it.

You are not to infer from anything I say or do as indicating any opinion of mine on the facts in this case, and you are the sole judge of the facts. Our law does not allow a trial judge to formulate or express to a jury any opinion on the facts. It is solely up to you to determine the facts. You must apply the law as I charge it, but the facts are in your domain.

You are to give to the evidence the effect, the value, the weight, and the truth you believe the evidence should have. In doing this, you may believe one witness as opposed to several, several witnesses as opposed to one. You may believe all, part, or none of a witness's testimony. In analyzing the evidence, use your common sense, your sense of logic, your sense of reason. Use your experiences in life.

In judging the facts, you necessarily must judge the credibility, that is the believability of the witnesses who have testified. In assessing the believability, use those things I just talked about, use those things that you find in

your day to day life as being indicative of truthfulness, and you can use certain evaluators, the witness's opportunity to see that to which they testified, any bias or prejudice a witness may have, that is whether a witness would wish to help or hurt one side or the other.

You can consider consistencies or inconsistencies, hesitancies or direct responses, the demeanor of a witness. All these things you can consider to determine the true facts. Once you have decided on the true facts and determine the true facts, you apply the law, and you will be in a position to return a verdict that speaks the truth.

We had expert testimony in this case. If you recall, I explained that to you earlier. That is certain individuals have certain knowledge, expertise, training or education that allows them to take facts, which most of us can only testify to facts, something we sense with one of our five senses, these experts are allowed to give opinions. Now, these opinions of experts are given to assist you. They are not binding on you. They are witnesses. You look at their testimony just as you look at the testimony of every other witness.

In addition to the other witnesses and as to an expert, look at their qualifications. See if you think they are qualified to give the opinion they gave, and look at the reasons that they gave for reaching the opinion they reached.

The opinions of experts are allowed into evidence under our law to assist the jury, you. They are not binding on you.

In cases such as this, there are generally two types of evidence that's presented, direct and circumstantial evidence. Direct evidence is the testimony of someone who claims to have actual knowledge, such as an eye witness. Direct evidence is evidence which immediately establishes the facts sought to be proven.

Circumstantial evidence is proof of a chain of facts and circumstances which indicate the existence of a fact. Circumstantial evidence is evidence which immediately establishes collateral facts in which the main fact may be inferred. Circumstantial evidence is based on inference and not on personal knowledge or observation.

Our law makes absolutely no distinction between direct and circumstantial evidence, nor is a greater degree of certainty required for circumstantial evidence than there is of direct evidence. What you should do in this case is weigh all of the evidence. After weighing all the evidence if you're not convinced of an individual's, here Mr. Wright's, guilt, you would find him not guilty.

I instruct you and emphasize the fact that Mr. Wright exercised his right to remain silent is not a factor to be considered by you. Anyone charged with an offense in our system has an absolute right to remain silent. The exercise

by a defendant, here Mr. Wright, cannot be used against him in any way whatsoever. It cannot be discussed by you. It cannot be factored into your individual deliberations and determinations, cannot mitigate against him in any way whatsoever.

I remind you that he need not prove, Mr. Wright need not prove, his innocence. He is presumed innocent. The State is required to prove his guilt beyond a reasonable doubt.

The first charge I'm going to go over is that of murder. Mr. Wright is charged with having murdered Mr. Green. Here the State must prove beyond a reasonable doubt that Mr. Wright killed another person with malice aforethought.

Malice is hatred, ill will, hostility towards another person. Malice is the intentional doing of a wrongful act without justification or excuse and with an intent to inflict an injury, or under circumstances in which the law will infer an evil intent.

Malice aforethought does not require that malice exist for any particular time before the act is committed, but malice must exist in the mind of the defendant just before and at the time the act is committed. Therefore, there must be a combination of the previous evil intent and the act.

Malice aforethought may be expressed or inferred. These terms do not mean different kinds of malice, but merely the manner in which malice may be shown to exist, that is either

by direct evidence or by inference from the facts and circumstances which are proven.

Express malice is shown when a person speaks words which express hatred or ill will to another or when a person prepares beforehand to do the act which is later accomplished.

Malice may be inferred from conduct showing a total disregard to human life. Again, the State must prove beyond a reasonable doubt in order for you to convict Mr. Wright of murder that he killed another person with malice aforethought and they must prove that beyond a reasonable doubt.

The next charge I'm going over is possess- -- is the trafficking. Now, in both the trafficking charge and in the possession with intent to distribute crack cocaine, and there is also as to that charge the lesser included offense, which I will go over, which is simple possession of cocaine, they all use the word -- all three of those charges talk about possession. I'm going to define possession for you, and it applies as I define it now to all three. Whenever I use the word actual or constructive possession, these definitions apply.

To prove possession, the State must prove beyond a reasonable doubt that a defendant had both the power and intent to control the disposition or use of that substance. Possession may be either actual or constructive. Actual

possession means that the substance was in the actual physical custody of the defendant. Constructive possession means that the Defendant had dominion and control or the right to exercise dominion or control over the substance itself or the property where it is found.

Mere presence at the scene where illegal substances are found is not enough alone to prove possession. Actual knowledge of the presence of an illegal substance is strong evidence of a defendant's intent to control its disposition or use.

A defendant's knowledge and possession may be inferred when a substance is found on property under that defendant's control. However, this inference is simply an evidentiary fact to be taken into consideration by you along with the other evidence in this case and to be given the weight, if any, you should determine it should have. Two or more persons may have joint possession of a substance.

Mr. Wright is charged with trafficking in cocaine. Here the State must prove as to this charge beyond a reasonable doubt that Mr. Wright was knowingly in actual or constructive possession, and I've defined those to you, of cocaine. They must also, in order to prove that he was guilty of trafficking in cocaine, prove beyond a reasonable doubt that the amount of the cocaine or any mixture containing cocaine was twenty-eight grams or more, but less than one hundred

grams.

They must also prove beyond a reasonable doubt that the substance at issue was, in fact, cocaine. Again, the State must prove the trafficking, that Mr. Wright possessed constructively, knowingly, twenty-eight grams or more of cocaine.

Mr. Wright is also charged with possessing with intent to distribute crack cocaine. Here the State must prove beyond a reasonable doubt that Mr. Wright possessed crack cocaine with the intent to distribute it. To prove possession, the State must prove beyond a reasonable doubt, as I have told you, that the defendant had the power and intent to control the disposition or use of the crack cocaine, and I have defined for you actual and constructive possession and told you that mere presence where the drug is found is not sufficient to support a conviction.

Here the State must prove beyond a reasonable doubt that Mr. Wright possessed crack cocaine and that he had the intention to distribute it. Possession of one gram or more of crack cocaine raises an inference that the possession of that substance was with intent to distribute it. This inference is simply an evidentiary fact to be taken into consideration by you along with the other evidence in this case.

The word distribute means to deliver other than through

the administration or legal use of or dispensing of a drug. Intent may be shown by the acts and conducts of the defendant and other circumstances from which you may naturally and reasonably infer intent. To determine whether an individual had the intent to distribute crack cocaine you may consider the circumstances surrounding his alleged possession.

You may consider the amount of the substance alleged to have been possessed, the manner in which it was allegedly possessed, the place where it was allegedly possessed, and any other factors that you consider to be important. You must find that in order to find Mr. Wright guilty of possession of the crack cocaine with intent to distribute, you must find that he did not intend to have it simply for his own use.

As I told you, possession of more than one gram or more of crack cocaine creates an inference that it was possessed with intent to distribute and that the inference is simply an evidentiary fact to be taken into consideration by you along with the other evidence in the case.

Now, as to this charge and as to this charge only, there is what's called a lesser included offense, and that is simple possession of crack cocaine. If you find the State has not proven Mr. Wright guilty of simple possession -- I mean of possession of crack cocaine with intent to distribute, but find that he did possess it and he possessed

it for his own use, then you could -- would find him guilty of the lesser offense, that is simple possession of crack cocaine.

Simple possession does not require an intent to distribute the substance. Here the State must prove as to this lesser included offense beyond a reasonable doubt that Mr. Wright knowingly or intentionally possessed crack cocaine and that he did it consciously and that it was not done accidently.

Intentionally means if something is done wilfully, not accidently, and intent may be shown as I mentioned a minute ago by acts and conducts of an individual and from other circumstances from which you may naturally and reasonably infer intent. Even as to this lesser included offense, the State must prove that beyond a reasonable doubt before you could convict Mr. Wright of that charge.

The last charge I'm going to go over is possession of a weapon during the commission of a violent crime. This is a statutory offense enacted by our legislature. It provides that one is guilty of an offense if they, during the commission of a violent crime, possess a weapon. Here the State must prove beyond a reasonable doubt that -- of course you must find him guilty of a violent crime before you could consider this offense, but if you find him guilty of a violent crime, then you could consider this offense.

Of course, if you find he is not guilty of a violent crime, and I'll tell you which of these may constitute a violent crime in a moment, of course, if you find him not guilty of -- if you do not find him guilty of a violent crime, then, of course, you could not find him guilty of possession of a weapon during a violent crime.

The State must prove beyond a reasonable doubt that Mr. Wright was in possession of a firearm during the commission of a violent crime. A firearm would include a pistol. You must find first Mr. Wright guilty of either committing a violent crime or attempting to commit a violent crime, and also at that time he was in possession of a firearm.

Murder and trafficking cocaine are both violent crimes. Here the State must prove beyond a reasonable doubt that the weapon further advanced or helped in the commission of the crime.

Now, your verdict in these cases must be unanimous. All twelve jurors must agree. Once all twelve jurors have agreed on a verdict -- Madam Forelady, you will, of course, preside over the deliberation -- you will write -- and I will go over the verdict forms in just a minute -- the unanimous verdict of the jury on the verdict form.

While you are deliberating, if you have any questions you may write those questions out on a note and send it out by way of the bailiff. Once I receive the note, I will go

over the note with the attorneys and determine how to respond. It may be that I can write an answer on the note. If I write an answer on a note and send it back in, Madam Forelady, turn that in with the evidence at the end of the trial because it has to be part of the record.

It may be that I'll have to bring you back in here in open court to answer whatever question you may have. We can have testimony re-played or re-read -- or read to you if you need that. We do not in South Carolina send in a written charge, but if you wish me to go over any part or all of my charge on the law, let me know and I will bring you back out in here in open court and re-charge you on the law.

We will have lunch delivered. You can stop and take a break while you eat lunch or you can work while you are eating lunch, but since this is to be a unanimous decision, all of you are either working or all of you are either on break, so keep that in mind.

Ms. Harriotte and Ms. Norris, I'm going to ask you to remain in here when the jury goes out in just a moment since you are the alternates.

When you first go into the jury room, do not start deliberating. I have to go over, as I said, the -- my charge with the attorneys and make sure I've made no error. If I have made no error, I will send in to you the exhibits and the verdict forms and the indictments.

Now, you will have these indictments, but they are not evidence. The indictments are simply paperwork by way of which this case has been processed through our court system. They are the paperwork by way of which this case is handled. They contain the charges against Mr. Wright, but they are not to be considered evidence to any degree whatsoever.

Now, on the -- I have a verdict form for each indictment and I will send those in and they will be attached to the particular indictment to which they pertain. There is a place for you to date and there is a place for you to sign Ms. Blain-Olds, as Forelady.

As to all the charges except for the possession with intent to distribute cocaine base or crack cocaine, there are basically two options. The order they are in is of no importance. I have to put them in some order, so I always put them in this order.

The options are either we find the Defendant guilty of the murder, trafficking cocaine, possession of crack cocaine with intent to distribute -- I'm sorry. The possession with intent to distribute has a lesser included. Let me start over.

As to the murder, the trafficking, and the possession of a weapon during the commission of a violent crime, there are two options, either we find the Defendant guilty of that particular charge, if you find the State has proven that

charge beyond a reasonable doubt as to Mr. Wright.

The other option is we find the Defendant not guilty, and you would use that if you find the State has failed to prove Mr. Wright guilty as to an offense beyond a reasonable doubt, and you would indicate the jury's choice, Madam Forelady, by putting an X or a check on the line in front of the appropriate verdict.

There are three choices as to the possession with intent to distribute crack or cocaine base. Again, the order they are in is of no importance, but you have, as I have already charged you, the lesser included offense of simple possession of cocaine base. They are in no particular order other than this is the order I always use.

The first line says we find the Defendant guilty of possession with intent to distribute cocaine base. That's the charge. The lesser included is set forth on the second, we find the Defendant guilty of the lesser included offense of simple possession of cocaine base. The third option is we find the Defendant not guilty.

Whatever the unanimous verdict is of the jury, Madam Forelady, you will place a mark or either a check or an X on the line in front of that sentence.

Now, I'm going to let all the jurors except for the two alternates step out to the jury room just a minute. Do not start deliberating. I have to go over my charge, as I told

you, with the attorneys. Don't start deliberating until you -- the bailiffs tell you to start doing that.

The signal to start doing that will be that the bailiff will tell you to start doing it, but also he will bring in, he or she, he and she, will bring in the exhibits and the verdict forms and the indictment. Prior to that time, don't start deliberating. So you will step out right now and we'll -- you will hear from me in just a moment.

The two alternates are going to stay in at this time.

**(AT 11:55 A.M., THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** Now, the two alternates, I'm going to ask you to step out also, and you will be separated from the other twelve at this time, but I need to have you step out just like they did, and the bailiffs will keep you separate and apart from the other twelve.

**(THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE ALTERNATE JURORS.)**

**THE COURT:** Anything from the State involving the charge?

**MS. ELDER:** No, sir, Your Honor.

**THE COURT:** Anything from the Defense involving the charge?

**MR. MARTIN:** Your Honor, a couple of things. We would renew our request for a charge at this time of voluntary

manslaughter and self-defense, and my co-counsel says that you did, I just want to be sure that you covered that the verdict must be unanimous.

**THE COURT:** I did. I'm sure I said that.

**MR. MARTIN:** I know at the very end you touched on it. I didn't feel that was thorough, but you may have done it somewhere else in the charge. I just want to be sure.

**THE COURT:** No. At the end I said the verdict must be unanimous.

**MS. ELDER:** Your Honor, you also did it numerous times because you talked to them about a break, and because it must be unanimous, they all must -- need to take a break at the same time or be in there together at the same time. You mentioned it several times.

**THE COURT:** Well, I'll bring them back real quick and just tell them that the word unanimous means that all twelve must agree. I usually say that and I perhaps did not this time, so let's -- will somebody tell the bailiff to bring all fourteen of them back in just to be safe because -- anything else?

**MR. MARTIN:** Nothing other than my renewal of the self-defense and manslaughter.

**(THE ALTERNATE JURORS RETURN TO THE COURTROOM.)**

**THE COURT:** While they're getting the other twelve, the alternates present, I'm going to add to my charge in just a

moment. Then I'm going to let the twelve go and start deliberating. I'm going to keep you two alternates separate and apart from the other jurors and I'm going to have you remain on the premises and not participate in the deliberation, but I'm going to have you remain.

You'll be kept in a separate, safe, secure, nice, comfortable place, and you'll have your lunch just like everyone else. I'll just go ahead and tell you that now, but you will be separated from the other twelve, but I'm going to keep you on -- keep you around.

**(AT 12:00 P.M., THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE JURY.)**

**THE COURT:** I just wanted to supplement what I've already said. I used the word, told you several times your verdict must be unanimous, you must all -- must be unanimous as to each offense before you could find Mr. Wright guilty.

We all pretty much have a common knowledge and parlance of what -- a common parlance of what unanimous means, but I just want to make sure you understand that in the trial of a case, the word unanimous means that all twelve jurors must agree. Before you could return a verdict, all twelve jurors must agree. When I say unanimous, that's the context in which -- that the definition of the context of which I mean the word unanimous, all twelve must agree.

I'm going to let you go back out and the two alternates

will stay in again.

**(AT 12:01 P.M., THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** All right. Now, I'm going to let the two of you go to -- go out with the bailiff.

**(THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE ALTERNATE JURORS.)**

**THE COURT:** Anything from the State involving the additional charge?

**MS. ELDER:** No, sir, Your Honor.

**THE COURT:** Defense?

**MR. MARTIN:** No, Your Honor.

**THE COURT:** All right. We'll be at ease.

We're going to actually start another trial, even though it's Thursday afternoon, got a two-witness trial that the Solicitor wanted to start, so we'll kind of take a little break and then we'll try to gather and get started on the other trial, ---

**MS. ELDER:** Your Honor, ---

**THE COURT:** --- and let me -- let me go ahead and put on the record. I know y'all want to get the exhibits and get it back to the jury for deliberation, but I do want to thank Ms. Elder, Mr. Martin, and Mr. Brown for the courtesies and the way they've handled themselves during the trial of this case. It's been exemplary, and I -- I appreciate it.

All right. We will be at ease.

**(AT 12:05 P.M., THE EXHIBITS AND VERDICT FORMS ARE REVIEWED BY COUNSEL WITH THE COURT REPORTER, AGREED UPON, AND ARE TAKEN TO THE JURY AT 12:10 P.M. TO BEGIN DELIBERATION.)**

**(THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** Be seated please.

I understand we have a verdict in the case involving Mr. Wright. I, of course, have no idea what the verdict is, nor does anyone else in this room.

Whatever the verdict is, if you are so emotionally involved in this case that you think whatever the verdict might be might cause you some emotional disturbance, I suggest you go ahead and leave now because if there are any outbursts from anybody regarding the verdict, whatever it is, that person will automatically be in contempt of court and instead of going home tonight, they will be going wherever these men in gray shirts take people for about thirty days for being in contempt of court, so if you don't think you can tolerate whatever the verdict might be, that is if you do not think you can control your emotions, I suggest you go ahead and leave now.

That being said, is the State ready?

**MS. ELDER:** Yes sir, Your Honor.

**THE COURT:** The Defense ready?

**MR. MARTIN:** Yes.

**THE COURT:** All right. Bring in the jury, except for the alternates. Don't bring the alternates.

**(AT 2:45 P.M., THE FOLLOWING TAKES PLACE WITHIN THE PRESENCE OF THE JURY.)**

**THE COURT:** Madam Forelady, I understand the jury has reached a verdict in the case involving Mr. Wright?

**THE FORELADY:** We have, Your Honor.

**THE COURT:** If you will hand them to the bailiff or someone to hand them up to me. Thank you. You may be seated.

**THE DEPUTY CLERK:** Indictment Number 2012-GS-26-2551, State of South Carolina, County of Horry, versus Marcus Dwain Wright, we, the Defendant -- we -- we find the Defendant guilty of murder. Dated June 20th, 2013.

Indictment Number 2012-GS-26-2552, State of South Carolina, County of Horry, versus Marcus Dwain Wright, we find the Defendant guilty of trafficking cocaine, twenty-eight to one hundred grams. Dated June 20th, 2013.

Indictment Number 2012-GS-26-2553, State of South Carolina, County of Horry, versus Marcus Dwain Wright, we find the Defendant guilty of possession with intent to distribute cocaine base. Dated June 20th, 2013.

Indictment Number 2013-GS-26-2339, State of South Carolina, County of Horry, versus Marcus Dwain Wright, we

find the Defendant guilty of possession of a weapon during the commission of a violent crime. Dated June 20th, 2013. Signed by the Foreperson, Barbara Blain-Olds.

Ladies and gentlemen of the jury, if this is your verdict, so signify by raising your right hand. (All jurors raise their right hand.) Thank you.

**THE COURT:** All right. Anything from the State before the jury is dismissed?

**MS. ELDER:** No, sir, Your Honor.

**THE COURT:** Anything from the Defense before the jury is dismissed?

**MR. MARTIN:** Judge, we would request that the jury be polled.

**THE COURT:** All right.

The Clerk is going to ask each of you a question regarding your verdict. She will tell you how we go about this.

**THE DEPUTY CLERK:** When I call your juror number, if you will please stand.

Juror Number 50. Is this your verdict?

**JUROR NUMBER 50:** Yes ma'am.

**THE DEPUTY CLERK:** Is it still your verdict?

**JUROR NUMBER 50:** Yes ma'am.

**THE DEPUTY CLERK:** Thank you.

27. Is this your verdict?

**JUROR NUMBER 27:** Yes ma'am, it is.

**THE DEPUTY CLERK:** Is it still your verdict?

**JUROR NUMBER 27:** Yes ma'am.

**THE DEPUTY CLERK:** Thank you.

Juror 119. Is this your verdict?

**JUROR NUMBER 119:** Yes ma'am.

**THE DEPUTY CLERK:** Is it still your verdict?

**JUROR NUMBER 119:** Yes ma'am.

**THE DEPUTY CLERK:** Thank you.

180. Is this your verdict?

**JUROR NUMBER 180:** Yes ma'am.

**THE DEPUTY CLERK:** Is it still your verdict?

**JUROR NUMBER 180:** Yes ma'am.

**THE DEPUTY CLERK:** Thank you.

274. Is this your verdict?

**JUROR NUMBER 274:** Yes ma'am.

**THE DEPUTY CLERK:** Is it still your verdict?

**JUROR NUMBER 274:** Yes ma'am.

**THE DEPUTY CLERK:** Thank you.

131. Is this your verdict?

**JUROR NUMBER 131:** Yes ma'am.

**THE DEPUTY CLERK:** Is it still your verdict?

**JUROR NUMBER 131:** Yes ma'am.

**THE DEPUTY CLERK:** Thank you.

141. Is this your verdict?

**JUROR NUMBER 141:** Yes ma'am.

**THE DEPUTY CLERK:** Is it still your verdict?

**JUROR NUMBER 141:** Yes.

**THE DEPUTY CLERK:** Thank you.

285. Is this your verdict?

**JUROR NUMBER 285:** Yes ma'am.

**THE DEPUTY CLERK:** Is it still your verdict?

**JUROR NUMBER 285:** Yes ma'am.

**THE DEPUTY CLERK:** Thank you.

300. Is this your verdict?

**JUROR NUMBER 300:** Yes ma'am.

**THE DEPUTY CLERK:** Is it still your verdict?

**JUROR NUMBER 300:** Yes ma'am.

**THE DEPUTY CLERK:** Thank you.

240. Is this your verdict?

**JUROR NUMBER 240:** Yes, it is.

**THE DEPUTY CLERK:** Is it still your verdict?

**JUROR NUMBER 240:** Yes, it is.

**THE DEPUTY CLERK:** Thank you.

43. Is this your verdict?

**JUROR NUMBER 43:** Yes ma'am.

**THE DEPUTY CLERK:** Is it still your verdict?

**JUROR NUMBER 43:** Yes ma'am.

**THE DEPUTY CLERK:** Thank you.

281. Is this your verdict?

**JUROR NUMBER 281:** Yes ma'am.

**THE DEPUTY CLERK:** Is it still your verdict?

**JUROR NUMBER 281:** Yes, it is.

**THE DEPUTY CLERK:** Thank you.

**THE COURT:** All right. The jury has been polled. Anything else before the jury is dismissed?

**MR. MARTIN:** No, Your Honor.

**THE COURT:** All right.

Members of the jury panel, thank you for your help. You can leave now, or if you want to stay and see what happens next, the Defense probably has some motions to make, and then I will sentence Mr. Wright. I do not require jurors to stay for that, but if you wish to stay, keep your seat.

If you wish to go ahead and leave, you may get up and go ahead and leave, but again, I don't require you to stay, but since you've worked on the case, I give you the opportunity, if you wish, to see what happens next, and you will hear a little bit about, probably, Mr. Wright's background before he is sentenced, so anybody that wants to leave, they can leave now.

All right. Anything else from the State before we bring Mr. Wright around?

**MS. ELDER:** No, sir.

**THE COURT:** Defense?

**MS. ELDER:** We -- Your Honor, the victim's family would

like to address the Court regarding sentencing.

**THE COURT:** Okay. All right.

Anything from the Defense before we hear from the victim's family?

**MR. MARTIN:** No.

**THE COURT:** All right. Okay.

All right, I'll be glad to hear from some members of the victim's family.

And we need the exhibits back from the jury room.

Yes ma'am, you can just stand right there, and don't be -- I mean, I'm sure you will be nervous, but I'm going to say don't be nervous anyway.

**MS. ELDER:** Your Honor, if I could hand up, these are pictures of her son, Mr. Green.

**THE COURT:** All right. Yes ma'am.

**ALMA JEAN GREEN:** Your Honor, I appreciate the opportunity to speak on behalf of my son, Jerome, J.J. Thank you. For me and my family, I just want to know why, what made you felt like you had the right to take a life. My son just came home to visit. He was happy, speaking about what a good job -- paying job he had and his own money in his pocket.

It was my birthday and Mother Day was coming up. He left behind two son, one in college and one still in high school. Now they are without a father. I don't get a chance

to tell my son I love him, I see him, or anything anymore. If you've never lost a child, you don't know the pain or the stress I go through, the sleepless night, wanting -- wanting to call, him to call, or to come home.

Your Honor, we are asking for justice to be served. We are asking for life without parole. Thank you.

**THE COURT:** Thank you.

Did you get her name?

**THE REPORTER:** No, sir.

**THE COURT:** We need your -- we need her name for the record, please.

**ALMA JEAN GREEN:** Alma Jean Green, G-R-E-E-N.

**THE COURT:** Thank you, Ms. Green.

**KATRINA GREEN:** Your Honor, my name is Katrina Green. Jerome Green, Jr., known as J.J., was my brother. As you've heard here today, the events leading to my brother's death, but as -- but as you know, Jerome Green, Jr., also known as J.J., you would have saw a smile at the thought of him.

The life that they took so soon was a father, a brother, a uncle, a cousin, a step-father. J.J. was so full of life, laughing, smiling, joking, and changed people's moods around him. When he came around, he brought happiness to everyone he knew. I need you to know those of us knew him appreciated the life with him. We will never be the same.

J.J., J.J.'s son, is studying to become a medical

student. Since this tragedy, he has questioned whether or not similar events could happen to him. His GPA has dropped. His father's support is not here. Everybody can try to step in, but there is no one like dad.

J.J.'s other son is in the eleventh grade, and he is without his father as well. You can imagine how a teenager deals with learning his father's death, such as this.

J.J. studied criminal justice at Horry-Georgetown Technical College, served and ushered at St. James United Methodist Church, worked in area businesses, enriching the lives of all of us.

He left behind without their father are two sons and three step-children, a senseless act that has devastated our community, family, friends, and family. We just ask justice of the Court, sir.

**THE COURT:** Thank you.

Do you have sentencing sheets prepared?

**MS. ELDER:** Your Honor, they are being prepared. Do you want me to go over the sentencing -- the prior record and make motions first?

**THE COURT:** Well, I didn't know if they were ---

**MR. MARTIN:** I do want to make motions. I was waiting for the appropriate time for the Court to allow it.

**THE COURT:** Yeah, well, let's go ahead and make those.

**MR. MARTIN:** All right. We would move -- Your Honor,

if it please the Court, we would move to the Court at this time for a new trial notwithstanding a verdict of not guilty, notwithstanding the verdict of guilty by the jury, or in the alternative a motion for a new trial.

**THE COURT:** Well, as I ruled at the directed verdict stage, the evidence was sufficient, both direct and substantial circumstantial evidence, to submit the case to the jury, and I think the jury's -- the evidence supports the jury's verdict in total, so that motion -- those -- it was kind of a joint motion. Both parts of the motion are denied.

**MR. MARTIN:** Thank you.

**THE COURT:** All right.

Are the drug offenses first?

**MS. ELDER:** Yes sir.

**THE COURT:** Madam Solicitor, if you will now go over Mr. Wright's prior record.

**MS. ELDER:** Your Honor, Mr. Wright has a 2002 receiving stolen goods, a 2002 malicious injury to personal property, a 2002 carrying a pistol unlawfully, a 2002 assault and battery of a high and aggravated nature, and a 2002 carjacking.

Your Honor, as Your Honor knows, we discussed this outside the presence of the jury. The carjacking is a most serious offense. The State has filed a notice of life pursuant to the statute. We believe it's required in this case as a second most serious conviction at this time.

In addition, Your Honor, we are asking that the Court sentence to the mandatory life on the murder. We would ask for consecutive maximum sentences on the remaining charges, the two drug charges and the weapons charge. We believe it is more than warranted in this case.

The conduct of Mr. Wright while he's been out on bond has been horrendous. He has been arrested not once, not twice, but three times since he's been out on bond.

At the time of this murder, as Your Honor heard, he was out on supervision for the carjacking. He has been re-arrested for intimidating a State's witness involved in this trial. He was also re-arrested for a driving under suspension and DUI where he ran a car into a home, and a recent arrest was a solicitation to commit murder on a State's witness, Your Honor.

During the course of that arrest, he ran from police. He wrecked a highway patrolman in the process, ditched his car, ran into the woods. We were able to locate him by his tracker. Your Honor, if anyone deserves a life sentence with consecutive maximum sentences, it is Marcus Wright.

**THE COURT:** All right.

**MS. ELDER:** I have the certified convictions, Your Honor.

**THE COURT:** All right.

Mr. Martin, if you and Mr. Brown want to bring Mr.

Wright around and have anybody speak on his behalf. You can stay there at the microphone. That would be better. I'm sorry.

All right, Mr. Martin.

**MR. MARTIN:** Your Honor, let me say obviously that the sentencing is the province of the Court. I think at this point in time you know as much about this case, the facts, the Defendant, and all that I do. He exercised his right to a jury trial. The jury has spoken.

I would think that even the minimum sentence that the Court could give this Defendant in this case would ensure that he was in jail for the next thirty to thirty-five years, and it would seem that that would be sufficient to protect the community and to punish him for his wrongs.

We would ask that you take all of the factors into consideration in sentencing him and be as lenient as you deem just and proper.

**THE COURT:** All right.

Mr. Brown, do you want to speak on your client's behalf also?

**MR. BROWN:** Your Honor, I would parrot what Mr. Morgan has said. I would further indicate to the Court that while the jury's verdict is what the jury's verdict is, perhaps there is some socially redeeming qualities that Mr. Wright possess. Being sentenced to thirty-five, forty years is

significant to the extent that Mr. Wright is thirty-one presently. When the Court in its infinite wisdom and discretion decides to be lenient with Mr. Wright, he would have paid a significant debt to society. Granted, we cannot bring Mr. Green back, and that is totally -- however, Your Honor, we would ask that the Court exhibit some leniency as it relates to Mr. Wright.

**THE COURT:** Mr. Marcus Dwain Wright, anything you want to say?

**MR. WRIGHT:** The family want to know what happened to him. They heard what happened. Maybe the jury didn't because you dismissed the witness, but the family heard what happened to him. It wasn't me.

**THE COURT:** The sentence on murder is life imprisonment. All the sentences are to run concurrent to each other and consecutive to the life sentence, and it is five years for the weapons charge, twenty-five years for the trafficking charge, and fifteen years for the possession of cocaine base, crack cocaine with intent to distribute, so it's life, followed by those three -- the two drugs charges and the pistol charge sentences. Thank you.

**MR. MARTIN:** Very well, Your Honor.

**THE COURT:** All right.

**MS. ELDER:** Thank you, Your Honor.

**THE COURT:** Okay.

Let's take about five minutes. I'm not going to leave the bench, but let's be kind of at ease for five minutes so the jurors can leave and so anyone else who wants to leave -- we've already started another trial and they're out having a late lunch, and so as soon as we -- as soon as y'all leave, we will be bringing another jury and I'd like any of the spectators have an opportunity to leave, too.

Thank you so very much. It was a hard case and a hard week, but thank you for your help.

**(PRIOR RECORD OF DEFENDANT MARKED AS COURT'S EXHIBIT NUMBER 1.)**

(END DAY.)

**(ON JUNE 21, 2013, THE FOLLOWING TAKES PLACE OUTSIDE THE PRESENCE OF THE JURY.)**

**THE COURT:** For the purposes of this trial, and also for the purpose of the Wright trial, which we just concluded, I see Mr. Martin is here. I took him off the golf course. Come on up, Mr. Martin, and Mr. DeBusk, I think you can stand in for the Solicitor in this regard.

**MR. DeBUSK:** Yes, Your Honor.

**THE COURT:** I think -- and this has to do -- also, Ms. Wilson, you pay attention, too. I think sort of like Cool Hand Luke, maybe I've had a failure, if not to communicate, to understand.

Mr. Cobb, the bailiff, told me this morning that he

received a call from the alternate. I thought he was talking about the alternate in the Wright case, but I think now he's talking about Mr. Prosser, who is the alternate in this case, and Mr. Prosser related that he is a seventh cousin to Mr. Chase Mitchell, who testified. That's what he said.

Now, I thought they were talking about the Wright case, so I alerted Mr. Martin and the Solicitor's Office that we may have a situation involving a juror in the Wright case. I was wrong. It was not the Wright case. It's the current case.

So I was going to allow Mr. Martin to make any motions regarding an alternate in his case that was a seventh cousin of a witness, but it turns out that that is not, in fact, the case, so I apologize for getting you up here. I just -- it was a misunderstanding of mine, and I just looked down and saw where Mr. Prosser is on this case, so I appreciate you coming up, and good luck on the golf course.

And then Mr. Cobb was clear. I just -- I guess I was just -- over-reacted out of an abundance of caution to make sure that we didn't have problems with Mr. Wright's case.

Take care. Have a good day.

(Mr. Martin exits the courtroom.)

(CONCLUSION OF TRANSCRIPT OF RECORD.)

C E R T I F I C A T E

I, the undersigned, DIXIE COX EUBANK, Official Court Reporter for the Fifteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of all the proceedings had and evidence introduced in the hearing of the captioned case, relative to appeal, in the Court of General Sessions for Horry County, South Carolina, on the 17th - 21st day of June, 2013.

I DO FURTHER CERTIFY that I am neither of kin, counsel nor interest to any party hereto.

October 15, 2013

DIXIE COX EUBANK

CIRCUIT COURT REPORTER

FIFTEENTH JUDICIAL CIRCUIT

EXHIBIT 1 Counts 1 & 2 6-20-13

STATE OF SOUTH CAROLINA
COUNTY OF Richland

IN THE COURT OF GENERAL SESSIONS
INDICTMENT/CASE #: 02-GS-40-9824

STATE VS
Marcus Wright
AKA Marcus Wood

REDACTED

A/W#: 124896
Date of Offense: 8/22/02
S.C. Code §: 16-3-1075(B)(1)
CDR Code #: 215719

☐ CASE RESTORED

SENTENCE
☒ PLEA ☐ TRIAL

In disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADS TO Carjacking

in violation of § 16-3-1075 of the S.C. Code of Laws, bearing CDR Code # 215719

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ 17-25-45

The charge is: ☐ As Indicted. ☐ Lesser Included Offense. ☒ Defendant Waives Presentment to Grand Jury.
The plea is: ☒ Without Negotiations or Recommendation. ☐ Negotiated Sentence, ☐ Recommendation by the State.
ATTEST:

Solicitor | Defendant | Attorney for Defendant

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center for a determinate term of 10 days/~~months~~/years or ☐ under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of $ _____; provided that upon the service of _____ days/months/years and/or payment of $ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☒ The Defendant is to be given credit for 73 (days/~~months~~) jail time.
☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____

CERTIFIED TRUE COPY
OF ORIGINAL FILED
Jeanette Williams
C.C.C.P.&G.S.
RICHLAND COUNTY
SOUTH CAROLINA

SPECIAL CONDITIONS:

RESTITUTION: ☐ Heard. ☒ Waived. ☐ Ordered
Total $ _____ plus 20% fee: $ _____
Payment Terms: _____
To be Disbursed by SCDPPPS _____
_____
Co-Defendant _____

Fine $ _____
§ 14-1-206 (Assessments 100%) $ _____
§ 14-1-211(A)(1) (Surcharge) $ _____
§ 14-1-211(A)(2) (Surcharge) $ _____
§ 56-5-2995 (DUI Assessment) $ _____
§ 56-5-2990 (Child Safety Seat) $ _____
VSA $ _____

PTUP _____
_____ days/hours Public Service Employment
Obtain GED _____
Attend Voc. Rehab. or Job Corps _____
May serve W.E. beginning _____
Substance Abuse Counseling _____
Random Drug/Alcohol Testing _____
Fine may be pd. in equal, consecutive weekly/monthly pmts. of $ _____ beginning _____
$ _____ paid to Public Defender Fund.
Other: _____

Barbara A. Scott
Clerk of Court/Deputy Clerk

PRESIDING JUDGE: Doyet Early
Judge Code: 0350
Sentence Date: 12/13/02

White - Clerk Yellow - Solicitor Pink - Defendant Goldenrod - Attorney Blue - Victim

WITNESSES

ARREST WARRANT NUMBER

H214896

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2002-GS-40-9824

The State of South Carolina

County of Richland

COURT OF GENERAL SESSIONS

DECEMBER TERM 2002

91

THE STATE
vs.

MARCUS WRIGHT

Indictment for
CARJACKING
16-3-1075

CARJACKING

SC Code: 16-3-1075(B)(1)
CDR Code: 2599
Class: FELONY

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I _____ hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

CERTIFIED TRUE COPY
OF ORIGINAL FILED,
Jeanette W. McBride
C.C.C.P.&G.S.
RICHLAND COUNTY
SOUTH CAROLINA

STATE OF SOUTH CAROLINA ) INDICTMENT
)
COUNTY OF RICHLAND )

At a Court of General Sessions, convened on _____ the Grand Jurors of Richland County present upon their oath:

**CARJACKING**

That Marcus Wright did in Richland County on or about August 24, 2002, take or attempt to take a motor vehicle from the victim by force and violence or by intimidation, while the person is operating the vehicle, or while the person is in the vehicle. All in violation of § 16-3-1075.

CERTIFIED TRUE COPY
OF ORIGINAL FILED
Jeanette Williams Brade
C.C.C.P.&G.S.
RICHLAND COUNTY
SOUTH CAROLINA

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

Warren B. Giese
WARREN B. GIESE, SOLICITOR

ARREST WARRANT

H- 214896

STATE OF SOUTH CAROLINA
[X] County/ [ ] Municipality of
RICHLAND COUNTY

THE STATE RCS#0208205

against

MARCUS WRIGHT

Address 2429 SEAGULL LANE
COLUMBIA SC 29203 - 0000

[redacted]

Code/Ordinance/Sec. 16-03-1075(B)(1)

This warrant is CERTIFIED FOR SERVICE in the
[ ] County/ [ ] Municipality of
_____ The accused is to be arrested and brought before me to be dealt with according to law.

_____ (L.S.)
Signature of Judge

Date _____

RETURN

A copy of this arrest warrant was delivered to defendant MARCUS WRIGHT

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
RICHLAND COUNTY BOND COURT
201 JOHN MARK DIAL DRIVE
COLUMBIA SC 29209 - 6000

STATE OF SOUTH CAROLINA
[X] County/ [ ] Municipality of
RICHLAND COUNTY

AFFIDAVIT

Personally appeared before me the affiant W. MCDANIELS who being duly sworn deposes and says that defendant MARCUS WRIGHT did within this county and state on 8/24/02 violate the criminal laws of the State of South Carolina (or ordinance of [ ] County/ [ ] Municipality of _____) in the following particulars:

DESCRIPTION OF OFFENSE CARJACKING

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

THAT ON 08/24/02 WHILE AT 7201 TWO NOTCH ROAD IN THE DENTSVILLE MAGISTERIAL DISTRICT ON RICHLAND COUNTY, ONE MARCUS WRIGHT DID COMMIT THE CRIME OF CARJACKING IN THAT HE DID ALONG WITH A CO-DEFENDANT AND WHILE PRESENTING A FIREARM TAKE THE VICTIM'S 2000 NISSAN MAXIMA. THE DEFENDANT INSTRUCTED THE VICTIM WHO WAS POSITIONED IN THE FRONT DRIVER'S SEAT TO SWITCH SEATS, THUS ALLOWING THE DEFENDANT T. START THE VEHICLE. DEFENDANT ORDERED THE VICTIM TO STAY INSIDE OF THE VEHICLE, AS HE PROCEEDED TO DRIVE TO A UNKNOWN DESTINATION. THE VICTIM WAS ABLE TO FLEE FROM THE VEHICLE AND THE DEFENDANT DROVE AWAY. THE VICTIM IDENTIFIED THE DEFENDANT IN A PHOTO LINE UP, AND GAVE A SWORN WRITTEN STATEMENT TO PROVE THE SAME. AFFIANT AND OTHERS ARE WITNESS TO PROVE THE SAME. ARREST WARRANT

Sworn to and subscribed before me on 9/05/02

_____ (L.S.)
Signature of Issuing Judge

Signature of Affiant LARRY PAUL FOX W. McDaniels

Affiant's Address 5523 TWO NOTCH RD
COLUMBIA SC 29223 - 0000

Affiant's Telephone 803 691-9000

STATE OF SOUTH CAROLINA
[X] County/ [ ] Municipality of
RICHLAND COUNTY

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on 8/24/02 defendant MARCUS WRIGHT did violate the criminal laws of the State of South Carolina (or ordinance of [ ] County/ [ ] Municipality of _____) as set forth below:

DESCRIPTION OF OFFENSE: CARJACKING

Now, therefore you are empowered and directed to arrest the said defendant and bring him/her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.

_____ (L.S.)
Signature of Issuing Judge

Judge's Address JUDICIAL CENTER
COLUMBIA SC 29201 - 3100

Judge's Telephone 803-576-1800

Judge Code: GS

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

CERTIFIED TRUE COPY
OF ORIGINAL FILED,
Jeanette W. McBride
C.C.C.R.&S.
RICHLAND COUNTY
SOUTH CAROLINA

ORIGINAL

# Richland County General Sessions

## CASE HISTORY FOR CASE [redacted]

**STATE OF SOUTH CAROLINA VS. MARCUS WRIGHT**

FILED DATE: 9/17/2002

CASE TYPE: GS

STATUS: Disposed

JUDGE: Mcduffie (Conversion/Not Used), Mildred

02-9824

**CASE PARTIES:**

Defendant Wright, Marcus
2429 SEAGULL LN, COLA, SC 29203

Solicitor Cooper, Vanessa

Bond Entity Brown, Lacaria D
1120 Taylor Street, Columbia, SC 29201

**CASE HISTORY FOR CASE H214896**

**Wright, Marcus**
2429 SEAGULL LN

COLA, SC 29203

[redacted]

| CHARGE | | VIOL. DATE | DISPOSITION | DISP. DATE |
|---|---|---|---|---|
| 2599 | CARJACKING/TAKE VEHICLE, W/O INJURY | 8/24/2002 | Pled Guilty | 12/13/2002 |

SENTENCING

JAIL

CREDIT F/JAIL TIME

CONCURRENT SENTENCE

| COST | ORIGINAL | BALANCE DUE | DISBURSED | PAY PRIORITY |
|---|---|---|---|---|

**Total:**

| DATE | TIME | EVENT DESCRIPTION |
|---|---|---|
| | 12:00 AM | Traffic citation 2002GS4009824 assessed 0 points. |
| 11/26/2002 | 12:00 AM | recorded the following Case Note: FILING: PETITION |
| 11/26/2002 | 12:00 AM | recorded the following Case Note: FILING: NOTICE |
| 11/26/2002 | 12:00 AM | recorded the following Case Note: FILING: AFFIDAVIT |
| 11/26/2002 | 12:00 AM | Filing recorded: RECEIPT AND RE-COMMITTMENT INCLUDES G634312-13, G184189-90, |
| 11/26/2002 | 12:00 AM | Filing recorded: AFFIDAVIT OF SERVICE |
| 1/26/2002 | 12:00 AM | Filing recorded: AFFIDAVIT |
| 1/26/2002 | 12:00 AM | Filing recorded: NOTICE |
| 1/26/2002 | 12:00 AM | Filing recorded: PETITION |

Print Date: 01/17/2013
Print Time: 2:23:15PM
Requested By: COCHUDSON

| | | |
|---|---|---|
| 11/26/2002 | 12:00 AM | recorded the following Case Note: FILING: AFFIDAVIT OF SERVICE |
| 11/26/2002 | 12:00 AM | recorded the following Case Note: FILING: RECEIPT AND RE-COMMITTMENT INCLUDES G634312-13, G184189-90, H214558-61 |
| 12/6/2002 | 12:00 AM | recorded the following Case Note: FILING: ORDER FOR BENCH WARRANT/J/FLOYD |
| 12/6/2002 | 12:00 AM | Filing recorded: ORDER FOR BENCH WARRANT/J/FLOYD |
| 12/13/2002 | 12:00 AM | recorded the following Case Note: FILING: BENCH WARRANT VACATED/J/FLOYD |
| 12/13/2002 | 12:00 AM | Filing recorded: BENCH WARRANT VACATED/J/FLOYD |
| 12/16/2002 | 12:00 AM | recorded the following Case Note: FILING: MOTION TO BE RELIEVED ON BOND / ORDER/ J/KINARD |
| 12/16/2002 | 12:00 AM | recorded the following Case Note: FILING: MOTION TO BE RELIEVED ON BOND / ORDER/ J/KINARD |
| 12/16/2002 | 12:00 AM | Filing recorded: MOTION TO BE RELIEVED ON BOND / ORDER/ J/KINARD |
| 12/16/2002 | 12:00 AM | Filing recorded: MOTION TO BE RELIEVED ON BOND / ORDER/ J/KINARD |

STATE OF SOUTH CAROLINA )
COUNTY OF Richland ) IN THE COURT OF GENERAL SESSIONS
INDICTMENT/CASE #
02 GS 40 0826
STATE
vs
Marcus Maceo Laurent Wright
AW 08/29/91
Date of Offense
S.C. Code: Common Law
CDR Code: 0 0 7 1 4 3
☐ CASE RESTORED
SENTENCE
☒ PLEA ☐ TRIAL

REDACTED

In disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADS
To: Assault & Battery High & Aggravated
in violation of § Common Law of the S.C. Code of Laws, bearing CDR Code # 0 7 0 4 1 4 3
☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ 17-25-45
The charge is ☒ As Indicted ☐ Lesser Included Offense ☐ Defendant Waives Presentment to Grand Jury
The plea is ☒ Without Negotiations or Recommendation ☐ Negotiated Sentence ☐ Recommendation by the State
ATTEST: Clerk of Court — Marcus Wright — Teresa Gibbs
Solicitor — Defendant — Attorney for Defendant

WHEREFORE the Defendant is committed to the ☒ State Department of Corrections ☐ County Detention Center for a determinate term of 10 days/months/years or ☐ under the Youthful Offender Act not to exceed ____ years and/or to pay a fine of $ ____ provided that upon the service of ____ days/months/years and/or payment of $ ____ plus costs and assessments as applicable*, the balance is suspended with probation for ____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☒ The Defendant is to be given credit for 73 days/months jail time.
☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:

SPECIAL CONDITIONS:

☒ RESTITUTION ☐ Heard ☒ Waived ☐ Ordered
Total $ ____ plus 20% fee $ ____
Payment Terms: ____
☐ Set by SCDPPPS ____
Recipient ____
Fine $ ____
§14-1-206 (Assessments 100%) $ ____
§14-1-211(A)(1) (Surcharge) $ ____
§14-1-211(A)(2) (Surcharge) $ ____
§56-5-2995 (DUI Assessment) $ ____
3% to County (if paid in installments) $ ____
TOTAL $ ____

PTUP ____
____ days/hours Public Service Employment
Obtain GED ____
Attend voc Rehab or Job Corps ____
May serve W/E beginning ____
Substance Abuse Counseling ____
Random Drug/Alcohol Testing ____
Fine may be pd in equal consecutive weekly/monthly pmts of $ ____ beginning ____
$ ____ paid to Public Defender Fund
Other ____

Clerk of Court/Deputy Clerk
PRESIDING JUDGE
Court Reporter
Judge Code
Sentence Date 12/13/02

White: Clerk Green: Corrections Goldenrod: Probation Pink: Defendant YELLOW: COURT COPY

WITNESSES

RCSD – LIVINGSTON

VELMA OKEN S

11 MALLET HILL ROAD, APT. 2004

COLUMBIA, SC 29223

ARREST WARRANT NUMBER

-861277

ACTION OF GRAND JURY

VERDICT

DOCKET NO. 2002-GS-40-08218

The State of South Carolina

County of Richland

91

COURT OF GENERAL SESSIONS

JANUARY TERM 2002

THE STATE

vs.

MARCUS WRIGHT AKA MARCUS MAJEED

Indictment for

ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE

COMMON LAW

0013

UNC

After being fully advised of my legal rights, I hereby waive to the Grand Jury

Defendant

CERTIFIED TRUE COPY
OF ORIGINAL FILED,
Jeanette Williams
C.C.C.P.S.C.

STATE OF SOUTH CAROLINA ) INDICTMENT

COUNTY OF RICHLAND )

ASSAULT AND BATTERY OF A HIGH AND AGGRAVATED NATURE

IN the Court of General Sessions, convened on JANUARY 23, 2002, the Grand Jurors of Richland County present upon their oath,

THAT MARCUS WRIGHT AKA MARCUS MAJEED *DID IN RICHLAND COUNTY ON OR ABOUT* _____ *COMMIT AN ASSAULT AND BATTERY UPON THE VICTIM,* Anthony McMillan, *CONSTITUTING AN UNLAWFUL ACT OF VIOLENT INJURY TO THE PERSON OF THE SAID VICTIM, ACCOMPANIED BY CIRCUMSTANCES OF AGGRAVATION, TO WIT:* THE DEFENDANT DID USE A DEADLY WEAPON, *TO WIT:* A BB GUN AND/OR THE DEFENDANT DID INFLICT SERIOUS BODILY INJURY ON THE VICTIM AND/OR THERE IS A GREAT DISPARITY IN THE AGE AND/OR SIZE OF THE DEFENDANT AND THE VICTIM.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

Warren B. Giese

WARREN B. GIESE, *SOLICITOR*

ARREST WARRANT

G-861277

ATE OF SOUTH CAROLINA
unty/ Municipality of
LAND COUNTY

THE STATE OF 01102175,18

gainst

IGHT
EAGULL LANE
REDACTED

ET/ASSLT & BATT OF
RAV NA Offense Code 001
Sec C/I

CERTIFIED FOR SERVICE in the
Municipality of
The accused
sted and brought before me to be
ing to law.

(LS)
Signature of Judge

RETURN
arrest warrant was delivered to
US WRIGHT
22 24 2001

Constable/Law Enforcement Officer

T TO
STRATE
BURG DR, SUITE 100
CA 29204 0000

A

STATE OF SOUTH CAROLINA
X County/ Municipality of
RICHLAND COUNTY

Personally appeared before me, the affiant, who being duly sworn deposes and says that did within this county and state of State of South Carolina (or ordinance of the following particulars:
DESCRIPTION OF OFFENSE: ASSAULT/ASSLT & BATT OF HIGH & AGGRAV NA;

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:
THAT ON OCTOBER 18, 2001 WHILE AT 5789 BOONE COURT IN THE WAVERLY MAGISTRIAL DISTRICT OF RICHLAND COUNTY, ONE MARCUS WRIGHT DID COMMIT THE CRIME OF ABHAN IN THAT HE DID SHOOT A 7 YEAR OLD MALE CHILD WITH A HIGH POWER BB GUN, THE CHILD WAS TRANSPORTED AND ADMITTED TO PALMETTO RICHLAND HOSPITAL. DURING AN INTERVIEW OF THE VICTIM IDENTIFIED THE DEFENDANT AS THE PERSON WHO SHOT HIM. AFFIANT AND OTHERS ARE WITNESS TO PROVE THE SAME

Sworn to and subscribed before me on 10/22/01
(LS)
Signature W.H. WOMBLE, JR.

STATE OF SOUTH CAROLINA
X County/ Municipality of
RICHLAND COUNTY

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:
It appearing from the above affidavit that there are reasonable grounds to believe that on 10/18/01 defendant MARCUS WRIGHT did violate the criminal law of the State of South Carolina (or ordinance of
County/ Municipality of ) as set forth below:
DESCRIPTION OF OFFENSE: ASSAULT/ASSLT & BATT OF HIGH & AGGRAV NA

Now, therefore, you are commanded and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution or as soon thereafter as practicable.

(LS)
Signature of issuing Judge
Judge Code 488

W.H. WOMBLE JR.

A

AFFIDAVIT

I, the affiant, RCSD/ INV. LIVINGSTON
make oath that defendant MARCUS WRIGHT
10/18/01 violate the criminal laws of the
of X County/ Municipality of

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:
THAT ON OCTOBER 18, 2001 WHILE AT 5789 BOONE COURT IN THE WAVERLY MAGISTRIAL DISTRICT OF RICHLAND COUNTY, ONE MARCUS WRIGHT DID COMMIT THE CRIME OF ABHAN IN THAT HE DID SHOOT A 7 YEAR OLD MALE CHILD WITH A HIGH POWER BB GUN, THE CHILD WAS TRANSPORTED AND ADMITTED TO PALMETTO RICHLAND HOSPITAL. DURING AN INTERVIEW OF THE VICTIM IDENTIFIED THE DEFENDANT AS THE PERSON WHO SHOT HIM. AFFIANT AND OTHERS ARE WITNESS TO PROVE THE SAME

Signature of Affiant
Affiant's Address 5623 TWO NOTCH RD
COLUMBIA SC 29223 0000
Affiant's Telephone 803 691-9000

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:
It appearing from the above affidavit that there are reasonable grounds to believe that on 10/18/01 defendant MARCUS WRIGHT did violate the criminal law of the State of South Carolina (or ordinance of
County/ Municipality of ) as set forth below:
DESCRIPTION OF OFFENSE: ASSAULT/ASSLT & BATT OF HIGH & AGGRAV NA

Now, therefore, you are commanded and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution or as soon thereafter as practicable.

Judge's Address WAVERLY MAGISTRATE
COLUMBIA SC 29204 0000
Judge's Telephone 803 779-3001
Issuing Court: X 1 Magistrate Municipal Circuit

A

STATE OF SOUTH CAROLINA
COUNTY OF Richland

STATE
vs
Marcus Majed aka Marcus Wright

REDACTED

IN THE COURT OF GENERAL SESSIONS
INDICTMENT/CASE
02 GS 40 11863
AW 37824812
Date of Offense 6/15/01
S.C. Code s. 16-23-20
CDR Code # 0 4 0 1 1 4
☐ CASE RESTORED
SENTENCE
☑ PLEA ☐ TRIAL

In disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☑ PLEADS
TO Carrying a Pistol Unlawfully
in violation of s. 16-23-20 of the S.C. Code of Laws, bearing CDR Code # 0 4 0 1 1 4
☑ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ 17-25-45
The charge is ☑ As Indicted ☐ Lesser Included Offense ☐ Defendant Waives Presentment to Grand Jury
The plea is ☑ Without Negotiations or Recommendation ☐ Negotiated Sentence ☐ Recommendation by the State
ATTEST
[signature] Marcus Wright [signature]
Solicitor Defendant Attorney for Defendant

WHEREFORE, the Defendant is committed to the ☑ State Department of Corrections ☐ County Detention Center for a determinate term of 1 days/months/years or ☐ under the Youthful Offender Act not to exceed ____ years and/or to pay a fine of $ ____; provided that upon the service of ____ days/months/years and/or payment of $ ____ plus costs and assessments as applicable*, the balance is suspended with probation for ____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation which are incorporated by reference.

☑ The Defendant is to be given credit for 73 days/months jail time.
☑ CONCURRENT or ☐ CONSECUTIVE to sentence on ____

SPECIAL CONDITIONS:

☐ RESTITUTION ☐ Heard ☐ Waived ☐ Ordered
Total: $ ____ plus 20% fee: $ ____
Payment Terms: ____
☐ ser by SCDPPPS ____
Recipient ____
*Fine $ ____
§14-1-206 (Assessments 100%) $ ____
§14-1-211(A)(1) (Surcharge) $ ____
§14-1-211A(2) (Surcharge) $ ____
§56-5-995 (DUI Assessment) $ ____
3% for County (if paid in installments) $ ____
TOTAL $ ____

PTUP ____
____ days/hours Public Service Employment
Obtain GED ____
Attend Voc Rehab or Job Corps ____
May serve WE beginning ____
Substance Abuse Counseling ____
Random Drug/Alcohol Testing ____
Fine may be pd. in equal, consecutive weekly/monthly prnts. of $ ____ beginning ____
$ ____ paid to Public Defender fund
Other: ____

CERTIFIED COPY
FILED
RICHLAND COUNTY
SOUTH CAROLINA

Arthur E. Watts
Clerk of Court/Deputy Clerk

Court Reporter [signature]

PRESIDING JUDGE [signature]
Judge Code ____
Sentence Date 12/12/03

White: Clerk Green: Corrections Canary: Probation

WITNESSES

RCSD – F. TANNER

Jas. J. E. Ewing, Jr.

ARREST WARRANT NUMBER

G-634312

ACTION OF GRAND JURY

TRUE BILL

Willie M. Bowers

*Foreperson of Grand Jury*

Date:

VERDICT

*Foreperson of Petit Jury*

*Date:*

DOCKET NO. 2002-GS-40-04803

The State of South Carolina

County of Richland

91

COURT OF GENERAL SESSIONS

February *TERM* 2002

THE STATE

vs.

MARCUS WRIGHT AKA MARCUS MAJEED

Indictment for

CARRYING A PISTOL UNLAWFULLY

*SC Code:* 16-23-20

*CDR Code:* 0044

*Class:* C/MIS

After being fully advised as t
legal rights, I hereby waive p
to the Grand Jury

Defendant

I
hereby appear in my own pro
guilty to the within indictment

Defendant

Witness:

C.C.C. PI.S. AND G.S.

CERTIFIED TRUE COPY
ORIGINAL FILED
C.C.C.P&G.S.
RICHLAND COUNTY
SOUTH CAROLINA

STATE OF SOUTH CAROLINA )
COUNTY OF RICHLAND )

INDICTMENT

CARRYING A PISTOL UNLAWFULLY

At a Court of General Sessions, convened on June 24, 2002 the Grand Jurors of Richland County present upon their oath

THAT MARCUS WRIGHT AKA MARCUS MAJEED DID IN RICHLAND COUNTY ON OR ABOUT JUNE 15, 2001, UNLAWFULLY CARRY ABOUT HIS PERSON A PISTOL

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

WARREN B. GIESE, SOLICITOR

CERTIFIED TRUE COPY
OF ORIGINAL FILED

STATE OF SOUTH CAROLINA )
) INDICTMENT
COUNTY OF RICHLAND )

CARRYING A PISTOL UNLAWFULLY

At a Court of General Sessions convened for ___, 2002 the grand jurors of Richland County present upon the oath

*THAT* MARCUS WRIGHT AKA MARCUS MAJEED *DID IN RICHLAND COUNTY ON OR ABOUT* JUNE 15, 2001, *UNLAWFULLY CARRY ABOUT HIS PERSON A PISTOL*

WARREN B. GIESE

CERTIFIED TRUE COPY
OF ORIGINAL FILED
C.C.C.P.&G.S.
RICHLAND COUNTY
SOUTH CAROLINA

ARREST WARRANT

S-634312

E OF SOUTH CAROLINA

[X] County [ ] Municipality of

ND COUNTY

THE STATE 0006878

against

N WRIGHT

SEAGULL LANE

[redacted]

REDACTED

UD. CARRYING

Offense Code 0044

6-23-0026

CERTIFIED, FOR SERVICE in the

unicipality of

The accused

ed and brought before me to be

g to law.

(L.S.)

ignature of Judge

RETURN

arrest warrant was delivered to

CUS DWAIN WRIGHT

Constable/Law Enforcement Officer

NT TO

COUNTY DETENTION CENTER

MARK DEAN DRIVE

SC 29209 0000

STATE OF SOUTH CAROLINA )

[X] County [ ] Municipality of )

RICHLAND COUNTY )

AFFIDAVIT

Personally appeared before me the affiant F ANNER who being duly sworn deposes and says that defendant MARCUS DWAIN WRIGHT did, within this county and state, on 6/15/01 violate the criminal laws of the State of South Carolina (or ordinance of [ ] County [X] Municipality of in the following particulars:

DESCRIPTION OF OFFENSE: UNLAWFUL CARRYING OF PISTOL TO

I further state that there is probable cause to believe that the defendant named above did commi the crime set forth and that probable cause is based on the following facts:

THAT ON OR ABOUT JUNE 15, 2001 WHILE AT 1129 CARROLL STREET THE UNDER TOWNSHIP MAGISTERIAL DISTRICT OF RICHLAND COUNTY ONE MARCUS WRIGHT DID COMMIT THE CRIME OF UNLAWFUL CARRYING OF A PISTOL IN THAT HE DID HAVE IN HIS POSSESSION WHILE UNDER THE AGE OF TWENTY ONE, AND DID CARRY ABOUT HIS PERSON A PISTOL AND DID DISCHARGE THE WEAPON WITHIN TWO HUNDRED YARDS OF THE LISTED DWELLING. PROBABLE CAUSE BEING THAT SEVERAL WITNESSES GAVE SWORN STATEMENTS TO THE MPD AND SHELL CASINGS WERE FOUND AT THE ABOVE INCIDENT LOCATION. MPD, WHO WAS DISPATCHED TO THE INCIDENT SHORTLY AFTER THE INCIDENT OCCURRED, WHERE THE DEFENDANT WAS STOPPED A SHORT DISTANCE FROM THE INCIDENT LOCATION. AFFIANT AND OTHERS ARE WITNESS TO PROVE THE SAME.

Sworn to and subscribed before me on 6/15/01

A. R. Hidrell (L.S.)

Signature of Issuing Judge

Judge Code GS

ORIGINAL

Signature of Affiant

Affiant's Address 623 TWO NOTCH RD. COLUMBIA SC 29223 0000

Affiant's Telephone 803 691 9600

STATE OF SOUTH CAROLINA )

[X] County [ ] Municipality of )

RICHLAND COUNTY )

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that defendant MARCUS DWAIN WRIGHT on 6/15/01 did violate the criminal laws of the State of South Carolina (or ordinance of [ ] County [X] Municipality of as set forth below:

DESCRIPTION OF OFFENSE: UNLAWFUL CARRYING OF PISTOL TO

Now, therefore, you are empowered and directed to arrest the said defendant and bring him or her bef me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to t defendant at the time of its execution, or as soon thereafter as is practicable.

A. R. Hidrell (L.S.)

Signature of Issuing Judge

Judge Code GS

Judge's Address JUDICIAL CENTER COLUMBIA SC 29201 0000

Judge's Telephone 803 748 4785

Issuing Court [X] Magistrate [X] Municipal [ ] Circ

STATE OF SOUTH CAROLINA
COUNTY OF Richland

IN THE COURT OF GENERAL SESSIONS
INDICTMENT/CASE #:
02 GS 40 7531

STATE VS.
Marcus Majeed
A/K/A Marcus Wright

AWI H02-1525

Date of Offense: 8/20/02

S.C. Code $ 16-11-310

CDR Code: 040-3153

☐ CASE RESTORED

SENTENCE

REDACTED

☒ PLEA ☐ TRIAL

In disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADS GUILTY TO: Malicious Injury to Personal Property

In violation of S.C. 16-11-510 of the S.C. Code of Laws, bearing CDR Code 040-3153

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ 17-25-45

The charge is: ☐ As Indicted ☐ Lesser Included Offense ☒ Defendant Waives Presentment to Grand Jury

The plea is: ☒ Without Negotiations or Recommendation ☐ Negotiated Sentence ☐ Recommendation by the State

ATTEST: Wanda Wilson
Solicitor

Marcus Majeed
Defendant

Laura Glenn
Attorney for Defendant

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections ☐ County Detention Center for a determinate term of 5 day/months/(years) or ☐ under the Youthful Offender Act not to exceed ____ years and/or to pay a fine of $ ____ provided that upon the service of ____ days/months/years and/or payment of $ ____ plus costs and assessments as applicable, the balance is suspended with probation for ____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation which are incorporated by reference.

☒ The Defendant is to be given credit for 73 (days/months) all time.

☒ CONCURRENT of ☐ CONSECUTIVE to sentence on

SPECIAL CONDITIONS:

☒ RESTITUTION: ☒ Heard ☐ Waived ☒ Ordered
Total $ Rest plus 20% fee $ ____

Payment Terms:
☒ set by SCDPPPS

PTUP ____
____ days/hours Public Service Employment
Obtain GED ____
Attend Voc Rehab. or Job Corps ____
May serve W/E beginning ____
Substance Abuse Counseling ____
Random Drug/Alcohol Testing ____
Fine may be pd. in equal consecutive weekly/monthly pmts of $ ____ beginning ____
$ ____ paid to Public Defender Fund
Other ____

Recipient: Carolina Pipe

| | |
|---|---|
| Fine | $ |
| S14-1-206 (Assessments 100%) | $ |
| S14-1-211(A)(1) (Surcharge) | $ |
| S14-1-211(A)(2) (Surcharge) | $ |
| S56-5-2995 (DUI Assessment) | $ |
| 3% to County (if paid in installments) | $ |
| TOTAL | $ |

Debra K. Hall
Clerk of Court/ Deputy Clerk

PRESIDING JUDGE
Judge Code 2756
Sentence Date 12-4-02

Court Reporter

White: Clerk Green: Central Canary: Probation Pink: Defendant/Attorney SCDC: Warrant/Abstract

DOCKET NO: 2002-GS-40-7537

WITNESSES:

The State of South Carolina

County of Richland

COURT OF GENERAL SESSIONS

DECEMBER TERM 2002

01

ARREST WARRANT NUMBER

H21 4550

THE STATE

VS

MARCUS MAJEED

ACTION OF GRAND JURY

Foreperson of Grand Jury

Date

VERDICT

Foreperson of Petit Jury

Date

Indictment for

MALICIOUS INJURY TO PERSONAL PROPERTY OVER $1000

SC Code: 16-11-510

CDR Code: 0493

Class: FELD

After being fully advised as to
legal rights, I hereby waive pr
to the Grand Jury.

Defendant

I
hereby appear in my own pro
guilty to the within indictment

Defendant

Witness

C C PLS AND G S

STATE OF SOUTH CAROLINA )
) INDICTMENT
COUNTY OF RICHLAND )

At a Court of General Sessions, convened on _____, the Grand Jurors of Richland County present upon their oath:

**MALICIOUS INJURY TO PERSONAL PROPERTY OVER $1000**

That Marcus Majeed did in Richland County on or about August 10, 2002 willfully, unlawfully, and maliciously injure, damage or destroy the personal property of the victim, Gable Hills Apartments, to wit: ceiling. All in violation of S.C. Code of Laws 16-11-510.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

Warren B. Giese, SOLICITOR

ARREST WARRANT

H-214558

STATE OF SOUTH CAROLINA
[ ] County [X] Municipality of
RICHLAND COUNTY

THE STATE
against
MARCUS D MALEED
[illegible] RCSO# 0208 040
2429 Seagull Lane
[illegible] 29203
COLUMBIA
REDACTED

Arresting Agency: RICHLAND COUNTY
Arresting Officer: M. DESTAB
MALIC INJURY REAL PROPER
TY $1000 < $5000 Offense Code 0510
Ordinance/Statute/Section: 16-11-520 (B) (A)

CERTIFIED FOR SERVICE This the
[ ] County [X] Municipality of
Signature of Judge

RETURN
This arrest warrant was delivered to
MARCUS D MALEED
Signature of Corporate/Law Enforcement Officer

RETURN WARRANT TO:
RICHLAND COUNTY BOND COURT
201 JOHN MARTIN DIAL DRIVE
COLUMBIA SC 29209 00000

A

STATE OF SOUTH CAROLINA
[ ] County [X] Municipality of
RICHLAND COUNTY

AFFIDAVIT

Personally appeared before me the affiant, who being duly sworn deposes and says that defendant MARCUS D MALEED did within the county and state on 8/10/02 violate the criminal laws of South Carolina (or ordinance of [ ] County [X] Municipality of) in the following particulars:

DESCRIPTION OF OFFENSE: MALIC INJURY REAL PROPERTY $1000 < $5000

Further, affiant states that there is probable cause to believe that the defendant named above committed the offense set forth and that probable cause is based on the following facts: AFFIANT IS EMPLOYED BY ROSS RD ART CTR IN THE DENT OF RICHLAND COUNTY. ONE MARCUS DWAYNE MAGISTERIAL DIST RLGT OF MALIC INJURY REAL PROPERTY IN THAT DID COMMIT THE CRIME OF MALIC INJURY REAL PROPERTY IN THAT WILLFULLY AND MALICIOUSLY CAUSE DAMAGE TO THE CEILING OF APARTMENT TRYING TO HIDE STOLEN MERCHANDISE IN THE AIR CONDITIONING DUCT. THE CEILING DID COLLAPSE AND THERE IS WELL OVER $1,000.00 IN DAMAGE DONE TO THE SHEETROCK CEILING AS WELL AS THE INSULATION DESTROYED. THE SMOKE DETECTOR WAS DISCONNECTED AND TAKEN WELL PHOTOS WERE TAKEN DIRECTLY AFTER INCIDENT. APPLICANT OTHERS ARE WITNESS TO PROVE THE SAME.

Sworn to and subscribed before me
on 8/10/02
Signature of Issuing Judge

Signature of Affiant
Affiant's Address: RICHLAND COUNTY SHERIFF
COLUMBIA
Affiant's Telephone: 803 576 3000

STATE OF SOUTH CAROLINA
[ ] County [X] Municipality of
RICHLAND COUNTY

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS

Upon appearing from the above affidavit that there are reasonable grounds to believe that on 8/10/02 defendant MARCUS D MALEED did violate the criminal laws of the State of South Carolina (or ordinance of [ ] County [X] Municipality of) as set forth below:

DESCRIPTION OF OFFENSE: MALIC INJURY REAL PROPERTY $1000 < $5000

Now, therefore, you are empowered and directed to arrest the said defendant and bring him before me (or with) to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of his execution or as soon thereafter as is practicable.

Judge's Address: JUDICIAL CENTER
COLUMBIA SC 29
Judge's Telephone: 803 748 4785
Signature of Issuing Judge
Issuing Court: [X] Magistrate [ ] Municipal
Judge Code: G

ORIGINAL

A

STATE OF SOUTH CAROLINA

COUNTY OF Richland

SCDC

vs

Marcus Maycock

AKA Marcus Antonio Maycock

[REDACTED]

Address: Last Known: Same

Columbia, SC 29803

DL#: SID#:

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE

2022 GS 40 1534

AWI# 1221753541

Date of Offense: 8/10/2022

S.C. Code: 16-13-180

CDR Code: 0453003

☐ CASE RESTORED

SENTENCE

☒ PLEA ☐ TRIAL

In disposition of the said indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADS

TO: Armed Robbery

in violation of § 16-13-180 of the S.C. Code of Laws, bearing CDR Code: 0453003

☒ NON VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ 17-25-45

The charge is ☐ As Indicted ☐ Lesser Included Offense ☒ Defendant Waives Presentment to Grand Jury

The plea is ☒ Without Negotiations or Recommendation ☐ Negotiated Sentence ☐ Recommendation by the State

ATTEST

Solicitor

Defendant

Attorney for Defendant

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center for a determinate term of 5 days/months/years or ☐ under the Youthful Offender Act not to exceed ____ years and/or to pay a fine of $ ____, provided that upon the service of ____ days/months/years and/or payment of $ ____ plus costs and assessments as applicable, the balance is suspended with probation for ____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☒ The Defendant is to be given credit for 72 days/months jail time.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on ____

SPECIAL CONDITIONS

☒ RESTITUTION ☐ Heard ☒ Waived ☐ Ordered

Total: $ ____ plus 20% fee: $ ____

Payment Terms:

☐ set by SCDPPPS

Recipient

Fine: $ ____

S.C. 14-1-206 (Assessments 100%) $ ____

S.C. 14-1-211(A)(1) (Surcharge) $ ____

S.C. 14-1-211(A)(2) (Surcharge) $ ____

S.C. 56-5-2995 (DUI Assessment) $ ____

3% to County (if paid in installments) $ ____

TOTAL $ ____

RTUP

____ days/hours Public Service Employment

Obtain GED

Attend Voc Rehab or Job Corps

May serve W/E beginning

Substance Abuse Counseling

Random Drug/Alcohol Testing

Fine may be pd. in equal, consecutive weekly/monthly pmts. of $ ____ beginning ____

$ ____ paid to Public Defender Fund

Other:

PRESIDING JUDGE

Judge Code: 2516

Sentence Date: 12/16/22

Clerk of Court/Deputy Clerk

Court Reporter

Jury Clerk

(Orders) Corrections — Courts — Probation — Def. — Defendant's Copy — SCDC — 1800 INA

WITNESSES

ARREST WARRANT NUMBER

14569

ACTION OF GRAND JURY

...erson of Grand Jury

...e

VERDICT

...erson of Petit Jury

...e

DOCKET NO. 2002-GS-40-7531

The State of South Carolina

County of Richland

COURT OF GENERAL SESSIONS

DECEMBER TERM, 2002

91

THE STATE

-vs-

MARCUS MAJEED

Indictment for

RECEIVING STOLEN GOODS
OVER $1000

SC Code: 16-13-180
CDR Code 0513
Class: FEL/R

After being fully advised as to my legal rights, I hereby waive presentm... to the Grand Jury.

Defendant

I ... hereby appear in my own proper pers... guilty to the will in indictment or to ...

Defendant

Witness

C.C.C. PLS. AND G.S.

CERTIFIED TRUE COPY
OF ORIGINAL FILED,
...
...CLERK

STATE OF SOUTH CAROLINA )
) INDICTMENT
COUNTY OF RICHLAND )

At a Court of General Sessions convened on _____ the Grand Jurors of Richland County present upon their oath:

**RECEIVING STOLEN GOODS OVER $1000**

That Marcus Majeed did in Richland County on or about August 10, 2002, buy or receive certain personal goods of Charles McLendon described as follows: tires and/or rims of the value of more than One Thousand Dollars but less than Five Thousand Dollars, such goods having been feloniously taken and carried away with intent to deprive the owner thereof permanently of such goods, and the said defendant knowing such goods to have been stolen. All in violation of SC Code of Laws § 16-13-180.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

Warren B. Giese, SOLICITOR

A TRUE COPY
ATTEST:
CLERK OF COURT
RICHLAND COUNTY
SOUTH CAROLINA

02-7534

# ARREST WARRANT

H-21459

STATE OF SOUTH CAROLINA
[X] County/ [ ] Municipality of
RICHLAND COUNTY

THE STATE
against

US D MAIFED 2929 Sidgill Lane
[redacted]
[illegible] RICHLAND COUNTY SHERIFF'S
Officer M D STALB
RECEIVING STOLEN GOODS
00 TO $5000 Offense Code 0543
nce Sec 16-13-30(B)

is CERTIFIED FOR SERVICE in the
[X] Municipality of
The accused
arrested and brought before me to be
cording to law.

(L.S.)
Signature of Judge

## RETURN

This arrest warrant was delivered to
MARCUS D MAIFED
at
M. Stanziel
re of Constable/Law Enforcement Officer

RRANT TO:
AND COUNTY BOND COURT
OHN MARK DIAL DRIVE
BIA SC 29209 0000

A

ORIGINAL

V

STATE OF SOUTH CAROLINA )
[X] County/ [ ] Municipality of )
RICHLAND COUNTY )

# AFFIDAVIT

Personally appeared before me the affiant M D STALB
being duly sworn deposes and says that defendant MARCUS D MAIFED
did within this county and state on 8/10/02 violate that criminal laws
State of South Carolina (or ordinance of [X] County/ [ ] Municipality of
in the following particulars:
DESCRIPTION OF OFFENSE: RECEIVING STOLEN GOODS > $1000 TO $5000

further state that there is probable cause to believe that the defendant named above did
the crime set forth and that probable cause is based on the following facts:
THAT ON 08/10/02 WHILE AT 310 ROSS RD APT 15-F IN THE DENTSVI
MAGISTERIAL DISTRICT OF RICHLAND COUNTY ONE MARCUS DWAIN MAIF
DID COMMIT THE CRIME OF RECEIVING STOLEN GOODS IN THAT HE DID
WAS IN POSSESSION AND CONTROL OF FOUR STOLEN TIRES & RIMS VALU
OVER $1000. THESE TIRES AND RIMS WERE FOUND IN THE DEFENDANTS
ATTIC PURSUANT TO A LAWFUL SEARCH WARRANT. THE DEFENDANT DID
GIVE A WRITTEN CONFESSION TO THE CRIME HE DID COMMIT. AFFIANT
OTHERS ARE WITNESS TO PROVE THE SAME.

Sworn to and subscribed before me )
on 8/10/02 )
V. P. Stroman Jr. (L.S.) )
Signature of Issuing Judge

for M D Stalb
Signature of Affiant
Affiant's Address RICHLAND COUNTY SHERIFF'S DEP
COLUMBIA SC 29223 0
Affiant's Telephone 803 691 9000

STATE OF SOUTH CAROLINA )
[X] County/ [ ] Municipality of )
RICHLAND COUNTY )

# ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:
It appearing from the above affidavit that there are reasonable grounds to believe
on 8/10/02 defendant MARCUS D MAIFED
did violate the criminal laws of the State of South Carolina (or ordinance of
[X] County/ [ ] Municipality of ) as set forth below:
DESCRIPTION OF OFFENSE: RECEIVING STOLEN GOODS > $1000 TO $5000

Now therefore you are empowered and directed to arrest the said defendant and bring him or her
me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to
defendant at the time of its execution or as soon thereafter as is practicable.

V. P. Stroman Jr. (L.S.)
Signature of Issuing Judge
Judge Code 725

Judge's Address JUDICIAL CENTER
COLUMBIA SC 29201 0
Judge's Telephone 803 748 4785
Issuing Court [X] Magistrate [ ] Municipal [ ] Cir

A

(Form Approved by SC Attorney Gen July 26, 1990 SCAW)

Exhibit 1 - Copy

STATE OF SOUTH CAROLINA )
COUNTY OF HORRY )

IN THE COURT OF GENERAL SESSIONS
15TH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA )
)
V. )
)
MARCUS DWAIN WRIGHT )
DEFENDANT )

NOTICE OF MOTION AND MOTION

Indictment no: 2012GS2602551

PLEASE TAKE NOTICE that the State of South Carolina, will move before the Court of General Sessions, on such date and time as the Court may provide, for an Order to revoke or modify the outstanding surety bond of the above-named defendant.

In making such motion, and subject to penalty for perjury, the State through the undersigned, provides the following information to the Court:

1. Warrant# and Charge: M972464—Murder
REDACTED
Date of Bond: June 7, 2012
Amount of Bond: $100,000

The State can demonstrate good cause as grounds for this motion, to wit:
Defendant was arrested and charged for intimidating a State's witness since he was released on bond. The defendant has demonstrated an increased level of dangerousness to the community.

Sworn to me and Subscribed this 10th
Day of January, 2013

Sarah Holmes
Notary Public for South Carolina
My commission expires: 5/18/2014

Donna E. Elder
Senior Assistant Solicitor

FILED
HORRY COUNTY
2013 JAN 10 PM 4:20
MELANIE HUGGINS-WARD
CLERK OF COURT

| | | |
|---|---|---|
| STATE OF SOUTH CAROLINA | ) | IN THE COURT OF GENERAL SESSIONS |
| | ) | |
| COUNTY OF HORRY | ) | INDICTMENT: 2012GS2602551 |
| | ) | |
| STATE OF SOUTH CAROLINA | ) | |
| | ) | |
| VS. | ) | NOTICE OF INTENTION TO SEEK A |
| | ) | SENTENCE OF LIFE WITHOUT PAROLE |
| MARCUS DWAIN WRIGHT | ) | |
| | ) | |
| DEFENDANT | ) | |
| | ) | |

TO: MARCUS DWAIN WRIGHT, DEFENDANT, AND MARTIN, L. MORGAN, HIS/HER ATTORNEY

PLEASE TAKEN NOTICE that at the trial of the above-entitled action to be scheduled on a date at least ten (10) days hence, of which you will be timely notified, the State will seek the Defendant to be sentenced to a term of imprisonment for life without the possibility of parole, pursuant to South Carolina Code of Laws, § 17-25-45 (1995), as amended. The State intends to rely upon the Defendant's prior convictions of:

Carjacking

to statutorily enhance his/her punishment.

DONNA E. ELDER, SENIOR ASSISTANT SOLICITOR
FIFTEENTH JUDICIAL CIRCUIT

FILED
HORRY COUNTY
2013 JAN 10 PM 4:20
MELANIE HUGGINS-WARD
CLERK OF COURT

Conway, South Carolina

Dated: January 10, 2013

STATE OF SOUTH CAROLINA ✓

COUNTY OF Horry
STATE VS.
Marcus Dwain Wright
AKA: REDACTED
Race:
DOB:
Address
City,Sta
DL#: SID#:
*CDL Yes☐ No☐ CMV Yes☐ No☐ Hazmat Yes☐ No☐

INDICTMENT/CASE#: 2013GS2602339
A/W#: 2013GS2602339
Date of Offense: 4/30/2012
S.C. Code § : 16-23-0490
CDR Code #: 0549

**SENTENCE SHEET**

In disposition of the said indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS
TO: Weapons / Possession of weapon during violent crime, if not also sentenced to life without parole or death

in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549
☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. _____ (defendant's initials)
The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

| Elder, Donna E. | SCB64230 SC Bar# | Defendant | Attorney for Defendant | SC Bar# |
|---|---|---|---|---|

WHEREFORE, the Defendant is commited to the ☒ **State Department of Corrections,** ☐ **County Detention Center,**

for a determinate term of 5 days/months/years or ☐ under the **Youthful Offender Act** not to exceed _____ years and/or to pay a fine of $ _____; provided that upon the service of _____ days/months/years and/or payment of $ _____; plus costs and assessments as applicable*; the balance is suspended with **probation** for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☐ CONCURRENT or ☒ CONSECUTIVE to sentence on: 6/20/13
☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.
☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

**Pursuant to 18 U.S.C Section 922,it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence ) to ship,transport,possess,or receive a firearm or ammunition.**

**SPECIAL CONDITIONS:**

☐ **RESTITUTION:** ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered
Total: $ _____ plus 20% fee: _____ $ _____
Payment Terms: _____
☐ Set by SCDPPPS _____
Recipient: _____

| | | |
|---|---|---|
| *Fine: | | $ |
| § 14-1-206 (Assessments 107.5 %) | | $ |
| § 14-1-211(A)(1) (Conv. Surcharge) | $100 | $ 07 |
| § 14-1-211(A)(2) (DUI Surcharge) | $100 | $ |
| § 56-5-2995 (DUI Assessment) | $12 | $ |
| § 56-1-286 (DUI Breath Test) | $25 | $ |
| Proviso 47.9 (Public Def/Prob) | $500 | $ |
| § 14-1-212 (Law Enforce. Funding) | $25 | $ |
| § 14-1-213 (Drug Court Surcharge) | $150 | $ 16 |
| § 50-21-114(BUI Breath Test Fee) | $50 | $ |
| § 56-5-2942(J) (Vehicle Assessment) | $40/ea | $ |
| Proviso 90.5 (SCCJA Surcharge) | $5 | $ |
| 3% to County (if paid in installments) | | $ |
| TOTAL | | $ |

PTUP _____
_____ days/hours Public Service Employment
Obtain GED ☐
Attend Voc. Rehab. or Job Corp. _____
May serve W/E begining _____
Substance Abuse Counseling ☐
Random Drug/Alcohol testing ☐
Fine may be pd. in equal, consecutive weekly/monthly pmts. of $ _____ beginning LIFE
$ _____ paid to Public Defender Fund
Other: _____

☐ Appointed PD or appointed other counsel, § 47.12 requires $500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk Melanie Huggins-Ward
Court Reporter: Dixie Eubank
Presiding Judge Jack C Hayes
Judge Code: 2647
Sentence Date: 6/20/13

SCCA/217 (03/2011)

**WITNESSES**

Todd Cox Horry County Police Department

**ARREST WARRANT NUMBER**

2013GS2602339
CDR: 0549 16-23-0490
DOA: 5/2/2012

**ACTION OF GRAND JURY**

*Foreperson of Grand Jury*
*Date:* MAY 30 2013

**VERDICT**

*Foreperson of Petit Jury*
*Date:*

DOCKET NO. 2013-GS-26-02339

# The State of South Carolina

## County of Horry

Donna E. Elder 12H02018

**COURT OF GENERAL SESSIONS**

**MAY, 2013 TERM**

**THE STATE**

**vs.**

[redacted]

**ATTORNEY: Martin, L. Morgan**

**Indictment for**

**POSSESSION OF WEAPON DURING VIOLENT CRIME**

**Jimmy A. Richardson, II, Solicitor**

**ORIGINAL**

STATE OF SOUTH CAROLINA )
)
COUNTY OF HORRY )

INDICTMENT

At a Court of General Sessions, convened on May 30, 2013, the Grand Jurors of Horry County present upon their oath:

POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME

CDR: 0549 16-23-0490

That Marcus Dwain Wright did in Horry County, on or about April 30, 2012, possess a firearm, or visibly display what appeared to be a firearm, or visibly displayed a knife, during the commission or attempted commission of a violent crime, in violation of Section 16-23-0490, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

JIMMY A. RICHARDSON, II
FIFTEENTH CIRCUIT SOLICITOR

STATE OF SOUTH CAROLINA )
COUNTY OF Horry )
STATE VS. )
Marcus Dwain Wright )
AKA: REDACTED )
Race: )
DOB: )
Addre )
City,S )
DL#: SID#: )
*CDL Yes[ ] No[ ] CMV Yes[ ] No[ ] Hazmat Yes[ ] No[ ]

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2012GS2602551
A/W#: M972464
Date of Offense: 4/30/2012
S.C. Code § : 16-03-0010, 0020
CDR Code #: 0116

**SENTENCE SHEET**

In disposition of the said indictment comes now the Defendant who was [X] CONVICTED OF or [ ] PLEADS
TO: Murder / Murder

in violation of § 16-03-0010, 0020 of the S.C. Code of Laws, bearing CDR Code # 0116
[ ] NON-VIOLENT [X] VIOLENT [ ] SERIOUS [X] MOST SERIOUS [ ] Mandatory GPS(CSC w/minor 1st or Lewd Act) [ ] §17-25-45

The charge is: [ ] As Indicted, [ ] Lesser Included Offense, [ ] Defendant Waives Presentment to Grand Jury. _____ (defendant's initials)
The plea is: [ ] Without Negotiations or Recommendation, [ ] Negotiated Sentence. [ ] Recommendation by the State.

ATTEST:

| Elder, Donna E. | SCB64230 SC Bar# | Defendant | Attorney for Defendant | SC Bar# |
|---|---|---|---|---|

WHEREFORE, the Defendant is commited to the [X] **State Department of Corrections,** [ ] **County Detention Center,**
for a determinate term of Life Imprisonment days/months/years or [ ] under the **Youthful Offender Act** not to exceed _____ years
and/or to pay a fine of $ _____; provided that upon the service of _____ days/months/years and/or payment
of $ _____; plus costs and assessments as applicable*; the balance is suspended with **probation** for _____
months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.
[ ] 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 the State Department of Corrections.
[ ] The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

**Pursuant to 18 U.S.C Section 922,it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence ) to ship,transport,possess,or receive a firearm or ammunition.**

**SPECIAL CONDITIONS:**

[ ] **RESTITUTION:** [ ] **Deferred** [ ] **Def. Waives Hearing** [ ] **Ordered**
Total: $ _____ plus 20% fee: _____ $ _____
Payment Terms: _____
[ ] Set by SCDPPPS _____
Recipient: _____

| | | |
|---|---|---|
| *Fine: | | $ |
| § 14-1-206 (Assessments 107.5 %) | | $ |
| § 14-1-211(A)(1) (Conv. Surcharge) | $100 | $ |
| § 14-1-211(A)(2) (DUI Surcharge) | $100 | $ |
| § 56-5-2995 (DUI Assessment) | $12 | $ 0 |
| § 56-1-286 (DUI Breath Test) | $25 | $ |
| Proviso 47.9 (Public Def/Prob) | $500 | $ |
| § 14-1-212 (Law Enforce. Funding) | $25 | $ |
| § 14-1-213 (Drug Court Surcharge) | $150 | $ 0 |
| § 50-21-114(BUI Breath Test Fee) | $50 | $ |
| § 56-5-2942(J) (Vehicle Assessment) | $40/ea | $ |
| Proviso 90.5 (SCCJA Surcharge) | $5 | $ |
| 3% to County (if paid in installments) | | $ |
| TOTAL | | $ |

PTUP _____
_____ days/hours Public Service Employment
Obtain GED [ ]
Attend Voc. Rehab. or Job Corp. _____
May serve W/E begining _____
Substance Abuse Counseling [ ]
Random Drug/Alcohol testing [ ]
Fine may be pd. in equal, consecutive weekly/monthly pmts. of $ _____ beginning Life
$ _____ paid to Public Defender Fund
Other: _____

[ ] Appointed PD or appointed other counsel, § 47.12 requires $500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk Melanie Huggins-Hand
Court Reporter: Dixie Eubanks
Presiding Judge Jack Hoffman
Judge Code: 2047
Sentence Date: 6/20/13

SCCA/217 (03/2011)

**WITNESSES**

Todd Cox Horry County Police Department

**ARREST WARRANT NUMBER**

M972464
CDR: 0116 16-03-0010, 0020
DOA: 5/2/2012

**ACTION OF GRAND JURY**

TRUE BILL

*Foreperson of Grand Jury*
*Date:* JUN 21 2012

**VERDICT**

*Foreperson of Petit Jury*
*Date:*

DOCKET NO. 2012-GS-26- 02551

# The State of South Carolina

## County of Horry

Donna E. Elder 12H02018

**COURT OF GENERAL SESSIONS**

**June, 2012 TERM**

**THE STATE**

**vs.**

**Marcus Dwain Wright**

REDACTED

**ATTORNEY: Martin, L. Morgan**

**Indictment for**

**Murder**

**J. Gregory Hembree, Solicitor**

ORIGINAL

STATE OF SOUTH CAROLINA )
)
COUNTY OF HORRY )

INDICTMENT

At a Court of General Sessions, convened on June 21, 2012, the Grand Jurors of Horry County present upon their oath:

MURDER

CDR: 0116 16-03-0010,0020

That Marcus Dwain Wright did in Horry County, on or about April 30, 2012, willfully, feloniously, and intentionally kill the victim, Jerome Green, with malice aforethought, either express or implied, by means of shooting, and the victim did die as a proximate result thereof on or about April 30, 2012 in Horry County, in violation of Section 16-03-0010, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

J. GREGORY HEMBREE
FIFTEENTH CIRCUIT SOLICITOR

STATE OF SOUTH CAROLINA )
COUNTY OF Horry )
STATE VS. )
Marcus Dwain Wright )
AKA: )
REDACTED )
DL#: 007993502 SID#: )
*CDL Yes☐ No☐ CMV Yes☐ No☐ Hazmat Yes☐ No☐

INDICTMENT/CASE#: 2012GS2602552
A/W#: M972473
Date of Offense: 5/2/2012
S.C. Code § : 44-53-0370(e)(2)(a)1
CDR Code #: ~~2378~~ 2359

**SENTENCE SHEET**

In disposition of the said indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS
TO: Trafficking in cocaine, 28--100 g, 1st offense
in violation of § 44-53-0370(e)(2)(b)1 of the S.C. Code of Laws, bearing CDR Code # 2359
☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45
The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. _____ (defendant's initials)
The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.
ATTEST:

| Elder, Donna E. | SCB64230 | | | |
|---|---|---|---|---|
| | SC Bar# | Defendant | Attorney for Defendant | SC Bar# |

WHEREFORE, the Defendant is commited to the ☑ **State Department of Corrections,** ☐ **County Detention Center,**
for a determinate term of 25 days/months/years or ☐ under the **Youthful Offender Act** not to exceed _____ years and/or to pay a fine of $ _____; provided that upon the service of _____ days/months/years and/or payment of $ _____; plus costs and assessments as applicable*; the balance is suspended with **probation** for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.
☐ CONCURRENT or ☑ CONSECUTIVE to sentence on: 6/20/13
☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.
☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

**Pursuant to 18 U.S.C Section 922,it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence ) to ship,transport,possess,or receive a firearm or ammunition.**

**SPECIAL CONDITIONS:**

☐ **RESTITUTION:** ☐ **Deferred** ☐ **Def. Waives Hearing** ☐ **Ordered**
Total: $ _____ plus 20% fee: _____ $ _____
Payment Terms: _____
☐ Set by SCDPPPS _____
Recipient: _____

| | | |
|---|---|---|
| *Fine: | | $ |
| § 14-1-206 (Assessments 107.5 %) | | $ |
| § 14-1-211(A)(1) (Conv. Surcharge) | $100 | $ |
| § 14-1-211(A)(2) (DUI Surcharge) | $100 | $ 0 |
| § 56-5-2995 (DUI Assessment) | $12 | $ |
| § 56-1-286 (DUI Breath Test) | $25 | $ |
| Proviso 47.9 (Public Def/Prob) | $500 | $ |
| § 14-1-212 (Law Enforce. Funding) | $25 | $ |
| § 14-1-213 (Drug Court Surcharge) | $150 | $ 0 |
| § 50-21-114(BUI Breath Test Fee) | $50 | $ |
| § 56-5-2942(J) (Vehicle Assessment) | $40/ea | $ |
| Proviso 90.5 (SCCJA Surcharge) | $5 | $ |
| 3% to County (if paid in installments) | | $ |
| TOTAL | | $ |

PTUP _____
_____ days/hours Public Service Employment
Obtain GED ☐
Attend Voc. Rehab. or Job Corp. _____
May serve W/E begining _____
Substance Abuse Counseling ☐
Random Drug/Alcohol testing ☐
Fine may be pd. in equal, consecutive weekly/monthly pmts. of $ _____ beginning LIFE
$ _____ paid to Public Defender Fund
Other: _____

☐ Appointed PD or appointed other counsel, § 47.12 requires $500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk: Melanie Huggins-Ward
Court Reporter: Dixie Colbank
Presiding Judge: John C. Hayes
Judge Code: 2044
Sentence Date: 6/20/13

SCCA/217 (03/2011)

**WITNESSES**

William Paul Johnson Horry County Police Department

**ARREST WARRANT NUMBER**

M972473
CDR: 0388 44-53-0370(e)(2)(b)2
DOA: 5/3/2012

**ACTION OF GRAND JURY**

*Foreperson of Grand Jury*
*Date:* JUL 26 2012

**VERDICT**

*Foreperson of Petit Jury*
*Date:*

DOCKET NO. 2012-GS-26-02552

# The State of South Carolina

## County of Horry

Donna E. Elder 12H02018

**COURT OF GENERAL SESSIONS**

**June, 2012 TERM**

**THE STATE**

**vs.**

**Marcus Dwain Wright**

REDACTED [redacted]

**ATTORNEY: Martin, L. Morgan**

**Indictment for**

**Trafficking Cocaine**

**J. Gregory Hembree, Solicitor**

ORIGINAL

STATE OF SOUTH CAROLINA )
)
COUNTY OF HORRY )

INDICTMENT

At a Court of General Sessions, convened on June 21, 2012, the Grand Jurors of Horry County present upon their oath:

TRAFFICKING COCAINE (28 - 100 GRAMS)

(CDR: 0388 44-53-0370(e)(2)(b)(2)

That Marcus Dwain Wright did in Horry County on or about May 2, 2012, knowingly sell, deliver, purchase or bring in this State, or aid, abet, attempt or conspire to sell, deliver, purchase or bring into this State, or was in actual or constructive possession, or attempted to become in actual or constructive possession of a quantity of Cocaine in an amount of more than twenty-eight (28) grams, but less than one-hundred (100) grams, same being a controlled substance all within the meaning of Section 44-53-370, et.seq., S. C. Code of Laws, 1976, as amended, such possession not having been authorized, and being in violation of section 44-53-370(e)(2)(b), S. C. Code of Laws, 1976, as amended, for the crime of trafficking.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

J. GREGORY HEMBREE
FIFTEENTH CIRCUIT SOLICITOR

STATE OF SOUTH CAROLINA )
COUNTY OF Horry )
STATE VS. )
Marcus Dwain Wright )
AKA: )
REDACTED )

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2012GS2602553
A/W#: M972474
Date of Offense: 5/2/2012
S.C. Code § : 44-53-0375(B)
CDR Code #: 3198

*CDL Yes☐ No☐ CMV Yes☐ No☐ Hazmat Yes☐ No☐

## SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS TO: Drugs / Manufacture, distribution, etc. of ~~methamphetamine~~, 1st Cocaine Base

in violation of § 44-53-0375(B) of the S.C. Code of Laws, bearing CDR Code # 3198
☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. _____ (defendant's initials)
The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

| Elder, Donna E. | SCB64230 | | | |
|---|---|---|---|---|
| | SC Bar# | Defendant | Attorney for Defendant | SC Bar# |

WHEREFORE, the Defendant is commited to the ☒ **State Department of Corrections,** ☐ **County Detention Center,**

for a determinate term of 15 days/months/years or ☐ under the **Youthful Offender Act** not to exceed _____ years and/or to pay a fine of $ _____; provided that upon the service of _____ days/months/years and/or payment of $ _____; plus costs and assessments as applicable*; the balance is suspended with **probation** for _____ months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☐ CONCURRENT or ☒ CONSECUTIVE to sentence on: 6/20/13
☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.
☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

**Pursuant to 18 U.S.C Section 922,it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence ) to ship,transport,possess,or receive a firearm or ammunition.**

**SPECIAL CONDITIONS:**

☐ **RESTITUTION:** ☐ **Deferred** ☐ **Def. Waives Hearing** ☐ **Ordered**
Total: $ _____ plus 20% fee: _____ $ _____
Payment Terms: _____
☐ Set by SCDPPPS _____
Recipient: _____

| | | |
|---|---|---|
| *Fine: | | $ |
| § 14-1-206 (Assessments 107.5 %) | | $ |
| § 14-1-211(A)(1) (Conv. Surcharge) | $100 | $ |
| § 14-1-211(A)(2) (DUI Surcharge) | $100 | $ |
| § 56-5-2995 (DUI Assessment) | $12 | $ |
| § 56-1-286 (DUI Breath Test) | $25 | $ |
| Proviso 47.9 (Public Def/Prob) | $500 | $ |
| § 14-1-212 (Law Enforce. Funding) | $25 | $ |
| § 14-1-213 (Drug Court Surcharge) | $150 | $ |
| § 50-21-114(BUI Breath Test Fee) | $50 | $ |
| § 56-5-2942(J) (Vehicle Assessment) | $40/ea | $ |
| Proviso 90.5 (SCCJA Surcharge) | $5 | $ |
| 3% to County (if paid in installments) | | $ |
| TOTAL | | $ |

0/0

PTUP _____
_____ days/hours Public Service Employment
Obtain GED ☐
Attend Voc. Rehab. or Job Corp. _____
May serve W/E begining _____
Substance Abuse Counseling ☐
Random Drug/Alcohol testing ☐
Fine may be pd. in equal, consecutive weekly/monthly pmts. of $ _____ beginning LIFE
$ _____ paid to Public Defender Fund
Other: _____

☐ Appointed PD or appointed other counsel, § 47.12 requires $500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk Melanie Huggins Ward
Court Reporter: Dixie Eutsler

Presiding Judge John C. Hayes
Judge Code: 2049
Sentence Date: 6/20/13

SCCA/217 (03/2011)

**WITNESSES**

William Paul Johnson Horry County Police Department

**ARREST WARRANT NUMBER**

M972474
CDR: 3015 44-53-0375 (B) (2)
DOA: 5/3/2012

**ACTION OF GRAND JURY**

*Foreperson of Grand Jury*
*Date:* JUL 26 2012

**VERDICT**

*Foreperson of Petit Jury*
*Date:*

DOCKET NO. 2012-GS-26-02553

# The State of South Carolina

## County of Horry

Donna E. Elder 12H02018

**COURT OF GENERAL SESSIONS**

**June, 2012 TERM**

**THE STATE**

**vs.**

**Marcus Dwain Wright**

[redacted]

**ATTORNEY: Martin, L. Morgan**

**Indictment for**

**Possession With Intent to Distribute Cocaine Base**

**J. Gregory Hembree, Solicitor**

ORIGINAL

STATE OF SOUTH CAROLINA )
)
COUNTY OF HORRY )

INDICTMENT

At a Court of General Sessions, convened on June 21, 2012, the Grand Jurors of Horry County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE
COCAINE BASE

CDR: 3015 44-53-0375(B)(2)

That Marcus Dwain Wright did in Horry County on or about May 2, 2012, possess with intent to distribute, dispense or deliver, or did aid, abet, attempt or conspire to distribute, dispense or deliver a quantity of Cocaine Base, a controlled substance under the provisions of Section 44-53-110, et. seq., Code of Laws of South Carolina, 1976, as amended, such distribution not having been authorized by law, and being in violation of Section 44-53-375(B)(2), S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

J. GREGORY HEMBREE
FIFTEENTH CIRCUIT SOLICITOR

**WITNESSES**

Todd Cox Horry County Police Department

**ARREST WARRANT NUMBER**

2013GS2602340
CDR: 3434 16-23-0500(A)
DOA: 5/2/2012

**ACTION OF GRAND JURY**

*Foreperson of Grand Jury*
*Date:* MAY 30 2013

**VERDICT**

*Foreperson of Petit Jury*
*Date:*

DOCKET NO. 2013-GS-26- 02340

C

NP
6/24/13

# The State of South Carolina

## County of Horry

Donna E. Elder 12H02018

**COURT OF GENERAL SESSIONS**

**MAY, 2013 TERM**

**THE STATE**

**vs.**

**Marcus Dwain Wright**

REDACTED

**ATTORNEY: Martin, L. Morgan**

**Indictment for**

**UNLAWFUL POSSESSION OF FIREARM AND/OR AMMUNITION BY PERSON CONVICTED OF A VIOLENT OFFENSE**

**Jimmy A. Richardson, II, Solicitor**

☐ ORIGINAL

STATE OF SOUTH CAROLINA )
)
COUNTY OF HORRY )

INDICTMENT

At a Court of General Sessions, convened on May 30, 2013, the Grand Jurors of Horry County present upon their oath:

**UNLAWFUL POSSESSION OF FIREARM AND/OR AMMUNITION BY PERSON CONVICTED OF A VIOLENT OFFENSE**

CDR: 3434 16-23-0500

That Marcus Dwain Wright did in Horry County on or about April 30, 2012, knowingly possess or acquire a firearm and/or ammunition after having been convicted of a violent crime as defined in Section 16-1-60, S. C. Code of Laws, 1976, as amended, in violation of Section 16-23-0500, S. C. Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

JIMMY A. RICHARDSON, II
FIFTEENTH CIRCUIT SOLICITOR

# State of South Carolina
# Office of the Solicitor
# Fifteenth Judicial Circuit

Scott R. Hixson
Chief Deputy Solicitor

1301 2nd Avenue
P.O. Drawer 1276
Conway, SC 29528
Phone: (843) 915-5460
Fax:(843) 915-6461

JIMMY A. RICHARDSON, II
Solicitor

Alicia A. Richardson
Deputy Solicitor

401 Cleland Street
P.O. Box 1688
Georgetown, SC 29442
Phone: (843) 545-3169
Fax: (843) 545-3268

## DISMISSAL/NOLLE PROSSE/RESTORE/CD/FTA FORM

**TO:** HORRY COUNTY CLERK OF COURT

**FROM:** DONNA E. ELDER, SENIOR ASSISTANT SOLICITOR

**DATE:** JUNE 25, 2013

**RE:** STATE OF SC VS. MARCUS DWAIN WRIGHT
CASE NO: 12H02018; 13H02840

**PLEASE BE ADVISED THAT THE CHARGE(S) LISTED BELOW HAVE BEEN DISMISSED/NOLLE PROSSED OR RESTORED (PLEASE PLACE X IN APPROPRIATE COLUMN).**

| Warrant # | | Charge | | Indict # | | Dismissed | | N/P |
|---|---|---|---|---|---|---|---|---|
| M975008 | | Intimidation of a Witness | | | | X | | |
| 2013A2610201322 | | Intimidation of a Witness | | | | X | | |
| 2013A261020147 | | Solicitation to Commit a Felony | | | | X | | |
| 2013GS2602340 | | Possession of Firearm or Ammunition by Person Convicted of Violent Felony | | 2013GS2602340 | | | | X |
| 2013A2610201339 | | Resisting Arrest | | | | X | | |
| 2013A2610201341 | | FTSBL | | | | X | | |
| | | | | | | | | |

Assistant Solicitor

STATE OF SOUTH CAROLINA

HORRY COUNTY
SOUTH CAROLINA

# SEARCH WARRANT




May 2, 2012

Detective
Paul Johnson

Form Approved by
S.C. Attorney General
Section 17-13-160
March 15, 1978

STATE OF SOUTH CAROLINA

COUNTY OF HORRY.

AFFIDAVIT

Personally appear before me, one Detective Paul Johnson who, being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

## DESCRIPTION OF PROPERTY SOUGHT

**Specifically cocaine, marijuana, heroin, crack cocaine and any other illegal controlled and controlled substances. Items used to facilitate the distribution of controlled substances such as scales, baggies, vials, containers, etc., firearms, ledgers, books and papers. Any computers, hard drives or any type of electronic storage devices including any GPS devices. Any cellular devices used for incoming, outgoing calls, text messages and voice messages to include telephone numbers from the address book and contacts list. Any and all saved or deleted text messages and voice messages. Any and all photograph and videos saved to the cellular SIM card. Any paraphernalia used to facilitate the use of any controlled substances such as pipes, bongs, spoons, straws, hypodermics, and etc. that would show that the occupants of the residence are involved with the possession, personal use/or sale of controlled substances. Any currency, monies, or merchandise related to the sale of marijuana or any other illegal controlled substances. Items of personal property that may establish ownership and control of areas searched.**

## DESCRIPTION OF PREMISES (PERSON, PLACE OR THING) TO BE SEARCHED

The place to be searched is the Sleep Inn Hotel located at 3345 Church Street Conway South Carolina 29526. The room to be searched is specifically room 105. The room is plainly marked with a plastic marker with the number 105 beside the room door. Coming from the ML Brown Public safety Building you will travel southwest on Main street for 1.1 Mile and then turn left onto 16th Avenue and travel 0.5 Mile. Then you will turn right onto Highway 501 and travel 3.1 Miles and you will arrive at the Sleep Inn Hotel which will be located on the left side of the Highway.

## REASON FOR AFFIANT'S BELIEF THAT THE PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

I am a police officer, certified in South Carolina. I have been employed by the Horry County Police Department for 5 years and am currently assigned as a Detective. I have received training in the following: Criminal Investigations Class at the SC Criminal Justice Academy. I have been involved in other search warrants relating to the seizure of illegal narcotics. I am authorized to make searches and seizures. On May 2, 2012 Detectives with the Horry County Police Department responded to 3345 Church Street Conway South Carolina at the Sleep Inn Hotel in reference to a wanted murder suspect. Upon arrival Detectives confirmed with the front desk that the suspect was in room 105. The front desk called the suspect and when the suspect stepped outside the room, the detectives confirmed

5/2/12 9:50AM

Form Approved by
S.C. Attorney General
Section 17-13-160
March 15, 1978

the identity of the suspect. While the front door was open the detectives observed in plain view a baggy off an off white substance and a baggy of a green leafy substance on top of the refrigerator. It is my belief that there may be more illegal substances in the residence.

Sworn to and Subscribed before me
This 21 day of MAY, 2012

(L.S.)
Signature of Judge

9:50 A.M

AFFIANT

REDACTED JFW

Form Approved by
S.C. Attorney General
Section 17-13-160
March 15, 1978

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

SEARCH WARRANT

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNIPALITY OF *HORRY COUNTY, SOUTH CAROLINA.*

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

**DESCRIPTION OF PREMISES (PERSON, PLACE OR THING) TO BE SEARCHED**

The place to be searched is the Sleep Inn Hotel located at 3345 Church Street Conway South Carolina 29526. The room to be searched is specifically room 105. The room is plainly marked with a plastic marker with the number 105 beside the room door. Coming from the ML Brown Public safety Building you will travel southwest on Main street for 1.1 Mile and then turn left onto 16th Avenue and travel 0.5 Mile. Then you will turn right onto Highway 501 and travel 3.1 Miles and you will arrive at the Sleep Inn Hotel which will be located on the left side of the Highway.

**DESCRIPTION OF PROPERTY**

**Specifically cocaine, marijuana, heroin, crack cocaine and any other illegal controlled and controlled substances. Items used to facilitate the distribution of controlled substances such as scales, baggies, vials, containers, etc., firearms, ledgers, books and papers. Any computers, hard drives or any type of electronic storage devices including any GPS devices. Any cellular devices used for incoming, outgoing calls, text messages and voice messages to include telephone numbers from the address book and contacts list. Any and all saved or deleted text messages and voice messages. Any and all photograph and videos saved to the cellular SIM card. Any paraphernalia used to facilitate the use of any controlled substances such as pipes, bongs, spoons, straws, hypodermics, and etc. that would show that the occupants of the residence are involved with the possession, personal use/or sale of controlled substances. Any currency, monies, or merchandise related to the sale of marijuana or any other illegal controlled substances. Items of personal property that may establish ownership and control of areas searched.**

This Search Warrant shall not be valid for more than ten days from the date of issuance. A written inventory of all property seized pursuant to this Search Warrant shall be made to, within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Horry County, South Carolina

MAY 2nd, 2013

9:50AM

(L.S.)

Signature of Judge

Form Approved by
S.C. Attorney General
Section 17-13-160
March 15, 1978

Form Approved by
S.C. Attorney General
Section 17-13-160
March 15, 1978

RETURN

I received the attached Search Warrant on, 5/2/12, and have executed it as follows:

On 5/2/, 2012 at 10.10 (~~am~~, pm).

I searched the residence described in the warrant and

I left a copy of the warrant with suspect Marcus Wright

Name of person searched or "*at the place of search*" with
Together with a receipt for the items seized.

**The following is an inventory of property taken pursuant to the warrant:**

1) Ten baggys of a white substance 2) Three small baggys of an off white rock substance. 3) one small baggy of a green leafy substance 4) Sanyo cell phone 5) Qual Com cell phone 6) HTC Brand Cell phone 7) Kyocera cell Phone (Boost mobile) 8) Chev keys 9) 1 set of mis. keys 10) 3 cell phone chargers 10) 1 tan + Black Baseball cap 11) $3,066 dollars of U.S. Currency

I swear that this Inventory is true and detailed account of all the property taken by me on the warrant in the presence of Det. Paul Johnson.

**SWORN** to before me this _____
Day of _____, 2012

_____ (L.S.)
Signature of Judge

_____
(Signature of Officer Executing Warrant)

Form Approved by S.C. Attorney General April 21, 2003 SCCA 518

ROA 602

# ARREST WARRANT

M-972460

STATE OF SOUTH CAROLINA

[X] County/ [ ] Municipality of

Horry

THE STATE 12041053

against

Lanard C Powell

Address: 115 Lake Elizabeth Drive

Columbia, SC 29203-

REDACTED

Prosecuting Agency: Horry County Police Department

Prosecuting Officer: Neal Frebowitz - 0584

Offense: Murder / Murder

Offense Code: 0116

Code/Ordinance Sec: 16-03-0010, 0020

This warrant is CERTIFIED FOR SERVICE in the

[ ] County/ [ ] Municipality of

. The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant Lanard C. Powell on 5-2-2012

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
PO Box 677
1301 2nd Avenue
Conway, SC 29528

ORIGINAL ORIGINAL ORIGINAL ORIGINAL

# AFFIDAVIT

STATE OF SOUTH CAROLINA )
[X] County/ [ ] Municipality of )
Horry )

Personally appeared before me the affiant Neal Frebowitz who being duly sworn deposes and says that defendant Lanard C Powell did within this county and state on or about 04/30/2012 violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Horry in the following particulars:

DESCRIPTION OF OFFENSE Murder / Murder

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

On April 30, 2012 one Jerome Green sustained multiple gunshot wounds while at 5456 Figure Eight Road located in the Socastee section of Horry County; he subsequently died as a result of those injuries. Detectives with the Horry County Police Department initiated an investigation, which revealed that the manner of death was Homicide. Evidence produced by the investigation into this matter including witness statements, circumstantial evidence, and physical evidence seized pursuant to lawful searches indicated that the above named defendant did shoot the victim multiple times. Based on the above, the Affiant is informed and believes that probable cause exists to establish that the defendant did commit the offense of Murder.

STATE'S EXHIBIT 2 dce 6-18-13

Signature of Affiant

STATE OF SOUTH CAROLINA )
[X] County/ [ ] Municipality of )
Horry )

Affiant's Address 2560 N. Main Street
Conway, SC 29526-
Affiant's Telephone (843)915-5350

# ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on or about 4/30/2012 defendant Lanard C Powell did violate the criminal laws of the State of South Carolina (or ordinance of [X] County/ [ ] Municipality of Horry ) as set forth below:

DESCRIPTION OF OFFENSE: Murder / Murder

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.

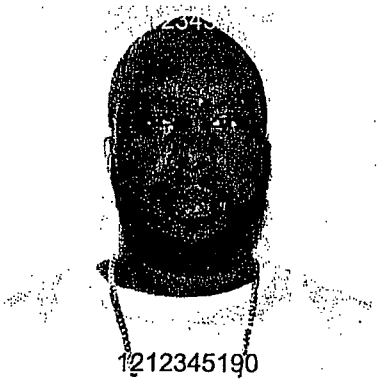
Sworn to and subscribed before me )
on 05/04/2012 )
(L.S.) )
Signature of Issuing Judge )
Christoper John Arakas )
Judge Code: 5080 )

Judge's Address J. Ruben Long Detention Center
Conway, SC 29526-1071
Judge's Telephone (843)365-9222

Issuing Court: [X] Magistrate [ ] Municipal [ ] Circuit

ORIGINAL ORIGINAL ORIGINAL ORIGINAL

# 3 YEAR DRIVER RECORD



1212345190

STATE'S EXHIBIT
3
dce 6-18-13

**Customer No:** REDACTED **Driver License No:** REDACTED
**Name:** WRIGHT, MARCUS DWAIN
**Address:** 3643 KATES BAY HWY
**City:** CONWAY **State:** SC **Zip:** 295276321
**County:** HORRY
**DOB:** REDACTED **Sex:** M **Driver Training:** N
**Status:** [redacted]DED **CDL:** DISQUALIFIED

## License Information

| Type | Class | Function | Issued | Expires | First Issued | Restrictions | Endorsements |
|---|---|---|---|---|---|---|---|
| Current | | | | | | | |
| DL | D | Original | 05/01/2002 | 11/01/2002 | 01/18/2000 | N | N |

## Point Summary

**Total Current Points:** 0
**Driver Credit:** -0
**Adjusted Current Points:** 0

**SUSP:** 078 - FR Accident
**Suspension Beg:** 07/04/2003
**Accident:** 09/13/2002
**Reinstatement Requirements Met:** INDEFINITE
**ACD:** D38 **Withdrawal Loc Ref:**
**SR 22 Required Until:**

**Suspension End:** INDEFINITE
**Post:** 06/04/2003
**Reinstatement Fee Paid:** N
**Withdrawal Reason Ref:**

**SUSP:** 013 - Driving Under Suspension
**Special Driving Privilege:** NONE
**Suspension Beg:** 02/02/2003
**Causal:** 05/27/2002
**Reinstatement Requirements Met:** INDEFINITE
**ACD:** B26 **Withdrawal Loc Ref:**

**Ticket#:** A298100

**Suspension End:** 08/02/2003
**Post:** 01/07/2003
**Reinstatement Fee Paid:** N
**Withdrawal Reason Ref:**

STATE'S EXHIBIT
4
dec 8-13

# Title History

**VIN:** HHC013049NCAB **Year:** 2000 **Make:** CLAY **Model:** SOMERS **Body:** MBH
**New/Used:** USED **Empty Weight:** 0

**Title Number:** 770260202956819D **Status:** CURRENT TITLE
**Purchase Date:** 02/25/2009 **Issue Date:** 03/06/2009 **Dup:** N **Print Date:** 03/06/2009
**Odometer:** 0 **Legend:** EXEMPT **Salvage %:** 0
**Vehicle Brands:**
None.

**Owner Number:** 26320830
**Owner Name:** WRIGHT, MARCUS DWAIN
**Owner Relationship:** AND
**Owner Address:** 3643 KATES BAY HWY CONWAY SC, 295276321

**Owner Number:** 24944032
**Owner Name:** WRIGHT, JACINDA PACK

---

**Title Number:** 770220201956152C **Status:** CANCELLED: CVS
**Purchase Date:** 12/15/2008 **Issue Date:** 02/10/2009 **Dup:** N **Print Date:** 02/10/2009
**Odometer:** 0 **Legend:** EXEMPT **Salvage %:** 0
**Vehicle Brands:**
None.

**Owner Number:** 24944032
**Owner Name:** WRIGHT, JACINDA PACK
**Owner Address:** 3643 KATES BAY HWY CONWAY SC, 295276321

---

**Title Number:** 770760162206279B **Status:** CANCELLED: CVS
**Purchase Date:** 06/26/2006 **Issue Date:** 07/12/2006 **Dup:** N **Print Date:** 07/17/2006
**Odometer:** 0 **Legend:** EXEMPT **Salvage %:** 0
**Sale Price:** $0.00 **Trade-In Amount:** $0.00 **Sales Tax Number:** 22056686
**Vehicle Brands:**
None.

**Owner Number:** 24211654
**Owner Name:** KOZMA, EDWARD J III
**Owner Address:** 465 SOLLIE CIR GEORGETOWN SC, 294405889

**Lien No:** 1
**Lien Holder Name:** VANDERBILT MORTGAGE & FINANCE INC
**Lien Holder Address:** PO BOX 9800 MARYVILLE TN, 378029800
**Lien Date:** 06/26/2006 **Lien Satisfaction Date:**

---

**Title Number:** 000000029318900A **Status:** CANCELLED: CVS
**Purchase Date:** 05/02/2000 **Issue Date:** 05/02/2000 **Dup:** N **Print Date:** 05/02/2000
**Odometer:** 0 **Legend:** EXEMPT **Salvage %:** 0
**Vehicle Brands:**
None.

**Owner Num** [redacted]
**Owner Nam**
**Owner Relat**
**Owner Addr**

**Owner Num** [redacted]
**Owner Nam**

**Lien No:** 1
**Lien Holder Name:** VANDERBILT MORTGAGE & FINANCE INC
**Lien Holder Address:** PO BOX 4007 MARYVILLE TN, 378024007
**Lien Date:** 03/24/2000 **Lien Satisfaction Date:**

***End of Report***

ROA 605

Criminal Charging Document No.

**BAIL PROCEEDING**
**FORM II**

STATE OF SOUTH CAROLINA
COUNTY OF Horry

IN THE General Sessions

STATE OF SOUTH CAROLINA
v.
Wright, Marcus Dwain
NAME OF DEFENDANT

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

Offense Charged: Murder / Murder-[M972464]

At a bail proceeding conducted by undersigned Judge, for the defendant named above, it was determined by the court (check one or both):

☐ The release of the defendant on recognizance will not reasonably assure his appearance as required.
☐ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

**THEREFORE, IT IS HEREBY ORDERED:**

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows:

**CASH IN LIEU OF BOND**

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of $ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

FILED
2012 JUN 11 PM 3:
JEANIE HUGGINS
CLERK OF COURT

**CASH PERCENTAGE IN LIEU OF BOND**

☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of $ _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits $ _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

**APPEARANCE RECOGNIZANCE WITH SURETY**

☒ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of $ 100,000.

3. That the defendant shall appear at (check one):

☒ the term of COURT OF GENERAL SESSIONS beginning on August 31, 2012 at 8:30 o' clock, A.M., at General Sessions - PO Box 677/1301 2nd Avenue/Conway, SC 29528 / (843) 915-5080 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☐ the session of ☐ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on _____ at _____ o' clock, M., at _____.
If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): $100,000.00 (CS) or $100,000.00 (SB)

INITIALS OF DEFENDANT MW

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions hereinafter in the Order.

Aaron Bullock
SIGNATURE OF JUDGE

6/7/2012
DATE

**ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED**
**Original Copy For The Trial Court - Copy For The Defendant**

STATE'S EXHIBIT
5
16-13

## ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

3643 Kates Bay Hwy — SIGNATURE OF DEFENDANT
ADDRESS

Conway, SC 29527 — 843-3973260 — 6/7/12
CITY/STATE/ZIP — TELEPHONE — DATE

SOC REDACTED — DRIVER'S LICENSE OR ID NUMBER — ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

## SPECIAL CONDITIONS OF RELEASE

a. ☐ Placement in custody. The defendant is placed in the custody of: _____
NAME OF PERSON OR ORGANIZATION

_____ _____ _____ _____
ADDRESS — CITY/STATE — ZIP — TELEPHONE

who agrees (1) to supervise the defendant as set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.

_____ _____
SIGNATURE OF CUSTODIAN (IF APPROVED) — DATE

b. ☐ Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions: _____

c. ☐ Part-time Release. The defendant will be released from custody from _____ o' clock, _____ to _____ o' clock, _____
TIME — AM/PM — TIME — AM/PM

on _____ on condition that he return to the custody of _____
DATE(S) — NAME OF PERSON OR ORGANIZATION

at _____ as designated.
LOCATION

d. ☐ Other conditions. The defendant will comply with the following other conditions of release: _____

## APPEARANCE RECOGNIZANCE WITH SURETY

On the 7 day of June, 2012, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of $ 100,000, such sum to be levied on his real and personal property for the use of the State, should named defendant fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

Beach Bail Bonds — 365-3364 — [signature]
NAME OF SURETY BONDSMAN — TELEPHONE — SIGNATURE OF SURETY BONDSMAN

3683 Hwy 701 N
ADDRESS OF SURETY BONDSMAN

Conway SC 29526
CITY/STATE/ZIP

Philadelphia Insurance
NAME OF INSURANCE COMPANY

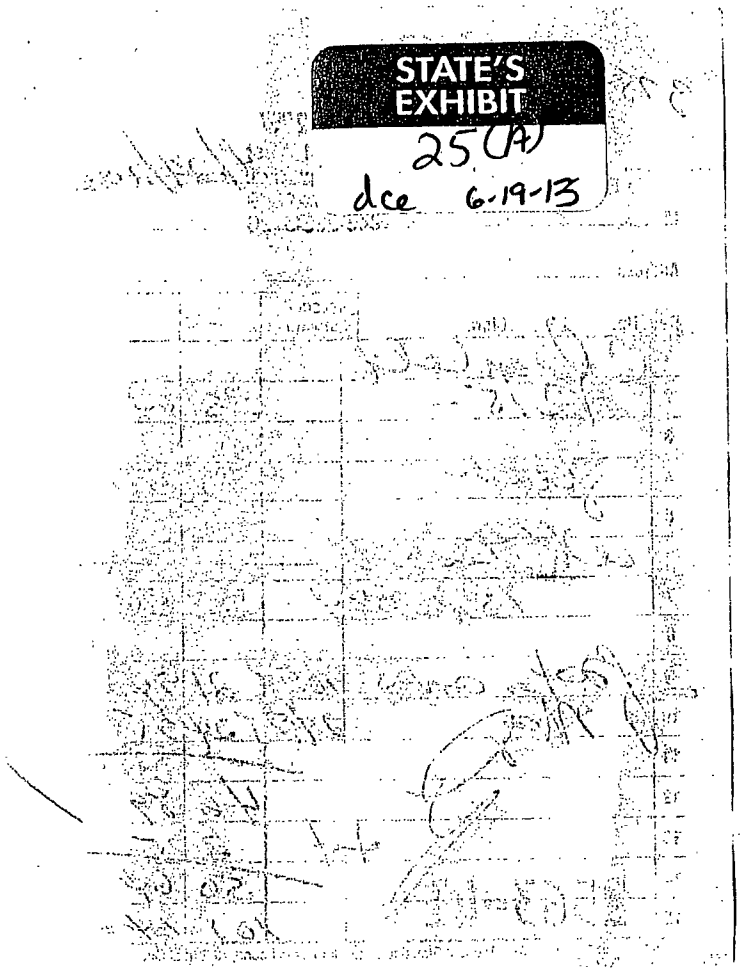
[signature]
SIGNATURE OF JUDGE

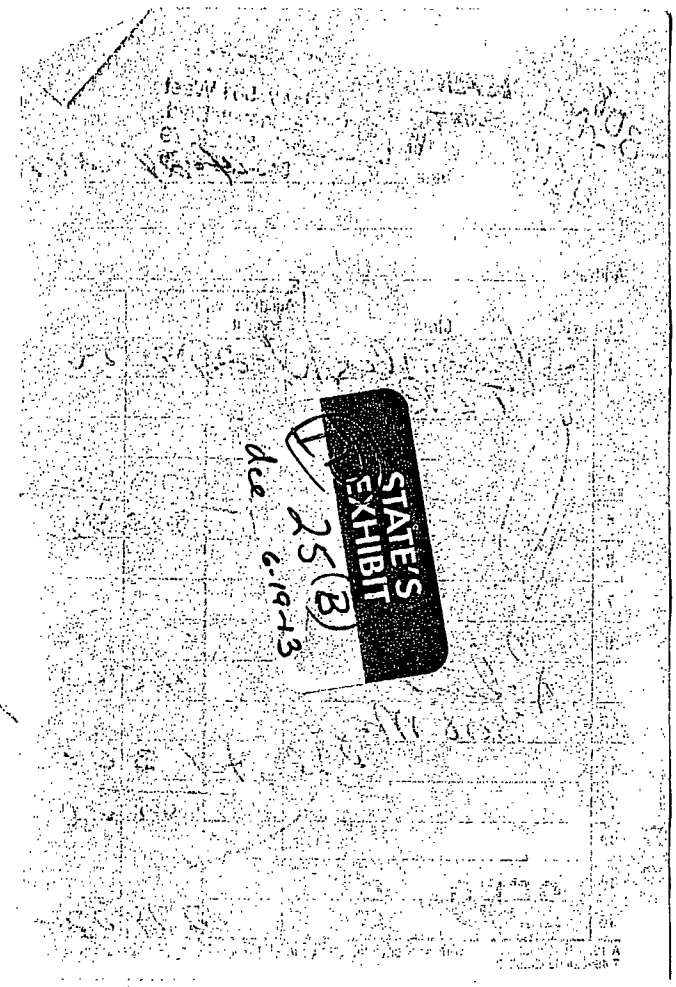
6/7/12
DATE

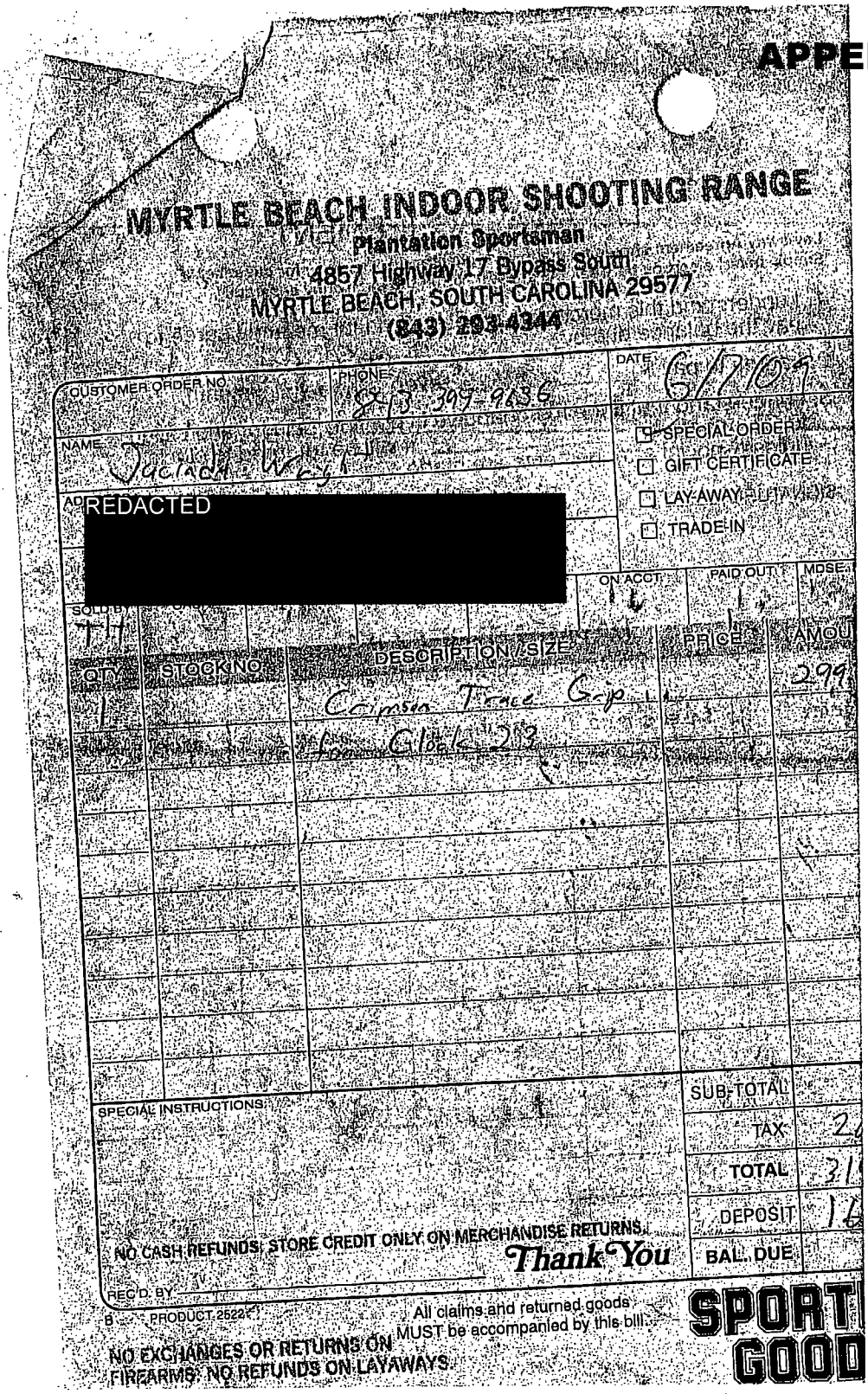
One Belmont Ave Ste 307
ADDRESS OF INSURANCE COMPANY

Bala Cynwyd PA 19004
CITY/STATE/ZIP

Form Approved by S.C. Attorney General
Section 17-15-40
October 9, 2006


STATE'S
EXHIBIT
25(A)
dce 6-19-13


STATE'S
EXHIBIT
25(B)
6-19-13



MYRTLE BEACH INDOOR SHOOTING RANGE
Plantation Sportsman
4857 Highway 17 Bypass South
MYRTLE BEACH, SOUTH CAROLINA 29577
(843) 293-4344

CUSTOMER ORDER NO. | PHONE: 843-399-9636 | DATE: 6/12/09

NAME: Jacinda Livingood

ADDRESS: REDACTED

☐ SPECIAL ORDER
☐ GIFT CERTIFICATE
☐ LAY-AWAY
☐ TRADE-IN

SOLD BY: TT

| QTY | STOCK NO | DESCRIPTION / SIZE | ON ACCT | PAID OUT | MDSE PRICE | AMOUNT |
|---|---|---|---|---|---|---|
| 1 | | Crimson Trace Grip for Glock 17/22 | | | | 299 |

SPECIAL INSTRUCTIONS

SUB-TOTAL
TAX 2
TOTAL 3
DEPOSIT 1
BAL. DUE

NO CASH REFUNDS, STORE CREDIT ONLY ON MERCHANDISE RETURNS.
Thank You

REC'D. BY

B PRODUCT 2522

All claims and returned goods MUST be accompanied by this bill.

NO EXCHANGES OR RETURNS ON FIREARMS. NO REFUNDS ON LAYAWAYS.

SPORT GOOD

Receipts from Glock box & magazine
State 261

# MYRTLE BEACH INDOOR SHOOTING RANGE

Plantation Sportsman

4857 Highway 17 Bypass South

MYRTLE BEACH, SOUTH CAROLINA 29577

(843) 293-4344

CUSTOMER ORDER NO. | PHONE | DATE: 6-7-08

NAME: Jacob

ADDRESS: REDACTED

☐ SPECIAL ORDER
☑ GIFT CERTIFICATE
☐ LAY-AWAY
☐ TRADE-IN

SOLD | ON ACCT. | PAID OUT | MDSE. RET.

| QTY. | STOCK NO. | DESCRIPTION / SIZE | PRICE | AMOUNT |
|---|---|---|---|---|
| 1 | G44 | Glock 23 | | 613 60 |
| | | 40 S&W | | |
| | | S/N: MAF604 | | |

SPECIAL INSTRUCTIONS:

**LAYAWAY TERMS:**
**20% DOWN, BALANCE DUE IN 30 DAYS**
**ABSOLUTELY NO REFUNDS, EXCHANGES,**
**OR STORE CREDITS ON LAYAWAY PURCHASES**

NO CASH REFUNDS - STORE CREDIT ONLY ON MERCHANDISE RETURNS

RECEIVED BY: Thank You

| | |
|---|---|
| SUB TOTAL | |
| TAX | 49 65 |
| TOTAL | 743 65 |
| DEPOSIT | 150 00 |
| BAL. DUE | |

B PRODUCT 2522

All claims and returned goods

NO EXCHANGES OR REFUNDS ON MUST Be ...

Criminal Charging Document No.

**BAIL PROCEEDING**
**FORM II**

STATE OF SOUTH CAROLINA
COUNTY OF Horry

IN THE General Sessions

STATE OF SOUTH CAROLINA
v.
Wright, Marcus Dwain
NAME OF DEFENDANT

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

Offense Charged: Murder / Murder-[M972464]

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☐ The release of the defendant on recognizance will not reasonably assure his appearance as required.
☐ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact:

Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

**THEREFORE, IT IS HEREBY ORDERED:**

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.

2. That the above named defendant be released from custody provided as follows:

**CASH IN LIEU OF BOND**

☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of $ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

**GASH PERCENTAGE IN LIEU OF BOND**

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**APPEARANCE RECOGNIZANCE WITH SURETY**

☒ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of $ 100,000.

3. That the defendant shall appear at (check one):

☒ the term of COURT OF GENERAL SESSIONS beginning on August 31, 2012 at 8:30 o' clock, A.M., at General Sessions - PO Box 677/1301 2nd Avenue/Conway, SC 29528 / (843) 915-5080 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☐ the session of ☐ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on _____ at _____ o' clock, M., at _____.
If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): $100,000.00 (CS) or $100,000.00 (SB)

INITIALS OF DEFENDANT MW

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions hereinafter in the Order.

Aaron Bell
SIGNATURE OF JUDGE

6/7/2012
DATE

FILED
2012 JUN 11 PM 2:00
JANIE HUGGINS
CLERK OF COURT

**ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED**
**Original Copy For The Trial Court - Copy For The Defendant**

STATE'S EXHIBIT

## ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

3643 Kates Bay Hwy — ADDRESS

Conway, SC 29527 — CITY/STATE/ZIP

843-397-3260 — TELEPHONE

[redacted] — SOCIAL SECURITY NUMBER

SIGNATURE OF DEFENDANT

6/7/16 — DATE

DRIVER'S LICENSE OR ID NUMBER

ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

## SPECIAL CONDITIONS OF RELEASE

a. ☐ Placement in custody. The defendant is placed in the custody of: _____ NAME OF PERSON OR ORGANIZATION

_____ ADDRESS _____ CITY/STATE _____ ZIP _____ TELEPHONE

who agrees (1) to supervise the defendant as set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.

_____ SIGNATURE OF CUSTODIAN (IF APPROVED) _____ DATE

b. ☐ Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions: _____

c. ☐ Part-time Release. The defendant will be released from custody from _____ TIME o' clock, _____ AM/PM to _____ TIME o' clock, _____ AM/PM

on _____ DATE(S) on condition that he return to the custody of _____ NAME OF PERSON OR ORGANIZATION

at _____ LOCATION as designated.

d. ☐ Other conditions. The defendant will comply with the following other conditions of release: _____

## APPEARANCE RECOGNIZANCE WITH SURETY

On the 7 day of June, 2012, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of $ 100,000 such sum to be levied on his real and personal property for the use of the State, should named defendant fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

Beach Bail Bonds — NAME OF SURETY BONDSMAN

365-3364 — TELEPHONE

SIGNATURE OF SURETY BONDSMAN

3683 Hwy 701 N — ADDRESS OF SURETY BONDSMAN

Conway SC 29526 — CITY/STATE/ZIP

SIGNATURE OF JUDGE

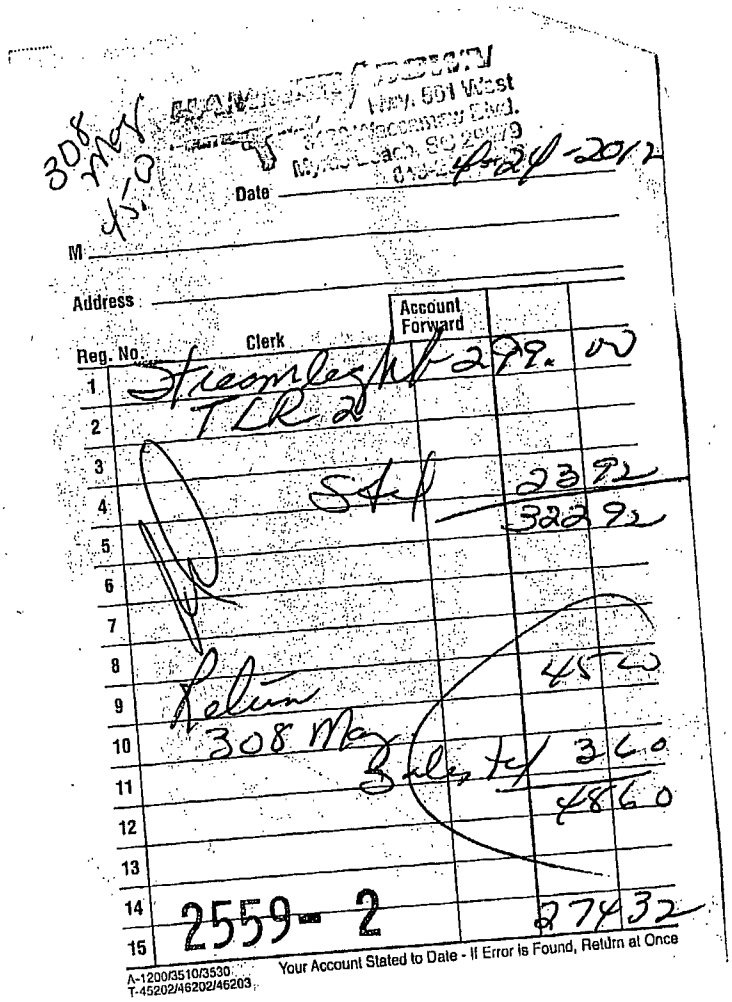
Bankers Insurance — NAME OF INSURANCE COMPANY

6/7/12 — DATE

1126 Seminole Dr — ADDRESS OF INSURANCE COMPANY

Charleston SC 29412 — CITY/STATE/ZIP

Form Approved by S.C. Attorney General
Section 17-15-40
October 9, 2006



308 Mar
4.0

Date 4th April 2012

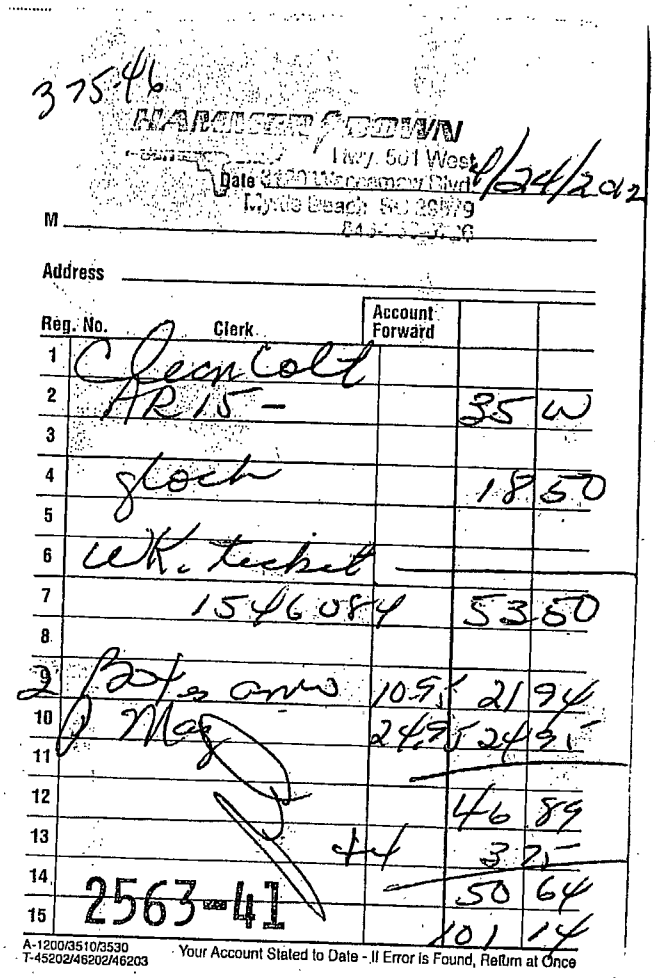
M

Address

| Reg. No. | Clerk | Account Forward | |
|---|---|---|---|
| 1 | Firearms Act | 279.00 | |
| 2 | TLR 2 | | |
| 3 | | | |
| 4 | Sub | 2392 | |
| 5 | | 3229 | |
| 6 | | | |
| 7 | | | |
| 8 | | | 45.00 |
| 9 | Return | | |
| 10 | 308 Mag | | |
| 11 | Sale, Tr | 340 | |
| 12 | | | 4860 |
| 13 | | | |
| 14 | | | |
| 15 | 2559 - 2 | | 87432 |

A-1200/3510/3530
T-45202/46202/46203

Your Account Stated to Date - If Error is Found, Return at Once



3754

HAMILTON DOWN
Hwy. 501 West
Date 3820 Waccamaw Blvd 4/24/2012
Clyde Beach SC 29579

M

Address

| Reg. No. | Clerk | Account Forward | | |
|---|---|---|---|---|
| 1 | Clean Colt | | | |
| 2 | AR15 - | | 35 | W |
| 3 | | | | |
| 4 | stock | | 18 | 50 |
| 5 | | | | |
| 6 | WK. ticket | | | |
| 7 | 1546084 | | 53 | 50 |
| 8 | | | | |
| 9 | 2 Boxes ammo | 10.5 | 21 | 94 |
| 10 | 1 Mag | 24.5 | 24 | 51 |
| 11 | | | | |
| 12 | | | 46 | 89 |
| 13 | + | | 3 | 75 |
| 14 | | | 50 | 64 |
| 15 | 2563-41 | | 101 | 14 |

A-1200/3510/3530
T-45202/46202/46203

Your Account Stated to Date - If Error is Found, Return at Once

STATE V MARCUS WRIGHT
LENARD POWELL STATEMENT

DET: ALRIGHT ITS MAY 2, 2012 ITS ABOUT 9:32 IN THE MORNING, I'M DET. COX THIS IS DET VESCOBI AND SIR GO AHEAD AND GIVE ME YOUR FULL NAME

LP: LEANARD POWELL

DET: L-E-A-N-A-R-D

LP: YES

DET: P-O-W-E-L-L

LP: YES

DET: OK WHAT'S YOUR ADDRESS LEANARD

LP: REDACTED

DET: YOUR DATE OF BIRTH

LP: REDACTED

DET: THAT MAKES YOU 29 YEARS OLD

LP: YES SIR

DET: WHAT'S YOUR SOCIAL SECURITY NUMBER

LP: REDACTED

DET: YOUR HEIGHT AND WEIGHT

LP: 5'9", 220

DET: WHERE WERE YOU BORN

LP: COLUMBIA SOUTH CAROLINA

DEFENDANT'S EXHIBIT 1 6-12-13

DET: WHAT'S THE HIGHEST GRADE YOU WENT THROUGH IN SCHOOL

LP: 11TH

DET: YOU KNOW HOW TO READ AND WRITE

LP: YES

DET: YOU UNDER THE INFLUENCE OF ANY DRUGS OR ALCOHOL RIGHT NOW, NONE, OK ALRIGHT THESE ARE YOUR RIGHTS I KNOW YOU'VE HEARD THEM BEFORE AT LEAST WATCHING TV, MOVIES WHATEVER, I DON'T KNOW IF YOU'VE EVER BEEN ARRESTED BEFORE BUT ANYWAY HAVE TO READ THEM TO YOU BEFORE WE TALK SO GO AHEAD AND PAY ATTENTION TO THEM ALRIGHT YOU HAVE THE RIGHT TO REMAIN SILENT ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW YOU HAVE THE RIGHT TO TALK TO A LAWYER AND HAVE HIM WITH YOU WHILE YOU'RE BEING QUESTIONED IF YOU CANNOT AFFORD TO HIRE A LAWYER ONE WILL BE APPOINTED TO REPRESENT YOU BEFORE ANY QUESTIONING IF YOU SO DESIRE AND IF YOU MAKE A STATEMENT OR ANSWER ANY QUESTIONS YOU CAN STOP AT ANY TIME OK YOU UNDERSTAND YOUR RIGHTS AS I HAVE READ THEM TO YOU

LP: YEAH

DET: OK PUT YOUR INITIALS NEXT TO THAT

LP: (INAUDIBLE)

DET: UH JUST RIGHT HERE AND THEN RIGHT HERE PRINT YOUR NAME AND SIGN YOUR NAME, ALRIGHT LEANARD I GUESS PROBABLY THE EASIEST THING FOR ME CAUSE YOU GOT TO START A CONVERSATION SOMEWHERE WE TALKED A LITTLE BIT IN THE CAR SO YOU KNOW KINDA WHAT YOU'RE IN TROUBLE FOR WITH US OR WHAT YOU'RE UP AGAINST WITH US AND WHY I WANT TO TALK TO YOU OR WHY I'M GONNA GIVE YOU THE OPPORTUNITY TO TALK WITH US OK BUT I GUESS ITS EASIER TO START OUT THERE AT THE SLEEP INN AND WHAT'S THAT GUYS NAME THAT YOU WERE OUT THERE WITH

LP: THAT'S, I KNOW HIM AS MONEY

DET: MONEY OBVIOUSLY THAT'S NOT WHAT'S ON HIS BIRTH CERTIFICATE RIGHT THAT'S JUST A

LP: I KNOW HIM AS MONEY

DET: OK YOU KNOW HIM FOR A WHILE

LP: YEAH I MET HIM WHEN I WAS LOCKED UP BEFORE

DET: OK

LP: MET HIM WHEN I WAS LOCKED UP BUT THEN WHEN I GOT OUT I WAS STAYING WITH MY MOM, CAME DOWN HERE THEN MY UNCLE, WHO'S ROY JAMES SINCLAIR, I WAS STAYING WITH HIM FOR A LITTLE BIT AND HE WAS WHEN I CAME DOWN HERE (INAUDIBLE) FOR THE BIKE WEEK TRYING TO FIND A JOB DOWN THERE ON THE BEACH

DET: THIS LAST YEAR OR COMING UP RIGHT NOW

LP: COMING UP RIGHT NOW

DET: LIKE HOW LONG AGO ARE WE TALKING ABOUT THAT YOU STARTED STAYING AT ROY'S

LP: ABOUT 2 WEEKS AT THE MOST

DET: OK SO REALLY RECENT, OK

LP: JUST GOT HERE LIKE 2 WEEKS AGO

DET: IS ROY REALLY YOUR UNCLE

LP: NO I CALL HIM UNCLE

DET: OK

LP: I CALL HIM MY UNC

DET: HOW DID YOU KNOW HIM BEFORE THEN

LP: WELL HE INTRODUCED HIM TO ME

DET: MONEY DID

LP: YEAH AND THEN WE, HE WAS LIKE HE GOT STOPPED ON THE SIDE OF THE ROAD HE WAS TELLING ME LIKE MAN (INAUDIBLE) YEAH I KNOW HIM FROM WHEN I WAS LOCKED UP HE USED TO FEED ME AND STUFF (INAUDIBLE) FEED ME AND STUFF YOU KNOW BUY ME CANTEEN AND STUFF

DET: WHERE WERE YA'LL LOCKED UP AT

LP: TURBEVILLE

DET: OK WHAT WERE YOU UP THERE FOR

LP: IT WAS AN ARMED ROBBERY CHARGE

DET: WAS IT BS

LP: BULL SHIT, YEAH IT WAS BULLSHIT

DET: WHAT POLICE DEPARTMENT DEALT WITH YOU ON THAT

LP: RICHLAND COUNTY

DET: ALRIGHT WERE THEY PRETTY STRAIGHT WITH YOU

LP: YEAH THEY WERE STRAIGHT (INAUDIBLE)

DET: OK

LP: YEAH THEY WERE STRAIGHT FORWARD

DET: SO ANYWAY YOU WIND UP DOWN HERE ABOUT 2 WEEKS AGO BUT YOU CAME DOWN YOU MET ROY THROUGH MONEY OK, ROY A PRETTY GOOD GUY

LP: YEAH COOL

DET: WHAT'S HIS DEAL, HE SMOKES ROCK A LITTLE BIT RIGHT

LP: YEAH HE SMOKES CRACK AND I WAS STAYING THERE AND ALL I KNOW HE USUALLY COME THROUGH THERE AND GET WEED YOU KNOW WHAT I'M SAYING STUFF LIKE THAT CAUSE HE ALSO HAD ANOTHER, HE HAD A REAL NEPHEW STAYING WITH HIM YOU KNOW WHAT I'M SAYING

DET: ROY DID, WHO WAS THAT

LP: I (INAUDIBLE) BOYS NAME, HIS NAME IS SHAY HE RED, GOT A BOTTOM GRILL

DET: OK SHAY, BOTTOM GRILL

LP: YEAH THAT'S ALL I KNOW, HIS NAME IS SHAY

DET: YOUNG KID, OLDER GUY

LP: YOUNG KID THERE WAS ANOTHER GUY THERE WHO ALSO USED, HE USED TO COME BY DAILY, HE USED TO COME BY DAILY AND SIT IN THE YARD SIT LIKE RIGHT THERE ON THE SIDE DOING THAT THEY CALL HIM TWO GUNS, YOU EVER HEARD OF THAT

DET: UH-UH

LP: THEY CALL HIM TWO GUNS

DET: AND HE WAS A YOUNG KID

LP: YEAH (INAUDIBLE) TWO GUNS AND HE HAD ON A BULLET PROOF VEST, HE CAME BY THERE ONE DAY WHEN I WAS THERE KNOW WHAT I'M SAYING, CAUSE I AIN'T GONNA LIE TO YOU I WAS SELLING WEED, I WAS SELLING WEED YOU KNOW WHAT I'M SAYING, I WAS SELLING WEED

DET: OVER THERE AT ROY'S

LP: NO I AIN'T NEVER SOLD NOTHING OUT OF THERE

DET: OK

LP: NO SO HE WAS LIKE HEY MAN YOU GOT SOME WEED I CAN GET

(INAUDIBLE) I SAID I DON'T EVEN KNOW YOU MAN I SAID I SMOKE, I SMOKE I DON'T DO NO (INAUDIBLE)I SMOKE THEN HE STARTS OH I HEARD YA'LL GOT (INAUDIBLE) TALK ABOUT WHAT YOU TALKING ABOUT I SAID MAN I SMOKE I SWEAR I DON'T DEAL WITH NONE OF THAT BULLSHIT

DET: THAT WAS TWO GUNS TALKING TO YOU

LP: YEAH I SAID I SMOKE, SO (INAUDIBLE) YOU KNOW HOW STREETS TALK OH WELL THEY PLOTTING ON YOU, PLOTTING ON ME

DET: THE STREETS SAID THAT THEY WERE PLOTTING ON YOU

LP: YEAH CAUSE THEY THOUGHT BECAUSE I SELL A LITTLE BIT OF WEED NOW I GOT ALL THIS WEED I JUST COME FROM TIMBUKTU (INAUDIBLE) SELL A LITTLE BIT OF WEED NOW I GOT ALL THIS WEED, NAW ITS NOTHING LIKE THAT

DET: OK NOW I'M NOT A BIG DRUG GUY, I 'VE NEVER WORKED THAT SHIFT SO I DON'T KNOW I DEAL WITH WHAT I DEAL WITH BUT THAT'S LIKE A FAIRY TALE TYPE OF THING IS WHAT YOU'RE SAYING LIKE PEOPLE ITS JUST THE STREET STARTS WITH ONE LITTLE THING THEN SNOWBALLS NEXT THING THE STORY GETS GIANT

LP: EXACTLY IT GETS GIANT AND THAT'S WHEN YOU HEAR MAN THEY'RE TRYING TO PLOT ON YOU, WHEN I HEARD THAT NOW MIND YOU ME AND MY LADY WE WERE STAYING THERE FOR A LITTLE BIT, RIGHT SHE COME DOWN HERE YOU KNOW TO SPEND SOME TIME WITH ME

DET: GIVE ME A MINUTE, I'M SORRY, ALRIGHT WHERE WERE WE, OH TALKING ABOUT THAT DUDE OR THE STREET STARTS OFF SMALL AND THEN THE NEXT THING YOU KNOW YOU'RE LIKE SUPERMAN, YOU'RE LIKE THE WEED MAN OF ALL OF DAMN SOUTH CAROLINA ALL OF A SUDDEN

LP: SO WHEN THEY CAME WITH THAT I WAS LIKE (INAUDIBLE) EVERYBODY'S PLOTTING ON YOU, I'M LIKE WHAT PLOTTING ON ME FOR WHAT I AIN'T GOT SHIT I ONLY GOT A LITTLE BIT OF WEED I HAD LIKE A HALF OUNCE OR A OUNCE SO HE LIKE

YEAH THEY PLOTTING ON YOU THEY THINK YOU GOT ALL THIS WEED CAUSE THIS WAS MY HOMEBOY SAYING IT (INAUDIBLE)

DET: YOU TALKING ABOUT MONEY WAS SAYING THAT

LP: NO IT WAS, I MET ANOTHER GUY, THE DUDE STAYING ACROSS THE STREET HE STAY RIGHT THERE ACROSS THE STREET (INAUDIBLE) I WAS TALKING TO HIM HE SAID MAN THEY THINK YOU GOT ALL THIS WEED MAN I WAS WHAT HE LIKE THEY THINK YOU GOT ALL THIS WEED I SAID NAW IT AIN'T EVEN LIKE THAT HE SAID WELL JUST WATCH YOURSELF THEY'RE TRYING TO PLOT ON YOU, I SAID ALRIGHT SO ME AND MY GIRL WE WERE STAYING THERE FOR A LITTLE MINUTE, SHE I WAS STAYING THERE WITH ROY AND WAITING FOR THE BIKE WEEK SO I COULD GET A LITTLE GET A JOB DOWN THERE ON THE BEACH

DET: IS THAT YOUR GIRL, QWANDA

LP: YEAH THAT'S MY GIRL

DET: WHAT'S HER LAST NAME

LP: CALDWELL, CALDWELL OR BROWN

DET: OK

LP: THAT'S MY GIRL SO, I WAS STAYING AND SHE WOULD COME DOWN EVERY DAY, MAKE A TWO HOUR DRIVE FROM COLUMBIA EVERY DAY TO COME SEE ME SO THIS WEEKEND SHE WAS OFF WORK SO SHE CAME SHE WAS LIKE WELL BABY I'M GONNA COME DOWN THERE SO WE CAN SPEND SOME TIME TOGETHER AND GO TO THE BEACH SO I'M LIKE ALRIGHT I SAID ARE YOU GONNA COOK SOMETHING SHE LIKE YEAH I'M GONNA COOK I SAID I (INAUDIBLE) SO WE GET THERE WE IN THE ROOM THE REGULAR SCHEDULE EVERYTHING JUST GOING WE IN THERE LAUGHING TALKING AND ALL HE DRINKING 211'S TALKING SHIT, JUST IN THERE HAVING A GOOD TIME SHE IN THERE COOKING SO WE ATE AND EVERYTHING AND SHE WAS LIKE BABY I NEED, NO WE DIDN'T EAT SHE WAS LIKE I NEED TO GO GET SOME MORE SAUCE, SOME MORE RAGU SAUCE SO

WHEN WE LEFT OUT BRA HAD CAME (INAUDIBLE) WHEN HE CAME UP HE WAS LIKE HEY MAN YOU GOT SOME WEED ON YOU (INAUDIBLE) AIN'T GOT NO WEED I SAID WHATEVER I GOT I'M SMOKING HE LIKE GODDAMN MAN, GODDAMN I SAID I'LL BE BACK IN A MINUTE I SAY YOU CAN CHILL IF YOU WANT YOU KNOW HE LIKE NAW HE LIKE I DON'T KNOW HE SAID I'LL SIT OUTSIDE I SAID ALRIGHT SO YOU KNOW I SAID ME AND MY OLD LADY WE'RE ABOUT TO GO TO THE STORE TO GET SOME MORE SAUCE I ASKED HIM I SAID DO YOU WANT SOME OF THIS LASAGNA TYPE WHATEVER TYPE THING SHE COOKED HE SAID HELL YEAH SO HE WAS LIKE I'LL STAY OUTSIDE, I SAID WHEN I COME BACK I'LL SMOKE A BLUNT WITH YOU YOU KNOW WHAT I'M SAYING I SAID THAT, WHEN I COME BACK I'LL SMOKE A BLUNT WITH YOU , HE'S LIKE ALRIGHT, WHEN WE LEFT OUT WE WENT TO THE STORE, WHEN WE WENT TO THE STORE WE CAME WENT TO THE STORE WENT IN THERE AND GOT THE RAGU WHATEVER WE BULLSHITTED AROUND CAUSE I SAT IN THE CAR AND SMOKE A CIGARETTE YOU KNOW WHAT I'M SAYING I SAT IN THE CAR AND SMOKED A CIGARETTE THAT'S WHEN WE LEFT AS WE WAS PULLING UP, AS WE WAS PULLING UP, AS WE WAS PULLING UP LISTEN AS WE WAS PULLING UP I SEEN A TRUCK, I SEEN A TRUCK IN THE YARD YOU KNOW WHAT I'M SAYING I SEEN A TRUCK IN THE YARD

DET: WHAT KIND OF TRUCK

LP: IT WAS LIKE A , I THINK IT WAS BLACK BLUE IT WAS A DARK COLOR, IT WAS A DARK COLOR CAR YOU KNOW I REMEMBER IT HAD ARKANSAS TAGS ON IT I REMEMBER THAT AND WHEN I SEEN THE TRUCK

DET: WAS IT LIKE A TRUCK, LIKE A PICKUP TRUCK, OR A SUV CAR

LP: LIKE A SUV

DET: YOU KNOW WHAT KIND IT WAS

LP: NAW I WOULDN'T EVEN KNOW, I WOULDN'T EVEN KNOW WHAT KIND IT WAS

DET: OK

LP: SO I TELL HER SHE WAS LIKE I SAID MAN I AIN'T NEVER SEEN THAT GODDAMN CAR THAT'S FROM ARKANSAS BUT I REMEMBER EARLIER THAT DAY UNC, WHICH IS SINCLAIR, HE WAS LIKE YEAH THAT'S MY COUSIN THIS THAT AND DAH DAH DAH SO THE DUDE CAME IN THE HOUSE I WAS LIKE

DET: OH OK SO YOU HAD SEEN HIM EARLIER TODAY

LP: NO HE CAME THROUGH IT WAS LIKE A (INAUDIBLE) CAUSE HE WAS COMING IN AND I WAS GOING OUT HE WAS LIKE WE'RE GONNA I KEPT MOVING CAUSE I WALKED UP THE STREET TO THE STORE AND GOT ME SOME CIGARETTES

DET: RIGHT BUT I'M TALKING ABOUT EARLIER THAT WHEELS, RIGHT SINCLAIR ROY YA'LL MUST OF SEEN THAT VEHICLE FOR HIM TO SAY OH THAT'S MY COUSIN

LP: NO IT WAS LIKE RIGHT NEXT DOOR TO HIS, HE WAS LIKE THAT'S MY COUSIN I GUESS HE MESS WITH THE LADY NEXT DOOR OR WHATEVER HE WAS LIKE THAT'S MY COUSIN RIGHT THERE HE JUST CAME OUT OF TOWN (INAUDIBLE)

DET: WHEN WAS THAT

LP: THAT WAS EARLY IN THE MORNING

DET: IT WAS DAYLIGHT

LP: IT WAS A SKYLINE

DET: OK IT WAS JUST STARTING TO GET DARK

LP: IT WAS JUST STARTING TO GET LIGHT YOU KNOW WHAT I'M SAYING SUN WAS JUST ABOUT LIKE YOU SEE

DET: COMING UP

LP: (INAUDIBLE)

DET: SO THIS IS LIKE THE MORNING AND THEN THIS IS THE NIGHTTIME WHEN YOU PULLED IN THERE AND SAW IT

LP: YEAH, (INAUDIBLE) HE WAS NEXT DOOR SO I GUESS HE WAS MESSING WITH THE LADY CAUSE I'M GONNA SAY AROUND LIKE 4:00 IN THE MORNING YOU KNOW (INAUDIBLE) 5:00

DET: ON WHICH SIDE, THE LADY ON WHICH SIDE OF ROY'S, IF YOU'RE LOOKING AT ROYS

LP: SHOULD BE TO THE RIGHT IF YOU COME OUT, AS SOON AS YOU COME OUT THE DOOR, AS SOON AS YOU COME OUT THE DOOR THE TRAILER RIGHT THERE

DET: OK WHERE THE RAMP IS THAT DOOR

LP: UNC GOT THE RAMP

DET: RIGHT ON THAT SIDE OF HIS IF YOU COME OUT THAT DOOR YOU'RE LOOKING RIGHT AT HER TRAILER

LP: LIKE OK YOU KNOW WHERE THE RAMP IS ALRIGHT THIS IS THE TRAILER, THIS IS THE FRONT OF THE TRAILER, HER TRAILER RIGHT THERE, THE TRAILER RIGHT NEXT DOOR

DET; THE WHITE LADY

LP: YEAH LIKE PUERTO RICAN LADY, HER, I THINK HER NAME IS MARY, MARIE, YEAH CAUSE I KNOW I WENT AND DID A COUPLE OF THINGS FOR HER TOOK HER TISSUES (INAUDIBLE) YOU KNOW WHAT I'M SAYING HELP HER OUT SHE'LL TELL YOU THAT IF YOU WAS TO ASK HER SHE'LL TELL YOU YEAH THE YOUNG MAN OVER THERE HE HELPS ME OUT SHE'LL TELL YOU THAT BUT ANYWAY YEAH WHEN I SEE THE DUDE IT WAS LIKE, WHEN I SEEN HIM IT WAS LIKE 4 OR 5 O'CLOCK IN THE MORNING, IT WAS 4 OR 5 O'CLOCK IN THE MORNING, AND UNC ME AND UNC WAS SITTING OUT ON THE PORCH YOU KNOW HE SMOKE HE UP ALL NIGHT HE GOT ME UP WITH HIM I WAS SITTING OUT THERE SMOKING WHILE HE WAS SITTING OVER HERE DOING HIS LITTLE THING OR WHATEVER YOU KNOW WHAT I'M SAYING SO I'M JUST SITTING OUT THERE WE JUST I'M SMOKING HE'S DOING HIS THING, TALKING QWANDA SHE IN THE HOUSE, SHE IN THERE ASLEEP SO LATER ON THAT DAY HE LIKE YEAH THAT'S MY COUSIN AND WHEN THE DUDE CAME OUT OF THE HOUSE YOU KNOW WHAT'S UP THE DUDE THREW

HIS HAND UP HE SAID WHAT GOING HE'S LIKE WHAT 'S GOING ON COUSO YOU ALRIGHT OVER THERE HE'S LIKE YEAH SO ROY YOU KNOW HE'S GOT THE LITTLE CHAIR HE ROLLED DOWN THE LITTLE STEP WENT OUT THERE AND TALKED TO HIM (INAUDIBLE) SAID YOU ALRIGHT, (INAUDIBLE) HE SAID I GOT MY NEPHEW, MY NEPHEW'S IN THERE TAKING CARE OF ME YOU KNOW WHAT I'M SAYING STUFF LIKE THAT AND HE WAS WELL I'LL COME BACK THROUGH AND I'LL DRINK SOMETHING WITH YOU SO UNCLE WAS LIKE OK, YOU KNOW UNC HE NAIVE DON'T KNOW CAUSE HE AIN'T HEARD THAT THESE BOYS ARE PLOTTING ON ME YOU KNOW WHAT I'M SAYING, HE AIN'T HEARD THAT, YOU KNOW WHAT I'M SAY, HE AIN'T HEARD THAT

DET: HE JUST DOES HIS OWN, HE'S IN HIS OWN LITTLE WORLD

LP: NARROW MINDED, NARROW MINDED VERY NARROW MINDED, HE'S STUCK IN HIS WAYS SO AFTER HE TOLD HIM (INAUDIBLE) YOU DOING ALRIGHT OVER THERE AND HE WAS LIKE YEAH I GOT MY NEPHEWS OVER HERE SO AFTER HE TOLD HIM THAT HE SAID WELL I'M GONNA HOLLER AT YOU LATER I'LL COME DRINK SOMETHING WITH YOU (INAUDIBLE) SO HE LEFT WHATEVER WHEN HE CAME BACK I WASN'T THERE BUT I KNOW I KNOW NOW I KNOW CAUSE WHAT YOU TOLD ME YOU , YOU SAID THE DUDE JJ, YOU SAID THE DUDE'S NAME IS JJ NOW I REMEMBER UNC SAYING HIS NAME YOU KNOW WHAT I'M SAYING AND THEN WHEN YOU SAID IT AGAIN I SAID DAMN THAT IS HIS NAME ITS JJ CAUSE I THOUGHT IT WAS (INAUDIBLE) JJ SOMEBODY SAID JASON, HE SAID ANOTHER DAY, UNC SAID ANOTHER NAME, UNC SAID A WHOLE NOTHER NAME, SO AFTER THE BOY CAME BACK OR WHATEVER HOWEVER THINGS HAPPENED ME AND MY OLD LADY WENT OUT TO THE STORE AND GOT SOME RAGU WE CAME BACK I SEEN THE CAR IN THE YARD WHEN I SEEN THE CAR IN THE YARD, I NEVER SEEN THE TAG BUT I SEEN A WHOLE LOT OF COMMOTION YOU KNOW WHAT I'M SAYING I SEEN A WHOLE LOT OF PEOPLE MOVING IN THE YARD I SEEN A WHITE CAR IN THE YARD YOU KNOW WHAT I'M SAYING AND I SEEN A WHITE GIRL, I SEE THE DOOR WIDE OPEN WHEN WE COMING DOWN THE STREET I SEE THE DOOR WIDE OPEN I SEE THE WHITE GIRL I SEE A BLACK GIRL COME RUNNING OUT THE HOUSE THEN I GET OUT OF THE CAR CAUSE I'M THINKING BOUT UNC AND

THEN WHEN I SEE UNC I SEE UNC UP THE STREET

DET: IN HIS WHEELCHAIR

LP: YEAH I SEE UNC UP THE STREET IN HIS WHEELCHAIR SO I TOLD MY GIRL YO GO UP THERE AND SEE (INAUDIBLE) GO IN THERE AND SEE WHAT UNC IS DOING WHAT WHY YOU LEAVE THE DOOR OPEN DOWN HERE LIKE THIS SO

DET: WHAT DID YOU THINK AT THAT TIME DID YOU THINK SOMETHING BAD (INAUDIBLE)

LP: YEAH CAUSE HE DON'T NEVER HAVE THE DOOR OPEN, HE DON'T EVER HAVE THE DOOR OPEN LIKE THAT AND HE DOWN THE STREET YOU KNOW WHAT I'M SAYING THEN YOU GOT TWO, HE GOT A WHITE GIRL AND HE GOT A BLACK GIRL AND THEY ROAMING AROUND HE NEVER, AS LONG AS I'VE BEEN THERE FOR THESE 2 WEEKS, 2 WEEKS AND A HALF HE NEVER DONE THAT SO THAT AUTOMATICALLY SENT YOU KNOW WHAT I'M SAYING SOMETHING GOTTA BE WRONG CAUSE HE WAY DOWN THE STREET SO LIKE I TELL QWANDA (INAUDIBLE) SAY GO DOWN THE STREET, GO DOWN HERE, GO DOWN HERE, AND SEE TALK AND LET'S SEE WHAT'S GOING ON WITH UNC SO WHEN I ROLL ON UNC HE'S CRYING I SAID WHAT'S GOING ON HE SAID MAN OLE BOY DEAD, OLE BOY DEAD, OLE BOY DEAD I SAID OLE BOY AND SEE NOW HE WAS SAYING THEN HE GOT TO SAYING OLE BOY I WAS LIKE WHO IS OLE BOY I'M GETTING AGITATED WHO IS OLE BOY DEAD I SAID WHERE IS HE AT, HE'S IN THE HOUSE, SO (INAUDIBLE) I SAID HE IN THE HOUSE SO WHEN I CAME, I TURNED AROUND WE ROLLED BACK DOWN THE STREET, THE GIRL, THE BLACK GIRL I SEE HER COMING, SHE GOT STUFF IN HER SHIRT SO MY GIRL SHE LIKE I'M NOT GOING THERE, I'M NOT GOING THERE I SAID YOU GOTTA GO THERE I SAID CAUSE WE NEED TO CHECK AND SEE WHAT'S GOING ON SO WHEN I GOT OUT THE CAR I TOLD HER TO STAY IN THE CAR I WENT IN THERE I WENT TO I DIDN'T EVEN GO ALL THE WAY UP ON THE RAMP CAUSE WHEN I WALK UP ON THE RAMP I SEEN IT THAT'S WHEN I TURNED AROUND I SAID BABY HE'S DEAD, HE'S DEAD THAT'S WHEN EVERYTHING SHE STARTED CRYING , BABY I DON'T WANT TO GO TO JAIL HER PURSE IS IN THERE AND ALL THIS HERE I SAID BABY I DON'T KNOW WHAT TO TELL YOU SO SHE HAULED ASS

DET: WHAT DID YOU DO

LP: I STAYED, I WENT UP THERE TO THE KANGAROO I WENT UP THERE TO THE KANGAROO AND THEN I TOLD HER I WAS LIKE BABY CAN YOU GET ME A ROOM CAUSE I AIN'T ABOUT TO STAY OUT HERE I SAID YOU CAN GO ON YOU KNOW WHAT I'M SAYING BUT SHE'S LIKE NO I'M GONNA STAY WITH YOU, I'M GONNA STAY WITH YOU SO I SAID ALRIGHT SO WE WENT AND GOT A ROOM , WENT AND GOT A ROOM

DET2: WHICH KANGAROO DID YOU GO TO

LP: THE ONE RIGHT UP THE STREET RIGHT BESIDE BRANDY MILLS BLVD, YOU KNOW WHAT I'M TALKING ABOUT RIGHT BESIDE BRANDY MILLS

DET: THERE'S 2 KANGAROO'S THERE

LP: YEAH

DET: THE NICER ONE NEXT TO BRANDY MILLS

LP: THE ONE ON THE LEFT

DET: RIGHT THE NICER ONE (INAUDIBLE)

DET2: WHERE DID YOU GO AFTER THE KANGAROO

LP: WE WENT FIRST WE WENT TO THE, MY BROTHER HE HAD CALLED ME LIKE HE WAS LIKE, MONEY HE HAD CALLED ME LIKE MAN WHERE YOU AT MAN, I SAID I'M ABOUT TO GO TO THE GODDAMN KANGAROO , I SAID I'M AT THE KANGAROO I SAID MAN THE MOTHER FUCKERS DEAD AT MY HOUSE DAWG, HE SAID WHAT WHAT I SAID THE MOTHER FUCKERS DEAD AT MY HOUSE DAWG

DET: WHERE DOES HE STAY AT

LP: HELL IF I KNOW, I DON'T KNOW WHERE THE HELL, HE TOLD ME HE WAS LIKE I KNOW HIM BY MONEY AND I CALL HIM BRA YOU KNOW WHAT I'M SAYING BUT I DON'T KNOW WHERE THE HELL HE STAY AT THAT'S WHY HE CALLED ME LIKE MAN, I'M

LIKE MAN WHAT'S UP MAN I'M LIKE THERE'S A MOTHER FUCKER DEAD AT MY HOUSE DAWG HE SAID (INAUDIBLE)

DET: WHAT NUMBER DID HE CALL YOU, WHAT NUMBER DID YOU HAVE DURING THIS TIME, WHAT WAS YOUR PHONE NUMBER

LP: 361-8764

DET: IS THAT LIKE A PREPAID PHONE

LP: YES PREPAID

DET: IT'S A PREPAID, DO YOU KNOW WHAT THE SERVICE (INAUDIBLE)

LP: WHAT YOU MEAN, THE NAME, BOOST MOBILE

DET: BOOST MOBILE AND YOU SAID YOU HAD THAT PHONE WITH YOU

LP: UM-UM

DET: AND THAT'S WHAT BRA OR MONEY CALLED YOU ON WHEN YOU WERE AT THE KANGAROO

LP: UM-UM

DET: WHERE DID YOU GO AFTER YOU LEFT THE KANGAROO

LP: ME AND MY OLD LADY WE WENT AND GOT A ROOM

DET: WHERE AT

LP: IT WAS, WHAT'S THE NAME OF THAT, SEE I REALLY DON'T KNOW NOBODY I'M FROM COLUMBIA I JUST CAME DOWN HERE 2 WEEKS I DON'T

DET: (INAUDIBLE)

LP: I GUESS IT WAS A I DON'T KNOW WHAT KIND OF, I GUESS A RED ROOF

DET: WHAT WAS IT NEAR

LP: I KNOW WE DROVE OFF, WHEN WE CAME DOWN WE MADE A RIGHT BY A PIZZA HUT, IT'S A RITE AID ON THE CORNER

DET: IN SOCASTEE

LP: OK WE MAKE A RIGHT RIGHT THERE

DET: PAST THE DRAWBRIDGE

LP: YEAH IT'S THE, WE WENT ACROSS A BRIDGE WE WENT ACROSS A DRAWBRIDGE THEN WE WENT ACROSS ANOTHER BRIDGE IT'S A WALMART ITS LIKE A PLAZA CENTER OVER THERE AND THEN THERE'S HOTELS RIGHT HERE THERE'S A STRING OF HOTELS RIGHT HERE IT'S A IHOP RIGHT THERE, ITS AN IHOP

DET: DID YOU SEE A ROLLER COASTER

LP: IHOP NO I DIDN'T SEE ROLLER, I KNOW THE IHOP ITS GOT A LITTLE THING THAT KEEPS FLIPPING LIKE THIS IT SHOWS, THEY GOT TWO PLACES IN THERE BUT THAT'S, THE HOTEL IS ACROSS THE STREET, I THINK ITS RED ROOF I WANT TO SAY IT'S A RED ROOF I WANT TO SAY IT'S A RED ROOF

DET: IS IT IN MYRTLE BEACH OR CONWAY AREA

LP: I DON'T EVEN KNOW WHERE THE HELL, I DON'T EVEN I DON'T KNOW THE DIFFERENCE BETWEEN MYRTLE BEACH AND CONWAY

DET: OK WELL ITS IN THAT GENERAL AREA YOU DIDN'T DRIVE FOR 3 HOURS AND THEN GET A ROOM IT WAS PRETTY CLOSE

LP: YEAH IT WAS LIKE, WE DROVE FOR LIKE 25 30 MINUTES PROBABLY LESS THAN THAT, PROBABLY 15 MINUTES, 20 MINUTES

DET: BUT YOU COULD TAKE US TO IT, SHOW YOU WOULD KNOW IT AGAIN

LP: YEAH I'D KNOW IT, I KNOW IT, BUT I PROBABLY DON'T KNOW

HOW TO GET THERE

DET: RIGHT BUT IF YOU GOT TO IT YOU'D KNOW WHERE YOU WERE AT

LP: BUT IF I WAS IN THE AREA I'D BE LIKE OH I'VE BEEN RIGHT THERE

DET: WHOSE ROOM WAS IT IN, OR WHOSE NAME, I'M SORRY

LP: I WAS GIVEN AN ID IT WAS A JETER

DET: JETER, YOU GOT THAT ID ON YOU

LP: UH-UH

DET: YOU GOT THAT ID ON YOU

LP: UH-UH

DET: IS IT IN THE ROOM (INAUDIBLE) AT THE SLEEP INN

LP: I THINK ITS AT THE SLEEP INN

DET: AND THAT'S JUST SOME BULLSHIT ID

LP: I GUESS SO HE WAS LIKE CAUSE WHEN HE CAME AND GOT ME I WAS WITH QWANDA HE WAS LIKE MAN WHERE YOU AT (INAUDIBLE) LAID UP WITH MY OLD LADY I SAID (INAUDIBLE) LAID UP WITH HER HE LIKE SHIT MAN I NEED YOU RIGHT QUICK THIS LATER I'M TALKING ABOUT THIS IS LIKE 5:00 IN THE MORNING 4, 3, PROBABLY 3 OR 4 IN THE MORNING, I NEED YOU RIGHT QUICK I SAID WHAT'S UP (INAUDIBLE) I NEED YOU TO COME DOWN HERE AND GET ME A ROOM (INAUDIBLE) MAN I AIN'T GOT NO DAMN ID YOU KNOW WHAT I'M SAYING CAUSE I WAS SUPPOSE TO GO TO THE I GUESS THE DMV DOWN THERE AND GET AN ID MADE BECAUSE I LEFT MY ID YOU KNOW WHAT I'M SAYING

DET: LEFT IT WHERE, COLUMBIA

LP: YEAH SO HE WAS LIKE YOU KNOW (INAUDIBLE) THEY AIN'T

GONNA DO THAT SHIT MAN YOU KNOW WHAT I'M SAYING (INAUDIBLE) YOU KNOW WHAT I'M SAYING I DONE FUCKED UP BEFORE I AIN'T TRYING TO FUCK UP AGAIN YOU KNOW WHAT I'M SAYING AND THEN I GOT A SON ON THE WAY, YOU KNOW WHAT I'M SAYING I GOT A SON ON THE WAY, MY OLD LADY , NOT QWANDA, THIS IS MY BABY'S MAMA BEFORE I EVEN MET QWANDA WE WERE GOING THROUGH TRIALS AND TRIBULATIONS AND WE DECIDED TO BE FRIENDS THEN I MET QWANDA SO I ALREADY GOT, I ALREADY HAVE (INAUDIBLE) YOU KNOW WHAT I'M SAYING BUT I STILL TAKE CARE OF HER YOU KNOW (INAUDIBLE) THAT'S WHY I CAME DOWN HERE CAUSE I ALREADY KNOW, CAUSE WHEN I WAS LOCKED UP BEFORE PEOPLE USED TO TELL ME MAN YOU GO ON THAT BEACH DURING BIKE WEEK YOU'RE GONNA GET A JOB JUST LIKE THAT BECAUSE THEY NEED PEOPLE TO WORK AT THE HOTELS, SEE LIKE THEY NEED PEOPLE TO WORK AT THE HOTELS

DET: ALRIGHT DID OLD BOY COME BY

LP: I DON'T KNOW, WHICH OLD BOY

DET: YOUR BUDDY HERE, MONEY

LP: YEAH HE CAME BY TO GET SOME WEED, REMEMBER HE WAS SITTING ON THE PORCH, WHEN I LEFT OUT HE WAS SITTING ON THE PORCH.

DET: OH NO I'M TALKING ABOUT THE HOTEL YOU'RE AT THE HOTEL HE CALLED YOU HE WANTED YOU TO GO HELP HIM

LP: YEAH YEAH HE WAS LIKE WILL YOU COME GET ME A ROOM, I WAS LIKE I SAID MAN THEY AIN'T GONNA GO FOR THAT SHIT YOU KNOW LIKE, YOU KNOW I AIN'T GOT HE KNOW I AIN'T GOT NO ID HE SAID I GOT AN ID FOR YOU I WAS LIKE THEY AIN'T GONNA GO FOR THAT SHIT YOU DO IT FOR ME YOU KNOW WHAT I'M SAYING I'M ALREADY FEELING LIKE FEELING LIKE OK YOU DONE TOOK CARE OF ME YOU KNOW LOOKED OUT FOR ME DID ALL THIS STUFF FOR ME I DON'T WANT TO JUST SAY NO MAN I'M NOT DOING NO SHIT LIKE THAT YOU KNOW WHAT I'M SAYING CAUSE WHEN I NEEDED IT YOU HELPED ME

DET: RIGHT HE WAS THERE FOR YOU , HE KINDA (INAUDIBLE)

LP: YOU KNOW WHAT I'M SAYING, SAY LIKE IF ME AND YOU AND YOU DID SOMETHING FOR ME AND YOU WAS TO ASK ME TO DO SOMETHING I WOULD DO IT BECAUSE I KNOW OK IN THE PAST YOU HAD DONE FOR ME ITS NOT IN ME TO NAW I CAN'T DO NOTHING FOR YOU YOU KNOW WHAT I'M SAYING, THAT'S NOT IN ME, I'M NOT THAT TYPE OF PERSON SO I LIKE ALRIGHT I GUESS I SAID I'LL TRY MAN (INAUDIBLE) SO LAST NIGHT WE WENT TO WHAT'S THE NAME OF THAT ONE, SEE I, WHAT'S THE NAME OF THAT HOTEL

DET: SLEEP INN

LP: YEAH SLEEP INN WENT THERE, I TALKED TO THE GIRL THERE, YOU KNOW WHAT I'M SAYING, I TALKED TO THE GIRL AND SHE WENT TO SCHOOL WITH ME MATTER OF FACT DIDN'T EVEN KNOW IT IN COLUMBIA, YOU KNOW WHAT I'M SAYING SHE WAS LIKE YEAH YOU KNOW SO AND SO I WAS YEAH SO WE GOT TO TALKING THEN I WAS LIKE I'M TIRED AS HELL SHE LIKE YOU ABOUT TO GET A ROOM I SAID I'M ABOUT TO GET A ROOM FOR MY PARTNER SHE SAID WELL SHIT YOU MIGHT AS WELL STAY THEN I'M LIKE BUT I GOT MY OLD LADY AT THE OTHER ROOM

DET: RIGHT

LP: AND I DON'T WANT HER TO THINK NOTHING, YOU KNOW WHAT I'M SAYING SO SHE HAULED ASS, SHE LEFT WHAT YESTERDAY MORNING

DET2: QWANDA WAS THERE AT THE OTHER HOTEL

LP: YEAH, SHE I FORGET THE NAME OF THE DAMN HOTEL MAN THIS WHOLE CRAZINESS

DET: THE ONE YOU THOUGHT WAS THE RED ROOF

LP: OK YEAH THAT'S THE ONE SHE WAS AT SO I WAS LIKE MAN I'M GONNA GO THERE THEN SHE LEFT AND WHEN SHE LEFT SHE WAS LIKE BABY I'M GONNA GO AHEAD AND GO BACK CAUSE MY SON'S SICK, ISAIAH HER SON, ISAIAH WAS SICK SHE'S LIKE

I'M GONNA GO BACK I SAID ALRIGHT, SO I STAYED IN THAT ROOM

DET: SO REALLY YOU WERE WITH QWANDA FROM HELL WHO KNOWS WHEN THE DAY THAT THIS DUDE GOT KILLED RIGHT, YOU WENT TO THE STORE WITH HER YOU WENT BACK TO ROY'S HOUSE WITH HER YOU LEFT THERE WITH HER WENT TO KANGAROO AT BRANDY MILL AND THEN WENT TO THAT NIGHT WENT TO RED ROOF WITH HER, AND THEN WAS WITH HER, AND THEN SHE WENT TO COLUMBIA YESTERDAY SO THAT WHOLE TIME YA'LL WERE WITH HER

LP: YEAH WE WAS TOGETHER

DET: OK TOGETHER THE WHOLE TIME SO THAT MEANS AND NOWS THE TIME WHERE I'M GONNA TELL YOU WHERE YOU'RE TELLING ME LIES AND WHERE YOU AIN'T TELLING ME THE TRUTH BECAUSE NOW HOLD ON NOW CAUSE I'M GONNA BRING THIS POINT OUT TO YOU I TOLD YOU BEFORE I'M A NO BULLSHIT GUY OK SO IF YOU WERE WITH HER THAT WHOLE TIME THAT MEANS WHEN THE CITY OF JOHNSONVILLE POLICE OFFICER STOPPED HER ON THE SIDE OF DIAMOND SOMETHING ROAD WHEN YOU WERE DRIVING THE DURANGO

LP: HUH

DET: RIGHT

LP: NO

DET: OK WERE YOU IN THE CAR WITH HER WHEN THAT JOHNSONVILLE POLICE OFFICER STOPPED HER THE NIGHT OF THAT MURDER, YOU WERE WITH HER ALL THE TIME

LP: I WAS WITH HER, LOOK LISTEN I WAS WITH HER THE WHOLE TIME OK, BUT YOU'RE TALKING ABOUT JOHNSONVILLE I DON'T EVEN KNOW WHERE THE HELL THIS IS AT

DET: I COULD SHOW YOU WHERE ITS AT, YOU WERE THERE

LP: OK I UNDERSTAND

DET: AND LISTEN TO ME NOW

LP: OK, START OVER, LET'S START OVER

DET: LISTEN CAPONE, LISTEN TO ME

LP: CAN WE START OVER

DET: YOU GONNA START OVER

LP: CAN WE START OVER

DET: AND TELL ME THE TRUTH BECAUSE I TOLD YOU IN THE CAR THAT YOU AIN'T GONNA WASTE MY TIME WE'LL RIDE OUT I'LL SERVE YOU WITH YOUR MURDER WARRANT AND WELL RIDE IS THAT WHAT YOU WANT TO DO DON'T WASTE MY TIME CAPONE, DON'T WASTE IT

LP: I LIKE, CAN I TALK WITH YOU

DET2: HE'S GETTING A LITTLE AGGRAVATED

LP: OK THIS

DET: (INAUDIBLE)

LP: OK ME AND QWANDA WE WERE TOGETHER, ME AND QWANDA WE WENT TO THE HOUSE WE SEEN THE GODDAMN DUDE LAYING ON, WE SEEN HIM LAYING ON THE FLOOR

DET: STOP THE FIRST THING YOU SAW WAS HIM COMING OUT OF THERE

LP: YEAH AND THEN I SEEN HIS CAR (INAUDIBLE)

DET: THEN HE STOPPED AND SPOKE TO YOU

LP: NO HE DIDN'T STOP HE KEPT ROLLING, HE KEPT ROLLING HE KEPT ROLLING HE KEPT MASHING OUT, HE KEPT MASHING OUT AND I WAS PULLING UP THERE WAS A TRUCK RIGHT THERE, LIKE I SAID THERE WAS A TRUCK

DET: WHAT WAS MONEY DRIVING

LP: HE WAS DRIVING A BLACK BENZ

DET: OK WHOSE BENZ IS THAT

LP: THAT'S HIS I GUESS

DET2: WHAT'S IT LOOK LIKE

LP: ITS BLACK

DET2: DESCRIBE IT TO ME THERE'S A LOT OF MERCEDES (INAUDIBLE) IS IT DIRTY, IS IT TRASHY IS IT CLEANED UP

LP: ITS CLEAN

DET2: WHAT THE WHEELS LOOK LIKE

LP: HE GOT RIMS ON IT, MAGNUM RIMS ON IT

DET2: OK

LP: NOW WHEN HE WAS COMING OUT, WHEN HE WAS COMING OUT HE SAID SOMETHING BUT I WAS IN THE PASSENGER YOU GOT REMIND YOURSELF I'M IN THE PASSENGER SEAT OF ANOTHER CAR AND HE COMING DOWN THE ROAD SO MY, I'M ON THIS SIDE OF THE ROAD AND HE'S ALL THE WAY OVER HERE AND QWANDA IS DRIVING WHICH IS MAKING HER CLOSER TO HIM SO I COULDN'T HEAR NOTHING HE WAS SAYING HE WAS UH, UH, UH (JUST MAKING SOUNDS) AND HE (INAUDIBLE) SO I'M LIKE WHAT THE HECK AND THEN I SEE UNC DOWN THE STREET LIKE I TOLD YOU

DET: AS A MATTER OF FACT, OK WHAT DID HE SAY TO YOU WHEN HE SAID UH, UH, UH

LP: I COULDN'T HEAR HIM, I COULDN'T REALLY HEAR HIM UNTIL I WENT TO HOLLER AT UNC AND UNC SAID HE WAS DEAD I SAY HE DEAD WHAT DO YOU MEAN HE DEAD UNC ROLLED DOWN THE STREET SO ME AND QWANDA TURNED BACK AROUND AND THAT'S WHEN I WENT TO THE HOUSE AND I SEEN THE

DUDE ON THE FLOOR, AND I SEEN THE WHITE GIRL IN THE HOUSE AND I SEEN THE BLACK GIRL AND THE BLACK GIRL HAD BLOOD ON HER SHIRT LIKE SHE WAS TRYING TO ROLL THE DUDE OVER OR WHATEVER LOOK FOR THE KEYS OR WHATEVER YOU KNOW WHAT I'M SAYING NOW YOU SAY A TRUCK YOU SAY I WAS DRIVING A TRUCK I WAS NOT DRIVING NO TRUCK I WAS NOT DRIVING NO TRUCK I WAS WITH QWANDA AND THEN WHEN THE DUDE, WHEN MONEY CAME OVER THERE HE LIKE HE PULL UP, UP THE STREET , UP THE STREET TO THE KANGAROO HE WAS LIKE MAN LOOK HERE MAN I'M GOING BACK TO GET HIS TRUCK HE SAID MAN YA'LL FOLLOW ME HE SAID YA'LL FOLLOW ME

DET: NOW LET ME ASK YOU THIS IF THAT WERE THE TRUTH WHY WOULDN'T QWANDA TELL US THAT

LP: SHE DID, SHE HAD TO TELL YOU THAT CAUSE WHEN WE WENT IN THAT HOUSE, WHEN I WENT TO THAT DOOR SHE WAS SO ECSTATIC SHE SAID WHAT THE HELL IS GOING ON I SAID BABY I DON'T KNOW SO I HAULED, WHEN WE WENT AND JUMPED IN THE CAR, WHEN WE WENT, FIRST WE WENT NEXT DOOR CAUSE I KNOW YOU KNOW ABOUT THE CHRYSLER NEXT DOOR , YEAH I KNOW YOU KNOW ABOUT THAT, YOU KNOW ABOUT THAT RIGHT

DET: WE GOT IT HERE

LP: OH OK, WELL SEE OK I, YOU KNOW WHAT I'M SAYING I AIN'T EVEN (INAUDIBLE) I'M TELLING YOU THIS INFORMATION , OK WE WENT, I WENT NEXT DOOR TO TRY TO GET THE CAR, THE CAR WAS DEAD, THE BATTERY WAS DEAD TRIED TO CRANK IT UP, YOU TRY TO CRANK IT UP I MEAN

DET: NO WE DIDN'T TRY TO CRANK IT UP WE JUST TOWED IT

LP: WELL THE BATTERY'S DEAD YOU KNOW WHAT I'M SAYING SO ONCE THAT WAS DEAD I CALLED GODDAMN, I CALLED MONEY BACK AND ALL SAME NUMBER HEY I SAID MAN WHAT'S UP MAN HE WAS LIKE MAN (INAUDIBLE) GODDAMN SUCH AND SUCH (INAUDIBLE) RUN IN THERE AND TRY TO ROB, I SAID AND THEN I HAD, YOU KNOW I WAS TELLING YOU THAT PEOPLE WAS SAYING THEY WAS PLOTTING ON ME

DET: RIGHT RIGHT SO GO BACK AND TAKE YOUR TIME BECAUSE ITS PRETTY IMPORTANT WHAT HE TOLD YOU CAUSE LOOK HE WAS THERE RIGHT, HE SHOT THE DUDE FOR SOME REASON, AND THERE'S A COUPLE OF REASONS WHY HE SHOT HIM HE COULD'VE JUST BEEN BEING AN ASSHOLE, I MEAN THE DUDE COULD'VE PULLED A GUN ON HIM HE COULD'VE BEEN TRYING TO SHOT SOMEBODY ELSE AND SHOT HIM BY MISTAKE A LOT OF THINGS CAN HAPPEN SO THAT'S WHY ITS REALLY IMPORTANT AS TO WHAT HE TOLD YOU CAUSE LIKE I SAID IT AIN'T FAIR JUST TO LOOK AT SOMEBODY WITH BULLET HOLES IN THEM AND ASSUME THAT SOMEBODY DID SOMETHING BAD SO ITS IMPORTANT THAT YOU TELL US EXACTLY WHAT HE TOLD YOU HAD HAPPENED

LP: HE THIS IS WHAT HE TOLD ME HE WAS LIKE MAN CAUSE I ASKED I WAS LIKE MAN DUDE IS FUCKING DEAD IN MY HOUSE THAT (INAUDIBLE) DUDE IS FUCKING DEAD HE SAID MAN DUDE CAME IN THERE I GUESS IT WAS FOR ME YOU KNOW WHAT I'M SAYING I GUESS IT WAS FOR ME

DET: CAUSE OF THE WAY THE STREET WAS TALKING

LP: EXACTLY I GUESS IT WAS FOR ME, AND BEING THAT I AIN'T NOT HARD-ASS, I'M AN EASY GOING GUY AND ME AND UNC WAS THERE YOU KNOW WHAT I'M SAYING WE THERE ON SOME FAMILY SHIT CAUSE I GOT MY OLD LADY THERE YOU KNOW WHAT I'M SAYING AND WE CHILLING SO THE DUDE MUST THOUGHT OH THAT'S AN EASY LICK SO WHEN HE WALKED I GUESS HE WALKED IN THE HOUSE HE WAS LIKE, CAUSE HE WAS LIKE HE WAS TELLING ME LIKE YEAH DUDE CAME IN THE HOUSE HE SAID ABOUT ON HIS THIRD STEP , WAIT ON HIS SECOND, YEAH HE WAS TAKING ONE, TWO AND ON HIS THIRD STEP HE SAID THE DUDE TRIED TO PULL A GUN, HE SAID DUDE TRIED TO PULL A GUN, YOU KNOW WHAT I'M SAYING HE SAID THE DUDE TRIED TO PULL A GUN AND THEN HE SAID AFTER THAT WHEN THE DUDE TRIED TO PULL A GUN

DET: DID HE SAY HOW MANY TIMES HE SHOT THE DUDE

LP: NAW HE AIN'T SAY THAT HE AIN'T SAY HOW MANY TIMES OR NONE OF THAT HE AIN'T SAID NONE OF THAT SHIT THERE ALL HE SAID GODDAMN HE LEFT AND THE TWO THE WHITE GIRL

AND THE BLACK GIRL WAS IN THE HOUSE HE SAID THOSE TWO WAS THERE AND THEN WHEN I GOT THERE THEY WERE STILL THERE YOU KNOW WHAT I'M SAYING CAUSE

DET: YOU KNOW THE WHITE GIRL, YOU SEEN HER BEFORE

LP: YEAH SHE COME DOWN THERE AND TALK TO UNC, YEAH SHE COME, SHE STAY RIGHT THERE LIKE THE 2ND TRAILER, NOT NOT THE ONE IN FRONT BUT THE, I ALWAYS SEE HER WALK UP THE STREET I KNOW UNC USED TO TELL ME YEAH SHE STAY UP THERE IN THAT 2ND TRAILER UP THERE, CAUSE I USED TO TELL HIM YOU BETTER RIDE YOUR ASS UP THERE AND GO AND GET THE GIRL YOU KNOW WHAT I'M SAYING HE USED TO TELL ME TO WALK, I'M LIKE YOU BETTER RIDE YOUR ASS UP THERE AND GO GET THE GIRL

DET: AIN'T NO ENERGY IT TAKES TO WHEEL THAT THING IT GOES BY ITSELF

LP: (INAUDIBLE)

DET: THAT THING DOESN'T EVEN RUN ON GAS AT ALMOST $4 A GALLON

LP: MATTER OF FACT IT DON'T RUN ON GAS

DET: THAT'S WHAT I'M SAYING, HE DOESN'T EVEN HAVE TO PUT GAS IN THE TANK

LP: SO HE TELLING ME YEAH GO UP THERE GET HER, I LIKE MAN I AIN'T GOING UP THERE SO HE GOES UP THERE AND GET THE GIRL AND COME BACK NOW THE GIRL SHE SMOKE TOO BUT SHE YOUNG

DET: REALLY

LP: I'M TALKING REAL YOUNG LIKE 22

DET: REALLY

LP: YEAH AND UNC IS ROCKING, I'M LIKE UNC WHY I SAID YOU KNOW WHAT I'M SAYING I MEAN GETTING ON HIS ASS ABOUT

THAT KINDA TALKING TO A YOUNG FUCKING GIRL MAN I SAID MAN IF I WAS ANYWHERE GODDAMN, I WOULD BEAT YOUR ASS IF THAT WAS MY DAUGHTER, HE WAS LIKE MAN SHE LOVES ME, I'M LIKE, I UNDERSTAND CAUSE HE IN A WHEELCHAIR HE WANTS TO BE WANTED YOU KNOW WHAT I'M SAYING SO I UNDERSTAND THAT BUT THE SITUATION IS ME AND QWANDA WE WASN'T THERE WHEN IT HAPPENED BUT WHEN EVERYTHING DID GO DOWN WE DID TRY TO MANEUVER AND TRY TO MAKE IT SEEM LIKE MAKE IT THE TRUTH LOOK LIKE YO WE WAS NOT THERE WHEN THAT WENT ON WE GOT THERE AFTER EVERYTHING WENT ON

DET: WHO PICKED UP THE SHELLS

LP: I DON'T EVEN KNOW, I KNOW THE WHITE GIRL, THE WHITE GIRL SHE ALSO HAD BLOOD ON HER TOO, YOU KNOW WHAT I'M SAYING CAUSE WHEN I WAS AT THE DOOR I SAID OH SHIT I SAID OH SHIT SHE TALKING ABOUT AND SHE WAS STANDING RIGHT THERE AT THE DOOR EYES AS BIG AS HELL SHE TALKING ABOUT I DON'T KNOW WHAT TO DO AND THEN SHE STARTED PATTING HER POCKETS I'M LIKE WHAT THE HELL IS WRONG WITH YOU YOU KNOW AND THEN WHEN I LEFT I JUST FOUND OUT LATER THAT THE WHITE GIRL PICKED UP THE SHELLS , THE WHITE GIRL PICKED UP THE SHELLS I DON'T KNOW WHAT SHE DID WITH THEM I AIN'T EVEN SEE HER NO MORE

DET: I MEAN WHY WOULD SHE DO THAT

LP: HELL IF I KNOW, I KNOW CAUSE ALL OF THEM WAS IN THE HOUSE WHEN THE SHIT HAPPENED SO THEY PROBABLY COULD, ONE PROBABLY COULD OF SAID MAN PICK THOSE MOTHER FUCKERS UP PICK YOU KNOW WHAT I'M SAYING ANYTHING

DET2: HOW DID YOU FIND THAT OUT

LP: THROUGH HER, THROUGH THE WHITE GIRL, THROUGH THE WHITE GIRL

DET2: SHE TOLD YOU

LP: NO SHE WAS LIKE, SHE SAID MONEY, MONEY, MONEY, MONEY MONEY JUST LEFT HERE I SAID WELL I SEE THAT SHIT I JUST TALKED TO HIM I SAID THAT'S A MOTHER FUCKER DEAD RIGHT SHE TALKING ABOUT, I GUESS SHE WAS (INAUDIBLE) YOU KNOW WHAT I'M SAYING SHE TALKING ABOUT I SEE IT, I SEE IT WHY IS YOU YELLING I'M LIKE SO I HAUL ASS I RAN THEN THEY WAS THE ONLY TWO THERE THEN I SEE THE BLACK GIRL PROBABLY PICKED THEM UP CAUSE I SEEN HER WHEN I WAS DOING LIKE THIS COMING OUT THE HOUSE SO SHE PROBABLY PICKED THEM UP SHE PROBABLY KNEW HIM I DON'T KNOW NOBODY AROUND THIS AREA I DON'T KNOW NOBODY BUT WHEN MONEY WAS COMING OUT THE PARKING LOT HE WAS SCREAMING SOMETHING AT ME AND I WENT UP TO THE DOOR, ME AND QWANDA WENT UP TO THE DOOR SHE WAS LIKE BABY WHAT THE FUCK IS GOING ON I SAID THERE'S A MOTHER FUCKER DEAD IN HERE THEN I CALLED MONEY BACK I SAID MAN THERE'S A MOTHER FUCKER DEAD IN MY HOUSE DAWG HE LIKE MAN LOOK HERE MAN I NEED TO HOLLER , I'M LIKE NAW YOU DON'T NEED TO HOLLER AT ME MAN THERE'S A MOTHER FUCKER DEAD IN MY HOUSE DAWG AND THAT'S WHEN HE STARTED EXPLAINING MAN DUDE CAME IN HE HAD A GUN AND ONCE, HE TRIED TO PULL HE SAID THE DUDE TRIED TO PULL ON ME HE SAID WHEN THE DUDE, NOW I DIDN'T EVEN KNOW IT WAS THE SAME DUDE UNTIL I DIDN'T EVEN KNOW IT WAS THE SAME DUDE UNTIL UNC TOLD ME LIKE ITS MY COUSIN CAUSE I DIDN'T EVEN LOOK IN THE DUDE FACE HE'S LIKE ITS MY COUSIN, ITS MY COUSIN I'M LIKE YOUR COUSIN AND HE CALLED EVERYBODY HIS COUSIN YOU KNOW WHAT I'M SAYING HE CALLED EVERYBODY HIS COUSIN

DET: HE'S GOT THE BIGGEST FAMILY IN THE WORLD EVERYBODY (INAUDIBLE)

LP: YEAH HE'S GOT THE BIGGEST FAMILY IN THE WORLD SO WHEN HE WAS TELLING ME THAT I SAID MAN HE LIKE MAN DUDE TRIED TO PULL ON ME, I SEEN THE GUN HE SAID EVERYBODY ELSE AROUND THERE DIDN'T SEE IT BECAUSE THEY SO CRACKED OUT THAT THEY DIDN'T SEE WHAT THIS MAN REALLY CAME THERE FOR NOW IF I WAS IN THAT HOUSE WITH UNC SAYING THAT THIS IS HIS COUSIN I WOULD OF OPENED THE DOOR AND WALKED OFF AND THAT WOULD OF BEEN ME

LAYING IN THERE AND YA'LL WOULD BE LOOKING FOR HIM, YA'LL BE LOOKING FOR THE JJ GUY CAUSE YOU KNOW WHAT I'M SAYING IT JUST SO HAPPENED ME AND QWANDA LEFT AND WE CAME BACK I DIDN'T EVEN LOOK IN HIS FACE UNTIL UNC WAS LIKE YEAH THAT'S MY COUSIN, THAT'S MY COUSIN AND HE WAS TELLING ME YEAH THE DUDE CAME IN THERE AND HE TRY TO PUT, THE SQUEEZE ON HIM, HE TRIED TO COME OUT OF HIS POCKET I CAN (INAUDIBLE)

DET2: YEAH

LP: HE SAID WHEN THE DUDE CAME IN THERE HE SAID THE DUDE WAS LIKE SAID UNC WAS, SAID UNC WAS SITTING OVER THERE BY THE LITTLE STAND HE WAS LIKE AND WHEN THE DUDE CAME IN THE HOUSE HE WAS LIKE GODDAMN UNC YOU'RE GONNA LET YOUR LITTLE PARTNER (INAUDIBLE) AND THAT'S WHEN MONEY SAID WHEN HE TRIED TO PULL HE SAID HE TRIED (INAUDIBLE) BACK UP AND HE SAID THAT'S WHEN HE FELL AND THAT'S WHEN AS SOON AS ALL THAT HAPPENED THAT'S WHEN ME AND QWANDA PULLED UP I SEE MONEY SHOOTING OUT, I SEEN HIM SHOOTING OUT THAT'S WHEN I TOLD HIM I'M LIKE MAN I SAID BABY I DON'T KNOW WHAT THE HELL IS GOING ON WE WENT IN THE HOUSE SEEN THE DUDE I DIDN'T SEE HIS FACE I COULDN'T REMEMBER I DIDN'T EVEN KNOW WHO HE WAS UNTIL I'D ALREADY TALKED TO UNC BEFORE I EVEN SEEN HIM YOU KNOW WHAT I'M SAYING HE LIKE MY COUSIN, MY COUSIN HE DEAD SO I DIDN'T EVEN LOOK AT HIS FACE DIDN'T EVEN TRY TO LOOK AND SEE YEAH THAT YOU KNOW WHAT I'M SAYING SAYING YEAH THAT'S THE DUDE I SEEN EARLIER, I DIDN'T TRY TO DO NONE OF THAT I SAT DOWN I LOOKED AT HIM I HAULED ASS AND THAT'S WHEN MONEY CALLED ME MAN I NEED YOU TO DO SOMETHING FOR ME I'M LIKE DO WHAT HE LIKE I NEED YOU TO GET A ROOM FOR ME (INAUDIBLE) I SAID WELL SHIT I AIN'T GO NO ID THAT'S WHEN HE ASKED QWANDA THAT'S WHEN HE ASKED QWANDA TO DO IT YOU KNOW WHAT I'M SAYING THAT'S WHEN HE ASKED QWANDA TO DO IT

DET2: THE ROOM THAT YOU DID GET

LP: YEAH I DON'T EVEN KNOW THE NAME OF THE ROOM

DET2: WHAT ID WAS USED

LP: QWANDA

DET2: SO THIS JETER ISN'T (INAUDIBLE)

LP: NO THAT JETER, THAT JETER DUDE HE WAS, MONEY GAVE ME THE ID YOU KNOW WHAT I'M SAYING (INAUDIBLE) GO AND GET ME A ROOM (INAUDIBLE) SO I GOT HIM A ROOM

DET: SO JETER GAVE HIM HIS ID

LP: YEAH I GUESS SO

DET: OK AND THEN HE GAVE , THEN MONEY GAVE JETERS ID TO YOU, OK ELVIS WAS THE OTHER NAME

LP: YEAH

DET: OK WELL LETS GO BACK, SO YOU SAID YOU WENT TO KANGAROO RIGHT AND MONEY CALLS YOU AND THEN HE COMES ROLLING UP IN THE DURANGO IN THIS CAR JJ'S CAR

LP: SEE I DON'T EXPECT HIM TO EVEN PULL UP LIKE THAT I WAS LOOKING FOR THE, YOU KNOW WHAT I'M SAYING

DET: BUT HE CAME ROLLING UP IN THAT TRUCK AND WHERE WERE YOU AT THEN THE KANGAROO

LP: YEAH WE WAS AT BY RIGHT BY THE VACUUMS AND THE PHONE WE WERE RIGHT THERE BESIDE, CAUSE YOU KNOW HOW WHEN YOU GO OUT THE VACUUM AND THE PHONE RIGHT THERE WE WAS SITTING RIGHT THERE I WAS ON THE PHONE, I WAS ON THE PHONE I TOLD HIM I WAS AT THE KANGAROO HE LIKE I'M ON THE WAY, I'M ON THE WAY SO I'M ASKING HIM LIKE HOW THE HELL YOU GET RID OF THE WHAT YOU CALL SO FAST SO I'M THINKING THAT'S AROUND THE CORNER SOMEWHERE (INAUDIBLE) CAUSE HE CAME TOO DAMN FAST AND HE JUST PULLED OUT YOU KNOW WHAT I'M SAYING SO I'M LIKE WHAT THE HELL WHAT WAS REALLY GOING ON SO HE'S LIKE MAN JUST FOLLOW ME SO I GOT QWANDA TO FOLLOW HIM

DET: WELL WHERE DID HE DROP THE BENZ AT

LP: I DON'T EVEN KNOW , I DON'T EVEN KNOW, I COULDN'T TELL YOU

DET: ALRIGHT SO THEN YA'LL HAD TO FOLLOW HIM

LP: YEAH WE FOLLOWED HIM AND THEN THAT'S WHEN HE FOLLOWED HIM ALL THE WAY TO JOHNSONVILLE

DET: WHY DID HE DRIVE TO JOHNSONVILLE, WHOSE IDEA WAS IT TO GO TO JOHNSONVILLE OF ALL DANG PLACE

LP: I DON'T NOTHING ABOUT NO PLACE AROUND HERE

DET: WELL WHERE DID YOU STOP ON THE WAY, YOU DIDN'T DRIVE STRAIGHT FROM THE KANGAROO AT BRANDY MILL TO JOHNSONVILLE TO THE DIAMOND BRANCH ROAD OR WHATEVER IT WAS

LP: I DON'T EVEN KNOW, I DON'T KNOW THE ROADS OR NOTHING I'M SAYING DIAMOND BRANCH I DON'T EVEN KNOW WHERE THAT'S AT

DET2: WELL LETS TAKE BABY STEPS, HOW MANY TIMES DID YOU STOP BETWEEN BRANDY MILL AND JOHNSONVILLE HOW MANY STOPS

LP: ONCE

DET2: ONE STOP, WHERE WAS THAT AT

LP: AT A GAS STATION, I PUT GAS IN THE TRUCK FOR HIM

DET2: AND WHERE WAS THAT AT

LP: I

DET2: I KNOW YOU'RE NOT FAMILIAR BUT TRY TO THE BEST OF YOUR KNOWLEDGE, HOW FAR AWAY, WHAT WAS IT NEXT TO, DID YOU SEE A POLICE DEPARTMENT, DID YOU SEE

LP: I'M GONNA TELL YOU WHAT I KNOW HOW TO GET TO, ALL I KNOW HOW TO GET TO TO THE BEACH AND THAT'S MAKE A RIGHT OFF OF (INAUDIBLE) GO AROUND THE CURVE GO STRAIGHT THRU THE AIRPORT NOT THE AIRPORT BUT THE AIR FORCE STRIP GO STRAIGHT THRU THERE IT BRINGS YOU OUT TO 29TH THAT'S THE ONLY THING I REALLY KNOW HOW TO GET TO I KNOW IT BRING YOU OUT TO 29TH CAUSE THAT'S HOW I REMEMBER IT CAUSE I'M 29

DET: OK BUT THAT AIN'T THE WAY YOU WENT

LP: NO WE DIDN'T GO THAT WAY, WE DIDN'T GO TOWARDS THE BEACH AREA

DET2: YOU WENT THE OPPOSITE WAY

LP: YEAH WE CAME OUT WE WENT THIS WAY AND THEN I KNOW WE WENT THIS WAY AND THEN MADE A RIGHT BY THE WHAT WAS IT PIZZA HUT AFTER THAT I

DET: HOW MUCH FARTHER DID YOU GO BEFORE YOU GOT GAS, JUST A COUPLE OF MINUTES OR DID LIKE JOHNSONVILLE PRETTY FAR AWAY

LP: PROBABLY A COUPLE OF MINUTES, PROBABLY, MATTER, IT WAS PROBABLY AT THIS GAS STATION UP HERE THERE'S A GAS STATION ON THE LEFT HAND SIDE LIKE 10 MINUTES UP THE STREET FROM THE PIZZA HUT

DET: OK SO YOU TURNED RIGHT AT THE PIZZA HUT AND WENT ACROSS THE BRIDGE RIGHT

LP: YEAH WENT ACROSS THE DRAW BRIDGE AND THEN IT WAS LIKE RIGHT UP THE STREET ON THE LEFT, I DON'T KNOW THE NAME OF , IT WAS PROBABLY ANOTHER KANGAROO CAUSE I SEE A LOT OF KANGAROOS

DET2: AND THEN FROM THERE YOU WENT STRAIGHT TO JOHNSONVILLE, STRAIGHT

LP: YEAH FOLLOW HIM, STRAIGHT THERE, STRAIGHT THERE AND THEN ON THE WAY BACK I GOT QWANDA SOME GAS

DET: WELL SO YOU GET TO JOHNSONVILLE RIGHT WHO DECIDES TO STOP AT JOHNSONVILLE

LP: HE DOES

(INAUDIBLE)

DET3" I JUST WANTED TO LET YOU KNOW MARCUS DEWAYNE WRIGHT'S JUST BEEN CHARGED WITH HOMICIDE

DET: WE'RE GETTING READY HERE (INAUDIBLE) ALRIGHT SO HOW DID YOU KNOW TO STOP IN JOHNSONVILLE

LP: THAT'S WHERE HE STOPPED AT CAUSE WE WAS JUST FOLLOWING HIM, HE WAS LIKE JUST FOLLOW ME SO AFTER WE WAS FOLLOWING HIM HE STOPPED AND WHEN HE STOPPED HE CALLED MY PHONE AGAIN AND HE LIKE MAN GO UP AND TURN AROUND HE LIKE MAN GET OUT THE CAR HE SAID I'M ABOUT TO TAKE THE TRUCK IN THE WOODS HE SAID GET OUT THE CAR SO YOU CAN SEE THE ROAD I SAID ALRIGHT I SAID SEE THE ROAD, I WAS LIKE SEE THE ROAD FOR WHAT HE SAID I'M ABOUT TO TAKE THE TRUCK IN THE WOODS, SO QWANDA SHE TURNED AROUND SHE TURNED AROUND WHEN SHE TURNED AROUND THERE WAS AN OLD VEHICLE RIGHT HERE SO I GOT OUT AND STOOD BY THE OLD VEHICLE WHEN I WAS STANDING BY THE OLD VEHICLE I SEEN A POLICE OFFICER COME STRAIGHT UP AND SHE WAS RIDING A LITTLE BIT DOWN, A LITTLE WAY I SEEN A POLICE OFFICER PULL I'M LIKE OH SHIT WHAT THE HELL AND SHE HANDLED IT GOOD

DET: WHAT DID YOU DO

LP: I STOOD RIGHT THERE ON THE CAR LIKE THIS CAUSE WHEN THE OFFICER WHEN HE CAME BY WHERE THE CAR WAS IT WAS A LIT AREA BUT HOW THE CAR WAS POSITIONED YOU HAD TO (INAUDIBLE) SO WHEN THAT HAPPENED WHEN I SEEN THE POLICE OFFICER COME AROUND I STOOD RIGHT THERE I AIN'T DID SHIT I WASN'T DOING SHIT I STOOD RIGHT THERE WHEN HE PULLED HER OVER I WAS OH SHIT WHAT THE HELL (INAUDIBLE) SOMEBODY DONE TOLD THEM THAT HER CAR HAD BEEN AT THE SCENE OF A CRIME OR WHATEVER SO YOU KNOW WHAT I'M SAYING I'M SITTING THERE I'M LIKE OH MY

GOD I'M NOT ABOUT TO LET MY OLD LADY GO DOWN FOR NO BULLSHIT YOU KNOW WHAT I'M SAYING CAUSE I LOVE HER TO DEATH YOU KNOW WHAT I'M SAYING SO WHEN I SEEN THE COP PULL OVER WELL SHE WAS ALREADY YOU KNOW WHAT I'M SAYING SHE WAS ALREADY COMING DOWN A LITTLE BIT WHEN I SEE THE COP PULL HER OVER SHIT SHE HANDLED IT I SEEN HIM LEAVE THAT'S WHEN I SEEN MONEY COME RUNNING OUT OF THE WOODS WHEN I SEEN HIM COMING OUT OF THE WOODS I RAN AND THEN THE COP ANOTHER COP CAME ON AROUND SO I ABOUT TO COME BACK (INAUDIBLE) I SEEN ANOTHER COP COME AROUND BECAUSE I'M LIKE OH SO I WALK UP THE STREET, I START WALKING UP THE STREET YOU KNOW WHAT I'M SAYING AND SHE WALKED DOWN THE STREET THAT'S WHEN SHE PICKED HIM UP AND THEY KEPT GOING BECAUSE THEY SEEN YOU KNOW WHAT I'M SAYING AT THE TIME I GUESS HE WAS TELLING HER GO, GO, GO WE'LL COME BACK AND GET HIM OR WHATEVER SO I STARTED WALKING, I HAD MY PHONE ON ME TRYING TO USE MY PHONE NO SIGNAL SO NOW THEY CAN'T FIND ME YOU KNOW WHAT I'M SAYING SO NOW THEY CAN'T FIND ME SO I'M WALKING NOT KNOWING WHERE I'M AT I DON'T KNOW WHERE THE HELL I'M AT BUT I SEE A SIGN THAT SAY JOHNSONVILLE YOU KNOW WHAT I'M SAYING SO I'M LIKE JOHNSONVILLE WHERE THE HELL IS THIS I'M WALKING TOWARDS ALL LIGHT YOU KNOW I'M WALKING TOWARDS THE LIGHT, TOWARDS MAIN STREET SO I CAN GET TO MAIN STREET AND SEE IF I CAN GET SOME SIGNAL TO CALL HER SO WHEN I COULDN'T GET NO SIGNAL TO CALL HER I JUST WALKED UP TO THIS STORE CAUSE I HAD ON A TSHIRT I ASKED MY MAN FOR A COAT YOU KNOW WHAT I'M SAYING BLACK BALDHEADED GUY HE WAS STANDING OUT THERE HE DO THE NEWSPAPER ROUTE IN JOHNSONVILLE HE WAS IN A SILVER CAR I FORGET HIS NAME HE WAS LIKE YEAH MAN, I'M LIKE MAN ME AND MY OLD LADY I SAID I TOLD HIM A FRIVOLOUS STORY I SAID MAN ME AND MY OLD LADY WE WAS ARGUING I SAID I WALKED OUT I'M JUST TRYING TO GET BACK TO SOCASTEE I TOLD HIM THAT I SAID I'M TRYING TO GET BACK TO SOCASTEE I'M LIKE I'M TRYING TO GET THIS NEW JOB AND ALL THIS MAN I CAN'T TAKE IT I SAID MAN I GOTTA GET THE COAT I WAS LIKE MAN I'LL BUY THE MAN ITS COLD AS HELL I'LL BUY THE COAT FROM YOU HE'S LIKE MAN ITS NOT ALWAYS ABOUT THE MONEY I SAID ALRIGHT SO HIS RIDE PULLED UP FOR HIM TO GO DO HIS LITTLE ROUTE WITH

THE LADY HE'S LIKE MAN HERE MAN HE TOOK OFF HIS COAT AND GAVE IT TO ME SO I STARTED WALKING I WALKED TO THE MCDONALD'S THE LADY WAS COMING IN FROM WORK I ASKED HER IF SHE COULD TAKE ME EVERYBODY WILL TELL YOU THIS YOU CAN GO TO ALL THESE SPOTS I'M TELLING YOU IN JOHNSONVILLE CAUSE THE MCDONALD'S ITS A SIGN ON THE LEFT HAND SIDE THAT SAYS MCDONALD'S ON THE RIGHT YOU KNOW WHAT I'M SAYING SO I'M WALKING YOU CAN ASK THE LADY THERE WAS ALSO A BLACK GIRL WITH SOME DREDS IN THE GAS STATION WHERE I BOUGHT A GATORADE AND I BOUGHT A PHONE CARD THINKING MY PHONE WAS DEAD, THINKING MY PHONE DIDN'T HAVE ANY MORE MONEY ON IT WHERE I BOUGHT A $55 PHONE CARD SO THEN I WENT BACK OUTSIDE AND TALKED TO THE DUDE I ASKED ANOTHER LADY WOULD SHE TAKE ME AND SHE LIKE NO SHE GOT TO GO TO THE METHADONE CLINIC IN FLORENCE SO SHE COULDN'T TAKE ME SO I WALKED THEN I WALKED ON DOWN ALL THE WAY TO MCDONALD'S AND I ASKED THE LADY AND SHE WENT NAW SHE COULDN'T DO IT CAUSE SHE WAS ABOUT TO OPEN UP THE MCDONALD'S AND GO TO WORK I DON'T KNOW WHY I ASKED HER THAT BUT YOU KNOW WHAT I'M SAYING, I'M TRYING TO GET BACK TO QWANDA AND I'M TRYING TO GET TO SOCASTEE TO SEE WHAT THE REALLY HELL IS GOING ON SO AFTER THAT I WALKED BACK DOWN, I WALKED BACK DOWN TO THE GAS STATION AND THAT'S WHEN I SEEN HER WHEN I WALKED BACK DOWN TO THE GAS STATION THAT'S WHEN I SEEN HER AND WHEN I SEEN HER SHE WAS DOING LIKE THIS CAUSE WHEN I SEEN THE CAR I KNOW HER CAR CAUSE ITS GOT A DENT ON THE RIGHT HAND, ON THE RIGHT SIDE ON THE TAIL ON THE BUMPER AND WHEN I SEEN IT I WAS SO DAGGUM HAPPY I WAS LIKE GODDAMN I DONE BEEN OUT HERE TWO HOURS YO WHERE IN THE HELL CAUSE I MADE SOME TWISTS AND TURNS TRYING TO WALK TOWARD THE MAIN STREET THINKING I REMEMBERED, THINKING I REMEMBER THIS STREET THIS IS THE STREET RIGHT HERE WE WAS ON AND THE WHOLE TIME I'M ALL THE WAY ON A WHOLE DIFFERENT NOTHER SIDE YOU KNOW WHAT I'M SAYING SO I'M LIKE WHAT THE HELL IS GOING ON SO WHEN I SEEN THAT I DID LIKE THIS I LIKE HEY I WAS MAKING HEE HEE AND SHE KNEW IT WAS A CALL FROM ME SO I'M, SHE DOING LIKE THIS BABY BABY AND WHEN I GET TO THE CAR MONEY'S WAS SITTING IN THE CAR , HE WAS SITTING IN THE CAR HE WAS MAN LIKE MAN SHIT JUST

HAPPENED SHE DONE GOT REAL MAD, I SAID ITS A DEAD MOTHER FUCKER IN THE HOUSE MAN HE SAID MAN THE MAN TRIED TO, THE MAN TRIED TO PULL A GUN ON ME DAWG TRIED TO ROB I'M LIKE WHY HE GONNA TRY TO ROB YOU HE DIDN'T KNOW YOU WERE THERE HE LIKE IT WAS MEANT FOR YOU MAN YOU KNOW WHAT I'M SAYING

DET2: SO THIS IS THE FIRST TIME HE TOLD YOU ABOUT THAT

LP: YEAH THIS IS THE FIRST TIME, HE SAID IT WAS MEANT FOR YOU THIS WAS THE FIRST TIME

DET2: (INAUDIBLE) THE WHOLE SCENARIO OF WHAT HAPPENED, WHAT ALL WENT DOWN THIS (INAUDIBLE) IS THE FIRST TIME HE TOLD YOU ABOUT IT

LP: ACTUALLY YEA MATTER OF FACT AND HE TOLD ME IT WASN'T TOO LONG AGO, IT WAS LIKE A COUPLE OF HOURS AGO, THAT'S HOW, (INAUDIBLE) FROM THE SCENE IN THE HOUSE (INAUDIBLE) IN THE HOUSE THAT'S WHAT HE JUST TOLD ME THAT AN HOUR AGO, A COUPLE OF HOURS AGO HOW IT REALLY HAPPENED HOW IT REALLY WENT DOWN TELLING ME ABOUT HOW THE DUDE CAME IN HOW UNC WAS TELLING HIM THAT WAS HIS COUSIN AND ALL THIS STUFF HERE YOU KNOW UNC WAS LIKE THAT WAS HIS COUSIN HOW UNC GAVE HIM CONSENT TO OPEN THE DOOR AND WHEN HE OPENED THE DOOR HE SAID HE SEEN THE DUDE GOING TO HIS POCKET AND WHEN HE WAS GOING TO HIS POCKET HE SAID HE SEEN THE DUDE PULL IT DUDE PULL IT HE SAY HE SHOT HIM

DET2: (INAUDIBLE)

LP: HE SAID HE SHOT HIM

DET: (INAUDIBLE) WELL LET ME ASK YOU THIS WHAT KIND OF GUN DID HE SHOOT HIM WITH AND WHAT DID HE DO WITH THE GUN

LP: IT WAS A DAMN I KNOW I KNOW HE'S LIKE I KNOW HIS OLD LADY GOT A GUN AND ITS REGISTERED TO HER AND ITS ALSO IN THE BLACK CAR

DET: WHO'S HIS OLD LADY

LP: AW DAMN, I THINK IT CINDA, CINDA I DON'T KNOW, I DON'T EVEN KNOW HIS OLD LADY REAL NAME OR NONE OF THAT YOU KNOW WHAT I'M SAYING I JUST KNOW HIM BY MONEY AND I KNOW THE CAR THAT HE WAS IN IS IN HIS OLD LADY NAME YOU KNOW WHAT I'M SAYING CAUSE HE ALWAYS SAYING THIS IN MY OLD LADY NAME MY OLD LADY TAKE CARE OF THIS ONE UH MY OLD LADY HANDLE THIS ONE, OR THIS MY OLD LADY I KNOW SHE GOT A GUN CAUSE I SEEN THAT I SEEN THAT AND THE CAR

DET: WHERE DOES SHE STAY AT

LP: I DON'T KNOW, I GUESS SHE STAY WITH HIM I DON'T KNOW WHERE SHE STAY AT

DET: AND WHAT DID YOU SAY HER NAME IS

LP: ITS LIKE CINDA, I GUESS ITS CINDA WRIGHT, THEY GOT MARRIED

DET: ALRIGHT SO WHAT KIND OF GUN IS THAT I MEAN HE'S GOT A FEW GUNS RIGHT

LP: I GUESS SO, YEAH GOT TO HAVE A FEW GUNS

DET2: WHY DOES HE GOT TO HAVE A FEW GUNS

LP: SHIT YOU GOT A MAN RIDING AROUND HERE IN A BLACK BEEMER, A BLACK BEEMER AND YOU IT AIN'T NO SECRET WHAT HE DO

DET2: BEEMER OR MERCEDES

LP: YOU KNOW WHAT I'M SAYING IT AIN'T NO SECRET WHAT HE DO IT AIN'T NO SECRET IT AIN'T NO SECRET WHAT HE DO SO IF HE IN THAT TYPE OF GAME YOU KNOW HE'S DOING MAJOR IF HE IS YOU KNOW WHAT I'M SAYING OR HE DOING TAX FRAUD OR CREDIT WHATEVER THE HELL HE'S DOING HE'S DOING SOMETHING MAJOR

DET: WELL HE'S AT A DECENT SPOT IN THE GAME

LP: YEAH EXACTLY

DET2: (INAUDIBLE) MONEY

DET: HE AIN'T ROLLING AROUND WITH $20 IN HIS POCKET

LP: EXACTLY SO YOU KNOW PEOPLE ARE GOING TO PLOT ON HIM AND BEING THAT I THINK I THINK OLD BOY, I THINK OLD BOY WAS ACTUALLY PLOTTING ON HIM REALLY BECAUSE I LEFT, I LEFT AND DUDE DON'T EVEN REALLY KNOW ME BUT MONEY NAME IS ALL AROUND HERE DON'T NOBODY KNOW ME YOU KNOW WHAT I'M SAYING CAUSE I JUST GOT HERE 2 AND A HALF WEEKS AGO, 2 - 2 ½ WEEKS AGO I JUST GOT HERE, I JUST GOT HERE AND HIS NAME WAS ALL AROUND HERE YEAH HE THEY WAS SAYING HE THE POLICE, YEAH HE SELLING THIS, HE GOT ALL THIS MONEY RIGHT OK ITS EVIDENT I COULD SEE IT YOU KNOW WHAT I'M SAYING I SEEN IT BECAUSE WHEN HE COME THROUGH HE, EVERY TIME HE COME THROUGH THE HOUSE ALWAYS GOT A BLACK BENZ EVERY TIME HE COME THROUGH HE MAN WHAT'S UP MAN, DREWED UP YOU KNOW WHAT I'M SAYING HE ALWAYS LOOKING FLASHY, SO I WAS LIKE AND THEN WHEN UNC WAS LIKE YEAH THAT'S MY COUSIN AND ALL THIS CRAZY SHIT I SAID MAN I DON'T KNOW THIS DUDE I DON'T KNOW NONE OF YOU, I DON'T KNOW NONE OF THESE DUDES THE ONLY PERSON I DO KNOW DOWN HERE AND I DON'T REALLY KNOW HIM LIKE THAT IS MONEY AND HE'S THE ONE THAT INTRODUCED ME TO (INAUDIBLE) UNC SO YOU KNOW WHAT I'M SAYING SO OUR RELATIONSHIP WE GOT (INAUDIBLE) A COUPLE MONTHS US WE CAN'T GO ALL THE WAY YOU KNOW WHAT I'M SAYING SO (INAUDIBLE) STARTED CONVERSATING ABOUT THERES A LOT OF JOBS DOWN THERE ON THE BEACH SO YEAH HE WAS LIKE MAN THERES A LOT OF JOBS DOWN AT THE BEACH

(DETECTIVES LEFT ROOM)

LP: HEY MR. COX

(DETECTIVES ENTER)

DET2: JACINDA

LP: I KNEW IT WAS SOMETHING LIKE THAT, JACINDA, YEAH

DET: IS HE FROM CONWAY

LP: I DON'T KNOW I DON'T EVEN KNOW WHERE THE HELL, I DON'T KNOW IF HE'S FROM CONWAY OR NOT I KNOW HE GOT HER AND HER PEOPLE DOWN HERE

DET: HE GOT WHAT

LP: HE GOT HER AND I GUESS HER PEOPLE STAY DOWN HERE

DET2: IF I FOLLOW YOUR STORY CORRECTLY AND WHAT YOU TOLD US AND I PUT MYSELF IN YOUR SHOES THIS IS ME THINKING OK AND I'M NOT TRYING TO PUT WORDS IN YOUR MOUTH THIS IS JUST MY PERCEPTION OF WHAT I WOULD DO IF I WAS IN YOUR SHOES

LP: YOU GOT A RIGHT TO YOUR OWN OPINION

DET2: I WOULD FREAK THE FUCK OUT I COME BACK TO MY HOUSE AND SOMEONE'S DEAD IN MY SHIT I'M FREAKING OUT YOU KNOW WHAT PEOPLE DO WHEN THEY FREAK OUT

LP: I GOT SCARED MAN

DET2: LISTEN TO ME YOU KNOW WHAT PEOPLE DO WHEN THEY FREAK OUT

LP: GET SCARED

DET2: GET SCARED AND YOU DON'T THINK RATIONALLY AND THEN THEY COMPLICATE MATTERS AND DO SHIT AND THEN YOU DON'T TELL EXACTLY WHAT HAPPENED WE'RE TRYING TO PUT THE PIECES TOGETHER WE DON'T KNOW THE ONLY PEOPLE THAT KNOW WHAT HAPPENED THERE IS GOD AND THE PEOPLE THAT WERE THERE

LP: AND I WASN'T EVEN (INAUDIBLE)

DET2: BUT ITS REASONABLE TO THINK THAT BASED ON YOUR STORY WHEN YOU CAME BACK YOU FREAKED OUT YOU MADE SOME

DECISIONS THAT WERE PROBABLY WRONG BUT YOU AIN'T GOT TO BE CRUCIFIED FOR THEM YOU FREAKED OUT RIGHT YOU FOLLOW ME AND THAT'S SOMETHING I SEE MYSELF DOING SO LETS GO BACK THROUGH THIS AND TRY TO CLEAN THIS UP FOR YOUR SAKE

DET: CAUSE THERES SOME SPOTS IN IT WHERE WHAT YOU TOLD US ISN'T TRUE THAT AREN'T ACCURATE AND

LP: OK TELL ME THE SPOTS

DET: WE'LL GO THROUGH IT, WE'LL GO THROUGH IT WE'RE GONNA GET IT RIGHT CAUSE I THINK YOU WANT TO HELP YOURSELF, I HONESTLY DO I THINK THAT YOU I THINK YOU LOVE QWANDA I THINK THAT QWANDA LOVES YOU AS A MATTER OF FACT I BELIEVE IT WITH ALL MY HEART ABSOLUTE TRUTH I ENTIRELY BELIEVE IT AND I THINK THAT BOTH OF YA'LL HAVE BEEN PUT IN A POSITION THAT YOU DIDN'T ASK TO BE PUT IN

LP: EXACTLY

DET: YOU DIDN'T WANT TO BE PUT IN

LP: EXACTLY

DET: AND YOU DON'T DESERVE TO BE PUT IN YOU KNOW WHAT I MEAN AND THERES A COUPLE OF PEOPLE TO BLAME FOR MONEYS TO BLAME FOR CAUSE MONEY TOOK A BAD SITUATION, A BAD SITUATION FOR HIMSELF AND MADE IT BAD FOR YOU AND MADE IT BAD FOR QWANDA HE AIN'T GOT THE RIGHT TO DO THAT AND NOT ONLY THAT BUT HE KEEPS MAKING IT WORSE AND WORSE AND WORSE FOR YOU YOU SEE EVEN AS HE'S SITTING OVER HERE WITH HIS SHIT BACKED UP IN A CORNER IN THAT INTERVIEW ROOM HE'S TRYING TO MAKE IT REALLY BAD FOR YOU AND NOW YOU KNOW I DON'T BELIEVE IT'S THE TRUTH BECAUSE THERES WITNESSES THERE DUDE YOU KNOW THERES WITNESSES THIS WASN'T DONE UNDER THE COVER OF DARKNESS ONE ON ONE THERE WAS PEOPLE ALL OVER THE DAMN PLACE GRANTED THEY'RE CRACK HEADS BUT CRACK HEADS GOT A DAMN BRAIN TOO RIGHT

LP: RIGHT AND THEY'RE GONNA TELL YOU THAT

DET: SO HERE'S THE PROBLEM YOU HAVE TAKEN THE STEPS THAT I ASKED YOU TO TAKE OR THAT I TOLD YOU YOU NEED TO TAKE TO TRY TO HELP YOURSELF BUT YOU HAVEN'T TAKEN ALL OF THEM YOU'LL TAKE TWO STEPS FORWARD AND THEN TAKE ONE BACK DON'T DO IT CAUSE LISTEN MONEYS GOT YOU IN ENOUGH DAMN TROUBLE HE DID HE HELP YOU BACK IN THE DAY I'M SURE HE'S DONE PLENTY TO HELP YOU RIGHT BUT THAT DON'T MEAN THAT YOU'VE GOT TO TAKE THE RAP FOR SOMETHING HE DID THAT AIN'T RIGHT HE SHOULDN'T EXPECT THAT OF YOU

LP: I'M NOT

DET: AND I WOULDN'T EITHER HEY I'D DO ANYTHING FOR THIS MAN RIGHT HERE BUT DUDE I'M NOT TAKING A RIDE FOR HIM NOW I AIN'T GONNA SPEND THE REST OF MY LIFE UP THE ROAD NEVER GETTING OUT NEVER SEEING ANOTHER WOMAN NEVER DOING NONE OF THAT CRAP DYING IN THE DEPARTMENT OF CORRECTIONS FOR HIM FOR SOMETHING THAT HE DOES I MAY HAVE TO DO IT FOR WHAT I DO BUT I AIN'T GONNA DO IT FOR WHAT SOMEBODY ELSE DOES THAT AIN'T RIGHT NOW HERE'S THERE'S SOME PRETTY SIGNIFICANT PROBLEMS HERE AND PROBABLY THE BIGGEST ONE THAT WE NEED TO GET RIGHT FOR YOU TO KEEP GOING DOWN THE PATH TO REALLY HELP YOU THE MOST IS THAT YOU WENT BACK INTO THAT HOUSE WHEN YOU GOT BACK THERE AND HE LEFT YOU WENT IN THERE AND I THINK YOU WENT IN THERE TWO OR THREE TIMES, IN AND OUT IN AND OUT IN AND OUT

LP: NO I WENT IN THERE ONE TIME, I NEVER DID LEAVE THE HOUSE I NEVER DID I'M TALKING ABOUT GOING IN AND LEAVE BACK OUT , GOING IN I NEVER DID DO THAT MATTER OF FACT NO I DID I WENT BACK OUTSIDE I TOLD QWANDA I SAID MAN I SAID JUST GET THE CHRYSLER RIGHT THERE, WHEN SHE TRIED TO START THE CHRYSLER THE WHITE GIRL WAS IN THE HOUSE SHE LIKE IT WON'T CRANK IT WON'T CRANK AND I WAS IN THE ROOM, I WAS IN THE ROOM CAUSE I HAD SOME MONEY IN THERE I HAD SOME, I HAD A LITTLE BIT OF WEED IN THERE YOU KNOW WHAT I'M SAYING STUFF LIKE THAT I HAD A LITTLE BIT OF MONEY AND A LITTLE BIT OF WEED I WAS

GONNA TAKE ME AND QWANDA OUT WE GET ROOMS WITH THAT WHEN SHE COME DOWN HERE WE GET ROOMS WITH THAT THAT WAS MONEY THAT I HAD

DET: SO DID YOU LIKE PACK A BAG OR WHAT

LP: YEAH SHE HAD SHE GOT A BAG AND ALL SHE GOT LIKE A NIKE IT'S A BLUE NIKE BAG IF IT WAS THERE YOU, SHE TAKEN IT, ITS PROBABLY IN HER CAR BUT YOU WOULD SEE MATTER OF FACT HER CLOTHES ARE THERE, HER CLOTHES ARE THERE GOT BEACH WEAR

DET: RIGHT BUT YOU'RE SAYING YOU WENT IN THE HOUSE AND YOU WENT IN THE BEDROOM IN YA'LLS BEDROOM AND WAS PACKING SHIT UP TO TAKE WITH YOU

LP: YEAH I JUST GRABBED THE WEED (INAUDIBLE) THE MONEY YOU KNOW WHAT I'M SAYING CAUSE ITS OBVIOUS THAT WE CANNOT SLEEP HERE AND I DON'T KNOW NOBODY AROUND HERE SHE DON'T KNOW NOBODY WE BASICALLY STRANDED IF THAT MONEY IF I DIDN'T HAVE THE LITTLE BIT OF MONEY THAT I DID YOU KNOW WHAT I'M SAYING WE'D BEEN PROBABLY ON THE SIDE OF THE ROAD ON E TRYING TO GET BACK TO COLUMBIA JUST TO GO TO HER HOUSE SO I'LL HAVE SOMEPLACE TO LAY MY HEAD, LAY OUR HEAD FOR THE NIGHT SO

DET: SO YOU WENT BACK IN THERE, THE FIRST THING YOU DID IS YOU CHECK THE DUDE ON THE FLOOR

LP: NO I AIN'T EVEN, I JUMPED OVER HIM CAUSE THE TABLE WHEN I WALKED IN THE TABLE, THE GLASS TABLE THAT WAS IN THERE, IT WAS TURNED IT WAS TURNED LIKE THIS HE WAS LAYING LIKE THIS COUCH ITS NOT A COUCH ITS LIKE A LAWN CHAIR A LAID OUT CHAIR HE WAS LAYING RIGHT IN FRONT OF THE LOUNGE CHAIR THE DOOR RIGHT HERE BESIDE THE LOUNGE CHAIR SO WHEN I CAME IN I WAS LIKE OH SHIT YOU KNOW I'M LIKE JUST LIKE YOU SAID I FREAKED THE HELL OUT I'M LIKE MAN WHAT CAUSE I AIN'T NEVER SEEN A DEAD BODY WELL I AIN'T NEVER SEEN ONE THAT JUST FRESHLY YOU KNOW WHAT I'M SAYING FRESHLY GOT SHOT AND HE'S STILL KICKING YOU KNOW WHAT I'M SAYING SO I LOOK I'M LIKE OH

SHIT AND WHEN I LOOK AND HE WAS KICKING I'M LIKE OH SHIT AND HE KICKED REAL HARD ONE TIME I SAID OH SHIT AND WHEN HE KICKED HIS FOOT HIT THE BOTTOM (INAUDIBLE) I'M LIKE OH AND THEN I STEP AROUND BUT I KNEW HE COULDN'T GET UP CAUSE HE WAS SHOT THE HELL UP

DET2: WHO ELSE WAS IN THAT, YOU SAID THE WHITE GIRL WAS IN THERE RIGHT

LP: YEAH IT WAS, THE WHITE GIRL WAS (INAUDIBLE) SHE WAS IN THERE, SHE WAS IN THERE WHEN WE GOT THERE, I SEEN HER AND THE BLACK GIRL THERE SHE WAS THERE WHEN ME AND QWANDA PULL UP

DET: WHO WAS THE BLACK GIRL

LP: HER NAME IS VERONICA, HER NAME IS VERONICA THEY SAY THEY TOWED HER CAR, TOOK HER CAR OR SOMETHING LIKE THAT

DET: WHO SAID THAT

LP: THAT WAS, LIKE I TELL YOU, THAT'S WHAT THE STREETS BEEN SAYING YOU KNOW WHAT I'M SAYING THAT'S WHAT THE STREETS ARE SAYING SAYING THAT THEY TOOK HER CAR AND ALL THIS SHIT HERE AND I WAS WITH HIM THAT'S WHAT THE STREET HE WAS LIKE THE GUY HE KEPT CONTACT WITH A GUY WITH A RED BENZ, HE KEPT CONTACT WITH HIM THROUGH THE WHOLE TIME HE WAS, YOU KNOW WHAT I'M SAYING THE WHOLE TIME THAT FROM THE TIME WHEN IT HAPPENED, FROM THE TIME THAT IT HAPPENED AND HE PULLED OUT AND ME AND HER AND ME AND QWANDA PULL UP AND THEN ONCE WE GOT UP TOGETHER HE KEPT IN CONTACT WITH A DUDE WITH A RED BENZ

DET: WHO IS HE WHAT DOES HE GO BY

LP: I JUST KNOW HIM BY RED BENZ THAT'S WHAT HE DRIVE

DET2: HOW WHAT DO YOU MEAN WHEN YOU SAID HE KEPT IN CONTACT BY PHONE (INAUDIBLE)

LP: BY PHONE , BY PHONE

DET2: SO HOW DO YOU KNOW HE HAD A RED BENZ HOW DO YOU KNOW THAT

LP: CAUSE THAT'S WHAT'S IN HIS PHONE, I SAID WHO, CAUSE HE MIGHT, SAY HE MIGHT CALL I'M LIKE WELL DAMN WHO THAT HE LIKE THAT'S WHATS IN THE PHONE RED BENZ

DET2: SO THAT'S HIS NAME

LP: I DON'T , I KNOW HE DRIVE A RED BENZ, AND HE WAS LIKE THAT'S WHAT MONEY TOLD ME SAY HE DRIVES A RED BENZ SO HE CALLS HIM RED BENZ THAT'S WHAT'S IN HIS PHONE BUT I ALSO KNOW, AND THEY CALL HIM L, L, L. L, YEAH CALL HIM L HE'S A SHORT FAT GUY I SEEN THE RED BENZ BUT I DIDN'T KNOW THAT THAT'S WHO HE TALKED TO I DONE SEEN THE RED BENZ A COUPLE OF TIMES FLOATING AROUND SOCASTEE YOU KNOW WHAT I'M SAYING I DIDN'T KNOW THAT'S WHO HE WAS TALKING ABOUT BUT I DONE SEEN THE RED BENZ BEFORE YOU KNOW WHAT I'M SAYING I DONE SEEN IT BEFORE AND I KNOW, I KNOW A DOPER WHEN I SEE ONE, YOU KNOW WHAT I'M SAYING IT AIN'T NO SECRET I KNOW A DOPER WHEN I SEE ONE AND I SEEN A RED BENZ FLOATING AROUND THERE A LOT YOU KNOW WHAT I'M SAYING IN THAT AREA OF SOCASTEE AREA BUT THAT'S THE ONLY PLACE I WALK FROM UNC'S HOUSE TO THE KANGAROO UP THERE AND THAT'S ABOUT IT THAT'S ALL I DO BUT WHEN I WENT IN THE HOUSE I WENT AND GOT THE LITTLE MONEY THAT ME AND QWANDA DID HAVE AND WE WHEN WE LEFT ANOTHER THING IS THAT I DID JUMP IN THE CAR I DID JUMP IN THE TRUCK AND WHEN I DID I WAS JUST I WAS TELLING HER I WAS LIKE MAN LETS JUST GET THE HELL FROM OUT OF HERE AND I TOOK IT UP THE STREET, I DIDN'T DRIVE AT JOHNSONVILLE CAUSE I DON'T EVEN KNOW THE WAY THERE YOU KNOW WHAT I'M SAYING CAUSE I'M NOT FAMILIAR WITH THIS AREA SO WHEN I TOOK IT DOWN THE STREET I PARKED, SEE I JUST GOT IT OUT OF THE YARD, YOU KNOW WHAT I'M SAYING I JUST GOT IT OUT OF THE YARD I'M LIKE I JUST GOT IT OUT OF THE YARD THEN THAT'S WHEN

DET: WHERE DID YOU TAKE IT TO

LP: I TOOK I'M TALKING LIKE RIGHT DOWN THE STREET I JUST TOOK IT JUST RIGHT DOWN THE STREET AND DAMN UNC HE WAS STILL HE WAS GOING TO ANOTHER A DUDE MIKE DRIVE A MOPED HE WAS GOING TO HIS HOUSE TO USE THE PHONE AND I SEEN AND I AIN'T EVEN BOTHERED AND THEN THAT'S WHEN HE, THAT'S WHEN MONEY CALLED ME HE WAS LIKE MAN WHAT'S UP HE LIKE WHERE THAT TRUCK AT I LIKE MAN I TOOK THAT CAUSE HE HAD TOLD ME ON THE PHONE GET THAT TRUCK OUT THE YARD YOU KNOW WHAT I'M SAYING I'M FREAKED OUT HE JUST KILL EM ALL FUCKERS YOU KNOW WHAT I'M SAYING I DON'T KNOW HOW HIS MIND CLICKING LIKE LET ME KILL ALL THE WITNESSES SO I'M TRYING TO PLAY MY PART AND STAY ALIVE IN THIS SHIT MAN I'M TRYING TO PLAY MY PART AND STAY ALIVE IN ALL OF THIS CAUSE I KNOW IF IT WAS THAT EASY FOR HIM TO KILL HIM AND HE ALREADY IN THAT MIND STATE OF EVERYBODY GOTTA GO I'M TRYING TO STAY ALIVE MAN I GOT KIDS

DET: YEAH YOU KNOW HE SAID EVERYBODY GOTTA GO BUT HE AIN'T MADE NO EFFORT TO KILL NONE OF THE WITNESSES HE KNOWS WHO ALL THE WITNESSES ARE OVER THERE

LP: HE SAID HE RAN OUT THE HOUSE, AND THEN NOW YOU KNOW WHAT I'M SAYING AS OF LATELY YOU KNOW WHAT I'M SAYING HE KINDA QUIET YOU KNOW WHAT I'M SAYING HE WON'T EVEN CALL OR NOTHING LIKE YOU KNOW WHAT I'M SAYING BUT LAST NIGHT WAS THE FIRST TIME I GOT UP WITH HIM AFTER ALL THIS SHIT HAPPENED I AIN'T BEEN SLEEPING I DON'T EVEN KNOW HOW MANY DAYS CAUSE THIS SHIT HERE CROWDING MY MIND YOU KNOW I GOT QWANDA OVER HERE SHE UPSET I WANT TO MAKE SURE SHE ALRIGHT YOU KNOW WHAT I'M SAYING AND THEN SHE AIN'T NEVER BEEN AROUND SOMETHING LIKE THIS

DET: DID YOU KNOW SHE GOT LOCKED UP

LP: I WAS CALLING HER PHONE

DET: DID YOU KNOW SHE GOT ARRESTED YESTERDAY

LP: I DIDN'T KNOW NONE OF THAT UNTIL HER MOM CALLED MS. PAT, MS PAT CALLED ME SHE LIKE TERRELL THEY SHE LIKE

THEY CAME AND PICKED QWANDA UP AND THEY TALKING ABOUT SHE GOT DID THEY CHARGE HER SHE SAY THEY CHARGED HER THEY CHARGED HER SHE SAID SHE LIKE THEY TRYING TO CHARGE HER WITH ACCESSORY TO A, B, C ACCESSORY AFTER THE FACT, A, B I DON'T KNOW

DET; RIGHT ITS JUST THE CLASS WITH THE FELONY CLASS, CLASS A

LP: OK SO WHEN SHE TOLD ME SHE SAID A, B, C OR SOMETHING LIKE THAT I GUESS IT WAS ALL THREE OR WHATEVER, IT CAN'T BE ALL THREE

DET: NO ITS JUST ONE THAT'S JUST HOW IT READS ON THE WARRANT

LP: BUT YEAH SHE WAS LIKE YEAH THEY LOCKED QWANDA UP YESTERDAY AROUND LIKE 2:30 I DON'T KNOW IF THEY CAME TO THE HOUSE, THEY WENT TO HER HOUSE

DET: I THINK SO YEAH

LP: OK I DON'T KNOW IF IT WAS TO HER HOUSE OR TO HER JOB WHATEVER BUT ANYWAY SHE WAS LIKE SHE TOLD ME THIS LAST NIGHT THIS WAS LIKE 10 MINUTES AFTER I GOT THE ROOM FOR HIM YOU KNOW WHAT I'M SAYING AND THEN AFTER I GOT THE ROOM FOR HIM HE WAS TRYING TO KEEP ME AROUND I GUESS YOU KNOW WHAT I'M SAYING SO I WON'T DISPERSE OR GO OFF NOWHERE HE TRYING TO JUST KEEP TABS YOU KNOW WHAT I'M SAYING SO I WAS JUST REALLY KINDA SHOOK UP BACK THEN IT COULD BE ANY DAY THIS MOTHER FUCKER HERE MIGHT TRY TO SHOOT ME THINKING I MIGHT SAY SOMETHING YOU KNOW WHAT I'M SAYING OR IT COME A POINT IN TIME I TELL HIM YO I GOTTA GET FROM UNDER YOU DAWG CAUSE YOU IN SOME OTHER SHIT YOU KNOW WHAT I'M SAYING AND AT THAT POINT IN TIME WHO'S TO SAY HE WON'T PULL, DO ME THE SAME WAY HE DID OLD, SO EVERYTHING I DID I DID BECAUSE I WAS SCARED AND I DIDN'T WANT MY OLD LADY TO BE IN THAT TYPE OF SITUATION

DET: HE GOT GUNS IN THE ROOM NOW, AT THE SLEEP INN

LP: I DON'T EVEN KNOW

DET: DID YOU SEE ANY

LP: NAW I AIN'T SEEN NONE, I AIN'T SEEN NONE

DET: WHAT ABOUT THE CAMERO

LP: I AIN'T I HAD, HE HAD JUST PICKED ME UP, I'M LIKE YO MAN COME GET THIS ROOM FOR ME YOU KNOW WHAT I'M SAYING HE LIKE COME GET MATTER OF FACT WHEN HE COME PICK ME UP I HAD JUST LEFT THE ROOM WITH QWANDA I'M TALKING I HAD JUST LEFT THE ROOM WITH QWANDA WHEN HE CAME PICK I HAD JUST LEFT THE ROOM WITH QWANDA AND HE WAS LIKE MAN YOU GET THIS ROOM FOR ME I LIKE ALRIGHT I GOT THE ROOM FOR HIM ME AND QWANDA HAD THIS ROOM OVER HERE HE CAME TO THIS ROOM FIRST WITH US HE LEFT (INAUDIBLE) HE LEFT US AT THE RED ROOF INN HE WAS LIKE MAN CAN YOU COME GET THIS ROOM OVER HERE FOR ME I LIKE I SAID GEESH YOU COULD I SAID WHAT THE HELL HE LIKE MAN I GOT AN ID YOU KNOW WHAT I'M SAYING AND THEN I GUESS HE WAS TRYING TO COVER HIS ASS OR WHATEVER CAUSE HE KNEW MY OLD LADY LEFT HER POCKETBOOK IN THERE AND HE KNEW THAT HE HAD, HE HAD TO, SHE LEFT HER POCKETBOOK AND HE KNEW THAT SHE WAS YOU KNOW WHAT I'M SAYING CONNECTED OR WHATEVER AND THE ROOM WAS IN HER NAME YOU KNOW WHAT I'M SAYING I GUESS WITH HIM YOU KNOW WHAT I'M SAYING 22 WITH HIM BEING THERE THEY GONNA RUN THE NAME RUN THE ROOM OK YOU COMING YOU KNOW WHAT I'M SAYING SO I GUESS THAT'S WHY HE DID IT LIKE THAT AND HE CALLED ME LIKE MAN CAN YOU COME GET THIS ROOM I WAS LIKE (INAUDIBLE) I WASN'T THINKING LIKE THAT

DET: HOW DID HE GET THE CAMERO OR DID YOU GET THE CAMERO

LP: I DON'T EVEN HAVE AN ID, I DON'T HAVE AN ID

DET: HOW'D HE GET THE CAMERO

LP: HIS OLD LADY, SHE GOT IT FOR HIM

DET: OK SO LETS GO BACK TO THE HOUSE AND YOU GOING IN THERE THE PROBLEM THAT WE HAVE WITH YOUR STATEMENT

IS THAT WE HAVE ,WHAT DO WE GOT 5 WITNESSES, THERE WASN'T ONE BLACK GIRL THERE WAS 2 BLACK GIRLS

LP: WHEN I GOT THERE THERE WAS ONE, THE GIRL NAMED VERONICA

DET: AND ONE HAD RUN OUT AND RUN OUT AND WAS SITTING IN THE CAR WATCHING THE WHOLE THING RIGHT WHEN THE SHOTS HAPPENED SHE RAN OUT AND JUMPED IN THEIR CAR, THERE WAS TWO IN THAT WHITE CAR THERE WAS VERONICA AND ANOTHER ONE SO THERE'S THEM

LP: THERE'S THE WHITE GIRL

DET: THERE'S THE WHITE GIRL

LP: AND THERE'S MS. _____ RIGHT NEXT DOOR

DET: THERE'S ROY AND THERE'S TWO OTHERS WITNESSES SO I'M SORRY THERE'S 7, 7 WITNESSES HERE'S THE PROBLEM IS THAT WE HAVE WITNESS STATEMENTS AND I'M NOT GONNA TELL YOU FROM WHO SAYS THAT YOU WENT IN THERE IN THE HOUSE AND CHECKED THE GUY BUT WHEN YOU DID YOU HAD A GUN IN YOUR HAND THE SHOOTING HAD ALREADY GONE ON RIGHT THAT HE WAS ALREADY LAYING ON THE FLOOR BUT THAT YOU STOOD OVER HIM AND KICKED HIS FEET AND WAS CHECKING HIM WHEN YOU WALKED BY NOW THE WITNESS STATEMENTS ALSO SAID THAT, WELL THAT'S WHAT THE WITNESS STATEMENTS ARE AND I CAN UNDERSTAND THAT I'D DONE THE SAME DAMN THING I GUARANTEE YOU EVERY TIME I'D DONE THE SAME THING BECAUSE KNOWING THAT THAT DUDE HELL HE THE WORD WAS ALREADY OUT THAT HE WAS GOING TO TRY TO DO WHATEVER ROB YOU SHOOT YOU WHATEVER

LP: BUT SEE THE THING IS THEY SAY HE JUST CAME DOWN HERE FROM ALABAMA SOME CRAZY STUFF

DET: NOT AGAIN BUT GOING BACK TO THIS THE PROBLEM THAT WE HAVE IS THAT THAT IS SOMETHING THAT YOU OMITTED YOU DIDN'T TELL US THAT YOU DID THAT IT AIN'T NO BIG DEAL IF YOU DID YOU SHOULD HAVE DONE IT HELL YOU GOT TO

PROTECT YOURSELF AND YOU GOT TO PROTECT QWANDA

LP: I LOVE HER, I GOT TO

DET: I KNOW THAT

LP: HER DAD IS AN OFFICER

DET: YEAH HE'S FIXING TO RETIRE

LP: YEAH HER DAD IS AN OFFICER AND I TELL HIM MAN I'M GONNA LOOK OUT FOR YOUR DAUGHTER TO THE BEST OF MY ABILITY AND TAKE CARE OF HER AND MAKE SURE SHE'S STRAIGHT AND I'M A MAN OF MY WORD WHEN I TOLD HIM THAT I MEANT IT

DET: I BELIEVE THAT

DET2: THINK ABOUT IT THERE'S EVIDENCE THAT YOU HAD A GUN IF YOU LEAVE IT OUT IT MAKES YOU LOOK SUSPICIOUS OK HE'S ALREADY TELLING YOU THERE'S A REASON THERE'S A LOGICAL REASON WHY YOU SHOULD HAVE WENT IN THERE WITH A GUN IF SOMEBODY COMES IN AND TRIES TO KILL YOU YOU DON'T GO IN THERE UNARMED YOU GO IN THERE ARMED

DET: I MEAN THAT'S WHAT YOU BELIEVED RIGHT

LP: (INAUDIBLE)

DET2: BUT WHEN YOU LEAVE IT OUT

DET: SO THAT SAYINGS RIGHT THAT YOU STOOD OVER HIM AND CHECKED HIM

LP: NO I AIN'T I HAD ONE BUT I DIDN'T STAND OVER AND DO NONE OF THIS WHEN I CAME IN THE HOUSE WHEN I CAME IN THE HOUSE IT WAS ON MY HIP LIKE THIS IT WAS ON MY HIP LIKE THAT AND WHEN I CAME IN I MOVED AROUND HIM AND WHEN I WENT TO STEP OVER HIM HE KICKED HE KICKED THE BOTTOM OF MY SHOE AND THAT'S WHEN MY LEG WENT UP I SAID OH SHIT I GRABBED THE PISTOL I WAS ABOUT TO PULL IT SHE SAID NO, NO HE WAS DOING THAT FOR THAT'S WHAT THE

WHITE GIRL, HE'S BEEN KICKING THE WHOLE TIME SO I KNEW HE WAS GOING TO KICK A LITTLE BIT BUT I DIDN'T KNOW HE WOULD KICK MY DAMN FOOT CAUSE WHEN I WENT OVER HE OOMPH AND I JUMPED I SAID OH SHIT SO I GRIPPED THE PISTOL REAL I GRIPPED THE PISTOL AND I WALKED AROUND AND I WALKED DEAD AROUND HIM CAUSE HE WAS LAYING AND I WALKED DEAD AROUND HIM JUST LIKE THIS

DET: WHAT'D YOU HAVE A 40

LP: NO I AIN'T HAVE NO 40 IT WAS A 9 HE HAD GAVE IT TO ME HE WAS LIKE MAN HE WAS LIKE UH YOU CAN BORROW THIS OR WHATEVER I SAID MAN CAUSE I TELL YA HE MET HE THE ONE THAT INTRODUCED ME TO ROY YOU KNOW WHAT I'M SAYING AND HE KNEW THAT ME STAYING OVER THERE AND YOU GOT TWO GUNS AND THEN THE DUDE SHAY WHO USED TO BE OVER THERE AND THEN SHAY CAME BACK YOU KNOW WHAT I'M SAYING WE GOT COOL AND THEN THE DUDE TWO GUNS CAME OVER THERE ONE TIME HE ACTED LIKE HE WANTED TO ROB SOMETHING BUT HE SEEN ME STANDING IN THE AND I ALREADY HEARD ABOUT THIS TWO GUNS GUY YOU KNOW WHAT I'M SAYING HE'S A JACK BOY AND HE'LL ROB SOMETHING FAST SO AT FIRST WHEN I FIRST MOVED DOWN THERE I DIDN'T HAVE A GUN BUT I TOLD MONEY I WAS LIKE YO THIS DUDE HE COME ROUND HERE YOU KNOW WHAT I'M SAYING CAUSE ONE NIGHT HE JUST CAME STRAIGHT UP IN THE HOUSE AND WAS LIKE UH HE WAS LIKE MAN, HE WAS LIKE MAN WHERE'S UNC AT I SAID UNC I SAID THAT AIN'T YOUR UNCLE SO HE PUSHED PAST KINDA LIKE TRYING TO (INAUDIBLE) I HAD A PISTOL ON MY THEN YOU KNOW WHAT I'M SAYING I DON'T USE I'M NOT USING THE PISTOL TO YOU KNOW WHAT I'M SAYING MATTER OF FACT
I THINK ITS REGISTERED TO HER

DET: YOU'RE NOT A VIOLENT GUY I MEAN I CAN TELL BY TALKING TO YOU THAT YOU'RE NOT A VIOLENT GUY

LP: I'M NOT AND I THINK ITS REGISTERED TO HER CAUSE WHEN HE GAVE IT TO ME HE SAID IT WAS REGISTERED I KNOW HE CAN'T GET ONE SO I'M THINKING ITS HER YOU KNOW WHAT I'M SAYING

DET: RIGHT WHERE'S THAT GUN NOW

LP: I DON'T KNOW WHERE IT IS AT NOW

DET: WHAT DID YOU DO WITH IT

LP: I GAVE IT TO HIM I GAVE IT TO HIM AS SOON AS WE GOT IN THE CAR WITH QWANDA THAT NIGHT I GAVE IT TO HIM, I GAVE IT TO HIM I GAVE HIM THE GUN

DET: WHY DID YOU DO THAT

LP: BECAUSE HE ASKED FOR IT

DET: SO THEN YOU'RE LEFT WITH NOTHING TO DEFEND YOURSELF AND QWANDA WITH

LP: OH CAUSE WE WAS ALREADY GONE, WE WAS ALREADY GONE AND HE WAS

DET2: WHAT DID HE DO WITH THE GUN HE WAS WITH YA'LL

LP: YEAH HE WAS WITH US BUT WE WENT AND GOT A ROOM AND HE SWITCHED OTHER HE SWITCHED A WHOLE NOTHER ROOM THEN WE WENT AND GOT THE CAR AND THAT WAS IT QWANDA WENT QWANDA SHE MOVED THE CAR SHE MOVED THE CAMERO HIS GIRL HIS OLD LADY SHE SIGNED FOR IT SHE WENT AND GOT IT AND QWANDA BACKED IT OUT HE JUMPED IN FROM THE WHAT WAS THE NAME I THINK IT WAS ENTERPRISE

DET: ENTERPRISE

LP: OK SHE BACKED IT OUT AND WHEN SHE BACKED OUT HE GOT OUT OF THE CAR JUMP IN ME AND HER FOLLOW HIM, WE FOLLOW HIM TO THE RED ROOF INN AND THEN THAT WAS WHEN HE WAS LIKE UH GOD DAMN YA'LL JUST YA'LL (INAUDIBLE) OR WHATEVER AND QWANDA LIKE BABY I'M ABOUT TO GO, I'M ABOUT TO GO HOME YOU KNOW WHAT I'M SAYING I SAY SHIT WELL I SAID YOU GO HOME YOU MAKE SURE YOU DRIVE SAFE YOU KNOW WHAT I'M SAYING ALL THIS RIGHT HERE SHE LIKE OK BABY MAKE SURE YOU CALL ME

THEN WHILE WE RIDING WE MESSING AROUND WE GO BACK TO THE ROOM SIT IN THERE THAT'S WHEN HE START, HE START GIVING ME LITTLE BITS AND PIECES OF WHAT HAPPENED CAUSE I ASKED I SAID MAN DUDE DEAD I SAID MAN YOU KNOW SOONER OR LATER I SAID THE POLICE ARE GOING TO COME MAN CAUSE THEY SAYING THAT GOT WITNESSES AND THIS WAS BEEN SAID OUT IN THE STREET THAT THEY DO HAVE WITNESSES WHEN I CAME THERE I SEEN THEM YOU KNOW AND THEY SEEN ME AND THEY SEEN THAT I PULLED UP YOU KNOW WHAT I'M SAYING THEY SEEN THAT I PULLED UP AND WHEN I GOT OUT WHEN I GOT OF THE CAR LIKE I SAID THE GIRL KELLY SHE WAS THE ONLY ONE THAT I SEEN HER AND THE GIRL VERONICA WAS THE ONLY ONES THAT I SEEN AND (INAUDIBLE) AND UNC WELL MATTER OF FACT UNC DIDN'T EVEN SEE ME COME BACK HE DIDN'T SEE ME PULL UP CAUSE HE WAS ALL THE WAY DOWN THE STREET ALREADY YOU KNOW WHAT I'M SAYING HE WAS ALL THE WAY DOWN THE STREET ALREADY HE DIDN'T SEE ME PULL UP CAUSE HE WAS ALL THE WAY DOWN THE STREET ALREADY BUT WHEN I WENT I WENT DOWN THERE RIGHT AFTER QWANDA RIGHT AFTER ME AND QWANDA LEFT OUT RIGHT AS WE LEFT OUT UNC WAS LIKE HE LIKE MAN DUDE DUDE DUDE CAME AND (INAUDIBLE) BULLSHIT I DON'T KNOW AND THEN COME TO FIND OUT WHEN HE STARTED TELLING IT HE WAS LIKE MAN THE DUDE HAD A GUN WHERE'S THE GUN

DET: WHO ELSE DID HE TELL YOU SHOT IN THERE

LP: OH HE DIDN'T SAY NOTHING ABOUT NOBODY ELSE

DET: OK

LP: ALL I KNOW IS ABOUT THE DUDE WHO YOU SAY JJ THAT'S THE ONLY ONE I KNOW THAT'S THE ONLY DUDE I SEEN IN THERE THAT'S THE ONLY PERSON

DET2: LET ME ASK YOU THIS GIVEN THE SCENARIO THE TIME FRAME AND I'M JUST GOING OFF OF WHAT YOU SAID THERE IS NO WAY BY THE TIME YOU PULL UP AND YOU GO BACK IN THAT HOUSE THE ONLY PEOPLE THAT WAS IN THERE WAS THAT BLACK GIRL AND THAT WHITE GIRL NOBODY ELSE WITHOUT A DOUBT WITHOUT A QUESTION

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LP: NOBODY ELSE

DET2: NOBODY ELSE YOU WERE THERE YOU KNOW

LP: WHEN I GOT TO THE HOUSE, WHEN I GOT TO THE HOUSE WHEN I PULL UP AND WHEN I PULL UP BEHIND CAUSE THE TRUCK WAS PARKED RIGHT HERE WHEN ME AND CAUSE ME AND QWANDA WAS STILL ON THE ROAD CAUSE LIKE I SAID MONEY JUST PULL OUT AND HE WAS

DET2: CAUSE YOU TOOK THE TRUCK RIGHT

LP: YEAH I'M TALKING BUT THIS AFTER HE DONE LEFT OUT, HE GONE HE SAYING SOMETHING AS ME AND QWANDA PULLING UP HE PULLING OUT SAYING SOMETHING AND I'M LIKE WHAT THE HELL AND I SEE THE TRUCK I'M LIKE MAN I AIN'T NEVER SEEN THAT DAMN TRUCK BEFORE THEN I GOT OUT OF THE CAR

DET2: WAS ANYBODY WITH HIM

LP: I DON'T KNOW, I DON'T THINK SO, I DON'T THINK SO BECAUSE

DET2: I MEAN (INAUDIBLE)

LP: HE WASN'T TOGETHER NO ME AND WHO, JJ

DET2: NO NO NO I'M TALKING ABOUT (INAUDIBLE)

LP: OH NO THERE WASN'T NOBODY WITH HIM

DET2: YOU SAID HE MUMBLED SOMETHING EARLIER

LP: YEAH HE WAS LIKE MAN NAH NAH NAH HE SAID

DET2: BUT NOBODY WAS WITH HIM

LP: DO SOMETHING, NAW NOBODY WAS WITH YOU TALKING ABOUT MONEY

DET2: YEAH

LP: NAW CAUSE THE TINT THE WINDOWS ARE TINTED WHEN I LEFT HIM THERE HE WASN'T WITH NOBODY SO WHEN I CAME BACK I DON'T KNOW IF HE HAD SOMEBODY IN THE CAR OR NOT CAUSE HE WAS PULLING OFF AS I WAS COMING IN I DON'T KNOW IF ANYBODY SEEN SOMETHING OR SOMEBODY WAS THERE WITH HIM AT THAT TIME CAUSE WE ME AND QWANDA WENT TO THE STORE TO GET SOME RAGU AND WHEN WE CAME BACK THAT'S WHEN HE WAS PULLING OUT SCREAMING SOMETHING AT ME AND QWANDA PULLED UP SHE SAID BABY WHAT THE HELL HE JUST SO WHEN I GOT OUT OF THE CAR I WALKED UP THE RAMP AND I SEEN THE DUDE LAYING ON THE GROUND AND THAT'S WHEN I GRABBED FOR THE (INAUDIBLE) I'M LIKE OH SHIT I SAID BABY STAY RIGHT THERE STAY RIGHT SHE SAID WHAT THE HELL I SAID JUST CHILL JUST CALM THE FUCK DOWN CALM DOWN SHE GOING ALL HYSTERICAL SO I JUMP I GETS OVER THE DUDE GO IN THE ROOM GRAB THE LITTLE BIT OF MONEY THAT WE DID HAVE AND THEN THAT'S WHEN HIS KEYS THE GIRL THE GIRL KELLY SHE GAVE ME HIS KEYS SHE LIKE HERE'S HIS KEYS RIGHT HERE SO WHEN I GRABBED THE DUDE'S KEYS FROM HER SHE WAS LIKE SHE WAS LIKE SO WHAT AM I SUPPOSE TO DO I SAID GO HOME SHE ASKED ME WHAT AM I SUPPOSE I SAID GO HOME WHEN I TOLD HER TO GO HOME SHE STARTED CRYING SO SHE STARTED WALKING DOWN THE RAMP I CAME OUT THAT'S WHEN I RAN OUT BEHIND HER AND THAT 'S WHEN MS. MARIE I FORGET THE LADY NAME I BE HELPING HER ALL THE TIME SHE WALKED OUT SHE LIKE BABY ARE YOU OK SHE SAID I HEARD SOME SHOTS OVER THERE ARE YOU ALRIGHT I SAID YEAH I'M GOOD I'M ALRIGHT SHE SAID OK JUST MAKING SURE YOU'RE SAFE NOW YOU STAY SAFE NOW CAUSE I JUST HEARD SOME SHOTS I LIKE ALRIGHT OK BUT I ALREADY KNEW WHAT HAPPENED SHE DIDN'T KNOW WHAT HAPPENED BUT I ALREADY KNEW THAT YEAH YOU DID HEAR SHOTS SO WHEN SHE WAS LIKE YEAH I HEARD SOME SHOTS YOU NEED TO BE CAREFUL I SAID OK THAT WHEN THE GIRL THE GIRL KELLY WHATEVER THE GIRL KELLY WALKED UP THE STREET SHE WAS WALKING UP THE STREET AS SHE WAS WALKING UP THE STREET SHE STARTED CRYING SHE WAS CRYING AND ALL THIS SO I ROLLED PAST HER I ROLLED PAST HER AND WENT UP TO THE TOP OF THE HILL RIGHT HERE CAUSE WHEN I CAME OUT, WHEN I CAME OUT OF UNC YARD YOU MAKE A LEFT LIKE GOING TOWARDS THE SAME WAY UNC WENT LIKE THE WAY I

PULLED UP YOU KNOW WHAT I'M SAYING I WENT LEFT SO WHEN I TURNED OUT I SEEN UNC DOWN ALL THE WAY I SEEN THE WHEELCHAIR ALL THE WAY DOWN THE ROAD SO MONEY HE CALLED ME HE'S LIKE MAN WHERE ARE YOU AT I SAID MAN I'M STILL UP THE STREET HE LIKE MAN MEET ME BY THE YOU KNOW WHERE THE PAWN SHOP OK HE LIKE MAN MEET ME BY THE PAWNSHOP I'M LIKE THE PAWNSHOP I SAID OK I'LL MEET YOU THERE

DET: IS THAT DOWN THE ROAD JUST A LITTLE BIT

LP: YEAH AND WHEN I PULLED UP HE WAS ALREADY THERE, WHEN I PULLED UP HE WAS ALREADY THERE AND WHEN HE GOT TO THE PAWNSHOP I SWITCHED OVER AND HE STARTED DRIVING THAT'S WHEN I TOLD QWANDA I SAID QWANDA BABY JUST FOLLOW ME, JUST FOLLOW ME YOU KNOW WHAT I'M SAYING DON'T JUST FOLLOW ME SHE'S LIKE WELL OK AND WE FOLLOWED THAT'S WHEN WE STOPPED AT THE GAS STATION HE HAD A GAS CAN HE HAD A GAS CAN AND ALL THAT SO WHEN HE HAD THE GAS CAN HE FILLED THE GAS CAN UP A LITTLE BIT AND PUT SOME IN THE TRUCK AFTER HE PUT SOME IN THE TRUCK WELL I ACTUALLY I FILLED THE TRUCK UP BECAUSE HE DIDN'T WANT TO GET OUT OF THE CAR YOU KNOW WHAT I'M SAYING SO I FILLED THE GAS TANK HE FILLED THE TRUCK, I FILL THE TRUCK UP JUMP IN THE CAR AND HE STILL AIN'T

DET2: THAT WAS AT THE KANGAROO AT BRANDYMILL

LP: NAW MATTER OF FACT WE DIDN'T EVEN GET THE GAS RIGHT THERE WE DIDN'T GET THE GAS RIGHT THERE WE ROLLED ON

DET2: SO THE WHOLE BRANDYMILL (INAUDIBLE)

LP: NO NO THE BRANDYMILL THAT'S WHERE I WAS AT WHEN I CALLED HIM ONE TIME I DID CALL HIM FROM THERE ONE TIME BUT THIS WAS WAY BEFORE

DET2: WENT BACK TO THE PAWNSHOP

LP: YEAH NO THIS WAS WAY BEFORE ALL THAT I CALLED HIM FROM THE KANGAROO WHEN I CALLED HIM FROM THE

KANGAROO I ASKED HIM WHAT KIND OF BLUNTS HE WANTED CAUSE I TOLD HIM I WAS GOING TO BUY I WAS GONNA SMOKE SOME BLUNTS WITH HIM SO THAT WAS WAY BEFORE THAT THAT WAS WAY BEFORE THAT THEN I CAME BACK I CAME BACK CAUSE I DON'T DRIVE I CAME BACK QWANDA DRIVES FOR ME THAT'S WHY SHE COMES UP HERE ALMOST EVERY DAY WHEN I CAME BACK SHE WAS COOKING SHE WAS IN THERE TRYING SHE LIKE I NEED SOME MORE SAUCE SO WE WENT BACK OUT THAT'S WHEN I CAME BACK

DET: RIGHT BUT AFTER THE SHOOTING HAPPENED YOU DIDN'T GO TO THE KANGAROO AFTER THE SHOOTING HAPPENED

LP: NO NO WE MADE THE RIGHT BY THE PIZZA HUT AND WENT TO A GAS STATION

DET: WHEN YOU LEFT ROY'S HOUSE THE FIRST THING YOU DID YOU WENT SOMEWHERE RIGHT UP THE ROAD

LP: IN THE TRUCK

DET; IN THE TRUCK WHERE DID YOU GO

LP: RIGHT THERE TO THE CORNER RIGHT, I BUST A LEFT I BUST A LEFT AND I SEEN UNC WAY DOWN HERE WHEN I BUST A LEFT I SEE UNC WAY DOWN HERE THAT'S WHEN I CAME ON AROUND I CAME ON AROUND ITS LIKE A HORSE SHOE I CAME ON AROUND AND I MADE A RIGHT I MADE A RIGHT WENT ON DOWN AND PARKED RIGHT BESIDE A PAWNSHOP QWANDA WAS RIGHT BEHIND ME AND WHEN I PULLED UP HE CAME RUNNING HE CAME RUNNING FROM ALMOST LIKE FROM A DIAGONAL ANGLE COMING TOWARD THE PAWNSHOP AND I SEEN THE WHITE TSHIRT THAT HE HAD ON

DET: I THOUGHT HE HAD A CAR THERE

LP: HE MUST DONE, THAT'S WHAT I'M SAYING HE MUST OF HE MUST OF DITCHED IT AND HE CAME AND JUMPED IN THE TRUCK HE WAS LIKE MAN WE GOT TO GET THIS TRUCK FROM AROUND HERE I WAS I SAY THIS THE DUDE'S TRUCK HE LIKE YEAH

DET: HE DIDN'T COME PULLING UP IN HIS ESCALADE

LP: NAW HE AIN'T PULL UP IN NONE OF THAT HE CAME RUNNING DIAGONAL FROM I GUESS IT'S THE LITTLE TRAILER PARK OVER THERE HE CAME RUNNING DIAGONAL FROM THE TRAILER PARK SO IF HE DID DITCH HIS BENZ OR I MEAN HIS BEEMER ITS OVER THERE PROBABLY BECAUSE WHEN HE CAME RUNNING UP HE CAME RUNNING UP FROM LIKE A DIAGONAL ANGLE CAUSE HE CALLED ME AND TOLD ME TO MEET HIM THERE SO I MET HIM THERE HE JUMPED IN THE TRUCK WE ROLLED ALL THE WAY DOWN SOCASTEE BLVD MADE A RIGHT BY THE PIZZA HUT AND WENT TO A GAS STATION WENT TO THE GAS STATION HE FILLED THE GAS TANK UP, I MEAN HE FILLED THE GAS CAN UP AND THEN HE FILLED THE GAS TANK UP AND THAT WAS IT

DET; AND THEN YOU KEPT RIDING WITH HIM

LP: YEAH I STAYED IN THE CAR WITH HIM AND THEN HE WASN'T SAYING NOTHING I WAS JUST SITTING OVER THERE CAUSE I WAS IN A DAZE CAUSE I JUST SEEN A DEAD DUDE I'M SMOKING CIGARETTES LIKE FORTY GOING NORTH CAUSE I JUST AND HE AIN'T SAYING NOTHING SO I'M REALLY LIKE WHAT THE HELL YOU KNOW WHAT I'M SAYING I KNOW YOU DONE SHOT SOMEBODY I KNOW YOU DONE KILLED A MAN YOU KNOW WHAT I'M SAYING I'M LIKE WHAT THE HELL WHAT'S GOING ON NOW YOU KNOW HE AIN'T TELLING ME NOTHING HE AIN'T SAYING NOTHING TIL LIKE A COUPLE HOURS AGO HOW IT REALLY HAPPENED CAUSE WE WAS BASICALLY RIDING IN SILENCE

DET: SO THEN YOU RIDE ON UP THERE TO JOHNSONVILLE RIGHT NOW YA'LL HAD THE GAS CAN WITH YOU STILL RIGHT

LP: YEAH

DET: OK AND THAT'S WHERE YOU GOT THE GAS THAT YOU WIPED ALL OVER THE TRUCK RIGHT

LP: SEE I WAS STANDING OUTSIDE IT WAS AN OLD VEHICLE I WAS STANDING RIGHT THERE WATCHING THE ROAD HE TOOK THE TRUCK ALL THE WAY UP IN THE WOODS

DET: OK AND YOU STOOD OUT THERE ON THE SIDE OF THE ROAD

LP: YOU WAS THERE AT WHERE THEY FOUND THE TRUCK AT OK YOU KNOW UP THE STREET UP THE STREET YOU CAN GO LIKE A LITTLE WAYS UP THE STREET YOU CAN MAKE A RIGHT INTO A LITTLE HOUSING DEVELOPMENT RIGHT THERE NOW THAT STREET WHERE YOU CAN MAKE THAT RIGHT INTO THE HOUSING DEVELOPMENT IF YOU LOOK STRAIGHT ACROSS THE STREET THERE'S A BLUE CAR IT'S A BLUE LIKE AN OLD LITTLE FORD FOCUS OR SOMETHING YOU KNOW WHAT I'M SAYING THAT'S WHAT IT LOOKED LIKE IT'S A VERY SMALL CAR LIKE A OLD ESCORT I WAS STANDING RIGHT THERE CAUSE WHEN HE WENT UP IN THE CAUSE HE TURNED OFF FAST AS HELL YOU KNOW WHAT I'M SAYING CAUSE I'M STILL LOOKING DOWN THE STREET I'M LIKE HE TURNED OFF FAST AS HELL AND QWANDA ROLLED ON DOWN THAT'S WHEN I SEEN THE POLICE OFFICER, THAT'S WHEN I SEEN THE POLICE OFFICER BLUE LIGHT HER AND WHEN HE BLUE LIGHT HER THAT'S WHEN I'M LIKE OH SHIT WHAT THE HELL THAT'S WHEN I START WALKING THE OTHER WAY THAT'S WHEN I START WALKING THE OTHER WAY THEN ONCE I START WALKING THE OTHER WAY I GET, I GET I FUMBLE AROUND AND TRY TO COME AROUND AND CAUSE I DON'T KNOW THAT AREA SO WHEN I WAS TRYING TO WALK, I'M THINKING THIS LITTLE AREA RIGHT HERE IS A CIRCLE I TRY TO WALK AROUND AND END UP GOING DOWN A LONG ASS STREET WHEN I SEE ANOTHER LIGHT I SEE SOME MORE LIGHTS HEADLIGHTS AND THEN SHIT I ENDED UP I GUESS DOWN AT JOHNSONVILLE BY THE MCDONALD'S BUT I WALKED TO THE OTHER GAS STATION FIRST CAUSE THAT WAS BEFORE THE MCDONALD'S

DET: WELL LETS GO BACK TO BEING AT ROY'S HOUSE AND GOING IN THERE AND STEPPING OVER HIM AND HE FLIPPED HIS LEG AND IT HIT YOU THE PROBLEM WE HAVE WITH THAT

LP: NAW HE DIDN'T I DIDN'T FLIP HIS LEG

DET: NO NO NO HE FLIPPED, HE FLIPPED HE FLIPPED HIS FOOT AND IT HIT YOU

LP: YEAH AND I GRABBED AND THAT'S WHEN I LIKE OH SHIT

DET: RIGHT THE PROBLEM THAT WE HAVE THERE IS THAT WE HAVE INFORMATION, CREDIBLE INFORMATION THAT YOU THEN SHOT HIM

LP: WHAT

DET: OK NOW HE'D ALREADY BEEN SHOT WHEN YOU GOT THERE NO DOUBT ABOUT IT I AGREE ENTIRELY BUT THAT WAS THE INFORMATION FROM MULTIPLE WITNESSES WAS THAT YOU WALK IN AND YOU WERE WALKING TO GO BY HIM I GUESS IS WHAT I'M GUESSING THE WAY THEY DESCRIBED IT THEY DIDN'T SAY EXACTLY BUT I'M GUESSING THAT YOU WENT TO STEP BY HIM AND NOW IT MAKES SENSE TO ME WHEN YOU SAID THAT HE FLIPPED HIS FOOT WHATEVER HE TWITCHED OR WHATEVER BUT HE HIT YOUR FOOT THEY SAID THAT YOU HAD SHOT HIM BUT HE WAS ALREADY DOWN AND WHEN WE STEPPED OUT A MINUTE AGO WE WERE TALKING ABOUT WHY YOU MIGHT HAVE DONE THAT

LP: NO I DIDN'T SHOOT HIM I DIDN'T SHOOT HIM I DIDN'T I COULD TAKE A POLYGRAPH TEST RIGHT NOW AND TELL YOU I DIDN'T SHOOT HIM

DET; OK DID YOU HAVE YOUR GUN OUT IN YOUR HAND AND MAYBE THEY THOUGHT YOU SHOT HIM

LP: CAUSE I HAD THE PISTOL RIGHT HERE, I HAD IT RIGHT HERE

DET: I REALIZE THAT BUT THERE'S A DIFFERENCE BETWEEN HAVING A PISTOL AND HAVING IT OUT

LP: I HAD IT LIKE THIS RIGHT HERE YOU KNOW WHAT I'M SAYING CAUSE THIS HOW I GOT IT IN MY PANT, THIS HOW I GOT IT IN MY PANT RIGHT HERE I'M LIKE THIS RIGHT HERE AND WHEN HE KICKED I SAID OH SHIT BUT THE GUN NEVER WENT OFF

DET: DID YOU SEE HIM HAVING A GUN

LP: NO I DIDN'T I AIN'T SEE HIS GUN NEITHER

DET: WHAT DID HE HAVE LAYING THERE

LP: SHIT I AIN'T SEEN NOTHING REALLY I AIN'T EVEN I SEEN NO GUN ALL I SEEN WAS HE LAYING THERE HIS ARM WAS LIKE THIS I SEEN HE GOT SHOT IN THE ARM CAUSE WHEN HE WAS LAYING DOWN THE ARM THAT HE GOT SHOT IN CAUSE I STEPPED OVER IT WAS THE LEFT ARM AM I RIGHT AM I RIGHT GOT SHOT IN THE MUSCLE

DET2: WHERE DID YOU SEE BLOOD ON HIM AT

LP: ON HIS SHIRT

DET2: WHERE AT POINT TO IT WAS HE FACE UP OR FACE DOWN

LP: FACE UP

DET2: FACE UP WHERE WAS THE BLOOD AT THAT YOU SAW ON HIM

LP: I SEEN I DIDN'T REALLY SEE THE BLOOD ALL I SEEN WAS THE SHOT I SEEN HE SHOT IN THE MUSCLE RIGHT HAND MUSCLE AND I SEEN HE GOT HIT LIKE SOMEWHERE UP IN HERE AFTER THAT

DET2: WAS HIS SHIRT BUTTONED

LP: NO I CAN'T REALLY TELL I THINK IT WAS A DARK SHIRT OR WHATEVER I KNOW I SEEN THE SHOT IN HIS ARM I REALLY WASN'T REALLY OH MAN DAMN HE NAW I WAS REALLY TRYING TO GET EVERYTHING SO I COULD GET HER OUT OF HERE YOU KNOW WHAT I'M SAYING ALL I WENT AND GOT WAS THE LITTLE BIT OF MONEY THAT WE HAD AND THAT WAS PROBABLY $120 JUST ENOUGH TO GET A ROOM

DET2: WHAT KIND OF PANTS WAS HE WEARING

LP: YOU TALKING ABOUT THE DUDE

DET2: THE DEAD GUY

LP: IT WAS SOME JEANS

DET2: WERE THEY BLOODY

LP: OK LOOK ALRIGHT MONEY SITTING OVER THERE IN THE KITCHEN THIS IS THE DOOR RIGHT HERE THIS WON'T BE THE DOOR SO WHEN YOU COME IN YOU GOT THE LAZY BOY RIGHT HERE YOU GOT ENTERTAINMENT SYSTEM RIGHT HERE GO AROUND THE CORNER YOU GOT THE ROOM WHERE ME AND QWANDA WAS STAYING AT THEN YOU GO ON DOWN A LITTLE HALL AND THEN YOU GOT THE BATHROOM RIGHT THERE TO YOUR LEFT THEN YOU GOT A DOOR RIGHT HERE WHICH GOES OUTSIDE TO THE BACKDOOR THEN YOU GOT ROY ROOM THAT'S RIGHT HERE SO WHEN THE DUDE COME IN HE HAD TO BE THIS IS THE FRONT DOOR LIKE I SAID MONEY ALWAYS SITS OVER BY THE KITCHEN TABLE WHICH IS TO YOUR RIGHT

DET2: AND THIS IS HOW THEY WOULD HAVE ENGAGED EACH OTHER

LP; YEAH THIS HOW, THIS HOW FAR THEY WOULD OF BEEN RIGHT HERE

DET: BUT ITS SMALL

LP: THIS HOW THEY WOULD HAVE BEEN

DET: HERE'S THE PROBLEM THAT WE HAVE WITH THAT STORY BASICALLY WE HAVE WITNESSES WHO SAY THAT YOU SHOT HIM WHEN HE WAS DOWN WHICH IS FINE IF YOU'RE IN FEAR FOR YOUR LIFE THERE AIN'T NOTHING WRONG WITH IT I DON'T MEAN THAT YOU MURDERED ANYBODY, IT DON'T MEAN THAT HE WAS VIRTUALLY DEAD ANYWAY HE PROBABLY WAS DEAD ANYWAY JUST HAVING SOME MUSCLE SPASMS SO YOU CAN'T BE IN TROUBLE YOU CAN'T KILL SOMETHING THAT'S ALREADY DEAD YOU KNOW WHAT I'M SAYING YOU SEE WHAT I'M SAYING SO IT AIN'T THAT AIN'T MURDER IF SOMEBODY'S ALREADY DEAD AND YOU SHOOT HIM IT MIGHT BE SOME LITTLE DESECRATION OF REMAINS OR SOME LITTLE SMALL PIDDLY THING YOU KNOW BUT IT AIN'T MURDER BUT HERE'S THE PROBLEM THAT WE HAVE IS WE HAVE THOSE WITNESS STATEMENTS AND I TOLD YOU I'M GONNA SHOOT STRAIGHT WITH YOU WE HAVE THOSE WITNESS STATEMENTS THAT SAY YOU STOOD OVER HIM WITH A GUN AND SHOT HIM MAKES SENSE WHEN YOU SAY THAT HIS LEG TWITCHED AND HIT YOU I PROBABLY WOULD HAVE SHOT HIM TOO NOW LISTEN TO ME THE OTHER PROBLEM THAT WE HAVE

LP: NO NO THEY WASN'T THAT BLOODY I SEEN LIKE I JUST KNOW HE'D BEEN SHOT I DIDN'T REALLY PAY ATTENTION TO HIM ALL I KNOW IS WHEN I WAS STEPPING OVER HIM

DET2: SO ALL YOU KNOW IS TWO ARMS BAM BAM AND SOMETHING RIGHT HERE

LP: YEAH CAUSE I SEEN THE BLOOD RIGHT HERE I SEEN THE BLOOD UP BY HIS CHEST AND I SEEN THE SHOT RIGHT HERE YOU KNOW WHAT I'M SAYING AND HE HAD ON BLUE JEANS I DON'T KNOW IF HE WAS SHOT DOWN THERE OR IF BLOOD TRINKLED DOWN THERE I DON'T KNOW I DON'T KNOW I WAS JUST SITTING THERE I DON'T KNOW I DIDN'T TRY TO SEE OR ANYTHING ELSE ALL I DID I WAS JUST TRYING TO GET IN THERE AND GET WHAT'S MINE AND WHAT I NEED CAUSE I KNOW I CAN'T STAY HERE TONIGHT AND ME AND QWANDA LEFT

DET2: YOU SAID THAT MONEY TOLD YOU A COUPLE HOURS AGO WHAT REALLY HAPPENED AND WHAT REALLY HAPPENED IS THE GUY CAME IN ACTED LIKE HE WAS ABOUT TO PULL OUT A GUN AND MONEY SHOT HIM

LP: AND THAT'S WHAT I TOLD THEM

DET2: SO THEY WERE, HOW FAR APART WERE THEY

LP: I KNOW THE KITCHEN RIGHT HERE

DET2: AND I KNOW YOU PROBABLY

DET: DID HE SAY WHERE HE WAS STAYING AT, MONEY

LP: HE DIDN'T SAY NOTHING ABOUT WHERE HE WAS STAYING AT I KNEW HE WAS IN THE KITCHEN THOUGH AND THE KITCHEN RIGHT THERE CAUSE THAT'S WHERE HE ALWAYS SIT AT

DET2: SO YOU GOT YOUR ENTRANCE DOOR BAM THIS IS WHERE THE BOY WOULD HAVE COME IN AND MONEYS STANDING OVER HERE AT THE KITCHEN

DET: THE KITCHEN OVER HERE

IS THAT THAT'S WHERE FORENSICS COMES INTO PLAY IN THAT WE PULLED A LOT OF ROUNDS OUT OF HIM PULLED A LOT OF BULLETS OUT OF HIM AND YOU KNOW WHAT THEY AIN'T ALL THE SAME KIND OF ROUND

LP: HUH I'LL TAKE THE POLYGRAPH AND TELL YOU I DIDN'T SHOT HIM

DET: AND WE'LL GET TO THAT, THEY'RE CALLING TO GET A POLYGRAPH EXAMINER HERE AND GIVE YOU A POLYGRAPH HERE'S THE PROBLEM WITH IT IS THAT THERE NOT JUST DIFFERENT BRANDS OF AMMUNITION THERE DIFFERENT CALIBER WHICH MEANS HE WASN'T SHOT WITH ONE GUN HE WAS SHOT WITH TWO GUNS CAUSE YOU CAN'T SHOOT A 40 OUT OF A 38 YOU CANT SHOOT A 38 OUT OF A 45 A 45 SHOOTS A 45 A 40 SHOOTS A 40 AND A 9 SHOOTS A 9 AND THE REALITY IS THAT DEAD GUY WASN'T SHOT WITH ONE GUN ONE CALIBER HE WAS SHOT WITH TWO ITS SCIENCE ITS JUST LIKE SAYING THIS TABLES HARD IT IS WHAT IT IS WE HAVE TO GET PAST THAT HURDLE WITH YOU

LP: OK I UNDERSTAND THAT

DET: AND BECAUSE THEIR STATEMENTS MATCH WITH WHAT THE PHYSICAL EVIDENCE SAYS TO US AND I DON'T WANT YOU TO GET JAMMED UP HEY IF YOU DIDN'T SHOOT HIM YOU DIDN'T SHOOT HIM BUT DON'T LIE ABOUT IT WHEN IT SOMETHING TO DO HE ALREADY DEAD DUDE SHOT HIM UMPTEEN DAMN TIMES YOU KNOW WHAT I MEAN MONEY SHOT HIM SO MANY DAMN TIMES THAT DUDE HE WAS DEAD SO IF YOU SHOT THE DAMN GUY AND HE WAS DEAD CAUSE HE HAD A MUSCLE SPASM WHICH HAPPENS

LP: QWANDA CAN TELL YOU THAT , QWANDA CAN TELL YOU THAT

DET2: NOT TO DRAG THIS OUT BUT WHEN WE GO TO OUR FIREARMS TRAINING DO YOU KNOW THE ONE THING THAT THEY TELL US OVER AND OVER AND OVER IS DO YOU KNOW DURING GUN TRAINING DO YOU KNOW WHAT THEY TELL US TIME AND TIME AGAIN DO YOU KNOW WHAT THEY TELL US KEEP YOUR FINGER OFF THE TRIGGER UNTIL YOU'RE READY TO SHOOT DO

YOU KNOW WHY THAT IS DO YOU

LP: I GUESS CAUSE IT CAN GO OFF

DET2: NO WELL YEAH YOU CAN GO INTO A BUILDING AND TRIP AND AS YOU'RE FALLING SQUEEZE THAT TRIGGER AND ITS AN ACCIDENT KEEP YOU FINGER OFF THE TRIGGER NOW I SAY THAT FOR A REASON AND I'M JUST BOUNCING SOME IDEAS OFF THE WALL NOT TRYING TO PUT WORDS IN YOUR MOUTH BUT IF YOU HAD THAT GUN OK IF YOU HAD IT OUT AND YOU HAD YOUR FINGER IN THE TRIGGER AND THAT DEAD BODY HAS A MUSCLE SPASM AND YOU WENT OH SHIT LIKE YOU SAID YOU DID AND IF YOUR FINGER WAS ON THE TRIGGER IT COULD HAVE FREAKED YOU OUT ENOUGH THAT YOU WENT POP OH SHIT YOU KNOW THAT MAKES SENSE DOES IT NOT

LP: YEAH BUT I WOULD HAVE RECOGNIZED A SHOT YOU KNOW WHAT I'M SAYING I WOULD HAVE RECOGNIZED IF I SHOT A GUN BUT THE GUN I HAD DIDN'T GO OFF PERIOD POINT BLANK CAUSE IT WAS WITH ME WHEN I LEFT YOU KNOW WHAT I'M SAYING IT WAS WITH ME WHEN I LEFT MATTER OF FACT IT WASN'T EVEN ON ME IT WAS UP UNDER THE TIRE OF THE CHRYSLER BECAUSE I DON'T WHEN I'M WITH QWANDA I DON'T DO ALL THAT OTHER STUFF YOU KNOW WHAT I'M SAYING CAUSE I DON'T WANT TO EXPOSE HER TO ME SELLING WEED

DET2: WHAT DO YOU MEAN IT WAS UNDER THE TIRE OF THE CHRYSLER THE GUN

LP: YEAH IT WAS THAT'S WHEN I GOT OUT OF THE CAR WHEN I GOT OUT QWANDA'S CAR YOU KNOW WHAT I'M SAYING IT WAS LIKE IT WAS RIGHT ON THE TIRE IT WAS RIGHT ON THE TIRE I SET IT ON THE TIRE YOU KNOW HOW YOU LIKE THE FENDER WALL I SET IT ON THE TIRE CAUSE THE DUDE SAY, EVERYBODY AROUND THERE SAYING THEY PLOTTING ON ME SO I DON'T WANT TO GO IN THE HOUSE AND NOT YOU KNOW WHAT I'M SAYING AND END UP UNC TALKING ABOUT YEAH THIS IS MY NEPHEW AND HE'S GOT FOUR OR FIVE PEOPLE IN HERE THAT COULD ROB ME SO WHEN I WALKED IN THE HOUSE I HAD THE GUN BUT WHEN I WALKED IN THERE THE DUDE WAS ALREADY LAYING OUT AND WHEN HE DID THAT I SAID OH

SHIT I DIDN'T SHOOT HIM I WENT STRAIGHT IN THE ROOM I WAS QUICK ABOUT IT I WENT STRAIGHT IN THE ROOM GRABBED THE LITTLE BIT OF MONEY I DID HAVE I JUMPED BACK OVER HIM AND WHEN I JUMPED BACK OVER HIM THE GIRL KELLY SHE SAID HERE'S HIS KEYS AND MARCUS CALLED ME AND SAID YOU NEED TO GET THAT CAR FROM OUT OF THERE AND THEN THAT'S WHEN I TOOK IT UP THE STREET

DET: WHERE'D SHE HAVE THE KEYS

LP: SHE HAD KEYS IN HER POCKET YEAH SHE HAD KEYS LIKE IN HER POCKET THAT'S WHEN I SAY SHE WAS SITTING THERE (INAUDIBLE) SHE PROBABLY WAS FEELING ON THE KEYS TRYING TO TELL ME SHE HAD THE KEY BUT COULDN'T REALLY LIKE JUST FOCUS SO SHE WAS PATTING HER POCKETS YOU KNOW WHAT I'M SAYING AND WHEN SHE DID THAT SHE WAS LIKE WHEN I WAS COMING OUT THE DOOR SHE WAS STILL PATTING HER POCKET THEN SHE GRABBED THE KEYS I GUESS I DON'T KNOW HOW OR WHATEVER WAS GONE SHE GRABBED THE KEY AND MAR YOU KNOW WHAT I'M SAYING MONEY HE'D ALREADY TOLD ME YO YOU GOTTA GET THAT CAR UP OUT OF THERE DAWG YOU GOTTA GET THAT CAR UP OUT OF THERE I TOLD HIM I SAID MAN I AIN'T GOT THE KEYS AND THEN THAT'S WHEN KELLY CAME SHE GAVE ME THE KEYS AND I JUMPED IN THE CAR TOOK IT DOWN THE STREET SEEN UNC ROLLING DOWN THE STREET I MADE A LEFT BUSTED ANOTHER LEFT TO WENT ON THEN WENT ON DOWN THAT ROAD AND MADE A RIGHT WENT STRAIGHT TO THE PAWNSHOP THAT'S WHEN MONEY CAME RUNNING ACROSS RUNNING LIKE DIAGONAL FROM THE TRAILER AND WHEN HE START RUNNING FROM THE TRAILER THAT'S WHEN HE JUMPED IN THE CAR HE'S LIKE MAN LET'S GO TO THE GAS STATION I'M LIKE WHAT GAS STATION YOU TALKING ABOUT HE LIKE MAN JUST RIDE I'M LIKE ALRIGHT SO THAT'S WHEN I CALLED QWANDA I SAID MAN JUST FOLLOW ME SO WE WENT TO THE GAS STATION I FILLED IT UP I FILL UP THE TANK AND I FILL UP THE GAS CAN I JUMP IN THE PASSENGER SEAT HE SAID WE ABOUT TO TAKE A RIDE I SAID OH SHIT ALRIGHT I WAS SMOKING CIGARETTES WHEN WE GOT TO I GUESS JOHNSONVILLE THAT'S WHEN HE LIKE MAN STAY RIGHT HERE AND WATCH THIS ROAD HE LIKE WATCH THIS ROAD RIGHT HERE FOR TRAFFIC WATCH THIS ROAD THAT'S WHEN HE PULL

OFF WHEN HE PULL OFF I LOOK ONE WAY AND THEN WHEN I LOOKED BACK I AIN'T SEE THE CAR YOU KNOW WHAT I'M SAYING BUT I SEEN QWANDA ROLLING ON DOWN CAUSE I TOLD HER I SAID MAN JUST GO ON DOWN I SAID DON'T EVEN STAY UP THIS I SAID JUST GO ON DOWN SO SHE WAS ROLLING ON DOWN (INAUDIBLE) I GUESS IT WAS A STATE TROOPER OR HORRY COUNTY PULL HER OVER AND WHEN HE PULL HER OVER I START WALKING I START WALKING MATTER OF FACT WHEN I START WALKING I WALK ALL THE WAY DOWN THE STREET I CAME ACROSS A , I CAME ACROSS A LITTLE ROAD I WALKED THE ROAD THINKING ITS GONNA GO AROUND IN A CIRCLE AND I COULD COME BACK AND I'D BE IN FRONT OF HER AND MEET HER BUT WHEN I GOT AROUND THERE SHE WENT THIS WAY INSTEAD OF GOING THIS WAY CAUSE THE WOODS WAS ON THIS SIDE AND WENT THIS WAY SO I SAID SHIT IF I WALK THIS WAY (INAUDIBLE) YOU KNOW WHAT I'M SAYING I ENDED UP AT A GAS STATION AND I WAS TRYING TO CALL MY PHONE WAS DEAD I WAS TRYING TO CALL THEM CAUSE HE IT WAS MONEY HAD GOTTEN BACK IN THE CAR WITH MY OLD LADY YOU KNOW WHAT I'M SAYING AND I'M AIN'T WITH THAT SHIT ANOTHER MAN RIDING WITH MY OLD LADY I TOOK (INAUDIBLE) I SAID MAN AND WHEN THEY FOUND ME IT WAS LIKE 2 HOURS LATER 3 HOURS LATER BUT I WAS WALKING I WENT TO THE GAS STATION TO TRY TO GET RECEPTION A LITTLE BIT OF WIFI OR SOMETHING WHERE I COULD GET A LITTLE BIT OF RECEPTION TO CALL HER

DET2: DID YOU HAVE A LOT OF VOICE MAIL AFTER THAT FROM WHERE THEY TRIED TO CALL YOU

LP: YEAH MATTER OF FACT ACTUALLY I HAD 2 OF THEM I HAD 2 OF THEM AND THEN THIS MORNING WHEN I WOKE UP I HAD 7

DET: WHAT DID YOU DO YESTERDAY

LP: I WAS WITH QWANDA TIL AROUND ABOUT 12 AND THEN SHIT I WAS RIDING AROUND

DET: WITH WHO

LP: WITH MONEY HE HAD ME BACK IN THE WOODS

DET: IN THE CAMERO

LP: YEAH CAUSE HE HAD JUST GOT IT

DET: WHERE DID YOU RIDE TO

LP: I'M TALKING ABOUT HE WAS JUST TAKING ALL THESE BACK ROADS

DET: HE WAS DOING BUSINESS

LP: HE WAS TALKING TO A LOT OF PEOPLE I DON'T KNOW IF CAUSE I ALWAYS GOT OUT OF THE CAR YOU KNOW WHAT I'M SAYING IF HE WAS TO DO SOMETHING I GET OUT OF THE CAR YOU KNOW WHAT I'M SAYING AND WHOEVER HE TRYING TO TALK TO I (INAUDIBLE) I GET OUT OF THE CAR AND SMOKE A CIGARETTE AND ONCE THEY FINISH DOING WHAT THEY GOTTA DO I JUMP BACK IN THE CAR WE JUST PULL OFF AND RIDE TALK TALK ABOUT WHATEVER SMOKE BUT YESTERDAY THAT WAS ALL WE DID AND THEN HE WAS LIKE MAN CAN YOU THAT'S WHEN I TELL YOU DUDE THE JETER DUDE GAVE HIM HIS ID AND HE GAVE IT TO ME AND WANTED ME TO GET HIM A ROOM

DET: WHERE DID YOU SEE HIM AT

LP: I DIDN'T SEE THE DUDE I DIDN'T SEE THE JETER DUDE

DET: (INAUDIBLE)

LP: I DIDN'T EVEN SEE THE JETER DUDE HE WALKED IN THE HOUSE

DET: WHERE WAS THAT AT

LP: AW DAMN MAN YOU'RE TRYING, I DON'T WANT TO LIE TO YOU MAN, I DON'T WANT TO LIE CAUSE I DON'T KNOW EXACTLY WHERE ITS AT YOU KNOW WHAT I'M SAYING I DON'T KNOW EXACTLY I DON'T KNOW NOTHING AROUND HERE NOW IF YOU WERE TO PUT ME IN COLUMBIA I COULD TELL YOU ANY AND EVERY PLACE TO GO BUT I DON'T KNOW NOTHING I NEVER BEEN THIS IS MY FIRST TIME EVEN COMING TO BIKE WEEK

DOWN HERE YOU KNOW WHAT I'M SAYING AND HE WANTED AND I WAS TRYING TO GET A JOB WITH UNC MY UNC WAS LIKE YOU CAN GET A JOB RIGHT THERE ON THE BEACH AT ONE OF THEM HOTELS

DET: LET ME ASK YOU THIS DID YOU GO TO BURGER KING LAST NIGHT

LP: BURGER KING, BURGER KING, BURGER KING, NO MCDONALD'S I WENT TO MCDONALD'S LAST NIGHT I ATE A OATMEAL A FRUIT ONE OF THOSE FRUIT OATMEALS AND A COKE I HAD A COCA COLA AND THAT WAS IT I DIDN'T GO TO NO MCDONALD'S

DET: YA'LL DIDN'T GO THROUGH A BURGER KING DRIVE THRU

LP: I DOUBT IT I CAN'T I AIN'T GONNA SAY I DOUBT IT I CAN'T REMEMBER I CAN'T REMEMBER I KNOW I ATE SOME MCDONALD'S LAST NIGHT I DON'T KNOW I CAN'T REMEMBER IF WE WENT TO A BURGER KING OR NOT CAUSE WE WENT A LOT OF PLACES HE TOOK ME ON A LOT OF BACK ROADS AND STUFF I GUESS HE WAS TRYING TO CONFUSE ME AS WELL CAUSE HE KNOWS THIS AREA I DON'T

DET: DID YOU GO TO ANY PLACES OF BUSINESS ANY CLUBS BARS HOTELS

LP: WE WENT TO UH

DET: MOVIE THEATERS BOWLING ALLEYS

LP: DAMN DAMN I KNOW WE PASSED FANTAILS I KNOW WE PASSED THAT SPOT WENT DOWN AND TURNED AROUND BUT WE DIDN'T STOP NO PLACE WE DIDN'T STOP NO PLACE WENT DOWN TURNED AROUND AND THEN HE SAT AT A GAS STATION LIKE WHERE FANTAIL AT FOR A LITTLE MINUTE AND THEN HE PULLED OFF HE DIDN'T DO NO DEALS HE DIDN'T DO NO DEALS HE TRIED TO MEET MATTER OF FACT ONE DUDE WAS CALLING TRYING TO MEET HIM YOU KNOW WHAT I'M SAYING ONE DUDE WAS CALLING TRYING TO MEET HIM BUT I GUESS THAT SHIT DIDN'T GO RIGHT OR WHATEVER HE HAULED ASS, MONEY HE HAULED ASS WHATEVER (INAUDIBLE) I DON'T

KNOW I DON'T EVEN INDULGE IN HIS BUSINESS

DET: ANYTHING ELSE DAVID LET ME ASK YOU THIS CAUSE WE'RE GONNA STOP THIS NOW I GOT SOME STUFF TO DO BUT IS THERE ANYTHING ABOUT YOUR STATEMENT YOU WANT TO CHANGE BECAUSE HERE'S HOW THIS PLAYS OUT IT IS WHAT IT IS THIS IS YOUR STATEMENT YOU KNOW WHAT I MEAN AND THIS IS YOUR STORY AND ITS HOW ITS GONNA PLAY OUT FOR YOU AS THIS THING GOES ON YOU KNOW AS IT COMES UP IN YOUR PRELIMINARY HEARING AS IT GETS PRESENTED TO THE GRAND JURY AS IT GETS SENT OVER TO THE SOLICITOR'S OFFICE AND THEY HAVE TO FIGURE OUT WHETHER OR NOT THEY WANT TO PROSECUTE YOU AND IF THEY DO WHAT THEY WANT TO PROSECUTE YOU FOR AND HOW IT GOES TO COURT AND PLAYS OUT THIS IS WHAT YOUR POSITION IS THIS IS YOUR STATEMENT AS TO THIS IS WHAT I DID THIS IS WHY I DID IT AND LET THE CHIPS FALL WHERE THEY MAY

LP: OK I DIDN'T THEY SAID THE 5 OR 7 WITNESSES SAY I SHOT HIM I DIDN'T SHOOT HIM THE GUN THAT I DID HAVE NEVER WENT OFF I'VE NEVER SHOT THE GUN THAT I HAD NEVER NOT EVEN PLAYING WITH IT OR TRYING TO SEE HOW IT DOES NEVER SHOT THE GUN

DET: OK WELL LETS DO THIS WE'RE NOT GOING TO REHASH WHAT YOUR WHOLE STATEMENT WAS WE'VE BEEN IN HERE FOR LIKE 3 HOURS 2 HOURS ALREADY WE'RE NOT GOING TO GO THROUGH WHAT YOUR STATEMENT IS MY QUESTION TO YOU IS IS THERE ANYTHING ABOUT THAT STATEMENT THAT YOU WANT TO CHANGE BECAUSE NOW IS THE TIME AND THIS IS THE PLACE TO DO IT THERE AIN'T WE AIN'T GONNA DO IT AGAIN THERE'S NO SECOND CHANCE TO DO IT IS THERE ANYTHING THAT YOU TOLD US THAT YOU WANT TO CHANGE

LP: I TOLD YOU WHAT I DID I WENT IN THE HOUSE AND GOT THE MONEY

DET: RIGHT WE'RE NOT GONNA REHASH WE'RE NOT GOING OVER YOUR STATEMENT AGAIN CAUSE IT'S A LONG STATEMENT YOU KNOW A LOT OF THINGS HAS GONE ON THE LAST FEW DAYS SO WE'RE NOT GONNA GO OVER IT AGAIN BUT IS THERE ANYTHING YOU WANT TO CHANGE

LP: NO SIR

DET: OK

DET2: WELL THAT IS THE WAY THE COOKIE CRUMBLES

DET: YOU NEED ANYTHING ELSE DAVID

DET2: NO I THINK WE'RE GOLDEN

DET: OK

LP: CAN I HAVE A CIGARETTE

DET: YEAH LET ME SEE IF I CAN FIND YOU ONE SIT TIGHT WE'RE GONNA STOP THIS ITS 11:42

(END OF TAPE)

STATE OF SOUTH CAROLINA

HORRY COUNTY
SOUTH CAROLINA

# SEARCH WARRANT

DATE: May 2, 2012

Detective David Weaver

Case Number: 12041053

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

# AFFIDAVIT

Personally appear before me, one *Detective David Weaver,* who, being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

## DESCRIPTION OF PROPERTY SOUGHT

*Any and all items of evidentiary value that may aid in the investigation into the Homicide of one Jerome Green Jr. which occurred at the residence of 5456 Figure Eight Rd. located within the Myrtle Beach section of Horry County reference the HCPD case # 12041053. These items may include but are not limited to any and all weapons, to include firearms and ammunition of any form, and any articles of clothing which may have been used or worn in the commission of said crime. Any vehicles,latent fingerprints, shoe prints, blood, or blood residue or any item believed to contain blood. Any and all DNA, fibers, hairs, any form of biological or trace evidence. Any and all personal effects, papers, notes, documents, analog and/or magnetic media which may contain information that may aid in determining the identification of the person(s) occupied said vehicle and subsequently aided in said criminal action.*

## DESCRIPTION OF PREMISES (PERSON, PLACE OR THING) TO BE SEARCHED

*A tanish color vynil sided manufactured home located at 3635 Kates Bay Road which is located in the Conway section of Horry County.The mobile has a rock veneer bottom skirt with a white in color front door and the numbers 3635, clearly marked, next to the front door.The residence has wooden stairs and deck leading to the front door. The property is surrounded by a wooden six foot fence. In the left corner of the rear of the property, the back yard,there is a ten foot by ten foot tanish, with white trim, shed. There are two visible vehicles parked in the rear of the property. One of the vehicles is a dark in color Cadillac Escalade with chrome wheels and an older light brown Chevrolet sedan.*

*A 2003 Cadillac Escalade Exit SUV (VIN: 3GYEK63N93G334144) bearing South Carolina plate of 656 2DL. The vehicle is currently located at the above described location of 3635 Kates Bay Road in the Conway section of Horry County.*

## REASON FOR AFFIANT'S BELIEF THAT THE PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

*On 05-01-12, members of the Horry County Police Department responded to the residential address of 5456 Figure Eight Rd., located in the Myrtle Beach section of Horry County, in reference to a shooting incident wherein the victim Jerome Green Jr. was shot to death. A co-defendant, Lanard Powell, informed law enforcement the shooter, identified as Marcus Dwain Wright, fled the scene at the above said location in a black in color BMW vehicle and then later switch getaway vehicles to a dark in color Cadillac Escalate. The shooter then drove to the address of 3635 Kates Bay Road, which is in the Conway section of Horry County, and left the above said vehicle at that address. The co-defendant also informed law enforcement the shooter obtained the muder weapon, from his wife, at the above location. It is believed the shooter transported the murder weapon in the Cadillac Escalate back to the said residence and that it may still be present in the home and/or described vehicles.*

Sworn to and Subscribed before me

This 2nd day of MAY, 2012

Signature of Judge (L.S.)

1:40 PM

*AFFIANT*

Address: 2560 N. Main St
Conway, SC 29526

Phone: (843) 915-7974

DEFENDANT'S EXHIBIT 685

5-1-13

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

SEARCH WARRANT

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE MUNIPALITY OF *HORRY COUNTY, SOUTH CAROLINA.*

It appears from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

**DESCRIPTION OF PREMISES (PERSON, PLACE OR THING) TO BE SEARCHED**

*A tanish color vynil sided manufactured home located at 3635 Kates Bay Road which is located in the Conway section of Horry County.The mobile has a rock veneer bottom skirt with a white in color front door and the numbers 3635, clearly marked, next to the front door.The residence has wooden stairs and deck leading to the front door. The property is surrounded by a wooden six foot fence. In the left corner of the rear of the property, the back yard,there is a ten foot by ten foot tanish, with white trim, shed. There are two visible vehicles parked in the rear of the property. One of the vehicles is a dark in color Cadillac Escalade with chrome wheels and an older light brown Chevrolet sedan.*
*A 2003 Cadillac Escalade Exit SUV (VIN: 3GYEK63N93G334144) bearing South Carolina plate of 656 2DL. The vehicle is currently located at the above described location of 3635 Kates Bay Road in the Conway section of Horry County.*

Now, therefore, you are hereby authorized to search the subject premises for the property described below and to seize such property if found:

**DESCRIPTION OF PROPERTY**

*Any and all items of evidentiary value that may aid in the investigation into the Homicide of one Jerome Green Jr. which occurred at the residence of 5456 Figure Eight Rd. located within the Myrtle Beach section of Horry County reference the HCPD case # 12041053. These items may include but are not limited to any and all weapons, to include firearms and ammunition of any form, and any articles of clothing which may have been used or worn in the commission of said crime. Any vehicles,latent fingerprints, shoe prints, blood, or blood residue or any item believed to contain blood. Any and all DNA, fibers, hairs, any form of biological or trace evidence. Any and all personal effects, papers, notes, documents, analog and/or magnetic media which may contain information that may aid in determining the identification of the person(s) occupied said vehicle and subsequently aided in said criminal action.*

This Search Warrant shall not be valid for more than ten days from the date of issuance.
A written inventory of all property seized pursuant to this Search Warrant shall be made to,

Bradley D. Mayes

within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as practicable; in the event the identity of the person in charge is not know or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Horry County, South Carolina.

MAY 2nd, 2012

1:40 P.M.

Signature of Judge (L.S.)

Form Approved by
S.C. Attorney General
Section 17-13-160
March 15, 1978

# RETURN

I received the attached Search Warrant on May 1st, 2012, and have executed it as follows:

On May 1st, 2012 at 9:55 o'clock AM

I searched (the Person) and (the premises) described in the warrant.

I left a copy of the warrant with Vehicle

Name of person searched or "*at the place of search*". Together with a receipt for the items seized.

**The following is an inventory of property taken pursuant to the warrant:**

*****NO ITEMS COLLECTED*****

This inventory was made in the presence of Detective J. Martin

AND Senior Investigator JR Caulder II

I swear that this Inventory is true and detailed account of all the property taken by me on the warrant.

SWORN to before me this 1st Day of May, 2012

[signature] (L.S.)

Signature of Judge

11:45 PM

[signature]

(Signature of Officer Executing Warrant)

# RETURN

I received the attached Search Warrant on, 5/2/12, and have executed it as follows:

On 5/2, 2012 at 115 o'clock P M.

I searched (the Person) described in the warrant and (the premises)

I left a copy of the warrant with Residence

Name of person searched or "*at the place of search*" with.
Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

See Chains - 4 pgs

This inventory was made in the presence of Det. J. Chatfield, Det. J. Raban

AND Det. D. Spencer + Inv. H. Brummett

I swear that this Inventory is true and detailed account of all the property taken by me on the warrant.

SWORN to before me this 9th Day of MAY, 2012

[illegible] (L.S.)
Signature of Judge

11:25AM

Heath A Brummett
(Signature of Officer Executing Warrant)

PAYMENT BOOK

ROLLINS ACCEPTANCE CO
P.O BOX 660285
DALLAS TX 75266-0285

Orkin Extermination Co. documentation enclosed

+ 330631 0015546 55330 931520 2L 0036 326

MARCUS WRIGHT
3635 KATES BAY HWY
CONWAY SC 29527-6321

DEFENDANT'S EXHIBIT
3 (I)
dce 6-18-13

ROLLINS
ACCEPTANCE COMPANY

DATE PAID
DATE DUE JUN 15 - 11

AMT PAYMT

CHECK NO. 1

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

| PAYMT. NO. | ACCOUNT NUMBER | "ON TIME" PAYMENT - DUE ON OR BEFORE | |
|---|---|---|---|
| 26 | [redacted] REDACTED | $101.19 | JUL 15 - 13 |
| | | "LATE" PAYMENT - PAY ON OR AFTER | |
| | | $117.69 | JUL 26 - 13 |

MARCUS WRIGHT
3635 KATES BAY HWY
CONWAY SC 29527-6321

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

[redacted] REDACTED

PLEASE BE SURE TO SEND THE RIGHT COUPON WITH YOUR PAYMENT

| PAYMT. NO. | ACCOUNT NUMBER | "ON TIME" PAYMENT - DUE ON OR BEFORE |
|---|---|---|
| 27 | [redacted] | $101.19 AUG 15 - 13 |

"LATE" PAYMENT - PAY ON OR AFTER
$117.69 AUG 26 - 13

MARCUS WRIGHT
3635 KATES BAY HWY
CONWAY SC 29527-6321

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

[redacted]

PLEASE BE SURE TO SEND THE RIGHT COUPON WITH YOUR PAYMENT

| PAYMT. NO. | ACCOUNT NUMBER | "ON TIME" PAYMENT - DUE ON OR BEFORE | |
|---|---|---|---|
| 28 | [redacted] | $101.19 | SEP 15 - 13 |
| | | "LATE" PAYMENT - PAY ON OR AFTER | |
| | | $117.69 | SEP 26 - 13 |

MARCUS WRIGHT
3635 KATES BAY HWY
CONWAY SC 29527-6321

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

[redacted]

PLEASE BE SURE TO SEND THE RIGHT COUPON WITH YOUR PAYMENT

| PAYMT. NO. | ACCOUNT NUMBER | "ON TIME" PAYMENT - DUE ON OR BEFORE |
|---|---|---|
| 29 | [redacted] | $101.19 OCT 15 - 13 |
| | | "LATE" PAYMENT - PAY ON OR AFTER |
| | | $117.69 OCT 26 - 13 |

MARCUS WRIGHT
3635 KATES BAY HWY
CONWAY SC 29527-6321

ROLLINS ACCEPTANCE CO
P.O BOX 660285
DALLAS TX 75266-0285

[redacted]

PLEASE BE SURE TO SEND THE RIGHT COUPON WITH YOUR PAYMENT

[PAYMT. NO.] ACCOUNT NUMBER

30 [redacted]

$101.19 NOV 15 - 13

$117.69 NOV 26 - 13

MARCUS WRIGHT
3635 KATES BAY HWY
CONWAY SC 29527-6321

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

[redacted]

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

PLEASE BE SURE TO SEND THE RIGHT COUPON WITH YOUR PAYMENT

DATE PAID
DATE DUE
AMT
DEC 15 - 13
CHECK NO.
PAYMT
31

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

| PAYMT. NO. | ACCOUNT NUMBER | "ON TIME" PAYMENT - DUE ON OR BEFORE | |
|---|---|---|---|
| 31 | [redacted] | $101.19 | DEC 15 - 13 |
| | | "LATE" PAYMENT - PAY ON OR AFTER | |
| | | $117.69 | DEC 26 - 13 |

MARCUS WRIGHT
3635 KATES BAY HWY
CONWAY SC 29527-6321

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

[redacted]

PLEASE BE SURE TO SEND THE RIGHT COUPON WITH YOUR PAYMENT

DATE PAID
DATE DUE JAN 15 - 14 AMT
CHECK NO. 32 PAYMT

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

| PAYMT. NO. | ACCOUNT NUMBER | "ON TIME" PAYMENT - DUE ON OR BEFORE | |
|---|---|---|---|
| 32 | REDACTED | $101.19 | JAN 15 - 14 |
| | | "LATE" PAYMENT - PAY ON OR AFTER | |
| | | $117.69 | JAN 26 - 14 |

MARCUS WRIGHT
3635 KATES BAY HWY
CONWAY SC 29527-6321

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

REDACTED

PLEASE BE SURE TO SEND THE RIGHT COUPON WITH YOUR PAYMENT

DATE PAID
DATE DUE FEB 15 - 14 AMT PAYMT CHECK NO. 33

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

| PAYMT. NO. | ACCOUNT NUMBER | "ON TIME" PAYMENT - DUE ON OR BEFORE | |
|---|---|---|---|
| 33 | [redacted] | $101.19 | FEB 15 - 14 |
| | | "LATE" PAYMENT - PAY ON OR AFTER | |
| | | $117.69 | FEB 26 - 14 |

MARCUS WRIGHT
3635 KATES BAY HWY
CONWAY SC 29527-6321

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

[redacted]

PLEASE BE SURE TO SEND THE RIGHT COUPON WITH YOUR PAYMENT

DATE PAID
DATE DUE MAR 15 - 14 AMT PAYMT CHECK NO. 34

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

| PAYMT. NO. | ACCOUNT NUMBER | "ON TIME" PAYMENT - DUE ON OR BEFORE | |
|---|---|---|---|
| 34 | [redacted] | $101.19 | MAR 15 - 14 |
| | | "LATE" PAYMENT - PAY ON OR AFTER | |
| | | $117.69 | MAR 26 - 14 |

MARCUS WRIGHT
3635 KATES BAY HWY
CONWAY SC 29527-6321

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

[redacted]

PLEASE BE SURE TO SEND THE RIGHT COUPON WITH YOUR PAYMENT

DATE PAID
DATE DUE
APR 15 - 14
AMT
PAYMT
CHECK NO. 35

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

| PAYMT. NO. | ACCOUNT NUMBER | "ON TIME" PAYMENT - DUE ON OR BEFORE | |
|---|---|---|---|
| 35 | [redacted] | $101.19 | APR 15 - 14 |
| | | "LATE" PAYMENT - PAY ON OR AFTER | |
| | | $117.69 | APR 26 - 14 |

MARCUS WRIGHT
3635 KATES BAY HWY
CONWAY SC 29527-6321

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

[redacted]

PLEASE BE SURE TO SEND THE RIGHT COUPON WITH YOUR PAYMENT

DATE PAID
DATE DUE MAY 15 - 14 AMT PAYMT CHECK NO. 36

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

| PAYMT. NO. | ACCOUNT NUMBER | "ON TIME" PAYMENT - DUE ON OR BEFORE |
|---|---|---|
| 36 | [redacted] | MAY 15 - 14 |
| | | "LATE" PAYMENT - PAY ON OR AFTER |

MARCUS WRIGHT
3635 KATES BAY HWY
CONWAY SC 29527-6321
**PLEASE CALL FOR PAYOFF 1-800-241-7121**

ROLLINS ACCEPTANCE CO
P O BOX 660285
DALLAS TX 75266-0285

[redacted]

PLEASE BE SURE TO SEND THE RIGHT COUPON WITH YOUR PAYMENT

ChaseHealthAdvance℠
FINANCING OPTIONS



## Summary of Account Activity

| | |
|---|---|
| Account Number | REDACTED |
| Previous Balance | 1,984.50 |
| Payments, Other Credits | 631.00 |
| Purchases, Debits | .00 |
| **Fees Charged** | 35.00 |
| **Interest Charged** | .00 |
| New Balance | 1,388.50 |
| Statement Closing Date | 06/03/2013 |
| Days in Billing Cycle | 31 |
| Total Credit Line | 0 |
| Available Credit | .00 |

Thank you for choosing Chase as your financial partner. We appreciate your business. If you have any additional questions, just call us at 888-519-6444 or visit online at www.mychasehealthadvance.com.
We are here to work with you.

## Payment Information

| | |
|---|---|
| New Balance | 1,388.50 |
| Past Due Amount | .00 |
| Minimum Payment Due | 315.50 |
| Minimum Payment Due Date | 07/01/2013 |

**Late Payment Warning:** If we do not receive your minimum payment by the date listed above, you may have to pay a late fee of up to $35.

**Minimum Payment Warning:** If you make only the minimum payment each period, you will pay more in interest and it will take you longer to pay off your balance. For example:

| If you make no additional charges using this account and each month you pay ... | You will pay off the balance shown on this statement in about ... | And you will end up paying an estimated total of ... |
|---|---|---|
| Only the minimum payment | 5 months | $1,388.50 |

If you would like information about credit counseling services, call 1-866-797-2885.

## Purchase and Promotion Balances

* You must make your minimum payments when due and pay your Promotional Purchases Balance(s) in full by the Promotion Expiration Date to avoid paying accrued deferred interest charges. (v) = Variable Rate.

| Plan/Sequence # | Balance(s) | Promotion Expiration Date* | Annual Percentage Rate (APR) | Scheduled Payment Amount | Accrued Deferred Interest | Amount in Dispute | Minimum Payment Due |
|---|---|---|---|---|---|---|---|
| 00502/1 | 1,353.50 | 11/03/2013 | 27.99% | 280.50 | 1,081.48 | .00 | 280.50 |
| 00010/2 | 35.00 | None | 00.00% | .00 | .00 | .00 | 35.00 |

## Interest Charge Calculation

Your **Annual Percentage Rate (APR)** is the annual interest rate on your account.

| Plan/Sequence # | Purchase Rate | Annual Percentage Rate (APR) | Balance Subject to Interest Rate | Interest Charge(s) |
|---|---|---|---|---|
| Standard Purchases | 27.99% | 27.99% | .00 | .00 |
| 00502/1 | 27.99% | 27.99% | 1,667.87 | .00 |
| 00010/2 | 00.00% | 00.00% | .00 | .00 |

Please see Information About Your Account section for balance computation method, paying interest, and other important information.

TEAR OFF THIS PAYMENT STUB AND MAIL WITH YOUR CHECK OR MONEY ORDER TO THE ADDRESS BELOW.

ChaseHealthAdvance℠
FINANCING OPTIONS

☐ Check this box to indicate any **ADDRESS CHANGES** detailed on back.

| Minimum Payment Due Date | New Balance | Past Due Amount | Minimum Payment Due |
|---|---|---|---|
| 07/01/2013 | 1,388.50 | .00 | 315.50 |

Account REDACTED

$

Please write your account number on your check. In order to receive payment by your due date, we suggest mailing at least five (5) days prior to the due date. See reverse side for important information.

**MAKE CHECK PAYABLE TO:**

01060

MARCUS D WRIGHT
3635 KATES BAY HWY
CONWAY, SC 29527

1
CHASEHEALTHADVANCE
P.O. BOX 4758
CAROL STREAM, IL 60197-4758

1000907004006247642000000315500000001388500000031550

DEFENDANT'S EXHIBIT
RUA 701 (WD) 4

ChaseHealthAdvance℠
FINANCING OPTIONS

Account Number [redacted]

## Important News

## New Monthly Activity

| Transaction Date | Posting Date | Reference Number | Transaction Description | Plan Number | $ Amount |
|---|---|---|---|---|---|
| | | | Transactions | | |
| 05/05 | 05/05 | 00000000000505100080066 | PAYMENT RECEIVED | 00000 | 315.50 - |
| 06/03 | 06/03 | 00000000000603100070391 | PAYMENT RECEIVED | 00000 | 315.50 - |
| | | | Fees Charged | | |
| 06/01 | 06/01 | 10000000010601999979690 | LATE CHARGE ASSESSMENT | 00010 | 35.00 + |
| | | | TOTAL FEES FOR THIS PERIOD | | 35.00 |
| | | | Interest Charged | | |
| | | | TOTAL INTEREST CHARGED FOR THIS PERIOD | | 0.00 |

## 2013 Total Year-to-Date

| | |
|---|---|
| Total fees charged in 2013 | 175.00 |
| Total interest charged in 2013 | .00 |



Mailing

Inmate Records #HCO3021200079
C3/208D
1130 J. Reuben Long Ave.
Conway, SC 29526

COLUMBIA SC 290
21 MAY 2013 PM 1 L

FOREVER
USA

Bank Swallow

M. Wright
3035 Plumbs Bay Rd.
Conway, SC 29526

DEFENDANT'S EXHIBIT

ROA 703

C-18-13

# HORRY COUNTY POLICE DEPARTMENT

*Dedicating to Providing Comprehensive, Quality Law Enforcement*

2560 North Main Street, Suite 7 – Conway, SC 29526 – Tel: 843-915-5350 – Fax: 843-248-1886


## Criminal Investigations Division
### CRIME SCENE INVESTIGATIONS UNIT

## INVESTIGATIVE REPORT




**HCPD CASE NUMBER:** 12-041053

**CSI NUMBER:** 12-0542

**CSI MEMBER:** Investigator Heather Brummett

**CID CASE AGENT:** Detective Todd Cox

**INVESTIGATION TYPE:** Death Investigation (Homicide by handgun)

**VICTIM:** Jerome Green Jr [REDACTED]

**LOCATION:** 5456 Figure Eight Road, Myrtle Beach, SC 29588

**DATE:** 04/30/2012 (Monday)

**NOTIFICATION/ INCIDENT DETAILS:**

On the 1st day of May 2012 at approximately 1215 hours I was notified by Lt. Peter Cestare and directed to respond to a homicide that had just occurred at 5456 Figure Eight Road located in the Socastee section of Horry County. I was also advised Detective Cox would be en route as the case agent.

**SEARCH WARRANT:**

Consent to search 5456 Figure Eight Road was given by the homeowner, Roy Sinclair to Officer Canterbury.

Search Warrant was obtained for 3635 Kates Bay Road by Detective Weaver and signed by Judge Brad Mayers.

Search Warrant was obtained for 1999 Chrysler 300M 4 door by Detective D. Williams and signed by Judge Butler.

Consent to search was obtained for 2000 Toyota Camry from the owner.

Search Warrant was obtained for 2002 BMW by Detective Todd Cox and signed by Judge Butler.

Search Warrant was obtained for 2012 Chevrolet Camaro by Detective Paul Johnson and signed by Judge Mayers.

Search Warrant was obtained for 2004 Toyota's by Richland County Sheriff's Office and was signed by a Richland County Judge.

**LOCATION DESCRIPTION: (Scene)**

5456 Figure Eight Road is a single story, single family, single wide mobile home constructed of off white siding with brown underpin. The residence faces north and there are two entrances into the home, one on the north and the other on the south. The north entrance has a ramp that goes up to the porch and the south entrance has three steps and a small porch with a white in color storage building connected to the porch. There are like residences located on both sides and across the street from this residence.

**DETAILS/ OBSERVATIONS:**

On the 1st day of May 2012 at approximately 1215 hours I arrived on scene at 5456 Figure Eight Road where uniform patrol officers had the scene secure with Crime Scene tape. Upon my arrival I did confer with Detective Cox and Officer Canterbury about what had transpired prior to my arrival. I was advised that the homeowner, Roy Sinclair observed the victim, Jerome Green be shot by an unknown black male. Roy Sinclair gave consent to search the residence to Detective Todd Cox.

After all photographs were taken, Detective Cox and I entered the residence to begin processing the scene. The victim was lying on his back on the living room floor with his head tilted toward the right with a chain style, "Marines" necklace rested in his mouth and around his head. His left leg was over his right ankle. His right arm was bent at the elbow slightly with a bandage on his right ring finger. His left arm was bent at elbow with his left fingers bent as well. The victim was wearing a white tank top, gray sweatpants, a pair of black and white Nike tennis shoes and had a cell phone in a case (Item #2) on his waist band. The victim appeared to have multiple gun shot wounds to include in his right arm, left arm, hand, side, and chest. There was a Coors light beer (Item #1) can lying next to victim with holes on both sides of the can that would be consistent with a bullet hole. Based on the hole in the victim's left hand, it would appear the victim was holding the beer can in his left hand when that shot was fired, striking the victim's hand and the beer can. There was also a long hair recovered from the victim's left hand (Item #3). Near one of the bullet holes in the victim's left side I was able to recover partial brass from a projectile (Item #4) as well as a projectile (Item #5) from the victim's back left side. The victim's wallet (Item #6) was removed and collected as well from his pants. After the victim was removed from the living room there was a piece of tin on the floor from the can that initially appeared to be part of a projectile and was collected as (Item #7). There were multiple holes in the floor which were consistent with the victim being shot a few times while on the floor. There was a projectile recovered from under the chair in the living room next to the victim. There were a total of three S&W 40 cal spent casings collected from the residence, with two being in the couch (item's 9 and 10) and the other on the floor in the floor at the living room/ kitchen area (item #11). Another projectile (Item #12) was collected from the top of the stove in the kitchen. There were no other items of evidentiary val
the residence.

There was a vehicle parked next door to the residence that was believed to be in
4 door Chrysler bearing "Conway" paper tags. (This vehicle belonged to one
recently purchased by him) The vehicle was photographed in place and towed by
processing.

Final walk thru was completed by Detective Cox and myself and the residence was turned over the homeowner, Roy Sinclair.

While I was processing the scene, Detective Frebowitz collected a GSR and cell phone from Roy Sinclair and Lt Peter Cestare responded to the south Precinct around 0430 hours to collect GSR, swabs, and clothing from Mildred Small and Veronica Denise Chandler. These ladies were present in the residence when the shooting took place.

At approximately 0800 hours I, Investigator Heather Brummett attended the autopsy at Grand Strand Regional Medical Center where Dr. Proctor was the attending Pathologist. I photographed the victim and collected all clothing and personal effects. X-rays were taken and collected of the victim as well. Dr Proctor was able to recover projectiles from the victim's right lung, left lower chest area, right arm, right costal margin, right lower back, liver and a copper jacket from the victim's right chest. The cause of death is the multiple gunshot wounds the victim received. I was not able to tell the exact amount of times the victim was shot due to multiple holes and thru and thru injuries; however it appeared the victim had at least 11 bullet holes.

At approximately 0800 hours Investigator J.R. Caulder processed a 4 door 2000 Toyota Camry bearing SC/ HJY825 and VIN: 4T1SV21E1MV290601 in the HCPD Impound lot. Consent to search was given by the owner of the vehicle. The vehicle had wear and tare consistent with a vehicle being 12 years old. The vehicle was searched and photographed by Investigator Caulder and there were no items of evidentiary value to collect. (A witness provided information of this vehicle and it was later determined that this vehicle was not involved).

At approximately 2300 hours Investigator J.R. Caulder responded to Richland County Sheriff's Office Impound lot to process a vehicle involved with the case. A Richland County Sheriff's Office employee was there to assist Caulder and they obtained a search warrant in their jurisdiction for the vehicle. The vehicle was a 4 door 2004 Toyota Camry bearing SC/ 3341BZ and VIN: 4T1BE32K24U353716. (This vehicle belonged to one of the suspects girlfriend and was used in the commission of the crime to flee and dump the victims vehicle in Florence County). There were dents in the rear passenger bumper area, rear passenger door and front passenger quarter panel along with miscellaneous wear and tare on the exterior and interior of the vehicle. The vehicle was processed for prints and 17 latent's were collected from vehicle. See list below of items collected from 2004 Toyota by Investigator Caulder.

On the 2nd day of May 2012 at approximately 1315 hours I, Investigator Heather Brummett assisted in executing a search warrant at a suspect's residence at 3635 Kates Bay Road located in the Conway section of Horry County. A Search warrant for the residence was obtained by Detective Weaver and signed by Judge Mayers. I photographed the residence and the property prior to any searching. The residence was a single story, single family double wide mobile home with a brown in color privacy fence around the back of the home. There were two vehicles parked behind the residence, one brown in color older model 2 door Chevrolet bearing SC/ 1725ES and one 4 door black in color Escalade EXT bearing SC/ 6562DL. There was also a shed type building located in the corner of the property. After photographs were taken, all Detectives began searching the residence and any items found of value were photographed in place prior to collection. See list below of items collected from Kates Bay.

Also on 2nd day of May 2012 at approximately 1500 hours Investigator Caulder processed a red in color 2 door 2012 Chevrolet Camaro bearing SC/ IAS459 and VIN: 2G1FB1E39C9183754 at the HCPD Impound Lot. (This was a rental vehicle used by both suspect and was rented by one of the suspects

wife, Jacinta Wright). Search Warrant was obtained for 2012 Chevrolet Camaro by Detective Paul Johnson and signed by Judge Mayers. There was a large dent on the passenger door of the vehicle. All items were photographed and collected by Investigator Caulder. See list below for items collected from Chevrolet Camaro.

On the 3rd day of May 2012 at approximately 1320 hours I, Investigator Heather Brummett processed a Nestle 16.9oz water bottle used by Marcus Wright for touch DNA by swabbing the mouth area of the bottle. The item was used by Wright during interview and was collected by Detective Weaver. Also while inventorying all items in the lab I observed spent casings inside an envelope, from the factory inside the plastic Glock handgun container box collected from the Chevrolet Camaro. On the side of the box was the information for a 40 cal Glock model 23, serial # MAF699. There was also miscellaneous paperwork for the Glock inside the box along with the spent casings. The casings were packaged and sent to SLED for comparison to the 3 spent 40 cal casings collected from the scene where the victim was shot.

On the 4th day of May 2012 at approximately 1400 hours Investigator Caulder processed a black in color 4 door 2002 BMW bearing SC/ GF2599 and VIN: WBAGN63402DR07700 at the HCPD Impound Lot. (This vehicle belonged to one of the suspects and was seized at a family member's residence and towed to HCPD). Search Warrant was obtained for 2002 BMW by Detective Todd Cox and signed by Judge Butler. There was no major damage to the vehicle and seemed fairly clean. All items were photographed and collected by Investigator Caulder. See list below for items collected from BMW.

On the 15th day of May 2012 I, Investigator Heather Brummett responded to Florence County Sheriff's office and obtained a disc containing photographs of the victim's vehicle that was processed by Florence County. (This vehicle was removed from the scene by one of the suspects and dumped in Florence County). The photographs on the CD were uploaded to the case file and the disc was kept as well.

**PHOTOGRAPHS TAKEN:**

See attached photographic print index for a record of all photographs taken by this investigator relative to this incident. Photos were taken with a Nikon D5100 digital camera using an 18 – 70 MM Nikon Zoom lens.

**EVIDENCE COLLECTED:**

**From Scene: 5456 Figure Eight Road (Brummett)**

1. Coors Light beer can with hole from bullet collected from floor of living room next to victim
2. Red cell phone case containing LG cell phone Tracfone (Model LG220CM; S/N: 005CYNL1681967; ID:268435459307414859) collected from victim's right waist
3. Hair from victim's left hand
4. Partial copper projectile jacketing from victim's left side
5. Projectile collected from victim's left side
6. Wallet containing victim's ID and misc cards and papers collected from victim's pants containing
7. Piece of tin from Coors light can collected from floor after victim was removed
8. Projectile collected from under chair next to where victim was on the floor in living room
9. R-P 40S&W spent casing collected from couch in living room
10. R-P 40S&W spent casing collected from couch in living room
11. R-P 40S&W spent casing collected from floor in living room/ kitchen
12. Projectile collected from top of stove in the kitchen

**From Autopsy: GSRMC (Brummett)**

1. GSR from victim, Jerome Green Jr
2. Two buccal swabs from Jerome Green Jr
3. Two buccal swabs from Jerome Green Jr
4. White tank top
5. Blue plaid boxer shorts
6. Grey sweatpants size XL
7. Black socks
8. Black, white and yellow Nike Air tennis shoes size 10 ½
9. Blingstar black in color watch with silver face
10. Dog tag "US Marine Corp"
11. Black pocket knife
12. $1.54 in coins
13. Roll of 3m Transpore tape
14. Projectile from victim's right lung
15. Projectile from victim's left lower chest area
16. Projectile from victim's right arm
17. Projectile from victim's right costal margin
18. Projectile from victim's right lower back
19. Copper jacket from victim's right chest
20. Projectile from victim's liver
21. Two X-Rays of victim

**From South Precinct: (Cestare)**

1. One GSR kit collected from Mildred Bobbie Small
2. Two oral swabs collected from Mildred Bobbie Small
3. Two oral swabs collected from Veronica Denise Chandler
4. Brown Pants with red stain collected from Veronica Denise Chandler
5. White tee shirt collected from Veronica Denise Chandler
6. Timberland boots with red stain collected from Veronica Denise Chandler

**From 3635 Kates Bay Road: (Brummett)**

1. Black plastic gun guard "Planto" box containing (from master bedroom closet)

1a. Colt Sporter M4 Carbine Rifle ser# 501156

1b. One magazine containing 28 live rounds

1c. One magazine containing 40 live rounds

1d. Smith and Wesson box for 5.56 cal Rifle ser#SP22227 containing misc papers and a gun lock collected from master bedroom closet (with the black gun guard box)

2. FN Herstal plastic black box containing: (from master bedroom entertainment center)

2a. FNH handgun 5.7x28 ser#386198835 w/ magazine and 10 live rounds

2b. Spent casing from factory

2c. Two empty magazines

2d. Cleaning kit in plastic bag

2e. Gun lock

2f. Misc papers

2g. Green Dot Credit Cards for Terrance Harrell, Travis Lay, and Billy Posey and a Bill of Sale

3. Plastic bag containing: (from master bedroom closet)

3a. Paper for a Bushmaster Carbon firearm

**3b.** Manual for Colt Carbine
**3c.** Colt 5.56 empty magazine
**3d.** Two empty ammo boxes
**3e.** 5 empty loaders
**3f.** 1 loader containing 7 live 223 rounds
**3g.** Ziploc containing a box of 30 live 223 rounds
**3h.** Gun cleaning kit
**4.** Plastic bag containing: (from night stand in master bedroom)
**4a.** Two receipts
**4b.** Box for Streamlight TLR2
**4c.** Unopened mag pal AR15-M16
**5.** Smith and Wesson M&P-15 ser #SP22227 w/ magazine and 20 live 5.56x45 rounds (from master bedroom chest)
**6.** 4-$50 bills (from master bedroom night stand)
**6a.** Glock loader (from master bedroom night stand)
**6b.** 2 boxes PMC Ammo 223 Remington rounds total of 40 rounds (from master bedroom night stand)
**7.** Metal Press (from bedroom #1)
**7a.** Piece of metal press (from kitchen)
**8.** 17 cell phones: (from kitchen)
**8a.** Samsung Verizon Mod:SCH-U360 ID:A000002A0B50EB
**8b.** Samsung Verizon Model: SCH-U360 ID:A000002F7DE40E
**8c.** Samsung Verizon Model: SCH-U360 ID:A0000029C3FC69
**8d.** LG Ready Mobile PCS Model: LG150 ID:A0000078F6B1E
**8e.** Nokia AT&T Model:2320C-2B ID:012185/00/087407/8 SIM:89014104233618369349
**8f.** Verizon ZTE Model:ZTE-CF350 ID:A000002BE1E7C7
**8g.** Samsung AT&T Model:SGHA107 ID:012795005705141 ser#RPMB754933A SIM:89014104254414914492
**8h.** ZTE AT&T Model:H/W:g9kB ID:012295004017648 ser#322910872006 SIM:89014104234038501586
**8i.** ZTE AT&T ID:012295009032238 ser#322011990443 SIM:89014104254332081085
**8j.** LG Tracphone Model:GPLG800GB ID:012867-00-380290-5 ser#109CYDG380290 SIM:89014103254635141520
**8k.** LG Tracphone Model:GPLG500GB ID:012505-00-218578-7 ser#105CQXM218578 SIM:89014104234225493910
**8L.** LG Verizon Model:LG-VX5600NPP ID:A000002898C2CB ser#101CYWC0684745
**8m.** LG Verizon Model:LG-VX5600NPP ID:A0000021E200A7 ser#008CYAS0258600
**8n.** LG Verizon Model:LG-VX5600NPP ID:A00000286B7398 ser#011CYPY0492200
**8o.** LG Verizon Model:LG-VX5600NPP ID:A0000028FD2575 ser#104CYJ20706756
**8p.** LG T-mobile Model:GS170 ID:012281-00-702566-3 ser#012CQRN702566
**8q.** Pantech AT&T Model:P7040P ID:012367005654677 ser#114001596761 SIM:89014104254551725115
**9.** Two small plastic baggies containing off white powder (from drawer in kitchen)
**10.** Manila envelope containing two spent casings envelope marked "40 Glock G23 ser#MAF699" (from master bedroom nightstand)
**10a.** Misc Glock paperwork
**11.** Nike Shoe box and Dillard Bag containing misc drug paraphernalia (from closet in kids bedroom off of master bedroom)
**12.** Black case with HP laptop Model:G62-225DX ser#CNF0221WL7 w/ cords (from dining room area)
**12a.** Misc papers and calculator

**From HCPD Lab: (Brummett)**
1a. Two touch DNA swabs from mouth of Nestle 16.9 oz water bottle used by Marcus D. Wright

**From 2004 Toyota Camry: Richland County Sheriff's Office (Caulder)**
1. Apple Ipod Touch 8GB w/broken screen from front passenger seat
2. Cricket Model A310 ESN HEX#80EBCA78 from from passenger seat
3. Samsung Model SCH-U360 HEX#A000002F2BF750 front passenger seat
4. 7 Hornady 308 Winchester rifle rounds in box from rear seat
5. Dell Inspirion Mini computer S#BCM94312HMG from rear seat

LP1. Latent print exterior driver's side front hood above 1/4 panel
LP2. Latent print exterior driver's side front hood above 1/4 panel
LP3. Latent print exterior driver's side front door
LP4. Latent print exterior driver's side front door
LP5. Latent print exterior driver's side rear door
LP6. Latent print exterior driver's side rear door
LP7. Latent print exterior driver's side rear door
LP8. Latent print exterior driver's side top of front door
LP9. Latent print exterior driver's side rear 1/4 panel
LP10. Latent print exterior trunk
LP11. Latent print from passenger rear 1/4 panel
LP12. Latent print from passenger rear door post
LP13. Latent print from passenger rear door post
LP14. Latent print from passenger rear door
LP15. Latent print from front passenger door near roof
LP16. Latent print from front passenger side of Toyota on hood above 1/4 panel
LP17. Latent print from front passenger side of Toyota above headlight

**From 2012 Chevrolet Camero: HCPD Impound Lot (Caulder)**
1. Miscelleanous clothing, bedding and towels from trunk of camero
2. Black sweatshirt coat, pair of shoes and Hertz rental agreement rear seat
3. Plastic Glock handgun container w/2 40-cal. magazines rear seat
3a. 2 DNA swabs from 40-caliber magazines
4. 2 ball caps, white shirt and plastic bag w/unopened box plastic bags rear seat
5. Hi-Point 9mm handgun M#C9 S#P1214186 w/magazine 8 rounds glove compartment
5a. 2 DNA swabs from Hi-Point 9mm handgun S#P1214186
6. Title for 1999 Chrysler 300M glove compartment
7. 2 vials of ointment center console
8. SCDL#007501290 Desmond D. Geter center console
9. Keyless entry for BMW w/single key, 2 LaQuinta key cards, unk electronic device

**From Black BMW: HCPD Impound Lot (Caulder)**
1. Rifle 7.62 Armalite w/ magazine and 10 live 308 rounds ser#US236925 from back seat
2. Samsung cellular telephone from center console
3. LG cellular telephone from center console
4. Misc. receipts from front passenger seat
5. Live Federal 40 caliber round from glove compartment

**MEASUREMENTS:**

13'11" Length of living room from east to west
11'1" Width of living room from south to north
5' From victim's left ankle to the north wall/ front door
7'10" From victim's left ankle to the east wall
5'6" From victim's waist to north wall/ front door
5'2" From victim's waist to east wall
6'7" From victim's left elbow to north wall/ front door
4'1" From victim's left elbow to east wall
3'10" From victim's right elbow to north wall/ front door
3'5" From victim's right elbow to east wall
5' From victim's chin to north wall/ front door
3'8" From victim's chin to the east wall
6'5" From Coors light can to north wall/ front door
4'2" From Coors light can to east wall

**GPS POINTS FOR SCENE:**

**5456 Figure Eight Road, Myrtle Beach, SC 29588**

N- 33.6857219

W- -79.9755232

**3635 Kates Bay Road, Conway, SC 29526**

N- 33.8248148

W- -79.0783905

**SKETCH:**

See attached sketch.

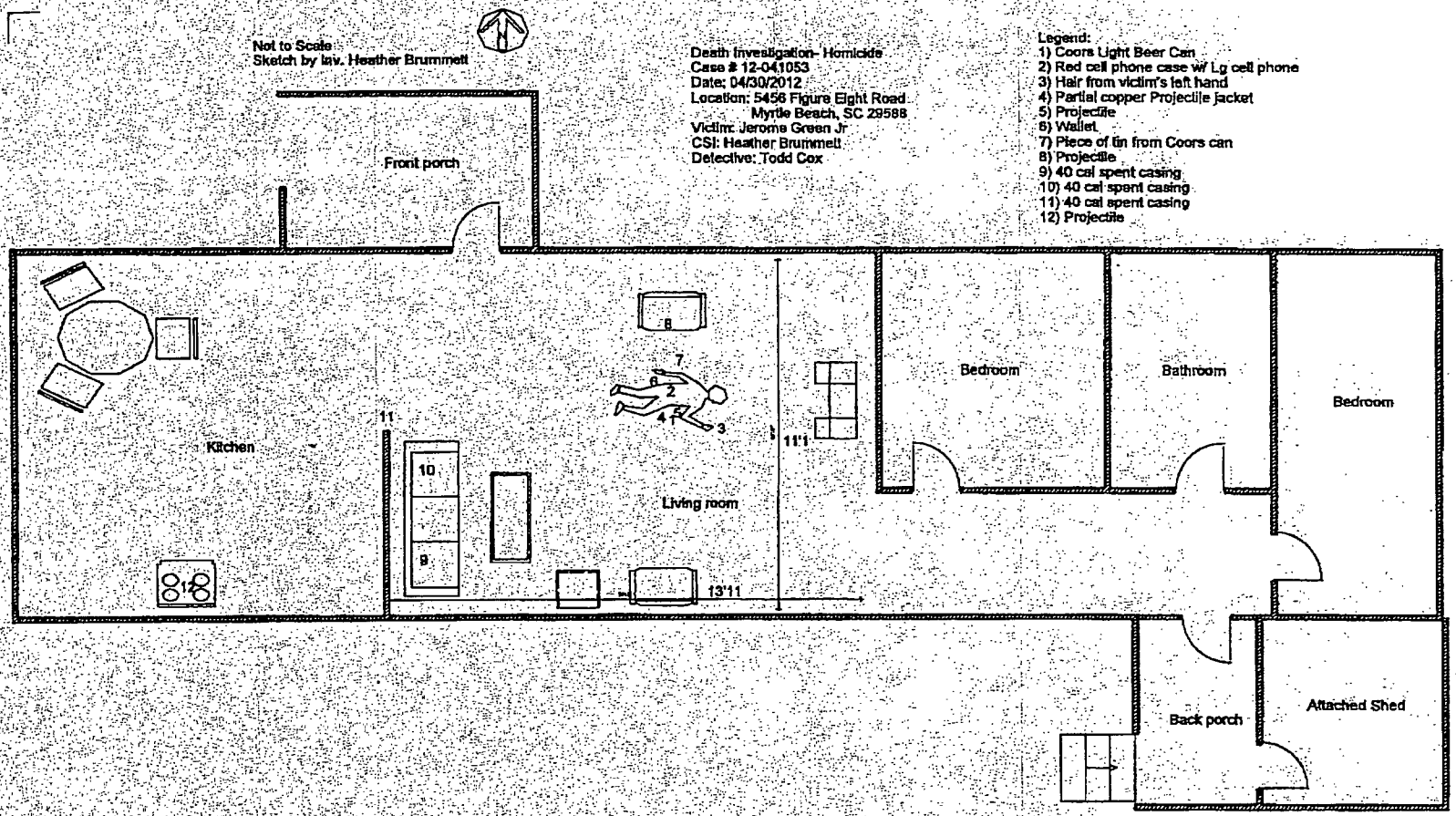
Heather A. Brummett

Investigator Heather A. Brummett
Crime Scene Investigations Unit

Not to Scale
Sketch by Inv. Heather Brummett

Death Investigation- Homicide
Case # 12-041053
Date: 04/30/2012
Location: 5456 Figure Eight Road
Myrtle Beach, SC 29588
Victim: Jerome Green Jr
CSI: Heather Brummett
Detective: Todd Cox

Legend:
1) Coors Light Beer Can
2) Red cell phone case w/ Lg cell phone
3) Hair from victim's left hand
4) Partial copper Projectile jacket
5) Projectile
6) Wallet
7) Piece of tin from Coors can
8) Projectile
9) 40 cal spent casing
10) 40 cal spent casing
11) 40 cal spent casing
12) Projectile



wife, Jacinta Wright). Search Warrant was obtained for 2012 Chevrolet Camaro by Detective Paul Johnson and signed by Judge Mayers. There was a large dent on the passenger door of the vehicle. All items were photographed and collected by Investigator Caulder. See list below for items collected from Chevrolet Camaro.

On the 3rd day of May 2012 at approximately 1320 hours I, Investigator Heather Brummett processed a Nestle 16.9oz water bottle used by Marcus Wright for touch DNA by swabbing the mouth area of the bottle. The item was used by Wright during interview and was collected by Detective Weaver. Also while inventorying all items in the lab I observed spent casings inside an envelope, from the factory inside the plastic Glock handgun container box collected from the Chevrolet Camaro. On the side of the box was the information for a 40 cal Glock model 23, serial # MAF699. There was also miscellaneous paperwork for the Glock inside the box along with the spent casings. The casings were packaged and sent to SLED for comparison to the 3 spent 40 cal casings collected from the scene where the victim was shot.

On the 4th day of May 2012 at approximately 1400 hours Investigator Caulder processed a black in color 4 door 2002 BMW bearing SC/ GF2599 and VIN: WBAGN63402DR07700 at the HCPD Impound Lot. (This vehicle belonged to one of the suspects and was seized at a family member's residence and towed to HCPD). Search Warrant was obtained for 2002 BMW by Detective Todd Cox and signed by Judge Butler. There was no major damage to the vehicle and seemed fairly clean. All items were photographed and collected by Investigator Caulder. See list below for items collected from BMW.

On the 15th day of May 2012 I, Investigator Heather Brummett responded to Florence County Sheriff's office and obtained a disc containing photographs of the victim's vehicle that was processed by Florence County. (This vehicle was removed from the scene by one of the suspects and dumped in Florence County). The photographs on the CD were uploaded to the case file and the disc was kept as well.

**PHOTOGRAPHS TAKEN:**

See attached photographic print index for a record of all photographs taken by this investigator relative to this incident. Photos were taken with a Nikon D5100 digital camera using an 18 – 70 MM Nikon Zoom lens.

**EVIDENCE COLLECTED:**

**From Scene: 5456 Figure Eight Road (Brummett)**

1. Coors Light beer can with hole from bullet collected from floor of living room next to victim
2. Red cell phone case containing LG cell phone Tracfone (Model LG220CM; S/N: 005CYNL1681967; ID:268435459307414859) collected from victim's right waist
3. Hair from victim's left hand
4. Partial copper projectile jacketing from victim's left side
5. Projectile collected from victim's left side
6. Wallet containing victim's ID and misc cards and papers collected from victim's pants containing
7. Piece of tin from Coors light can collected from floor after victim was removed
8. Projectile collected from under chair next to where victim was on the floor in living room
9. R-P 40S&W spent casing collected from couch in living room
10. R-P 40S&W spent casing collected from couch in living room
11. R-P 40S&W spent casing collected from floor in living room/ kitchen
12. Projectile collected from top of stove in the kitchen

DEFENDANT'S EXHIBIT 9 ID 6-19-13

late march until may 13th I was cellmates with lenard powell and he told me in depth what really happened that night
id him going and big money aka 4guns were at the trailer. He said he went around the corner to make a sell, while he was gone king snuck
with his girlfriend because they were messing around behind his back. He said "even one of the witnesses said they saw them leave together." But they
denying it. And she dropped king off at the mcdonalds where his escalade was parked. He said he noticed the escalade while going to make a sell
e trailers behind the pawn shop on socastee Blvd. I think he said he was going to someone name cades trailer. As she was pulling
f mcdonalds he saw her and flagged her down. He said king tried to play it off by going through the drive thru. He said he left his cards
at mcd's, got in the car with her and they started fussing, because he always had an idea that they was messing around but he finally
ht them. So as they was going back to the trailer he saw big money aka two guys coming with what appeared to be a gun in his hand and
into his black charger. He said since it was dark everyone thought it was kings BMW because it was always over there and the charger
came rims on it. He went inside the house and noticed the dead guy, he said he kicked him and picked up his gun and helped or got
l casings from the white girl, I cant remember which. But he said the dead guy was laying on the gun the way his legs were crossed, he
ly noticed it, he said it was a .380 caliber pistol. He took the dead mans keys, got all the dope out of the room but he had to bust in the
or something like that. He got into the dead guys truck cause he wasn't ridin with that "bitch". He said king kept calling him but
wouldn't answer until they got lost. So he told king what happened, he said king got up with them and they kept denying them messing
ed. He said he gave king all the guns and dope but kept the money and they went their seperate ways, until the truck ran out of gas, while he
s ditching the truck a police pulled up "as the were" so he left that bitch. Then he was like that bitch must've spoil the night with
g cause they was picking him up together early the next morning. He was like while he was sleeping in the woods all damn night
t were somewhere fucking. Since king is married they come up with the alibi that they were together instead of her and king, but the
'e some how knows and told kings wife. Since king gave him and big money all his wifes old guns they think it was him cause he won't
l them big money's real name or nothing about him, trying to play tough and shit. He told me "since they want king, imma give them king. He
s fucking my bitch, so I ma fuck him." He said that Big money also had a tattoo of the picture of their record label "paper chasers."
described it as a money bag with coins and dollars spilling out the top of it. He also said something about a florida boy, he was like
guy with 4 aka two guns or his girlfriend played ball for that college. Im not sure which one of them but powell knows for sure.

Christopher M. McCray
6-15-13

DEFENDANT'S EXHIBIT
6-19-13

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of General Sessions

John C. Hayes, Circuit Court Judge

Case No.: 2012-GS-26-2551; 2012-GS-26-2552;
2012-GS-26-2553; 2012-GS-26-2339
Appellate Case No.: 2013-001406

The State, ..... Respondent,

vs.

Marcus Dwain Wright, ..... Appellant.

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Certificate of Service

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I certify that the Record on Appeal has been redacted pursuant to the Supreme Court's Revised Order Re: Personal Identifying Information and Other Sensitive Information in Appellate Court Filings: 2014-04-15-02.

J. Falkner Wilkes, 12893
114 Whitsett Street
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(864) 282-1292
(864) 271-6035 facsimile

Counsel for Appellant

April 22, 2015.

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of General Sessions

John C. Hayes, Circuit Court Judge

Case No.: 2012-GS-26-2551; 2012-GS-26-2552;
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Appellate Case No.: 2013-001406

The State, ..... Respondent,

vs.

Marcus Dwain Wright, ..... Appellant.

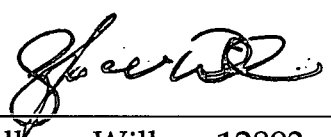
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Certificate of Service

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I certify that on the 6th day of March, 2015, I served the Record on Appeal on the Respondent by placing a copy of same in the United States Mail, first class postage prepaid, addressed to counsel for the Respondent and others as indicated below:

Anthony Mabry, Asst. Atty. Gen.
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211



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Counsel for Appellant

March 6, 2015.

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of General Sessions

John C. Hayes, Circuit Court Judge

Case No.: 2012-GS-26-2551; 2012-GS-26-2552;
2012-GS-26-2553; 2012-GS-26-2339
Appellate Case No.: 2013-001406

The State, ..... Respondent,

vs.

Marcus Dwain Wright, ..... Appellant.

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Certificate of Counsel Rule 210 (g)

---

I certify that the record on appeal contains all of the matter designated by the Parties and no irrelevant matter.

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Counsel for Appellant

March 6, 2015.

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

---

APPEAL FROM HORRY COUNTY
COURT OF COMMON PLEAS
William H. Seals, Jr., Circuit Court Judge

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Circuit Court Case No. 2017-CP-26-02564
Appellate Case No.: 2020-001265

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Marcus Dwain Wright, 289646, . . . . . Petitioner,

v.

State of South Carolina,. . . . . Respondent.

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CERTIFICATE

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I certify that the Appendix has been redacted in accordance with the Supreme Court's Order on redaction of personal and private data.

s/J. Falkner Wilkes
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January 25, 2021.