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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County

Honorable Debra R. McCaslin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MARK THOMAS FRICK,

APPELLANT

APPELLATE CASE NO. 2025-000611

RECORD ON APPEAL

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
STATE’S EXHIBIT NO. 4 (USB SURVEILLANCE VIDEO) AND STATE’S EXHIBIT
NO. 5 (USB AUDIO INTERVIEW).**

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF LEXINGTON

State of South Carolina,)
 Plaintiff,)
)
 V)
)
 Mark Thomas Frick,)
 Defendant.)
 _____)

2023-GS-32-06083
 2025-GS-32-60131
 TRANSCRIPT OF RECORD

March 24-25, 2025
 Lexington, South Carolina

B E F O R E:

The Honorable, Debra McCaslin, Judge, and a Jury

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

ATTORNEYS FOR PLAINTIFF:

Stephen J. Ryan, Assistant Attorney General
 Michelle C. Pappas, Assistant Attorney General

ATTORNEY FOR Defendant:

Stephen Story, Esquire
 Erin R. Conroy, Esquire

Tara T. Scott, CVR
 Official Court Reporter

1 MR. STORY: Unless you reconsider my motion to quash,
2 Your Honor. You went home, slept on it.

3 THE COURT: I did, and it remains denied. I appreciate
4 it, Mr. Story, you bringing that back to my attention.

5 (WHEREUPON, the jury entered at 9:51 a.m._

6 THE COURT: Please be seated. All right. Madam
7 Forelady, is the jury ready?

8 JURY FORELADY: Yes, ma'am.

9 THE COURT: All right. Before I get you sworn in, just
10 a morning question that I always ask and will ask every
11 morning. Have you talked about this case, done any
12 research, or has anyone tried to contact you about this
13 case? If so, please raise your hand.

14 (WHEREUPON, no hands were raised.)

15 THE COURT: All right. Thank you. Also, Juror number
16 263, you are now part of the jury. Okay? Part of the
17 original 12. I only have one alternate left. Let me get
18 the Clerk to swear in the jury, please.

19 (WHEREUPON, Jury panel sworn by Clerk of Court at 9:51
20 a.m. all answered affirmatively.)

21 CLERK OF COURT: All jurors sworn.

22 THE COURT: All right. Ladies and gentlemen, before we
23 begin the actual trial of the case, I thought it might be
24 helpful if I explain to you basically how a trial proceeds.
25 First, the State will make an opening statement. An opening

1 statement is not evidence. It is simply an outline to help
2 you understand what that party expects the evidence will
3 show. The Defendant may, if he wishes, present an opening
4 statement, but he does not have to for reasons that I will
5 explain. Following the opening statements, you will hear
6 testimony and evidence in the case. This will consist of
7 testimony from State's witnesses as well as any physical
8 exhibits which will be introduced into evidence. Following
9 the completion of the testimony, the attorneys will again
10 have an opportunity to make what is called a closing
11 statement. These arguments are not evidence. Following the
12 closing statements by the attorneys, I will instruct you on
13 the law of South Carolina as it pertains to the issues that
14 have arisen in the case. When I have completed my
15 instructions to you, you will then be permitted to begin
16 your deliberations in order to reach a verdict.

17 I want to take a few minutes to tell you something
18 about your duty as jurors and to give you some instructions.
19 At the end of the trial, I will give you more detailed
20 instructions, and those instructions will control your
21 deliberations. It will be your duty to decide from the
22 evidence what the facts are. You, and you alone, are the
23 judges of the facts. You will hear the evidence, decide
24 what the facts are, and then apply those facts to the law
25 which I will give to you. That is how you will reach your

1 verdict. In doing so, you must follow the law whether you
2 agree with it or not. The evidence will consist of
3 testimony of witnesses, documents, and other things received
4 into evidence as exhibits, and any facts on which the
5 lawyers agree or I may instruct you to accept. You should
6 not take anything I may say or do during the trial as
7 indicating what I think of the evidence or what your verdict
8 should be.

9 This is a criminal case brought by the State of South
10 Carolina. The State charges the Defendant with criminal
11 solicitation of a minor and attempted sexual exploitation of
12 a minor in the first degree. The charges against the
13 Defendant is contained in the indictments, and the
14 indictments are not evidence of anything. It is simply the
15 description of the charge made by the State against the
16 Defendant. The Defendant has pled not guilty to the charge,
17 or both charges, and is presumed innocent unless and until
18 proven guilty beyond a reasonable doubt.

19 Proven beyond a reasonable doubt is proof that leaves
20 you firmly convinced of the Defendant's guilt. A Defendant
21 has the right not to testify and never has to prove himself
22 innocent or present any evidence. The burden of proof is
23 always upon the State of South Carolina.

24 The following things are not evidence, and you must not
25 consider them as evidence in deciding the facts of this

1 case. Statements and arguments of the attorneys, questions
2 and objections made by the attorneys, and testimony that I
3 instruct you to disregard. Evidence may be direct or
4 circumstantial. Direct evidence is testimony by a witness
5 about what that witness personally saw, heard, or did.
6 Circumstantial evidence is indirect evidence. That is proof
7 of one or more facts, which one can find another fact. You
8 are to consider both direct and circumstantial evidence.
9 The law permits you to give equal weight to both, but it is
10 for you to decide how much weight to give any evidence.
11 There are rules of evidence which control what can be
12 received into evidence. When a lawyer asks a question or
13 offers an exhibit into evidence, and the lawyer on the other
14 side thinks that it's not permitted by the rules, that
15 lawyer may object. If I overrule the objection, the
16 question may be answered or the exhibit may be received. If
17 I sustain the objection, the question cannot be answered or
18 the exhibit cannot be received. Whether I sustain an
19 objection to a question, or deny a motion to admit an
20 exhibit into evidence, you must ignore the question or the
21 existence of the exhibit. And you must not guess what the
22 answer would have been or what the exhibit would have shown.

23 Sometimes it may be necessary for me to ask that you
24 leave the courtroom while I discuss with the attorneys legal
25 questions that come up during the trial. If this occurs,

1 you should not speculate about our discussions or the reason
2 that you were asked to leave the room. This is simply a
3 procedure that the law requires when certain legal issues
4 arise. There also may be occasions where I ask the
5 attorneys to approach the bench so I can discuss a legal
6 issue with them in private. I will do this as often as
7 possible, so you will not be required to leave the courtroom
8 more than is absolutely necessary. Again, if I ask the
9 attorneys to step up to the bench, or if I ask you to leave
10 the courtroom, please do not think that anybody is trying to
11 hide anything or keep any evidence from you. This is simply
12 a procedure used by all lawyers and by all courts to
13 determine and decide legal questions.

14 In deciding the fact of this case, you may have to
15 decide which witnesses to believe and which witnesses not to
16 believe. You may believe everything a witness says, only
17 part of it, or none of it. In deciding what to believe, you
18 may consider a number of factors, including the following.
19 The witness's ability to see, hear, or know the things
20 testified to. The quality of the witness's memory. The
21 witness's manner while testifying. Whether the witness has
22 an interest in the outcome of the case. Or any motive, bias
23 or prejudice. Whether the witness was contradicted by
24 anything the witness said or wrote before the trial or by
25 other evidence. How reasonable was the witness's testimony

1 when considered in the light of other evidence which you
2 believe.

3 Until I advise you to begin your deliberations, you
4 must not discuss this case with anyone, including your
5 fellow jurors, your friends, family members, or anyone
6 involved in this case. This includes discussions
7 face-to-face, those by telephone, email, text, blogs,
8 Twitter, Facebook, Google, or any other method of
9 communication. You may not use a computer, a cell phone or
10 other electronic device with communication capabilities at
11 any time while in this courtroom or during your
12 deliberations. During your breaks for lunch, you may use
13 these devices. However, you may not at any time use these
14 devices to get or send information about the case. This
15 includes information about a party, a witness, an attorney
16 or a court officer, news accounts about the case, research
17 on any topics raised, or any topics you may think would be
18 helpful in deciding the case, or any testimony presented by
19 any witness.

20 During the trial, do not read, listen to or watch any
21 news reports about the case. This includes anything that
22 may be in the newspapers, on the internet, radio,
23 television. You must not consider anything you may have
24 read or heard about the case outside of this courtroom,
25 whether before or during the trial. After the case is

1 submitted to you, you must discuss it only in the jury room
2 with your fellow jurors. I told you earlier that the
3 parties in this case have been advised that they are not to
4 talk to you at all. So again, if you see anyone involved in
5 the case and they don't say hello, or they don't wave,
6 they're not being unfriendly. They are just following my
7 instructions. It is important that you keep an open mind
8 and not decide any issue in the case until all of the
9 evidence has been presented, the parties have made their
10 closing arguments ,and I have instructed you on the law.

11 It is your sole responsibility to determine the guilt
12 or innocence of the Defendant. Your verdict must be based
13 solely on the evidence as it is presented to you in this
14 trial and on the law as I instruct you during and at the
15 close of the trial. It is your added duty, Madam Forelady,
16 to preside in the jury room and be the jury spokesperson
17 here in court. It will also be your duty to write the
18 verdict, but I'll give you further instructions about that
19 later on.

20 In order to preserve everyone's rights, I will give the
21 parties an opportunity to object to anything I have said.
22 Any exceptions of what I've said to the jury by the State?

23 MR. RYAN: No, Your Honor.

24 THE COURT: Any by the Defendant?

25 MR. STORY: Of course not, Your Honor.

1 THE COURT: Thank you. We will now begin the trial of
2 this case. Mr. Ryan?

3 MR. RYAN: May it please the Court?

4 THE COURT: Yes, sir.

5 OPENING STATEMENTS

6 MR. RYAN: Counsel, members of the jury, good morning.
7 My name is Stephen Ryan and with me is Michelle Pappas. We
8 work at the South Carolina Attorney General's Office. You
9 heard me yesterday and you heard the indictments, so you
10 have a general idea of what we're here today. This case is
11 going to be about children, technology, and a man who used
12 that technology to try to meet a child for his own sexual
13 gratification.

14 Technology has been a tremendous boon for us. It's
15 made things convenient, but what's happening is it's
16 allowing individuals to get access to children that they
17 never would have otherwise. Now, this is State v Frick, but
18 really I'm the one on trial, because I will bear the burden.
19 I have to convince you that he is guilty of these crimes.
20 Don't ever forget that. It is the State that has to bear
21 the burden. Now, I don't expect that this will be a very
22 long trial. I don't expect that this will be a very complex
23 trial. Some of the subject matter we're going to get into
24 is going to be a little awkward maybe. It can be a little
25 uncomfortable, but all I ask is that you remain open to all

1 of the testimony that you hear. You're going to hear from
2 different law enforcement officers from different agencies
3 that are going to tell you about an undercover online chat
4 operation they had here in Lexington a few years ago. You're
5 going to hear from a policeman who will tell you that he
6 made an online persona of a fourteen-year-old girl and that
7 he began a conversation with a man. That after they both had
8 both acknowledged the age of the man and that the girl was
9 fourteen, they still continued to have that conversation and
10 made plans to meet. You're going to hear that when that man
11 arrived at that predetermined location, it was the Defendant
12 that got out of the truck. I know that you're going to give
13 us your full attention. Like I said, I only ask that you to
14 remain open to all the evidence and all the testimony, and
15 then at the end of this trial I'm going to ask you to give
16 the only verdict that the evidence supports. That Mr. Frick
17 is guilty of both of these crimes. Thank you so much.

18 THE COURT: Thank you, Mr. Ryan. Mr. Story?

19 MR. STORY: May it please the Court?

20 THE COURT: Yes, sir.

21 MR. STORY: Members of the jury, Mark got caught up in
22 a vast government operation. That government operation was
23 put on by the South Carolina Attorney General's Office.
24 You're going to hear about the Internet Crimes Task Force,
25 run by the Attorney General's Office, the most powerful

1 prosecutor in this state. But it also involved other
2 government agents and other government agencies. It sounds
3 like a huge operation, but in this instance, all they did
4 was an agent got online and masqueraded as a teenager and
5 tried to induce and tried to ensnare people into doing
6 things they wouldn't otherwise have done. And that's
7 exactly what happened to my client, Mr. Frick.

8 Now, they have all the power, all the money, and all
9 the resources of the State of South Carolina at their
10 disposal. And they marshaled all those resources against
11 one man, my client, Mark. You're going to hear there's a
12 lot more to the story, but right now I just want y'all to
13 remember. Don't let anybody tell you what to think, what to
14 think about the evidence. Because in this country, no
15 matter how powerful the government is, no matter how many
16 different schemes and plans they use to ensnare individual
17 citizens, ultimately, the power comes down to the people.
18 And it comes down to individuals like you. And I'm not
19 going to say much else on that. The Judge already told you
20 about your duty. She told you about the burden of proof.
21 And I just ask you, don't let anybody tell you what to
22 think. Remember to make your own assessment about what you
23 think about the testimony from this witness stand and the
24 answers to the questions that are asked. Because,
25 ultimately, it comes down to what you believe as

1 individuals, not what anybody else tells you.

2 You're going to hear more about the operation and the
3 multiple agencies and officers that were involved. You're
4 going to hear more about my client, Mr. Frick. He's a single
5 man, works two jobs. He likes to do things like go to the
6 movies in his spare time. And he started chatting with an
7 undercover officer that was pretending to be a teenager, who
8 kept asking him over and over to come over. And I want you
9 to ask, at the end of all this, was he ensnared. Was he
10 coerced. Was he caught up in something he wouldn't have
11 otherwise done. Because, even though the government can
12 bring all these officers in, and they can marshal their
13 resources, ultimately, you have the last word.

14 You're all from different backgrounds. You all have
15 different experiences. I want you to use those different
16 experiences, and listen to your fellow jurors, but remember
17 don't do violence to your own conscience. When, after this
18 short trial, you go back in the jury room, stand firm.
19 Because, ultimately, it just comes down to my client, and
20 ultimately you have the last word. I'll ask that you find
21 Mark Frick, at the end of this trial, is not guilty.

22 THE COURT: Thank you, Mr. Story. Is the State ready to
23 call their first witness?

24 MR. RYAN: We are, Your Honor.

25 THE COURT: You can call them.

Kenneth Clark-Direct Examination

81

1 MR. RYAN: The State calls Kenneth Clark.

2 WHEREUPON, Kenneth Clark, having
3 first been duly sworn, testified as follows:

4 WITNESS: My name is Kenneth Clark. Last name,
5 C-L-A-R-K.

6 DIRECT EXAMINATION

7 BY MR. RYAN:

8 Q Good morning, sir.

9 A Good morning.

10 Q How are you today?

11 A Good.

12 Q Is Investigator Clark an appropriate way to address
13 you?

14 A That's fine, yes.

15 Q Very well then. Mr. Clark, where are you currently
16 employed?

17 A I'm currently employed with the Mount Pleasant Police
18 Department.

19 Q How long have you been employed there?

20 A Eight years.

21 Q Can you briefly tell us about your law enforcement
22 background and training?

23 A Sure. I began my law enforcement career in 1997, right
24 across the county line in Saluda County. I worked there for
25 about 14, 15 years. During that time, in '06, I started

1 working child physical and sexual assault cases, which put
2 me in touch with the Attorney General's Office quite a bit.
3 So, in 2014, I became a member of the Internet Crimes
4 Against Children's Task Force. Once I left Saluda County, I
5 went to Mount Pleasant, where I continued to work Internet
6 Crimes Against Children.

7 Q Are you familiar with the South Carolina Attorney
8 General's -- you're familiar with the Internet Crimes
9 Against Children's Task Force at the Attorney General
10 Office?

11 A Yes.

12 Q All right. Are you still a member of that task force?

13 A I am.

14 Q All right. Can you tell us a little bit -- I think you
15 touched on this very briefly. What type of crimes does that
16 involve?

17 A So the crimes that are generally worked by myself and
18 other members are online cases involving any minors. We
19 work cyber tips that are given to us from the National
20 Center for Missing and Exploited Children, NCMEC, and any
21 proactive cases and proactive ops around the State of South
22 Carolina.

23 Q Can you tell us about any training you've received in
24 undercover chat operations?

25 A In 2018, I went to a 40-hour training in Florida for

1 UC, undercover chats. My whole career, I've logged about
2 400 hours in Internet Crimes Against Children types of
3 investigations.

4 Q Were you involved in an undercover chat operation in
5 August of 2021?

6 A Yes, sir.

7 Q Where was that?

8 A That was in Lexington County Sheriff's Office.

9 Q Okay. What was your role in that operation?

10 A As a chatter, someone that was online.

11 Q Okay. And what were you doing online?

12 A On different apps, chatting.

13 Q As yourself or someone else?

14 A As someone else.

15 Q Who were you?

16 A In that op was a 14-year-old with the username Ali M14.

17 Q Where were you physically when you were online?

18 A Physically, sitting in the Lexington County Sheriff's
19 Office training facility, right beside the main office of
20 the Sheriff's Office.

21 Q Was that in Lexington County?

22 A Yes, sir.

23 Q What apps or applications, what platforms were you on?

24 A At that time, Whisper, Kik, and Omegle.

25 Q Now, do you remember if you had any conversations while

1 you were participating in this undercover operation?

2 A Yes, several.

3 Q Okay.

4 A Many.

5 MR. RYAN: Permission to approach, Your Honor?

6 THE COURT: Yes, sir. Go ahead.

7 Q I'm going to hand you what's marked as State's Exhibit
8 3. Take a look at it, please.

9 A Okay.

10 Q What is it?

11 A It's a USB drive to South Carolina Attorney General's
12 Office.

13 Q Do you know what's on it?

14 A A conversation.

15 Q What conversation?

16 A The conversation I had with the username.

17 MR. RYAN: Your Honor, at this time, I'd move that
18 Exhibit 3 be moved into evidence.

19 THE COURT: Any objection?

20 MR. STORY: No objection, Your Honor.

21 THE COURT: It's admitted.

22 (WHEREUPON, USB chat, marked State's Exhibit Number 3,
23 entered into evidence.)

24 MR. RYAN: Permission to publish to the jury?

25 THE COURT: Yes, sir.

1 Q Investigator Clark, you made the drive up this morning
2 or did you come up last night for us?

3 A I came up yesterday afternoon.

4 Q Investigator Clark, what am I looking at?

5 A You're looking at the beginning of the chat
6 conversation with Ambient_Poppins and AllieM14.

7 Q And which one are you?

8 A By that picture, I'm the one on the right, the dark
9 purple.

10 Q What I'd like you to do is, if you could just read the
11 chats that you received or sent and just give us the
12 conversation and I may have some questions as we go through
13 them, but just walk us through this please.

14 A All right, so in the top left corner, you'll see a
15 post. Even though I have glasses on, I cannot read that from
16 here.

17 Q If you need to come up and move closer?

18 A Yeah, I'm going to have to.

19 Q Very well, sir.

20 THE COURT: Let me ask the jury, can you all read it?
21 Can you see it? I've got a no. I've got a yes. I've got a
22 maybe. Can you make that bigger? There's a zoom in button
23 right there. That might be a little much. All right, that
24 looks much better. Can the jury see that? If I can see it,
25 I feel sure you all can, because I'm pretty much blind.

1 Okay. All right, I think everybody can see.

2 Q Can you come up here and walk us through it?

3 A The top-left corner is a post that AllieM14 posted on
4 Whisper for Columbia, South Carolina. It goes into where
5 Ambient_Poppins says, Hi. Profile says, Hey. Wyd, which
6 means what are you doing. ASL? Age, sex, location. Profile
7 says nothing, 14, and Columbia, and you. It says Gaston,
8 the profile, AllieM14 says, You ain't old, LOL. Not sure
9 where that is, LOL. I'm from Charleston, but at my aunt's
10 while mom is out of town. Okay, I am old. 53. You young.

11 THE COURT: Can we make that a little bit bigger so the
12 jury can see?

13 A That ain't old LOL and I don't care about age. Okay,
14 but the law does, LOL. Well, I ain't the law, or tellin'
15 so... Okay, I understand if you don't want to talk to me. I
16 talk with you. Okay, then. What's up? Nothing, LOL. You?
17 Watching TV. What you watchin'? Kelly Clarkson Show but I
18 think about to watch Netflix. LOL, LOL. Cool. Hi. Good
19 morning. Hey.

20 Q Briefly, I'm seeing where it says, yesterday 1109,
21 today 8:44. What does that mean? Or what's happening?

22 A So, the yesterday at 11:09 would be the end of the
23 conversation, or where the day before previously, and the
24 hour said that today at 8:44 a.m. would be the next morning.
25 Where Ambient_poppins said, good morning. And then at same

1 day at 12:41 p.m. the undercover profile said hey back.

2 Q You are -- "hey" is coming from you, is it?

3 A The one on the far right is coming from me, yes.

4 Q The one on the left, is that coming from the person
5 you're communicating with?

6 A Correct.

7 Q And is this one day or is this multiple days?

8 A It'll be, I think it was 11 o'clock at night, that's
9 what it said, 11:09 PM, and then the next morning at 8:44
10 a.m. And then my response at 12:21 p.m.

11 Q Thank you so much. Please continue.

12 A Where I said, hey, Wyd, what you doing? Just sitting
13 here talking to my aunt, LOL. Okay. Am working. Bored.
14 Take a day off, LOL. Okay, LOL. Received a picture. Says
15 me.

16 Q Which picture did you receive?

17 A The picture on the left.

18 Q Can you describe that briefly?

19 A Picture of the person, Ambient_Poppins, says they were.

20 Q Detective Clark, do you see that person here today?

21 A Yes.

22 Q Can you point him out to us?

23 A Sitting at the defense table.

24 MR. RYAN: If the record would reflect he identified the
25 Defendant.

1 THE COURT: The record so reflects.

2 Q Please continue.

3 A Stated me. Stated nice. The picture was sent. So, the

4 UC profile sent this picture. It says me, LOL. You pretty.

5 Don't look 14. Thanks. I think. Yes, you look older.

6 Well, I'm def 14, LOL. Wish I was older. I know. I wish

7 you was 18. LOL. When your birthday? Well, you don't look

8 like you in no 50s, Boo. March, LOL. And yours? November.

9 Why, Boo? Cool. What you mean, why, Boo? LOL. It's just

10 a saying, LOL. Okay. Sorry. I won't say it no more. It's

11 okay. Okay, LOL. What you doing now? Getting a new car at

12 Toyota. What? That's cool. Trade my 2018 Toyota car for a

13 2021 truck. Cool. I like trucks, LOL. Okay. I take

14 picture of it for you. Okay. It is blue. Like dark? I

15 like black. It light blue. I like purple. I like purple,

16 too. I'm sure it a pretty truck, though. It is. You wish

17 I hang out with. What you mean? I like hanging out. Like

18 take you to the movies. Nothing sexual. LOL. Why you said

19 that? I don't know. Sorry. LOL. It's okay. I'm down for

20 anything so it don't matter. LOL. Okay. I was best friends

21 with a girl when she was 12 until 20 and we never had sex.

22 Just hung out. Then she wasn't. Wow. LOL. Yep. Am big

23 sucker. Okay. If that's all you want, then that's all you

24 want. LOL. Don't know. What you mean? Yes friends. I don't

25 want to go to jail. Okay. Ain't no one going to jail

1 because I ain't telling. My mom would kill me. She don't
2 even know I'm on here. LOL. Okay. Plus, I don't know no one
3 here and when my aunt leaves it's just me. Okay. You not in
4 school? No. I've been home-schooled for three years
5 because of my mom's work schedule. I start back next week.
6 Okay. So you don't get meet people your age because you
7 don't go to public school? Yep. But I like older guys
8 anyway. Okay. There's a picture of a truck was sent. Nice.
9 Kinda dark. You buy it yet? Still doing paperwork? Oh,
10 okay. LOL. At the movies now. Oh, what movie? Jungle
11 Cruise. What's that about? You want me to leave you alone
12 so you can watch it? No, don't. The Rock is in. Oh, cool. I
13 like him. Okay. Okay. What are you doing after? Nothing.
14 Here myself. I mean, what are you doing after the movie?
15 Nothing. Just going to get something to eat. I see. Okay.
16 You, where are you? Aunt home. At my aunt's still. Until
17 Sunday. No, she had work til like 2. In the morning? Then
18 you're going back to Charleston? Yep. What's she do? I go
19 back Sunday when my mom gets back. To Charleston? Yep.
20 Okay. What who do my mom or aunt? What? You're in
21 Columbia now? You ask me what she do? Yes, in Columbia
22 until Sunday. Your aunt. Works at some hospital around
23 here. Okay. What do you do? State library. Papa John's.
24 I heart, heart, heart, heart, heart, Papa John's. Okay.
25 Smiley faces. How's the movie? It's okay. Wyd, what you

1 doing? Just being bored and hungry, LOL. Trying to decide
2 what to eat. Okay. I bring you pizza. Really? LOL. I would.
3 You so nice. Sucker. Ha, ha, ha, ha, ha. Bring you pizza.
4 Why you call me a sucker? No, me. Am big sucker. Oh, I was
5 like you call me a sucker. No, me. I am. LOL. It's okay.
6 Okay. I come see you. Smiley face, smiley face, smiley face.
7 What we gon do? Nothing. Give you hug, a pizza. That's
8 all? I'm down for anything. Okay. If you was 18, I'd do
9 anything you want, LOL. Well, I ain't telling and we will
10 be alone. Okay. Where your dad? They divorced and I don't
11 really see him. Okay. You still at the movie? Yes. Cool.
12 Wish you was here too. Me too. What would you like about
13 it? Holding your hand. I would be like that too. What
14 else? Don't know. Am all myself. No. What would you like
15 to do with me if I was there? LOL. Hold your hand. Kiss your
16 hand. Oh, I like that. Then what you want to do. Don't
17 know. Awww. You eat yet? Nope. I bring you something. What
18 else we gon do though? Just want to know how to prepare.
19 Just bring you food. Hold your hand and hug you. Then go
20 home. Ugh. I want to have fun. Okay. Okay. Leaving the
21 movies. Going home I guess. If that what you want to do.
22 No. I want to come meet you. Well, depends on what you want
23 to do, Boo. I'm fixing to get in shower. Okay. You gonna
24 wear purple? I bring you food. Depends, LOL. What we gonna
25 do after we eat? You trying to get me in trouble, LOL. Am

1 scared. No, I'm not. I'm not telling and no one here. LOL.
2 Okay. Watch you. What are you doing? Watch me what, LOL?
3 Just sitting here bored. Oh, watch you play with yourself.
4 Like yeah, how? At your house? Yeah, like what would I be
5 doing? Rubbing your pussy while wearing your panties.
6 Okay, I would do that. Okay. What would you be doing?
7 Jerking. Doing that now. Okay, what time you coming
8 because I ain't shower yet. Save it, Boo, for here. Okay.
9 Are you lying about coming here? No, I come see you. Well,
10 come on. Where? I'm down the road from the Love's on Longs
11 Pond Road. And you? Gaston. How far is that? Like 20
12 minutes. Okay. Well, come on, Boo. Address? 340 Longs
13 Pond Road. That in Lexington? Yes. Am scared. Don't be
14 scared, Boo. No one here but me. Okay. Let me know when
15 you're there and I will give you here address. Gotta make
16 sure you're for real and ain't no kidnapper. No kidnapper.
17 So wrong address. Okay. The gas station beside me, LOL. I
18 told you. Hurry up, LOL. Okay. Okay. Let me know when I
19 leave and I will get in shower. Leaving now. Okay. Getting
20 in shower. I get to see your new truck. Yep. Yay. I'm
21 out the shower, Boo. Out, LOL. Okay. Where you at? 10
22 minutes. Am at the WalMart. Okay. Drying my hair. It's
23 long. At Love's. Address? [REDACTED] Denali Court, Lexington.
24 Where is that? The house, LOL. How far from here? Okay.
25 Like 4 minutes or less. You got Google Maps, Boo. You find

1 it? Here. Here. Okay. Door open, Boo. Am at Love's. No
2 pizza, but I can bring McDonald's. Can you get me something
3 from the store? I don't have to if you don't want. I got
4 some money here. What? Great. At McDonald's too. Chicken
5 nuggets and milkshake. Sauce? You're so sweet. Barbecue?
6 Address. What flav. Flav what? Milkshake. Chocolate or
7 whatevs they have. Address? [REDACTED] Denali Court, Lexington.
8 Where is that? The house, LOL. How far from here? Okay.
9 Like 4 minutes or less. You got Google Maps, Boo. You find
10 it? Here. Here. K, door open, Boo. That's the end.

11 Q Thanks so much. You can have a seat? I know everyone
12 appreciates it. Alright, so that [REDACTED] Denali address, where
13 did that come from?

14 A That was the address that the chatters and the op were
15 given as the house location where we'd be living for that
16 term of the operation.

17 Q Was this a pre-determined location?

18 A Yes.

19 Q Alright. Were there surveillance cameras and other
20 officers there?

21 A Yes.

22 Q You told us about this chat operation, and I'm
23 picturing something out of the movies. Can you describe
24 where you're at.

25 A Again, we're at the Lexington County Sheriff's Office

1 in their training facility in a pretty large room. At that
2 time, I believe we had 10 chatters assigned to this certain
3 operation. So, what that would be is a big U-table, a bunch
4 of computers and a bunch of people chatting online with
5 people that are engaging in conversations with our
6 undercover personas. Generally there you have your
7 chatters, you have TVs where we can still monitor the house
8 where we're sending people to meet said UC profiles. And
9 then you have your command staff who's monitoring for the
10 Sheriff's Office. You have investigators, you have
11 interviewers, a lot.

12 Q Where you were chatting, could you see the TV monitors
13 with the arrest house?

14 A Yes.

15 Q Alright. While you were having this conversation, did
16 someone arrive?

17 A Yes.

18 Q Alright. What happened?

19 A That's where in the text messages it says, "Here,
20 here," and where my persona says, "Door open." And that
21 time frame, he exits the vehicle, goes in the door, and was
22 taken down by Lexington County Sheriff's Office.

23 Q After that happened, did you get any more messages from
24 the person you were communicating with?

25 A No.

1 Q I think you said in the name of it, but what app were
2 you on?

3 A Whisper.

4 Q Whisper? Briefly, what's that?

5 A Whisper is just basically a posting app where you post
6 boards. You have -- you can put words, it offers up
7 pictures itself to match what words you put in there. And
8 then you just post it.

9 MR. RYAN: Thank you so much. Nothing further.

10 THE COURT: Thank you, Mr. Ryan. Mr. Story?

11 MR. STORY: May it please the Court?

12 THE COURT: Yes, sir.

13 CROSS-EXAMINATION

14 BY MR. STORY:

15 Q Investigator Clarke.

16 A Yes, sir.

17 Q So, you've seen -- those are all the chats that you did
18 in this operation?

19 A Yes, sir.

20 Q I'm going to direct your attention to one in
21 particular. I know we've seen it, but I'm going to show you.
22 Tell me if you recognize these. Feel free to flip through.

23 A Sure. Yes, sir.

24 Q I want to direct you, at one point, you know, you start
25 asking Mr. Frick to come to the location, correct?

1 A I asked him what we were going to do.

2 Q Yes. In the context of you were talking about coming to
3 the -- what you called the house, the predetermined
4 location, right?

5 A Yes, sir.

6 Q And when you were asking him, you said, you sent three
7 smiley faces, what we gon to do, three smiley faces,
8 correct?

9 A Yes, sir.

10 Q And he replies, "Nothing," right?

11 A Uh-huh.

12 Q And, "Give you a hug. A pizza."

13 A Yes, sir.

14 Q And you replied, "That's all. I'm down for anything,"
15 smiley face, right?

16 A Yes, sir.

17 Q And then, a little bit later, you said -- he said he
18 was going to bring you something, correct?

19 A Yes, sir.

20 Q And then you said, "What else we gon to do. Just want
21 to know how to prepare," right?

22 A Yes, sir.

23 Q He said, "Bring you food."

24 A Yes, sir.

25 Q He said, "Hold your hand and hug you, then go home,"

1 correct?

2 A Yes, sir.

3 Q And your response was, if you could read that.

4 A I said, "Ugh. I want to have fun."

5 Q Want to have fun, and then you sent a face slapping
6 emoji, correct?

7 A Yes, sir.

8 Q Expressing frustration, right?

9 A Sure, yes, sir.

10 Q And you said when you were doing these chats you were
11 at the local Sheriff's Department, correct?

12 A Yes, sir.

13 Q In their training facility?

14 A Yes, sir.

15 Q You were there at, I think you described it as a semi-
16 circle table?

17 A Yes.

18 Q And there were about ten chatters?

19 A I believe it was ten at that op. Yes, sir.

20 MR. STORY: Thank you. No further questions.

21 THE COURT: Any redirect?

22 MR. RYAN: No, Your Honor.

23 THE COURT: May I let Investigator Clarke down, then?

24 MR. STORY: Yes, Your Honor.

25 THE COURT: Thank you, Investigator. All right, you

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1 can call your next witness.

2 MR. RYAN: The State calls Adam Creech.

3 WHEREUPON, Adam Creech, having
4 first been duly sworn, testified as follows:

5 DIRECT EXAMINATION

6 BY MR. RYAN:

7 Q Good morning.

8 WITNESS: I still need to state my name for the record.

9 It's Anthony Adam Creech, C-R-E-E-C-H.

10 Q Thank you so much, sir. Can I address you as
11 Investigator Creech?

12 A Yes, sir, you can.

13 Q All right. Where are you currently employed, sir?

14 A I am currently employed with the South Carolina
15 Attorney General's Office, Internet Crimes Against Children
16 section.

17 Q How long have you been employed there?

18 A Since February of 2024. I just here recently made my
19 one year at the office.

20 Q Congratulations. Where were you before that?

21 A Prior to that, I had been with the Lexington County
22 Sheriff's Department since I started August 24, 2009. I was
23 with the Lexington County Sheriff's Department until
24 February of last year. During my time at the Lexington
25 County Sheriff's Department, I entered criminal

1 investigations in what we call the Major Crimes Unit. In
2 July of 2014, I began to specialize in crimes against
3 children, which constituted a whole range of types of
4 investigations, from homicides to physical or sexual child
5 abuse, and that eventually segued into Internet Crimes
6 Against Children investigations. I joined the ICAC Task
7 Force with the State of South Carolina in I believe it was
8 March of 2016, and began to specialize as the Lexington
9 County Sheriff's Department's primary investigator for
10 Internet Crimes Against Children cases. And then in October
11 of 2017, I was promoted to the position of Sergeant over the
12 Special Victims Unit, where that position existed, and then
13 I continued to supervise my replacement in that role as well
14 as continuing to specialize in Internet Crimes Against
15 Children investigations, as well as supervising our Special
16 Victims Unit as a whole, and that was the position I held
17 until I left in February of last year.

18 Q You're familiar with the Attorney General's Internet
19 Crimes Against Children Task Force?

20 A I am. It's one of 61 national task forces for Internet
21 Crimes Against Children in South Carolina. We have a single
22 task force that stems from the AG's office.

23 Q And you're a member?

24 A I am. I've been a member, again, since March of,
25 roughly March of 2016.

1 Q Were you involved in an undercover child operation in
2 August of 2021?

3 A I was. At the time, I was with the Lexington County
4 Sheriff's Department, and I was what we would call an
5 affiliate. So I'm part of the task force, but obviously I
6 work for the local sheriff's office and not the Attorney
7 General's office. And so my role in 2021 is we had never
8 hosted what we would call a scaled undercover chat
9 operation. Part of my current duties is actually on the
10 flip side of that. I travel the state and I actually am on
11 the planning end of these operations, but back then I would
12 have been the, kind of, nexus of the Lexington County
13 Sheriff's Department then coordinating with a counterpart
14 with the Attorney General's office to, kind of, put all
15 these pieces and parts into motion because these are rather
16 complicated events involving about 50 personnel a night in
17 various components, federal, state, local agencies. It's a
18 lot for any one agency to do, so I was, kind of, the nexus
19 for getting that all organized. And then that, by default,
20 also made me the case officer on these cases when either a
21 case was made due to somebody traveling during the operation
22 or any of the follow-up investigations. I was the case
23 officer for all of those cases during this incident as well.

24 Q And does that include the investigation of Mr. Frick?

25 A It does.

1 Q When you say you're the case agent, can you briefly
2 describe that so that everyone understands what that means
3 specifically to this case?

4 A Certainly. So, there's a lot of people who have got
5 different hands on different parts of a case like this. My
6 role, you know, so I'm at the command post watching, so the
7 Attorney General's office approves the chats when they take
8 place and basically determines whether or not they meet our
9 guidelines to continue that case. And then if they do, as
10 the local case agent, I make sure I was aware of those chats
11 as well. And then if a subject ultimately traveled as a
12 result of those chats and was taken into custody, it was
13 then my responsibility to make sure proper legal process was
14 submitted, obtained, and I make sure to get all the
15 different components of the case put together and compiled
16 in one place, whether that's surveillance camera, chats, or
17 any other relevant documentation or material to make sure
18 it's then available for prosecution at a later date.

19 Q What happened that resulted in Mr. Frick being
20 arrested? I'm not asking about the chats. How did he end
21 up being handcuffed? How did that first interaction occur?

22 A So, we had surveillance, live surveillance, on the
23 house we were using where our undercover personas were
24 supposed to be residing. Obviously, they weren't residing
25 there. They were at the Sheriff's Department in our command

1 post, as we would call it. But the address at Denali Court,
2 we had what we would refer to as a takedown team, or an
3 arrest team, that was present inside the house. As we're
4 watching the live video, a light blue 2021 Toyota Tacoma
5 pulled up in the driveway. A subject exited the vehicle,
6 went to the front door, and at that time our arrest team,
7 while we watched, took that individual into custody.

8 Q That Denali address, is that in Lexington County?

9 A It is. It's located in the Lexington area of Lexington
10 County, South Carolina.

11 Q You said that there was surveillance that was playing
12 in the command post. Were you able to observe that in Mr.
13 Frick's case?

14 A I was.

15 MR. RYAN: Permission to approach?

16 THE COURT: Yes, sir.

17 Q I'm going to hand you what's been previously marked as
18 State's Exhibit Number 4. Take a few moments, as much as
19 you need. Do you recognize what you have?

20 A I do.

21 Q What you got there?

22 Q This is a flash USB drive. It says, "South Carolina
23 Attorney General's Office." It has the surveillance footage
24 in question that showed Mr. Frick being arrested.

25 MR. RYAN: Your Honor, at this time I'd move to have

1 State's Exhibit Number 4 moved into evidence.

2 THE COURT: Any objection?

3 MR. STORY: No objection, Your Honor.

4 THE COURT: It's admitted.

5 (WHEREUPON, USB surveillance video, marked as State's
6 Exhibit Number 4 for identification, entered into evidence.)

7 MR. RYAN: Permission to publish to the jury?

8 THE COURT: Yes, sir. Go ahead.

9 (WHEREUPON, State's Exhibit Number 4 published.)

10 MR. RYAN: One moment, Your Honor.

11 THE COURT: Take your time.

12 MR. RYAN: Thank you so much, sir. Your Honor, nothing
13 further for this witness.

14 THE COURT: All right, Mr. Story.

15 CROSS-EXAMINATION

16 BY MR. STORY:

17 Q Investigator Creech, I apologize if I missed this.

18 When did you start at the Sheriff's Department?

19 A August 24, 2009.

20 Q 2009. And you joined major crimes in 2016?

21 A 2014.

22 Q You joined major crimes in 2014. You joined ICAC in
23 2016.

24 A Correct.

25 Q And then in October 2017 you were moved to the Sergeant

1 of the Internet Crimes Unit; correct?

2 A Well, it was the Sergeant of the Special Victims Unit.
3 We don't have a dedicated -- I say "we". I've got to get
4 out of that habit. The Lexington County Sheriff's
5 Department does not have a dedicated Internet Crimes Against
6 Children Unit. They have a single position that's part of
7 the overall Special Victims Unit.

8 Q Okay. So, but you were promoted to head that unit,
9 correct?

10 A Correct.

11 Q And then, just this past year, February of 2024, you
12 joined the Attorney General's Office?

13 A That's correct.

14 Q As their chief investigator of their ICAC Unit?

15 A Well, I'm not their chief investigator, but I'm one of
16 the four special investigators who specialize in
17 technology-facilitated crimes against children.

18 Q Thank you for clarifying that and allow me to join Mr.
19 Ryan in congratulating you on your promotion. So, you said
20 during this operation there was about 50 people a night
21 normally?

22 A Well, if you're talking support staff, chatters. I
23 mean, there were 10 chatters alone, so right there, that's a
24 significant portion. But then you've got all the
25 administrative personnel, case file managers, intel

1 analysts. There's on the street surveillance. There's the
2 team in the house, which, as you can tell, is 5, 6, 7, 8
3 people. You've got crime scene investigators in the house
4 for evidence collection. You've got the arrest team. And
5 then you've got interviewers. I mean, there's roles for
6 everybody, but it's more than just a handful of people can
7 accomplish in an operation like this, especially once you
8 start having multiple defendants at the same time.

9 Q So, you said it was about 50 people this night,
10 correct?

11 A Correct, give or take, it was about 50 people.

12 Q All at the Sheriff's Department?

13 A Well, between the Sheriff's Department and [REDACTED] Denali
14 Court.

15 Q Okay, thank you. And you generated a report in this
16 case, correct?

17 A Correct.

18 Q Do you recognize what I'm handing to you?

19 A Yes, I do.

20 Q For identification only. And that's a report you
21 wrote, correct?

22 A Correct, it would be the supplemental report that I
23 generated to go with the original incident report.

24 Q That was August 12th?

25 A That is correct.

1 Q Do you recognize this other document I'm handing to
2 you?

3 A Correct, this was the initial skeletal report that we
4 generated for this incident that I then followed up with a
5 more detailed supplemental report.

6 Q And you simply wrote that you wrote a report, correct?

7 A Correct, because a lot of these, once we had a
8 violation and we didn't know who the Defendant necessarily
9 was at the time, because he hadn't traveled yet, we had
10 generated an initial skeletal report that just said an
11 investigation was begun, or something really basic, and then
12 we followed that with additional, more detailed supplemental
13 reports once we had additional information. But we needed
14 that case number for tow sheets, body camera footage. There
15 needed to be a case number to start logging law enforcement
16 activity. But since we didn't have all the full details to
17 write the full incident report, we started with that just
18 initial one-line generic report.

19 Q It was a report that you wrote a report, right?

20 A Correct.

21 MR. STORY: Thank you. Brief indulgence.

22 THE COURT: Take your time.

23 MR. STORY: No further questions, Your Honor.

24 THE COURT: Any redirect?

25 MR. RYAN: No redirect, Your Honor.

1 THE COURT: May I excuse Investigator Creech?

2 MR. RYAN: You may, Your Honor.

3 THE COURT: Thank you.

4 MR. RYAN: Your Honor, at this time I would like Mr.
5 Story and I to approach.

6 THE COURT: Let me ask. Madam Forelady, is the jury,
7 okay? Do y'all need a break? One goes, we all go. Y'all
8 okay?

9 (WHEREUPON, brief sidebar.)

10 THE COURT: All right, Madam Forelady, ladies and
11 gentlemen of the jury, I know it's kind of early, but
12 there's a matter I need to take up with the lawyers. So,
13 I'm going to, instead of leaving you in the jury room, I'm
14 going to let you go to an early lunch. I'm going to ask you
15 to be back in the jury room at 12:30. Okay? Remember, no
16 talking about this case, even amongst yourselves, and I'll
17 see you at 12:30. We're a little ahead of schedule, I
18 think, is what you can plan on. Thank you.

19 (WHEREUPON, jury exited courtroom at 11:02 a.m.)

20 THE COURT: We are a little ahead of schedule. So, I
21 just want to make sure, Mr. Story, you're going to be
22 prepared for later on.

23 MR. STORY: I believe so, Your Honor.

24 THE COURT: I'll let y'all work on the audio.
25 Investigator Creech, you're going to -

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1 MR. CREECH: We have a solution for it, Your Honor.

2 THE COURT: You've got a solution. That is perfect.

3 All right, y'all work on it. If y'all have any problems,
4 just come and get me.

5 MR. RYAN: Very well, Your Honor.

6 THE COURT: We'll start back at 12:30.

7 (WHEREUPON, lunch recess 11:02 a.m.-12:46 p.m. Jury
8 entered at 12:46 a.m.)

9 THE COURT: Madam Forelady, is the jury ready?

10 JURY FORELADY: We're ready.

11 THE COURT: All right, please be seated. Call your
12 next witness, please.

13 MR. RYAN: The State calls Jason Hughes.

14 WHEREUPON, Jason Hughes, having
15 first been duly sworn, testified as follows:

16 WITNESS: Jason Hughes, last name's H-U-G-H-E-S.

17 DIRECT EXAMINATION

18 BY MR. RYAN:

19 Q Good afternoon. How are you?

20 A I'm fine, sir.

21 Q Investigator Hughes, is that an appropriate way to
22 address you?

23 A Sure.

24 Q Where are you currently employed, sir?

25 A I am a court security officer at Federal courthouses.

1 Q All right. How long have you been employed there?

2 A Since June of this past year.

3 Q All right. What was your previous employment?

4 A I was an investigator with the Attorney General's
5 office in ICAC.

6 Q And how long were you employed by the Attorney
7 General's office?

8 A Just under ten years.

9 Q During those ten years, what was your position and
10 duties and responsibilities?

11 A I worked any type of case that involved Internet crimes
12 against children, whether that be cyber tips, peer-to-peer
13 cases, these undercover chat ops, pretty much anything.

14 Q During that time, did you ever have any training or
15 learning opportunities for interviews or interrogations?

16 A I did. I have several certificates from the Reid and
17 Associates, Wicklander and Zulawski, and most of my -- I
18 would say that the best training I received would have been
19 from my co-workers, from my peers.

20 Q You said Reid and Zulawski. What are those?

21 A Those are interviewing and interrogation technique
22 classes, courses.

23 Q Okay. The time with the AG's office -- ballpark, as
24 best you can, how many interviews do you think you've done?

25 A Hundreds. I would say between 500 and 700-ish,

1 something like that.

2 Q Very well. Were you involved in an undercover chat
3 operation in August 2021?

4 A I was.

5 Q During that time, did you have an opportunity to
6 interview the Defendant?

7 A I did.

8 Q Do you see the man you interviewed here?

9 A I do.

10 Q Can you point him out to me?

11 A (INDICATING) He's right there.

12 Q All right. Briefly, what type of clothing is he
13 wearing?

14 A He looks like he's wearing a light gray sport coat.

15 Q Very well.

16 MR. RYAN: I'd ask that the record reflect what he's
17 pointing out the Defendant.

18 THE COURT: The record so reflects.

19 MR. RYAN: Thank you, Your Honor.

20 Q All right. So this interview, where did this take
21 place at?

22 A The Lexington County Sheriff's Office.

23 Q Okay. Is that -- we heard a talk earlier about an
24 arrest house. Is that a separate location?

25 A It is.

1 Q All right. To the best of your knowledge, how long
2 between the arrest house and you beginning your interview?

3 A Thirty-ish minutes, maybe a little longer.

4 Q Was Mr. Frick under arrest at this point?

5 A He was.

6 Q All right. Did you read him his Miranda Rights?

7 A I did.

8 Q All right.

9 MR. RYAN: Permission to approach?

10 THE COURT: Yes, sir.

11 Q I'm going to hand you what's been previously marked as
12 State's Exhibit 1. Take a moment and look that over,
13 please.

14 A Okay.

15 Q Do you recognize what you have?

16 A I do.

17 Q How do you recognize it?

18 A I recognize it as a Miranda form, which is signed by
19 Mr. Frick and also initialed by Mr. Frick, and signed by
20 myself.

21 MR. RYAN: Your Honor, at this time I'd move that
22 State's Exhibit 1 be entered into evidence.

23 THE COURT: Any objection?

24 MR. STORY: No objection.

25 THE COURT: It's admitted.

1 (WHEREUPON, Miranda form, marked as State's Exhibit
2 Number 1, entered into evidence.)

3 Q Can you read that form for us, please, and just
4 describe it?

5 A Sure. It is a Miranda Rights form. It has his name,
6 the place of where the interview took place, the date and
7 time, and then it has the basic, "You have the right to
8 remain silent. Anything you say will be used against you in
9 court as evidence." It goes all the way through them, and
10 then he's initialed each one, such as, "You have the right
11 to remain silent." He initialed that. "Anything you say
12 will be used in court as evidence against you." He initialed
13 that. "You're entitled to talk to a lawyer now and have him
14 or her present now or at any time during questioning." He
15 initialed that. And it goes all the way through those
16 rights. "Do you understand these rights?" Yes. He
17 initialed that. "Do you wish to talk to us at this time?"
18 Yes. He initialed that. And then there's a waiver of
19 rights at the bottom that says, "I have read this statement
20 of my rights and I understand what my rights are. I am
21 willing to talk now without a lawyer present. I understand
22 and know what I am doing. No promises or threats have been
23 made to me, and no pressure or coercion of any kind has been
24 used against me." And he signed it with his signature. I
25 witnessed it, and an investigator from the Lexington County

1 Sheriff's Office had also witnessed it.

2 Q Did Mr. Frick end up making some statements with you?

3 A He did.

4 Q All right. Was he threatening or forced?

5 A He was not.

6 Q Did he appear to be under any type of influence of
7 drugs, alcohol, anything like that?

8 A He did not.

9 Q Was he made any type of promises to make a statement?

10 A He was not.

11 Q Did he ever ask to stop the interview?

12 A He did not.

13 Q Do you remember if he ever asked to speak with a
14 lawyer?

15 A He did not.

16 Q All right. Did he admit to having a conversation with
17 anyone online?

18 A He did.

19 Q Do you remember how old that person was that he said he
20 spoke with?

21 A Fourteen.

22 Q Okay. Do you remember how old he was at the time?

23 A Early 50s.

24 Q Very well. Was this interview recorded in any other
25 way?

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1 A It was audio recorded.

2 MR. RYAN: Permission to approach the witness? Your
3 Honor, may I approach?

4 THE COURT: You may.

5 Q I'm handing you what's marked State's Exhibit 5. Take a
6 second and look over that, please.

7 A Got it.

8 Q What do you got there?

9 A This is a CD, or DVD, that has the audio recording of
10 my interview with Mr. Frick.

11 Q Very well.

12 MR. RYAN: Your Honor, at this time, the State would
13 move to have Exhibit 5 put into evidence.

14 THE COURT: Any objection?

15 MR. STORY: No, Your Honor.

16 (WHEREUPON, USB audio interview, marked as State's
17 Exhibit Number 5, entered into evidence.)

18 THE COURT: Can I see the lawyers just one second?

19 (WHEREUPON, brief sidebar.)

20 THE COURT: All right. Yes. Go ahead, please.

21 MR. RYAN: Your Honor, permission to publish that to
22 the jury?

23 THE COURT: Yes. Go ahead.

24 Q How do you like the new job at the Federal Courthouse?

25 A It's nice.

1 Q Good. I'm happy to hear it.

2 A Nice to be retired from this line of work.

3 Q That's what I was going to ask. Did you get 25 and
4 out, sir?

5 A Twenty-five and a half.

6 Q God bless you.

7 (WHEREUPON, State's Exhibit Number 5 published.)

8 THE COURT: I think we're going to have to start over
9 and turn this up, because they can't hear nothing.
10 Everybody is shaking their head. I can't hear it. What is
11 that? I've got some speaker up here, but I'm not sure I
12 know what it does. Is it plugged into something? Let's try
13 it again. All right. I need to make sure the jury can hear
14 that. We've got to do something else. What can we do? Mr.
15 Bishop is going to help us. We're going to get some IT to
16 help us.

17 MR. RYAN: Go ahead and do that, Judge. Apologies.

18 THE COURT: No, you don't need to apologize. It's just
19 that this courtroom is old, and it's not updated. I think we
20 start it over and turn it up.

21 MR. RYAN: Yes, Your Honor.

22 (WHEREUPON, State's Exhibit Number 5 published.)

23 MR. RYAN: Nothing further for Investigator Hughes.

24 THE COURT: All right, Mr. Story.

25 MR. STORY: May it please the Court?

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1 THE COURT: Yes, sir.

2 CROSS-EXAMINATION

3 BY MR. STORY:

4 Q Investigator Hughes, when you were speaking with Mr.
5 Frick -- well, I'm loud now.

6 THE COURT: Hang on, that's us, Mr. Story, doing it to
7 you.

8 MR. STORY: Are you sure? Okay.

9 THE COURT: I think so. Hang on. Hang on here, we're
10 going to do a test. Let's do a test. Can you hear me now?
11 Is that better? I'm sorry, we were playing with this
12 speaker up here, and that's what did it.

13 Q Investigator Hughes.

14 A Yes.

15 Q Good to see you.

16 A Yes.

17 Q So you -- when you conducted this interview, you were
18 at the Lexington County Sheriff's Department, correct?

19 A Correct.

20 Q At their headquarters.

21 A Correct.

22 Q You were in a side room we'll call it.

23 A That's correct.

24 Q You and another investigator.

25 A Yes.

- 1 Q They brought Mr. Frick in the room, correct?
- 2 A Correct.
- 3 Q Another deputy brought him.
- 4 A Uh-huh.
- 5 Q He was in handcuffs.
- 6 A He was.
- 7 Q They took off the handcuffs.
- 8 A I asked them to take the handcuffs off, yes.
- 9 Q You asked them to take them off. They took the
- 10 handcuffs off.
- 11 A They did.
- 12 Q So then they left the three of y'all in this room.
- 13 A Uh-huh. Yes.
- 14 Q And you can actually hear that on the recording,
- 15 correct?
- 16 A Yes.
- 17 Q You read Mr. Frick his Miranda rights, correct?
- 18 A I did, yes.
- 19 Q Now, Miranda rights, again we heard him on the
- 20 recording. You told him he didn't have to talk to you,
- 21 correct?
- 22 A Correct.
- 23 Q He agreed to talk to you.
- 24 A He did.
- 25 Q You didn't get any information about his education or

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1 upbringing, correct?

2 A I just asked him if he could read or write okay, and he
3 said yes.

4 Q And he generally read the form, correct?

5 A He did.

6 Q He had a little trouble pronouncing coercion, correct?

7 A That's correct.

8 Q So, he signed the form. He agreed to talk.

9 A He did.

10 Q Y'all talked about the chats, correct?

11 A We did.

12 Q You told him you had seen it.

13 A Yes.

14 Q He told you he had been in some of the chats.

15 A Right.

16 Q You asked him if he had ever done anything like that
17 before.

18 A That's correct.

19 Q And he said no.

20 A Correct.

21 Q He said he had never spoken with minors about anything
22 sexual before.

23 A Correct.

24 Q Right? And you said, why'd you do it this time, right?

25 A Correct.

- 1 Q He said, I'm lonely, right?
- 2 A Correct.
- 3 Q He told you he was single.
- 4 A Yes.
- 5 Q He lives by himself.
- 6 A Yes.
- 7 Q He told you that he had broken off an engagement.
- 8 A Yes.
- 9 Q Twice, right?
- 10 A Yes.
- 11 Q He also told you he would never do anything like that,
- 12 about what he described, correct?
- 13 A He did.
- 14 MR. STORY: Brief indulgence. I left off one part.
- 15 Q You also asked him what he was going to do when he got
- 16 into the house, correct?
- 17 A I don't recall asking that. Maybe I did.
- 18 Q Actually, y'all started the conversation, "What brings
- 19 you here?" Right?
- 20 A Okay, yes.
- 21 Q And he told you that someone he was online speaking
- 22 with had been trying to get him to come to the house all
- 23 day, right?
- 24 A Yes.
- 25 Q Okay. And you asked him what he was going to do,

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1 correct?

2 A Yes.

3 Q And he said, bring dinner, hold her hand, and go home,
4 right?

5 A That's what he said in the chats, yes.

6 Q That's what he said in the chats. That's also what he
7 told you in the interview.

8 A Yes.

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

10 THE COURT: Any redirect?

11 MR. RYAN: No, Your Honor.

12 THE COURT: All right. Can I let Investigator Hughes
13 step down then, please?

14 MR. RYAN: Yes, Your Honor.

15 THE COURT: Thank you.

16 MR. RYAN: Your Honor, that is the State's case.

17 THE COURT: All right, Madam Forelady, the State just
18 rested. I'm going to ask you to return to your jury room.
19 I'll have the jury back in in just a moment, okay? Just a
20 couple of matters I need to take up with the lawyers.

21 (WHEREUPON, jury exited at 1:16 p.m.)

22 THE COURT: Okay, please be seated. All right,
23 anything from the Defense?

24 MR. STORY: Yes, Your Honor.

25 THE COURT: Let me hear from you.

1 MR. STORY: Yes, Your Honor. We have a motion. At this
2 time, the Defense moves for a directed verdict of acquittal.
3 Taking the evidence in the light most favorable to the
4 State, they have failed to present competent evidence that
5 tends to prove every element of the offenses charged in the
6 indictments, Your Honor. I would also like to point out that
7 he's charged with attempted exploitation of a minor. There
8 was no minor there for him to exploit. Your Honor, it was
9 impossible for him to complete the attempt. So, I move for a
10 directed verdict.

11 THE COURT: Let me hear from you.

12 MR. RYAN: Yes, Your Honor. First, in reference to the
13 directed verdict motion, the State respectfully opposes.
14 Every element of both indictments has been put out. That for
15 the criminal solicitation minor the chat op occurred in
16 Lexington County. That the undercover persona was fourteen
17 years of age. That was revealed several times, both during
18 the chats and during the interview. The solicitation of
19 having the girl rub her pussy qualifies as sexual activity.
20 That the Defendant was over the age of 18, specifically 53
21 years old. That was in the chats, as well as the interview.
22 For the sexual exploitation of a minor charge, again, this
23 occurred in Lexington County, both the chat operation and
24 the arrest house. That he attempted to have a fourteen year
25 old engage in sexual activity, the rubbing of her pussy, for

1 a live performance for sexual stimulation, as shown by him
2 writing down that he jerked it. He admitted to making these
3 statements during his interview. He was positively
4 identified by both Detective Clarke as well as Investigator
5 Hughes, and that he made the request by attempting to drive
6 over there and meet the undercover persona. All the
7 elements have been met, and it should go to the jury.

8 In reference to the impossibility of there not being a
9 minor, the case on point is State v Green, Your Honor. For
10 an attempt case, we have two burdens to show. A clear
11 intent and then an overt act beyond mere preparation. His
12 clear intent goes throughout the conversation. Rubbing your
13 pussy. I'll meet with you. They've made arrangements.
14 I'll come bring over. There's no one at my house. They've
15 made an arrangement for a sexual encounter, and the overt
16 act was him getting in the car and traveling. Your Honor,
17 that's the burden to show in an attempt case a clear intent
18 and an overt act. The State has met its burden for both on
19 that issue as well.

20 THE COURT: Anything else, Mr. Story?

21 MR. STORY: Briefly, Your Honor. I don't know a case
22 that would apply. The overt act, the case that I know
23 that's on point was for criminal sexual conduct second with
24 a minor, Your Honor. The overt act was traveling. In this
25 case, there was no overt act for exploitation. There was no

1 preparation, Your Honor. The evidence shows the only thing
2 he came to the house with was food from McDonald's. So, I
3 would move to dismiss.

4 THE COURT: Did you read the Green case?

5 MR. STORY: That's what I was referring to, Your Honor.
6 The only case I know on point, Green, was for criminal
7 sexual conduct second degree. Your Honor, he's on trial for
8 attempted exploitation first degree.

9 THE COURT: Anything else?

10 MR. RYAN: I just reiterate that here the attempt was
11 to view a live performance involving a minor where the
12 purpose is sexual stimulation. That's the attempt. For the
13 Green case, it was sexual battery, but in this case, he went
14 to watch her appear in nudity to engage in sexual activity
15 which a reasonable person would infer for sexual stimulation
16 describing he would be sitting there jerking it.

17 THE COURT: All right. I think the State has met their
18 burden of showing the elements. It's enough to go to the
19 jury. So, I'm going to let it go. So, your motion is
20 denied, Mr. Story. Any other motions?

21 MR. STORY: Your Honor, I want to renew all my
22 motions pretrial and during trial, Your Honor. I move to
23 quash the indictment for exploitation.

24 THE COURT: All of that is noted for the record.

25 MR. STORY: Thank you, Your Honor.

1 THE COURT: Have you discussed with your lawyer whether
2 you should or should not testify?

3 THE DEFENDANT: We have.

4 THE COURT: And do you wish to talk to your lawyer
5 anymore? I'll certainly give you time to talk to him. I
6 mean, it's a pretty important decision.

7 (WHEREUPON, there was a brief pause.)

8 THE COURT: Do you need to talk to him some more?

9 THE DEFENDANT: No, I'm good.

10 THE COURT: Okay. Do you wish to testify at this time?

11 THE DEFENDANT: No, ma'am.

12 THE COURT: Okay. Thank you. All right. Are you all
13 prepared to go forward?

14 MR. RYAN: We are, Your Honor.

15 THE COURT: Mr. Story?

16 MR. STORY: Yes, Your Honor.

17 THE COURT: All right. Can I bring the jury back in,
18 then?

19 MR. RYAN: Yes, Your Honor.

20 THE COURT: Let's bring them back in.

21 (WHEREUPON, jury entered courtroom at 1:28 p.m.)

22 THE COURT: Madam Forelady, is the jury ready?

23 JURY FORELADY: We're ready.

24 THE COURT: Thank you. Mr. Story, you can present a
25 case. I'll remind you, you do not have to, but we'd be

1 happy to hear from you.

2 MR. STORY: Thank you, Your Honor. The Defense calls
3 Christine Belk.

4 WHEREUPON, Christine Belk, having
5 first been duly sworn, testified as follows.

6 THE WITNESS: Christine Belk, B-E-L-K.

7 DIRECT EXAMINATION

8 BY MR. STORY:

9 Q Good afternoon, Ms. Belk.

10 A Hi.

11 Q Let's begin. I'm going to ask you questions from way
12 back here. Let me know if you can't hear me. But I want you
13 to direct all of your answers to these jurors, okay?

14 A Okay.

15 Q First, where were you born?

16 A Right here in South Carolina.

17 Q About what part?

18 A Fort Jackson.

19 Q You were born at Fort Jackson?

20 A I was.

21 Q Okay. Where did you grow up?

22 A Swansea, South Carolina.

23 Q About when did you all move to Swansea?

24 A I started first grade in Swansea.

25 Q Did you go to Swansea through high school?

1 A I did.

2 Q Swansea High School?

3 A I did.

4 Q What do you do for a living now?

5 A I am the mobile mammography driver for Lexington
6 Medical Center.

7 Q And about how long have you been doing that?

8 A Twenty-five and a half years.

9 Q Twenty-five and a half. Thank you. So you've lived in
10 Swansea just about your entire life?

11 A I did. I now live in Pine Ridge. I moved to Pine
12 Ridge in 1999.

13 Q So, you've been there approximately twenty-six years?

14 A Yes, sir.

15 Q Do you know my client, Mark Thomas Frick?

16 A I do know Mark. He's my cousin.

17 Q He's your cousin. So, about how long have you known
18 Mr. Frick?

19 A All my life. Fifty-five years.

20 Q Do you have an opinion as to his honesty?

21 A To his what?

22 Q Honesty.

23 A I believe Mark to be an honest person. He's always been
24 honest with me.

25 Q Would you say he's got a reputation in the community

1 for honesty?

2 A He does.

3 Q What kind of reputation is that? Can you describe it
4 some more?

5 A You want me to describe Mark for you?

6 Q Well, his reputation in the community for honesty.

7 A Mark has a hard time lying to people. He's never lied
8 to me that I've ever known of.

9 Q Do you have an opinion, is he easily influenced?

10 A Yes, very much so.

11 Q Without going into any specific examples, just what's
12 your general opinion of him after having known him for all
13 your life?

14 A Mark is simple-minded. Very naive. He's a pushover.
15 People take advantage of him. He has a hard time telling
16 people no. He always did with our kids. It's hard to
17 explain.

18 Q So -- and I'm sorry. Are you married?

19 A I am.

20 Q Do y'all have children?

21 A We have four children between the two of us, yes.

22 Q Between you and your husband?

23 A My husband and I currently do not share any children,
24 no. But we've been together for 27 years.

25 MR. STORY: Brief indulgence.

1 THE COURT: Take your time.

2 MR. STORY: Ms. Belk, will you please answer any
3 questions any of these fine Attorney Generals have.

4 THE COURT: Mr. Ryan?

5 CROSS-EXAMINATION

6 BY MR. RYAN:

7 Q Good afternoon, Ms. Belk. How are you?

8 A I'm fine, thank you.

9 Q If I stand here can you hear me all right?

10 A Pretty good. I can't see, can't hear, but...

11 Q If you can't hear me, let me know.

12 A Okay.

13 Q Did you say you worked for the mobile mammogram for
14 twenty-five and a half years?

15 A Yes, sir.

16 Q My mother and grandmother are both breast cancer
17 survivors. God bless you.

18 A Thank you. I enjoy my job most days.

19 Q Good for you. Mark is your cousin?

20 A Mark is my cousin.

21 Q All right. Do you love your cousin?

22 A Very much.

23 Q Don't want to see anything bad happen to him.

24 A No, I don't.

25 Q I understand. I've got cousins like that too. Do you

1 know where Mark works?

2 A He worked for the Library for the Blind until he
3 retired, but he's always worked two jobs. He worked for
4 Papa John's for a long time, and I believe he's at Pizza Hut
5 now.

6 Q Do you know if he has a driver's license?

7 A Yeah.

8 Q Is he able to take care of himself without assistance?

9 A Yeah.

10 Q Okay. Does he live an independent life?

11 A As far as I know, yeah.

12 MR. RYAN: All right, Ms. Belk. I appreciate you
13 coming to speak with us today. I have no further questions.

14 THE COURT: Thank you. Any redirect, Mr. Story?

15 MR. STORY: No, Your Honor.

16 THE COURT: May I excuse Ms. Belk?

17 MR. STORY: Yes, please.

18 THE COURT: Ms. Belk, you may be excused. Thank you
19 for coming. You can call your next witness.

20 MR. STORY: Thank you, Your Honor. The Defense calls
21 Heather Kirkland.

22 WHEREUPON, Heather Kirkland, having
23 first been duly sworn, testified as follows:

24 THE WITNESS: My name is Heather Kirkland,

25 K-I-R-K-L-A-N-D.

1 DIRECT EXAMINATION

2 BY MR. STORY:

3 Q Good afternoon, Ms. Kirkland. Same thing I told Ms.
4 Belk. If you can't hear me, let me know. Please direct all
5 your answers to the jury. Thank you.

6 A Okay.

7 Q Where are you from originally?

8 A Originally, I'm from California.

9 Q When, if at any time, did you move to South Carolina?

10 A I moved here 11 years ago, but visited since I was 10.
11 I've known Mark since I was 10 years old because my mom
12 moved out here. And so, I would come visit every summer,
13 Christmas. Stuff like that.

14 Q Tell me this. Where did you go to school?

15 A I went to school in California.

16 Q Okay. Did you go to school after you moved here with
17 your mother?

18 A No. I mean, I finished my GED when I got out here.

19 Q About when was that?

20 A Five years ago.

21 Q And where are you currently employed?

22 A I work at the airport for Avis and Budget.

23 Q What kind of things do you do for those rental car
24 places?

25 A I'm at the counter. I work, basically, customer

1 service and rent the cars.

2 Q And how long have you been doing that?

3 A A little over two years now.

4 Q Do you know my client, Mr. Mark Thomas Frick?

5 A I do.

6 Q How long have you known him?

7 A I've known him since I was about 10 or 11.

8 Q And how did you meet Mr. Frick?

9 A I met him through my mom and step-dad.

10 Q Could you describe that a little more? How did your
11 mom and step-dad know him?

12 A As far as I know, they met him through church. We're
13 like adopted family to them now. We've been to every
14 Christmas Eve. Every holiday is spent with that family.
15 We're just like family. Friends, but adopted family to
16 them. He's considered Uncle Mark to my kids.

17 Q Thank you. How many children do you have?

18 A I have two.

19 Q About how old are they now?

20 A Seven and five.

21 Q And where do you live?

22 A I live in Swansea now.

23 Q Okay. So, you describe, Mark is not your blood
24 relation; correct?

25 A No.

1 Q But you describe him as like family, correct?

2 A Yeah.

3 Q Do you know his entire family, the Fricks?

4 A Yes. I met his parents first, Tom and Marvell. And
5 then during the holidays and stuff is when I started meeting
6 the rest of the family.

7 Q And about how old were you when you first met Mark?

8 A I was about 10 or 11, if I remember correctly.

9 Q And do you know about how old he was?

10 A No.

11 Q Give an estimation.

12 A Well, because I'm 36 now, so you could do the math.
13 He's like 53 now, or 56, something like that. I'm not good
14 with ages.

15 Q Yeah, that's okay. So, let me ask you this. Did you
16 come here voluntarily today?

17 A I did.

18 Q You didn't have to get a subpoena or anything like
19 that?

20 A No.

21 Q Let me ask you this. In all the years you've known
22 Mark, what is your opinion as to his honesty?

23 A Very brutally honest. Yeah.

24 Q And you live in Swansea. What is your opinion as to
25 his general reputation for honesty?

1 A I think pretty much everybody knows how honest he is.
2 Anybody who knows him.

3 Q What about -- do you have an opinion about whether or
4 not he's naive or gullible?

5 A I would think so, yes.

6 MR. STORY: All right, Your Honor. That's all the
7 questions I have. Please answer any questions the Assistant
8 Attorney General has.

9 MR. RYAN: Beg the Court's indulgence, Your Honor.

10 THE COURT: Take your time.

11 CROSS-EXAMINATION

12 BY MS. PAPPAS:

13 Q Good afternoon, Ms. Kirkland.

14 A Good afternoon.

15 Q So, Mr. Ryan had something in common with Ms. Belk. You
16 and I also have something in common. I am also from
17 California.

18 A Oh, cool.

19 Q And we both ended up moving to South Carolina. So,
20 similar to Ms. Belk, Mark is like family; correct?

21 A Yeah, uh-huh.

22 Q And you like to protect him.

23 A Yeah. Uh-huh.

24 Q You said he's honest, right?

25 A Yes, he is.

Heather Kirkland-Cross Examination

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1 Q As the jury saw earlier, these chats happened over
2 several days.

3 A Uh-huh.

4 Q Was he ever honest with anyone about who he was
5 communicating with?

6 A I'm not sure of that question.

7 Q I'll rephrase. Did he ever mention that he was
8 communicating with a minor?

9 A To me?

10 Q To you.

11 A No.

12 Q Did he ever mention that he was going to see a minor to
13 you?

14 A No.

15 MS. PAPPAS: Thank you very much for your time.

16 THE COURT: Any redirect?

17 MR. STORY: No, Your Honor.

18 THE COURT: All right. May I excuse this witness, Mr.
19 Story?

20 MR. STORY: Yes, please, Your Honor.

21 THE COURT: You can step down. Thank you. You can
22 call your next witness.

23 MR. STORY: Brief indulgence, Your Honor. Your Honor,
24 at this time the Defense rests.

25 THE COURT: Thank you. Madam Forelady, I'm going to

1 send you back to the jury room. I'll have you back in in
2 just a moment, please. Thank you. Remember, no talking
3 about this case.

4 (WHEREUPON, jury exited courtroom at 1:40 p.m.)

5 THE COURT: Okay, please be seated. All right. Any
6 motions from the State?

7 MR. RYAN: No, Your Honor.

8 THE COURT: Any motions from the Defense?

9 MR. STORY: Yes, Your Honor. I renew my directed
10 verdict motion. The State -- taken in the light most
11 favorable to the State, have not shown -- excuse me, a
12 scintilla of evidence for this to go to the jury. I move
13 for a directed verdict and renew all my previous motions and
14 objections.

15 THE COURT: All right. I will deny it, but so noted for
16 the record. I'm fixing to print these jury charges. I'm
17 debating whether -- what do y'all want to do? Do you want
18 for me to charge, close and charge today? Would you like to
19 close and charge in the morning? I can do either one.

20 MR. STORY: Your Honor, my preference would be in the
21 morning. I do have a request for a jury charge at the
22 appropriate time.

23 THE COURT: What is the jury charge?

24 MR. STORY: Entrapment, Your Honor. I have the
25 proposed instructions. I have a copy for Court, as well as

1 a copy for the Attorney General. Your Honor, I think we've
2 shown the two elements for entrapment in South Carolina.
3 There was government inducement trying to get -- kept on re-
4 engaging the conversation, trying to get him to go to the
5 arrest location, Your Honor. And second, there was no
6 predisposition on the part of the Defendant to commit the
7 crime. I would ask for that instruction. Thank you, Your
8 Honor. Those are substantially out of Judge Anderson's
9 proposed jury instructions book, and so, I'd ask the Court
10 to charge entrapment to the jury.

11 THE COURT: All right. Let me hear from you.

12 MR. RYAN: Yes, Your Honor. The State respectfully
13 opposes having entrapment in the jury instruction. The case
14 is State v Gaines.

15 THE COURT: I'm reading it right now.

16 MR. RYAN: Very well. The Defendant is not entitled to
17 an instruction when he was merely afforded the opportunity
18 to solicit a minor for sex. In this case, we heard
19 testimony that age was presented in the very beginning of
20 the conversation, which the Defendant acknowledged right
21 away, and then continued to acknowledge throughout the
22 event. He acknowledged there was criminal liability if he
23 was caught. At one point the undercover persona said, "I can
24 leave you alone." He quickly responds, no. He brings up
25 meeting the undercover persona. I'll bring you pizza. He

1 brings up sexual activity. "Watch you. Watch me what?"
2 Rubbing her pussy. He brings up jerking it. Your Honor, he
3 was provided an opportunity to commit this crime and he
4 committed this crime. There's no indication that he was
5 induced or pressured to do so. We also heard testimony that
6 this went on for a course of days. He went to bed, woke up,
7 and got right back to it, Judge. This is not an issue of
8 entrapment or him being overwhelmed. His witnesses testified
9 that he's been employed his whole life, that he lives
10 independently, that he drives himself. He's not
11 particularly vulnerable or any indication of that, that he
12 was somehow overwhelmed by the government apparatus. For
13 those reasons, Your Honor, we ask that the jury not receive
14 an entrapment charge.

15 THE COURT: Anything else, Mr. Story?

16 MR. STORY: Your Honor, I'd just like to point out the
17 standard for getting a jury charge is any evidence. We did
18 present some evidence that he, you know, is gullible and
19 susceptible. This was not predisposed to engage in this kind
20 of behavior. And I think the fact that it went on for
21 several days is actually goes to the government inducement,
22 so I would respectfully request of the Court give the
23 instruction to the jury.

24 THE COURT: All right. I don't know. From the
25 testimony that I've heard, I don't think he's entitled to an

1 entrapment instruction. You know, the contact, how it
2 started out, just gave the Defendant the opportunity. And
3 he seized upon it. It's not that the government induced
4 him. So, I don't believe -- it was his readiness to
5 continue the conversation. So, I don't -- and I don't see
6 that the government made any demands upon him. So, I'm
7 going to deny it. That's just not the testimony that I
8 remember from hearing. I don't think that he was, in any
9 way, induced to commit the crime. And a lack of
10 predisposition, well... The opportunity was there, and he
11 seized on it. So, I'm going to deny the entrapment. I
12 figured entrapment was coming, so I pulled up the Gaines
13 case and I read it, and it seems to be the case on point.
14 So, I'll deny that. Anything else, Mr. Story?

15 MR. STORY: I would just add to it, Your Honor, as far
16 as the Gaines case goes, they said that the agent in that
17 case saying hey was not enough for entrapment. I just want
18 to reiterate in our case we've got a lot more conversation
19 that went over days. The government re-engaged the
20 conversation. Kept asking what he was doing. Continued to,
21 kind of, prod him about, "What else do you want to do? What
22 else do you want to do? What do you want to do after that?"

23 THE COURT: Well, I don't remember the government even
24 doing that. I think it was late at night. He says, "Hey."
25 And she answers that following morning. So, I don't think

1 they even reached out to contact him. He contacted,
2 believing -- he contacted the agent, thinking it was a
3 14-year-old girl. I might be wrong. You can correct me,
4 Mr. Ryan, but that's how I remember reading the messages
5 that you placed on the board.

6 MR. RYAN: That's correct, Your Honor. This went on
7 for -- there were breaks in the conversation that lasted for
8 several hours where presumably everyone went to sleep, and
9 then it was the Defendant who would re-engage and keep it
10 going.

11 THE COURT: I just wanted to make sure I was right. I
12 still -- you know, I don't see how that entitles him to an
13 entrapment instruction, so I'm going to deny the motion.
14 Thank you, though, Mr. Story. All right. Let's see. Was
15 there anything else? I see your entrapment. My Law Clerk
16 went to go print the instructions, and then we'll go over
17 them. Now, let me get back to in the morning. Do you all
18 want to do in the morning, or do you all want to go ahead
19 and try to push through?

20 MR. RYAN: We're ready to push through now, but I'll
21 defer to the Court, Your Honor.

22 THE COURT: I know Mr. Story wants to wait until the
23 morning. Let's see how far we get on these jury charges and
24 see what time it is, because I'd like to go over them.
25 Either way, whether we do it in the morning or now, I want

1 State of South Carolina) Court of General Sessions
2 County of Lexington) Eleventh Judicial Circuit
3

4 State of South Carolina,) Transcript of Record
5 vs.) 2023-GS-32-06083
6 Mark Thomas Frick,) 2023-GS-32-60131
7 Defendant.)

8
9 March 26, 2025
Lexington, South Carolina

10 B E F O R E:

11 The Honorable Debra R. McCaslin, Judge; and a Jury
12

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

14 Stephen Joseph Ryan, Assistant Attorney General
On behalf of the State of South Carolina

15 Stephen Russell Story, Jr., Esquire
16 On behalf of the Defendant
17
18

19 Stacy S. Johnson, RPR
20 Circuit Court Reporter
21
22
23
24
25

1 the charge.

2 Any objection from the State?

3 MR. RYAN: No, Your Honor.

4 THE COURT: I'll so note your objection for the
5 record.

6 MR. STORY: Thank you, Your Honor.

7 THE COURT: Okay. Also I have a verdict form.
8 I'm gonna ask the lawyers to look at this because right
9 after closings I intend to go into charging.

10 (Pause in proceedings.)

11 THE COURT: All right. Let's bring the jury in.

12 (Whereupon, the jury enter the courtroom at
13 9:47 AM.)

14 THE COURT: All right. Madam Forelady, the jury
15 ready?

16 FOREPERSON: We're ready.

17 THE COURT: Please be seated.

18 Let me ask the jury, anybody try to contact you
19 about this case? Have you done any research or have
20 you talked to anyone about this case? If so, please
21 raise your hand.

22 Thank you.

23 All right. We're gonna move onto closing
24 arguments.

25 I'm gonna call on the State. Mr. Ryan.

1 MR. RYAN: May it please the Court?

2 THE COURT: Yes, sir.

3 MR. RYAN: Well, I think I kept my promise to
4 you. This trial was short and it was simple. I want
5 to thank you. I want to thank you for your time,
6 for your attention and for your patience among the
7 technical difficulties.

8 You are the sole judge of the facts. At this
9 point it's now gonna come to you to tell us what
10 happened. The defendant sent those messages and you
11 know that because you got to read them, we got to see
12 him show up at the house, and we heard him admit to
13 everything when he was interviewed. He knew he was
14 talking to what he believed was a fourteen-year-old
15 because you saw it on the messages; you're fourteen,
16 that's young, I don't want to get in trouble, and he
17 admitted to it when he was interviewed.

18 You know he got in the car and traveled to meet
19 her for that sexual performance because we read of them
20 making those plans on the messages, we watched a video
21 of him coming to the house, and you heard him admit to
22 everything.

23 Now those aren't the facts until you tell us
24 they are. Now I know you've paid attention and I'm
25 confident now that when I ask you to give us the only

1 verdict that the facts support you will, and that is
2 that the defendant is guilty of both these charges.

3 Thank you so much.

4 THE COURT: Thank you, Mr. Ryan.

5 Mr. Story.

6 MR. STORY: May it please the Court?

7 THE COURT: Yes, sir.

8 MR. STORY: Members of the jury, can you imagine
9 about fifty people all in the nerve center of this vast
10 Government operation? All the people that the officer
11 described were typing on a keyboard, all around a
12 semicircle, all the various support staff, all the
13 different officers from different jurisdictions, from
14 different agencies. They all had live feeds going on
15 at the TV at the time. All these different computers,
16 all these officers, interview room, about fifty people
17 as Investigator Creech described, and it was all
18 focussed on one person, and that's Mark Frick. The
19 vast power, the money, all the resources focussed in
20 on one person. Just imagine.

21 Now we got what the State's presented to you
22 today. Not many of the evidence is in dispute, but
23 there's one crucial element that the State hasn't
24 proved, and that's intent. They have not proven
25 criminal intent, which is an essential element of

1 what -- of both of the offenses that they've alleged.

2 Now we've got what was on the chats, and
3 you can read it, but we don't know what Mark was
4 thinking. Now remember that nerve center is going
5 on on one side and on the other is just Mark with
6 his phone.

7 When they arrested Mark and brought him to the
8 police station, brought him to that nerve center,
9 brought him in with two officers, he told them what
10 happened. He told them what his intent was. He told
11 them what he was thinking. My intent was to giver
12 her some food and to go home, and he said that in the
13 chats, too. What are we gonna do? Give you some food,
14 give you a hug, go home. He says that, but they keep
15 needling him, needling. The agent keeps pushing and
16 pushing. What we gonna do then? What then? What
17 then? And keeps pushing him for more, for a different
18 answer, and I'm gonna get back to that a little bit
19 later.

20 But when Mark was arrested, he was cooperative.
21 You heard both the officers testify to that. He came
22 in, they read him his rights. He told them he had
23 never heard his rights before, he had never been in
24 any kind of trouble before, and he told them he didn't
25 need a lawyer, that he was willing to talk. And they

1 asked him: Have you ever done anything like this
2 before? No. What made you do it this time? Lonely.

3 We'll get back to that in a second.

4 So he tells them again. What were you gonna do
5 when you got there? Give her some food and go home.
6 That was his intent. You can see it in the chats.
7 When they keep asking him: What are we gonna do? Give
8 you a hug and go home. And they would reply: What
9 else are we gonna do? Bring you some food. But they
10 kept asking for more, kept asking for more.

11 So Mark, when he went into the interview room, he
12 felt like he had nothing to hide, and at that time he
13 was feeling the brunt of the Attorney General's case.
14 All the power, all the money and all those resources
15 from the State of South Carolina, and he felt it. But
16 he was honest. He was open. He told them exactly what
17 his intent was.

18 Now what kind of guy is Mark? He told the
19 officers a little bit. I work two jobs. I work at
20 the State library. I'm single. I broke off an
21 engagement. Sometimes I get on this Whisper app and
22 talk to people. Sometimes folks try to take advantage
23 of you, ask you for money, things like that, but
24 he's lonely, he wanted somebody to talk to, and this
25 person kept engaging with him. He didn't know it was

1 an agent on the other side and they kept engaging with
2 them and engaging with him.

3 Mark, as you heard from our witnesses, he's in
4 his early fifties, and he has lived in this area most
5 of his life.

6 You heard first from Christine Belk. Ms. Belk
7 lived almost her entire life in Swansea. She knew
8 Mark. That was her cousin, so they're related, they
9 are kin, they're distantly related, and she considers
10 him a very honest person, a guy with nothing to hide.
11 Just like the guy who showed up at the sheriff's
12 department that evening with the Attorney General's
13 agent there, the Mount Pleasant police officers there,
14 all the sheriff's deputies that took him down. All the
15 power, all the money, all the resources from the State
16 of South Carolina. He told them exactly what he was
17 thinking. He told them exactly what his intent was.

18 But Christine also said Mark is naive. He's
19 gullible. He's easily taken advantage of. That would
20 lead you to believe if he was lonely, if he was just
21 talking to somebody, he would want to keep talking to
22 them and when they keep pushing, what else, what else
23 are we gonna do, what else, he caught onto what they
24 wanted him to say, the type of things that they wanted
25 him to say, to keep the conversation going. Ultimately

1 bring me some food or he brought it up and they're like
2 yeah, bring some food over, and this lonely guy ended
3 up complying.

4 You also heard from Heather Kirkland. Now she's
5 not related to Mark, but she grew up close to his
6 family. She knows his family, she knows people in
7 the community that know him. She also considered him
8 a very honest person. He's very honest. She also
9 considered him somewhat naive, somewhat gullible, and
10 this is the guy that's on the other side of that nerve
11 center. This is the guy on the other side of that chat
12 with the agents. An older guy, lonely, naive. That's
13 the guy on the other side of the Attorney General's
14 power, money and all the resources of the State of
15 South Carolina.

16 He had never been in trouble and his reputation
17 was built up over the years and the Government comes
18 along and knocks it down with one mistake. But despite
19 all the intelligence they tried to gather, with all
20 the power and the money and the resources at their
21 disposal, they haven't proven every element of the
22 offense because Mark told you exactly what his intent
23 was.

24 Now in this country, as I told you in the
25 opening, it doesn't matter how much power the

1 Government has. Ultimately the people are the
2 ones who make the decision and it's each of you
3 as an individual to determine what you believe and
4 importantly what you believe the State has proven
5 beyond a reasonable doubt.

6 Because, again, we're not searching for the truth
7 here and the Attorney General will probably tell you
8 we'll never know for sure what his intent was. We
9 can't. And the judge may tell you you cannot read
10 somebody's mind, but they haven't proven those facts.
11 They haven't proven it with the chats, they certainly
12 haven't proven it with the interview because, again,
13 he told them. This honest guy told them what his
14 intent was.

15 So ultimately you are the ones who decide the
16 facts. Don't let anybody else tell you what to
17 believe. You make the decision what's in your
18 conscience and don't let them with all their vast
19 power, money and resources tell you what to think.

20 And I'm gonna sit down. They get to speak last,
21 but I want to remind you that you have the last word.
22 Whatever they say, you've got the last word. Find
23 Mark Frick not guilty.

24 Thank you very much.

25 THE COURT: Thank you, Mr. Story.

1 Mr. Ryan.

2 MR. RYAN: Yes, Your Honor. Very briefly.

3 Ladies and gentlemen, at the time that Mr. Frick
4 committed these crimes, he was a 53-year-old grown man
5 and he can be held accountable for his words and for
6 his actions.

7 You heard testimony that this conversation went
8 on more than a day. He went to sleep. He went to
9 the movies. He went out and bought a truck. He could
10 have stopped at any point, but he chose to keep the
11 conversation going. He chose to tell her that he
12 wanted to watch her rub her pussy, that he was gonna
13 be jerking it. He could have stopped at any point.
14 He chose to get in his new truck that he just bought
15 and drive over to meet her. He could have chose to
16 turn around at any point.

17 Intent absolutely is an element of this crime
18 and you have everything you need to find him guilty.
19 You can't read anyone's mind, but you have eyes to
20 see, ears to hear and a mind to make sense of it all,
21 so I'm gonna ask you to tell us what happened and I
22 believe that you have everything that you need to
23 find him guilty of both of these crimes.

24 Thank you so much for your time and attention.

25 THE COURT: Thank you, Mr. Ryan.

1 All right. I'm fixing to charge the jury. Let
2 me make sure you-all have got the doors out here,
3 they're already locked?

4 THE DEPUTY: They're already locked. Yes, ma'am.

5 THE COURT: Thank you.

6 All right. Let me make sure that everybody's in
7 because I don't want people going in and out.

8 Thank you.

9 All right. Ladies and gentlemen of the jury, I
10 will now charge you on the law that's applicable to
11 this case. You must consider the charge as a whole
12 and not focus on some portions to the exclusion of
13 others.

14 The indictments charge the defendant with
15 criminal solicitation of a minor and attempted sexual
16 -- is that right -- exploitation of a minor in the
17 first degree.

18 I remind you that the fact the defendant was
19 arrested, charged and indicted in this case is not
20 evidence in this case and cannot be considered by you
21 as evidence of guilt in this case, nor does it create
22 any presumption or inference of guilt. These documents
23 are simply the formal written instruments which contain
24 the charges made against the defendant. These are the
25 formal documents by which this case is brought into

1 this court.

2 Each indictment charges a separate and distinct
3 offense. You must decide each indictment separately on
4 the evidence and the law applicable to it uninfluenced
5 by your decision as to any other indictment. The
6 defendant may be convicted or acquitted on any or all
7 of the charges charged. You will be asked to write a
8 separate verdict of guilty or not guilty for each
9 indictment.

10 The following things are not evidence and you
11 must not consider them as evidence in deciding the
12 facts of this case.

13 (Electronic interruption.)

14 Let me start again. The following things are
15 not evidence and you must not consider them as
16 evidence in deciding the facts of this case.
17 Statements and arguments of the attorneys is not
18 evidence, questions and objections made by the
19 attorneys is not evidence, and also any testimony
20 that I instructed you to disregard, which I don't
21 believe happened in this case.

22 I remind you that during this trial you and
23 I have certain duties to perform. As the trial
24 judge, it is my responsibility to preside over the
25 trial of this case, and I also have the duty to rule

1 on the admissibility of the evidence offered during
2 the trial. You are to consider only the competent
3 evidence before you. If there was any testimony
4 ordered stricken during the trial, you must disregard
5 that testimony. That didn't happen in this case.
6 You are to consider only the testimony which has been
7 presented from this witness stand and any exhibits
8 which have been made a part of the record in this case
9 and any stipulations of counsel. I don't believe we
10 had any stipulations of counsel in this case.

11 I have the additional duty to charge you the law
12 applicable to this case. As the presiding judge, I am
13 the sole judge of the law of this case and it is your
14 duty as jurors to accept and apply the law as I now
15 state it to you. If you already have an idea as to
16 what the law is or what the law ought to be and it
17 does not agree with what I tell you the law is, you
18 must abandon this idea because you are sworn to accept
19 the law and apply the law exactly as I state it to
20 you.

21 In every case tried in this case -- in this court
22 before a jury, the jury becomes the sole and exclusive
23 judge of the facts in a case. A trial judge cannot
24 state, comment on or make any statement to a trial
25 jury about the facts in a case. Since you, the jury,

1 are the sole judge of the facts, you are not to infer
2 from what I have said during the progress of this
3 trial in ruling upon the admissibility of evidence
4 or otherwise or anything that I say now during the
5 course of this instruction to you that I have any
6 opinion about the facts in this case. The law does
7 not allow me to have an opinion about the facts in
8 this case. This is a matter solely for you, the jury,
9 to determine. As jurors, it is your duty to determine
10 the effect, value and weight of the evidence presented
11 during this trial.

12 The defendant has pled not guilty to these
13 indictments and that plea puts the burden on the State
14 to prove him guilty. A person charged with committing
15 a criminal offense in South Carolina is never required
16 to prove himself innocent. I charge you that it is
17 an important rule of the law that the defendant in a
18 criminal trial, no matter what the seriousness of the
19 charge may be, will always be presumed to be innocent
20 of the crime for which the indictment was issued unless
21 guilt has been proven by evidence satisfying you of
22 that guilt beyond a reasonable doubt.

23 This presumption of innocence does not end when
24 you begin your deliberations, but it accompanies the
25 defendant throughout the trial unless you reach a

1 verdict of guilt based on evidence satisfying you of
2 that guilt beyond a reasonable doubt.

3 The presumption of innocence is like a robe
4 of righteousness placed about the shoulders of the
5 defendant, which remains with him unless it has been
6 stripped from the defendant by evidence satisfying
7 you of the defendant's guilt beyond a reasonable doubt.

8 The presumption of innocence is not a mere
9 legal theory. It is not just a legal phrase. It
10 is a substantial right to which every defendant is
11 entitled to unless you, the jury, are satisfied
12 from the evidence of the defendant's guilt beyond a
13 reasonable doubt.

14 The State has the burden of proving the defendant
15 guilty beyond a reasonable doubt. Some of you may have
16 served as jurors in civil cases where you were told
17 that it is only necessary to prove that a fact is more
18 likely true than not true, such as by what we call the
19 greater weight or the preponderance of the evidence.

20 In criminal cases, the State's proof must be more
21 powerful than that. It must be beyond a reasonable
22 doubt. Proof beyond a reasonable doubt is proof that
23 leaves you firmly convinced of the defendant's guilt.
24 There are very few things in this world that we know
25 with absolute certainty and in criminal law the case

1 -- in criminal cases the law does not require proof
2 that overcomes every possible doubt. If, based on
3 your consideration of the evidence, you are firmly
4 convinced that the defendant is guilty of the crime
5 charged, you must find him guilty. If, on the other
6 hand, you think there is a real possibility that the
7 defendant is not guilty, you must give the defendant
8 the benefit of the doubt and find him not guilty.

9 Now there are two types of evidence which
10 are generally presented during a trial. Direct
11 evidence and circumstantial evidence. Direct evidence
12 directly proves the existence of a fact and does not
13 require deduction. Circumstantial evidence is proof
14 of a chain of facts and circumstances indicating
15 the existence of a fact. Crimes may be proven by
16 circumstantial evidence. The law makes no distinction
17 between the weight or value to be given to either
18 direct or circumstantial evidence; however, to the
19 extent the State relies on circumstantial evidence,
20 the circumstances must be consistent with each other
21 and when taken together point conclusively to the guilt
22 of the accused beyond a reasonable doubt. If these
23 circumstances merely portray the defendant's behavior
24 as suspicious, the proof has failed.

25 The State has the burden of proving the defendant

1 guilty beyond a reasonable doubt and this burden rests
2 with the State regardless of whether the State relies
3 on direct evidence, circumstantial evidence or some
4 combination of the two.

5 Criminal intent a state of mind which operates
6 jointly with an act or omission in the commission
7 of a crime. Criminal intent is a mental state of
8 conscious wrongdoing. Criminal intent includes those
9 consequences which represent the very purpose for
10 which is an act is done or known to be substantially
11 certain to the result regardless of one's desire.
12 Intent may be shown by acts and conduct of the
13 defendant and other circumstances from which you may
14 naturally and reasonably infer intent. Criminal
15 intent must be proven by the State beyond a reasonable
16 doubt.

17 You must also determine the credibility of
18 the witnesses who have testified in this case and
19 the evidence presented. Credibility simply means
20 believability. It becomes your duty as jurors to
21 analyze and to evaluate the witnesses and the evidence
22 and determine the credibility of the witnesses and the
23 evidence.

24 In determining the credibility of witnesses who
25 have testified in this case, you may believe one

1 witness over several witnesses or several witnesses
2 over one witness. You may believe a part of the
3 testimony of a witness and reject the remaining part
4 of the testimony of that same witness. You may
5 believe the testimony of a witness in its entirety
6 or reject the testimony of a witness in its entirety.
7 You may consider whether any witness has exhibited
8 to you any interest, bias, prejudice or other motive
9 in the case. You may also consider the appearance
10 and manner of a witness while on the witness stand.

11 The defendant is charged with criminal
12 solicitation of a minor. The State must prove
13 beyond a reasonable doubt that the defendant is a
14 person over 18 years of age who knowingly contacted
15 or communicated with or attempted to contact or
16 communicate with a person who is under the age of
17 18 or a person reasonably believed to be under the
18 age of 18 for the purpose of or with the intent
19 of persuading, inducing, enticing or coercing the
20 person to engage to participate in sexual activity
21 or with the intent to perform a sexual activity
22 in the presence of the person under the age of 18
23 or person reasonably believed to be under the age
24 of 18.

25 Sexual activity means the actions or simulations

1 thereof, masturbation, whether done alone or with
2 another person. Consent is not a defense to a
3 prosecution pursuant to this section if the person
4 under the age of 18 or the person reasonably believed
5 to be under the age of 18 is under the age of 16. It
6 is not a defense to a prosecution pursuant to this
7 section on the basis or consent or otherwise that the
8 person reasonably believed to be under the age of 18
9 is a law enforcement agent or officer acting in an
10 official capacity.

11 The defendant is charged also with attempted
12 sexual exploitation of a minor first degree. The
13 State must prove beyond a reasonable doubt that the
14 defendant attempted use, employ, induce, coerce,
15 encourage or facilitate a minor to engage in or assist
16 others to engage in sexual activity or appear in a
17 state of sexual explicit nudity when a reasonable
18 person would infer the purpose is sexual stimulation
19 or a live performance. Mistake of age is not a
20 defense.

21 I remind you that the fact that the defendant
22 elected not to testify is not a factor to be considered
23 by you in any way in your deliberations and in your
24 consideration on the question of whether the defendant
25 is guilty or not guilty. It must not be considered in

1 any manner whatsoever against him. An accused has the
2 right to remain silent and the assertion of that right
3 cannot be considered by you in your deliberations.
4 Under your oath you are to reach no inference and
5 draw no conclusion whatsoever from the fact that
6 the defendant elected not to testify. His decision
7 not to testify should not even be discussed in
8 the jury room. It is not to enter your minds in
9 making your decisions. The State has the entire
10 burden of proof and the accused has no burden to
11 prove anything at all.

12 A verdict in this case cannot be based upon
13 sympathy, passion, prejudice or emotion or some other
14 consideration not found in the evidence.

15 Let me say something about your deliberations.
16 Deliberation is defined as a careful consideration
17 weighing up with a view to decision. The genius of
18 our jury system is that it allows twelve good men
19 and women from twelve different backgrounds, life
20 experiences and perspectives to consider the evidence,
21 talk about it and ultimately reach a verdict. We call
22 them deliberations for a reason. You are to consider
23 the evidence in this case carefully and deliberately
24 and discuss it in a calm, thorough and courteous
25 manner. Listen to the views of all your fellow jurors,

1 consider other people's points and points of view and
2 talk through and discuss the evidence. And remember,
3 if you are doing something deliberately, you are not
4 in a big hurry, and you should not be in a hurry here.
5 This case is very important to both sides and this is
6 their only day in court.

7 When you retire to the jury room, you should
8 discuss the cases with your fellow jurors to reach
9 an agreement if you can do so. Your verdict must be
10 unanimous. Each of you must decide the case for
11 yourself, but you should do so only after you have
12 impartially considered all the evidence, discussed it
13 fully with the other jurors and listened to the views
14 of your fellow jurors. Do not be afraid to change
15 your opinion if the discussions persuade you that you
16 should, but do not come to a decision simply because
17 the other jurors believe it is right.

18 It is important that you attempt to reach a
19 unanimous verdict, but, of course, only if each of
20 you can do so after having made your own decision. Do
21 not change an honest belief about the weight and effect
22 of the evidence simply to reach a verdict. In other
23 words, do not change your opinion solely for the sake
24 of reaching a unanimous verdict.

25 Now there are two possible verdicts for each

1 charge which you may find in this case. And
2 you'll have a verdict form. Each charge is listed
3 separately and you can find not guilty or guilty.
4 There is know significance whatsoever in the order in
5 which I state these possible verdicts. It is simply
6 that one must be stated first.

7 Ladies and gentlemen, your verdict must be
8 unanimous as to each charge.

9 Madam Forelady, when the jury agrees on the
10 verdict, you will initial on the line next to the
11 verdict on the verdict form and sign your name as
12 foreperson, then inform the bailiff that you have
13 reached a verdict and at that time I will have you
14 back into the courtroom.

15 I'm gonna ask that you return to the jury room.
16 Do not begin deliberations just yet. I will have
17 the clerk bring back all the evidence that's been
18 introduced in this case.

19 Do we have a clean computer?

20 MR. RYAN: We will be getting one, Your Honor.

21 THE COURT: We'll have a clean computer. I know
22 that there was an audiotape in this that if you-all
23 wish to play you can.

24 Madam Forelady, every juror must be in the room
25 when the jury is deliberating. So if somebody goes to

1 the restroom, deliberations stop. They don't begin
2 until all twelve are in the jury room.

3 If there just happens to be a split in the vote,
4 I don't want to know what the split is if one even
5 exists.

6 If there's any questions, you will be given
7 a pad and pencil. You may write me a note. If I
8 can, we'll have you back in and we'll try to answer,
9 okay?

10 So don't begin just yet. Just give us a few
11 minutes. I have lunch coming for you-all in an hour.
12 If you need anything, just knock on the door and get
13 the bailiff, all right?

14 Thank you.

15 (Whereupon, the jury retires to the jury room at
16 10:23 AM.)

17 THE COURT: All right. Let me ask the State, any
18 exceptions to the jury charges?

19 MR. RYAN: No, Your Honor.

20 THE COURT: Any from the defense?

21 MR. STORY: No, Your Honor.

22 THE COURT: Thank you.

23 All right. Let's gather up the evidence and I
24 need a clean computer for the jury.

25 MR. RYAN: Yes, Your Honor. We've got that.

1 THE COURT: And also let me tell the bailiff to
2 please make sure the alternate is out and placed in
3 the other room when she takes back the evidence.

4 (Whereupon, the evidence and the verdict form was
5 sent back to the jury at 10:24 AM.)

6 (Recess taken at 10:24 AM.)

7 (Back on the record at 11:12 AM.)

8 BAILIFF: Stay seated. Court's back in session.

9 THE COURT: All right. Please be seated.
10 All right. The jury has a verdict.
11 Is the State ready?

12 MR. RYAN: Yes, Your Honor.

13 THE COURT: Defense ready?

14 MR. STORY: Ready, Your Honor.

15 THE COURT: All right. Let's bring them in.

16 (Whereupon, the jury return to the courtroom at
17 11:14 AM.)

18 THE COURT: All right. Madam Forelady, they tell
19 me the jury has a verdict.

20 FOREPERSON: Yes.

21 THE COURT: Is it unanimous?

22 FOREPERSON: Yes, ma'am.

23 THE COURT: Would you hand the verdict form to
24 the bailiff, please.

25 I'm gonna ask the clerk -- everybody please be

1 seated. I'm gonna ask the defendant to remain standing
2 and get the clerk to read the verdict, please.

3 THE CLERK: Your Honor, on the indictments of
4 2023-GS-32-06083 and 2023-GS-32-60131, the State of
5 South Carolina versus Mark Frick, as to the charge of
6 criminal solicitation of a minor, we, the jury,
7 unanimously find the defendant guilty. As to the
8 charge of attempted sexual exploitation of minor in
9 the first degree, we, the jury, unanimously find the
10 defendant, Mark Frick, guilty.

11 THE COURT: Okay.

12 THE CLERK: Ms. Forelady and ladies and gentlemen
13 of the jury, is this your verdicts and are these still
14 your verdicts?

15 FOREPERSON: Yes.

16 THE COURT: Anybody want the jury polled?

17 MR. STORY: Yes, Your Honor. I'd request to poll
18 the jury.

19 THE COURT: Okay. If you'd please, Madam Clerk,
20 poll the jury.

21 THE CLERK: Yes, Your Honor.

22 When I call your juror number, I'll ask you
23 are these your verdicts and are they still your
24 verdicts and if you would please raise your hand and
25 respond by saying yes or no.

1 All right. Let me ask that you-all get ready for
2 sentencing. I'm gonna go excuse the jury and I'll be
3 back in just a few minutes, okay?

4 MR. STORY: Thank you, Your Honor.

5 THE COURT: Thank you.

6 (Recess taken at 11:18 AM.)

7 (Back on the record at 11:28 AM.)

8 BAILIFF: All rise.

9 THE COURT: You can be seated.

10 Have you-all got sentencing sheets?

11 MR. RYAN: May I approach?

12 THE COURT: And I've got the jury coming in also.

13 All right. The State ready?

14 MR. RYAN: We are, Your Honor.

15 THE COURT: Is the defense ready?

16 MR. STORY: We are, Your Honor.

17 THE COURT: Let me ask the lawyers, on this
18 attempted sexual exploitation that carries a mandatory
19 minimum of three to twenty, is that the three that must
20 be consecutive?

21 MR. RYAN: No, Your Honor. It's my understanding
22 that every active component of the sexual exploitation
23 of a minor charge cannot run concurrent to other
24 charges. There is a 3-year minimum that the Court is
25 gonna have to impose no matter what, but if there's any

1 active sentence for the solicitation that will have to
2 begin after any active component for the exploitation
3 charge.

4 THE COURT: And it runs consecutive?

5 MR. RYAN: Yes, Your Honor. Exactly. It cannot
6 run concurrent.

7 THE COURT: That was my question.

8 So my leading indictment is gonna be the
9 attempted sexual exploitation of a minor first degree
10 that carries a mandatory minimum of three to twenty.

11 I will sentence him on that first and then
12 whatever I sentence him on the criminal solicitation
13 will be consecutive?

14 MR. RYAN: Yes, Your Honor.

15 THE COURT: Is that right, Mr. Story? Your
16 understanding?

17 MR. STORY: That's my understanding, Your Honor.

18 THE COURT: All right. I just want to make sure.

19 All right. Well, let me hear from the State as
20 to sentencing then.

21 MR. RYAN: May it please the Court?

22 THE COURT: Yes, sir.

23 MR. RYAN: Your Honor, at this time the State is
24 gonna recommend an active sentence of twenty years.
25 Your Honor, this is based off of the evidence that was

1 presented before the Court and the nature of the
2 offense. This is an opportunity that's different than
3 some of the other offenses that the Court will see.
4 This is something that he -- that went on for a day and
5 a half at the very minimum. He had ample opportunity
6 to choose to stop this behavior, but he went over to a
7 house to meet a 14-year-old child.

8 Now in this case, there was no actual child, but
9 he certainly doesn't deserve any benefit from that. It
10 was only from the intervention of law enforcement that
11 a real child wasn't harmed and that he has failed to
12 show any type of accountability for his actions up to
13 including when he was interviewed. He even blamed the
14 14-year-old persona in his interview.

15 So for that basis we feel that an active
16 component of twenty years is appropriate, Your Honor.

17 THE COURT: Okay. Does he have a prior record?

18 MR. RYAN: He does not, Your Honor.

19 THE COURT: All right. Mr. Story, let me hear
20 from you, please.

21 MR. STORY: May it please the Court?

22 So, Your Honor, Mr. Frick vehemently opposes what
23 the State has asked for. I just want to begin, the --
24 the exploitation carries a harsher sentence than the
25 attempted CSC, which we see in a lot of these types of

1 cases, and I think that's because that statute is aimed
2 at primarily people who are trying to create child
3 pornography and things of that nature. This is -- and,
4 Your Honor, you've heard the type of these cases
5 before, these travel solicitation cases before. I
6 think this is in line with most of those.

7 Your Honor, Mr. Frick is fifty-seven years old.
8 He has absolutely no record whatsoever. He -- we got
9 his driving record. He doesn't even have any points on
10 his license, Your Honor. He has been an upstanding
11 citizen his entire life.

12 He -- you heard a lot of the mitigation that I
13 had. He worked at the State library for thirty-five
14 years, Your Honor. He has probably more community
15 support than the vast majority of the clients that I
16 have had. I mean, we've had -- you can see his support
17 here today. I'm gonna read everybody's names.

18 You met Ms. Heather Kirkland, who I believe wants
19 to address the Court, but we also have Ms. Penny Frick,
20 who's an aunt. We have Timothy Robbington and Tamera
21 Robbington -- Tamara. I apologize. Tamara Robbington.
22 Your Honor, those are Ms. Kirkland's parents, the ones
23 that she talked about that befriended Mark Frick's
24 parents and they kind of took them in and have been
25 a part of their family, a part of their -- go to the

1 same church, but had been very close to their family
2 for a number of years.

3 One of really the best people that my
4 investigator Ron Stepp talked to is his boss at the
5 State library. Her name was Ms. Frances Case. She
6 had nothing but just great things to say about him.
7 He worked for her since he graduated high school.
8 She's in her mid nineties and she could not come to
9 court. I mean, it was -- she even wanted to be a
10 character witness, Your Honor, but she just due to
11 health issues it would not have been good testimony,
12 but she spoke with Ron and she loves Mark to death.

13 Mark is a diabetic, Your Honor. He takes
14 metformin and does take insulin once a week.

15 And the other thing, referring to his parents,
16 the last three years have been very difficult, Your
17 Honor. He was charged with this and has stayed out
18 of trouble for well-over three and a half years at
19 this point. His father passed away from lung cancer,
20 I believe, and they had to move his mother into an
21 assisted living facility and he would go visit her
22 quite often.

23 That's most of what I have to say. I believe
24 Ms. Kirkland wants to address the Court.

25 THE COURT: I'll be happy to hear from

1 Ms. Kirkland.

2 MS. KIRKLAND: Stand right here?

3 THE COURT: You can come on up.

4 MR. STORY: Your Honor, I have a microphone.

5 MS. KIRKLAND: Thank you, ma'am.

6 So yesterday you got to meet me, but I don't
7 really feel like you got to know me and how I really
8 know Mark Frick, and so I wrote a letter to his lawyer
9 in like more detail and I would like to read it to you
10 today.

11 THE COURT: Absolutely. Go ahead.

12 MS. KIRKLAND: Okay. My name is Heather
13 Kirkland. I'm a longtime family friend of Mark's.
14 I'm sorry.

15 THE COURT: That's okay. Take your time.

16 MS. KIRKLAND: I'm a longtime family friend
17 of Mark Frick. I've known Mark since I was ten years
18 old or so. I am now thirty-six years old. I met him
19 through my mom and step-dad. I am originally from
20 California. How I came about to South Carolina was
21 after my parents divorced, my mom moved to South
22 Carolina and the Frick family adopted my mom as one of
23 the family. So whenever I would come out to visit my
24 mom, we would always end up at the Frick house. Every
25 holiday and summer vacation I would spend a lot of time

1 with Mark Frick and his family. I have gone on road
2 trips with Mark, my mom and his parents to visit family
3 in other states where they're from. To say the least,
4 I have spent a good amount of time with Mark Frick and
5 never once has he ever made me feel uncomfortable or
6 unsafe. If anything, I felt safe with him around.

7 I've known Mark so long that my kids who are
8 seven and five call him Uncle Mark. Mark is someone
9 I would call if I was ever in trouble. I have lived
10 in South Carolina now for almost eleven years and in
11 my adulthood I still have never witnessed any unusual
12 behavior from Mark. He's always just treated me like
13 family. If me or anyone else called him and asked him
14 for help with it, be it food, broke down on the side
15 of the road, et cetera, he would be there. He's always
16 been very generous, loves taking his family with him
17 on trips, always giving, and never asks for anything
18 in return. I've seen him help out his nephews who
19 were homeless and gave them a place to stay. I've seen
20 people take advantage of his good nature and still give
21 them another chance.

22 Mark has a heart of gold and to see him go
23 through the stress of this case is just heartbreaking.
24 He's lost a lot of weight. Seeing the pictures, you
25 can tell from the pictures that he has lost a lot of

1 weight. You could barely understand him because I
2 think of how much he cries. He has lost his voice.
3 He used to be a very loud person, but now he's very
4 soft-spoken.

5 And you can just see it in his eyes he is
6 depressed. Just not the same Mark I've grown to love
7 over the years. On top of that, he has been taking
8 care of his momma who lives in a senior living home
9 now. As far as I know, Mark is the only one that
10 goes to visit her often and takes her out for the
11 day to spend time with her. If Mark isn't around to
12 do that, I know she will be forgotten by the rest of
13 the family. He is the only one who cares enough to
14 go see her and spend time with her.

15 So I ask that you take in consideration
16 everything I've said to you in this letter. I
17 believe the emotional and physical stress he has
18 gone through the past few years have been punishment
19 enough. He's lost so much. Like his job at the
20 library that he was close to retiring from and all
21 the benefits he had from there. Everything is gone.
22 His world has fallen to pieces. Please have mercy
23 on this man and those who rely on him. What happens
24 to him will affect many others.

25 I appreciate you taking the time to read this

1 letter and I hope it helps free my friend.

2 THE COURT: Thank you, Ms. Kirkland.

3 MR. STORY: And, Your Honor, Ms. Christine Belk,
4 you heard from her on the witness stand. She works
5 for the hospital doing the mobile mammogram --

6 THE COURT: Right.

7 MR. STORY: -- van. She could not be here today,
8 but she did write a letter if Your Honor would like to
9 see it. The State has seen it.

10 THE COURT: Yes.

11 MR. STORY: If I may approach?

12 Thank you, Your Honor.

13 THE COURT: All right, Mr. Story.

14 MR. STORY: Thank you, Your Honor. And his
15 family is telling me Ms. Penny Frick would also like
16 to address the Court.

17 THE COURT: Okay. I'll be happy to hear from
18 her.

19 Ms. Frick, I'd be happy to hear from you.

20 MS. FRICK: I don't have a speech prepared or
21 anything, but I feel this needs to be said.

22 I'm Mark's aunt. I've known him since he was a
23 baby. I've -- he has been around my grandchildren when
24 they were teenagers when he was grown. He would take
25 them to ball games or just go deliver pizzas with my

1 -- with Mark. He took my granddaughter's friends
2 along. He was always a good person. I believe Mark
3 has always in his mind thought that he was a teenager
4 himself and when this came up I think he was just
5 trying to make this teenager feel not so lonesome.
6 In my mind, I truly believe Mark never would have
7 done anything inappropriate to this girl. All he
8 wanted to do was bring this girl food and just be a
9 friend. He did this with my grandchildren, his -- my
10 grandchildren's friends. He was never inappropriate
11 with any of them. Mark and I went on many trips
12 together. Even though he's my nephew, I was always
13 like his favorite aunt. We went on a 10-day cruise
14 and never one time was he inappropriate with anybody
15 on the ship or with me. We've been to Myrtle Beach
16 many times. He was my travelling partner to Minnesota,
17 which is my hometown, and we've gone several times on
18 the trip to Minnesota.

19 And he always been a good person. He's always
20 helped no matter who it is. He will help anybody in
21 need if he -- he meets people and he's always a good
22 friend to them. He would give the shirt off his back
23 to anybody that needed help and will become your friend
24 for life if you need to be.

25 Please not give him a terrible sentence. He is

1 really an honest good man in his heart.

2 Thank you.

3 THE COURT: All right. Thank you, Ms. Frick. I
4 appreciate you coming.

5 MR. STORY: And, Your Honor, just to sum up, he's
6 never been in trouble. Clearly has a lot of people in
7 his corner. Never been to prison. Your Honor, you
8 have to give him three years and that's what I'd ask
9 for respectfully.

10 Thank you.

11 THE COURT: Okay. Well, let me ask, this
12 attempted sexual exploitation, it's a violent crime.
13 It carries up to twenty. Is that 85 percent time?

14 MR. STORY: It is, Your Honor.

15 THE COURT: So whatever I give him on that
16 charge, which is the leading indictment, he will
17 do 85 percent of that time.

18 MR. STORY: Yes, Your Honor. No parole, yes.

19 THE COURT: And also I'm going to tell you,
20 Mr. Frick, that you're gonna be placed on the sex
21 offender registry. It is mandatory. And the sex
22 offender registry, you must jump through hoops. They
23 can tell you where to live, you can't be on school
24 grounds, you can't go to any kindergarten, you can't
25 be around children, you can't live with children.

1 There's all sorts of limitations they have. I mean,
2 it's just -- and I believe on these two -- is this a
3 Tier II?

4 MR. RYAN: They are both Tier II, Your Honor.

5 THE COURT: Both Tier II's. That tells me
6 that you will be on the sex offender registry for
7 twenty-five years. You cannot petition to get off of
8 it for twenty-five years.

9 Also, since you will be incarcerated, you're
10 gonna be subject to the Sexual Violent Predator Act.
11 That means just because I give you a certain amount
12 of time doesn't mean you're gonna get out at the end.
13 They will perform tests. There's an array of stuff
14 that you have to go through in order to be released
15 from the Department of Corrections.

16 You understand that?

17 THE DEFENDANT: Yes, ma'am.

18 THE COURT: I just want to make sure that you do.

19 THE DEFENDANT: Okay.

20 THE COURT: All right. Well, anything else from
21 the defense?

22 MR. STORY: No, Your Honor.

23 THE COURT: Mr. Frick, is there anything you'd
24 like to add?

25 THE DEFENDANT: No, ma'am.

1 THE COURT: All right. Well, first off, let me
2 thank -- thank our jury. They're in the courtroom. I
3 think they paid attention and I certainly do appreciate
4 their time and them being here.

5 Second off, let me thank law enforcement. I
6 think you've done a great job in this case. I think
7 the -- both lawyers did a good job in this case, I
8 do, but I'm gonna tell you-all this is -- this is a
9 problem in Lexington County. I just can't tell you
10 how much I see of it and it needs to stop, and I take
11 it seriously. I know -- I think I read somewhere that
12 it wasn't -- or somebody told me well, it wasn't a real
13 14-year-old girl. It makes no difference to me because
14 what if it had been? It makes no difference.

15 So this is gonna be the sentence of the Court.

16 I'll ask you to stand, Mr. Frick, please.

17 On the attempted sexual exploitation of a
18 minor first degree, you are to be committed to the
19 South Carolina Department of Corrections for a period
20 of ten years. That will run consecutive to the
21 criminal solicitation of a minor. You are to be
22 committed to the State Department of Corrections for
23 a period of four years.

24 Is there time that I can give him credit for,
25 Mr. Story?

STATE OF SOUTH CAROLINA	)	IN THE COURT OF GENERAL SESSIONS
	)	ELEVENTH JUDICIAL CIRCUIT
COUNTY OF LEXINGTON	)	
	)	INDICTMENT NUMBER: 2023GS3206082 &
	)	6083; 2025GS3206131
THE STATE	)	
	)	
vs.	)	
	)	DEFENDANT’S PROPOSED JURY
	)	INSTRUCTIONS
MARK THOMAS FRICK,	)	
Defendant.	)	
	)	
_____	)	

TO: The Honorable Debra R. McCaslin, Presiding Circuit Court Judge,

§ 6-15 Entrapment

The defendant in this case has raised the defense of entrapment. Entrapment is defined as the conception and planning of an offense by an officer or other person working with law enforcement agents under some sort of arrangement and his procurement of its commission by one who would not have perpetrated it except for the trickery, persuasion, or fraud of the officer. Entrapment occurs where one is instigated, induced or lured by law enforcement, a law enforcement entity, or a person acting at the request or behest of law enforcement for the purpose of prosecution into the commission of a crime which he had otherwise no intention of committing. The function of law enforcement is the prevention of crime and the apprehension of criminals. Manifestly, that function does not include the manufacturing of crime. The entrapment defense consists of two elements:

(1) government inducement of the crime; and

(2) lack of predisposition on the part of the defendant to engage in the criminal conduct.

Predisposition, the principal element in the defense of entrapment, focuses upon whether the defendant was an unwary innocent or, instead, an unwary criminal who readily availed himself of the opportunity to perpetrate the crime. The defense of entrapment is not available to a defendant with a predisposition, independent of government inducement and influence, to commit the crime with which the defendant is presently charged. The defense of entrapment has as its basis the fact that the law does not tolerate any person, particularly a law enforcement officer, generating in the mind of a person who is innocent of any criminal purpose the original intent to commit a crime, thus, entrapping such person into the commission of a crime which he would not have committed or even contemplated but for such inducement. Where a crime is committed as a consequence of such entrapment, no conviction may be had of the person so entrapped, as his acts do not constitute a crime. If the intent to commit the crime did not originate with the defendant and he was not carrying out his criminal purpose, but the crime was suggested by law enforcement, a law enforcement entity, or a person acting at the request or behest of law enforcement acting with the purpose of entrapping and causing the arrest of the defendant, then the defendant is not criminally liable for the acts so committed. However, the fact that a government official merely affords opportunities or facilities for the commission of the offense does not constitute entrapment. Entrapment occurs only when the criminal conduct was the product of the creative activity of law enforcement officials, that is, when the criminal design originates with the officials of the government, and they implant in the mind of an innocent person the disposition to commit the alleged offense and induce its commission in order that they may prosecute.

Where the doing of a particular act is a crime regardless of the consent of anyone, if the criminal intent originates in the mind of the defendant and the criminal offense is completed, the fact that an opportunity is furnished or that the defendant is aided in the commission of the crime in order to secure the evidence necessary to prosecute him therefor constitutes no defense. The purpose of the law enforcement officer is not to solicit the commission of the offense, but to ascertain if the defendant is engaged in an unlawful business. It is no defense that law enforcement, a law enforcement entity, or a person acting at the request or behest of law enforcement, acting as a decoy, furnished an opportunity for the commission of the offense. Such conduct is held not to procure the offense to be committed, the theory being that the offender acts of his own volition and is simply caught in his own devices.

In considering the defense of entrapment, you must ascertain whether the acts charged as constituting the offense were the result of the intent of law enforcement, a law enforcement entity or a person acting at the request or behest of law enforcement to place the defendant in a position where he might be charged with the offense and the defendant had no previous intention of committing such offense, in which event, the defendant may not be convicted. If you find the defendant was acting in pursuance of his own intent when he committed the act and law enforcement, a law enforcement entity, or a person acting at the request or behest of law enforcement was merely affording him the opportunity of doing so, in that event, the defense of entrapment would not relieve the defendant from criminal responsibility.

The defense of entrapment is an affirmative defense. This means the defendant must prove by the preponderance of the evidence that he was entrapped by actions of law enforcement, a law

enforcement entity, or a person acting at the request or behest of law enforcement. The defendant has the burden of showing that he was induced, tricked or incited to commit a crime, which he would not otherwise have committed.

Respectfully Submitted,

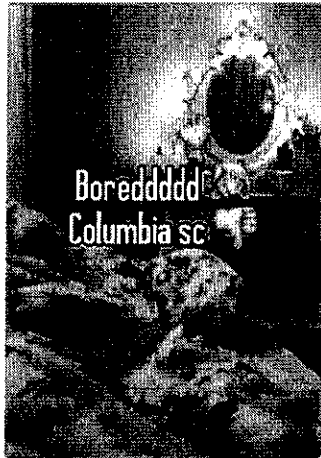
Stephen Russell Story
Assistant Public Defender
202 E. Main St.
Lexington, SC 29072
(803) 785-8873

Lexington, South Carolina

Date: _____



Ambient_Poppins

 Ambient_Poppins 1.8 - 566 Rated Chats

See this user's age, gender and location by providing your own.

LETS GO!RATE THIS CHAT

Yesterday, 3:12 PM

Hi

Heyy

Wyd

Asl

Nothin

14 an Columbia an uu

Old



Say something nice...

SEND

kik.

Connect and make
new friends





Ambient_Poppins



Asl

Nothin

14 an Columbia an uu

Old

Gaston

U ain't old lol. Not sure where that is
lol. I'm frum Charleston but at my
aunts while momm is out of town 🌍

Ok i am old 53

You young

That ain't that old lol. An I do t care
about age 😊

Ok

But the law does lol

Well I ain't the law or tellin so



Say something nice...

SEND

kik.

Connect and make
new friends





Ambient_Poppins



you young

That ain't that old lol. An I do t care
about age 😊

Ok

But the law does lol

Welll I ain't the law or tellin so

Ok

I understand if ya don't want 2 talk
2 me

I talk with you

Okkk then

What s up

Nothin lol. U

Watching tv



Say something nice...

SEND

kik.

Connect and make
new friends





Ambient_Poppins



What s up

Nothin lol. U

Watching tv

What ya watchin

Kelly Clarkson show

But I think about to watch nefix

Lolol. Coolll

Yesterday, 11:09 PM

Hi

Today, 8:44 AM

Good morning

Today, 12:21 PM

Heyyy



Say something nice...

SEND





Ambient_Poppins



Today, 12:21 PM

Heyyy

Wyd

Just sittin here talkin 2 myy aunt lol

Ok

Am working

Bored

Take a dayyy offf lol

Ok

Lol



Say something nice...

SEND

dailypop

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Ok

Lol



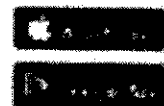
Me

Niceeeeeee 😊😊😊



Say something nice...

SEND

kik.Connect and make
new friends



Ambient_Poppins



Me

Niceeeee



Me lol

You pretty

Don't look 14



Say something nice...

SEND

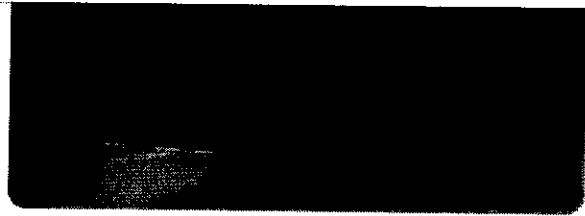
kik.

Connect and make
new friends





Ambient_Poppins



Me lol

You pretty

Don't look 14

Thanxxxx I thinkk 🤔

Yes

U look older

Welll I'm def 14 lol wish I was older

I know

I wish yiu was 18

Lol

When your birthday

Welll u don't look likee u in no 50's hoo



Say something nice...

SEND

kik.Connect and make
new friends



Ambient_Poppins



I wish yiu was 18

Lol

When your birthday

Welll u don't look likee u in no 50's boo

March lol an urs

Nov

Why boo

Coolll. What u mean yyy boo lol

It's just a sayin lol

Ok

Sorryyyy. I want say it no more 🙄

It is ok

Okkk lol. What ya doin noww



Say something nice...

SEND

dotPier

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Ok

Sorryyyy. I want say it no more 🙄

It is ok

Okkk lol. What ya doin noww

Getting new car

At Toyota

Whattttt. Thatsss cooll

Trade my 2018 Toyota car for
2021 truck

Coolll I like trucksss lol

Ok

I take picture of it for

You



Say something nice...

SEND

dailymix

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Coolll I like trucksss lol

Ok

I take picture of it for

You

Okkkk

It is blue

Likee dark 🌑. I likeee black 🌑

It light blue

I like puprle

I likeee purple 2. I'm suree it a pretty truck tho

It is

You

Wish I hang out with



Say something nice...

SEND

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I likeee purple 2. I'm suree it a pretty truck tho

It is

You

Wish I hang out with

What u mean. I likee hangin outttt 🤔

Like take you to the movies

Nothing sexaul

Lol. Yyyy U said thattt

Today, 1:57 PM

I dont know sorry

Lol. It's okkk. I'm down 4 anything so it don't matter lol

Ok



Say something nice...

SEND





Ambient_Poppins



I dont know sorry

Lol. It's okkk. I'm down 4 anything so it don't matter lol

Ok

I was best friends with a girl when she was 12 until 20 and we never had sex just hung out than she wasn't

Wowww lol

Yep

Am big sucker

Okkk

If that's all u want then that's all u want lol

Don't know

What u mean 🌟🤔



Say something nice...

SEND

THE NATIONAL

DCT DEMO EVENT

DEMO DETAIL'S





Ambient_Poppins



Okkk

If that's all u want then that's all u want lol

Don't know

What u mean 🤔🤔

Yes friends

I dont want go to jail

Okkk

Ain't no1 goin 2 jail bc I ain't tellin. My momm wudd killlll me. She don't even no I'm on here lol

Ok

Plus I don't no no1 here and when myy aunt leaves it's jus me

Ok



Say something nice...

SEND





Ambient_Poppins



Ok

Plus I don't no no1 here and when myy
aunt leaves it's jus me

Ok

You not in school

Nooo. I've done homeschool for 3
years bc of myyy moms work schedule

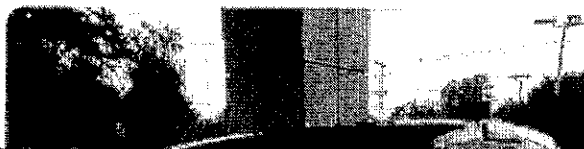
I start back next week

Ok

So yiu dont get meet people your age
cause you don't go to public school

Yuppp. But I like older guys anyway

Ok



Say something nice...

SEND

kik.

Connect and make
new friends





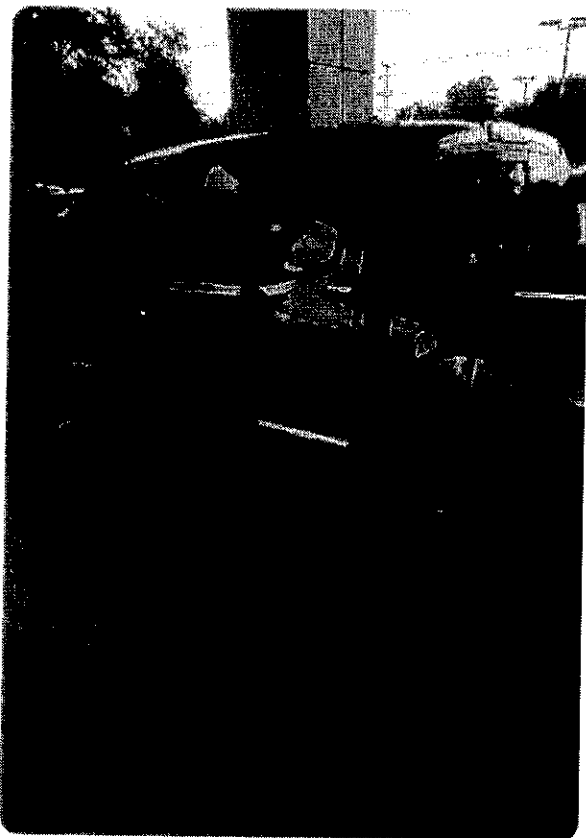
Ambient_Poppins



So yiu dont get meet people your age
cause you don't go to public school

Yuppp. But I like older guys anyway

Ok



Niceeeee. It's kinda dark

Today, 3:00 PM

U by it yet 🌹🌹🌹



Say something nice...

SEND

kik.

Connect and make
new friends





Ambient_Poppins



Niceeee. It's kinda dark

Today, 3:00 PM

U by it yet 🌧️🌧️

Still doing paperwork

Ohhh. Okk lol

Today, 3:50 PM

At the movies now

Ohh. What movie

Jungle cruise

What's that abouttt

You want me 2 leave u alone so u can
watch ittt

Say something nice...

SEND

kik.

Connect and make
new friends



Ambient_Poppins



Ohh. What movie

Jungle cruise

What's that abouttt

You want me 2 leave u alone so u can watch ittt

No don't

The rock is in

Ohhh coolll. I like him 🤔

Ok

Okkk. What u doin after 🤔

Nothing

Here myself

I mean what u doin after the movie 🤔



Say something nice...

SEND

kik.

Connect and make
new friends





Ambient_Poppins



Ok

Okkk. What u doin after 🤔

Nothing

Here myself

I mean what u doin after the movie 🤔

Nothing

Guess going get some thing to eat

I c. Okkk

You

Where are you

Aunt home

At myyy aunts still. Until Sunday. Noo
she attt work til like 2

In the morning



Say something nice...

SEND

Amino

Create your own
online community.

A



Ambient_Poppins



You

Where are you

Aunt home

At myyy aunts still. Until Sunday. Noo
she attt work til like 2

In the morning

Than u going back to Charleston

Yuppp.

What she do

I go backkkk Sunday when my momm
gets backkk

To Charleston

Yuppp

Ok



Say something nice...

SEND

Amino

Create your own
online community.





Ambient_Poppins



I go backkkk Sunday when my momm
gets backkk

To Charleston

Yuppp

Ok

Whatt who do myy momm or aunt

What

You in Columbia now

You asked me what she do

Yesss. N Columbia until Sunday

Your aunt

Works at some hospital around heree

Ok

Whatt u do



Say something nice...

SEND

Amino

Create your own
online community.

A



Ambient_Poppins



You asked me what she do

Yesss. N Columbia until Sunday

Your aunt

Works at some hospital around heree

Ok

Whatt u do

State library

Papa johns

| papa johnssssss

Ok



How's the movie

It is ok

Wed



Say something nice...

SEND

dailypop

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Ambient_Poppins



papa johnsssss

Ok



How's the movie

It is ok

Wyd

Jus bein bored an hungry lol. Tryin 2
decide what 2 eat

Ok

I bring you pizza

Reallyyy lol

I would

U soo nice

Sucker



Say something nice...

SEND

dailypop

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Ambient_Poppins



Reallyyy lol

I would

U soo nice 🤔🤔🤔

Sucker

Haha haha

Bring you pizza

Yyy u call me a sucker 🤔🤔

No me

Am big sucker

Ohhh. I was likeee he called me a
sucker 🤔

No me

I am



Say something nice...

SEND

dailypop

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Ambient_Poppins



Am big sucker

Ohhh. I was likeee he called me a
sucker 🤔

No me

I am

Lolol. It's okk.

Ok

I come see you



What we gone doooo 🤔🤔🤔

Nothing

Give yiu hug

Apizza

Thatss allll 🤔. I'm down 4 anything 🤔



Say something nice...

SEND

AMERICAN

AMERICAN
COUNTRY
MUSIC



MIT



Ambient_Poppins



Where your dad

Theyy divorced an I don't reallyyy c him

Ok

U still at the movie

Yes

Coolll

Wish yiu was hete to

Mee 222. What wud u like about itt 🤔

Holding your hand



You

I wuddd likeee that 2. What else 🤔 🤔



Say something nice...

SEND

ADDRESSING CHALLENGES
in Rural Communities





Ambient_Poppins



You

I wudd likeee that 2. What else 🤔🤔



Don't know

Am all myself

Noo. What wudd u like 2 do with mee if I was there lol

Hold your hand

Kiss your hand

Ohhhhhh. I likeee that. Then. What u want 2 doo 🤔

Don't know

Awwww 🤔



Say something nice...

SEND

Amino

Create your own
online community.



Ambient_Poppins



Kiss your hand

Ohhhhhh. I likeee that. Then. What u want 2 doo 🤔

Don't know

Awwwww 🤔

You eat yet

Nopeee

I bring yiu something

Whattt else we gone do tho. Just want 2 no how to prepare 😊😊😊

Just bring you food

Hold your hand and hug you than go home

Ughh. I want 2 have funn 🤔

Ok



Say something nice...

SEND

Amino

Create your own
online community.

A



Ambient_Poppins



Just bring you food

Hold your hand and hug you than
go home

Ughh. I want 2 have funn 🤔

Ok

Am leaving the movies

Going home i guezz

Okk. If that's what u want 2 do

No I want to come meet you

Welll. It depends on what ya want 2
dooo boo. I'm fixin 2 get n shower 😊

Ok

You gonna wear purple

I bring you food

Depends lol. Whatt we gone doo after



Say something nice...

SEND

Amino

Create your own
online community.

A



Ambient_Poppins



Ok

You gonna wear purple

I bring you food

Depends lol. Whatt we gone doo after
we eattt 🤔🤔🤔

You trying to get me in trouble lol

Am scare

Noo I'm nottt. I'm nott tellin an no1
hereee lol

Ok

Wacth you

Today, 7:33 PM

Wyd

Watch me what lol

be sittin here waitt



Say something nice...

SEND



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Privacy



Ambient_Poppins



Today, 7:33 PM

Wyd

Watch me what lol

Jus sittin here bored

Oh

Watch you play with your self

Likee yea. How

At your housr

House

Yaaa. Like what wud I be doin 🤔

Rubbing your pussy while wearing
your panties

Okk. I will do that

Ok



GIF

Say something nice...

SEND

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Shop now •

Privacy



Ambient_Poppins



Rubbing your pussy while wearing
your panties

Okk. I will do that

Ok

What will u b doin 🤔

Jerking

Doing that now

Okk. What timee u comin bc I ain't
showere yet

Save it boo 4 here

Ok

R u lyin about comin here

No I come see you

Well come onnn



Say something nice...

SEND



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Shop now •

amazon
Privacy



Ambient_Poppins



Ok

R u lyin about comin here

No I come see you

Well come onnn



Where

I'm down the road from the loves on
Longs pond rd an u

Gaston

How far is thatt

Like 20 mins

Okkk. Well come on boo

Address

340 longs pond rd



Say something nice...

SEND

Shop. Connect. Enjoy.
Shop now •**amazon**

Privacy



Ambient_Poppins



How far is thatt

Like 20 mins

Okkk. Well come on boo

Address

340 longs pond rd

That in Lexington

Yess

Am scare

Don't bbbb scaredd boo. No1 here
buttt me

Ok

Let me no when u there an I will give u
here addressGotta make sure u 4 real an ain't no
kid napper

GIF

Say something nice...

SEND



Ambient_Poppins



Ok

Let me no when u there an I will give u
here address

Gotta make sure u 4 real an ain't no
kid napper

Not kid napper

So wrong address

Okkk

The gas station beside me lol. I told u

Hurry up lol

Ok

Ok

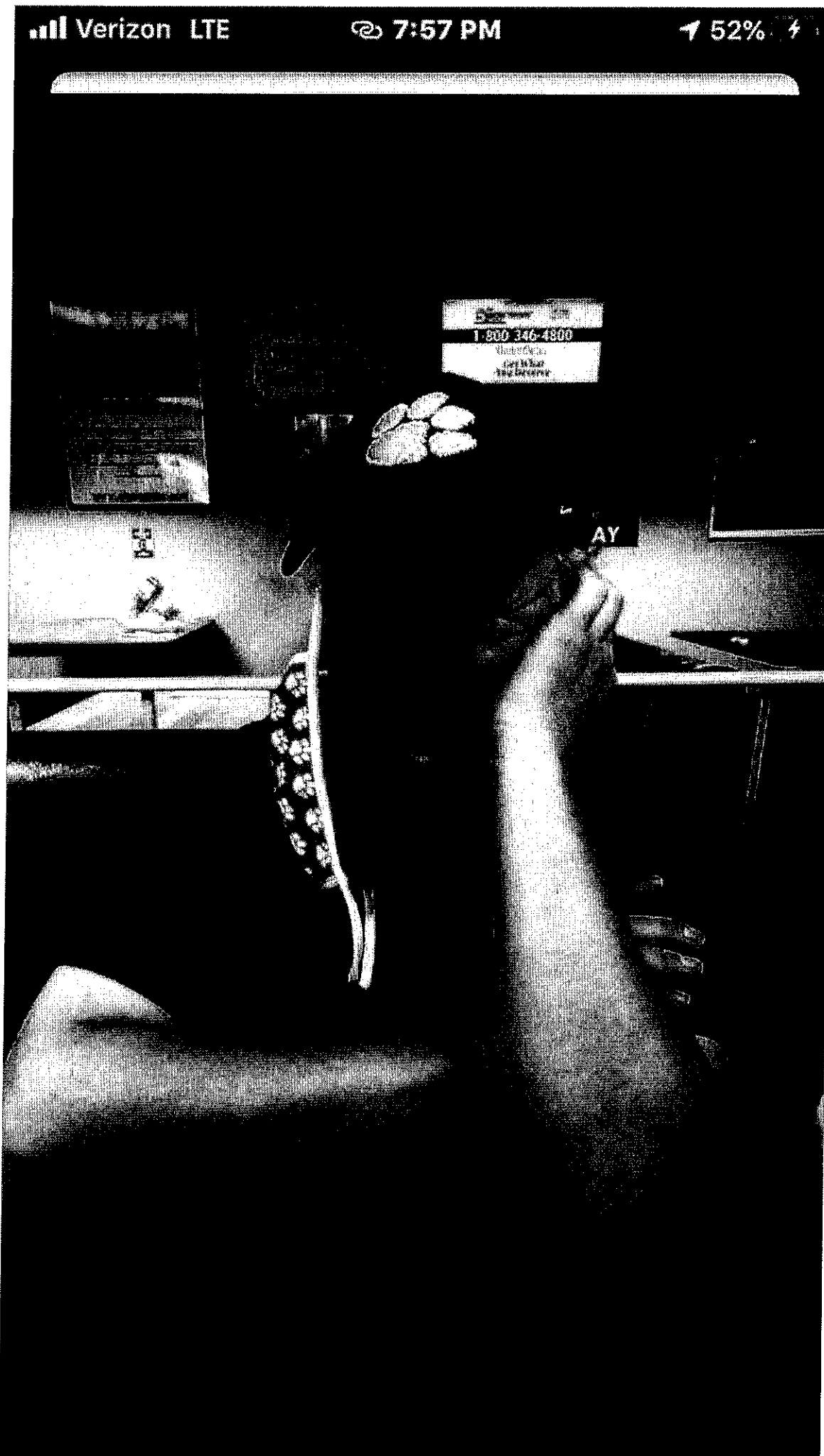
Let me no when I leave an I will get
n shower 🚿

Leaving now



Say something nice...

SEND





Ambient_Poppins



Leaving now

Kkkk. Gettin n shower. I get 2 c ur
newww truckkk

Yep

Yayyyyy

Imm our the shower boo

Out lol

Ok

Where u at 📍

10 mins

Am at the Walmart

Okkk. Dryin myyy hair. It's longg

At loves

L:



Say something nice...

SEND



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Ambient_Poppins



Where U at

10 mins

Am at the Walmart

Okkk. Dryin myyy hair. It's longg

At loves

Hi

Sorryyy jus seein this. Dryin my hair. U bring my pizzas. I ain't ate

Hellooo boo. U there

No

U not there

Am at loves

No pizza

But I can bring McDonald's



Say something nice...

SEND



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Plumbing Done Right... The First Time





Ambient_Poppins



No

U not there

Am at loves

No pizza

But I can bring McDonald's

Can u get me anything from store. I don't have 2 if ya don't want. I got sum money here

What

Greattt.

Am at McDonald's to

Chicken nuggets an milkshake

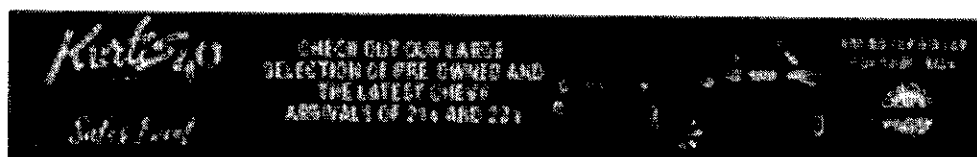
Sause

U r. U sooo sweet



Say something nice...

SEND





Ambient_Poppins



Greattt.

Am at McDonald's to

Chicken nuggets an milkshake

Sause

U r. U sooo sweet

BBQ

Adress

What fav

Fav what

Milkshake

Choc. Or whatevs they have

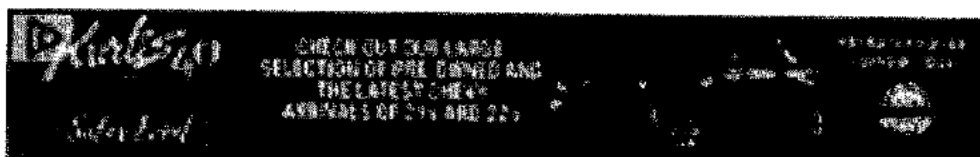
Adress

denali ct Lexington



Say something nice...

SEND





Ambient_Poppins



Fav what

Milkshake

Choc. Or whatevs they have

Adress

denali ct Lexington

Where is that

The house lol

How far from here

Ok

Like 4 minutes or less

U got goggle maps boo

U find it



Say something nice...

SEND





Ambient_Poppins



Adress

denali ct Lexington

Where is that

The house lol

How far from here

Ok

Like 4 minutes or less

U got goggle maps boo

U find it



Here

Here

Kkkk. Door open boo



Say something nice...

SEND



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WITNESSES

Det. Sgt. Anthony Adam Creech
Lexington County Sheriff's Department

DOCKET NO. 2023-GS-32- **6083**

The State of South Carolina

County of Lexington

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

August, 2023 TERM

I hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

2021A3210202436

Defendant

THE STATE

vs.

Witness:

C.C.C. PLS. AND G.S.

ACTION OF GRAND JURY
TRUE BILL

MARK THOMAS FRICK

D.O.B. [REDACTED]

Donald Coffey
Foreperson of Grand Jury
Date: **8-7-2023**

VERDICT

Guilty

Indictment for

**CRIMINAL SOLICITATION
OF A MINOR**

SC Code: 16-15-0342

CDR Code: 2999

Donald Coffey
Foreperson of Petit Jury

Date: **8-20-2025**

STATE OF SOUTH CAROLINA)
)
)
 COUNTY OF LEXINGTON)

INDICTMENT

CRIMINAL SOLICITATION OF A MINOR

At a Court of General Sessions, convened on August, 2023,
 the Grand Jurors of Lexington County present upon their oath:

That Mark Thomas Frick, on the date of August 12, 2021, did commit the crime of Criminal Solicitation of a Minor. To wit: Mark Thomas Frick, a person eighteen years of age or older, did knowingly contact and communicate with a person he reasonably believed to be under the age of eighteen, in Lexington County, for the purpose of or with the intent of persuading, inducing, enticing, or coercing the person to engage or participate in a sexual activity as defined in Section 16-15-375(5), or a violent crime as defined in Section 16-1-60, or with the intent to perform a sexual activity in the presence of the person reasonably believed to be under the age of eighteen. This is in direct violation of Section 16-15-0342, 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.

OFFICE OF THE ATTORNEY GENERAL


 ALAN WILSON (BBM)
 ATTORNEY GENERAL

WITNESSES

Det. Sgt. Anthony Adam Creech
Lexington County Sheriff's Department

DOCKET NO. 2025-GS-32-60131

SHG

The State of South Carolina
County of Lexington

After being fully advised as to my
legal rights, I hereby waive presentment
to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

March 2025 TERM

I hereby appear in my own proper person and plead
guilty to the within indictment or to

ARREST WARRANT NUMBER

Direct Presentment

Defendant

THE STATE

VS.

Witness:

ACTION OF GRAND JURY

MARK THOMAS FRICK
D.O.B. [REDACTED]

C.C.C. PLS. AND G.S.

TRUE BILL

Deposition of Grand Jury
Date: 3-10-25

VERDICT

Guilty

Indictment for

ATTEMPTED SEXUAL EXPLOITATION
OF A MINOR IN THE FIRST DEGREE

SC Code: 16-5-395(A)(1)
CDR Code: 0397

Deposition of Petit Jury
Date: 3-20-2025

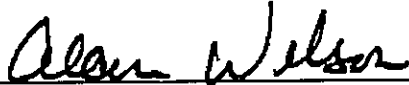
STATE OF SOUTH CAROLINA	)	INDICTMENT
	)	
COUNTY OF LEXINGTON	)	ATTEMPTED SEXUAL EXPLOITATION OF
	)	A MINOR IN THE FIRST DEGREE

At a Court of General Sessions, convened on March, 2025, the
Grand Jurors of Lexington County present upon their oath:

That Mark Thomas Frick, on or about August 12, 2021, did attempt to commit the crime of Sexual Exploitation of a Minor in the First Degree. To wit: Mark Thomas Frick while knowing the character of the performance attempted to use, employ, induce, coerce, encourage, or facilitates a minor to engage in sexual activity or appear in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation for a live performance within the County of Lexington, State of South Carolina. This is in direct violation of Section 16-15-395(A)(1) and Section 16-1-80, 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.

OFFICE OF THE ATTORNEY GENERAL


ALAN WILSON (SJR)
ATTORNEY GENERAL

STATE OF SOUTH CAROLINA

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington

STATE vs.

Mark Thomas Frick

AKA: _____ SSN: _____

RACE: W SEX: M DOB: _____In disposition of the above indictment comes now the Defendant who was CONVICTED OF ☐ or ☐ PLEADSTO: Criminal Solicitation of a MinorRange of Offense Pled 0-10In violation of § 16-15-342 of the S.C. Code of Laws, bearing CDR Code # 2999☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ MANDATORY GPS ☐ § 17-25-45The charge is: ☒ As Indicted ☐ Lesser Included Offense, ☒ Defendant Waives Presentment to Grand Jury.The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated ☐ Recommendation _____S. Ryan 101351
Solicitor SC Bar # _____

Attorney for Defendant SC Bar # _____

The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Program
for a determinate term of 4 days/months/years/Time Served ☐ YOA NTE _____ years and/or shall pay a fine
of \$ _____; provided that upon the service of _____ days/months/years/Time Served and or paymentof \$ _____ plus costs and assessments as applicable* ; balance is suspended with probation for _____ months/years
and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.The sentence shall run ☐ CONCURRENT or ☒ CONSECUTIVE to sentence on: 2026-05-31-60131☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.10 days/months ☐ To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

- ☐ PTUP _____
- ☐ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment
- ☒ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ SAC/MHC if necessary
- ☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- ☐ Other: _____

Restitution \$ _____

FINE: \$ _____

\$ _____

\$100 \$100

\$100 \$

\$12 \$

\$25 \$

\$25 \$25

\$150 \$

\$41 \$

\$50 \$

\$40/ea \$

TBD \$

\$500 \$

\$40 \$

TOTAL 125.00☐ RESTITUTION See Separate Order (20% per S.C. Code §24-21-490(B))

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1) Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-1995 (DUI Assessment

§56-1-286 (DUI Breath Test)

§14-1-212 (Law Enforcement Funding)

§14-1-213 (Drug Court Surcharge)

§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel. Proviso requires \$500 to be paid to Clerk during probation and shall be collected before any other fees.☐ §17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund

Fine/Costs and Assessments are to be paid to the

Clerk of Court within _____ days/months

Clerk of Court/Deputy Clerk

Stacy Johnson

Court Reporter

Judge Code 2769

Sentence Date 3/26/25

Presiding Judge Dobria McCaslin

SCCA217B

01/27/2025

STATE OF SOUTH CAROLINA

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

COUNTY OF LexingtonSTATE vs.
Mark Thomas Frick

AKA: _____ SSN: _____

RACE: W SEX: M BOB: _____INDICTMENT/CASE#: 2025 -GS- 32 60131 SAGAW#: Direct PresentmentDate of Offense: 08/13/2021S.C. Code §: 16-15-395CDR Code #: 0397Range of Offense: 3-20In disposition of the above indictment comes now the Defendant who was CONVICTED OF ☐ or ☐ PLEADSTO: Attempted Sexual Exploitation of a Minor, First Degree Range of Offense Pled 3-20In violation of § 16-15-395 of the S.C. Code of Laws, bearing CDR Code # 0397☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ MANDATORY GPS ☐ § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☒ As indicted ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated ☐ Recommendation _____Solicitor 101351 SC Bar # 101351 Attorney for Defendant SC Bar # _____The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Program
for a determinate term of 10 days/months/years/Time Served ☐ YOA NTE _____ years and/or shall pay a fine
of \$ _____; provided that upon the service of _____ days/months/years/Time Served and or payment
of \$ _____ plus costs and assessments as applicable; balance is suspended with probation for _____ months/years
and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.The sentence shall run ☐ CONCURRENT or ☒ CONSECUTIVE to sentence on: 2023-05-32-6083☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.1 (C) days/months ☐ To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

- ☐ PTUP _____
- ☐ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment
- ☒ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ SAC/MHC if necessary
- ☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- ☐ Other: _____

☐ RESTITUTION See Separate Order (20% per S.C. Code §24-21-490(B))

- §14-1-206 (Assessments 107.5%)
- §14-1-211 (A)(1) Conv. Surcharge)
- §14-1-211 (A)(2)(DUI Surcharge)
- §56-5-1995 (DUI Assessment)
- §56-1-286 (DUI Breath Test)
- §14-1-212 (Law Enforcement Funding)
- §14-1-213 (Drug Court Surcharge)
- §34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)
- §50-21-114 (BUI Breath Test Fee)
- §56-5-2942(J) (Vehicle Assessment)
- 3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel. Proviso requires \$500 to be paid to Clerk during probation and shall be collected before any other fees.☐ §17-3-45(B) Unpaid Application Fee to be paid to the Public Defender FundFine/Costs and Assessments are to be paid to the
Clerk of Court within _____ days/months

Restitution \$ _____

FINE: \$ _____

\$ _____

\$100 \$100

\$100 \$

\$12 \$

\$25 \$

\$25 \$25

\$160 \$

\$41 \$

\$50 \$

\$40/ea \$

TBD \$

\$500 \$

\$40 \$

TOTAL 125.00

Clerk of Court/Deputy Clerk

Straight Johnson

Court Reporter

Judge Code

Sentence Date

Presiding Judge

SCCA217B
01/27/2025

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,

RECEIVED

Jun 11 2026

SC Court of Appeals



Lara M. Caudy
Senior Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 11th day of June, 2026.