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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Honorable Dale E. Van Slambrook, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ANTHONY PATRICK TAYLOR,

APPELLANT

APPELLATE CASE NO. 2025-000247

RECORD ON APPEAL

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County of Charleston	)	Ninth Judicial Circuit
	)	
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	)	2023-GS-10-03942
Plaintiff,	)	2023-GS-10-03943
	)	
vs.	)	
	)	
ANTHONY P. TAYLOR,	)	JURY TRIAL
	)	
Defendant.	)	TRANSCRIPT OF RECORD
_____	)	

February 3-5, 2025
Charleston, South Carolina

B E F O R E:

The Honorable Dale E. Van Slambrook

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

MS. LIANE D. KOZIK
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and MR. LUKE B. DALTON,
Assistant Public Defenders,
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Jamie Bickett
Official Court Reporter

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1 (Court resumed at 9:08 a.m. Tuesday, February 4, 2025,
2 outside the presence of the jury and outside the presence of
3 the defendant.)

4 THE COURT: Good morning, everyone. Y'all go ahead and
5 have a seat. Thank you.

6 We're going to deal with our juror situation.

7 Madam Court Reporter, are you ready?

8 COURT REPORTER: Yes, sir.

9 THE COURT: All right. We are back on the record.
10 Would y'all bring out Juror 80, please.

11 THE BAILIFF: Yes, your Honor.

12 (The juror entered the courtroom.)

13 THE COURT: Mr. Diaz, come on up to the podium for me,
14 please.

15 Good morning, Mr. Diaz.

16 JUROR: Good morning.

17 THE COURT: How are you this morning?

18 JUROR: Good.

19 THE COURT: Good. I'm glad to hear that.

20 It appears -- well, let me explain some preliminary
21 comments first.

22 The courtroom -- the courthouse itself is a place of
23 honor, civic duty, respect. It should be treated with
24 respect because of the rule of law. The participants --
25 everyone should be treated with respect in the courthouse,

1 and particularly the rule of law and the process in our
2 justice system.

3 It was revealed to me yesterday that upon your selection
4 as a juror that your reaction was less than respectful.

5 I mean, it's not something to laugh about.

6 JUROR: Yes, your Honor.

7 THE COURT: It was disrespectful. It's disrespectful to
8 the bailiffs. It's disrespectful to the solicitors. It's
9 disrespectful to the public defenders. It's disrespectful to
10 the participants here. It's disrespectful to the defendant.
11 It's disrespectful to the Court. It's disrespectful to the
12 entire system, including your fellow jurors. It was
13 disrespectful.

14 Rather than inquiring further or possibly allowing the
15 situation to negatively impact these proceedings or possibly
16 interfere with the defendant's right to a fair trial, I've
17 determined to discharge you from your jury service on this
18 case. That does not relieve you of your duty to serve this
19 week. You'll remain on call, and you'll potentially serve on
20 another jury if there's one selected this week.

21 Do you understand?

22 JUROR: Yes, your Honor.

23 THE COURT: All right. It's the Court's desire that you
24 find a greater respect and appreciation for your fellow
25 jurors and for this justice system with which you're

1 participating -- or had the possibility to participate but no
2 longer have that opportunity.

3 Do you understand?

4 JUROR: Yes, your Honor.

5 THE COURT: All right. Good day to you, Mr. Diaz.

6 You're going to make sure you get the number. You're
7 going to have to call in and see if you need to serve further
8 this week. Do you understand?

9 JUROR: If I may have a few minutes to address everyone
10 else in the room, I'd like to apologize for my actions. And
11 for next time, if I am called to a jury, I will be more
12 mindful of my actions from now on. And to everyone in this
13 room and everyone who is in power, I would like to apologize
14 for my behavior. It was my reaction. It was my first time
15 here. It wasn't meant to be disrespectful. I was just
16 anxious, and there's a lot of -- at stake at that moment. So
17 I apologize for being unprofessional to everyone in this
18 room. I apologize.

19 Thank you.

20 THE COURT: All right. And thank you for that,
21 Mr. Diaz. I appreciate that, coming forward and being that
22 candid. So thank you, sir.

23 JUROR: Yes, sir.

24 THE COURT: All right. Have a good day.

25 JUROR: You as well.

1 (Juror exited the courtroom at 9:13 a.m.)

2 THE COURT: All right. We have the defendant who is, I
3 guess, on his way up. Is that right?

4 COURT DEPUTY: Yeah, he's here, your Honor. He's taking
5 his time getting dressed, he said.

6 THE COURT: All right. All right.

7 MS. BOZARTH: Your Honor, permission to approach the
8 court reporter with regard to the exhibits from yesterday?

9 THE COURT: With what?

10 MS. BOZARTH: Regard to the exhibits from yesterday.

11 THE COURT: Oh, certainly.

12 And y'all -- you've had a chance to take a look at it?

13 MR. D'ANGELO: No, but I -- real quickly, your Honor, I
14 think it's probably what we've all discussed.

15 THE COURT: All right. So I believe there's a request
16 for a formal arraignment; is that correct?

17 MR. D'ANGELO: That's correct, your Honor.

18 THE COURT: All right. So we'll tend to that. And as
19 soon as that's accomplished, we'll bring in our jury.

20 All right. How much more time you expect before he's
21 up? Couple minutes or so?

22 COURT DEPUTY: Should be just a few minutes, sir.

23 THE COURT: Okay. Thank you.

24 MR. D'ANGELO: And then, your Honor, not to delay the
25 process any longer, but when he gets up here, can I have 60

1 seconds just to quickly chat with him?

2 THE COURT: Certainly.

3 MR. D'ANGELO: And again, I'll be as brief as possible.

4 I just haven't been able to see him this morning.

5 THE COURT: Certainly.

6 MR. D'ANGELO: Thank you, your Honor.

7 THE COURT: All right. I'm going to step off the bench
8 and check on something. And y'all let me know. Okay?

9 All right. Thank you.

10 COURT DEPUTY: He's here.

11 (Defendant entered the courtroom.)

12 THE COURT: All right. Okay. Take as much time as you
13 need.

14 MR. D'ANGELO: Thank you, your Honor. Appreciate it.

15 THE COURT: But I will not step off the bench.

16 (Pause in proceedings.)

17 THE COURT: All right. Are we ready to proceed, State?

18 MS. KOZIK: Yes, we are, Judge.

19 THE COURT: All right.

20 (Pause in proceedings.)

21 MR. D'ANGELO: Thank you, your Honor.

22 THE COURT: All set? Ready to go?

23 MS. KOZIK: Yes, your Honor.

24 THE COURT: Defense?

25 MR. D'ANGELO: Yes, your Honor.

1 THE COURT: All right. Madam Clerk?

2 CLERK OF THE COURT: Yes, your Honor?

3 THE COURT: The formal arraignment, do you want to
4 address that?

5 CLERK OF THE COURT: Does the party wish for a formal
6 arraignment?

7 MR. D'ANGELO: Yes, your Honor -- er, yes, Madam Clerk.

8 CLERK OF THE COURT: Case Number 2023-GS-10-03942, State
9 of South Carolina versus Anthony Patrick Taylor.

10 If that is your name, please raise your hand.

11 THE DEFENDANT: (Indicated.)

12 CLERK OF THE COURT: Thank you. You may put it down.

13 You stand indicted by the name of Anthony Patrick
14 Taylor, a/k/a Anthony R. Taylor, Anthony Taylor, Patrick
15 Taylor --

16 THE DEFENDANT: Yes.

17 CLERK OF THE COURT: -- of attempted murder that in
18 Charleston County, South Carolina, on or about July 21, 2020,
19 the defendant Anthony Patrick Taylor did with intent to kill
20 and malice aforethought attempt to kill Debrank Ann Ravenell.
21 This is in violation of 16-3-29 of the South Carolina Code of
22 Laws, 1976, as amended.

23 What say you? Are you guilty or not guilty?

24 THE DEFENDANT: Not guilty.

25 THE COURT: How will you be tried?

1 THE DEFENDANT: By God and the County.

2 THE COURT: May they send you a true deliverance.

3 Are you ready for trial?

4 THE DEFENDANT: Yes, ma'am.

5 CLERK OF THE COURT: And Case Number 2023-GS-10-03943,

6 State of South Carolina versus Anthony Patrick Taylor.

7 If you answer to that name, please raise your right
8 hand.

9 THE DEFENDANT: (Indicated.)

10 CLERK OF THE COURT: You may put that down.

11 You stand indicted by the name Anthony Patrick Taylor,
12 a/k/a Anthony R. Taylor, Anthony Taylor, and Patrick
13 Taylor --

14 THE DEFENDANT: Yes, ma'am.

15 CLERK OF THE COURT: -- of possession of a weapon during
16 the commission of a violent crime that in Charleston County,
17 South Carolina, on or about July 21, 2020, the defendant
18 Anthony Patrick Taylor did possess a firearm or did visibly
19 display what appeared to be a firearm or did visibly display
20 a knife during the commission of or attempted commission of a
21 violent crime, to wit attempted murder, in violation of
22 Section 16-23-490 Code of Laws South Carolina, 1976, as
23 amended.

24 How say you? Are you guilty or not guilty?

25 THE DEFENDANT: Not guilty.

1 CLERK OF THE COURT: How will you be tried?

2 THE DEFENDANT: By God and the County.

3 CLERK OF THE COURT: May they send you a true
4 deliverance.

5 Are you ready for trial?

6 THE DEFENDANT: Yes, ma'am.

7 CLERK OF THE COURT: That completes the formal
8 arraignment, your Honor.

9 THE COURT: All right. Anything further?

10 MR. D'ANGELO: Nothing further, your Honor.

11 THE COURT: From the State?

12 MS. KOZIK: Not from the State.

13 THE COURT: All right. Thank you.

14 All right. You can be seated.

15 All right. Let's bring our jury back in.

16 (The jury entered the courtroom at 9:21 a.m.)

17 THE BAILIFF: All jurors are present, your Honor.

18 THE COURT: All right. Everybody be seated, please.
19 Thank you.

20 All right. Good morning, ladies and gentlemen.

21 From time to time it's necessary to excuse a juror from
22 service. That, of course, is the purpose for selecting
23 alternate jurors. The Court at its discretion has excused a
24 juror. As a result, our Juror Number 125, Mr. Hosterman,
25 will now be serving as a primary juror rather than an

1 alternate juror.

2 Mr. Barber? Which one is Mr. Barber?

3 ALTERNATE JUROR: (Indicated.)

4 THE COURT: Okay. Mr. Barber, you will continue as our
5 alternate. All right?

6 At this time I'm going to ask y'all to stand for the
7 administration of your oath.

8 Madam Clerk.

9 CLERK OF THE COURT: Yes, your Honor.

10 If the defendant would please stand.

11 (The jury was sworn to try the issues.)

12 CLERK OF THE COURT: If you have accepted this oath,
13 please be seated. And if you have not accepted this oath,
14 please remain standing.

15 Let the record reflect all jurors have been seated.

16 THE COURT: All right. Thank you, Madam Clerk.

17 Ms. Smithing, Juror Number 256?

18 JUROR: Yes.

19 THE COURT: You were the first juror selected. I am
20 going to appoint you as the foreperson of the jury. Okay?
21 I'm going to ask you to sit up here in the first seat. All
22 right?

23 Go ahead and switch that out for me.

24 The rest of y'all can sit wherever you feel comfortable,
25 same seat or different ones, as we go forward.

1 Ms. Smithing, there's some duties and responsibilities
2 that you'll have as the foreperson, and I'll explain those
3 later on. I can tell you that there's no extra pay involved
4 for being the foreperson of the jury. Okay?

5 All right. So we're about to try the case of the State
6 versus Anthony Patrick Taylor. Before we begin the trial,
7 I'm going to tell you that the trial is probably different
8 from what you might expect.

9 Many people do not have a chance to attend actual court
10 sessions, as you are doing now. And you may think from
11 watching television, movies, reading books, that trials are
12 always full of high drama, intense action, and riveting
13 circumstances. While all those things may be true at times,
14 this trial is not for entertainment. It is a fundamental
15 part of our democracy.

16 Justice is done. It's often slow, often deliberate,
17 often repetitive -- the opposite of what you might have seen
18 on television, movies, or in books. The courtroom is a place
19 of honor, dedicated to the protection and preservation of our
20 citizens' rights through what many have called the greatest
21 justice system ever created.

22 The attorneys appearing before you are advocates for the
23 parties they represent. But first and foremost, they are
24 officers of the court. They are sworn to uphold the
25 integrity and fairness of our judicial system and to help you

1 in the search for the truth. You should expect them to be
2 professional, competent, and ethical in the representation of
3 their client's interest.

4 Remember that you have taken an oath to try this case
5 and reach a fair and just verdict and that you are also
6 expected to be professional, reasonable, and ethical. I
7 thank you for accepting this important responsibility of jury
8 service and for your contribution today to our criminal
9 justice system.

10 What I say now is not intended to serve as a -- it's
11 really intended to serve as an introduction to the case.
12 These remarks are not a formal charge on the law in this
13 case. I will instruct you on the law applicable to this case
14 at the end of the trial before you retire to consider the
15 verdict. This is merely an explanation of the procedure that
16 we will follow in the trial of this case so that you may
17 better understand what is happening or will be happening.

18 I'm not sure if the clerk has distributed pads. If you
19 wish to take notes, pads will be provided for you. I do not
20 anticipate this will be an extended trial. You may not want
21 to have notes. But I want you to remember that notes are
22 taken for your purposes only and should not be discussed or
23 shared with anyone. I also warn you that you should not be
24 taking notes when it would interfere with your listening or
25 observing to the witnesses as they testify.

1 The defendant is charged by an indictment that's filed
2 with this Court with the crime of attempted murder and
3 possession of a weapon during the commission of a violent
4 crime, the elements of which I will explain to you later.
5 The indictment is simply the charge by which the case is
6 brought to court. It is not in any sense evidence of any
7 allegations it contains.

8 The defendant has pled not guilty to these indictments.
9 The State, therefore, has the burden of proving each of the
10 elements of the indictment beyond a reasonable doubt. It
11 will be your duty, ladies and gentlemen, to decide whether
12 the State has met that burden.

13 Your purpose as jurors is to find and determine the
14 facts. You are the sole judge of the facts. If at any time
15 I make a comment regarding the facts, you must disregard it.
16 You are to determine the facts from the testimony you hear
17 and other evidence that's introduced in court. It is up to
18 you to determine the inferences which you may feel properly
19 drawn from the evidence. It's especially important that you
20 perform your duty of determining the facts diligently and
21 conscientiously because ordinarily there is no way to correct
22 an erroneous determination of facts by a jury.

23 On the other hand, and with equal emphasis, the same law
24 that makes you the judges of the facts makes me the judge of
25 the law. The law that is given by the Court is the only law

1 you may consider. You must accept and follow it even though
2 you may disagree with it. I cannot tell you what the facts
3 are, and you cannot disagree with me about what the law is or
4 should be.

5 Your job is to take the law as I give it to you and
6 apply it to the facts as you find them from the testimony of
7 witnesses and any other evidence that is introduced. After
8 doing that, you'll render your verdict, a true and just
9 verdict under the solemn oath that you just took as jurors.

10 Until I advise you to begin your deliberations, you must
11 not discuss this case with anyone, including your fellow
12 jurors, friends, family members, anyone at all. This
13 includes discussions face to face, by telephone, email, text,
14 blogs, any other method of communication.

15 You may not use a computer, cell phone, or other
16 electronic device with communication capabilities at any time
17 while in the courtroom or during deliberations. During your
18 breaks for meals or overnight, if necessary, you may use
19 those devices. However, you may not at any time use those
20 devices to get or send information about the case. This
21 includes information about a party, a witnesses, an attorney,
22 a court officer, news accounts of the case, research on any
23 of the topics that might be raised, or even any topic that
24 you may think helpful in deciding the case.

25 During the trial, do not read, listen to, or watch any

1 news reports about the case. This includes anything that may
2 be in the newspaper or on the internet, radio, or television.
3 You must not consider anything you may have read or heard
4 about the case outside the courtroom, whether before or
5 during the trial.

6 After the case is submitted to you, you must discuss it
7 only in the jury room with all of your fellow jurors.

8 The attorneys and the parties in this case have been
9 advised that they are not to talk to you at all. So if you
10 see anyone involved in the case and they don't even say
11 hello, they are not being unfriendly or rude. They are just
12 following my instructions.

13 It's important that you keep an open mind and not decide
14 any issue in the case until all of the evidence has been
15 presented, the parties have made -- until they have presented
16 all of the evidence and their closing arguments and I've
17 instructed you on the law of the case. It is your solemn
18 responsibility to determine the guilt or innocence of the
19 defendant, and your verdict must be based solely on the
20 evidence as it is presented to you in this trial and on the
21 law as I instruct it to you during the instructions and
22 charge and at the close of the trial.

23 In just a moment, the solicitor will make what is called
24 an opening statement in which the solicitor will explain to
25 you the issues of this case, or at least what the solicitor

1 thinks the issues are in this case. The attorney for the
2 defendant may also make an opening statement, although he is
3 not required to do so.

4 What the attorneys tell you during their opening
5 statement is not evidence in this case. It is only their
6 contention as to what the issues are. The evidence in this
7 case will be presented to you by the testimony of the sworn
8 witnesses from the witness stand and/or by exhibits that may
9 be introduced into evidence.

10 From time to time during the trial you may hear one of
11 the lawyers say something like, "Your Honor, I believe we
12 have a question of law," or "a matter of law to discuss with
13 you. Your Honor, may we approach the bench?" Or sometimes I
14 myself may find it necessary to excuse you from the courtroom
15 for a short while so that the attorneys and I can discuss a
16 matter of law.

17 The reason for this is because you are the judges of the
18 facts in this case, and sometimes when I'm discussing matters
19 of law with the attorneys it may be necessary for me to make
20 some comment as to the facts in connection with my ruling and
21 whether a particular law or rule applies. I'm not supposed
22 to tell you what I think the facts are, so I will excuse you
23 from the courtroom while these discussions take place so that
24 in no way will you be influenced by anything that I might say
25 or do in connection with the facts.

1 In determining what the true facts are in this case, you
2 must decide whether or not the testimony of a witness is
3 believable. It will be my responsibility to rule as a matter
4 of law as to whether certain testimony is admissible at all
5 or not, but once the testimony is admitted, whether or not
6 you believe it is solely for you to determine.

7 In deciding whether to believe a witness, you have the
8 right to consider the interest of any witness, the bias of
9 any witness, the prejudice of any witness, the opportunity
10 for the witness to have seen the matters and things about
11 which the witness may testify, and the way the witness acts
12 on the witness stand. You have the right to consider
13 anything that is in the record that will help you evaluate
14 the testimony of the witnesses.

15 That means that it is your duty to pay close attention
16 to these witnesses, to observe the witnesses, to listen to
17 the witnesses, and to pay close attention to the attorneys
18 and to the Court. Don't let your thoughts wander, but give
19 strict attention to the testimony in this case so that at the
20 end of all the testimony, after the arguments of counsel, and
21 after the charge on the law by the Court, you will then be in
22 a position to determine what the true facts are and to apply
23 the law to those facts and to thus render a true and just
24 verdict.

25 It's your added duty, Madam Foreperson, to preside in

1 the jury room. It will be also your duty to write the
2 verdict, but I'll give you further instructions about that at
3 the conclusion of the case.

4 In order to preserve everyone's rights, I'll give the
5 parties an opportunity to object to anything I have said.

6 Any exceptions to anything that I've said from the
7 State?

8 MS. KOZIK: Nothing from the State.

9 THE COURT: Anything from the defendant?

10 MR. D'ANGELO: Nothing from the defense, your Honor.

11 THE COURT: All right. Now we'll begin our trial.
12 Madam Solicitor?

13 MS. BOZARTH: Thank you, your Honor.

14 Anger is costly. In this case, what started as an
15 argument over \$10 almost cost Debbie Ravenell her life.
16 We're here today because of the defendant Anthony Taylor,
17 because of what he did back in 2020. We're here today
18 because of his actions and his actions alone.

19 This happened back July 21, 2020, out in Awendaw, a
20 small community where everyone kind of knew each other or
21 knew of each other. This happened during COVID. Around
22 6:00 p.m. that day, Debbie Ravenell drove over to her
23 friend's house to give him \$10 and a cigarette. She drove
24 up, pulled up into the driveway. At that point she saw her
25 friend on the porch. She also saw defendant, who she knows

1 as G or G5, on the porch.

2 Before she could get out of her car, G approaches her.
3 She figures she'll just give him the \$10 to hand off to her
4 friend on the porch so she doesn't have to get out. She
5 gives him the \$10. She sees him go to the porch, but he
6 pockets the money for himself.

7 And you'll meet Ms. Debbie. You'll see that she doesn't
8 put up with nonsense. At that point, she got out of her car
9 to get her money back. But when she got up to defendant on
10 the porch, he wouldn't give it back to her. Instead, he got
11 aggressive.

12 And Ms. Debbie, true to herself, she was fed up. She
13 was not going to deal with his temper, and she wasn't going
14 to deal with his attitude. She wasn't going to deal with him
15 being a bully anymore. So she simply told him she was going
16 to call the cops, and she turned away to go back to her car.

17 Well, that set defendant off, the fact that she was
18 going to call the cops. This wasn't about the \$10 anymore.
19 As she's turning around to go to her car, defendant snatches
20 her wig, pushes her to the ground, and he sprints to her car
21 so she can't leave.

22 She gets up, brushes herself off. She goes to her car.
23 They struggle over the keys. She's able to finally pry those
24 keys away from his hand. He said that he's going to kill
25 her. He jumps on top of her car, gets on her windshield,

1 stomps on the windshield. You'll see pictures of it.

2 But she's finally in control of the car. She's finally
3 behind the wheel. She backs up, trying to escape. At that
4 point she's able to pull out and call 911.

5 But it wasn't over for defendant. Debbie was able to
6 look out. She saw defendant by the driveway, this time with
7 a gun. She's still trying to drive away at that time. She
8 hears pop, pop, pop, pop, pop. She looks around. She
9 doesn't even realize at that time that one of those bullets
10 penetrated through the back seat of her car.

11 She's able to see defendant jump into a nearby vehicle,
12 a Chevrolet, and speed off. He's a passenger in that
13 vehicle. They take off running.

14 About 35 minutes later and only about half a mile away
15 from the shooting, defendant is found in that vehicle that
16 Debbie described. He's found in the passenger seat of that
17 vehicle. Also, right next to him in that vehicle is a gun.
18 And that gun -- you'll hear from the forensic expert that gun
19 matches the shell casings that were found by the driveway as
20 Debbie had described the incident.

21 My name is Sara Bozarth, and I, with co-counsel Liane
22 Kozik, we represent the State, the People. Our role is to
23 present you with the evidence. The judge's role is to
24 instruct you on the law, and you're to take the law as he
25 gives it to you and apply it to the facts as you find them.

1 But I want to highlight some things for you to look out for.

2 Defendant is charged with attempted murder and
3 possession of a weapon during the commission of a violent
4 crime. Attempted murder is a violent crime. And as the
5 judge told you, this isn't anything like TV. It's not a neat
6 episode that is 30 minutes. There's not always DNA
7 everywhere. There's not always cameras everywhere. There's
8 not always some twist ending. No. This is real life. This
9 is a real investigation, real witnesses, real people.

10 And we do have the burden of proving defendant's guilt
11 beyond a reasonable doubt. But that's it: beyond a
12 reasonable doubt. The law does not demand proof that
13 overcomes any possible doubt.

14 So how do we prove it to you? Well, there's two types
15 of evidence: direct evidence, circumstantial evidence. And
16 no matter what you may have heard on TV, the law draws no
17 distinction with regard to weight or importance between
18 direct and circumstantial, nor is a greater degree of proof
19 required of circumstantial evidence.

20 So what is direct evidence? Direct evidence means
21 someone coming in here -- a witness coming in here, getting
22 on the stand, taking an oath, and testifying to what they
23 saw, heard, and experienced. You're going to hear direct
24 evidence from Ms. Debbie Ravenell, the victim in this case.

25 What's circumstantial evidence? Well, circumstantial

1 evidence is proof of a chain of facts and circumstances that
2 lead to an inference. You can infer. An inference is based
3 on logic and reason. It's not a hunch. It's not a vibe.
4 It's not a feeling. It's based on your common sense coming
5 to that conclusion. To "infer" means that you're coming to a
6 conclusion based on that reasoning, to use your common sense.
7 You are not required to abandon your common sense and accept
8 nonsense.

9 He told her he was going to kill her. He took the steps
10 to follow through with that. He does not get to choose the
11 value of her life. At the end of this trial, we will ask
12 that you find him guilty of attempted murder and possession
13 of a weapon during the commission of a violent crime. We
14 will leave you firmly convinced of his guilt.

15 Thank you.

16 THE COURT: Mr. D'Angelo?

17 MR. D'ANGELO: Judge --

18 THE COURT: Oh, I'm sorry. Mr. Dalton.

19 MR. DALTON: Good morning.

20 How do you spot the difference between a genuine item
21 and counterfeit? You often can't. Right? Not unless you
22 closely examine all aspects of the item with intense scrutiny
23 can you tell the difference.

24 You might have heard during jury selection my name is
25 Luke Dalton. I'm counsel for Mr. Taylor over there.

1 And about a week ago I'm sitting in a restaurant
2 downtown, head in hand, and I'm just racking my brain about
3 how I was going to describe the unique nature of this case to
4 you guys. Out of the corner of my eye I saw this waitress.
5 She's taking a crisp hundred dollar bill, and she's holding
6 it up to the light to check if it's real. She's holding it
7 up to the light.

8 That's this case.

9 Mr. Taylor is charged with attempted murder and
10 possession of a weapon during the commission of a violent
11 crime. Those charges have elements of evidence to prove, and
12 they all need to be there. So you may think of elements as
13 the watermarks on a bill. They all need to be there for it
14 to be genuine. Likewise, if the State doesn't prove any one
15 element of the crime charged, then the defendant's innocent,
16 because as of right now, the burden of proof is on the State
17 to prove these charges beyond any reasonable doubt, as you
18 just heard.

19 Now, throughout this trial we will argue and the facts
20 will show that there are aspects of this story that just
21 don't make any sense. On the surface, this case seems cut
22 and dried. As you hold it up to the light and you really
23 examine those facts, you'll come to realize this isn't the
24 genuine item, that all of the elements of the crime have not
25 been met.

1 Something happened that day at [REDACTED] Gadsdenville Road,
2 but the facts will show, as the State puts on their case, the
3 evidence does not support the crime charged. They charged
4 attempted murder. That is a specific intent to kill. Now,
5 the State's going to be asking you guys to accept some things
6 as an empirical fact but then sort of disregard or ignore
7 other facts that don't really align with their version of
8 events.

9 I'm asking you to pay attention. Pay attention to the
10 precise statements by the witnesses. How were they
11 assaulted? What was seen at the scene? The difference
12 between the weapon described and the weapon recovered.
13 Listen carefully to these differing accounts of events from
14 that day.

15 Ladies and gentlemen, as I said, the burden of proof is
16 on the State because as we sit here right now, Anthony
17 Patrick Taylor is an innocent man, meaning it is their job
18 and their job alone to prove to you that Anthony Taylor not
19 only assaulted Ms. Ravenell, but had the specific intent, the
20 specific desire to murder her. That is why we are confident
21 that at the end of this trial, you will return a verdict of
22 not guilty.

23 Thank you for your time.

24 THE COURT: Thank you, Mr. Dalton.

25 Is the State ready to proceed?

1 MS. KOZIK: Yes, your Honor.

2 THE COURT: All right. You can call your first witness.

3 MS. KOZIK: The State calls Peter Reuter.

4 THE COURT: I'm sorry. Say that name for me again.

5 MS. KOZIK: Peter Reuter.

6 THE COURT: All right.

7 MS. KOZIK: Beg the Court's indulgence. They're getting
8 the witness from the hallway.

9 CLERK OF THE COURT: If you'd please raise your right
10 hand and place your left on the Bible.

11 (Witness sworn.)

12 CLERK OF THE COURT: Please be seated.

13 Please state your full name, spelling your last name
14 loudly and clearly into the microphone.

15 THE WITNESS: My name is Peter Reuter. Peter is --
16 first name, common spelling. Last name is Reuter,
17 R-E-U-T-E-R. It's Robert Edward Union Time Edward Robert.

18 PETER REUTER,
19 called as a witness on behalf of the State, being first duly
20 sworn, was examined and testified as follows:

21 DIRECT EXAMINATION

22 BY MS. KOZIK:

23 Q. Good morning, Mr. Reuter. Thank you for correcting my
24 pronunciation of your name earlier -- what I said earlier.

25 What do you do for a living?

1 A. Currently I am unemployed. I'm an unemployed graduate
2 student, and I work part time at MUSC for practicum.

3 Q. Before that, what did you do for a living?

4 A. I was a Charleston County Sheriff's deputy for five
5 years. Before that I was a police officer with the
6 Metropolitan Police in Washington, D.C. And before that I
7 was a professional writer.

8 Q. How long were you a deputy with the Charleston County
9 Sheriff's Office would you say?

10 A. Charleston County? 2017 to 2022, so five years.

11 Q. And what was your title when you were with them?

12 A. Deputy.

13 Q. What were some of your roles and responsibilities as a
14 deputy?

15 A. I was a patrol officer. I answered radio runs, wrote
16 reports, made arrests. I occasionally did traffic stops, but
17 that was never really my thing. You know, the usual law
18 enforcement police stuff.

19 Q. I'd like to direct your attention to July 21 of 2020.
20 Were you working that day?

21 A. Yes.

22 Q. What area were you working in?

23 A. I was working the East, which is essentially Mount
24 Pleasant all the way up to McClellanville and over to Daniel
25 Island.

1 Q. And did you receive a call for service to Gadsdenville
2 Road?

3 A. I did, yes.

4 Q. What was that call for service about?

5 A. I believe it was a shots fired call.

6 Q. Approximately what time was that?

7 A. I was trying to go home, so it was probably around 6:30,
8 towards the end of my shift.

9 Q. Okay. Were you nearby at the time?

10 A. Yes, sort of.

11 Q. So about how long did it take you to arrive on scene
12 would you say?

13 A. Maybe ten minutes-ish. I'm honestly not sure.

14 Q. I'd like to talk about where exactly this Gadsdenville
15 Road scene is, just to paint a picture for the jury.

16 MS. KOZIK: Permission to approach the witness?

17 THE COURT: Yes.

18 MS. KOZIK: I'm showing counsel what's been previously
19 marked as State's Exhibit 12.

20 Q. [By Ms. Kozik] I'm showing you what's been marked as
21 State's Exhibit 12.

22 Do you recognize that area?

23 A. Yes.

24 Q. What is that area?

25 A. That is Highway 17 and Gadsdenville Road.

1 Q. Okay. And are you familiar with that area?

2 A. I am.

3 Q. Is this a fair and accurate depiction of the
4 Gadsdenville Road area, the area you described?

5 A. It does appear to be so, yes.

6 Q. Okay.

7 MS. KOZIK: At this time the State would move Exhibit 12
8 into evidence. I believe the defense has already seen it.

9 MR. D'ANGELO: That's correct. No objection.

10 THE COURT: Is it without objection?

11 MR. D'ANGELO: That's correct.

12 THE COURT: It's entered without objection.

13 (State's Exhibit Number 12 admitted into evidence.)

14 MS. KOZIK: At this time the State would like to publish
15 Exhibit 12 to the jury.

16 THE COURT: Certainly.

17 (Exhibit displayed on screen in open court.)

18 BY MS. KOZIK:

19 Q. Okay. One more time, can you kind of describe the area
20 that we're looking at here.

21 A. Gadsdenville Road is a road slightly towards the outside
22 of Mount Pleasant. It's county property. Often Mount
23 Pleasant covers it. You get on 17. You get towards the
24 Mount Pleasant county or Mount Pleasant city limits. You
25 take a right on Gadsdenville Road, go straight down to a

1 residential area, single-family homes, and at the end is a
2 small boat landing and the marsh.

3 Q. Okay. So the yellow lines running through the middle of
4 this map here, that's Highway 17?

5 A. Correct.

6 Q. I believe you should be able to use the screen in front
7 of you to draw on this exhibit.

8 Could you show the jury generally where Gadsdenville
9 Road is.

10 A. I believe it's this one.

11 Q. Yes. Okay. Thank you.

12 MS. KOZIK: Let the record reflect that the witness drew
13 a red line through the Gadsdenville Road.

14 Q. [By Ms. Kozik] Can you circle approximately where the
15 call for service was in this case.

16 A. It was right off 17, so somewhere around there.

17 MS. KOZIK: And let the record reflect there is a red
18 circle right off 17 on Gadsdenville Road.

19 Q. [By Ms. Kozik] Thank you.

20 So when you first arrived to the scene, what did you
21 see?

22 A. When I first arrived, absolutely nothing. There was no
23 one there. After a few seconds while I drove down the block,
24 I was approached at high speed with a -- I don't remember
25 which kind of car it was, but it was a dark-colored vehicle.

1 I had no idea who that was actually, so I stopped my car with
2 my door as a cover. And it turned out to be, I believe, the
3 complainant.

4 Q. Okay. And did you talk to the complainant?

5 A. I did.

6 Q. Did she give you a description of what had -- of a
7 suspect?

8 A. Kind of very briefly. She said that someone had fired
9 shots at her and that they drove off in a black SUV -- well,
10 not that it was black. It was a dark-colored SUV anyway,
11 down Gadsdenville Road towards the --

12 Q. And what did you do with that information?

13 A. I then got back in my car, and I went down Gadsdenville
14 Road and tried to catch up to the -- well, tried to follow
15 the path of the car since I didn't have sight of it. I went
16 down. I took a right on a dirt road off of Gadsdenville Road
17 towards a residential area.

18 There was an individual there that told me that the car
19 had just gone through. It was -- like, it was a dirt road
20 and sand, so there was sort of a cloud of sand in the air as
21 if a vehicle had gone through there. I followed that
22 through. When I came back to a paved road, the vehicle was
23 gone so I circled back and went back to the scene.

24 Q. Did you ever relay any of that information you described
25 to me to dispatchers or to the radio?

1 A. Yes. That's standard procedure. I believe I did.

2 Q. Okay. What did you do after you tried to -- er, you
3 canvassed for that Suburban -- er, that dark-colored SUV?

4 A. After I canvassed for the suspect vehicle, I returned to
5 the scene. At that point, I believe a few deputies had
6 arrived. We closed off the scene, started looking for
7 evidence. We found some shell casings in the road.

8 And that was kind of the end of my role in the case.
9 Like I said, it was 6:30, so that's when I get relieved. So
10 those deputies relieved me from my post, and then I went
11 home.

12 Q. When you arrived back at the scene, was the victim or
13 the complainant still at the scene?

14 A. I honestly don't recall if -- no, she was not. They had
15 to call her back, I believe. And I never really spoke to the
16 complainant after that, after my initial encounter with her.

17 Q. Okay. And you left shortly thereafter?

18 A. Correct.

19 MS. KOZIK: Nothing further from the State. The defense
20 might have some questions. If you could answer those
21 questions.

22 THE COURT: All right. Any cross-examination?

23 MR. D'ANGELO: Yes, your Honor. May it please the
24 Court.

25

1 CROSS-EXAMINATION

2 BY MR. D'ANGELO:

3 Q. Good morning.

4 A. Good morning.

5 Q. Again, I think I also -- Ro-ter? Rou-ter?

6 A. Reuter.

7 Q. Reuter. Again, I apologize. I also have been
8 mispronouncing it the entire time.

9 A. Most people do.

10 Q. So again, this incident took place back in July of 2020,
11 correct?

12 A. Correct.

13 Q. Okay. And your involvement in this case was fairly
14 minor; is that fair to describe?

15 A. Perfectly fair.

16 Q. Okay. In fact, maybe so minor that you didn't even
17 issue or write up a supplemental report for this case,
18 correct?

19 A. I don't believe I did, no.

20 Q. Correct. So since that time in July of 2020, again,
21 you're just kind of going off of your memory and recollection
22 of what happened, right?

23 A. Correct.

24 Q. Okay. But you remember that you initially had arrived
25 and spoke with a woman who gave an allegation of a shooting

1 that had happened, correct?

2 A. Correct.

3 Q. Okay. And she gives you a description of this vehicle,
4 right?

5 A. Right.

6 Q. And you start patrolling that general area, right?

7 A. Seemed like a good idea at the time, yes.

8 Q. Certainly. I mean, how far would you say you went?

9 Half a mile? A mile? Two miles? How far would you say you
10 went?

11 A. Maybe total, a mile. Down Gadsdenville, the dirt
12 road --

13 Q. Okay.

14 A. -- around the residential area and right back, so maybe
15 a mile.

16 Q. Okay. So again, you're kind of going through those
17 residential areas in that surrounding mile location, right?

18 A. Correct.

19 Q. And you did not find or locate this vehicle that she had
20 given you a description of?

21 A. I did not.

22 Q. So you returned back to the scene. And you had a
23 county-issued body cam -- er, body-worn camera on, correct?

24 A. Correct.

25 Q. Okay. And that was recording kind of everything that

1 you were doing once you were back at the scene, right?

2 A. I believe so, yes.

3 Q. Okay. And you were -- once you arrived back, there were
4 officers that were now at that incident location, right?

5 A. Correct.

6 Q. And that incident location -- so we're all clear what
7 we're talking about -- that's [REDACTED] Gadsdenville Road, right?

8 A. I'm not sure.

9 Q. Okay.

10 A. I'm not sure but, you know, I'll take your word for it,
11 Counsel.

12 Q. Certainly.

13 And when you got there, again, there's other officers
14 that have now arrived, right?

15 A. Correct.

16 Q. There were officers that were attempting to speak to
17 neighbors or witnesses that may have seen something, right?

18 A. So far as I know, yes.

19 Q. Okay. There was officers that were at the house
20 speaking with a witness who was at the house and had been
21 injured, right?

22 A. So far as I know, but it was three years ago and I left
23 fairly shortly after, so I can't tell you for certain.

24 Q. Okay. And again, you didn't document any of this in a
25 report, right?

1 A. No.

2 Q. Okay. And after a short time of being at the house,
3 again, you left, your shift was done, and that was the end of
4 what you had to do with this case, correct?

5 A. Correct.

6 Q. Okay.

7 MR. D'ANGELO: A brief moment, your Honor.

8 (Pause in proceedings.)

9 MR. D'ANGELO: I have no further questions, your Honor.

10 Thank you.

11 THE COURT: All right. Any redirect?

12 MS. KOZIK: No. Nothing from the State.

13 THE COURT: All right. You can step down, Mr. Reuter.

14 Thank you.

15 THE WITNESS: Yes, sir.

16 THE COURT: Is Mr. Reuter under subpoena?

17 MS. KOZIK: I'm sorry?

18 THE COURT: Is he under subpoena?

19 MS. KOZIK: He is, but he can be released.

20 THE COURT: All right. You are released from your
21 subpoena. Thank you, Mr. Reuter.

22 THE WITNESS: Excellent. Thank you.

23 MR. D'ANGELO: No objection, your Honor.

24 (Witness excused.)

25 MS. KOZIK: At this time the State calls Debrank

1 Ravenell.

2 MR. D'ANGELO: Your Honor, may we approach briefly?

3 THE COURT: Certainly.

4 (An off-the-record discussion was held at the bench in
5 the presence of the jury but outside the hearing of the
6 jury.)

7 THE COURT: All right, ladies and gentlemen. We've
8 reached a time we're going to take a short break. It's
9 10:00. I'm going to call you back in at 10:15. So I'll send
10 y'all back to the jury room.

11 Same admonishment that I've given you before, and I'll
12 probably give it to you every time. Don't talk about the
13 case yet. Okay?

14 See y'all back shortly.

15 (The jury exited the courtroom at 10:00 a.m.)

16 (The following proceedings were had outside the presence
17 of the jury.)

18 THE COURT: All right. We'll be at ease. We'll start
19 back at 10:15.

20 MR. D'ANGELO: Thank you, your Honor.

21 MS. BOZARTH: Thank you, your Honor.

22 (Court recessed.)

23 (Court resumed outside the presence of the jury.)

24 THE COURT: All right. All set, Madam Court Reporter?

25 COURT REPORTER: Yes, sir.

1 THE COURT: Okay. Y'all have a seat. Thank you.

2 Did the State have an opportunity to touch base with
3 Ms. Ravenell?

4 MS. KOZIK: Yes, we did, your Honor.

5 THE COURT: Okay. And the -- y'all had asked to
6 approach earlier. I just want to put it on the record.

7 The defense expressed some concern regarding the
8 testimony from Ms. Ravenell that could possibly fall into the
9 category of information that was going to be excluded, as we
10 discussed pretrial. Therefore, I gave the opportunity to the
11 State to talk to the witness before she got on the stand to
12 caution her as to the parameters of that limitation.

13 And you've had that opportunity to talk to her; is that
14 correct?

15 MS. KOZIK: Yes, your Honor.

16 THE COURT: Okay. All right. Anything further from the
17 defense?

18 MR. D'ANGELO: Nothing further. Thank you, your Honor.

19 THE COURT: All right. Absolutely.

20 Let's bring our jury back in.

21 MR. D'ANGELO: And --

22 MS. KOZIK: Your Honor, just quickly before we do, we do
23 have to, just based on witness availability, call a few
24 things out of order. But there are three sets of exhibits
25 that defense and I -- and the State have stipulated will come

1 -- should be admitted into evidence through stipulation. No
2 objection from the defense.

3 THE COURT: All right. And what are the numbers of
4 those?

5 MS. KOZIK: Those are 2A through G.

6 THE COURT: 2A through G?

7 MS. KOZIK: Yes. So Exhibit 2A through G is without --
8 is entered without objection; is that right?

9 MR. D'ANGELO: That's right, your Honor.

10 THE COURT: Okay.

11 (State's Exhibit Numbers 2A, 2B, 2C, 2D, 2E, 2F, and 2G
12 admitted into evidence.)

13 MS. KOZIK: 3A through R.

14 THE COURT: 3A through R? All right.

15 MR. D'ANGELO: Without objection, your Honor.

16 THE COURT: Thank you.

17 (State's Exhibit Numbers 3A, 3B, 3C, 3D, 3E, 3F, 3G, 3H,
18 3I, 3J, 3K, 3L, 3M, 3N, 3O, 3P, 3Q, and 3R admitted into
19 evidence.)

20 MS. KOZIK: And 4A through H.

21 THE COURT: 4A through H.

22 MR. D'ANGELO: Again, without objection, your Honor.

23 THE COURT: All without objection. Okay.

24 (State's Exhibit Numbers 4A, 4B, 4C, 4D, 4E, 4F, 4G, and
25 4H admitted into evidence.)

1 THE COURT: And I presume that there are some that will
2 be objected to; is that right? Is there any that aren't --

3 MR. D'ANGELO: In regards -- all these are photographs.
4 So in regards to any photographs, no, your Honor. There's --

5 THE COURT: Okay.

6 MR. D'ANGELO: -- nothing like that that we're
7 contesting.

8 THE COURT: Okay. All right. Thank y'all for that.

9 Anything else we need to take up before we bring the
10 jury back in?

11 MS. KOZIK: Not from the State.

12 MR. D'ANGELO: Not from defense, your Honor.

13 THE COURT: All right. Okay. We'll bring them back in
14 at this time. Thank you.

15 (The jury entered the courtroom at 10:19 a.m.)

16 THE BAILIFF: All jurors are present.

17 THE COURT: All right. Y'all can be seated. Thank you.

18 Ms. Kozik, is the State ready to proceed?

19 MS. KOZIK: Yes, your Honor.

20 The State calls Ms. Debrank Ravenell.

21 THE COURT: All right.

22 (Witness sworn.)

23 CLERK OF THE COURT: Please take a seat.

24 Please state your full name, spelling your last name
25 loudly and clearly into the microphone.

1 THE WITNESS: Debrank Ann Ravenell, R-A-V-E-N-E-L-L.

2 DEBRANK RAVENELL,

3 called as a witness on behalf of the State, being first duly
4 sworn, was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MS. KOZIK:

7 Q. Good morning, Ms. Ravenell.

8 A. Good morning.

9 Q. Do you go -- you said your name was Debrank. Do you go
10 by anything else?

11 A. Yes. Debbie or Debbie Ann.

12 Q. Okay. I'm going to refer to you as Ms. Ravenell, if
13 that's okay.

14 Where are you from, Ms. Ravenell?

15 A. Actually from Awendaw, where we were at. In Ten Mile --
16 we call it Ten Mile.

17 Q. And how long have you lived there?

18 A. Well, I was born there, then we moved, but then I moved
19 back. That was really my original home.

20 Q. So how long would you say you've lived there total time?

21 A. Well, maybe 20, 25 years.

22 Q. And can you describe where Ten Mile is for someone on
23 the jury who might not be familiar with that area.

24 A. Well, if you know where the brand new Wando High School
25 is, it's right past there in Whitehall Terrace. That starts

1 Ten Mile area. All right? That's where Awendaw is.

2 Q. Is that in Charleston County?

3 A. Yes.

4 Q. Are you -- can you describe the community there. Are
5 people familiar with one another?

6 A. Yeah. Everybody's family or related really, to be
7 honest with you. Everybody's family grew up together.

8 Everybody knows each other, just about. You know, we don't
9 have very many newcomers, but now we do.

10 Q. Okay. I'd like to direct your attention to July 21 of
11 2020. Do you remember that day?

12 A. Yeah.

13 Q. What was significant to you about that day?

14 A. I almost got shot. That's what I remember.

15 Q. Well, let's start from the beginning there.
16 Where did you almost get shot?

17 A. It was between [REDACTED] -- well, it was [REDACTED]. This was
18 Gregory Singleton. He lives there. All right? It was
19 between there and Swinton Road.

20 Q. So --

21 A. Because he was running down the road shooting -- okay?
22 -- all the way up to Swinton.

23 Q. Why did you go to [REDACTED] Gadsdenville Road?

24 A. Well, I saw everybody hanging out. It was 2020. Every
25 day I always rode through the neighborhood. I always drove

1 through Beehive, Gadsdenville, Theodore Drive, and then back
2 to my grandma's house, which was off of 17. Because
3 everybody was getting stir crazy really, and everybody was
4 dying like flies or getting sick. So, you know, everybody
5 would, like, kind of check on each other, you know, to see
6 who was still alive or still -- I mean, still -- you know,
7 was still alive, just period. All right?

8 But I always used to ride the back road every time.
9 Every day I used to go on the back road and just look at the
10 water.

11 Q. And --

12 A. Drink a beer and smoke cigarette. Yes, I said that.
13 But I did. That was my chill-out little space. That's my
14 space.

15 Q. So you -- did you say that house belongs to Gregory
16 Singleton?

17 A. Gregory Singleton, his parents.

18 Q. Do you know him as another name?

19 A. Yeah. That's Straightjacket. Everybody's got nicknames
20 around here. It's Straightjacket. I don't know why they
21 call him that.

22 Q. And so why again did you say you went to
23 Straightjacket's house that day?

24 A. To give him a cigarette and a beer. You know, because
25 he always calls me and stuff like that and goes, "Come on,

1 Deb," you know, "Can you do this for me?" and stuff like
2 that. He's a nice guy. You know what I'm saying? He really
3 is.

4 Q. So what time did you get to Straightjacket's house that
5 day?

6 A. It was between like 6:00, 6:30. It was in the
7 afternoon. It was late in the afternoon. But, you know, it
8 was summertime, so, you know, the sun doesn't go down till
9 9:00.

10 Q. Okay. Can you describe what happened -- what you saw
11 when you got there.

12 A. I saw a lot of guys just hanging out on the porch. I
13 thought they were going to have -- they were having a cookout
14 really. So when I pulled up in the driveway, I yelled and
15 said, you know, "Straightjacket." And I was like, "What's
16 going on? Are y'all having a cookout over here?" You know?
17 And I told him to come there, but he didn't. He didn't move
18 off the porch. He just sat there.

19 Q. So what happened after --

20 A. That's when Mr. G came.

21 Q. What happened when G came?

22 A. When he came? Okay. Well, he said give him a kiss and
23 don't embarrass him. Well, that was the first thing he said
24 in front of people and stuff, talking "This is my
25 girlfriend." I said, "No. Huh-uh." He was sweating and

1 everything. I said, "Get away from me. It's COVID." You
2 know? I said, "You know I don't play with you." I said --
3 but okay. I said, "Just give this to Straightjacket."

4 So then he took it. He went --

5 Q. Let's back up for a second.

6 A. What?

7 Q. So did you know -- before this incident, did you know
8 this individual you knew as G? Had you met him before?

9 A. Yeah, I know G.

10 Q. How did you know G?

11 A. Because of my brothers and sisters.

12 Q. So about --

13 A. They knew G. They knew G. And I met him, like, you
14 know, a few years before this. You know? Because he used to
15 come by my grandmother's house and visit my sister and my
16 brother.

17 Q. Okay. And you had also just said you gave "it" to G.
18 What did you give to G?

19 A. Ten dollars and a cigarette.

20 Q. And what did he do with that?

21 A. Well, he took it and he went on the porch. And he
22 wouldn't give it to Straightjacket.

23 Q. What did you do?

24 A. That's when I got out of the car. And I said, "Well,
25 give it back to me," so I could give it to him because

1 Straightjacket was very afraid of him. He wouldn't move
2 because he told him to sit right there and he -- to do as he
3 told him to do. He bullied him all the time.

4 Q. Did G give the money back to you like you requested?

5 A. No. No, he didn't. But I told him I was tired of him
6 being a bully and I was going to call the cops on him because
7 he was not going to do that to anybody else anymore and he
8 was going to jail that day. That's what I told him.

9 Q. Did you call the cops right then?

10 A. Yes. Well, I tried.

11 Q. What do you mean you tried?

12 A. Eventually I did. That's when I --

13 Q. So what happened right after --

14 A. -- stepped off the porch because he used profanity at
15 me. I saw a look in his eye, and I knew he was about to beat
16 me or something. So I stepped -- I just took one step up on
17 the porch. I didn't go all the way. That's when I backed
18 up. I did an about-face to get to my car before he could
19 grab me because I had a feeling that he was going to do
20 something to me by me saying that.

21 Q. And what happened when you backed one step off?

22 A. When I did, he ran up on me from behind. He snatched my
23 wig off. He threw it in the grass and then pushed me down on
24 my knees -- I was on my knees -- to stall me so he could get
25 to my car to get my car keys and my phone so I wouldn't leave

1 and I would not call the cops on him, because he knew I meant
2 it too.

3 Q. So after he snatched your wig and pushed you down, where
4 did you see G go?

5 A. He went straight to my car.

6 Q. And what happened then?

7 A. He was leaning over in my car, you know, trying to get
8 the keys out of the ignition and then trying to grab my
9 phone. And I was yelling and screaming to everybody that was
10 on the porch. I said, "Somebody please stop him. Don't let
11 him take my keys and my phone." Nobody moved. Okay?

12 So I eventually got up off the ground, ran there, wig
13 twisted, like I said. And I ran to the car and grabbed him
14 from behind -- okay? -- trying to get him out of my car, kind
15 of like, you know, we were scuffling. He did an about-face,
16 head-butt me.

17 Understand me; I was a little dizzy then too. I stepped
18 back. That's when someone came and approached off the porch
19 and said, "This has gone too far," because they couldn't
20 believe his actions that day.

21 Q. Did G say anything to you?

22 A. Oh, he kept calling me a B. I'll tell you that.

23 Q. Did --

24 A. And he said -- yes. "And I'll kill you." Yes.

25 Q. He told you that he would kill you?

1 A. Oh, yeah. If I called the police on him, he said I was
2 a dead woman.

3 Q. So after he head-butted you -- after G head-butted you,
4 what happened next?

5 A. And that's when the guy -- like I said, one guy with
6 dreads, he stepped off the porch and ran towards me. And he
7 said, "This has gone too far. No, no, no, man. You know you
8 can't do Ms. Debbie like that," or whatever. You know? And
9 he grabbed G. And he grabbed him far enough outside of my
10 car, because he was leaning in from the driver's side. And
11 he pulled him out. And then he said, "Ms. Debbie, get in."
12 I jumped in my car, shut the doors, locked it, and tried to
13 get away.

14 Q. And so after you locked the car and you're trying to get
15 away, did G do anything else?

16 A. Oh, yeah.

17 Q. What did he do?

18 A. When the guy came, the guy couldn't hold him. He -- I
19 mean, he was like a Tasmanian devil that day. You should
20 have seen him. I mean, he was like (descriptive sound).
21 Nobody could get ahold of him. You know? They couldn't
22 latch onto him and just hold him down. He was -- it was like
23 he was a monster. He was too strong.

24 So that's when he -- the guy let him go. He jumped on
25 top of my hood of my car. He started stomping before I --

1 and I was so nervous. I was trying to do the keys, and he
2 had the fob in his hand, all cracked up. But the little part
3 of the key was still in the ignition. Okay? I saw that
4 later on because I said, "He's got my keys." I thought that.
5 But when I got in and locked the doors, the little part of
6 the key was still in the ignition where I could, you know,
7 turn it.

8 Q. So you were able to drive away?

9 A. So I -- yeah, but I didn't drive away yet.

10 Q. What did you do instead?

11 A. That's when he jumped on top of the hood of the car when
12 I'm trying to put it in -- you know, trying to put it in
13 reverse. And he jumped on the hood, started stomping. Then
14 he jumped on the top of the car and started stomping. And
15 then he took his foot, and he kicked and smashed my
16 windshield in in the front. Then he jumped on the back on
17 the trunk and started stomping. Then he jumped off the car.
18 And then he came around the side -- my side, the driver's
19 side -- and he took his foot and tried to smash in my window
20 on the driver's side, but didn't --

21 Q. The window --

22 A. -- succeed doing that.

23 Q. -- of the driver's side?

24 A. Yeah. He didn't succeed doing that. That's when I
25 finally was able to get the car in reverse to back up.

1 Q. So at this point you're in the driveway of the house,
2 right?

3 A. Yes, I'm in the driveway.

4 Q. And you said you started reversing --

5 A. Yeah.

6 Q. -- the car out of the driveway?

7 When you got to the road -- let me ask you this. Were
8 you able to call 911?

9 A. Yeah. Oh, yeah.

10 Q. Okay.

11 A. As --

12 Q. Was --

13 A. As he was jumping on that car, that's when I grabbed my
14 phone. I dialed 911 and laid it right there on the seat and
15 put it on speaker.

16 Q. And kind of simultaneously as you were trying to escape?

17 A. Yeah.

18 Q. So after you backed out of the driveway and were
19 starting to drive away, what happened?

20 A. Well, like I said, then finally he jumped off the car.
21 I was able to pull out. I had to put the car in reverse,
22 then I saw something shiny. Just before I turned onto the --
23 onto the -- what is it? Gadsdenville Road? -- on the street
24 part out of the driveway, I saw something shiny in his hand
25 because I saw a reflection from the sun.

1 Q. Could you recognize what that shiny object was?

2 A. Yeah. It appeared to be a gun.

3 Q. And did you drive away at that point when you saw the
4 gun?

5 A. Yeah. I'm still talking to the cops, but I'm trying to
6 really, really get away. I couldn't even really turn
7 around -- you know? -- I mean, like frontward, face out, to
8 go straight. I had to back up all the way to Swinton Road
9 because he started chasing me and running behind me. And
10 then that's when I -- and it was like -- I just heard shots:
11 pow, pow, pow. I said, "It is a gun that he has, and he's
12 shooting at me." I was talking to the cops the whole time
13 that I was on the phone because they told me, "You don't hang
14 up."

15 Q. So he was chasing after you, and that's when you heard
16 the pop, pop, pop?

17 A. Yeah. That's when I knew it was real.

18 Q. So you said you backed out of the driveway and left and
19 went to Swinton Road. Where is Swinton Road?

20 A. It's about -- let's say -- well, not even a half a block
21 or anything like that. Let's say like two houses -- two
22 houses or two driveways down.

23 Q. Okay.

24 A. But they're little teeny little dirt roads. You know?
25 Yeah. Because I was trying to -- I said to myself, I said,

1 "Well, I need help," because nobody was helping me there.
2 You know? And I wanted to get to my friend's George house
3 and my cousin Al Ravenell. They lived down that road. I
4 hoped somebody was home. You know what I'm saying? I'm
5 wanting to see if somebody was home -- a man, you know --
6 that could help me.

7 Q. So you drove that road --

8 A. Well, I backed up.

9 Q. -- down Swinton Road to hide?

10 A. I backed up, but I didn't really quite get all the way
11 down there. He followed me, I'm telling you. I mean, he was
12 running down there and stayed shooting that gun. You know?
13 And I was ducking. I was really, like, just ducking in the
14 car.

15 Q. Now, after the gunshots were finished, did you see G
16 leave?

17 A. Yes. That's when a --

18 Q. Can you describe that.

19 A. That's when a white male was on the porch. He had a red
20 cap on; I remember that. He came and he pulled up at Paul
21 Swinton Road -- at Swinton Road and stuff like this because
22 this is when they heard the police sirens starting to come
23 down -- starting to come down Gadsdenville Road. So they
24 knew I completed my phone call. And he came and he pulled up
25 and told G to jump in the car -- jump in his -- well, this

1 was a dark blue Suburban. And that's when he jumped in the
2 car and they raced down the street.

3 That's when I pulled out of Swinton Road and I met the
4 cop -- the cop that was -- you know, the cop that just spoke,
5 that's when I met him. And I told -- I waved him down and I
6 just said, "Go, go, go. He's in the blue Suburban and they
7 went that way. And they probably turning down Garden Hill
8 Road to cut through to go to Whitehall Terrace."

9 Q. So you were able to make contact with the police
10 officers and give them a description --

11 A. Yeah.

12 Q. -- of the car he was in?

13 A. Mm-hmm.

14 Q. Were you --

15 A. As he pulled in -- as he pulled in the road, we was like
16 side by side. And so I said, "Just go, go, go," because he
17 was going to, like, speak to me. I said, "Huh-uh. You gotta
18 catch them. Go, go, go," like that.

19 Q. Were you able to give him a brief description of G?

20 A. Yeah.

21 Q. What description were you --

22 A. I said he had long -- er, dreads.

23 Q. Did you give them --

24 A. I said he was -- he was riding in the blue Suburban
25 along with a guy -- with a guy with a red cap on.

1 Q. Did you give any description of his -- what he was
2 wearing -- G?

3 A. Well, not actually yet.

4 Q. Not then?

5 A. No, not yet. I didn't give that cop the description of
6 that. It wasn't until they took a report and came to my
7 house afterwards, after they captured him, and then they
8 asked me what all he was wearing. Because I never spoke -- I
9 never actually had spoke to him but saying that, "Just go.
10 Chase him. Chase him. Chase him. Catch him before he gets
11 away."

12 Q. Okay.

13 A. I just wanted him to get him before he got away.

14 Q. Okay. So after you flagged down the cop and talked to
15 him for briefly, what did you do?

16 A. I went back home. I was shaking like a leaf, honey. I
17 went home. You know? I said, "I'm going to put my -- I'm
18 going to take myself back home, and I'm going to safety."

19 But look, because he told -- well, another cop pulled
20 up. Another cop was -- he was pulling in too. And they told
21 me -- and I said, "I'm going home." And he said, "Okay." He
22 said, "Just go ahead. We'll try to go ahead and get him."
23 And this was another officer now in another car that I had
24 passed and stuff like that. So I told him that I was going
25 to -- I was -- to just go ahead and come to my house for the

1 statement, that I was going home.

2 Q. So did another officer ever show up at your house?

3 A. Yes, two.

4 Q. Two officers?

5 A. Uh-huh. After everything was all over, after they
6 captured him.

7 Q. Well, back up one second.

8 When the officer first showed up to your house --

9 A. Mm-hmm.

10 Q. -- did you give him a description of the defendant?

11 A. Yes. And he radioed to the other officer to make sure.

12 Q. And what description did you give the officer of --

13 A. I said a black male, dreads. He had a gray shirt --
14 gray T-shirt on and, like, jeans.

15 Q. And did you tell him any -- did you know the name of the
16 suspect at that point in time?

17 A. No. I only knew him as G.

18 Q. And did you tell them --

19 A. G or G5. They -- sometimes they just call him G5.

20 Q. Did you tell that to the officer, that you knew his
21 nickname?

22 A. Yep.

23 Q. Did you tell the officer anything else maybe about the
24 -- about the suspect? Maybe his family or anything?

25 A. What?

1 Q. Did you describe --

2 A. His family?

3 Q. Yes. Did you know his family?

4 A. Well, I knew his father was a reverend. Okay? And I
5 knew where they lived. And there was like a white or
6 bone-colored 300 -- Chrysler 300 in the front yard. And
7 that's what I told them too.

8 Q. So you were generally aware of where his -- G's family
9 lived?

10 A. Yeah. Everybody knew where just about everybody lived.
11 Like I said, it was a small community. Everybody knew each
12 other.

13 Q. And you told that to the officers that showed up?

14 A. Yeah. You know, the only thing strange about it that
15 people didn't know about each other is only their nicknames,
16 sometimes not their real names. That's what it was all
17 about, for real. We only knew each other by nicknames and
18 who their family was, like if they were from the Singleton
19 family, the Ravenell family, the Wright -- whatever, Pinckney
20 family.

21 Q. Okay.

22 MS. KOZIK: Permission to approach the witness?

23 THE COURT: Yes.

24 BY MS. KOZIK:

25 Q. Ms. Ravenell, I'm handing you what's been marked as

1 State's Exhibit 5.

2 A. Mm-hmm.

3 Q. Do you recognize that?

4 A. Yes. This is a picture of Anthony Taylor.

5 Q. Okay. Hold on.

6 When did you first see that picture?

7 A. When the officer came to my house.

8 Q. Okay. And is that your handwriting on the picture?

9 A. Yes.

10 Q. Is it a fair and accurate copy of the picture that you
11 saw that day?

12 A. Yes.

13 MS. KOZIK: At this time the State moves State's
14 Exhibit 5 into evidence.

15 THE COURT: Any objection?

16 MR. D'ANGELO: No objection, your Honor.

17 THE COURT: All right. Entered without objection.
18 (State's Exhibit Number 5 admitted into evidence.)

19 MS. KOZIK: And the State would seek to publish this to
20 the jury.

21 THE COURT: Certainly.

22 (Exhibit displayed on screen in open court.)

23 BY MS. KOZIK:

24 Q. Ms. Ravenell, when officers came to your house, did they
25 show you -- like you said, did they show you this picture?

1 A. Yes. They had two pictures actually.

2 Q. And --

3 A. I'm pretty sure that he showed me two pictures and
4 asked, "Which one was the man" -- "Was either one" -- no, he
5 didn't say "Which one." He said, "Is either one of these the
6 man G that you're talking about?"

7 Q. And when --

8 A. And I said yeah, that he was.

9 Q. And when you saw this picture, were you able to identify
10 this person as G?

11 A. Yeah.

12 Q. And what did you write on that photo that day?

13 A. I said, "This is G, the man that damaged my car and
14 assaulted me, Debrank Ravenell," on the date of July 21,
15 2020, and the time was 8:56. But 8:56 was not the time that
16 the altercation occurred. Okay? The incident occurred --
17 did not occur then. It was between 6:00 and 6:30.

18 Q. But is this the time --

19 A. But this was the time, yeah, that the officer came to my
20 house.

21 Q. Okay. So 8:56 p.m., that's when you wrote these words,
22 right?

23 A. Yeah.

24 Q. Yes?

25 A. Yes.

1 Q. Okay. Ms. Ravenell, do you see the man you knew as G in
2 the courtroom today?

3 A. Yes, I do.

4 Q. Can you point him out and describe what he's wearing for
5 the record.

6 A. He's sitting right there between -- at this table right
7 here in the middle. And he has the green plaid shirt on and
8 it looks like green pants.

9 MS. KOZIK: Let the record reflect the witness has
10 identified the defendant Anthony Taylor.

11 Q. [By Ms. Kozik] Ms. Ravenell, let's talk about your car
12 for a minute.

13 When the officers first arrived, did you show them the
14 damage to the car?

15 A. Oh, yeah.

16 Q. What kind of -- let's start with what kind of car was
17 it?

18 A. It was a Camry, a 2018. A Camry. It was, like, a
19 black-blue --

20 Q. So it was about --

21 A. -- color. It --

22 Q. -- two years --

23 A. -- was dark.

24 Q. -- old?

25 A. Huh?

1 Q. About how old was it?

2 A. It was two years old. It was a fairly new car.

3 Q. And what kind of damage was there to your car when you
4 were showing the officer?

5 A. Windshield smashed. The hood had dents in it. And the
6 bullet holes.

7 Q. Where was the bullet hole?

8 A. Lodged in the trunk.

9 Q. Um --

10 A. Two of them. I couldn't open it.

11 Q. And again, did you show the officers all of that damage
12 that day?

13 A. Yes. He assessed the car.

14 Q. Okay.

15 A. He did. He went around the car and opened every door
16 and everything like that. And he was looking for shell
17 casings or whatever. And but the trunk was stuck. I think
18 one of the bullets hit the trunk or whatever, so we couldn't
19 get the trunk open. But finally, when I had the car to go to
20 repair, they got the trunk open and the shell cases was
21 inside the trunk.

22 Q. Okay. And just to be clear, there were no bullet holes
23 in your car before July 21, 2020?

24 A. No. It was a new car, ma'am. I took care of my car.

25 Q. Ms. Ravenell, were you in fear of your life that day?

1 A. Oh, yes. Yes. Yes. It was so unexpected.

2 Q. And how has that experience changed your life?

3 A. Well, I stay in the house a lot; I tell you that. I
4 don't go out much. But I'm dealing with other issues right
5 now too.

6 MS. KOZIK: A moment to confer with co-counsel?

7 (Pause in proceedings.)

8 MS. KOZIK: Nothing further from the State at this time.

9 Ms. Ravenell, defense is going to ask you some
10 questions. If you could --

11 THE WITNESS: All right.

12 MS. KOZIK: -- answer those for him.

13 THE COURT: All right. Yes, sir.

14 MR. D'ANGELO: Thank you, your Honor. May it please the
15 Court.

16 CROSS-EXAMINATION

17 BY MR. D'ANGELO:

18 Q. Good morning, Ms. Ravenell.

19 A. Good morning.

20 Q. Wish it was different circumstances, but it's good to
21 see you again.

22 A. I know.

23 Q. As I said yesterday, I'm going to refer to you, as my
24 mama taught me, as Ms. Ravenell.

25 So I want to talk initially -- initially as y'all -- er,

1 as you arrived there to Gregory Singleton's house. Okay?

2 A. Mm-hmm.

3 Q. And again, you refer to him as Straightjacket, right?

4 A. Yes.

5 Q. Everyone in the neighborhood sort of had nicknames of
6 how they referred to people, right?

7 A. Yes.

8 Q. You -- it's fair to describe, I think, it was a fairly
9 close-knit community out there in Awendaw, right?

10 A. Yeah.

11 Q. You testified, again, kind of everyone -- everyone knew
12 everyone, more or less, right?

13 A. Mm-hmm.

14 Q. Or certainly back in 2020.

15 A. Yes.

16 Q. Is that fair?

17 A. Oh, definitely.

18 Q. Okay. Yeah.

19 A. People that wasn't even friends were friends then.

20 Q. I understand.

21 A. Because you don't know what you would need.

22 Q. Sure.

23 A. You know, you might have ran out of toilet paper because
24 Walmart ain't had no more on the shelves and stuff like that.

25 Q. So you were turning to people that you know --

1 A. You might have --

2 Q. -- to help you with those --

3 A. -- to borrow from --

4 Q. -- those things?

5 A. -- your neighbors. Yeah.

6 Q. Yes, ma'am.

7 So you -- again, fair to say you were fairly close
8 friends with Mr. Singleton -- Straightjacket?

9 A. Yeah.

10 Q. Um --

11 A. I mean, I wasn't an enemy. I mean, you know?

12 Q. Yes, ma'am.

13 A. Yeah.

14 Q. And you were familiar and knew G5, correct?

15 A. Yeah.

16 Q. And again, you didn't necessarily know his first and
17 last name, but you knew -- you knew who he was, right?

18 A. Yes.

19 Q. You had had many interactions actually with him --

20 A. Yes.

21 Q. -- in the past, right?

22 A. Like I said, he used to come over -- he used to come
23 over a lot.

24 Q. Very good.

25 A. And I used to pick him up sometimes when I saw him

1 needing a ride or whatever and stuff like that.

2 Q. Yes, ma'am.

3 A. Yeah.

4 Q. And you actually would interact with him when -- you
5 would go over to Straightjacket's house and you would
6 interact with G5 there, correct?

7 A. No. That was the only day.

8 Q. Okay. So you never had interacted --

9 A. Right.

10 Q. -- with G5 --

11 A. Right.

12 Q. -- at the house?

13 A. Right. Not at Straightjacket's. No. No. No.

14 Q. Okay. And that day -- again, focusing on the day of
15 July 21 of 2020 -- you had gone over there to bring him \$10
16 and some cigarettes, right?

17 A. Yeah.

18 Q. Okay.

19 A. And to ask them what they was doing. I thought they was
20 having a cookout.

21 Q. Check in on him, right?

22 A. Yeah.

23 Q. And when you arrived, you described and you told the
24 police that there were several people at the house, right?
25 Looked like they were doing a barbecue --

1 A. Yeah.

2 Q. -- is what you described?

3 A. Right.

4 Q. So there's a number of people there.

5 A. Mm-hmm.

6 Q. Unfortunately, you didn't know the identity of any of
7 those people that were there?

8 A. No.

9 Q. You weren't able to provide police with names or street
10 names or anything or descriptions of who those people were
11 that were there?

12 A. You are absolutely correct. Not for any other people.
13 Only Straightjacket and G was the only two that I could
14 identify and I knew.

15 Q. And you were there to give the money to Straightjacket,
16 but again, the story is that G5 kind of pushed his way
17 through --

18 A. Yeah.

19 Q. -- and came to take the money from you --

20 A. Came to the car.

21 Q. -- right?

22 So you're seated in the car. And so that you don't have
23 to get out --

24 A. Yeah.

25 Q. -- sure, give the money to G5, right?

1 A. Yes. Go ahead.

2 Q. You tell him, "Hey, can you get this to Straightjacket
3 for me?"

4 A. Yeah.

5 Q. Okay. But then he just kind of pockets the money and is
6 keeping it himself?

7 A. Well, actually, he doesn't have the money in his --
8 well, I don't know if he put it in his pocket right away or
9 anything like that. But the thing is when he went back on
10 the porch, I know he did not hand it to him and he said he
11 wasn't going to give it to him because he owed him --

12 Q. Right.

13 A. -- and he's keeping it.

14 Q. So you didn't see -- so that's when you get out of your
15 car to go confront him, right?

16 A. Yeah.

17 Q. Because you want your money back, right?

18 A. Yeah. I said, "That's so wrong."

19 Q. And at that point you stated that you saw something in
20 G5's eyes --

21 A. Mm-hmm.

22 Q. -- that made you feel something was going to happen, so
23 you kind of started to step away, right?

24 A. You could sense fear.

25 Q. And as you're stepping away, he takes off your wig and

1 throws it, correct?

2 A. Yes.

3 Q. And then he went to your car, right?

4 A. Yes.

5 Q. Okay. Appeared to you as if he was trying to steal your
6 keys and -- you didn't know what he was trying to do
7 necessarily, right? He was just going to -- trying to get
8 into your car?

9 A. Yes. Well, he gave me the intent. Yeah, I mean, I had
10 the impression.

11 Q. Yes, ma'am.

12 A. Because he said I'm not going to leave; I'm not calling
13 the police either.

14 Q. Correct.

15 A. Okay? So therefore, that could only mean to me he was
16 getting my keys and my phone out my car.

17 Q. Okay. And again, in preparation for this, I mean,
18 you've spoken, you know, to a number of police multiple
19 times, right?

20 A. Yeah.

21 Q. As we previously have discussed, you were very generous
22 and spoke with an investigator from my office, right?

23 A. Yes.

24 Q. You allowed him to audio record that, correct?

25 A. Yeah.

1 Q. And you had stated that when you went to confront G5, he
2 ultimately turned and he head-butted you, correct?

3 A. That's inside the car. That's when I got up off the
4 ground --

5 Q. Correct.

6 A. -- and got to the car and pulled him -- tried to pull
7 him out.

8 Q. Yes, ma'am.

9 A. That's when he head-butt me.

10 Q. Yes, ma'am. I'm sorry if I wasn't clear. So let me
11 step back.

12 After he had thrown your wig, you went to retrieve that,
13 right?

14 A. Yeah.

15 Q. He had gone to your car, correct?

16 A. (Indicated.)

17 Q. That's when you approached, you know, tried to get him
18 out of your vehicle?

19 A. Yeah.

20 Q. That's when he turns and he head-butts you, right?

21 A. Yes.

22 Q. I think I remember --

23 A. I had a big knot on my head too.

24 Q. -- a quote that you had said --

25 A. I was dizzy, man. I almost -- you know?

1 Q. Yeah. Almost hit --

2 A. I saw stars.

3 Q. Almost hit the ground, you had said, right?

4 A. I saw stars, man.

5 Q. Yeah. You saw stars.

6 A. And he head-butt me hard, like a man: Blam. You know?

7 Q. Yes, ma'am.

8 At that point, that's where I believe you had stated
9 there was another individual who came off the porch?

10 A. Yes.

11 Q. This gentleman also had dreads, correct?

12 A. At that time, yes.

13 Q. And that gentleman was like, "Hey, enough is enough
14 here," right?

15 A. Exactly.

16 Q. He tried to separate y'all, correct?

17 A. (Indicated.)

18 Q. And that's when you were able to get into your vehicle,
19 shut the door, and lock the car, right?

20 A. Mm-hmm.

21 Q. Turns out, thankfully, your keys were still in that
22 ignition?

23 A. Yeah.

24 Q. During that point, you had testified that this person G5
25 had allegedly -- he's telling you, "I'm going to kill you,"

1 right?

2 A. Yeah. He said something. I know there was a lot of
3 words then.

4 Q. Okay. But he's saying specifically, "I'm going to kill
5 you," right?

6 A. If I called the police, yeah.

7 Q. Okay.

8 A. "You ain't calling the police. I'll kill you."

9 Q. At that point -- and we'll get to talking about the gun,
10 but at that point --

11 A. Mm-hmm.

12 Q. -- as you're getting into your car and he's initially
13 saying he's going to kill you, at that point he didn't pull a
14 gun out and threaten you, right?

15 A. No.

16 Q. What he does is as you're in the car, he hops on -- he
17 gets on your hood, right?

18 A. (Indicated.)

19 Q. And he's kind of denting it, right? There was dents,
20 you said, on your hood?

21 A. Oh, man, he was dancing on it.

22 Q. He gets on your front windshield and he's denting your
23 hood, right?

24 A. Yeah.

25 Q. And I mean, you're seated there in the driver's seat

1 right behind the windshield. What was that like?

2 A. I mean, I was, like, terrified.

3 Q. Yeah.

4 A. You know, what next --

5 Q. Yes, ma'am.

6 A. -- is he going to do?

7 Q. Well, and at that point --

8 A. You know? I couldn't even believe it. He just jumped
9 up on the hood and started -- I was like, "Oh, God." He
10 leaped up there when I'm trying to start the car to get out
11 of the driveway.

12 Q. Yes, ma'am.

13 And at that point, you know, as he's on the hood and
14 you're seated there, he's not pulling a gun --

15 A. No, no.

16 Q. -- on you at that point, right?

17 A. He didn't.

18 Q. No. What he starts to do is he starts smashing your
19 windshield, correct?

20 A. Yes.

21 Q. Okay. And then I think you said that he jumped on the
22 back of the car as well?

23 A. The top, the back.

24 Q. All over this car.

25 A. He was all over. He was all over the place.

1 Q. Okay.

2 A. And all over my car.

3 Q. But he wasn't pulling a gun and, I mean, shooting
4 bullets in his gun --

5 A. No.

6 Q. -- as he's on top of it, right?

7 A. He didn't have it at that point.

8 Q. Okay.

9 A. I mean, in his -- in his hand.

10 Q. Yes, ma'am.

11 A. It wasn't visible at that time.

12 Q. Yes, ma'am.

13 A. No.

14 Q. I want to talk to you so that we can all understand kind
15 of the layout of this house.

16 So the house -- as silly as it may sound, the house sits
17 back off of Gadsdenville Road, right?

18 A. (Indicated.)

19 Q. There's a drive- -- a paved driveway up to that house,
20 correct?

21 A. Mm-hmm.

22 Q. And then there's a metal fence and gate --

23 A. A gate.

24 Q. -- than runs across the road, right?

25 A. Mm-hmm.

1 Q. Obviously that day the gate was open, correct?

2 A. Yeah.

3 Q. And you had driven, you know, up that driveway --

4 A. Mm-hmm.

5 Q. -- through the gate, and then kind of up the rest of the
6 driveway, right?

7 A. Yeah. Well, not all the way up, but just, like, midway.

8 Q. So there was a --

9 A. It's a long driveway. It's kind of a long driveway.

10 Q. Correct. Yeah. It's probably --

11 A. You know, but like halfway, that's where I was.

12 Q. Okay. Yeah. So it was kind of a long driveway, right?

13 A. Yeah.

14 Q. And you kind of pulled in.

15 So as he's on your car, that's when you stated you saw
16 him pull out a firearm, right? Something shiny, right?

17 A. Not on my car.

18 Q. Not on your car?

19 A. After he jumped off the car.

20 Q. This is before you started to back up, right?

21 A. When he jumped in front of the car.

22 Q. Okay. I want to make sure I get that right.

23 So he's now jumped off, but he's in front of your car?

24 A. Yes.

25 Q. And that's when you stated you saw something shiny --

1 A. Right.

2 Q. -- correct?

3 A. As I'm backing up --

4 Q. Okay.

5 A. -- my car.

6 Q. As you're starting to back up.

7 A. I had just put my car in reverse.

8 Q. And as you had stated --

9 A. Well, really I just wanted to run him over. You know
10 what I'm saying? It's not because of -- okay? My hands just
11 wouldn't let me do it. You know? The car just wouldn't
12 move.

13 Q. Well, as you told my investigator, it was a fairly new
14 car for you --

15 A. Yeah.

16 Q. -- right?

17 A. Oh, yeah.

18 Q. And you weren't the best at kind of backing up, right --

19 A. I had --

20 Q. -- as a lot of people are?

21 A. I had it for two years.

22 Q. But you were kind of taking it slow as you were backing
23 up, right?

24 A. It was because of the key situation. You know? You
25 know, the key had broke off in there and it made it hard for

1 me to, you know, to move the gears.

2 Q. Sure. I understand. And that's why you were kind of
3 taking it slow as you were backing up, correct?

4 A. (Indicated.)

5 Q. Okay. And you see this man G5 with a silver gun, right?

6 A. (Indicated.)

7 Q. Okay. As you told my investigator, it was a silver
8 revolver, correct?

9 A. Yes, it was.

10 Q. Again, you told him that your grandfather knew about
11 guns and your grandfather had kind of taught you about guns
12 and you were able to recognize guns. Right?

13 A. (Indicated.)

14 Q. And again, it was a silver revolver?

15 A. That's right.

16 Q. No clip. It was a revolver.

17 A. No, there wasn't a clip.

18 Q. Yes, ma'am.

19 A. It was a revolver.

20 Q. So you're able to back out of the driveway, right?

21 A. Yeah.

22 Q. And you kind of turn, and your car turns onto
23 Gadsdenville Road, correct?

24 A. That's correct.

25 Q. You're also kind of taking your time because you're

1 wanting to make sure not to, you know, hit some car that's
2 coming or anything like that?

3 A. Exactly.

4 Q. Fair?

5 A. Because at that -- because when you get on 17 -- I mean,
6 when you get on the main road, Gadsdenville, that is -- you
7 know what I'm saying? It's like what you call a highway.

8 Q. Yes, ma'am.

9 And when --

10 A. It's not a highway highway.

11 Q. Yeah.

12 A. But it's a highway.

13 Q. Right.

14 A. So cars could be coming.

15 Q. Right. So you're trying to --

16 A. Yeah.

17 Q. You know, on top of this, you don't want to be getting
18 in an accident or something, right?

19 A. Yeah. I didn't want to be T-boned too.

20 Q. So as you're driving down kind of this long driveway,
21 slowly backing out, again, at that point he's not firing the
22 gun at you, correct?

23 A. No, not yet.

24 Q. Right. So I want --

25 A. Not yet.

- 1 Q. -- to make sure we're clear.
- 2 A. That's right.
- 3 Q. When he's in the driveway, he's not firing the gun?
- 4 A. That's right. Not yet.
- 5 Q. You get to back all the way down this driveway --
- 6 A. After I backed onto Gadsdenville Road --
- 7 Q. Yes, ma'am.
- 8 A. -- that's when --
- 9 Q. You called the --
- 10 A. -- I heard the pop, pop, pop.
- 11 Q. -- cops, right? You're on 911, you start to leave, and
- 12 that's the point where you kind of, as you just said, hear
- 13 pow, pow, pow; correct?
- 14 A. Right.
- 15 Q. You're not hit, thankfully, right?
- 16 A. Oh, no. You know?
- 17 Q. Yeah.
- 18 A. Thank God.
- 19 Q. You ultimately get to your house, as we heard, and spoke
- 20 to a couple of different officers, right?
- 21 A. (Indicated.)
- 22 Q. We have a court reporter, so I want to make sure we're
- 23 getting everything. That's yes?
- 24 A. Oh, yes.
- 25 Q. Okay.

1 A. I forgot. I'm sorry.

2 Q. Yes, ma'am. I'm not trying to be rude, we just got to
3 get our record.

4 A. I'm sorry.

5 Q. And at the same time, you're on the phone with family
6 and friends as, you know, they're calling you about this
7 incident, right?

8 A. Yes.

9 Q. Yeah. So you're speaking with people about kind of
10 what's going on and what had happened, correct?

11 A. Correct.

12 Q. Okay. You spoke -- you ultimately gave a statement,
13 right?

14 A. (Indicated.)

15 Q. You stated a detective came and spoke with you, right?

16 A. Yeah.

17 Q. You said he showed you two pictures and you picked --

18 A. I'm pretty sure he did. He showed me two pictures.
19 Uh-huh.

20 Q. Okay. And then you were trying to be helpful to the
21 officers. You were showing the damage to your vehicle.
22 Right?

23 A. Yes.

24 Q. It's a new car, right? To you?

25 A. (Indicated.)

1 Q. It was only two years old, correct?

2 A. Mm-hmm.

3 Q. And he had damaged this whole car, right?

4 A. Yeah.

5 Q. You were showing the officers the bullet holes to the
6 car?

7 A. Yes.

8 Q. All right. So two bullet holes to the car?

9 A. Uh-huh.

10 Q. Okay.

11 A. Yes.

12 Q. And you were giving the officers a statement of what
13 happened and that it was G5 that did this, correct?

14 A. Yes.

15 Q. All right.

16 Now, originally when you saw the officer as you're on
17 Gadsdenville Road, that officer stops. You didn't give him a
18 description of what he's wearing or anything like that,
19 right?

20 A. No.

21 Q. Right. Because you're trying -- just trying to tell
22 him, "Hey, take off and go get that car."

23 A. But I gave him a description of the guy with the red cap
24 on.

25 Q. Okay.

1 A. Okay? I just told him it was a white guy with a red cap
2 in a blue Suburban, and he was the one that was in there with
3 dreads.

4 Q. Yes, ma'am.

5 It wasn't until back at your house later that you were
6 speaking with officers that you give the description of what
7 he's wearing, correct?

8 A. Right.

9 Q. I just wanted to make sure I was clear on that.

10 A. Yes. That's when they ask.

11 Q. Yes, ma'am.

12 MR. D'ANGELO: Brief moment, your Honor.

13 THE COURT: Certainly.

14 (Pause in proceedings.)

15 MR. D'ANGELO: No further questions at this time, your
16 Honor.

17 THE COURT: All right. Any redirect?

18 MS. KOZIK: Briefly, your Honor.

19 REDIRECT EXAMINATION

20 BY MS. KOZIK:

21 Q. Ms. Ravenell, I just would like to talk about the gun
22 you saw --

23 A. Uh-huh.

24 Q. -- or that you described earlier.

25 On direct you said you described it as shiny. Is that

1 right?

2 A. Yeah. Silver.

3 Q. Now, at that point in time, was there a lot going on in
4 your head when you first saw that gun?

5 A. Well, yeah. I'm trying to escape. I'm trying to get
6 away. You know, when I saw that, I was like, you know -- and
7 I'm still talking to the cop. I got the cop on the phone
8 also. You know? And they're telling me not to hang up, not
9 to hang up. And I'm like, you know, "I can't drive and talk
10 and stuff like this and look around and pay attention to
11 what's going on around me by being here on the phone, so I
12 gotta hang up." "Don't hang up. Don't hang up."

13 So yeah, it was a lot going on.

14 Q. So right in the instant --

15 A. But I know what I saw.

16 Q. Right in the instant when you've kind of seen the gun
17 for the first time, you were trying to back out of the
18 driveway?

19 A. Oh, yes.

20 Q. And you were on the phone with police?

21 A. Yes.

22 Q. And you were scared?

23 A. Very. I was nervous. My hands were just -- you know?

24 Q. And --

25 A. I'm like, "Oh, gosh." You know? "Is he ever going to

1 stop?"

2 Q. And this incident was almost five years ago, right?

3 A. Yeah. It was a while ago.

4 MS. KOZIK: Nothing further from the State.

5 THE COURT: All right. Thank you.

6 Any recross?

7 MR. D'ANGELO: No, your Honor. Thank you.

8 THE COURT: All right. No. Thank you.

9 You can step down, Ms. Ravenell. Thank you.

10 THE WITNESS: Okay.

11 (Witness excused.)

12 THE COURT: All right. The State can call its next
13 witness.

14 MS. BOZARTH: The State calls Lucius Moore.

15 CLERK OF THE COURT: If you'd please raise your right
16 hand and place your left on the Bible.

17 (Witness sworn.)

18 CLERK OF THE COURT: Please be seated.

19 Please state your full name, spelling your last name
20 loudly and clearly into the microphone.

21 THE WITNESS: Lucius Moore, M-O-O-R-E.

22

23

24

25

1 LUCIUS MOORE,
2 called as a witness on behalf of the State, being first duly
3 sworn, was examined and testified as follows:

4 DIRECT EXAMINATION

5 BY MS. BOZARTH:

6 Q. Is it Deputy Moore?

7 A. Yes, it is.

8 Q. Deputy Moore, where do you currently work?

9 A. I currently work at Spartanburg County Sheriff's Office.

10 Q. How long have you worked for Spartanburg County
11 Sheriff's Office?

12 A. Coming up on two years.

13 Q. And what's your current position?

14 A. I'm a patrol deputy.

15 Q. And as a patrol deputy, what are your duties?

16 A. Duties are I'm assigned a particular area. We patrol
17 that area and answer calls for service, enforce traffic, and
18 other duties.

19 Q. And do you have prior law enforcement experience before
20 working in Spartanburg?

21 A. I do. I have three years with South Carolina Probation
22 and Parole, and then I have four years with Charleston County
23 and two years with Lexington County.

24 Q. And were your duties -- at the time, were you a patrol
25 deputy there?

1 A. Yes, ma'am.

2 Q. Were they the same duties?

3 A. Same duties.

4 Q. I want to draw your attention to July 21, 2020. Were
5 you working for Charleston County on that day?

6 A. I was.

7 Q. And in what capacity?

8 A. I was a patrol deputy.

9 Q. And how did you become involved in this case?

10 A. I was dispatched. I was one of the first-responding
11 officers that were dispatched to the incident location.

12 Q. And do you remember where you were dispatched to?

13 A. That was the 1100 block of Gadsdenville Road in Awendaw.

14 Q. And do you remember about what time you arrived?

15 A. It was around 6:30.

16 Q. Was it still daylight outside?

17 A. It was.

18 Q. Were other officers on scene when you arrived?

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

20 Q. Was the suspect still on scene, do you know?

21 A. No, ma'am.

22 Q. Was the victim still on scene, did you know?

23 A. No, ma'am.

24 Q. Did you know where the victim was?

25 A. We weren't sure at the time, but I believe they ended up

1 -- one of the deputies found out that she responded back to
2 her house.

3 Q. Okay. And upon arriving on scene, what were your duties
4 at that time?

5 A. It was to gather more information on what was actually
6 going on. And then once we figured out kind of what had
7 happened, we secured the scene and preserved it for forensics
8 and investigators.

9 Q. Okay.

10 MS. BOZARTH: Permission to approach the witness, your
11 Honor?

12 THE COURT: Certainly.

13 BY MS. BOZARTH:

14 Q. Deputy Moore, I'm showing you what's been marked as
15 State's Exhibit 13. Do you recognize this?

16 A. I do.

17 Q. How do you recognize it?

18 A. These are my initials and the date.

19 Q. And does it fairly and accurately depict your -- well,
20 what is it?

21 A. Body-cam video.

22 Q. Does it fairly and accurately depict the scene that day
23 as your body cam captured it?

24 A. It does.

25 MS. BOZARTH: Your Honor, the State moves to admit

1 State's 13 into evidence.

2 THE COURT: Any objection?

3 MR. D'ANGELO: No objection, your Honor.

4 THE COURT: All right. Admitted without objection.

5 (State's Exhibit Number 13 admitted into evidence.)

6 MS. BOZARTH: Your Honor, permission to publish?

7 THE COURT: Certainly. How long?

8 MS. BOZARTH: I think it's --

9 MS. KOZIK: About a minute and a half.

10 THE COURT: Okay. All right. Certainly.

11 MS. BOZARTH: Thank you, your Honor.

12 Q. [By Ms. Bozarth] And is this just a clip from your body
13 cam?

14 A. Yes.

15 Q. When you first arrive on scene?

16 A. I believe so, yes.

17 (Video played in open court.)

18 (Video paused.)

19 BY MS. BOZARTH:

20 Q. And can you just describe in that video what we're
21 looking at right now, where we're standing.

22 A. This is Gadsdenville Road. The residence where the
23 incident kind of occurred is to my right, and shell casings
24 are in the middle of the roadway.

25 Q. All right. So is that mailbox -- that's the mailbox for

1 the house?

2 A. Yes.

3 Q. Okay.

4 (Video resumed.)

5 BY MS. BOZARTH:

6 Q. And when you arrived, did you do anything to preserve
7 the scene, or was it already blocked off?

8 A. Well, I was -- one of my patrol vehicles, we blocked the
9 roadway and put up crime scene tape to keep anybody from
10 coming through there.

11 Q. Okay. And what does that prevent?

12 A. To keep people from running over shell casings and to
13 try to preserve the scene as it was.

14 Q. And when you got there, as we saw on your body cam, what
15 did you personally observe?

16 A. Shell casings in the roadway.

17 Q. And do you remember how many shell casings you located?

18 A. I believe it was nine.

19 Q. Do you remember what caliber?

20 A. I believe it was .40.

21 Q. Did you collect them?

22 A. I did not.

23 Q. And why not?

24 A. That was forensics.

25 Q. Did you take photographs at the scene?

1 A. I did. I took several.

2 Q. And why did you do that?

3 A. Just to preserve -- just in case anything happens, the
4 weather or anything like that. Just to preserve the scene as
5 best as possible.

6 MS. BOZARTH: Permission to approach the witness, your
7 Honor?

8 THE COURT: Certainly.

9 BY MS. BOZARTH:

10 Q. I'm showing what's been marked as State's 2A through 2G
11 -- what's been previously admitted into evidence as 2A
12 through 2G. Can you give those a quick view.

13 And are those the pictures you took?

14 A. Yeah.

15 Q. Thank you.

16 MS. BOZARTH: Your Honor, permission to publish?

17 THE COURT: Certainly.

18 (Exhibit displayed on screen in open court.)

19 BY MS. BOZARTH:

20 Q. I'm showing you State's 2A. Again, can you just tell us
21 what we're looking at.

22 A. Yes. This is the mailbox of the residence kind of where
23 everything took place and two of the deputies in the roadway
24 of Gadsdenville Road around some of the shell casings.

25 (Exhibit displayed on screen in open court.)

1 BY MS. BOZARTH:

2 Q. I'm showing you State's 2B. Can you tell us what we're
3 looking at here.

4 A. That's the residence. That was in the area of the
5 roadway where the shooting -- where the casings were found.

6 Q. And is that the driveway?

7 A. It is.

8 (Exhibit displayed on screen in open court.)

9 BY MS. BOZARTH:

10 Q. I'm showing you State's 2C. Can you tell us also what
11 we're looking at.

12 A. This is Gadsdenville Road, just in the middle of the
13 roadway. The white markers are just where certain shell
14 casings were located.

15 Q. And why are those white markers there?

16 A. Just so we know where the shell casings are so they
17 don't get moved or anything like that.

18 (Exhibit displayed on screen in open court.)

19 BY MS. BOZARTH:

20 Q. I'm showing you 2D. What angle are we looking at in
21 this?

22 A. This is Gadsdenville Road. The residence is going to be
23 on the left, and if you continue on straight, that's where 17
24 is located -- Highway 17.

25 Q. So this is you walking down --

1 A. Yes.

2 Q. -- and then taking the photo?

3 A. (Indicated.)

4 Q. Again, back to these -- well, I'm showing you State's
5 2E.

6 (Exhibit displayed on screen in open court.)

7 BY MS. BOZARTH:

8 Q. Back to those placards, so first-responders put those
9 up?

10 A. We put those up, yes, just so we knew so we wouldn't
11 walk on them or move them in any way and we'd know where
12 their locations were.

13 Q. And is that until crime scene arrives?

14 A. Correct.

15 Q. To formally process the scene?

16 A. Correct.

17 (Exhibit displayed on screen in open court.)

18 BY MS. BOZARTH:

19 Q. I'm showing you State's 2F. Can you tell us what we are
20 looking at.

21 A. This is the roadway of Gadsdenville Road, and those are
22 just placards marking several shell casings that were
23 located.

24 Q. And can you tell what -- where in relation we are to
25 everything?

1 A. Yes. That's -- at the top of the picture, that's the
2 driveway to the residence we were at.

3 (Exhibit displayed on screen in open court.)

4 BY MS. BOZARTH:

5 Q. I'm showing you State's 2G. Can you tell us what we're
6 looking at.

7 A. This is Gadsdenville Road again. This is just the woods
8 across the street from the residence. And there's placards
9 there just marking shell casings.

10 Q. And so each of those placards, those are all shell
11 casings?

12 A. Correct.

13 Q. And while you were still at the scene, were you made
14 aware that the defendant was apprehended?

15 A. I was.

16 Q. Do you remember around what time or what you were doing?

17 A. I believe I was still remaining at the scene.

18 Q. And do you know where he was apprehended?

19 A. I believe it was somewhere on Marginal Road by Mount
20 Pleasant, I believe.

21 Q. Okay. And were other officers out there, did you know?

22 A. There were.

23 Q. Around -- do you remember what time crime scene arrived
24 to the scene of the shooting?

25 A. I'm not a hundred percent sure. I just -- I believe it

1 was getting dark at that point when they arrived on scene.

2 Q. And what were you doing during that time until crime
3 scene arrived?

4 A. Well, we were just holding the scene to make sure
5 everything was secured.

6 Q. And can you go a little bit more into "secure." So you
7 talked about the crime scene tape.

8 A. Correct. Crime scene tape to block it off, make sure
9 there's no foot traffic or vehicles coming through that area,
10 make sure nothing's messed with from outside.

11 Q. And did you -- you remained on scene until they arrived?

12 A. I did.

13 Q. What did you do next, if anything?

14 A. I believe we just made sure no one was walking through
15 the area and everything -- everyone stayed clear from that --
16 from the scene.

17 Q. And would it be your job to collect fingerprints?

18 A. No.

19 Q. To collect any type of evidence?

20 A. No.

21 Q. Your job was what again?

22 A. Just to secure the crime scene. Security.

23 MS. BOZARTH: Nothing further from the State, your
24 Honor.

25 THE COURT: All right. Cross-examination?

1 MR. D'ANGELO: Yes, your Honor. May it please the
2 Court.

3 THE COURT: Certainly.

4 CROSS-EXAMINATION

5 BY MR. D'ANGELO:

6 Q. Is it still morning? Yeah. Good morning.

7 A. Good morning.

8 Q. So you were one of the first initial officers to arrive
9 at the scene, right?

10 A. Yes, sir.

11 Q. Okay. And it was roughly, you know, a little after
12 6:00 p.m. I think, right?

13 A. (Indicated.)

14 Q. It's middle of July so, I mean, it's still sunny out,
15 correct?

16 A. Yes, sir.

17 Q. Okay. And you had been called to the house about a
18 possible shooting, correct?

19 A. That's correct.

20 Q. Everything that you ended up doing, seeing, observing
21 that day, you ended up documenting it in an incident report,
22 correct?

23 A. Correct. Yes, sir.

24 Q. I want to talk a little bit about that case -- er, about
25 that.

1 Probably one of the biggest things, you know, that
2 officers are trained on is how to write detailed incident
3 reports, correct?

4 A. Correct.

5 Q. Okay. I mean, you've been an officer for nine years,
6 right?

7 A. (Indicated.)

8 Q. Nine years, that is -- is it fair to say there's a lot
9 of different cases that you've observed and worked on, right?

10 A. Yes, sir.

11 Q. A lot of different suspects, a lot of different
12 witnesses. Correct?

13 A. Correct. Yes, sir.

14 Q. In a case like this too where we're what? -- math's bad
15 for me -- four and a half years-ish removed from this
16 incident, that's a long time, right?

17 A. (Indicated.)

18 Q. So incident reports are incredibly important so that an
19 officer like yourself, when you come to court to testify, you
20 have a resource to be able to look back and figure out what
21 happened, right?

22 A. Yes, sir.

23 Q. Also, in a situation or a case like this, as a deputy,
24 more often than not, there's going to be a detective that's
25 going to be reviewing this case, right?

1 A. (Indicated.)

2 Q. Or some type of case agent that's going to be reviewing
3 this case, correct?

4 A. (Indicated.)

5 Q. Right. Because there's lots of different officers that
6 are involved, someone needs to have the ability to figure out
7 what all happened in this case, and they use incident reports
8 to do that. Is that fair?

9 A. Yes, sir.

10 Q. Okay. You know, it's important when you write a report
11 to be accurate. Is that fair to say?

12 A. Yes, sir.

13 Q. Right. You know, every detail that you get, you want to
14 put those details in your report, right? If it's an
15 important detail, you want to write that down?

16 A. (Indicated.)

17 Q. You know, your job is not to parse through, you know,
18 necessarily what the ultimate conclusion is. Your job is to
19 put the details as you find them into your report. Correct?
20 And a detective can figure out what's happening, correct?

21 A. (Indicated.)

22 Q. You know, you want to not -- you want to be accurate in
23 what you're depicting in your report, right?

24 A. Yes, sir.

25 Q. You know, if someone gives you a statement, you want to

1 make sure that you accurately write down what they say,
2 correct?

3 A. Yes, sir.

4 Q. Yeah. You don't want to leave out, you know, bits and
5 parts of it or paraphrase it even, right?

6 A. (Indicated.)

7 Q. Right. If you're quoting someone -- right? -- and
8 you're using quotation marks, you're wanting to put every
9 word that they said into that report. Fair?

10 A. Correct.

11 Q. Yeah. So you initially had arrived at the scene. And
12 we saw, you know, photographs. Police kind of, you know,
13 used the tape and kind of marked off a crime scene. Right?

14 A. (Indicated.)

15 Q. Okay. They were putting those little placards down
16 where officers had observed shell casings on the ground,
17 right?

18 A. (Indicated.)

19 Q. Officers were also kind of canvassing the area trying to
20 see if any neighbors had seen anything, heard anything.
21 Right?

22 A. (Indicated.)

23 Q. And then there was a couple of residents, but there was
24 an individual that you spoke with who was at the house,
25 right?

1 A. Yes, sir.

2 Q. You documented this in your report that you spoke to
3 him, correct?

4 A. Yes, sir.

5 Q. You remember his name was Gregory Singleton, right?

6 A. Yes, sir.

7 Q. He went by the nickname Straightjacket. Does that sound
8 about right?

9 A. The nickname, no.

10 Q. Sure. But you remember, again, you spoke to a man named
11 Gregory Singleton, right?

12 A. (Indicated.)

13 Q. And as we saw, and it's been entered into evidence, you
14 had your body camera running, right?

15 A. Correct.

16 Q. And you had that body camera running when you approached
17 to speak to this gentleman on the porch. He had a -- he had
18 kind of like a towel on his head, right?

19 A. (Indicated.)

20 Q. And he appeared to have a laceration on his head,
21 correct?

22 A. (Indicated.)

23 Q. And y'all were questioning him because it appeared that
24 he had been involved in an incident that had just happened at
25 that residence, right?

1 A. (Indicated.)

2 Q. He refused any EMS treatment, correct?

3 A. Correct.

4 Q. And as you initially walk up and start speaking with
5 him, you asked -- you asked what the argument was over,
6 right?

7 A. (Indicated.)

8 Q. And you asked him if he could provide you with a
9 description of the individual that had done this to him,
10 right?

11 A. (Indicated.)

12 Q. And he provided you a description, didn't he?

13 A. I can't remember, to be honest.

14 Q. Again, in preparation for this trial, did you review
15 your incident report?

16 A. I did.

17 Q. Did you review your body-camera footage?

18 A. I have not.

19 Q. Okay. So do you remember that he provided you a
20 description of the type of hairstyle that this gentleman had?

21 A. I don't remember that.

22 Q. Again, you had your body camera running, correct?

23 A. Correct.

24 Q. We just saw a portion of that body cam here in court,
25 right?

1 A. Yes, sir.

2 Q. If you were to watch a portion of your body camera here,
3 do you think that would help you remember the conversation
4 that you had with Mr. Singleton?

5 A. It could.

6 MR. D'ANGELO: One moment, your Honor.

7 (Pause in proceedings.)

8 MS. BOZARTH: Your Honor, I believe this has to be
9 conducted outside the presence of the jury.

10 MR. D'ANGELO: Your Honor, I have a pair of headphones
11 and can bring the laptop right to him so he can review this
12 privately. Whatever the Court would prefer.

13 THE COURT: All right. Let's do this. Let's take a
14 short break right now.

15 Again, y'all go back to the jury room. We'll have you
16 back out as quickly as we can while we take up this matter of
17 law. Thank you.

18 (The jury exited the courtroom at 11:18 a.m.)

19 (The following proceedings were had outside the presence
20 of the jury.)

21 THE COURT: All right. So what's going on? I'm not
22 sure I'm following.

23 You got this. You want him to review it to refresh his
24 recollection?

25 MR. D'ANGELO: Yes, your Honor. I just have a brief

1 clip of, you know, a couple of second conversation that he
2 had with this gentleman. This is off his body cam. And
3 again, seeing if watching this would help refresh his
4 recollection.

5 THE COURT: All right. Any objection to him reviewing
6 whatever portion has been suggested by the defense from the
7 -- any objection from the State?

8 MS. BOZARTH: No. He can review it. However, with
9 regard to anything that Mr. Singleton said, still he can't
10 testify to that.

11 THE COURT: And why can't he testify to that?

12 MS. BOZARTH: For the witness? I believe that witness
13 would have to testify to what he saw.

14 MR. D'ANGELO: No, your Honor. There would be an
15 exception to hearsay. And so -- I'm assuming what they're
16 stating is this is hearsay.

17 Twofold. One, there's an exception --

18 THE COURT: All right. Let's do this. Let him review
19 it, and then we'll start with testimony and we'll address any
20 objections that may come up at that point. All right?

21 MR. D'ANGELO: Understood, your Honor.

22 THE COURT: All right.

23 MR. D'ANGELO: Would we be able to take a brief break?
24 My client had indicated to me that he needs to use the
25 restroom. And for some unknown reason, my computer is not

1 turning on even though it was working --

2 THE COURT: All right. We'll -- you can --

3 MR. D'ANGELO: -- two seconds ago.

4 THE COURT: Yeah, we'll take a ten-minute break.

5 MR. D'ANGELO: Thank you, your Honor.

6 THE COURT: Y'all address those issues. Give Mr. Taylor
7 a chance to take a break. And we'll come back in at 11:30.

8 MR. D'ANGELO: Absolutely, your Honor.

9 MS. BOZARTH: Thank you, your Honor.

10 THE COURT: Okay? All right.

11 (Court recessed.)

12 (Court resumed outside the presence of the jury.)

13 THE COURT: All right. Y'all have your seats.

14 All right. So did you have an opportunity to show the
15 witness the video?

16 MR. D'ANGELO: Not the witness yet, your Honor. I
17 showed --

18 THE COURT: I guess I misunderstood the situation. I
19 thought you were giving it to the witness for the purposes of
20 refreshing his recollection. Isn't that correct?

21 MR. D'ANGELO: I apologize, your Honor. I was waiting
22 until you were back in. I've showed the clip to the
23 solicitor. Again, it's a 32-second clip, so I can show that
24 to the --

25 THE COURT: Okay. All right. We'll do that now.

1 MR. D'ANGELO: May I approach, your Honor?

2 THE COURT: Yes.

3 (Witness watched a laptop computer outside the presence
4 of the jury.)

5 MR. D'ANGELO: Your Honor, would you like me to proffer
6 my questions?

7 THE COURT: Yes, please.

8 PROFFER EXAMINATION

9 BY MR. D'ANGELO:

10 Q. Okay. Deputy Moore, we're going to take a step back --
11 correct? -- so we can be a little more clear of what I was
12 asking, if you can remember what I was asking.

13 You had approached the residence of [REDACTED] Gadsdenville
14 Road, correct?

15 A. Correct.

16 Q. And there was -- there was a gentleman who was living at
17 that house, correct?

18 A. Correct.

19 Q. You had -- when you approached him, he had a towel that
20 was on his head, correct?

21 A. (Indicated.)

22 Q. It appeared that he had been injured?

23 A. (Indicated.)

24 Q. You had inquired with him what had happened, how he got
25 injured, right?

1 A. (Indicated.)

2 Q. And you documented this in your report, correct?

3 A. Correct.

4 Q. Okay. And he had indicated that he had gotten into a
5 scuffle with a man over a woman?

6 A. (Indicated.)

7 Q. And again, he had indicated that this had just happened,
8 right?

9 A. (Indicated.)

10 Q. You inquired of that -- of Mr. Singleton if he could
11 provide you with a description, what he -- did this person
12 look like. Correct?

13 A. (Indicated.)

14 Q. And he was able to give you a description, correct?

15 A. (Indicated.)

16 Q. That he was a light-skinned individual, right?

17 A. Correct.

18 Q. A bit younger. "He was a bit younger than me." And he
19 stated that he had a bald head. Right?

20 A. (Indicated.)

21 MR. D'ANGELO: Those would be the questions I was
22 seeking to ask, your Honor.

23 THE COURT: All right. And you weren't answering out
24 loud. You were nodding --

25 THE WITNESS: Yes, sir.

1 THE COURT: -- in affirmation. Were all those answers
2 in agreement?

3 THE WITNESS: Correct, your Honor.

4 THE COURT: Okay.

5 MS. BOZARTH: Your Honor, I still would be objecting to
6 hearsay and relevance, your Honor. In this instance, Deputy
7 Lucius Moore is inquiring about Gregory Singleton's own
8 incident where it appears -- he appears to have a gash on his
9 head. Your Honor, that is a separate incident than this
10 shooting where Deputy Moore is responding to that scene.
11 Singleton is on scene, but he is suffering from a separate
12 incident. Debbie just testified and she didn't say anything
13 about Singleton being assaulted or someone else assaulting
14 him. This is a separate incident.

15 THE COURT: All right. So how is this not hearsay,
16 Mr. D'Angelo?

17 MR. D'ANGELO: Sure, your Honor. And if I can first
18 pref this.

19 This is relevant because it goes to the credibility of
20 what Ms. Ravenell has stated, the version and story that she
21 has given, and the credibility of her statements. The
22 officer just stated to and has in his incident report they
23 inquired what had happened and he had stated that he had
24 gotten into a scuffle with a man over a woman and had -- and
25 again, as the deputy just testified --

1 THE COURT: Well, let me interrupt you for a second.

2 I mean, assuming that all of that is relevant --

3 MR. D'ANGELO: Get to hearsay?

4 THE COURT: Yeah, get to the hearsay --

5 MR. D'ANGELO: So I --

6 THE COURT: -- please.

7 MR. D'ANGELO: Yes, your Honor.

8 I would argue, first off, that it's an exception under
9 present sense impression. This is in moments after the
10 incident has happened. The injury is still fresh. This is
11 minutes after. As officers are arriving, they speak with him
12 and he is providing his description of what had happened,
13 what he observed.

14 However, if the Court wants to choose and say, "No, we
15 don't think that exception applies," I'm not offering it for
16 hearsay purposes. It's not intended for the truth of the
17 matter asserted, simply that a description was given. I
18 don't care if the man was bald, if the man had a Mohawk,
19 whatever, but that a different description was provided, it
20 wasn't documented in his incident report, and that it's
21 different from the description that Ms. Ravenell gave, which
22 goes to credibility.

23 But again, it wouldn't be offered for the truth of the
24 matter asserted. It goes to credibility.

25 THE COURT: When the truth of the matter asserted is the

1 description itself, isn't that for the truth of the matter?

2 MR. D'ANGELO: No, your Honor. It's being offered that
3 there's a description but it's a different description than
4 what she provided. Because again, I don't care necessarily
5 what the description is, but that it's a different
6 description than what Ms. Ravenell provided.

7 Again, though, I still think it would fall even as a
8 hearsay exception under present sense impression.

9 THE COURT: All right. What says the State?

10 MS. BOZARTH: Your Honor, it has to be true to negate
11 her credibility. Your Honor, again, also with regard to
12 this --

13 THE COURT: I'm sorry. Back up and tell me that again.

14 MS. BOZARTH: Your Honor, it has -- what he's saying is
15 that he's not offering it to prove the truth of the matter
16 asserted, but it has to be true in order to negate her
17 statement, to negate her description.

18 Also, with regard to present sense impression, we don't
19 know when this assault on Singleton happened. Your Honor,
20 he's -- when law enforcement responds with regard to present
21 sense impression, they're asking him about that assault.

22 Your Honor, the State maintains that this is hearsay.

23 THE COURT: All right. And obviously, this person will
24 not be testifying as a witness; is that right?

25 MR. D'ANGELO: I don't know. It's the State's case,

1 your Honor.

2 THE COURT: Mr. Singleton?

3 MS. BOZARTH: We don't plan on calling him.

4 THE COURT: All right. Well, this could be resolved by
5 way of calling Mr. Singleton, couldn't it?

6 MR. D'ANGELO: Well, that would be burden shifting, your
7 Honor.

8 THE COURT: Well, I understand.

9 MR. D'ANGELO: Again, I mean, if that would be the
10 remedy, that I have to call this witness to be able to
11 resolve that, that's burden shifting.

12 THE COURT: Well, I don't know that it's burden
13 shifting. I mean, if you want a statement in, having it
14 submitted through the proper channels I don't know if that
15 constitutes burden shifting. But I understand your argument.

16 All right. So summarize it again for me, Mr. D'Angelo.

17 MR. D'ANGELO: Yes, your Honor.

18 THE COURT: It's not --

19 MR. D'ANGELO: Again, officers -- er, Deputy Moore
20 approaches Mr. Singleton, who is at this residence. This is,
21 you know, minutes after this incident has happened. He
22 clearly appears injured. He asks him what happened. He
23 indicates -- er, when I say "he," let's be clear.

24 Mr. Singleton indicates -- and this is documented in Deputy
25 Moore's report -- that he had gotten into a scuffle with

1 another man over a woman. They asked if he can provide a
2 description, and he does. He provides that description.

3 THE COURT: And what was that description?

4 MR. D'ANGELO: The description was --

5 "What did he look like?"

6 "He was light skinned -- real light skinned."

7 "Was he young? Old?"

8 "Bit younger than me."

9 "What kind of haircut?"

10 "Bald head like I've got."

11 THE COURT: And you're also asserting it's not the truth
12 of the matter asserted? Tell me that again.

13 MR. D'ANGELO: Yes, your Honor. So it's not being
14 offered for the truth of the matter asserted because I don't
15 care what the description is. It's that there was a
16 description given of who was there assaulting people, that
17 that description was not documented, and that the description
18 is different than the description that Ms. Ravenell provided.
19 Again, it goes to credibility of Ms. Ravenell and credibility
20 of the case.

21 THE COURT: All right. And beyond this portion
22 regarding the video -- and this is basically being
23 established by way of the video or by way of the testimony?
24 How are you getting it in -- or trying to get it in?

25 MR. D'ANGELO: I'm simply asking the question to the

1 officer. I think -- I played him a clip, so I had asked him,
2 "Do you remember? Would showing a clip help refresh your
3 recollection?" I would argue I think this refreshed his
4 recollection. I would not be seeking to bring in that clip
5 or anything. It's just the testimony from Deputy Moore on
6 the stand, your Honor.

7 THE COURT: All right. All right.

8 Anything else from the State?

9 MS. BOZARTH: And your Honor, that would not include the
10 description, correct?

11 THE COURT: I'm sorry?

12 MS. BOZARTH: That would not include the description,
13 correct? That it's -- defense is claiming that they don't
14 even care what that witness said, but it's apparent that they
15 do because that's why they're bringing it forward to attack
16 her credibility. That's what I'm trying to explain.

17 THE COURT: I mean, it seems to me that it crosses over
18 a line at some point in time past the present sense
19 impression. What's happening? What happened? How did this
20 happen? As soon as -- you're right that -- I think the
21 State's right; as soon as it gets into the description, then
22 I think it becomes -- then it becomes a situation where it
23 becomes impermissible hearsay at that point.

24 So I'm going to allow some of it to the immediacy of
25 what happened, the scuffle and so forth. Beyond that, once

1 it crosses over into the description, then I think it becomes
2 impermissible hearsay.

3 MR. D'ANGELO: Understood, your Honor.

4 THE COURT: Okay?

5 MR. D'ANGELO: And may I inquire so I make sure not to
6 ask something that I'm not allowed?

7 I can inquire into that he approached, that he had asked
8 what this scuffle was over, that he asked if he could provide
9 a description, that he did indeed provide a description --
10 not delving into what the specifics of that were, but that he
11 did provide a description -- and that that was not documented
12 in his report.

13 Is that the Court's ruling?

14 THE COURT: I think that's fair. If he provided it and
15 didn't document it, then I think we're into an area where
16 we're entitled to do that for purposes of his credibility.

17 MR. D'ANGELO: Okay. Thank you, your Honor.

18 THE COURT: So part of it, but not into the --

19 MR. D'ANGELO: Not into that he's bald, that his skin
20 color is --

21 THE COURT: Correct.

22 MR. D'ANGELO: Okay. I just, again, out of an abundance
23 of caution.

24 THE COURT: All right?

25 MR. D'ANGELO: Thank you, your Honor.

1 THE COURT: All right.

2 MS. BOZARTH: And --

3 THE COURT: All right?

4 MS. BOZARTH: And just to clarify, I mean, that would be
5 to that witness's assault? That's what Deputy Moore --

6 THE COURT: I don't think we're getting any beyond that,
7 are we?

8 MR. D'ANGELO: No, your Honor. Again --

9 THE COURT: All right.

10 MS. BOZARTH: Defense's --

11 MR. D'ANGELO: -- it's everything that I've laid out to
12 your Honor.

13 MS. BOZARTH: Defense's case is bringing up that he is
14 investigating the incident, and it's not clear that, you
15 know, is this witness referring to the shooting or that
16 personal assault?

17 MR. D'ANGELO: And again, your Honor, we're going from
18 what he has documented in his incident report. They asked
19 him what happened and --

20 THE COURT: And certainly --

21 MR. D'ANGELO: -- he responds --

22 THE COURT: Certainly if -- and I understand the
23 accuracy of the report, the truthfulness of the report --

24 MR. D'ANGELO: Thank you, your Honor.

25 THE COURT: -- the sufficiency of the report, because

1 you asked for one and you got one, but you never put it down.
2 I think that certainly can be allowed. So beyond that, yeah,
3 if we've made that ruling, I will allow the questions. If
4 you get beyond that, I'll expect, of course, objections and
5 then we'll deal with those. Okay?

6 MR. D'ANGELO: Okay. Absolutely.

7 THE COURT: All right.

8 MR. D'ANGELO: Thank you, your Honor.

9 THE COURT: No. Thank you.

10 All right. Let's bring our jury back in.

11 THE BAILIFF: Yes, your Honor.

12 (The jury entered the courtroom at 11:44 a.m.)

13 THE BAILIFF: All jurors are present, your Honor.

14 THE COURT: Thank you.

15 Y'all be seated.

16 All right. You can continue.

17 MR. D'ANGELO: Thank you, your Honor. May it please the
18 Court.

19 THE COURT: Thank you.

20 RESUMED CROSS-EXAMINATION

21 BY MR. D'ANGELO:

22 Q. Okay. Deputy Moore, so that we can all remember kind of
23 what we were talking about, I'm going to step back a couple
24 of questions.

25 At the scene, you had approached the residence that was

1 at [REDACTED] Gadsdenville Road, right?

2 A. Correct.

3 Q. And again, you had your body cam running that entire
4 time, correct?

5 A. Correct.

6 Q. Okay. As you approached the scene, you ended up
7 speaking with an individual who resided at the house,
8 correct?

9 A. Correct.

10 Q. His name was Gregory Singleton, right?

11 A. (Indicated.)

12 Q. Okay. And you had -- and as you approach, you see he's
13 got kind of a towel on his head, right?

14 A. Correct.

15 Q. It appears that he's been injured, correct?

16 A. Correct.

17 Q. And you had inquired to him of how he got injured,
18 right?

19 A. Correct.

20 Q. And he had indicated that he had gotten into an
21 altercation with a man over a woman, correct?

22 A. Correct.

23 Q. And again, all of that seemed fresh. It had just
24 happened. Right?

25 A. (Indicated.)

1 Q. You asked Mr. Singleton if he could provide a
2 description to you of the man who had attacked him, right?

3 A. (Indicated.)

4 Q. And he provided you that description, correct?

5 A. Correct.

6 Q. In your incident report, you did not document that he
7 had provided that description to you, did you?

8 A. I don't believe I did.

9 Q. And you've had a chance to review your incident report,
10 correct?

11 A. Correct.

12 Q. All right. So its no, you did not provide that
13 description in your incident report, right?

14 A. Correct.

15 Q. A description that could have been helpful to deputies
16 or helpful to detectives that are reviewing this case after
17 you, correct?

18 A. Correct.

19 Q. Again, you don't know the direction that this case is
20 going to go, right?

21 A. (Indicated.)

22 Q. That's why it's important to document things accurately
23 and completely in incident reports, isn't it?

24 A. Mm-hmm.

25 MR. D'ANGELO: No further questions at this time. Thank

1 you, your Honor.

2 THE COURT: All right. Certainly.

3 All right. Any redirect?

4 MS. BOZARTH: Briefly, your Honor.

5 REDIRECT EXAMINATION

6 BY MS. BOZARTH:

7 Q. Deputy Moore, when -- you remember when defense counsel
8 was asking you about getting a description from Mr. Singleton
9 that you didn't write down?

10 A. (Indicated.)

11 Q. Were you asking for a description of someone that hurt
12 him, Mr. Singleton, or were you asking for a description of
13 who shot at Ms. Ravenell?

14 A. I was trying to get a description of who hurt him from
15 the injury on his head.

16 Q. And did you know when that injury on his head occurred?

17 A. I did not.

18 Q. And as far as including information in your incident
19 report, was this incident captured on your body-worn camera?

20 A. Yes.

21 Q. Do you typically write everything down in your incident
22 report when you have a body-worn camera?

23 A. No.

24 MS. BOZARTH: Thank you.

25 THE COURT: All right. Any recross?

1 MR. D'ANGELO: No, your Honor.

2 THE COURT: Okay. All right. You can step down. Thank
3 you.

4 THE WITNESS: Thank you, your Honor.

5 THE COURT: All right. Any objection to this witness
6 being released?

7 MS. BOZARTH: No objection, your Honor.

8 MR. D'ANGELO: No objection, your Honor.

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

10 THE WITNESS: Thank you, your Honor.

11 (Witness excused.)

12 THE COURT: All right. The State can call its next
13 witness.

14 MS. KOZIK: Your Honor, may we approach the bench
15 briefly?

16 THE COURT: Certainly.

17 (An off-the-record discussion regarding scheduling was
18 held at the bench in the presence of the jury but outside the
19 hearing of the jury.)

20 THE COURT: All right. The State can call its next
21 witness.

22 MS. BOZARTH: The State calls Noah Jameson.

23 CLERK OF THE COURT: Please raise your right hand and
24 place your left on the Bible.

25 (Witness sworn.)

1 CLERK OF THE COURT: Please be seated.

2 Please state your full name, spelling your last name
3 loudly and clearly into the microphone.

4 THE WITNESS: My name is Noah Jameson, J-A-M-E-S-O-N.

5 NOAH JAMESON,

6 called as a witness on behalf of the State, being first duly
7 sworn, was examined and testified as follows:

8 DIRECT EXAMINATION

9 BY MS. BOZARTH:

10 Q. And Noah, where do you work?

11 A. I work at the Charleston County Sheriff's Office. I'm
12 currently a sergeant.

13 Q. A sergeant, you just said?

14 A. A sergeant, yes.

15 Q. How long have you worked for County?

16 A. I've worked for County for nine years.

17 Q. And your current position now, can you explain that.

18 A. My current position is a sergeant at the judicial
19 services. So I'm a sergeant here at the courthouse.

20 Q. And have you held any other positions at the sheriff's
21 office?

22 A. I have. So I worked patrol for approximately three
23 years. And then I went to investigations for roughly two and
24 a half, three years. And then I came to judicial services,
25 again for roughly three years. So kind of a nice little

1 rotation there.

2 Q. And do you have any educational degrees?

3 A. I do. I have a bachelor's degree in criminal
4 investigations. I graduated with highest honors. And then I
5 have an associate's degree in police science.

6 Q. And have you had any specialized training as it comes to
7 your employment as a crime scene investigator?

8 A. Yes, ma'am. So my initial training is 12 weeks long.
9 So you're on call for 12 weeks 24/7, and that kind of starts
10 your training. From there, I have basic crime scene
11 processing, latent print processing, shooting reconstruction,
12 opioid overdose, forensic photography -- kind of the whole
13 shebang.

14 Q. And what are your -- what are some of your duties and
15 responsibilities as a crime scene investigator?

16 A. As a crime scene investigator I assist with patrol,
17 metro, K-9, investigations, with processing major and complex
18 crime scenes. And when I'm not in the field, I will process
19 evidence. I'll transport evidence to and from places maybe
20 for further testing. I will transport evidence -- it's
21 pretty basic in that manner, I guess.

22 Q. Can you describe what you mean by "processing a scene."

23 A. Sure.

24 So when I process a scene, it generally is initiated
25 with getting called out. So I'll get contacted by a

1 sergeant, and they will direct me to a location to -- and
2 kind of give me a quick briefing of what's going on. I will
3 respond to the scene and speak with deputies on scene to kind
4 of get the rundown from them so I'm more familiar with what's
5 happening.

6 I'll start with taking a photograph of my board shot,
7 which is just it outlines the case number, my name, date,
8 address, that sort of thing. And then I'll take photographs
9 of the scene.

10 So if you think room, table, plate, I'll take a general
11 overall photograph of the entire scene and then start looking
12 at each piece of evidence. Sometimes it involves placards.
13 Sometimes it doesn't. In this specific case, it does. And
14 I'm kind of associating with the locations of each piece of
15 evidence and how they relate to each other. And then I'll
16 take a detailed photograph of that piece of evidence.

17 So, you know, it's like room, table, plate.

18 Q. I want to draw your attention to July 21, 2020. Were
19 you working for the county sheriff's office at that time?

20 A. Yes, I was working with Charleston County at the time.

21 Q. As a crime scene investigator?

22 A. As a crime scene investigator, yes.

23 Q. How did you become involved in this case?

24 A. So I was directed by Sergeant Jones to respond to the
25 1100 block of Gadsdenville Road in reference to a potential

1 shooting investigation where a victim may have been pistol
2 whipped. Both the victim and suspect at that location fled
3 scene. The victim went to [REDACTED] Tommy Lane, and the suspect
4 ended up going to the 3700 block of Marginal Road.

5 Q. And were those -- are those locations kind of near each
6 other?

7 A. They are.

8 Q. And so the other scenes as it relates to this case, how
9 many were there?

10 A. So we had the primary scene, which is where I was
11 directed to go to, and there were two secondary scenes. So
12 it was that Tommy Lane and Marginal Road.

13 Q. So where defendant was, where victim was, and where the
14 shooting was?

15 A. Correct. Yep.

16 Q. And what time -- around what time did you arrive to the
17 scene of the shooting?

18 A. So I arrived at approximately 8:30 at night.

19 Q. And when you got there, were there any other officers on
20 scene?

21 A. There were. Deputy Moore was on scene, and Detective
22 Collins was also on scene.

23 Q. And upon arriving, what were you tasked with doing?

24 A. I was requested to process the roadway. It was
25 explained that the victim and the suspect, they weren't on

1 scene, so I was primarily focused on that roadway.

2 Q. And when you got there, could you tell if the scene had
3 been secured?

4 A. Yes. So to -- and I'll kind of go into the layout of
5 the scene a little bit. But yes, the scene was secured with
6 crime scene tape and there were business cards used to cover
7 the casings to try to help keep the integrity of the location
8 of the casings.

9 Q. And with shell casings, why is it important to mark
10 where they are?

11 A. That's where the incident occurred. And it kind of
12 gives you a -- and it may give a little bit of an explanation
13 as to what happened at the scene. You know? If the casings
14 are linear, you know, the shooter may have gone in a linear
15 pattern. If they're in one specific clustered area, the
16 shooter was stationary when those casings were fired. They
17 kind of place a part of the story.

18 Q. And are shell casings easily moved?

19 A. Yeah. And you'll be -- you know, they can be moved. If
20 there's EMS personnel maybe working, they might kick one. If
21 there's vehicles driving in the roadway, they'll get moved as
22 well. So it's not uncommon for them to get moved.

23 Q. And did you make any immediate observations when you got
24 there?

25 A. I did. So the road is unlit, so it's dark. It was in a

1 -- kind of a, like, secondary road. The crime scene tape
2 kind of secured that area. I noticed that there were
3 cartridge casings on either side of the road, and I found
4 that to be little strange just because, you know, like, they
5 weren't in that singular file format. Right? Or they
6 weren't clustered in one specific grouping. So it kind of
7 showed me that either they could have been kicked or they
8 could have been ran over -- after the shots were fired,
9 obviously.

10 Q. And when you saw the shell casings, did you take
11 pictures of them?

12 A. I did. Before -- yeah, I took overall photographs. I
13 also placarded the shell casings.

14 Q. And why did you do that?

15 A. Just to help show them in my photographs better.
16 Sometimes when it's at nighttime, trying to locate a casing
17 without any kind of assistance is difficult to see. And so
18 using a placard you can better see them and where they lie in
19 the pictures.

20 MS. BOZARTH: Permission to approach the witness, your
21 Honor?

22 THE COURT: Certainly.

23 BY MS. BOZARTH:

24 Q. I'm showing you what's been previously entered into
25 evidence as 3A through 3R. Can you just quickly review that.

1 A. Sure.

2 All right. I'm familiar with these.

3 Q. Are those the pictures you took?

4 A. They are, yes.

5 MS. BOZARTH: Your Honor, permission to publish?

6 THE COURT: Any objection?

7 MR. D'ANGELO: No, your Honor. I believe these have
8 already been entered.

9 THE COURT: All right. Certainly. Go ahead.

10 (Exhibit displayed on screen in open court.)

11 BY MS. BOZARTH:

12 Q. All right. I'm showing you State's 3A. What are we
13 looking at here?

14 A. So we are standing from the position of North Highway 17
15 looking kind of down Gadsdenville as if the -- this brick is
16 on the right. So if you're standing from North Highway 17
17 going down, this brick is -- it's on the right side. So this
18 is kind of like the -- if I'm looking down the right side of
19 my scene.

20 And I expect that I'm going to pan over to the next set
21 of upcoming photographs.

22 (Exhibit displayed on screen in open court.)

23 BY MS. BOZARTH:

24 Q. I'm showing you State's 3B. What is this photograph of?

25 A. So on the other side of this brick is a driveway, and

1 that just leads to -- you're going to pass I believe it's
2 like a brick structure that eventually will lead to a house.

3 (Exhibit displayed on screen in open court.)

4 BY MS. BOZARTH:

5 Q. I'm showing you State's 3C. What are we looking at?

6 A. So this is a overall photograph of the crime scene as I
7 found it. You can see that I used yellow placards. Once we
8 get there -- well, I used lettered placards. There's no
9 rhyme or reason as to why I use letters. Some people use
10 numbers. The reason one is A, one is B, one is C, it's just
11 because I came across it first. It's not like one shot
12 happened, then this shot happened. It was just I needed a
13 placard to locate the casing, and that's kind of what you see
14 here.

15 You'll see that there's a couple of these casings going
16 down Gadsdenville Road heading away from North Highway 17.
17 And then you'll see that there's some other cartridge casings
18 heading toward North Highway 17. And that's kind of why I
19 told you where I found it kind of unique where it's not like
20 that typical linear fashion. These are on both sides of the
21 road.

22 (Exhibit displayed on screen in open court.)

23 BY MS. BOZARTH:

24 Q. And I'm showing you State's 3D. Can you tell us is --
25 what is this vehicle?

1 A. That is a Charleston County Sheriff's Office cruiser
2 kind of securing the scene. So when I'm processing it, we
3 don't allow traffic to come through the scene. As you can
4 imagine, it poses a safety issue. So that's just a cruiser
5 shutting down the roadway.

6 (Exhibit displayed on screen in open court.)

7 BY MS. BOZARTH:

8 Q. I'm showing you State's 3E.

9 A. Mm-hmm. So you can see that these are cartridge
10 casings. This is A. It's the first one I came across, like
11 I outlined originally. A, B. You can kind of see D. Looks
12 like some other ones in the back.

13 But yeah, this is how I found it. This is on the side
14 of the road heading towards North Highway 17.

15 Q. And at first these are marked with the paper markers?

16 A. Yep. Business cards. Deputies aren't issued placards,
17 so they make a makeshift placard using a business card. They
18 just fold it and create a little tent to try to keep its
19 location that way until I get there. You know, it's -- it
20 holds that integrity.

21 (Exhibit displayed on screen in open court.)

22 BY MS. BOZARTH:

23 Q. Showing you 3F. Is that just another --

24 A. Yeah. That's a little bit better photograph. You can
25 now really start to see E on the right side of your screen.

1 (Exhibit displayed on screen in open court.)

2 BY MS. BOZARTH:

3 Q. Showing you State's 3G.

4 A. So I am -- as you can see, I'm progressing towards the
5 cruiser. Right? So I've started on one side of the crime
6 scene, and I'm walking towards the end of the crime scene.

7 And you might see in these upcoming photographs I'll
8 take another photograph coming the other way.

9 (Exhibit displayed on screen in open court.)

10 BY MS. BOZARTH:

11 Q. I'm showing you State's 3H.

12 A. Yep. So if you'd move it down just a little.

13 Yep. There you go.

14 So I'm showing you the -- how -- G and H, you see how
15 far away that is. So without even looking at the casings,
16 you know, I'm reading the scene that shows, you know, that
17 this is obscure. You know, you either have a, you know,
18 either a driver maybe they're driving like this and shooting.
19 Maybe, you know -- but either way, it's not a typical linear
20 pattern like you would see processing a scene or it's not
21 bunched in a group.

22 So I'm just showing you the relationship between G
23 and H.

24 Q. And earlier, you testified that -- what is that
25 indicative to you with regard to --

1 A. So it shows me that either there were vehicles moving
2 post shots maybe or that they could have been kicked and they
3 moved in that manner. You know, I wasn't told anything about
4 EMS being here prior, so it could have been just people
5 walking through the roadway and some, like, that got kicked.

6 But we took a closer look at the casings, and it --
7 well, I can go into further testimony later. Sorry.

8 (Exhibit displayed on screen in open court.)

9 BY MS. BOZARTH:

10 Q. I'm showing you State's 3I.

11 A. Yep. So now this is me looking from the end of the
12 crime scene going back up towards North Highway 17. And it's
13 -- again, I'm kind of showing you the relationships of all
14 the cartridge casings on either side of the roadway.

15 Q. And when -- you said when you arrived the scene was
16 secured, but did you know when the first-responders got
17 there?

18 A. I am not familiar with what time the first-responders
19 got there. I was called at approximately 7:30, and I got
20 there at approximately 8:30.

21 (Exhibit displayed on screen in open court.)

22 BY MS. BOZARTH:

23 Q. I'm showing you State's 3J.

24 A. So this is the cartridge casing from Placard A. You can
25 see how -- with my placards it just helps show the -- how

1 large that cartridge casing is. And that's all that this
2 image shows.

3 (Exhibit displayed on screen in open court.)

4 BY MS. BOZARTH:

5 Q. I'm showing you State's 3K.

6 A. That's the same thing. However, as you can see -- can I
7 write on this? Let's see.

8 All right. Yeah.

9 Okay. You can see how the edge of that casing is
10 straight. Now, look at the edge of this casing right here.
11 See how it's kind of flattened? That shows me that these
12 cartridge casings obviously were flattened with something
13 heavy enough. And with it being in the roadway, it's more
14 than likely it came from a vehicle.

15 Q. And as part of your investigation of the overall area of
16 the roadway, did you notice any divots in the ground?

17 A. I did not observe any divots in the ground, no.

18 Q. Or any divots, any demarcations in the asphalt itself?

19 A. If you're referring to, like, bullet defects, I did not
20 observe anything of that nature, no.

21 Q. Anything -- based on your training and experience,
22 anything consistent with firing a gun into the ground?

23 A. No. No.

24 So yeah, with these kind of scenes, you know, you'll
25 expect to see -- as a bullet fires from a round and hits the

1 asphalt or hits the roadway, you're going to see some sort of
2 penetration from that round. That round may even obliterate
3 on impact and you'll see fragmentation of it. I didn't see
4 any fragmented bullets, and I didn't see any defects in the
5 roadway that would be consistent with one shooting at the
6 road.

7 (Exhibit displayed on screen in open court.)

8 BY MS. BOZARTH:

9 Q. I'm showing you State's 3L.

10 A. Yep. Okay. So this is from Placard C. And again --
11 actually, I don't even think I need to draw it. You can see
12 again how this is tapered at one side. Yep.

13 (Exhibit displayed on screen in open court.)

14 BY MS. BOZARTH:

15 Q. I'm showing you State's 3M.

16 A. You can see that familiar characteristic on the
17 cartridge case. You can also see how there's -- it appears
18 to be speckled on that casing. So whatever compressed this
19 bullet was heavy enough to compress it into the asphalt. So
20 again, it's just confirming with me that a vehicle would have
21 driven over these.

22 (Exhibit displayed on screen in open court.)

23 BY MS. BOZARTH:

24 Q. Showing you State's 3N.

25 A. Yep. That's the same cartridge casing that I pretty

1 much explained in the past. You can see that taper being
2 done in the front.

3 (Exhibit displayed on screen in open court.)

4 BY MS. BOZARTH:

5 Q. I'm showing you State's 30.

6 A. Yep. So again, you can see this -- you have an indent
7 here and then it's tapered here. And this is coming from F.

8 (Exhibit displayed on screen in open court.)

9 BY MS. BOZARTH:

10 Q. I'm showing you State's 3P.

11 A. Okay. So this is also a really good example of the
12 speckled characteristic that you see coming from the
13 cartridge casing. So it's just reconfirming. Yep.

14 (Exhibit displayed on screen in open court.)

15 BY MS. BOZARTH:

16 Q. I'm showing you 3Q.

17 A. Yep. Same with this characteristic. You can see how
18 it's tapered, and right here you can actually see damage --
19 well, hang on.

20 (Exhibit displayed on screen in open court.)

21 BY MS. BOZARTH:

22 Q. And State's 3R.

23 A. Yep. That's the same thing.

24 Q. And how many shell casings --

25 A. I located nine cartridge casings.

1 Q. And with regard to them possibly being run over, is that
2 common?

3 A. Say that one more time?

4 Q. With them -- their physical characteristics, how they
5 presented to you --

6 A. The cartridge casings?

7 Q. Mm-hmm. Is that common?

8 A. If they were ran over, is that a common characteristic
9 to find?

10 Q. Mm-hmm.

11 A. Absolutely. Yeah.

12 Q. And are they easily, I guess -- I guess easily --

13 A. You can make out --

14 Q. -- deformed in that manner?

15 A. Yeah. So it's just -- again, it's compression. Right?
16 As a vehicle goes over it, you're going to get those rugged
17 kind of speckled marks from the roadway. Yep, that's pretty
18 -- yep.

19 And if they were kicked you wouldn't see those
20 characteristics. There's not enough compression of the metal
21 to go into the roadway.

22 Q. But were all of those in the same general area?

23 A. Yes. They were all in that roadway.

24 Q. And with those shell casings, did you collect those
25 shell casings?

1 A. I did collect those shell casings.

2 I call them cartridge casings. I apologize.

3 But yes. So what I do is I will take a cartridge box,
4 and I will write on the cartridge box what placard that they
5 came from. And then I will put those cartridges in a small
6 manila envelope. That's how I collect them.

7 Q. And is that part of your agency's protocol?

8 A. It is.

9 Q. And --

10 MS. BOZARTH: Permission to approach the witness, your
11 Honor?

12 THE COURT: Certainly.

13 BY MS. BOZARTH:

14 Q. I'm showing you State's 7A through 7I. If you could
15 look at those.

16 A. Okay.

17 Q. And are those -- how do you recognize them?

18 A. These are the cartridges that I collected from the
19 scene.

20 Q. And how can you tell?

21 A. All right. So I ended up -- this is my handwriting. I
22 put these in these manila envelopes, as you can see. And on
23 the box is the placard and what it is. So looking at the
24 stamp of the cartridge casing, it was a .40 caliber. And I
25 wrote that -- well, typed it on our bar label right here.

1 So essentially what happens is when I collect these
2 cartridge casings from the scene, collected in the manner
3 that I just told you, I take them to the evidence compound.
4 And I'll sit there at the computer and you create evidence
5 labels for each item. And so that's kind of what this is.
6 It shows you the case number, what it is, where it came from
7 and from what placard, and who ended up entering it. I
8 entered it, so it has my name.

9 Q. And did you enter in all of those?

10 A. I did.

11 Q. And were they all the same caliber?

12 A. There were all .40 caliber.

13 Q. And how can you tell that?

14 A. Again, with the -- looking at the cartridge casing at
15 the bottom, it shows you the caliber.

16 Q. And as an investigator --

17 MS. BOZARTH: Your Honor, at this time the State moves
18 State's 7A through I into evidence.

19 THE COURT: Any objection?

20 MR. D'ANGELO: No objection, your Honor.

21 THE COURT: All right. Admitted without objection.

22 Thank you.

23 (State's Exhibit Number 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H,
24 and 7I admitted into evidence.)

25

1 BY MS. BOZARTH:

2 Q. All right. As an investigator, was it common for you to
3 receive evidence from other crime scenes?

4 A. Absolutely. Yeah.

5 Q. And can you explain that.

6 A. Yeah. So working the road -- so it keeps the deputies
7 on the road. It doesn't take anyone off the road. So if
8 there were to be another murder scene that came out, they're
9 not tied up with transporting evidence. I'm already en route
10 to the evidence compound. So logistically it just made sense
11 for me to collect the evidence from those other scenes.

12 And essentially, yeah, there was evidence collected from
13 those secondary scenes that were given to me and I
14 transported them.

15 Q. And going back to that process for labeling, there's a
16 bar code associated? Is that what you said?

17 A. There is. Yep.

18 Q. And does that bar code stay with that evidence
19 throughout?

20 A. It does.

21 Q. And does it change throughout the hands that obtain it?

22 A. No. It will remain this bar code for the life of this
23 piece of evidence.

24 MS. BOZARTH: Permission to approach the witness, your
25 Honor?

1 THE COURT: Certainly.

2 BY MS. BOZARTH:

3 Q. I'm showing you what's been marked as State's Exhibit 8.

4 A. Can I trade you? Appreciate it.

5 Q. Do you recognize that?

6 A. Yes, I do.

7 Q. How do you recognize it?

8 A. So this was the bullet that was recovered from the
9 victim's vehicle by Deputy Fagan.

10 Q. And how can you tell?

11 A. Well, it's the bullet. I did not collect any bullets
12 from the initial scene. And it was described that -- or I
13 was advised that Sergeant Fagan -- er, I'm sorry, Deputy
14 Fagan ended up collecting the bullet. And again, I got it in
15 my custody and I transported the bullet to the evidence
16 compound, which is why you see my name. If you look at this,
17 it has my name on it and it's just because I ended up
18 entering that piece of evidence into the system, creating the
19 bar code, to keep him on the street longer.

20 Q. And is that in the same condition as when you obtained
21 it?

22 A. It is.

23 Q. And are your initials on that?

24 A. It is.

25 MS. BOZARTH: Your Honor, at this time the State moves

1 State's 8 into evidence.

2 THE COURT: Any objection?

3 MR. D'ANGELO: No objection, your Honor.

4 THE COURT: All right. Without objection.

5 (State's Exhibit Number 8 admitted into evidence.)

6 BY MS. BOZARTH:

7 Q. And let's get back to the shell casings --

8 A. Sure.

9 Q. -- and securing the scene.

10 Would it be possible for a vehicle to run over those
11 shell casings before crime scene arrived?

12 A. Before crime scene? So --

13 Q. I mean before responding deputies got there?

14 A. Yeah. Yes. So in terms of like events-wise, that if a
15 shooting had occurred, that someone contacted law enforcement
16 to get there, and while there's vehicles passing through the
17 area, law enforcement gets there. But once law enforcement
18 gets there, no one comes into the scene.

19 MS. BOZARTH: Thank you. Please answer any questions
20 the defense may have.

21 THE WITNESS: Sure.

22 THE COURT: All right. Mr. D'Angelo?

23 MR. D'ANGELO: Yes, your Honor. Briefly.

24 THE COURT: All right.

25

1 CROSS-EXAMINATION

2 BY MR. D'ANGELO:

3 Q. Good afternoon.

4 A. Good afternoon.

5 Q. So you've been doing this job for a while, correct?

6 A. Yeah.

7 Q. And is it fair to say it's a fairly fascinating job?

8 A. I love it.

9 Q. Yeah. I was going to say it seems like you very much

10 love your job. Right?

11 A. I enjoy every aspect of my job.

12 Q. Yeah. Kind of using elements of science and almost

13 common sense to kind of figure out what a scene presents,

14 right?

15 A. It's tedious, but --

16 Q. Yeah.

17 A. -- I love to think.

18 Q. So obviously, as you talked on direct, there were these

19 nine shell casings, right?

20 A. There were.

21 Q. And again, these things are -- for anyone that hasn't

22 held a shell casing before, I mean, they're fairly

23 lightweight metal cylinders. Is that kind of a good way to

24 describe them?

25 A. If you would like to describe it that way.

1 Q. Again, though, they don't have a whole lot of weight to
2 them necessarily, right? These shell casings here?

3 A. They're light in nature.

4 Q. Okay. And they're metal, right?

5 A. (Indicated.)

6 Q. Again, if you're dropping them on the concrete or
7 asphalt, then these things can --

8 A. Bounce or --

9 Q. -- kind of ping pong --

10 A. -- whatever.

11 Q. -- right?

12 A. Right. Yeah.

13 Q. So for example, let's say you're responding to the scene
14 of a shooting that's in a grassy front yard.

15 A. Sure.

16 Q. That's where, as you were describing, you might be able
17 to identify a bit more of a pattern of maybe how someone was
18 walking and firing a gun, right?

19 A. Sure. Yep.

20 Q. Blades of grass are going to kind of hold the shell
21 casings in place a little bit better?

22 A. Sure.

23 Q. Fair, right?

24 A. That's fair.

25 Q. Yeah. And in this situation, again, as it appears,

1 these shell casings are fairly damaged or somewhat damaged,
2 potentially?

3 A. Well, by "damaged" you mean with the defects of the
4 asphalt? Sure.

5 Q. Yeah. And that's probably a better way to phrase that
6 question.

7 A. Yep. Yeah.

8 Q. There's these defects to some of them, right?

9 A. Yes. Yeah, yeah.

10 Q. Impressions of the asphalt --

11 A. Yep.

12 Q. -- on some of them?

13 A. Sure.

14 Q. Obviously, cars. You had first-responders had gotten
15 there, right?

16 A. Yep.

17 Q. We don't know what type of other traffic may have come
18 through there?

19 A. Prior to them? Correct.

20 Q. Correct.

21 A. Yep.

22 Q. Yes. You're sort of just responding and kind of
23 processing the scene as you see it, right?

24 A. Correct.

25 Q. Again, the information that you had been provided was,

1 as you stated on direct, that you were there for a possible
2 shooting and a victim that had been possibly pistol whipped,
3 right?

4 A. Correct.

5 Q. Other than that, you're not really dealing with what
6 went down or getting witness statements or things like that,
7 right?

8 A. Yeah, I'm not getting witness statements from anyone.
9 My job is to process the scene and correlate that and connect
10 that with the detective.

11 Q. Exactly. And as you indicated, kind of because there
12 were shell casings on kind of both sides of the road, that's
13 what led you to believe things had probably been kicked
14 around a little bit? This might not be how it was when these
15 shell casings were dropped?

16 A. I wouldn't use the word "kicked," but there were -- I
17 don't believe with the impressions -- right? -- that the
18 initial landing of the cartridge casings --

19 Q. Okay.

20 A. -- and then their final location, I think that would be
21 appropriate.

22 Q. Okay. And this might be a silly question, but you don't
23 know necessarily how those shell casings got there, right?

24 A. You mean if they were dumped or if they were --

25 Q. Correct.

1 A. Sure. That's appropriate.

2 Q. Yeah. And again, as the solicitor had asked, there was
3 no indication of, you know, depressions in the asphalt that
4 someone had fired a gun into the ground, correct?

5 A. Correct. Yeah. I didn't see any kind of defects in the
6 asphalt.

7 Q. Now, had someone been firing a gun into the air,
8 obviously there could be no way that you would be able to
9 have crime scene forensics of that, correct?

10 A. Yeah, it's difficult when you don't have an anchor
11 point.

12 Q. Sure.

13 A. And by "anchor point" I mean by, like, another area. So
14 sorry for not explaining that.

15 Q. Understood. And thank you.

16 A. Yeah.

17 MR. D'ANGELO: Your Honor, those are all the questions I
18 have at this time.

19 THE COURT: All right. Any redirect?

20 MS. BOZARTH: Briefly.

21 REDIRECT EXAMINATION

22 BY MS. BOZARTH:

23 Q. But all of those shell casing that you recovered, they
24 were all in the same general area?

25 A. Yes.

1 Q. They were all in that road?

2 A. They were all in that road.

3 Q. And they were all kind of near that driveway?

4 A. They were. Yep.

5 Q. And they were all the same caliber?

6 A. They were all a .40-caliber bullet.

7 Q. Okay.

8 A. Well, cartridge casing.

9 Q. Thank you.

10 THE COURT: Mr. D'Angelo, anything further?

11 MR. D'ANGELO: No. Nothing further. Thank you, your
12 Honor.

13 THE COURT: You can step down. You're excused. Thank
14 you, sir.

15 THE WITNESS: Thank you so much. And where would you
16 like me to -- all right.

17 MS. BOZARTH: Thank you.

18 (Witness excused.)

19 THE COURT: All right. At this time it's an appropriate
20 time for us to take some lunch. I've got 12:25. I'm going
21 to ask y'all to be back in an hour and 15 minutes, so I guess
22 that would be 20 minutes till 2:00. And then we will
23 continue. So y'all are excused again until 20 minutes till
24 2:00.

25 Again, same admonition. Don't talk about the case or

1 anything that's going on yet.

2 Thank y'all.

3 (The jury was released for lunch and exited the
4 courtroom at 12:24 p.m.)

5 (The following proceedings were had outside the presence
6 of the jury.)

7 THE COURT: All right. Why don't y'all be back at about
8 20 minutes after 1:00. That'll give us about 20 minutes
9 before the jury comes back that we can address anything
10 regarding the 911 tape and anything we need to address prior
11 to them coming back. Okay?

12 MR. D'ANGELO: Thank you, your Honor.

13 THE COURT: Anything else we need to address from the
14 State?

15 MS. KOZIK: Not from the State at this time.

16 THE COURT: Defense?

17 MR. D'ANGELO: Not from the defense, your Honor.

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

19 MR. D'ANGELO: Thank you, sir.

20 THE COURT: All right. See y'all in a bit.

21 (Court recessed.)

22 (Court resumed outside the presence of the jury.)

23 THE COURT: All right. What can we dispose of before we
24 bring our jury back?

25 MS. KOZIK: Yes, Judge. The State intends to call the

1 records custodian from the Charleston Consolidated Dispatch
2 and introduce through her the 911 CAD report, the
3 computer-aided dispatch report. And essentially, we are
4 calling her for the purpose of saying that it is a business
5 record. We believe she will testify consistent with that.

6 It's my understanding that defense has some objections
7 to that CAD report. And I just wanted to address those
8 before the jury comes back in, just for the sake of
9 efficiency.

10 THE COURT: All right. And of course, I know you have
11 the opportunity to object once we get into the testimony, but
12 do you want to give me a preview of what the objections are?

13 MR. D'ANGELO: Certainly, your Honor.

14 I mean, just in a nutshell, the existence of this whole
15 report coming in, I guess I don't really understand what the
16 relevance would be of that.

17 And then I understand the business exception for the
18 document, but within here, I mean, there's, I believe,
19 different officers -- you know, chatter of different
20 officers. On page 5 they're talking about, you know, filing
21 of a charge from assault to assault DO-1 by emergency fire
22 rescue. I just feel there's things in here that clearly are
23 probably hearsay in this entire 15-page document.

24 And again, the CAD report, I mean, I think it's all the
25 chatter from all these different officers that's happening.

1 And again, I just don't really understand what the relevance
2 of the document is.

3 THE COURT: All right. So there's the 911 tape and this
4 is separate from that? This is the report itself?

5 MS. KOZIK: Yes, your Honor. The 911 tape does not
6 exist any longer as the custodian will testify that those are
7 kept for a shorter length of time than the CAD reports
8 themselves. So the 911 call itself does not exist.

9 However, this CAD report, to defense's argument about
10 relevance, it's highly relevant. It shows the time. It's
11 all really necessary information that was relayed out to the
12 law enforcement at the time. It shows when the call came in,
13 who responded to the call, when the officers got to the
14 scene. Essentially, it lays out a full timeline of events
15 for the jury that, again, Charleston Consolidated Dispatch
16 keeps in the normal course of business.

17 And she'll testify that this -- that everything that is
18 created here is created in this document in real time as it's
19 happening, as it's called out on the radio, as it's -- as --
20 for instance, the 911 caller will say something that is of
21 importance. It will be logged contemporaneously with that
22 comment. There's also -- the call-taker is trained to note
23 anything here that they themselves perceive in real time. So
24 there are descriptions of what is happening.

25 I'm happy to provide you with a --

1 THE COURT: Yeah, let me have a copy so I can make sure
2 I'm following.

3 MS. KOZIK: Yep.

4 So for instance, on page 1 it discusses the type of
5 problem involved. That's the weapon; shots fired; the
6 address; the caller, Ms. Ravenell; the time it occurs, 6:17.
7 The next page discusses again the times -- sort of the
8 timeline of events, which obviously is highly relevant, how
9 long it took officers to arrive on scene.

10 THE COURT: All right.

11 MS. KOZIK: The officers involved are listed on page 3.
12 And then starting at the bottom of page 3 onto the "Comments"
13 section --

14 THE COURT: So why is it necessary to have the entire
15 report in?

16 MS. KOZIK: Well, so there are certain -- there are
17 certain comments in the "Comments" section that --

18 THE COURT: Which ones? Point me to one.

19 MS. KOZIK: Okay. So if you look on page 4, comments 25
20 and 26, they're about halfway down the page there.

21 THE COURT: "Advised is high and intoxicated"?

22 MS. KOZIK: No. "He is shooting again," and then
23 "CT" --

24 THE COURT: I mean, that's --

25 MS. KOZIK: Okay.

1 THE COURT: That's the one I'd be a little bit worried
2 about.

3 MR. D'ANGELO: Thank you, your Honor.

4 MS. KOZIK: I mean, we're happy to redact that
5 particular portion.

6 But the main thing is the timeline. For instance, "CT
7 hears shoots." The witness will testify that "CT" stands for
8 call-taker, so that's the person on the other line. And
9 again, it establishes that contemporaneously with the victim
10 on the call with 911, the call-taker heard shooting, so that
11 there was shooting going on. It's defense's argument that
12 the shots might have been fired at a different point in time
13 and not as Ms. Ravenell described. So again, that's highly
14 relevant.

15 And again that she was --

16 THE COURT: Where is that? "CT hears" --

17 MS. KOZIK: "Shoots."

18 THE COURT: -- "shoots."

19 MS. KOZIK: And then --

20 MR. D'ANGELO: "Hears shoots."

21 MS. KOZIK: So --

22 THE COURT: And what's -- and 26 is just the entry of
23 the comment number?

24 MS. KOZIK: Yeah, 26 is the comment number. And then --

25 THE COURT: And that's -- and that's -- and this is

1 logged each time?

2 MS. KOZIK: This is logged contemporaneously as it's
3 happening.

4 THE COURT: And this contains codes, backup, officer
5 numbers, unit numbers, dispatch level, suffix.

6 MS. KOZIK: And some of this the witness will --

7 THE COURT: And who would explain all of this?

8 MS. KOZIK: The records custodian.

9 THE COURT: So the records custodian would go through
10 every line and explain what "Response 62," asterisk, "[REDACTED]
11 Marginal Road shared," whatever that means? You're saying
12 that's what they would do?

13 MS. KOZIK: No. I was going to point her to specific
14 lines and have her describe or interpret it for the jury.
15 And defense is perfectly -- er, can do the same.

16 And otherwise, it's fairly easy to follow outside of
17 some of the --

18 THE COURT: Easy for you, not for me. And certainly not
19 for the jury.

20 MS. KOZIK: Which, again, is why we have the witness to
21 help describe generally what we're seeing. And yes, I don't
22 think it's --

23 THE COURT: Well, my question is if you've got the
24 witness who's here and you can -- and you're looking for some
25 pretty narrow points. You aren't necessarily looking for all

1 of this in there.

2 MS. KOZIK: Correct.

3 THE COURT: You're not saying all off it's extremely --
4 is relevant. And I understand that.

5 But couldn't the witness testify as to any of the
6 specifics that you're talking about while holding this report
7 and not introduce the report itself?

8 MS. KOZIK: That is possible. However, if that's the
9 direction you'd like to go, I would -- I think it is highly
10 relevant and easy to follow and not at all prejudicial to
11 have at least the first two pages in evidence which talk
12 about -- which establish essentially the timeline of events.
13 The witnesses thus far have been able to give the general
14 time about when things happened, but I think this clarifies
15 it for the jury and is something easy for them to --

16 THE COURT: I mean, just having the timeline I don't see
17 as being controversial or at issue. Maybe I'm mistaken.
18 Maybe I'm missing something.

19 MR. D'ANGELO: Well, I'll just -- if I may, your Honor?

20 THE COURT: Please.

21 MR. D'ANGELO: I agree. I mean, I think Ms. Ravenell's
22 testified to this time. Every officer I believe that's
23 responded has been questioned about the time they responded.
24 They've been able to give the time that they responded. I
25 think it's been presented by the State what this timeline is.

1 If I can very briefly too, your Honor, I would say even
2 in regards to this on page 4, line 26, the "CT hears shoots,"
3 if we're -- essentially, if the State's trying to get in to
4 establish that you can hear gunshots on the call, then give
5 me the audio. Why do we not have the audio? I've done
6 plenty of trials in this state and they always have the
7 audio. So because they didn't go get the audio appropriately
8 or timely in this case, I mean, again, now we're just trying
9 to go off of writing that that's what happened.

10 We're also not even going to have the witness here who
11 was the woman that actually heard the call or the shots and
12 logged this. We're just having a custodian of records start
13 testifying to things that are in this document. That doesn't
14 seem proper.

15 Again, that doesn't seem relevant. These officers have
16 established what the timeline was. Ms. Ravenell has given
17 the timeline. She stated as she called 911. Right?
18 Officers have testified that, "Yeah, we received a 911
19 report. That's why we arrived. And we arrived because there
20 was a call. An incident went out that there was a possible
21 shooting and possible assault at this location."

22 I mean, all of that's come out and been presented. I
23 don't understand how it's necessary to have this CAD report.

24 MS. KOZIK: Again, your Honor -- if I may respond
25 briefly?

1 Again, all of the witnesses -- just as to the timeline,
2 all of the witnesses have said it occurred about 6:30.
3 During the evening shift change is about the -- their
4 estimation of about when things happened. As this shows, it
5 happened a little bit before that and gives a precise amount
6 of time about how long it took someone -- er, the officers to
7 arrive.

8 As it relates to, for instance, entry 26 here, the "CT
9 hears shoots," Mr. D'Angelo's already admitted that he
10 doesn't believe that it's proper to come in is beside the
11 point. It's proper under the rules of evidence. This is a
12 business record, and the rules allow for business records to
13 come into evidence as they are without having to call the
14 actual person who created the business record. So 803(6)
15 makes this entirely proper.

16 Again, the records custodian is going to testify that it
17 is the procedure of any of the call-takers that they type
18 down this information as it occurs, making it a present sense
19 impression. So that eliminates any hearsay-within-hearsay
20 argument.

21 And obviously it is very relevant to what happened. The
22 fact that we don't have the 911 call is beside the point.
23 We're here to try the case with the evidence that we have,
24 and this is the evidence that we have.

25 And to -- the fact that the witness who heard this might

1 not be able to explain the potential typo of "shoots" as
2 "shots," that goes to weight, not admissibility. It's
3 something that the jury is fully capable of reading and
4 making a determination about what that logically means in
5 their head. It goes to weight, not admissibility, not to
6 hearsay.

7 THE COURT: All right. All right. Thank you for that.

8 I'm not going to allow the report in. I think it begs
9 too many questions. Yes, it's a business record. I don't
10 think it comes in under the business record exception because
11 there's hearsay within hearsay within hearsay in this and
12 would provide significant confusion and potentially mislead
13 the jury with information that's contained in this. So I'm
14 going to deny the incident report itself.

15 As far as having a custodian come in and testify as to
16 the authenticity, I guess if it's not coming in, that's
17 probably not necessary.

18 Are you going to seek to include some of the information
19 in it through this custodian?

20 MS. KOZIK: Well, yes. I mean, that would be the plan.
21 If you don't want to admit the entire document, I would ask
22 that the custodian be able to describe the process that I've
23 just explained and that a record does exist of the call and
24 highlight certain comments in the section.

25 And in fact, I think there -- I have it on my computer.

1 There is a case from the Court of Appeals where the Court of
2 Appeals held that there was no error in allowing a CAD record
3 and having the custodian read certain entries from that CAD
4 record under both the 803 and other exceptions. So --

5 THE COURT: All right. And I agree; there are certain
6 portions of it that would certainly be available, relevant,
7 and admissible. And we're not going to go through line by
8 line. I guess we'll have to do that as it occurs. Some of
9 it certainly won't be objectionable. Some of it certainly
10 will be. We'll just have to deal with it. I'll deal with
11 those objections.

12 But the report in and of itself, no.

13 MS. KOZIK: Okay.

14 THE COURT: I'm not going to allow that. The custodian
15 can come in and talk about the report, testify as to the
16 method of preparation and so forth. And then if you're
17 trying to get into the specific items that are on there, then
18 there will be objections and we'll have to deal with that.

19 MS. KOZIK: Okay.

20 THE COURT: Okay? Because -- yeah, I got no idea which
21 ones -- which all ones you want, which ones you don't want.

22 MS. KOZIK: Okay.

23 THE COURT: Nor do I -- I'm not going to -- we're not
24 going to go through those objections in advance. We'll just
25 have to do it --

1 MS. KOZIK: Okay.

2 THE COURT: -- as we go along. It will be -- and we'll
3 do it that way.

4 MS. KOZIK: Okay. Can I then -- I'll provide -- can I
5 provide her this document for identification and have her
6 have it in front of her while I'm asking questions about it?

7 THE COURT: You can offer it to her for her to look at
8 as a record. Yeah, certainly she can have it in her hands.

9 MS. KOZIK: Okay.

10 THE COURT: Okay?

11 All right. So you got another copy? Because I think
12 the one I took is the one that you had marked on it.

13 MS. KOZIK: Yeah. You want another copy?

14 THE COURT: Yes, please give me another copy. And I'm
15 going to give this one back.

16 All right. Are we ready for the jury to come back in?

17 MR. D'ANGELO: I'm sorry, your Honor?

18 THE COURT: Are we ready for the jury to come back in?

19 MR. D'ANGELO: Ready from the defense, your Honor.

20 THE COURT: Okay.

21 MS. KOZIK: Ready for the State, your Honor.

22 THE COURT: All right. Yep. Go ahead. Let's bring the
23 jury back in.

24 THE BAILIFF: Thank you.

25 (The jury entered the courtroom at 1:43 p.m.)

1 THE BAILIFF: All jurors are present, your Honor.

2 THE COURT: All right. Thank you.

3 Y'all can have a seat.

4 All right. Is the State ready to proceed?

5 MS. KOZIK: Yes, your Honor.

6 THE COURT: All right. You can call your next witness.

7 MS. KOZIK: The State calls Tamara Beard.

8 CLERK OF THE COURT: Please raise your right hand and
9 place your left on the Bible.

10 (Witness sworn.)

11 CLERK OF THE COURT: Please be seated.

12 Please state your full name, spelling your last name
13 loudly and clearly into the microphone.

14 THE WITNESS: Tamara Beard. Last name B-E-A-R-D.

15 TAMARA BEARD,
16 called as a witness on behalf of the State, being first duly
17 sworn, was examined and testified as follows:

18 DIRECT EXAMINATION

19 BY MS. KOZIK:

20 Q. Good afternoon, Ms. Beard.

21 Can you tell the jury what you do for a living.

22 A. Yes. I'm a FOIA analyst with the Charleston County
23 Consolidated Dispatch Center.

24 Q. And what is the Charleston County Consolidated Dispatch
25 Center?

1 A. It's the 911 center.

2 Q. What -- in your role as a FOIA analyst, is part of that
3 being a records custodian?

4 A. That's true, yes. We receive and process FOIA requests,
5 record requests for member agencies, and we also handle
6 complaints.

7 Q. How long have you been doing that?

8 A. In this position, three months.

9 Q. What did you do before that?

10 A. I was a dispatcher on the floor.

11 Q. Okay. So in your position, are you familiar with the
12 types of records that Charleston Consolidated Dispatch keeps
13 or creates and maintains in the ordinary course of business?

14 A. As it pertains to my job, yes.

15 Q. So let's talk about 911 calls.

16 A. Okay.

17 Q. Does Charleston Consolidated Dispatch record 911 calls?

18 A. Yes.

19 Q. And about how long do they keep those calls?

20 A. One calendar year from the date of the incident.

21 Q. What happens after that?

22 A. It's purged.

23 Q. Is that normal?

24 A. Yes. That's per our organization's retention process.

25 Q. Can it ever be recovered once it's purged?

1 A. No.

2 Q. Does -- what has to happen for it not to be purged?

3 If, for instance, law enforcement requested a tape --

4 A. Okay.

5 Q. -- what would happen in that case?

6 A. Yes, if law enforcement requested a tape, we would keep
7 it up to three years from the time of that request.

8 Q. Okay. But if that request isn't made it's purged?

9 A. It's purged. Mm-hmm.

10 Q. Directing your attention to this specific case, State
11 versus Anthony Taylor, was a 911 call provided to our office?

12 A. From my understanding, it wasn't.

13 Q. From your understanding, had it been purged prior to the
14 request?

15 A. Correct.

16 Q. Does Charleston Consolidated Dispatch create any other
17 records at the time a 911 call is made?

18 A. As far as audio, or are we talking about reports? We do
19 have a CAD report that's done that's from the time the call
20 came in. It's usually automatically generated whenever we
21 get a new call in to the 911 center, and that's where we
22 store all of the pertinent information going on from the time
23 that the caller called in and from the time that the
24 responders responded and arrived on scene.

25 Q. So there is a written record to go along with --

1 A. Yes.

2 Q. -- an audio, correct?

3 A. Yes.

4 Q. You said the phrase "CAD report." Can you explain to
5 the jury what a CAD report is.

6 A. A CAD report is -- "CAD" stands for computer-aided
7 dispatch. But again, it's just a report. So whenever the
8 call comes in or we get a new incident in the 911 center, it
9 automatically generates or populates this report, and
10 everything that's being said from the caller to the
11 call-taker is being transcribed from the call-taker onto that
12 report. As well as whatever information is being given from
13 the responders to the dispatcher and vice versa is written
14 into that report.

15 Q. Does that include -- does that include what the caller
16 is relaying to the dispatcher or the call-taker?

17 A. Yes.

18 Q. Does that include the -- any impression -- anything that
19 the call-taker might hear --

20 A. Yes.

21 Q. -- on the line?

22 A. Yes. Call-takers are trying to not only record what
23 statements are being given but also to listen to what might
24 be going on in the background, especially if they feel it's
25 pertinent to the incident or the call.

1 Q. And is that recorded in real time?

2 A. Yes. As best as possible, yes.

3 Q. Okay. How long are CAD reports stored?

4 A. Five calendar years from the date of the incident.

5 Q. And who has -- who has access to CAD reports?

6 A. All certified and credentialed employees at the
7 Charleston Consolidated Dispatch Center.

8 Q. Does that include yourself?

9 A. That includes myself.

10 Q. So after -- when a 911 call comes in --

11 A. Mm-hmm.

12 Q. -- and a CAD report is created -- did you say that
13 happens automatically?

14 A. Yes.

15 Q. Okay. After it's created, at the very end of that call,
16 is it closed out? How is it essentially marked completed?

17 A. It really just depends on the state of the call, the
18 nature of the call. The dispatcher can close the call out if
19 the responder is finished with the call, or the respondent
20 themselves can remove themselves from the call which then
21 would close the call out.

22 Q. And once the call is closed out, can anyone make changes
23 to that CAD report?

24 A. You can add information into the report, but everything
25 you do with the report is timestamped. So even after it's

1 closed, it will have a timestamp on it to show you what was
2 done. You can edit times in the user data field, but again,
3 the original information that was there will still remain
4 there and it will show whatever was amended in a timestamp in
5 the report.

6 Q. And are those CAD reports -- you said they're generated
7 in the normal course of business?

8 A. Yes.

9 Q. And they're stored or saved in the normal course of
10 business?

11 A. Yes.

12 Q. Okay. So as it relates to this case in particular, was
13 your -- was Charleston Consolidated Dispatch asked to provide
14 my office with a CAD report for the incident on July 21,
15 2020, on Gadsdenville Road?

16 A. Yes.

17 MS. KOZIK: Permission to approach the witness?

18 THE COURT: Certainly.

19 BY MS. KOZIK:

20 Q. Ms. Beard, I just handed you what's been previously
21 marked for identification as State's Exhibit 1. Do you
22 recognize that?

23 A. Yes. It's the CAD report.

24 Q. For what incident?

25 A. For the aforementioned incident that took place July 21,

1 2020.

2 Q. How do you know that?

3 A. This was also verified from us earlier upon the request
4 when it was made. I was able to go back and look at it and
5 verify that this was the actual CAD report for the incident.

6 Q. So was this particular report made in the ordinary
7 course of business?

8 A. Yes.

9 Q. And was this particular report kept and maintained in
10 the ordinary course of business?

11 A. Yes.

12 Q. Okay. At this time I'm just going to ask you to
13 highlight a few things on each page -- er, on a few of the
14 pages.

15 A. Okay.

16 Q. Can you tell from the first page here about what time --
17 er, what time did the 911 call come in?

18 A. The center received the call around 1817.

19 Q. So that was 6:17?

20 A. 6:17. I'm sorry. Yes.

21 Q. Okay. And where was the incident location listed as?

22 A. The call-taker reported [REDACTED] Gadsdenville Road.

23 Q. And who was the caller?

24 A. According to this CAD report, a Ms. Ravenell.

25 Q. What was the problem that the caller reported?

1 MR. D'ANGELO: Objection, your Honor. Renewing my
2 previous objections.

3 THE COURT: All right. The nature of the objection
4 again?

5 MR. D'ANGELO: Hearsay. Hearsay within hearsay.
6 Relevance.

7 THE COURT: All right. Restate the question.
8 Don't answer it yet.

9 Restate the question for me.

10 MS. KOZIK: My question is what was the call
11 characterized as at the dispatch center as listed on page 1
12 of the CAD report?

13 THE WITNESS: As listed on page 1, "weapon shots fired."

14 THE COURT: All right. All right. I was asking you not
15 to answer it yet.

16 THE WITNESS: Oh, I'm so sorry.

17 THE COURT: That's okay. I was going to let you answer
18 it. So go right ahead.

19 Ask her again. I'm going to allow that question. Go
20 ahead.

21 BY MS. KOZIK:

22 Q. So my question was what was the problem as reported to
23 Charleston Consolidated Dispatch at this call? What was
24 logged as the problem on this CAD report?

25 And you can answer.

1 A. Okay. As per 1 -- page 1, "weapon shots fired."

2 Q. Okay. Moving to page 2, what kind of information
3 generally is being described at the top of page 2?

4 A. Okay. At the top of page 2 is going to be the
5 timestamps as described here: again, when the phone was
6 picked up, when the call-taker began to type into the CAD
7 report, and all of the times of when a person responded,
8 arrived on scene, and made themselves available throughout
9 the call.

10 Q. So according to this report, about what -- er, at what
11 time was the first law enforcement unit en route?

12 A. The first unit was en route at 1820 or 6:20.

13 Q. And at what time did the first unit arrive?

14 A. They arrived at 6:25.

15 Q. Now, if you'll move to page 3 of this report, about
16 halfway down there's a section that looks like it's called
17 "Comments." Can you describe what kind of information is --
18 generally what kind of information is included in the
19 "Comments" section of the CAD report.

20 A. It's going to be all of the pertinent information that
21 was given from the call-taker to the caller and any
22 information that was given to the dispatcher from the
23 responder over the radio.

24 Q. So you said you were a dispatcher previously, correct?

25 A. Correct.

1 Q. So would someone being actively shot at to you be
2 pertinent information to write down in this section?

3 A. For me, yes.

4 Q. Directing your attention to comments 6 through 10, what
5 kind of information does that -- based on your knowledge of
6 these CAD reports, what kind of information does that relay?

7 A. It would be -- to me it would be pertinent information
8 that that was what was being said to me from the caller.

9 Q. But to your knowledge, that appears to be what the
10 caller was telling the call-taker; is that right?

11 A. Yes. And that would be information that would be shared
12 with the responder.

13 Q. Okay.

14 MS. KOZIK: Your Honor, can we approach?

15 THE COURT: Certainly.

16 (An off-the-record discussion was held at the bench in
17 the presence of the jury but outside the hearing of the
18 jury.)

19 THE COURT: You can proceed. Go ahead.

20 BY MS. KOZIK:

21 Q. Ms. Beard, can you read the information relayed -- er,
22 present in the CAD report comment lines 6 through 10.

23 A. Line 6, "He broke my windshield on my car."

24 Line 7, "He took my keys."

25 Line 8, "He boxed in my face."

1 Line 9, "Negative need for EMS."

2 Line 10, "He's shooting at me."

3 Q. Same question as -- well, as it relates to comments 12
4 and 13, does that also appear to be information relayed from
5 the caller to the call-taker?

6 A. Yes.

7 Q. Can you read lines 12 and 13.

8 A. Line 12, "He's shooting at me. He has a gun."

9 Line 13, "He's running behind me. I came to a friend."

10 Q. And what time were those comments made?

11 A. 6:20.

12 Q. On the following page, directing your attention to --
13 directing your attention to lines 25 -- to line 25, does that
14 also appear to you to be information that the caller relayed
15 to the call-taker?

16 A. Yes.

17 Q. What does line 25 say?

18 A. "He's shooting again."

19 Q. At -- directing your attention to line 26 -- first of
20 all, is there an abbreviation for "call-taker" that's
21 commonly used in your line of work?

22 A. Yes. CT.

23 Q. So line 26, what kind of information does that appear to
24 relay? Or does that -- strike that. Let me rephrase my
25 question.

1 Who appears to be -- does the information relayed on
2 line 26 appear to be from the perception of the call-taker to
3 you?

4 A. Yes.

5 Q. What does line 26 say?

6 MR. D'ANGELO: Objection, your Honor. This is renewing
7 my objection --

8 THE COURT: All right.

9 MR. D'ANGELO: -- from previous.

10 THE COURT: All right. I'm going to ask the jury to
11 step out for a few minutes while we address a matter of law,
12 please.

13 (The jury exited the courtroom at 2:01 p.m.)

14 (The following proceedings were had outside the presence
15 of the jury.)

16 THE COURT: All right. And your objection to 26?

17 MR. D'ANGELO: Yes, your Honor. Again, not to belabor
18 the point, as I've previously argued, but I think this is
19 hearsay within hearsay. Again, I think the proper way to
20 have this presented would be to have the audio. As we heard,
21 they had an entire year to go get the audio and they didn't.
22 I just -- again, from all the previous arguments I've argued,
23 hearsay within hearsay. I do not believe this is proper to
24 come in in this method.

25 THE COURT: Okay.

1 MR. D'ANGELO: Especially from a person who has no
2 personal knowledge of this call.

3 THE COURT: All right. And from --

4 MS. KOZIK: And it's the State's --

5 THE COURT: From the State?

6 MS. KOZIK: It's the State's position that hearsay
7 within hearsay is allowable and is admissible as long as each
8 level of hearsay has the proper exception, which I've done in
9 this case. We've established the report itself is an
10 exception to hearsay as a business record. And this witness
11 has testified --

12 THE COURT: Well, a business record in and of itself --

13 MS. KOZIK: In and of itself.

14 THE COURT: -- doesn't qualify any hearsay within the
15 record.

16 MS. KOZIK: Agreed. I'm getting to that.

17 And then for 26 in particular, this witness has
18 testified that call-takers, in which she has personal
19 experience being one, are trained to type what they hear and
20 perceive themselves in real time as they hear it for whatever
21 they feel is pertinent to the call. She also testified that
22 this appears to be from the perspective of the call-taker.
23 "CT," as she said, was a shorthand for call-taker.

24 So I believe that this qualifies as a -- it is hearsay,
25 but it qualifies as a hearsay exception under the present

1 sense impression because it is something that this person is
2 perceiving at the time. And it is -- they're perceiving this
3 in the moment and writing it down as it's happening.

4 THE COURT: And but I think we're one --

5 MS. KOZIK: And that's exactly what that exception is
6 for.

7 THE COURT: I think this is -- we're one step removed
8 from that exception. This is not the person who heard it.
9 This is not the person who that was the impression. This is
10 -- I think we're getting three or four layers in on this.
11 Some of the earlier stuff may have even been inadmissible as
12 well. No, I think at this point, anything beyond this, as
13 best I can tell, looks like it falls within the category of
14 hearsay within hearsay. It should not be admitted.

15 I mean, as far as a general outline of the time, you got
16 that in. Some of the initial impressions that might
17 constitute non-hearsay business record exceptions in the
18 normal course of their business -- identifying the nature of
19 the call, identifying why they went out -- might necessarily
20 be admissible. But I think it's gone too far on this. So
21 I'm going to disallow or not allow any testimony as to that.

22 I'm not sure what else after that would be admissible.
23 But if you want to delve into that, which you obviously are
24 familiar with the record, then you're certainly entitled to
25 do that.

1 MS. KOZIK: The only other thing I would like to have
2 this witness testify about is the BOLO that went out and
3 roughly the time that it went out. And there is -- directing
4 your attention to --

5 THE COURT: What number is that?

6 MS. KOZIK: -- 44.

7 THE COURT: I'm sorry?

8 MS. KOZIK: 44 I believe is the comment. Or potentially
9 39. I need to ask the witness exactly what time. But both
10 reference the BOLO.

11 MR. D'ANGELO: If I could just inquire what page?

12 MS. KOZIK: Oh.

13 MR. D'ANGELO: Page 4?

14 MS. KOZIK: Page 4 --

15 THE COURT: 4 and --

16 MS. KOZIK: Bottom of page 4 and --

17 THE COURT: 4 and 5.

18 MR. D'ANGELO: Thank you.

19 THE COURT: Any objection to that?

20 MR. D'ANGELO: I don't think I have -- again, I'm trying
21 to work with everyone here. I don't think I have an
22 objection to, you know, "Does the report indicate a BOLO went
23 out? What time?" You know, anything other -- a reading of
24 the specific lines or any other information of that I don't
25 think would be proper. But the question of "Was a BOLO went

1 out? At what time did that BOLO get out?" --

2 THE COURT: I agree. I think within the course of this
3 I guess situation, the fact that there was a BOLO that went
4 out. The specifics as to that, again, I think then you're
5 getting into the hearsay regarding the specifics. Their
6 reaction by issuing a BOLO following the shooting, I think
7 that's admissible. So I think you can ask whether there was,
8 the time when it went out. But as far as the specifics that
9 talk about a description of the defendant, the purpose for it
10 beyond that I think is not going to be admissible and I'll
11 disallow that.

12 MS. KOZIK: Understood.

13 THE COURT: Okay?

14 MS. KOZIK: Okay.

15 THE COURT: All right.

16 All right. So anything else after that that we can
17 address now?

18 MS. KOZIK: Again, the only other point, on that same
19 page, on comment 73, I believe -- and I'd have to inquire
20 further of the witness, but it's my understanding that that
21 line indicates that this defendant's name was put out over
22 the radio. So I think that's relevant again to the timeline
23 as to when it was shared to the other scenes and later
24 allowed Ms. Ravenell to identify the defendant. So I could
25 ask --

1 THE COURT: Yeah, and certainly they can say, "This is
2 when we put his name out on the radio." I think that's
3 certainly admissible.

4 And we'll make a copy -- or we'll use a copy of this as
5 a Court's exhibit. And the discussion here will constitute a
6 proffer of all this information so it's all preserved for
7 you.

8 MS. KOZIK: Okay.

9 THE COURT: All right?

10 MR. D'ANGELO: That's correct, your Honor. That was
11 going to be my last suggestion. I think we need to change
12 the -- to Court's Exhibit 1 instead of State's Exhibit 1.

13 THE COURT: So we'll identify it as Court's Exhibit 1.
14 That's exactly right. Okay?

15 MR. D'ANGELO: Thank you, your Honor.

16 THE COURT: Okay. No. Thank y'all.

17 (Court's Exhibit Number 1 marked for the record.)

18 THE COURT: All right. Let's bring our jury back in.

19 THE BAILIFF: Yes, your Honor.

20 (The jury entered the courtroom at 2:10 p.m.)

21 THE BAILIFF: All jurors are present, your Honor.

22 THE COURT: All righty. Y'all have a seat.

23 Is the State ready to proceed?

24 MS. KOZIK: Yes, your Honor.

25 THE COURT: All right. Go right ahead.

1 BY MS. KOZIK:

2 Q. Ms. Beard, I only have a few other questions for you.

3 Looking at the CAD report, are you able to tell what
4 time a BOLO went out to Mount Pleasant Police?

5 A. The BOLO was first requested 1831 and was completed
6 1834.

7 Q. So that's 6:31 --

8 A. Yes. 6:31 --

9 Q. Requested at 6:31?

10 A. -- and 6:34.

11 Q. Okay. Are you able to tell from this CAD report at what
12 time the Mount Pleasant Police Department shared the
13 defendant's name over the radio to other agencies?

14 A. That's going to be 1911.

15 Q. So about 7:11?

16 A. Yeah, 7:11. And that was County.

17 MS. KOZIK: No further questions from the State. If you
18 could please answer any questions defense may have.

19 THE COURT: All right. Any cross-examination?

20 MR. D'ANGELO: Briefly, your Honor.

21 CROSS-EXAMINATION

22 BY MR. D'ANGELO:

23 Q. Good afternoon, ma'am.

24 A. Hello.

25 Q. I think it's clear, but again, you had no interaction in

1 this case, correct?

2 A. Correct.

3 Q. You weren't the phone caller out on this case?

4 A. No.

5 Q. You're just here in the capacity of you review the
6 records, right?

7 A. Correct.

8 Q. And that you're the person that they had for you to be
9 able to talk about this?

10 A. Correct.

11 Q. All right.

12 MR. D'ANGELO: Nothing further, your Honor.

13 THE COURT: All right. You can step down. Thank you.
14 (Witness excused.)

15 THE COURT: All right. The State may call its next
16 witness.

17 MS. KOZIK: Beg the Court's indulgence. I want to make
18 sure our witness is here.

19 (Pause in proceedings.)

20 MS. KOZIK: The State calls Sergeant Charles Stafford.

21 THE COURT: All right.

22 (Witness sworn.)

23 CLERK OF THE COURT: Please be seated.

24 Please state your full name, spelling your last name
25 loudly and clearly into the microphone.

1 THE WITNESS: It's Charles Brett Stafford. It's
2 S-T-A-F-F-O-R-D.

3 CHARLES STAFFORD,
4 called as a witness on behalf of the State, being first duly
5 sworn, was examined and testified as follows:

6 DIRECT EXAMINATION

7 BY MS. KOZIK:

8 Q. Good afternoon.

9 Can you tell the jury what you do for a living.

10 A. I'm a police officer.

11 Q. Who are you a police officer with?

12 A. For the Mount Pleasant Police Department.

13 Q. And what is your rank, title?

14 A. I'm currently a sergeant, a road sergeant. Yes, ma'am.

15 Q. And in your -- what are your main duties and
16 responsibilities as a road sergeant?

17 A. Supervise 11 people. Day in and day out, you know, just
18 handle patrol calls, give advice, handle critical incidents.

19 Q. And before you were a sergeant, what was your position?

20 A. Five years of undercover narcotics.

21 Q. What about in July of 2020, what was your position?

22 A. I was an SPO, so a senior patrol officer. I had just
23 rotated out of narcotics and was back on the street before I
24 promoted to sergeant.

25 Q. So as a senior patrol officer, what were your duties?

1 A. We're assigned districts, so you handle the calls in
2 your districts, whichever -- whatever it might be that day.
3 And other than that, you can conduct traffic stops, proactive
4 policing, just stuff every day. Whatever you feel like doing
5 that day.

6 Q. Okay. Directing your attention to July 21, 2020, were
7 you working that day?

8 A. Yes, ma'am.

9 Q. Did you have an occasion to become involved in this
10 case, State versus Anthony Taylor?

11 A. Yes, ma'am.

12 Q. And how did you first become involved in this case?

13 A. I was -- a dispatch came over the radio and advised
14 there was a BOLO out of Charleston County -- which is like
15 the northern part of Mount Pleasant, Gadsdenville Road area,
16 which is just right outside of our jurisdiction -- about a
17 shooting or attempted shooting that had just happened.

18 I was in the district. I was in the middle of town. It
19 was 5:00, somewhere in there. So I decided to go up just in
20 case it turned into something else and they needed staff.
21 Because there's usually only two on that side of the county,
22 the east side of the Cooper, so they require assistance
23 sometimes from police in Mount Pleasant. So I went up there
24 and I sat at Roper Hospital just to see.

25 Q. Okay. Can you describe for the jury what is a BOLO?

1 A. Be on the lookout for. It means the subject has
2 probably already left, and they have a description of the
3 vehicle and/or the person. And they put it out so everybody
4 is aware that if you see it.

5 Q. And on that day did you have a description of the
6 vehicle that there was a BOLO for?

7 A. Yes, ma'am. It was a blue Suburban.

8 Q. And was there any description of the suspect in the
9 shooting?

10 A. There was. It was a black male. I think it was a gray
11 T-shirt and jeans.

12 Q. So you mentioned that you -- after you heard the BOLO,
13 you went to that area. Generally where did you go? I think
14 you might have said it, but I didn't hear it.

15 A. Oh. Roper Hospital. There's two entrances. I was at
16 the north entrance because there's a -- the median is broken
17 where I can either go north or south on 17. And I was just
18 watching traffic because it was close enough but far away
19 because of the timeframe that if I saw something similar,
20 then I was going to investigate and see if it was it.

21 Q. So about what time did you set up at Roper?

22 A. I don't remember that.

23 Q. Okay. Was it --

24 A. Was shortly after. I mean, it was within 15, 20
25 minutes.

1 Q. Of first hearing the B0L0?

2 A. Of first hearing the B0L0, yeah.

3 Q. Okay.

4 A. It wasn't like two hours later or anything like that.

5 Q. Did you ever see a dark Suburban while you were --

6 A. When I was heading there, no. But after I parked and
7 was stationary watching traffic, yes, I saw one heading
8 northbound back towards -- out of Mount Pleasant.

9 Q. What did you do after you saw that dark Suburban?

10 A. With the timeframe and location, I was like, "It's a
11 B0L0, so let's go be -- investigate." So I pulled out behind
12 the vehicle. I observed a traffic violation and conducted a
13 traffic stop.

14 Q. What traffic violation did you observe?

15 A. Failure to maintain lane of travel. It crossed over the
16 line.

17 Q. Okay. And where were you when you pulled over the
18 Suburban?

19 A. It was 17 and Lieben Road.

20 MS. KOZIK: Permission to approach and grab an exhibit?

21 THE COURT: Certainly.

22 BY MS. KOZIK:

23 Q. I'm going to show you what's already been marked -- er,
24 entered into evidence as State's Exhibit 12.

25 (Exhibit displayed on screen in open court.)

1 BY MS. KOZIK:

2 Q. Can you see -- do you recognize this --

3 A. Yes, ma'am.

4 Q. -- general area? Where is this area?

5 A. This is North Mount Pleasant. So -- I mean, you want me
6 to stand up and point to it and show you where --

7 Q. You can actually write on that screen in front of you.
8 You can circle it. So --

9 A. That's where the traffic stop was right there, 17 and
10 Lieben Road.

11 Q. Okay. All right. Do you know about what time you
12 pulled over the Suburban?

13 A. Not off the top of -- I don't have a number right off
14 the top of my head. No, ma'am.

15 Q. Okay. When you approached the Suburban during the
16 traffic stop, what did you observe?

17 MR. D'ANGELO: Objection. Relevance.

18 THE COURT: Relevance?

19 MS. KOZIK: Your Honor, he's -- can we approach? I
20 don't want to speak out.

21 THE COURT: All right.

22 (An off-the-record discussion was held at the bench in
23 the presence of the jury but outside the hearing of the
24 jury.)

25 THE COURT: All right. Go ahead.

1 BY MS. KOZIK:

2 Q. Sergeant Stafford, when you approached the vehicle and
3 looked into the vehicle -- and we're just talking about your
4 observations of just inside the vehicle at that point in
5 time -- what did you observe about the passenger's -- what
6 the passenger looked like?

7 A. The description matched the BOLO.

8 Q. Um --

9 A. Gray T-shirt, jeans, and he had a beer in the middle of
10 his --

11 Q. And was he wearing a -- you said a gray T-shirt?

12 A. Mm-hmm.

13 Q. A black male?

14 A. Mm-hmm.

15 Q. Okay. Did you call for backup?

16 A. I did at that point, yes, because I had an inclination
17 that it was probably him because it was a Suburban that
18 matched and then that match.

19 Q. To your knowledge, was that defendant later placed under
20 arrest?

21 A. Yes.

22 Q. And to your knowledge, was that -- was the -- was a
23 search conducted of that Suburban?

24 A. It was searched incident to arrest, yes.

25 Q. Did you personally do the search?

1 A. No. I was occupied.

2 Q. No?

3 A. Occupied.

4 Q. What, if anything, of significance was found during the
5 search, to your knowledge?

6 A. A firearm in the passenger's -- underneath -- er, in the
7 passenger's area.

8 Q. What involvement did you have with that evidence?

9 A. Putting it into evidence.

10 Q. So you logged that firearm into evidence?

11 A. Yes, because I was there. Yes.

12 Q. Okay. Can you explain the general process for logging a
13 firearm into evidence.

14 A. Sure. So just to generally log a firearm into evidence,
15 you would take it. You're wearing gloves obviously because
16 of fingerprints and such. You unload it. You unload the
17 magazine. You separate the bullets and you put them in a
18 different Ziploc or plastic baggy. Then you take the clip
19 and you insert it back into the bottom of the firearm. You
20 leave the slide lock back. Then you take a little square
21 tag. You wrap the middle around it. And then you put the
22 evidence tag on that and you put it into evidence.

23 Q. When you say "the evidence tag," what kind of
24 information is on the evidence tag?

25 A. Case number, date, name of the defendant, and other

1 information.

2 Q. Is there a bar code --

3 A. There is.

4 Q. -- that's created?

5 A. Yes.

6 Q. Does that bar code have a specific number?

7 A. It does. It's assigned to a -- er, individual items are
8 like 1, 2, 3, 4, 5, and they correlate in the system.

9 Q. And does that evidence sticker with the bar code stay
10 with that specific piece of evidence --

11 A. It does.

12 Q. -- throughout the entirety?

13 A. It does.

14 Q. Is that what happened in this case?

15 A. Yes.

16 MS. KOZIK: Permission to approach the witness?

17 THE COURT: Certainly.

18 BY MS. KOZIK:

19 Q. I'm handing you what's been marked as State's Exhibit 6.
20 Do you recognize that?

21 A. Yes, ma'am.

22 Q. What is it?

23 A. It's a black Glock handgun with the evidence tag of
24 Mount Pleasant Police Department. It has my name on it and
25 my badge number.

1 Q. And is that the gun that you logged into evidence on
2 July 21, 2020?

3 A. Yes, ma'am.

4 Q. Does it have that bar code we were just talking about?

5 A. Yes, ma'am. It does.

6 Q. Can you just read the number on the bar code.

7 A. It's folded over. If you'll give me a second.

8 You mean the item number?

9 Q. Yeah, the --

10 A. It's Number 3.

11 Q. -- item number.

12 A. Oh. It's Item Number 3.

13 Q. Oh, actually, is there --

14 A. There is, but it's folded over.

15 00024813. That one?

16 Q. Yes. And can you read the serial number on the gun.

17 A. Delta X-ray Yankee 923 Uniform Sierra.

18 Q. Okay. And was that the only firearm collected from the
19 scene and placed into evidence that day?

20 A. Yes, ma'am.

21 MS. KOZIK: At this time the State moves State's
22 Exhibit 6 into evidence.

23 THE COURT: Any objection?

24 MR. D'ANGELO: No objection, your Honor.

25 THE COURT: All right. State's 6 without objection.

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

2 MS. KOZIK: Permission to briefly publish this to the
3 jury?

4 THE COURT: Certainly.

5 MS. KOZIK: Beg the Court's indulgence one moment.

6 (Pause in proceedings.)

7 MS. KOZIK: Nothing further from the State.

8 THE COURT: All right. Cross-examination?

9 MR. D'ANGELO: Briefly, your Honor. Thank you.

10 THE COURT: Certainly.

11 MR. D'ANGELO: May it please the Court.

12 CROSS-EXAMINATION

13 BY MR. D'ANGELO:

14 Q. Good afternoon, Officer Stafford.

15 A. How are you?

16 Q. Doing well. Thank you.

17 So you testified on direct that after -- so a BOLO went
18 out, correct?

19 A. Mm-hmm.

20 Q. It gave a description of a vehicle, right?

21 A. Yes.

22 Q. And it gave a description of a suspect, correct?

23 A. Correct.

24 Q. What he looked like, what type of clothes he was
25 wearing, etc., right?

1 A. Correct.

2 Q. Okay. And I believe you stated -- I want to make sure I
3 got the time right -- it was about 15 to 20 minutes
4 approximately after that BOLO went out that you spotted the
5 vehicle?

6 A. I would say so. Maybe.

7 Q. Okay.

8 A. I don't remember exactly.

9 Q. Okay.

10 A. It was a while ago.

11 Q. Somewhere -- fair enough.

12 But somewhere in that ball park probably, 15 to 20
13 minutes?

14 A. Somewhere.

15 Q. Once the vehicle was stopped, the defendant was seated
16 in the front passenger seat, correct?

17 A. Mm-hmm.

18 Q. Okay. It wasn't his vehicle, right?

19 A. Not that I'm aware of.

20 Q. Not that you're aware of? Okay.

21 And then located in the door pocket next to him was this
22 firearm?

23 A. Yes.

24 Q. Okay. And you stated -- I noticed you stated you put,
25 you know, gloves on when you got the gun, right?

1 A. (Indicated.)

2 Q. So that's to potentially not mess up if law enforcement
3 or SLED wants to, you know, fingerprint the gun, right?

4 A. Correct.

5 Q. Or test it for DNA or something, correct?

6 A. Correct.

7 Q. So you were making sure that it was preserved so it
8 could be tested?

9 A. I wasn't. Somebody else was.

10 Q. Okay. But that was done, correct?

11 A. As far as I know, yes, but I was occupied.

12 Q. Okay. And Officer, this might be a silly sounding
13 question, but this is a black Glock model 22 semiautomatic
14 firearm, right?

15 A. Mm-hmm.

16 Q. That's the clip that goes into it, right?

17 A. Right.

18 Q. Again, may be a silly question; this isn't a silver
19 revolver, is it?

20 A. Huh-uh.

21 Q. Okay.

22 MR. D'ANGELO: No further questions, your Honor.

23 THE COURT: All right. Any redirect?

24 MS. KOZIK: Just briefly.

25

1 REDIRECT EXAMINATION

2 BY MS. KOZIK:

3 Q. When the gun was collected and you submitted it into
4 evidence, was the magazine empty?

5 A. Yes.

6 MS. KOZIK: Nothing further.

7 THE COURT: All right. All right. You can step down.
8 Thank you.

9 THE WITNESS: Mm-hmm.

10 (Witness excused.)

11 THE COURT: Is the State ready to call its next witness?

12 MS. BOZARTH: The State calls Patrick Williams.

13 Permission to approach the ELMO?

14 THE COURT: Certainly.

15 CLERK OF THE COURT: Please raise your right hand and
16 place your left on the Bible.

17 (Witness sworn.)

18 CLERK OF THE COURT: Please be seated.

19 Please state your full name, spelling your last name
20 loudly and clearly into the microphone.21 THE WITNESS: My name is Timothy Patrick Williams. Last
22 name W-I-L-L-I-A-M-S.

23

24

25

1 TIMOTHY PATRICK WILLIAMS,
2 called as a witness on behalf of the State, being first duly
3 sworn, was examined and testified as follows:

4 DIRECT EXAMINATION

5 BY MS. BOZARTH:

6 Q. Where do you currently work?

7 A. I'm currently enrolled at the Charleston School of Law.

8 Q. And prior to your enrollment in law school, where did
9 you work?

10 A. The Mount Pleasant Police Department.

11 Q. Okay. And when did you start working there?

12 A. 2016.

13 Q. Okay. And when did you leave?

14 A. 2022.

15 Q. And throughout your time there, what was your title?
16 What were your responsibilities?

17 A. So the entire time, I was on the patrol team. So that's
18 responding to collisions, calls for service, assisting other
19 officers when they needed it.

20 Q. Did you have any special training?

21 A. Through the academy just basic law enforcement stuff. I
22 had some interdiction classes that I had taken. That's
23 pretty much it.

24 Q. And further expanding upon your duties as a patrol
25 officer, did that include responding to calls?

1 A. Yes.

2 Q. Were you involved in traffic stops?

3 A. Yes.

4 Q. And were you ever called out for assistance in other
5 scenes?

6 A. Yes.

7 Q. I want to draw your attention to July 21, 2020. Were
8 you working for Mount Pleasant on that day?

9 A. I was.

10 Q. As a patrol officer?

11 A. Correct.

12 Q. Did you have the occasion to become involved in this
13 case, State versus Anthony Taylor?

14 A. I did.

15 Q. And how did you become involved?

16 A. So Mount Pleasant had got a BOLO, or be on the lookout,
17 for a shooting that had just occurred in Charleston County's
18 jurisdiction. It was to the north of Mount Pleasant.

19 Because of that, several officers kind of shifted north in
20 town and started looking for that vehicle.

21 Q. And when you received the request, was it an urgent
22 request?

23 A. At that time, no.

24 Q. And you responded to that call?

25 A. I did eventually, yes.

1 Q. And then what happened when you arrived?

2 A. So when I arrived, Officer Stafford was already on scene
3 dealing with the passenger that was in the vehicle. Seeing
4 that that was kind of situated, I started handling the driver
5 of the vehicle.

6 Q. And do you recall around what time you got to the scene?

7 A. A little bit before 7:00.

8 Q. Was the defendant detained?

9 A. He was.

10 Q. Can you -- what did you do to assist?

11 A. So I showed up on scene. Since Officer Stafford was
12 kind of dealing with the individual he was dealing with, I
13 asked him what I could do. There was a driver in the vehicle
14 that needed to be secured, so I started doing that. Officer
15 Stafford advised me that we had probable cause to search the
16 vehicle, and that would be the next step I would take.

17 Q. And did you search that vehicle?

18 A. I did.

19 Q. And did you recover anything from that vehicle?

20 A. I did.

21 Q. What did you recover?

22 A. It was a Glock 22, which is the model. And then it's a
23 .40-caliber handgun.

24 Q. Was that the only weapon you recovered?

25 A. There was a BB gun that we didn't do anything with

1 because it was a BB gun. But that's the only firearm that we
2 took from this vehicle.

3 Q. And that's the only firearm that was submitted into
4 evidence --

5 A. Correct.

6 Q. -- from that?

7 Can you recall what caliber the Glock was?

8 A. .40 caliber.

9 Q. Was there any ammunition in the magazine of that Glock?

10 A. No.

11 Q. Was there a bullet in the chamber?

12 A. No.

13 Q. When you searched the vehicle, where did you find that
14 Glock?

15 A. It was in the passenger side front door panel, the
16 little pocket that's right there on the door.

17 Q. Thank you.

18 MS. BOZARTH: Your Honor, permission to approach the
19 witness?

20 THE COURT: Certainly.

21 BY MS. BOZARTH:

22 Q. I'm showing you what's been previously entered into
23 evidence as State's 6. Will you open that.

24 Do you recognize that?

25 A. Yes.

1 Q. What is that?

2 A. This would be the pistol that was recovered from the
3 vehicle and logged into evidence.

4 Q. Did you recover that gun?

5 A. I did.

6 Q. And how can you tell that's the same gun?

7 A. It's the model, the caliber, the tag that's on it
8 marking it as the gun from that vehicle.

9 Q. And that was the only gun recovered?

10 A. Correct.

11 Q. Did you have any further followup in this case? Any
12 further involvement?

13 A. I didn't, no.

14 MS. KOZIK: Okay. Thank you.

15 THE COURT: All right. Any cross-examination?

16 MR. D'ANGELO: Briefly, your Honor. Thank you.

17 Can I approach the witness, your Honor?

18 THE COURT: Certainly.

19 CROSS-EXAMINATION

20 BY MR. D'ANGELO:

21 Q. So Mr. Williams, you performed the search of the
22 vehicle, right?

23 A. Correct.

24 Q. Okay. And the probable cause you were searching to see
25 -- you know, figure out what potentially was in that vehicle,

1 right?

2 A. Correct.

3 Q. Okay. And you did a thorough search of that car, right?

4 A. Yes.

5 Q. Looking for any little spot where someone could have
6 hidden something, correct?

7 A. Correct.

8 Q. Okay.

9 A. Well, based off the probable cause, anything where the
10 -- there was that open container, which was the probable
11 cause to get into the vehicle.

12 Q. Well, in regards to a firearm, you were looking anywhere
13 that a firearm possibly could have been stashed, correct?

14 A. Well, the probable cause that got me into the vehicle
15 was the alcohol.

16 Q. Okay. But again, in the car -- if I'm not being clear,
17 you're looking in that car thoroughly trying to see what you
18 can find, right?

19 A. For alcohol, yes.

20 Q. Okay. In that car you found a black model 22
21 .40-caliber semiautomatic handgun, right?

22 A. Correct.

23 Q. Nowhere in that car did you find a silver revolver,
24 right?

25 A. Correct.

1 Q. All right. Which you would have logged in your incident
2 report if you had found something like that, right?

3 A. Yes.

4 Q. Okay.

5 MR. D'ANGELO: No further questions, your Honor.

6 THE COURT: All right. Any followup?

7 MS. BOZARTH: Nothing from the State.

8 THE COURT: All right. You can step down. You're
9 excused. Thank you.

10 THE WITNESS: Thank you, your Honor.

11 (Witness excused.)

12 THE COURT: Is the State ready to call its next witness?

13 MS. KOZIK: Yes, your Honor. The State calls Deputy
14 Phillip Fagan.

15 CLERK OF THE COURT: If you could please raise your
16 right hand and place your left on the Bible.

17 (Witness sworn.)

18 CLERK OF THE COURT: Please be seated.

19 Please state your full name, spelling your last name
20 loudly and clearly into the microphone.

21 THE WITNESS: Deputy Phillip Fagan, F-A-G-A-N.

22

23

24

25

1 PHILLIP FAGAN,
2 called as a witness on behalf of the State, being first duly
3 sworn, was examined and testified as follows:

4 DIRECT EXAMINATION

5 BY MS. KOZIK:

6 Q. Good afternoon, Deputy Fagan.

7 A. Good afternoon.

8 Q. Can you tell the jury where you work.

9 A. Charleston County Sheriff's Office.

10 Q. And how long -- er, what's your position there?

11 A. Deputy sheriff assigned to the judicial building.

12 Q. Okay. How long have you been in that position?

13 A. One year.

14 Q. And before that what was your position?

15 A. Patrol deputy.

16 Q. Again, with Charleston County?

17 A. Charleston County, yes.

18 Q. How were -- how long had you been -- er, how long in
19 total were you a patrol deputy?

20 A. Here, seven years.

21 Q. As a patrol deputy for Charleston County, what were your
22 main responsibilities and roles?

23 A. Patrol the district I'm assigned to, answer 911 calls
24 for service, assist the public, handle accidents.

25 Q. Do you have any prior law enforcement experience?

1 A. Yes.

2 Q. Where was that?

3 A. In Orange County, New York.

4 Q. How -- what was your law enforcement experience there?

5 A. Through 18 years with three different departments,
6 patrol duties. Patrol detective for four years.

7 Q. For Orange County, New York?

8 A. Yes.

9 Q. Okay. I just wanted to make sure that was the agency
10 and I was getting it right.

11 Drawing your attention to July 21, 2020, were you
12 working that day?

13 A. Yes.

14 Q. Did you respond to a call about a shooting on
15 Gadsdenville Road?

16 A. Yes.

17 Q. Just to be clear, what county is that located in?

18 A. Charleston County.

19 Q. And about what time did you receive a call for service?

20 A. We were coming on shift that day at 6:30, so it was
21 right around coming on shift. So it had to have been right
22 around 6:30.

23 Q. Okay. And did you go to the Gadsdenville Road scene?

24 A. Yes.

25 Q. Okay. What did you do when you got there?

1 A. Spoke to at least two other deputies that were already
2 on scene.

3 Q. Did you do anything related to the evidence or
4 collection of evidence at that scene?

5 A. No.

6 Q. Why not?

7 A. Because they had the scene handled. And shortly
8 thereafter, there was another call coming in for Tommy Lane.

9 Q. Did you respond to the call on Tommy Lane?

10 A. Yes.

11 Q. Why was -- what was the call for service on Tommy Lane
12 about?

13 A. A victim who was just shot at.

14 Q. Were those two incidents connected?

15 A. I learned them to be.

16 Q. How did you learn that they were connected?

17 A. Based on what the victim started telling me and speaking
18 to the deputies on scene at Gadsdenville.

19 Q. So when you went to Tommy Lane road -- actually, first,
20 about how far is Tommy Lane road from Gadsdenville Road?

21 A. It's not far at all. Maybe a quarter-mile, half a mile,
22 something like that. It's not far.

23 Q. When you arrived there, did you learn the victim's name?

24 A. Yes.

25 Q. Was that Ms. Ravenell?

1 A. Yes.

2 Q. When you got there, what did you observe about
3 Ms. Ravenell's demeanor?

4 A. She was, like, talking really fast. She was, like,
5 rather animated. You know, she's got -- I think she was on
6 the phone when I first pulled up, talking about she was just
7 beat up or something like that. And then she said, "Oh, the
8 police are here now." And she got off the phone and then she
9 said, "Look at my car. Look what he did to my car."

10 Q. And so did you observe -- did you have a chance to
11 observe her car?

12 A. Yes.

13 Q. What did you observe about her car?

14 A. The front windshield was shattered. There were dents on
15 the hood. There was a dent on the driver's side door. And
16 she pointed out, you know, what looked to be a bullet hole in
17 the rear of the vehicle by the trunk.

18 Q. Other than the dents you just described and the bullet
19 hole, was the car otherwise in good shape?

20 A. Yes.

21 MS. KOZIK: Permission to approach to retrieve some
22 evidence?

23 THE COURT: Yes.

24 (Exhibit displayed on screen in open court.)

25

1 BY MS. KOZIK:

2 Q. Deputy Fagan, I'm showing you what's already been
3 entered into evidence as -- this is 4B. Do you recognize
4 that?

5 A. Yes.

6 Q. What is that?

7 A. The damage to Ms. Ravenell's vehicle.

8 Q. So is that the front hood of Ms. Ravenell's vehicle?

9 A. Yeah, the front hood and the windshield.

10 Q. All right. I accidentally skipped 4A.

11 (Exhibit displayed on screen in open court.)

12 BY MS. KOZIK:

13 Q. Is that -- what is that picture of?

14 A. The rear of Ms. Ravenell's vehicle.

15 (Exhibit displayed on screen in open court.)

16 BY MS. KOZIK:

17 Q. This is 4C. What's that showing?

18 A. The shattered windshield of Ms. Ravenell's vehicle.

19 (Exhibit displayed on screen in open court.)

20 BY MS. KOZIK:

21 Q. And once again, 4D.

22 A. The windshield and hood of Ms. Ravenell's vehicle.

23 (Exhibit displayed on screen in open court.)

24 BY MS. KOZIK:

25 Q. 4E. What are we looking at here?

1 A. Looks like a bullet hole by the trunk or on the trunk of
2 Ms. Ravenell's vehicle.

3 Q. Is that on the passenger or the driver's side?

4 A. It's on the driver's side.

5 (Exhibit displayed on screen in open court.)

6 BY MS. KOZIK:

7 Q. What about 4F? What is that?

8 A. It's a picture of the same hole when you actually open
9 up the trunk.

10 (Exhibit displayed on screen in open court.)

11 BY MS. KOZIK:

12 Q. And 4G. What are we looking at there?

13 A. It's a close-up of that same picture.

14 Q. And we'll come back to that again in a moment.

15 We just went through the damage there. Did Ms. Ravenell
16 have any visible injuries when you were talking to her?

17 A. Not that I remember or noted.

18 Q. Did she give you a description of the suspect?

19 A. Yes.

20 Q. What was the description she gave you?

21 A. It was a skinny black male, approximately 5-5 to 5-6 or
22 so. She said "Around my height" -- well, her height, not
23 mine. She said he was slim, thin build, probably around 150
24 or so pounds. He had dreads and, like, two of them were
25 sticking up.

1 Q. Did she give you a description of the clothing that he
2 was wearing?

3 A. Yes. She said he was wearing a gray shirt and black
4 pants.

5 Q. Did she give you a description of the car that the
6 suspect left in?

7 A. It was a dark in color Suburban, kind of either a dark
8 blue or black-ish. I can't remember which one she said.

9 Q. And after she gave you that information about the
10 description, what did you do with that?

11 A. At that time, I think the suspect vehicle was already
12 located down by Whitehall Terrace. And I did speak to Deputy
13 Lucius Moore, who was already on scene. He was telling me
14 the same information that he had got, that the vehicle was
15 stopped at Whitehall Terrace.

16 Q. Did you relay the information about the -- er, the
17 description the suspect -- the description the victim gave of
18 the suspect to other law enforcement?

19 A. Yeah. I relayed what Ms. Ravenell told me to Deputy
20 Moore.

21 Q. Was Ms. Ravenell able to provide you with a name of the
22 suspect at the time?

23 A. Not at that time.

24 Q. Did she provide you with a nickname?

25 A. Yes. She kept referring to him as G or G5.

1 Q. Did she know his last name?

2 A. Not at that time.

3 Q. Okay. Did she try -- er, what, if anything, else did
4 she know about the suspect?

5 A. That he lives down by Whitehall Terrace. That's his
6 mom's house. She said there was a -- some kind of a tannish
7 in color vehicle that would be parked right there. And she's
8 like, "Well, you just go down there, you turn left and then
9 -- you turn left and it's right there." That's how she
10 described it.

11 Q. So did she appear familiar with the suspect?

12 A. Yeah. Definitely.

13 Q. You just mentioned that at some point while you were at
14 the victim's house, you became aware that Mount Pleasant had
15 a suspect in custody. Is that right?

16 A. Yes.

17 Q. How did you learn that?

18 A. Through radio transmissions and through speaking to
19 Deputy Moore.

20 Q. Were you provided the name of the suspect through those
21 radio communications?

22 A. I think it was through the phone. But yeah, I did learn
23 that.

24 Q. And what did you do with that information when you got
25 it?

1 A. I searched in the South Carolina DMV database.

2 Q. Did you find a record for him in the South Carolina DMV?

3 A. Yes.

4 Q. What did you do at that point?

5 A. At that point I just printed out the picture.

6 Q. You printed out a picture of Anthony Taylor?

7 A. Yes.

8 Q. Did that picture have any identifying information on it,
9 or was it just the picture?

10 A. Just the picture.

11 Q. And what was the purpose of pointing -- er, of printing
12 out that picture?

13 A. To have her confirm that Anthony Taylor was the one who
14 beat her up and shot at the vehicle.

15 Q. Now, did you do that or did another deputy or another
16 agent or detective do that identification with Ms. Ravenell?

17 A. Detective Martin had shown up on my scene by that time,
18 and he did that part of it.

19 Q. Did you provide him with the photo that you printed out,
20 though?

21 A. Yes.

22 Q. Okay. Let's talk about the car again for a minute.

23 Did you perform a -- I know we looked at pictures of the
24 car, but did you perform a search of the car?

25 A. Yes.

1 Q. Did Ms. Ravenell give you consent to search the car?

2 A. Yes.

3 Q. Why else was it important to search the car?

4 A. Well, because it was apparent that there was a -- it
5 looked to be apparent that there was some kind of a bullet
6 hole in the vehicle, and it seemed logical that the evidence
7 would be inside the vehicle.

8 Q. So did you search the car for that bullet then?

9 A. Yes.

10 Q. How did you do that?

11 A. I don't really remember searching the entire vehicle. I
12 know I walked around the vehicle to document all the damage.
13 I think the search of the vehicle might have just been
14 concentrated to the trunk where, again, it was logical that's
15 where the evidence would have been.

16 Q. So did you open the trunk of the vehicle?

17 A. Yes.

18 Q. And what, if anything, did you find in the trunk of the
19 vehicle?

20 A. I don't remember if it was right away or if within a
21 couple seconds, but it was very fast. There was something
22 that appeared to be a slug right by the shoe that was in the
23 trunk. There really wasn't a lot of objects in the trunk.

24 (Exhibit displayed on screen in open court.)

25

1 BY MS. KOZIK:

2 Q. I'm showing you what's been admitted as 4H. What are we
3 look at in 4H?

4 A. That's the inside of the trunk of Ms. Ravenell's
5 vehicle.

6 Q. And you mentioned that you found the slug by a shoe. Do
7 you see -- can you point out where in this photograph you
8 located the slug.

9 A. If I squint a little bit, I think it's -- I think it was
10 this one.

11 MS. KOZIK: Permission to approach the witness?

12 THE COURT: Certainly.

13 BY MS. KOZIK:

14 Q. I'm handing you what's been admitted as State's
15 Exhibit 8. Do you recognize that?

16 A. Yeah. It appears to be the slug retrieved from the
17 trunk.

18 Q. And what did you do -- and we keep saying the word
19 "slug." What do you mean by that?

20 A. Well, when you shoot the bullet, the casing goes one way
21 and the projectile comes out of the gun. So this is the part
22 that's, like, fired.

23 Q. Okay. So "slug" is another word for bullet or
24 projectile?

25 A. Yes.

1 Q. And what did you do with this after you collected it?

2 A. After I collected it, eventually it was turned over to
3 Detective Jameson, who was working for forensics at the time.

4 Q. So did you bring it to Jameson?

5 A. Yes.

6 MS. KOZIK: Nothing further from the State. If you
7 could answer defense's questions.

8 THE COURT: All right. Mr. D'Angelo, any questions?

9 MR. D'ANGELO: Yes, your Honor. May it please the
10 Court.

11 CROSS-EXAMINATION

12 BY MR. D'ANGELO:

13 Q. Good afternoon, Deputy Fagan.

14 A. Good afternoon.

15 Q. Good to see you again.

16 All right. So as you stated, you initially responded to
17 the incident location at [REDACTED] Gadsdenville Road, right?

18 A. Yes.

19 Q. But shortly thereafter, you learned that the victim, or
20 possible victim, had gone back to her residence, right?

21 A. Yes.

22 Q. So then that -- more or less, there at her residence is
23 kind of, you know, the scope of what you did in this case,
24 correct?

25 A. Yes.

1 Q. Okay. And you documented all that in a supplemental
2 incident report, right?

3 A. Yes.

4 Q. And again, you're trained as an officer on these types
5 of cases to fill out and accurately document these reports,
6 correct?

7 A. Yes.

8 Q. Because again, years later when you're testifying,
9 that's how you rely on these, correct?

10 A. Yes.

11 Q. And that's exactly what you did here in this case,
12 right?

13 A. Yes.

14 Q. I want to talk a little bit about -- so you initially --
15 you spoke with Ms. Ravenell. And as I believe on direct you
16 stated, she seemed fairly animated, correct?

17 A. Yes.

18 Q. She was on the phone when you had arrived with people,
19 right?

20 A. Yes.

21 Q. Even while you were there, you know, trying to talk with
22 her, she was getting phone calls and she was trying to figure
23 out the identity of this person, right?

24 A. Yes.

25 Q. People were calling her and relaying her information

1 that someone had been stopped, right?

2 A. Yes.

3 Q. Because in fact, she told y'all -- as you were there,
4 she was telling you, "Oh, they got him. They got him."
5 Right?

6 A. She did say that, yes.

7 Q. We saw -- the solicitor was showing us some photos,
8 right? Photos were taken of the damage of her vehicle?

9 A. Yes.

10 Q. We saw there's dents all on the front of the hood,
11 right?

12 A. Yes.

13 Q. There was cracks in the windshield that you observed?

14 A. Yes.

15 Q. There were no bullet holes or anything in the
16 windshield, right?

17 A. No.

18 Q. All right. You didn't see any of that in the photos
19 just now, right?

20 A. Except for the trunk?

21 Q. In the windshield.

22 A. Oh. No.

23 Q. Right. And again, you didn't document any of that --
24 right? -- in your incident report.

25 And correct, there was one bullet hole in the back of

1 the trunk, correct?

2 A. Yes.

3 Q. And we saw a photo of that just now, right?

4 A. Yes.

5 Q. Right. And that bullet -- I mean, we didn't see -- you
6 didn't observe anything that that bullet had, you know,
7 ripped through the back seat of the car or anything, right?

8 A. No.

9 Q. All right. The bullet had gone through kind of the
10 metal plating of the trunk, and the bullet was lodged in a
11 couple of pieces in the trunk. Correct?

12 A. Yes.

13 Q. Fragments of the bullet. Would that be probably a
14 better way to describe it?

15 A. Yes.

16 Q. Okay. You asked her about the description -- er, for a
17 description of the man that had attacked her, right?

18 A. Yes.

19 Q. At that time she provided that to you?

20 A. Yes.

21 Q. A description of what he was wearing, shirt and pant
22 color?

23 A. Yes.

24 Q. Okay. She told you that the man who had attacked her
25 had dreads, correct?

1 A. Yes.

2 Q. You said she said he had two dreads kind of sticking up?

3 A. Yes.

4 Q. Okay. And you went and pulled -- by that point --

5 Ms. Ravenell was correct; my client had been detained by that
6 point by Mount Pleasant Police Department. Correct?

7 A. Yes.

8 Q. That's how you knew the name of who to go to the DMV
9 records to figure out the photo, right?

10 A. I don't believe I was relying on my information coming
11 from Ms. Ravenell. My information was coming from the other
12 deputies on the scene.

13 Q. That's fair. You're getting information too that's
14 confirming this -- that's providing you the name of my
15 client, right?

16 A. Yes.

17 Q. And that's what you then used to put into the, you know,
18 DMV database and you get the photo, correct?

19 A. Yes.

20 Q. Okay.

21 MR. D'ANGELO: Your Honor, permission to approach?

22 THE COURT: Certainly.

23 (Exhibit displayed on screen in open court.)

24 BY MR. D'ANGELO:

25 Q. And that's the photo that you used, right?

1 A. Yes.

2 Q. Okay. And interesting enough, in that photo, that man
3 doesn't have dreads, correct?

4 A. No.

5 Q. I mean, that's the description that she had given you,
6 but the photo provided doesn't have a man with dreads, right?

7 A. No.

8 Q. She was so -- I mean, she was telling you she was
9 positive she knew who she could -- she could pick him out,
10 correct?

11 A. It was obvious that she knew him and she knew his
12 family, yes.

13 Q. Okay. You didn't provide the actual -- you know, give
14 her that photo. That was Detective Martin, right?

15 A. Yes.

16 Q. Okay. But you were there as Detective Martin was
17 questioning her about it, right?

18 A. In the area, yes.

19 Q. Okay. I mean, you had your body cam on the whole time,
20 right?

21 A. I believe my body camera had died at that time.

22 Q. But you had had your body cam on when you were talking
23 to her and getting the description from her, correct?

24 A. Yes.

25 Q. Okay. But Detective Martin is the one who, you know,

1 was questioning her about that photo, right?

2 A. Yes.

3 Q. And she had said -- you know, she looked at it and she
4 initially said, "Yes, that looks like him." Right?

5 A. I could not hear his questions and her answers regarding
6 that, no.

7 Q. But again, she ultimately identified that -- from that
8 photo that that was the defendant she called G or G5, right?

9 A. Yes.

10 Q. Okay. We heard about on direct and you asked her about
11 injuries that she had sustained, correct?

12 A. Yes.

13 Q. I mean, she said that she had been violently
14 head-butted, right?

15 A. I don't know if she said "violently," but she said she
16 was head-butted.

17 Q. Okay. You didn't observe any injuries to her, correct?

18 A. No.

19 Q. You didn't observe any cuts or swelling or bruising,
20 right?

21 A. No.

22 Q. You didn't observe any scrapes on her knees or anything
23 on her elbows?

24 A. No.

25 Q. Right. Because again, if you had, you would have put

1 that in your report, fair?

2 A. Yeah. There was nothing the she was immediately
3 pointing out.

4 Q. Okay. You offered her EMS, right?

5 A. I believe I would have.

6 Q. Okay. And she declined EMS, correct?

7 A. EMS didn't show up, the yes, she declined.

8 Q. And again, you certainly would have brought EMS if she
9 was needing that, right?

10 A. Yes.

11 Q. Okay. She gave you a description that this man had
12 assaulted her with a gun, right?

13 A. Yes.

14 Q. You documented in your report that she stated it was a
15 silver gun that the man had used, right?

16 A. Yes.

17 MR. D'ANGELO: Brief moment, your Honor.

18 (Pause in proceedings.)

19 MR. D'ANGELO: No further questions, your Honor.

20 THE COURT: All right. Any redirect?

21 MS. KOZIK: No, your Honor.

22 THE COURT: All right. You can step down. You're
23 excused. Thank you.

24 (Witness excused.)

25 THE COURT: All right. I think we'll take a short break

1 now. We'll be back in 15 minutes. So thank y'all.

2 (The jury exited the courtroom at 3:02 p.m.)

3 (The following proceedings were had outside the presence
4 of the jury.)

5 THE COURT: All right. How many more witnesses y'all
6 think you have?

7 MS. KOZIK: Today we have two more. They should be
8 fairly short. I think there will be a matter of law we need
9 to take up outside the presence of the jury before one of
10 them. But the witnesses themselves should be rather short.

11 And that's -- that's who all we have here today, but we
12 have one additional witness who's coming from Columbia. So
13 schedule wise, we told her to come first thing in the
14 morning, whenever your Honor decides that is.

15 But again, we have two that should take us to,
16 hopefully, the end of today, and we can finish up the State's
17 case.

18 THE COURT: So two more today, a matter of law -- and
19 I'll circle back to that -- and then one in the a.m., and you
20 think that'll be it?

21 MS. KOZIK: Yes.

22 THE COURT: Okay. All right. That's just what you
23 anticipate. I'm not --

24 MS. KOZIK: Yes.

25 THE COURT: -- binding you to that, of course.

1 And the matter of law regarding one of the witnesses,
2 tell me about that.

3 MS. KOZIK: So the State intends to call the records
4 custodian for the jail and introduce through that records
5 custodian two jail calls from the defendant from the day
6 after he was arrested and additionally his -- the record of
7 his jail booking information which just has demographic
8 information about the defendant, including -- and primarily
9 what the State's focused on is the aliases of the defendant
10 included in that jail booking sheet.

11 THE COURT: All right. So there's objections to that, I
12 expect?

13 MR. D'ANGELO: Objections in regard -- in regards to the
14 sheet, the information regarding his aliases, I mean, that's
15 -- how that's provided or attained I think is just from
16 police officers and word on the street and they enter it into
17 this database. I mean, I would object -- you know, I would
18 object to hearsay on that and, you know, the authenticity of
19 that. Again, where are we obtaining how that information is
20 provided on that sheet? Right? It's not like we have a
21 witness or we know how that name gets there.

22 MS. KOZIK: Your Honor, if I may, the records custodian
23 herself, as well -- I also have my case agent to testify to
24 the same thing -- will testify that the standard procedure
25 when an inmate is booked into the jail is that the officers

1 ask the defendants the demographic information, including
2 what other names they're going by. So in that way, the
3 information is provided -- er, comes directly from the
4 defendant and is, therefore, not hearsay. It's an admission
5 of a party opponent at that point. And that's the
6 information that's relayed and then kept in the normal and
7 ordinary course of business by the jail.

8 THE COURT: All right. And what's the relevancy?

9 MS. KOZIK: The relevance is the -- that his alias is
10 G5, and it is documented from somewhere other than the
11 victim. I believe it's at least part of defense's argument
12 that the defendant isn't -- identity is an issue in this
13 case. Is it the -- this defendant, is this G5? Is this who
14 damaged the victim's car? And so again, it's just an
15 additional layer of information to corroborate for the jury
16 that this defendant goes by the alias G5.

17 THE COURT: Okay. And I thank y'all for giving me a
18 preview on that.

19 The jail calls, objections on that?

20 MR. D'ANGELO: We had -- I'm aware of the calls. We had
21 listened to the two calls.

22 MS. KOZIK: I have transcripts of the two calls too, if
23 the Court wants to review those ahead of time.

24 MR. D'ANGELO: Yeah, there was one in particular. I'm
25 blanking, your Honor, because I haven't thought about this in

1 a couple of day. One of the calls I remember there was a
2 particular phrase. Because we have all -- what they're
3 trying to introduce is audio of other people speaking, so
4 there's hearsay on that. And particularly, one of the calls
5 -- I just remember there's one of the calls that I had an
6 objection to.

7 If I could see the --

8 THE COURT: You got a copy I could take a look at so I
9 can --

10 MS. KOZIK: Yes.

11 THE COURT: -- be better versed when I hear it?

12 MS. KOZIK: Yep.

13 THE COURT: All right.

14 MS. KOZIK: These are transcripts of the 9 and 10, the
15 calls.

16 THE COURT: This is the entire thing?

17 MS. KOZIK: The entirety of the clip that we seek to
18 admit, yes.

19 THE COURT: All right. So let's be at ease for a few
20 minutes, and then we'll come back in about ten minutes, touch
21 base, and then bring the jury back.

22 MS. KOZIK: Okay.

23 (Court recessed.)

24 (Court resumed outside the presence of the jury.)

25 THE COURT: All right. Y'all go ahead and sit. Thank

1 you.

2 All right. Y'all ready to proceed, State?

3 MS. KOZIK: Yes, your Honor.

4 THE COURT: All right. And your next witness is which
5 one?

6 MS. KOZIK: Detective William Martin.

7 THE COURT: All right. And you said that you had Martin
8 and then the -- and who else today?

9 MS. KOZIK: Melissa High, who is the records custodian
10 for the jail.

11 THE COURT: And that's the one that will deal with the
12 jail calls?

13 MS. KOZIK: Yes, Judge.

14 THE COURT: All right. And her name again?

15 MS. KOZIK: Melissa High, H-I-G-H.

16 THE COURT: And then the other person is?

17 MS. KOZIK: Detective William Martin.

18 THE COURT: Martin. And that's regarding the booking.

19 MS. KOZIK: He's our general case agent, but yes, he
20 will --

21 THE COURT: And who is it tomorrow?

22 MS. KOZIK: Tomorrow is Michele Eichenmiller,
23 E-I-C-H-E-N-M-I-L-L-E-R. That's the SLED ballistics expert.

24 THE COURT: All right. Well, let's go ahead and address
25 what we can as far as the jail calls.

1 MS. KOZIK: Okay.

2 THE COURT: I've got the transcripts. Are y'all seeking
3 to admit the transcripts or the tapes themselves?

4 MS. KOZIK: We seek to admit the tapes themselves. And
5 I would like to, for demonstrative purposes, give the
6 transcript to the jury to follow along with the recording.
7 As I'm sure you're aware, jail calls are sometimes a little
8 hard to hear. It's, I guess, up to your discretion to see if
9 the transcript could go back with the jury.

10 THE COURT: Okay.

11 All right. Mr. D'Angelo?

12 MR. D'ANGELO: Your Honor, so in regards to the -- you
13 know, if the Court was to determine that the calls themselves
14 can come in, so be it. I would object to this transcript. I
15 mean, it's just not an authentic -- if we had a court
16 reporter who signed off on this transcript. You know, I
17 understand that it can be challenging to hear sometimes, but
18 it is what it is. So I would object on that.

19 In regards to the actual calls, so the State's
20 transcript -- er, regarding Exhibit 9, so this is the call of
21 the defendant with his mother. You know, I mean, looking
22 from the whole section, you know, where mom's talking,
23 "Shouldn't have had a gun in the first place," "That's why I
24 had" -- that entire conversation down, I mean, we've got
25 levels of hearsay with mom. I don't see how any of that is

1 relevant.

2 Talking about "Was it registered?" "I don't know. I
3 think the gun was registered." I mean, in South Carolina
4 it's never been the law that you had to have a gun
5 registered, and that would be confusing to the jury of them
6 trying to go, "Wait. Was this gun registered? Was it a
7 lawful gun?" I mean, I think we're opening a can of worms on
8 that.

9 In regards to the State's transcript -- er, in regards
10 to Exhibit 10, that's this other party and defendant, where
11 they have "The defendant laughs."

12 After that, "All right. You -- you -- you -- you
13 laughing like this shit is a game. It's no game."

14 Defendant: "I'm not. That's what I'm trying to tell
15 you."

16 Other party: "This ain't no game."

17 I mean, those three lines, again, hearsay. I don't see
18 that it's relevant. And again, I mean, we just have a lot of
19 statements from other people that are all hearsay.

20 THE COURT: Yeah, it's certainly hearsay, but not
21 necessarily submitted for the purposes of proving -- er, for
22 the truth of the matter asserted.

23 MR. D'ANGELO: Well, and again, I think in the two
24 calls, the main parts that I highlighted, I don't see the
25 relevance. And then with regards to the gun registration, I

1 think under 403 that would be confusing to the jury.

2 THE COURT: How would it be confusing?

3 MR. D'ANGELO: We're talking about, "Is the gun
4 registered?" "I don't know, Mama. I think the gun's
5 registered." Again, it's not relevant to this case. A gun
6 doesn't have to be registered in South Carolina. I mean, I
7 would be worried that a jury's going to start thinking,
8 "Wait. Did we hear about was this gun registered? Was he
9 allowed to have that gun?" It's potentially opening this can
10 of worms. And again, it's never been a requirement to
11 register a gun here.

12 THE COURT: All right. Assuming that we get the proper
13 authentication from this witness, my inclination is to allow
14 the playing of the tape as to Exhibit 9 from the top all the
15 way down through "I didn't shoot anybody," but stopping
16 before mom gets to say, "You shouldn't have had a gun in the
17 first place." I think you're right; I think that then kind
18 of falls in -- not on hearsay grounds, but I think onto the
19 relevancy grounds.

20 Mom's certainly correct; you shouldn't have had a gun in
21 the first place.

22 Part of it's inaudible.

23 Registration, you're right; I think there's potentially
24 some confusion there as well.

25 So that's my inclination at this point, to pare down 9,

1 allow the audio but not the transcript. Because like I said,
2 some of that stuff is inaudible. I'm not sure what that does
3 to confuse the jury. Whether they're listening to it
4 inaudible or they're seeing something written that says
5 "Inaudible" might give some extra weight to it.

6 Same thing as far as transcript of Exhibit 8. From the
7 top until "The defendant laughs" paragraph, I think you're
8 right; that becomes irrelevant. I'm not sure on that.
9 However, the last line certainly is relevant. And I'm not
10 sure to what degree y'all can edit the tape.

11 Can y'all do that?

12 MS. KOZIK: Your Honor, I think we can edit the tape. I
13 mean, it would take some time.

14 As far as 9, I'm not -- we can just pause it before it
15 gets that far and make sure the correct one is put back into
16 evidence.

17 10 would get more difficult. I think it would take some
18 time to, you know, put up those adjustments.

19 THE COURT: All right. And I know it's not an easy
20 situation. It's not the transcript. It's not recorded.
21 It's not line by line. I mean, I get all of that. I'm
22 concerned about some of this stuff coming in --

23 MS. KOZIK: I understand.

24 THE COURT: -- when it really shouldn't.

25 MS. KOZIK: As far as the transcripts, I do just want to

1 say I think while, yes, there might be a potential to confuse
2 the jury, I think that would be easily cured by giving the
3 jury an instruction that their memory -- what they hear on
4 the tape, what their memory of the tape is, that is the
5 evidence. This is purely an aid and does not control and it
6 is not evidence.

7 And I think an instruction by the Court in that regard
8 would cure any potential prejudice for them reviewing a
9 transcript while listening to the tape. Because again, it is
10 purely what's on the tape. And then this doesn't have to go
11 back with them to deliberations, whereas just the audio
12 would.

13 As far as the exhibits themselves, 9 and 10, I
14 understand -- I don't know if you ruled entirely or if you
15 just said it was your inclination, so please stop me if --
16 I'm not trying to go past your ruling.

17 But on -- for Exhibit 9, I think the discussion about
18 him purchasing the gun is inherently relevant. It talks
19 about how it is his gun. He's had it -- he had it prior --
20 er, he's had a history with that gun. It's not just that he
21 was shooting a gun. He purchased the gun.

22 The registration issue I again think can be remedied
23 through a curative instruction to the jury that they don't
24 need to -- that it's not the law in South Carolina that it
25 has to be registered. It's merely for context. Again, that

1 discussion is merely for context. It's not the law in South
2 Carolina that it has to be registered. And I think an
3 instruction directly from the Court on that regard would cure
4 any potential confusion there.

5 As far as 10, I believe the middle part is relevant as
6 it relates to context and to defendant's guilt as he just
7 kind of discusses different kind of -- he's essentially
8 making up different stories about what happened, about why,
9 and his demeanor as it relates to the incident. I think that
10 is relevant. But I understand if your ruling is different.

11 THE COURT: Okay. No, I appreciate that. But -- all
12 right.

13 All right. How long would it take y'all to pare down
14 the transcript to comport with the suggestion? Cutting off
15 one part is probably relatively easy. The other one of
16 taking out the little bit of a section might be a little more
17 difficult.

18 Can y'all take care of that?

19 MS. KOZIK: Yes. I was told it would take about
20 probably 30 minutes for my investigator to get back and redo
21 the calls themselves. I do have -- in anticipation of your
22 ruling, I do have a redacted -- er, a transcript that does
23 cut off at that point for Number 9 ready. But if we don't
24 have 10 ready, I don't know if it's worth putting the witness
25 up.

1 Short answer: It would take about 30 minutes, your
2 Honor.

3 THE COURT: Okay. No, I appreciate that. That's pretty
4 quick.

5 All right. So you've got this custodian lined up right
6 now?

7 MS. KOZIK: Yes, Judge. She is here.

8 THE COURT: How about the person from the jail booking?
9 That person's lined up as well?

10 MS. KOZIK: It's the same witness, your Honor.

11 THE COURT: Oh, the same witness?

12 MS. KOZIK: Yes.

13 THE COURT: All right. Let's see if we can get that
14 taken care of in a half an hour --

15 MS. KOZIK: Okay.

16 THE COURT: -- and try and be back in here at 4:00.
17 Okay?

18 MS. KOZIK: Okay.

19 THE COURT: All right.

20 MS. KOZIK: Did you make a ruling on the booking issue,
21 or are we reserving that until you hear testimony on it?

22 THE COURT: I'm going to need to hear some testimony --

23 MS. KOZIK: Okay.

24 THE COURT: -- on that one because I'm not clear as to
25 exactly what the documents are, what it looks like, and where

1 the information came from.

2 MS. KOZIK: Okay. Can I show you just --

3 THE COURT: If you've got the form, absolutely.

4 MS. KOZIK: Yes.

5 THE COURT: I appreciate that preview. Thank you.

6 MS. KOZIK: And we redacted -- we're prepared to redact
7 what could be potentially prejudicial.

8 THE COURT: Any objections remain from the defense?

9 MR. D'ANGELO: Just in regards to, again, how this
10 information is gathered in regards to alias.

11 THE COURT: Okay. Okay.

12 MR. D'ANGELO: Because that's never been my
13 understanding of how they gather that information.

14 THE COURT: All right. Yeah, in that regard we'll have
15 to hear some testimony in that regard. My expectation is it
16 will probably be allowed unless I hear something
17 substantially different than what I expect in that regard.

18 So yeah, let's work on getting the tapes so we can get
19 the person in and start testifying hopefully around 4:00.

20 MS. KOZIK: Okay.

21 THE COURT: You should be able to get them in and done
22 on both items by 5:00, don't you think?

23 MS. KOZIK: Yes.

24 THE COURT: If we start them at 4:00?

25 MS. KOZIK: Yes.

1 MR. D'ANGELO: Absolutely, your Honor.

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

3 MR. D'ANGELO: One last, if I could?

4 THE COURT: Certainly.

5 MR. D'ANGELO: Just so that we've talked about
6 everything on the record so we can get back and get them
7 running.

8 In regards to the transcripts, if your Honor was still
9 inclined to use these, the last thing I just wanted to say, I
10 think when we start getting -- I'm trying to anticipate down
11 the road in this trial. I think when we start getting to the
12 point where we're using this demonstrative but now we have to
13 have an instruction to the jury of, you know, "This is just
14 to aid you right now," I don't want to be getting a note
15 later as the jury's deliberating of them, "Well, where are
16 these transcripts? Can we get these transcripts now?" I
17 think that's the problem you maybe run into is they've seen
18 something and now they want it but they can't have it.

19 THE COURT: No, and I agree with you. And yeah, if
20 y'all were agreeing to the transcript, that would be fine.
21 I'm not suggesting that you have to in any way. However, I
22 do think that there could be some problems with using the
23 transcript and certainly using it in that kind of partial
24 fashion for that exact reason, that they'll probably want it.

25 And we may get to the point where they need to listen to

1 the tape again anyway. But I'd rather have them listen to
2 the tape, I think, than pore over the transcript because the
3 tape adds subtleties and information in it that goes beyond
4 the written word. So I'll probably not allow the transcripts
5 separate even with the caveats that you suggest. I'll
6 probably just go with the audio tape.

7 MS. KOZIK: Okay.

8 THE COURT: But certainly make an extra copy of this as
9 it is and the changed one. We'll put them in as a Court's
10 exhibit so we can keep track of what my rulings have been and
11 what y'all's arguments have been. Okay?

12 All right.

13 MS. KOZIK: Thank you, Judge.

14 MR. D'ANGELO: Yes, your Honor.

15 THE COURT: See you back shortly.

16 (Court recessed.)

17 (Court resumed outside the presence of the jury.)

18 THE COURT: All right. Y'all ready to go forward?

19 MS. KOZIK: The CDs should be on their way here. They
20 were just burning them a few minutes ago. So shortly, yes.
21 I think we can, however, go forward with Detective Martin
22 absent the CDs because he's not going into them.

23 THE COURT: All right. So which one's Martin again?

24 MS. KOZIK: Detective Martin is -- he's our case agent.
25 He's been sitting here.

1 THE COURT: All right. So we have two: the custodian
2 and Martin. Is that what you're saying?

3 MS. KOZIK: Yes, Judge. So we can go forward with
4 Martin first while we wait for the CDs to finish.

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

6 MS. KOZIK: Okay.

7 THE COURT: All right? Ready for the jury?

8 MS. KOZIK: Yes.

9 MR. D'ANGELO: Yes, Judge.

10 THE COURT: All right. Let's bring the jury back in.

11 THE BAILIFF: Yes, your Honor.

12 THE COURT: And we'll need to make sure we reach a
13 stopping point right prior to 5:00, please.

14 MS. KOZIK: Yes. I don't anticipate these should go
15 long.

16 THE COURT: Okay.

17 (The jury entered the courtroom at 4:06 p.m.)

18 THE BAILIFF: All jurors are present, your Honor.

19 THE COURT: All right. Thank you.

20 Y'all have a seat.

21 The State ready to proceed?

22 MS. KOZIK: Yes, your Honor.

23 THE COURT: All right. Call your witness.

24 MS. KOZIK: The State calls Detective William Martin.

25 THE COURT: All right.

1 CLERK OF THE COURT: Will you please raise your right
2 hand and place your left on the Bible.

3 (Witness sworn.)

4 CLERK OF THE COURT: Please be seated.

5 Please state your full name, spelling your last name
6 loudly and clearly into the microphone.

7 THE WITNESS: First name is William. Last name is
8 Martin, M-A-R-T-I-N.

9 WILLIAM MARTIN,
10 called as a witness on behalf of the State, being first duly
11 sworn, was examined and testified as follows:

12 DIRECT EXAMINATION

13 BY MS. KOZIK:

14 Q. Good afternoon, Detective Martin.

15 A. Good afternoon.

16 Q. Can you tell the jury what you do for a living.

17 A. So I'm a deputy -- I was hired as a deputy sheriff back
18 in 2010 with Charleston County Sheriff's Office. I did eight
19 years on the road as a patrol deputy handling calls of
20 service. But then in 2018 I went to the criminal
21 investigations division and became a detective, and that's
22 where I've been to present.

23 I handle property crime cases, which that would be
24 anything of -- you have anything stolen from you. You have
25 your car stolen, which is one of my main things I work on is

1 auto theft. But also any burglaries, larcenies, anything
2 like that, I investigate that. I talk to witnesses, talk to
3 suspects, build up a case, and see where it goes. So that's
4 what I'm currently doing is a property crimes detective.

5 Q. Outside of being a property crimes detective, do you
6 have any other law enforcement experience? And obviously
7 outside of --

8 A. Right. I did four years with Mount Pleasant before I
9 came to the sheriff's office. So initially I got hired in
10 Mount Pleasant in '06, came to the County in 2010. I have
11 experience -- I mean, my education background, I got a
12 bachelor's degree in criminal justice from Charleston
13 Southern University back in 2006 and then went to the law
14 enforcement academy right after that.

15 I have training in interview and interrogation classes.
16 I have auto theft classes. Since I'm mostly involved in auto
17 theft, that's where they send me to classes, conferences, and
18 stuff like that, regarding that.

19 Q. In July of 2020, what was your title?

20 A. I was still a property crimes detective, but I was on
21 call so I was sent to this location in Awendaw.

22 Q. All right. So let's talk about that call.

23 A. Sure.

24 Q. What kind of call was that?

25 A. I believe they -- I received a call from Sergeant

1 Kjellman, who was the on-call supervisor for investigations,
2 about a weapons incident and that I needed to report to [REDACTED]
3 Gadsdenville Road.

4 Q. And that's in Charleston County?

5 A. Correct. That's in Awendaw.

6 Q. Is that the scene you reported to?

7 A. No, ma'am. On the way there I was directed to go to
8 [REDACTED] Tommy Lane to meet with the victim Debrank Ravenell.

9 Q. About what time did you --

10 A. Receive the call?

11 Q. Yes.

12 A. Okay. I received the call about 7:30 p.m. I got to
13 Tommy Lane about 8:30 p.m.

14 Q. Why didn't you go to [REDACTED] Gadsdenville Road?

15 A. Because Detective Collins, who was the other on-call
16 detective, went to that scene and spoke with the individuals
17 at that location. So then I went to the one on Tommy Lane to
18 speak with the victim.

19 Q. Is it normal for there to be multiple scenes in an
20 investigation?

21 A. Of course. Yeah. I mean, things happen. You have an
22 incident here, and then, you know, the vehicle could leave
23 and go to another location. The victim -- just like this;
24 it's a three-part location. You've got where it happened at,
25 where the vehicle was stopped at, and where I met with the

1 victim at.

2 Q. All right. When you arrived at the victim's house, were
3 there any other officers on scene?

4 A. Deputy Fagan was there.

5 Q. When you got there, what did you observe about the
6 victim?

7 A. I mean, she wasn't -- she was just talking. I mean,
8 nothing out of the ordinary. Nothing that stuck out to me
9 that she was in any type of frantic. I mean, this was
10 several hours after the incident occurred. So I just -- I
11 went to Deputy Fagan and said, "Hey, what do I need to do
12 here? What have you already done? And what can I do?"

13 Q. By the time you had gotten there, what had Deputy Fagan
14 already done?

15 A. He had already spoke with the victim and obtained a
16 statement from her -- a written statement, that is.

17 Q. So based on that, what did you determine was left to do
18 at that scene?

19 A. I needed to identify who the subject was that shot at
20 her vehicle and assaulted her on Gadsdenville Road.

21 Q. And how did you go about doing that?

22 A. So I was advised by Deputy Fagan that they had
23 identified an individual from the incident on Gadsdenville,
24 which later transpired over at Marginal Road. And he had
25 stated that the guy was named Anthony Taylor, so I advised

1 him to access the South Carolina Department of Motor Vehicles
2 website and obtain a photo of Anthony Taylor for me to
3 present to the victim to see if this was the subject that was
4 involved in the shooting on Gadsdenville.

5 Q. And again, just to be clear --

6 A. Sure.

7 Q. -- at that point, had the victim already given a
8 description of the suspect?

9 A. Yes, ma'am. He -- again, yes, ma'am. She gave a
10 description to Deputy Fagan. I think it was also mentioned
11 on the statement.

12 Q. So after Deputy Fagan obtained the photo of Anthony
13 Taylor, what did y'all do with it?

14 A. I explained it to her what it is. It's a single photo.
15 It didn't have -- it just had his face on it. It didn't have
16 his name, no date of birth, nothing. And I said, "Is this
17 the person that was involved in the shooting on Gadsdenville
18 Road?" And at that time -- do you want me to go further?

19 Q. Go ahead.

20 A. At that time she said, "It looks like him. It looks
21 like G," which that's how she knew him as was G, not Anthony
22 Taylor. She knew him as G.

23 So I said, "Okay." I said -- and while I was talking to
24 her, I recorded the conversation. So I then had her write,
25 "Can you please write what you told me on the piece of paper

1 with the photograph lineup" -- I mean, excuse me, "with the
2 single photo." Which at that time she said, "That's the man
3 that assaulted me. This is G that damaged my car."

4 MS. KOZIK: Permission to approach and gather evidence?

5 THE COURT: Certainly.

6 THE WITNESS: And I had -- I don't know if you want me
7 to still talk.

8 MS. KOZIK: Hold on.

9 THE WITNESS: Okay.

10 (Exhibit displayed on screen in open court.)

11 BY MS. KOZIK:

12 Q. I'm showing you what's already been entered into
13 evidence as State's 5. What are we looking at here?

14 A. That's a photo of Anthony Taylor. This is the DMV photo
15 of him. That's the one I requested Deputy Fagan to print off
16 of the DMV. Um -- sorry.

17 Q. So was that the statement you were just talking about?

18 A. Yes, ma'am. That is the statement that I just advised
19 you that Debrank wrote on the form.

20 Q. And when you handed her this photo, did she hesitate at
21 all?

22 A. No, ma'am. It was -- I mean, like, it was
23 instantaneously, seconds. She said, "This is the man that"
24 -- she initially said, "This looks like the man." Then she
25 said, "This is G."

1 Q. And was there -- based on her description of him in the
2 past and her identification of him here, do you have any
3 reason to doubt that identification?

4 A. No. I mean, I know that the description that she had
5 given of him was that he had dreads, you know, he was missing
6 a tooth, in his 40s. But obviously this photo doesn't have
7 him with dreads on but --

8 Q. But she was still able to identify him?

9 A. But she was, yeah, instantaneously able to identify who
10 that subject was.

11 Q. About how long was it between the incident and when you
12 showed the victim that photo?

13 A. The incident happened about 6:30. That's when the call
14 came in is about 6:30 p.m. And I showed that picture to her
15 about 8:55. So almost two and a half hours.

16 Is that right? Two hours? Two hours and a couple
17 minutes?

18 Q. While you were at the victim's house, did you make any
19 observations about her car?

20 A. Yes, ma'am. I noticed that there was damage to the hood
21 of her car, to the windshield, like somebody stomped on it.
22 There was fresh marks. I also noticed that there was a
23 bullet hole in the trunk, left side of the vehicle, on the
24 trunk, on the back of the car.

25 Q. Are you the case agent for this particular case?

1 A. Yes.

2 Q. What does that mean?

3 A. I'm the one that reviews the case until it goes to trial
4 -- if it goes to trial. I mean, I review the reports. I got
5 to see if there's any other investigation that needs to be
6 done to continue the case. I mean, if there's any other
7 possible witnesses or suspects involved, that I talk to them.

8 Q. Okay. So did you review reports of other deputies that
9 went out to the Gadsdenville scene?

10 A. I did. I reviewed the whole report. I noticed that --
11 and I had spoken to the -- excuse me. He's now a lieutenant,
12 but he was a detective then, Collins. And I had spoken to
13 him in regard to this incident then.

14 And he had talked to the subjects on scene on
15 Gadsdenville, the Singletons, George and Gregory Singleton.
16 I mean, he'd spoke to Gregory Singleton, I guess, regarding
17 the injury on his head, but he said that Gregory Singleton
18 was uncooperative. He didn't want anything done, didn't want
19 to -- didn't specify how he received this laceration to his
20 head or so forth and so on.

21 Q. So when you were looking at the investigation as a
22 whole, why did you not pursue an investigation about an
23 assault on the other person?

24 A. On Mr. Singleton?

25 Q. Yes.

1 A. He didn't want to be -- it didn't appear to be connected
2 to the shooting. Ms. Ravenell didn't mention anything about
3 another guy getting assaulted there. And when Detective
4 Collins talked to him, he was just uncooperative. I mean, he
5 was under the influence, according to Detective Collins, and
6 he didn't want to provide any information. So I -- if nobody
7 wants to talk to me and tell me what happened, then that's on
8 them.

9 Q. Are you aware of whether there was anyone else at the
10 scene that was willing to give a statement -- or at the
11 Gadsdenville scene?

12 A. I wasn't aware of it. No, ma'am.

13 Q. All right. I would like to talk about the process of
14 booking someone at the jail.

15 A. Okay.

16 Q. Are you familiar with that process?

17 A. I just -- when I used -- and I'll say when it was me.
18 Now, I would always -- you know, I assume the way of asking
19 for --

20 Q. Just a yes-or-no question.

21 A. Yes, ma'am.

22 Q. Are you familiar? Have you booked someone into the jail
23 before?

24 A. I have, yes.

25 Q. Okay. And have you seen others do it in the past?

1 A. Sure. I see it all the time.

2 Q. Okay. Can you describe the process for collecting
3 standard demographic information about that person.

4 A. Just ask what their name, their date of birth, their
5 social security number, their driver's license, their
6 address, where they live, any type of aliases they have. Do
7 they have a next of kin? All that information goes on the
8 arrest and booking.

9 Q. And when you say "ask them," are you asking the person
10 that you're booking into jail?

11 A. Correct. That's right.

12 Q. And you give that information to the jail; is that
13 right?

14 A. That's correct. Yes. The booking sheet is issued to
15 the jail. They make copies of it, and we'll take the -- I
16 believe we take the original back with us.

17 MS. KOZIK: Nothing further from the State at this time.

18 THE COURT: Any cross-examination?

19 MR. D'ANGELO: Yes, your Honor. May it please the
20 Court.

21 CROSS-EXAMINATION

22 BY MR. D'ANGELO:

23 Q. Good afternoon.

24 A. Good afternoon, sir.

25 Q. I'll get my podium back.

1 A. Come on down.

2 Q. All right. So you kind of talked about it a bit on the
3 direct there --

4 A. Yes, sir.

5 Q. -- but you kind of got thrust into two different roles
6 on this case. Is that sort of fair to say?

7 A. That's fair to say. Yes, sir.

8 Q. Obviously, as we've heard about, initially you had
9 responded as a detective to try to get an identification done
10 with a victim, correct?

11 A. That's correct.

12 Q. Then, as this trial -- because again, this case is a
13 number of years old, right?

14 A. Five years old.

15 Q. It wasn't until a few years later, as this case was, you
16 know, potentially going to trial, that it was determined,
17 "Ooh, Detective Martin is going to be -- he's going to be the
18 guy that's going to be the case agent on this," right?

19 A. That's correct.

20 Q. And again, as I think I asked you the last time I talked
21 to you, it's sort of "the buck stops with you" sort of idea,
22 right?

23 A. Yes, sir.

24 Q. Okay. So again, you've reviewed -- as we just heard,
25 Detective Collins had an incident report that he submitted,

1 right?

2 A. Right. It was all part of the report.

3 Q. Detective Moore submitted an incident report, who we had
4 heard testimony earlier from, right?

5 A. Yes, sir.

6 Q. You had reviewed those.

7 Deputy Bresee submitted a report and you reviewed that?

8 A. Correct.

9 Q. Again, you've gone through all of the reports and the
10 materials that have been submitted in this case, correct?

11 A. Correct.

12 Q. We've had ballistics reports that have been submitted,
13 right?

14 A. (Indicated.)

15 Q. SLED has issued reports, right?

16 A. According to the case file, yes.

17 Q. Okay. And again, to be clear, you have reviewed those
18 things?

19 A. I have reviewed the reports, yes.

20 Q. Okay. I want to briefly talk about -- so as you stated,
21 you had spoken with Ms. Ravenell. You reviewed and went over
22 that photo with her, correct?

23 A. Yes, sir.

24 Q. And again, she had stated, "Yes, that looks like the
25 man," correct?

1 A. Correct.

2 Q. And like you said, this was several hours or a couple
3 hours after the incident had happened, right?

4 A. Yes, sir.

5 Q. She had already been speaking with, you know, the other
6 deputy that was there, and they had already gone through a
7 full recitation of what the description was and all of that,
8 right?

9 A. That's correct. Yes, sir.

10 Q. One of the things I want to talk about with -- in
11 regards to talking to the Singletons, so there's Gregory
12 Singleton is the gentleman that we've heard about who was at
13 the [REDACTED] Gadsdenville Road address, right?

14 A. That's correct.

15 Q. Okay. And you stated Detective --

16 A. Collins.

17 Q. Collins. Thank you.

18 A. Yes, sir.

19 Q. Detective Collins had gone out later that day and spoken
20 to Mr. Singleton, right?

21 A. He was dispatched the same time I was.

22 Q. Okay.

23 A. So he went to that scene, where I went to the Tommy Lane
24 scene.

25 Q. So a couple of hours after Detective Collins goes to the

1 scene --

2 A. We showed up about the same time.

3 Q. Okay. Detective Moore had already spoken to
4 Mr. Singleton, right?

5 A. Deputy Moore.

6 Q. Deputy. I'm sorry.

7 A. Yes, sir.

8 Q. Deputy Moore had already spoken to Mr. Singleton, right?

9 A. Yes, sir.

10 Q. And again, as case agent, you are familiar that
11 initially Mr. Singleton gave Deputy Moore a description,
12 correct?

13 A. Correct.

14 Q. And not going into any -- I don't want you to go into
15 any specifics of it, but he had initially given a description
16 of the man that had assaulted him, right?

17 A. Correct.

18 Q. That it was not -- that it was an assault that had
19 happened over an incident involving a man and another woman,
20 correct?

21 A. That's correct.

22 Q. Okay. And that description that was provided was
23 different than the description that Ms. Ravenell provided?

24 A. Correct.

25 Q. Additionally in this case -- again, because you're kind

1 of handling your aspect of it; Detective Collins is kind of
2 handling his aspect of it. Right?

3 A. Yes, sir.

4 Q. Okay. Mr. Taylor had been detained and actually at that
5 point had been arrested for this, right?

6 A. Yes, sir.

7 Q. A firearm had been located, right?

8 A. Yes, sir.

9 Q. And again, this is an allegation involving a potential
10 shooting, correct?

11 A. That's right.

12 Q. So Detective Collins had ordered or had requested that a
13 gunshot residue kit be submitted, right?

14 A. That's correct.

15 Q. Okay. "GSR kit" it's kind of commonly referred to as,
16 right?

17 A. Yes.

18 Q. Gunshot residue or GSR kit, this is just something that
19 officers and -- well, let me back up.

20 Officers are trained in kind of how to use these kits,
21 right?

22 A. Yes, sir.

23 Q. How to administer these kits?

24 A. Correct.

25 Q. And what a GSR kit is is an officer's just swabbing a

1 person's hand looking for gunshot residue, right?

2 A. That's right.

3 Q. Microscopic particles of gunpowder essentially, right?

4 A. That's correct.

5 Q. They test that to see if someone's potentially fired a
6 firearm, right?

7 A. That's correct.

8 Q. And again, you're not an expert on how any of this
9 works?

10 A. I just know how to --

11 Q. Exactly.

12 A. -- use the tools.

13 Q. You just know how to administer this thing. You know,
14 it's packaged up and it's sent to SLED, right?

15 A. That's correct.

16 Q. And SLED is South Carolina Law Enforcement Division in
17 South Carolina, right?

18 A. Yes, sir.

19 Q. Okay. That was done in this case, correct?

20 A. Yes, sir.

21 Q. Deputy -- I believe it was Deputy Bresee administered
22 that test kit to Mr. Taylor, right?

23 A. Yes, sir.

24 Q. That test kit was sent to SLED, right?

25 A. (Indicated.)

1 Q. And the results were received from SLED that he was
2 negative --

3 MS. KOZIK: Objection.

4 (An off-the-record discussion was held at the bench in
5 the presence of the jury but outside the hearing of the
6 jury.)

7 THE COURT: All right. I'm going to sustain the
8 objection.

9 BY MR. D'ANGELO:

10 Q. Okay, Detective Martin. I just want to step back.

11 Again, you are aware that Detective Collins ordered a
12 GSR kit to be collected in this case, correct?

13 A. Correct.

14 Q. Okay. That case -- that kit was successfully collected
15 by Deputy Bresee of Mr. Taylor, right?

16 A. That's correct.

17 Q. That was sent to SLED for them to analyze?

18 A. Yes, sir.

19 Q. All right. In your entire review of your case file, is
20 there anything that you have come across that a silver
21 revolver was recovered in any part of this case?

22 A. No.

23 MR. D'ANGELO: No further questions, your Honor.

24 THE COURT: Any redirect?

25

1 REDIRECT EXAMINATION

2 BY MS. KOZIK:

3 Q. Detective Martin, are you familiar with generally the
4 concept of what GSR is?5 A. It's just the collection of gunshot -- we explained
6 earlier. It's the collection of gunshot residue off your
7 hands.8 Q. If someone shoots -- does that -- do you know anything
9 about whether or not that residue transfers to other objects?

10 A. I don't know. I'm unfamiliar.

11 Q. Okay. That's fair enough.

12 A. Okay.

13 MS. KOZIK: No further questions.

14 THE COURT: Any followup?

15 MR. D'ANGELO: No, your Honor.

16 THE COURT: Okay. You can step down.

17 THE WITNESS: Thank you, sir.

18 (Witness excused.)

19 THE COURT: All right. Ladies and gentlemen, it's 4:30
20 right now. Y'all been working hard. I'm going to release
21 y'all for the day. I'm going to ask you to be back at 9:00
22 tomorrow. We'll try and get started as quickly as we can at
23 9:00 in the morning.24 So same admonition as before: Don't start talking about
25 the case with anybody or do any research or anything of that

1 nature.

2 So again, thank y'all for your service today. I'll see
3 y'all in the morning.

4 (The jury was released for the day and exited the
5 courtroom at 4:31 p.m.)

6 (The following proceedings were had outside the presence
7 of the jury.)

8 THE COURT: All right. Y'all can sit.

9 I know we were going to try to get into the other -- at
10 least the other witness to get the information in today. I
11 could not see us getting done by 5:00. I thought it was a
12 reasonable time to break.

13 Apparently, Panera Bread was providing the lunch
14 tomorrow but the forum is closed. They've got to give them
15 another menu from somewhere else. That's a perfect time.
16 We're going to get all that done and we'll get them back in
17 here at 9:00. That will give us a chance this afternoon to
18 touch base.

19 The objection was to the question as to the results of
20 the gunshot residue test that was administered by SLED. I
21 sustained the objection.

22 If you want to voice your argument, Mr. D'Angelo, for
23 our record.

24 MR. D'ANGELO: Yes, your Honor. Thank you.

25 Again, I asked him, you know, if he was an expert on the

1 subject. He stated no. But as case agent, he has reviewed
2 these files. I would argue as case agent this is certainly
3 something that he reviews and would be able to testify to.
4 He is determining if GSR is present. He's able to review if
5 those kits are sent to SLED. And then he's able to review
6 and determine what those results are. Right? That's
7 potentially going to impact how he goes about the rest of the
8 investigation. Right?

9 And any detective. I'm speaking generally. Any
10 detective. Right? Let's say that comes back and it's
11 positive. Now you're going to go put out an arrest warrant
12 for a suspect. Right? It certainly is something that he's
13 able to review and talk about.

14 Now, if I had tried getting into talking about specifics
15 of this test or, you know, the reliability -- right? -- if I
16 had tried to ask him, "So the fact that there is no GSR on
17 his hands means that he didn't shoot a gun, right?" No.
18 That would be an incredibly improper question to be going
19 into. It's outside his purview.

20 But asking him if he has the knowledge of what those
21 results are, I would argue he certainly would be able to
22 testify to that.

23 THE COURT: All right. State's response?

24 MS. KOZIK: And again, just to reiterate my argument
25 earlier, it's not a proper line of questioning. There's a

1 reason we have to call the correct chain witnesses and the
2 correct expert to discuss the evidence and the results of
3 those tests so that we can get into the reliability and the
4 veracity of it, why we have experts and why we have the need
5 to have those chain experts -- er, those chain witnesses as
6 well.

7 It's no different than -- just because he's case agent
8 doesn't mean that he can testify to just anything. Otherwise
9 he would be the only person we called. We wouldn't have to
10 call, for instance, the ballistics expert from SLED tomorrow
11 morning to talk about the fact that the shell casings matched
12 the gun. He -- if -- he would just be able to testify to
13 that because he knows the answer. But that would deprive
14 Mr. D'Angelo of an ability to cross the expert and figure out
15 and determine, again, the reliability issues in that.

16 Same here. Without -- we're not calling the expert.
17 Mr. D'Angelo is free to do so and present that to the jury.
18 But not having her here and not having the ability to cross
19 the expert and discuss gunshot residue with her would
20 unfairly prejudice the State.

21 And the gun is just outside his purview of what he --
22 he's obviously not a gunshot residue expert.

23 THE COURT: All right. Thank you.

24 And I appreciate y'all indicated those same arguments to
25 the bench. I sustained the objection and I continue to

1 sustain the objection. Yeah, I do think that getting into
2 that information, the negative results on the testing, would
3 require testimony from some person, presumably an expert, who
4 would be subject to cross-examination in that regard.

5 I think you're right that just the fact that there's a
6 negative result contained in the file, even though it may
7 direct the investigation or course of the investigation, I
8 think that's improper for the exact reason that she'd
9 mentioned. If there was some other -- if it was the exact
10 opposite, if it was verified that there was gunshot residue
11 on Mr. Taylor's hands, it wouldn't come in through this
12 witness as well.

13 So thank y'all for allowing me to put that on the record
14 that way.

15 All right. So anything further that we can address
16 today?

17 MS. KOZIK: I don't think so, your Honor.

18 MR. D'ANGELO: I think that's it from defense, your
19 Honor.

20 THE COURT: Okay. All right. So tomorrow we'll have --
21 I think you said the name of the person was Melissa High?

22 MS. KOZIK: Melissa High.

23 THE COURT: As the custodian relative to the jail calls.
24 You've got the jail calls appropriately edited and ready to
25 go. And the jail booking form, I think I accidentally took

1 the form that has the exhibit stamp on it, and I'll give that
2 back to you.

3 All right. So let's be here just a few minutes before
4 9:00. If there's anything that comes up in the meantime --
5 and see if you can't have the tape stuff. Make sure y'all
6 have a chance to review it. And if you prepare a transcript,
7 that's fine. We'll use that as a Court's exhibit.

8 MS. KOZIK: Okay. Thank you.

9 THE COURT: Okay?

10 Good point. We had asked for -- or maybe we hadn't
11 asked. But jury charges, if y'all have any particular jury
12 charges that you want, try and get them to me and we could
13 potentially finish this up tomorrow. So I need to have
14 those, if you can, first thing in the morning so we can
15 review those. I've got standard stuff I'll share with you.
16 But if you don't give it to me, then I can't put it in.
17 Okay? So anything you got, let me have it. Y'all share it,
18 of course, and then get it to me tomorrow.

19 MS. KOZIK: Okay. Would you -- I don't know how you do
20 things. Do you want us to prepare a proposed verdict sheet,
21 or are you going to do that?

22 THE COURT: Go ahead and prepare one.

23 MS. KOZIK: Okay.

24 THE COURT: We've got one that we've worked on. I'll
25 probably take a look at yours and adopt it if it's better

1 than ours. So that would be fine by me. It puts you to
2 work, but I'd be happy to use something that you create if
3 it's better than ours. Okay?

4 All right. Thank y'all.

5 MR. D'ANGELO: Thank you, your Honor.

6 MS. KOZIK: Thank you, your Honor.

7 THE COURT: See y'all in the morning.

8 (Court recessed at 4:40 p.m., to resume at 9:00 a.m.,
9 Wednesday, February 5, 2025.)

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1 (Court resumed at 9:17 a.m., Wednesday, February 5,
2 2025, outside the presence of the jury.)

3 THE COURT: All right. Good morning, everyone. Have we
4 got everybody here?

5 All right. One thing I did not --

6 Madam Court Reporter, are you ready?

7 COURT REPORTER: Yes, sir.

8 THE COURT: Okay.

9 One thing I did not mention specifically that I want to
10 make sure we've got in our record -- and this is a question,
11 I guess, to the State relative to the weapon. Have all of
12 the safety protocols regarding the gun been complied with?

13 MS. KOZIK: Yes. It's my understanding that they have
14 been.

15 THE COURT: Okay. All right. So I will -- at some
16 point in time I will remind the jury that y'all followed
17 those safety protocols and there should be no concern in that
18 regard. I probably should have mentioned it earlier, but I
19 will do that for the benefit of the jury at some point in
20 time. Okay? I just didn't want that to go untended to.

21 All right. So have y'all talked about charges,
22 lesser-included offenses, and so forth? Have y'all come up
23 with what y'all are recommending or suggesting in that
24 regard?

25 MR. D'ANGELO: I would be requesting assault and battery

1 first degree. I think certainly the elements for that charge
2 have been met by the testimony presented. So that's what
3 defense would be requesting.

4 THE COURT: As the only lesser-included offense; is that
5 correct?

6 MR. D'ANGELO: That's correct, your Honor.

7 THE COURT: Okay.

8 All right. And the State -- what's the State's
9 position?

10 MS. KOZIK: No objection to that.

11 THE COURT: No objection to that?

12 Any other?

13 Attempted murder, the definition, standard stuff which
14 I'll share with you, which I don't think would be
15 objectionable. But I'll give y'all that opportunity, of
16 course. I just want to make sure we've got the large stuff.
17 So thank you for --

18 MS. KOZIK: No. I think that's the largest thing.

19 THE COURT: And of course, the weapons charge.

20 MS. KOZIK: Right.

21 I was going to -- we've been trying to get this edited
22 and sent to your clerk. But there is a -- the way that I
23 think Judge Anderson in his charge book phrases the
24 definition of attempted murder, just the elements made more
25 sense to me than the ones that I have seen elsewhere. So I

1 was going to send you those --

2 THE COURT: Okay.

3 MS. KOZIK: -- to consider.

4 Also, the only other change or comment I had is -- or
5 suggestion would be to including in the direct and
6 circumstantial evidence section a general explanation -- it
7 usually comes from -- I think this is from the federal jury
8 instructions -- just about the example of, you know, indirect
9 evidence is -- or circumstantial evidence is if someone sees
10 that someone walks into a room with an umbrella that's wet,
11 then you can infer that it's raining out. Versus direct
12 evidence is something that if someone comes in and testifies
13 it's raining outside.

14 THE COURT: Okay.

15 MS. KOZIK: You know, just that difference.

16 THE COURT: All right. Yeah, and I'll be happy to take
17 a look at it.

18 MS. KOZIK: Okay.

19 THE COURT: I probably won't get that deep into it.

20 MS. KOZIK: Okay.

21 THE COURT: I mean, I know that's usually part of an
22 argument --

23 MS. KOZIK: Okay.

24 THE COURT: -- that y'all can make in closing. So I
25 won't take that away.

1 MS. KOZIK: Okay.

2 THE COURT: But yeah, share that and I'll make it --
3 I'll take a look at it.

4 MS. KOZIK: Okay.

5 THE COURT: In all likelihood, not on that --

6 MS. KOZIK: Okay.

7 THE COURT: -- as far as the further explanation.

8 MS. KOZIK: And then the only other one was -- I shared
9 this with your clerk. But to the extent -- I don't think
10 yesterday you officially ruled on the issue of presenting the
11 transcripts to the jury during the jail calls. But to the
12 extent that you do allow that, I shared with your clerk both
13 an instruction that you could potentially read to the jury
14 prior to that about how the transcript itself is not evidence
15 and that only what they hear and what's on the recording is
16 evidence, and then a corresponding final jury charge with
17 that as well.

18 THE COURT: Okay.

19 MS. KOZIK: So we'll send that to you.

20 THE COURT: And have you, of course, shared that with
21 Mr. D'Angelo?

22 MR. D'ANGELO: She has. Yes, your Honor.

23 THE COURT: And your position? Are you consenting to
24 that?

25 MR. D'ANGELO: In regards to -- in regards to the jury

1 instruction, I would -- if it was ultimately allowed in, I
2 have no issue with that.

3 Again, my ultimate position, as I stated to your Honor
4 yesterday, was I don't think presenting these transcripts is
5 appropriate. And I want to put on the record I am by no
6 means trying to say that, you know, I think the State is
7 misinterpreting or writing different words. I don't think
8 the State's, you know, doing anything underhanded with these.
9 I just don't think I can consent. But, you know, I think we
10 would need a certified, you know, court reporter to have done
11 this.

12 Furthermore, my bigger argument too is I can see it just
13 leading to a potential issue later down the road where they
14 are maybe going by, you know, just trying to read this and
15 not listening necessarily as closely to the audio, or once
16 they're back in that jury room, getting that note of, "Well,
17 Judge, can we please just get that, you know, transcript
18 again?" and they can't. I want to try to get ahead of any of
19 those potential problems or, again, them potentially relying
20 on this more than the actual call, the influx, how things are
21 being said. I think it can just potentially cause some
22 issues.

23 So that's my position, your Honor.

24 THE COURT: Okay. All right. And yeah, that's
25 substantially the same as yesterday.

1 MS. KOZIK: Yes, sir.

2 THE COURT: And of course, subject to qualifying the
3 video -- er, the audio tape itself, I'm going to stay with
4 not allowing the transcript to be presented as evidence --
5 separate evidence. I agree; there's subtleties or nuances to
6 it. And I'll voice the same thing; I'm not indicating
7 there's a misrepresentation at all in it. And certainly,
8 whoever prepared that did the best that they could. But I
9 think it's up to the jury to listen to the tone of the voice
10 and any subtleties as part of that audio tape that could
11 potentially be lost as part of the transcript.

12 So I think I'm going to at this point, I think --
13 especially given the limited nature of it; it's not like it's
14 a long transcript -- I'm going to disallow and not use the
15 transcripts or the instructions that you presented. But
16 thank you for that. I'll mark it as a Court's exhibit.

17 MS. KOZIK: Judge, would you in that case allow me
18 during direct to play the recordings maybe twice or so?
19 They're short clips. And I mean, I can preview them for you,
20 but they are a little muffled, as jail calls tend to be,
21 which thus the transcript as a suggestion. But would you let
22 me play it maybe twice for the jury?

23 THE COURT: We'll see on that.

24 MS. KOZIK: Okay.

25 THE COURT: My initial inclination is I'm not going to

1 -- it probably would be appropriate to do it. Playing it 17
2 times in a row on the one line that you want --

3 MS. KOZIK: Right.

4 THE COURT: -- no. We'll probably say no on that. But
5 yeah, just because it is sometimes difficult to hear and
6 understand, I would anticipate allowing at least a replay.

7 MS. KOZIK: Okay.

8 THE COURT: Beyond that, you know, I may make another
9 ruling.

10 MS. KOZIK: Okay.

11 MR. D'ANGELO: And your Honor, for the record, I would
12 say certainly, you know, I get it. Right? The nature of
13 this? If we start playing it three, four times --

14 THE COURT: All right.

15 MR. D'ANGELO: -- I might object. But no, I --

16 THE COURT: It's probably going to --

17 MR. D'ANGELO: -- I get this. You know, I --

18 THE COURT: It's probably going to get played twice
19 anyway when you cross-examine, in all likelihood. So okay.

20 And those, the tapes, everything's set up, queued up
21 electronically?

22 MR. D'ANGELO: Yes.

23 THE COURT: All set up? Good.

24 MS. KOZIK: Yes. We tested it this morning.

25 THE COURT: Okay.

1 MS. KOZIK: And I went over it with Mr. D'Angelo. They
2 were redacted as requested.

3 THE COURT: Okay. All right.

4 MR. D'ANGELO: And that's correct, your Honor.

5 THE COURT: Thank you.

6 MR. D'ANGELO: I've had an --

7 THE COURT: Thanks for that.

8 MR. D'ANGELO: -- opportunity to listen to those.

9 THE COURT: And I appreciate that. I know it's not an
10 easy task.

11 The other question, we've got the SLED person who's
12 going to testify. That person's going to testify as an
13 expert, I presume. Any objections? Anything we need to do
14 outside the presence of the jury regarding the qualifications
15 as an expert?

16 MR. D'ANGELO: Not from defense, your Honor.

17 THE COURT: Not from defense? All right.

18 Now, obviously there's going to be some direct testimony
19 qualifying the person as an expert. But so there's no
20 objection to that?

21 MR. D'ANGELO: No, your Honor.

22 THE COURT: And the area of expertise, how is this
23 expert going to be identified?

24 MS. KOZIK: Beg the Court's indulgence for a moment.

25 (Pause in proceedings.)

1 MS. KOZIK: Declared as an expert in the field of
2 ballistics examination.

3 THE COURT: Ballistics --

4 MS. KOZIK: Er, firearms and ballistics examination.

5 THE COURT: Firearms examination.

6 What's the expert's name?

7 MS. KOZIK: The firearms expert is Michele Eichenmiller,
8 E-I-C-H-E-N-M-I-L-L-E-R.

9 THE COURT: All right.

10 MS. KOZIK: In addition to Ms. Eichenmiller, based on --

11 THE COURT: So Ms. Eichenmiller is as to both; is that
12 right?

13 MS. KOZIK: No. She is --

14 THE COURT: Now there's two experts?

15 MS. KOZIK: We now have two experts.

16 THE COURT: Okay.

17 MS. KOZIK: The other expert was included on our
18 original witness list. But based on the events of the end of
19 trial yesterday and getting into the GSR -- which we hadn't
20 planned on doing, especially potentially ringing the bell on
21 the results of that GSR test -- we decided to bring
22 Ms. Fletcher, who performed that GSR test, in to testify
23 about GSR.

24 THE COURT: So I'm sorry. So Ms. Fletcher is
25 ballistics?

1 MS. KOZIK: Ms. Fletcher is -- what is she being
2 qualified as?

3 THE COURT: So now we've got three experts?

4 MS. KOZIK: Two experts.

5 THE COURT: Two. Ms. Fletcher as to?

6 MS. KOZIK: As to GSR.

7 THE COURT: GSR. And Eichenmiller as to?

8 MS. KOZIK: Firearms and ballistics examination.

9 THE COURT: Okay. So that -- okay.

10 All right. And same question I guess as to both:
11 Nothing we need to take up outside of the presence of the
12 jury?

13 MR. D'ANGELO: No, your Honor.

14 THE COURT: All right.

15 MS. KOZIK: And I think -- so we've been using the term
16 GSR, but I think technically the term is "fire debris and
17 explosives and trace materials."

18 THE COURT: Say that again for me.

19 MS. KOZIK: Fire debris and explosives --

20 THE COURT: Fire debris?

21 MS. KOZIK: And explosives --

22 THE COURT: And explosive --

23 MS. KOZIK: -- trace materials.

24 THE COURT: -- trace material.

25 Okay. Thank you.

1 All right. Anything else we need to deal with before we
2 bring the jury back in?

3 MS. KOZIK: Yeah. I think, again, based on how they now
4 -- to bring in the issue of GSR based on what happened during
5 the cross of Detective Martin yesterday, the State is going
6 to renew its original motion in limine in a slightly confined
7 manner.

8 But we believe now that it would be appropriate to bring
9 in the defendant's actions during his arrest to show the jury
10 a full picture of the events that occurred to show them that
11 after the gun -- after he shot the gun, he fled in this car
12 and did a number of things, including holding -- we don't
13 have to say it's beer, but he was holding a can. He pushed
14 an officer. He was doing things with his hands.

15 Right now, as far as the jury knows, the defendant got
16 in a car and sat calmly for a half-hour before being GSR
17 tested. They have no context about his other actions between
18 firing the gun and having the test performed that would
19 explain and reasonably explain why there is no GSR on his
20 hands.

21 If I can proffer, I believe the GSR expert is going to
22 testify that touching another surface, another person, a wet
23 can, any kind of transfer will transfer this GSR and take it
24 off of your hands and would explain why there might not be
25 GSR on the hands of the defendant when he was tested 35, 45

1 minutes later.

2 THE COURT: Okay. From the defense?

3 MR. D'ANGELO: Briefly, your Honor.

4 I mean, this is just -- it's a stretch to be able to try
5 to say, "Now we have to be able to talk about him assaulting
6 this officer." You know, again, I don't think -- you know,
7 on any of that I don't think it would meet and I certainly
8 don't think it would overcome the absolute unfair prejudice
9 to 403.

10 Talking about a wet can, there was no testimony
11 presented in court about that. There's testimony of a beer
12 can. There's nothing presented that the can was cold or had
13 condensation on it or anything like that that would
14 contribute.

15 Again, if the expert was going to get up and say, "Oh,
16 if you got into a tussle with someone, yes, absolutely you
17 would have no GSR on your hands," maybe I could understand
18 this argument. But that's not what this testimony is going
19 to be. It's just reasons as to why there might not be GSR in
20 addition to the reason of he didn't fire a gun.

21 Again, it's so speculative to try to now open this door
22 that we need to get into this, you know, that he assaulted a
23 cop. Again, that's just so unfairly prejudicial. I just
24 don't -- I don't see how that's appropriate in this
25 situation.

1 Again, we haven't had testimony that there was, you
2 know, this cold beer can or anything like that. You know, I
3 think they're certainly allowed to delve into their expert
4 of, you know, "Is this test infallible?" You know, "Are
5 there reasons as to why there's not GSR?" All of that they
6 can talk about. But to get into, you know, the specifics I
7 just don't think is appropriate, your Honor.

8 THE COURT: All right.

9 MS. KOZIK: If I may briefly?

10 Again, our expert -- no expert is going to testify to
11 absolutely a tussle is going to mean there is no GSR residue
12 on the hands. No expert is going to testify in absolutes.
13 But they're going to testify about reasons, such as putting
14 your hands on somebody, touching a beverage, those sort of
15 issues. And so in -- because defense has opened the door to
16 this issue by getting into the GSR, which we weren't going to
17 talk about and wasn't relevant to our 403 analysis when we
18 did this analysis pretrial, it's now become very relevant.
19 And the probative value now far outweighs the prejudice that
20 could result from this.

21 And the State is open to the Court's suggestions on how
22 to do this in a way that isn't overly prejudicial. But we do
23 think we need to be able to get into the fact that he put
24 hands on someone. He did actions that could cause GSR to no
25 longer be on his hands between the time he left the crime

1 scene and the GSR kit being taken.

2 And again, the defense opened the door to this. We
3 weren't going to do it. We confined ourselves to your ruling
4 pretrial the best that we could. And but now, again, defense
5 has opened the door. And so we think out of an abundance of
6 caution, a full and fair presentation of evidence to the jury
7 for the res gestae theory that we should be allowed to get
8 into that.

9 THE COURT: I don't anticipate any problem with direct
10 examination of the expert saying, "Is the test infallible?
11 Are there many ways -- the fact that someone had a negative
12 test, does that mean that positively that they didn't shoot a
13 weapon within the last hour?" I anticipate the expert will
14 say no. And then your followup is going to be, "Are there a
15 manner" -- er, "How many different ways are there to get the
16 residue off?" And they're going to go, "Here's a list," and
17 they're going to give it to you in alphabetical order about
18 all the different things. And that gets you exactly the
19 information that you need. I don't think you need to open
20 the door into the activities in there.

21 Again, if there was some specific thing, situation at
22 the incident that pointed to some, I guess, more obvious
23 reason for the removal of what would be considered the
24 residue -- other than speculation, because I think it really
25 does become speculation -- then I might reconsider it. But

1 again, when we go back to the 403 analysis of all the
2 activities and the bad behavior versus the, I guess,
3 propensity idea, the probative value of that information I
4 think is significantly outweighed by the unfair prejudice to
5 the defendant in this situation.

6 I mean, certainly I'm not going to limit the questions
7 relative to the reasons why it wouldn't necessarily be a
8 positive test.

9 So anything further?

10 MR. D'ANGELO: Nothing from defense, your Honor.

11 THE COURT: Okay. All right. Are we ready for our
12 jury?

13 MS. KOZIK: Yeah. Nothing further from the State.
14 We're ready for the jury.

15 THE COURT: Okay. All right. Let's bring our jury in.

16 THE BAILIFF: Yes, your Honor.

17 THE COURT: And who's our first person up?

18 MS. KOZIK: We're going to call Megan Fletcher.

19 THE COURT: I'm sorry?

20 MS. KOZIK: The State calls -- will call Megan Fletcher.

21 THE COURT: Megan Fletcher. All right.

22 So you're going to take care of the experts and then go
23 with the jail calls?

24 MS. KOZIK: Yes, Judge.

25 THE COURT: Okay. And I'm not trying to dictate the

1 order of your witnesses. I was just curious.

2 MS. KOZIK: That's fine.

3 THE COURT: Okay?

4 (The jury entered the courtroom at 9:38 a.m.)

5 THE BAILIFF: All jurors are present, your Honor.

6 THE COURT: All right. Good morning, everyone. Y'all
7 have a seat.

8 We've been addressing matters of law for the last half
9 an hour. I appreciate y'all's patience.

10 Is the State ready to proceed?

11 MS. BOZARTH: The State's ready, your Honor.

12 THE COURT: Is the defense ready to proceed?

13 MR. D'ANGELO: Yes, your Honor.

14 THE COURT: All right. State, you can call your next
15 witness.

16 MS. BOZARTH: The State calls Megan Fletcher.

17 (Witness sworn.)

18 CLERK OF THE COURT: Please be seated.

19 Please state your full name, spelling your last name
20 loudly and clearly into the microphone.

21 THE WITNESS: It's Megan Fletcher, F-L-E-T-C-H-E-R.

22

23

24

25

1 MEGAN FLETCHER,
2 called as a witness on behalf of the State, being first duly
3 sworn, was examined and testified as follows:

4 DIRECT EXAMINATION

5 BY MS. BOZARTH:

6 Q. Hi, Megan.

7 How are you employed?

8 A. I'm employed by the South Carolina Law Enforcement
9 Division in the forensic services laboratory in the trace
10 evidence department.

11 Q. And how long have you worked there?

12 A. Little over 17 years.

13 Q. What additional training have you had in the GSR area?

14 A. All right. So I have my bachelor's degree from Chatham
15 College in biochemistry and English. I also have a master's
16 degree from Marshall University in forensic science,
17 emphasizing in computer forensics and forensic chemistry.

18 Once I obtained employment with SLED, I began my -- I'm
19 sorry, I began a training program in all of trace evidence,
20 but specifically with gunshot primer residue. It was about a
21 nine-month training program in which I was required to do
22 written, practical, and oral examinations about gunshot
23 primer evidence and the instruments we use to analyze it.

24 Q. Have you taught any courses in this area?

25 A. I have not taught any, no.

1 Q. Have you published any articles?

2 A. No.

3 Q. Do you belong to any professional organizations?

4 A. I do. I belong to the American Society For Trace
5 Evidence Examiners.

6 Q. And have you testified as an expert witness before?

7 A. Yes, I have.

8 Q. About how many times?

9 A. Seventy-four times for gunshot residue.

10 Q. And can you explain what exactly is -- we've been
11 calling it GSR. Can you explain what gunshot residue is?

12 A. So gunshot residue, or GSR, is everything that comes out
13 of a gun when it's fired: the smoke, the soot, the flames
14 that come out of the barrel, fragments of the bullet, burned
15 and unburned propellant, but also gunshot primer residue.
16 And that's specifically what I am analyzing at SLED. Gunshot
17 primer residue are microscopic molten particles that contain
18 the elements lead, barium, and antimony, and they come from
19 the primer portion of a cartridge.

20 Q. Okay. And as you said, as a forensic scientist for GSR,
21 can you further explain that process?

22 A. So as a forensic scientist analyzing gunshot residue or
23 gunshot primer residue, I am analyzing gunshot residue kits,
24 which are kits that include stamp-like devices that are used
25 to collect any evidence off of individuals' hands that are

1 suspected to have been in the vicinity to the discharge of a
2 firearm. I'm also collecting off of clothing or other
3 inanimate objects.

4 I'm then analyzing it on a scanning electron microscope,
5 which is a very powerful microscope that allows me to see
6 particles that are so small that you could fit about ten to
7 100 on the diameter of a human hair. So it uses electrons
8 instead of light. That is coupled with an energy dispersive
9 x-ray detector. So not only can I see the particles
10 themselves, I can determine that the elements lead, barium,
11 and antimony are all in an individual singular particle.

12 Q. And did you conduct a gunshot residue analysis in this
13 case?

14 A. Yes, I did.

15 Q. And what were your findings as to your analysis?

16 A. No gunshot primer residue was found -- er, detected in
17 this case.

18 MS. BOZARTH: Your Honor, at this time the State moves
19 Megan Fletcher into -- um, as an expert in GSR and explosives
20 trace residue.

21 THE COURT: Any objection?

22 MR. D'ANGELO: No objection, your Honor.

23 THE COURT: All right. So qualified Ms. Fletcher as a
24 gunshot residue expert relative to fire debris and explosive
25 trace materials.

1 BY MS. BOZARTH:

2 Q. And with regard to your findings, can you discuss your
3 findings?

4 A. May I refer to my report?

5 Q. Yes, please.

6 A. So for this case, a GSR kit from Anthony Taylor was
7 collected. And I -- it was analyzed at the SLED laboratory,
8 and the results from that GSR kit were that no particles
9 characteristic of gunshot primer residue were detected.

10 The absence of primer residue on the hands is consistent
11 with but not limited to the following scenarios: the
12 individual not having discharged a firearm four to six hours
13 passing between firing and sampling; normal physical activity
14 between firing and sampling; the individual washing the
15 hands, wiping the hands, or sweating profusely; the
16 individual wearing gloves during the discharge of a firearm;
17 excessive blood or debris on the hands; environmental factors
18 including wind and rain; the ammunition discharged was lead
19 free, nontoxic, or some .22-caliber rimfire ammunition not
20 producing particles characteristic of the conventional
21 gunshot primer residue; or the firearm not producing primer
22 residue on the hands when discharged.

23 Q. So can you explain, is it common -- well, what are some
24 other common reasons that there may not be gunshot residue?

25 A. So if an individual has fired a gun and a GSR kit is

1 collected from their hands and I don't find any gunshot
2 primer residue on their hands, it can be because gunshot
3 primer residue is a very fragile type of evidence in that
4 it's very easily removed from the hands. I can shoot a gun,
5 put that gun down, and essentially I start removing and
6 transferring those particles to other objects.

7 I can wash my hands; that's the easiest way to remove
8 it. I can put my hands in my pockets. I can wipe my hands
9 on my pants. I can do any kind of normal physical activity
10 and it's going to start to be removed from my hands. And
11 that's the reason at SLED we have a policy that we won't even
12 analyze a GSR kit from a living individual after six hours
13 from the initial incident.

14 Q. So is it easy to transfer that to other objects?

15 A. Yes, it is.

16 Q. Would holding a beer affect someone's GSR on their
17 hands?

18 A. Touching any other object, beer specifically or touching
19 another object, it could transfer to the can or to the
20 bottle. If that bottle or can is cold, it might have
21 condensation, which may also help to remove any particles
22 from the hands.

23 Q. And is the GSR kit -- er, testing, is that test
24 infallible?

25 A. I'm sorry. I'm not --

1 Q. With regard to determining if someone has fired a gun
2 within the past hour or so.

3 A. All I'm testing for is what was collected from the GSR
4 kit. So evidence was collected off of an individual's hands,
5 and I am testing what is on that -- on those particle lists.
6 On those particle lists I did not find gunshot primer
7 residue.

8 MS. BOZARTH: Thank you.

9 THE COURT: Mr. D'Angelo?

10 MR. D'ANGELO: Thank you, your Honor. May it please the
11 Court.

12 CROSS-EXAMINATION

13 BY MR. D'ANGELO:

14 Q. Good morning, Ms. Fletcher. How you doing?

15 A. Morning. I'm good.

16 Q. Nice to be able to talk with you.

17 In preparation for this trial you had spoken with my
18 investigator, Mr. Harry Long, right?

19 A. Yes, sir.

20 Q. Okay. And I appreciate, you know, you taking his call
21 and kind of helping us explain and understand some of this.

22 So I want to talk -- again, as you stated, you analyzed
23 the GSR kit for Mr. Anthony Taylor, correct?

24 A. That's correct.

25 Q. And in this case, his -- the swab of his hands indicated

1 there was no GSR residue present, right?

2 A. That's correct.

3 Q. Okay. You talked about, again, there are certainly ways
4 that one would expect not to see GSR particles on a person's
5 hands anymore, correct?

6 A. That's correct.

7 Q. Okay. You stated probably one of the biggest would be
8 passage of time; is that fair?

9 A. If somebody fired a gun, yes, sir, that would be the
10 biggest --

11 Q. Okay.

12 A. -- indication.

13 Q. Because that's why, I believe you had stated, SLED has a
14 policy if it appears the shooting had been prior to six
15 hours -- I think that's the benchmark you had said -- you
16 guys honestly won't even perform the test, right?

17 A. Right. We will not analyze a GSR kit that's been
18 collected beyond six hours from the time of the incident.

19 Q. Okay. So right. So had someone, you know, shot a gun
20 earlier in the day, you wouldn't necessarily be expecting to
21 see GSR residue on someone's hands, right?

22 A. Not beyond six hours, no.

23 Q. As opposed to having shot a gun maybe an hour prior,
24 right?

25 A. Depending on the activity of that individual, it's

1 possible to find it an hour later, yes.

2 Q. Certainly. And again, there's different, you know,
3 different factors that can step in to not finding it, right?

4 A. Yes.

5 Q. But again, you wouldn't be performing these tests if
6 it -- you know, if these tests didn't have a certain level of
7 accuracy to them, correct?

8 A. Correct.

9 Q. Additionally, testing -- so am I correct in saying a GSR
10 test kit that you get from law enforcement, that's to test
11 someone's hands, right?

12 A. That's typically what is tested by law enforcement, yes.

13 Q. That's not actually the only thing that y'all are able
14 to test, right?

15 A. No. We are also able to test inanimate objects such as
16 vehicles and clothing.

17 Q. Right. So for example, if there had been a beer can,
18 that could have been collected, sent to SLED, and you could
19 have tested that to see if there was GSR on it, right?

20 A. We could have.

21 Q. If someone would have been wearing clothes that would
22 have been worn while someone was firing a gun, that could be
23 collected by law enforcement and sent to you to test, right?

24 A. Yes, sir.

25 Q. Okay. And those are all typical things that in your

1 daily course of business that you test, right?

2 A. The clothing would be. The beer can would be a new one.

3 Q. Okay. But the clothing, that's -- again, you've tested
4 items --

5 A. Yes.

6 Q. -- like that as well?

7 A. Yes.

8 MR. D'ANGELO: Your Honor, those are the only questions
9 that I have at this time. Thank you.

10 THE COURT: All right. Any redirect?

11 MS. BOZARTH: Briefly, your Honor.

12 REDIRECT EXAMINATION

13 BY MS. BOZARTH:

14 Q. Does lack of GSR mean someone didn't fire a weapon?

15 A. It just means that there was no GSR on the particle list
16 at the time of collection. And then there are a number of
17 reasons why somebody may or may not have gunshot primer
18 residue on their hands.

19 Q. And am I correct, just to clarify, that GSR is easily
20 transferred?

21 A. Yes, it is.

22 Q. And it's time sensitive?

23 A. Yes, it is.

24 MS. BOZARTH: Nothing further.

25 THE COURT: All right. Anything further?

1 MR. D'ANGELO: No, your Honor.

2 THE COURT: All right. You can step down. Thank you.

3 THE WITNESS: Thank you.

4 THE COURT: Any objection to releasing Ms. Fletcher?

5 MS. BOZARTH: No objection, your Honor.

6 THE COURT: All right. Thank you.

7 MR. D'ANGELO: No objection, your Honor. I had her
8 under subpoena as well, so no objection.

9 THE COURT: All right. Thank you.

10 (Witness excused.)

11 THE COURT: All right. Is the State ready to call its
12 next witness?

13 MS. KOZIK: Yes, Judge. The State calls Michele
14 Eichenmiller.

15 THE COURT: All right.

16 CLERK OF THE COURT: Please raise your right hand and
17 place your left on the Bible.

18 (Witness sworn.)

19 CLERK OF THE COURT: Please be seated.

20 Please state your full name, spelling your last name
21 loudly and clearly into the microphone.

22 THE WITNESS: My name is Michele Eichenmiller,
23 E-I-C-H-E-N-M-I-L-L-E-R.

24

25

1 MICHELE EICHENMILLER,
2 called as a witness on behalf of the State, being first duly
3 sworn, was examined and testified as follows:

4 DIRECT EXAMINATION

5 BY MS. KOZIK:

6 Q. Good morning, Ms. Eichenmiller.

7 A. Good morning.

8 Q. Can you please tell the jury what you do for a living.

9 A. I work at the South Carolina Law Enforcement Division,
10 also known as SLED. I work in the forensics laboratory in
11 the firearms department.

12 Q. And what do -- how long -- you said you work in the
13 firearms department. What is your title?

14 A. I'm a forensic firearms examiner.

15 Q. What does it mean to be a forensic firearms examiner?

16 A. Firearms identification is the branch of forensic
17 science that deals with fired bullets, fired cartridge cases,
18 the firearms. We also do other little tests as necessary.
19 Serial number restoration. We also deal with toolmark
20 analysis.

21 Q. How long have you been in that role?

22 A. Almost 19 years.

23 Q. Can you explain to the jury your educational background.

24 A. I have a bachelor's degree in psychology and biology. I
25 also have a Master of Science in forensic science.

1 Q. Do you have any other specialized training or
2 certifications in your area of expertise?

3 A. Yes. In order to be a firearms examiner, you can't
4 attend a university. You have to go through the in-house
5 training program of the agency you're hired. So once I was
6 hired at SLED, I started a three-year training program where
7 I learned with the examiners that were at SLED already that
8 were court-qualified. I did a lot of reading and practical
9 exercises on my own. At the end of the three years, I
10 completed a competency. And then they -- once I passed, they
11 deemed me competent to do casework on my own.

12 Q. Are you a member of any professional organizations?

13 A. I am. I'm a regular member of the Association of
14 Firearm and Toolmark Examiners, which is an international
15 organization of people in the field.

16 Q. Do you teach or give presentations on the subject?

17 A. As necessary and requested. We sometimes go to schools,
18 colleges. We give tours at the lab so that we teach while
19 we're giving tours.

20 Q. Have you ever been qualified as an expert in South
21 Carolina General Sessions Court?

22 A. Yes.

23 Q. About how many times?

24 A. Approximately 140 times.

25 Q. Have you ever not been qualified as an expert?

1 A. No.

2 MS. KOZIK: At this time the State moves to have Michele
3 Eichenmiller declared as an expert in the field of firearms
4 and ballistics examination.

5 THE COURT: Any objection?

6 MR. D'ANGELO: No objection, your Honor.

7 THE COURT: All right. So qualified as an expert in the
8 field of firearms examination and ballistics.

9 BY MS. KOZIK:

10 Q. Ms. Eichenmiller, can you briefly explain to the jury
11 what firearm or toolmark examination is.

12 A. So we examine any cartridge cases or bullets that were
13 found at scenes to firearms that could have potentially fired
14 those items. We examine the items on a comparison
15 microscope, compare them to each other. And then based on my
16 training and experience, I come to an opinion if those fired
17 items were fired by the firearm.

18 Q. Can you explain what procedures you follow when
19 conducting such an examination.

20 A. Whenever I get evidence in a case, I'll pick it up from
21 our evidence control department. I'll bring it back to my
22 lab area. I'll document the outer container, how I received
23 it, if it was sealed, etc. I'll take pictures as I open each
24 layer, so the envelope, the box, the bag, however it's
25 packaged. We document all that on a worksheet. We document

1 ammunition components, head stamps, all kind of -- all the
2 information that we can get. And then we'll exam it based on
3 what I received.

4 Q. So is it possible to determine whether a specific bullet
5 was fired from a particular gun?

6 A. Yes.

7 Q. And can you explain the process of how exactly you would
8 confirm that.

9 A. If I received a firearm in a case and a fired bullet, I
10 would document the bullet. I would take the firearm,
11 document its safety, its condition, anything that I see about
12 it. Then I would take it into our bullet recovery tank,
13 which is a water tank that we shoot into so that we get
14 specimens that we know came from that firearm. So those are
15 our knowns.

16 We compare the knowns to the unknown, which is the
17 bullet from the scene, using my comparison microscope, which
18 is basically -- it looks like a pair of binoculars that I
19 look through with two separate stages. I can put a bullet on
20 one side and a bullet on the other, adjust the light and the
21 magnifications to examine the marks that are left.

22 Q. So can you describe what "class characteristics" are.

23 A. Sure. Class --

24 Q. And how they're relevant to this.

25 A. Mm-hmm. Class characteristics are like general

1 characteristics. So in the case of a bullet, it would be the
2 direction of twist, which could be left or right. It could
3 be the number of lands and grooves, which is anywhere from
4 three to 16. It could -- and then the size of the lands and
5 grooves, and then what kind of rifling it is. So it's either
6 polygonal or conventional.

7 Q. And do you use those class characteristics when you
8 compare the known to the unknown bullets?

9 A. Yes, we do.

10 Q. Do you make -- do you look at anything else when you're
11 making that comparison?

12 A. I'm not sure what --

13 Q. I guess, can you describe for the jury what lands and
14 grooves are.

15 A. Sure. Lands and grooves are made into the barrel of
16 every firearm. The manufacturer can decide what kind of
17 rifling they want to put in there. Many guns are made with
18 the same rifling, but some guns are made with very unique
19 rifling. Those marks are left on the bullet as it's fired
20 out of the firearm.

21 Q. So how is that -- how do you use that information in
22 determining whether a particular bullet was fired from a gun?

23 A. First I'll verify that the class characteristics are the
24 same, so if the number of lands and grooves is the same, the
25 direction of twist is the same, the size of the lands and

1 grooves are the same, and the caliber, of course, is the
2 same. Then I will compare that to any firearm that I
3 received.

4 Q. And are you using the standard methods that experts use
5 in your field in this type of analysis?

6 A. Yes.

7 Q. Okay.

8 MS. KOZIK: Permission to approach the witness with
9 evidence previously entered?

10 THE COURT: Yes.

11 BY MS. KOZIK:

12 Q. I am handing you what's been previously entered into
13 evidence as State's Exhibit 6, State's Exhibits 7A through I,
14 and State's Exhibit 8.

15 THE COURT: And that includes the shells and the weapon
16 itself?

17 MS. KOZIK: Yes, Judge.

18 THE COURT: All right. Let's take a moment.

19 There's protocols regarding the safety of firearms that
20 will be used as evidence, and all of those safety protocols
21 and guidelines have been followed in this case. The primary
22 thrust, of course, is safety because from time to time there
23 has to be weapons that are used -- or presented as evidence.
24 So the protocols were developed for that purpose. They've
25 been followed in this case, safety being the primary factor.

1 And of course, the main way that safety is enforced is the
2 assurance the weapon is unloaded, the slide is open all the
3 time. And it's complied with in that regard.

4 So I just wanted to share that with y'all. I probably
5 should have shared it before. I did not. But now that we're
6 back in this field, I interrupted just long enough to share
7 that with you to allay any concerns that you could possibly
8 have in that regard.

9 Sorry to interrupt. Go ahead.

10 MS. KOZIK: No problem.

11 Q. [By Ms. Kozik] Ms. Eichenmiller, do you recognize what
12 I handed you as State's Exhibits 6, 7A through I, and 8?

13 A. Whenever I examine evidence in a case, I will scribe on
14 it with an engraver the case number, the item number, and my
15 initials. So Item 6 is the firearm I examined.

16 In addition, when I finish my examination, I'll heat
17 seal the envelope -- er, the bag and I'll put my initials and
18 the date on there. So these are still intact. And these are
19 the nine cartridge cases I examined in this case. And
20 State's Exhibit 8 is also the lead fragment that I examined
21 in this case.

22 Q. Okay. Can you briefly explain the process of how SLED
23 gets evidence from other agencies to test.

24 A. Sure. Any agency in the state can bring evidence to
25 SLED. So they will come and either talk to a technician to

1 log their evidence in or place it in an evidence locker. The
2 evidence can then be removed by the technicians, and only the
3 technicians, from the locker. They log it into our system,
4 which gives it a bar code and a case number, and every item
5 gets its own bar code.

6 So once it's in the system, then we get notified that
7 there's a new assignment for firearms. We assign it to an
8 examiner. That examiner will go pick it up.

9 Now, the whole time during the lab -- er, transfer
10 through the lab, everything is scanned by a bar code. So
11 when it got to SLED it got a bar code. Then the technician
12 who took it in scanned it to their custody. They scan it to
13 a shelf. The technician that hands it to me scans it to
14 themselves and then scans it to me. So there's an entire
15 chain of custody of where that item went in the lab.

16 Q. When the forensic technician that you were just
17 describing handles that evidence, are they changing it in any
18 way?

19 A. No. When the technician has it, it's sealed. If it's
20 not sealed, I'll make sure that it's sealed because we don't
21 accept unsealed evidence. And then it remains sealed until
22 the examiner that's assigned to it will open it up.

23 Q. So in this case, when you received the evidence was it
24 all sealed?

25 A. Yes.

1 Q. And were you the one who unsealed it to perform your
2 tests?

3 A. Yes.

4 Q. When you opened the gun in question, was the -- the
5 Mount Pleasant Police Department has a tag with its own
6 evidence bar code. Was that still attached to the weapon?

7 A. If I could refer to my notes?

8 Yes. When I received it, the Mount Pleasant tag was
9 still on the firearm.

10 Q. So we talked about the process of determining if the
11 shell casings were fired from a certain gun earlier. Did you
12 apply those specific methods and processes in this case as it
13 relates to Exhibits 6 and 7A through I?

14 A. Yes, I did.

15 Q. Okay. And what were you able to determine?

16 A. I examined the cartridge cases first. I received nine
17 fired .40 S and W caliber cartridge cases. I physically
18 examined them and microscopically compared them with each
19 other. I found matching individual identifying
20 characteristics and concluded that 1 through 9 were fired by
21 the same firearm. These items also may be suitable for
22 identification with other firearms-related evidence.

23 Q. So were you able to determine that the shell casings
24 were then fired by that firearm, Exhibit 6?

25 A. That's correct. Once I determined they were all fired

1 by one firearm, I compared them to the firearm I received and
2 concluded that it was -- those items were fired by that
3 firearm.

4 Q. What about Exhibit 8? I think you called it the "lead
5 fragment." Were you able to make any determinative findings
6 about that?

7 A. It was SLED Item 10, State's Exhibit 8. It was
8 physically and microscopically examined. They were lead
9 fragments. They had no marks of value for me to identify
10 them back to a firearm.

11 Q. So what does that mean in layman's terms?

12 A. They were just the core of a bullet, so they didn't come
13 in contact with the barrel. So none of the marks that I
14 would look for from the barrel of the firearm were on the
15 lead fragments that I received.

16 Q. But it appeared to you to be the core of a bullet?

17 A. They were just fragments. I couldn't tell.

18 Q. Okay.

19 MS. KOZIK: Nothing further from the State at this time.

20 THE COURT: All right. Cross-examination, Mr. D'Angelo?

21 MR. D'ANGELO: Yes, your Honor. Thank you. May it
22 please the Court.

23 CROSS-EXAMINATION

24 BY MR. D'ANGELO:

25 Q. Good morning, Ms. Eichenmiller.

1 A. Good morning.

2 Q. Good to see you again.

3 So as we've heard, you reviewed shell casings in this
4 case, correct?

5 A. That's correct.

6 Q. Okay. And as we heard on your education background,
7 it's fair to say you're a scientist; is that right?

8 A. That's correct.

9 Q. You are able to look at the evidence that's brought in
10 to you to try make a scientific determination of what
11 potentially links to other things, right?

12 A. That's correct.

13 Q. Again, you don't know what happened with, you know, the
14 shell casings or how -- anything that went down. You're only
15 trying to determine, you know, can -- "In this case, can I
16 link these shell casings to this firearm?" Correct?

17 A. That's correct.

18 Q. Okay. You don't know at what point in time those shell
19 casings were fired from that firearm, right?

20 A. That's correct.

21 Q. All you're able to determine is that, yes, those shell
22 casings came from the black Glock model 22 that was presented
23 to you, right?

24 A. Yes.

25 Q. Additionally, you were provided these -- as we just

1 heard, these fragments, right?

2 A. Yes.

3 Q. Okay. And those were -- and those bore, as you stated,
4 I think it was "no marks of value," correct?

5 A. That's correct.

6 Q. Again, there's just not enough to be able to determine
7 is this the jacket casing or the core, etc., right?

8 A. I couldn't tell it was a bullet core. I could tell it
9 was lead just by my experience.

10 Q. Okay. And again, not enough there to be able to
11 determine, you know, what type of caliber this bullet was or
12 anything like that?

13 A. That's correct.

14 Q. Okay.

15 MR. D'ANGELO: Your Honor, those are the only questions
16 that I have. Thank you.

17 THE COURT: All right. Thank you.

18 Any redirect?

19 MS. KOZIK: Briefly.

20 REDIRECT EXAMINATION

21 BY MS. KOZIK:

22 Q. Ms. Eichenmiller, defense counsel was asking you about
23 whether or not you were aware of any of the circumstances in
24 this case that led before you got the bullets. Do you
25 remember that?

1 A. Mm-hmm.

2 Q. If a shell casing were, say, run over, would that affect
3 your ability to determine if a shell casing came from a
4 particular gun?

5 A. It could affect it. It just depends on how bad the
6 damage was.

7 Q. In this case, were any of the shell casings damaged
8 enough to affect your analysis?

9 A. No.

10 Q. You also said that you were able to determine that the
11 Exhibit 8 was made of lead; is that right?

12 A. Yes.

13 Q. Are bullets made of lead?

14 A. A lot of bullets the core is made of lead.

15 MS. KOZIK: No further questions.

16 THE COURT: All right. Any followup?

17 MR. D'ANGELO: No, your Honor.

18 THE COURT: Okay. All right. You can step down. Thank
19 you.

20 (Witness excused.)

21 THE COURT: All right. Is the State ready to call its
22 next witness?

23 MS. KOZIK: Yes, Judge. The State calls Melissa High.

24 THE COURT: Okay.

25 CLERK OF THE COURT: Would you please raise your right

1 hand and place your left on the Bible.

2 (Witness sworn.)

3 CLERK OF THE COURT: Please be seated.

4 Please state your full name, spelling your last name
5 loudly and clear into the microphone.

6 THE WITNESS: Melissa High, H-I-G-H.

7 MELISSA HIGH,

8 called as a witness on behalf of the State, being first duly
9 sworn, was examined and testified as follows:

10 DIRECT EXAMINATION

11 BY MS. KOZIK:

12 Q. Good morning, Ms. High.

13 Can you please introduce yourself to the jury and
14 explain where you work.

15 A. I work at the Sheriff Al Cannon Detention Center. I am
16 the records custodian.

17 Q. How long have you been in that position?

18 A. Two and a half years.

19 Q. And can you explain the duties involved with that
20 position.

21 A. I gather the subpoenas and the search warrants, and I
22 pull the records for the attorneys, investigators, and
23 officers for jail calls or any other records that they're
24 looking for.

25 Q. In your position, are you familiar with how a person is

1 booked into jail?

2 A. Yes.

3 Q. Have you personally observed it in the past?

4 A. Yes. I have shadowed so that I can see what they're
5 doing.

6 Q. Are you familiar with the type of information that's
7 collected when a person is booked into jail?

8 A. Yes.

9 Q. Okay. And are you familiar with how that information is
10 stored?

11 A. Yes.

12 Q. Okay. How -- I guess I'll start with what kind of
13 information is collected?

14 A. They ask a lot of different questions.

15 Q. Let's -- just to direct your attention to a specific --

16 A. Okay.

17 Q. -- set of questions, what kind of demographic
18 information is collected?

19 A. Any identifying numbers, their address, their age,
20 description, scars, marks, tattoos, aliases.

21 Q. And does the jail keep a record of that demographic
22 information?

23 A. Yes.

24 Q. Do they keep that record in the normal course of
25 ordinary business?

1 A. Yes, ma'am.

2 Q. Is that information stored somewhere in the jail?

3 A. Yes. It's in our records maintenance system.

4 Q. And so you said that type of information -- the
5 demographic information, addresses, tattoos, aliases, that
6 sort of thing -- how, based on your observations, is that
7 obtained?

8 A. Well, they give us some of the information. And other
9 information, it will come in on the rap sheet with the police
10 officer. If it's observed -- say, one of the deputies, you
11 know, hears somebody is calling this person a certain name,
12 he will notify someone in the -- that edits the maintenance
13 system and they will enter it.

14 Q. Has it been your observation that officers will ask --
15 for instance, ask the person being booked into jail what
16 their aliases are?

17 A. They can ask.

18 Q. And is that memorialized in the jail records?

19 A. Yes. It's saved.

20 MS. KOZIK: Permission to approach the witness?

21 THE COURT: Certainly.

22 BY MS. KOZIK:

23 Q. Ms. High, I just handed you what has been marked as
24 State's Exhibit 11.

25 A. Mm-hmm.

1 Q. Do you recognize that?

2 A. Yes, ma'am.

3 Q. What is that?

4 A. This is the booking report.

5 Q. The booking report for who?

6 A. For Mr. Taylor.

7 Q. From what date?

8 A. 7/21/20.

9 Q. And how do you know that is what it is?

10 A. This is what we usually have that states all their
11 information on it.

12 Q. So in your job as a records custodian, you're familiar
13 with --

14 A. Yes.

15 Q. -- that and that it came from the type -- the records
16 that the jail keeps in the normal and ordinary course of
17 business?

18 A. Yes.

19 Q. Okay.

20 MS. KOZIK: At this time the State moves to admit
21 Exhibit 11 into evidence.

22 THE COURT: Any objection?

23 MR. D'ANGELO: I do, your Honor. Would we be able to
24 approach briefly?

25 THE COURT: Certainly.

1 (An off-the-record discussion was held at the bench in
2 the presence of the jury but outside the hearing of the
3 jury.)

4 THE COURT: All right. We're going to admit the booking
5 report, if that's the right name.

6 Is that what it's called?

7 MS. KOZIK: Yes.

8 THE COURT: Okay.

9 MS. KOZIK: The booking report.

10 THE COURT: All right. So admitted.

11 (State's Exhibit Number 11 admitted into evidence.)

12 MS. KOZIK: Permission to publish to the jury briefly?

13 THE COURT: All right. Yeah, let's make sure it's
14 properly marked and identified.

15 MS. KOZIK: This is State's Exhibit 11.

16 Defense counsel has seen this?

17 MR. D'ANGELO: Yes.

18 THE COURT: All right.

19 (Exhibit displayed on screen in open court.)

20 BY MS. KOZIK:

21 Q. Let's hope it zooms out further, but is this the booking
22 report that we were just talking about, State's 11?

23 A. Yes, it is.

24 Q. Okay. I'd like to direct your attention to the bottom
25 of -- it's going to be the bottom of page 1 and the top of

1 page 2.

2 Can you read for the jury the aliases listed for
3 Mr. Anthony Taylor.

4 A. Black, Lil Black, 5, Taylor Patrick, Patrick, Pat, and
5 G5.

6 Q. Ms. High, let's talk about jail calls.

7 And generally first, how do inmates make jail calls --
8 er, calls while in jail?

9 A. Well, they -- when they arrive, they are given a PIN
10 that is unique to them. They make the call with that, and
11 that way it can identify who they are. Whenever I get a
12 request for the calls, I don't have to use that. I use their
13 inmate number and I pull up the calls.

14 Q. So you're able to pull up all inmate calls in your
15 position?

16 A. Yes.

17 Q. Are those -- are inmates advised that those calls, not
18 including those with attorneys, are going to be recorded?

19 A. Yes.

20 Q. How are they advised of that?

21 A. It is stated at the beginning of every call. There is
22 also a sign in every unit that states that they are being
23 recorded. And they have an inmate handbook that also states
24 that it is recorded.

25 Q. So are all calls -- not with attorneys -- recorded by

1 the jail in the ordinary course of business?

2 A. Yes.

3 Q. Does the jail maintain a copy of those records in the
4 ordinary course of business?

5 A. Yes.

6 Q. And who has access to those?

7 A. I do. A few others, but not very many.

8 Q. To your knowledge, was the jail asked by this office or
9 law enforcement to produce jail calls from Anthony Taylor
10 from July 22, 2020?

11 A. Yes.

12 Q. Were those jail calls in particular among others
13 provided to this office?

14 A. Yes.

15 Q. And were those jail calls being kept in the ordinary
16 course of business?

17 A. Yes.

18 MS. KOZIK: Permission to approach the witness?

19 THE COURT: Certainly.

20 BY MS. KOZIK:

21 Q. I just handed you what has been marked as State's
22 Exhibit 9 and State's Exhibit 10. Do you recognize those?

23 A. I do.

24 Q. What are they?

25 A. They are calls that were received from the jail. My

1 initials are on it.

2 Q. So they are -- are they clips from jail calls made from
3 Anthony Taylor?

4 A. Yes.

5 Q. And again, are those from -- based on when you last
6 listened to them, from July 22, 2020?

7 A. Yes.

8 Q. And you said you know that because you initialed those?

9 A. Correct.

10 MS. KOZIK: At this time the State moves to admit
11 State's Exhibits 9 and 10 into evidence.

12 THE COURT: All right. Any objection?

13 MR. D'ANGELO: Just for the record, I just renew my
14 previously argued objections, your Honor.

15 THE COURT: All right. Thank you.

16 All right. We're going to admit 9 and 10 over
17 objection.

18 (State's Exhibit Numbers 9 and 10 admitted into
19 evidence.)

20 MS. KOZIK: Permission to publish? We're going to start
21 with State's Exhibit 9 and then go from there.

22 THE COURT: All right.

23 MS. KOZIK: Okay. So this is State's Exhibit 9.

24 (Audio played in open court.)

25 MS. KOZIK: Sorry. I'll start it over.

1 (Audio played in open court.)

2 MS. KOZIK: With the Court's permission, the State would
3 request just to play that one more time for the jury as it's
4 a little garbled in some places.

5 THE COURT: Certainly.

6 (Audio played in open court.)

7 MS. KOZIK: Okay. So this is State's Exhibit 10.

8 (Audio played in open court.)

9 MS. KOZIK: Okay. I did want to play that one more
10 time. Apologies. I'll just click back into it.

11 (Audio played in open court.)

12 MS. KOZIK: The State has no further questions for this
13 witness.

14 THE COURT: All right. Mr. D'Angelo, cross-examination?

15 MR. D'ANGELO: Yes, your Honor. Just very briefly. May
16 it please the Court.

17 CROSS-EXAMINATION

18 BY MR. D'ANGELO:

19 Q. Good afternoon, Ms. High. Just a couple of questions.

20 So these calls that we just heard, again, the
21 solicitor's office requested of you these calls from specific
22 dates, correct?

23 A. Correct.

24 Q. Both of those calls that we heard were calls that were
25 made on July 22, 2020, right?

1 A. Mm-hmm. Yes.

2 Q. Is that a yes? Again, we just got to make sure our
3 court reporter gets everything.

4 A. Sorry.

5 Q. No, you're fine.

6 And again, so those were made from July 22, 2020, right?

7 A. Yes.

8 Q. Okay. And as you stated on -- as you stated on direct,
9 there's a message that is given on all of these calls letting
10 the inmate know that these calls are being recorded, right?

11 A. Mm-hmm.

12 Q. Yes. So before they're speaking any information,
13 they're told that these are being recorded and the government
14 can listen to what you're about to say, right?

15 A. Correct.

16 Q. Okay.

17 MR. D'ANGELO: No further questions, your Honor.

18 THE COURT: All right.

19 MS. KOZIK: Nothing further from the State.

20 THE COURT: All right. You can step down. Thank you.

21 THE WITNESS: Thank you.

22 (Witness excused.)

23 THE COURT: All right. The State can call its next
24 witness.

25 MS. KOZIK: Your Honor, may we approach briefly?

1 THE COURT: Certainly.

2 (An off-the-record discussion was held at the bench in
3 the presence of the jury but outside the hearing of the
4 jury.)

5 THE COURT: All right, ladies and gentlemen. One form
6 of testimony is a stipulation, which is essentially an
7 agreement between the parties.

8 I have in front of me State's Exhibit 16, which is a
9 stipulation that's captioned -- it says "Stipulation
10 Number 1. The State and defense agree to the following: On
11 July 21, 2020, the defendant possessed the .40-caliber
12 Glock 22 firearm located in the passenger side door near
13 where the defendant was seated in the dark-colored Chevrolet
14 Suburban stopped and appropriately searched by the Mount
15 Pleasant Police Department."

16 This matter comes into evidence and will be part of the
17 evidence that y'all will receive when you go to the jury
18 room.

19 All right. Madam Court Reporter, I will entrust that to
20 you. Thank you.

21 (State's Exhibit Number 16 admitted into evidence.)

22 THE COURT: All right. Anything further from the State?

23 MS. KOZIK: Your Honor, if the State -- can the State
24 request just a brief recess to ensure that we have
25 everything? But the State intends to likely rest.

1 THE COURT: Okay. All right. So we're going to take a
2 brief recess now, and we'll get y'all returned as soon as we
3 can take care of things here.

4 Thank y'all.

5 (The jury exited the courtroom at 10:33 a.m.)

6 (The following proceedings were had outside the presence
7 of the jury.)

8 THE COURT: All right. Y'all be seated. Thank you.

9 All right. And just for clarification, if I wasn't
10 clear -- and I know we've had several discussions relative to
11 the admissibility of the recordings presented through
12 Ms. High. I made the determination that those were properly
13 authenticated under 901 and that the statements by persons
14 other than the defendant would not have been hearsay as they
15 were not presented for the truth of the matter asserted and
16 that the comments or statements by the defendant were items
17 or comments that will be admissible as statements against his
18 interest.

19 So I just wanted to make sure that that was clear for
20 our record.

21 So we've got the stipulation in. Y'all take a few
22 minutes if you need to make sure that you don't want to
23 present anything further. And then you said you're going to
24 likely rest. Is that correct?

25 MS. KOZIK: Likely, yes, Judge.

1 THE COURT: Okay.

2 MS. KOZIK: We're just going to make sure we have
3 everything.

4 And I do want to -- on the same kind of note that you
5 explicitly made that record on the jail calls, I just want to
6 make sure the conference that you, I, and Mr. D'Angelo had
7 about the booking record was also on the record, when you
8 admitted that into evidence. I just didn't know if that was
9 something that the court reporter heard or not.

10 THE COURT: All right. So no.

11 As to the booking report, I allowed that as a part of
12 the records that are recorded in the ordinary course of
13 business and that they did not include any prohibited
14 opinions or subjective opinions as might be disallowed under
15 the rule, and specifically that it was just intake
16 information, some of which could have been provided by the
17 defendant himself. But none of it was testamentary evidence
18 that would cause concern or exclusion.

19 MS. KOZIK: Thank you, Judge.

20 THE COURT: Okay. All right. And we'll take a short
21 break, about ten minutes, come back in. Y'all can let me
22 know. I'll probably have at that point in time available the
23 charge, or soon thereafter, and then we can start working on
24 that. Okay?

25 And then we'll hear from you.

1 MR. D'ANGELO: Understood. Thank you, your Honor.

2 THE COURT: All right. Thank you.

3 Oh, and the transcripts from Exhibit 9, Exhibit 10, and
4 the transcript proposed charge we'll mark as a Court's
5 exhibit as well.

6 (Court's Exhibit Numbers 2, 3, and 4 marked for the
7 record.)

8 (Court recessed.)

9 (Court resumed outside the presence of the jury.)

10 THE COURT: All right. Thank y'all. Y'all go ahead and
11 have a seat.

12 All right. What is the State going to do?

13 MS. KOZIK: The State will rest.

14 THE COURT: Okay. All right. Well, we will bring our
15 jury back in and rest in front of the jury.

16 So before they come back, just tell me what the plan is
17 for the defense.

18 MR. D'ANGELO: Your Honor --

19 THE COURT: I imagine you'll move for a directed
20 verdict.

21 MR. D'ANGELO: I was going to say I have a directed
22 verdict motion. It's not incredibly lengthy, but I have some
23 arguments --

24 THE COURT: Okay.

25 MR. D'ANGELO: -- to put on the record and then proceed

1 forward with the defense case.

2 THE COURT: All right. And can you tell me what's going
3 to happen with that? Is the defendant going to testify? Did
4 y'all get --

5 MR. D'ANGELO: So your Honor, we'll need to go over on
6 the record his, you know, request of understanding his
7 rights --

8 THE COURT: Correct.

9 MR. D'ANGELO: -- if he wants to testify.

10 At this time, Mr. Taylor indicates to me that, yes, he
11 wishes to testify.

12 THE COURT: Okay. And of course, I know that's subject
13 to his final decision.

14 MR. D'ANGELO: Correct, your Honor.

15 THE COURT: And we'll go through the colloquy in
16 reference to that as well.

17 MR. D'ANGELO: Thank you.

18 THE COURT: All right. So we'll bring them back in.
19 We'll rest. We'll send them out. Apparently they're going
20 to have lunch delivered around noon. I expect it will take
21 us at least that amount of time -- an hour or so -- to
22 address the motions and any other matters prior to defense
23 being ready to proceed. So I'll tell them they're probably
24 not going to come back until after lunch. Okay? But they're
25 not leaving the building because we're going to have lunch

1 for them.

2 All right. So go ahead and bring our jury in, please.

3 THE BAILIFF: Yes, your Honor.

4 MR. D'ANGELO: Thank you, your Honor.

5 (The jury entered the courtroom at 10:53 a.m.)

6 THE BAILIFF: All jurors are present, your Honor.

7 THE COURT: All right. Thank you. Y'all can be seated.

8 All right. Madam Solicitor, anything further?

9 MS. KOZIK: Nothing further from the State. At this
10 time, the State rests.

11 THE COURT: All right.

12 All right. The State has rested their case. At the
13 conclusion of that case, there are significant matters of law
14 which I must address, and I'm going to do that outside
15 y'all's presence. I'm going to send you back to the jury
16 room and we'll try and address it. The good news for y'all
17 is I think y'all got lunch on the way. So after lunch is
18 when we will probably be able to reconvene. Okay?

19 So I'm going to send y'all back to the jury room. Thank
20 you.

21 (The jury exited the courtroom at 10:54 a.m.)

22 (The following proceedings were had outside the presence
23 of the jury.)

24 THE COURT: All right. Y'all can sit. Thank you.

25 All right. Mr. D'Angelo?

1 MR. D'ANGELO: Thank you, your Honor.

2 So your Honor, at this time the defense would move for a
3 directed verdict dismissal of the charge. Under Rule 19,
4 there's a failure of complete evidence to prove the charges
5 in the indictment.

6 Your Honor, stating *State v. Heath*, 370 S.C. 326,
7 specifically page 329, quoted, "A defendant is entitled to a
8 directed verdict when the State fails to present evidence of
9 the offense charged." The trial judge should grant a
10 directed verdict motion when the evidence merely raises a
11 suspicion that the accused is guilty. *State versus Irvin*,
12 270 S.C. 539.

13 Even taking the evidence in the light most favorable to
14 the State, I would argue that the State has failed to prove
15 their case.

16 Attempted murder: A person who, with intent to kill,
17 attempts to kill another person with malice aforethought,
18 either express or implied, does commit the offense of
19 attempted murder.

20 It is a specific intent crime. All right, your Honor?
21 *State v. King*. A specific intent to kill with malice
22 aforethought, specifically to kill Ms. Ravenell, that's what
23 the State has to prove. To murder her. To murder her with
24 malice aforethought. I don't think we've heard any statement
25 that has gone towards his actions that he was attempting to

1 murder her.

2 What we have heard is a woman who was potentially
3 assaulted, no injuries; a woman who had threats of violence
4 or murder or threats of harm against her life, threats to
5 commit great bodily injury against her; a woman who then got
6 into her vehicle and proceeded to have malicious injury to
7 personal property committed to her; and then as she left the
8 scene, South Carolina Code 16-23-440(b), discharging a
9 firearm into a vehicle while occupied. Those are the charges
10 that we've heard.

11 I mean, your Honor, you can ask myself or probably any
12 other public defender in this building. If you were to come
13 to our office, I could open up my cabinet and pull out case
14 after case of domestic violence first degree and assault and
15 battery first degree with allegations of one party talking
16 about another of "They threatened to kill me," "They had a
17 gun," or "They had a knife," and the charge is brought as
18 assault and battery first degree or domestic violence first
19 degree. All right? To get to murder, we have to have -- the
20 law demands there is that specific intent to kill.

21 She testified that she gets into the -- you know, as she
22 gets in her car, that he gets on the front of the car. You
23 know, I specifically asked her these questions. Did he pull
24 the gun then? No. He's making these threats to kill her.
25 Did he pull the gun at that time? No. He gets on the car.

1 He's doing damage to the hood, doesn't pull the gun. He gets
2 on the windshield, doing damage to the windshield, doesn't
3 pull the gun. He's already made these threats. Is he firing
4 through the windshield with malice aforethought to kill and
5 murder her? No.

6 It's not until -- she stated he gets off the car. She's
7 seen the gun. She slowly backs down this driveway. She said
8 it was a long driveway. She slowly backs down, being careful
9 of traffic behind her, pulls out, on the phone with 911,
10 proceeds to start pulling away, and that's when pow, pow,
11 pow, she hears the shots. One shot hits the back of her
12 vehicle. Discharging a firearm into a vehicle while
13 occupied. This is not attempted murder.

14 I cannot stress enough that this is a specific intent
15 crime. I do not believe that any evidence is presented that
16 would lead a jury to reasonably believe Mr. Taylor was trying
17 to murder Ms. Ravenell. Threatening to kill her, threatening
18 to intimidate her, threatening to assault her -- all of
19 those, again, would fall under the definition of assault and
20 battery first degree.

21 This idea of create great bodily injury, right? Great
22 bodily injury means bodily injury which causes substantial
23 risk of death or which causes serious permanent disfigurement
24 or protracted loss or impairment of a function of the body.
25 Sure, threat of great bodily injury against her, but there's

1 not that specific intent. What we have heard is zero
2 evidence presented that he was attempting to commit a
3 specific intent crime to commit attempted murder.

4 It regards obviously then, if that charge was not there
5 and it was dismissed, obviously then -- with the
6 classification of "violent offense" -- the weapon --
7 possession of the weapon during the commission of a violent
8 crime would also then go away.

9 So for those reasons, your Honor, I believe that these
10 charges -- it is appropriate to grant a motion for directed
11 verdict.

12 THE COURT: All right. Thank you.

13 State?

14 MS. KOZIK: The Court should deny defense's motion for
15 directed verdict. Viewing all of the evidence in the light
16 most favorable to the State, there has been ample evidence
17 that all of the elements of the charge have been met.

18 As it relates to the defense's argument about specific
19 intent, the specific intent to murder, there is sufficient
20 evidence in the record that the jury can then infer that that
21 specific intent existed. It does -- unlike as defense is
22 saying, it does not have to exist through the entirety of the
23 interaction with Ms. Ravenell. So the fact that he might not
24 have wanted to or that he didn't shoot her through the
25 windshield is irrelevant.

1 The fact that he pulled out the gun, in that moment he
2 had the specific intent to kill her. The only reason to fire
3 a gun at someone is to kill them. And one time is enough,
4 let alone nine times. The nine times -- he emptied the clip
5 at her -- that is enough for the jury to infer that in that
6 specific moment, he had a specific intent to kill
7 Ms. Ravenell as she drove away.

8 So that goes to specific intent to kill. Again, he
9 actually took that step. He didn't just think about killing
10 her. He said he was going to kill her. He took that next
11 step, and he shot the gun nine times. That meets the actual
12 attempt element as well.

13 The malice aforethought, again, I think there is plenty
14 of evidence in the record that this defendant had malice
15 toward Ms. Ravenell. We heard testimony about the argument
16 that the two got into, that he snatched her wig off. He
17 pushed her to the ground. He tried to prevent her from
18 leaving. He head-butted her. He stomped on her car. Again,
19 he told her that he was going to kill her, and then he shot
20 the gun nine times. That is plenty of information, both
21 honestly direct and circumstantial, that he had malice
22 aforethought to kill Ms. Ravenell.

23 To the extent that Ms. Ravenell's credibility is at
24 issue, if credibility is at issue, the directed verdict
25 should not be granted under *State v. Morton*, 263 S.C. 437;

1 overruled on other grounds, like *State v. Evans*. Again, it's
2 a matter for the jury to decide the credibility of
3 Ms. Ravenell at that time.

4 And it goes to -- so for those reasons, I believe that
5 there's a sufficient amount of evidence in the record that
6 the State has met its burden on the elements of this charge
7 sufficient to send it back to the jury.

8 THE COURT: All right. Thank you.

9 MR. D'ANGELO: If I might respond with just one point,
10 your Honor, briefly?

11 THE COURT: Certainly.

12 MR. D'ANGELO: The solicitor stated that at the moment
13 he pulled the gun and pointed it at Ms. Ravenell, he had that
14 malice aforethought. But he didn't, because that's not what
15 the record shows. He pulled that gun. He didn't fire it.
16 She testified she saw that gun, but then she still was able
17 to proceed to back all down that driveway, turn, and start
18 driving away before any shots commenced.

19 That's not -- again, if he had that malice aforethought,
20 as the State is stating, you pull that trigger. You pull
21 that trigger while she's right there, right in front of you,
22 as you pull that gun -- er, as you -- as you pull that gun.
23 He didn't do that.

24 MS. KOZIK: And just to respond briefly to that, it's
25 the State's contention that if he had more time to think

1 about it before he pulled the gun, that's more evidence that
2 this jury can use to --

3 THE COURT: Okay. Thank you.

4 MS. KOZIK: -- infer.

5 THE COURT: No, and certainly in the directed verdict
6 motion I have to look at it in the light most favorable to
7 the State.

8 I have listened to all the testimony. There's kind of a
9 continuum of actions that certainly could lead a jury, by
10 those acts and conduct of the defendant, to naturally and
11 reasonably infer intent, to include the physical altercation,
12 the contact, the head-butt, the damage to the vehicle while
13 she was in the vehicle, firing at the vehicle, firing
14 numerous times, firing at the vehicle and striking the
15 vehicle on the driver's side of the vehicle. I certainly
16 think with all those, the intent to commit -- the specific
17 intent to kill could be reasonably inferred from that
18 testimony.

19 And likewise, once we get over that hurdle, I have to
20 deny it as well as to the firearm during the commission of a
21 violent crime because there's certainly evidence that he was
22 in possession of a weapon at the time the incident took place
23 as well.

24 So I'm going to respectfully deny the motion for a
25 directed verdict. Okay?

1 All right. So do we want to go -- do y'all want to have
2 the questions presented to the defendant regarding his
3 ability or desire to testify at this time?

4 MR. D'ANGELO: Your Honor, I'm sorry. My client had
5 asked me a question. I missed that.

6 THE COURT: No, that's quite all right.

7 No, I want to ask the questions to him regarding his
8 desire to testify to make sure he's on board with it.

9 MR. D'ANGELO: Absolutely. I think this would be an
10 appropriate time to get that done.

11 THE COURT: Okay. I do as well.

12 All right. So Mr. Taylor, stand up. I'm going to put
13 you under oath. Okay?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Madam Clerk, would you put Mr. Taylor under
16 oath.

17 CLERK OF THE COURT: Please raise your right hand.

18 (Defendant sworn.)

19 THE COURT: Okay. All right. You can put your hand
20 down.

21 I'm going to ask you to remain standing. I'm going to
22 tell the lawyers if they want to they can sit down. It's no
23 disrespect to you or to them, but primarily I'm talking to
24 you. All right?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: All right. So Mr. Taylor, at this time I'm
2 going to explain to you certain of your rights. If you don't
3 understand anything I say, you let me know. You can
4 interrupt me and I'll explain it, or you can reach out to
5 your attorney to explain it in more detail.

6 Do you understand?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Okay. All right.

9 We've reached the stage of the trial where you may
10 present a defense. You have the right to claim protections
11 given to you under the Fifth Amendment of the Constitution of
12 the United States that says, in part, no person shall be
13 compelled in any criminal case to be a witness against
14 himself. This means you can't be required to testify in this
15 case. You have the right to testify on your own behalf.
16 However, no one can make you testify. This is a personal
17 right, and no one can waive that right except you.

18 If you decide to testify, you'll be subject to the same
19 rules that govern other witnesses. You may be examined,
20 cross-examined on any relevant issue in the case. In
21 addition, if you have any convictions involving dishonesty or
22 false statement or for crimes punishable by imprisonment of
23 more than one year and this Court determines that the
24 probative value of admitting that charge or that conviction
25 outweighs its prejudicial effect, the solicitor will be able

1 to introduce your record to attack your credibility.

2 If you decide to testify, this decision on your part
3 must be freely and voluntarily and intelligently made, with
4 knowledge of the protections given to you through the Fifth
5 Amendment and the consequences of your decision to testify.
6 If you decide not to testify, I will instruct the jurors that
7 they cannot give the fact that you did not testify any
8 consideration whatsoever, that there's to be absolutely no
9 prejudice to you because you did not testify.

10 It is left entirely up to you whether or not you
11 testify. You may talk to your attorney, family, friends,
12 whoever you need to, but the final decision is left entirely
13 up to you.

14 Do you understand?

15 THE DEFENDANT: Yes.

16 THE COURT: Okay. All right. Do you have any questions
17 about this? Do you need further clarification or
18 explanation?

19 THE DEFENDANT: No. I understand.

20 THE COURT: Okay. Have you discussed this with your
21 lawyer, whether you should testify or not?

22 THE DEFENDANT: Yes, I have.

23 THE COURT: Have you had enough time?

24 THE DEFENDANT: Yes, I have.

25 THE COURT: Do you need any more time to talk to them

1 about your decision?

2 THE DEFENDANT: No, I don't.

3 THE COURT: Okay. All right. And do you wish to
4 testify?

5 THE DEFENDANT: Yes, sir, I do.

6 THE COURT: Okay.

7 All right. So we're going to take a break right now.
8 We probably won't be able to start back until about 1:00.
9 Okay?

10 In the meantime, I will clarify the charge and see if I
11 can get that to y'all to take a look at and see if there's
12 any additions or changes that need to be made in that regard.
13 Okay?

14 All right. Anything else I need to take up?

15 MS. KOZIK: Nothing from the State.

16 THE COURT: All right. All right. I hate -- the timing
17 on it is such I don't want to bring them back in right now --

18 MS. KOZIK: I agree.

19 THE COURT: -- because I think it will be maybe a little
20 bit extended as far as testimony. Unless y'all want to go
21 forward.

22 MS. KOZIK: No. I --

23 MR. D'ANGELO: I'm ready to keep moving forward, your
24 Honor.

25 THE COURT: You ready to keep moving forward?

1 MR. D'ANGELO: Yes, your Honor.

2 THE COURT: As long as we get them out of here at noon
3 so they can get their lunch.

4 MR. D'ANGELO: I mean, we've got about an hour.

5 THE COURT: We have got an hour. Do you think it'll --
6 do you think that will be done?

7 MR. D'ANGELO: I would think so. And then we can keep
8 this case moving.

9 THE COURT: Okay. All right. I wasn't sure about the
10 timing on the motion, so that's why I told them that.

11 All right. They're probably excited about not coming
12 back for a while, but go ahead and tell them to come on back.

13 (The jury entered the courtroom at 11:12 a.m.)

14 THE BAILIFF: All jurors are present, your Honor.

15 THE COURT: All right. Thank you.

16 All right. Ladies and gentlemen, y'all can be seated.

17 I told you I might keep you out there until after lunch.
18 It looks like we're able to move along a little bit quicker
19 than I thought, so we can get some things done before lunch
20 gets here.

21 So the State has rested.

22 Is the defense ready to proceed?

23 MR. D'ANGELO: Yes, your Honor. We are ready.

24 THE COURT: All right. Mr. D'Angelo --

25 MR. D'ANGELO: May it please the Court.

1 THE COURT: -- you can call your first witness.

2 MR. D'ANGELO: Thank you, your Honor.

3 The defense calls Mr. Anthony Patrick Taylor.

4 THE COURT: All right.

5 CLERK OF THE COURT: Will you please raise your right
6 hand and place your left on the Bible.

7 (Witness sworn.)

8 CLERK OF THE COURT: Please take a seat.

9 Please state your full name, spelling your last name
10 loudly and clearly into the microphone.

11 THE WITNESS: My name is Anthony Patrick Taylor. I'm
12 the seventh son of Alvin and Sheila Taylor.

13 ANTHONY TAYLOR,
14 called as a witness on his own behalf, being first duly
15 sworn, was examined and testified as follows:

16 DIRECT EXAMINATION

17 BY MR. D'ANGELO:

18 Q. All right. Anthony, are you nervous this morning?

19 A. That, and I'm just a little upset.

20 Q. Are you ready -- have you been waiting for this
21 opportunity for a long time?

22 A. Yes, for 55 months.

23 Q. Anthony, I want to talk a little bit -- how old are you?

24 A. I'm 41 years old. I'll be 42 in April, the [REDACTED].

25 Q. Where did you grow up?

1 A. I grew up in Mount Pleasant, Whitehall Terrace, for 41
2 years.

3 Q. Is that sort of on the outer skirts of Mount Pleasant?

4 A. That's the last neighborhood and the first neighborhood
5 in Mount Pleasant from Awendaw direction.

6 Q. How was it -- how was it growing up? How was your home
7 life?

8 A. It was a lot of church at first until I, you know,
9 became, like, a teenager. Then I recognized that the
10 neighborhood was pretty much a infected drug neighborhood.

11 Q. Can you talk to the jury -- I mean, what was the -- what
12 was kind of the neighborhood out there like as you were
13 growing up?

14 A. A lot of boys, a lot of guys -- you know, I grew up with
15 a lot of -- all of my brothers -- well, most of them were,
16 like, drug dealers. It was predominantly a drug
17 neighborhood.

18 Q. Drugs -- is it fair to say drugs were kind of
19 commonplace growing up?

20 A. Yes. Yes. Very common.

21 Q. What did you -- as you were growing up, what did you do
22 for work?

23 A. At first, you know, it was a lot of restaurant jobs.
24 You know, the low, low-income positions. A lot of
25 restaurants, auto care service, things like that.

1 Q. You stated your brothers were doing -- were selling
2 drugs?

3 A. Yes. Yes.

4 Q. Did you --

5 A. As I was growing up, yes.

6 Q. Did you start selling drugs?

7 A. Eventually, yes, I started selling drugs.

8 Q. Anthony, I want to kind of push forward and talk about
9 this incident in 2020.

10 In 2020, what were you doing for work?

11 A. Selling drugs.

12 Q. And can you talk a little bit about -- I'm sure we all
13 remember, but what was going on in the world in 2020?

14 A. COVID was very, very rampant at that time. It was very
15 hard to get, you know, drugs at that time because --

16 Q. Well --

17 A. You know, it was very bad.

18 Q. And Anthony, again, that's kind of the next question I
19 want to ask you.

20 Is -- COVID's happening at that time. How was that
21 affecting selling drugs?

22 A. The prices were twice as much. It was very hard to get.

23 Q. Was it easy to find drugs?

24 A. No. A lot of people didn't want to make that type of
25 investment because, you know, the prices were skyrocketing.

1 And from my understanding, the ports were closed at the time,
2 you know, with social distances and things of that nature.
3 So it was very hard to get drugs at that time.

4 Q. And where were you -- you know, I want to make sure
5 we're all understanding.

6 What area are you talking about? Where are you selling
7 drugs in 2020?

8 A. Pretty much in the Ten Mile area -- Whitehall Terrace,
9 Ten Mile area.

10 Q. Are there other people in that area that are selling
11 drugs --

12 A. Yes.

13 Q. -- as well?

14 A. Yes. Multiple people sell drugs in that area.

15 Q. Was COVID affecting how they were selling drugs?

16 A. Yes. Like I said, it was very hard to afford, so most
17 of them couldn't afford it.

18 Q. At that time, Anthony, did you have the ability to be
19 able to have a connection to sell drugs?

20 A. Yes, but only because I could afford it.

21 Q. How did that make other people feel who were selling
22 drugs and struggling, that you're able to still be making
23 money at that time when they're not?

24 A. At the time I didn't really notice, but apparently they
25 were jealous.

1 MS. KOZIK: Objection.

2 THE COURT: Nature of the objection? Grounds?

3 MS. KOZIK: Speculation --

4 THE COURT: All right.

5 MS. KOZIK: -- as to the other people.

6 THE COURT: All right. Yeah, I agree. I'm going to
7 sustain the objection.

8 Don't ask for speculation.

9 MR. D'ANGELO: Understood, your Honor.

10 MS. KOZIK: Move to strike that answer from the record?

11 THE COURT: And the answer is stricken from the record
12 and to be disregarded by the jury.

13 BY MR. D'ANGELO:

14 Q. Anthony, I want to talk specifically about the July 21,
15 2020, incident. Okay?

16 A. Uh-huh.

17 Q. What had you been up to that day?

18 A. I was selling drugs that day.

19 Q. Where were you? Where was it that you would sell drugs?

20 A. At Gregory's house on Gadsdenville Road.

21 Q. And that's the [REDACTED] Gadsdenville Road address that we've
22 heard about?

23 A. Yes.

24 Q. And Gregory -- was there a nickname? How did you refer
25 to Gregory?

1 A. We call him Straightjacket.

2 Q. How long did you know Gregory?

3 A. I've known Straightjacket since I was a teenager.

4 Q. Did you hang out at his house often?

5 A. Yes.

6 Q. Did you get along with his family?

7 A. Yes.

8 Q. How was that relationship?

9 A. His father was a very, very old dude. He had nothing to
10 do with drugs, but he would always -- he was like his
11 caretaker pretty much. He was his caretaker. He was --
12 this --

13 All right. Gregory would get checks. And every first
14 of the month he owed, you know, credit. And that's -- my
15 relationship with him, I'd give him credit, you know, a
16 certain amount of drugs until the first of the month or the
17 third, and he'll pay me or any other, you know, drug dealer.
18 And that's just -- that was pretty much my relationship with
19 him for years.

20 And his daddy would, like, pay the back end if he goes
21 over his amount.

22 Q. Did you sort of try to keep an eye on his father for
23 him?

24 A. Yeah. People in the neighborhood would take that to
25 their advantage, and they would always mean to go over their

1 mark because they know his dad would pay the remaining
2 amount.

3 Q. So that day, again, sort of business as usual on
4 July 21, 2020?

5 A. Yes.

6 Q. And let me ask you, did you have a gun on you that day?

7 A. Yes, I had a gun on me that day.

8 Q. What kind of a gun? What did your gun look like that
9 you had?

10 A. I had a 9-millimeter automatic pistol -- semiautomatic
11 pistol.

12 Q. And what color was that gun?

13 A. It was black.

14 MR. D'ANGELO: Your Honor, permission to approach the
15 evidence?

16 THE COURT: Certainly.

17 BY MR. D'ANGELO:

18 Q. Anthony, I'm showing you what's been marked as State's
19 Exhibit 6. Was this your gun that you had had that day?

20 A. No. That was not my gun.

21 Q. Let me ask, Anthony, what had -- what had you done with
22 your gun that day?

23 A. I did shoot my gun that day.

24 Q. Why did you shoot your gun that day?

25 A. Earlier that day, some of my friends came over, and I

1 had my gun on the porch. And when they -- when one in
2 particular approached the porch, he was like, "Oh, that's a
3 nice gun." You know what I mean? Like -- you know, he was
4 like, "You ever shot it off?" And I'm like, "No, I never
5 shot it off." It was actually a brand new gun. I just got
6 the gun maybe two weeks prior. You know what I mean? But
7 other people did see the gun.

8 Q. And I want to be clear. When you're talking about the
9 porch, where are we talking about?

10 A. On Greg- --

11 Q. What house?

12 A. On Gregory's porch.

13 Q. Okay. And what time of day are we talking about? What
14 timeframe is this?

15 A. Early. Like maybe 12:00 that day.

16 Q. And how did you fire that gun off?

17 A. Right out -- like stepping right off the porch. I fired
18 in the yard three times in the air. Specifically three times
19 in the air.

20 Q. Did your gun still have bullets in the magazine?

21 A. Yes. It had six more bullets.

22 Q. Did you have that gun all day, or had other people had
23 that gun?

24 A. No. I gave -- I eventually gave it to my friend who
25 asked me for it. I gave it to him. You know, he's my

1 homeboy. I had no reason to, you know, check the gun when he
2 gave it back to me. I just took it back and put it in my
3 waistline.

4 Q. I want to talk a little bit about that day and
5 Ms. Ravenell.

6 How do you know Ms. Ravenell?

7 A. I've known Debbie for -- since I was a teenager. I've
8 known Debbie for at least 25 years.

9 Q. What's y'all's relationship?

10 A. She smoke crack.

11 Q. Have you sold her drugs?

12 A. Yes. I have sold her drugs the whole 25 years.

13 Q. On July 21, 2020, had you seen Ms. Ravenell that day?

14 A. No.

15 Q. Had she ever been to Straightjacket's house while you
16 had been there?

17 A. No.

18 Q. Did you have any ill will towards her?

19 A. No.

20 Q. Did you ever want to kill her?

21 A. No.

22 Q. Was she a good customer to you?

23 A. Yes.

24 Q. I want to ask, you being able to sell drugs at that
25 time, how did that make -- again, how did others interact

1 with you then?

2 A. Good. They be real good.

3 Q. Did you shoot at Debbie Ravenell that day?

4 A. No.

5 Q. What -- do you believe that someone has set you up?

6 A. I know someone set me up.

7 Q. Why do you believe or know that someone has set you up?

8 A. At the time of my arrest, when I went to bond hearing,
9 that's when I found out I was set up because I heard Debbie's
10 background voice in the background saying that someone
11 assaulted her and head-butted her and --

12 MS. KOZIK: Objection as to what she said.

13 THE COURT: Grounds?

14 MS. KOZIK: Hearsay at that point in time.

15 THE COURT: I'm not sure if I'm following. Y'all come
16 on up.

17 (An off-the-record discussion was held at the bench in
18 the presence of the jury but outside the hearing of the
19 jury.)

20 THE COURT: Okay. Go ahead, Mr. D'Angelo.

21 MR. D'ANGELO: Thank you, your Honor.

22 Q. [By Mr. D'Angelo] And again, Anthony, let me repeat the
23 question.

24 Again, why is it that you felt you were set up?

25 A. I learned that morning at bond hearing when Debbie

1 fabricated a story about me that wasn't true.

2 Q. And why do you know that it wasn't true?

3 A. Because it never happened.

4 Q. Why would someone want to set you up?

5 MS. KOZIK: Objection.

6 THE COURT: Sustained.

7 THE WITNESS: Because they wanted my --

8 MS. KOZIK: Objection.

9 THE COURT: No. No. No. I sustained the objection, so
10 that means --

11 THE WITNESS: Oh.

12 THE COURT: -- don't answer. He'll ask you another
13 question.

14 THE WITNESS: Oh, okay. Sorry.

15 THE COURT: That's all right.

16 BY MR. D'ANGELO:

17 Q. Did people want what you had?

18 A. Yes.

19 MS. KOZIK: Objection.

20 THE COURT: All right. I'll sustain the objection.

21 MS. KOZIK: Move to strike.

22 THE COURT: Strike the answer.

23 BY MR. D'ANGELO:

24 Q. I want to ask, Anthony, at what point -- did you
25 eventually leave Straightjacket's house that day?

1 A. Yes, I did. Maybe around, like, 5:00.

2 Q. Where did you go?

3 A. Me and my friend -- me and my friend went to the gas
4 station -- the Sewee Outpost gas station. We got some drinks
5 or whatever, and then we came back.

6 Q. Did you ultimately go home?

7 A. No. Actually, I went back to Straightjacket's house for
8 maybe a second, and then we went to my mother's house.

9 Q. Okay. And who's "we"? How did you get to your mom's
10 house?

11 A. My driver, Trey.

12 Q. Okay. And what was your driver -- what type of vehicle
13 were you in?

14 A. A blue Suburban.

15 Q. Okay. Where was your mom's house? You know, how far
16 away are we talking?

17 A. Maybe a quarter-mile.

18 Q. And ultimately, when you got to your mom's house you
19 were arrested?

20 A. I was arrested, yes.

21 Q. I want to ask you about this gun, Anthony. Okay?

22 A. Mm-hmm.

23 Q. Before you had me as your lawyer, did you have a
24 different lawyer?

25 A. Yes. I forget his name. I forgot his name, but yes, I

1 had a different lawyer.

2 Q. With him did you plead to a gun charge?

3 A. Yes, I did.

4 Q. Why did you plead to a gun charge?

5 A. I was made to believe that the gun that I had was my
6 gun.

7 Q. And what do you mean by you were "made to believe" the
8 gun was your gun?

9 A. He did not give me any details that the gun that I
10 described to him, that I told him I had, was not the same gun
11 that was found in the car.

12 Q. What kind of details did you give him?

13 A. I told him that my gun specifically had six bullets in
14 the gun. Specifically. I repeated that multiple times to
15 him. I told him that I shot the gun three times in the air.

16 Q. When you pled guilty to that charge, where were you?
17 Were you in a courtroom?

18 A. No. I was still at the jail. They were doing, like,
19 screen -- screen stuff. Like, they were, like, on the
20 screen. I would talk through the screen, and we would do it
21 like that because of COVID.

22 Q. So because of COVID you weren't brought to a courtroom?

23 A. Right. Exactly.

24 Q. Did you have your lawyer standing there with you?

25 A. No.

1 Q. And again, Anthony, why do you know that the gun in this
2 case is not yours?

3 A. Because that's not my gun.

4 Q. Have you been consistent with your story since the
5 beginning?

6 A. Since the time I got locked up.

7 Q. And then we heard two jail calls here. Can you tell the
8 jury, who were those people that you were talking to?

9 A. My mother and my brother.

10 Q. What date were those jail -- or when did you make those
11 phone calls?

12 A. As soon as when I heard the bond. As soon as at the
13 bond hearing when I heard Debbie.

14 Q. July 22 was the next day, right?

15 A. Yes.

16 Q. And what were you telling -- on those jail calls, what
17 were you telling your family?

18 A. I was telling them I did not shoot at Debbie. Debbie
19 was not even there.

20 Q. Anthony, had you seen Debbie Ravenell on the day of
21 July 21, 2020?

22 A. No.

23 Q. Did you wish her any harm?

24 A. No.

25 Q. Did you ever wish her any harm?

1 A. No. I loved Debbie. That was my longtime friend.

2 Q. Have you been truthful to the Court today?

3 A. Yes, I have.

4 Q. Have you been adamant to me about wanting to present
5 your statement?

6 A. Yes, I have.

7 Q. Anthony, did you try to kill anyone on July 21, 2020?

8 A. No, sir.

9 MR. D'ANGELO: Anthony, that's all the questions I have
10 for you at this time. Please answer any questions from the
11 State. Okay, bud?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: All right. Cross-examination?

14 MS. KOZIK: Yes, your Honor.

15 Before I begin cross-examination, can we approach the
16 bench briefly?

17 THE COURT: Certainly.

18 (An off-the-record discussion was held at the bench in
19 the presence of the jury but outside the hearing of the
20 jury.)

21 CROSS-EXAMINATION

22 BY MS. KOZIK:

23 Q. Good -- it's still morning, Mr. Taylor.

24 So you just admitted to the jury that you're a drug
25 dealer?

1 A. Yes, ma'am.

2 Q. You're a drug dealer and you're a convicted felon; is
3 that right?

4 A. Yes, ma'am.

5 Q. And you pled guilty to possessing a gun in this case,
6 right?

7 A. Yes, I pled guilty to possessing a gun.

8 Q. In fact, you stipulated in this case that you possessed
9 the .40-caliber Glock 22 firearm that was located in the
10 Chevrolet; is that right?

11 A. Yes, that is correct.

12 Q. And you fired a gun in this case, right?

13 A. Yeah, I did fire a gun. My gun.

14 Q. You fired your gun?

15 A. Yes, ma'am.

16 Q. And you said you also had a black gun?

17 A. Yes, I did.

18 Q. A black semiautomatic gun?

19 A. It was a 9-millimeter semiautomatic, yes.

20 Q. So looking at July 21, 2020, you said you went to
21 Straightjacket's house that day?

22 A. Yes, I did.

23 Q. To sell drugs?

24 A. Yes.

25 Q. And you had a gun with you at that time?

- 1 A. Yes, I did.
- 2 Q. And did you say you shot it in the air?
- 3 A. Yes. Specifically three times.
- 4 Q. And then you just gave that loaded gun to a friend?
- 5 A. A very, very good friend of mine. A longtime friend.
- 6 Q. And then you took it back?
- 7 A. I'm supposed to. I had no reason not to.
- 8 Q. And you didn't see him -- you didn't see him fire the
- 9 gun?
- 10 A. He never fired my gun.
- 11 Q. He never fired your gun?
- 12 A. No.
- 13 Q. So you fired three shots?
- 14 A. Yes, specifically.
- 15 Q. And you did not see him fire the gun?
- 16 A. He never fired my gun.
- 17 Q. And then you took it back?
- 18 A. Yes. I don't see why not.
- 19 Q. Okay. And you took it back and you left
- 20 Straightjacket's house?
- 21 A. No. I probably hang out for a little while and then I
- 22 left Straightjacket's house. I eventually left, yes.
- 23 Q. Okay. With your gun?
- 24 A. Yes. With the gun I thought was my gun.
- 25 Q. So you took back -- you took something that wasn't your

1 gun?

2 A. Apparently, yes.

3 Q. So you're saying you switched it with this other person?

4 A. Yes. I had no reason to look at the gun. I just -- you
5 know, I was talking to my other homeboys and, you know, he
6 tried to hand me back my gun, so I took the gun and I put it
7 in my pocket. You know, I had no reason to look at it and
8 observe it.

9 Q. But when you -- after you gave him the gun, again, you
10 never saw him fire it?

11 A. He never fired my gun. He never fired my gun.

12 Q. And you didn't see him fire any gun?

13 A. No.

14 Q. And then you said you left at 5:00 or so?

15 A. Yes.

16 Q. But you happened to come back, right?

17 A. Yes.

18 Q. Okay. What did you do between 5:00 and whenever you
19 came back?

20 A. What do you mean? Oh, I went to the gas station.

21 Q. Went to the gas station and did what?

22 A. We got some things at the gas station. I got a beer.

23 Q. You got a beer?

24 A. Yeah. I got a 211, like a strawberry, blueberry, two
25 lemon.

1 Q. Okay. And it was July, so obviously in South Carolina
2 it was hot?

3 A. Yeah.

4 Q. Was it cold beer?

5 A. Yes.

6 Q. On a hot day in South Carolina, did that cold beer have
7 any condensation?

8 A. Like, what do you mean by "condensation"? What's that?

9 Q. You know, when there's kind of sweat beads on the
10 outside of a can.

11 A. I'm pretty sure it did.

12 Q. Did you touch any other items in the gas station?

13 A. I mean, I shot the gun about 12:00 that day. I'm pretty
14 sure I done did multiple things that day --

15 Q. Okay.

16 A. -- before I even got the beer.

17 Q. But then it's your testimony that you just happened to
18 go back to Straitjacket's just for a minute, right?

19 A. I just wanted to drop off some drugs or whatever.

20 Q. Okay.

21 A. I didn't want to drive dirty.

22 Q. And you didn't see Debbie there?

23 A. No. Debbie was never there.

24 Q. All right. You never saw her a single time?

25 A. No.

1 Q. She would have to be making it entirely up that she saw
2 you that day?

3 A. Yes. That's exactly what she did.

4 Q. All right. Let's talk about the jail calls.

5 So you made a number of jail calls after you were
6 arrested?

7 A. Okay.

8 Q. Is that right?

9 A. Yes.

10 Q. And you didn't know -- you -- didn't you tell your
11 mother that you didn't remember what had happened?

12 A. If I told my mother I didn't remember what happened?

13 Q. Mm-hmm.

14 MR. D'ANGELO: Objection. Relevance, your Honor. If we
15 could approach?

16 THE COURT: All right. Approach.

17 (An off-the-record discussion was held at the bench in
18 the presence of the jury but outside the hearing of the
19 jury.)

20 MR. D'ANGELO: Move to strike the question, your Honor.

21 THE COURT: All right. The answer -- the question and
22 answer is stricken.

23 BY MS. KOZIK:

24 Q. Now, you knew you were being recorded on jail calls,
25 right?

1 A. Yes.

2 Q. You knew the government can listen to it?

3 A. Yes.

4 Q. You know that they frequently do listen to them, right?

5 A. Frequently, yes.

6 Q. And they can use -- that's how they would know what
7 happened, right? Because of what you tell them through the
8 calls?

9 A. Yes.

10 Q. And in the calls, you heard someone say that they found
11 the gun, right?

12 A. Yes. My brother.

13 Q. Your brother told you that they found the gun?

14 A. At the time, I thought that that was my gun.

15 Q. And you said you might have shot the gun into the
16 ground, right?

17 A. I told him the ground or the air.

18 Q. Right. You said ground -- here you said three straight
19 up in the air, right?

20 A. Yes.

21 Q. But the day after, you said you might have shot at the
22 ground?

23 A. Even if I did, I still didn't shoot at Debbie. That's
24 what I told him.

25 Q. But again, here today you're saying --

1 A. I shot three times.

2 Q. -- you shot three times in the air?

3 A. I did shoot three times in the air.

4 Q. But the day of -- er, the day after, you said you might
5 have shot at the ground?

6 A. I was insinuating to him that even if I did shot in the
7 ground, I still didn't shoot at Debbie.

8 Q. But in that instance, you weren't telling your mom that
9 Debbie wasn't there. You told your brother later that Debbie
10 wasn't there. Right?

11 A. Yeah. See, my brother -- just like I said, my brothers
12 used to be drug dealers, so they know Debbie. My mama, she's
13 -- my mom is -- she sew baskets. You know what I mean?
14 She's churchgoing. She don't know Debbie. My brothers know
15 Debbie. So I can tell him specifically "Debbie" and he would
16 know.

17 Q. So again, it's your testimony here today that Debbie had
18 to make all of this up for any of this to be true?

19 A. She was persuaded by others.

20 MS. KOZIK: Objection. It's a yes-or-no question.

21 THE WITNESS: Yes.

22 THE COURT: You asked the question. That's the answer.

23 MS. KOZIK: Okay. No further questions.

24 THE COURT: All right. Any redirect?

25 MR. D'ANGELO: Briefly, your Honor.

1 A moment, your Honor?

2 REDIRECT EXAMINATION

3 BY MR. D'ANGELO:

4 Q. Anthony, have you been truthful with this Court?

5 A. Yes, I have.

6 Q. Have you been truthful with this jury?

7 A. Yes, I have.

8 Q. Have you been telling the same story since day 1?

9 A. Since day 1. Since I got locked up.

10 Q. Is that the story you told your mom?

11 A. Yes.

12 Q. Is that the story you told your brother?

13 A. Yes.

14 MR. D'ANGELO: No further questions, your Honor.

15 THE COURT: All right. You can step down.

16 (Witness excused.)

17 THE COURT: All right. Anything further from the
18 defense?

19 MR. D'ANGELO: Nothing further, your Honor. Defense
20 rests.

21 THE COURT: Okay. All right. Well, that was good
22 timing. Thank y'all.

23 At this point in time, again, we have matters to take up
24 outside y'all's presence. And this will coincide with the
25 lunch break as well. So I would expect for us to be back

1 around 1:00 is my plan.

2 So y'all are excused until then. Again, same admonition
3 not to start discussing any aspects of the case.

4 Thank y'all.

5 (The jury was released for lunch and exited the
6 courtroom at 11:43 a.m.)

7 (The following proceedings were had outside the presence
8 of the jury.)

9 THE COURT: All right. Y'all can be seated.

10 All right. So I will finish reviewing the -- my draft
11 of the charges and the verdict form. I'll share that with
12 y'all when we have a charge conference to review that and
13 make sure that there's nothing else that y'all want or any
14 corrections that need to be made. Let's plan on doing that
15 in about an hour, at about a quarter to 1:00. All right?

16 I will after -- in the meantime, I will try and get a
17 copy of the proposed charges to y'all. Okay?

18 MS. KOZIK: Thank you.

19 THE COURT: At the latest, it will be when y'all get
20 here, but I'd prefer to get it to you beforehand so you can
21 look at it. But maybe closer to the end. Okay?

22 MS. KOZIK: Okay.

23 THE COURT: All right.

24 MS. KOZIK: Thank you, Judge.

25 MS. BOZARTH: Thank you, your Honor.

1 THE COURT: Anything else I need to address from the
2 defense?

3 MS. KOZIK: Did you get our proposed verdict form?

4 THE COURT: Got it right here. Yeah.

5 MS. KOZIK: Okay. There it is.

6 THE COURT: All right. Anything further from the
7 defense at this point?

8 MR. D'ANGELO: Nothing further from defense, your Honor.
9 Thank you.

10 THE COURT: From the State?

11 MS. KOZIK: Nothing from the State.

12 THE COURT: Okay. All right. I'll see y'all in about
13 an hour.

14 (Court recessed.)

15 (Court resumed outside the presence of the jury.)

16 THE COURT: Good afternoon. Everybody have a seat.
17 Thank you.

18 All right. Y'all got a copy of the proposed charge and
19 verdict form?

20 MR. D'ANGELO: Yes, your Honor.

21 MS. KOZIK: Yes, your Honor.

22 THE COURT: And that pretty much tracks all of the
23 standard stuff, including the lesser-included offense. I
24 think there was only one additional one regarding
25 identification that I probably hadn't included originally.

1 But that is certainly appropriate, so that is in as well.

2 Y'all need more time to look at it?

3 MR. D'ANGELO: From the defense, your Honor, no. We
4 both had a chance. We read through the whole thing. I think
5 it's appropriate.

6 THE COURT: Okay.

7 MR. D'ANGELO: I have no objections to this. I think
8 it's --

9 THE COURT: All right.

10 MR. D'ANGELO: -- perfect.

11 THE COURT: From the State?

12 MS. KOZIK: From the State, we've been reading it over
13 and we think that in the "Attempted Murder" section, there
14 should -- malice I think we hit on on the third bullet point,
15 but I don't know if there's much specifically else about
16 malice beyond that.

17 We would request that otherwise an instruction to the
18 effect of, "Malice aforethought does not require that malice
19 exists for any particular time before the act is committed,
20 but malice must exist in the mind of the defendant just
21 before and at the time the act was committed. Therefore" --
22 essentially it's just hitting on the timing that it doesn't
23 have to be this long lying-in-wait situation, and it can be
24 momentarily before the act happened.

25 THE COURT: All right. And where's your support for

1 that? Do you have a charge? Do you have a case with some
2 language I can look at to support that beyond what we've got
3 here?

4 MS. KOZIK: Yeah. We emailed -- this is in what we
5 emailed you this morning, which I believe comes from another
6 judge's charge book. It also tracks, I believe, the
7 attempted murder from Anderson's South Carolina simple
8 charge 2-2. I don't have a specific case with that at the
9 moment. I can find one.

10 THE COURT: All right.

11 MS. KOZIK: But I mean, I think it's a general principle
12 of -- a generally known principle that malice doesn't have to
13 be anything more than in the act.

14 THE COURT: I may not -- was that part of the copies
15 that you gave me?

16 MS. KOZIK: We emailed them to your clerk.

17 THE COURT: Oh, yeah. Okay. He may have printed them.
18 I may not have brought those.

19 Did you look at those, Mr. D'Angelo?

20 MR. D'ANGELO: I'm reading it. That's why my phone is
21 out. I apologize to the Court, your Honor.

22 THE COURT: It's okay.

23 MR. D'ANGELO: Oh, perfect. The State has it.

24 MS. KOZIK: I do have a case. It's fairly older, but I
25 can whenever you're ready.

1 THE COURT: All right. So I'm looking at your paragraph
2 where it says, "Malice is hatred, ill will, or hostility
3 towards another person," which I think we had --

4 MS. KOZIK: Yes.

5 THE COURT: -- included already.

6 MS. KOZIK: It's there, your Honor.

7 THE COURT: An intentional act, and the other part that
8 it just caused -- causing injury, that's included already.

9 MS. KOZIK: Yes.

10 THE COURT: "Malice aforethought does not require that
11 malice exists for any particular time before the act is
12 committed, but malice must exist in the mind of the defendant
13 just before and at the time the act is committed."

14 And that is not included; is that what you're saying?

15 MS. KOZIK: I don't believe anything to that effect is
16 included, but please correct me if --

17 THE COURT: I think you're probably right.

18 And the "express or inferred," that is included, I
19 believe. It follows that.

20 MS. KOZIK: I looked up there as it relates to the
21 specific intent.

22 THE COURT: Yeah, and some of these flow over from one
23 to the other.

24 All right. So let's scroll back up there.

25 All right. I'm going to include the "Malice

1 aforethought does not require malice exists for any
2 particular time before the act is committed, but malice must
3 exist in the mind of the defendant just before and at the
4 time the act is committed. Therefore, there must be a
5 combination of previous intent and" -- "evil intent and the
6 act."

7 So all right. We'll insert that in the middle of the
8 part of "Attempted Murder." I'm not going to reprint the
9 entire thing. It's not going to go back to the jury in any
10 event. I will ask you to return those to me. I'll add that
11 paragraph in the middle of the "Attempted Murder" statute and
12 add that bullet point. Okay?

13 Any objections or exceptions other than that?

14 And thank you for pointing that out. That's an accurate
15 statement of the law.

16 So anything further?

17 MS. KOZIK: The only other issue further from the State
18 is under the fourth bullet point under "Reasonable Doubt."
19 The Court here finds reasonable doubt as being defined as the
20 kind of doubt that would cause a reasonable person to
21 hesitate to act. And what we sent your clerk earlier, it's
22 out -- you requested the instruction that "Reasonable doubt
23 is when you're firmly convinced that the defendant is guilty
24 of the crime charged. At that point, you must find the
25 defendant guilty."

1 So slight difference, but that's the State's request.

2 THE COURT: All right. Tell me that again. I'm not
3 sure I followed that.

4 MS. BOZARTH: Your Honor, with regard to the charge as
5 the "Reasonable Doubt" charge, we submitted the charge that
6 for -- the standard for beyond a reasonable doubt. Instead
7 of the one that is "would cause a reasonable person to
8 hesitate to act," we're asking for the charge that is for
9 "firmly convinced." And so what we submitted your Honor
10 under --

11 THE COURT: All right. This one's got both, right?

12 MR. D'ANGELO: Correct.

13 MS. BOZARTH: This --

14 MR. D'ANGELO: So it starts with "firmly convinced," and
15 then finishes with "hesitates to act."

16 THE COURT: Yeah, so it's got both. So we'll leave that
17 one.

18 MR. D'ANGELO: Yeah, that's sort of the standard
19 language.

20 THE COURT: Doesn't it have both of them?

21 MS. KOZIK: And it's just the State's position that only
22 the first sentence should be read, not the second sentence.

23 THE COURT: Okay. All right. Yeah, I will leave both
24 of them. I think that the -- both sentences are correct
25 statements of the law, and I'll leave both of those in.

1 And for our record, the charge relative to reasonable
2 doubt, the sentence in the proposed charge is "Proof beyond a
3 reasonable doubt is proof that leaves you firmly convinced
4 that the defendant's guilty. Reasonable doubt has also been
5 defined as the kind of doubt that would cause a reasonable
6 person to hesitate to act." And the State's requesting that
7 the second sentence be excluded, and I'm declining to do
8 that.

9 Is that a correct statement?

10 MS. KOZIK: That's correct.

11 THE COURT: All right.

12 All right. What else? Anything else?

13 MR. D'ANGELO: Nothing from me, your Honor. We have no
14 objections to those.

15 THE COURT: All right. And y'all are ready for closing
16 statements?

17 MR. D'ANGELO: Absolutely, your Honor.

18 MS. KOZIK: Yes.

19 THE COURT: Okay.

20 MS. KOZIK: Madam Clerk, could you just switch the -- so
21 it's ready.

22 THE COURT: All right. All right. Are we ready to
23 bring the jury back in?

24 All right. Let's bring our jury back in.

25 THE BAILIFF: Yes, your Honor.

1 THE COURT: Do either one of y'all -- er, y'all going to
2 hold the weapon during closing statement?

3 MR. D'ANGELO: I was planning on it.

4 THE COURT: All right.

5 MR. D'ANGELO: I was just going to hold the box, your
6 Honor. And that's all I was going to do.

7 THE COURT: Yeah, hold the box. Be mindful of the
8 safety factor and where it's pointed.

9 MR. D'ANGELO: Absolutely.

10 MS. KOZIK: Yes, Judge.

11 THE COURT: And -- yeah.

12 MR. D'ANGELO: The way I had been kind of throughout
13 this trial holding that, that's just how I was going to do
14 it.

15 THE COURT: You have, and I recognize that. But yeah,
16 just don't get too close.

17 MR. D'ANGELO: Absolutely.

18 THE COURT: Okay?

19 (The jury entered the courtroom at 1:17 p.m.)

20 THE BAILIFF: All jurors are present, your Honor.

21 THE COURT: All right. Thank you.

22 Everyone be seated. Thank y'all.

23 And Mr. D'Angelo, the defense has rested; is that
24 correct?

25 MR. D'ANGELO: That is correct, your Honor.

1 THE COURT: Okay.

2 All right, ladies and gentlemen. I hope y'all had a
3 good lunch.

4 The State has rested their case. The defense has rested
5 their case. It's the time in the trial we're going to hear
6 from the attorneys with what is referred to as the closing
7 arguments. You'll hear from them, and then that will be
8 followed by my charge on the law.

9 So I'll be happy to hear from you.

10 (PowerPoint presentation displayed on screen in open
11 court.)

12 MS. KOZIK: May it please the Court.

13 Ladies and gentlemen of the jury, this is a case about a
14 drug dealer that flew into a blind rage when Ms. Debbie
15 Ravenell threatened to call the police and bring them to his
16 place of business on July 21, 2020, and bring them to where
17 he was selling drugs. The defendant's blind, escalating
18 anger almost cost Ms. Ravenell her life that day.

19 After he pushed her, after he snatched her wig off her
20 head, after he head-butted her, after he jumped onto her car,
21 stomping out the windshield, he attempted to murder her by
22 firing nine shots at her car as she fled for her life. This
23 case is one of those that it is exactly as it appears.

24 Now, we're going to get to the facts a little bit more
25 in just a second here, but first I did want to start off and

1 truly thank you for your service here this week. I know it's
2 not easy taking time out of your life to come serve as a
3 juror, but I want to thank you on behalf of myself and my
4 co-counsel. Without you doing this service, as Judge Van
5 Slambrook has said, our great justice system would come to a
6 crashing halt. And that's why your role is so important.

7 Again, your role is to decide the facts here -- what
8 happened -- using your common sense like you would in your
9 everyday life, weighing people's credibility and determining
10 what happened. The judge's role is to instruct you on the
11 law. And he's done that some throughout the trial, but he's
12 going to do that a little bit more later. So listen
13 carefully to him later.

14 My role has -- and my co-counsel's role here throughout
15 this trial has been to present you the evidence. And we do
16 so in light of certain rules in court. So if you've heard
17 objections or had to leave the courtroom, that's all that
18 was. We weren't trying to hide anything. It's just we have
19 to follow certain rules to make sure you hear what you need
20 to hear.

21 Right now, my role is to kind of go back over that
22 evidence, summarize everything we've heard, put a little bow
23 on it, and explain how we know that Anthony Taylor attempted
24 to murder Ms. Debbie Ravenell.

25 So let's talk about what happened.

1 Ms. Ravenell went over to her friend Straightjacket's
2 house. It's -- as you see, this is Exhibit 12. It's just
3 off Highway 17 on Gadsdenville Road. It was in the middle of
4 COVID. She was going over to check on him. As she
5 testified, people were dying every day. She was checking on
6 her friends. And she went over there to give him \$10 and a
7 cigarette.

8 When she pulled up, the defendant -- who she knew. She
9 knew him as G or G5. Knew him for years. The defendant
10 testified that they had known each other for years. She saw
11 him up on the porch.

12 This is Exhibit 2B. And this, again, is the driveway of
13 [REDACTED] Gadsdenville Road. Ms. Debbie Ravenell parked her car
14 about here -- you can see that gate right on the right -- and
15 saw who she knew as G or G5, the defendant, up on the porch
16 with Gregory Singleton, or Straightjacket. G5 -- G or G5
17 came down to her to say hello. And she -- instead of getting
18 out of the car, she decided to just give him the money and
19 have him take it up to Straightjacket.

20 When he got back to the porch, she noticed he didn't
21 give the money to Straightjacket. He pocketed it for himself
22 and told her that Straightjacket owed him. I think she told
23 you that he called him her bitch and made him sit down. He
24 wouldn't give Straightjacket the money.

25 And that's consistent with the defendant's own

1 testimony. The defendant testified that Straightjacket, or
2 Gregory Singleton, used to buy drugs from him on credit and
3 he would only pay him at the beginning of the month. This
4 was July 21. It was the end of the month. Gregory Singleton
5 owed him money. So again, this -- her testimony here is
6 consistent with the defendant's own testimony.

7 Now, after the defendant refused to give her the money
8 back, refused to give Straightjacket the money, Ms. Ravenell
9 threatened to call the cops. You met Ms. Debbie Ravenell.
10 She does not suffer fools. She's a strong-willed woman. She
11 does not stand for nonsense, and she was not going to let him
12 get away with that. So when she threatened to call the cops,
13 he knew her. He knew she meant it.

14 And that's when he flew off the handle because this was
15 where he was selling drugs. This was his -- he testified
16 that this is where he often sold drugs. If the cops came
17 here over Ms. Ravenell's little spat over this \$10, it would
18 blow up his whole operation. They would come and they would
19 find him with drugs, with a gun that he's not allowed to
20 possess because, like, he's a convicted felon. It would blow
21 up everything.

22 So that's why he lost it, flew into a blind rage,
23 snatched her wig off of her head, and threw it to the ground.
24 When she bent over to pick it up, he pushed her down and ran
25 to her car to try to make sure she couldn't escape. He tried

1 to take her keys, take her phone, make sure she couldn't call
2 911.

3 When she tried to get him out of the car and get back in
4 her car herself, he head-butted her. It was only with the
5 help of another individual to pull him off of her to let --
6 that allowed her to get into the car. And in fact, he had
7 used such force he had broken off the fob of the key in her
8 car. The only thing that remained was the actual key
9 ignition itself. So she was able to drive away, luckily.

10 But before she was able to do so, G, the defendant, got
11 away from the person who was holding him. Like she
12 testified, he was acting like a Tasmanian devil. He jumped
13 on her car and stomped on it repeatedly, trying to get at
14 her. Luckily the windshield held that day, but he jumped off
15 the car as she was backing up. As she was backing up, that's
16 when she saw something shiny in his hand that in her brain
17 she knew to be a gun.

18 Now, the defense has made a lot of issues about her
19 saying it was a silver gun. This was an incident five years
20 ago with a lot happening in this moment. She was being
21 attacked. She was trying to call 911. She was trying to
22 reverse her car. She was trying to get out of there. She
23 was trying to observe what was going on. She can be forgiven
24 for getting one detail wrong. In her brain, she saw
25 something shiny that she knew to be a gun. And that was

1 confirmed when, as she was driving away, she heard that pop,
2 pop, pop, pop. That's when she knew that it was a gun.

3 And ladies and gentlemen, the defendant fired at her
4 nine times. There's only one reason to fire a gun at another
5 human being, and that is to kill that person. One time is
6 attempted murder. But nine times? Nine times is certainly
7 attempted murder. He emptied the clip. There was nothing
8 left to shoot at that point. There is no other inference to
9 make other than he was trying to kill her in that moment.

10 Now, Ms. Ravenell was able to flee away for safety to a
11 couple streets -- er, excuse me, a street down. You can kind
12 of see it here. It's -- that green underline there is Paul
13 Swinton Road. That's where she fled to safety to try and
14 find someone else to help her.

15 From that area, she moments later saw the defendant
16 drive in the -- get into that blue Suburban and drive away
17 down towards those residential streets. A few minutes later,
18 Deputy Reuter, who you heard from, was flagged down by the
19 victim.

20 And I should mention that through all of this, the
21 defendant -- er, I mean Ms. Ravenell was on the phone with
22 911. She called 911. She told them he was shooting at her
23 and to send police. So that's why the police came. Moments
24 later, they came. They were on scene within four or five
25 minutes, and Ms. Ravenell flagged them down and immediately

1 told them -- gave him them a description of the car she had
2 just seen him leave in.

3 Deputy Reuter went off to try and find that car. He
4 drove past the house, down towards those residential streets,
5 like he testified, trying to find that car. He was
6 ultimately unable to, called out a BOLO for the description
7 of the car she had just given them to Mount Pleasant Police,
8 and went back to the scene to start to process it.

9 At that point on the scene, him and some other
10 deputies -- including Deputy Moore, who you heard from --
11 they found nine shell casings right in the roadway, right
12 where Ms. Ravenell said they were going to be. She was very
13 clear. He didn't fire the gun up on the driveway. It was
14 right after she got onto Gadsdenville Road as she was trying
15 to drive away to flee from him. That's where the shells
16 were. And there were nine .40-caliber shells. There was not
17 a single 9-millimeter shell collected there.

18 And that's when the story picks back up with Officer
19 Stafford, who pulled over a -- based on that BOLO out to
20 Mount Pleasant Police, pulled over that blue Suburban about a
21 half-mile away roughly 35 minutes later. In that car that
22 the defendant was sitting in the passenger seat was the Glock
23 model 22 .40-caliber handgun, sitting right next to him, that
24 fired -- that the SLED ballistics expert you heard from this
25 morning confirmed fired those nine shots at Gadsdenville

1 Road.

2 The defendant agrees -- he stipulates that he possessed
3 that gun. He pled guilty to possessing that gun, that gun
4 that he had 30 minutes or so after the shooting. He's now
5 trying to claim suddenly that that's not his gun, but we know
6 that it is.

7 That story -- that story he sat here and told you
8 doesn't make any sense. That he handed -- that he happened
9 to fire his gun that morning and then he handed his loaded
10 9-millimeter gun to a friend, unnamed, and then somehow was
11 given back a different gun, this gun, according to him, a
12 larger .40-caliber gun that's unloaded. Different size,
13 different weights, but he didn't notice, according to him.
14 Now, is that believable? I don't think it is.

15 He not only was given the gun and he said he put it in
16 his waistband, but he got into that car and he took the gun
17 out and put it in the passenger seat. He saw it then too.
18 His story doesn't make any sense. What makes sense is that
19 it's his gun and he fired it. Like you heard him testify and
20 like you heard on the jail calls, he fired that gun. And it
21 wasn't the other person in the car's gun. It was his gun.

22 And just to talk about the jail calls for a moment, they
23 were the day after the shooting. And you can hear him almost
24 in real time trying to come up with a story. Talking to his
25 mom, he went, "Maybe I fired it up in the air. Maybe I fired

1 it down in the ground." There is no evidence of that.
2 There's no evidence that he fired at the ground. Okay. So
3 to account for that today, it's only up in the air.

4 And then he doesn't say anything about Ms. Debbie
5 Ravenell not being at the scene. That's not until the next
6 call. So now he's thinking about it more, and now Ms. Debbie
7 isn't even there. That's the story. He fired a gun but she
8 wasn't there. That doesn't make any sense. He's trying to
9 figure out what happened, and he also knows that the
10 government can listen to these calls and that they're going
11 to listen to him say he didn't fire it and hope that's what
12 they take from it. But we know better than that.

13 Now, again, you heard from SLED ballistics that the gun
14 he was found with -- again, you'll be able to -- this will go
15 back into evidence with you, and you'll be able to see it.
16 This gun fired all nine of these rounds. There were not
17 9-millimeter rounds found. There were not three 9-millimeter
18 rounds found and a number of other .40s. All of these came
19 from the same gun: this gun.

20 Now, it's kind of a lot, but to kind of distill this
21 down into the key facts, Ms. Ravenell said that the defendant
22 shot the gun at her car. She knows him. It's not a case of
23 mistaken identity. She's very familiar with him. She was
24 face to face with him for a long period of time throughout
25 this assault.

1 He was found with -- 30 minutes later with the gun in
2 the car that Ms. Ravenell saw him get into and reported to
3 police. And he was -- had that gun that he later admits --
4 he pled guilty to possessing and admits to firing. And those
5 -- the shell cases match that gun. Ladies and gentlemen, use
6 your common sense. All of that adds up to the fact that
7 defendant shot nine times at Ms. Ravenell.

8 Now, the good thing about this case is that we don't
9 have to rely exclusively on Ms. Ravenell's story, though you
10 are the judges of credibility in this case. But again, you
11 don't have to rely on Ms. Ravenell's story. Again, she was
12 on the phone with 911 at the time.

13 Now, the 911 itself -- call itself unfortunately we
14 don't have, and I wish we did. But you did hear from the 911
15 consolidated dispatch person that a record was created of the
16 911 call, and she was on the phone with 911 at the time she
17 said she was, stating, "He's shooting at me." And that's
18 what set this entire thing into events. So the 911 call
19 corroborates her story.

20 Now, the fact that the defendant was found in the car
21 that she described to police immediately again corroborates
22 her story. She said a white male drove off in the car. A
23 white male was found driving that car. He was a passenger in
24 the car. He had the gun that fired the shots, just like she
25 said. The time, the car, the place, it all checks out.

1 For the defendant's story to be true, that she made all
2 of this up, you would have to not believe anything she said,
3 that she made up the entire story for some unknown reason,
4 and she apparently is some kind of criminal mastermind that
5 can happen to predict that all of these things are going to
6 be true. She happens to predict that he switched the gun
7 that happened to fire at her? That's ridiculous. That's un-
8 -- you can't -- you should not believe that because it's not
9 true.

10 This woman that he allegedly sold crack to on a regular
11 basis for 25 years is not the criminal mastermind that he's
12 pointing her out to be -- er, pointed her out to be. Again,
13 use your common sense here. Oftentimes the simplest answer
14 is the true one.

15 Now, the physical evidence in this case also
16 corroborates her story. We know she wasn't just making all
17 of this up. Look at the damage to her car. It's real,
18 everything she told you. He stomped on her car. He stomped
19 on her windshield. This is the bullet hole in the back of
20 the car. That's how we know he was firing at her.

21 And in fact, look where this is. It is on the driver's
22 side door -- er, driver's side of the trunk. He hit the car.
23 If he had -- if he had just aimed a little higher, a little
24 to the right, this would be a totally different case.
25 Ms. Ravenell could have lost her life that day. We shouldn't

1 give him credit because he's a bad shot. He was attempting
2 to murder her, not shooting up in the air and not shooting
3 down. Shooting directly at her nine times. And again, these
4 are close-ups of the bullet hole itself.

5 She's not making this up. How could she make all of
6 this up?

7 And again, the physical evidence is just as she
8 described it. She said all of the -- that the shots happened
9 was they were in the roadway right by the driveway. That's
10 where all of these shell casings are clustered.

11 Now, you heard the crime scene guy say that they might
12 have moved a little bit as cars passed by. And you also
13 heard testimony about how cars passed by. Ms. Ravenell
14 backed out of the driveway, and then the defendant in the
15 Suburban drove that way, towards where she was fleeing. Then
16 the first-responders drove down that road and drove back --
17 multiple first-responders.

18 There were plenty of other cars that were -- in fact,
19 there were other people at the house that were no longer
20 there when first-responders arrived. They could have driven
21 over these and moved them as well. But they're generally in
22 the area where Ms. Ravenell described. You can see that
23 mailbox in this picture here. They're all generally
24 clustered right by the end of the driveway, just like she
25 said.

1 Now, again, you and you alone are the judge of the
2 credibility in this case. And I think what you're going to
3 have to deliberate on is the credibility of Ms. Ravenell and
4 the credibility of the defendant. Think about this: Who has
5 more to lose here? Whose story do you believe?

6 Ms. Ravenell has maintained this same story for five
7 years that this man that she's known for 20-plus years is the
8 one who did this. What does she have to gain from this?
9 Nothing. In fact, it probably makes her more of a pariah in
10 her community -- again, this close-knit community. What does
11 she have to gain here? Nothing.

12 But what does the defendant have to gain? He would get
13 out of jail. He has everything to gain by lying about what
14 happened. He did not want to go to jail. When she called
15 the police and he thought that they would come to where he
16 was selling drugs, where he was possessing a weapon that he
17 was not allowed to have, that would send him to jail. And he
18 did everything in his power to stop that.

19 Now, the judge -- like I said, the judge is going to
20 instruct you more thoroughly on the law later, so whatever he
21 says the law is takes precedent over whatever I say. But
22 just as a general guideline for your deliberations, there are
23 essentially four elements here that we, the State, need to
24 prove: 1, that the defendant; 2, with the intent to kill;
25 attempted to kill another person, Ms. Ravenell; with malice

1 aforethought.

2 So let's talk about each of those things.

3 So the first element, it was the defendant. This is not
4 a whodunit case or a case of mistaken identity. It's a
5 "Where is he?" case. The victim knew the defendant, told the
6 police who it was, and they went and found him. She knew --
7 she had known him for years. She had known his family. She
8 knew what he looked like. She testified that she knew him
9 well enough that if she saw him on the side of the road,
10 she'd stop to pick him up.

11 She saw the entire attack occur and knew it was him.
12 She was able to recognize his picture immediately upon seeing
13 it. It's not the best picture, but she was still able to --
14 and it didn't look like him at the time. He had dreads at
15 the time. This picture doesn't. She still was able to
16 immediately recognize him as soon as the officer put the
17 photo down. And she wrote, "This is G, the man that damaged
18 my car and assaulted me," signed and dated it. And while she
19 was in court here, again, she pointed to the defendant and
20 said, "That is G."

21 And again, you don't have to take her word for it. His
22 listed alias on his booking sheet is G5, just like she said.
23 Again, her story is corroborated time and time again.

24 Also looking at the jail booking sheet, what he was
25 booked wearing: the gray T-shirt that she -- that he was

1 wearing that day with the dreads, like she told police. If
2 she had never been there that day, if defendant had never
3 seen her, how does she know what he's wearing? How is that
4 what she describes to police time and time again? How is
5 that what he's wearing when he's arrested? Because he
6 attacked her that day. She saw him. The defendant's story
7 doesn't make any sense.

8 Now, the second element here is the specific intent to
9 kill, that the defendant intended to kill Ms. Ravenell.
10 We've talked about this a little bit, but again, the fired --
11 the defendant fired nine shots at Ms. Ravenell. The only
12 reason to do that is to intend to kill them. He wasn't
13 firing it up. He wasn't firing it down. We know that from
14 the evidence. The only evidence we have is that bullets hit
15 the car. He intended to hit her, to kill her. And again,
16 it's not even just the one shot. It's the nine shots,
17 emptying the clip.

18 Now, why didn't the defendant shoot Ms. Ravenell through
19 the windshield while he was up there? Perhaps in that moment
20 he wasn't trying to kill her. As you can tell from the
21 series of events, his rage escalated through the entire
22 thing. It started just pushing her to the ground. And then
23 he head-butted her. And then he stomped on her car. And it
24 was only after all of that failed, at this point he's so
25 enraged that that's when he gets out his gun and fires down

1 the street.

2 The judge is going to instruct you on the law. And the
3 fact that the intent to kill or malice aforethought, it's
4 that he doesn't need to plan it for any extended period of
5 time. It only has to exist in his mind in the moment he
6 pulled that trigger. He intended to kill her as soon as he
7 pulled that trigger one, two, three, four, nine times. That
8 element is clearly satisfied.

9 And again, Number 3, that he attempted to kill another
10 person. So obviously, the law doesn't criminalize thinking
11 about something. The law criminalizes trying to do
12 something. So not only did he want to kill her, did he think
13 about killing her, but he tried to kill her. He actually
14 pulled the trigger.

15 And actually, with regard to the specific intent to
16 kill, you don't even have to just think about the
17 circumstantial evidence of him firing the gun nine times. He
18 said he wanted to kill her. He told her, "I'm going to kill
19 you," called her a dead woman. He said that and then pulled
20 the trigger nine times trying to complete that act.

21 And finally, with malice aforethought. Again, the judge
22 is going to instruct you on this later, but it's essentially
23 hatred, ill will, hostility towards another person. And you
24 can infer that from the whole of the circumstances. Again, I
25 would submit that the entirety of the exchange -- the fact

1 that he pushed her down, he took her wig, he head-butted her,
2 he stomped on her car, he was trying to prevent her from
3 calling the police -- that's hostility and -- that's clear
4 hostility and ill will towards Ms. Ravenell.

5 Now, while I've said several times it's the State's
6 theory that all of this happened because she tried to call
7 the police, I do want to point out that an element here is
8 not motive. We don't have to prove motive. We think that
9 the motive in this case is clear, but we don't have to prove
10 that case. Sometimes there's just no explanation for
11 someone's blind rage.

12 But for all of those reasons that we talked about, the
13 defendant is guilty of attempted murder beyond a reasonable
14 doubt.

15 The defendant is also charged with possession of a
16 weapon in the commission of a violent crime. So the elements
17 here are that the defendant committed or attempted to commit
18 a violent crime and the defendant was in possession of a
19 firearm at the time of the violent crime. As the judge will
20 instruct you, attempted murder is a violent crime. So if he
21 is found guilty of attempted murder, then this should be an
22 easy case for you. He had a gun. He shot at her, attempting
23 to murder her. He's guilty of possession of a weapon in the
24 commission of a violent crime.

25 Now, if while you're deliberating, after you've fully

1 deliberated on attempted murder, if y'all cannot come to a
2 unanimous decision on that and find him not guilty of that,
3 then and only then should you consider what we call a
4 lesser-included offense. And the judge will instruct you on
5 that, but in this case it is assault and battery in the first
6 degree.

7 The elements here are that a defendant offered or
8 attempts injury to another with the present ability to do so
9 by means likely to produce death or great bodily injury. So
10 again, this would be a very easy one. The defendant
11 attempted to injure Ms. Ravenell by shooting at her. He had
12 the present ability to do so. He had this gun. He shot at
13 her. By means likely to produce death or great bodily
14 injury: A weapon -- a gun is very likely to produce death or
15 great bodily injury if fired at someone and hitting them.

16 So this one should be easy. However, again, you do not
17 get to this one unless he is not guilty of attempted murder.

18 Ladies and gentlemen, this is a case where things are as
19 they appear. This is not a counterfeit bill, like the
20 defense said in opening. The defendant attacked
21 Ms. Ravenell, said he was going to kill her, and then fired
22 nine rounds at her car, barely missing her. The defendant
23 was then found in possession of the gun that fired those nine
24 bullets a mere 30 minutes later. He admits to possessing
25 that gun and firing that gun, although he tells an

1 unbelievable story about how that came to be.

2 Do not leave your common sense at the door. You can
3 assess all of these things and know what happened. Find the
4 defendant guilty of attempted murder.

5 Thank you.

6 THE COURT: All right. Mr. D'Angelo?

7 MR. D'ANGELO: Thank you, your Honor. May it please the
8 Court.

9 Good afternoon, y'all. As I said at the beginning of
10 jury selection, my name is Nick D'Angelo. I'm a senior
11 assistant public defender here in Charleston.

12 As Mr. Dalton talked to y'all at the start of this
13 trial, he told you about, again, kind of as he was sitting
14 there in that restaurant and he saw that woman holding up
15 that dollar bill to the light and it kind of made him think
16 about this case. Right? The State's case is a counterfeit.
17 And he told me about that, and again, I liked it as well.

18 I remembered -- you know, most of y'all remember years
19 ago when we changed our bills to kind of those bigger bills
20 that had the bigger faces on them. And I remember, yeah, so
21 those came out and they added the hologram marks inside.
22 Right? You can hold it up to the light and you could see the
23 faces inside. All right? It was added because, again, that
24 bill could look real, it could feel real, but it wasn't until
25 you held it up to the light that you'd be able to determine

1 it wasn't genuine.

2 The State has presented a case that just isn't right.
3 There's holes. There's things that just don't make sense,
4 that don't add up. The biggest problem with that is that
5 it's their burden to make it make sense. It's their burden
6 to prove this case beyond a reasonable doubt.

7 I want to talk for a few minutes here about the burden,
8 what that means. What is the State having a burden?

9 I would imagine probably that most of y'all, when you
10 got the joyous news that you were selected for jury duty and
11 ultimately I sat you on this jury, you figured your role was
12 to sit here and remain neutral. Right? Judge Van Slambrook
13 had instructed y'all, "Don't start deliberating. Wait till
14 all the evidence has been presented." I would imagine,
15 again, most of y'all thought, "I will sit here, wait until
16 the final remarks are done, I've heard everything, and I'll
17 remain neutral." That's actually wrong. That's not how that
18 works.

19 You know, we have phrases in this country of "cloaked in
20 a presumption of innocence," "wrapped in innocence,"
21 "innocent until proven guilty." You know, and I think while
22 pop culture and social media and all of that have maybe made
23 light of some of those phrases, those are a very real
24 reality. It is one of the things that makes the American
25 judicial system the greatest that there is.

1 You are not here remaining neutral right now. Y'all are
2 on our side. Every single one of your chairs might as well
3 be surrounding our table. Anthony Patrick Taylor is an
4 innocent man as of this moment. It is the State's burden to
5 go and take each one of those chairs and drag it onto their
6 side. That's what it means to have the presumption of
7 innocence, that they have to firmly convince each and every
8 one of you. Each and every one of your's decision is your
9 own decision, and they have to bring you to their side.
10 Beyond a reasonable doubt.

11 You know, in a civil case where someone -- you're in a
12 car accident or someone's suing you, someone's trying to take
13 your hard-earned money, that standard in that court of law we
14 have a preponderance of the evidence. The attorneys have to
15 try to meet that burden to convince someone.

16 In a case where someone wants to take your kids from
17 you, potentially put you in a hospital against your own will:
18 clear and convincing evidence. That's what has to be used in
19 that situation.

20 Beyond a reasonable doubt, that is the highest level of
21 proof that we require in our judicial system. And that is
22 what is required by the government's lawyers in this case.

23 What is a reasonable doubt? I would pose reasonable
24 doubt is a woman who has been adamant that a silver revolver
25 was used and that she clearly saw it, and the State brought

1 you a black semiautomatic handgun and asks you to believe her
2 story, just not that part. That is a reasonable doubt.

3 Let's take a look at these charges.

4 Attempted murder. A person who, with intent to kill,
5 attempts to kill another person with malice aforethought,
6 either express or implied, commits the offense of attempted
7 murder.

8 This is a specific intent crime. Judge Van Slambrook is
9 going to instruct you on it a little bit about what that
10 means, but that is the government has to prove to each and
11 every one of you that Mr. Taylor specifically intended to
12 murder Ms. Ravenell. Not scare her. Not assault her. Not
13 threaten her. Not to try to freak her out and not have her
14 call the police. No. That his intent was to murder her and
15 that he just didn't quite succeed.

16 How would we figure that out? Well, one of the first
17 things I would think about is how did Ms. Ravenell feel? You
18 know, how did she feel about what happened? What did she say
19 happened?

20 (Exhibit displayed on screen in open court.)

21 MR. D'ANGELO: When she's provided a photo and asked
22 about this incident that happened -- all right? -- this man G
23 who tried to murder her, "Can you identify this man?" she was
24 asked. What did she write? "This is G, the man that damaged
25 my car and assaulted me." Is that what you're saying? Is

1 that what you would expect Ms. Ravenell to be saying to the
2 man that just tried to murder her? The first thing on your
3 mind is, "This person damaged my car, this person that
4 assaulted me"? I would expect Ms. Ravenell to be writing,
5 "This is the man that tried to murder me. Find this person."
6 That's not what she's saying.

7 How else would you try to determine specific intent if
8 someone was trying to murder you? I'd say by their actions.
9 If they have a chance, did they follow through?

10 Well, look at Ms. Ravenell's story that Mr. Taylor
11 supposedly head-butted her -- head-butted her so hard she
12 almost fell to the ground, she testified. She saw stars, she
13 testified. Not a single injury on her. Deputy Fagan
14 testified to that. No cuts, no bumps, no bruises.

15 She said that as she was attempting to get into her car,
16 Mr. Taylor was screaming at her, threatening, telling her he
17 was going to murder her. There's then -- according to the
18 State, there's his malice. It's implied. The solicitor just
19 stated as he was saying that, there it's implied.

20 Okay. Does he carry through? Does he pull out his gun?
21 Does he point it to the window and fire? No. She says he's
22 banging on the window. He then jumps onto the hood of the
23 car.

24 Okay. Does he pull the gun? Does he pull it out, fire
25 it, kill her as she's right there in front of him? No.

1 Again, he supposedly has expressed this malice aforethought,
2 but he's not carrying through.

3 He then gets on the windshield, damaging the windshield.
4 Again I would argue, all actions intended to scare
5 Ms. Ravenell, according to her version, but is not firing a
6 gun.

7 She says it's not until he gets off the car that she
8 sees something shiny, a silver revolver. And we'll get to
9 that in a minute.

10 She sees him with that gun. And I asked her -- I said,
11 "So he started firing at that point?" Right? I had asked
12 her. I wanted to make sure I know where her car was. Her
13 car's in the driveway. She hasn't backed up yet. Did he
14 start firing? No. No, she said. He didn't start firing in
15 the driveway. So again, this man who has this express malice
16 aforethought, specific intent to murder someone, isn't.

17 She said she backed down that driveway slowly. It was a
18 longer driveway. Right? The busy road. She turned out onto
19 that road and started to pull away. He hasn't fired at any
20 point in there. It's not until as she's trying -- starting
21 to drive away and she hears pow, pow, pow. Nine shots, one
22 of which hits the back of her trunk. Not the side of her
23 car. Not the front of her car. All these opportunities that
24 supposedly he had to murder this woman, but he never takes
25 any of those opportunities.

1 The State has brought a counterfeit bill. It just
2 doesn't pass the test.

3 And again, this is their burden. I didn't have to do
4 anything. The judge would even have instructed you that if
5 Anthony didn't want to testify -- he didn't have to take that
6 stand. Judge Van Slambrook would have instructed you that
7 that is his constitutional right, and you would been told not
8 to include any of that in your deliberation. We didn't have
9 to question any of these witnesses. I didn't have to give
10 this closing statement. It is the government's burden to
11 make this make sense.

12 Let's talk about that silver gun.

13 Ms. Ravenell stated she saw something shiny, a silver
14 revolver. Her grandfather had guns. She knew about guns,
15 she said. She saw a silver revolver. The State tried to
16 clean that up -- right? -- on their redirect.

17 And y'all have all the access to this testimony that's
18 happened. You can go back. Listen to the questions I asked
19 her. Listen to the questions the solicitor tried to re-ask
20 her.

21 In regards to the gun, asking -- because I wrote this
22 down. It was so important I wanted to get it right. In
23 regards to the gun, the solicitor asked, "There was a lot
24 going on when this was happening, wasn't there?"

25 Ms. Ravenell: "There was a lot going on, but I know what I

1 saw." Even now, the government's lawyers are trying to say,
2 "Well this is a -- a lot of time has gone by. We can kind of
3 forgive Ms. Ravenell if maybe she's not remembering
4 everything correctly."

5 Deputy Fagan testified on the stand that day she said it
6 was a silver gun. The government wants you to believe every
7 aspect of her story but disregard that. That is not a silver
8 gun. That is reasonable doubt. The government wants you to
9 find Anthony Patrick Taylor guilty of attempted murder when
10 they can't even make sense of this own murder weapon that was
11 used. This isn't a state of passage of time. You can't have
12 it all. The State can't ask you to believe this woman's
13 story but disregard certain parts of it that don't fit for
14 them.

15 Her friend Straightjacket, Gregory Singleton, we heard
16 about him. He gave a different description, we heard. He
17 was attacked, gave a description. The State wants you to
18 believe that this was a different incident that went on. How
19 many incidents were happening at this place at the same time?

20 I mean, we heard from Deputy Moore, who responded. We
21 heard the description that he gave of this gentleman standing
22 there who had this -- who had a towel to his head, that he
23 had been injured. He gave a description of what happened.
24 The State wants you to believe this is some different
25 incident.

1 Again, go back and listen to the questions that I asked
2 Deputy Moore. He stated he inquired, "What was this over?"
3 Mr. Singleton stated it was over -- it was involving another
4 man and a woman. He gave a different description -- a
5 different description that Deputy Moore didn't put into his
6 incident report. Incident reports that police are trained
7 how to write, trained that they need to be accurate, trained
8 that they need to be complete, trained that they need to be
9 truthful, and a different description was given that he
10 didn't put in so that years later, when poor Detective Miller
11 gets tossed this case and is trying to get this thing ready
12 for trial, as he's reviewing it, he doesn't have this
13 information.

14 He's deprived of the ability to figure out was there
15 credibility to that? Was that something he maybe should have
16 looked into? Who was potentially this other description? He
17 doesn't know any of that because Deputy Moore doesn't put
18 that in his incident report.

19 This is the government's case to prove beyond a
20 reasonable doubt. They have to make this make sense.

21 Shell casings in the road. Don't know how long they
22 were there. No pattern depicted in how they were fired. The
23 State referred to the crime scene guy we heard. His name is
24 Deputy Jameson. I think Deputy Jameson gave actually one of
25 the most interesting quotes. I had asked him, "You don't

1 know how the casings got there, do you?" And his response to
2 me was, "Are you asking if I know if they were dumped there?
3 No, I don't."

4 What an answer. I mean, that's where I was going with
5 that question. That was going to be what I was trying to get
6 to. But, man, his level of honesty, he just answered that,
7 because no, they don't. They don't know if those were
8 dumped. They don't know when those got there. Those could
9 have been there an hour, a day, a week. We don't know.

10 But we know that Anthony Taylor didn't have GSR on his
11 hands. We heard from South Carolina Law Enforcement
12 Division, SLED. Their expert testified that he did not have
13 that on his hands. Right? And the State tried to make
14 excuses of why that's not there. But again, we heard passage
15 of time -- right? -- is one of the biggest factors. When I
16 asked their expert, "What's one of the biggest reasons that
17 you might not expect to see GSR?" Passage of time, right?
18 Anything over six hours, policy is they're not even testing
19 it. All right?

20 You know, we're talking about an incident 30 or however
21 minutes later, an hour later that his hands are swabbed. And
22 again, that's why it would make sense that he doesn't have
23 GSR. If he had fired a gun earlier that day, as he stated,
24 you wouldn't have GSR on your hands. You'd expect to see it
25 if he had fired a gun an hour before.

1 Okay. Potentially he had a cold beer that maybe could
2 have wiped it off or could have produced the possibility of
3 it not being there. Well, you know what we could have done?
4 Law enforcement could have collected his shirt, that gray
5 shirt, put it in a package and sent it up to SLED. Their
6 expert would have tested that, and we would have known if
7 there was GSR on that. As she stated, it's a common item
8 that they test. But the government didn't do that. They
9 have not met their burden.

10 Y'all, in my years of being a lawyer, this has been one
11 of the stranger set of facts that I've had to try to unravel
12 and get my mind around. Mr. Taylor has told you a story. As
13 the State inquired on their cross-examination, they asked,
14 "So Debbie just made this up?" And he stated, "She was
15 persuaded by others." A setup. A lie told by Ms. Ravenell.

16 We've heard a story, though, of a woman who was
17 attacked, had a gun pulled on her, a gun presented to you at
18 trial that doesn't match her description; a woman who says
19 she was violently hit, with no injuries; a woman -- er,
20 another witness with a differing version of who it was that
21 attacked them. This case is a lot. But when you hold it up
22 to the light, there's just things that are wrong. The State
23 wants you to believe that their version is right and you
24 should not question it. There's inconsistencies and things
25 that don't add up.

1 One thing I think we can all agree is that Anthony
2 Patrick Taylor has lived a life that is probably vastly
3 different from most of us in this room. The State is quick
4 to get up on their cross and say, "You're a convicted felon,
5 aren't you?" "Yes," he answered. He is. He told y'all the
6 good, the bad, and the ugly, and there was a lot of ugly.
7 He's grown up and lived in a world that is vastly different
8 from any world that I have ever experienced and I think a
9 world very different, again I would say, from most of the
10 people in this room, a world where drugs, drug usage, drug
11 dealing was commonplace, a hard world where I think people
12 had to fight hard to get what they want and wanted what
13 others had.

14 He told you what happened, that he sold drug, that drugs
15 were hard to get at that time during COVID, and that Debbie
16 was persuaded by others. So they switched the gun and made
17 up a story. You might find this hard to imagine,
18 incomprehensible. But you know, the big difference between
19 his story and the government's story is you don't have to
20 believe his story beyond a reasonable doubt. You have to
21 believe their story beyond a reasonable doubt.

22 It's extreme that I would say Anthony Patrick Taylor's
23 life has been swell; it's a lifestyle drastically different.
24 Yet he told you what happened, and he didn't have to do that.
25 But he wanted you to have his truth.

1 Y'all, I don't know what happened out there that
2 day, and I don't honestly know if I probably ever will. The
3 facts from the State, that didn't clear anything up for me.
4 The State has not met their burden.

5 Judge Van Slambrook told y'all in the jury qualification
6 at the beginning of this that the American judicial system,
7 although it may be flawed, is the greatest that there is.
8 And I wholeheartedly agree with that. We demand our courts
9 -- our criminal courts to uphold the law, and we demand our
10 criminal courts to the highest standard and we demand that
11 they prove that standard. And when they don't, we demand
12 justice.

13 The State has not met that burden. Therefore, I ask
14 that you render a verdict of not guilty on attempted murder
15 and a verdict of not guilty on possession of a weapon during
16 the commission of a violent crime.

17 Thank you.

18 Thank you, your Honor.

19 THE COURT: Thank you.

20 Ms. Kozik?

21 MS. KOZIK: May it please the Court.

22 Ladies and gentlemen, defense counsel got up here and
23 told you that there are holes in the State's case that don't
24 make any sense. So let's talk about what makes sense and
25 what doesn't make sense.

1 Honestly, when we were preparing this trial, what didn't
2 make sense in the State's case logs preparing for trial was
3 the defendant's anger, how he would fly off the handle over
4 this seeming seemingly small instance: \$10 and a cigarette
5 -- or having the cops called over \$10. That's easily
6 explainable away. The defendant, however, cleared that up
7 when he testified.

8 He explained why exactly that was a big deal. It
9 explains his rage. It explains it. It makes -- it fills
10 that hole and makes it make sense. He didn't want the cops
11 coming to his drug house where he was selling drugs and had a
12 gun that he was not allowed to have because he was a
13 convicted felon. That makes sense.

14 What doesn't make sense -- er, what also -- what makes
15 sense is that the victim got the color of the gun wrong.
16 Like I said, there was a lot going on in her mind at the time
17 as she's getting shot at, assaulted, trying to back up,
18 trying to call 911. If that's the only inconsistency in her
19 story, she can be forgiven for that. There was so much
20 happening. All she knew is she saw something shiny and she
21 knew it to be a gun.

22 Now, going on the defense's theory that "Let's just
23 assume for a second he had a silver gun," there was no silver
24 gun found. There was no silver gun found on the property, no
25 silver gun found in the car. He was found with this gun, the

1 gun that fired the shell casings exactly where Debbie said
2 they would be. A revolver doesn't spit shell casings. That
3 doesn't make sense. The fact that she got -- she merely got
4 the color of the gun wrong, but she knew it was a gun.
5 That's not reasonable doubt.

6 And just to be clear, we don't have to prove our case
7 beyond all reasonable doubt, not any doubt. It's just
8 reasonable doubt. It's just what would make you firmly
9 convinced that he is guilty.

10 So what else makes sense is that Ms. Ravenell wouldn't
11 use the term "murder" on her -- on that sheet where she
12 identified the defendant. First of all, there's no right way
13 to respond to being shot at. Then as well, Ms. Ravenell
14 isn't aware -- she's not familiar with legal terms. She's
15 not going to write something like that on the sheet. All she
16 knew is she got shot at and she was assaulted; that's in her
17 words. It's for the State to decide how to charge the case,
18 how what happened fits the law. That's not her role.

19 And if Ms. Ravenell was going to set up the defendant, I
20 think she would have used the term "murder" on there. But
21 she didn't. She was simply relaying the facts to the police
22 as she saw that they happened.

23 What also makes sense is that another individual,
24 Gregory Singleton, was injured by somebody completely
25 different in a separate instance at this drug house. There

1 were a lot of people there. It makes sense that someone else
2 might have hit this man. Someone else with a different
3 description than the defendant might have hit this man. It's
4 a separate incident. That's why the police didn't
5 investigate it.

6 This isn't a hard case. Like I said, this isn't a
7 whodunit. They knew who did it. They went and found him.
8 And he was wearing what she said he'd be wearing, in the car
9 she said he would be driving, near where she said he would
10 be. All of that is consistent.

11 What also doesn't make sense is the theory that --
12 again, that she set him up and she dumped the shells on the
13 roadway. That doesn't make sense. In order to set him up,
14 she would have had to know all of these things beforehand,
15 that he was going to leave the premises, that he was going to
16 switch guns with someone, that he was going to take this
17 other gun and be nearby later. She would have had to know
18 all of that beforehand to set him up in this way. That's not
19 likely. She -- it's not a credible story.

20 What also makes sense is the defendant didn't have GSR
21 on his hands. The SLED expert got up here and told you that
22 common everyday activities, like touching something, will
23 remove gunshot residue from your hands. Washing your hands.
24 He said he went to the gas station. He held that cold beer.
25 Condensation -- it's July. All of that wears gunshot residue

1 off your hands. So he fired at Ms. Ravenell, and it makes
2 sense that a half-hour later, after doing all of these
3 things -- interacting with the door of the car, being at the
4 convenience store, touching things there -- it makes sense
5 that he might not have GSR on his hands at that point in
6 time.

7 Also, what I find incredibly convenient is that, as the
8 SLED -- er, the SLED expert testified that GSR -- you
9 wouldn't expect to find GSR on your hands six hours after the
10 fact and they refuse to test any GSR kit after six hours,
11 that the defendant then got up on the stand and testified he
12 fired that gun about 12:00, six hours beforehand. Seems
13 convenient.

14 Again, ladies and gentlemen, this case is exactly as it
15 seems. Ms. Ravenell's testimony is corroborated time and
16 time again by the 911 call, by the physical evidence, by the
17 defendant being where she said he was going to be, wearing
18 the same clothes, by all the physical evidence, her car, all
19 of that. It is what it seems. Use your common sense and
20 find the defendant guilty of attempted murder and possession
21 of a weapon during the commission of a violent crime.

22 Thank you.

23 THE COURT: All right. Ladies and gentlemen, now is the
24 time for me to charge you the law.

25 I remind you that during trial, you and I have certain

1 duties to perform. As the trial judge, it is my
2 responsibility to preside over the trial of this case. I
3 have the duty to rule on the admissibility of evidence
4 offered during the trial.

5 And you are to consider only the competent evidence
6 before you. If there's any testimony that I ordered stricken
7 from the record in this case, you must disregard that
8 testimony. You are to consider only the testimony which has
9 been presented from the witness stand and the exhibits which
10 have been made part of the record in this case and any
11 stipulations of counsel.

12 I have the additional duty to charge you on the law
13 applicable to the case. As the presiding judge, I'm the sole
14 judge of the law, and it's your duty as jurors to accept and
15 apply the law as I now state it to you. If you already have
16 an idea as to what you think the law is or what it ought to
17 be and it doesn't agree with what I tell you, the law is you
18 must abandon your idea and you're sworn to accept the law and
19 apply it exactly as I state it to you.

20 As I indicated before, jurors are the sole judges of the
21 facts. The trial judge cannot intimate, state, comment on,
22 or make any indication to a jury trial or to a jury about the
23 facts of the case. Since you are the sole judges of the
24 facts, you're not to infer anything -- any hint from what I
25 have said during the progress of this trial, ruling on the

1 admissibility of evidence or otherwise, or anything that I
2 say now during the course of these instructions to you. The
3 law does not allow me to have an opinion on the facts of this
4 case. This is a matter solely for you, the jury, to
5 determine. As jurors, it is your duty to determine the
6 effect, value, weight, and truth of the evidence presented to
7 you during the trial.

8 I'll remind you that the fact that the defendant has
9 been arrested, charged, and indicted in this case is not
10 evidence and cannot be considered by you as evidence of guilt
11 in this case, nor does it create any presumption or inference
12 of guilt. The indictment is simply the formal written
13 instrument which contains the charges made against the
14 defendant. It's the formal document by which the case is
15 brought into court.

16 The indictments in this case allege two offenses against
17 the defendant. The charge in Indictment 2023-GS-10-03942 is
18 attempted murder. The charge in Indictment 2023-GS-10-03943
19 is possession of a weapon during the commission of a violent
20 crime. The defendant has pled not guilty to these
21 indictments, and that plea puts the burden on the State to
22 prove the defendant's guilt beyond a reasonable doubt.

23 A person charged with committing a criminal offense in
24 South Carolina is never required to prove himself or herself
25 innocent. It's an important rule of law of this country that

1 the defendant in a criminal trial will always be presumed to
2 be innocent of the crime or crimes for which he is indicted
3 unless and until his guilt has been proven by evidence
4 satisfying you, as the jury, of guilt beyond a reasonable
5 doubt.

6 The presumption of innocence is not a mere legal theory.
7 It is not just a legal phrase. It is a substantial
8 constitutional right to which every defendant is entitled.
9 This presumption of innocence accompanies the defendant from
10 the time he is charged, throughout the trial, and unless or
11 until you reach a verdict of guilty based upon the evidence
12 satisfying you of that guilt beyond a reasonable doubt. The
13 State has that burden of proving a defendant guilty beyond a
14 reasonable doubt.

15 Some of you may have served as jurors in civil cases
16 where you were told it was only necessary to prove that a
17 fact is more likely true than not, such as the phrase
18 "greater weight" or "by the preponderance of the evidence."
19 In criminal cases, the State's proof must be more powerful
20 than that. It must be beyond a reasonable doubt. Proof
21 beyond a reasonable doubt is proof that leaves you firmly
22 convinced of the defendant's guilt. Reasonable doubt has
23 also been defined as the kind of doubt that would cause a
24 reasonable person to hesitate to act.

25 There are very few things in this world that we know

1 with absolute certainty. And in criminal cases, the law does
2 not require proof that overcomes every possible doubt. If,
3 based on your consideration of the evidence, you are firmly
4 convinced that the defendant is guilty of the crime charged,
5 you must find the defendant guilty. If, on the other hand,
6 you think there's a real possibility that the defendant is
7 not guilty, you must give the defendant the benefit of the
8 doubt and find him not guilty.

9 There are two types of evidence which are generally
10 presented during a trial: direct evidence and circumstantial
11 evidence. Direct evidence is testimony of a person who
12 claims to have knowledge of a fact, such as an eyewitness.
13 Circumstantial evidence is proof of a chain of facts and
14 circumstances indicating the existence of a fact.

15 Crimes may be proven by circumstantial evidence. The
16 law makes no distinction between the weight or value to be
17 given to either direct or circumstantial evidence. However,
18 to the extent that the State relies on circumstantial
19 evidence, all the circumstances must be consistent with each
20 other and, when taken together, point conclusively to the
21 guilt of the accused beyond a reasonable doubt. If these
22 circumstances merely portray the defendant's behavior as
23 suspicious, the proof has failed. The State has the burden
24 of proving the defendant is guilty beyond a reasonable doubt.
25 This burden rests with the State regardless of whether the

1 State relies on direct evidence, circumstantial evidence, or
2 some combination of the two.

3 You must determine the credibility of witnesses who have
4 testified in this case. "Credibility" simply means
5 believability. It is your duty as jurors to analyze and to
6 evaluate the evidence and determine which evidence convinces
7 you of its truth.

8 In determining the believability of witnesses who have
9 testified in this case, you may believe one witness over
10 several witnesses or several witnesses over one witness. You
11 may believe a part of the testimony of a witness and reject
12 the remaining part of the testimony of that same witness.
13 You may believe the testimony of a witness in its entirety or
14 reject the testimony of a witness in its entirety. You may
15 believe part of the testimony of a witness and reject the
16 remaining part. If you reject part, you may still accept the
17 remainder.

18 You may consider whether a witness has exhibited to you
19 any interest, bias, prejudice, or other motive in this case.
20 You may also consider the appearance and the manner of the
21 witness while on the witness stand. You are not bound to
22 decide the case based on the number of witnesses a side
23 produces.

24 Ordinarily, people cannot testify as to their opinion
25 about something in court. An exception is made for expert

1 witnesses. They are experts because of their experience by
2 education or specialized training in some area. They may
3 give their opinion and state their reasons for their opinion.

4 You can give an expert's testimony as much or as little
5 weight as you think it deserves. If you don't think it's
6 based on sufficient education or experience or you conclude
7 that the expert's opinions are not sound or are outweighed by
8 other evidence, you may disregard the expert's opinion
9 entirely. You are not compelled to blindly accept an
10 expert's opinion. You have the right to consider the
11 testimony in light of all the circumstances and give it such
12 weight, if any, as you think it's entitled.

13 An issue in this case is identification of the defendant
14 as the person who committed the crime charged. The State has
15 the burden of proving identity beyond a reasonable doubt.
16 You must be satisfied beyond a reasonable doubt of the
17 accuracy of the identification of the defendant before you
18 may convict the defendant.

19 Identification testimony is an expression of belief or
20 impression by a witness. You must determine the accuracy of
21 the identification of the defendant. You must consider the
22 believability of each identification witness in the same way
23 as any other witness. You may consider whether the witness
24 has had an adequate opportunity to observe the offender at
25 the time of the offense. This will be affected by things

1 like how long or short a time was available, how far or how
2 close the witness was, the lighting conditions, whether the
3 witness had a chance to see or know the person in the past.

4 Once again, I instruct you that the burden of proof on
5 the State extends to every element of the crime charged, and
6 it specifically includes the burden of proving beyond a
7 reasonable doubt the identity of the defendant as the person
8 who committed the crime. If, after examining the testimony,
9 you have a reasonable doubt as to accuracy of identification,
10 you must find the defendant not guilty.

11 The defendant is charged with attempted murder. In
12 order to prove this crime, the State must prove the defendant
13 attempted to kill another person with malice aforethought.
14 "Malice" is defined as hatred or ill will. The State must
15 prove beyond a reasonable doubt that the defendant had the
16 specific intent to kill a person. A specific intent to kill
17 is necessary to convict the defendant for attempted murder.
18 "Intent" means intending the result which actually occurs,
19 not accidentally or involuntarily. Intent may be shown by
20 acts or conduct of the defendant and the other circumstances
21 from which you may naturally and reasonably infer intent.

22 Malice aforethought does not require that malice exists
23 for any particular time before the act was committed, but
24 malice must exist in the mind of the defendant just before
25 and at the time that the act is committed. Therefore, there

1 must be a combination of previous evil intent and the act.
2 Intent may be inferred when it was demonstrated that the
3 defendant voluntarily and willfully committed an act the
4 natural tendency of which is to destroy another's life.

5 In order to establish criminal liability, criminal
6 intent is required. For example, the mental state required
7 to be proved by the State for a particular crime might be
8 purpose, intent, knowledge, recklessness, or criminal
9 negligence. Criminal intent must be proven by the State
10 beyond a reasonable doubt. Criminal intent is always a
11 matter that must be determined by the jury from the
12 circumstances surrounding the situation.

13 There's no way to prove intent to a mathematical
14 certainty. There's no way medical science can dissect a
15 person's brain and determine what that person had in mind.
16 So the law says criminal intent must be inferred -- or may be
17 inferred from the circumstances shown to have existed. This
18 is how you make a determination of whether or not the element
19 requiring intent was present.

20 It is not necessary to establish intent by direct or
21 positive evidence, but intent may be established by inference
22 in the same way as any other fact: by taking into
23 consideration the acts of the parties and all of the facts
24 and circumstances of the case. Criminal intent is a mental
25 state, a conscious wrongdoing. It's up to you, as the jury,

1 to determine what the defendant intended to do based on the
2 circumstances shown to have existed.

3 As an element of attempted murder, an attempt is an
4 effort to accomplish a crime which does not succeed. An
5 attempt includes a specific intent to do a particular
6 criminal act, along with an act falling short of the act
7 intended. The State must show more than mere preparation and
8 intent. There must be some overt act committed in the effort
9 to commit the crime. In order to prove this offense, the
10 State, again, must prove beyond a reasonable doubt that the
11 defendant attempted to kill another person.

12 If you find that the State has failed to prove beyond a
13 reasonable doubt that the defendant is guilty of attempted
14 murder, you may consider whether the State has proved beyond
15 a reasonable doubt that the defendant is guilty of the
16 lesser-included offense of assault and battery in the first
17 degree.

18 South Carolina Code Section 16-3-600(c) provides that a
19 person commits the offense of assault and battery in the
20 first degree if the person unlawfully injures another person
21 and the act involves nonconsensual touching of the private
22 parts of an adult, either under or above the clothing, with
23 lewd and lascivious intent, or occurred during the commission
24 of a robbery, burglary, kidnapping, or theft; or offers or
25 attempts to injure another person with the present ability to

1 do so and the act is accompanied -- er, accomplished by means
2 likely to produce death or great bodily injury, or occurred
3 during the commission of a robbery, burglary, kidnapping, or
4 theft.

5 Assault and battery in the first degree is a
6 lesser-included offense of attempted murder. Therefore, to
7 prove assault and battery in the first degree, the State must
8 prove beyond a reasonable doubt that the defendant either
9 unlawfully injured another person and the act occurred during
10 the commission of a robbery, burglary, kidnapping, or theft;
11 or that the defendant offered or attempted to injure another
12 person with the present ability to do so and the act was
13 accompanied -- er, accomplished by means likely to produce
14 death or great bodily injury, or that the act occurred during
15 the commission of a robbery, burglary, kidnapping, or theft.

16 "Great bodily injury" is defined as bodily injury which
17 causes a substantial risk of death or which causes serious
18 permanent disfigurement or protracted loss or impairment of a
19 function of a bodily organ or member.

20 Possession of a weapon during the commission of a
21 violent crime or attempt to commit a violent crime. The
22 defendant is also charged with this, South Carolina Code
23 Section 16-23-490. In order to prove that charge, the State
24 must prove beyond a reasonable doubt that the defendant was
25 in possession of a firearm or visibly displayed what appeared

1 to be a firearm during the commission of a violent crime.
2 "Firearm" means any machine gun, automatic rifle, revolver,
3 pistol, or any weapon which will or is designed or may be
4 readily converted to expel a projectile.

5 In order for a defendant to be guilty of possession of a
6 weapon during the commission of a violent crime, you must
7 first find the defendant guilty of either committing a
8 violent crime or attempting to commit a violent crime.
9 Attempted murder is a violent crime. The State must prove
10 beyond a reasonable doubt that the weapon further advanced or
11 helped in the commission of the crime.

12 There are six possible verdicts which you may find in
13 this case: guilty or not guilty of attempted murder, guilty
14 or not guilty of the lesser-included offense of assault and
15 battery in the first degree, and guilty or not guilty of
16 possession of a weapon during the commission of a violent
17 crime.

18 There's no significance whatsoever in the order in which
19 I stated those possible verdicts. It's simply that one had
20 to be stated first.

21 A verdict in the case cannot be based upon sympathy,
22 passion, prejudice, emotion, or some other consideration not
23 found in the evidence. Ladies and gentlemen, your verdict
24 must be a unanimous one.

25 Madam Foreperson, when the jury agrees on a verdict, you

1 will fill out the verdict form, which I will show you in a
2 moment. You will write the verdict on the back of each of
3 the indictments and sign your name as the foreperson. Then
4 you will knock on the jury room door, inform the bailiff that
5 you have reached a verdict, and we will receive you back into
6 the courtroom. You will turn that form over to the bailiff,
7 the bailiff will give it to me, and I will present the
8 verdict.

9 Some of these matters that we have discussed -- er, I
10 need to discuss some matters with the attorneys before you
11 begin your deliberations.

12 First I'm going to mention the form. It's relatively
13 self-explanatory. It's a two-page form -- verdict form.
14 It's got a caption.

15 "Attempted Murder" under Number 1: As to the offense of
16 attempted murder, we the jury find unanimously -- er,
17 unanimously find the defendant not guilty or guilty.

18 It proceeds down below: "If you find the defendant is
19 not guilty of attempted murder, you may consider the
20 following lesser-included offense of assault and battery in
21 part 2. If you find the defendant is guilty of attempted
22 murder, please proceed to 3."

23 So it provides the instructions, the lesser-included
24 charge, as well as the possession of a weapon during the
25 commission of a violent crime and a place for you as the

1 foreperson to sign it.

2 So I'm going to check with the lawyers to make sure I
3 didn't misstate anything on the law. I'm going to send y'all
4 back in the jury room while we do that.

5 Again, you're close, but not yet, to starting to
6 deliberate. Your signal to deliberate will be when the
7 evidence is delivered to you and the verdict form is
8 delivered to you. That is your indication you can start the
9 deliberations.

10 I remind you, Madam Foreperson, that you should only
11 deliberate when everybody is in the room. If somebody takes
12 a comfort break, y'all take -- everybody take a break. Only
13 do it when everybody is in the room. Okay?

14 All right. So I'll excuse y'all to the jury room.

15 Thank you.

16 (The jury exited the courtroom at 2:39 p.m.)

17 (The following proceedings were had outside the presence
18 of the jury.)

19 THE COURT: All right. Any exceptions or objections to
20 the charge from the State?

21 MS. KOZIK: Nothing from the State.

22 THE COURT: Anything from the defense?

23 MR. D'ANGELO: Nothing from defense, your Honor.

24 THE COURT: Okay. All right. Y'all can sit.

25 Would y'all check and make sure we got all of the

1 evidence.

2 Do y'all have any objection to -- I meant to tell the
3 jury that if they have questions, to write them on the pad
4 and then submit them. Any objection to having the bailiff
5 share that information?

6 MS. KOZIK: No.

7 THE COURT: All right.

8 THE BAILIFF: Okay, your Honor.

9 THE COURT: When you step back, would you just tell them
10 to use one of the pads and write it out there. I don't want
11 them writing it on the back of the verdict form.

12 All right. So we'll -- all right. We'll make sure --
13 I'll stay while y'all make sure the exhibits are good.

14 (Court recessed.)

15 (The jury was instructed to begin their deliberations at
16 2:46 p.m.)

17 (The Court released the alternate juror from service
18 outside the proceedings.)

19 (Court resumed outside the presence of the jury.)

20 (Court's Exhibit Number 5 marked for the record.)

21 THE COURT: All right. Y'all go ahead and have a seat.

22 We've got a question from the jury. I'll let y'all take
23 a look at it and I'll read it for our record now. It's
24 already been marked as Court's Exhibit Number 5.

25 It says, "Can we have the 911 CAD report? If not in

1 evidence, could we get the transcript read aloud from the 911
2 CAD report during the trial?" Signed Julia Smithing and with
3 today's date on there.

4 My recollection was that when Ms. Beard testified
5 regarding the CAD report, that information was presented but
6 the CAD report was not admitted into evidence. And I'm --
7 they're asking for the report that was not admitted into
8 evidence.

9 The followup to that is, "If not in evidence, could we
10 get the transcript read aloud from the 911 CAD report during
11 the trial?" That sounds to me like they want to hear --
12 rehear the testimony relative to the CAD report. Y'all agree
13 with that?

14 MR. D'ANGELO: I would. Yes, your Honor.

15 THE COURT: Okay. All right. So Ms. Beard or Deer --
16 I'm not sure which; I wrote down "Beard" -- testified
17 yesterday.

18 Can you identify her testimony and a timeframe for that,
19 Madam Court Reporter?

20 COURT REPORTER: That's what I was just looking at and I
21 was trying to pinpoint where she starts quoting from the CAD
22 report.

23 THE COURT: Okay. How long -- she didn't testify for
24 very long, did she?

25 MS. KOZIK: No, she didn't.

1 THE COURT: All right. My suggestion would be just to
2 present her testimony in its entirety and have that played
3 for the jury. All right?

4 MR. D'ANGELO: Agreed, your Honor.

5 THE COURT: Okay. All right. Can you find her from
6 start to finish?

7 And as far as playing it for the jury, we can send the
8 court reporter to the jury room to play it.

9 And you can play it on the tape for them with
10 instructions: "I can only play the tape. I can't answer any
11 questions on that. If you have further questions, do the
12 same thing you did before and write out the questions."

13 All right?

14 MS. KOZIK: No objection.

15 THE COURT: As to preparing a formal answer for this,
16 which I'll let y'all look at, I think if we just send back
17 the court reporter to say "Here I am" in response to this,
18 rather than writing anything down, is probably satisfactory.

19 Any objection to that?

20 MR. D'ANGELO: No objections from defense.

21 MS. KOZIK: No objection from the State.

22 THE COURT: Okay. Y'all want to take a look?

23 COURT REPORTER: Her direct and cross?

24 THE COURT: Direct and cross.

25 COURT REPORTER: Okay.

1 THE COURT: All right. So Madam Court Reporter, if
2 there is -- and the clerk reminded me of this. There may
3 have been matters of law that were taken up, so anything
4 after the jury's been excused, can you get past that --

5 COURT REPORTER: Yes.

6 THE COURT: -- without alerting them or playing it for
7 them?

8 COURT REPORTER: Yes.

9 THE COURT: Okay. All right.

10 Anything further from the State or defense? No?

11 MS. KOZIK: No, your Honor.

12 MR. D'ANGELO: No.

13 THE COURT: Okay. All right. We'll do that.

14 MR. D'ANGELO: Thank you, your Honor.

15 (Court recessed.)

16 (The court reporter, accompanied by the clerk of court,
17 entered the jury deliberation room and played for the jury
18 the recorded audio of the full testimony of Tamara Beard from
19 February 4, 2025, beginning at timestamp 1:45 p.m., stopping
20 at 2:01 p.m. for a matter of law, resuming testimony at 2:10
21 p.m., and ending the playback at timestamp 2:12 p.m.)

22 (Court resumed outside the presence of the jury.)

23 THE COURT: All right. Y'all go ahead and be seated.
24 Thank you.

25 All right. We've got another note from the jury.

1 But first off, Madam Court Reporter, as to the earlier
2 question where there was information that was provided again
3 to the jury, could you share with us -- and Madam Clerk,
4 could you share with us as well what went on with that.

5 CLERK OF THE COURT: The requested testimony was played
6 back. There were no issues or questions asked by the jurors.
7 And I believe the court reporter has the timestamps as to
8 what was played.

9 THE COURT: All right. And anything in there that
10 included anything that was an aside, a bench conference, or
11 any matters of law that were taken up and somehow
12 inadvertently put in the record? Anything like that?

13 CLERK OF THE COURT: No, your Honor.

14 THE COURT: Okay. All right.

15 Madam Court Reporter, that's correct?

16 COURT REPORTER: Yes.

17 THE COURT: Okay. All right. Any questions relative to
18 the information that was presented to the jury?

19 MS. KOZIK: Not from the State.

20 MR. D'ANGELO: Not from defense, your Honor.

21 THE COURT: Okay.

22 All right. So we move on to the second question. And I
23 haven't had this marked yet.

24 It says, "Can we ask for the definition," hyphen, "as
25 read aloud by the judge of attempted murder and offense of

1 assault and battery in the first degree?" Foreperson's
2 signature.

3 The "as read aloud," I'm not sure if that's requesting
4 that I read it aloud again or not. My suggestion would be to
5 bring them back out and read the portion of the charge
6 beginning with the definition of attempted murder, in exactly
7 the same order and words that were used originally, followed
8 by the assault and battery in the first degree, which is
9 essentially reading the statute itself.

10 Any objections or suggestions other than -- or how to
11 handle that?

12 MS. KOZIK: No. That's sounds appropriate.

13 MR. D'ANGELO: Yeah, I agree. That sounds perfectly
14 fine to me.

15 THE COURT: Okay. All right. Well, we'll mark --

16 MR. D'ANGELO: It's the easiest way.

17 THE COURT: All right. Let's bring our jury back in.

18 THE BAILIFF: Yes, your Honor.

19 (Court's Exhibit Number 6 marked for the record.)

20 (The jury entered the courtroom at 4:46 p.m.)

21 THE BAILIFF: All jurors are present, your Honor.

22 THE COURT: All right. Thank you. Everyone be seated.

23 Madam Foreperson, we received the second message
24 relative to the charge I have in front of me. And I'm going
25 to present the charge relative to both of the statutory

1 violations -- or alleged violations, beginning with the
2 attempted murder, which is South Carolina Code 16-3-29.

3 The defendant is charged with attempted murder. In
4 order to prove this crime, the State must prove that the
5 defendant attempted to kill another person with malice
6 aforethought. "Malice" is defined as hatred or ill will.

7 Malice aforethought does not require that malice exists
8 for any particular time before the act is committed, but
9 malice must exist in the mind of the defendant just before
10 and at the time that the act is committed. Therefore, there
11 must be a combination of the previous evil intent and the
12 act.

13 The State must prove beyond a reasonable doubt that the
14 defendant had the specific intent to kill a person. A
15 specific intent to kill is necessary to convict the defendant
16 for attempted murder. "Intent" means intending the result
17 that actually occurs, not accidentally or involuntarily.
18 Intent may be shown by acts and conduct of the defendant and
19 other circumstances from which you may naturally and
20 reasonably infer intent. Intent may be inferred when it is
21 demonstrated that the defendant voluntarily and willfully
22 commits an act the natural tendency of which is to destroy
23 another's life.

24 In order to establish criminal liability, criminal
25 intent is required. For example, the mental state required

1 to be proven by the State for a particular crime might be
2 purpose, intent, knowledge, recklessness, or criminal
3 negligence. Criminal intent must be proven by the State
4 beyond a reasonable doubt.

5 Criminal intent is always a matter that must be
6 determined by the jury from the circumstances surrounding the
7 situation. There's no way to prove intent to a mathematical
8 certainty. There's no way medical science can dissect a
9 person's brain and determine what the person had in mind. So
10 the law says that criminal intent may be inferred from the
11 circumstances shown to have existed. This is how you make a
12 determination of whether or not the element requiring intent
13 was present.

14 It is not necessary to establish intent by direct and
15 positive evidence, but intent may be established by inference
16 in the same way as any other fact, by taking into
17 consideration the acts of the parties and all of the facts
18 and circumstances of the case. Criminal intent is a mental
19 state, a conscious wrongdoing. It is up to you to determine
20 what the defendant intended to do based on the circumstances
21 shown to have existed.

22 As to the element of attempted murder, an attempt is an
23 effort to accomplish a crime which does not succeed. An
24 attempt includes a specific intent to do a particular
25 criminal act, along with an act falling short of the act

1 intended. The State must show more than mere preparation and
2 intent. There must be some overt act committed in the effort
3 to commit the crime. In order to prove this offense, the
4 State must prove beyond a reasonable doubt the defendant
5 attempted to kill another person.

6 South Carolina Code Section 3-600(c), assault and
7 battery in the first degree. If you find the State has
8 failed to prove beyond a reasonable doubt that the defendant
9 is guilty of attempted murder, you may consider whether the
10 State has proven beyond a reasonable doubt that the defendant
11 is guilty of the lesser-included offense of assault and
12 battery in the first degree.

13 South Carolina Code Section 3-600(c) provides as
14 follows: A person commits the offense of assault and battery
15 in the first degree if a person unlawfully injures another
16 person and the act involves nonconsensual touching of the
17 private parts of an adult, either under or above the
18 clothing, with lewd and lascivious intent, or occurring
19 during the commission a robbery, burglary, kidnapping, or
20 theft; or offers or attempts to injure another person with
21 the present ability to do so and the act is accompanied -- or
22 accomplished, rather, by means likely to produce death or
23 great bodily injury, or occurred during the commission of a
24 robbery, burglary, kidnapping or theft.

25 Assault and battery in the first degree is a

1 lesser-included offense of attempted murder as defined in
2 South Carolina Code 16-3-29. Therefore, to prove assault and
3 battery in the first degree, the State must prove beyond a
4 reasonable doubt that the defendant either unlawfully injured
5 another person and the act occurred during the commission of
6 a robbery, burglary, kidnapping, or theft; or that the
7 defendant offered or attempted to injure another person with
8 the present ability to do so and the act was accomplished by
9 means likely to produce death or great bodily injury, or that
10 the act occurred during the commission of a robbery,
11 burglary, kidnapping, or theft.

12 "Great bodily injury" is defined as bodily injury which
13 causes a substantial risk of death or which causes serious
14 permanent disfigurement or protracted loss or impairment of
15 the function of a bodily member or organ.

16 That completes the charge as to the assault and battery,
17 as well as the attempted murder. So I'm going to send y'all
18 back to the jury room to continue your deliberations.

19 Thank y'all.

20 (The jury exited the courtroom to resume their
21 deliberations at 4:52 p.m.)

22 (The following proceedings were had outside the presence
23 of the jury.)

24 THE COURT: All right. Any exceptions or objections?

25 MS. KOZIK: None from the State.

1 MR. D'ANGELO: None from defense.

2 THE COURT: All right. We'll be at ease.

3 It is almost 5:00. I am not quite sure how long we want
4 to leave them back there. If we don't hear from them in the
5 next 10 or 15 minutes, I think we probably ought to just tell
6 them we'll resume in the morning, unless they want to stay.
7 We can offer that to them.

8 MR. D'ANGELO: Certainly. I always like to at least
9 inquire of them if they would like to stay.

10 THE COURT: Right. If they think they're on the cusp of
11 getting things resolved, I don't want to push them off till
12 tomorrow.

13 MR. D'ANGELO: Certainly.

14 MS. KOZIK: Right.

15 THE COURT: But we don't want to create any discord
16 between members that want to stay and those who don't want to
17 stay either. So we'll give it a few minutes to do that.
18 Okay?

19 MS. KOZIK: Okay.

20 MR. D'ANGELO: Thank you, your Honor.

21 MS. KOZIK: Thank you, your Honor.

22 THE COURT: Thank you. All right.

23 (Court recessed.)

24 (Court resumed outside the presence of the jury and
25 outside the presence of the defendant.)

1 THE COURT: All right. Everybody all set?

2 We've got another note. "Could you please" --

3 MR. D'ANGELO: One moment, your Honor. We're waiting
4 for my client to be brought out.

5 Here he comes, your Honor.

6 (The defendant entered the courtroom.)

7 THE COURT: All right. The note is, "Could you please
8 allow Juror 163 to use his phone to text his wife?" That is
9 from the foreman, of course.

10 We may be bordering on the need to let them go for the
11 evening. So why don't we bring out Ms. Smithing as the
12 foreperson and ask her if they're ready to break for the
13 evening or if they want to stay. If they're going to stay,
14 I'll allow Juror 163 to call home. And then they can let us
15 know when they're ready to break for the evening.

16 All right?

17 MR. D'ANGELO: Understood.

18 MS. KOZIK: Understood.

19 MR. D'ANGELO: Fine by me, your Honor.

20 THE COURT: All right. So will you --

21 THE BAILIFF: Do you want the foreperson?

22 THE COURT: The foreperson, yes, please.

23 (Court's Exhibit Number 7 marked for the record.)

24 (The jury foreperson entered the courtroom at 4:58 p.m.)

25 THE COURT: Good afternoon. How are you?

1 JURY FOREPERSON: I'm good.

2 THE COURT: Good. Thank you for serving as the
3 foreperson.

4 In response to your question, it is getting close to
5 5:00. My question that I want you to pose to the jury is do
6 y'all want to take a break now and come back and resume in
7 the morning? Or if you would like to stay, you're certainly
8 welcome to do that as well. If you're going to stay, then of
9 course we would let the juror -- I think it's 163 -- call and
10 make arrangements or whatever is necessary in that regard.
11 In fact, all of y'all could, if necessary, if you wanted to
12 stay.

13 So I know you probably can't speak off the top of your
14 head on behalf of the jury, so if you would go back, discuss
15 it with them, and then let the bailiff know when you have a
16 response.

17 JURY FOREPERSON: Okay.

18 THE COURT: And then you can come back out and share it
19 with us. Okay?

20 JURY FOREPERSON: Yep.

21 THE COURT: All right. Thank you.

22 JURY FOREPERSON: Thank you.

23 (The jury foreperson exited the courtroom at 4:59 p.m.)

24 THE COURT: So we'll be at ease until we hear back from
25 that.

1 (Court recessed.)

2 (Court resumed in the presence of the jury foreperson
3 but outside the presence of the remainder of the jury.)

4 THE COURT: Yes, ma'am?

5 JURY FOREPERSON: I think we would like to stay.

6 THE COURT: Stay? All right. And do y'all need to use
7 the phone?

8 JURY FOREPERSON: Yes.

9 THE COURT: All right. Y'all do that and attend to that
10 and then make any calls. If anything changes on that or if
11 y'all reach a point where y'all want to take a break and come
12 back in the morning, let us know.

13 JURY FOREPERSON: Okay. Thank you.

14 THE COURT: Thank you.

15 (The jury foreperson exited the courtroom at 5:02 p.m.)

16 THE COURT: All right. Any objection?

17 MS. BOZARTH: No.

18 MR. D'ANGELO: No, your Honor.

19 THE COURT: All right. Thank you. We'll be at ease.

20 MS. BOZARTH: Thank you, your Honor.

21 (Court recessed.)

22 (The jury indicated they had a verdict at 5:30 p.m.)

23 (Court resumed outside the presence of the jury and
24 outside the presence of the defendant.)

25 THE COURT: All right. Thank you. All of y'all go

1 ahead and have a seat for a moment.

2 It appears we have a verdict.

3 Is that correct?

4 THE BAILIFF: Yes, your Honor.

5 THE COURT: All right. So go ahead and have our jury
6 brought back, please.

7 COURT DEPUTY: Your Honor, we're just waiting on the
8 defendant.

9 THE COURT: Oh. All right. Yeah, sorry. I jumped the
10 gun.

11 COURT DEPUTY: Sorry.

12 THE COURT: No, that's all right. As soon as he's here,
13 we'll send for them.

14 THE BAILIFF: Yes, your Honor.

15 (The defendant entered the courtroom.)

16 THE COURT: All right. Bring them in.

17 THE BAILIFF: Yes, your Honor.

18 (The jury entered the courtroom at 5:34 p.m.)

19 THE BAILIFF: All jurors are present, your Honor.

20 THE COURT: All right. Thank you.

21 You can be seated.

22 Madam Foreperson, has the jury reached a verdict?

23 JURY FOREPERSON: Yes.

24 THE COURT: All right. If you would hand that to the
25 bailiff so he can give it to me. Thank you.

1 Madam Clerk?

2 CLERK OF THE COURT: If the defendant would please
3 stand.

4 Case Number 2023-GS-10-03942, the State of South
5 Carolina versus Anthony Patrick Taylor, indictment for
6 attempted murder. As to the offense of attempted murder, we
7 the jury unanimously find the defendant guilty. Signed by
8 the foreperson of the jury, dated February 5, 2025.

9 Ms. Foreperson, ladies and gentlemen of the jury, if
10 this is your verdict, please raise your right hand.

11 (Jurors indicated.)

12 CLERK OF THE COURT: Thank you.

13 Case Number 2023-GS-10-03943, the State of South
14 Carolina versus Anthony Patrick Taylor. As to the offense of
15 possession of a weapon during the commission of a violent
16 crime, we the jury find the defendant guilty. Signed by the
17 foreperson of the jury, dated February 5, 2025.

18 Ms. Foreperson, ladies and gentlemen of the jury, if
19 this is your verdict, please raise your right hand.

20 (Jurors indicated.)

21 CLERK OF THE COURT: Thank you.

22 THE COURT: All right. Any further request for polling
23 for this jury?

24 MR. D'ANGELO: Yes, your Honor. The defense would
25 request the jury be polled.

1 THE COURT: All right. Madam Clerk?

2 CLERK OF THE COURT: Yes, your Honor.

3 Ladies and gentlemen of the jury, I will call out your
4 number, and when I do, please raise your hand. I'll then ask
5 you each two questions. Please answer yes or no.

6 Juror Number 2, is this your verdict?

7 JUROR: Yes.

8 CLERK OF THE COURT: Is this still your verdict?

9 JUROR: Yes.

10 CLERK OF THE COURT: Juror Number 49, is this your
11 verdict?

12 JUROR: Yes.

13 CLERK OF THE COURT: Is this still your verdict?

14 JUROR: Yes.

15 CLERK OF THE COURT: Juror Number 77, is this your
16 verdict?

17 JUROR: Yes.

18 CLERK OF THE COURT: Is this still your verdict?

19 JUROR: Yes.

20 CLERK OF THE COURT: Juror Number 81, is this your
21 verdict?

22 JUROR: Yes.

23 CLERK OF THE COURT: Is this still your verdict?

24 JUROR: Yes.

25 CLERK OF THE COURT: Juror Number 116, is this your

1 verdict?

2 JUROR: Yes.

3 CLERK OF THE COURT: Is this still your verdict?

4 JUROR: Yes.

5 CLERK OF THE COURT: Juror Number 155, is this your
6 verdict?

7 JUROR: Yes.

8 CLERK OF THE COURT: Is this still your verdict?

9 JUROR: Yes.

10 CLERK OF THE COURT: Juror Number 163, is this your
11 verdict?

12 JUROR: Yes.

13 CLERK OF THE COURT: Is this still your verdict?

14 JUROR: Yes.

15 CLERK OF THE COURT: Juror Number 185, is this your
16 verdict?

17 JUROR: Yes.

18 CLERK OF THE COURT: Is this still your verdict?

19 JUROR: Yes.

20 CLERK OF THE COURT: Juror Number 191, is this your
21 verdict?

22 JUROR: Yes.

23 CLERK OF THE COURT: Is this still your verdict?

24 JUROR: Yes.

25 CLERK OF THE COURT: Juror Number 156 -- Juror Number

1 156?

2 Foreperson of the Jury?

3 JURY FOREPERSON: It's 256.

4 CLERK OF THE COURT: 256. If you'd please stand.

5 Foreperson of the Jury, is this your verdict?

6 JURY FOREPERSON: Yes.

7 CLERK OF THE COURT: Is this still your verdict?

8 JURY FOREPERSON: Yes.

9 CLERK OF THE COURT: Juror Number --

10 THE COURT: And that was 256, not 156; is that right?

11 CLERK OF THE COURT: That's correct, your Honor.

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

13 CLERK OF THE COURT: Juror Number 292, is this your
14 verdict?

15 JUROR: Yes.

16 CLERK OF THE COURT: Is this still your verdict?

17 JUROR: Yes.

18 CLERK OF THE COURT: Juror Number 125, is this your
19 verdict?

20 JUROR: Yes.

21 CLERK OF THE COURT: Is this still your verdict?

22 JUROR: Yes.

23 CLERK OF THE COURT: Your Honor, the jury has been
24 polled and the verdict stands.

25 THE COURT: All right. Thank you very much.

1 Anything further for this jury from the defense?

2 MR. D'ANGELO: Nothing for this jury, your Honor.

3 THE COURT: All right. Anything from the State?

4 MS. KOZIK: Nothing from the State.

5 THE COURT: All right. Any objection to releasing the
6 jury?

7 MR. D'ANGELO: No, your Honor.

8 MS. KOZIK: No.

9 THE COURT: All right. Ladies and gentlemen of the
10 jury, I think I started out the week by thanking y'all for
11 serving and being invited out to serve. The jury duty is
12 obviously unpleasant. It takes up some of your time. Y'all
13 acquitted yourself very well in this matter. You took the
14 matter very serious. I appreciate that. The people in the
15 State appreciate it, as do all the people in the County of
16 Charleston.

17 So y'all are free to go. Y'all are released for this
18 evening.

19 I always tell folks that if someone reaches out to you
20 and wants to talk to you, you're allowed to talk to them
21 about it if you want to. If you don't want to, don't talk to
22 them. If anybody talks to you and bugs you and you don't
23 want to talk to them anymore, walk away and then let me know
24 and I'll take care of it. Okay?

25 All right. So thank y'all very much.

1 (The jury was released from service and exited the
2 courtroom at 5:41 p.m.)

3 THE COURT: Madam Foreperson, I believe you may have put
4 the wrong date on this. I think you identified it as the 6th
5 rather than the 5th. Can you correct that for us?

6 JURY FOREPERSON: Yes, your Honor.

7 THE COURT: Okay. Thank you.

8 (The jury foreperson was released from service and
9 exited the courtroom at 5:41 p.m.)

10 THE COURT: All right. Y'all can sit.

11 All right. So I'll be happy to hear from you -- from
12 the State regarding sentencing.

13 MS. KOZIK: Thank you, your Honor.

14 The State is requesting a 25-year sentence: 20 years on
15 the attempted murder and a five-year sentence on the
16 possession of a weapon during the commission of a violent
17 crime.

18 This is a case -- you've heard all of the evidence.
19 While Ms. Ravenell luckily did not lose her life and was not
20 shot, it came close. She was in fear of her life. The
21 defendant emptied his clip at her after assaulting her before
22 that.

23 The defendant has a large -- er, long record dating back
24 to 2003. A -- I believe this is a PWID from 2003. He also
25 has a third-degree burglary from 2008 and assault with intent

1 to kill under the old statute. He also has a PWID crack from
2 2017; a PWID cocaine second from 2016; PWID marijuana from
3 2016. He also -- as it relates to this case, as we have
4 heard a lot of testimony about, from 2023 he has that
5 possession of a weapon by a person convicted of a felony
6 crime of violence and -- er, violent, essentially, felon in
7 possession; as well as assaulting the officer while resisting
8 arrest.

9 And again, I know we didn't hear a lot of testimony on
10 that from Officer Stafford, but during that case, again, he
11 was incredibly violent. He head-butted the officer multiple
12 times.

13 I think based on both his rap sheet, his prior
14 convictions, his actions in this case, and his general
15 violent tendencies, I believe a 25-year sentence is
16 appropriate, particularly due to the fact that he has refused
17 to take accountability at every single step. Despite this
18 being nearly a five-year-old case and it being on more than
19 one trial docket, he's refused to take accountability for it,
20 which is what brought us here.

21 For those reasons, I think a 25-year sentence is
22 appropriate.

23 THE COURT: All right. Thank you.

24 All right. Yes.

25 MR. D'ANGELO: Thank you, your Honor.

1 Your Honor, I guess I can sort of only speak to this
2 case in regards to my very limited role. And I know I talked
3 a little bit about this in my motion at the start, but if
4 your Honor could indulge me briefly, you know, a little bit
5 of the procedural history.

6 You know, essentially, I've been involved with this case
7 for about 30-something days. I've gotten to know Anthony,
8 again, about the last 35 days. This case had been
9 transferred to me when his previous attorney had left our
10 office. When I received notice -- you know, I'd never talked
11 to the solicitor about this case. When I received notice
12 that it was on the trial docket, you know, I started working
13 on this.

14 You know, where we came is that, you know, it had been
15 on a number of different trial dockets. It hadn't been
16 reached, certainly by no fault of Mr. Taylor. You know,
17 there had been a plea offer that had been extended of
18 pleading to attempted murder for 15 years. The previous
19 solicitor had, again, incorrectly filed LWOP.

20 You know, I think one of the things that really kind of
21 got us to where we are is that you had a solicitor who is no
22 longer in their office, a public defender who's no longer in
23 our office, and these two did not get along. I personally
24 was privy to one of their phone conversations. You know, I
25 know apologies had to happen at certain points. And I think

1 kind of the bitter relationship that they had led to, you
2 know, I think it deteriorated -- or at least certainly the
3 deterioration of Mr. Taylor's relationship with his prior
4 attorney.

5 You know, it saddens me to hear as a public defender
6 some of, you know, at least Mr. Taylor's statements of how
7 this former public defender handled his case. You know,
8 discovery that was not turned over. Again, I think there was
9 just a lot of mistrust.

10 You know, personally in my mind, looking at these
11 facts -- you know, I understand the jury rendered their
12 verdict. Right? But I still objectively think, you know,
13 there certainly was issues with this case. I'm not trying to
14 diminish, you know, certainly what Ms. Ravenell had to go
15 through or went through. But again, being objective as a
16 lawyer, I certainly think there was issues. Right?

17 As I started looking at this case, personally I have
18 never understood why some type of resolution hadn't been
19 reached. Personally, I thought it was an assault and battery
20 first degree, discharging a firearm into a vehicle while
21 occupied, malicious injury to property.

22 But again, all I can tell you is, you know, what I've
23 read in the notes of these files. Again, a solicitor
24 incorrectly filing an LWOP. You know, I just think there was
25 a lot that led us sort of to here and this trial is

1 happening. Again, when I took over, I was told my client
2 wanted a trial, and that's where I was at.

3 You know, the one thing I can tell you, your Honor, I
4 think we've gotten along well, at least I would like to think
5 so. I've enjoyed, you know, getting to know Mr. Taylor and
6 working with him. He's always been nothing but respectful to
7 me. I could tell you from the notes, even from these jail
8 calls, I mean, he has been saying the same -- his same story
9 since day 1. And your Honor, he wanted his trial. He wanted
10 to tell you his truth.

11 He has served 1,661 days. And that's 1,661 -- four
12 years, six months, 16 days. Again, on those other charges,
13 he'd been sentenced. The assaulting an officer while
14 resisting arrest, I believe he received six years on that.

15 Your Honor, again, just taking everything into
16 consideration, everything in regards to the facts of this
17 case, you know, the issues with this case, and kind of I
18 think the issues that have led us here, again, I think
19 there's very well a PCR that may be happening with some of
20 this. I don't know.

21 I think a sentence below 15 years is appropriate, again,
22 just based on kind of the totality of the circumstances of
23 what led us here.

24 THE COURT: All right. Thank you.

25 Does Mr. Taylor want to address the Court?

1 THE DEFENDANT: The time that I got to know my public
2 defender, he has been very different. And he's been very
3 competent.

4 I was very adamant about telling the truth. And I told
5 him. And he didn't want me to. He was saying he thought,
6 you know, at the time it could, you know, go either way. And
7 he made it clear to me. And I told him -- I said, "Listen,
8 if I get 30, I'll take the 30. If I get life without the
9 possibility of parole, I will take it. I just want to tell
10 the truth."

11 If I got anything in my corner, I was telling the truth,
12 even if it meant life without the possibility of parole. And
13 I signed that paper knowing that it was a chance that I would
14 do a life sentence without the possibility of parole just to
15 tell the truth.

16 THE COURT: Thank you, Mr. Taylor.

17 All right. Madam Solicitor, do y'all have the new
18 sentence order documents prepared?

19 MS. KOZIK: Yes, sir.

20 THE COURT: Thank you.

21 MR. D'ANGELO: Your Honor, if I might, the only question
22 I had is I wanted to ensure my name and bar number was on the
23 sentencing sheet and not Mr. Lewis's.

24 THE COURT: Yes, it's on here.

25 MR. D'ANGELO: Okay. Thank you, your Honor.

1 THE COURT: 102574?

2 MR. D'ANGELO: Yes, your Honor. Thank you.

3 THE COURT: All right.

4 All right. So as to Indictment 2023-GS-10-03942,
5 attempted murder, of which he has been convicted, which is a
6 violent offense, the sentence of the Court is that the
7 defendant be sentenced to the South Carolina Department of
8 Corrections for a period of 15 years, with credit for the
9 time served of 1,661 days.

10 That's to be served concurrently with 2023-GS-10-03943,
11 of which he has been convicted of the possession of a weapon
12 during the commission of a violent crime, as indicted.
13 You'll be committed to the state department of corrections
14 for a period of five years. And that shall run concurrent as
15 indicated, with credit for the time served of the 1,661 days.

16 Good luck to you.

17 MS. KOZIK: Your Honor, if I --

18 MR. D'ANGELO: Thank you, your Honor.

19 MS. KOZIK: Your Honor, if I could inquire quickly? As
20 to the credit for time served, I believe he's serving that --
21 I think that is related to the time that he's served on the
22 felon in possession and the resisting arrest charges.

23 THE COURT: To the degree that I can --

24 MR. D'ANGELO: He's been continuously in jail on these
25 charges.

1 THE COURT: To the degree I can allow it, I will allow
2 it.

3 MS. KOZIK: Okay.

4 THE COURT: I think SCDC has their own evaluation. The
5 fact that I put it on there, they can either pay attention or
6 not pay attention to. So I could probably leave it off, is
7 my understanding, and it would still be part of the process.
8 But to the degree that it can be and if it has any influence,
9 then the credit for time served will be allowed.

10 MS. KOZIK: Yes, sir.

11 MR. D'ANGELO: Thank you, your Honor.

12 THE COURT: All right. Thank you.

13 All right. Good luck to you.

14 Anything further?

15 MR. D'ANGELO: Nothing further, your Honor.

16 MS. KOZIK: Nothing from the State.

17 THE COURT: Okay. All right.

18 (End of proceedings.)

19

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CERTIFICATE OF REPORTER

State of South Carolina

County of Charleston

I, Jamie L. Bickett, an Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of the proceedings had and evidence introduced in the hearing of the captioned case in the Ninth Judicial Circuit, the Court of General Sessions for Charleston County, South Carolina.



Official Court Reporter

Dated this 5th day
of May, 2025.

SHERIFF AL CANNON DETENTION CENTER

ARREST AND BOOKING REPORT



NAME TAYLOR, ANTHONY
 PATRICK
ADDRESS [REDACTED]
 MTPL, SC 29466
PHONE (843) 367-9735
DOB
SEX M **SSN** [REDACTED]
RACE B **DL NO.** [REDACTED] SC
ETHNICITY N **LOCAL ID** [REDACTED]
HAIR BLK **STATE ID** [REDACTED]
EYES BRO **FBI NO** 4AC1
HEIGHT 506 **BIRTHPLACE** SC
WEIGHT 150 **CITIZENSHIP** US
BOOKED 07/21/2020 22:00 **BOOKING #** 20006788
BY 11071 HAYDEL, TED V

ARRESTS

ARREST DATE	ARRESTED BY	Agency	ARREST LOCATION	CASE NUMBER
07/22/2020 09:08	10712 COLLINS	CCSO	SACDC	2020009747

CHARGES

ARREST DATE	WARRANT #	STATUTE	DESCRIPTION	DISPOSITION	BOND AMT

7/22/2020 9:08:00 AM

2020A10102038 16-23-490 91	POSS OF A WEAPON DURING VIOLENT CRIME	XFER
2020A10102038 16-3-29 90	ATTEMPTED MURDER	XFER

COURT DATE

Date	GSC

CONTACTS

RELATION	NAME	ADDRESS	PHONE

EMPLOYMENT

ALIASES

ALIAS NAME

BLACK,
LIL BLACK,



FIVE,
TAYLOR, PATRICK
PATRICK,
PAT,
G5,

SCARS / MARKS / TATTOOS

CODE	DESCRIPTION
TATTOO	
TATTOO	HAS TAYLOR AND THE NUMBER 7

PROPERTY

QTY	ITEM	DESCRIPTION	LOCKER	BIN	DISPOSITION
1	OTHER	HAIR BAND	VALUABLES	E90	TRANSFER
1	PANTS	JEANS	DRESS OUT	1048	TRANSFER
1	BELT	BROWN	VALUABLES	E90	TRANSFER
1	OTHER	TICKET	VALUABLES	E90	TRANSFER

SIGNATURES

I certify that the above is a correct list of items removed from my possession at the time I was booked.

Subject's Signature _____

I hereby acknowledge the receipt of the above arrested individual and his/her itemized property.

Officer's Signature _____ Date _____ Time _____

Received all of the above listed property (minus any property previously released as indicated on this receipt).

Subject's Signature _____ Date _____ Time _____

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA
vs.

ANTHONY PATRICK TAYLOR,
DEFENDANT.

IN THE COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

Arrest Warrant #2020A1010203890
Arrest Warrant #2020A1010203891

Indictment #2023-GS-10-03942
Indictment #2023-GS-10-03943

Stipulation #1

The State and Defense agree to the following:

On July 21, 2020, the Defendant possessed the .40 caliber, Glock 22 firearm located in the passenger side door near where the Defendant was seated in the dark-colored Chevrolet Suburban stopped and appropriately searched by the Mt. Pleasant Police Department.



JKS/0370053
WITNESSES

Charleston County Sheriff Office

Jason B. / Jason Bowen

AGENCY CASE NUMBER

2020-009747

ARREST WARRANT NUMBER

2020A1010203890

DATE OF ARREST

07/21/2020

ACTION OF GRAND JURY

TRUE BILL

McElwain AUG 07 2023
Foreperson of Grand Jury Date:

VERDICT

Foreperson of Petit Jury Date:

DOCKET NO. 2023-GS-10-03942

The State of South Carolina
County of Charleston

FILED

8/30/2023 8:35:18 AM
JULIE J. ARMSTRONG
CLERK OF COURT

COURT OF GENERAL SESSIONS

AUGUST TERM 2023

THE STATE

VS.

ANTHONY PATRICK TAYLOR A.K.A.
Anthony R Taylor, Anthony Taylor, Patrick Taylor
B/M DOB: [REDACTED]-1983

Indictment for

ATTEMPTED MURDER

SC Code: § 16-03-0029
CDR Code: 3410

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened August 2023, the Grand Jurors of Charleston County present upon their oath:

ATTEMPTED MURDER

That in Charleston County, South Carolina, on or about July 21, 2020, the Defendant, Anthony Patrick Taylor, did, with intent to kill and malice aforethought, attempt to kill Debrank Ann Ravenell. This is in violation of Section 16-3-29 of the South Carolina 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.


SHARITA CANNON
ASSISTANT SOLICITOR

JKS/0370053
WITNESSES

Charleston County Sheriff Office

Jason B. Bowen
AGENCY CASE NUMBER

2020-009747

ARREST WARRANT NUMBER

2020A1010203891

DATE OF ARREST

07/21/2020

ACTION OF GRAND JURY
TRUE BILL

MG Woodward AUG 07 2023
Foreperson of Grand Jury Date:

VERDICT

Foreperson of Petit Jury Date:

DOCKET NO. 2023-GS-10-03943

The State of South Carolina
County of Charleston

FILED

8/30/2023 8:35:19 AM
JULIE J. ARMSTRONG
CLERK OF COURT

COURT OF GENERAL SESSIONS

AUGUST TERM 2023

THE STATE

VS.

ANTHONY PATRICK TAYLOR A.K.A.
Anthony R Taylor, Anthony Taylor, Patrick Taylor
B/M DOB: [REDACTED]-1983

Indictment for

POSSESSION OF A WEAPON DURING
THE COMMISSION OF A VIOLENT
CRIME

SC Code: § 16-23-0490
CDR Code: 0549

STATE OF SOUTH CAROLINA

INDICTMENT

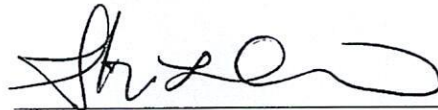
COUNTY OF CHARLESTON

At a Court of General Sessions, convened August 2023, the Grand Jurors of Charleston County present upon their oath:

POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT CRIME

That in Charleston County, South Carolina, on or about July 21, 2020, the Defendant, Anthony Patrick Taylor, did possess a firearm or did visibly display what appeared to be a firearm or did visibly display a knife during the commission of or attempted commission of a violent crime, to wit: Attempted Murder; in violation of Section 16-23-490, Code of Laws of South Carolina, (1976, as amended).

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



SHARITA CANNON
ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA,

vs.

ANTHONY PATRICK TAYLOR

Defendant.

IN THE COURT OF GENERAL SESSIONS
FOR THE NINTH JUDICIAL CIRCUIT

Indictment No(s): 2023-GS-10-03942,
2023-GS-10-03943

VERDICT FORM

I. ATTEMPTED MURDER

As to the offense of Attempted Murder, we the jury unanimously find the Defendant:

1) _____ Not Guilty

2) X _____ Guilty

**If you find the Defendant is Not Guilty of Attempted Murder, you may consider the following lesser included offense of Assault and Battery in the First Degree in Part II.*

***If you find the Defendant is Guilty of Attempted murder, please proceed to Part III.*

II. LESSER INCLUDED OFFENSE OF ASSAULT AND BATTERY IN THE FIRST DEGREE

As to the lesser included offense of Assault and Battery in the First Degree, we the jury unanimously find the Defendant:

1) _____ Not Guilty

2) _____ Guilty

**If you find the Defendant is Not Guilty of Assault and Battery in the First Degree, stop.*

***If you find the Defendant is Guilty of Assault and Battery in the First Degree, stop.*

**III. POSSESSION OF A WEAPON DURING THE COMMISSION OF A
VIOLENT CRIME**

**As to the offense of Possession of a weapon during the commission of a violent crime, we
the jury unanimously find the Defendant:**

3) _____ Not Guilty

4) X Guilty

**THE VERDICT MUST BE UNANIMOUS. Please notify the Bailiff upon reaching a
verdict.**

Julia Smithing

Foreperson Signature

 5 Day of February, 2025
Charleston County, South Carolina

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,

RECEIVED

May 18 2026

SC Court of Appeals



Joanna K. Delany
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 18th day of May, 2026.